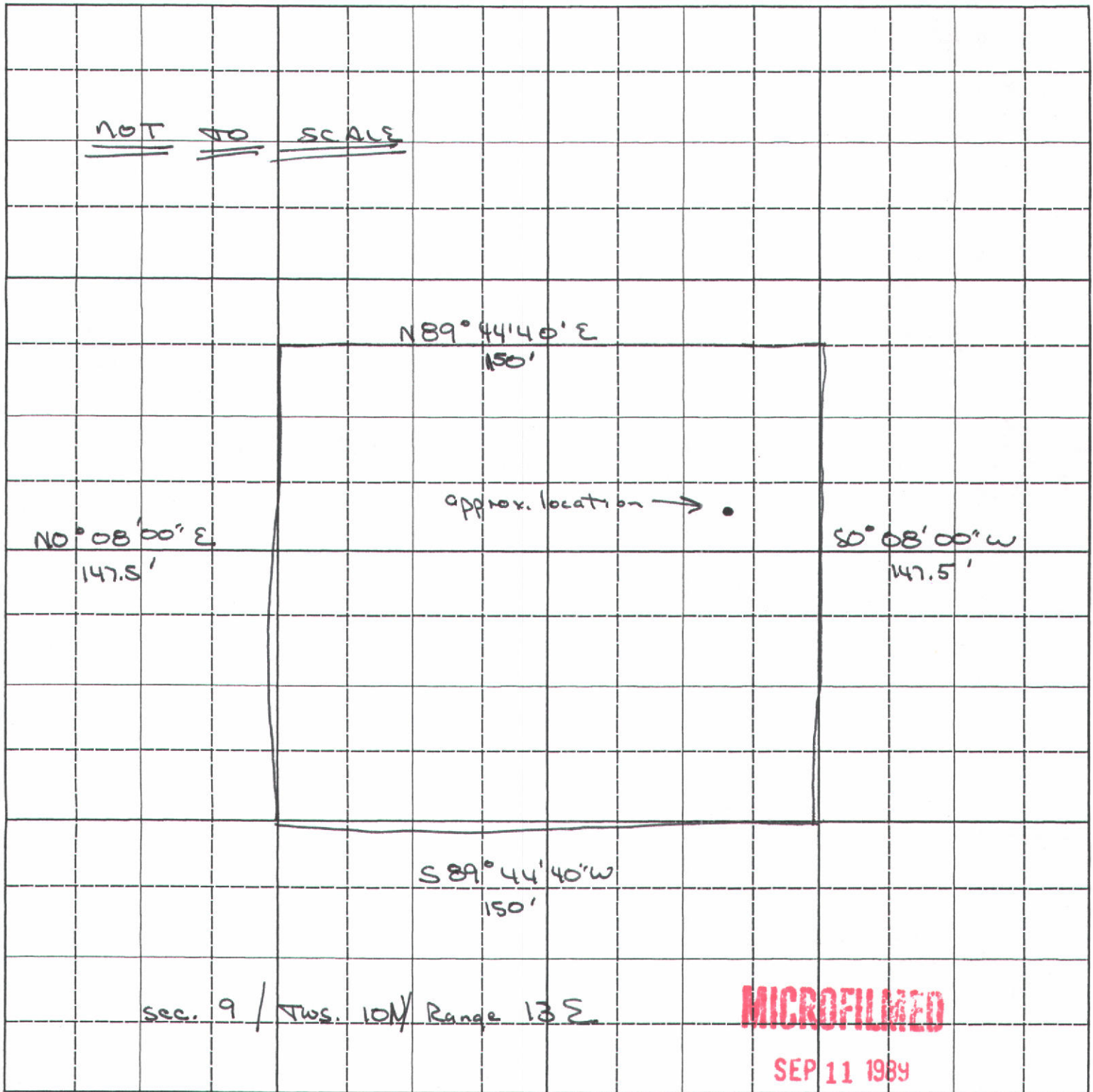


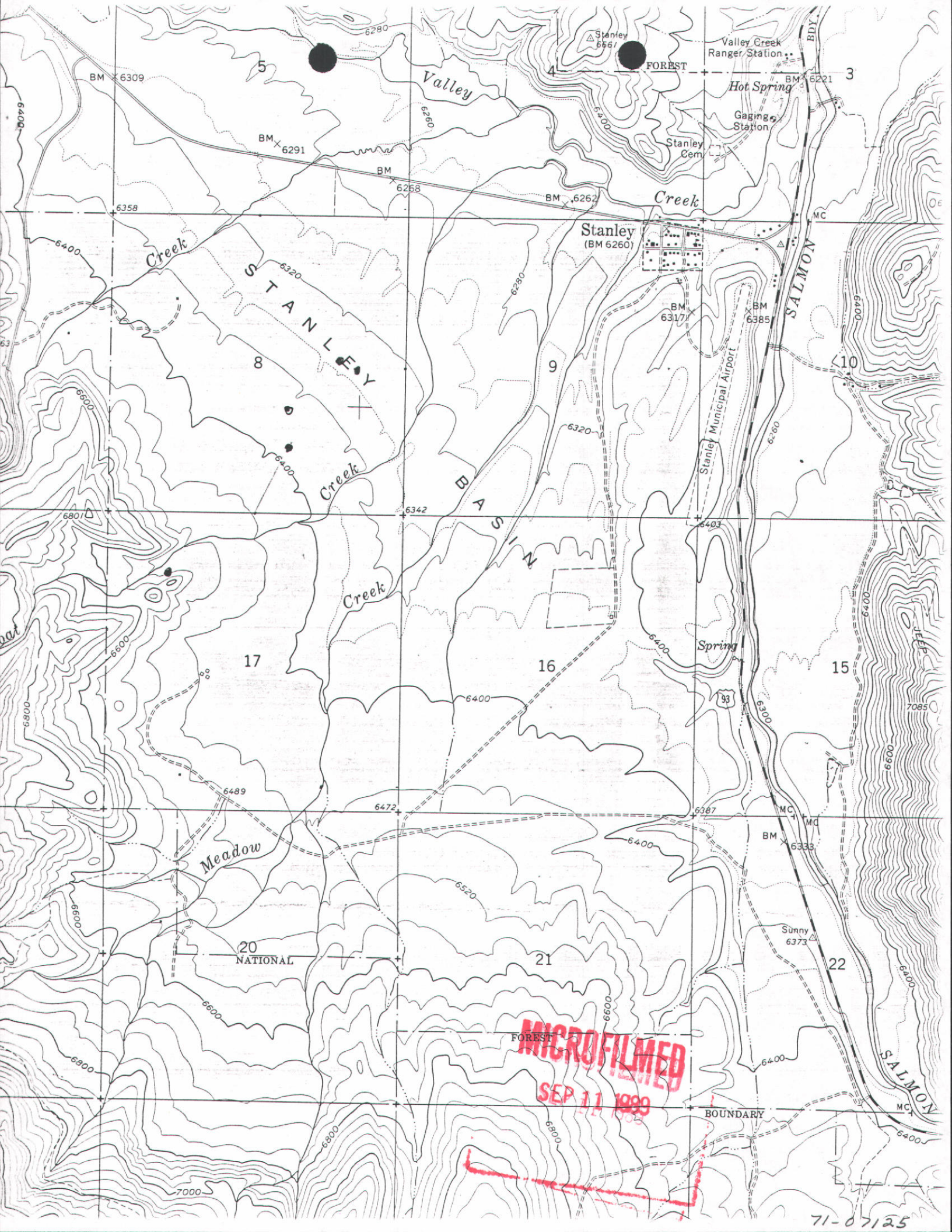
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Comastone Development *[Signature]*
(Applicant)



MICROFILMED
SEP 11 1989

71-07125

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated June 1 19 89 and ending with the issue dated June 8 19 89

Margaret Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 13th day of June in the year of 1989, before me, a Notary Public,

personally appeared Margaret Parks, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Echel M. Peck
Notary Public for Idaho
Residing at Challis
My commission expires: 3-21-92

NOTICE OF APPLICATION FOR WATER RIGHT

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

71-07125 ✓

CORNERSTONE DEVELOPMENT, P.O. BOX 203, CLEAR LAKE, IA 50428

Source: GROUNDWATER

Diversion Pt: NENE Sec 9 T 10N

R 13E

Use: COMMERCIAL (.010 CFS)

Date Filed: 4/25/1989

In: T10S R13E S09 NENE

72-07423

BARRETT, R.M., P.O. BOX 347, CHALLIS, ID 83226

Source: SWIFT GULCH Tributary: YANKEE FORK

Diversion Pt: NWSESW Sec 3 T 12N R 15E

Use: FIRE PROTECTION (1.000 CFS)

DOMESTIC (.110 CFS)

INDUSTRIAL (.110 CFS)

Date Filed: 4/27/1989

In: T12N R15E S10 NWNW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JUNE 19, 1989.

