

**STARTING
LEFT
SIDE OF
FILE**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

RECEIVED
APR 26 2004
Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 01-7054 & 37-7842

Name(s) of Permit Holder: Idaho Water Resource Board

Address: 1301 N. Orchard St. City Boise State ID Zip 83706

Telephone No. Brian Patton 327-5432 Date Proof is Due: June 1, 2004

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

These projects are being developed for diversion into recharge sites.

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Funds and efforts to meet federal agency requirements

Permit holder(s) request an extension to June 1, 2009.

(Signature)*

Chairman, Idaho Water Resource Board

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use is extended to June 1, 2009.

Signed this 25th day of August, 2004

Gary Spackman
GARY SPACKMAN

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

IN THE MATTER OF PERMIT NOS.)
37-07842 AND 01-07054 IN THE)
NAME OF THE IDAHO WATER)
RESOURCE BOARD)
_____)

ORDER

FINDINGS OF FACT

1. On June 2, 1982, the Idaho Department of Water Resources ("Department") issued Permit No. 01-07054 ("permit") to the Lower Snake Aquifer Recharge District ("district") authorizing the diversion of 1,200 cubic feet per second ("cfs") of water from the Snake River for groundwater recharge purposes. Proof of construction of works and application of water to beneficial use ("proof") was due on June 1, 1987 but was extended by the Department to June 1, 1992.

2. On June 2, 1982, the Idaho Department of Water Resources ("Department") also issued Permit No. 37-07842 ("permit") to the district authorizing the diversion of 800 cubic feet per second ("cfs") of water from the Little Wood and Big Wood Rivers for groundwater recharge purposes. Proof was due on June 1, 1987 but was extended by the Department to June 1, 1992.

3. On March 31, 1992, the Department sent a proof due notice to the district and on June 5, 1987, sent a lapse notice to the district, since the district had not filed either proof or a request for extension of time in which to file proof.

4. On July 27, 1992, the district filed proof of beneficial use together with a field report completed by a non-department certified water right examiner. The proof was identified as being for Permit No. 37-07842.

5. On August 12, 1993, the district advised the Department that the proof which was filed was intended to be for both Permit Nos. 01-07054 and 37-07842. Based on that representation, on December 1, 1993, the Department issued a Reinstatement Order for both permits advancing the priority of use to August 25, 1980.

6. On March 19, 1999, the Idaho Water Resource Board ("Board") by resolution agreed to accept the assignment of the permits from the district.

7. On March 21, 2000, the Board adopted a resolution asking the Director of the Department to extend the proof due date for submitting proof of beneficial use for the undeveloped portions of the permits.

CONCLUSIONS OF LAW

1. Section 42-204, paragraph 4, Idaho Code, provides in pertinent part as follows:

In connection with permits held by the United States, or the Idaho water resource board, whether acquired as the original applicant, by assignment or otherwise, the director of the department of water resources may extend the time for completion of the works and application of the water to full beneficial use for such additional period or periods of time as he may deem necessary upon application supported by a showing that such additional time is required by reason of the status of plans, authorization, construction fund appropriations, construction, or any arrangements which are found to be requisite to completion of the construction of such works.

2. The Board has shown adequate reason for the Director to grant an extension of time in which to submit proof for the permits.

3. The department should issue an order designating a proof due date for the undeveloped portion of each permit.

ORDER

IT IS THEREFORE, hereby ORDERED that the proof due date for Permit Nos. 01-07054 and 37-07842 be **EXTENDED** to June 1, 2004.

Signed this 3rd day of April, 2000.


L. GLEN SAXTON, Chief
Water Allocation Bureau

BEFORE THE IDAHO WATER RESOURCE BOARD
OF THE
STATE OF IDAHO

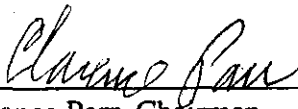
IN THE MATTER OF PERMITS NOS.)
01-07054 AND 37-07842 IN THE NAME) RESOLUTION
OF THE IDAHO WATER RESOURCE BOARD)
_____)

WHEREAS, the Idaho Water Resource Board ("Board"), pursuant to Idaho Code, has authority to acquire, purchase, lease, or exchange land, rights, water rights, easements, franchises, and other property deemed necessary or proper for the construction, operation and maintenance of water projects; and

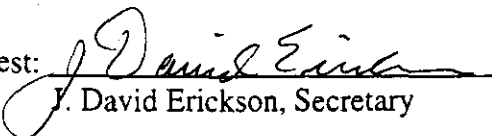
WHEREAS, the Board by resolution passed and approved on the 19th day of March, 1999, agreed to accept the assignment of Water Right Permit No. 01-07054 from the Snake River upstream from Milner Dam and Water Right Permit No. 37-07842 from the Little and Big Wood Rivers for aquifer recharge purposes on the Lower Snake River Plain, both permits having a priority date of August 25, 1980.

NOW, THEREFORE BE IT RESOLVED that the Board requests the Director of the Idaho Department of Water Resources to extend the time for submitting proof of beneficial use required on the undeveloped portions of the Board's Water Right Permit Nos. 01-07054 and 37-07842.

Dated this 21st day of March, 2000.



