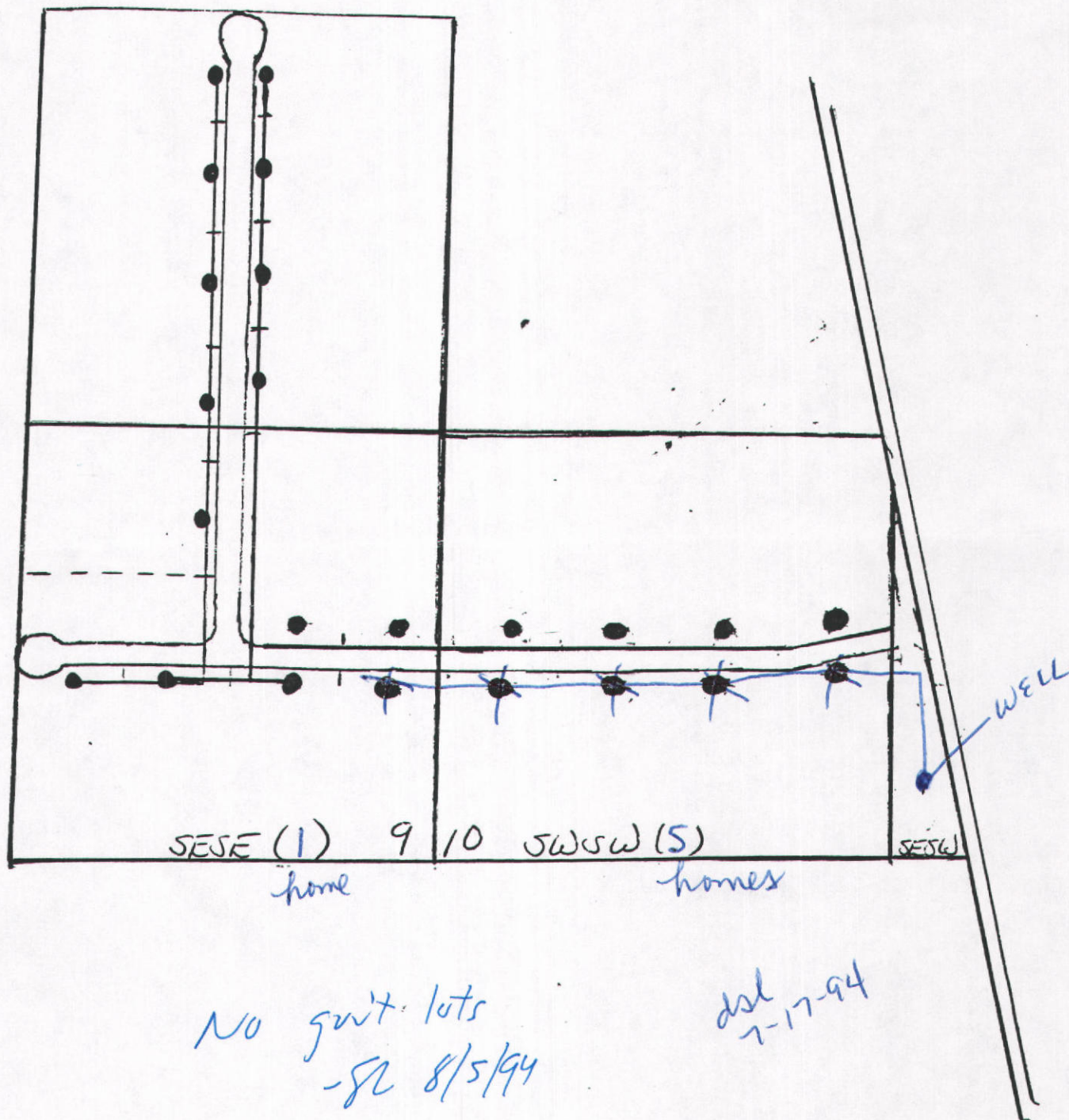


T. 25
R. 2W



No gwt. lots
-SL 8/5/94

dsl
7-17-94

MICROFILMED

FEB 16 1995

905

903

This Sketch is for location
purposes only.
Hill Title & Escrow Company, Inc.
assumes no liability for variations.

E25E4

Sec. 9

T2S-R2W

1 home

4 homes

+ + + +

2 well

907.04

SESE

SWSW

SESW

Sec.
9

Sec.
10

907.02

907.01

15

MICROFILMED

FEB 16 1995

(78)

FOUND STONE
SET 1/4" FROM PIN ALONG SIDE
C.P.M. No. 21488

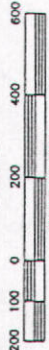
UNPLATTED

EAGLE VIEW ESTATES

PLAT SHOWING

SITUATED IN THE E 1/2 OF THE SE 1/4 OF
OF SECTION 9 AND THE S 1/2 OF
THE SW 1/4 OF SECTION 10 WESTERLY OF
HWY 78 T.2S., R.2W., B.M.,
OWYHEE CO., IDAHO

1995



CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	PERCENT
1	90°00'00"	20	31.42	28.28	20.00
2	68°52'28"	20	31.02	28.01	19.61
3	91°07'35"	20	31.81	28.58	20.40
4	141°11'36"	200	69.37	69.19	63.86
5	141°11'36"	200	69.37	69.19	63.86
6	6°50'21"	310	37.00	36.98	18.52
7	7°11'18"	310	39.79	39.77	19.92
8	89°42'40"	20	31.32	28.21	19.90
9	89°42'40"	20	31.32	28.21	19.90
10	48°11'22"	20	16.82	16.33	8.94
11	48°11'22"	20	16.82	16.33	8.94
12	137°53'31"	55	132.37	102.68	142.68
13	137°53'31"	55	132.37	102.68	142.68
14	48°11'22"	20	16.82	16.33	8.94
15	48°11'22"	20	16.82	16.33	8.94
16	132°12'12"	55	132.12	102.59	142.16
17	132°12'12"	55	132.12	102.59	142.16