R. KEITH HIGGINSON, Director
Pub: June 1 & 8, 1989.

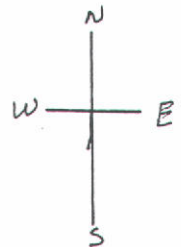
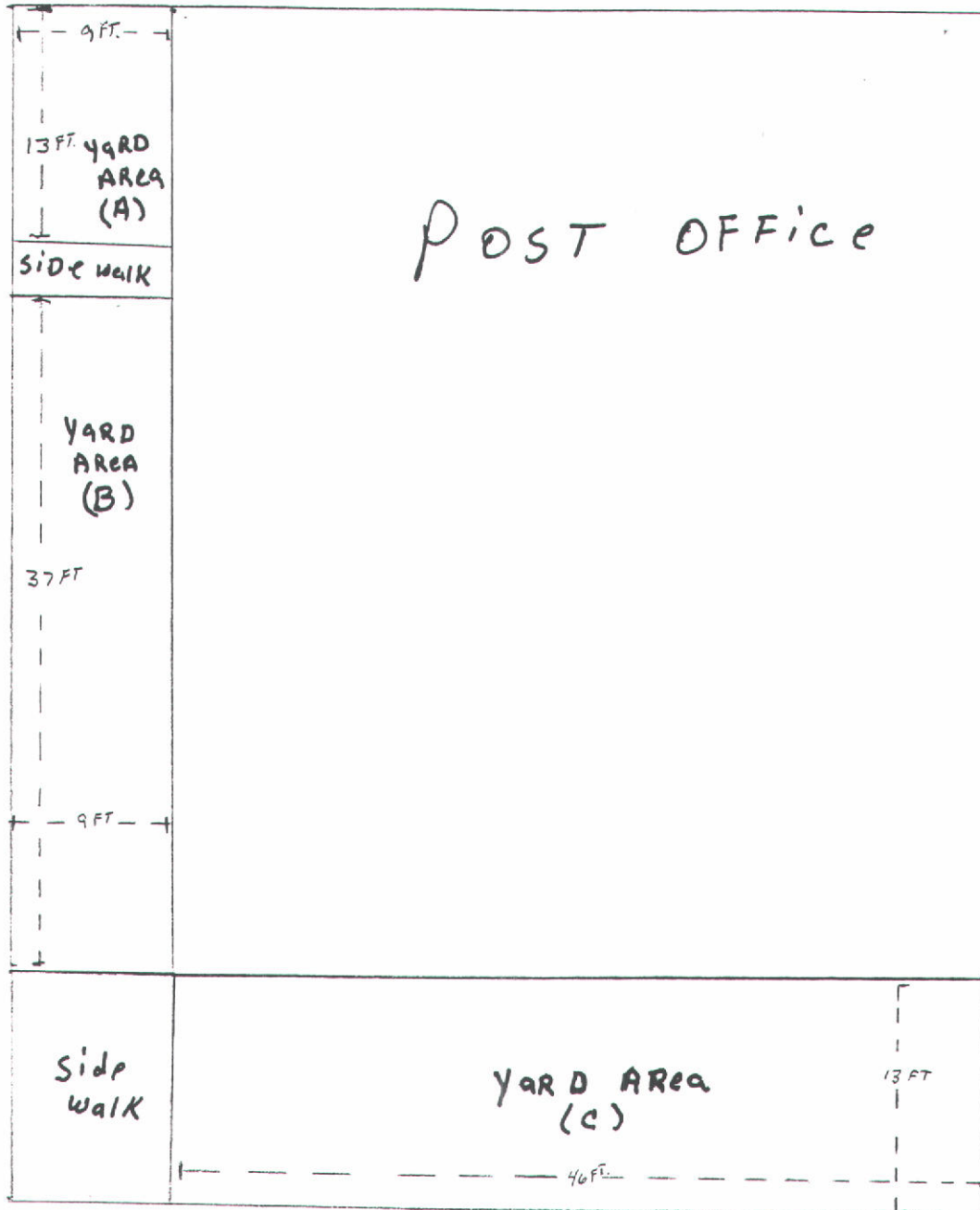
MICROFILMED

SEP 11 1989

OK
MB
6/16/89

PID
↓ APPROXIMATELY
5 Feet

Parking LOT



Parking LOT

Area

width

A - 9 X 13 = 117 SQ. FT.

B - 9 X 37 = 333 SQ. FT.

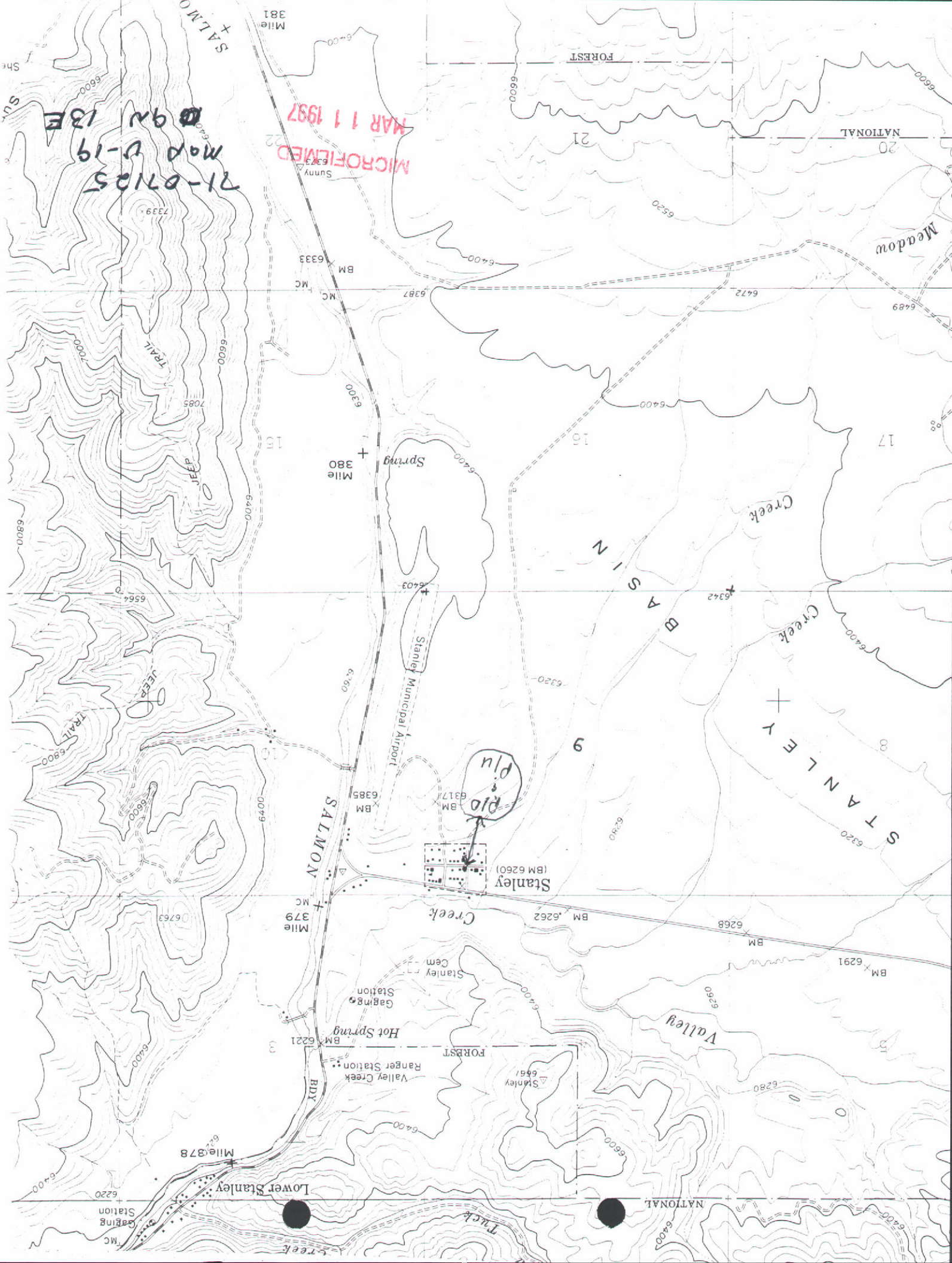
C - 13 X 46 = 598 SQ. FT.

Total SQ. FT = 1048 SQ. FT.

acres

1048 / 43560 = .02 acres

500 Feet
MICROFILMED
MAR 11 1997



MICROFILMED
MAR 11 1997

71-07125
Map V-19
9N 13E

Plu
p10

SALMON

STANLEY

Stanley
(BM 6260)

Hot Springs

Ranger Station

Valley Creek

Station

Lower Stanley

Station

MC

6220

6400

6600

6800

7000

7200

7400

7600

7800

8000

8200

8400

8600

8800

9000

9200

9400

9600

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63200

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63600

63800

64000

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65800</

CITY OF STANLEY

RESURVEY OF CORPORATE LIMITS

EMBRACING LOT 10, SECTION 3, SE*SW*, S*SE*, SECTION
4, NE*, NW*SE*, SE*SE* SECTION 9, LOTS 2, 3, 6, AND 7
SECTION 10; NE*NE* SECTION 16; SECTION 15,
T 10N R 13E, B.M., CUSTER COUNTY, IDAHO

Prepared from Official Records of the Amended
Townsite Plat, Recorded Additions and Descrip-
tions—all adjusted to a common basis of bear-
ing by

