

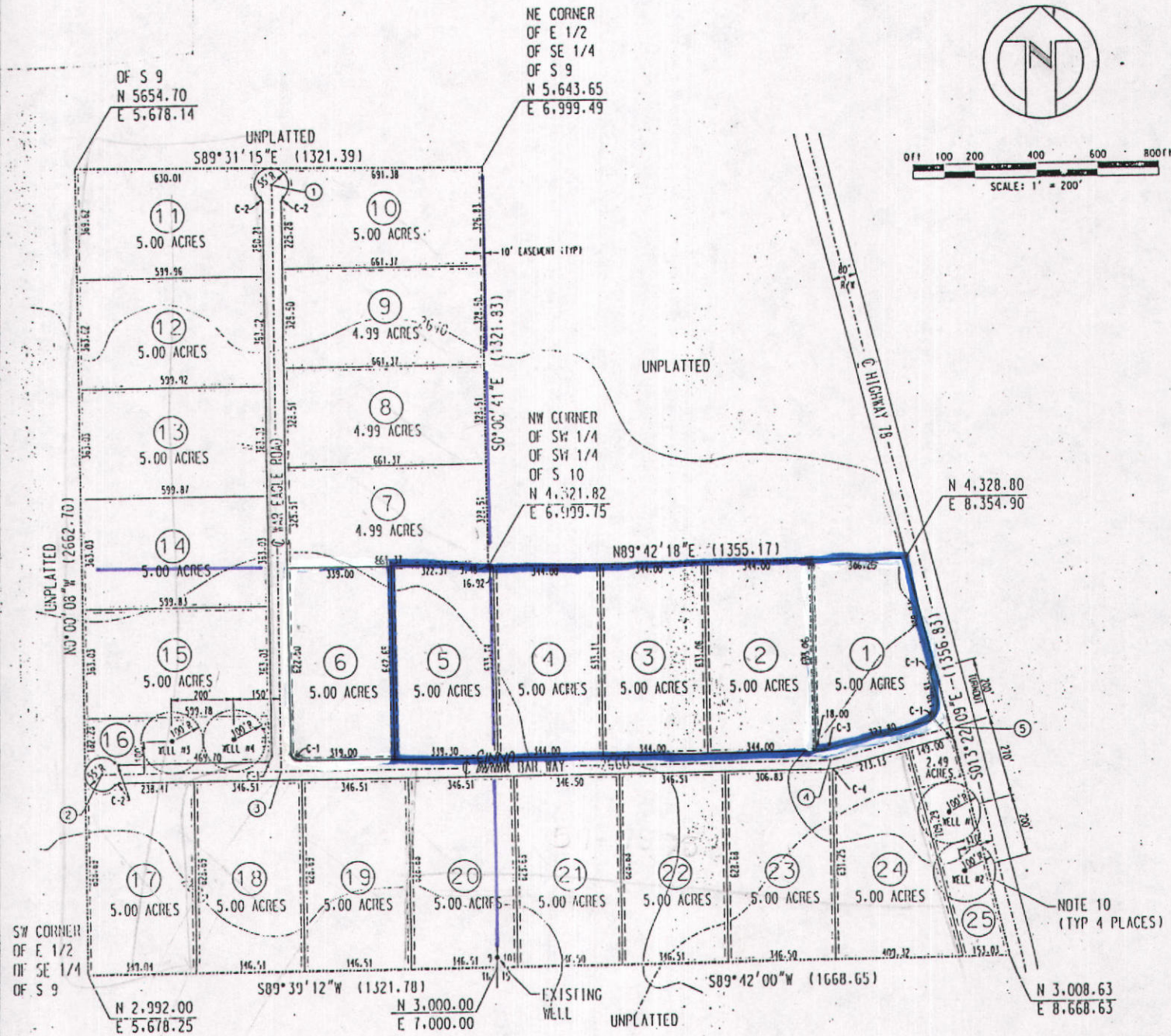


EAGLE VIEW ESTATES PRELIMINARY PLAT PLAN

SITUATED IN THE E $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ OF
SECTION 9 AND A PORTION OF THE S $\frac{1}{2}$ OF
THE SW $\frac{1}{4}$ OF SECTION 10 WESTERLY OF
HWY 78 T.2 S., R. 2 W., B.M.,
OWYHEE CO., IDAHO

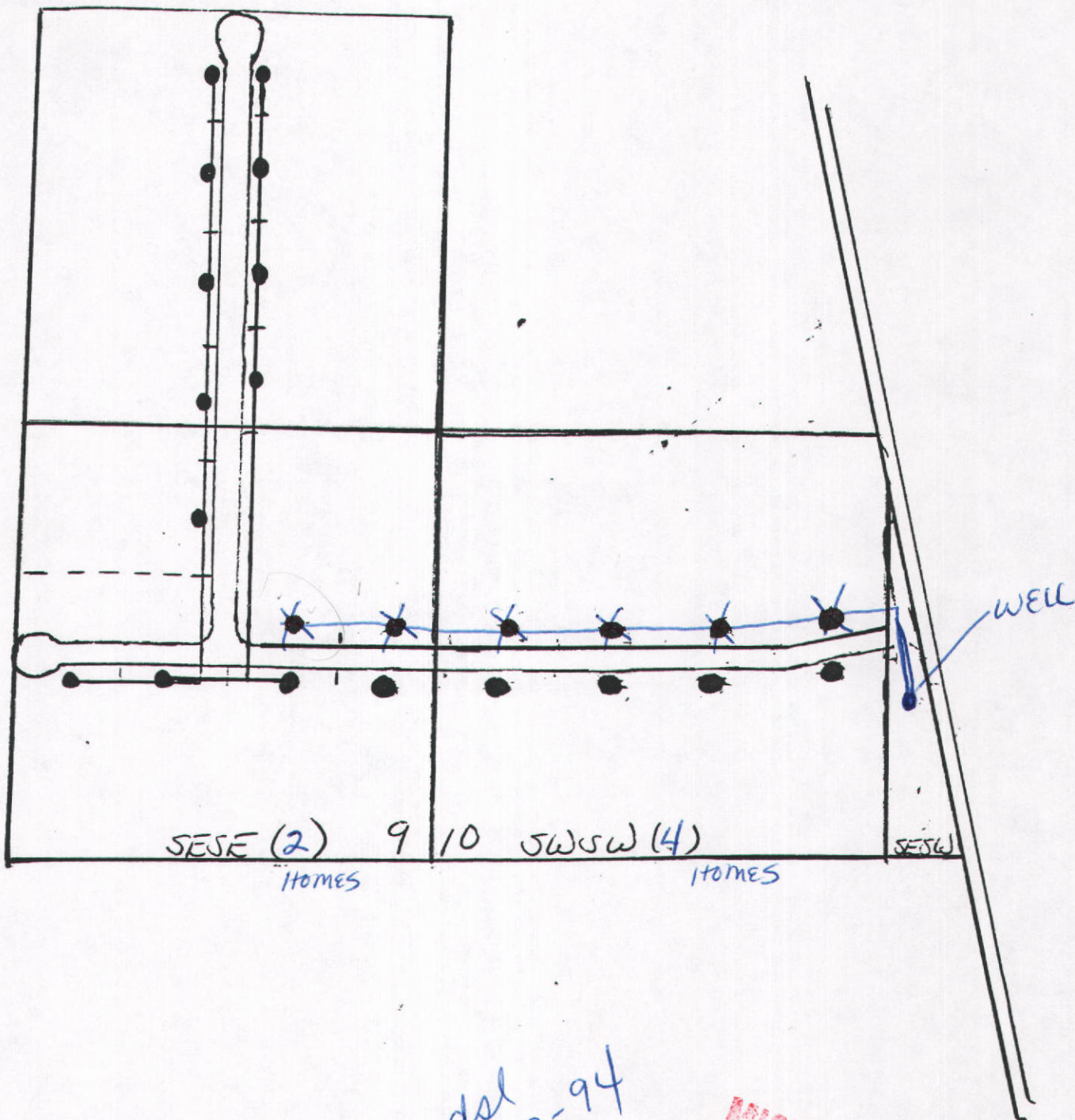


0 100 200 400 600 800 FT
SCALE: 1" = 200'



