

Folder

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JAN 28 2003

DEC 19 2002

Page 1

Department of Water Resources
Southern RegionDepartment of Water Resources
State of Idaho

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 47-07680

RECEIVED

NOV 27 2002

Department of Water Resources

Date of Priority: November 20, 1980**Maximum Diversion Rate:** 4.90 CFS**Maximum Diversion Volume:** 881.0 AFComes now KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC
PO BOX 201BUHL ID 83316 and represents to the Director of the Idaho Department
of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 47-07680, and requests that the permit be changed as follows:**Source:** GROUND WATER

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
STOCKWATER	01/01 to 12/31	0.01 CFS	0.2 AF
IRRIGATION	03/15 to 11/15	1.41 CFS	84.6 AF
COMMERCIAL	01/01 to 12/31	0.04 CFS	0.6 AF
HEATING	01/01 to 12/31	4.90 CFS	804.0 AF
DOMESTIC	01/01 to 12/31	0.55 CFS	84.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, Twp 09S, Rge 14E, B.M. TWIN FALLS County
 GROUND WATER NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10, Twp 09S, Rge 14E, B.M. TWIN FALLS County
 GROUND WATER NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14, Twp 09S, Rge 14E, B.M. TWIN FALLS County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 14E 11									X								

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 14E 10	1.5	2.5	1.0	3.0	.5			1.0					10.0			4.0	23.5
	L 4							L 3									
09S 14E 11		1.5			2.0	2.0	4.0	1.0	13.0	8.5	1.5						33.5
		L 9			L 8	L 3											
09S 14E 14		1.5	1.5		4.5	5.0		1.0									13.5

Total Acres: 70.5

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APR 22 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 47-07680

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 14E 11							X										

PLACE OF USE: HEATING

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 14E 10	X	X	X	X	X			X					X				
	L 4							L 3									
09S 14E 11		X			X	X	X	X		X	X	X					
		L 9			L 8	L 3											
09S 14E 14		X	X		X	X		X									

PLACE OF USE: DOMESTIC -- Same as Heating

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 19 day of NOVEMBER, 2002


(Signature)

KRR No. 1 Board President
(Office or Title)

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APR 22 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 47-07680

FOR DEPARTMENT USE ONLY
Preliminary check by SWK Fee \$50.00 Received by [Signature] # 0066246 Date 11-27-02

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 47-07680 with the following:

CONDITIONS OF APPROVAL

1. This water right authorizes the use of water for commercial purposes for one shop.
2. This water right authorizes the use of water for domestic and heating purposes for a maximum of 141 homes. Domestic use does not include the use of water for the irrigation of lawns, landscaping, or gardens or any other kind of irrigation in addition to the irrigation specifically authorized under this right.
3. The right holder shall use the full allotment of appurtenant surface water rights available under Rights 47-7261A and 47-7261B in conjunction with groundwater diverted for irrigation purposes under this right.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. Domestic and heating places of use are located within Lots 1-99, Kanaka Rapids Ranches P.U.D.; and Lots 201, 203-234, and 236-244, The Riverside at Kanaka Rapids Ranch.
7. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

Witness my hand this 30TH day of January, 2003 [Signature]

Acting for

[Signature]
KARL J. DREHER
Director

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APR 22 2003

**NOW
STARTING
RIGHT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: AD~

Right Number 47-7680 Applicant Kanapa Rapids Rch Home-Diversant Water System Inc.
Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).
☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☐ Description of amended point(s) of diversion.
- ☐ Amount, nature and period of use. If increased, delay date of priority.
- ☐ Description of amended places of use. If expanded, delay date of priority.
- ☐ Ownership of point of diversion and place of use.
- ☐ Stream index information (reverse).
- ☐ Map.
- ☐ Signature (must be permit holder).
- ☐ Fee.
- ☐ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) _____
- ☐ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☐ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☐ Approve.
- ☐ Deny.

Conditions _____

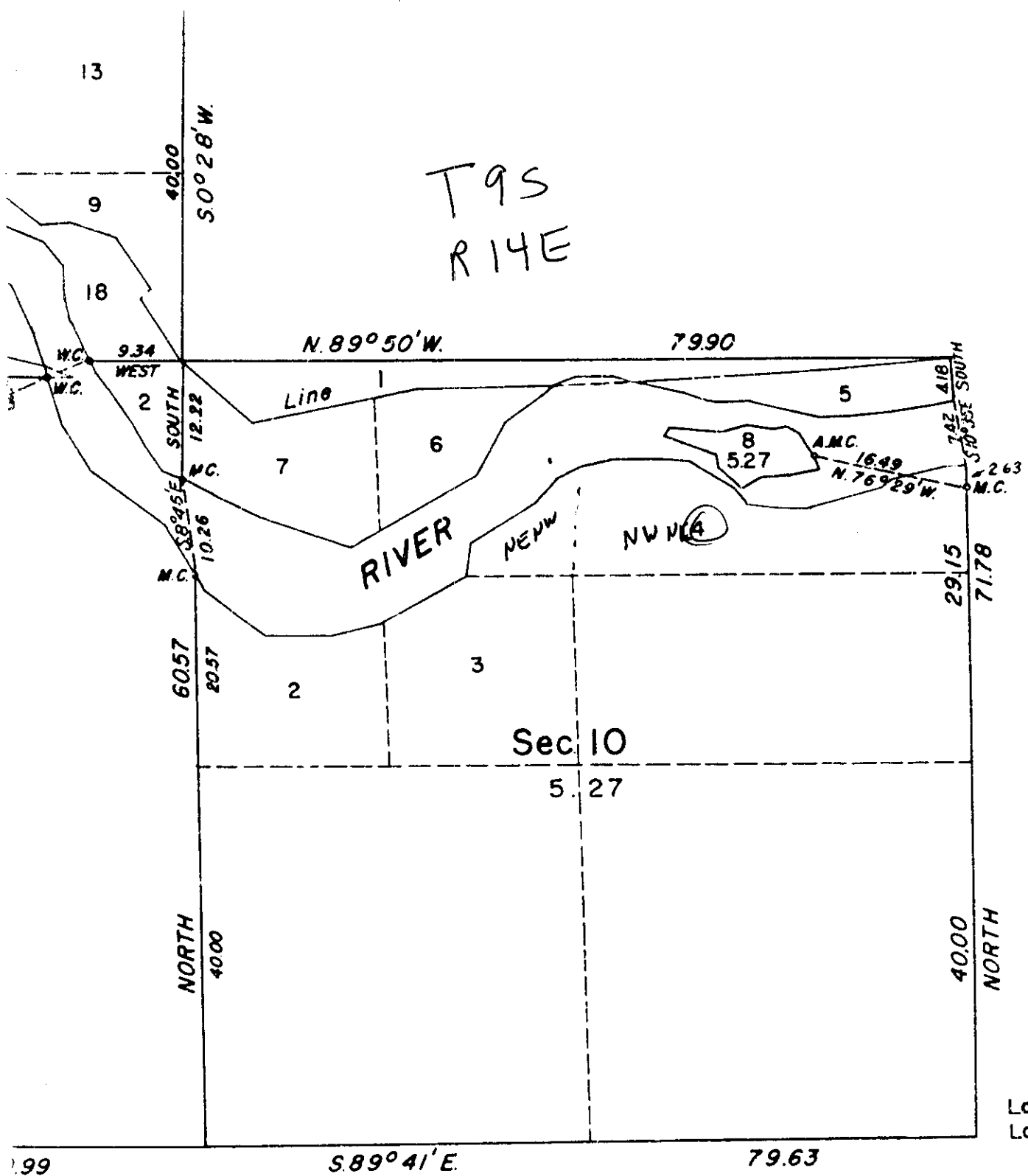
Forward to Stelly Leg
(See DLR comments)

By AD~ Date 1/27/03

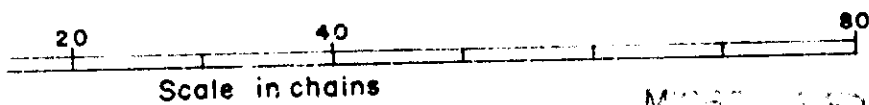
STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

requested by
S.O. for
lic-sing, Ex24



Cont. Lot 4 added to description of
NE NW and NW NE on
W.R. License 47-7680.



MODIFIED

2003

S. Keen
1/28/03

UN

This plat is st

**NOTICE OF PROPOSED
CHANGES TO WATER
RIGHTS**

Notice is hereby given that applications have been filed with the Idaho Department of Water Resources for changes to water rights within Twin Falls County: **KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC.**
PO BOX 201
BUHL ID 83316
filed an Application for Amendment of Permit No. 47-7680 on November 27, 2002 for licensing purposes. **ORIGINALLY** the ground water permit with a priority date of 11/20/1980 was authorized to divert a total of 14.6 cfs: 6.60 cfs for irrigation of 430 acres, 2.70 cfs for commercial use, 4.90 cfs for heating and 0.40 cfs for 99 domestic uses. The Amendment proposes to divert a combined total of 4.9 cfs as follows: IRRIGATION (1.41 CFS) of 70.5 acres from 03/15 To 11/15 with year round uses for STOCKWATER (0.01 CFS), COMMERCIAL (0.04 CFS), HEATING (4.9 CFS), and DOMESTIC (0.55 CFS) use for 141 homes within Lots 1-99, Kanaka Rapids Ranches P.U.D. and Lots 201, 203-234, and 236-244 of The Riverside at Kanaka Rapids Ranch. The domestic use does not include the use of water for irrigation (lawns, landscaping, or gardens). The irrigation use specified includes all lawns, gardens and other irrigation of common areas and pastures at the site. The site is generally located 4 miles North and 1.5 miles West of Buhl along Mud Creek and the Snake River.

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

I, Christy Hassler being first duly sworn upon oath, depose and say that I am Principal Clerk of the TIMES-NEWS, published daily at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for (2) Two consecutive Publications, commencing with the issue dated January 2, 2003, and ending with the issue dated January 9, 2003.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 9 day of January in the year 2003, before me, a Notary Public, personally appeared Christy Hassler, known or identified to me to be the person whose name 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.

**RICHARD &/or CONNIE
HAMMOND**
2950B N 3800 E;
HANSEN ID 83334
filed Application No. 70248 on 1/10/02 for a combined diversion of 1.20 cfs from ground water for irrigation of 81 acres. Transfer is proposing to dry up 27 acres 7.5 miles South and 0.5 miles West of Kimberly, Idaho and move to ground for irrigation use 7.5 miles South and 2.5 miles East of Kimberly, Idaho. Transfer is proposing to drill a new well and increase acres irrigated at an existing irrigation use. Flow from new well will be 0.49 cfs and the current place of use is increasing by 18 acres.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before January 21, 2003. The protestant must also send a copy of the protest to the applicant. Karl J. Dreher, Director

Published in the Times
News on January 2 and 9,
2003

Department of Water Resources
Southern Region
N- 44818

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APR 22 2003

REMITTANCE ADDRESS THE TIMES-NEWS - JAL P.O. BOX 548, TWIN FALLS, ID 83303-0548		BILL TO DEPT WATER RESOURCES	
AD NUMBER 370694	CLASS 0050 LEGAL	SALESPERSON 5	BILLING DATE 01/09/03 LINES 107
AD DESCRIPTION NOTICE OF PROPOSED CHANGES TO WATER		START DATE 01/02/03	STOP DATE 01/09/03
PUBLICATION 4 THE TIMES NEWS LEGAL	INSERTIONS 2	RATE LGL	NET AMOUNT 102.72
TOTAL AD CHARGE			102.72
4 AFFIDAVIT CHARGE		AFFID	7.00
<i>Amendment 47-7680,</i> <i>T# 70248</i>			
DAYS RUN			
PURCHASE ORDER		PAY THIS AMOUNT 109.72 109.72*	
legal			

OK
MB
1/21/03

RECEIVED
JAN 13 2003
Department of Water Resources
Southern Region

legal

AD NUMBER	CLASS	START DATE	STOP DATE
370694	050 LEGAL	01/02/03	01/09/03
AD DESCRIPTION		BILLING DATE	TELEPHONE NUMBER
NOTICE OF PROPOSED CHANGES TO WATER		01/09/03	208-736-3033

GROSS AMOUNT OF
109.72
DUE AFTER

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	00
CREDIT CARD NUMBER																																																																																																			

EXPIRATION DATE: ____/____/____

SIGNATURE:

DEPT WATER RESOURCES
1341 FILLMORE, SUITE 200
TWIN FALLS, ID

83301

11/21/2011 11:21:11 AM

MICROFILMED
APR 22 2003

TOTAL AMOUNT DUE
109.72
ENTER AMOUNT ENCLOSED

204000000037069400000000000000001097200000109722

December 30, 2002

FAX

To: Mary Baldwin - IDWR - Southern Regional Office
Fax # (208) 736-3037

From: Lin Buck - BLM - Idaho State Office
Fax # (208) 373-3839

Re: Application for Permit No. 47-07680, Kanaka Rapids Ranch Homeowners Water System, Inc.

Hi Mary:

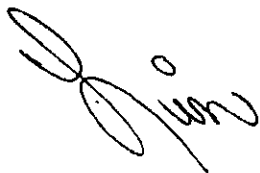
Our office reviewed the above water right application from the IDWR New Water Rights filing report dated December 23, 2002 (copy attached).

Our MTP (copy attached) shows the POU: T09S R14E S10 NWNE and NENW may be missing lot numbers.

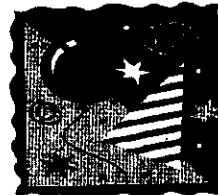
BLM does not have a problem with this claim; we are just providing this for your information.

Thank you.

Have a nice day!!



HAPPY NEW YEAR'S

Pages 4 (includes cover sheet)

cc: cc: Deena Teel - Idaho Falls FO
FAX # (208) 524-7505

RECEIVED

DEC 30 2002

Department of Water Resources
Southern Region

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APR 22 2003

IDAHO DEPARTMENT OF WATER RESOURCES NEW WATER RIGHT FILINGS

DATE: 12/23/02

Application for Amendment of Permit No. 47-7680

Name: KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM INC

Diversion Pt NWSESE	Sec 10 T 09S R 14E	TWIN FALLS County	Source GROUND WATER
Diversion Pt NWSENW	Sec 14 T 09S R 14E	TWIN FALLS County	Source GROUND WATER
Diversion Pt NESENE	Sec 10 T 09S R 14E	TWIN FALLS County	Source GROUND WATER
Use: STOCKWATER	01/01 To 12/31	0.01 CFS	0.2 AFA
Use: IRRIGATION	03/15 To 11/15	1.41 CFS	84.6 AFA
Use: COMMERCIAL	01/01 To 12/31	0.04 CFS	0.6 AFA
Use: HEATING	01/01 To 12/31	4.9 CFS	804 AFA
Use: DOMESTIC	01/01 To 12/31	0.55 CFS	84.6 AFA

Total Diversion: 4.9 CFS 881 AFA

Date Filed: 11/27/2002

Place Of Use: STOCKWATER

T09S R14E S11 NWSW

Place Of Use: IRRIGATION

T09S R14E S10 NENE Lot 4 NWNE SWNE SENE NENW SENW Lot 3 NESE SESE

T09S R14E S11 NWNE Lot 9 NENW Lot 8 NWNW Lot 3 SWNW SENW NWSW SWSW SESW

T09S R14E S14 NWNE SWNE NENW NWNW SENW

Number of Acres 70.5

Place Of Use: COMMERCIAL

T09S R14E S11 SWNW

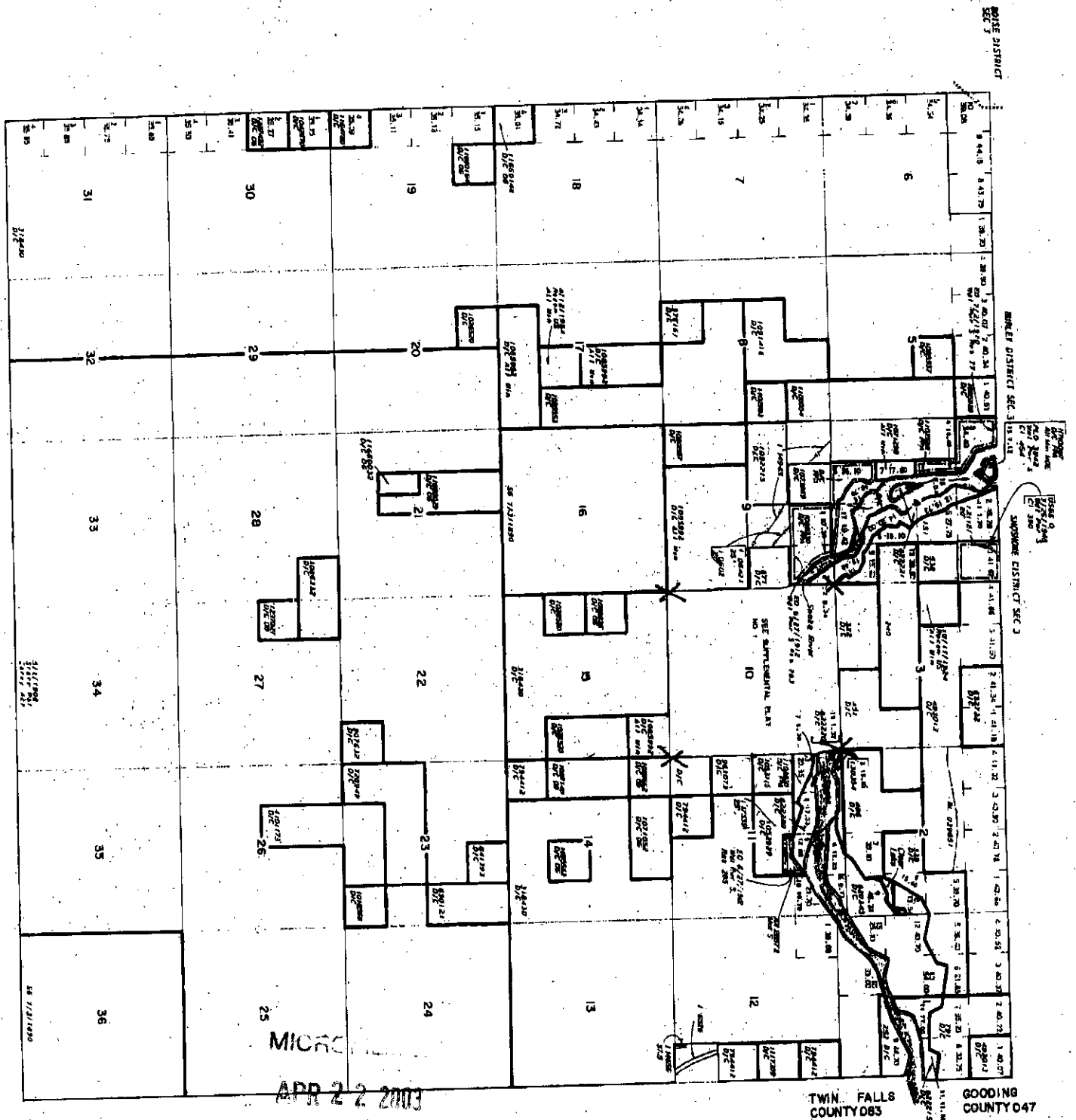
Place Of Use: HEATING, same as Irrigation

