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RISE SKY PARK

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PART OF SECTION 16 (21, TOWNSHIP 1 NORTH,
RANGE 3 WEST OF THE BOISE MERIDIAN
OWYHEE COUNTY, IDAHO

QUALITY OF SERVICE CERTIFICATE

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AIR FORCE OFFICE
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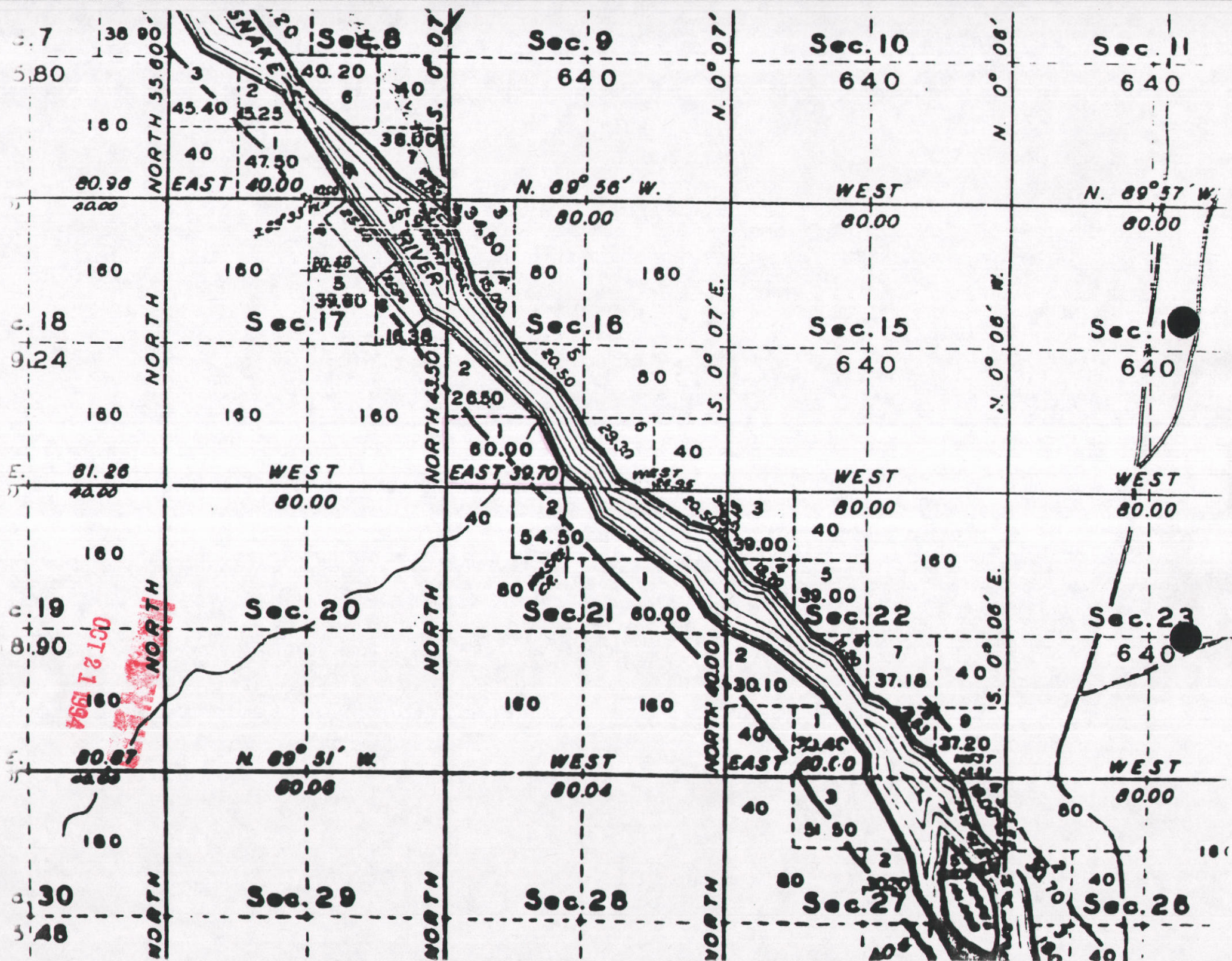


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 OCT 21 1994

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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):

July 20 and 27, 1994

Signed

Joe E. Aman

Subscribed and sworn to before me this 27th day of July A.D., 1994

Oreño B. Bowling

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

NOTICE OF APPLICATION FOR WATER RIGHT

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

57-07595

MONCRIEF, LES
HC 79 BOX 102A
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: NWNW Sec 21
T 01N R 03W in OWYHEE
County.
Use: DOMESTIC (.300 CFS)
HEATING (.300 CFS)
Total Diversion (.300 CFS)
Date Filed: 6/24/1994
In: OWYHEE County
T01N R03W S16 SWSW
S21 NWNW

57-07596

JONES, WILLIAM
JONES, MADELINE
HC 79 BOX 102J
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: LOT 1 (SESW)
Sec 16 T 01N R 03W in
OWYHEE County.
Use: DOMESTIC (.020 CFS)
HEATING (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 6/30/1994
In: OWYHEE County
T01N R03W S16 Lot 2
(NESW) 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 AUGUST 8, 1994. The protestant must send a copy of the protest to the applicant.