DEC 20 1994

T. 25
R. 2W



dsf
7-17-94

RECORDED
DEC 20 1994

905

903

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

E25E4

Sec. 9

T2S-R2W

2 HOMES - 4 HOMES
XX XX XX XX

SESE

Sec.
9

SWSW

Sec.
10

SESW

10

WELL

907.04

907.02

907.01

15

(78)

RECEIVED
DEC 20 1994

UNPLATTED

EAGLE VIEW ESTATES

SITUATED IN THE E $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ OF
OF SECTION 9 AND THE S $\frac{1}{2}$ OF
THE SW $\frac{1}{4}$ OF SECTION 10 WESTERLY OF
HWY 78 T.2S., R.2W., B.M.,

OWYHEE CO., IDAHO

1995



NOTES

1. A PUBLIC UTILITY, OR ANNEAL, AND IMPLICATION EASEMENT 10.00 FEET IN WIDTH IS HEREBY REQUIRED ADJACENT TO LOT 1.
2. A DRAINAGE AND UTILITY EASEMENT 10.00 FEET IN WIDTH IS HEREBY DEDICATED ALONG ALL LOT LINES TO THE ADJACENT LOT LINE PROVIDED NO UTILITIES HAVE BEEN INSTALLED WITHIN THE LIMITS OF THE EASEMENT.
3. A 30.00 FOOT ACCESS STRIP TO THE RECREAL OF LAND MANAGEMENT LAND WILL BE MADE AVAILABLE TO THE PROPERTY OWNERS WITHIN THE EASEMENT VESTS SUBDIVISION AT THE END OF ROAD 10. LOT 6 BLOCK 2 OF 9 BLK 3 AND COUNTRY CLUB LOTS AND NOT FOR RESIDENTIAL BUILDINGS.

UNPLATTED

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

[illegible]

LANDMARK SURVEYING
4326 Sandy Ave. EXETER, ID 83617 (208) 965 5801

ART SCHULTZ ENGINEERING

CIVIL/STRUCTURAL CONSULTANT
1104 W FINCH DRIVE
NAPPA, IDAHO, 83651
(208) 463-0305

(BASIS OF BEARING)

BOOK	PAGE	SHEET 1 OF 2
------	------	--------------

Subdivision plat

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):

October 5 & 12, 1994

Signed

Joe E. Aman

Subscribed and sworn to me this 12th day of Oct. A.D., 1994

Corine B. Oueling

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

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that application No. 57-07594 in the name of Charles and/or Vicky Hightower and/or Alan and/or Debra Lindner was filed on 6/13/94 and modified on 7/22/94 for the diversion of 0.17 cfs from ground water with a point of diversion within SESW Section 10, T02S R02W, to be used for 6 homes and 3 acres irrigation within SESE Section 9 and SWSW Section 10, T02S R02W.

The applicant now proposes to amend the application by decreasing the number of homes to 5, and increasing the number of irrigated acres to 25 and the total rate of flow to 0.61 cfs.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, 2735 Airport Way, Boise ID 83705, together with a protest fee of \$25.00, on or before October 24, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson
Director

Publish October 5 & 12, 1994

RECEIVED

NOV 01 1994

WATER RESOURCES
WESTERN REGION

DEC 20 1994

7/94

For Office Use Only
 \$50 Fee Received by 50.00
 Date 12-2-99
 Receipt No. 0047314

RECEIVED

DEC 2 1999

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

Department of Water Resources

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

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. 57-07594Name(s) of Permit Holder: EAGLE VIEW ESTATES HOMEOWNERS ASSOCIATION #1Mailing Address: HC 79 BOX 323, MELBA, ID 83641Date Proof is Due: 12-1-99 Telephone No. 495-2809
DEBRA 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".)

THE WELL IS DRILLED, WATER LINES ARE INSTALLED
TO SIX LOTS.* FOUR HOMES ARE CONSTRUCTED & OCCUPIED.
THE REMAINING TWO LOTS ARE SOLD. ONLY DOMESTIC
WATER IS IN USE. Costing \$ 13,000

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

WELLS NEED TO BE DRILLED FOR
IRRIGATION USE

* WATER RIGHT # 57-07607 HAS SAME POINT OF DIVERSIONPermit holder(s) request an extension to DECEMBER 1, 2004.

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 **December 1, 2003.**

IT IS FURTHER ORDERED that the permit be REINSTATED and the date of priority is advanced to **September 8, 1994.** MICROFILMED

Signed this 8th day of December, 1999

DEC 04 1999

J. M. Saylor
 Chief, Water Allocation Bureau

7/94

RECEIVED

MAY 13 1999

Department of Water Resources

For Office Use Only
\$25 Filing Fee
Receipt # LD45431
Date 5/13/99

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. 1,
of, HC 79 BOX 323 MELBA, ID., phone: (208) 495-2809.
ds1 23641

All our right, title, and interest in and to Permit No. 57-07594 to
appropriate the public waters of the State of Idaho.

Made this 4th day of May, 1997.

Alan Lindner
Alan Lindner

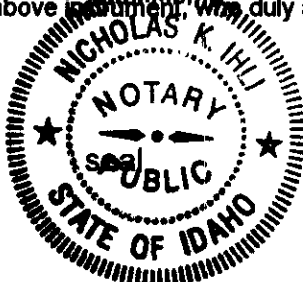
Debra Lindner
Debra Lindner

Charles S. Hightower
Charles S. Hightower

Vicky L. Hightower
Vicky L. Hightower

State of Idaho)
County of Cwyhee) 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. IHLI
Signature of Notary Public

MICROFILMED

My commission expires: 1/31/2000

JUN 04 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 57-07594

Proposed Priority: September 7, 1994 **Maximum Diversion Rate:** 0.61 CFS

This is to certify, that **ALAN LINDNER**
CHARLES S HIGHTOWER
VICKY L HIGHTOWER
DEBRA 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		5
		10	SWSW	20		20

Total number of acres irrigated: 25

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 **December 1, 1999.**
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 the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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.

DEC 20 1994

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

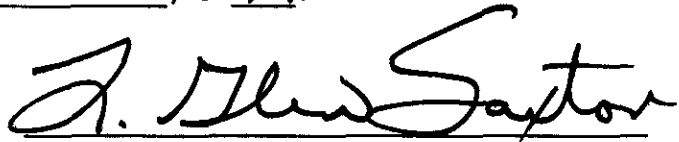
NO. 57-07594

CONDITIONS/REMARKS:

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 0.03 cubic feet per second for each acre of land.
9. Point of diversion is located within Lot 25, Eagle View Subdivision.
10. Domestic use is for 5 homes.
11. 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.
12. Place of use is located within Lots 1-5, Eagle View Subdivision.

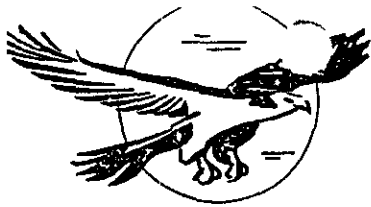
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

12th day of December, 1994.