NOTES

- A PUBLIC UTILITY, DRAINAGE, AND IRRIGATION EASEMENT 10.00 FEET IN WIDTH IS HEREBY DEDICATED ADJACENT TO ALL STREETS.
- A DRAINAGE AND UTILITY EASEMENT 10.00 FEET IN WIDTH IS HEREBY DEDICATED ALONG ALL SIDE LOT LINES UNLESS OTHERWISE NOTED. SHOULD THE LOT LINES BE ADJUSTED, THE EASEMENT WILL REMAIN IN FULL FORCE AND EFFECT. THE PROPOSED NO UTILITIES HAVE BEEN INSTALLED WITHIN THE LIMITS OF THE EASEMENT.
- A 10.00 FOOT ACCESS STRIP TO THE REAR OF LAND MANAGEMENT LAND WILL BE MADE AVAILABLE TO THE PROPERTY OWNERS WITHIN THE EAGLE VIEW ESTATES SUBDIVISION AT THE END OF BOTH ROADS.
- LOT 8 BLOCK 2 AND LOT 9 BLK 3 ARE COMMUNITY WELL LOTS AND NOT FOR RESIDENTIAL BUILDINGS.

LEGEND

- FOUND BRASS CAP MONUMENT
- SET 5/8" IRON PIN WITH PLASTIC CAP
- SET 1/2" X 24" IRON PIN WITH PLASTIC CAP
- BOUNDARY LINE
- CENTER LINE

UNPLATTED

- BLOCK 1
- LOT 1

UNPLATTED

UNPLATTED

UNPLATTED

UNPLATTED

UNPLATTED

UNPLATTED

Latest
subdivision plat
renumbered

LANDMARK SURVEYING
438 Sandy Ave. ERBETT, ID 83601



ART SCHULTZ ENGINEERING
CIVIL/STRUCTURAL CONSULTANT
1104 W. FRICK DRIVE
MOSCOW, ID 83843
(208) 443-0305

FOUND 1/4" IP
C.P.M. No. 21483

S 89°42'00" W 2638.63 (BASIS OF BEARING)

POINT OF BEGINNING

S 89°39'11" W 1321.78

S 89°39'11" W 1321.78

FOUND 1/4" IP
C.P.M. No. 21481

SECTION CORNER

UNPLATTED

UNPLATTED

UNPLATTED

UNPLATTED

UNPLATTED

UNPLATTED

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in Two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

November 16 + 23, 1994

Signed

Subscribed and sworn to me this 23rd day of Nov, A.D., 19 94

Corine B. Bowling

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 7, 1997

NOTARIZED

FEB 16 1995

NOTICE OF AMENDED APPLICATION FOR PERMIT NOS. 57-07597 & 57-07598

Notice is hereby given that Application for Permit Nos. 57-07597 & 57-07598 in the name of Alan & Debra Lindner and Charles & Vicky Hightower of Melba, Idaho, were filed on 7/22/1994 and advertised in the Owyhee Avalanche on August 17 & 24, 1994 as follows:

57-07597 for .06 cfs Irrigation 3/15-11/15 (3 acres) and .11 cfs Domestic 1/1-12/31 (6 homes)

Total .17 cfs from a well in SESE, S9, T2S, R2W, Owyhee County to be used in NESE & SESE of same section.

57-07598 for .06 cfs Irrigation 3/15-11/15 (2.5 acres) and .11 cfs Domestic 1/1-12/31 (5 homes)

Total .17 cfs from a well in SESW, S10, T2S, R2W, Owyhee County to be used in SESE, S9 & SWSW, S10, T2S, R2W.

Applicants now propose to amend the applications by increasing the water use in each application as follows:

57-07597 for .60 cfs Irrigation (30 acres) and .11 cfs Domestic (unchanged)

Total .71 cfs for use in Lots 11-17, Eagle View Estates, Subd. (location unchanged)

57-07598 for .50 cfs Irrigation (25 acres) and .11 cfs Domestic (unchanged)

Total .61 cfs for use in Lots 20-25, Eagle View Estates Subd. (location unchanged)

The permits will be subject to all prior water rights. Any protest against the approval of the proposed amendments must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705, together with a protest fee of \$25.00 on or before December 5, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson
Director

Publish November 16 & 23, 1994

RECEIVED

DEC 01 1994

WATER RESOURCES
WESTERN REGION

FOR OFFICE USE ONLY
Amt of Fee \$ 50.00
Receipt No 0271807
Receipt By [Signature]
Date Received 12-1-03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 1 2003

PROOF OF BENEFICIAL USE

Department of Water Resources

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 be accompanied by a completed field examination report prepared by a certified water right examiner

1. Permit No ~~57-07598~~ 57-07598 Telephone No. 208 495-2522
2. Name of Permit Holder(s): EAGLE VIEW HOME OWNERS ASSN #2 PRESIDENT TIM SIMMONDS
3. Mailing Address: 12621 CINNABAR WAY
City MURPHY State ID. Zip 83650
4. Source of Water: well-GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. 9-94 1 yr. 94
Well Driller: Knife Well & Pump Drilling Permit Number: 57 94-C-0047
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households) 5 Stockwater (No. and type of stock) _____
Irrigation (No. of acres) 2.5 Other _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.089 cfs OR _____ acre-feet
7. Measuring Device Requirement (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional Please check either yes or no Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X
8. Fee Enclosed \$ _____ (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system
Name: TIM SIMMONDS Telephone Number 495-2522
Address 12621 CINNABAR WAY MURPHY ID 83650
BLUE GRAY HOUSE NEXT TO THE WOOD HOUSE JUST OFF HWY 78
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder.

President Well Assn #2 [Signature] Date: 12-1-03
(include your title, if on behalf of company or organization)

MICHAEL [Signature]

DEC 1 5 2003

RECEIVED

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

DEC 2 1999

RECEIVED

DEC 02 1999

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

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. 57-07598Name(s) of Permit Holder: EAGLE VIEW ESTATES HOMEOWNERS ASSOCIATION #2Mailing Address: HC 99 BOX 323, MELBA, ID 83641Date Proof is Due: 2-01-00Telephone No. 495-2809DEBRA LINDNER, TREAS

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".)

