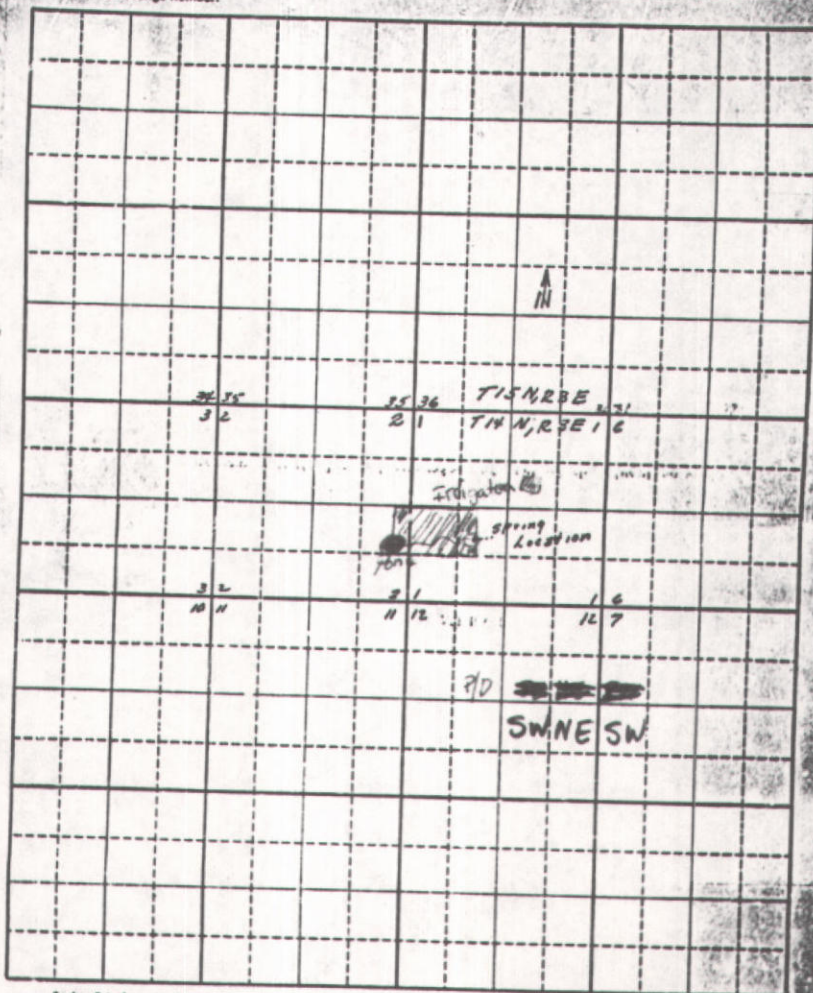


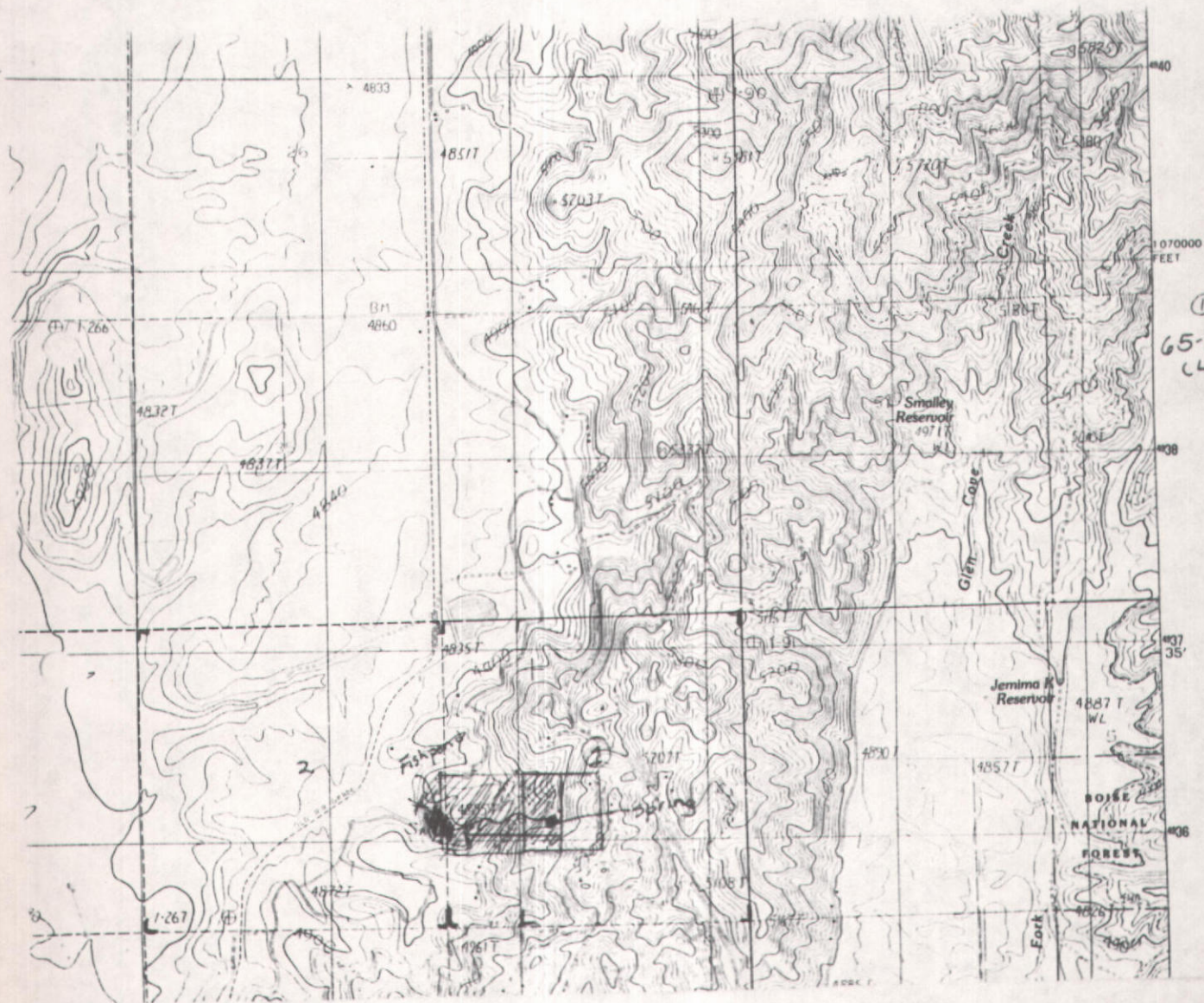
1. Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Robert D. [Signature]
 Attorney-in-Fact
 Western Range