Place Of Use: DOMESTIC, same as Irrigation

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APR 22 2003

TOWNSHIP 9 SOUTH RANGE 14 EAST OF THE BOISE MERIDIAN, IDAHO



SCALE 1/4" = 1/2 MILE

WARNING: STATEMENT

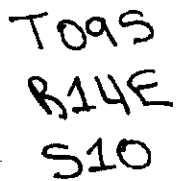
THE NOTATION SHOWN ON WITHDRAWS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE

MT PLAT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

INDEX TO CERTIFICATED TRACTS			
TRACT NO.	T.	R.	SECTION
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2	9	14	2
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INDEX TO CERTIFICATED TRACTS			
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APR 22 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 27, 2002

KANAKA RAPIDS RANCH HOMEOWNERS
WATER SYSTEM INC
PO BOX 201
BUHL ID 83316

Re: Application for Amendment of Permit No. 47-7680

Ladies and Gentlemen:

The Department of Water Resources acknowledges receipt of your application for amendment of a permit as referenced above.

This office has scheduled advertising the application in the Times News on 1/2 & 1/9/03. A period of ten days following the second publication will be allowed for the submittal of protests. (January 21, 2003)

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. A typical processing time for an un-protested application is about eight weeks.

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

Sincerely,

Mary A. Baldwin
Administrative Assistant I

MICROFILM

APR 22 2003

NOTICE OF PROPOSED CHANGES TO WATER RIGHTS

Notice is hereby given that applications have been filed with the Idaho Department of Water Resources for changes to water rights within Twin Falls County:

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Karl J. Dreher, Director

Published in the Times News on 1/2 & 1/9/03.

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APR 22 2003

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301
Phone: 736-3033
Fax: 736-3037

December 27, 2002

ATTN RUBY AUFDERHEIDE
LEGALS DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303-0548

Dear Ruby:

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 required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,



Mary Baldwin

Administrative Assistant

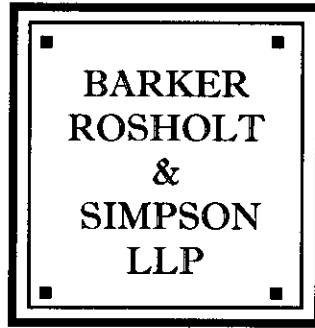
Enclosure

MICROFILMED

APR 22 2003

*John A. Rosholt
Albert P. Barker
John K. Simpson
Amy D. Chestnut
Travis L. Thompson*

*Norman M. Semanko
Of Counsel*



Travis L. Thompson
tltp@idahowaters.com

November 26, 2002

205 N. Tenth St., Suite 520
Post Office Box 2139
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

233 Second Street North, Suite D
Twin Falls, ID 83301
(208) 733-0700 telephone
(208) 735-2444 facsimile

RECEIVED

NOV 27 2002

Department of Water Resources

Mr. Shelley Keen
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

RE: Kanaka Rapids Ranch Homeowners Water System – Permit No. 47-07680

Dear Shelley:

Thank you for speaking with Norm Semanko and myself regarding the Application for Amendment of Permit No. 47-07680 on the phone last week. As promised, I am forwarding you a copy of the application that has been signed by the president of the Board of Directors for Kanaka Rapids Ranch Homeowners Water System Inc.

As part of the amendment process, we would also request that the Department refrain from publishing notice of this application. As indicated in an October 12, 1994 letter to Director R. Keith Higginson from John Rosholt on this specific permit, I.C. § 42-211 provides that the director "shall give notice to other affected water users as he deems appropriate." While noticing the application lies within the discretion of the director, there must first be a finding that "affected water users" exists. There will be no injury from this proposed amendment, and the total diversion amount has been reduced from the last proposed amendment that was being worked on in 1994 (5.79 cfs to 4.90 cfs).

Without the existence of "affected water users," there should be no notice or publication. Accordingly, although your October 25, 2002 letter states that the Department intends to publish this application for amendment, we respectfully request the Department to revisit this initial decision.

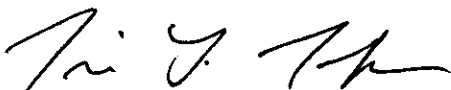
Thank you for your attention to this matter. If you have any further questions or need any other information, please contact me at 336-0700.

MICROFILMED
APR 22 2003

Mr. Shelley Keen
November 26, 2002
Page - 2

Sincerely,

BARKER ROSHOLT & SIMPSON LLP


Travis L. Thompson

Enc.

Cc: Mike Collins
Connie McLean

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APR 22 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 25, 2002

TRAVIS L THOMPSON
BARKER ROSHOLT & SIMPSON LLP
PO BOX 2139
BOISE ID 83701-2139

RE: Water Right Permit No. 47-07680 (Kanaka Rapids Ranches Homeowners)

Dear Travis:

I have enclosed an Application for Amendment form depicting the elements of Water Appropriation Permit 47-7680 in the manner we discussed at our meeting on September 27, 2002. The amendment is necessary to add the stockwater use and to authorize the substantial changes made by the permit holder to the domestic, irrigation, and heating uses allowed under the permit. Please review the amendment form carefully. If you concur with the information presented, please have the permit holder sign the form and return it with the \$50.00 filing fee within 30 days. If you have questions or concerns about the amendment as it is drafted, please contact me right away.

Once the application for amendment is submitted, IDWR intends to advertise it in accordance with §42-211, *Idaho Code*. When the application for amendment is advertised, it can be protested. If the application for amendment is protested, IDWR will proceed in the manner set forth in the agency's Rules of Procedure (IDAPA 37.01.01) for resolving contested cases. Whether it is protested or not, IDWR will review the merits of the application for amendment based on the established record, including any new information that may be introduced through a contested case or otherwise. IDWR will determine if a water right license should be issued once the ultimate disposition of the application for amendment is final and any appeals are finished.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Enclosure(s)

Cc: Allen Merritt, IDWR Southern Region

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APR 22 2003

MEMORANDUM

DATE: October 22, 2002

TO: Water Right File 47-7680

FROM: Shelley W. Keen ^{SWK}

RE: Confirmation of the Elements of the Water Right

Each element of water right 47-7680, as proposed in the application for amendment of permit prepared in October of 2002, was confirmed as explained in the following paragraphs.

Priority Date

The original application for permit was filed on November 20, 1980. Proof of Beneficial Use was due 8/1/1991 and submitted 7/30/1991. Because proof was not late, the priority has not been advanced from the original filing date.

Maximum Diversion Rate

The permit was issued for 14.60 cfs. In his beneficial use field report, Allen Merritt used information from the owner's engineer, Michael Choat, showing that the primary production well located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, S14, T9S, R14E, produces 2200 gpm, or 4.90 cfs. Merritt did not recommend adding the capacities of the other two wells because he strongly suspects that they are hydraulically connected to the first well and that diversions from them interfere with production from the first well. Merritt gave the right holder's opportunity to show otherwise, but they did not provide additional relevant information.

Maximum Diversion Volume

The maximum diversion volume on the amendment is not the sum of the annual diversion volumes for each use. To prevent expansion of the right, the volume is limited by the volume that would have been used had the permit been developed as it was initially permitted. That volume is calculated as follows:

In-house domestic use for 99 homes at 0.6 af/home	59.4 af
Heating use for 99 homes at 5.7 af/home	564.3 af
Commercial use in 99 greenhouses at 2.0 af/use	198.0 af
Irrigation of 99 half-acre lawns at 0.6 af/lawn	<u>59.4 af</u>
Total	881.0 af (rounded to 3 significant figures)

APR 22 2003

- **Heating** was identified in the application for permit and limited to 99 homes in the order issuing the permit. Allen Merritt found the water system for the Kanaka Rapids Ranches P.U.D. to be capable of delivering water to 99 homes for heating purposes. Merritt questioned the use of water for heating purposes on the The Riverside portion of the development. In 2002 Norman Semanko, the attorney representing Collins Bros., provided additional information showing that the water lines were stubbed in to the 42 lots on The Riverside prior to proof of beneficial use being submitted. The 42 additional lots can be added because the commercial use was not developed.
- **Domestic** use was identified in the application for permit and limited to 99 homes in the order issuing the permit. Allen Merritt found the water system for the Kanaka Rapids Ranches P.U.D. to be capable of delivering water to 99 homes for domestic purposes. Merritt questioned the use of water for domestic purposes on the The Riverside portion of the development. In 2002 Norman Semanko, the attorney representing Collins Bros., provided additional information showing that the water lines were stubbed in to 42 lots on The Riverside prior to proof of beneficial use being submitted. Lots 235 and 202 of The Riverside are not included because they are common area. The 42 lots in The Riverside can be added because the permitted commercial use was not developed.

Period of Use for Each Use

- Irrigation Standard irrigation season.
- Commercial Full year
- Heating Full year
- Domestic Full year
- Stockwater Full year

Diversion Rate for Each Use

- Irrigation – Standard 0.02 cfs per acre.
- Commercial – Standard domestic rate for one shop.
- Heating – At 0.05 cfs per home as recommended by Merritt, up to 7.05 cfs could be beneficially used. The licensed rate of 4.90 cfs is equivalent to the capacity of the diversion system. It provides 0.035 cfs per home.
- Domestic – The diversion rate is taken from Exhibit 12 of Appendix A of the field examiner's handbook, which describes the maximum instantaneous requirements for in-house domestic use.
- Stockwater – Based on the requirements for 15 horses as found in Exhibit 15 in Appendix A of the Field Examiner's Handbook.

Annual Diversion Volume for Each Use

- Irrigation – Standard volume for lawn/garden component of domestic use of 0.6 af/lawn for 141 lawns/gardens.
- Commercial – Standard in-house volume for a single home (shop)
- Heating – Based on Merritt's calculation of 5.7 af per home.

APR 22 2003

- Domestic – 0.6 af per home, or about 100 gallons per person per day in a home with five people.
- Stockwater -- Based on the requirements for 15 horses as found in Exhibit 15 in Appendix A of the Field Examiner's Handbook.

Location of Points of Diversion

The points of diversion are taken from Allen Merritt's field report. They match the locations provided on the original application for permit, except that Merritt refined the descriptions to the 10-acre tract.

Place of Use for Each Use

- Irrigation –Allen Merritt's estimate of 73.0 acres was adjusted by rounding to the nearest half-acre per tract and by reducing some tracts to get down to 70.5 acres. The largest reduction from Merritt's estimate was one full acre in the NESE, Section 10.
- Commercial – Taken from Allen Merritt's field report.
- Heating – The tracts listed are those containing building lots in Kanaka Rapids Ranches P.U.D. and The Riverside at Kanaka Rapids Ranch.
- Domestic -- The tracts listed are those containing building lots in Kanaka Rapids Ranches P.U.D. and The Riverside at Kanaka Rapids Ranch.
- Stockwater – The common area marked as pasture (Lot 235 of The Riverside) is in the NWSW of Section 11.

A diversion of 4.90 cfs all year is capable of producing 3540 af, which is more than the recommended maximum diversion volume.

Owner

The original permit holder, Collins Brothers Corporation, assigned the permit to Kanaka Rapids Ranch Homeowners Water System, Inc., on July 26, 1991.

Source

The permit was issued with a source of ground water. Allen Merritt confirmed the source in 1995. See the Beneficial Use Field Report.

Beneficial Uses

The permit was originally issued for irrigation of 430 acres and domestic, heating and commercial purposes for 99 homes. The order issuing the permit further stated that the irrigation is allowed only with water already used for another purpose and that the irrigation is supplemental to other water rights.

- The **commercial** use was identified in the application for permit as being for greenhouses. The greenhouses were never established. The only "commercial" use verified by Allen Merritt was the water use in one maintenance shop. Because most of the commercial use was not developed, it provides "trading stock" for adding other uses that were developed, including additional domestic units and stockwater.
- **Stockwater** was first identified during Allen Merritt's beneficial use field examination. He found water being used for the watering of approximately 15 horses. This use can be added because the commercial and irrigation uses were not developed.
- Under the permit, water could not be used for **irrigation** unless it was first used for another purpose. Some in the Department have interpreted this limitation as applying to "domestic" irrigation (lawns, landscaping, and gardens) as well as to agricultural irrigation. The right holder believes, and the proposed licensing amendment will confirm, that the limitation applies only to the agricultural irrigation, which ultimately was not developed. The 70.5 acres of irrigation use listed on the amendment is equivalent to the half-acre of "domestic" irrigation per home that can be authorized under domestic use. The half-acre per home is not being described as domestic use because it is not being limited to lawns and gardens. Instead, because the homes in Kanaka Rapids Ranches P.U.D. are on small lots with significant landscaped common areas between, the half-acre limit per home is being lumped together to authorize irrigation of common area.

Surface water under Rights 47-7261A and 47-7261B are also used for irrigation in Kanaka Rapids Ranches P.U.D. and in The Riverside. Conditions of approval should direct the right holder to make full use of the surface water as the primary supply.

APR 22 2003

Meeting 9/27/2002 2:00 p.m.

Page 1

RE: 47-7680 Kanaka Rapids

Travis Thompson, Norm Semanko, Mike Collins, Norm Young,
Shelley Keen

- ① Need to replace existing live amendment with new one, which must be signed by HOA board.
- ② Trailers on lot 210, lot 224 & 223, and RVs on 234.
- ③ Mike Collins says main water lines prior to 1994 ran along the roads. Intended as main water line for homes in the Riverside. Valves every 50 to 100'. Separate valves for irrigation. Used to irrigate the trees along the road. Connected only to the well in S.10. Replaced because it was steel pipe no longer up to code. All went in in 1979-1980.

John Haycock - appears on receipts - lived on lot 7 and worked for Mike Collins's father.

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APR 22 2003

9/27/2002 p. 2

Norm Lemako

The receipts he submitted came from the same boxes
he got from Carlo Ferreira.

no trees

- sent ~~the~~ amount to Travis Th.

