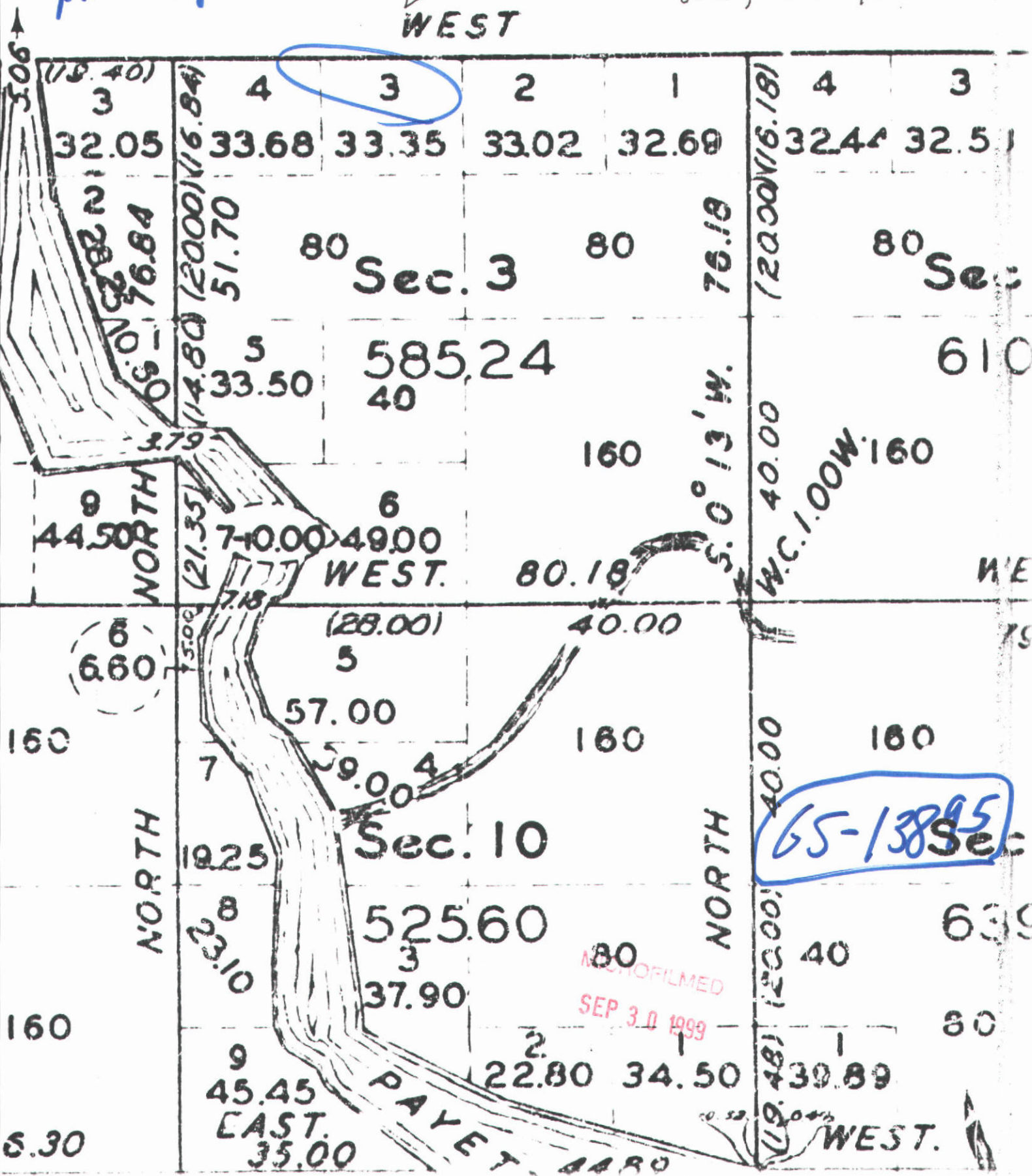


WEST

P/D & P/M in NGNW 90th Lot 3  
S. 3, T8N, R5W



# Affidavit of Publication

STATE OF IDAHO,  
COUNTY OF PAYETTE

ss.

Notice of Application for Water Right  
TITLE OF PUBLICATION

SPONSOR OF PLAINTIFF

Dept. of Water Resources  
PLAINTIFF OR LEGAL AGENT

I, Viola M Hawkins, being  
duly sworn, deposes and says:

That She is the principal clerk of

**THE INDEPENDENT-ENTERPRISE**, a weekly newspaper published at Payette, in the County of Payette and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with Sept. 1, 1999, and ending with the issue of Sept 8, 1999.

STATE OF IDAHO  
COUNTY OF

On this 9th day of Sept. in the year of 1999, before me, a Notary Public, personally appeared Viola Hawkins 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.

Marilyn J. Thinhart  
Notary Public for Idaho  
Residing at Freeland  
My commission expires: 12-1-04

STATEMENT  
**Independent-Enterprise**  
PAYETTE, IDAHO

Number of Lines ..... 32

Number of Insertions ..... (2) two

32 Lines @ 1.11 ... \$ 35.52

32 Lines @ .92 ... \$ 29.44

TOTAL COST  
WILL BE ..... \$ 64.96

Copy of Notice  
(First Copy)

## NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13895

KENMARE TRACE LTD PARTNERSHIP  
P.O. BOX 261  
BOISE, ID 83701

Source: GROUNDWATER

Diversion Pt: LOT 3 (NENW) Sec. 3 T 08N R 05W  
in PAYETTE County.

Use: IRRIGATION 0.130 CFS

Total Diversion: 0.130 CFS

Date Filed: 8/24/1999

In: PAYETTE COUNTY

TO8N R05W S03 LOT 3 (NENW)

2.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed.

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 for each application on or before SEPTEMBER 20, 1999. The protestant must also send a copy of the protest to the applicant.

No. 783

KARL J. DREHER, Director  
Sept. 1, 8

RECEIVED

SEP 14 1999

WATER RESOURCES  
WESTERN REGION

MICROFILMED

SEP 30 1999

Nº 783

RECEIVED

AUG - 7 2000

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No 65-13895 Telephone No 208-343-8645

2. Name of Permit Holder(s):  
Kenmare Trace Limited Partnership

3. Mailing Address: 1277 Shoreline Lane

City Boise State ID Zip 83702

4. Source of Water Ground Water (Well) If GROUNDWATER (well), Date Drilled: mo. 10 / yr. 99

Well Driller: Dallas Drilling Drilling Permit Number D 0000781

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

Domestic (No. of households) \_\_\_\_\_ Stockwater (No. and type of stock) \_\_\_\_\_

Irrigation (No. of acres) 2.0 Other: \_\_\_\_\_

6. Total rate of diversion and/or volume for which proof is submitted. .13 cfs OR \_\_\_\_\_ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes \_\_\_\_\_ or No X  
Has the measuring device been installed? Yes \_\_\_\_\_ or No \_\_\_\_\_

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Julie Hyatt Telephone Number: 208-343-8645

Address: 1277 Shoreline Lane, Boise, ID 83702

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder \_\_\_\_\_  
(include your title, if on behalf of company or organization)

Date 8/4/00

MICROFILMED  
SEP 13 2000

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

NO. 65-13895

Priority: August 24, 1999

Maximum Diversion Rate:

0.13 CFS

This is to certify, that **KENMARE TRACE LTD PARTNERSHIP**  
PO BOX 261  
BOISE ID 83701

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       | 0.13 CFS                 |

LOCATION OF POINT(S) OF DIVERSION: Lot 3( NENW), Sec. 3, Township 08N, Range 05W  
PAYETTE 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 08N        | 05W        | 3          | Lot 3(NENW)  | 2.0          |              | 2.0          |

Total number of acres irrigated: 2.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **October 1, 2000**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
6. Place of use is located within Lot 4, Meiser and Master 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

30<sup>th</sup> day of September, 1999.