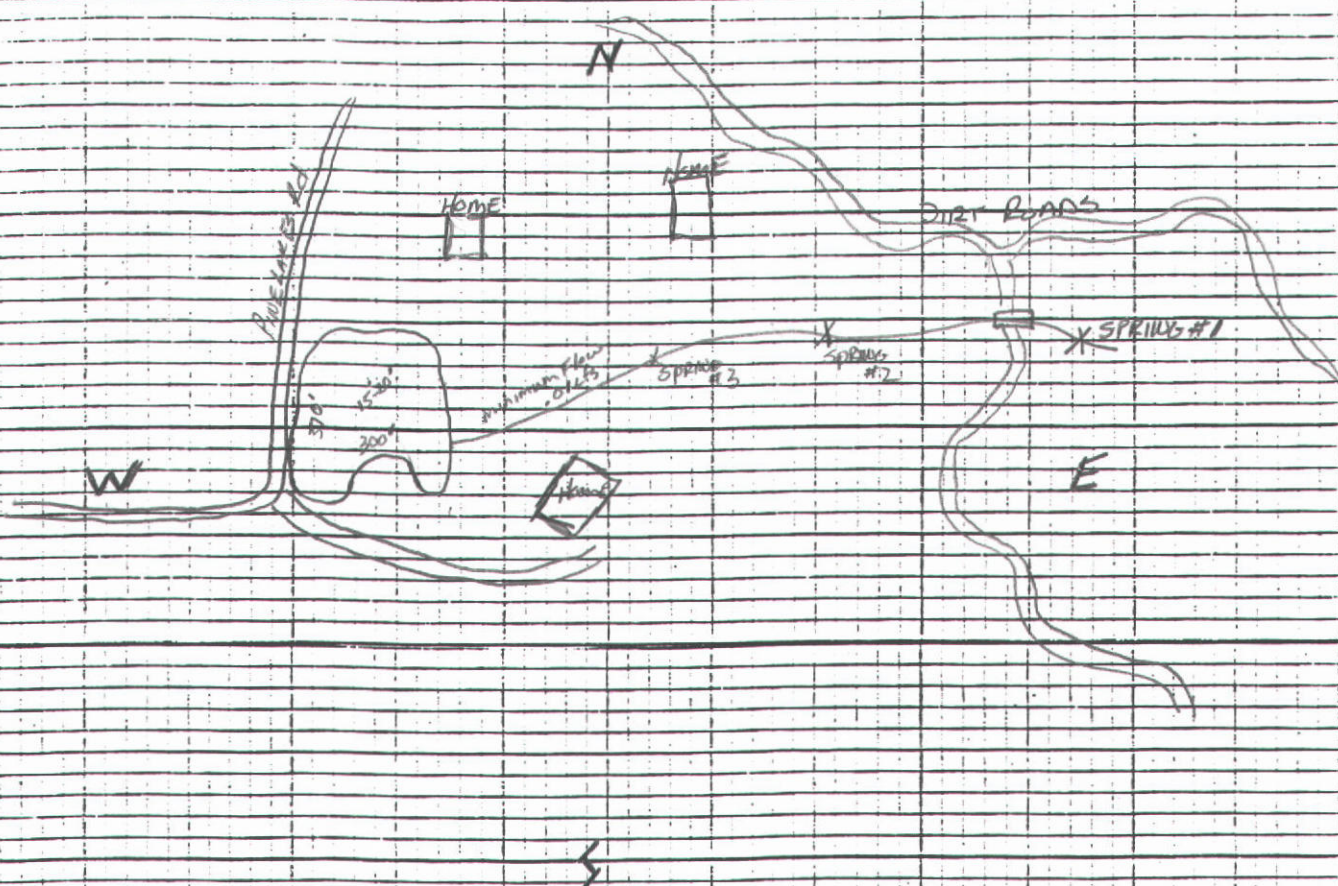


①
65-7582
(L)

15N

14N

SYSTEM DESCRIPTION
ATTACHMENT TO FIELD EXAM FORM



MILROCK MED
DEC 02 1943

4832T

4837T

65-7524

65-7546

Jemimo
Reserv

65-7312

P/4 →

↑
↑
3PMWS
P/D

PERMIT 65-13095 INIT dy
T. R. S. Q/Q
P/D 14w 3w 1 10sw
SCALE _____
PHOTO ID. _____

MICROFILMED
DEC 02 1993

Crown Point
5500

4773T

VIEW OF THE POND LOOKING SOUTHEAST.
THE POINT OF ENTRY IS MARKED ON THE
PICTURE. THE DAM BANK IS ON THE RIGHT
SIDE OF THE PICTURE



PHOTO ONE-



VIEW OF THE INITIAL SPRING SOURCE.
SPRINGS LAY UNDERNEATH THIS BRUSH,
COLLECT INTO A SMALL CREEK. FLOW
DOWN THE HILL.

MICROFILMED
DEC 02 1993

PHOTO TWO-



THE SPRING FED CREEK LINDERS
THE ROAD : IS FED BY OTHER VERY
SMALL SPRINGS.

PHOTO ONE-



THE CREEK IS THEN RUN DOWNHILL
WHERE IT ENTERS THE POND. NOTICE THE
SIZE OF THE CREEK COMPARED TO THE
SIZE OF POND TO CREEK. OWNERS BELIEVE THAT
THE POND MUST HAVE NATURAL SPRINGS
UNDERNEATH ITS WATERS.

MICROFILMED

DEC 02 1993

PHOTO TWO-

Affidavit of publication

STATE OF IDAHO

COUNTY OF VALLEY

I, Fred K. O'Brien, being duly sworn deposes and says, I am the Publisher of *The Advocate*, a weekly newspaper published at Cascade, in Valley County, Idaho; and having a general circulation therein and of legal status in said county.

The Notice of Amended Application 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 every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began:

August 14, 1989

and ended August 23, 1989

Fred K. O'Brien
Subscribed and sworn before me, this the

24 day of August, 1989

On this 24 day of August, 1989

I, a Notary Public in and for the State of Idaho, state that said person, Fred O'Brien, did in fact present me with this document; and I did witness his signature on the document.

Raymond J. Jarvis
Raymond Jarvis, Notary Public residing at Cascade, Idaho

PUBLIC NOTICES

NOTICE OF AMENDED APPLICATION

Notice is hereby given that on June 21, 1988, a Water Right Application No. 65-13043 in the name of Pine Run Ranch Owners Assn. Inc. was listed with the wrong tributary and source:

Source: Spring and Tributary: Cascade Reservoir and should have read: Source: Spring and Tributary: Snake.

Also, Water used was advertised as:

IRRIGATION	(400 CFS)
RECREATION STORAGE	(12.00 AF)
DIVERSION TO STORAGE	(009 CFS)

and should have read:

IRRIGATION	(400 CFS)
RECREATION STORAGE	(12.00 AF)

The permit(s) will be subject to all water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Pkwy. Boise, ID 83705 on or before September 5, 1989.

R. Keith Higginson, Dir.
Published Aug. 16 & 23, 1989

Affidavit of publication

STATE OF IDAHO

COUNTY OF VALLEY

I, Fred K. O'Brien, being duly sworn deposes and says, I am the Publisher of *The Advocate*, a weekly newspaper published at Cascade, in Valley County, Idaho; and having a general circulation therein and of legal status in said county.

The Copy of Water Right, a copy of which is attached hereto; was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began:

6-21, 1989
and ended 6-25, 1989

Subscribed and sworn before me, this the

29th day of June, 1989

On this 29th day of June, 1989
I, a Notary Public in and for the State of Idaho, state that said person, Fred O'Brien, did in fact present me with this document and I did witness his signature on the document.

Kayula J. Jarvis
Kayula Jarvis, Notary Public residing at Cascade, Idaho

PUBLIC NOTICES

17th day of April, 1989, in the official records of Valley County, Idaho Record's Instrument No. 166340. The Grantees named herein are listed to comply with Section 45-1506 (4) (a) of the Idaho Code. No representation is made whether or not they are currently responsible for the obligation listed herein.

Foreclosure is being effected because of default in the payment of the obligation due and owing from the Grantor to Beneficiary and evidenced by a Promissory Note, which said obligation is secured by the said Deed of Trust; said default consisting of: payments in the amount of \$215.00 due since May 14, 1989 and each and every month thereafter.

By reason of said default, the Beneficiary has exercised its option in the Deed of Trust to declare the entire indebtedness and accrued interest, late charges, attorney's fees, trustee's fees and other costs or expenses associated with this foreclosure to be due and payable.

The principal balance owing as of this date is \$20,000.00 plus interest at the rate of 10% per annum, and any other costs or expenses associated with this foreclosure as provided by the Deed of Trust, the Promissory Note or Idaho Law.

DATED: This 10th day of June, 1989.

TRUSTEE:
MOUNTAIN TITLE & ESCROW COMPANY, INC.

By: Colleen L. Cole, Corporate Secretary
Published 6/21, 6/28, 7/5 & 7/12, 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-13053
YOUNG, RONALD E.
P.O. BOX 410
CASCADE, ID 83611

Source: GROUNDWATER
Diversion Pt: SESE Sec 28 T
15N R 05E
Use: COMMERCIAL (3,000 CFS)
Date Filed: 5/19/1989
In: T15N R05E S28 SESE

PUBLIC NOTICES

65-13045
THE PINE LAKES RANCH HOME OWNERS ASSOCIATION, INC.
10792 W. OVERLAND
BOISE, ID 83709

Source: SPRING
Tributary: CASCADE RESERVOIR
Diversion Pt: SWNESW Sec 1 T 14N R 03E
Use: IRRIGATION (.400 CFS)
RECREATION STORAGE
(12.00 AF)
DIVERSION TO STORAGE (.009 CFS)
Date Filed: 5/18/1989
In: T14N R03E S01 NESW NWSW S02 NESE

70.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before JULY 10, 1989.

KEITH HIGGINSON, Director
Published 6/21/1989 & 6/28/1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13045

Priority: September 17, 1992

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

14.5 AF

This is to certify, that PINE LAKES RANCH HOMEOWNERS ASSN

C/O CHET HALL

PO BOX 714

CASCADE ID 83611

has complied with the terms and conditions

of the permit, issued pursuant to Application for Permit dated May 18, 1989; and has submitted Proof of Beneficial Use on September 17, 1992. An examination indicates that the works have a diversion capacity of .020 cfs of water from:

SPRINGS

tributary to CASCADE RESERVOIR

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>
RECREATION	01/01 to 12/31	0.02 CFS	14.5 AF
RECREATION STORAGE	01/01 to 12/31		12.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.02 CFS	
	Totals	0.02 CFS	14.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNESW , Sec. 1, Township 14N, Range 03E
SENESEW , Sec. 1, Township 14N, Range 03E
SENWSW , Sec. 1, Township 14N, Range 03E
VALLEY County

PLACE OF USE: RECREATION

TWN RGE SEC

14N 03E	1	NWSW
	2	NESE

CONDITIONS/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. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

MICROFILMED

DEC 02 1993

State of Idaho
Department of Water Resources

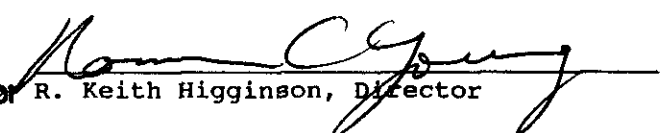
WATER RIGHT LICENSE

WATER RIGHT NO. 65-13045

CONDITIONS/REMARKS:

6. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

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 1st day of November, 1993.