WELL IS DEVELOPED - SYSTEM IS COMPLETE TO ALL
FIVE LOTS - 3 LOTS HAVE HOMES AND USE
DOMESTIC WATER

Costing \$ 15,000

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

TWO ADDITIONAL HOMES TO BE BUILT ON REMAIN-
ING LOTS. IRRIGATION WELLS MUST BE
DRILLED

Permit holder(s) request an extension to 2-01, 2005.

FEE: \$50.00

Debra Lindner, authorized agent
 (Signature)*

*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 February 1, 2004.

MICROFILMED

DEC 03 1999

Signed this 8th day of December, 1999.

A. Glen Saylor
 Chief, Water Allocation Bureau

RECEIVED

MAY 13 1999

For Office Use Only
\$25 Filing Fee
Receipt # C045431
Date 5/13/99

Department of Water Resources
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

We, Alan Lindner, Debra Lindner, Charles S. Hightower, &/or Vicky L. Hightower,
hereby assign to Eagle View Estates Homeowners Association No. 2,
of, HC 19 BOX 323 MELBA ID, phone: (208) 495-2809.
ds1 82641

All our right, title, and interest in and to Permit No. 57-07598 to appropriate the public waters of the State of Idaho.

Made this 4th day of May, 1997.

Alan Lindner
Alan Lindner

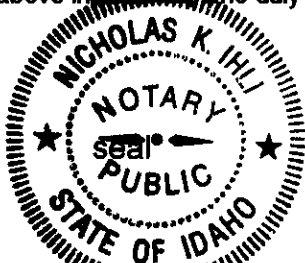
Debra Lindner
Debra Lindner

Charles S. Hightower
Charles S. Hightower

Vicky L. Hightower
Vicky L. Hightower

State of Idaho)
County of Lewysee) ss

On this 4th day of May, 1997, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



NICHOLAS K. IHLI
Notary Public (printed) residing at (town)

Nicholas K. Shli
Signature of Notary Public

My commission expires. 1/31/2000

REF ID: A66082
MICROFILMED
JUN 09 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 57-07598

Proposed Priority: October 18, 1994 Maximum Diversion Rate: 0.61 CFS

This is to certify, that **DEBRA LINDNER**
CHARLES S HIGHTOWER
VICKY L HIGHTOWER
ALAN LINDNER
HC 79 BOX 34X
MELBA ID 83641

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.50 CFS
DOMESTIC	01/01 to 12/31	0.11 CFS
	Totals	0.61 CFS

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 10, Township 02S, Range 02W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	02W	9	SESE	5.0		5.0
		10	SWSW	20.0		20.0

Total number of acres irrigated: 25.0

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 2000.**
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

RECEIVED
FEB 16 1995

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 57-07598

CONDITIONS/REMARKS:

6. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
7. Construction of the well must comply with Idaho well construction standards.
8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
9. Point of diversion is located within Lot 25, Eagle View Estates Subdivision.
10. Places of use are located within Lots 20-24, Eagle View Estates Subdivision.
11. Domestic use is for 5 homes.
12. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

20th day of January, 1995

R. Keith Higginson

R. Keith Higginson, Director

for

RECORDED
FEB 16 1995

RECEIVED

Ident. No. 57-07598

OCT 18 1994

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR PERMIT AMENDED

To appropriate the public waters of the State of Idaho

1. Name: ALAN LINDNER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
AND/OR
Name: DEBRA LINDNER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
AND/OR
Name: CHARLES S HIGHTOWER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
AND/OR
Name: VICKY L HIGHTOWER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SESW Sec. 10, Township 02S, Range 02W
OWYHEE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.500		
DOMESTIC	01/01	12/31	0.110		

5. Total quantity to be appropriated is:
0.610 CFS (and/or) AF

6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
WELL, PUMP AND PIPELINE
 - Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - Proposed well diameter is 10 inches; proposed depth of well is 350
feet.
 - Is groundwater with a temperature greater than 85F being sought? NO
 - If well is already drilled when?
Drilling Firm
Well was drilled for

FEB 16 1995

RECEIVED
DEC 28 1994

Department of Water Resources

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
02S	02W	9	SESE 5			5
		10	SWSW 20			20

Total number of acres irrigated: 25

Place of Use: DOMESTIC, same as IRRIGATION use

9. a. Who owns the property at the point of diversion?

APPLICANT

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

APPLICANT

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

10. Remarks:

Domestic use is for 5 homes.

Point of Diversion located in Lot 25 N. & Place of Use located in Lots 20-24, Eagle View Estates Subdivision

11. Map of proposed point of diversion and place of use attached? ☒

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.

Al Lindner
Applicant

Received by CZ Date 10/18/94 Time 3:45 Preliminary check by JR

Fee \$ ** \$100.00 Receipted by CZ #C031491 Date 10/18/1994

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

* Base update per applicant's newest map.

JR 11/9/94

** \$50 Amend. - 7547
" " - 7548

FEB 16 1995

Comments: Date: 10/18/1994 User-ID: CZIMMERM

Subject:

AMENDMENT OF APPLICATION

The applicants amended their application to increase irrigation to 25 acres; 5 homes at 5 acres each. Priority date has been advanced to date of this amendment.

FEB 16 1995

Ident. No. 57-07598

RECEIVED

SEP 23 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: ALAN LINDNER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
AND/OR
Name: DEBRA LINDNER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
AND/OR
Name: CHARLES S HIGHTOWER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
AND/OR
Name: VICKY L HIGHTOWER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SESW Sec. 10, Township 02S, Range 02W
OWYHEE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.060		
DOMESTIC	01/01	12/31	0.110		

5. Total quantity to be appropriated is:
0.170 CFS (and/or) AF

6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
WELL, PUMP AND PIPELINE
 - Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - Proposed well diameter is inches; proposed depth of well is
feet.
 - Is groundwater with a temperature greater than 85F being sought? NO
 - If well is already drilled, well was drilled for
Drilling Firm
Well was drilled for

FEB 16 1995

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
02S	02W	9	SESE	0.5		0.5
		10	SWSW	2		2

Total number of acres irrigated: 2.5

Place of Use: DOMESTIC, same as IRRIGATION use

9. a. Who owns the property at the point of diversion?