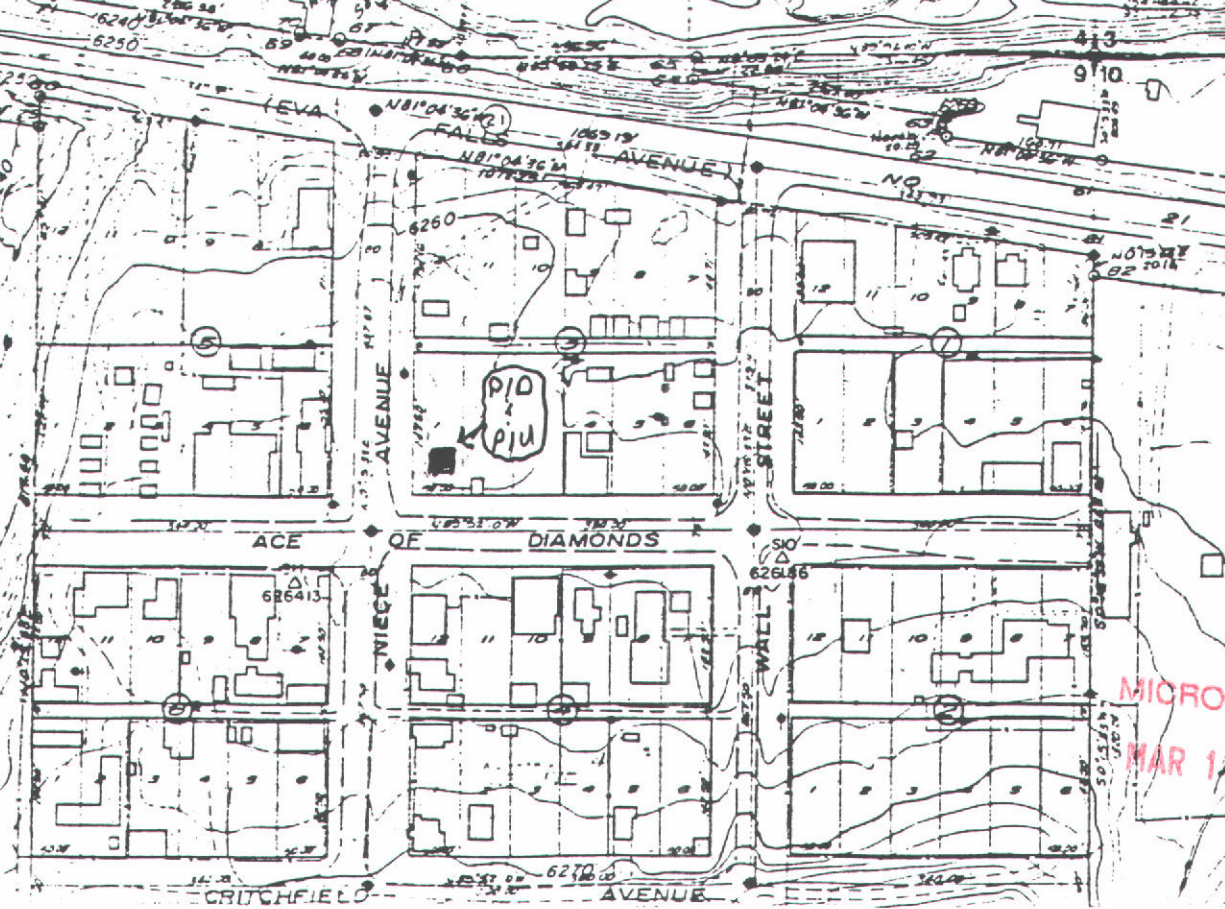


JOHNSON COACH
ENGINEERS SURVEYORS
SALMON IDAHO

1/27/78
REVISED 6/18/78



114.98 ACRES





PERMIT 71-67125 INIT DAW

T. R. S. Q/Q

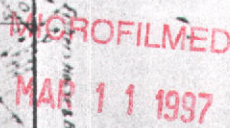
P/D 10W 13E 9 NE NE

SCALE 4.2" per inch

PHOTO ID. NRCS PHOTO

MAR 11 1997

1977





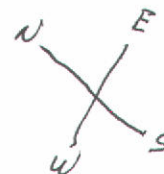
This is The CONTROL BOX FOR
The well FOR this PERMIT
The well is Located APPROXIMATELY
5 Feet FROM The NORTH EAST CORNER
OF The Building.

MICROFILMED

MAR 11 1997



This is the FRONT OF the POST OFFICE.
and the YARD that is irrigated.



This is

MICROFILMED

MAR 11 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

APR 07 1997

WATER RESOURCES
WESTERN REGION

RECEIVED

APR 08 1997

Department of Water Resources

1. Water Right Number(s) 71-07125
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Cornerstone Development
Bx 203 - Clear Lake, IA 50428
4. New Owner/Claimant(s) The McComish Family Trust
 Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
 New Mailing Address 300 Hot Springs Rd #221
 City, State and ZIP Code Montecito, CA, 93108-2035
 New Telephone Number (805) 969-8157
5. Date you acquired the property 5-8-91
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated 0 Number and type of stock 0
 Diversion rate in CFS .01 cubic feet per second Number of homes - Other uses U.S. Post Office
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) [Signature] Date 4-3-97
Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 71-07125

Priority: April 25, 1989

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

0.1 AF

This is to certify, that CORNERSTONE DEVELOPMENT
PO BOX 203

CLEAR LAKE IA 50428-0203 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 25, 1989; and has submitted Proof of Beneficial Use on July 17, 1990. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.01 CFS	0.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 9, Township 10N, Range 13E
CUSTER County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

10N 13E 9

NENE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Place of use is located within Lot 1, Blk. 3, City of Stanley.
6. Commercial use is for restrooms and a lawn at the post office.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 28TH day of FEBRUARY, 1997.

Acting for


KARL J. DREHER, Director

MICROFILMED

RECEIVED
JUL 17 1990

As fee enclosed
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

MS-10-10-90

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 71-07125 Telephone No. 515-357-7020

Name(s) of Permit Holder(s): CORNERSTONE DEVELOPMENT

Post Office Address: P.O. Box 203 CLEAR LAKE, IOWA 50428

Source of Water: GROUND WATER

If ground water, well driller's name: Hiddleston Drilling Date drilled: Oct/Nov. 1989

Extent of Use:
Domestic 1 (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other Post Office

Total rate and/or volume for which proof is submitted less than .01 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: About Nov. 1989

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes No Installed? Yes No

OR

Flow Measurement Port: Required? Yes No Installed? Yes No

Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Mike Barnett / Cornerstone Dev. 515-357-7020
Name Telephone No.

SAME AS ABOVE
Address

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

NOT RECORDED
AUG 07 1990

7/10/90 [Signature]
Date Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 71-07125

Proposed Priority: April 25, 1989

Maximum Diversion Rate:

0.01 CFS

This is to certify, that **CORNERSTONE DEVELOPMENT**
P.O. BOX 203
CLEAR LAKE, IA 50428

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

COMMERCIAL

01/01 to 12/31

0.01 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENE

Sec. 9, Township 10N, Range 13E
CUSTER County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

10N 13E 9

NENE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1990**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
5. Commercial use is to provide water facilities for a post office.

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

14th day of August, 1989.

for J. Glen Saylor
R. Keith Higginson, Director

MICROFILMED

SEP 11 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Cornestone Development Phone 515-357-7020
Post office address P.O. Box 203 Clear Lake, Ia 50428
2. Source of water supply ground water which is a tributary of N/A
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt Lot _____
Sec. 9 Township 10N Range 13 east B.M. Custer County; additional
points of diversion if any Lots 1, 2 & 3 / Block 3 / City of Stanley
4. Water will be used for the following purposes:
less than (commercial)
Amount .01 for Normal Household purposes from Aug 1 ^{1/1} to N/A ^{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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
less than .01
5. Total quantity to be appropriated is (a) _____ and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. This is a post office. Only 1
toilet, an outside well hydrant and drinking fountain is going
to use water.
- 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 N/A ⁽²⁵⁰⁾ feet.
- d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

MICROFILMED

SEP 11 1989

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~~ ^{Commercial}; show number of households. lea post office
- 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	
10N	13E	9	<u>DES 5-10</u>																
			<u>C</u>																