Acting for  R. Keith Higginson, Director

NOV 12 1993

State of Idaho
Department of Water Resources

RECEIVED

OCT 06 1993

Department of Water Resources

APPROVED

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13045

Date of Priority: September 17, 1992

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

14.5 AF

Comes now

PINE LAKES RANCH HOMEOWNERS ASSN

C/O CHET HALL

PO BOX 714

CASCADE ID 83611

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 65-13045, and requests that the permit be changed as follows:

Source: SPRINGS

tributary to CASCADE RESERVOIR

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION	01/01 to 12/31	0.02 CFS	14.5 AF
RECREATION STORAGE	01/01 to 12/31		12.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.02 CFS	
	Totals	0.02 CFS	14.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNESW, Sec. 1, Township 14N, Range 03E
SENESW, Sec. 1, Township 14N, Range 03E
SENEWS, Sec. 1, Township 14N, Range 03E
VALLEY County

PLACE OF USE: RECREATION

TWN RGE SEC

14N 03E	1	NWSW
	2	NESE

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Cascade, Idaho, this 30th day of September, 1993.

Chester D. Hall
(Signature)

RECORDED

DEC 02 1993

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13045

FOR DEPARTMENT USE ONLY

Preliminary check by B Fee - 20⁰⁰ Received by W # C028730 Date 10-6-93 ✓

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 65-13045 with the following;

CONDITIONS/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. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

Witness my hand this 1st day of November, 1993.

R. Keith Higginson
Acting for R. Keith Higginson, Director

RECORDED

DEC 02 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-13045	)	
	)	
IN THE NAME OF PINE LAKES RANCH	)	ORDER OF
HOMEOWNERS ASSOCIATION	)	REINSTATEMENT
	)	

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On November 1, 1989, the Director of the Department of Water Resources issued Permit No. 65-13045 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before December 1, 1990.

2. On September 30, 1990, the Department sent a proof due notice to the permit holder.

3. On December 5, 1990, the Department sent a lapse notice to the permit holder.

4. On September 17, 1992, the permit holder submitted Proof of Beneficial Use to the Department.

5. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes a lease for 1989 for the grazing of cattle on lands surrounding the pond. Other evidence includes an affidavit from Howard Gestrin, who leased the land, attesting to the fact that the water was used for irrigation and stockwater prior to the original proof due date of December 1, 1990.

7. The permit holder states, in correspondence to the Department, that a previous property owner had been secretary/treasurer of the association since its inception. The secretary/treasurer was responsible for the handling of all correspondence. Not until her resignation did it become apparent that the permit holder had not complied with the conditions of the permit.

OCT 27 1992

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

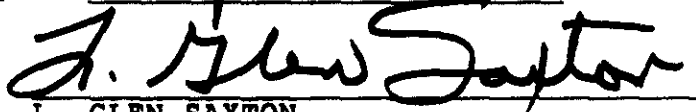
3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 65-13045 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to September 17, 1992.

Dated this 30th day of September, 1992.



L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED

OCT 27 1992

RECEIVED

SEP 17 1992

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Amt of Fee \$ 100-
Date 9-17-92
Receipt No W015410
Received by gry

Department of Water Resources
Western Regional Office

PROOF OF BENEFICIAL USE

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.

- 1 Permit No. 65-13045 Telephone No. 343-5543
382-3510
- 2 Name(s) of Permit Holder(s): Pine Lakes Ranch Homeowners
- 3 Post Office Address: 90 President, PO Box 714, Cascade ID 83611
(Chet Hall)
- 4 Source of Water: Spring

- a If ground water, well driller's name: N/A Date drilled: _____
- b Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____
- 5 Extent of Use:
- Domestic _____ (No. of households) Irrigation 70 (No. of acres)
- Stockwater _____ (No. and type of stock) Other _____

- 6 Total rate and/or volume for which proof is submitted .4 cfs 12 acre/feet

- 7 Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☒ Yes ☐ No Installed? ☐ Yes ☒ No
OR
Flow Measurement Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

- 8 Fee Enclosed: \$ 100.- (See License Examination Fee Schedule)

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

(Mrs) Robbie Winkel 382-3242
Name Telephone No.

Cascade

Address

OR Glade McDougall, Boise 342-5516

- 10 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.

9-17-92
Date

Glade McDougall home owner
Signature (and title if on behalf of a company or organization)

RECORDED
OCT 27 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13045

Proposed Priority: May 18, 1989 Maximum Diversion Rate: 0.40 CFS

This is to certify, that THE FINE LAKES RANCH HOMEOWNERS ASSN.
10792 W. OVERLAND
BOISE, ID 83709

has applied for a permit to appropriate water from:

SPRING tributary of CASCADE RESERVOIR

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>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.40 CFS	
RECREATION STORAGE	01/01 to 12/31		12.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.01 CFS	
	Totals	0.40 CFS	

LOCATION OF POINT(S) OF DIVERSION: S30N30W Sec. 1, Township 14N, Range 03E
VALLEY County

PLACE OF USE: IRRIGATION

<u>T4N</u>	<u>R3E</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14N	03E	1	N30W 20	N30W 40		60
		2	N30E 10			10

PLACE OF USE: RECREATION STORAGE

T4N R3E SEC

14N 03E 2 NESE

PLACE OF USE: DIVERSION TO STORAGE

T4N R3E SEC

14N 03E 2 NESE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1990.
2. Subject to all prior water rights.
3. A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

PAGE 2

State of Idaho
Department of Water Resources

Permit To Appropriative Water

NO. 65-13045

CONDITIONS/REMARKS:

4. Use of water under this permit is subject to control by the watermaster of State Water District No. 65.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

1st day of November, 1989

J. Keith Saylor
for R. Keith Higginson, Director

Application
Amended 6-7-1989 per
Telephone call to Jean Calverton
AT 8:45 AM

Ident. No. 65-13045

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: THE FINE LAKES RANCH HOME OWNERS ASSOCIATION, INC.
Address: 10792 W. OVERLAND BOISE, ID 83709
208-523-7655

2. Source: SPRING

Trib. to: SINKS

3. Location of point of diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
14N	03E	1	SW NE SW		VALLEY

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AFA
IRRIGATION	03/15	11/15	0.400		12.00
RECREATION STORAGE	01/01	12/31			

5. Total quantity appropriated is:
0.400 CFS (and/or) 12.00 AFA

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
SPRING TO DITCHES FOR IRRIGATION, OVERFLOW INTO FINE FOND.
- Height of storage dam 10 feet; active reservoir capacity 12.00 acre-feet; total reservoir capacity 12.00 acre-feet; period of year when water will be diverted to storage: 1/01 to 12/31 inclusive.
- Proposed well diameter is inches; proposed depth of well is feet.
- Is groundwater with a temperature greater than 90° 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.

8. Description of proposed uses:

IRRIGATION OF 70 ACRES, RECREATION STORAGE FOR FINE FOND

Ident. No. 65-13045

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: THE FINE LAKES RANCH HOME OWNERS 208-323-7655
Address: ASSOCIATION, INC.
10792 W. OVERLAND
BOISE, ID 83799
2. Source: SPRING Trib. to: CASCADE RESERVOIR
3. Location of Point of Diversion: SWEETEN Sec. 1, Township 18N, Range 6E
VALLEY County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|-----------------------|-------|-------|-------|------|-------|
| IRRIGATION | 04/15 | 10/15 | 0.400 | | |
| RESERVOIR STORAGE | 01/01 | 12/31 | | | 12.00 |
| DEVOLUTION TO STORAGE | 01/01 | 12/31 | 0.009 | | |
5. Total quantity to be appropriated is:
0.400 CFS (and/or) 12.00 AF
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc.
DITCHES FROM SPRING FOR IRRIGATION EXCESS FLOWS INTO FINE FORD
b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
c. Proposed well diameter is inches; proposed depth of well is
feet.
d. Is groundwater with a temperature greater than 90F 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.
8. Description of proposed uses:
9. Place of Use: IRRIGATION See next page - kw 10/25/69
- | TRIM | RES | SEC | ACRES | ACRES | ACRES | TRIM |
|------|-----|-----|-------|-------|-------|------|
| 14N | 05E | 1 | 100 | 100 | 100 | 01 |
| | | 2 | 100 | 100 | 100 | 02 |