R. Keith Higginson, Director

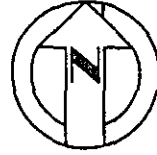
for

DEC 12 1994

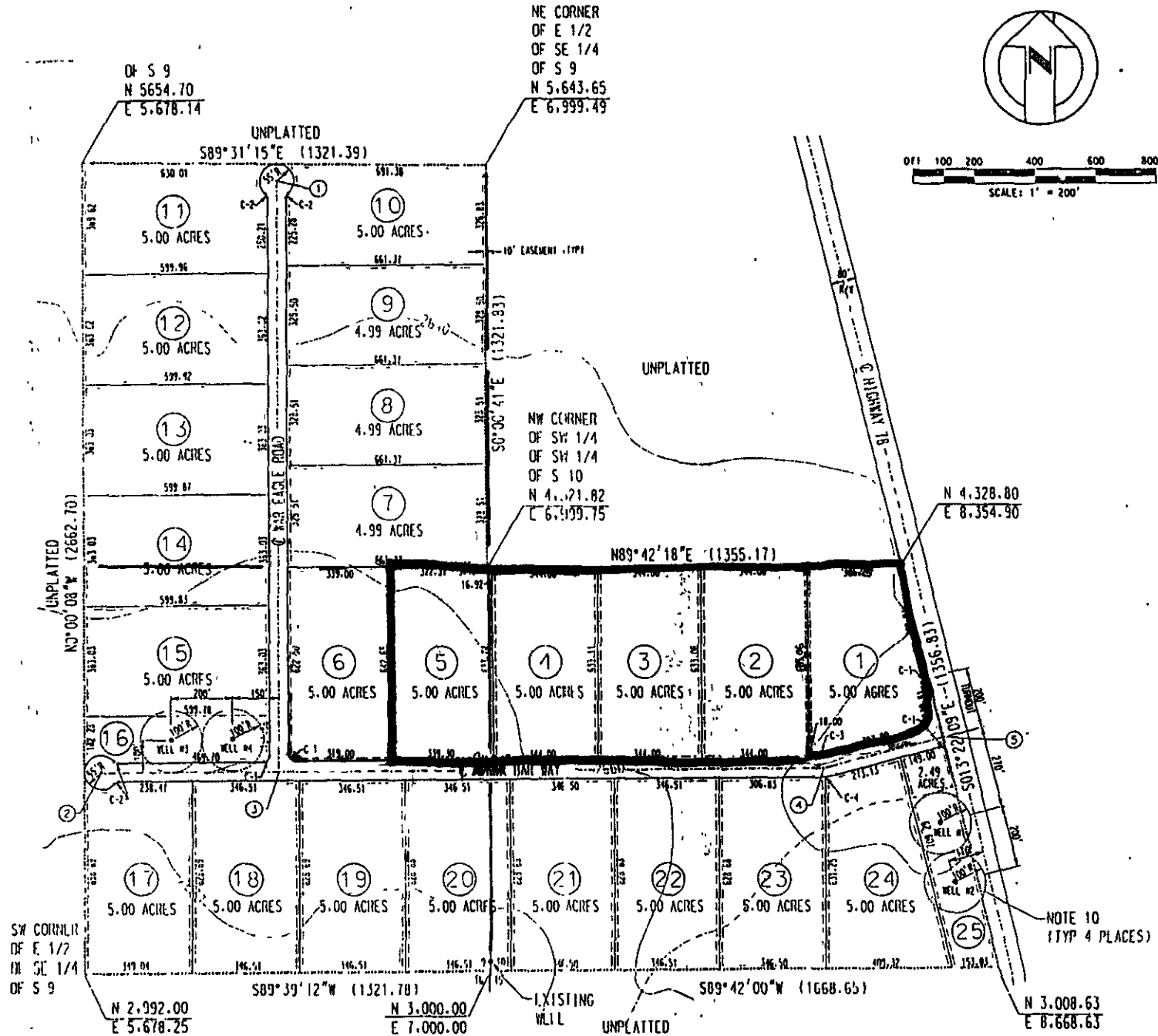


EAGLE VIEW ESTATES PRELIMINARY PLAT PLAN

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



0 100 200 400 600 800
SCALE: 1" = 200'



57-7594

DEC 20 1934

RECEIVED
SEP 7 1994

Department of Water Resources

RECEIVED

NOV 28 1994

Ident. No. 57-07594

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

AMENDED

To appropriate the public waters of the State of Idaho

1. 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
AND/OR
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

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.
1 WELL, PUMP & PIPELINES WITH 3/4" LINES TO 6⁵HOMES
 - 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

DEC 20 1994

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.

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.

il Lindner
Applicant

Received by C3 Date 9/7/94 Time 3PM Preliminary check by _____

Fee \$ 50⁰⁰ ^{Readvertisement} Receipted by Ruby # C031219 Date 9/7/94

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

DEF 30

Comments: Date: 6/29/1994 User-ID: LESTER

Subject:
ADDITIONAL APPLICATION

Applicants have similar application for nearby subd. (57-07593).

Comments: Date: 8/ 5/1994 User-ID: SLESTER

Subject:
AMENDMENT

See Comments in similarly reduced appl. 57-07593. For 57-07594, the applicants did the same thing: amended to reduce to 1 well for 6 homes and 3 acres. Again, no add'tl. fees, re-advertising or refund needed. The deleted portion is that well and uses in appl. 57-07598.

9/7/94; CZIMMER; The applicants amended their application to increase irrigation to ²⁵30 acres; ⁵6 homes at 5 acres each.

Priority date has been advanced to date of this amendment.

DEC 20 1994

RECEIVED

AUG 17 1994

Ident. No. 57-07594

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

"AMENDED"

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. 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
AND/OR
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

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	0.110	060.50	
DOMESTIC	01/01	12/31	0.160	11	

5. Total quantity to be appropriated is:
0.270 CFS (and/or) AF
.17

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc.
12 WELLS, PUMP & PIPELINES WITH 3/4" LINES TO HOMES
- 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 groundwater with a temperature greater than 85F being sought? NO
- e. If well is already drilled, when?
Drilling Firm
Well was drilled for

* per applicant's amendment (reduction) 7/17/94, see initialed changes on original.

D'base updated 8/5/94 -gl.

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 2.5	1.0		2.5 1.0
		10	SWSW 4	2.0		4 2.0

Total number of acres irrigated: 5.5 3.0

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:

~~Two points of diversion located in SESE, S10, T02S, R02W.~~
Domestic use is for ⁶ 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 JS Date 6/13/94 Time 1:35 Preliminary check by SL

Fee \$ 45 Received by JS # W017587 Date 6/13/94

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

* per Applicant's amended version 7/17/94 - See original for initiated changes
D'base updated 8/5/94 - SL.

- See Comments -

DEC 20 1994

Comments: Date: 6/29/1994 User-ID: LESTER

Subject:
ADDITIONAL APPLICATION

Applicants have similar application for nearby subd. (57-07593).