Clarence Parr, Chairman,
Idaho Water Resource Board

Attest: 
J. David Erickson, Secretary

JUN - 3 1999

Department of Water Resources

**AGREEMENT CONVEYING LEGAL TITLE TO WATER RIGHTS
FROM THE LOWER SNAKE RIVER AQUIFER RECHARGE DISTRICT
TO THE IDAHO WATER RESOURCE BOARD**

THIS AGREEMENT is made and entered into this 13th day of May, 1999, by and between the IDAHO WATER RESOURCE BOARD ("BOARD") and the LOWER SNAKE RIVER AQUIFER RECHARGE DISTRICT ("LSRARD").

WITNESSETH:

WHEREAS, the BOARD, pursuant to Section 42-1734, Idaho Code, has authority to acquire, purchase lease, or exchange land, rights, water rights, easements, franchises, and other property deemed necessary or proper for the construction, operation and maintenance of water projects; and

WHEREAS, the LSRARD is the holder of Water Right Permit No. 01-07054 from the Snake River upstream from Milner Dam and Water Right Permit No. 37-07842 from the Little and Big Wood Rivers for aquifer recharge purposes on the Lower Snake River Plain, both permits having a priority date of August 25, 1980; and

WHEREAS, the LSRARD desires to convey and assign all its legal interests in Water Right Permit Nos. 01-07054 and 37-07842 to the BOARD, at no cost, so that the rights may be developed and utilized to the full extent feasible under the law for managed recharge purposes consistent with the State Water Plan; and

WHEREAS, the LSRARD by a majority vote of its Board of Directors taken at a special meeting convened in accordance with the provisions of Section 42-4211, Idaho Code, on the 5th day of April, 1999, has authorized its Chairman to execute the present Agreement Conveying Legal Title to Water Rights on its behalf; and

WHEREAS, the Board by resolution passed and approved on the 19th day of March, 1999, agreed to accept the assignment of Water Right Permit Nos. 01-07054 and 37-07842 as conveyed under this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. The LSRARD shall convey legal title and all ownership rights and interests in Water Right Permit Nos. 01-07054 and 37-07842 to the BOARD. Simultaneously with the execution of this Agreement, the LSRARD shall execute an Assignment of Permit form to be filed with the Idaho Department of Water Resources.

AGREEMENT CONVEYING WATER

IDAHO COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

State of IDAHO
RECORDED - REQUEST OF
FEE 92 DEPUTY

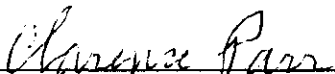
1999 MAY 28 AM 10:00

99053981

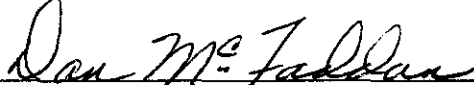
2. The BOARD shall accept the assignment of Water Right Permit Nos. 01-07054 and 37-07842 from the LSRARD and shall hold legal title to the water rights. The Board shall not assign or convey the water rights represented by Water Right Permit Nos. 01-07054 and 37-07842, or any portion thereof, to any third party or entity without first providing to the LSRARD written notice and opportunity to reacquire title to the water rights, or any portion thereof, from the Board within six (6) months from the date of the written notice.
3. The LSRARD shall exercise full operational and fiscal responsibility for existing recharge projects utilizing Water Right Permit Nos. 01-07054 and 37-07842 and is hereby authorized by the Board to continue the existing use of water under these two rights for recharge purposes.
4. LSRARD shall indemnify and hold harmless the BOARD from all liability and expense on account of claims, suits and costs growing out of or connected with willful or negligent acts, errors, or omissions by its employees or agents with respect to existing or future recharge projects owned or operated by LSRARD that utilize Water Right Permit 01-07054 or 37-07842, provided, however, that the BOARD shall not be relieved hereby from liability for its own willful or negligent acts, errors, or omissions, and those of its employees or agents. This indemnification and hold harmless provision shall not apply to projects utilizing Water Right Permit 01-07054 or 37-07842 that are not owned or operated by LSRARD.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

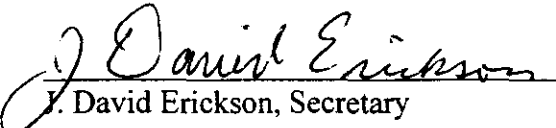
IDAHO WATER RESOURCE BOARD


Clarence Parr, Chairman

LOWER SNAKE RIVER AQUIFER
RECHARGE DISTRICT


Chairman

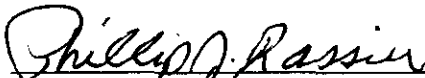
ATTEST:


J. David Erickson, Secretary

ATTEST:


Secretary

Approved as to Legal Form and Sufficiency:

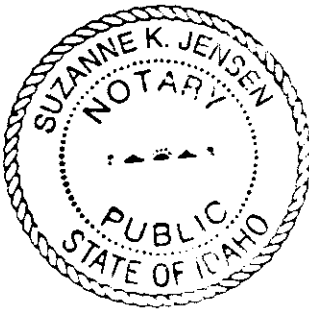

Deputy Attorney General

ACKNOWLEDGEMENT

STATE OF IDAHO)
County of Gooding) SS.