APPLICANT

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

APPLICANT

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

10. Remarks:

Domestic use is for 5 homes.

11. Map of proposed point of diversion and place of use attached? []

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

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 100.00 Receipted by _____ #W017795 Date 7/22/1994

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

RECEIVED

FEB 16 1995

RECEIVED

JUL 29 1994

Form 202
6/85

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident No 57-07598

RECEIVED

JUL 22 1994

WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

ALAN & DEBRA LINONER

1. Name of applicant MR CHARLES S. & MRS VICKY L. HIGHTOWER Phone 495-3809

Post office address HC 79, BOX 34X, MELBA, ID 83641

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

3. Location of point of diversion is _____ 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____

Sec. 10 Township 25 Range 2W B.M. QUYHKE County; additional
points of diversion if any: _____

4. Water will be used for the following purposes

Amount .11 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .06 for IRRIGATION purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated is (a) .17 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works.

a. Description of ditches, flumes, pumps, headgates, etc. ONE 6" WELL FOR 5
HOUSES. 3/4" HOSE-UP TO EACH HOME.

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

c. Proposed well diameter is 6" inches; proposed depth of well is 350 feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

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).

RECEIVED

FEB 16 1995

8 Description of proposed uses (if irrigation only, go to item 9).

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering, list number and kind of livestock _____
- c. Municipal; show name of municipality. _____
- d. Domestic, show number of households. 5 HOMES
- e. Other; describe fully. _____

9 Description of place of use

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example. D for Domestic) in the corresponding place of use below See instructions for standard symbols.

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
25	26	9																.5	
		10											2					D	.5
													D					(11 HOMES)	2.0

Total number of acres to be irrigated 2.5

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? APPLICANTS

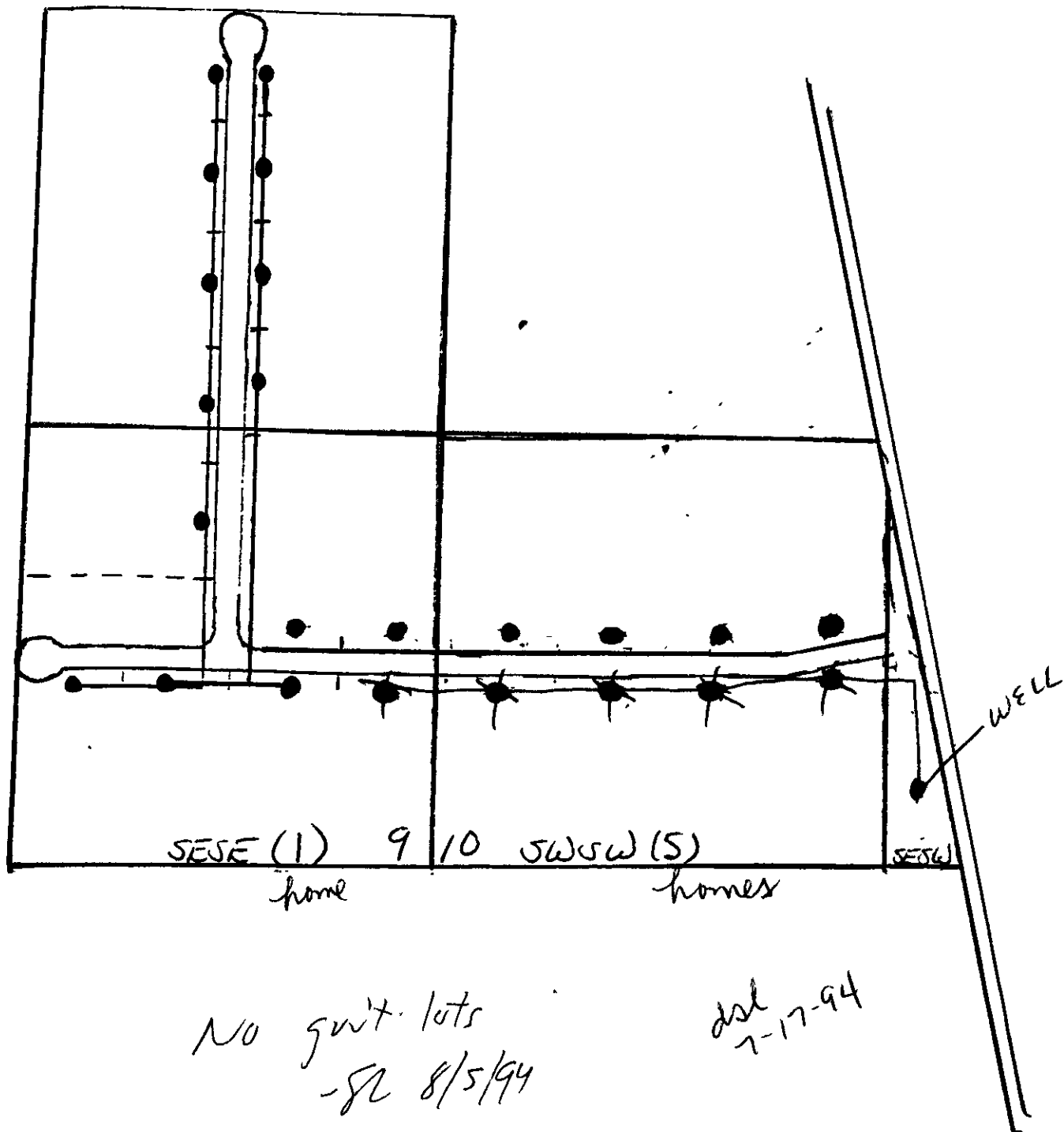
b. Who owns the land to be irrigated or place of use? "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12 Remarks: _____

Comments: This Application is the other well, homes ~~deleted~~ **MICROFILMED** deleted from application 57-07594. SEE Comments in 57-07-1 & 57-07594. FEB 18

T. 25
R. 2W



NO gov't. lots
-SL 8/5/94

dsl
7-17-94

RECORDED
FILMED

FEB 16 1995

905

903

This Sketch is for location
purposes only.
Hli Title & Escrow Company, Inc.
assumes no liability for variations.