Total number of acres to be irrigated _____

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? Donna Downs

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

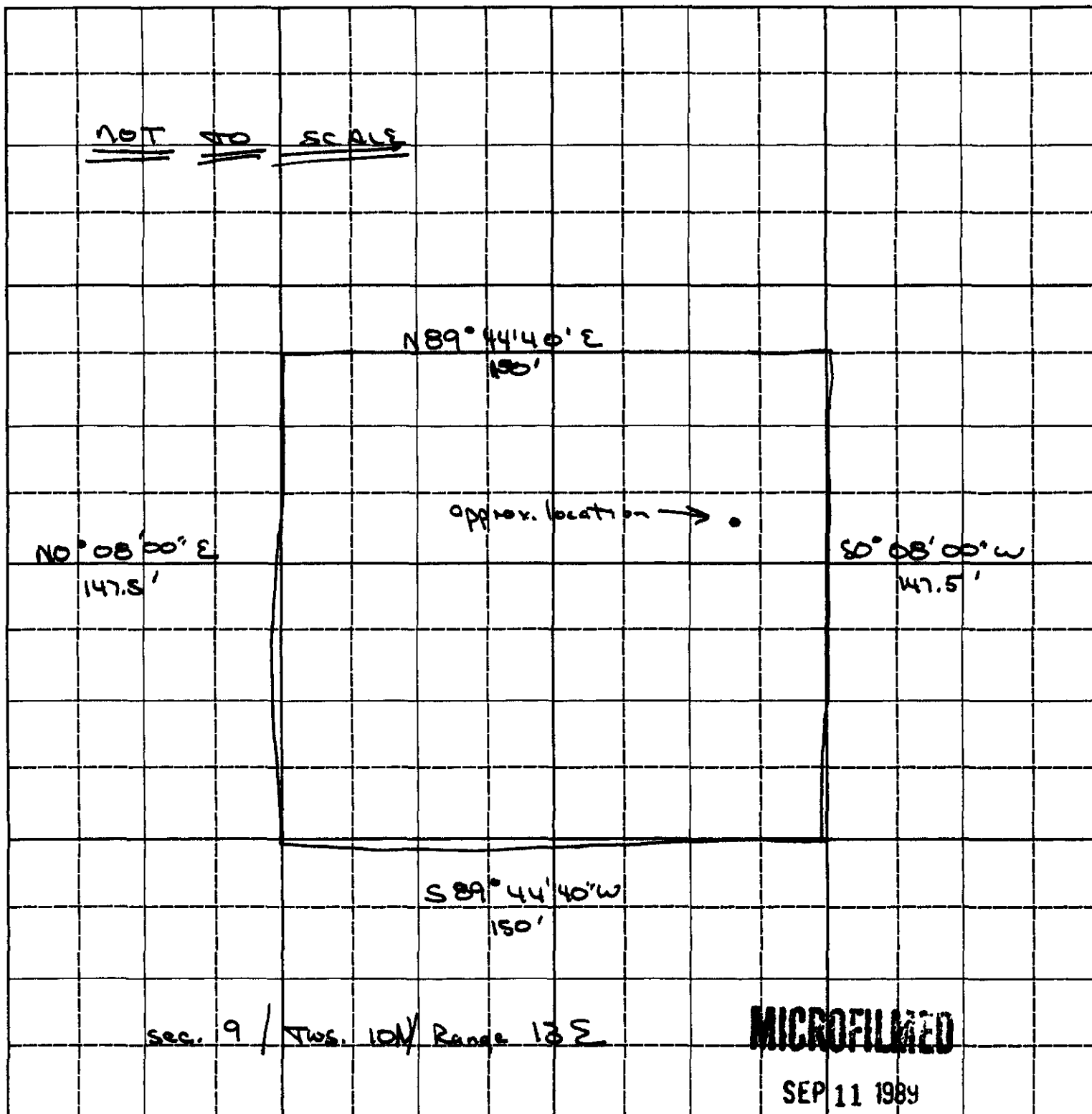
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. We are in the process of purchasing the property

12. Remarks: _____

MICROFILMED

SEP 11 1989

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.

Cornerstone Development
(Applicant)

Received by M. Baldwin Date 4/25/89 Time 10:00 Preliminary check by DRJ
Fee \$ 30.00 Receipted by JRP # 5006964 Date 4-28-89
Publication prepared by M. Baldwin Date 5/25/89 Published in Challis Messenger
Publication approved M. Baldwin Date 6/16/89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

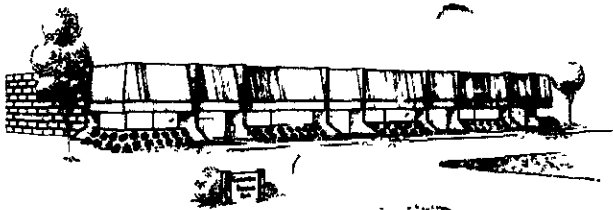
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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:

MICROFILMED

SEP 11 1989



Cornerstone Development

P.O. 203 • Clear Lake, Iowa 50428 • 515-357-7020

May 31, 1989

RECEIVED

JUN 5 1989

Department of Water Resources
Southern Region Office

Department of Water Resources
Southern Region
2148 Fourth Ave. East
Twin Falls, ID 83301

Attn: Douglas Jones, Water Resources Engineer

Subject: Permit #71-07125

Dear Mr. Jones:

Received your letter dated May 25 indicating the additional information required concerning the above permit number.

Cornerstone Development is a partnership made up of the following:

Sam Kennedy III
P.O. Box 203
Clear Lake, IA 50428
Managing Partner

Ernest W. Miller
1401 Sunset Drive
Greensboro, NC 27408

In filing the application I was unaware of the amount of time required to process an untested application. Because of the location of the proposed well, do not believe there will be any protest. We would like to drill the well prior to any major excavation on the building site. If the application is approved and not protested, would we be able to begin drilling prior to the completion of final processing?

Look forward to your reply.

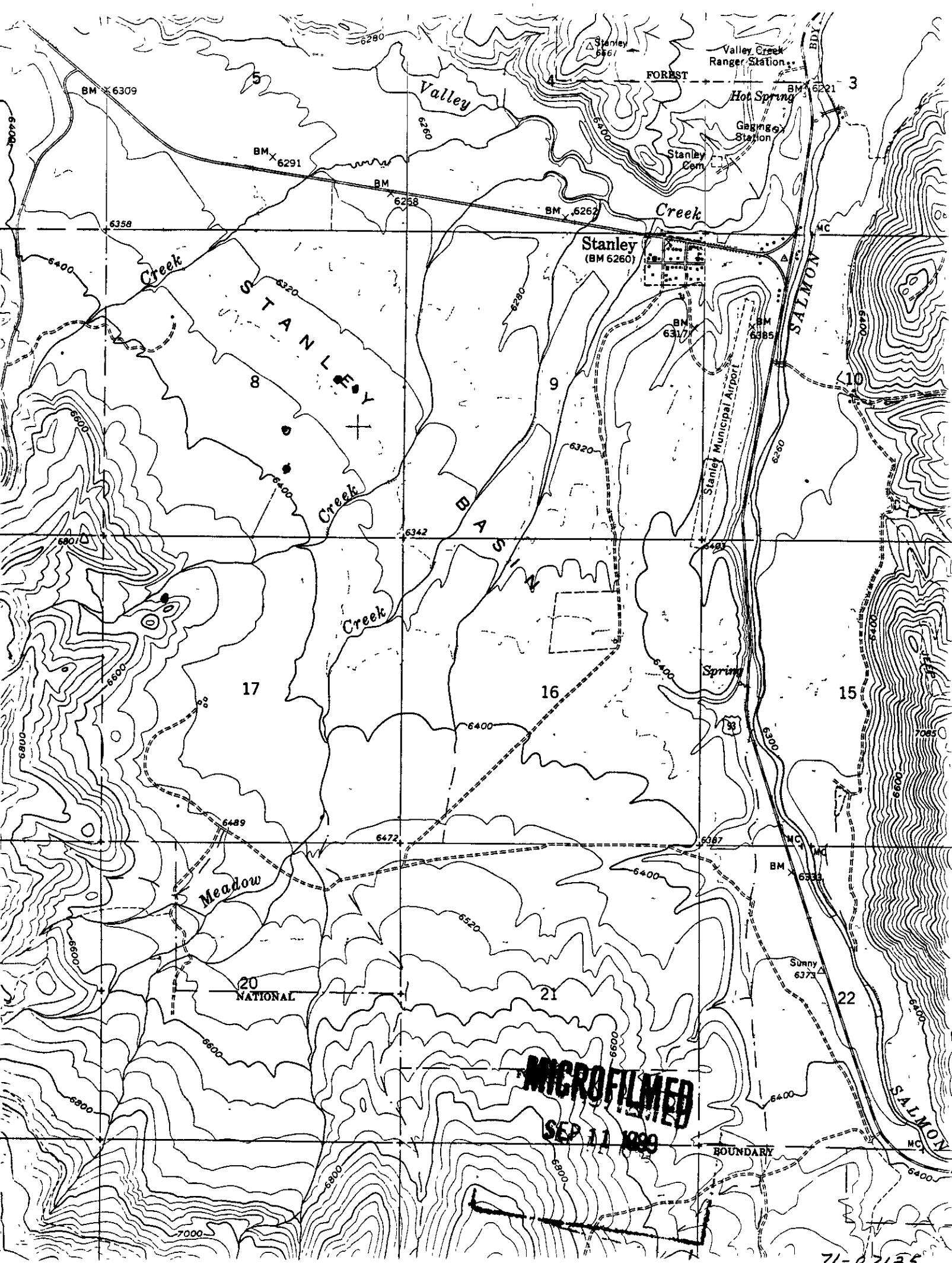
Sincerely,

MIKE BARRETT

MB:ly

MICROFILMED

SEP 11 1989



MICROFILMED

SEP 11 1989

71-07125

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated June 1 1989 and ending with the issue dated June 8 1989

Margaret Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 13th day of June in the year of 1989, before me, a Notary Public,

personally appeared Margaret Parks, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Ethel M. Peck

Notary Public for Idaho

Residing at Challis

My commission expires: 3-21-92

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SEP 11 1989

OK
MB
6/16/89



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

MARCH 3rd, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CORNERSTONE DEVELOPMENT
PO BOX 203
CLEAR LAKE IA 50428-0203

RE: WATER RIGHT NO. 71-07125

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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MAR 11 1997

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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2

MAR 11 1997

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have questions, please contact me at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SWK:vrr

c: Southern Region

Enclosures

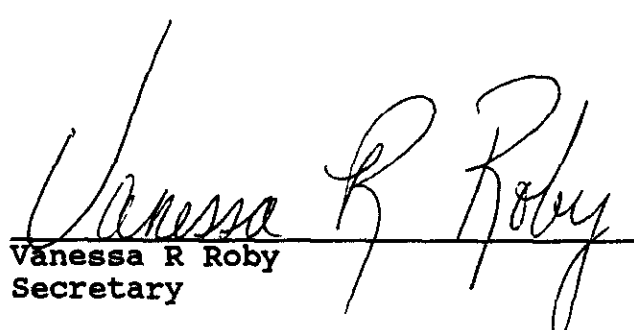
MICROFILMED
3
MAR 11 1997

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of **MARCH, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 71-07125