Ident. No. 65-13045
Page 2

9. Description of place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	03E	1	NE	SW	IRR	20.0
			NW	SW	IRR	40.0
Total Section Acres						60.0
		2	NE	SE	IRR	10.0
			NE	SE	REC S	
Total Section Acres						10.0
Total Acres						70.0

10. Describe any other water rights used for the same purposes.
LAPSED RIGHT 65-7502

11. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

12. Remarks:

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

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

Enol Jean Uribe-Echeverria
Secretary Applicant

Ident. No. 65-13045
Page 3

Received by RW Date 5/19/59 Time 2:00 Preliminary check by RR
Fee \$ 45.00 Receipted by RW # W002453 Date 3/22/59
Publication prepared by GG Date 6-14-59 Published in The Advocate
Publication approved at Date 9-14-59 6/21 & 6/22/59
RECEIVED
5/16 & 5/18/59

THE PINE LAKES RANCH HOMEOWNERS ASSOCIATION, INC.
10792 West Overland, Boise, Idaho 83709
323-7655

OFFICERS

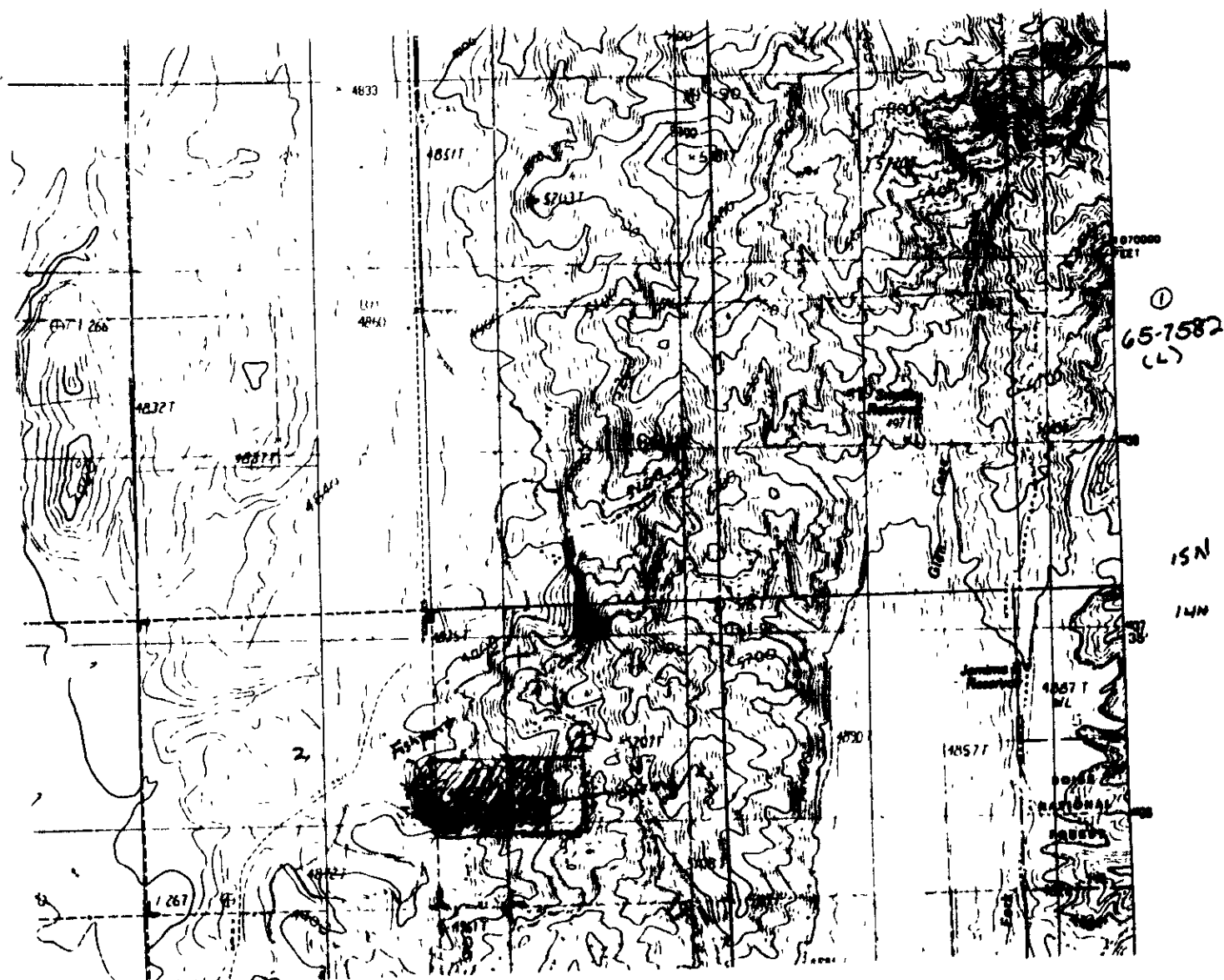
<u>NAME</u>	<u>ADDRESS</u>
Alan J. Moore (President)	10336 Shady Brook Drive Boise, Idaho 83704
Carol Jean Uribe-Echevarria (Secretary-Treasurer)	4012 Kootenai Boise, Idaho 83705
James F. Keating, Jr.	P. O. Box 743 Cascade, Idaho 83611
Janice L. Orton	1825 Broadmoor Boise, Idaho 83705
Gerald E. Winkle	P. O. Box 714 Cascade, Idaho 83611
Glade McDougall	4825 Hillside Boise, Idaho 83703
Ben K. Wetzel	3270 Terra Drive Boise, Idaho 83705

RECEIVED

[illegible]

RE: IT BECOMES that the undersigned hereby makes application for patent as appropriate the nature of the State of Idaho as herein set forth.

~~SECRET~~





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 2, 1993

PINE LAKES RANCH HOMEOWNERS ASSN
C/O CHET HALL
PO BOX 714
CASCADE ID 83611

RE: WATER RIGHT NO. 65-13045

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact this office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

MICROFILMED

DEC 02 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 5, 1993

PINE LAKES RANCH HOMEOWNERS ASSN
C/O CHET HALL
PO BOX 714
CASCADE ID 83611

RE: WATER RIGHT NO. 65-13045

Dear Water Right Holder(s):

I previously forwarded to you an Amendment for Water Permit so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, I have not received the amendment. If I do not receive it within fourteen (14) days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact me.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

MICROFILMED

DEC 02 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 16, 1993

PINE LAKES RANCH HOMEOWNERS ASSN
C/O CHET HALL
PO BOX 714
CASCADE ID 83611

RE: WATER RIGHT NO. 65-13045

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 14 days.

If you do not concur with these findings or if you have any questions, please contact me within the 14-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

DEC 02 1993

WR0749NP
No. L65-13045

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 09/15/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PINE LAKES RANCH HOMEOWNERS ASSN C/O CNET HALL PO BOX 714 CASCADE ID 83611 (208) 382-3510	09/17/1992	RECREATION RECREATION STORAGE DIVERSION TO STORAGE	01-01 12-31 01-01 12-31 01-01 12-31	0.02 CFS 0.02 CFS	14.5 AFA 12.0 AFA
TOTAL DIVERSION:					0.02 CFS	14.5 AFA

Water Source: SPRINGS

Tributary to: CASCADE RESERVOIR

Stage: LICENSE

Point(s) of Diversion Capacity: 0.02 CFS

Point(s) of Diversion: T14N R03E S01 SW NE SW SE NE SW SE NW SW

Place of use Legal Description for: RECREATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
14N	03E	1	:																			:
14N	03E	2	:																			:

Pou County: VALLEY

~~Non-Irrigation Uses: 12 AC. FT. FISH POND FOR RECREATION~~

~~Other Rights: LAPSED RIGHT 65-07582~~

Other Water Rights Listing Overlapping Place(s) of use:
65-13045

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

Dates: App. Received: 05/18/1989 Priority Date: 09/17/1992 (Priority Date Advanced.)
Proof Due Date: 12/01/1990 Proof Made Date: 09/17/1992 (Proof Received Late.)
Exam Made Date: 07/22/1993 Exam Sent to S.O.: 08/17/1993
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Comments: Date: 09/21/1992 User-ID: ANDREGG Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 09/15/93 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 65-13045 Date 9-14-93 Brenda Chapman