SD-0420-2
MODIFY RECORD

Idaho Department of Water Resources
Modify Comment

Date: 08/05/94
Time: 11:54:01

Water Right Number: 57-07594

Comment Date: 8/ 5/1994 User ID: SLESTER

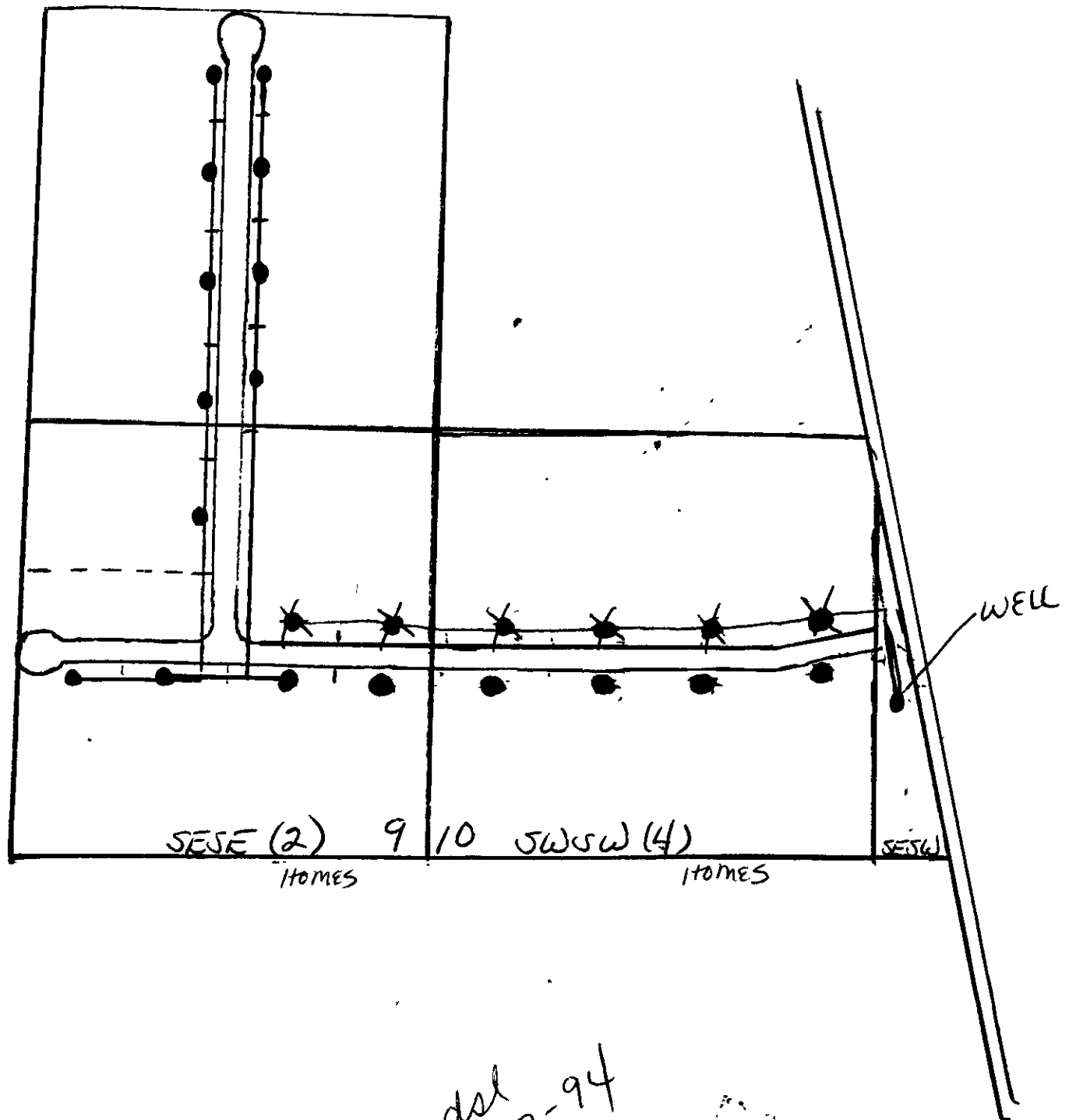
Subject: AMENDMENT

See Comments in similarly reduced appl. 57-07593. For 57-07594, the applicants did the same thing: amended to reduce to 1 well for 6 homes and 3 acres. Again, no add'tl. fees, re-advertising or refund needed. The deleted portion is that well and uses in appl. 57-07598.

(ENTER=Continue/Exit) (Gold2=Update) (Gold3=Delete) (Gold4=Prev) (Gold5=Next)

8/20/1994

T. 25
R. 2W



dsl
7-17-94

DEC 20 1994

905

903

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

E25E4

Sec. 9

T2S-R2W

2 HOMES - 4 HOMES

XX XX XX

SESE

Sec.
9

SWSW

Sec.
10

WELL

907.0'

907.02

15

(78)

DEC 20 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUL 22 1994

WATER RESOURCES
WESTERN REGION

AMENDED

No Advertising
for Reduced Use
- 7/26/94

To appropriate the public waters of the State of Idaho
CHARLES S. &/or VICKY L. HIGHTOWER &/or

1 Name of applicant LINDNER, ALAN & DEBRA Phone 495-2809

Post office address HC 79 BOX 34X MELBA 83641

2 Source of water supply GROUNDWATER which is a tributary of ~~SNAKE RIVER~~

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

Sec 10 Township 25 Range 20 B.M. WHITE County, additional

points of diversion if any (del 7-17-94 1-6-90 POINTS)

4. Water will be used for the following purposes:

del 7-17-94
Amount .16 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

del
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 del and/or (b) —
cubic feet per second acre feet per annum

6. Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc. ONE del 7-17-94
6" WELLS INTERCONNECTED
FOR 6 HOMES. 3/4" HOOD-UPS 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 85°F being sought? NO

e. If well is already drilled, when? —; Drilling firm —

Well was drilled for (well owner) —

REC 20 1994

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

ORIGINAL

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 6 *del 7-17-94*
- 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	
2S	2W	10											<u>2</u>						<u>2</u>
2S	2W	9											<u>1.0</u>						<u>1.0</u>

Total number of acres to be irrigated 3 *del 7-17-94*

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? APPLICANTS
- 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 _____

DEC 20 1994

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

Scale 2 inches equal 1 mile

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

Nebra Lindner
(Applicant)

VR
(AMENDED APP)
7-22-94 11:30 AM
Received by JP Date 6-13-94 Time 1:35 PM Preliminary check by SR
Fee \$ 45 Received by JP # WD17587 Date 6-13-94
Publication prepared by AT Date 6-29-94 Published in Quincy River Avalanche
Publication approved AT Date 8-5-94

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

DEC 20 1994

Memorandum

To: Water Right Files Nos. 57-7594 & 57-7607
From: Deborah Gibson
Date: May 6, 2004
Re: **Proof Due & Lapsed Eagle View Estates Homeowners
Assn. No. 1 files**

Approximately April 1, 2004, I received a message to return a call from Bill Klevenberg about mail he had received from the department regarding proof of beneficial use and lapse notice for water right permit no. 57-7607. Mr. Klevenberg felt that the notice was not for him. I returned his phone call, I believe it was April 8 and on April 9, 2004, he faxed me a copy of a well log regarding water right permit no. 57-7594. (Note: Permit No. 57-7594 lapsed on December 9, 2003. My notes are unclear if I informed Mr. Klevenberg about this status during the phone call on approximately April 9. However, in subsequent phone messages I did explain this.)

However, during my telephone conversation with Klevenberg, he gave me a phone number for Tim Simmonds, who is the president of Association No. 2. I contacted him about 57-7607 and he said it wasn't his. He directed me to Debbie Campbell, president for Association No. 3. I spoke to her, and she said it was in association no. 1. Again on April 14 and 20, I tried to reach Mr. Klevenberg, and was only able to leave detailed messages to call me regarding 57-7594 & 57-7607, and that they were lapsed and of no force or effect. I have had no response to my calls as of the date of this memo.