*Karl J. Dreher*  
for Karl J. Dreher, Director

NOTED  
SEP 30 1999

Note  
D'base  
Comments  
for  
clarification

-JL 9/12/99

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

RECEIVED  
SEP 27 1999

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant Kenmare Tract Ltd. PIR Phone 343-8645  
Mailing address P.O. Box 201, Boise, ID 83701
2. Source of water supply groundwater which is a tributary of n/a
3. Location of point of diversion is Township 8N Range 5W Sec. 3, in the ~~NE~~ 1/4, NE 1/4, NW 1/4, Govt. Lot 03, B.M., Payette County;  
additional points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:
- |                                                                                                                                                      |                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| Amount <u>.13</u> <del>.06</del> for <u>Irrigation</u> purposes from <u>3/15</u> <u>April 1</u> to <u>11/15</u> <u>Nov. 1</u> (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) |
| 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) .06 .13 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source drilled well with pressure irrigation system
- b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet
- c. Proposed well diameter is 10 inches; proposed depth of well is 30 feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? NO; Drilling firm Dallas Drilling;  
Well was drilled for (well owner) \_\_\_\_\_; Drilling Permit No. Applied for
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
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. \_\_\_\_\_
- e. Other; describe fully. \_\_\_\_\_

\* Amount of water increased per office visit by Julie Hyatt -  
see conv. memo of 8/24/99. -sc  
QE per photo.  
Maggie  
signer of Application  
former

5. 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 | RGE | SEC | N E |    |    |    | N W |    |    |    | S W |    |    |    | S E |    |    |    | TOTALS |
|-----|-----|-----|-----|----|----|----|-----|----|----|----|-----|----|----|----|-----|----|----|----|--------|
|     |     |     | NE  | NW | SW | SE | NE  | NW | SW | SE | NE  | NW | SW | SE | NE  | NW | SW | SE |        |
| 8N  | 5W  | 3   |     |    |    |    | 2   | 2  |    |    |     |    |    |    |     |    |    |    | 2      |
|     |     | 8   |     |    |    |    | L3  | 13 |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |

Total number of acres to be irrigated 2

10. Describe any other water rights used for the same purposes as described above. Lower Payette Ditch Company. 1 Share.

11. a. Who owns the property at the point of diversion? Kenmare Trace Ltd. PTK.

b. Who owns the land to be irrigated or place of use? Kenmare Trace Ltd. PTK.

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: we need 60 gal. min for approx 6 hrs day.

*COMMENTS*  
We need to drill well as soon as possible.  
Apts currently under construction completion date approx 30 days. We just became aware that canal water is unusable + unavailable.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred)

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

*SEE OVERSIZED MAP*  
REMARKS per file info: From SW corner North 90ft E 25ft.  
Applicant agrees to mitigate consumptive use in the future as needed.

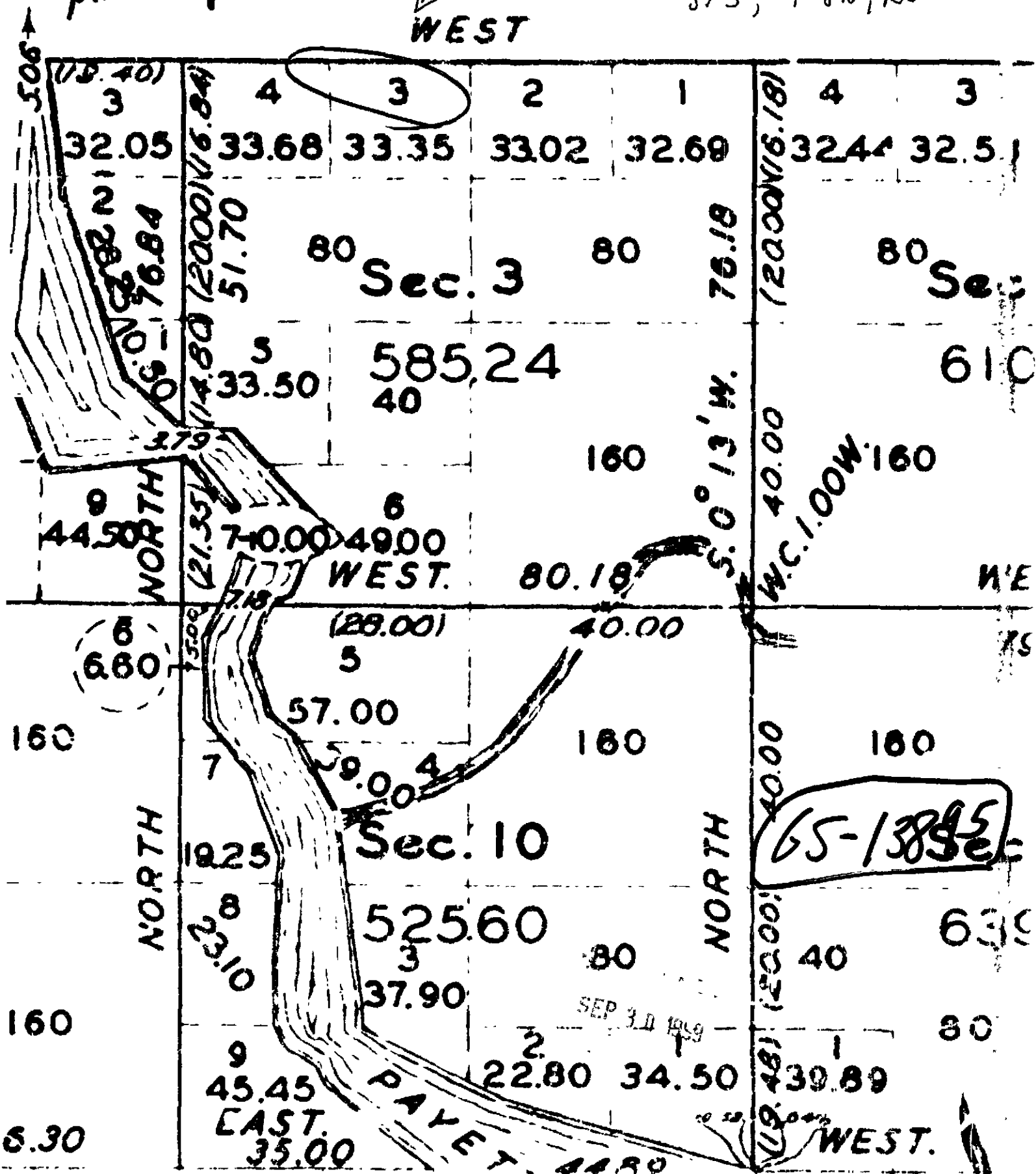
[Signature]  
 Signature of Applicant (and title, if applicable)  
Mayor, Hornesha Hope LLC, #15 G.P.