On this 28th day of April, 1999, before me, a Notary Public in and for said County and State, personally appeared DAN McFADDAN, known or identified to me to be the duly elected Chairman of the LOWER SNAKE RIVER AQUIFER RECHARGE DISTRICT, the quasi-municipal district that executed the foregoing instrument, and acknowledged to me that said district 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.



Suzanne K. Jensen
NOTARY PUBLIC FOR IDAHO
Residing at: Hagerman, Id. 83332
My Commission expires: 08/04/2004

180642

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of Dept. of Water

51 min. past 10 o'clock A.m. this 21st
of May, 1999 9:00

By Penny Archuleta Deputy

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

I, Dan McFadden, hereby assign to Idaho Water Resource Board
of, P.O. Box 83720, Boise Idaho (208) 327-7900
(Full Address) 83720-0098 (Phone)

All my right, title, and interest in and to Permit No. 01-07054A/B to appropriate the public waters of the State of Idaho.

Q. (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. 01-07054 to appropriate the public waters of the State of Idaho. (Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.)

Made this 28th day of April, 1999.

Dan McFadden
Permit Holder

Chairman
Lower Snake River Aquifer
Recharge District

State of Idaho)
County of GOODING) ss

On this 28th day of APRIL, 1999, personally appeared before me the signer(s) of the above instrument who duly acknowledged to me that he (she) (they) executed the same.



Suzanne R. Jensen
Notary Public residing at
Hagerman, Idaho

My commission expires: 08/04/2004

BEFORE THE WATER RESOURCE BOARD
OF THE STATE OF IDAHO

IN THE MATTER OF BOARD ACCEPTANCE)
OF WATER RIGHT PERMIT NOS. 01-07054)
AND 37-07842 FROM THE LOWER SNAKE) RESOLUTION
RIVER AQUIFER RECHARGE DISTRICT.)
_____)

WHEREAS, Policy 1J of the Idaho State Water Plan adopted by the Board provides that it is the policy of Idaho that managed recharge be encouraged, pursuant to state law; and

WHEREAS, the Idaho Water Resource Board ("Board") pursuant to Section 42-1734, Idaho Code, has authority to acquire, purchase, lease, or exchange land, rights, water rights, easements, franchises and other property deemed necessary or proper for the construction, operation and maintenance of water projects; and

WHEREAS, the Lower Snake River Aquifer Recharge District ("Recharge District") is the holder of Water Right Permit No. 01-07054 from the Snake River upstream from Milner Dam and Water Right Permit No. 37-07842 from the Little and Big Wood Rivers for aquifer recharge purposes on the Lower Snake River Plain, both permits having a priority date of August 25, 1980; and

WHEREAS, the Recharge District desires to assign all its legal interests in Water Right Permit Nos. 01-07054 and 37-07842 to the Board, at no cost, so that the rights may be developed and utilized to the full extent feasible under the law for managed recharge purposes consistent with the State Water Plan; and

WHEREAS, it is the desire and intention of the Board and the Recharge District that the Recharge District shall have and exercise full operational and fiscal responsibility for existing recharge projects utilizing the assigned water rights pursuant to agreement with the Board; and

WHEREAS, it is the desire and intention of the Board and the Recharge District that the Recharge District shall hold the Board harmless from any and all liability associated with the operation of any recharge project utilizing the assigned water rights.

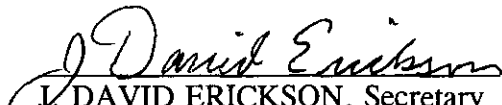
NOW THEREFORE, BE IT RESOLVED that the Idaho Water Resource Board hereby agrees to accept, without cost, the assignment of all interests held by the Lower Snake River Aquifer Recharge District in Water Right Permit Nos. 01-07054 and 37-07842 contingent upon the Board and the Recharge District executing a written agreement governing the rights and responsibilities of the parties resulting from the assignment of the water rights.

BE IT FURTHER RESOLVED that the Board Chairman is hereby authorized to file with the Idaho Department of Water Resources an Assignment of Permit form for Water Right Permit Nos. 01-07054 and 37-07842, and to file such other pleadings or documents and to take such other actions before the Department as are appropriate and necessary to perfect all vested or inchoate interests acquired under the two water right permits.

PASSED AND APPROVED this 19th day of March, 1999.


CLARENCE PARR, Chairman

ATTEST:


J. DAVID ERICKSON, Secretary

FEB 16 1994

STATE OF IDAHO

Department of Water Resources

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Lower Snake River Aquifer Recharge Dist. Phone 857-4887
of (address) 901 A Gridley Island, Hagerman, ID 83332, 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. 01-7054, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW 1/4 NW 1/4, Section 28, Township 10S, Range 21E, B.M.,
County of Jerome. Other points of diversion: Miner Dam
Sec. 28-29, T 10S, R. 21E, Jerome County.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 1700 for G.W. Recharge purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: Water to be additionally used in
North Side Canal Co. system to provide recharge.

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? _____
b. Who owns the land to be irrigated or 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: agreement will be made with
Canal Company.

APPROVED

APR 18 1994

Show 40-acre subdivisions, townships, ranges and ditches.