R. KEITH HIGGINSON,
Director

Publish July 20 & 27, 1994

OCT 21 1994

RECEIVED

OCT 5 - 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
 Amt. of Fee \$: 100.00
 Receipt No. 6050684
 Receipt By: S. Mass
 Date Received: 10-5-00

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

1. Permit No. 57-07595 Telephone No. (208) 495-1101

2. Name of Permit Holder(s):

Les Moncrief3. Mailing Address: HC 79 Box 102ACity Melba State ID Zip 836414. Source of Water: Groudwater If **GROUNDWATER** (well), Date Drilled: mo. Sept. / yr. 2000Well Driller: Sunrise Development 412 Drilling Permit Number: 0015247

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 9 Stockwater (No. and type of stock):noneIrrigation (No. of acres): none Other: _____6. Total rate of diversion and/or volume for which proof is submitted: 0.30 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 X8. Fee Enclosed: \$ 100.00 (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: Les Moncrief Telephone Number: (208) 495-1101Address: HC 79 Box 102A Melba, ID 83641

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:

Les MoncriefDate: OCT 5, 2000

(include your title, if on behalf of company or organization)

MICROFILMED

OCT 23 2000

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED

SEP 10 1997

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**

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. 57-07595

Name(s) of Permit Holder: Les Moncrief

Mailing Address: HC 79 Box 102A, Melba, ID 83641

Date Proof is Due: Nov. 1, 1997 Telephone No. (208) 495-1101

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".)

Subdivision engineering and certified survey completed. Water distribution system

engineering and survey completed. Line location and sizing platted and right-of-way

cleared for construction. Forty percent (40%) of main line installed.

Costing \$ 46,000

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

Ongoing litigation contests existence of subdivision as platted and managed. Idaho Case
#CV 93-00560 was filed Oct. 21, 1993, and is presently being heard in the 3rd District Court.
This case is scheduled to be resolved after Nov. 1997. Permit #57-07595 water is to service
these subdivision lots. Resolution of this litigation must precede further developmental
work as the viability of the subdivision continuation is critical to case resolution.

Permit holder(s) request an extension to Nov. 30, 19 2000.

FEE: \$50.00

(Signature)*

Les Moncrief
*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 November 1, 2000. **MICROFILMED**

Signed this 18th day of September, 19 97.

J. Glen Saxton
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 57-07595

Proposed Priority: June 24, 1994 **Maximum Diversion Rate:** 0.30 CFS

This is to certify, that **LES MONCRIEF**
HC 79 BOX 102A
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>
HEATING	01/01 to 12/31	0.30 CFS
DOMESTIC	01/01 to 12/31	0.30 CFS
	Totals	0.30 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 21, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: HEATING

TWN RGE SEC

01N 03W 16 Lot 1(SWSW)
21 NWNW

PLACE OF USE: DOMESTIC, same as HEATING use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1997**.
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. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Construction of the well must comply with Idaho well construction standards.

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OCT 21 1994

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

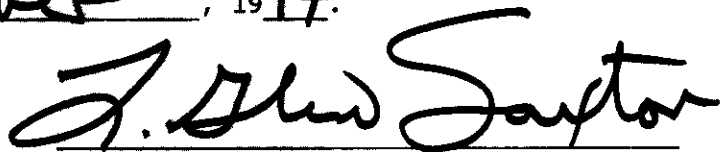
NO. 57-07595

CONDITIONS/REMARKS:

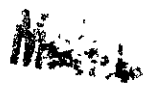
7. Three points of diversion are located within the NWNW, S21, T01N, R03W, within Lots 4 & 14, Blk. 5 and Lot 6, Blk. 6, Sunrise Sky Park.
8. Place of use is located within Lots 1-6, Blk. 6 and Lots 6-18, Blk. 9, Sunrise Sky Park.
9. Domestic use is for 20 homes.
10. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
11. The right holder shall submit a \$10,000.00 bond, a drilling prospectus and drilling permit applications for review and approval by the department prior to starting construction of the wells.
12. The right holder shall install and maintain valves on the wells to control flow as approved by the department.
13. The right holder shall install an access port on each of the wells such that water flow can be controlled and will allow the right holder to install a pressure gauge or other device to measure hydrostatic head as determined by the department.
14. Approval from the department shall be obtained prior to the assignment of this right or parts thereof.
15. Failure to comply with these conditions is cause for cancellation of this right.