Received by Rdh Date 8/2/99 Time 13:30 Preliminary check by SR  
 Fee \$ 50.00 Received by Rdh # W025534 Date 8/2/99  
 Publication prepared by att Date 9-1-99 Published in Ind. Ent.  
 Publication approved \_\_\_\_\_ Date \_\_\_\_\_

\* QQ per plat maps. Remarks per response form. 8/24/99  
 SEP 30 1999

P/O & P/M in NGNW front Lot 3  
S. 3, T8N, R5W

**WEST**



Comments: Date: 8/24/1999 User-ID: SLESTER

Subject: Additional Information

APPLICANT'S: Use is for yard irrigation at apartment complex. Excessive rate is requested. Canal shares are unreliable and unusable. Property aka Lot 4, Meiser and Master Subdivision. IDWR'S: Priority advanced to today's date re increased rate of flow from .06 cfs to .13 cfs. Appears acceptable to not use surface water (Lower Payette Irrigation Co. Ltd. or Lower Payette Ditch Co.) if unreliable delivery of shares occurs, but shares should not be removed from P/U.

SEP 4 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

September 6, 2000

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

KENMARE TRACE LIMITED PARTNERSHIP  
1277 SHORELINE LANE  
BOISE ID 83702

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13895

Dear Permit Holder:

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

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

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

Sincerely,

Deborah J. Gibson  
Administrative Assistant  
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED  
SEP 13 2000

ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE

Permit No. 65-13895 Reviewed by D Gibson Date 9/6/00

GENERAL CONSIDERATIONS

Yes Name same as permit?

No Address same as permit?

Yes Proof timely received?

If not, complete calculation below.

TYPES OF USE

Irrigation

Correct Uses? Yes

SOURCE OF WATER

No Surface water source

Yes Ground water source

Yes Drilling permit required?

Yes Copy in the file? Drilling Permit No. D 0000781

\$200 Amount paid for permit ? Correct?

       Well log in the file?

LICENSE EXAMINATION FEE

Yes Required?

\$50 Amount Submitted

Yes Correct?

MEASURING DEVICE

No Required?

       Installed?

       Waiver requested?

PRIORITY CALCULATION

|                     |                |               |
|---------------------|----------------|---------------|
| Date proof received | <u>8/8/00</u>  | <u>      </u> |
| Date proof due      | <u>10/1/00</u> | <u>      </u> |
| No. of days late    | <u>      </u>  | <u>      </u> |
| Priority Date       | <u>      </u>  | <u>      </u> |
| New Priority Date   | <u>      </u>  | <u>      </u> |

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address 1277 Shoreline Lane Proof Made 8/8/00  
Boise, Id. 83702

**RECEIPT**  
For Monies Paid  
to the  
Idaho Department of Water Resources

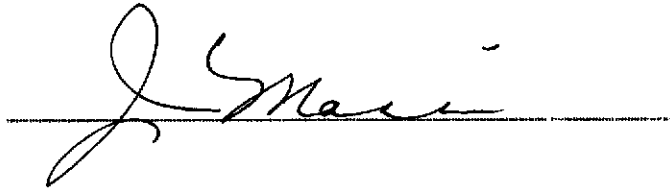
Receipt No: 00500167

Date: 8/ 8/2000  
Time: 11:23:48

Received From: PENMARE TRACE APARTMENTS

| Type of Payment                   | Program A cct     | Amount |
|-----------------------------------|-------------------|--------|
| PROOF OF BENEFICIAL USE # 65-3895 | 56104 229 21 1155 | 50.00  |
| CHECK 1170                        |                   |        |
|                                   | Total             | 50.00  |

Region: STATE

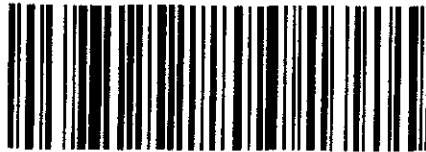
Signature: 

MICROFILMED  
SEP 13 2000

327-7900

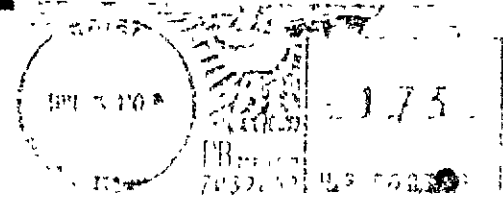
**CERTIFIED MAIL**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
1301 North Orchard Street, P.O. Box 83720  
Boise, Idaho 83720-0098



7099 3220 0006 2688 1768

Return Service Requested



KENMARE TRACE LTD PARTNERSHIP  
~~PO BOX 202~~ 1277 Shoreline Lane  
BOISE ID ~~83701~~ 83702

83701-0261

NAME

1st Notice AUG - 1 2000

**P/B NOTE  
New ADDRESS**

MICROFILMED

SEP 13 2000

**RECEIVED**

**AUG - 7 2000**

Department of Water Resources

July 31, 2000

KENMARE TRACE LTD PARTNERSHIP  
PO BOX 261  
BOISE ID 83701

PROOF DUE NOTICE

RE: PERMIT NO. 65-13895

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 October 1, 2000.

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

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

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

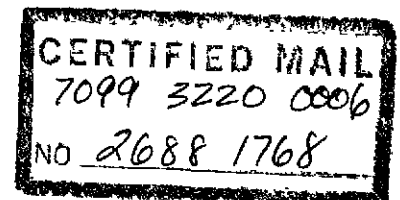
SINCERELY,

DEBORAH DREW-ELLIS  
Administrative Assistant

Enclosures

MICROFILMED

SEP 13 2000



# IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

Office Use Only  
Inspected by \_\_\_\_\_  
Twp \_\_\_\_\_ Rge \_\_\_\_\_ Sec \_\_\_\_\_  
1/4 1/4 1/4  
Lat \_\_\_\_\_ Long: \_\_\_\_\_

1. WELL TAG NO. D 0000781  
DRILLING PERMIT NO 65-99-C-0321 000  
Other IDWR No. 65-13895

2. OWNER:  
Name Kenmare Trace Apts.  
Address P.O. Box 261  
City Boise State ID Zip 83701

## 3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N  
W E S  
Twp 8 North ☒ or South ☐  
Rge 5 East ☐ or West ☒  
Sec 3 1/4 NE 1/4 NW 1/4  
Gov't Lot \_\_\_\_\_ County Payette 10 acres 40 acres 160 acres  
Lat \_\_\_\_\_ Long. \_\_\_\_\_

Address of Well Site 634 South 12th St.  
City Payette  
(Give at least name of road + distance to Road or Landmark)