NAME	Yes	No	Or Address Change?
	☐	☒	
* PRIORITY DATE		☒	Advance? <u>Done</u> Memo to Advance <u>To 9-17-92</u>
	<u>DONE</u>	☒	Order to Reinstate Needed?
		☒	Incorrect Fee for rate recommended?
SOURCE		☒	Changes? <u>Clarification of Originally Intended source SPRINGS</u>
		☒	Notice of Intent to Void - Source change. <u>(also correct to: SW NESW / SE NESW)</u>
P/D	☒		Amendment Needed? <u>Add SE NESW</u>
		☒	Is Overlap Analysis a Consideration?
P/U		☒	Amendment Needed? <u>DELETE SEC 1 / NESW</u>
		☒	Is Overlap Analysis a Consideration?
TOTAL CFS		☒	Disagree/Measurement <u>NONE DONE</u>
			<u>Minimal Flow - Given .02 CFS</u>
		☒	System Capacity <u>.02 CFS</u>
			Allowable Amount: _____
TOTAL VOLUME	☒		Disagree/Measurement <u>FLAT BOTTOM / RECTANGULAR POND</u>
Examined used			<u>370 X 300 ÷ 43560 = 2.54 ACRES</u>
Formula for a			<u>CAPACITY = 2.54 acres x 17' = 43.2 acre ft</u>
triangular pond	☒		Flow limit: <u>.02</u> x 365 x 1.9835 = <u>14.5</u>
			Season recommended _____
USES			Change(s) in Nature of Use? _____
			Amendment Needed? _____
REMARKS			Multiple P/Ds in 1/4 1/4? _____
			Special Overlap Condition _____
			Other _____
CONDITIONS	<u>R01</u>		Measuring/Locking Devices Misc/Dates
	<u>R04</u>		W/Master Control <u>65</u> Water Dist
		☒	Irrigation Overlap <u>5-18-89</u> App Rec'd
		☒	Water Quality <u>7-22-93</u> Exam Made
COMMENTS:	<u>DELETE IRRIGATION USE ; REDUCE rate</u>		
	<u>Add P/D IN NW SW</u>		

RECOMMENDED	CFS	DIV VOL
<u>RECREATION</u>	<u>.02</u>	<u>14.5</u>
<u>REC STORAGE</u>	<u>—</u>	<u>12.0</u>
<u>DIV to STORAGE</u>	<u>.02</u>	<u>—</u>
<u>TOTAL</u>	<u>.02</u>	<u>14.5</u>

LICENSE _____

AMEND ☒

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 18 1993

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 165-13045

1. Owner: PINE LAKES RANCH HOMEOWNERS ASSN. Phone No. 342-5516

Current Address: 10792 W OVERLAND Boise Idaho 83709

2. Accompanied by: JAY De Angelis EXAM DATE: 7-22-93

Address: SAME Phone No. SAME

Relationship to Permit Holder: MEMBER OF ASSN.

3. Source: SPRING tributary to CASCADE RESERVOIR

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-07739 neighboring in same 1/4 1/4; no same Pl.

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	NA-	SW	NE	SW	1	14N	3E	VALLEY	Quads - Overland Id.
		SE	NW	SW	1	14N	3E	VALLEY	Quads - Overland Id.
		SE	NE	SW	1	14N	3E	VALLEY	

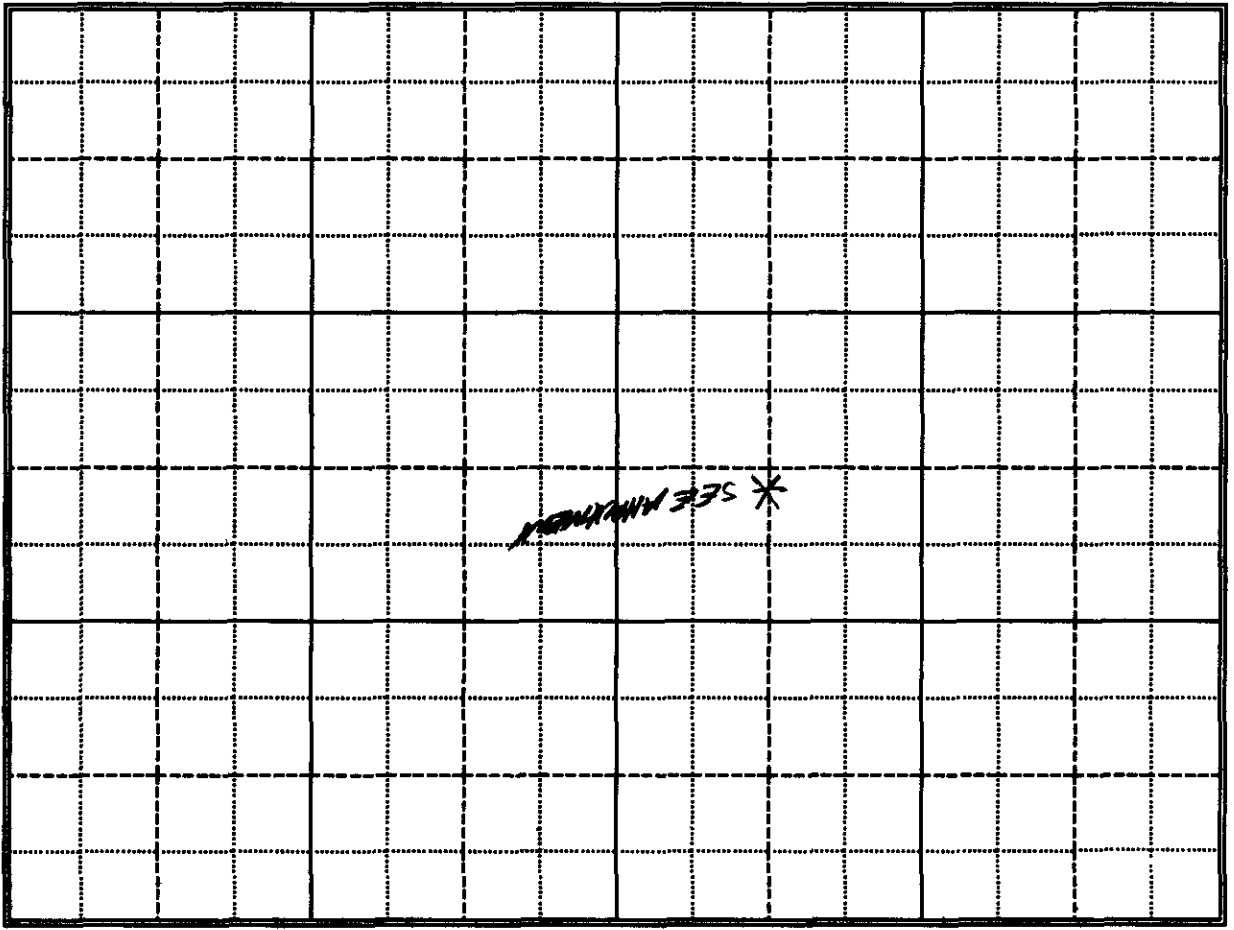
2. Place(s) of Use:

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	
14N	3E	1										REC. STORAGE							RECREATION STORAGE
		2													REC. STORAGE				" "

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



Scale: 1" = _____

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

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

✓ Photo of Diversion and System Attached

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Not Applicable; Diversion is on boundary of property.

Ok! Fill in any measurement units available; if none, leave blank.

Flow from springs of less or = to 0.1 cfs.

RECEIVED

E. NARRATIVE/REMARKS/COMMENTS

THIS SYSTEM USES NATURAL FLOW FROM SPRINGS TO FILL A LARGE POND. THE "SPRINGS" ARE SPREAD OUT ALONG SEVERAL HUNDRED FEET. THE EXACT FLOW CAN ONLY BE ESTIMATED. THE SPRINGS HAVE SUCH A MINIMAL FLOW, IT SEEMS TO EITHER TO FORM A VERY SMALL CREEK THAT RUNS DOWN A RAINWATER TO THE POND. THE FLOW FROM THESE SPRINGS CAN NOT BE MEASURED BUT CAN BE ESTIMATED AT LESS THAN 1.01 CFS. THE POND 370' x 300' x 17' DEEP SEEMS TO HOLD WATER ALL YEAR. COULD NOT POSSIBLY BE FILLED BY SUCH A MINIMAL FLOW. IT SEEMS AS THOUGH SPRINGS ARE ATTACHED TO THE POND UNDERNEATH THE WATER OR ELSE WATER SEEPS FROM THE SPRINGS ON THE HILL UNDERGROUND TO THE POND.

NOTE: THE POND IS NOT USED FOR ANY FORM OF IRRIGATION, ONLY AESTHETIC & RECREATIONAL PURPOSES.