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

19th day of October, 1994.



for
R. Keith Higginson, Director


OCT 21 1994

RECEIVED

AUG 26 1994

Ident. No. 57-07595

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: LES MONCRIEF 208-495-1101
Address: HC 79 BOX 102A
MELBA ID 83641

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NWNW Sec. 21, Township 01N, Range 03W
OWYHEE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
HEATING	01/01	12/31	0.300		
DOMESTIC	01/01	12/31	0.300		

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

6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc.
WELL
 - 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 inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for

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: HEATING

TWN RGE SEC
01N 03W 16 SWSW
21 NWNW

Place of Use: DOMESTIC, same as HEATING use

MISSOURY

OCT 21 1994

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:
3 points of diversion located in the NWNW, Sec. 21, T01N, R03W.
Domestic use is for 20 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 \$ 45.00 Receipted by _____ #W017636 Date 6/24/1994
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

OCT 21 1994

RECEIVED

JUN 24 1994

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

to appropriate the public waters of the State of Idaho

1. Name of applicant LES MONCRIEF Phone 208 495-1101
Post office address HC 79 BOX 102 A MELBA, ID 83641
2. Source of water supply GROUND WATER which is a tributary of _____
3. Location of point of diversion is NW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot _____
Sec. 21 Township 1 N Range 3 W B.M. OWYHEE County, additional
points of diversion if any 3 POINTS OF DIVERSION LOT 14 BLK 5 SUNRISE SKYPARK
LOT 9 BLK 5 " "
LOT 6 BLK 6
4. Water will be used for the following purposes
Amount .3 CFS for DOMESTIC RESIDENTIAL AND SPACE HEATING purposes from JAN 1 to DEC. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .3 for Heating purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .3 CFS and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works.
a. Description of ditches, flumes, pumps, headgates, etc GROUND WATER WELL

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 8" inches; proposed depth of well is 700' feet
d. Is ground water with a temperature of greater than 85°F being sought? YES
e. If well is already drilled, when? NO; Drilling firm SUNRISE DEVELOPMENT;
Well was drilled for (well owner) _____
OCT 21 1994
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
5 yrs years (minimum 1 year).
* per plat map

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 20 RESIDENCES
- 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	
1N	3W	21						D											.
							H												
		16											D						
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Total number of acres to be irrigated _____

10 Describe any other water rights used for the same purposes as described above ~~yes~~ NO

11. a Who owns the property at the point of diversion? LES MONCRIEF
- b Who owns the land to be irrigated or place of use? LES MONCRIEF
- 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: FINISH DEVELOPING RESIDENTIAL SUBDIVISION
3 pts of div located in the NWNW, sec 21,
T1N R3W.

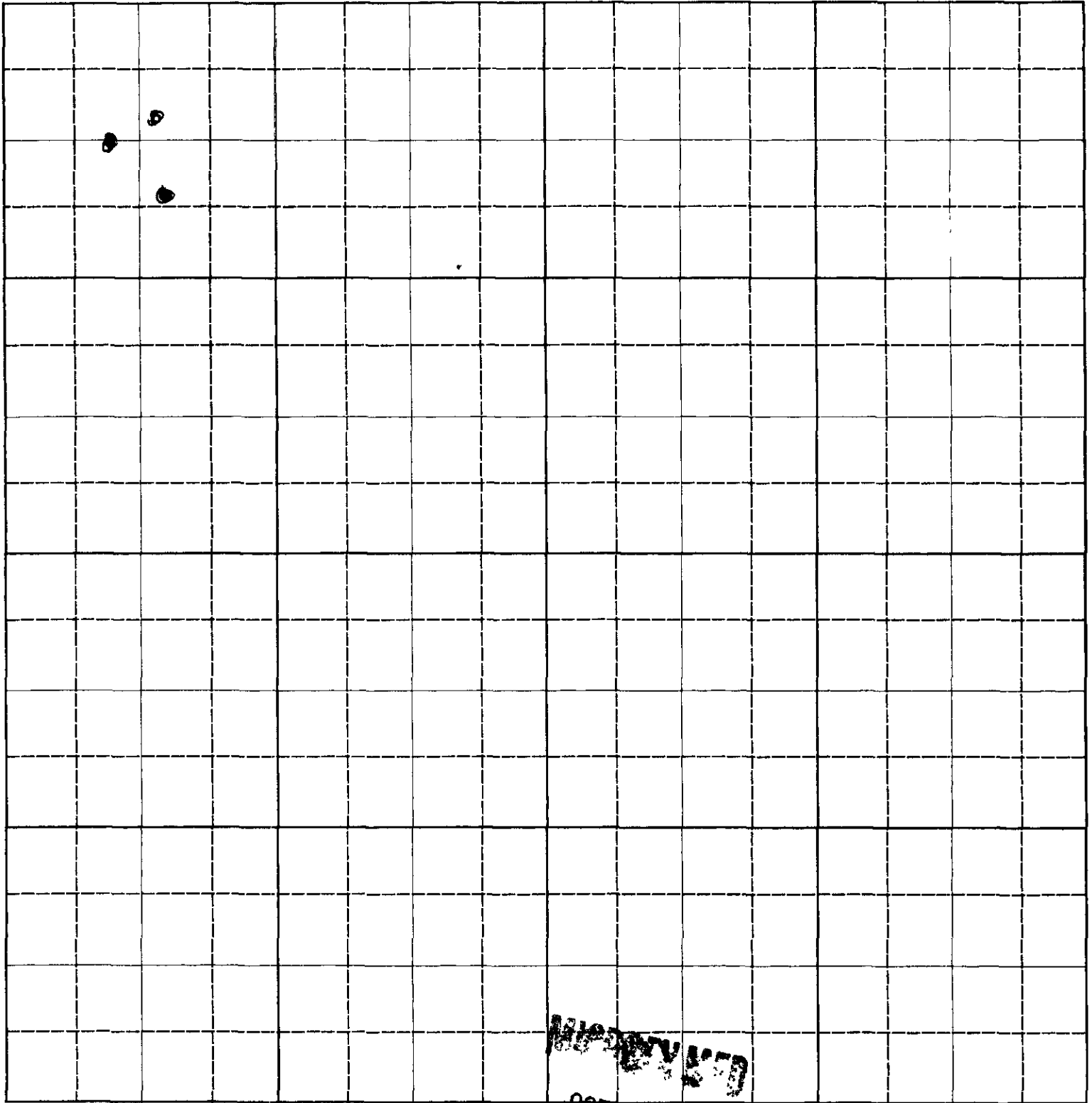
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OCT 21 1994