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APR 22 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR AMENDMENT OF A PERMIT

RECEIVED
OCT 12 1994

Applicant KANAKA RAPIDS RANCH HOMEOWNERS WATER SYSTEM, INC. Phone 208-543-6767 Department of Water Resources

Address 176 KANAKA RAPIDS RANCH ROAD BUHL, IDAHO 83316

I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 47-07680, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: Change point of diversion Add point of diversion
Change place of use Change nature of use Change period of use X Other

1. Point of diversion: SAME 1/4 1/4 1/4, Section , Township , Range , B.M.,
County of . Other points of diversion

2. Period and nature of use: (Irrigation, domestic, stockwatering, industrial, etc.) TOTAL CFS = 5.79

Amount 3.57 for HOME HEATING purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount 1.98 for DOMESTIC purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount 0.24 for IRRIGATION purposes from 04/01 to 10/31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated: STOCKWATER/HORSES
0.02 01/01 12/31
SAME AS AMENDMENT OF PERMIT 47-07680, APPROVED 5/26/1994

T w p	R g e	S e c	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	14E	10	X	X	X	X	X			X	X				X	X		X	
		11		X			X	X	X	X		X	X	X					
		14		X	X		X	X		X									

Total number of acres to be irrigated =

4. a. Who owns the property at the point of diversion? SAME
b. Who owns the land to be irrigated at the 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:

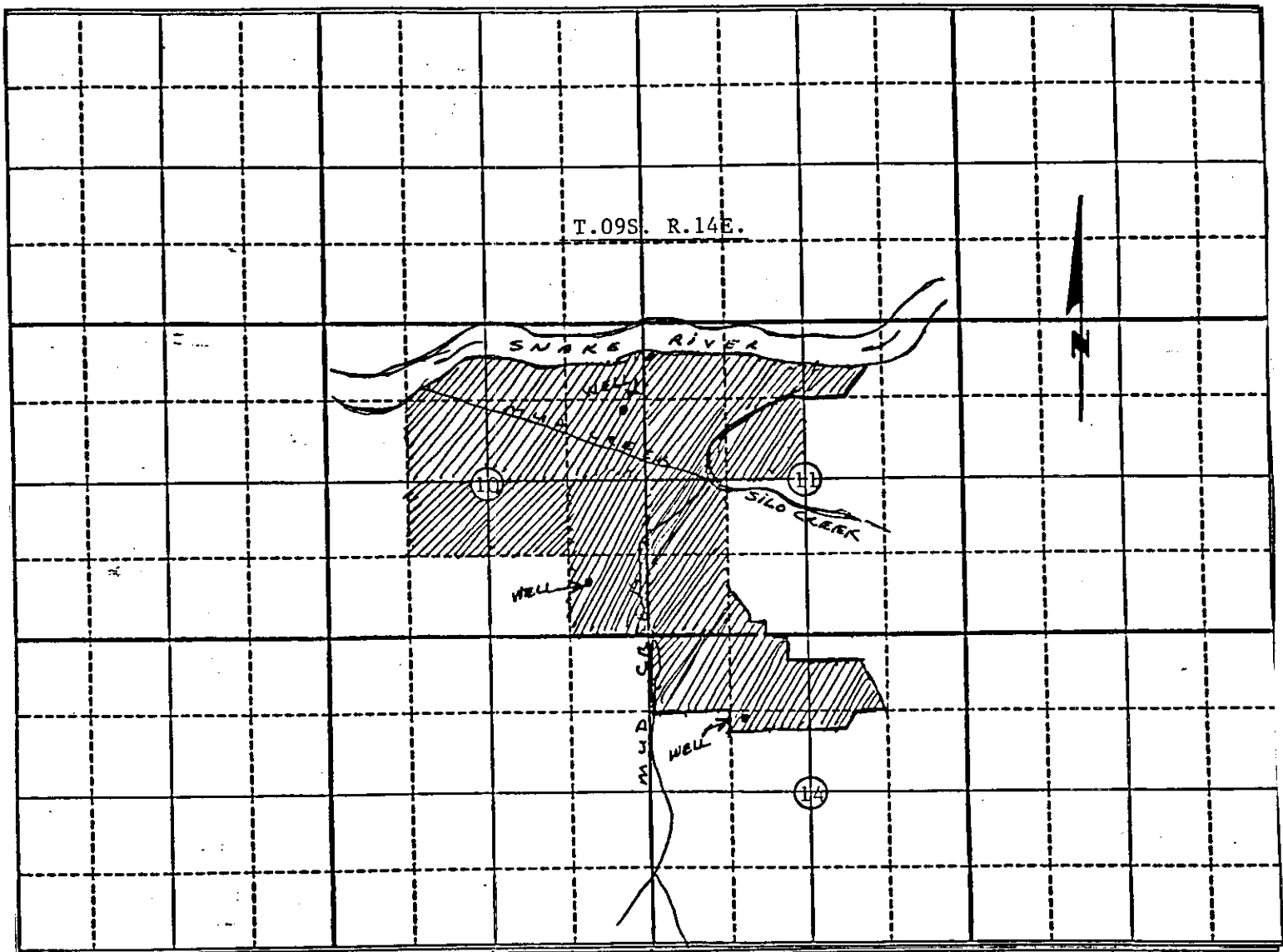
MICHAEL [Signature]

APR 22 2003

SAME MAP AS AMENDMENT OF PERMIT 47-07690. APPROVED 5/26/1994

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)



Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 11 day of October, 19 94.

Arty D. Foer
Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by _____ Publication prepared by _____ Date _____

Published in _____ Publication dates _____

I, _____, of the Department of Water Resources hereby

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Witness my hand this APR 22 2003 day of _____, 19 _____

SIGNATURE

**PROPOSED
CONDITIONS OF APPROVAL**

Amendment of Permit No. 47-07680

1. The right holder must comply with conditions set forth in Order Adopting Proposed Memorandum Decision and Order issued at time of permit approval, as modified by this amendment.
2. The amount of water diverted shall not exceed 5.79 cfs.
3. Approval of this amendment does not authorize any additional development of water for any beneficial purpose, the diversion facilities for which had not been constructed on or before August 1, 1994. This amendment authorizes up to 191 domestic and geothermal heating uses, irrigation of trees and common areas, and stock watering, to be allocated to the subdivision located within the place of use, as amended.
4. The right holder must install the best available technology (i.e., high efficiency heat pumps) to heat homes using the water available under the permit, as amended. This requirement shall not apply to homes constructed before the date of approval of this amendment.

08109402.NMS

MICHAEL
APR 22 2003

**FOR FIELD EXAM
AND
RELATED CORRESPONDENCE,**

SEE FILE FOLDER #2.

MEMORANDUM

DATE: September 20, 2002

TO: Water Right File 47-7680

FROM: Shelley W. Keen *SWK*

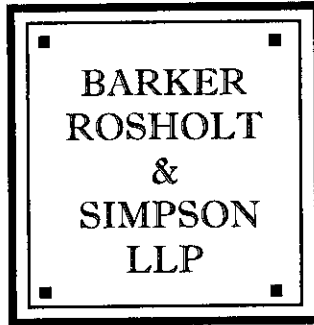
RE: IDEQ Records

A couple of weeks ago I asked Brian Reed of IDEQ in Twin Falls if there are any Public Water Supply System records for The Riverside at Kanaka Rapids Ranch. He told me IDEQ has no plans or spec prior to 1994 – just well logs.

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SEP 22 2003

*John A. Rosholt
Albert P. Barker
John K. Simpson
Amy D. Chestnut
Travis L. Thompson*

*Norman M. Semanko
Of Counsel*



Travis L. Thompson
tlt@idahowaters.com

205 N. Tenth St., Suite 520
Post Office Box 2139
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

233 Second Street North, Suite D
Twin Falls, ID 83301
(208) 733-0700 telephone
(208) 735-2444 facsimile

July 31, 2002

RECEIVED

JUL 31 2002

Mr. Shelley Keen
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

Department of Water Resources

RE: Kanaka Rapids Ranch – Permit No. 47-07680

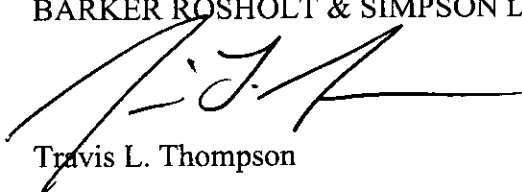
Dear Shelley:

In response to your telephone request for additional information regarding the above permit, please find enclosed a copy of the original survey plat for Melon Valley Ranches Units "MA" and "K." Unfortunately, upon further review of Collins Bros. Corp.'s business records, I have been unable to locate a diagram of the water system as it existed prior to its update in 1994. However, I have included a copy of the "Water Line Easement" that was attached to the deed for the common areas of the Riverside parcel that Collins Bros. conveyed to the Kanaka Rapids Ranch Homeowners association in 1994. The easement gives a legal description for at least part of the existing water distribution system that was replaced in 1994.

Hopefully this information can be used to retrace the water distribution system on the survey plats as it existed prior to its replacement. Please call me if you have any other questions or if I can provide any additional information.

Sincerely,

BARKER ROSHOLT & SIMPSON LLP



Travis L. Thompson

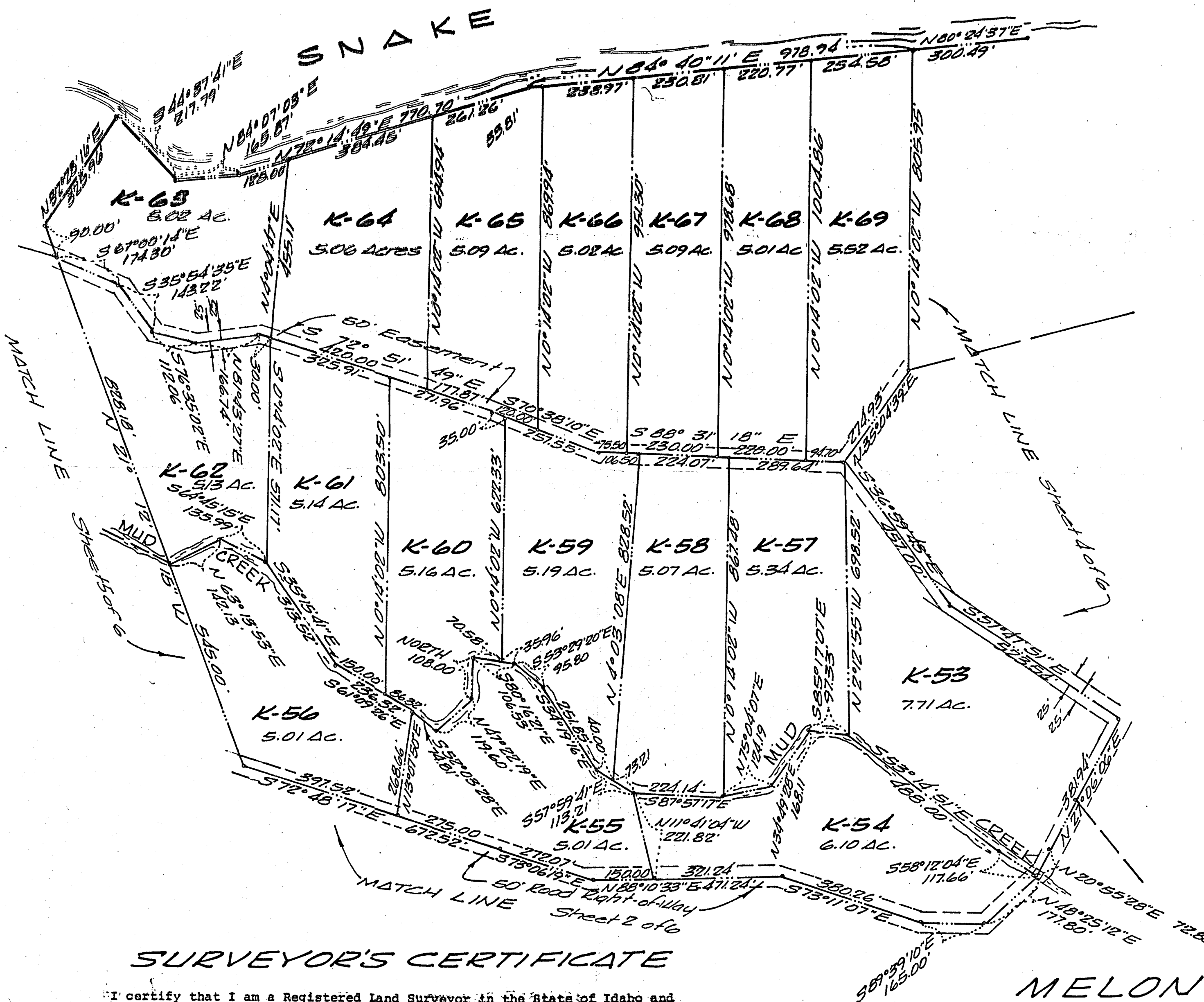
Enc.

Cc: Mike Collins
Connie McLean

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APR 22 2003

RIVER

SNAKE



Scale: 1" = 200'
 ——— Property Line
 • Property Corner

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 APR 22 2003

SURVEYOR'S CERTIFICATE

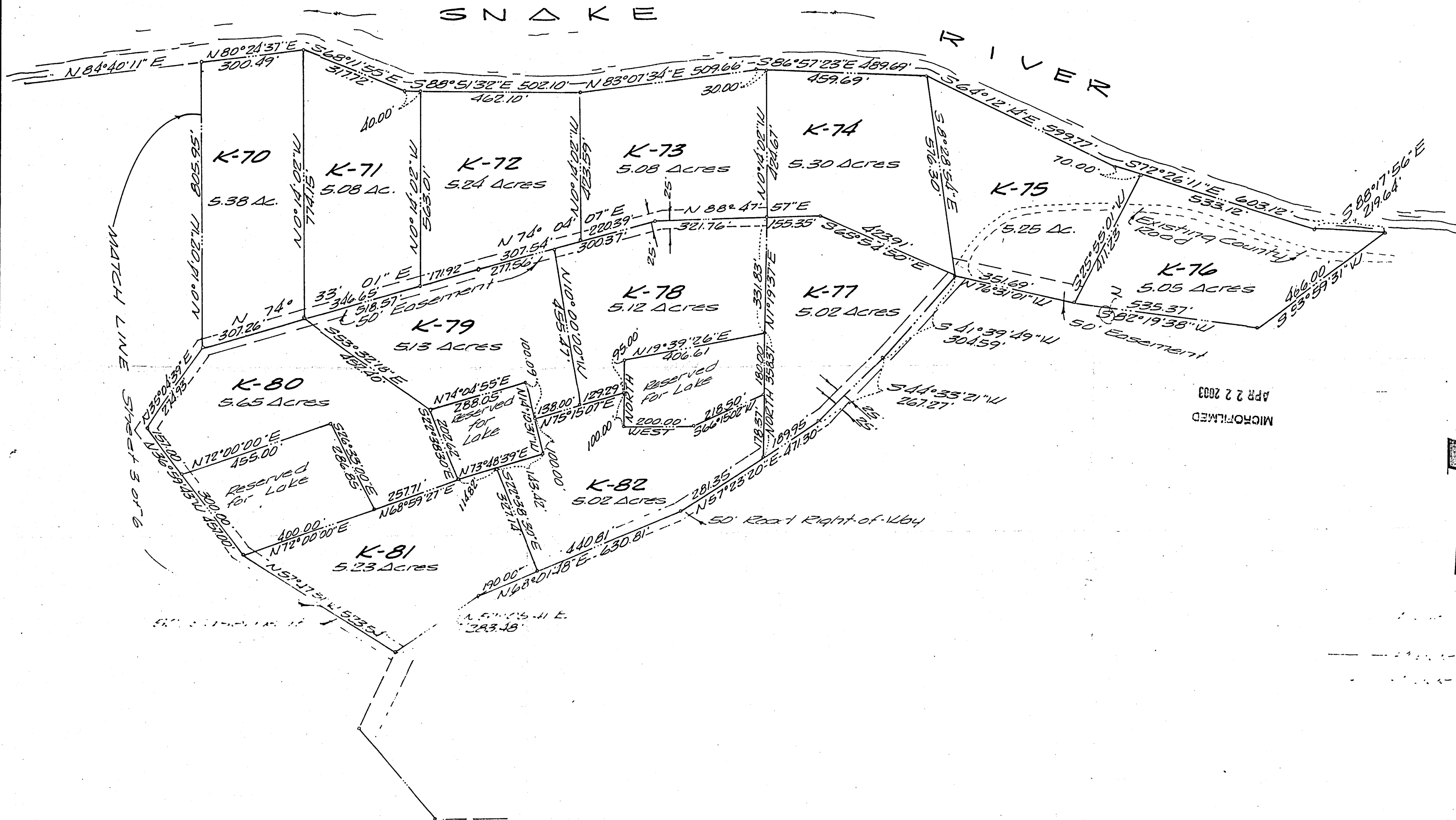
I certify that I am a Registered Land Surveyor in the State of Idaho and that this map is a true and correct representation of this property.

Richard H. Kessler
 9/23/79
 LAND SURVEYOR
 IDAHO

MELON VALLEY RANCHES
 UNIT "K"

EXHIBIT 1

Accurate Surveys
 Jerome & Wendell



SURVEYOR'S CERTIFICATE

I certify that I am a Registered Land Surveyor in the State of Idaho and that this map is a true and correct representation of this property.