Lt. 4 Bk. \_\_\_\_\_ Sub Name MEISER and master

## 4. USE:

- ☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation  
☐ Thermal ☐ Injection ☐ Other \_\_\_\_\_

## 5. TYPE OF WORK check all that apply (Replacement etc.)

- ☒ New Well ☐ Modify ☐ Abandonment ☐ Other \_\_\_\_\_

## 6. DRILL METHOD

- ☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other \_\_\_\_\_

## 7. SEALING PROCEDURES

| SEAL/FILTER PACK |      |    | AMOUNT          | METHOD   |
|------------------|------|----|-----------------|----------|
| Material         | From | To | Sacks or Pounds |          |
| Bentonite        | 0    | 8  | 700             | Overbore |
| Bentonite        | 28   | 38 | 400             | Overbore |

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) \_\_\_\_\_  
Was drive shoe seal tested? ☐ Y ☐ N How? \_\_\_\_\_

## 8. CASING/LINER:

| Diameter | From | To | Gauge | Material  | Casing                              | Liner                    | Welded                              | Threaded                 |
|----------|------|----|-------|-----------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| 8        | 0    | 12 | 250   | Steel     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7        | 12   | 22 |       | Stainless | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8        | 22   | 32 | 250   | Steel     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Length of Headpipe \_\_\_\_\_ Length of Tailpipe \_\_\_\_\_

## 9. PERFORATIONS/SCREENS

Perforations

Method

Screens

Screen Type 304 Wound Stainless

| From | To | Slot Size | Number | Diameter | Material  | Casing                              | Liner                    |
|------|----|-----------|--------|----------|-----------|-------------------------------------|--------------------------|
| 12   | 22 | 080       |        | 7        | Stainless | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## 10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

6 ft below ground Artesian pressure \_\_\_\_\_ lb.  
Depth flow encountered \_\_\_\_\_ ft. Describe access port or control devices \_\_\_\_\_

## 11. WELL TESTS:

| Yield gal/min | Drawdown | Pumping Level | Time |
|---------------|----------|---------------|------|
| 60 AM         |          | 32            | 4 hr |
| 60 PM         | 2'       |               | 4 hr |

Water Temp. 61° Bottom hole temp \_\_\_\_\_  
Water Quality test or comments \_\_\_\_\_

## 12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

| Bore Dia | From | To | Remarks Lithology, Water Quality & Temperature | Y | N                                   |
|----------|------|----|------------------------------------------------|---|-------------------------------------|
| 12       | 0    | 6  | Brown Clay                                     |   |                                     |
| 12       | 6    | 16 | Sand & Gravel                                  |   | <input checked="" type="checkbox"/> |
| 12       | 16   | 38 | Blue Clay                                      |   |                                     |

RECEIVED

NOV 17 1999

Department of Water Resources

RECEIVED

NOV 09 1999

WATER RESOURCES  
WESTERN REGION

Completed Depth 32 (Measurable)  
Date Started 10-6-99 Completed 10-6-99

## 13. DRILLER'S CERTIFICATION

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

Company Name DALLAS DRILLING & PUMP CO., LLC Firm No. 445  
926 HOT SPRINGS ROAD  
WEISER, ID 83472

Firm Official [Signature] Date 11-8-99  
and \_\_\_\_\_  
Driller or Operator \_\_\_\_\_ Date \_\_\_\_\_

(Sign once if Firm Official & Operator)

Ident. No. 65-99-C-0321-000  
Well Tag No. D0000781  
Water Right No. 65-13895

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR DRILLING PERMIT**

1. Name: KENMARE TRACE APARTMENTS O 208-343-8645  
Address: PO BOX 261  
BOISE ID 83701

2. Proposed Well Location: Township 08N, Range 05W, Sec. 3, NENW  
PAYETTE County

Street Address of Well Site: 634 SOUTH 12TH STREET  
PAYETTE ID

Lot, Block, and Subdivision: Lt 4  
Blk

MEISER AND MASTER

3. Proposed Use of Well: Non-Domestic Irrigation

4. Well Construction Information:

A. NEW WELL

B. Proposed Surface Diameter 10 In. Proposed Maximum Depth 30 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: 10/ 4/1999

6. Anticipated Well Driller: DALLAS DRILLING & PUMP CO INC (No. 0445)

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

7. Applicant's Signature [Signature] Date 10-1-99

Title Director of Development  
(Owner, Firm Representative, Other)

\*\*\*\*\*  
Fee \$ 200<sup>00</sup> Received by lt No. C046736 Date 10-1-99

MICROFILMED

SEP 13 2000

(Continued)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is APPROVED

Date: 10/ 1/1999

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. Public Water Supply wells must not be drilled closer than 100' from any drainfield or 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 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is 1-800-342-1585.
9. The well tag for the drilling permit/start card shall be securely and permanently attached to the well casing through welding or by the use of four closed end domed stainless steel pop rivets. The tag attachment will be done at the time of completion of the well, and prior to removing the drill rig from the drill site.
10. DIVERSION OF WATER FROM THIS WELL SHALL NOT EXCEED THE AMOUNT SPECIFIED IN WATER RIGHT NO. 65-13895.

  
Signature of Authorized Dept. Representative

  
Title

\*\*\*\*\*  
EXTENSION OF DRILLING PERMIT

Extension Approved by: \_\_\_\_\_ Approval Date: \_\_\_\_\_  
MICROFILMED Expires On: \_\_\_\_\_

SEP 13 2000



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

KARL J. DREHER  
DIRECTOR

September 30, 1999

KENMARE TRACE LTD PARTNERSHIP  
PO BOX 261  
BOISE ID 83701

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13895

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to 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 or visit the department's homepage on the Internet to obtain the proper reporting form.

MICROFILMED  
SEP 1

If you have any questions, please call me at 208-327-7946.

Sincerely,



for Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosures

1999

REC 10 12 1999

SEP 20 1999

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of **September, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

**Water Right No. 65-13895**

**KENMARE TRACE LTD PARTNERSHIP  
PO BOX 261  
BOISE ID 83701**

  
Kari Lynn Townsend  
Secretary

SEP 30 1999

ALL  
MAILED  
SEP 30 1999

## Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 a 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, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a 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.

### ORAL ARGUMENT

If the Department grants a petition to review a 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.

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SEP 30 1986

### CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a 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.

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.