* per plat map ~

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

SECTION 21 T1N R3W BM



Scale 2 inches equal 1 mile

OCT 21 1994

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

Joe Mancini
(Applicant)

Received by VR Date 6-24-94 Time 1:40 Preliminary check by Ly
Fee \$ 4500 Receipted by VR # W017636 Date 6-24-94
Publication prepared by St Date 7-13-94 Published in Boyer's Almanac
Publication approved St Date 8-10-94

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

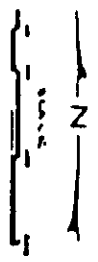
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No _____, and said application is hereby _____

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

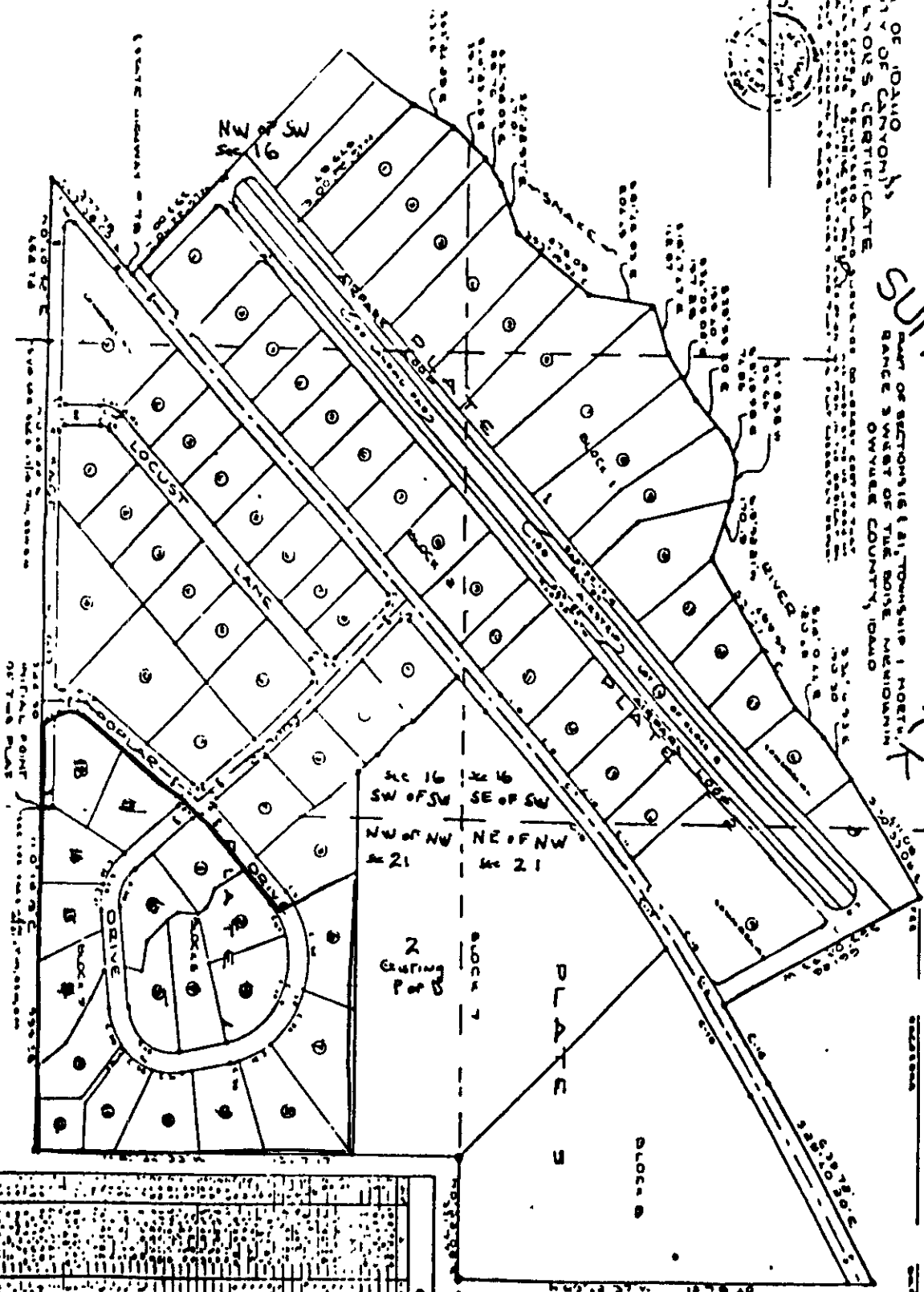
- a SUBJECT TO ALL PRIOR WATER RIGHTS.
- b Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____
- c The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same 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