Have conditions of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

Diversion To Storage

Estimation = .01 cfs

: MINIMAL FLOW FROM AN UNMEASURABLE DIVERSION

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ NONE

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

2. Volume Calculations for Other Uses:

Recreation Storage;

EXHIBIT 16

FLAT BOTTOM Rectangular Pond

SURFACE AREA OF POND

$$\frac{1}{2} \text{ Width} \times \text{Length} = \frac{1}{2} \frac{370 \times 300}{43650} = 1.3 \text{ AF}$$

CAPACITY =

$$\text{SURFACE Area} \times \text{depth} = 1.3 \text{ AF} \times 17 = 22 \text{ AF ALLOW PERMIT LIMIT 12 AF}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Recreation Storage</i>	<i>1-1</i>	<i>12-31</i>	<i>—</i>	<i>12 AF</i>
<i>Diversion To Storage</i>	<i>1-1</i>	<i>12-31</i>	<i>.01 cfs</i>	<i>—</i>
Totals:			<i>.01 cfs</i>	<i>12 AF</i>

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. AUTHENTICATION

Field Examiner's Name *Dave Gray* Date *7-27-93*

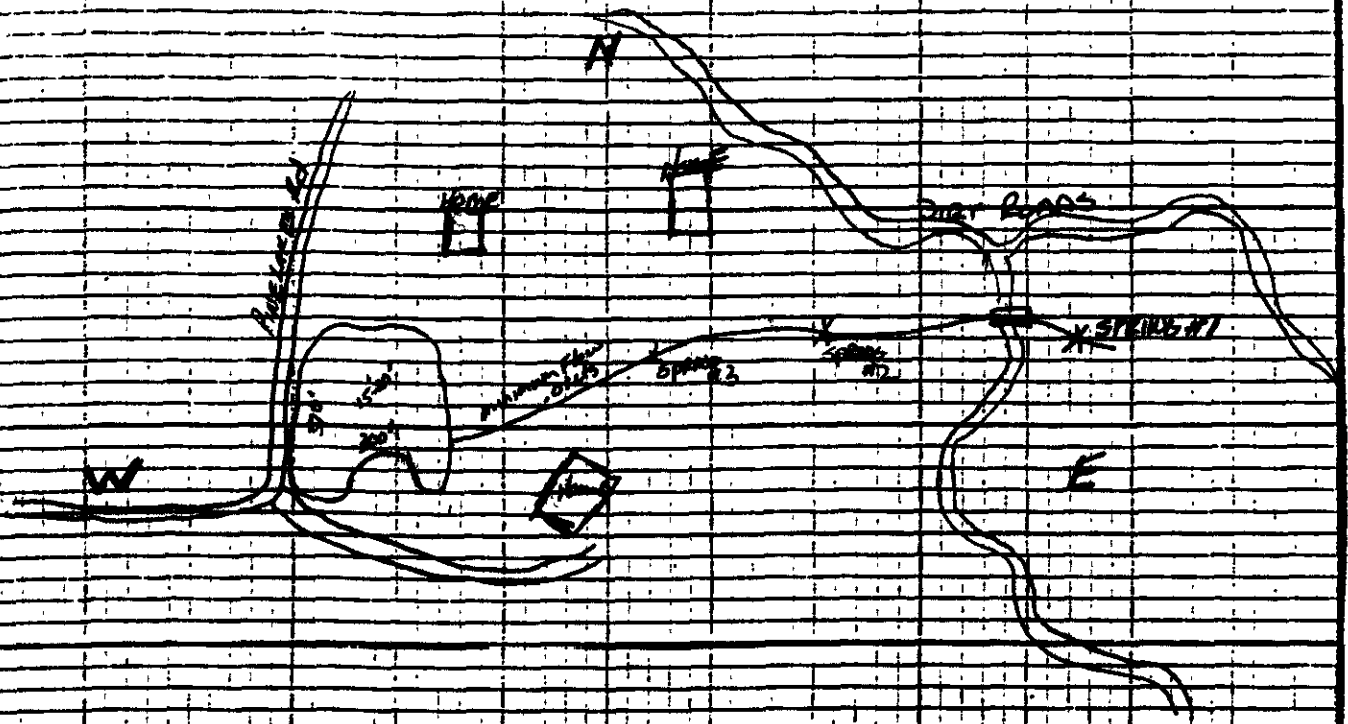
Reviewer _____ Date _____

SEAL

REGISTERED

DEC 02 1993

SYSTEM DESCRIPTION
ATTACHMENT TO FIELD EXAM FORM



MILBURN MED
DEC 02 1967

4832

65-7524

Jemine
Beseri

65-7312

PERMIT 65-13075 INIT

T. R. S. Q/Q

P/D 14 3w 1 resw

SCALE

PHOTO ID.

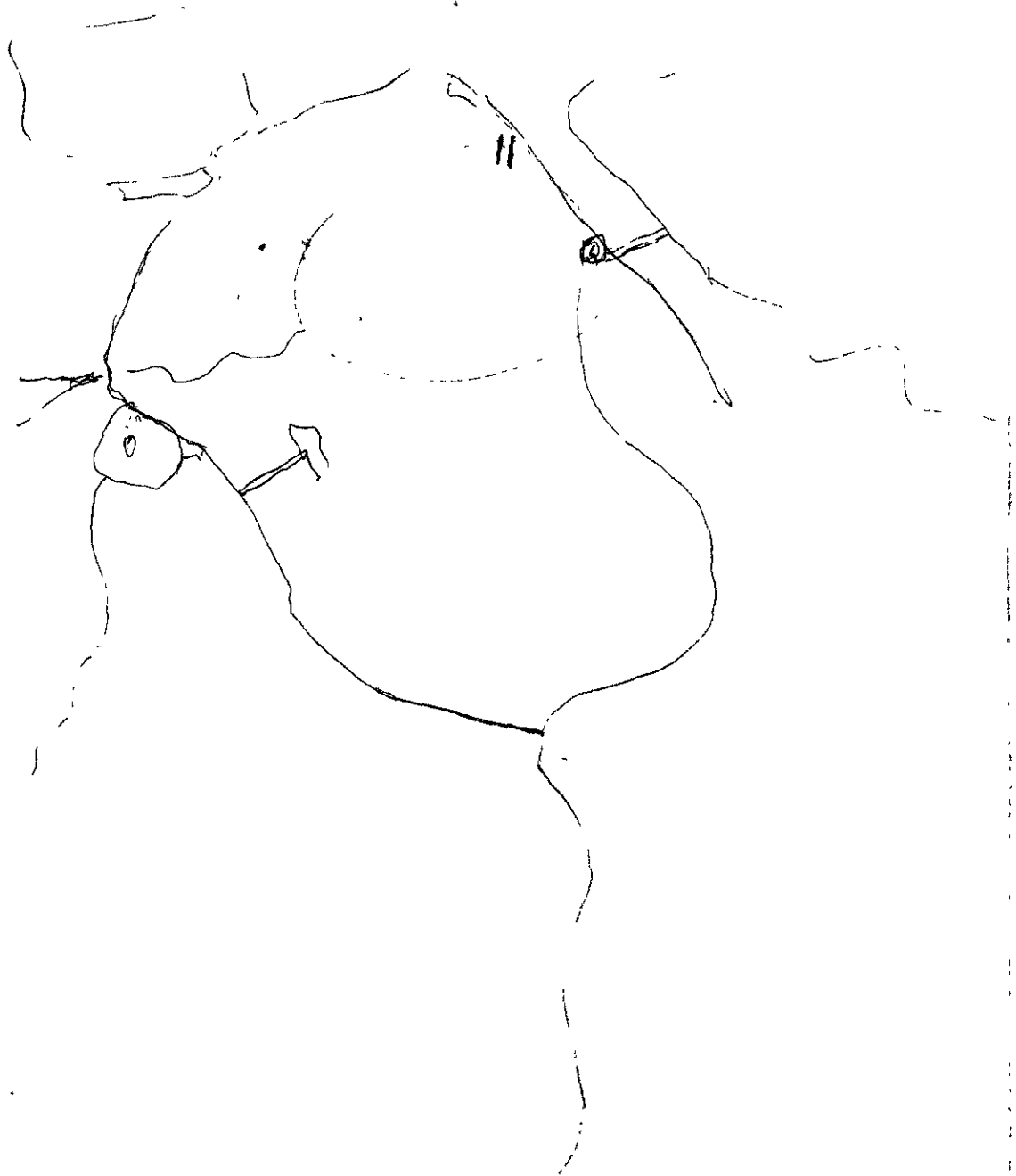
192

9855 T

MICHAEL

DEC 02 1995

47731



VIEW OF THE POND LOOKING SOUTHEAST
THE POINT OF ENTRY IS MARKED ON THE
PICTURE. THE DAM DAME IS ON THE RIGHT
SIDE OF THE PICTURE