**CORNERSTONE DEVELOPMENT
PO BOX 203
CLEAR LAKE IA 50428-0203**



Vanessa R Roby
Secretary

FILMED
1 1997

B/U FIELD EXAM REVIEW

Cindy Zimmerman

Permit #: 71-7125 Name: Cornerstone Dev. Date: 2/5/97 ✓ Lots ✓

NAME	Chng	Same	Or Address Change? <u>New Owners no assignment</u>
SOURCE	✓	✓	Clarify source _____ Prelim. Order to Void - Source change.
P/D	✓	✓	Amendment Needed? <u>NONE</u> P39 Overlap(s) _____
P/U	✓	✓	Amendment Needed? _____ P41 Overlap(s) _____ (Gov't use special #'s) *P/D & P/U Amend? P37
RATE	✓	✓	Permit/proof fee limits <u>0.01</u> <u>0.04</u> Measured Quantity = <u>None</u> cfs Theoretical Quantity = <u>0.02</u> cfs <u>Limited to permitted 0.01 cfs.</u> (HP) $\frac{8.8 \times 0.70 \times 0.5}{24 + (2.31 \times 60)} = 0.02$ cfs
VOLUME	✓	✓	Recommended capacity <u>0.02</u> cfs Recommended rate <u>0.01</u> cfs Season: (<u>1</u>) <u>1/1-12/31</u> = <u>365</u> days ^(- minus Sundays & holidays) Calculations: <u>Comm: (3 people x 15 gpd x 302 days) / 325,850 = 0.04 ≈ 0.1 AF</u> Flow limit: <u>0.02</u> cfs x <u>365</u> days/yr. x 1.9835 = <u>14.5</u> AF Recommended volume <u>0.1</u> AF
USES	✓	✓	Same Nature of Use? _____ P46 Amendment Needed? _____
REMARKS	✓	✓	Multiple p/d's in same 1/4? Use W32 <u>① UT 1 BK 3 City of Stanley ② Comm / P.D. + lawn.</u>
CONDITIONS	✓	✓	Measuring Device (R01) or Lockable Controlling Works (R02) Watermaster Control (R04) - WD # _____ Irrigation rate/annual volume overlap GW irrigation replaces surface water (050) GW irrigation supplements surface water (065) Water Quality Other _____
PRIORITY	App Recd	Due	Rcd
	<u>4/25/89</u>	<u>9/1/90</u>	<u>7/17/90</u>
	Receipt# <u>NA</u>	Fee OK? <u>Yes</u> No	
	Order to Reinstate Needed? <u>Yes</u> No Done?	Advanced to: _____	
	Priority <u>4/25/89</u>	Examined <u>8/14/96</u>	
COMMENTS:	<u>license as permitted</u>		

USE	CFS	VOLUME
<u>Comm.</u>	<u>0.01</u>	<u>0.1</u>
<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>
<u>TOTAL</u>	<u>0.01</u>	<u>0.1</u>

SRBA Overlap None
Adjustment Memo _____
LICENSE LTR: P49
#1 AMEND LTR: /P38
#2 AMEND LTR: P42/P47

..... MEMORANDUM.....

TO: STATE OFFICE PERSONNEL

FROM: Daniel A. Nelson Summer Field Agent

SUBJECT: Assignment of Permit for permit # 71-07125

Date: November 18, 1996

I performed the field exam on permit # 71-07125 on August 14, 1996. When I tried to contact the owners of this permit I found they had gone out of business and sold the building and supposedly the water right to McComish Family Trust. I contacted Paul McComish on August 13, 1996 and informed him he would have to get this permit assigned to his name(see attached letter). Mr. McComish has been working on getting this permit assigned since that time. Allen Merrit my District Manager told me to go ahead and send the final report to your office so you could take the appropriate steps to license this permit.

Thank you for time and if there is any questions or problems contact me at the Southern Office of the Idaho Department of Water Resources.

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MAR 11 1997



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

August 13, 1996

Paul W. McComish
300 Hot Springs Road
221 Santa Barbara, California
93108

Dear Mr. McComish;

I have inclosed the assignment of permit you requested. Please note that you will need to enclose a \$25.00 filing fee and have this form notarized by a notary republic.

I spoke with my manager on the possibility of you not being able to contact Cornerstone Development or one of the officers of that company to assign this permit to you. According to my manager you will have to send us a copy of the deed and any other pertinent papers concerning the sale of your property and write us an explanation as to why you could not contact this company and what steps you took to find them. This letter should show that you took all the reasonable steps possible to contact the previous owners or one of their representatives. Once you have sent this letter there should be no problem in assigning the permit to you without consent from Cornerstone Development.

I have also included in this packet a combination of pamphlets dealing with water rights in the state of Idaho. I hope these will help you to better understand the processes involved with ownership of a water right in Idaho.

Sincerely,

Daniel A. Nelson
Summer Field Agent, Southern Region

MAR 11 1997

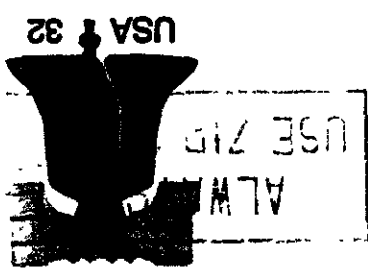
JDH 83301-6105

Department of Water Resources
Southern Region

AUG 23 1996

RECEIVED

Daniel A Nelson
Dept of Water Resources
Twin Falls, ID



Comish
rings Road 221
CA 93108-2035

PAUL W. McCOMISH
300 Hot Springs Road 221
MONTECITO, CALIFORNIA 93108

DATE 19 August

SUBJECT

RECEIVED

AUG 23 1996

Department of Water Resources
Southern Region

(805) 969-8157

Daniel A Nelson
Dept Water Resources
Twin Falls, ID

Dear Mr Nelson: I have finally located Sam Kennedy of Cornerstone Development and have sent the assignment to him for signature.

MICROFILMED
MAR 11 1997

Sincerely
DWM

SIGNED

☐ PLEASE REPLY ☐ NO REPLY NECESSARY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 71-07125

1. Owner: McComish Family Trust Phone No. (805) 969-8157

Current Address: 300 Hot Springs Road 221, Montecito, California 93108

2. Accompanied by: Michelle Wetzel EXAM DATE : 8-14-96

Address: P.O. Box 9998, Stanley, Idaho 83278 Phone No. (208) 774-2230

Relationship to Permit Holder: Post Mistress (the Stanley Post Office leases this building).

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt Lot	¼	¼	¼	Sec.	Twp.	Rge	County	Method of Determination/Remarks
P/D		N W	N E	N E	9	10N	13E	CUSTER	Visual inspection and use of city map and USGS Quadrangle map.

2. Place(s) of Use:

Indicate Method of Determination _____

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	13E	9	C																COM

PLEASE NOTE: The use for this permit is a commercial use for the Stanley Post Office.

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RECEIVED

NOV 20 1996

Department of Water Resources

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED SHEET

YES Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

YES Aerial Photo Attached (required for irrigation of 10 + acres).

YES Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
P/D	MEYERS	.5 Hp	CJ5-2 13800A953	SAME AS MOTOR	SAME AS MOTOR

* Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. Measurements: SEE ATTACHED THEORETICAL SHEET.

E. NARRATIVE/REMARKS/COMMENTS

The water for this license is drawn from a well located inside the Stanley Post Office located in the NW 1/4 - NE 1/4 - NE 1/4 of section 9, township 10N - range 13E. This water is diverted out of this well and for a single bathroom and to irrigate .02 acres of land surrounding the Post Office. There are three female employees that work in the Post Office.

Have the conditions of permit approval been met? X yes

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F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

.02 cfs (see attached theoretical sheet)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: (for irrigation of yard under commercial use)

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .02 \times 3.0 = .06 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .01 \times 153 \times 1.9835 = 3.03 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = .06 \text{ afa}$$

B

2. Volume Calculations for Other Uses:

Volume for office calculated from Table 3 of Field Examiners Handbook (copy attached).

Gallons per day per worker = 15 gpd

3 workers X 15 gpd X 352 days = 15840 gallons per year

$$15840 / 325900 = .049 \text{ afa for office use}$$

Office use -- .049
Irrigation use -- + .06
TOTAL USE -- .109 AFA

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>COMMERCIAL</u>	<u>JAN. 01</u>	<u>DEC. 31</u>	<u>.01 CFS</u>	<u>.1 AFA</u>

Totals: .01 CFS .1 AFA

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name Daniel A. Nelson Date 11-18-96

Reviewer _____ Date _____

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MAR 11 1997

SEAL

I RECOMMEND THAT THIS PERMIT BE LICENSED UNDER THE FOLLOWING CONDITIONS:

1. That this permit be licensed under the beneficial use of commercial use. The irrigation of the yard is for aesthetic purposes is not substantial enough to require a separate water right.
2. That this permit be licensed for .01 cfs which is what the applicant applied for and an annual diversion volume of .11 afa.