OCT 21 1994

T1N
R3W



PLAT OF LAND
COUNTY OF IDAHO
SUNRISE SKY PARK
PART OF SECTIONS 15 & 21 TOWNSHIP 1 NORTH
RANGE 3 WEST OF THE BOISE MERIDIAN
BOISE COUNTY, IDAHO



PLAT BOOK: PAGE:

CURVE DATA

STATION	CHORD BEARING	CHORD DIST.	ARC BEARING	ARC DIST.	PI	PC	PT	CHORD BEARING	CHORD DIST.	ARC BEARING	ARC DIST.	PI	PC	PT
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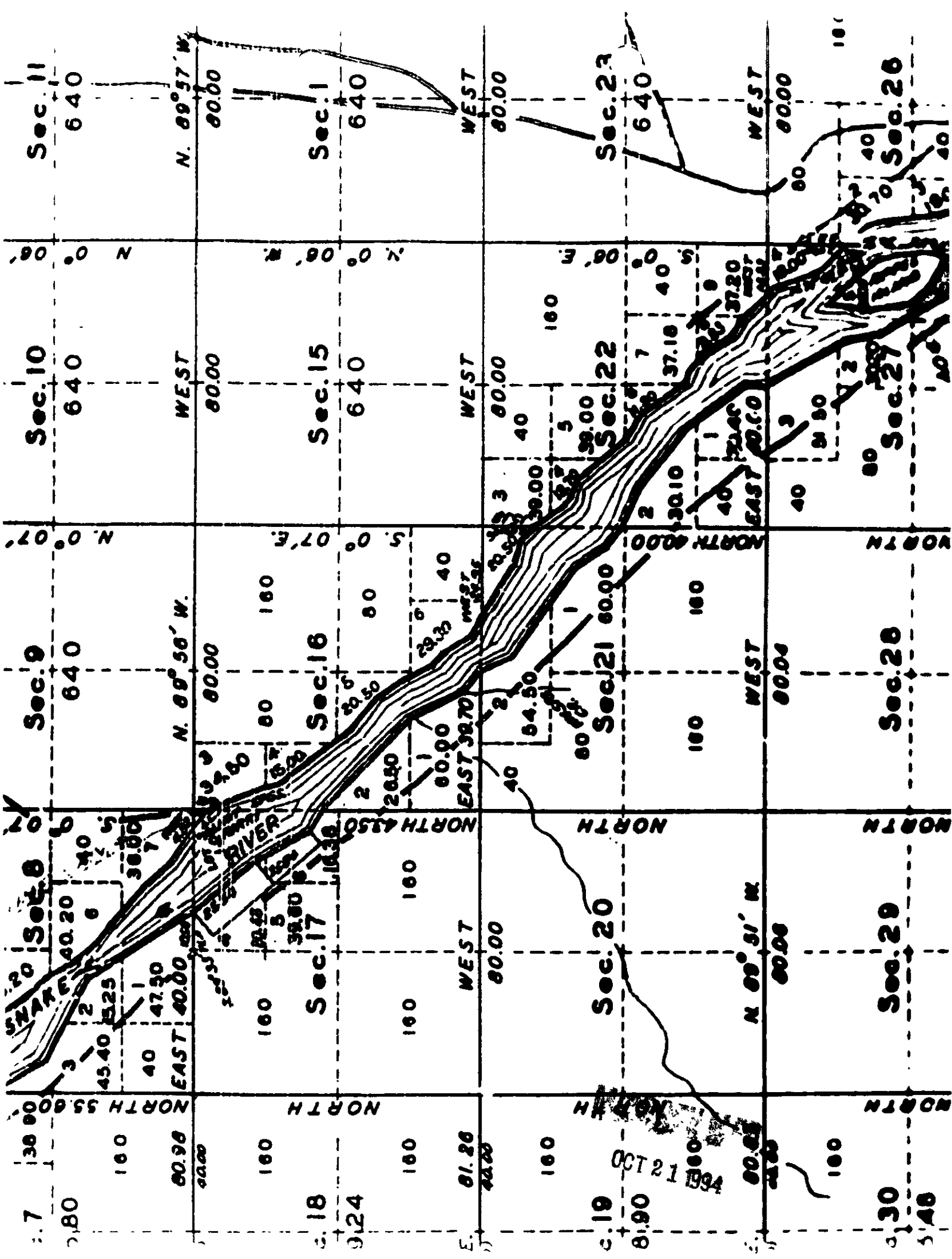


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TIN, R3W
Sec 21 NWNW — 3 P/D
Sec 16 SWSW, Gov't 1

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OCT 21 1994

SCALE 1:1000





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

October 20, 2000

KARL J. DREHER
DIRECTOR

LES MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 57-07595

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 conduct a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use according to the conditions of the permit.