[illegible]

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Hagerman, this 14TH day of February, 1994.

John B. LeMayne
(Signature)
President LSFAAD

Preliminary check by SC Fee = \$20.00

Received by dw Date 2/16/94

Publication prepared by M Baldwin Date 3/1/94

Published in ¹⁾ Gooding Co. Leader ²⁾ Times News

Publication dates 1) 3/9/13 to 2) 3/10 to 3/17 '94

Post Reyster
Id Statesman

I, L. GLEN SAXTON, of the Department of Water Resources hereby

APPROVE the above referenced Application for Amendment. See attached sheet

for conditions of approval.

Witness my hand this

7th day of

April 7

, 19 94

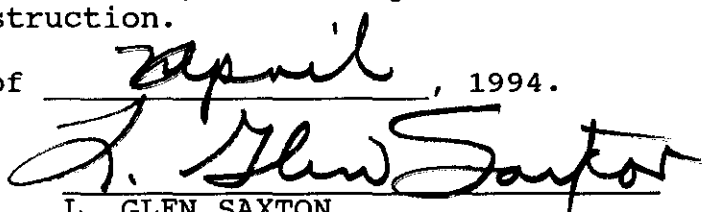
L. GLEN SAXTON
Chief, Water Alloc. Bureau

APR 18 1994

CONDITIONS OF APPROVAL
APPLICATION FOR AMENDMENT OF PERMIT 01-07054

1. The Department approves the application for amendment to add the North Side Canal Company diversion at Milner Dam to the permit. However, the Lower Snake Aquifer Recharge District may not utilize the Milner Gooding Canal until and unless a valid contract is in place with the U.S. Department of Interior, Bureau of Reclamation.
2. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 01, Snake River.
4. This permit in no way grants any right-of-way or easement across the land of another.
5. The permit shall be secondary to all prior water rights including rights held by any privately owned electrical generating company to appropriate waters in the reaches of the Snake River downstream from the Milner diversion for purposes of hydroelectric power generation.
6. The Director may regulate or reduce the rate of diversion under this permit pursuant to requirements of Section 42-4201, Idaho Code.
7. The permit shall not be assigned or sold without first securing the written approval of the Department of Water Resources.
8. The Board of Directors of the District shall establish and implement a procedure acceptable to the Director for assuring that the water quality of the Lower Snake Aquifer will not be impaired.
9. The right holder shall submit plans, for recharge facilities and any conveyance works needed, to the Department for approval prior to construction.

Dated this 7th day of April, 1994.


L. GLEN SAXTON
Chief, Water Alloc. Bureau

APR 18 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NOS.)
01-07054 AND 37-07842 BOTH)
IN THE NAME OF LOWER SNAKE)
AQUIFER RECHARGE DISTRICT)
_____)

REINSTATEMENT ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of the filing of proof of beneficial use of water and a beneficial use field report with the department, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On June 2, 1982, the department issued Permit No. 01-07054 to the Lower Snake Aquifer Recharge District (permit holder) authorizing the diversion of 1,200 cubic feet per second (cfs) of water from the Snake River for ground water recharge purposes. Proof of construction of works and application of water to beneficial use (proof) was originally due on June 1, 1987 but was extended by the department to June 1, 1992.
2. On June 2, 1982, the department also issued Permit No. 37-07842 to the permit holder authorizing the diversion of 800 cfs of water from the Little Wood and the Big Wood Rivers for ground water recharge purposes. Proof of beneficial use was originally due on June 1, 1987, but was extended by the department to June 1, 1992.
3. On March 31, 1992, the department sent a proof due notice for each permit to the permit holder. On June 5, 1992, the department sent a lapse notice for each permit to the permit holder, since the permit holder had not responded and both permits had lapsed.
4. On July 27, 1992, the permit holder filed proof of beneficial use together with a field report completed by Gerald Martens, a certified water right examiner. The proof was identified as being for Permit No. 37-07842 with authorized sources of the Little Wood and Big Wood Rivers.
5. On August 12, 1993, the permit holder advised the department that the proof which was filed on July 27, 1992 was intended for both Permit Nos. 01-07054 and 37-07842.
6. The department's review of the completed field examination and

APR 18 1994

supporting data shows that the permit holder diverted water from both the Snake River and the Big and Little Wood Rivers even though the proof was identified as being only for Permit No. 37-07842.

CONCLUSIONS OF LAW

1. Section 42-218a.1., Idaho Code, provides in part as follows:

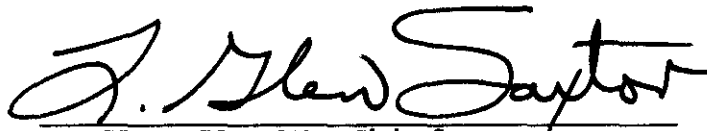
That within sixty (60) days after such notice of lapsing the department, may upon a showing of reasonable cause, reinstate the permit with the priority date advanced a time equal to the number of days that said showing is subsequent to the date set for proof;

2. The Director should reinstate both Permit Nos. 01-07054 and 37-07842 pursuant to Section 42-218a.1., Idaho Code, and should advance the priority of each permit to August 25, 1980.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Permit Nos. 01-07054 and 37-07842 are reinstated and the priority is advanced to August 25, 1980.