WR0749NP  
No. P65-13895

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 09/29/99  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                  | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | KENMARE TRACE LTD PARTNERSHIP<br>PO BOX 261<br>BOISE ID 83701<br>(208) 343-8645 | 08/24/1999       | IRRIGATION | 03/15 11/15           | 0.130 CFS         |                     |
| TOTAL DIVERSION: |                                                                                 |                  |            |                       | 0.130 CFS         |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T08N R05W S03 Lot 03( NENW)

PAYETTE County

Place of use Legal Description for: IRRIGATION

| NE          |     |   |   | NW   |      |      |      | SW |       |      |      | SE   |    |      |      |      |      |    |      |      |      |      |     |     |     |  |
|-------------|-----|---|---|------|------|------|------|----|-------|------|------|------|----|------|------|------|------|----|------|------|------|------|-----|-----|-----|--|
| T           | R   | S |   | NENE | NWNE | SWNE | SENE | :  | NENW  | NWNW | SWNW | SENW | :  | NESW | NWSW | SWSW | SESW | :  | NESE | NWSE | SWSE | SESE | :   | SUM |     |  |
|             |     |   |   | Lt   | Ac   | Lt   | Ac   | Lt | Ac    | Lt   | Ac   | Lt   | Ac | :    | Lt   | Ac   | Lt   | Ac | Lt   | Ac   | Lt   | Ac   | Lt  | Ac  | :   |  |
| 08N         | 05W | 3 | : |      |      |      |      | :  | 03-02 |      |      |      | :  |      |      |      |      | :  |      |      |      |      |     | :   | 2.0 |  |
| TOTAL ACRES |     |   |   |      |      |      |      |    |       |      |      |      |    |      |      |      |      |    |      |      |      |      | 2.0 |     |     |  |

Pou County: PAYETTE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-02894 65-03875 65-03878 65-04344 65-06730 65-06733 65-13895

Other Water Rights Listing Overlapping Place(s) of use:

65-00165X 65-02894 65-11413 65-13895

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R61 - This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- 121 - The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

Remarks: GEN Place of use is located within Lot 4, Meiser and Master Subdivision.

Dates: App. Received: 08/02/1999 Priority Date: 08/24/1999  
Proof Due Date: 10/01/2000 Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: Field Exam Fee:

WR0749NP  
No. P65-13895

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 09/29/99  
PAGE: 2

Comments: Date: 08/24/1999 User-ID: SLESTER Subject: Additional Information

APPLICANT'S: Use is for yard irrigation at apartment complex.

Excessive rate is requested. Canal shares are unreliable and unusable. Property aka Lot 4, Meiser and Master Subdivision.

IDWR'S: Priority advanced to today's date re increased rate of flow from .06 cfs to .13 cfs. Appears acceptable to not use surface water (Lower Payette Irrigation Co. Ltd. or Lower Payette Ditch Co.) if unreliable delivery of shares occurs, but shares should not be removed from P/U.

Date: 09/29/1999 User-ID: SCURTIS Subject: PARTNER INFO.

Homestead Hope LLC is the general partner for Kenmare Trace Ltd.

Partnership with Julie Hyatt as the manager.

Raymond James Inc. is the limited partner.

Audit: 09/29/99 SCURTIS

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '\*' ARE ADJUDICATION CLAIMS)  
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

| WR-NUMBER  | SOURCE        | NE          |          |          |          |          |          |          |          | NW      |         |       |    |    |    |    |    | SW |    |       |       |    |    |    |    | SE |       |    |    |    |    |       |    | SUM |    |    |   |     |    |   |    |   |
|------------|---------------|-------------|----------|----------|----------|----------|----------|----------|----------|---------|---------|-------|----|----|----|----|----|----|----|-------|-------|----|----|----|----|----|-------|----|----|----|----|-------|----|-----|----|----|---|-----|----|---|----|---|
|            |               | NE          |          |          |          | NW       |          |          |          | SE      |         |       |    | NE |    |    |    | NW |    |       |       | SE |    |    |    | NE |       |    |    | NW |    |       |    |     | SE |    |   |     |    |   |    |   |
|            |               | Lt          | Ac       | Lt       | Ac       | Lt       | Ac       | Lt       | Ac       | Lt      | Ac      | Lt    | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt    | Ac    | Lt | Ac | Lt | Ac | Lt | Ac    | Lt | Ac | Lt | Ac |       |    |     |    |    |   |     |    |   |    |   |
| P6513895   | T08N R05W S 3 | GROUNDWATER |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    |       |    |    |    |    |       |    |     |    |    |   |     |    |   |    | 2 |
|            | :             |             |          |          |          |          |          |          |          | : 03-02 |         |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    |       |    |    |    |    |       |    |     |    |    |   |     |    |   |    |   |
| A6500165A  | PAYETTE RI    | :           | 01-15    | 02-25    | 38       |          |          |          | 11       | :       | 03-28   | 04-16 | 29 |    |    |    | 33 | :  | 18 | 05-13 | 06-48 |    |    |    |    | :  | 33    | 36 | 39 | 37 | :  | 419   |    |     |    |    |   |     |    |   |    |   |
| A6500165B  | PAYETTE RI    | :           | 01-15    | 02-25    | 38       |          |          |          | 11       | :       | 03-28   | 04-16 | 29 |    |    |    | 33 | :  | 18 | 05-13 | 06-48 |    |    |    |    | :  | 33    | 36 | 39 | 37 | :  | 419   |    |     |    |    |   |     |    |   |    |   |
| A6500165C  | PAYETTE RI    | :           | 01-15    | 02-25    | 38       |          |          |          | 11       | :       | 03-28   | 04-16 | 29 |    |    |    | 33 | :  | 18 | 05-13 | 06-48 |    |    |    |    | :  | 33    | 36 | 39 | 37 | :  | 419   |    |     |    |    |   |     |    |   |    |   |
| 6500165X   | PAYETTE RI    | :           | 01-15    | 02-25    | 38       |          |          |          | 11       | :       | 03-28   | 04-16 | 29 |    |    |    | 33 | :  | 18 | 05-13 | 06-48 |    |    |    |    | :  | 33    | 36 | 39 | 37 | :  | 419   |    |     |    |    |   |     |    |   |    |   |
| A6500165X  | PAYETTE RI    | :           | 01-15    | 02-25    | 38       |          |          |          | 11       | :       | 03-28   | 04-16 | 29 |    |    |    | 33 | :  | 18 | 05-13 | 06-48 |    |    |    |    | :  | 33    | 36 | 39 | 37 | :  | 419   |    |     |    |    |   |     |    |   |    |   |
| 6502894    | GROUNDWATE    | :           |          |          |          |          |          |          |          |         | : 03-15 |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    |       |    |    |    |    |       |    |     | :  | 15 |   |     |    |   |    |   |
| A6502894   | GROUNDWATE    | :           |          |          |          |          |          |          |          |         | : 03-15 |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    |       |    |    |    |    |       |    |     | :  | 15 |   |     |    |   |    |   |
| A6502927H  | PAYETTE RI    | :           | 01-15    | 02-25    | 38       |          |          |          | 11       | :       | 03-28   | 04-16 | 29 |    |    |    | 33 | :  | 18 | 05-13 | 06-48 |    |    |    |    | :  | 33    | 36 | 39 | 37 | :  | 419   |    |     |    |    |   |     |    |   |    |   |
| 6503952    | FORTY NINE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    | : 04  |    |    |    |    |       |    |     | :  | 4  |   |     |    |   |    |   |
| A6503952   | FORTY NINE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    | : 04  |    |    |    |    |       |    |     | :  | 4  |   |     |    |   |    |   |
| 6504475    | FORTY NINE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    | 01 |       |       |    |    |    |    |    | :     |    |    |    |    |       |    |     |    | :  | 1 |     |    |   |    |   |
| A6504475   | FORTY NINE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    | 01 |       |       |    |    |    |    |    | :     |    |    |    |    |       |    |     |    | :  | 1 |     |    |   |    |   |
| 6506070    | WASTE WATE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    | 05-13 |    |    |    |    | 06-17 | :  |     |    |    |   | :   | 30 |   |    |   |
| A6506070   | WASTE WATE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    | 05-13 |    |    |    |    | 06-17 | :  |     |    |    |   | :   | 30 |   |    |   |
| 6506073    | FORTY NINE    | :           |          |          |          |          |          |          |          |         | 03      |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    |       |    |    |    |    |       |    |     | :  | 3  |   |     |    |   |    |   |
| 6506217    | FORTY NINE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    | 02    |    |    |    |    |       |    |     |    | :  | 2 |     |    |   |    |   |
| 6506218    | GROUNDWATE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    | 01    |    |    |    |    |       |    |     |    | :  | 1 |     |    |   |    |   |
| A6506218   | GROUNDWATE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    | 01    |    |    |    |    |       |    |     |    | :  | 1 |     |    |   |    |   |
| 6506334    | FORTY NINE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    | 01 |       |       |    |    |    |    |    |       |    |    |    |    | :     | 1  |     |    |    |   |     |    |   |    |   |
| 6506484    | GROUNDWATE    | :           |          |          |          |          |          |          |          |         | 10      |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    |       |    |    |    |    |       |    |     | :  | 10 |   |     |    |   |    |   |
| A6506484   | GROUNDWATE    | :           |          |          |          |          |          |          |          |         | 10      |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    |       |    |    |    |    |       |    |     | :  | 10 |   |     |    |   |    |   |
| A6507882   | GRAVEYARD     | :           | 01-15    | 02-25    | 38       |          |          |          | 11       | :       | 03-28   | 04-16 | 29 |    |    |    | 33 | :  | 18 | 05-13 | 06-48 |    |    |    |    | :  | 33    | 36 | 39 | 37 | :  | 419   |    |     |    |    |   |     |    |   |    |   |
| 6509154    | FORTY NINE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    | 03    |    |    |    |    |       |    |     |    | :  | 3 |     |    |   |    |   |
| 6509320    | GROUNDWATE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    | 02 |       |       |    |    |    |    |    |       |    |    |    |    |       |    |     | :  | 2  |   |     |    |   |    |   |
| 6511413    | GRAVEYARD     | :           | 01-15    | 02-25    | 38       |          |          |          | 11       | :       | 03-28   | 04-16 | 29 |    |    |    | 33 | :  | 18 | 05-13 | 06-48 |    |    |    |    | :  | 33    | 36 | 39 | 37 | :  | 419   |    |     |    |    |   |     |    |   |    |   |
| A6511413   | GRAVEYARD     | :           | 01-15    | 02-25    | 38       |          |          |          | 11       | :       | 03-28   | 04-16 | 29 |    |    |    | 33 | :  | 18 | 05-13 | 06-48 |    |    |    |    | :  | 33    | 36 | 39 | 37 | :  | 419   |    |     |    |    |   |     |    |   |    |   |
| 6512129    | FORTY NINE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    | 01 |       |       |    |    |    |    |    |       |    |    |    |    | :     | 1  |     |    |    |   |     |    |   |    |   |
| 6513009    | FORTY NINE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    |       |    |    |    |    |       |    |     |    |    |   |     | 10 | : | 10 |   |
| 6513234    | GROUNDWATE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    | 06-01 |    |    |    |    |       |    |     | :  | 1  |   |     |    |   |    |   |
| 6513246    | FORTY NINE    | :           |          |          |          |          |          |          |          |         | 0       |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    |       |    |    |    |    |       |    |     |    |    |   |     | :  | 3 |    |   |
| 6513789    | FORTY NINE    | :           |          |          |          |          |          |          |          |         |         |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    |       |    |    |    |    |       |    |     |    |    |   |     | 03 | : | 2  |   |
| 6513895    | GROUNDWATE    | :           |          |          |          |          |          |          |          |         | : 03-02 |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    |       |    |    |    |    |       |    |     | :  | 2  |   |     |    |   |    |   |
| --86 MAP-- | C75Q-V 53     | :           | 30       |          |          |          |          |          |          |         | 27      | :     | 37 |    |    |    |    |    |    |       | 36    | :  | 29 |    |    |    |       |    |    |    |    | :     | 36 | 40  | 37 | 37 | : | 309 |    |   |    |   |
| NO QTRS    | MAPPING       |             | Lot01-19 | Lot02-21 | Lot03-23 | Lot04-20 | Lot05-33 | Lot06-23 | Lot07-09 |         |         |       |    |    |    |    |    |    |    |       |       |    |    |    |    |    |       |    |    |    |    |       |    |     |    |    |   |     |    |   |    |   |