Therefore, I am returning the files to the vault. It is possible that when the regional office conducts the field exam, scheduled for this summer, the lapsed permits will be resolved. At this time, since I have not heard from Mr. Klevenberg, I believe he is uninterested in reinstatement.

Form 235-1 (LDT)
9/25/98Drilling Permit No. 19815
Water Right Permit No. 57.94.C.0043.000
Injection Permit No. _____

WELL DRILLER: PLEASE COMPLETE FOR VERBAL

DWR Employee Issuing Verbal: _____

Verbal Issued Date: _____ Time: _____

Old IDWR 57.0784
870688 - 775984

Replace well #1

RECEIVED

APR 02 2002

WATER RESOURCES
WESTERN REGIONState of Idaho
Department of Water ResourcesAPPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)

1. Applicant (please print): EVE HO #2 Eagle View Homeowners ^{#states}
2. Mailing Address: HC 79 Box 308
City & State Mulba Id Zip Code 83641 Telephone Jim K. Loebenberg contact 495-2771
- ☒ Well Owner ☐ Well Operator ☐ Contractor or Other, specify _____
3. Proposed Well Location: Twp. 23 Rge. 210 Sec. 10 SE 1/4 SW 1/4 1/4
Gov't Lot No. _____ County Owyhee Lat. _____ Long. _____
Street Address of Well Site Hwy 78 4 1/2 miles past Blue Pass City Murphy
Give at least name of road + Distance to Road or Landmark
Lot, block and subdivision _____

4. Proposed Use of Well:

- ☒ DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) or for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC: ☐ Irrigation ☐ Municipal ☐ Industrial
☐ Stock ☐ Test ☐ Other _____
(Over 1,000 Head) (Describe)

☐ INJECTION

☐ MONITORING: A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____

5. Well Construction Information:

- A. ☒ New well ☐ Modify ☒ Replace ^{Current well lost production}
- B. Proposed Casing Diameter 6" Proposed Maximum Depth 220'
- C. Anticipated bottom hole temperature:
☒ 85°F or less (Cold Water Well) ☐ 85°F to 212°F (Low Temp. Geo. Well) ☐ 212°F or more (Geothermal Well)

Construction Start Date: week of April 1st 2002

7. Anticipated Well Driller: Adamson Pump & Drilling Driller's Lic. No. 457
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature William Murdock Date 3-31-02
Title Representation, EVE HO #2

**ACTION OF THE DEPARTMENT OF WATER RESOURCES
APPROVED**

This Permit is _____

Date 4/4/02

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY.

GENERAL CONDITIONS:

1. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well. All wells must be drilled a minimum distance of 100 feet from a drainage field. Domestic and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank.
3. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS:

The well being replaced shall be properly abandoned within 3 days of completing the new well.

[Signature] FOR:
Signature of Authorized Department Representative

MANAGER
WESTERN REGIONAL OFFICE
Title

Receipt No. W028953Received by HLFee 200.00Date 4/2/02**EXTENSION OF DRILLING PERMIT**

Extension approved by _____

Approval Date _____

This extension expires: _____

12532 Cinnabar Way
Murphy, ID 83650
Ph 208 495 1411
Fax 208 248 8008

Elite Networks

Fax

To: Debbie Gibson
From: Bill Klevenberg
Fax: 208 327 7866
Pages: 3
Phone:
Date: 4/9/2004
Re: EVE HO #1 Well Info
CC:

☐ Urgent ☒ For Review ☐ Please Comment Please Reply ☐ Please Recycle

• **Comments:**

Per our conversation, the following is what we have from Adamson on our well

Thank you,

Bill Klevenberg

Ph 208 495 1411 ext10

Fax 208 248 8008

Email: bill@elite-networks.com

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

December 9, 2003

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

LAPSE NOTICE

RE: PERMIT NO. 57-7594

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated September 20, 2003. No further construction or additional development is authorized under this permit unless it is reinstated.

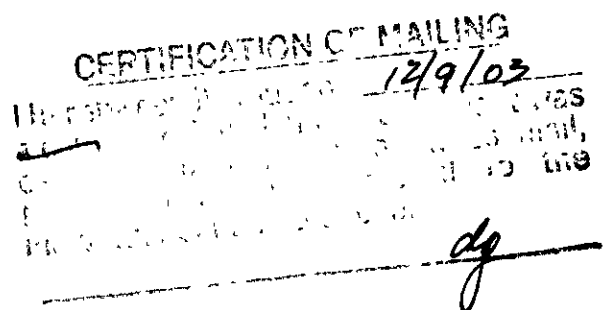
The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

Sincerely,

Gary Spackman
Water Allocation Bureau

Enclosures



September 30, 2003

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

PROOF DUE NOTICE

RE: PERMIT NO. 57-7594

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 December 01, 2003. (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.

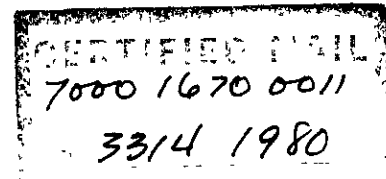
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 57-07594 Reviewed by [Signature] Date 12-8-99

BASIC INFORMATION

12-2-99 Date stamp received
NO 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 *Reinstate + advance priority to Sept. 8, 1994. Recommend approve to Dec. 1, 2003, on basis of due diligence.*

PRIORITY CALCULATION

Date extension received	<u>12-2-99</u>	=	_____
Proof due date	<u>12-1-99</u>	=	_____
Number of days late	<u>1</u>	=	_____
Priority date	<u>9-7-94</u>	=	_____
New Priority Date	<u>9-8-94</u>	=	_____

DATA ENTRY

New Address X
Change Proof Due Date 12-1-2003
Change Priority Date 9-8-94



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. 57-07594

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 **December 1, 2003**. 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.

Be advised that since the extension request was received after the proof due date, it was necessary for the department to reinstate the permit and advance the date of priority to **September 8, 1994**.

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 04 1999

September 30, 1999

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

PROOF DUE NOTICE

RE: PERMIT NO. 57-07594

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 December 1, 1999. (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.

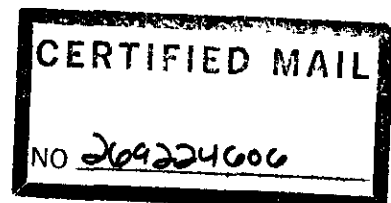
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

DEC 03 1999





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 #1
HC 79 BOX 323
MELBA ID 83641

RE: ASSIGNMENT OF PERMIT 57-07594/57-07607

Dear Permit Holder(s):

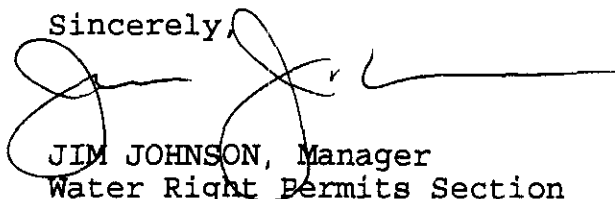
We acknowledge receipt of the correspondence changing ownership of the above referenced water rights to you. We have modified our computer records to reflect these changes in ownership. Computer generated reports are enclosed for your information.

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 09 1999

INTER-DEPARTMENT MEMO — 1

FROM CINDY ZIMMERMAN

DATE 5/13/99
RECEIVED

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

MAY 13 1999
Department of Water Resources

SUBJECT OFFICERS.