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MAR 11 1997

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 71-07125
DATE: 8-14-96
BY: Daniel A. Nelson

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (5.4p) \times (0.70)}{[(14) + (40 \times 2.31)]} = \frac{3.08}{152.6} = 0.02 \text{ CFS}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner ()	
area estimate ()	estimate (X)	Pump Make, Serial or ID, rating
well logs (X)	owner gage ()	
Booster (Y) (N)		

REMARKS

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	POTENTIAL =
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL =

REQUIRED Acre Feet/Acre/Annum =
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

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Mar 11 1997

Table 3

NON-IRRIGATION WATER REQUIREMENTS

Types of Establishments	<u>Gallons/day</u>
Airports (per passenger)	3-5
Apartments, multiple family (per resident)	60
Bathhouses (per bather)	10
Camps:	
Construction, semi-permanent (per worker)	50
Day with no meals served (per camper)	15
Luxury (per camper)	100-150
Resorts, day & night, limited plumbing (per camper)	50
Tourist, central bath & toilet facilities (per person)	35
Cottages with seasonal occupancy (per resident)	50
Courts, tourist with individual bath units (per person)	50
Clubs:	
Country (per resident member)	100
Country (per non-resident member)	25
Dwellings:	
Boardinghouses (per boarder)	50
Kitchen requirements (per boarder)	10
Multiple family apartments (per resident)	40
Roominghouses (per resident)	60
Single family (per resident)	50-75
Estates (per resident)	100-150
Hotels:	
With private baths (2 persons/room)	60
Without private baths (per person)	50
Hospitals (per bed)	250-400
Institutions other than hospitals (per person)	75-125
Laundries (per washing/customer)	50

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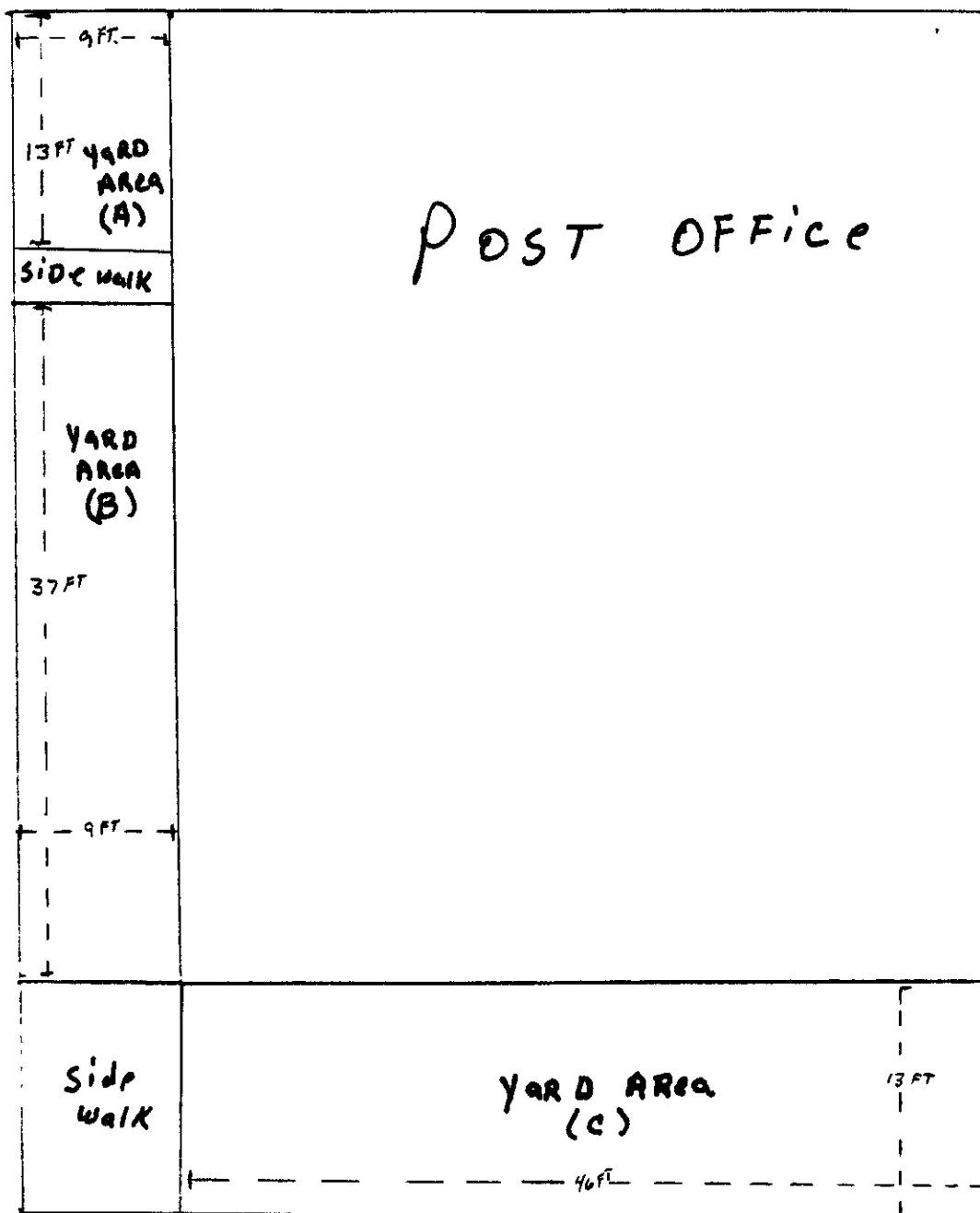
Livestock (per animal):	
Cattle (range)	12
Cattle (dairy)	35
Goat	2
Hog	4
Horse	12
Mule	12
Sheep	2
Chickens (per 100)	5-10
Turkeys (per 100)	10-18
Motels:	
With bath, toilet & kitchen facilities (per bed)	50
With bed & toilet (per bed)	40
Parks:	
Overnight with flush toilets (per camper)	25
Trailers with individual bath units (per camper)	50
Picnic:	
With bathhouses, showers & flush toilets (per picnicker)	20
With toilet facilities only (per picnicker)	10
Restaurants:	
With toilet facilities (per patron)	7-10
Without toilet facilities (per patron)	3
With bars & cocktail lounge (additional per patron)	2
Schools:	
Boarding (per pupil)	75-100
Day with cafeteria, gyms & showers (per pupil)	25
Day with cafeteria, no gyms or showers (per pupil)	20
Day without cafeteria, gym or showers (per pupil)	15
Service stations (per vehicle)	10
Stores (per toilet room)	400
Swimming pools (per swimmer)	10
Theaters:	
Drive-in (per car space)	5
Movie (per auditorium seat)	5
Workers:	
Construction (per person/shift)	50
Day (per person/shift)	15

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MAR 11 1997

● P/D
↓ APPROXIMATELY
5 feet

Parking LOT

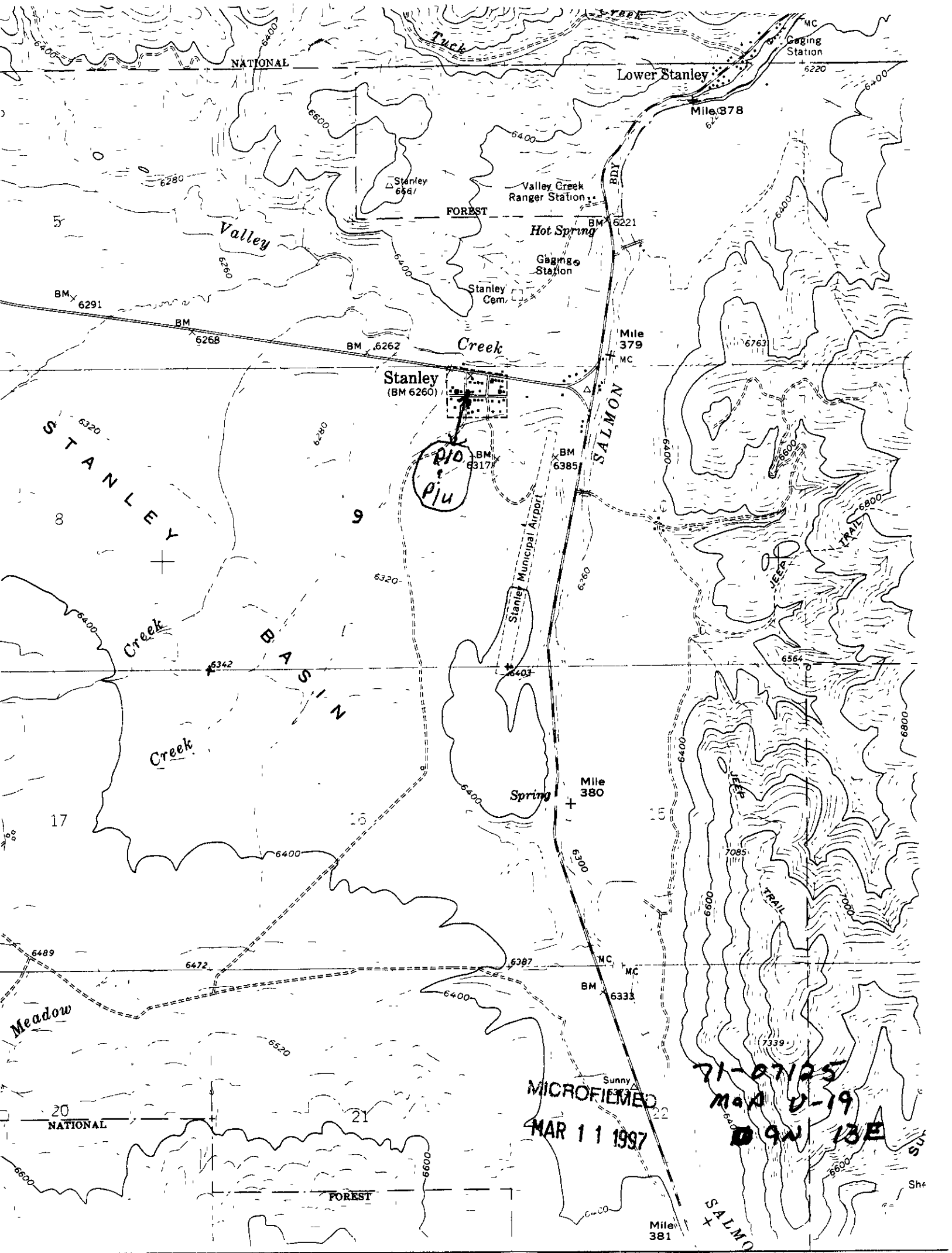


Parking LOT

Area	Width	Length	Area
A	9	13	117 sq. ft.
B	9	37	333 sq. ft.
C	13	46	598 sq. ft.
Total			1048 sq. ft.