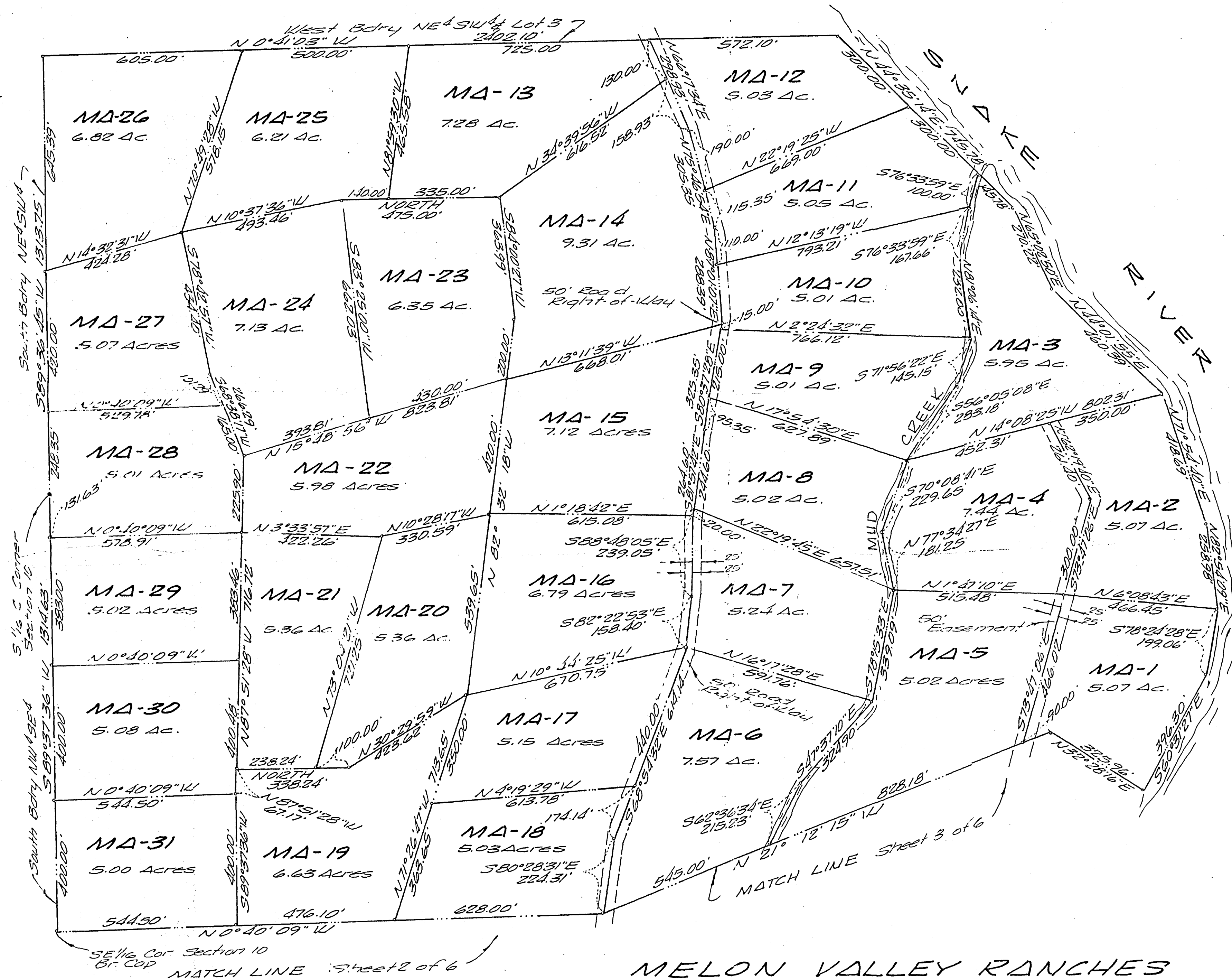
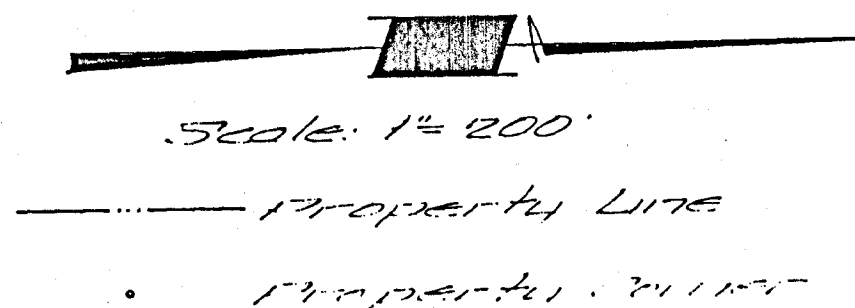
MELON VALLEY RANCHES
UNIT "K"

MICROFILMED
APR 22 2003

EXHIBIT 2

Accurate Surveys
Jerome # Wendell

Sheet 4 of 6 251



SURVEYORS CERTIFICATE

I certify that I am a Registered Land Surveyor in the State of Idaho and that this map is a true and correct representation of this property.

MELON VALLEY RANCHES
UNIT "MA"

EXHIBIT 3

Accurate Surveys
Jerome & Kendall

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APR 22 2003

Sheet 5 of 6

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10 The path of the easements is more particularly described
11 as follows:

13 A 60-foot strip of land being 25.0 feet right
14 and 35.0 feet left of the following described
centerline of Kanaka Rapids Road.

20 THENCE along the centerline of Kanaka Rapids
Road North 43°02'51" West a distance of 56.58
21 feet;
THENCE North 80°36'04" West a distance of
22 420.87 feet;
THENCE North 43°06'52" West a distance of
23 57.86 feet;
THENCE North 16°10'15" West a distance of
24 60.41 feet;
THENCE North 14°54'43" West a distance of
25 110.67 feet;

APR 22 2003

1 THENCE North 73°31'29" West a distance of
2 328.46 feet;

3 THENCE describing a 70-foot strip of land
4 being 25 feet left and 45 feet right of the
5 following centerline:

6 THENCE North 74°23'39" West a distance of
7 302.28 feet;

8 THENCE North 71°47'55" West a distance of
9 116.00 feet;

10 THENCE describing a 115-foot strip of land
11 being 25 feet left and 90 feet right of the
12 following described centerline:

13 THENCE North 78°54'15" West a distance of
14 31.83 feet;

15 THENCE South 82°01'04" West a distance of
16 144.94 feet;

17 THENCE North 76°26'03" West a distance of
18 155.33 feet;

19 THENCE North 47°22'20" West a distance of
20 118.89 feet;

21 THENCE describing a 65-foot strip of land
22 being 25 feet left and 40 feet right of the
23 following described centerline:

24 THENCE North 65°39'54" West a distance of
25 127.53 feet;

26 THENCE North 56°36'13" West a distance of
27 206.00 feet;

28 THENCE North 67°18'43" West a distance of
29 85.59 feet;

30 THENCE North 75°30'23" West a distance of
31 218.47 feet;

32 THENCE North 78°37'52" West a distance of
33 296.61 feet;

34 THENCE South 62°19'42" West a distance of
35 261.39 feet to the Easterly boundary of Lot
36 217.

37 Easement 3

38 AND ALSO, a 65-foot strip of land being 25.0
39 feet right and 40.0 feet left of the following
40 described centerline of Riverside Drive.

41 WATER LINE EASEMENT - 3 MICROFILMED

42 APR 22 2003

Commencing at the $\frac{1}{4}$ corner common to Sections 10 and 11 from which the Section corner common to Sections 10, 11, 14, and 15 bears South $00^{\circ}41'29''$ East and lies 2,640.09 feet distant; thence North $32^{\circ}49'03''$ East a distance of 1,300.13 feet to the intersection of Kanaka Rapids Road and Riverside Drive and being the REAL POINT OF BEGINNING;

THENCE North $02^{\circ}57'26''$ West a distance of 34.30 feet;
THENCE North $37^{\circ}27'24''$ East a distance of 164.34 feet;
THENCE North $51^{\circ}51'02''$ East a distance of 110.16 feet;
THENCE North $70^{\circ}31'52''$ East a distance of 314.02 feet;
THENCE North $74^{\circ}33'01''$ East a distance of 518.57 feet;
THENCE North $74^{\circ}04'07''$ East a distance of 492.73 feet;
THENCE North $89^{\circ}07'01''$ East a distance of 354.89 feet;
THENCE North $88^{\circ}47'56''$ East a distance of 155.35 feet;
THENCE South $65^{\circ}14'39''$ East a distance of 472.31 feet;
THENCE South $52^{\circ}01'32''$ East a distance of 56.16 feet;
THENCE South $86^{\circ}08'29''$ East a distance of 48.86 feet;
THENCE North $84^{\circ}18'37''$ East a distance of 91.61 feet;
THENCE South $82^{\circ}44'11''$ East a distance of 76.72 feet;
THENCE South $57^{\circ}32'19''$ East a distance of 47.32 feet;
THENCE South $22^{\circ}06'40''$ East a distance of 59.74 feet to the intersection with River Road.

Easement 4

AND ALSO, a 20-foot strip of land being 10.0 feet right and left of the following described lot line.

Commencing at the $\frac{1}{4}$ corner common to Sections 10 and 11 from which the Section corner common

1 to Sections 10, 11, 14, and 15 bears South
2 00°41'29" East and lies 2,640.09 feet distant;
3 thence North 52°51'38" East a distance of
1,250.85 feet to the Northwest corner of Lot
232 and being the REAL POINT OF BEGINNING;

4 THENCE North 72°00'00" East a distance of
409.67 feet;

5 THENCE North 73°32'16" East a distance of
373.87 feet to the Northeast corner of Lot
6 232.

7 Easement 5

8 AND ALSO, a 50-foot strip of land being 25.0
9 feet right and left of the following described
lot line.

10 Commencing at the $\frac{1}{4}$ corner common to Sections
11 10 and 11 from which the Section corner common
to Sections 10, 11, 14, and 15 bears South
12 00°41'29" East and lies 2,640.09 feet distant;
thence North 63°56'34" East a distance of
3,452.13 feet to the corner common to Lots
13 230, 229, 204 and 202 and being the REAL POINT
OF BEGINNING;

14 THENCE North 12°12'27" West along the Westerly
15 lot line of said Lot 202 a distance of 69.14
feet;

16 THENCE North 24°16'14" East a distance of
47.22 feet to the easement end.

17 The undersigned acknowledge receipt of valuable
18 consideration from Grantee in exchange for the above-noted
19 easements.

20 COLLINS BROTHERS CORPORATION

21 By _____
22 E. A. COLLINS, President
23

24 MICROFILMED
25 APR 22 2003
26

WATER LINE EASEMENT - 5

1 ATTEST:

2
3 _____
4 M. M. COLLINS, Secretary

5 STATE OF NEVADA)
6 : ss
7 County of Clark)

8 On this _____ day of _____, 1994, before me, the
9 undersigned, a Notary Public in and for said State, personally
10 appeared E. A. COLLINS and M. M. COLLINS, known to me to be the
11 President and Secretary, respectively, of Collins Brothers
Corporation, the corporation whose name is subscribed to the
foregoing instrument, and acknowledged to me that they executed the
same on behalf of said corporation.

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

14 _____
15 Notary Public for State of Nevada
16 Residing at: _____.
17 My Commission Expires: _____.

18 (JKL-DOC\2020EASE.607)pm

19
20
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24
25
26 WATER LINE EASEMENT - 6
MICROFILMED

SEP 22 2003

MEMORANDUM

DATE: May 24, 2002

TO: Water Right File 47-7680

FROM: Shelley W. Keen *SWK*

RE: Request for additional information

This morning I called attorney Travis Thompson and asked him to find out if the following items are available.

- Plat of Mellon Valley Ranches Units "MA" and "K". The Riverside was originally platted as Mellon Valley Ranches Units "MA" and "K".
- Diagram of the water lines prior to the changes made in 1994 and 1995.

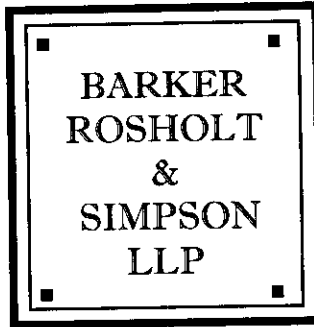
The purpose of obtaining this information is to see if the lines were installed in a way that anticipated development of the lots.

MICROFILMED

APR 22 2003

*John A. Rosholt
Albert P. Barker
John K. Simpson
Amy D. Chestnut
Travis L. Thompson*

*Norman M. Semanko
Of Counsel*



Norman M. Semanko
brs@idahowaters.com

1221 West Idaho St., Suite 600
Post Office Box 2139
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
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233 Second Street North, Suite D
Twin Falls, ID 83301
(208) 733-0700 telephone
(208) 735-2444 facsimile

April 16, 2002

Norm Young
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

RECEIVED

'APR 16 2002

Department of Water Resources

RE: Kanaka Rapids Ranch – Permit No. 47-07680

Dear Norm:

This letter is a follow-up to my letter of November 22, 2000 regarding the licensing of Permit No. 47-07680 held by Kanaka Rapids Ranch.

At that time we requested the Department to refrain from issuing a license for the permit until we could review our records and provide any and all documentation that would demonstrate that approximately 141 lots were “stubbed-in” prior to the proof of beneficial use deadline in July 1991. We have recently finished this review. Based upon our research, and through discussions with Collins Brothers Corp. employees and others, we are submitting several documents and affidavits to provide the requested documentation. These documents demonstrate that the water distribution system for the Riverside parcel was installed between 1979 and 1982, and that the system was capable of providing water for domestic and irrigation use to the additional lots located there.

For your reference I have included a list of the documents and a brief summary of what they demonstrate. These letters and documents were recovered after a personal review of Collins Brothers Corp.’s business records.

1) Irrigation Pipe Receipts & Bills of Lading (April – May 1979)

These documents from Butte Irrigation Inc., Beall Pipe & Tank Corp., and May Trucking Company detail the piping that was ordered and installed in the original water distribution system.

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- 2) Letter from George Silkworth to John Haycock (June 10, 1982)

This letter provides advice on the type of anodes that needed to be used for the pipeline at Kanaka Rapids Ranch. The letter indicates that CH2M Hill conducted soil measurements along the pipeline that had been installed prior to their visit.

- 3) Well Driller's Report from Elsing Drilling (November 15, 1979)

Well driller's report received by the Idaho Department of Water Resources on March 4, 1982. The well supplied water for irrigation and domestic use on the Kanaka Rapids Ranch as early as 1980. At that time, water was being used for domestic purposes by two trailer homes that were occupied by Al and Shirley Collins, and their sons Mike and Chris, and seasonal employees. (See affidavits of Mike Collins, Shirley Collins, and Chris Collins).

- 4) Letter from Robert Weaver to Idaho Power Company (March 12, 1981)

This letter indicates that Collins Brothers "are presently developing lands south of what is now called the River Road in the area immediately adjacent to other properties they owned." The area referred to in the letter is the "Riverside" parcel of the Kanaka Rapids Ranch development.

- 5) Letter from John Haycock to Dr. Oktay Ural (November 21, 1979)

This letter seeks advice on an expert "in the field of residential hot water heating" and notes that Collins Brothers Corp. has "hit an artesian hot water well." Clearly this letter refers to the well drilled and completed by Elsing Drilling on November 15, 1979. The letter also demonstrates Collins Brothers Corp.'s intention to supply residential lots on the Kanaka Rapids Ranch development, including the Riverside parcel, with water pumped from the well.

- 6) Letter from Dale Riedesel to South Central Health Dist. (May 17, 1994)

This letter briefly explains the history of the development at Kanaka Rapids Ranch. The letter also notes that "roads were built throughout the development and trees were planted along all of these roadways," and a "hot water culinary water system (wells) was developed for the residential development."

- 7) Letter from Michael Choat to Greg Misbach (DEQ) (May 3, 1994)

This letter explains that the well on the Riverside parcel was constructed in 1979 and that "the two systems will be connected with a pipeline and separated, except during an emergency with a gate valve." The letter indicates that a water distribution "system" was in place to serve the homeowners on the Riverside parcel, and that Collins Brothers Corp. planned to connect it with the water system serving the PUD parcel.

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- 8) Letter from Gary Burkett to John Priester (November 13, 1980)

This letter discusses the state's requirements for delivering hot water for residential public drinking purposes through a steel pipe. The water distribution system that was being installed at the time included steel pipe.

- 9) Facsimile from Dale Riedesel to Michael Choat (July 13, 1994)

This facsimile indicates that the Riverside parcel had a water "system" in place and the accompanying development map shows a water line that would connect the Riverside system with the PUD system.

- 10) Letter from Michael Choat to Greg Misbach (DEQ) (January 30, 1995)

Letter and accompanying plans indicated plans for "water distribution system improvements on the Riverside parcel." The plans demonstrate how the existing system would be improved to satisfy the State Department of Health & Welfare's regulations.

- 11) Letter from Al Collins to Bob Weaver (March 2, 1981)

This letter discusses concerns over Idaho Power Company's proposed project at Kanaka Rapids and the potential effect it would have on Collins Brothers Corp.'s development on the Riverside parcel. The letter also demonstrates that a well was drilled and capable of providing water for domestic use. Although the home was never constructed, Al Collins had two trailer homes connected during this time and was using the water for domestic purposes. (See affidavits of Mike Collins, Shirley Collins, and Chris Collins).

- 12) Memorandum from Michael Choat to Carlo Ferreira (March 16, 1995)

This memo indicates that the improvements to the water distribution system for the Riverside parcel appear to be complete. Carlo Ferreira's affidavit explains that he witnessed the replacement of the pipe on the Riverside water distribution system and that it had been previously used for irrigation purposes, and capable of providing water to homes for domestic use as well.

- 13) Affidavits

A. Mike Collins

Mr. Collins' affidavit briefly details Collins Brothers Corp.'s development at the Kanaka Rapids Ranch. Mr. Collins personally witnessed the installation of the water distribution system for the Riverside parcel. In addition, Mr. Collins personally used the water for domestic purposes in a trailer home that was connected to the system at the time.

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B. Carlo Ferreira

Mr. Ferreira's affidavit details his involvement with the Kanaka Rapids Ranch development during his tenure as the project manager. Mr. Ferreira personally oversaw the replacement of the water distribution system for the Riverside parcel in 1994.

C. Chris Collins

Mr. Collins' affidavit details his involvement with the Kanaka Rapids Ranch development during the late 1970s and early 1980s. Mr. Collins personally witnessed the installation of the water distribution system for the Riverside parcel and used the water for domestic purposes in a trailer home at this time.

D. Shirley Collins

Ms. Collins' affidavit details her personal experiences at the Kanaka Rapids Ranch in the late 1970s and early 1980s. Ms. Collins lived in a trailer home and used the water for domestic purposes. This water was provided by the distribution system installed for the Riverside parcel.

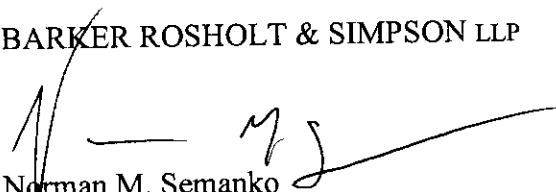
E. Norman M. Semanko

Attorney's affidavit detailing the production of true and correct copies of business documents from Collins Brothers Corp.'s records.