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

1. DRILLING PERMIT NO. 57-94-C-0043-000
Other IDWR No. 57-07594

2. OWNER:

2. OWNER:
Name Home Owners INC., ALAN LINDNER
Address HC 79 Box 34X
City MILBA State Id. Zip 83641

Charles Hightower 495-2809

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

Address of Well Site HWY 78 4 1/2 miles PAST
Blue Caves MURPHY Id.
(Give at least Direction + Distance to Road or Landmark)

Lot No.	Block No	Subd Name
---------	----------	-----------

4. PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	40	10'	over bore

Was drive shoe sea tested? Y ☐ N ☐ How?

8. CASING/LINER:

Diameter	From	To	Gauge	Casting	Liner	Steel	Plastic	Welded	Threaded
4 1/2	10'	220				☐	☒	☐	☐
4 1/2	200	20		Same cut		☐	☒	☐	☐
10"	10'	10'		caping		☐	☐	☐	☐

Final location of shoes _____

Top Packer or Headpipe _____ Bottom Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____

☐ Screens Type _____ Material _____

From	To	Slot Size	Number	Diameter	Tube/Pipe Size	Casting	Unr
						☐	☐
						☐	☐
						☐	☐
						☐	☐
						☐	☐

10. WELL TESTS:

☐ Pump ☒ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min	Drawdown	Pumping Depth	Time
35	180	185	4 Hr

Temperature of water _____ Was a water analysis done? Yes ☐ No ☒

By whom? _____

Water Quality (odor, etc) _____

Bottom Hole Temperature _____

11) STATIC WATER LEVEL:

150 ft. below surface Depth artesian flow found _____

Artesian pressure _____ lb. Describe access port _____

Describe Controlling Devices:

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the ng was removed.

Firm Name Cole Wellbillion Firm No. 411

Firm Official [Signature] Date 11/1/01

Supervisor or Operator _____ Date _____

(Sign once if Firm Official & Operator)

JUN 09 1994

FORWARD WHITE COPY TO WATER RESOURCES



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

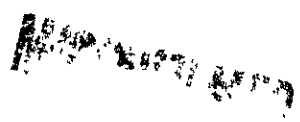
Dear Debra;

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 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,



JAN 30 1996

UNPLATTED

EAGLE VIEW ESTATES

PLAT SHOWING

SITUATED IN THE E 1/2 OF THE SE 1/4 OF
SECTION 9 AND THE S 1/2 OF
THE SW 1/4 OF SECTION 10 WESTERLY OF
HWY 78 I.25, R.2W., B.M.,
OWYHEE CO., IDAHO

1995



NOTES

1. A PUBLIC UTILITY DRAINAGE AND IRRIGATION EASEMENT 10.00 FEET IN WIDTH IS HEREIN INDICATED ALONG ALL DEDICATED ROADS TO ALL STREETS.
2. A DRAINAGE AND UTILITY EASEMENT 10.00 FEET IN WIDTH IS HEREIN INDICATED ALONG ALL DEDICATED ROADS TO ALL STREETS.
3. A 20.00 FOOT ACCESS STRIP TO THE EAGLE VIEW ESTATES SUBDIVISION AT THE END OF BOTH ROADS TO THE PROPERTY OWNERS WITHIN THE EAGLE VIEW ESTATES SUBDIVISION AT THE END OF BOTH ROADS.
4. LOT 6 AND LOT 2 AND LOT 8 ARE CONSIDERED WELL LOTS AND NOT FOR RESIDENTIAL BUILDINGS.

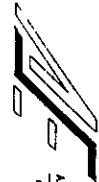
LEGEND

- FOUND BRASS CAP MONUMENT
- SET 1/2" X 2" MON PIN WITH PLASTIC CAP
- SET 1/2" X 2" MON PIN WITH PLASTIC CAP
- BOUNDARY LINE
- LOT LINE
- LOT #
- BLOCK #

CURVE	DATA	ARC	RADIUS	ANGLE	CHORD
1	80.00 00.00	31.42	28.00	70.00	51.37 32.74
2	68.52 39.00	31.42	18.00	18.00	31.04 07.14
3	14.11 39.00	31.42	18.00	18.00	31.04 07.14
4	14.11 39.00	31.42	18.00	18.00	31.04 07.14
5	14.11 39.00	31.42	18.00	18.00	31.04 07.14
6	14.11 39.00	31.42	18.00	18.00	31.04 07.14
7	14.11 39.00	31.42	18.00	18.00	31.04 07.14
8	14.11 39.00	31.42	18.00	18.00	31.04 07.14
9	14.11 39.00	31.42	18.00	18.00	31.04 07.14
10	14.11 39.00	31.42	18.00	18.00	31.04 07.14
11	14.11 39.00	31.42	18.00	18.00	31.04 07.14
12	14.11 39.00	31.42	18.00	18.00	31.04 07.14
13	14.11 39.00	31.42	18.00	18.00	31.04 07.14
14	14.11 39.00	31.42	18.00	18.00	31.04 07.14
15	14.11 39.00	31.42	18.00	18.00	31.04 07.14
16	14.11 39.00	31.42	18.00	18.00	31.04 07.14
17	14.11 39.00	31.42	18.00	18.00	31.04 07.14



LANDMARK SURVEYING
404 S. 10th St. IDAHO 83401



ART SCHULTZ ENGINEERING
CHLATTINGHAM CONSULTANT
1101 W. PINE ST. IDAHO 83401
(208) 453-0005

Subdivision plat
renumbered

Use Typewriter
or
Ball Point Pen

SEP 28 1994

*1. DRILLING PERMIT NO. 57-94-C-0047-000
Other IDWR No 57-07594

2. OWNER:

Name Homeowners Inc. - Alan Lindner
Address HC 79 Box 34X
City MCIBA State Id Zip 83641

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



T 2 North ☐ or South ☒
 E 2 East ☐ or West ☒
 Sec. 10 1/4 SE 1/4 SW 1/4
10 acres 10 acres 180 acres
 Gov't Lot _____ County OWYBee

Address of Well Site HWY 78 4 1/2 miles EAST
Blue CANOE MURPHY Id.
(Give at least Direction + Distance to Road or Landmark)

Lot No.	Block No	Subd Name
---------	----------	-----------

4. PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	19	300	Over Bone

Was drive shoe seal tested? Y ☐ N ☒ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Casting	Liner	Steel	Plastic	Welded	Threaded
6	20	+2.20			X	☐	☒	☐	☐
6	20	+1.250	X			☒	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐

Final location of shoes 200' Total P.V.C.

Top Packer or Headpipe 20' per F. Bottom Tailpipe

9. PERFORATIONS/SCREENS

☒ Perforations Method _____
☐ Screens Type _____ Material P.V.C.

From	To	Slot Size	Number	Diameter	Taps/Pipe Size	Casting	Linear
~~200~~	~~220~~	SAN	Cut	6		☐	☒
200	220					☐	☐
						☐	☐
						☐	☐

10. WELL TESTS:

Department of Water Resources

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min	Drawdown	Pumping Depth	Time
40	10'	200	2 hr.

Temperature of water _____ Was a water analysis done? Yes ☐ No ☐

By whom?

Water Quality (odor, etc) good - cold

Bottom Hole Temperature _____

11. STATIC WATER LEVEL:

190 ft. below surface Depth artesian flow found

Artesian pressure _____ lb Describe access port _____

Describe Controlling Devices. WFL 240

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

Date: Started 9-20-94 Completed 9-26-94

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the nq was removed

Firm Name Knit Well & Pump Firm No. 917

Firm Official Mike Kne Date 9-27-9

and
Supervisor or Operator Rod Ransom Date 9-26-94

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES



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

December 14, 1994

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

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 57-07594

Dear Permit Holder(s):

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,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', is written over the typed name and title.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

DEC 20 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 57-7594 Name: Lindner/Hightower Date: 12/5/94 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> - 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)-46B-~~P23~~ (post 7/1/87)

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

LOCATION:

Water District (~~dom~~) - 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 - 3 <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 - 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 - 004 (PD/PU)

PROTESTED:

020(Prehearing agreement)/W19(See Order)

OTHER CONDITIONS:

REMARKS:

DP/D Lot 25 Eagle View Subd.