Dated this 1st day of December, 1993.


L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED

JUL 27 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ N/A

Date

Receipt No.

Receipt by

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. and 01-07054A
27-07842A Telephone No. 837-4887
2. Name(s) of Permit Holder(s): LOWER SNAKE RIVER RECHARGE DISTRICT
3. Mailing Address: Box 487 HASEMAN, IDAHO
4. Source of Water: SNAKE RIVER

If GROUNDWATER, Well Driller's Name: N/A Date Drilled: _____

OPTIONAL:

Pump horsepower: N/A Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other GROUNDWATER RECHARGE

6. Total rate and/or volume for which proof is submitted 300 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR

Flow Measurement Port: Required? N/A Yes ☐ No Installed? N/A Yes ☐ No

8. Fee Enclosed: \$ _____ (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

GERALD MARTINS 208-734-4388
Name Telephone No.

1139 FALLS AVE. EAST, TWINFALLS IDAHO
Address

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

Date

Signature (and title, if on behalf of a company or organization)

6/12/92

Gerald Martins CHIEF ENGINEER #001

JUL 29 1992

APR 18 1994

FILE RECREATED FROM MICROFILM

BELOW THIS POINT, DO NOT RE-FILM.

Form 204
4/86

RECEIVED
JUN 1 1987
Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

For Office Use Only
\$15 FEE Received by af
Date 6-3-87
Receipt # 42324

RECEIVED
JUN 03 1987

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 01-7054

Name(s) of Permit Holder: Lower Snake River Aquifer Recharge District

Post Office Address: c/o John LeMoyné, P. O. Box 487, Hagerman, Idaho 83332

Telephone No. 837-4887

Date Proof is Due: June 1, 1987

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

Construction of diversion and recharge facility with capacity of 600 cfs.

Facility completed and operational for approximately 24 months. Continued
negotiation for land rights necessary for additional sites.

Costing \$ 85,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Unable to date to obtain necessary land rights for private sources,

State Land Board, and BLM pursuant to demonstration of need and success
of completed facility.

Permit holder(s) request an extension to June 1, 19 92.
(1 yr. minimum)

[Signature]
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to June 1, 1992.

Signed this 4th day of October, 19 89.

[Signature]
Chief, Water Allocation Bureau

ASSIGNED TO:
Lower Snake Aquifer Recharge District
1301 Vista Ave.
Boise, ID 83705
Southern District

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

& John W. Jones, Jr.

1. Name of applicant Earl Hardy, Thorleif Rangen & John LeMoine Phone 342-0090

Post office address 1301 Vista Ave.: Boise, ID 83705

2. Source of water supply Snake River which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 10S

Range 21E B.M. Jerome County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1200 for G.W. Recharge purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1200 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Contract use of Milner Gooding Canal system, and Richfield Canal System.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ % of _____ % of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Number of manure pits to be removed _____, or number of families to be _____
served with domestic water.

(5) If water is to be used for other purposes describe _____ Groundwater recharge subject to the
requirements of the Title 42, Chapter 42 Idaho Code

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion Big Wood Canal Company

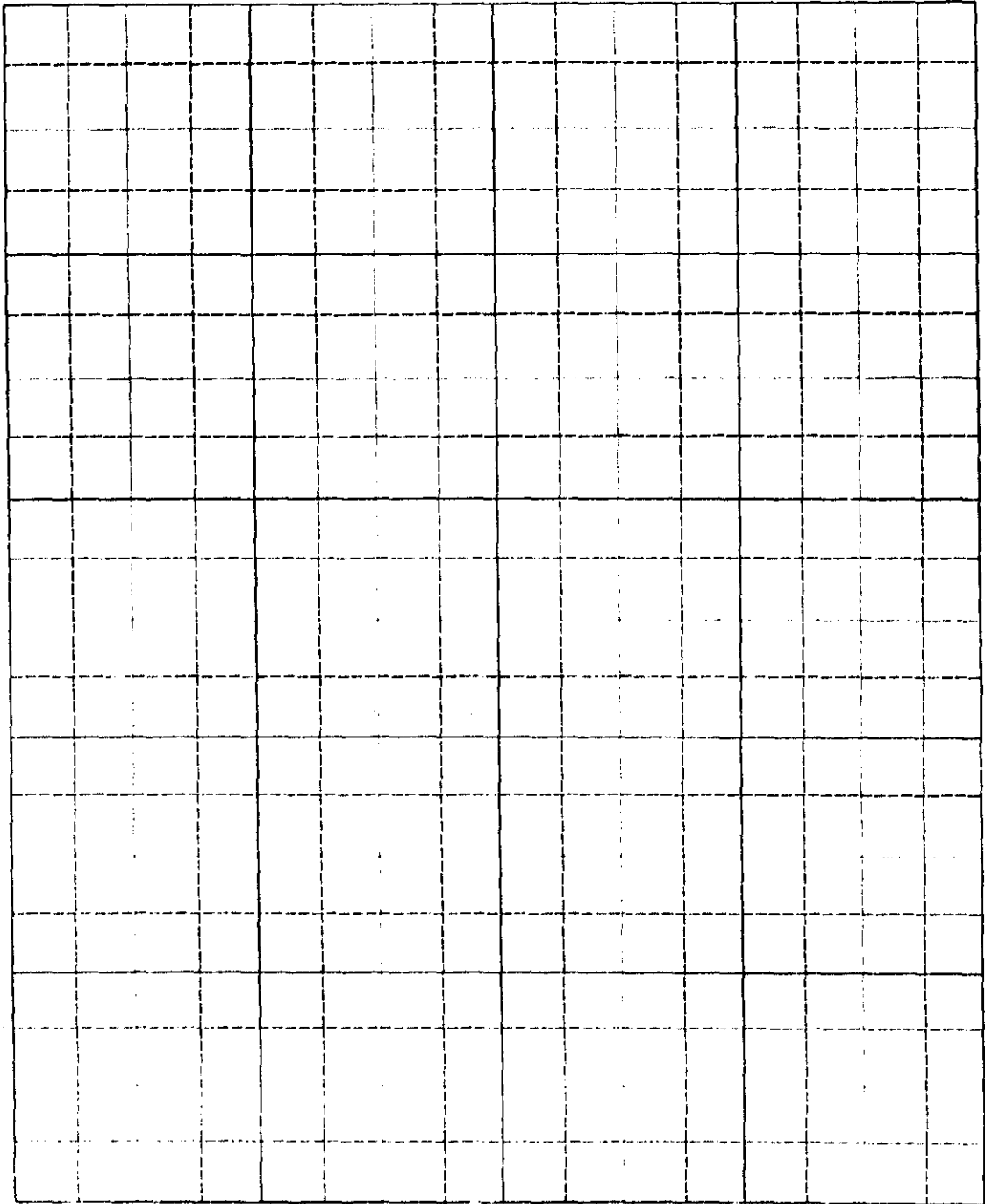
b. Who owns the land to be irrigated or place of use BLM