During my review of your proof I noted that a copy of your \$10,000 bond is on file with the department which complies with the permit's condition no. 11. However, the Proof of Beneficial Use form does not question the compliance with the specific permitted conditions numbered 4, 12 & 13. I bring these conditions to your attention in order that they may be installed and operational at the time the field examination is conducted.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right 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.

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

MICROFILMED

Encl.

c: IDWR - Regional Office

OCT 23 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 57-07595 Reviewed by dg Date 10/20/00

GENERAL CONSIDERATIONS

TYPES OF USE

Yes Name same as permit?

Domestic use for 9

Yes Address same as permit?

Home

Yes Proof timely received?
If not, complete calculation below.

Correct Uses? Yes

SOURCE OF WATER

No Surface water source

Yes Ground water source

Yes Drilling permit required?

No Copy in the file?

Drilling Permit No. 0015247

Amount paid for permit

Correct?

No Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

Yes Required?

Yes Required?

\$1.00 Amount Submitted

No Installed?

Yes Correct?

No Waiver requested?

PRIORITY CALCULATION

Date proof received

10/5/00

Date proof due

11/1/00 -

No. of days late

=

Priority Date

+

New Priority Date

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof, bring the permit holders' attention to Condition Nos. 4, 12 & 13 for compliance at the time of the field exam.

DATA ENTRY

New Address No

Proof Made 10/5/00

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 0000684

Date:
Time: 10/ 1/2000
09:08:43

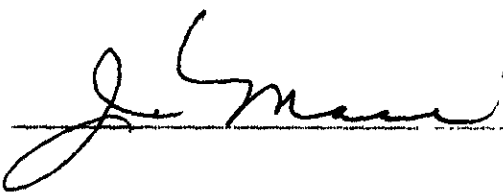
Received
From: MONCRIEF LESTER J

Type of Payment		Program A cct	Amount
PROOF OF BENECIFIAL USE # 57-07595	56104	229 21 1155	100.00

CHECK 2810

Total \$ 100.00

Region: STATE

Signature: 

MICROFILMED
OCT 23 2000

August 31, 2000

LES MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

PROOF DUE NOTICE

RE: PERMIT NO. 57-07595

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 November 1, 2000. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

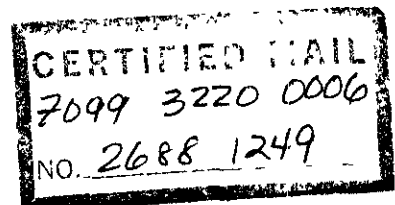
SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED

OCT 23 2000



Reliance

RELIANCE SURETY COMPANY
Philadelphia, Pennsylvania

RELIANCE INSURANCE COMPANY
Philadelphia, Pennsylvania

UNITED PACIFIC INSURANCE COMPANY
Philadelphia, Pennsylvania

RELIANCE NATIONAL INDEMNITY COMPANY
Philadelphia, Pennsylvania

RECEIVED

JUN 27 2000

Department of Water Resources

RIDER

To be attached to and form a part of

Type of Bond: Well Driller's Surety Bond

Bond No. 1661021

executed by Les Moncrief dba Sunrise Development, as Principal,

and by United Pacific Insurance COMPANY, as Surety,

in favor of State of Idaho

and dated July 19, 1989

In consideration of the premium charged for the attached bond, it is hereby agreed to change:

THE PENAL AMOUNT OF THE BOND

From: FIVE THOUSAND AND NO/100*****(\$5,000.00)

To: TEN THOUSAND AND NO/100*****(\$10,000.00)

The attached bond shall be subject to all its agreements, limitations and conditions except as herein expressly modified.

This rider is effective June 22, 2000

Signed and Sealed June 22, 2000

Principal Les Moncrief dba Sunrise Development

By

Les Moncrief

Title

United Pacific Insurance

COMPANY

By

Brenda J. Smith

Brenda J. Smith

Attorney-in-Fact

RIDER ACCEPTED (Please sign duplicate of this Rider and return to Surety)

By:

Date

MICROFILMED

OCT 23 2000

RELIANCE INSURANCE COMPANY
RELIANCE NATIONAL INDEMNITY COMPANY

POWER OF ATTORNEY

OCT 23 2000

THE BACON - DEER HORN CO. - ALABAMA - SHERMAN - ROAD AT WALKER TO WEST

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 57-07595 Reviewed by [Signature] Date 9-17-97

BASIC INFORMATION

9-10-97 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?