With this documentation now in hand, we look forward to working with you to complete the licensing process as discussed at our November 6, 2000 meeting. In the meantime, please let us know if you have any questions. Thank you for your attention to this matter.

Sincerely,

BARKER ROSHOLT & SIMPSON LLP



Norman M. Semanko

Enc.

cc: Mike Collins
Carlo Ferreira
Connie McLean

MICROFILMED

APR 22 2003

EXHIBITS TO NORMAN M. SEMANKO'S
APRIL 16TH 2002 LETTER RE:
KANAKA RAPIDS RANCH PERMIT NO. 47-07680

MICROFILMED

APR 22 2003



Butte Irrigation Inc.

☐ P. O. BOX 757
PAUL, IDAHO 83347
PHONE (208) 438-8103

☐ P. O. BOX 308
REXBURG, IDAHO 83440
PHONE (208) 356-6669

CUSTOMER'S NAME JOHN HAYCOCK DATE _____

ADDRESS _____ CUST. P.O. # _____

CITY _____ STATE _____ ZIP _____ SALESMAN _____

LOCATION & DELIVERY DIRECTIONS _____

TERMS: IF OTHER THAN ON REVERSE _____

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
5	POLY RISERS	4.45	22.25
2	THREADED VALVE TOP	14.65	29.30
2	RED WASH	25.96	51.92
2	TACE	5.75	11.50
1	4" G. REQUIRED	5.92	5.92
2	8" G.O.V.	221.56	443.12
4	8" FLANGE	9.85	39.40
	DELIVERED 4-12-98		

ABOVE LISTED MATERIAL SUBJECT TO THE TERMS AND CONDITIONS ON THE REVERSE SIDE OF THIS FORM.

PRICES SUBJECT TO CHANGE WITHOUT NOTICE.

THE UNDERSIGNED CUSTOMER AGREES THAT HE HAS READ THE TERMS AND CONDITIONS ON BOTH SIDES OF THIS FORM AND THAT THEY CONSTITUTE THE ENTIRE AGREEMENT BETWEEN THE PARTIES HERETO.

SUB TOTAL

TAX

TOTAL

1688.25

ACCEPTED FOR BUTTE IRRIGATION, INC. BY

MICROFILMED

APR 22 2003

X

CUSTOMER SIGNATURE

DATE

AUTHORIZED SIGNATURE

DATE

CUSTOMER

BEALL

THIS

MEMORANDUM is an acknowledgment that a bill of lading has been issued and is not the Original Bill of Lading, nor a copy or duplicate, covering the property named herein, and is intended solely for filing or record.

F.O. No.

5-000652-9

COMPANY

Agent's No.

15154

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading,

At Portland, Ore.,

197

From Beall Pipe & Tank Corporation

the property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract agree to carry to its usual place of delivery of said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Straight Bill of Lading set forth (1) in Official, Southern, Western and Illinois Freight Classifications in effect on the date hereof, if this is a rail or a rail-water shipment, or (2) in the applicable motor carrier classification or tariff if this is a motor carrier shipment.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

(Mail or street address of consignee - For purposes of notification only.)

BUTTE IRRIGATION

CONSIGNEE TO

PAUL

IDAH0

DESTINATION

STATE OF

COUNTY OF

SAME 2 PO BOX 757

***** DELIVER TO JOBSITE / HAGERMAN IDAHO

ROUTE

DELIVERING CARRIER

MAY

CAR INITIAL

CAR NO.

		KIND OF PACKAGE, DESCRIPTION OF ARTICLES, SPECIAL MARKS, AND EXCEPTIONS			* WEIGHT (SUB. TO CAR.)	CLASS OR RATE	CK. COL.	Subject to Section 7 of conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement: The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges. (Signature of Consignor) If charges are to be prepaid, write or stamp here, "To be Prepaid." Received \$ to apply in prepayment of the charges on the property described hereon. Agent or Cashier. Per (The signature here acknowledges only the amount prepaid.) C.O.D. Charges
NO. PIECES	DIA. INCHES	☐ WROUGHT STEEL PIPE ☐ PIPE, I/S, PLATE/SHEET, No 1 ☐ OTHER						
		WROUGHT STEEL PIPE - ASP 84 WRAP - WELD BELL ENDS						
5 PCS		16"OD X 12GA. X 48'			240	4,590#		
9 PCS		12"OD X 12GA. X 48			432	6,201#		
25 PCS		8"OD X 12GA. X 40'			1000	9,325#		
55 PCS		6"OD X 12GA. X 40'			2200	15,620#		
						35,936#		
		POB BILL/BUTTE IRRIGATION PAUL IDAHO						
		*** LOAD IS TO BE DELIVERED AS SOON AS POSSIBLE**						
		7						
		PARTIAL ☐ COMPLETE ☐						

*If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is carrier's or shipper's weight.
NOTE-Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property.
The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding per

BEALL PIPE & TANK CORPORATION, Shipper

Per

MICROFILMED

APR 22 2003

Per

Agent

Accepted By Customer Date

Permanent Post-Office Address of shipper:
12005 North Burgard (Oregon Shipyard) Portland, Oregon 97203



Butte Irrigation Inc.

☐ P. O. BOX 757
PAUL, IDAHO 83347
PHONE (208) 438-8103

☐ P. O. BOX 308
REXBURG, IDAHO 83440
PHONE (208) 356-6669

CUSTOMER'S NAME

DATE

ADDRESS

PHONE

LOCATION

QUANTITY	PARTS USED (DESCRIPTION AND COMMENTS)	UNIT PRICE	TOTAL
6	8" Flanges		
2	6" Flanges		
4	12" to 8" Reducers		
2	8" to 6" "		
1	8" Gate Valve		
1	6" Gate Valve		
1	6" to Alum. Coupler		
2	EMP Plug HSS 6" w/ Gate Valve		
50	Poly Risers w/ Gate Valve		
SERVICEMAN	HRS.		
I certify that the property which I have purchased will be used for mining, processing, or for farming or for repair thereof. I certify that all statements are true and correct. ANY DAMAGE OR LOSS TO THE DESCRIBED PROPERTY, OR TO OTHER PROPERTY (INCLUDING BUT NOT LIMITED TO CROP LOSSES), REGARDLESS OF CAUSE WHILE UNDER CUSTOMER'S POSSESSION OR CONTROL, SHALL BE CUSTOMER'S SOLE LIABILITY AND CUSTOMER WILL SAVE THIS COMPANY HARMLESS THEREON.		RECEIVED BY:	LABOR
		X	SUB-TOTAL
			TAX
			TOTAL

TERMS: NET 30 DAYS. A LATE CHARGE OF 1 1/2% PER MONTH (AN ANNUAL PERCENTAGE RATE OF 18%) WILL BE MADE ON PAST DUE ACCOUNTS. FREIGHT IS CHARGED FROM OUR YARD.

MICROFILMED

2 2 2003

WORK PERFORMED UNDER WARRANTY OF 1 YEAR

ABOVE LISTED MATERIAL SUBJECT TO THE TERMS AND CONDITIONS LISTED ON THE REVERSE SIDE OF THIS FORM.

Permanent Post-Office Address of shipper:
12005 North Burgard (Oregon Shipyard) Portland, Oregon 97203

BEALL

THIS

MEMORANDUM is an acknowledgment that a bill of lading has been issued and is not the Original Bill of Lading, nor a copy or duplicate, covering the property named herein, and is intended solely for filing or record.

F.O. No.

5-000652-9

Agent's No.

15337

COMPANY

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading,

At Portland, Ore., MAY 3 197 9 From **Beall Pipe & Tank Corporation**

the property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Straight Bill of Lading set forth (1) in Official, Southern, Western and Illinois Freight Classifications in effect on the date hereof, if this is a rail or a rail-water shipment, or (2) in the applicable motor carrier classification or tariff if this is a motor carrier shipment.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

(Mail or street address of consignee - For purposes of notification only.)

CONSIGNEE TO **BUTTE IRRIGATION**
HAGERMAN **IDAHO**
DESTINATION **STATE OF** **COUNTY OF**
SAME % CALL AHEAD 208/543-3435 or 208/438-8103
ROUTE
DELIVERING CARRIER **MAY** CAR INITIAL CAR NO.

NO. OF PIECES		DIA. INCHES		KIND OF PACKAGE, DESCRIPTION OF ARTICLES, SPECIAL MARKS, AND EXCEPTIONS		LENGTH FEET.	* WEIGHT (SUB. TO CAR.)	CLASS OR RATE	CK. COL.	Subject to Section 7 of conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement: The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.
				☐ WROUGHT STEEL PIPE ☐ PIPE, I/S, PLATE/SHEET, No 1 ☐ OTHER						
25 PCS		15"OD X 12GA. X 48'		WROUGHT STEEL PIPE - ASP 67 WRAP - WELD		1200	26,628#			(Signature of Consignor)
										If charges are to be prepaid, write or stamp here, "To be Prepaid."
										Received \$ to apply in prepayment of the charges on the property described hereon.
										Agent or Cashier.
										Per (The signature here acknowledges only the amount prepaid.)
										C.O.D. Charges

PARTIAL ☐ COMPLETE ☐

* If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is carrier's or shipper's weight.
NOTE-Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property.
The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding MICRO per

BEALL PIPE & TANK CORPORATION, Shipper

Per APR 22 2003

Accepted By Customer _____ Date _____

Permanent Post-Office Address of shipper:
12005 North Burgard (Oregon Shipyard) Portland, Oregon 97203

Per Agent

BEALL**THIS****MEMORANDUM** is an acknowledgment that a bill of lading has been issued and is not the Original Bill of Lading, nor a copy or duplicate, covering the property named herein, and is intended solely for filing or record.

F.O. No.

3-000632-9

COMPANY

Agent's No.

15261

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading,

APRIL 30

197

From **Beall Pipe & Tank Corporation**

At Portland, Ore.,

the property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Straight Bill of Lading set forth (1) in Official, Southern, Western and Illinois Freight Classifications in effect on the date hereof, if this is a rail or a rail-water shipment, or (2) in the applicable motor carrier classification or tariff if this is a motor carrier shipment.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

(Mail or street address of consignee - For purposes of notification only.)

CONSIGNEE TO **BUTTE IRRIGATION**DESTINATION **BRAX HAGERMAN**STATE OF **IDAHO**

COUNTY OF

ROUTE **SAME X PO BOX 757****JORSITE**DELIVERING CARRIER **MAY**

CAR INITIAL

CAR NO.

NO. PIECES	DIA. INCHES	KIND OF PACKAGE, DESCRIPTION OF ARTICLES, SPECIAL MARKS, AND EXCEPTIONS	LENGTH FEET.	* WEIGHT (SUB. TO CAR.)	CLASS OR RATE	CK. COL.	Subject to Section 7 of conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:
		☐ WROUGHT STEEL PIPE ☐ PIPE, I/S, PLATE/SHEET, No 1					The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.
		☐ OTHER					
36 PCS		WROUGHT STEEL PIPE - ASP 84" WAP - WELD BELL ENDS					(Signature of Consignor)
							If charges are to be prepaid, write or stamp here, "To be Prepaid."
							Received \$
							to apply in prepayment of the charges on the property described hereon.
							Agent or Cashier.
							Per (The signature here acknowledges only the amount prepaid.)
							C.O.D. Charges

PARTIAL ☐ COMPLETE ☐

* If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is carrier's or shipper's weight.

NOTE-Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property.

The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding

MICHE

per

BEALL PIPE & TANK CORPORATION, Shipper

Per **APR 22 2003**

Per

Agent

Accepted By Customer Date

Permanent Post-Office Address of shipper:
12005 North Burgard (Oregon Shipyard) Portland, Oregon 97203

MAY TRUCKING COMPANY

POST OFFICE BOX 398
PAYETTE, IDAHO
83661



PHONE
PAYETTE, IDAHO (208) 642-3381
BOISE, IDAHO (208) 888-1459
WATTS (OUT OF STATE) 800-635-9015
IDAHO WATTS 800-632-3391

"LET US TAKE THE LOAD OFF YOUR MIND"

SHIPPER: Beall Pipe	CONSIGNEE: Butte Irrigation
ADDRESS: Portland, Ore.	ADDRESS: Hagerman, Idaho
CITY-STATE:	CITY-STATE:
ORIGIN:	DESTINATION: Bohl Ida.

PURCHASE ORDER NO.	SHIPPERS NO.
--------------------	--------------

DATE: 4-25-79	ROUTE: MAY TRUCKING CO.
----------------------	-------------------------

NO. OF PKGS.	DESCRIPTION OF ARTICLES	BILL OF LADING NOS.
	T/L of Pipe as per attached	5-000652-9
	Bill of Lading	Agent # 151574
		REMOVED SEAL #
		INSTALL NEW SEAL #

LOADED BY DRIVER Scott Baldwin	TRK 170 TRL 4013	JOB-SITE DELIVERY LOCATED Co No MILES
---------------------------------------	--------------------------------	--

UNLOADED BY DRIVER Scott Baldwin	TRK 170 TRL 4013	FROM CITY Bohl Ida.
---	--------------------------------	----------------------------

DISPATCH ORDER NO. 38809	X
DELIVERY RECEIPT NO. 39348	RECEIVED ABOVE GOODS IN GOOD CONDITION EXCEPT AS NOTED

CUSTOMER DELIVERY COPY

"LET US TAKE THE LOAD OFF YOUR MIND"

SHIPPER: Beall Pipe

CONSIGNEE: Butte Irrigation

ADDRESS: Portland, Or.

ADDRESS: Hagerman, Id.

CITY-STATE:

CITY-STATE:

ORIGIN:

DESTINATION:

PURCHASE ORDER NO.

SHIPPERS NO.

DATE: 5/2/79 REF

ROUTE: MAY TRUCKING CO.

NO. OF PKGS.

DESCRIPTION OF ARTICLES

BILL OF LADING NOS.

T/L of 48' Pipe as per attached bill
of lading

REMOVED SEAL #

INSTALL NEW SEAL #

LOADED BY
DRIVER

Larry Farnsworth 414 TBK 436 TBL 401

JOB-SITE DELIVERY LOCATED

MILES

UNLOADED BY
DRIVER

L. FARNSWORTH 414 TRK 436 TRL 401

FROM CITY:

BURL. TO

DISPATCH ORDER NO.

39241

DELIVERY RECEIPT NO

39758

RECEIVED ABOVE GOODS IN GOOD CONDITION, EXCEPT AS NOTED

21

CUSTOMER DELIVERY COPY

Permanent Post-Office Address of shipper:
12005 North Burgard (Oregon Shipyard) Portland, Oregon 97203

MAY TRUCKING COMPANY

OFFICE BOX 398
PAYETTE, IDAHO
83661



PHONE
PAYETTE, IDAHO (208) 642-3381
BOISE, IDAHO (208) 888-1459
WATTS (OUT OF STATE) 800-635-9015
IDAHO WATTS 800-632-3391

"LET US TAKE THE LOAD OFF YOUR MIND"

SHIPPER: <u>Blue Open Air Truck Parts</u>	CONSIGNEE: <u>Boyle Investigations</u>
ADDRESS: <u>12005 N. Sugarland</u>	ADDRESS: _____
CITY-STATE: <u>Portland, Oregon 97203</u>	CITY-STATE: <u>Boise, Idaho</u>
ORIGIN: <u>Portland, Oregon</u>	DESTINATION: <u>Boise, Idaho</u>
PURCHASE ORDER NO. _____	SHIPPERS NO. _____

DATE: <u>May 4, 1977</u>	ROUTE: <u>MAY TRUCKING CO.</u>
NO. OF PKGS. <u>24</u>	DESCRIPTION OF ARTICLES <u>45 TON TRUCKS</u>
	BILL OF LADING NOS. <u>15335</u>
	REMOVED SEAL # _____
	INSTALL NEW SEAL # _____

LOADED BY DRIVER: <u>J. P. Smith 2034</u>	TRK <u>64</u> TRL <u>425</u>	JOB-SITE DELIVERY LOCATED <u>15</u> MILES
UNLOADED BY DRIVER: <u>H. F. Smith 5005 R. Kirk</u>	TRK <u>532</u> TRL <u>435</u>	FROM CITY: <u>Jerome, Ida</u>
DISPATCH ORDER NO. <u>37270</u>	X. <u>[Signature]</u>	
DELIVERY RECEIPT NO. <u>39454</u>	RECEIVED ABOVE GOODS IN GOOD CONDITION, EXCEPT AS NOTED	

CUSTOMER DELIVERY COPY

MAY TRUCKING COMPANY

POST OFFICE BOX 398
PAYETTE, IDAHO
83661



PHONE
PAYETTE, IDAHO (208) 642-3381
BOISE, IDAHO (208) 888-1459
WATTS (OUT OF STATE) 800-635-9015
IDAHO WATTS 800-632-3391

"LET US TAKE THE LOAD OFF YOUR MIND"

SHIPPER: Beall Pipe		CONSIGNEE: Butte Irrigation	
ADDRESS: Portland, Ore		ADDRESS: Paul, Id	
CITY-STATE:		CITY-STATE:	
ORIGIN:		DESTINATION:	
PURCHASE ORDER NO.		SHIPPERS NO. 15337	
DATE:	ROUTE: MAY TRUCKING CO.		
NO. OF PKGS.	DESCRIPTION OF ARTICLES	BILL OF LADING NOS.	
25	T/L of pipe as per attached bill of lading		
		REMOVED SEAL #	
		INSTALL NEW SEAL #	
LOADED BY DRIVER J. Cline	270	TRK 562 TRL 4010	JOB-SITE DELIVERY LOCATED 16 MILES
UNLOADED BY DRIVER Jim Cline	270	TRK 562 TRL 4010	FROM CITY Bozeman, Idaho
DISPATCH ORDER NO. 39271	X Bozeman		
DELIVERY RECEIPT NO. 40048	MICROFILMED RECEIVED ABOVE GOODS IN GOOD CONDITION, EXCEPT AS NOTED		

CUSTOMER DELIVERY COPY

MAY TRUCKING COMPANY

POST OFFICE BOX 398
PAYETTE, IDAHO
83661



PHONE
PAYETTE, IDAHO (208) 642-3381
BOISE, IDAHO (208) 888-1459
WATTS (OUT OF STATE) 800-635-9015
IDAHO WATTS 800-632-3391

"LET US TAKE THE LOAD OFF YOUR MIND"

SHIPPER: Beall Pipe		CONSIGNEE: Butte Irrigation	
ADDRESS: Portland, Or.		ADDRESS: Hagerman, Id.	
CITY-STATE:		CITY-STATE:	
ORIGIN:		DESTINATION:	
PURCHASE ORDER NO.		SHIPPERS NO.	
DATE:		ROUTE: MAY TRUCKING CO.	
NO. OF PKGS.	DESCRIPTION OF ARTICLES	BILL OF LADING NOS.	
	T/L of 48' Pipe as per attached bill of lading		
		REMOVED SEAL #	
		INSTALL NEW SEAL #	
LOADED BY DRIVER	Larry Scott 4090	TRK 470	TRL 423
UNLOADED BY DRIVER		TRK	TRL
DISPATCH ORDER NO. 38947		JOB-SITE DELIVERY LOCATED 7 MILES	
DELIVERY RECEIPT NO. 39756		FROM CITY: Buhl, Idaho	
		X	
RECEIVED ABOVE GOODS IN GOOD CONDITION, EXCEPT AS NOTED			

CUSTOMER DELIVERY COPY



engineers
planners
economists
scientists

June 10, 1982

B40.48

Mr. John Haycock
Kanaka Rapids Ranch
Buhl, Idaho 83316

Dear Mr. Haycock:

Subject: Cathodic Protection for Irrigation Pipe at
Kanaka Rapids Ranch

The soil measurements made along the irrigation pipeline at Kanaka Rapids Ranch confirmed the corrosivity of the soil. The measurements were made to determine the type of anode to be used for your particular location.