PHOTO ONE-

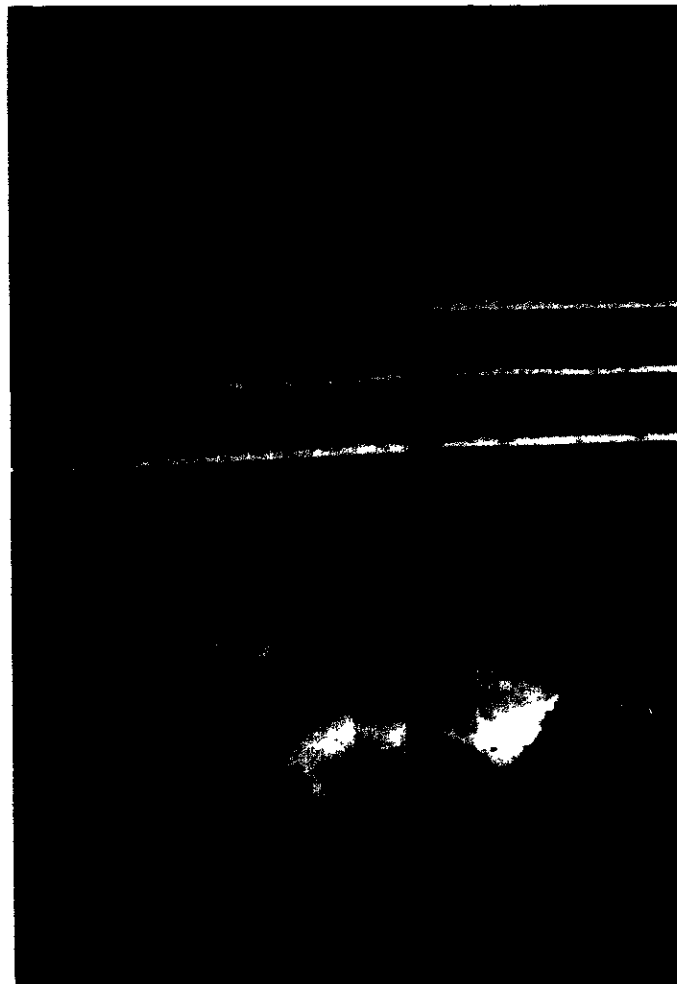
>



VIEW OF THE INITIAL SPRING SOURCE.
SPRINGS LAY UNDERNEATH THIS BRUSH,
CORRECT INTO A SMALL CREEK. FLOW
DOWN THE HILL.

PHOTO TWO-

UNRECORDED
DEC 02 1993



>



SMALL FIELDS

THIS SPRAWLLED CREEK CROSS
THE ROAD: ROAD BY OTHER VI

DEC 02 1993

Microfilm

THE CREEK IS THEN RUN DOWNHILL
WHERE IT ENDS THE ROAD. ABOVE THE
SIDE OF THE CREEK FOR DICK. CONVERSE
SIZES OF ROAD TO CREEK CONVERSE BELIEVE THAT
THE ROAD MUST HAVE NATURAL SIZES
UNDERNEATH HIS WATERS

October 2, 1992

THE PINE LAKES RANCH HOMEOWNERS ASSN.
C/O JERRY WINKLE
PO BOX 714
CASCADE ID 83611

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13045

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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.

I note that the permit issued to you by the department requires the installation of a measuring device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the measuring device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

MICROFILMED
OCT 27 1992

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13045

Reviewed by Klg

Date 9/22/92

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

TYPES OF USE

irrigate - 70
yes Correct Uses?

SOURCE OF WATER

☒ Surface water source
☐ Ground water source

NA Drilling permit required?
Copy in the file? Drilling Permit No. _____
Amount paid for permit _____ Correct?
Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

Date proof received Received Beyond 60 day
Date proof due Simple - Reinstatement
No. of days late Advance priority to
Priority Date date proof received
New Priority Date 9/17/92

DEFICIENCIES OR ACTION ITEMS

proof acceptable

*needs an order
needs a measure*

DATA ENTRY
New Address _____

Proof Made 9/17/92
9/10/2/92 Klg



PINE LAKES RANCH

Post Office Box 803 • Cascade, ID 83611

RECEIVED

SEP 29 1992

Department of Water Resources

September 27, 1992

Ms. Karen L. Gustafson
Secretary/Records Manager
State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mall
Boise, ID 83720-9000

Re: Permit No. 65-13045

Dear Ms. Gustafson:

Thank you for your letter of September 22, 1992, concerning the above-referenced permit.

From the inception of Pine Lakes Ranch in approximately 1974 through February, 1991, Mrs. Carol Jean Echevarria was the Secretary/Treasurer of Pine Lakes Ranch. During that time, all Pine Lakes Ranch correspondence was mailed directly to, and handled by, Mrs. Echevarria, and the Board of Directors (which changes annually) had no reason to believe that all Pine Lakes Ranch matters were not taken care of in a timely manner. In February, 1991, Mrs. Echevarria resigned her position as Pine Lakes Ranch secretary as she was no longer a property owner on Pine Lakes Ranch.

It was not until just recently that we discovered that the above permit had lapsed and we immediately took the required steps to correct this problem.

We apologize for any inconvenience we may have caused and sincerely appreciate your courtesies in assisting us in reinstating the permit and in obtaining the necessary license.

Please contact Jerry Winkle (a full-time resident on Pine Lakes Ranch) at 382-3242 if you have any further questions. Until this matter is settled, it would be appreciated if you would continue to send correspondence to Pine Lakes Ranch c/o Jerry Winkle, at P.O. Box 714, Cascade, ID 83611.

MICROFILMED

OCT 27 1992

Sincerely,

Chet Hall

Chet Hall, President

CH:rfw



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 22, 1992

The Pine Lakes Ranch Homeowners Assoc
c/o Chet Hall, President
P.O. Box 714
Cascade, ID 83611

Re: Permit No. 65-13045

Dear Mr. Hall:

The Department is in receipt of the proof of beneficial use and other materials filed in connection with the above referenced permit.

As you know the permit lapsed on December 1, 1990, thus requiring you to submit additional information in order to have the permit reinstated. However, the Department, pursuant to Section 42-218a, Idaho Code, (copy enclosed) will require one last piece of information. Please explain, in writing, why the proof of beneficial use was not timely filed on or before December 1, 1990. Once this explanation is received, the Department will proceed with the reinstatement and eventual issuance of a license on your permit. Please submit the requested information within 15 days of the date of this mailing.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

RECEIVED

OCT 27 1992

MEMORANDUM

September 17, 1992

TO: Karen Gustafson
FROM: Cindy Hodges *CH*
RE: Reinstatement Request, Permit 65-13045

On behalf of Glade McDougall and the Pine Lakes Ranch Homeowner's Association, I would like to request a review towards reinstatement of lapsed permit No. 65-13045, in the name of Pine Lakes Ranch HOA.

Attached are a lease for 1989 for the grazing of cattle on lands surrounding the pond, and an affidavit affirming the use of the pond for irrigation of those lands on and before the original proof due date of 12-1-1990. Also attached is copy of receipt W015410 for the payment of proof fees.

Mr. McDougall is acting in behalf of the HOA to get the permit reinstated, and realizes that priority advancement will occur.

Thanks for your consideration.

MICROFILMED

OCT 27 1992

Department of Water Resources
Boise, Idaho

Gentlemen:

I, HOWARD GESTRIN, President of Gestrin Land & Livestock,
declare that from the early 1970's until prior to 1990, I leased the
graze land on PINE LAKES RANCH, Valley County, Idaho. I further declare
that the water from the subject spring feeding the south pond on Pine
Lakes Ranch was used for irrigation and stock water.

Executed this 14th day of September, 1992, at Donnelly, Idaho.


Howard Gestrin, President
Gestrin Land & Livestock

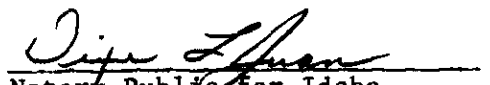
State of Idaho

County of Ada

On this 14th day of September, 1992,
before me, Dixie L. Juan, a Notary Public
in and for the State of Idaho, known or
identified to me to be the person whose
name is attached to the foregoing document,
and acknowledged to me that he executed the same.

MICROFILMED

OCT 27 1992


Notary Public for Idaho
Residing at Boise
Commission Expires 5/08/96

Witness 

PINE LAKES RANCH GRAZING LEASE

THIS LEASE, made and dated this 1st day of January 1989, by and between the PINE LAKES RANCH HOMEOWNERS' ASSOCIATION, INC., an Idaho corporation (hereinafter referred to as "Lessor"), and SPRING VALLEY LIVESTOCK CO., INC. (hereinafter referred to as "Lessee"):

WITNESSETH:

WHEREAS, Lessor is the owner of certain real property, more commonly referred to as Pine Lakes Ranch, and easement land, a legal description of which is recorded in the office of the Valley County Recorder, Cascade, Idaho; and

WHEREAS, the Lessee desires to lease from the Lessor said real property for the purpose of raising cattle, and the Lessor desires to lease the same to Lessee.