APPLICATION FOR PERMIT  
STATE OFFICE ANALYSIS

No.: 65-13873 Name: KILP Date: 9/28/99 Ad OK?        / Gvmt Lts:        by SCurtis

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

PROTESTED: - 020 (Protest Agreement) or \*W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - (P18)

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 048-P23
- In Basin 34? - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067
- ≤ 0.24 cfs/5 acres - No MD

WMD

- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified) - Not supplied until - See State's Cond. memo dated 8/24/99
- ≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated)

- FISH & GAME CONTACTED - YES / NO, WHEN:        RESPONSE        SW 124
- IN/ABOVE MSF (✓ MAP) - \*WB9 reliable
- IN-STREAM DEVELOPMENT - P52 (stream channel alteration)
- WD (✓ MAP & LISTING) - R04 (WD #       ) gw will replace
- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (\*Surface water)

- Snake R (01) - \*W22 -P04, NA
- (02/03-Irr) - 007 (w/ remark \*WB9 if above Weiser), NA
- Payette R (65) - \*W22 (regulated uses), 047-P04 (Payette Lake), NA
- Salmon R (70'S) - 029 (fish screens), NA
- Weiser R (67) - 086, 087 add note to spec for R61

USE:

- STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req) -081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons use); 17G (FERC) or 17M (FERC), 18B-P09, >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp to SW? - 102

DOMESTIC

- Surface water - \*WB5 (Big Wood R or Boise R ↑ Star Bridge), 27A (Payette River), NA
- >1 in rest area - 071-070

FIRE PROTECTION

- 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 120
- 42-248 AREA - (P18) in 20/30/40/50/60/70/80 (87) basin
- SWAN FALLS FLAG (✓ Code) -

- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA
- 004 (PD/PU)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

in the area lot 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100  
15/11/2000  
Antenna shop data

IDAHO DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: FL DATE: 8/24/99 APPLICATION: 65-13895

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.) *See 8/24 cover memo*  
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) - *excessive rate requested*  
Period of use: *No add'l. fee needed*  
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: (show T, R, S, QQ &/or QQQ) - *See oversized plot map*  
Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)  
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)  
Correct fee paid

Gov't. Lots:  
Y P/D  
Y P/U

ADDITIONAL INFORMATION

*yes* ~~ADVERTISE~~ REMARK(S)  
(Reviewer identify which remarks)

*N/A* T FLAG CHANGED TO P FLAG

YES NO

☒ Overlapping place of use: (Describe source & relationship to present application on next page.)  
☒ Overlapping point of diversion.  
☐ Critical groundwater area:  
☐ Groundwater management area:  
☐ 1992 moratorium:  
☐ Surface water source, IDFG letter needed.  
☐ Bull trout impact area, IDFG letter needed  
☐ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).  
☐ E-mail to Dam Safety staff: (for any storage)  
☒ Mitigation plan: Check any that apply.  
☐ immediate = acceptable plan required and submitted.  
☒ future = open areas, acceptance of condition of approval is in file.  
☐ Send power requirement letter &/or fish farm requirement letter.  
☐ Power residency affidavit:  
☐ 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

*Justifying excessive rate for 2 acres: max normally .06, requests .13 (c60 gpm).*

Date Requested 8/24/99 (p6) Date Response Received tel. call 8/25/99  
*Office visit*

*REQUESTED EXPEDITED PROCESSING*

## PROCESSING

APP. NO.