E25E4

Sec. 9

T2S-R2W

1 home

4 homes

X X X - X X

SESE

Sec.
9

SWSW

Sec.
10

SESW

WELL

907.02

907.02

15

RECORDED

FEB 16 1995

(78)

See attached maps (2)

RECEIVED
FEB 16 1995

X Hebra S. Lindner
(Applicant)

Received by VR Date 7-22-94 Time 11:30am Preliminary check by VR
Fee \$ 50 - Receipted by VR # W017795 Date 7-22-94
Publication prepared by ST Date 8-10-94 Published in Boyer's Advertiser
Publication approved ST Date 9-6-94

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 _____, and said application is hereby _____.

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 _____, 19 ____.

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

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

e. Other:

RECEIVED

FEB 16 1995



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

January 29, 2004

EAGLE VIEW HOMEOWNERS ASSN #2
TIM SIMMONDS PRES
12621 CINNABAR WAY
MURPHY ID 83650

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO 57-7598

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.state.id.us.

If you have questions, please contact the **Western** Regional Office of the department in Boise (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

Microfilmed

MAR 15 2004

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 57-7598

Reviewed By: dgibson

Date: January 28, 2004

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:	5794-C-0047	
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No	C071807		Well driller's report filed?		X
Additional Amount Due			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		X
Are the water uses correct?		X	Measure device waiver requested?		

Priority Calculation

Date proof received		12/01/2003
Date proof due	-	02/01/2004
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	10/18/1994
New priority date	=	10/18/1994

Deficiencies of Actions Items

Acknowledge proof.

November 30, 2003

EAGLE VIEW ESTATES HOMEOWNERS ASSN #2
12621 CINNABAR WY
MURPHY, ID 83650

PROOF DUE NOTICE

RE: PERMIT NO. 57-7598

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

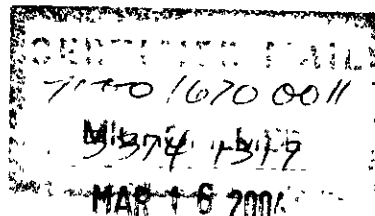
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures



No Fee Req'd

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights
(Please print or type)

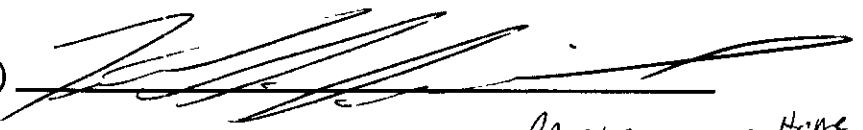
[] Water Right Number(s): 57-7598

[] Name(s): EAGLE View estates
well # 2

[] Old Mailing Address: DeBRA + ALAN LINDER (The Developers)
Hc 79 Box 323 ~~Meridian~~
MELBA ID. 83641

[] New Mailing Address: Home owners Association #2
12621 CINNABAR way
MURPHY ID. 83650

Telephone Number: (208) 495-2522

[] Signature(s) of Owner(s) 
TIMOTHY S. SIMMONS President of Home owners Association #2
(Include your title if on behalf of company or organization)

Date: 10-18-03

MICROFILMED

Database updated - Keri Lynn - 10.23.03 OCT 29 2003

10-18-03

RECEIVED

OCT 21 2003

Department of Water Resources

Dear Kay,

Thank-you for the information you sent, it was very helpful. I am returning the change of address form you sent with the correct information to reach me. I think I have a Handel on it now, if I understand correctly your office will send out a notice when we need the inspection completed, I fill it out and send it back and set up an appointment to have it done. If that isn't correct I guess I still don't get it.... ha ha I will give this a few days to get to you and give you a call to see what is what. If I can get the inspection done sooner I will while I am off work anyway and here all the time. Thank-you for you time, I will talk to you soon.



Timothy S. Simmonds

208 495-2522

MICAC FILMED

OCT 29 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

December 8, 1999

KARL J. DREHER
DIRECTOR

EAGLE VIEW ESTATES HOMEOWNERS ASSN 1
HC 79 BOX 323
MELBA ID 83641

RE: Permit No. 57-07598

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit, which extends the time within which to submit proof of beneficial use to **February 1, 2004**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of this project since the department **will not** be able to grant additional extension requests based on due diligence.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED
DEC 09 1999

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 57-07598 Reviewed by [Signature] Date 12-8-99

BASIC INFORMATION

12-2-99 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
NO Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN *Recommend extend to Feb. 1, 2004, on basis of due diligence.*

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X
Change Proof Due Date 2-1-2004
Change Priority Date V



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

May 14, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EAGLE VIEW ESTATES HOMEOWNERS ASSN #2
HC 79 BOX 323
MELBA ID 83641

RE: ASSIGNMENT OF PERMIT 57-07598

Dear Permit Holder(s):

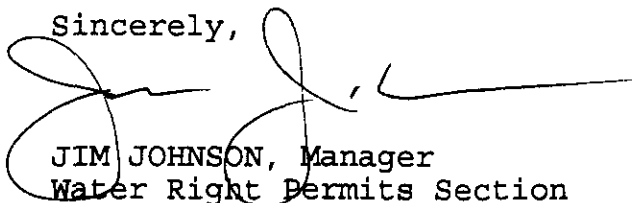
We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership. A computer generated report is enclosed for your information.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address **PRIOR** TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED
JUN 9 1999

INTER-DEPARTMENT MEMO — 1

FROM CINDY ZIMMERMAN

TO FILES. 57-7593/7594/7597/7598/7607

SUBJECT OFFICERS.