acres
 $1048 / 43560 = .02 \text{ acres}$

5/2/97
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MAR 7 1997



CITY OF STANLEY

RESURVEY OF CORPORATE LIMITS

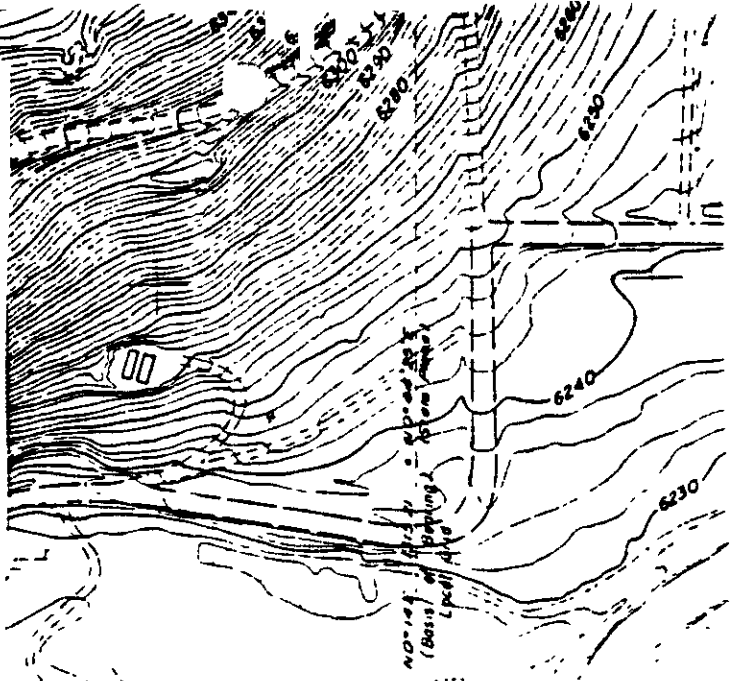
EMBRACING LOT 10 SECTION 3, SE¹SW¹ S¹SE¹ SECTION
4, NE¹, NW¹SE¹, SE¹SE¹ SECTION 9, LOTS 2, 3, 6, AND 7
SECTION 10 NE¹NE¹ SECTION 16, SECTION 15
T 10N R 13E B.M., CUSTER COUNTY IDAHO

Prepared from Official Records of the Amended
Townsite Plat Recorded Additions and Descrip-
tions - all adjusted to a common basis of bear-
ing by