Yes Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? no

_____ 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 Nov. 1, 2000, 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 11-1-2000

Change Priority Date X _____



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 18, 1997

Les Moncrief
HC 79 Box 102A
Melba ID 83641

RE: Permit No. 57-07595

Dear Permit Holder:

Enclosed is 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 **November 1, 2000**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions 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

Senior Secretary, Water Allocation Bureau

Enclosure

C: IDWR - Regional Office

MICROFILMED

SEP 29 1997

August 31, 1997

LES MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

PROOF DUE NOTICE

RE: PERMIT NO. 57-07595

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 November 1, 1997. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

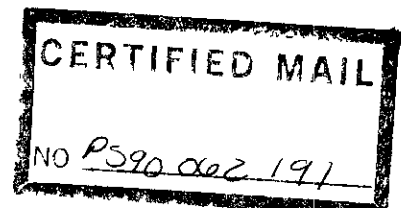
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

OCT 29 1997





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 19, 1994

LES MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 57-07595

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,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

RECEIVED

OCT 21 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 51-7595 Name: Monerief Date: 9/6/94 ~~10/11/94~~ ~~10/19/94~~ 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> - T17 (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(FIR)~~-~~46B~~-P23 (post 7/1/87)

SURFACE WATER: not in WD - T17 (+.2 w/pump), No MD <FLOW CHART>

LOCATION:

Water District(~~dem~~) - WD No. _____
*Surface water - 005 (req) 01J-P08 <FLOW CHART>
(doesn't sink) or 01H-P01 <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 - 03A/057, 803(if GW use SW 1st)(+5A PU comp), NA
Power (✓ w/Jim) - 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:

BENEFICIAL USE DUE:

COMMENTS:

On 32(3) in place of use within 803 1-b AK 6, & 436-1B,
AK 9, Sunrise Sky Park. ⑤ W01(20) ⑥ W04 ⑦ See
⑧ Dept approval prior to assign permit or part thereof. Glen's memo
10-1-1999 7 ⑨ Failure to

comply with these conditions of
this permit is cause for immediate
cancellation of this right
(per Glen 10/19/94)

WR0749NP
No. P57-07595

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/19/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LES MONCRIEF HC 79 BOX 102A MELBA ID 83641 (208) 495-1101	06/24/1994	HEATING DOMESTIC	01-01 12-31 01-01 12-31	0.30 CFS 0.30 CFS	
TOTAL DIVERSION:					0.30 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T01N R03W S21 NWNW OWYHEE County

Place of use Legal Description for: HEATING

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
01N	03W	16	:																	:
01N	03W	21	:					H												:

Place of use location for DOMESTIC is the same location as described for: HEATING

Pou County: OWYHEE

Other Water Rights Listing Overlapping Place(s) of use:
02-02072 02-07276S

Conditions of Approval:

- 26A - 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.
- T17 - Prior to diversion of water under this approval, the right holder
 - shall provide a means of measurement acceptable to the Department
 - from all authorized points of diversion which will allow
 - determination of the total rate of diversion.
- 046 - Right holder shall comply with the drilling permit
 - requirements of Section 42-235, Idaho Code.
- 468 - Construction of the well must comply with Idaho well
 - construction standards.

Remarks- Three points of diversion are located within the NWNW, S21, T01N, R03W, within Lots 4 & 14, Blk. 5 and Lot 6, Blk. 6, Sunrise Sky Park.
Place of use is located within Lots 1-6, Blk. 6 and Lots 6-18, Blk. 9, Sunrise Sky Park.
Domestic use is for 20 homes.
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.
The right holder shall submit a \$10,000.00 bond, a drilling prospectus and drilling permit applications for review and approval by the department prior to starting construction of the

Remarks: wells.
The right holder shall install and maintain valves on the wells to control flow as approved by the department.
The right holder shall install an access port on each of the wells such that water flow can be controlled and will allow the right holder to install a pressure gauge or other device to measure hydrostatic head as determined by the department.
Approval from the department shall be obtained prior to the assignment of this right or parts thereof.
Failure to comply with these conditions is cause for cancellation of this right.

Dates: App. Received: 06/24/1994 Priority Date: 06/24/1994
Proof Due Date: 11/01/1997 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number. Field Exam Fee:

Audit: 09/06/94 CZIMMERM 09/23/94 CZIMMERM 10/11/94 CZIMMERM

INTER-DEPARTMENT MEMO--1

DATE 10/19/94

FROM

Allen

TO

Cindy

SUBJECT

- Pkg make a couple other changes

1. add cond that permit or part thereof can not be assigned w/o prior approval of Dept.
2. lets allow 3 yrs rather than 5 yrs in which to submit proof
3. Failure to comply with conditions, etc. this permit is cause for cancellation of this right.

SIGNATURE

MEMORANDUM

To: Jim Johnson
From: L. Glen Saxton *LS*
RE: **ADDITIONAL CONDITIONS OF APPROVAL - 57-07595**
Date: October 7, 1994

I have asked Mark S. to review the conditions of approval relative to the ground water programs he manages. He has suggested we add the following conditions:

- Permit holder shall submit a \$10,000 bond, a drilling prospectus and a drilling permit application for review and approval by the department prior to starting construction of the well.
- Permit holder shall install and maintain valves on the well to control flow as approved by the department.
- Permit holder shall install an access port on the well such that water flow can be controlled and to allow installation by the permit holder of a pressure gage or other device to measure hydrostatic head as determined by the department.