DATE 5/13/99
RECEIVED

MAY 13 1999
Department of Water Resources

The officers of Eagle View Estates Home Owners Assoc(s) are:

~~THE~~ TODD COOPER - PRESIDENT
SANDY KITCHELL - ~~VICE~~ SECRETARY
CARL MONDRAGON - VICE
DEBRA LINDNER - TREASURER
Cindy Zimmerman
SIGNATURE

MICROFILMED
JUN 09 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 26, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DEBRA LINDNER
HC 79 BOX 34X
MELBA ID 83641

RE: Permit Nos. 57-07593/07594/07597/07598/07607

Dear Debra;

I recently received your correspondence of January 10, 1996 regarding the updated numbering of lots and blocks within Eagle View Estates Subdivision as identified on the final plat. I have added a copy of the correspondence to each of the files.

Thank you for keeping us updated and good luck on your development.

Respectfully,

Cindy Zimmerman
Water Resource Agent

JAN 30 1996

DEBRA LINDNER
HC 79 BOX 34X
MELBA, ID 83641
(208)495-2809
JANUARY 10, 1996

RECEIVED
JAN 16 1996
Department of Natural Resources

IDWR
CINDY ZIMMERMAN
1301 NORTH ORCHARD
STATEHOUSE MAIL
BOISE, ID 83720

RE: WATER RIGHT PERMITS FOR EAGLE VIEW ESTATES SUBDIVISION

DEAR CINDY,

WHEN WE ORIGINALLY FILED FOR THE PERMITS FOR WATER RIGHTS FOR EAGLE VIEW ESTATES SUBDIVISION, THE LOT NUMBERS FOR THE SUBDIVISION WERE BASED ON THE PRELIMINARY PLAT. NOW THAT THE FINAL PLAT IS COMPLETE, EVERYTHING REMAINS THE SAME, EXCEPT FOR THE LOT NUMBERS. THE CHANGES ARE AS FOLLOWS:

PERMIT NO. 57-07593 FOR LOTS 7-10, 18-19 ARE NOW FOR BLOCK 1 LOTS 7-10, BLOCK 3 LOTS 2-3. THE WELL WILL BE LOCATED ON BLOCK 2 LOT 6.

PERMIT NO. 57-07594 FOR LOTS 1-5 ARE NOW FOR BLOCK 1 LOTS 1-5. THE WELL IS LOCATED ON BLOCK 3 LOT 9.

PERMIT NO. 57-07597 FOR LOTS 11-15 & 17 ARE NOW BLOCK 2 LOTS 1-5 & BLOCK 3 LOT 1. THE WELL IS LOCATED ON BLOCK 2 LOT 6.

PERMIT NO. 57-07598 FOR LOTS 20-24 ARE NOW BLOCK 3 LOTS 4-8. THE WELL IS LOCATED ON BLOCK 3 LOT 9.

PERMIT NO. 57-07607 FOR LOT 6 IS NOW BLOCK 1 LOT 6. THE WELL IS LOCATED ON BLOCK 3 LOT 9.

ENCLOSED PLEASE FIND A COPY OF THE APPROVED FINAL PLAT. IF YOU HAVE ANY QUESTIONS CONCERNING THIS MATTER, PLEASE CONTACT ME AT THE ABOVE ADDRESS OR PHONE NUMBER.

SINCERELY,



RECEIVED

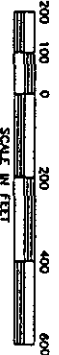
JAN 30 1996

PLAT SHOWING

EAGLE VIEW ESTATES

SITUATED IN THE E 1/2 OF THE SE 1/4 OF
OF SECTION 9 AND THE S 1/2 OF
THE SW 1/4 OF SECTION 10 WESTERLY OF
HWY 78 T.2S., R.2W., B.M.,
OWHEE CO., IDAHO

1995



NOTES

1. A PUBLIC UTILITY DRAINAGE AND IRRIGATION EASEMENT 10.00 FEET IN WIDTH IS HEREBY DEDICATED ADJACENT TO ALL LOTS.
2. A DRAINAGE AND UTILITY EASEMENT 10.00 FEET IN WIDTH IS HEREBY DEDICATED ADJACENT TO ALL LOTS.
3. A 10.00 FOOT ACCESS STRIP TO THE BUREAU OF LAND MANAGEMENT LAND WILL BE MADE AVAILABLE TO THE PROPERTY OWNERS WITHIN THE EAGLE VIEW ESTATES SUBDIVISION AT THE END OF BOTH ROWS.
4. LOT 6, BLOCK 2 AND LOT 9, BLOCK 3 ARE COMMUNITY WELL LOTS AND NOT FOR RESIDENTIAL BUILDINGS.

CURVE DATA	
CURVE	DATA
1	200.00' 11.11° 20.00'
2	200.00' 11.11° 20.00'
3	200.00' 11.11° 20.00'
4	200.00' 11.11° 20.00'
5	200.00' 11.11° 20.00'
6	200.00' 11.11° 20.00'
7	200.00' 11.11° 20.00'
8	200.00' 11.11° 20.00'
9	200.00' 11.11° 20.00'
10	200.00' 11.11° 20.00'
11	200.00' 11.11° 20.00'
12	200.00' 11.11° 20.00'
13	200.00' 11.11° 20.00'
14	200.00' 11.11° 20.00'
15	200.00' 11.11° 20.00'
16	200.00' 11.11° 20.00'
17	200.00' 11.11° 20.00'

LEGEND

- FOUND BRASS CAP MONUMENT
- SET 5/8" IRON PIN WITH PLASTIC CAP
- SET 1/2" x 24" IRON PIN WITH PLASTIC CAP
- BOUNDARY LINE
- LOT LINE
- CENTER LINE
- BLOCK
- LOT