65-13895

YES NO

☒ ☐  
☒ ☐  
☒ ☐

In form for advertising:

Statewide advertising: (&gt; 10 cfs &amp;/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒  
☐ ☒  
☐ ☒  
☐ ☒

I.D. Health &amp; Welfare

I.D. District Health

I.D. Fish &amp; Game

I.D. Lands

YES NO

☐ ☒  
☐ ☒  
☐ ☒  
☐ ☒

U.S. BLM

U.S. Forest Service

Water Dist. #

Other

external use only for health agencies N/A

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:

Final date for protest 9-20-99

Protests received:

Recommendations attached:

Measuring device required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

D.P. Requirements, allow 1 year, excessive rate ok if justified otherwise  
 limit the protests, require surface water to be used when feasible, do not  
 allow surface water to be sold, leased or otherwise removed from P/L, "future mitigation"  
 needed.

See below for additional information

Recommended Date or Priority Advance to 8/24/99 per date of increased rate of flow.

Recommended by: Approve - SL Date: 9/17/99

 OK PG 8/26/99  
 TEL. CALL -  
 JSC conv.  
 memo
ADDITIONAL INFORMATION:

CONTACT = Julie Hyatt.

 REQUESTED EXPEDITED PROCESSING to "GREEN UP" grounds by October  
 when tenants can move into apartments.

Overlap - No other g.w. these areas.

 - Various surface water rights for same P/L areas  
 as already noted in application.

 See d'base Comments & unreliable  
 surface water

# Affidavit of Publication

STATE OF IDAHO,  
COUNTY OF PAYETTE

SS

Notice of Application for Water Right  
TITLE OF PUBLICATION

SPONSOR OF PLAINTIFF

Dept. of Water Resources  
PLAINTIFF OR LEGAL AGENT

I, Viola M Hawkins, being  
duly sworn, deposes and says:

That She is the principal clerk of

**THE INDEPENDENT-ENTERPRISE**, a weekly newspaper published at Payette, in the County of Payette and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with Sept. 1, 1999, and ending with the issue of Sept 8, 1999.

STATE OF IDAHO  
COUNTY OF

On this 9th day of Sept. in the year of 1999, before me, a Notary Public, personally appeared Viola Hawkins 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.

Marilyn J. Hinchart  
Notary Public for Idaho  
Residing at Freeland  
My commission expires: 12-1-04

STATE OF IDAHO  
INDEPENDENT-Enterprise  
PAYETTE, IDAHO

Number of Lines ..... 32

Number of Insertions ..... (2) two

32 Lines @ 1.11 ... \$ 35.52

32 Lines @ .92 ... \$ 29.44

TOTAL COST  
WILL BE ..... \$ 64.96

Copy of Notice  
(First Copy)

Kenmare Trace Ltd Partnership have been filed to appropriate the public waters of the State of Idaho, No:

65-13895

KENMARE TRACE LTD PARTNERSHIP  
P.O. BOX 261  
BOISE, ID 83701

Source: GROUNDWATER  
Diversion Pt: LOT 3 (NENW) Sec. 3 T8N R 05W  
in PAYETTE County.  
Use: IRRIGATION

Total Diversion: 0.130 CFS  
Date Filed: 8/24/1999  
In: PAYETTE COUNTY

T08N R05W S03 LOT 3 (NENW)  
2.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed.

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 for each application on or before SEPTEMBER 20, 1999. The protestant must also send a copy of the protest to the applicant.

No. 783

KARL J. DREHER, Director  
Sept. 1, 8

RECEIVED

SEP 14 1999

WATER RESOURCES  
WESTERN REGION

Nº 783

CONVERSATION MEMORANDUM

DATE 8/26/99  
FILE GS-13895

NAME OF PARTY Julie Hyatt

EMPLOYEE FZ

RE: Rate of Flow

Contractor told her that need to water heavily  
at night since anticipate lots children @ site  
when apartments are occupied.

Similar to park or school scenario so  
seems ok per this request

MICROFILMED

SEP 30 1999



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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

FAX (208) 334-2348

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

**AUGUST 25, 1999**

Legal Notices Department  
Independent Enterprise  
P.O. Box 520  
Payette, ID 83661

Dear Legal Dept.:

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 SEPTEMBER 20, 1999.

Yours truly,

SUE TAYLOR  
Secretary/Office Coordinator

Encl.

RECEIVED  
SEP 10 1999

SD-0605-2 Township: 08N Range: 05W Section: 3 Tract: NENW Lot: 94

| S | L     | R | STATE | O         | S              | Max # | Records  | 94         |             |           |
|---|-------|---|-------|-----------|----------------|-------|----------|------------|-------------|-----------|
| E | O     | D | Water | Name      | W              | T     | Priority | Total      |             |           |
| L | Tract | T | V     | Right No. | Last, First    | N     | G        | Date       | Source      | Diversion |
| - | NENW  |   |       | 65-03875  | TERRELL, JR.,  | C     | D        | 01/10/1939 | GROUNDWATER | 0.04      |
| - | NENW  |   |       | 65-03878  | BOLING, EDITH  | C     | D        | 03/02/1946 | GROUNDWATER | 0.04      |
| - | NENW  |   |       | 65-04344  | MANIS, RUTH    | C     | D        | 04/01/1895 | GROUNDWATER | 0.04      |
| - | NENW  |   |       | 65-06730  | KELPIN, PAUL W | C     | D        | 04/01/1931 | GROUNDWATER | 0.04      |
| - | NENW  |   |       | 65-06733  | LEDINGTON, ROB | C     | D        | 08/01/1952 | GROUNDWATER | 0.04      |
| - | NENW  | 3 |       | 65-13895  | KENMARE TRACE  | C     | A        | 08/24/1999 | GROUNDWATER | 0.13      |
| - | NENW  | 3 |       | 65-02894  | SCHOOL DISTRIC | C     | D        | 04/14/1967 | GROUNDWATER | 0.58      |

(Enter=Continue)

(GOLD 7=This Query)

(Menu \_\_\_\_)