We recommend that zinc anodes be used and that they be installed according to the standard detail enclosed with this letter. One anode should be installed on each riser, approximately 5 feet from the pipe and at pipe depth.

General Corrosion Services, 5110 York Street, Denver, Colorado, 80216, has the zinc anodes that should be used on your pipeline. Their phone number is 303-623-3310.

Order as follows: 25 each, 2" x 2" x 30" zinc anode with 10 feet of #12 AWG solid copper wire with 600 volt TW insulation. Anode to be packaged with standard backfill of 50% gypsum and 50% bentonite.

2 gal. cold applied coal tar mastic

The anodes will be approximately \$35 each and the coal tar mastic about \$10 per gallon.

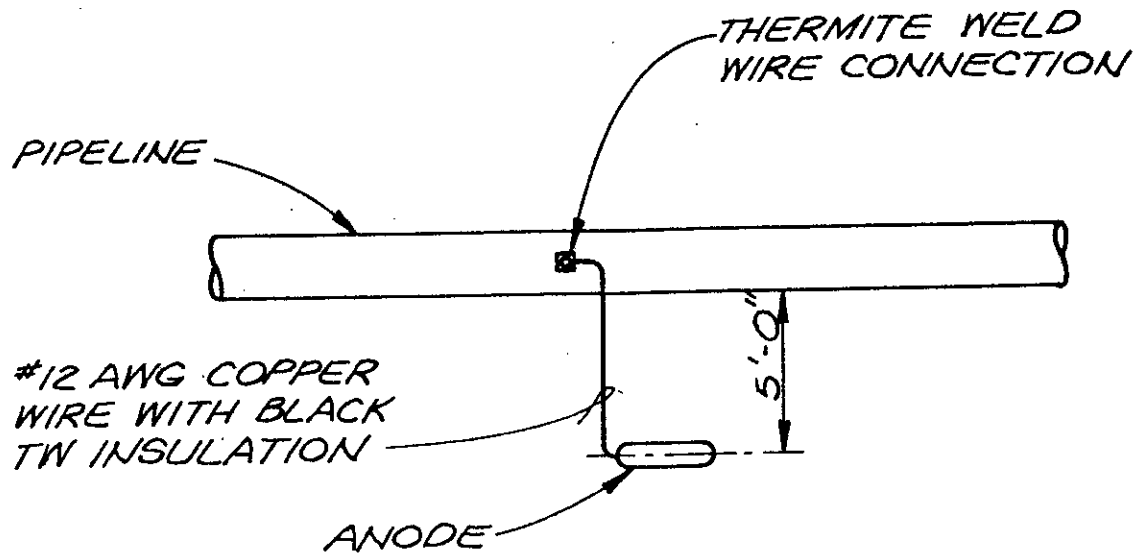
The standard detail of the anode installation shows a thermite weld connection of the wire to the pipeline. As we discussed, you should weld a tab to the pipeline and then bolt the wire to the tab with a brass bolt and nut. You should coat this tab and connection to the pipe with the cold applied coal tar mastic.

MICROFILMED

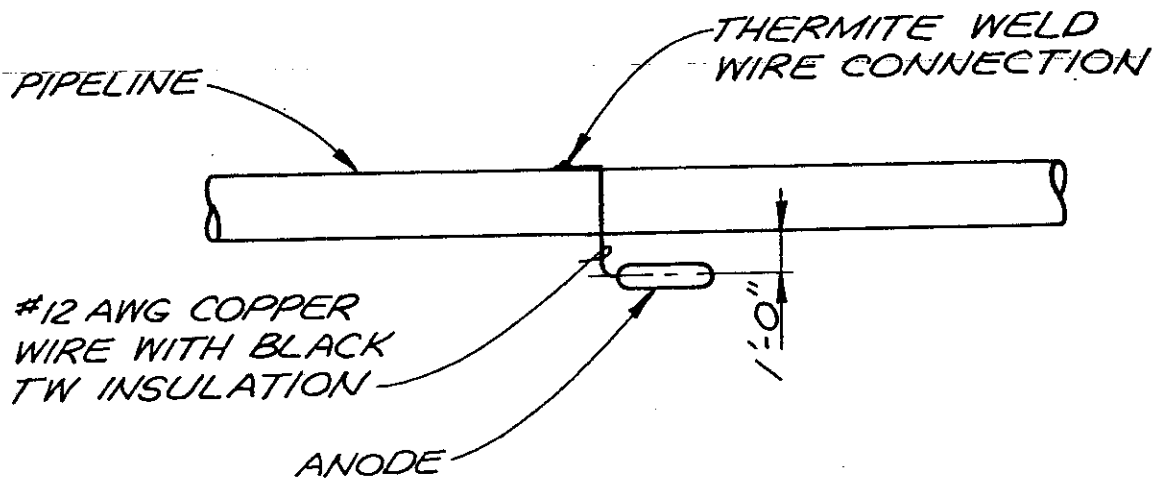
APR 22 2003

Boise Office

700 Clearwater Lane, P.O. Box 8748, Boise, Idaho 83707 208/345-5310



PLAN



ELEVATION

ANODE
INSTALLATION
 NTS

MIC
 APR 22 2003

Mr. John Haycock
Page 2
June 10, 1982
B40.48

At three locations, bring the wire from the anode up above grade and wrap around the stand pipe. At these locations the wire can be used for future testing. At all other locations bury the entire wire.

If you have any questions, please call.

Very truly yours,



George H. Silkworth, Manager
Corrosion Engineering

jk

Enclosure

MICROFILMED
APR 22 2003

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.

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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: <u>Al Collins</u> Address: <u>Las Vegas Nev.</u> Owner's Permit No. _____	7. WATER LEVEL Static water level: <u>0</u> feet below surface Flowage? ☒ Yes ☐ No C.P.M. No. _____ Artificially raised in pressure? ☐ Yes ☐ No p.s.g. _____ Controlled? ☒ Yes ☐ No Temperature: <u>DE</u> Quality: _____																																															
2. NATURE OF WORK ☒ New well ☐ Extension ☐ Replacement Abandoned (describe method of abandoning) _____	8. WELL LOG DATA ☐ Pump ☐ Radio ☐ Air ☐ _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>	Discharge G.P.M.	Pumping Level																																													
Discharge G.P.M.	Pumping Level																																															
3. PROPOSED USE Domestic ☐ Irrigation ☐ Test ☐ Municipal Industrial ☐ Stock ☐ Waste disposal or Injection Other: _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Hole Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> </tr> <tr> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>12</td> <td>0</td> <td>156</td> <td>Top Soil & Boulder</td> </tr> <tr> <td>8</td> <td>156</td> <td>312</td> <td>Black Lava</td> </tr> <tr> <td></td> <td>312</td> <td>540</td> <td>Dark Boulders</td> </tr> <tr> <td></td> <td>540</td> <td>956</td> <td>Blue Clay</td> </tr> <tr> <td></td> <td></td> <td></td> <td>Broken Rock</td> </tr> </tbody> </table>	Hole Diam.	Depth		Material	From	To	12	0	156	Top Soil & Boulder	8	156	312	Black Lava		312	540	Dark Boulders		540	956	Blue Clay				Broken Rock																					
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			Broken Rock																																													
4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Perc ☐ Other _____																																																
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>250 inches</td> <td>8 1/8 inches</td> <td>1</td> <td>156 feet</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> Is casing drive shoe used? ☐ Yes ☐ No Is a packer or seal used? ☐ Yes ☐ No Perforated? ☐ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☐ No Manufacturer's name _____ Type _____ Model No. _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Diameter</th> <th>Slot size</th> <th>Set from</th> <th>feet to</th> <th>feet</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____ Gravel from _____ feet to _____ feet Surface seal depth: <u>156</u> 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 _____	Thickness	Diameter	From	To	250 inches	8 1/8 inches	1	156 feet													Number	From	To										Diameter	Slot size	Set from	feet to	feet											
Thickness	Diameter	From	To																																													
250 inches	8 1/8 inches	1	156 feet																																													
Number	From	To																																														
Diameter	Slot size	Set from	feet to	feet																																												
6. LOCATION OF WELL Sketch map location must agree with written description Subdivision Name: <u>MICHO</u> Lot No. _____ County: <u>Falls</u>	10. Work started: <u>Sept 6, 77</u> finished: _____																																															
11. DRILLERS CERTIFICATION I/we certify that all minimum well construction requirements were complied with at the time the rig was removed. Firm Name: <u>Elsing Drilling Firm</u> Address: <u>Box 919</u> Signed by (Firm Official): <u>[Signature]</u> and <u>[Signature]</u>																																																

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APR 22 2001

WEAVER & DYKAS

Attorneys at Law

130 N. BROADWAY

BUHL IDAHO 83316

PHONE (208) 543-8268

ROBERT C. WEAVER

FRANK J. DYKAS

REGISTERED PATENT
TRADEMARK ATTORNEY

March 12, 1981

Idaho Power Company
P. O. Box 30
Boise, Idaho 83721

RE: Kanaka Rapids Project

Gentlemen:

I represent E. A. Collins, President of Collins Brothers Corp. formerly known as Royal Crest, Inc. This corporation owns lands immediately adjacent to the Kanaka Rapids Project from the dam site to the mouth of Clear Lakes on the south side of the river.

Collins Brothers Corp. have become concerned about your project because they had intended to commence development of the property for resale. The Collins Brothers are presently developing lands south of what is now called the River Road in the area immediately adjacent to other properties they owned and once that is developed and sold through a planned unit development the corporation intended to go to the north side of the road between there and the river and develop the property in much the same manner, possibly with a golf course. In the event your construction project is put into effect, it will substantially reduce the amount of ground the Collins Brothers own and they may or may not be able to develop the land as they had originally intended.

I expect that you are probably aware that Mr. and Mrs. Collins, the principals in Kanaka Rapids, previously graded a site for their own personal home on the river and applied for power service and had them install a power line to the site some time ago. They have also drilled a domestic well, installed a pump and were ready to begin construction this summer when they found out there was a probability that your company would develop its power site inundating the building site by covering it completely with water from the reservoir.

Their principal concern at this point in time is not to stop the development of the project. They feel the power project is needed in this area and that Kanaka Rapids is an ideal property for low head power generation. On the other hand, they would like to know Idaho Power's immediate intentions

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APR 22 2003

and their long term intentions and when they can expect the project to be completed, where the new water line will be from the reservoir and what compensation your company expects to make to Collins Brothers Corp. for the property that you will be taking for the reservoir site.

I would appreciate your contacting me as soon as possible with as much of this information as you now have available or having your representative visit me at the above address.

I thank you very much for your attention to this matter.

Sincerely yours,

ROBERT C. WEAVER

RCW:sh

cc: E. A. Collins
John Haycock
Chip Carlson
John Priester

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APR 22 2003

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APR 2 2003

John L. Haycock
Kanaka Rapids Ranch
Route 4
Buhl, ID 83316

November 21, 1979

Dr. Oktay Ural, Director
Int. Inst. for Housing & Bldg.
Florida International University
Tamiami Campus
Miami, FL 33199

Dear Dr. Ural:

Here in Idaho, we have hit an artesian hot water well at 950 feet, which registers a temperature of 99°, and flows at approximately 1,000 gallons per minute.

If you are aware of any experts in the field of residential hot water heating who reside in this general area, we would very much appreciate any help you could give us in locating these individuals.

Any help you can give us in this matter will be sincerely appreciated.

Sincerely,

JOHN L. HAYCOCK
Manager
Kanaka Rapids Ranch

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APR 22 2003

MICHC

APR 22 2003

DALE L. RIEDESEL P.E./L.S.

Engineer • Surveyor • Planner

488 BLUE LAKES BLVD NO., SUITE 103

TWIN FALLS, IDAHO 83301

TELEPHONE (208) 733-2446

May 17, 1994

Mr. Daniel W. Kriz
Environmental Health District
South Central District Health
213 3rd Avenue E
P O Box 547
Twin Falls, ID 83303

RE: The Riverside at Kanaka Rapids Ranch
Letter Dated May 12, 1994

Dear Mr. Kriz:

I would like to provide you with more information concerning the proposed development of the Riverside at Kanaka Rapids Ranch by the Collins Brothers.

It is my understanding that in the 1970s when the Collins Brothers first began developing the Kanaka Rapids Ranch they had the entire ranch plotted into 5 acre parcels. This plotting was under the Record of Survey regulation approved by Twin Falls County.

The Collins Brothers then developed the Kanaka Rapids Ranches into 99 (140' x 160') parcels. These parcels are currently being sold and developed into single family residential.

This last year the Collins Brothers began considering development of the land along the Snake River. This had been previously plotted under Record of Survey as Melon Valley Ranches Units "MA" and "K" (See attached Exhibits 1,2 and 3). During the period of 1979 to 1993 various changes have taken place in the development of the Ranch. The Collins Brothers worked with the Buhl Highway District to realign and pave River Road. This realignment created some new parcels of land which were traded between the Buhl Highway District and the Collins Brothers. These parcels are represented by Records of Survey (Attached as Exhibits 4 and 5). Parcels 230-K77, 245, 235-K54, and 234-K54 are parcel readjustments to fit the new road alignment. There was an exchange (property line adjustment) of property as shown on Exhibit 6 which effected Lot 245.

APR 22 2003

May 17, 1994
Mr. Daniel W. Kriz
Page 2

Also during this period, roads were built throughout the development and trees were planted along all of these roadways and today provide shade, beauty, and wildlife refuge. Lakes were built and a boat ramp/picnic area was constructed along the Snake River for the benefit of the residents. A hot water culinary water system (wells) was developed for the residential development. Individual septic tanks were part of the Kanaka Rapids Ranch's PUD.

When we reviewed the existing parcels in Exhibits 1, 2 and 3 we found that the parcel property lines did not fit the new roads and their locations. The County road realignment had affected several lots also. It was felt that the existing Records of Survey did not adequately represent the current conditions.

I met with Lee Taylor, Zoning Administrator for Twin Falls County and told him we wanted to do a lot line adjustment of the Records of Survey. He said that as long as the old Records of Survey (Exhibits 1, 2 and 3) were recorded prior to November 8, 1979, and we did not increase the number of lots, the new Records of Survey would be acceptable.

What the Collins Brothers have attempted to do is make the new Records of Survey (Exhibits 7 and 8) fit the conditions that exist currently. The following is a summary of the parcel changes:

	Melon Valley Ranches Exhibits 1, 2, 3	The Riverside
Total Parcels	45	46
Residential Parcels	42	42
Common Parcels	3	4
Total Acres	230.53	238.44
Residential Density	5.49 Ac/unit	5.68 Ac/unit

The readjustment of parcel property lines has resulted in parcels of less than 5 acres, however, the overall density has decreased.