LANDMARK SURVEYING
4300 S. 1000 E. SUITE 100
TWIN FALLS, IDAHO 83403



ART SCHULTZ ENGINEERING
CIVIL/STRUCTURAL CONSULTANT
1104 W. FRANK DRIVE
TWIN FALLS, IDAHO 83403
(208) 735-0205

SECTION CORNER

UNPLATTED

BOOK

PAGE

SHEET 1 OF 2

—Latest—
Subdivision plat
renumbered



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 23, 1995

CHARLES HIGHTOWER
VICKY L HIGHTOWER
ALAN LINDNER
DEBRA LINDNER
HC 79 BOX 34X
MELBA ID 83641

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 57-07597 & 57-07598

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

FEB 16 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: S-1598 Name: Lindner/Hightower Date: 12/29/94 ^{4/17/95} Correct Fee? ✓

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust

SYSTEM COMPLETED:

No - 26A-P17
Complete in 1 year - P16

Yes

Proof not submitted - P16
Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <FLO-CH> - 01G (new), 01K (existing), No MD
- 0.2 cfs - No MD <FLOW CHART>

Drilling Permit:

Included w/permit - Permit No. _____, P99
Existing well - NA (pre 7/1/87)
No WD permit? - 046-46A(Irr) - 16B-P23 (post 7/1/87)

SURFACE WATER: not in WD

LOCATION:

Water District (dam) - WD No. _____
*Surface water - 005 (req) 01J-P08 <(-.2 w/pump) FLOW CHART>
(doesn't sink) or 01H-P01 (+.2) <FLOW CHART>; No MD
Groundwater - P05 (new irrigation well)
In stream channel - 030 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Drainage Districts - 024
Flood Control Dist. - 063
Boise Front (63) - 058 (-85° GW temp only)
Swan Falls Flag - B <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA
Payette R(65) - 064 (consump. use), 047-P04 (Payette Lake), NA
Snake R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No WD Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10
044 (N 1000 Spr)
Irrigation - 08A/057, 803 (if GW use SW 1st) (45A PU comp), NA
Power - 08A-17K-025-027 (req); 01F(MD)-P19; 09E(WQ)-P10;
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Mining - 054 (req) & 06A/010/09E-P10
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA
Domestic (surface) - 021 (Boise R ↑ L Peak), 064 (Payette R), NA

OWNERSHIP:

Non land owner

PROTESTED:

OTHER CONDITIONS:

REMARKS:

P10/L116 P14/L15 20-24 3 w01/5
w04

BENEFICIAL USE DUE:

COMMENTS:

1-1-2000

4/93

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: FL DATE: 8/5/94 APPLICATION: 57-07598

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
 Address:
 Source: (See USGS Quad for names of water sources)
 Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
 County:
 Quantity: (flow and/or volume)
 Period of use:
 Nature of proposed use: (Include description of use)
 Description of diverting works:
 Time required for beneficial use of water:
 Place of use or acres irrigated:
 Map:
 Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
 Fee:
 Yes ☐ No* In form to receipt:

Gov't. Lots:

N P/D
P/U

RECEIVED
DEC 28 1994

ADDITIONAL INFORMATION

Department of Water Resources

YES NO

☒ ☐ Overlapping place of use: (Describe source & relationship to present application on the back.)
☒ ☐ Overlapping point of diversion:
 Field check required: Field check by: _____
 Field report attached:
 Critical groundwater area:
 Groundwater management area:
 1992 moratorium
 Copy to SCA staff (perennial stream, non-pump diversion):
 Send dam safety information:
 Send power requirement letter:
 Send fish farm requirement letter:
 Power residency affidavit:
 Power efficiency form:
 Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
 Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

RECEIVED

Additional information on reverse side:

SEP 23 1994

Department of Water Resources

PROCESSING

APPLICATION

57-07598

YES NO

☒ ☐
☐ ☒
☒ ☐

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☒ ☐
☐ ☐
☐ ☐
☐ ☐
☐ ☐

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest 9-6-94

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, DM

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

26A (Allow 5 years) (5 homes), 4b

See below for additional information

Recommended Date or Priority 7/23/1994 → 10/18/1994 (Amended)

Recommended by: DGR

Date 9/20/1994

12/21/1994

STATE OFFICE REVIEW

See below for additional information. By

Date

ADDITIONAL INFORMATION

Different well & different homes/areas = 57-07594 application by
 same parties. 57-07594 was reduced & that portion put in
 57-07598.

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in two (2)

(consecutive) clander weekly issue(s) of said newspaper, in the following date(s):

November 16 + 23, 1994

12/2/2019

Signed _____

3rd Dec Cell

Subscribed and sworn to me this 5 day of June A.D., 19 11

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 7, 1997

Commis

FEB 16 1995

[illegible]

RECEIVED

DEC 01 1994

~~WATER RESOURCES~~
~~WESTERN REGION~~

NOTICE OF AMENDED APPLICATION FOR
PERMIT NOS. 57-07597 & 57-07598

Notice is hereby given that Application for Permit Nos. 57-07597 & 57-07598 in the name of Alan & Debra Lindner and Charles & Vicky Hightower of Melba, Idaho, were filed on 7/22/1994 and advertised in the Owyhee Avalanche on August 17 & 24, 1994 as follows:

57-07597 for .06 cfs Irrigation 3/15-11/15 (3 acres) and
.11 cfs Domestic 1/1 -12/31 (6 homes)

Total .17 cfs from a well in SESE, S9, T2S, R2W, Owyhee County
to be used in NESE & SESE of same section.

57-07598 for .06 cfs Irrigation 3/15-11/15 (2.5 acres) and
.11 cfs Domestic 1/1 -12/31 (5 homes)

Total .17 cfs from a well in SESW, S10, T2S, R2W, Owyhee County
to be used in SESE, S9 & SWSW, S10, T2S, R2W.