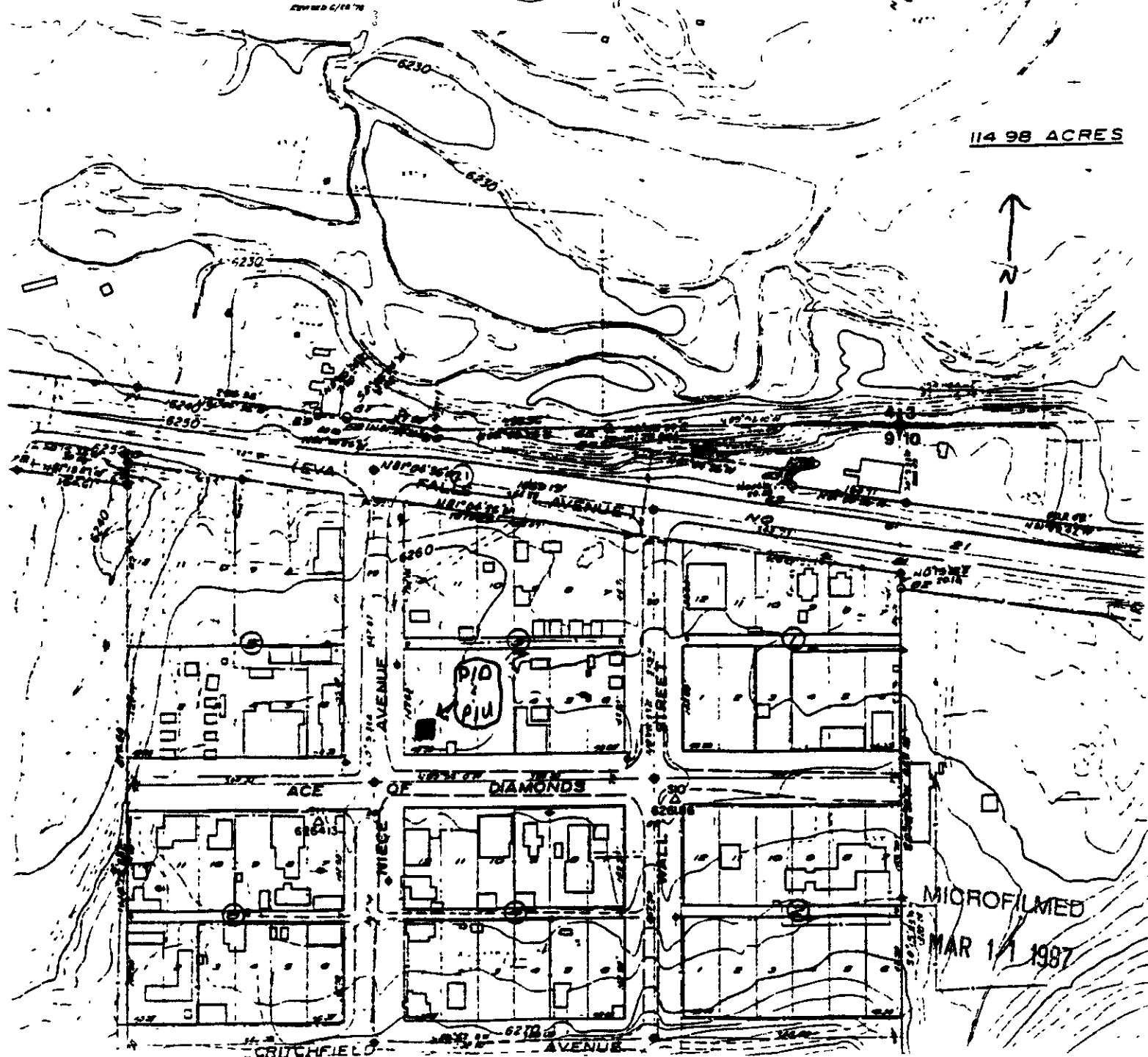


Johnston Leach
engineers surveyors
Bozeman Idaho

1/27/78
Revised 6/18/78



114.98 ACRES



MICROFILMED
MAR 11 1987



PERMIT 71-07125 INIT 08a

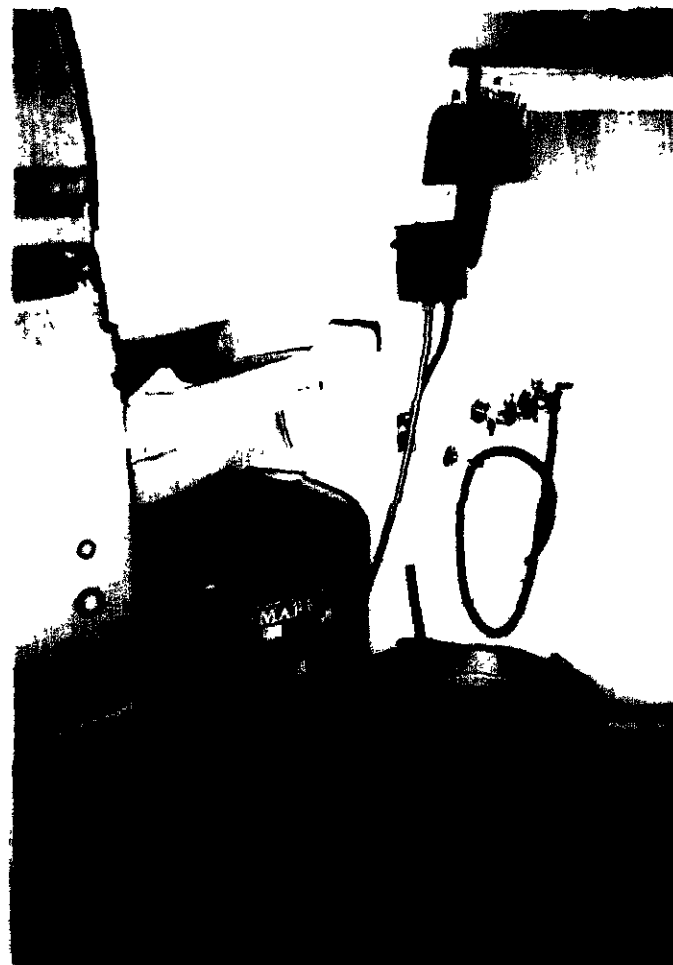
T. R. S. Q/Q

P/D 100 13E 9 NE NE

SCALE 4.2" 00R m MICROFILMED

PHOTO ID. NRCs PHOTO

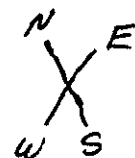
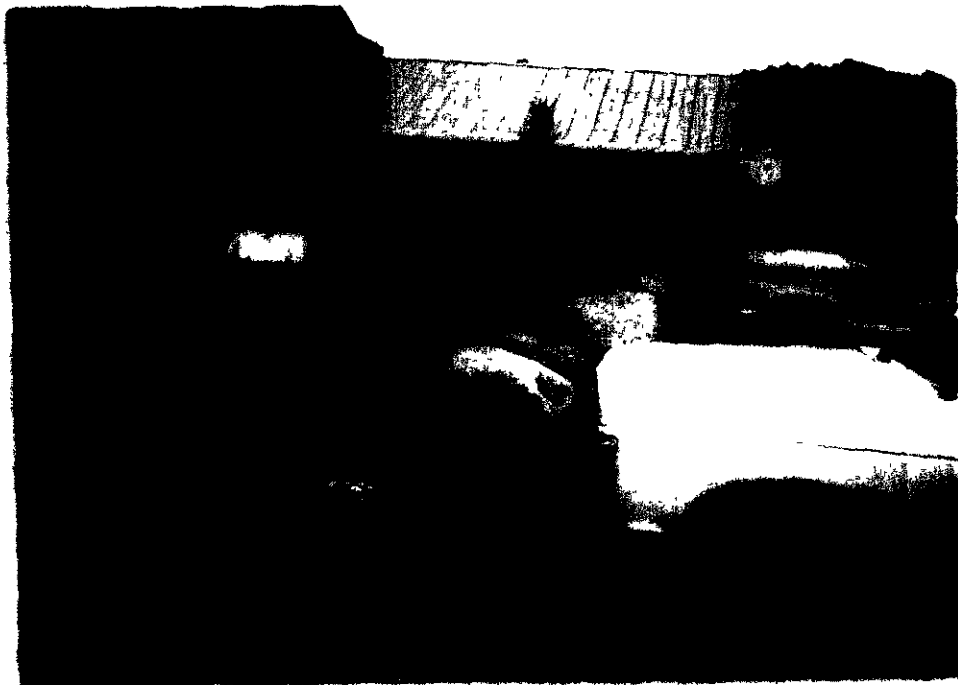
MAR 11 1997



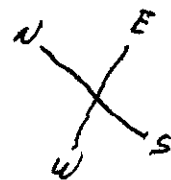
THIS IS THE CONTROL BOX FOR
THE WELL FOR THIS PERMIT
THE WELL IS LOCATED APPROXIMATELY
5 FEET FROM THE NORTH EAST CORNER
OF THE BUILDING.

MICROFILMED

MAR 11 1987



This is the FRONT OF the POST OFFICE.
and the YARD THAT is IRRIGATED.



THIS i

MICROFILMED

MAR 11 1937

October 10, 1990

CORNERSTONE DEVELOPMENT
P.O. BOX 203
CLEAR LAKE, IA 50428

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 71-07125

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.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MAILED

AUG 07 1991

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well

CORNERSTONE DEVELOPMENT
Hwy. 18 East, P.O. Box 203
Clear Lake, IA 50428

138992
June 30, 1990

PROOF DUE NOTICE

RE: PERMIT NO. 71-07125

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 September 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MAILED

AUG 07 1991

Form 235-1
4/88

Drilling Permit No. 71-89-S-001
Water Permit No. 71-07125
Injection Permit No. _____

JUL 11 1989

State of Idaho
Department of Water Resources

DRILLING PERMIT

Department of Water Resources

(Authorizing Construction of a Well)*

RECEIVED

APR 17 1989

Department of Water Resources
Southern Region Office

1. Applicant Cornerstone Development
2. Address Hwy. 18 East, P.O. Box 203
Clear Lake, IA 50428 Telephone (515) 357-7020
- (X) Well Owner () Well Operator () Other, specify _____
3. Proposed well location NE 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 9, Twp. 10, Rge. 13 East, County Custer,
Lot, block and subdivision Lots 1, 2 & 3/Block 3/City of Stanley
4. Proposed use of well: (Check all that apply)
- (X) Domestic () Stockwater () Monitoring
() Irrigation () Industrial () Municipal
() Injection () Other, Specify Post Office - U.S. Government
5. Well construction information:
- (X) New well () Deepen () Replace
- Proposed surface diameter 6" Maximum depth 250
Anticipated bottom hole temperature: _____
- (X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Anticipated construction start date Spring 1989
7. Well Driller (if known) _____
Address _____
8. Applicant's signature [Signature] **MICROFILMED**
Title _____
Date 4/11/89 **SEP 11 1989**

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.

71-89-S-001

ACTION OF IDWR

(☒) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. 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.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

SPECIFIC CONDITIONS:

Dated this 28 day of April, 1989.

Signed

Loren D. Halmer

Title

Southern Region Agr

Received by JRP

Fee

10.00

Date

4-28-89

SEP 11 1989

Receipt No.

500 6957

Construction start extension to

Extension approved by



State of Idaho

DEPARTMENT OF WATER RESOURCES

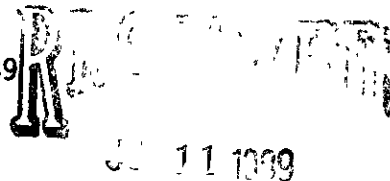
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Cornerstone Development Co.
P. O. Box 203
Clear Lake, IA. 50428

April 17, 1989



Department

Dear Sirs,

We are returning your application for a well drilling permit because the information required on the application is not complete.

Please complete the following items and return the application and fee to this office for processing.

☐ Proposed well location. Please indicate the 1/4 1/4 section (40-acre tract), Section, Township, and Range the well is to be located in.

☐ A copy of a map showing your area is attached. If you wish, simply mark the well location on the map and return it with your application. We will complete the legal description here.

☐ The proposed use of the well.

☐ Well construction information.

☐ Signature

☒ No fee was submitted with the application. A fee of 100⁰⁰ is due with this application.

*Needs water
Right Permit*

Very Truly yours,

MICROFILMED

Loren O. Holmes
Loren O. Holmes, P. E.
Southern Region Manager

SEP 11 1989

Returned 10⁰⁰ check & Bank water right permits

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
August 15, 1989

CORNERSTONE DEVELOPMENT
P.O. BOX 203
CLEAR LAKE, IA 50428

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P71-07125

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

SEP 11 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mr. Mike Barrett, Partner
Cornerstone Development
PO Box 203
Clear Lake, IA 50428

12-Jun-1989

Re: Permit application 71-07125

Dear Mr Barrett,

The Department is in receipt of the partnership information sent to us at the end of May. As of this writing there have been no protests; however, the protest period continues to June 19. If at that time there are no protests you may request an expedited approval (request must be in writing) of the drilling permit. A partially completed drilling permit application is enclosed. Because the use is commercial in nature the drilling permit fee is \$100. Please return the drilling permit after you have signed it, filled out the drilling contractor and estimated start date spaces, along with the fee. Upon receipt of the completed drilling permit the Department will process the permit application and send a copy to the drilling contractor (if you so desire) and return a copy to you. Permission to drill the well will in no way constitute approval of the water right and thus is undertaken at your own risk.

Sincerely,

Douglas Jones, EIT
Water Resources Engineer-In-Training

MICROFILMED

SEP 11 1989

(T A T E O F I D A H)
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

MAY 25, 1989

CUSTER PUBLISHING COMPANY
P.O. BOX 405
CHALLIS, ID 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 19, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECORDED

SEP 11 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

SEP 11 1989



71-07125

CORNERSTONE DEVELOPMENT
P.O. BOX 203
CLEAR LAKE, IA 50428

Source: GROUNDWATER

Diversion Pt: NENE Sec 9 T 10N R 13E

Use: COMMERCIAL (.010 CFS)

Date Filed: 4/25/1989

In: T10S R13E S09 NENE

MICROFILMED

SEP 11 1989

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JUNE 19, 1989.

R. KEITH HIGGINSON, Director

Published 6/01/1989 & 6/08/1989

MICROFILMED

SEP 11 1989

25-May-1989

Cornerstone Development
P.O. Box 203
Clear Lake, IA 50428

Re: Application for Permit No. 71-07125

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Challis Messenger on 6/1 & 6/8/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks. Please see attached list for additional information requirement.

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

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

MICROFILMED

SEP 11 1989

S. Region
5/89

Application No. 71-07125

ADDITIONAL INFORMATION REQUIREMENTS
FOR APPLICATIONS IN THE NAME OF A CORPORATION,
COMPANY, OR PARTNERSHIP

In reviewing the application for compliance with the requirements of the Department's Rules and Regulations for Water Appropriations, we have determined that the following information is required to make the Application complete for processing.

- 1) If the Application is filed in the name of a corporation, the names and addresses of its directors and officers shall be provided. If the application is filed by or in behalf of a partnership or joint venture, the application shall provide the names and addresses of all partners and shall designate the managing partner, if any. (Rule 3,3,2,1)

Because the required information does not appear in the legal notice, we are proceeding with advertising of your Application. If the required information is received within ten days of the second publication date, no additional delay should be incurred in processing.

MINISTERIAL
SEP 11 1989