*P/O  
overlap  
8/24/99*

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '\*\*' ARE ADJUDICATION CLAIMS)  
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

| WR-NUMBER | SOURCE                                                                                  | NE |    |    |    | NW |    |       |    | SW |    |    |    | SE |    |    |    | SUM |   |
|-----------|-----------------------------------------------------------------------------------------|----|----|----|----|----|----|-------|----|----|----|----|----|----|----|----|----|-----|---|
|           |                                                                                         | NE |    | NW |    | SW |    | SE    |    | NE |    | NW |    | SW |    | SE |    |     |   |
|           |                                                                                         | Lt | Ac | Lt | Ac | Lt | Ac | Lt    | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac |     |   |
| 6513895   | T08N R05W S 3 GROUNDWATER                                                               |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
|           | :                                                                                       |    |    |    |    |    |    | 03-02 |    |    |    |    |    |    |    |    |    |     | 2 |
| A6500165A | PAYETTE R1 : 01-15 02-25 38 11 : 03-28 04-16 29 33 : 18 05-13 06-48 : 33 36 39 37 : 419 |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| A6500165B | PAYETTE R1 : 01-15 02-25 38 11 : 03-28 04-16 29 33 : 18 05-13 06-48 : 33 36 39 37 : 419 |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| A6500165C | PAYETTE R1 : 01-15 02-25 38 11 : 03-28 04-16 29 33 : 18 05-13 06-48 : 33 36 39 37 : 419 |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6500165X  | PAYETTE R1 : 01-15 02-25 38 11 : 03-28 04-16 29 33 : 18 05-13 06-48 : 33 36 39 37 : 419 |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| A6500165X | PAYETTE R1 : 01-15 02-25 38 11 : 03-28 04-16 29 33 : 18 05-13 06-48 : 33 36 39 37 : 419 |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6502894   | GROUNDWATE : } school district's acres : 03-15 : : : 15                                 |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| A6502894  | GROUNDWATE : } : 03-15 : : : 15                                                         |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| A6502927H | PAYETTE R1 : 01-15 02-25 38 11 : 03-28 04-16 29 33 : 18 05-13 06-48 : 33 36 39 37 : 419 |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6503952   | FORTY NINE : : : : 04 : 4                                                               |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| A6503952  | FORTY NINE : : : : 04 : 4                                                               |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6504475   | FORTY NINE : : : 01 : : 1                                                               |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| A6504475  | FORTY NINE : : : 01 : : 1                                                               |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6506070   | WASTE WATE : : : 05-13 06-17 : : 30                                                     |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| A6506070  | WASTE WATE : : : 05-13 06-17 : : 30                                                     |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6506073   | FORTY NINE : : : 03 : : 3                                                               |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6506217   | FORTY NINE : : : : 02 : 2                                                               |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6506218   | GROUNDWATE : : : : 01 : 1                                                               |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| A6506218  | GROUNDWATE : : : : 01 : 1                                                               |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6506334   | FORTY NINE : : : 01 : : 1                                                               |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6506484   | GROUNDWATE : : : 10 : : 10                                                              |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| A6506484  | GROUNDWATE : : : 10 : : 10                                                              |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| A6507882  | GRAVEYARD : 01-15 02-25 38 11 : 03-28 04-16 29 33 : 18 05-13 06-48 : 33 36 39 37 : 419  |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6509154   | FORTY NINE : : : : 03 : 3                                                               |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6509320   | GROUNDWATE : : : : 02 : 2                                                               |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6511413   | GRAVEYARD : 01-15 02-25 38 11 : 03-28 04-16 29 33 : 18 05-13 06-48 : 33 36 39 37 : 419  |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| A6511413  | GRAVEYARD : 01-15 02-25 38 11 : 03-28 04-16 29 33 : 18 05-13 06-48 : 33 36 39 37 : 419  |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6512129   | FORTY NINE : : : 01 : : 1                                                               |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6513009   | FORTY NINE : : : : : 10 : 10                                                            |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6513234   | GROUNDWATE : : : : 06-01 : 1                                                            |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6513246   | FORTY NINE : : : 0 : : : 1                                                              |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |
| 6513789   | FORTY NINE : : : : : 03 : 3                                                             |    |    |    |    |    |    |       |    |    |    |    |    |    |    |    |    |     |   |

Surface water delivered to site but problems w/ it  
ground " for separate accn w/ to 65-13895's well  
or Plu.

Plu  
overlap

# CONVERSATION MEMORANDUM

DATE 8/24/99  
FILE 65-13895

NAME OF PARTY Julie Hyatt 343-8645  
EMPLOYEE R

← Contact if questions

RE: Request to Process

- ① Applicant = Kennamara Traces Ltd. Pte.  
where - Homestead Hope LLC = General Partner  
+ Julie Hyatt = Mgr. of Homestead Hope.  
- Raymond James Inv. of Florida = limited partner

- ② Need to process asap.  
inv. is for loans & apart. bldgs., hope to move tenants in by October + need landscaping to enhance viability of rentals.

- ③ Canal water - see Appl. Remarks - can't rely on it for dependable supply so will ± replace surface water with ground water.

- ④ Requests 60 gpm ≈ .13 cfs - will provide more on this asap - has to discuss with contractor + landscaper.

SEE follow-up comm. memo 8/26/99  
If no justification by ~~time~~ <sup>microfirmed</sup> time ready to forward to S.O., reduce to ~~discrepancy~~ <sup>SEP 30 1999</sup> cfs per original. ~~if~~

# REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE  
THREE ALTERNATIVES BELOW

Name of Applicant

Kenmare Tract Ltd. PTR.

Mailing Address

P.O. Box 211  
Boise, ID 83701

Application No.  
(if known)

65-13895

☐ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

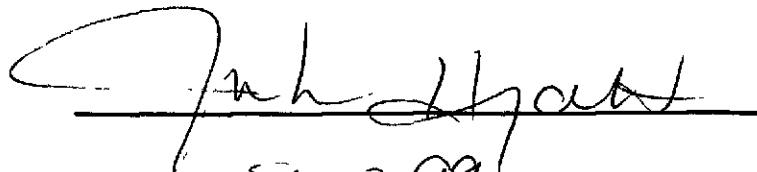
☐ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature



Date

8-2-99

Please return this form to:

Idaho Dept. of Water Resources  
Western Regional Office  
2735 Airport Way  
Boise, ID 83705-5082

MC 8071 MED

SEP 8 11 1999

8/2/99

NOTICE OF APPLICATION FOR WATER RIGHT

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

MC 37-18-2-

SEP 30 1939

65-13895

KENMARE TRACE LTD PARTNERSHIP  
PO BOX 261  
BOISE, ID 83701

Source: GROUNDWATER

Diversion Pt: LOT 3 (NENW) Sec 3 T 08N R 05W in PAYETTE County.

|                  |   |            |
|------------------|---|------------|
| Use: IRRIGATION  | ( | 0.130 CFS) |
| Total Diversion: | ( | 0.130 CFS) |

Date Filed: 8/24/1999

In: PAYETTE County  
T08N R05W S03 Lot 3 (NENW)

2.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed.

65-13895-1  
SEP 30 1999

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 for each application on or before SEPTEMBER 20, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 9/ 1/1999 & 9/ 8/1999

REC'D

SEP 30 1999