Applicants now propose to amend the applications by increasing the water use in each application as follows:

57-07597 for .60 cfs Irrigation (30 acres) and
.11 cfs Domestic (unchanged)

Total .71 cfs for use in Lots 11-17, Eagle View Estates Subd.
(location unchanged)

57-07598 for .50 cfs Irrigation (25 acres) and
.11 cfs Domestic (unchanged)

Total .61 cfs for use in Lots 20-25, Eagle View Estates Subd.
(location unchanged)

The permits will be subject to all prior water rights. Any protest against the approval of the proposed amendments must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705, together with a protest fee of \$25.00 on or before December 5, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson
Director

Published in the Owyhee Avalanche on November 16 and 23, 1994.

FEB 16 1995

THE OWYHEE AVALANCHE

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said

newspaper, in

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

August 17 and 24, 1994

Signed

Subscribed and sworn to before me this 24th day of Aug. A.D., 1994

Corine B. Boleine

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 1997

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

57-07597

HIGHTOWER, CHARLES
HIGHTOWER, VICKY L
LINDNER, ALAN
LINDNER, DEBRA
HC 79 BOX 34X
MELBA, ID 83641
Source: GROUNDWATER
Diverslon Pt: SESE Sec 9 T
02S R 02W in OWYHEE
County.

Use: IRRIGATION (.060 CFS)
DOMESTIC (.110 CFS)
Total Diversion: (.170 CFS)
Date Filed: 7/22/1994
In: OWYHEE County
T02S R02W S09 NESE SESE
3.0 ACRES TOTAL
57-07598 ✓

HIGHTOWER, CHARLES S
HIGHTOWER, VICKY L
LINDNER, ALAN
LINDNER, DEBRA
HC 79 BOX 34X
MELBA, ID 83641
Source: GROUNDWATER
Diverslon Pt: SESW Sec 10 T
02S R 02W in OWYHEE
County.

Use: IRRIGATION (.060 CFS)
DOMESTIC (.110 CFS)
Total Diversion: (.170 CFS)
Date Filed: 7/22/1994
In: OWYHEE County
T02S R02W S09 SESE
S10 SWSW
2.5 ACRES TOTAL
57-07599

CUNNINGHAM, OTTO
CUNNINGHAM, RICHARD
HC 79 BOX 100
MELBA, ID 83641
Source: UNNAMED STREAM
Tributary: SNAKE RIVER
Diverslon Pt: Lot 1 (SWNE)
Sec 21 T 01N R 03W in
OWYHEE County.
Lot 1 (SENE) Sec 21 T 01N R
03W in OWYHEE County.
Use: COMMERCIAL (.500
CFS)
FISH PROPAGATION (.500
CFS)
FISH PROP. STORAGE (3.90
AF)
FISH PROP. FROM
STORAGE (3.90 AF)
DIVERSION TO STORAGE
(.500 CFS)
Total Diversion: (.500 CFS)
Date Filed: 8/ 2/1994
In: OWYHEE County
T01N R03W S21 Lot 1
(SWNE) Lot 1 (SENE)
57-07600

POPKEN, LILLY ANN
POPKEN, ROLAND
HC 79 BOX 102E
MELBA, ID 83641
Source: GROUNDWATER
Diverslon Pt: LOT 1 (SESW)
Sec 16 T 01N R 03W in
OWYHEE County.
Use: HEATING (.020 CFS)
DOMESTIC (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 7/26/1994
In: OWYHEE County
T01N R03W S16 Lot 1
(SESW)

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before SEPTEMBER 6, 1994. The protestant must also send a copy of the protest to the applicant.

R. KEITH HIGGINSON,
Director
Publish August 17 & 24, 1994

RECORDED
FEB 16 1995



IDAHO DEPARTMENT
OF HEALTH AND WELFARE

DIVISION OF
ENVIRONMENTAL QUALITY

File
RECEIVED

AUG 22 1994

WATER RESOURCES
WESTERN REGION

1420 North Hilton, Boise, ID 83706-1260, (208) 334-0550

Cecil D. Andrus, Governor

August 18, 1994

LINDER IWR

David R. Tuthill, P.E. *DR*
Manager, Western Regional Office
Idaho Department Water Resources
2735 Airport Way
Boise, ID 83705

RE: IDWR - Public Waters Appropriation Permit
Permit Nos. 57-7597 and 57-7598

Dear Mr. Tuthill:

Projects serving less than 10 homes are evaluated by the Southwest District Health Department (SWDHD). SWDHD may request this office, Division of Environmental Quality (DEQ) to provide engineering review. If that is the case, then the project must be conducted under the design and supervision of an Idaho registered professional engineer. We will provide additional details on the review process at that time.

Sincerely,

Jack M. Gantz
Jack M. Gantz, P.E.
Senior Water Quality Engineer

cc: Alan &/or Debra Lindner and Charles &/or Vicky Hightower, Applicant
Tom Goss, Southwest District Health Department

FEB 16



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 15, 1994

IDAHO DEPT OF HEALTH & WELFARE
DIV OF ENV QUALITY
SWIRO
1420 N HILTON
BOISE, ID 83706

Re: Applications for Permit Nos. 57-7597 and 57-7598 in the
Name of Alan &/or Debra Lindner and Charles &/or Vicky
Hightower

Dear Sir:

Enclosed are a copies of the above-referenced applications
for permit which may be of interest to your agency. Please
review the applications and submit any comments you may have.

This office normally completes the processing of an
application within a six-week period and is required to take
final action shortly thereafter, however, if your agency
desires to file a formal protest against the approval of this
application(s), your written protest must be received in this
office by September 6, 1994.

If you have any questions regarding the applications,
please contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:st

Enclosure(s):

6 1995

57-07598

HIGHTOWER, CHARLES S
HIGHTOWER, VICKY L
LINDNER, ALAN
LINDNER, DEBRA
HC 79 BOX 34X
MELBA, ID 83641

Source: GROUNDWATER

Diversion Pt: SESW Sec 10 T 02S R 02W in OWYHEE County.

Use: IRRIGATION (.060 CFS)
 DOMESTIC (.110 CFS)
 Total Diversion: (.170 CFS)

Date Filed: 7/22/1994

In: OWYHEE County
 T02S R02W S09 SESE
 S10 SWSW

2.5 ACRES TOTAL

FEB 16 1995