② w01/5 ③ w04

④ P/U Lts 1-5, Eagle View Subd.

BENEFICIAL USE DUE:

12-1-1999

COMMENTS:

WR0749NP
No. P57-07594

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/05/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALAN LINDNER	09/07/1994	IRRIGATION	03-15 11-15	0.50 CFS	
C	CHARLES S HIGHTOWER		DOMESTIC	01-01 12-31	0.11 CFS	
C	VICKY L HIGHTOWER					
C	DEBRA LINDNER					
	HC 79 BOX 34X			TOTAL DIVERSION:	0.61 CFS	
	MELBA ID 83641					
	(208) 495-2809					

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T02S R02W S10 SESW OMYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
02S	02W	9	:																	:	5.0
02S	02W	10	:											20						:	20.0
																				TOTAL ACRES	25.0

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

Pou County: OMYHEE

Other Water Rights with Same Point(s) of Diversion and Source:
57-07594 57-07598

Other Water Rights Listing Overlapping Place(s) of use:
57-07593 57-07594 57-07597 57-07598 P57-07593

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.
- 01G - Prior to the diversion of water under this right a flow
 - measurement port or other device as specified by the Department
 - shall be installed to provide for the installation of measuring
 - equipment and the determination of the rate of diversion by the
 - Department.
- 046 - Right holder shall comply with the drilling permit
 - requirements of Section 42-235, Idaho Code.
- 46A - 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.
- 46B - Construction of the well must comply with Idaho well
 - construction standards.
- 057 - The rate of diversion of water for irrigation under this right
 - and all other water rights on the same land shall not exceed

WR0749NP
No. P57-07594

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/05/94
PAGE: 2

Conditions of Approval:

- 0.03 cubic feet per second for each acre of land.

Remarks: Point of diversion is located within Lot 25, Eagle View
Subdivision.
Domestic use is for 5 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.
Place of use is located within Lots 1-5, Eagle View Subdivision.

Dates: App. Received: 06/13/1994 Priority Date: 09/07/1994
Proof Due Date: 12/01/1999 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 06/29/1994 User-ID: LESTER Subject: ADDITIONAL APPLICATION
Applicants have similar application for nearby subd. (57-07593).

Date: 08/05/1994 User-ID: SLESTER Subject: AMENDMENT
See Comments in similarly reduced appl. 57-07593. For 57-07594,
the applicants did the same thing: amended to reduce to 1 well
for 6 homes and 3 acres. Again, no add'l. fees, re-advertising
or refund needed. The deleted portion is that well and uses in
appl. 57-07598.

9/7/94; CZIMMERM; 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.

Audit: 12/05/94 CZIMMERM

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
5707594	T02S R02W S 9 GROUNDWATER																	
	:																	05 : 5
* { 5707593	GROUNDWATE :																20	10 : 30
5707597	GROUNDWATE :																20	10 : 30
5707598	GROUNDWATE :																	05 : 5
	NO MAPPING INFO AVAILABLE																	
5707594	T02S R02W S10 GROUNDWATER																	
	:												20					: 20
* 5707598	GROUNDWATE :												20					: 20
	C73Q-Y 56 : 06 01																	: 7

* Same number different acres

25 2W 5.9
5.10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: SL DATE: 6/28/94 APPLICATION: 57-07594

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:
P/D
P/U

RECEIVED
AUG 17 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: _____

☒ Additional information on reverse side:

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NOV 28 1994

Department of Water Resources

PROCESSING

APPLICATION 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 7-25-94

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, One

Measuring device required:

Measuring port required:

Water delivered by water master? District # _____

Special conditions of approval or cover letter: _____

26A (Allow 5 yrs)

☒ See below for additional information

Recommended Date or Priority 6/13/1994 → Amended: 9/7/1994

Recommended by: One

Date 8/15/1994

Amendment 11/28/1994

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

57-07598 is add'l. filing for adjacent well, Lomas's area
deleted from 57-07594. See Appl. 'Comments'.

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 Issue 12

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

October 3rd, 1994

Signed Joe E. Aman

Subscribed and sworn to me this 12th day of Oct. A.D., 1994

Colene B. Beeding

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

application for the name of Charles and Vicky Hightower and/or Alan and/or Debra Lindner was filed on 6/13/94 and modified on 7/23/94 for the diversion of 0.17 cfs from ground water with a point of diversion within SESE Section 10, T02S R02W, to be used for 5 homes and 3 acres irrigation within SESE Section 9 and SWSW Section 10, T02S R02W.

The applicant now proposes to amend the application by decreasing the number of homes to 5, and increasing the number of irrigated acres to 25 and the total rate of flow to 0.61 cfs.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, 2735 Airport Way, Boise ID 83705, together with a protest fee of \$25.00, on or before October 24, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson
Director

Published October 12, 1994

RECEIVED

NOV 01 1994

WATER RESOURCES
WESTERN REGION

OCT 20 1994

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: Cyt

Right Number 57-07594 Applicant Undner/Hightower

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).

☒ Increase amount. ☐ Change place of use. ☒ ther add acres

CHECK:

- ☒ Description of amended point(s) of diversion. yes
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority. yes
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee. see SL memo 9/9/94
- ☒ Existing water rights from the same source, amended place of use. no
- ☒ Right number(s) 57-7593, 97, 98 all different wells, P/W's
- ☒ Yes ☐ No Should amendment be advertised?
- ☒ Yes ☐ No Should date of priority be delayed? If yes, to what date? 9/7/94
DWR03: Vault ✓

FINAL REGIONAL PROCESSING REVIEW:

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

Conditions _____

By _____ Date _____

STATE OFFICE PROCESSING:

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

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that application No. 57-07594 in the name of Charles and/or Vicky Hightower and/or Alan and/or Debra Lindner was filed on 6/13/94 and modified on 7/22/94 for the diversion of 0.17 cfs from ground water with a point of diversion within SESW Section 10, T02S R02W, to be used for 6 homes and 3 acres irrigation within SESE Section 9 and SWSW Section 10, T02S R02W.

The applicant now proposes to amend the application by decreasing the number of homes to 5, and increasing the number of irrigated acres to 25 and the total rate of flow to 0.61 cfs.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, 2735 Airport Way, Boise ID 83705, together with a protest fee of \$25.00, on or before October 24, 1994. The protestant must also send a copy of the protest to the applicant.

R Keith Higginson
Director

Published in the Owyhee Avalanche on October 5 and 12, 1994.

RECEIVED
OCT 30 1994

MEMORANDUM

RECEIVED

SEP 08 1994

WATER RESOURCES
WESTERN REGION

DATE: September 7, 1994

TO: Western Region

THRU: Jim Johnson

FROM: Cindy Zimmerman

SUBJECT: Amendment of Application for Permit No. 57-07593, 7594

Alan & Debra Lindner came into the State Office today to amend the above application. This amendment increases the number of acres irrigated and corresponding rate of diversion. The date of priority has been advanced to reflect receipt of the amendment. Amendment fees for republication have been received.

I am returning the file to you for re-advertisement.

Thanks,

INTER-DEPARTMENT MEMO--1

FROM Steve L.