The Riverside is currently zoned, by Twin Falls County, Outdoor Recreation (OR). This zone allows for one family dwelling on one acre parcels. Under Section 50-1301-11 of the Idaho Code under Definitions a subdivision is defined as "A tract of land divided into five (5) or more lots, parcels, or

APR 22 2003

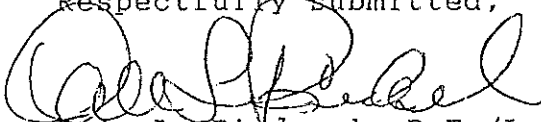
May 17, 1994
Mr. Daniel W. Kriz
Page 3

sites for the purpose of sale or building development, whether immediate or future; provided that this definition shall not include a bona fide division or partition of agricultural land for agricultural purposes. A bona fide division or partition of agricultural land for agricultural purposes shall mean the division of land into lots, all of which are five (5) acres or larger, and maintained as agricultural lands. Cities or counties may adopt their own definitions of subdivision in lieu of the above definition." (Copy attached as Exhibit 9.)

In summary, the Collins Brothers have attempted to improve on the conditions which currently exist. They intend to meet the requirements for individual and subsurface sewage disposal systems as determined by your office. They have approval by the Division of Environmental Quality for installation of a distribution system to provide domestic water to the 42 residential lots.

We believe that the Records of Survey meet State and County requirements and under current regulations do not meet the requirements of a subdivision. On behalf of the Collins Brothers I would like to request reconsideration of determination in your letter of May 12, 1994.

Respectfully submitted,



Dale L. Riedesel, P.E./L.S.
Project Manager

DLR:cw

cc Kanaka Rapids Ranch
Lee Taylor
Michael Felton Jr.

MICHAEL
APR 22 2003

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APR 2 2003

May 3, 1994

Greg Misbach, P. E.
ID Department of Health & Welfare
Division of Environmental Quality
601 Pole Line Road, Suite 2
Twin Falls, ID 83301-3035

RE: Water Distribution Systems
Kanaka Rapids Ranch, Riverside Development

Dear Greg;

This letter is in response to your letter dated April 29, 1994. The following is an item by item response to your comments.

- The owners are forwarding to you under separate cover, documentation which "shows organization and financial arrangements adequate to assure construction, operation, and maintenance of the system".
- We agree with your stated minimum separation distance between a subsurface sewage disposal system and any water distribution pipe.
- This well was constructed in 1979 and we are in agreement that a well lot must be provided. In addition, we will record a 100' diameter non-contamination easement around the well. A copy of the lot legal description and easement description will be forwarded to you under separate cover. The well is being located by a survey crew on May 4, 1994, and a description should be available the end of this week.
- The second source for this development will be Well No. 1 of the Kanaka Rapids PUD project which we have been working on in the recent past. The Homeowners Association for the PUD and Riverside projects will be the same. The water users associations are also combined. The owners will forward documents to you under separate cover which show the Riverside Water Users will have a right to use PUD water during an emergency situation. The two systems will be connected with a pipeline and separated, except during an emergency with a gate valve. Design drawings for this connection will be forwarded to you in the near future. Survey field work for this water line design will not be available until the later part of this week.
- We would like to arrange an inspection of the existing well site at your earliest convenience.
- Our computer model of this system predicts the minimum pressure during the maximum hourly demand is 42 psi.
- The following are design pressure ranges for average day and peak day flow conditions.
 - A) Average day flow 394 GMP
 - Highest pressure at lowest lot 105 psi
 - Lowest pressure at highest lot 61 psi

APR 22 2003

3286 01(3)

Greg Misbach, P. E.
May 3, 1994
Page 2

- B) Peak day flow 460 GMP
- Highest pressure at lowest lot 98 psi
 - Lowest pressure at highest lot 48 psi

- The number of lots in the Kanaka Rapids Riverside Development is 66 with 4 of these lots designated open space. As a result, 62 lots will eventually be built upon with single family residences. Using 2.5 persons per residence, the design population is 155 persons. The daily domestic water demand, based on 200 gallons per capita per day is 31,000 gallons or approximately 22 gallons per minute. Using a peak factor of 4, the maximum daily domestic demand is 88 gallons per minute. Again, using a peak factor of 4, the maximum hourly domestic demand is 352 gallons per minute. The system will also be used for heating. The heat pump supplier estimates approximately 6 gallons per minute will be required to heat a 2500 to 3000 square foot home. No fire hydrants will be attached to this water system. Irrigation will be provided using existing surface water rights and a separate pressure distribution system. Including heat pump water use, the following data was used to analyze the domestic water distribution system.

- Average Daily Demand 394 GPM
- Maximum Daily Demand 460 GPM
- Peak Hour Demand 724 GPM

- The well is existing and was constructed in 1979. A copy of that well log is attached. It appears that the well was adequately constructed with a cement grout surface seal and 8-inch casing to solid rock at 156 feet. The well was recently inspected with a video camera. The casing appears to be in good condition. The inspection revealed an obstruction at 300 feet that precluded inspecting the entire 950 foot deep well. At this time, the well produces in excess of 1,000 gallons per minute at 38 psi. The owners have decided to not attempt to improve pressure from the well. A booster pump station will be constructed near the well to provide adequate pressure to all lots within the Riverside Development. This booster station design should be completed within the next couple of weeks. The design will be submitted to you for your review and approval as soon as it is available.
- The Kanaka Rapids Road was developed on 1979 at approximately the same time the land was originally subdivided and the well was constructed. As you will see during your well site investigation, mature trees line the road on both sides. It may be possible to move the property lines to meet the regulations, however, it may not be desirable. We will have accurate survey information on the well location by the time we have our site visit and can discuss this matter in detail at that time.

The owners want to be able to install the water mains shown on the plans submitted to you and dated April 19, 1994. The reason they wish to complete this work is so they can have the site cleaned up for a Parade of Homes show the end of May. The

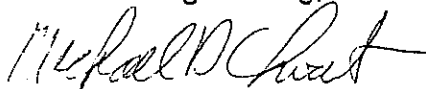
MICHAEL
APR 22 2003

Greg Misbach, P. E.
May 3, 1994
Page 3

trenches for these pipes have been excavated at the same time the owner had an adjacent power trench constructed. We are asking approval to install these pipelines, plug the pipes, pressure test the pipes, and backfill and clean-up the trench. The owners will not make any connection to the well or connect any services until the design and construction of the entire system is approved by your Department. The owners understand that they are proceeding with this work at their own risk, and that your approval of this work does not imply approval of the well or other components of the water system. They simply wish to complete this work in an effort to market the development and have every intention of complying with the "Idaho Rules for Public Drinking Water Systems."

Your cooperation with these matters is greatly appreciated. If you have questions or comments, please feel free to call.

Sincerely,
Galena Engineering, Inc.



Michael D. Choat, P. E.

MDC:cdw

attachment

cc: Carlo Ferreira

MICHAEL CHOAT
APR 22 2003

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APR 22 2003



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE 734-4000, ext. 275

DIVISION OF ENVIRONMENT
P.O. Box 1626
Twin Falls, ID 83301

November 13, 1980

John Priester
Route #3
Buhl, ID 83316

Re: Melon Valley Development

Dear Mr. Priester:

In reference to our conversation concerning the Melon Valley Development, I would like to express the following comments:

1. The use of AWWA C-200 spec steel pipe is in conformance with requirements of the State of Idaho for Public Drinking Water Systems.
2. Maximum temperature of water allowed in a public drinking water system is 80 F (Pg. 19 of Idaho Regulations for Public Drinking Water Systems) when other more suitable sources are or can be reasonably available.
3. No construction can take place on a public drinking water system until plans and specifications have been approved by the Department of Health and Welfare.
4. The temperature of the water you are planning to deliver will severely accelerate the corrosion processes in the unprotected steel pipe. I strongly suggest that you enlist the services of a consultant on corrosion effects and control and evaluate costs vs. benefits of epoxy coating the interior of the pipe. When corrosion of the system endangers public health, the Department will be forced to disapprove the system.
5. Upon submittal of plans and specifications for the project, I would require documentation that ensures a reasonable pipe life under the water temperature and soil conditions at the site.

If you have any questions, please call.

Sincerely,

Gary R. Burkett, P.E.
Environmental Engineer

MICHAEL
APR 22 2003

GB/ta

cc: Dave Sanders

EQUAL OPPORTUNITY EMPLOYER

MICRO
APR 22 2003

101 ✓ WATER

Dale L. Riedesel, P.E./L.S.

488 Blue Lakes Blvd. N. #103

Twin Falls, Idaho 83301

phone: (208) 733-2446

fax: (208) 734-2748

Letter of Transmittal
FAX Transmittal

Date: 6/13/94	Project No 197-1
Attention	
RE: Kanabek Rapids	

TO: Danny Guimaraes
JUB Engineers
Twin Falls, Id

WE ARE SENDING YOU

☐ Prints

☐ Specifications

☐ Copy of Letter

☐ Attached

☐ Under separate cover

☐ FAX No. _____

☐ Disc

() Mylar

() Bond

() Sepia

COPIES	DATE	NO.	DESCRIPTION

THESE ARE TRANSMITTED as checked below:

☐ For approval

☐ For your use

☐ As Requested

☐ For review and comment

☐ Please sign and return

☐ _____

REMARKS:

Danny - We need to have your
survey and locate the Weir's water line
as it crosses the PLUD and Riverside portions
of the Ranch. Contact Carol or Bob at the
Ranch and they will locate it for you.

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APR 22 2003

Copy To:

Carol

Signed:

Dale Riedesel

Dale L. Riedesel, P.E./L.S.

488 Blue Lakes Blvd. N. #103

Twin Falls, Idaho 83301

phone: (208)733-2446

fax: (208)734-2748

Letter of Transmittal
FAX Transmittal

Date: 7-13-94	Project No. 197-6
Attention	
RE: Kanaka Water	

TO: Mike Chast

WE ARE SENDING YOU

☐ Prints

☐ Specifications

☐ Copy of Letter

☐ Attached

☐ Under separate cover

☐ FAX No. _____

☐ Disc

() Mylar

() Bond

() Sepia

COPIES	DATE	NO.	DESCRIPTION

THESE ARE TRANSMITTED as checked below:

☐ For approval

☐ For your use

☐ As Requested

☒ For review and comment

☐ Please sign and return

☐ _____

REMARKS:

Crulo wants to disconnection the Ranches water line at the Riverside as shown and interconnect with the Riverside system for dual sources. See attached sketch. He will salvage the black flow device and discontinue water to the gravel pit. Please review & comment; incorporate into new plans.

APR 22 2003

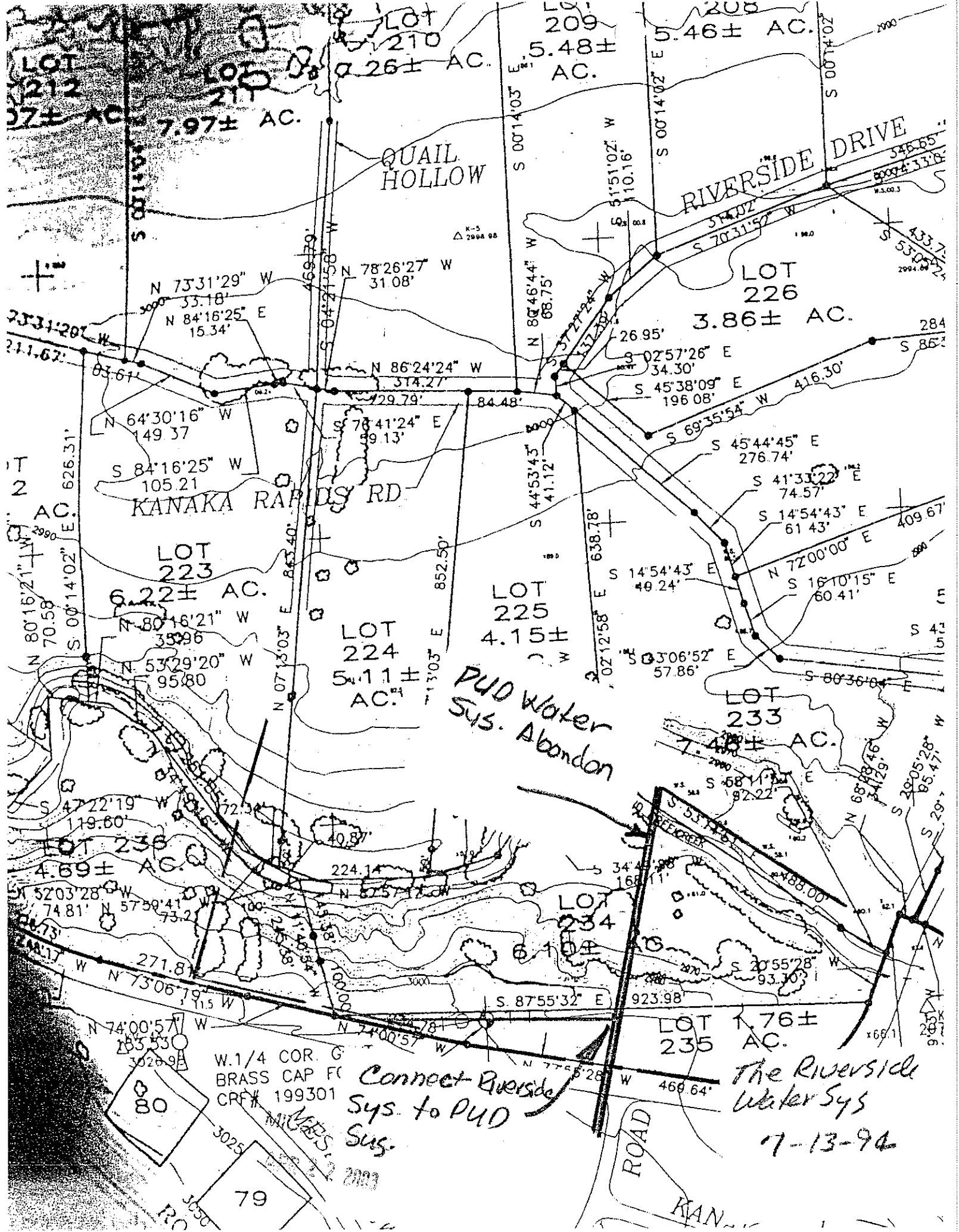
Thank

Copy To:

Crulo

Signed:

Dale



LOT 212 37± AC.
LOT 211 7.97± AC.

LOT 210 26± AC.
LOT 209 5.48± AC.

LOT 208 5.46± AC.

QUAIL HOLLOW

RIVERSIDE DRIVE

LOT 226 3.86± AC.

KANAKA RAPIDS RD

LOT 223 6.22± AC.

LOT 224 5.11± AC.

LOT 225 4.15± AC.

PUD Water Sys. Abandon

LOT 233 7.48± AC.

LOT 236 4.69± AC.

LOT 234 6.10± AC.

LOT 235 1.76± AC.

W.1/4 COR. G
BRASS CAP FC
CRF# 199301

Connect Riverside
Sys. to PUD
Sys.

The Riverside
Water Sys
7-13-94

ROAD

KANAKA

MICROFILM
APR 22 2003

January 30, 1995

Greg Misbach, P. E.
Idaho Department of Health and Welfare
Division of Environmental Quality
601 Pole Line Road, Suite 2
Twin Falls, ID 83301

RE: Kanaka Rapids Ranch Subdivision
Riverside Development

Dear Greg;

Attached you will find three (3) copies of the 1994 Water System Improvements Phase I Record Drawings. Also attached you will find three (3) copies of the 1994 Water System Improvements Phase II Record Drawings. These are for water distribution system improvements on the Riverside development.

The booster pump station for the well has not been completed at this time. Record drawings for the booster pump station will be forwarded to you when that work is complete.

If you have questions or need additional information, please feel free to call.

Sincerely,
Galena Engineering, Inc.



Michael D. Choat, P. E.

MDC:cdw

cc: Carlo Ferreira, Kanaka Rapids Ranch

MICROFILMED
APR 22 2003

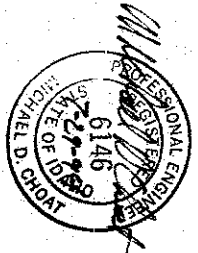
3286 01(12)

APR 22 2003
MICHAEL D. CHOI

Note: Easements have been recorded for water mains on lots

LEGEND

- 6" W — PROPOSED WATER MAIN
- PROPOSED GATE VALVE
- PROPOSED 2" BLOW-OFF
- WS — PROPOSED WATER SERVICE



Record Drawings
MDC
1-30-95

1994 WATER SYSTEM IMPROVEMENTS
KANAKA RAPIDS RANCH
PHASE II RIVERSIDE
TWIN FALLS COUNTY IDAHO

Galena Engineering Inc.
Civil Engineers & Land Surveyors
680 N Second Avenue
P.O. Box 425
Ketchum, Idaho 83840
(208) 728-4729

PRINTED 1/31/95

MICROFILMED
APR 22 2003



March 2, 1981

Weaver & Dykas
Attorneys at Law
130 N. Broadway
Buhl, Idaho 83318

Attention: Bob Weaver

Dear Bob:

Enclosed please find a copy of a filing by Idaho Power Company for a dam at Kanaka Rapids.

I think you know our concern about this project, and how much of our valuable land it will take from our proposed use as river front homesites, utilizing the many beautiful trees and shrubs now growing along the river.

We do not wish to try to block construction of a project which is badly needed to produce energy, but we are going to be hurt economically by this project, especially by the length of time we must hold this valuable property back from development.

We had projected development of lots along the river immediately. This will make us hold back our development until 1987, if the project will be completed by that time.

As you know, we had already graded a site for our personal home on the river, applied to Idaho Power for service, and had them install power to the site.