(Last condition on permit)

- Failure to comply with any condition of approval is cause for the Director to cancel the permit.

Please have the conditions added to the permit to be issued.

*These conditions may be removed at time of
licensing.*

Jim J.

10-10-94

RECEIVED

OCT 21 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: 6 DATE: 7/7/94 APPLICATION: 57-7595

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) Gov't. Lots:
☒ Period of use: ☒ P/D
☒ Nature of proposed use: (Include description of use) ☒ P/U
☒ 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:

ADDITIONAL INFORMATION

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.)
☐	☒	<u>*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT</u>

DATE REQUESTED: _____
☒ Additional information on reverse side:

RECEIVED
AUG 26 1994

Department of Water Resources

PROCESSING

APPLICATION NO. 57-

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 8-8-94

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, DWR

Measuring device required:

Measuring port required:

Water delivered by water master? District # _____

Special conditions of approval or cover letter: _____

26A (Allow 5 yrs), 46

☐ ☒ See below for additional information

Recommended Date or Priority 6/24/94

Recommended by: DWR

Date 8/25/94

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

Application result of 6/20/94 field exam -
represents area not developed & time of
exam. No other water rts are used
in this undeveloped area. See attached
list for overlaps listed but not
applicable

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):

July 20 and 27, 1994

Signed

Joe E. Aman

Subscribed and sworn to before me this 27th day of July A.D., 1994

Dino Bowling

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

OF APPLICATION FOR WATER RIGHT

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

57-07595

MONCRIEF, LES
HC 79 BOX 102A
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: NWNW Sec 16
T 01N R 03W in OWYHEE
County.
Use: DOMESTIC (.300 CFS)
HEATING (.300 CFS)
Total Diversion (.300 CFS)
Date Filed: 6/24/1994
In: OWYHEE County
T01N R03W S16 SWS
S21 NWNW

57-07596

JONES, WILLIAM
JONES, MADELINE
HC 79 BOX 102J
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: LOT 1 (SESW)
Sec 16 T 01N R 03W in
OWYHEE County.
Use: DOMESTIC (.020 CFS)
HEATING (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 6/30/1994
In: OWYHEE County
T01N R03W S16 Lot 2
(NESW) 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 with a protest fee of \$100 on or before AUGUST 1, 1994. The protestant must send a copy of the protest to the applicant.

R. KEITH HIGGINSON
Director

Published July 20 & 27, 1994

OCT 21 1994



IDAHO DEPARTMENT
OF HEALTH AND WELFARE

DIVISION OF
ENVIRONMENTAL QUALITY

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

Cecil D. Andrus, Governor

July 20, 1994

MONCRIEF IWR

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

RECEIVED

JUL 21 1994

WATER RESOURCES
WESTERN REGION

RE: IDWR - Public Waters Appropriation Permit
Permit No. 57-07595

Dear Mr. Tuthill:

The project must be conducted under the design and supervision of an Idaho registered professional engineer. The process to follow is:

1. The engineer must submit a preliminary site evaluation based on proximity of pollution sources. We will evaluate the proposal, conduct a site inspection, and issue a written site approval if warranted. The applicant should give his consultant the enclosed checklist.
2. Detailed plans and specifications must be submitted to this office for review. The well may not be drilled until all approvals are obtained from both the Division of Environmental Quality (DEQ) and the Idaho Department of Water Resources (IDWR). The last approval will come from DEQ; we will not issue approval until final approvals of both IDWR permits (appropriation permit and well drilling permit) have been submitted.
3. This will be a Public Water System and must have one (1) source of water for less than twenty-five (25) connections and two (2) sources for twenty-five (25) or more connections.

We will pay particular attention to the following items:

1. Construction must be done under the general supervision of the professional engineer. The contract assuring this must be submitted with the application.
2. Numerous water quality parameters must be tested as soon as the well is completed.

Sincerely,

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

cc: Les Moncrief, Applicant (w/enc)
Source File #14, Reading File

MICROFILMED

OCT 21 1994



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

July 15, 1994

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

Re: Applications for Permit Nos. 65-13526 in the Name of
Castle Mountain Creek Owners Assn. Inc. and 57-7595 in the
Name of Les Moncrief

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 August 8, 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):

OCT 21 1994

57-07595

MONCRIEF, LES
HC 79 BOX 102A
MELBA, ID 83641

Source: GROUNDWATER

Diversion Pt: NWNW Sec 21 T 01N R 03W in OWYHEE County.

Use: DOMESTIC (.300 CFS)
 HEATING (.300 CFS)
 Total Diversion: (.300 CFS)

Date Filed: 6/24/1994

In: OWYHEE County
 T01N R03W S16 SWSW
 S21 NWNW

18107211000

OCT 21 1994