DATE 9/9/94

TO Files 57-07593 & 57-07594

SUBJECT FEES

ORIGINALLY	57-07593	.29 cts	6/13/94	\$45	Reduced to .17 cts
	57-07594	.27 cts	6/13/94	\$45	Reduced to .17 cts
NOW	57-07593	.71 cts	9/7/94	\$50	Amend. fee paid
AMENDED	57-07594	.61 cts	9/7/94	\$50	Amend. fee paid

Add'l. fee for .20-.100 cts category: previously \$45, now \$100 but no
add'l. fee required since not changing fee category from
 original to amended version - Amendment is for actual initiated
 prior to fee increase for cts category.

SIGNATURE

-82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: DEBRA LINDNER O 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
- Name: ALAN LINDNER O 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
- Name: CHARLES HIGHTOWER O 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
- Name: VICKY HIGHTOWER O 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641

2. Proposed Well Location: Township 02S, Range 02W, Sec. 10, SESW
OWYHEE County

Street Address of Well Site: HWY 78 4 1/2 MI PST BLUE CANOE
MURPHY ID

3. Proposed Use of Well: Domestic

The use of water for homes, organization camps, livestock and for any other purpose in connection therewith, including irrigation for up to .5 acres of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

4. Well Construction Information:

- A. New Well
B. Proposed Surface Diameter 6 In. Proposed Maximum Depth 350 Ft.
C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
(NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 9/ 8/1994

(Continued)

SEP 10 1994

Ident. No. 57-94-C-0043-000

6. Anticipated Well Driller: KNIE WELL DRILLING (No. 0417)

NOTE: The actual well driller must be identified prior to drilling.

7. Applicant's Signature _____ Date _____

Title _____
(Owner, Firm Representative, Other)

Fee \$ 35⁰⁰ Received by lt No. C031217 Date 9-7-94

(Continued)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

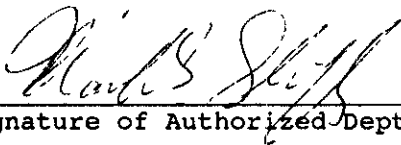
This permit is **APPROVED**

Date: 9/ 7/1994

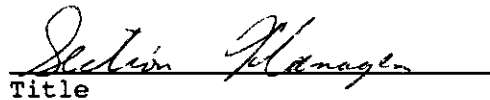
If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If the bottom hole temperature of 85 degrees or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. The use of water from this well is for Domestic purposes only which includes irrigation of up to 1/2 acre of land with all combined uses not to exceed 13,000 gallons per day (42-111[A]), or for Domestic uses other than for homes, organization camps, public campgrounds or livestock where the diversion rate and volume does not exceed .04 cfs and 2500 gpd (42-111[B]).
9. A water right permit must be obtained prior to connecting this well to more than one (1) dwelling.
10. An additional \$165.00 must be remitted to upgrade this domestic Drilling Permit to Non-Domestic status.



Signature of Authorized Dept. Representative



Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____

1994

COPY OF ORIGINAL IN FILE.

INTER-DEPARTMENT MEMO

APP. FOR PERMIT NOS.
TO: 57-07593 & 57-07594

AMENDMENT OF BOTH
SUBJECT: APPLICATIONS FOR PERMIT

FROM: JAN JHURTE

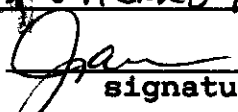
DATE: _____

APPLICANT PHONED STATING THEY WISH TO AMEND THE ABOVE APPLICATIONS BY REDUCING THE # OF HOMES TO 6 EACH & # OF ACRES TO 3 EACH - ^(ALSO LIMITING EACH APPLICATION TO ONE WELL EACH.) (1/2 AC EACH LOT). I SENT THE ORIGINAL APPLICATIONS TO THE APPLICANT TO CHANGE, INITIAL & DATE. I ALSO SENT NEW MAP COPIES FOR THEM TO COMPLETE FOR EACH APPLICATION SHOWING WHICH WELL WILL SERVE WHICH 6 HOMES & 3 ACRES. I THEN SENT 2 NEW APPLICATION FORMS - EACH FOR THE REMAINING WELLS WITH ONE FOR 5 HOMES & 2.5 ACRES & ONE FOR 6 HOMES & 3 ACRES. WILL END UP WITH 4 APPLICATIONS - ONE FOR EACH WELL - 3 SERVING 6 HOMES & 3 ACRES EACH & ONE FOR 5 HOMES & 2.5 ACRES FOR A TOTAL OF

☒ For your information

() Response required

DEC 20 1994


signature

23 HOMES & 11.5 ACRES - SAME TOTAL AS 1ST 2 APPLICATIONS. SHOULD NOT NEED TO READVERTISE FIRST TWO APPLICATIONS SINCE THEY ARE BEING REDUCED. NO CHANGE IN WELLS.

WRE Rg File



IDAHO DEPARTMENT
OF HEALTH AND WELFARE

DIVISION OF
ENVIRONMENTAL QUALITY

RECEIVED

JUL 08 1994

WATER RESOURCES
WESTERN REGION

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

Cecil D. Andrus, Governor

July 7, 1994

HIGHTOWER.TWR

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

RE: IDWR - Public Waters Appropriation Permit
Permit Nos. 57-7593 and 57-7594

Dear Mr. Tuthill:

It is not clear as to whether these systems will be combined with an adjacent subdivision water supply. However, since the project has over 10 connections, 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 if it has over 15 connections and/or serves 25 people. A Public Water System 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: Charles &/or Vicky Hightower, Applicants

DEC 20 1994

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

2 (two)

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

July 6 and 13, 1994

Signed

Joe E. Aman

Subscribed and sworn to before me this 13th day of July A.D., 1994

Clarence B. Manning

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

DEC 20 1994

NOTICE OF APPLICATION FOR WATER RIGHT

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

57-07593

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

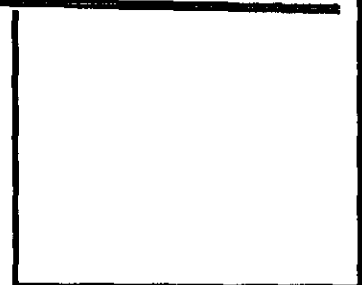
Use: IRRIGATION (.120 CFS)
DOMESTIC (.170 CFS)
Total Diversion: (.290 CFS)
Date Filed: 6/13/1994
In: OWYHEE County
T02S R02W S09 NESE SESE
6.0 ACRES TOTAL
57-07594 ✓

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 (.110 CFS)
DOMESTIC (.160 CFS)
Total Diversion: (.270 CFS)
Date Filed: 6/13/1994
In: OWYHEE County
T02S R02W S09 SESE
S10 SWSW
5.5 ACRES TOTAL

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 JULY 25, 1994. The protestant must also send a copy of the protest to the applicant.

R. KEITH HIGGINSON,
Director

Publish July 6 & 13, 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

June 30, 1994

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

Re: Applications for Permit Nos. 77-7337, Warm Lake
Recreational Water District; 63-12116, East Lizard Butte
Water Co.; 57-7594 & 57-7593, Charles &/or Vicky
Hightower; 65-13515 & 65-13515, Idaho Mountain Properties

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 July 25, 1994.

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

Sincerely,

A handwritten signature in cursive script, reading "David R. Tuthill, Jr.".

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

DRT:st

Enclosure(s):

DEC 20 1994

57-07594

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 (.110 CFS)
 DOMESTIC (.160 CFS)
 Total Diversion: (.270 CFS)

Date Filed: 6/13/1994

In: OWYHEE County
 T02S R02W S09 SESE
 S10 SWSW

5.5 ACRES TOTAL

DEC 20 1994