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicant has worked with owners of P.D. & place of
use to negotiate agreement for use of facilities. Negotiations will continue
until agreement is complete.

10. Remarks Applicant agrees to meet specifically the requirements of 42-4201 (2)
subordinating applicants right to all prior perfected water rights including
those held by any privately owned electric generating company, and
42-4201 (3) providing for the reduction of applicants right under certain
conditions. Applicant further agrees to meet all additional requirements and
conditions of Title 42, Chapter 42.

Applicant's filing is being held in trust for a recharge district being formed under 42-4202 Idaho Code. Applicant agrees to assign application to the recharge district upon reimbursement of costs.

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



Scale: 2 inches equal 1 mile.

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

[Signature]
(Applicant)

Proposed by 6/30/1980 manya 7-2-80 11:30 am
Received by tg Date 6/30/80 Time 2:15
Preliminary check by tg Fee \$ \$1565.00
Receipted by tg Date 6/30/80
Publication prepared by manya Date 7/2/80
Published in North Side News
Publication dates 7/31 + 8/7/80
Publication approved _____ Date _____
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval, denial by tg RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 01-7054, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 87.

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

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

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

Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Permit shall be secondary to all prior water rights including rights held by any privately owned electrical generating company to appropriate waters in the reaches of the Snake River downstream from the Milner diversion for purposes of hydroelectric power generation.

The Director may regulate or reduce the rate of diversion under this permit pursuant to requirements of Section 42-4201, Idaho Code.

The permit shall not be assigned or sold without first securing the written approval of the Department of Water Resources.

Water may not be diverted under this permit until the Board of Directors of the District establish and implement a procedure acceptable to the Director for assuring that the water quality of the Lower Snake Aquifer will not be impaired.

Plans for recharge facilities and any conveyance works needed shall be submitted to the Department for approval prior to construction.

Witness my hand this 2nd day of June, 1982.

J. Glen Sayton
Chief, Operations Bureau

LAW OFFICES

HEPWORTH, NUNGESTER, AND FELTON

PROFESSIONAL CENTER — 1020 MAIN

Post Office Box 589

BUHL, IDAHO 83316

TELEPHONE (208) 543-4368

APR 16 1982

Department of Water Resources

JOHN C. HEPWORTH, Chartered
WM. L. NUNGESTER, Chartered
MICHAEL H. FELTON, Chartered
D. BRENT MARTENS
JEREMY E. POLIC
JOHN T. LEZAMIZ
JOHN C. KOHNENORST

April 16, 1982

TWIN FALLS OFFICE
Blick Building
133 Shoshone Street North
Post Office Box 389
Twin Falls, Idaho 83301
Telephone (208) 734-7510

OUR FILE NUMBER

Department of Water Resources
Statehouse
Boise, ID 83720

Re: Application for Water Permit No. 01-7054

Gentlemen:

Enclosed find an Assignment of Application for Water Permit as concerns the above-referenced permit number. If anything further is required by your office to document the assignment of this application, please advise.

Very truly yours,

HEPWORTH, NUNGESTER & FELTON

D. Brent Martens
D. Brent Martens

DBM:kr
Enclosure

POWER OF ATTORNEY

Dated this 26 day of June, 19 80.