We also drilled a domestic well, installed a pump and were ready to begin construction in the summer of 1980, when we read a newspaper article that this project would be built at Kanaka Rapids.

In checking with Idaho Power Co., we determined that if we built our homes it would be completely under water when the reservoir filled up in completion. We have held up construction to await the outcome of their filing.

Would you please represent us in this matter at once and express our concern. We would like to know, as soon as possible, what the elevation of the water level along our river front property will be when the reservoir is completed, what compensation Idaho Power Co. expects to make to us for the property of ours needed for the project, and other particulars, so that we may proceed with our plans without any more delay than necessary.

Thank you,

E.A. Collins
E.A. Collins *by at*
President

cc: John Haycock
Chip Carlson
John Priester

MICROFILMED

APR 22 2009

GENERAL BUILDERS

BOX 42427 HUNTRIDGE STATION • LAS VEGAS, NEVADA 89104 • PHONE (702) 876-1724

MICROFILMED
APR 22 2009

MEMORANDUM

DATE: March 16, 1995

TO: Carlo Ferreira

FROM: Mike Choat

SUBJECT: Kanaka Rapids Ranch
Water System Improvement Inspection

I visited the site on March 14, 1995, to review the work on Well #2, the PUD booster pump station, and the Riverside water distribution system improvements.

The work on Well #2 appears to be complete with the exception that a fine mesh screen must be provided over the opening in the flush valve. I will prepare and submit the Record Drawing to DEQ for this approval.

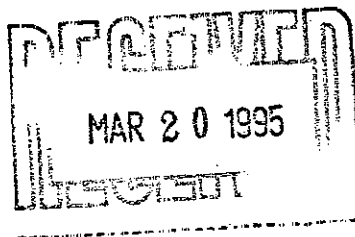
The booster pump station appears to be complete. However, you still need to have Walker Water Systems start-up the pumps and set the pressure switches. For safety reasons, you should make sure they also check and set the pressure relief valve. I would like to review this system with Mark Kofler once it is started-up and running. Please let me know when we can coordinate that site visit. Once this work is complete, I will prepare Record Drawings and submit them to DEQ for their review and approval. This should be the final approval for the PUD water system.

I also inspected the water distribution system for the Riverside Development. Both Phase I and Phase II appear to be complete with the exception that the pressure relief/air relief valves must have their openings a minimum of 18-inches above ground and the openings must be covered with a fine mesh screen. The Record Drawings for these projects have been prepared, submitted to DEQ, and approved.

As a final note, I would like to remind you that all irrigation services must be isolated from the public water system with appropriate backflow prevention devices. You should also install caps on the fire department connection valves.

If you have questions or need additional information, please feel free to call.

MDC:cdw



MICROFILM
APR 22 2003

AFFIDAVIT OF MIKE COLLINS

MICROFILMED
APR 22 2003

Norman M. Semanko, #4761
Travis L. Thompson, #6168
BARKER, ROSHOLT & SIMPSON LLP
1221 W. Idaho St., Suite 600
P.O. Box 2139
Boise, ID 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

Attorneys for Kanaka Rapids Ranch

BEFORE THE DEPARTMENT OF WATER RESOURCES
FOR THE STATE OF IDAHO

In the Matter of Application for)
Permit No. 47-07680)
)
)
)
_____)

AFFIDAVIT OF MIKE COLLINS

STATE OF IDAHO)
) ss.
County of Ada)

COMES NOW Mike Collins, being first duly sworn upon oath, and states as follows:

1. I currently reside at 362 W. Reese St. in Boise, Idaho.
2. During 1977 to 1983 I was employed by Collins Brothers Corp. at its Kanaka Rapids Ranch development near Buhl, Idaho. At that time the company was a general business corporation that performed construction and land development as part of its services. Development at Kanaka Rapids Ranch included a parcel known as the "Riverside" parcel.

MICHAEL J. JED
APR 22 2003

3. Between 1977 and 1982 I personally witnessed the installation of the water distribution system for the Kanaka Rapids Ranch Riverside parcel, which included the drilling of a well and the installation of piping for irrigation and domestic purposes.

4. At the time the water distribution system was developed for the Riverside parcel, it was put to beneficial use for irrigation purposes, as well as providing water for domestic purposes to two trailer homes located on the Riverside parcel. The capacity for the water distribution system included the potential for additional connections for domestic purposes. I personally lived in one trailer home during the summers between 1977 and 1982 and used the water provided by the water distribution system for domestic purposes. My father (now deceased), and my ex-stepmother (Shirley Collins), lived in this trailer at this time as well, and used the water provided by the water distribution system for domestic purposes. The other trailer home was occupied by seasonal workers for Collins Brothers Corp., and I personally witnessed water use from the water distribution system at this trailer as well.

5. The entire water distribution system for the Riverside parcel was completed and capable of providing water for irrigation and domestic use before 1982.

DATED this 31 day of January, 2002.



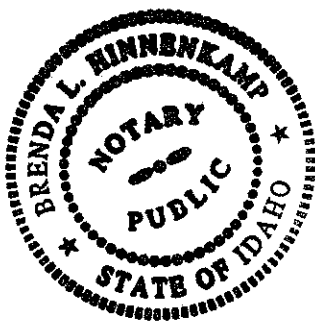
Mike Collins

MICHAEL
APR 22 2003

STATE OF IDAHO)
)
County of Ada)

On this 31 day of January, 2002 before me, the undersigned a Notary Public in and for said State, personally appeared MIKE COLLINS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Brenda L. Hinnenkamp
NOTARY PUBLIC FOR IDAHO
Residing at: Bosse, Idaho
Commission Expires: 9/2004

MIKE COLLINS
APR 22 2003

AFFIDAVIT OF CARLO FERREIRA

MICROFILMED

APR 22 2003

Norman M. Semanko, #4761
Travis L. Thompson, #6168
BARKER, ROSHOLT & SIMPSON LLP
1221 W. Idaho St., Suite 600
P.O. Box 2139
Boise, ID 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

Attorneys for Kanaka Rapids Ranch

BEFORE THE DEPARTMENT OF WATER RESOURCES
FOR THE STATE OF IDAHO

In the Matter of Application for)
Permit No. 47-07680)
)
)
_____)

AFFIDAVIT OF CARLO FERREIRA

STATE OF NEVADA)
) ss.
County of)

COMES NOW Carlo Ferreira, being first duly sworn upon oath, and states as follows:

1. I currently reside in Henderson, Nevada.
2. From 1992 to 2000 I was employed by Collins Brothers Corp. as project manager for the Kanaka Rapids Ranch development near Buhl, Idaho. At that time, the company was a general business corporation that performed construction work and land development as part of its services. Development at Kanaka Rapids Ranch included a parcel known as the "Riverside" parcel.

3. During 1994 I personally oversaw the replacement of the water distribution system for the Riverside parcel. Replacing the water distribution system was necessary in order

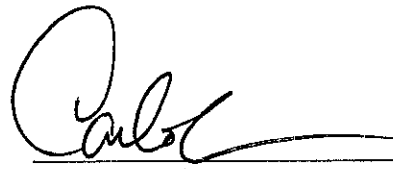
MICHAEL

AFFIDAVIT OF MIKE COLLINS - 1 2003

to comply with the amended drinking water regulations issued by the Idaho Department of Health & Welfare Division of Environmental Quality (now Department of Environmental Quality).

4. During the replacement of the water distribution system I personally witnessed the replacement of piping that had been damaged by large tree roots and other natural wear. From my own observation it was clear that the system had been in the ground for a number of years. During the replacement process I also had conversations with seasonal employees of Collins Brothers Corp. who had worked on and off for the company during the development of the Riverside parcel at Kanaka Rapids Ranch. These employees were present when the original piping and distribution system was installed and during the replacement in 1994. From these conversations with the seasonal employees, as well as through discussions with Mike Collins, I learned that the original water distribution system was installed around 1980. Through information gathered from Mike Collins, and from my own observations during the replacement of the system, it was clear that the original water distribution system was capable of providing water for irrigation and domestic purposes to the Riverside parcel.

DATED this 16 day of January, 2002.


Carlo Ferreira

MICHAEL

APR 22 2003

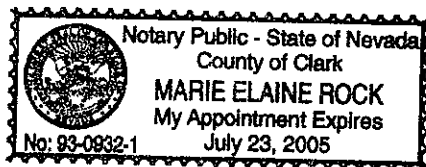
STATE OF NEVADA)

County of Clark)

On this 16th day of January, 2002 before me, the undersigned a Notary Public in and for said State, personally appeared CARLO FERREIRA, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

Marie Elaine Rock
NOTARY PUBLIC FOR NEVADA
Residing at: L.V. NV.
Commission Expires: 7-23-05



MICHAEL

AFFIDAVIT OF MIKE COLLINS 232 2003

AFFIDAVIT OF CHRIS COLLINS

MICHAEL J. COLLINS
APR 22 2003

Norman M. Semanko, ISB # 4761
 Travis L. Thompson, ISB # 6168
 BARKER, ROSHOLT & SIMPSON LLP
 1221 W. Idaho St., Suite 600
 P.O. Box 2139
 Boise, ID 83701-2139
 Telephone: (208) 336-0700
 Facsimile: (208) 344-6034

Attorneys for Kanaka Rapids Ranch

**BEFORE THE DEPARTMENT OF WATER RESOURCES
 FOR THE STATE OF IDAHO**

In the Matter of Application for
 Permit No. 47-07680

AFFIDAVIT OF CHRIS COLLINS

STATE OF NEVADA)
) ss.
 County of _____)

COMES NOW Chris Collins, being first duly sworn upon oath, and states as follows:

1. I currently reside at 5366 MARTINGALE Ct. 89119 in Las Vegas, Nevada.
2. During 1977 to 1983 I was employed by Collins Brothers Corp. at its Kanaka Rapids Ranch development near Buhl, Idaho. At that time the company was a general business corporation that performed construction and land development as part of its services. Development at Kanaka Rapids Ranch included a parcel known as the "Riverside" parcel.

AFFIDAVIT OF CHRIS COLLINS - 1

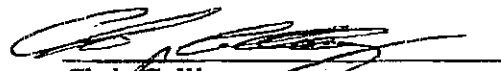
MICHAEL
 APR 22 2003

3. Between 1977 and 1982 I personally witnessed the installation of the water distribution system for the Kanaka Rapids Ranch Riverside parcel, which included the drilling of a well and the installation of piping for irrigation and domestic purposes.

4. At the time the water distribution system was developed for the Riverside parcel, it was put to beneficial use for irrigation purposes, as well as providing water for domestic purposes to two trailer homes located on the Riverside parcel. The capacity for the water distribution system included the potential for additional connections for domestic purposes. I personally lived in one trailer home during the summers between 1977 and 1982 and used the water provided by the water distribution system for domestic purposes. My father (now deceased), and my ex-stepmother (Shirley Collins), lived in this trailer at this time as well, and used the water provided by the water distribution system for domestic purposes. The other trailer home was occupied by seasonal workers for Collins Brothers Corp., and I personally witnessed water use from the water distribution system at this trailer as well.

5. The entire water distribution system for the Riverside parcel was completed and capable of providing water for irrigation and domestic use before 1982.

DATED this 28 day of March, 2002.


Chris Collins

AFFIDAVIT OF CHRIS COLLINS - 2

MICROFILMED

APR 22 2003

03/18/02 18:19

TX/RX NO.9974

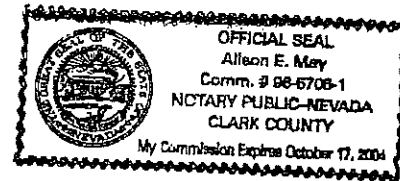
P.003

STATE OF NEVADA)
)
County of CLARK)

On this 28 day of March, 2002 before me, the undersigned a Notary Public in and for said State, personally appeared CHRIS COLLINS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

Aileen E. May
NOTARY PUBLIC FOR NEVADA
Residing at: LAS VEGAS, NV
Commission Expires: 10/17/04



AFFIDAVIT OF CHRIS COLLINS - 3

Michael Collins

APR 22 2002

03/18/02 18:19

TX/RX NO.9974

P.004

AFFIDAVIT OF SHIRLEY COLLINS

MICROFILM
APR 22 2003

Monday, March 18 2002 4:34 PM

Michael Collins 208-424-3345

Norman M. Semanko, ISB # 4761
 Travis L. Thompson, ISB # 6168
 BARKER, ROSHOLT & SIMPSON LLP
 1221 W. Idaho St., Suite 600
 P.O. Box 2139
 Boise, ID 83701-2139
 Telephone: (208) 336-0700
 Facsimile: (208) 344-6034

Attorneys for Kanaka Rapids Ranch

DRAFT

BEFORE THE DEPARTMENT OF WATER RESOURCES
 FOR THE STATE OF IDAHO

In the Matter of Application for)
 Permit No. 47-07680)
)
)
)

AFFIDAVIT OF SHIRLEY COLLINS

STATE OF NEVADA)
) ss.
 County of CLARK)

COMES NOW Shirley Collins, being first duly sworn upon oath, and states as follows:
3144 BEACH

1. I currently reside at VIEW CT. in Las Vegas, Nevada.

2. During 6-27-70 to 1990 I was married to E. A. Collins who owned and operated a company called Collins Brothers Corp. During the 1977-1983 my ex-husband's company was in the process of developing Kanaka Rapids Ranch near Buhl, Idaho. At that time the company was a general business corporation that performed construction and land development as part of its services. Development at Kanaka Rapids Ranch included a parcel known as the "Riverside" parcel.

AFFIDAVIT OF SHIRLEY COLLINS - 1

APR 22 2003

Monday March 18, 2002 4:34 PM

Michael Collins 208-424-3345

3. Between 1977 and 1982 I personally witnessed the installation of the water distribution system for the Kanaka Rapids Ranch Riverside parcel, which included the drilling of a well and the installation of piping for irrigation and domestic purposes.

4. At the time the water distribution system was developed for the Riverside parcel, it was put to beneficial use for irrigation purposes, as well as providing water for domestic purposes to two trailer homes located on the Riverside parcel. The capacity for the water distribution system included the potential for additional connections for domestic purposes. I personally lived in one trailer home between 1977 and 1982 and used the water provided by the water distribution system for domestic purposes. My ex-husband (now deceased), and my two stepsons (Mike and Chris Collins), lived in the trailer at this time as well, and used the water provided by the water distribution system for domestic purposes. The other trailer home was occupied by seasonal workers for Collins Brothers Corp., and I personally witnessed water use from the water distribution system at this trailer as well.

5. The entire water distribution system for the Riverside parcel was completed and capable of providing water for irrigation and domestic use before 1982.

DATED this 25TH day of March, 2002.


Shirley Collins

AFFIDAVIT OF SHIRLEY COLLINS - 2

APR 22 2003

Monday, March 18 2002 4:34 PM

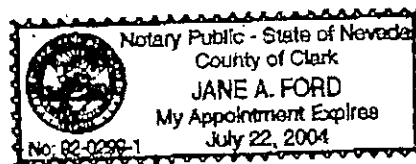
Michael Collins 208-424-3345

STATE OF NEVADA)

County of CLARK)

On this 25TH day of March, 2002 before me, the undersigned a Notary Public in and for said State, personally appeared SHIRLEY COLLINS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same

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



Jane A. Ford
NOTARY PUBLIC FOR NEVADA
Residing at: LAS VEGAS
Commission Expires: 7-22-04

AFFIDAVIT OF SHIRLEY COLLINS - 3

MICROFILM

APR 22 2003

AFFIDAVIT OF NORMAN M. SEMANKO

MICHAEL
APR 22 2003

Norman M. Semanko, #4761
Travis L. Thompson, #6168
BARKER, ROSHOLT & SIMPSON LLP
1221 W. Idaho St., Suite 600
P.O. Box 2139
Boise, ID 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

Attorneys for Kanaka Rapids Ranch

BEFORE THE DEPARTMENT OF WATER RESOURCES
FOR THE STATE OF IDAHO

In the Matter of Application for)
Permit No. 47-07680)
)
)
_____)

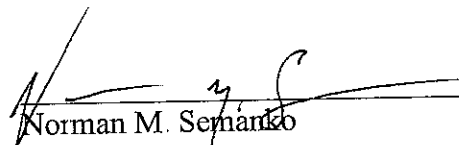
AFFIDAVIT OF NORMAN M. SEMANKO

STATE OF IDAHO)
) ss.
County of Ada)

COMES NOW Norman M. Semanko, being first duly sworn upon oath, and states as follows:

1. I am the attorney of record for Kanaka Rapids Ranch in the above-entitled matter.
2. I have knowledge of the files pertinent to this matter, and I make this affidavit based upon personal knowledge.
3. The documents produced as exhibits to my April 16, 2002 letter are true and correct copies of the documents contained in Collins Brothers Corp.'s business records.

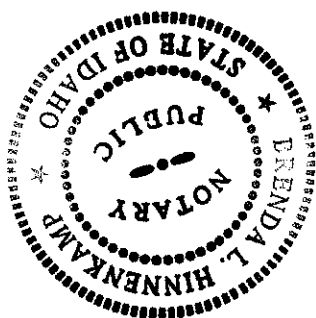
DATED this 16 day of April, 2002.


Norman M. Semanko

STATE OF IDAHO)
)
County of Ada)

On this 16 day of April, 2002 before me, the undersigned a Notary Public in and for said State, personally appeared NORMAN M. SEMANKO, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Brenda L. Hinnenkamp
NOTARY PUBLIC FOR IDAHO
Residing at: Boise Idaho
Commission Expires: 9/2004