Thorleif Rangen

On this 26 day of June, 19 80, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

1221

Notary Public

Residing at Buhl - Idaho

My Commission expires:

1491

POWER OF ATTORNEY

Dated this 27 day of June, 1980.

My Commission expires:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POWER OF ATTORNEY

The undersigned holder(s) of Permit / Application No. 317004 of the Department of Water Resources of the State of Idaho hereby nominates Earl Hardy, whose address is 1301 Vista Ave Boise, Idaho 83705 as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all matters pertaining to the above numbered permit or application. Such acts shall include, but not be limited to, the filing of application, receiving of all notices, the signing and filing of applications for extension of time and for amendments of said permits, and the submission of proofs of completion of works and beneficial use of water.

Dated this 26 day of June, 1980.

John R. LeMoine

STATE OF IDAHO)
County of Twin Falls) ss.

On this 26 day of June, 1980, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

seal

Ray C. L. L. L.
Notary Public
Residing at Boise Idaho

My Commission expires:
1981

Department of Water Resources

I, Earl Hardy, individually and pursuant to my authority as attorney-in-fact for all other named individual applicants, including Thorlief Rangen, John W. Jones, Jr., and John LeMoyné, hereby assign to Lower Snake Aquifer Recharge District of 1301 Vista Avenue, Boise, Idaho 83705, all of our right, title and interest in and to Application for Water Permit No. 01-7054 to appropriate the public waters of the State of Idaho.

Attached hereto are copies of said Powers-of-Attorney

STATE OF IDAHO)
) ss.
County of Ada)

Notary Public for State of Idaho
Residing at 204 N. 1st St.

My commission expires:

State of Idaho

Department of Water Resources

ASSIGNMENT OF APPLICATION FOR WATER PERMIT

I, Earl Hardy, individually and pursuant to my authority as attorney-in-fact for all other named individual applicants, including Thorlief Rangen, John W. Jones, Jr., and John LeMoyne, hereby assign to Lower Snake Aquifer Recharge District of 1301 Vista Avenue, Boise, Idaho 83705, all of our right, title and interest in and to Application for Water Permit No. 37-7842 to appropriate the public waters of the State of Idaho.

Made this 15 day of January, 1982.

Attached hereto are copies of said Powers-of-Attorney.

Earl Hardy
Earl Hardy, Individually and on behalf of all other named applicants, including Thorlief Rangen, John W. Jones, Jr., and John LeMoyne, pursuant to my authority as their duly appointed attorney-in-fact

STATE OF IDAHO)
) ss.
County of Ada)

On this 14 day of January, 1982, personally appeared before me the signer of the above instrument, who duly acknowledged to me that he executed the same, both individually and on behalf of all other named applicants pursuant to his authority as their duly appointed attorney-in-fact.

Edmund T. Ryan
Notary Public for State of Idaho
Residing at Ada County Idaho

My commission expires:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POWER OF ATTORNEY

The undersigned holder(s) of Permit / Application No. _____ of the
Department of Water Resources of the State of Idaho hereby nominates Earl Hardy
_____, whose address is 1301 Vista Boise, Idaho
_____ 83705
as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all
matters pertaining to the above numbered permit or application. Such acts shall include,
but not be limited to, the filing of application, receiving of all notices, the signing and
filing of applications for extension of time and for amendments of said permits, and the
submission of proofs of completion of works and beneficial use of water.

Dated this 27 day of June, 1980.

John W. Jones Jr.
John W. Jones Jr.

STATE OF IDAHO)
County of Twin Falls) ss.

On this 27 day of June, 1980, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Don C. Littlewell
Notary Public
Residing at Boise, Idaho

My Commission expires:
1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POWER OF ATTORNEY

The undersigned holder(s) of Permit/Application No. _____ of the
Department of Water Resources of the State of Idaho hereby nominates Early Hardy
_____, whose address is 1301 Vista Ave Boise, Idaho 83705
as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all
matters pertaining to the above numbered permit or application. Such acts shall include,
but not be limited to, the filing of application, receiving of all notices, the signing and
filing of applications for extension of time and for amendments of said permits, and the
submission of proofs of completion of works and beneficial use of water.

Dated this 26 day of June, 19 80.



Thorleif Rangen

STATE OF IDAHO)
County of Twin Falls) ss.

On this 26 day of June, 19 80, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal



Notary Public
Residing at Buhl, Idaho

My Commission expires:

1981

11-11-80
JUN 2 1980
Department of Water Resources
Southern District Office

1980 80 1880
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POWER OF ATTORNEY

The undersigned holder(s) of Permit/Application No. _____ of the
Department of Water Resources of the State of Idaho hereby nominates Earl Hardy
_____, whose address is 1301 Vista Ave Boise, Idaho 83705
as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all
matters pertaining to the above numbered permit or application. Such acts shall include,
but not be limited to, the filing of application, receiving of all notices, the signing and
filing of applications for extension of time and for amendments of said permits, and the
submission of proofs of completion of works and beneficial use of water.

Dated this 26 day of June, 1980.

John R. LeMoine
John R. LeMoine

STATE OF IDAHO)
County of Twin Falls) ss.

On this 26 day of June, 1980, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Rayce L. L. L.
Notary Public
Residing at Buhl - Idaho

My Commission expires:
1981

RECEIVED

JUN 30 1980

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

POWER OF ATTORNEY

The undersigned holder(s) of Permit / Application No. _____ of the Department of Water Resources of the State of Idaho hereby nominates Earl Hardy _____, whose address is 1301 Vista Boise, Idaho 83705 as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all matters pertaining to the above numbered permit or application. Such acts shall include, but not be limited to, the filing of application, receiving of all notices, the signing and filing of applications for extension of time and for amendments of said permits, and the submission of proofs of completion of works and beneficial use of water.

Dated this 27 day of June, 1980.

John W. Jones Jr.
John W. Jones Jr.

STATE OF IDAHO)
County of Twin Falls) ss.

On this 27 day of June, 1980, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

seal

[Signature]
Notary Public
Residing at Boise, Idaho

My Commission expires: 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



JUN 26 1980

Registration of the above instrument

POWER OF ATTORNEY

The undersigned holder(s) of Permit/Application No. _____ of the
Department of Water Resources of the State of Idaho hereby nominates Early Hardy
_____, whose address is 1301 Vista Ave Boise, Idaho 83705
as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all
matters pertaining to the above numbered permit or application. Such acts shall include,
but not be limited to, the filing of application, receiving of all notices, the signing and
filing of applications for extension of time and for amendments of said permits, and the
submission of proofs of completion of works and beneficial use of water.

Dated this 26 day of June, 19 80.



Thorleif Rangen

STATE OF IDAHO)
County of Twin Falls) ss.

On this 26 day of June, 19 80, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal



Notary Public
Residing at Boise, Idaho

My Commission expires:

1981

Big Wood Canal Company

P.O. BOX C

SHOSHONE, IDAHO 83352

June 26, 1980

Mr. Steve Allred
% Vern Ravenscroft
Box 893
Boise, Idaho 83701

Department of
Scatter

Mr. Steve Allred:

This is to inform any interested parties that the leaders and staff of the Thousand Springs Water Users have kept the officials of the Big Wood Canal Co. and the American Falls Reservoir Dist. #2 apprised of their interest and efforts concerning the underground recharge which they are contemplating. At no time have they made plans without informing the Company and District of their intentions.

Very truly yours

J. Leon Grieve
J. Leon Grieve
Manager

JLG/ra

AFFIDAVIT of PUBLICATION

State of Idaho

County of Jerome

L. L. LANGDON
ASST. PUBLISHER

I being first duly sworn, depose and say that the printer, publisher, of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper of general circulation as provided by act of the Legislature of the State of Idaho, known as House Bill 111, that the annexed advertisement was published once

each week for Two consecutive issues in said newspaper proper and not in a supplement, that the date of the first publication of said advertisement was on the 31st day of July, 1990, and the date of the last publication was on the 7th day of August, 1990.

Subscribed and sworn to before me this

day of August, 1990.

(SEAL)

NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Name of Paper per Line

Name of Person or Notice

Name of Person or Notice

Lines of Display ad

Lines of Display ad

Lines of Display ad

TOTAL COST

13

58

3

10 Per

10 Per

10 Per

22 62

15 48

37 70

COPIES OF NOTICE

(Paste Here)

#01-7054-Hardy

PLANNED

PLANNED

PLANNED

West of Water

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

01-7054

Hardy, Earl

Rangen, Thelma

Jones, John W., Jr.

LeMoine, John

1301 Vista Ave., Boise, Idaho 83705

Source: Snake River

Dated Filed: 8-30-90

Amount: 1200 cfs

Diversion Point: SWNW, Sec. 28, T.

10S, R. 21E, Jerome County

Use: Groundwater Recharge (1200

cfs) from Jan. 1 to Dec. 31

Purpose of Use: Within the boundaries

of the Lower Snake Plains Aquifer

Recharge District located within T 8S

R14E; T 8S R15E; T 8S R16E; T 8S

R17E; T 8S R13E; T 8S R14E; T 8S

R15E; T 8S R16E; T 8S R17E; T 8S

R18E; T 7S R13E; T 7S R14E; T 7S

R15E; T 7S R16E; T 7S R17E; T 7S

R18E; T 7S R19E; T 8S R13E; T 8S

R14E; T 8S R15E; T 8S R16E; T 8S

R17E; T 8S R19E; T 8S R14E; T 8S

15E; T 8S R16E; T 8S R17E; T 8S

R18E; T 10S R16E.

Possible sites for recharge of the

water are within the following describ-

ed lands: Sec. 20, 21, 22, 27, 28, 29,

T 8S R17E; Sec. 31, T 8S, R19E, Sec.

4, 5 T 7S R19E; Sec. 1, 2, 3, T 8S R19E.

Diversion Means: Contract use of

Miner Gooding Canal system and

Richfield Canal system.

If issued, the permit will be subject

to all prior water rights. Protests

against the granting of any permit

must be filed with the Director of the

Idaho Department of Water

Resources, 1041 Blue Lakes Blvd. North,

Twin Falls, Idaho 83301 and received

on or before August 17, 1990.

C. STEPHEN ALLRED

Director

7-31-21c