NOW, THEREFORE, in consideration of the terms and conditions hereinafter set forth, the parties agree as follows:

Section 1. - PROPERTY: The Lessor herewith agrees to let to the Lessee, and Lessee herewith agrees to lease from Lessor the real property commonly referred to as "Pine Lakes Ranch," (hereinafter referred to as the "Premises") the same being situated in the County of Valley County, State of Idaho, as described in the official records of Valley County, and includes the subdivided blocks of Pine Lakes Ranch Subdivision, the Bureau of Reclamation agricultural easement land between the former railroad right-of-way and the waters of Cascade Lake, and certain parts of the Center Irrigation District easement land west of the former railroad right-of-way. This includes approximately 873 acres, more or less. Land excluded in this agreement includes the fenced land surrounding existing cabins, approximately 7 acres of Center Irrigation District leased pasture which is reserved for block owners' horse pasture, and an area discussed and agreed upon by Lessee fencing cattle away from Cascade Reservoir.

Section 2. - TERM: The term of this Lease shall commence on the 1st day of January, 1989, and shall terminate on the 31st day of December 1989. The Lessee shall have the first option to renew and/or renegotiate this Lease for the following year.

Section 3. - RENT: The Lessee agrees to pay rent in the amount of Ten Thousand Five Hundred (\$10,500.00) Dollars, receipt of a deposit

November 18, 1988, in the amount of \$500.00 is hereby acknowledged. Said rental shall be paid as follows: One-half (\$5,000.00) shall be paid to Lessor prior to placing any livestock on the Premises, the balance (\$5,000.00) shall be paid on September 1, 1989.

Section 4. - USE OF PREMISES: The Premises described herein shall be used by the Lessee solely and exclusively for raising livestock, and Lessee shall not permit others to use, occupy or pasture the same. It is understood and agreed that the Lessee shall have the use of the corrals and facilities incidental thereto.

Section 5. - IMPROVEMENTS AND REPAIR: The Lessee shall not build structures of any character upon, or make improvements of any nature to, the leased Premises, nor move or relocate any fences, irrigation ditches, or permanent structures of any nature that are on the leased Premises at the commencement of this Lease, without the prior written consent of the Lessor.

Section 6. - INDEMNITY: The Lessee shall indemnify the Lessor against all liability, cost and expense for loss or or damage to the Premises, and injuries to, or deaths of, persons arising, directly or indirectly, from the use of the Premises by the Lessee.

Section 7. - FIRE PATROL: Lessee agrees to patrol the Premises in a manner at the time required under Idaho law for detecting and preventing range or forest fires thereon.

Section 8. - MANAGEMENT AND CONTROL: The Lessee shall at all times manage and operate the Premises hereunder in accordance with approved agricultural methods and practices, and agrees not to commit, or permit to be committed, any waste on the said premises by overgrazing or otherwise. Lessee further agrees not to use the Premises, nor allow the same to be used, for any unlawful purpose, and agrees to comply with all laws and regulations of the State of Idaho and/or the United States of America, and of any and all political subdivisions thereunder in the use and occupation of the Premises during the period of this Lease. It is understood that the portion of the government easement land extending from the old abandoned buildings to the south and to the first shoreline inlet to the north is to be used for fall pasture after Labor Day. Lessor shall be responsible for weed control on or about the Premises. Lessor

shall be responsible for all irrigation on or about the Premises, with said irrigation water coming from existing irrigation canals (Center Irrigation District). The use of the Premises by Lessee shall be subordinate to the homeowners' rights to graze cattle as provided in the Covenants of the Lessor which are of record. Homeowners desiring to graze cattle as provided in the Covenants must advise Lessee and/or Lessor of their intent to do so, and the number of cattle, up to four (4) in number, they intend to graze, by January 15th of each year. If Lessee has a valid cash lease, then grazing fees for homeowners' cattle will be paid directly to Lessee. Lessee will, at his own expense, move the cattle to, and remove the cattle from, said Premises, and shall be responsible for the care thereof. Lessor shall not be liable for the death, disease or loss of such cattle during the Lease term.

Section 9. - ASSIGNMENT: Lessee shall not assign this Lease, or any interest therein, or sublet said Premises, or any part thereof, without the prior written consent of the Lessor.

Section 10. - DEFAULT: Time is of the essence and should the Lessee fail to perform any or all of the covenants, terms and conditions set forth herein, the Lessor may, at its option, declare this Lease terminated and cancelled upon giving the Lessee thirty (30) days written notice of such default. If the Lessee fails to cure said default within the said thirty (30) days, Lessee shall forfeit all interest in and to this Lease, and shall thereafter quit and vacate the Premises and surrender possession thereof to the Lessor in as good condition as the same now is or may hereafter be put, reasonable usage excepted. Notice shall be given to the Lessee by mailing the same by ordinary mail to: COLIN McLEOD, JR., SPRING VALLEY LIVESTOCK CO., INC., P. O. Box 9, Star, Idaho 83669.

Section 11. - LEGAL ACTION: In the event either party shall bring legal action to compel performance or to recover for breach of any covenant, term or condition herein, and the prevailing party shall be entitled to recover from the other non-prevailing party costs and reasonable attorneys' fees.

IN WITNESS WHEREOF, the parties hereto have executed this Lease at

Cascade, Idaho, the day and year first above written.

LESSOR:

The Pine Lakes Ranch Homeowners'
Association, Inc.

Dated: 2/21/89

By: [Signature]
Alan J. Moore, President

ATTEST:

By: Carol Jean Uribe Echevarria
Secretary

LESSEE:

SPRING VALLEY LIVESTOCK CO., INC.

BY: Calvin M. Head Jr. Pres.

MICROFILMED

OCT 27 1992

I certify that file No. 65-13645

has been reviewed and is ready to be **MICROFILMED**
and **DESTROYED**.

Sam Skaggs
Signature

6-20-91
Date

The attached proof report is the water right as it appeared in the database prior to the final status and deletion from the database.

WTRR000P
(WP-00)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/15/91 06:10:26
Page 1

Water Right Number - 65-13045

Prefix Translation: WATER RIGHT

Old (B) Number -

----- Last Name ----- + First Name -- + ----- Address ----- +

*** C - CURRENT OWNER ***

PINE LAKES RANCH HOMEOWNERS ASSN

THE

1 - 10792 W. OVERLAND

2 -

3 -

City- BOISE

State- ID Zip- 83709

Phone - 208-323-7655

----- Priority Date ----- +
05/18/1989

----- Region ----- +
14 WESTERN

----- Stage ----- +
P - PERMIT

----- Status ----- +

----- Source ----- +
SPRING

----- Tributary ----- +
CASCADE RESERVOIR

----- Point of Diversion ----- +
----- Stream Index (Blank if no Index Code) ----- +

14N 03E 1 SW NE SW (85) VALLEY

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	10/15		0.400	
47 - RECREATION STORAGE		01/01	12/31			12.00
55 - DIVERSION TO STORAGE		01/01	12/31		0.010	

----- Total Div. Rate ----- + ----- Total Div. Volume ----- + ----- Total Div. Capacity ----- + ----- Total Consumptive Use ----- + ----- DU Usage ----- +
0.400

Turn	Range	Section	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	03E	1	NE SW		20.0	01 IRRIGATION			(85) VALLEY
14N	03E	1	NW SW		40.0	01 IRRIGATION			(85) VALLEY
14N	03E	2	NE SE		10.0	01 IRRIGATION			(85) VALLEY
14N	03E	2	NE SE			47 RECREATION STORAGE			(85) VALLEY
14N	03E	2	NE SE			55 DIVERSION TO STORAGE			(85) VALLEY

Total Acres: 70.0

----- Diversion Means ----- DITCHES FROM SPRING FOR IRRIGATION EXCESS FLOWS INTO FISH POND

----- Non-Irrigation Use ----- 12 AC.FT. FISH POND FOR RECREATION

----- Other Rights for Same Use ----- LAPSED RIGHT 65-7582

----- Remarks -----
No Remarks found.

----- Old Water Right Numbers -----
No Old Water Right Numbers found.

00000000
(00-00)

IBAND DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/15/91 06:10:26
Page 2

Water right number - 65-13045

Prefix Translation: WATER RIGHT

***** Conditions of Approval *****
001 - A measuring device of a type approved by the Department shall be
- permanently installed and maintained as part of the diverting
- works.
005 - Use of water under this permit is subject to control by the
- watermaster of State Water District No. 65/DISTRICT.
03A - The rate of diversion of water for irrigation under this permit
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

***** Decree Plaintiff *****

***** Decree Defendant *****

***** Decree Date *****
00/00/0000

***** Comments *****
No Comments Found

***** Audit Fields - 05/18/89 WHITNEY 06/06/89 WHITNEY 06/07/89 GIBSON 10/25/89 CURTIS 10/26/89 CURTIS

***** Water Rights Dates and Flags Area *****

Proof Due Date	- 12/01/1990	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 11/01/1989	Protested Date	- 00/00/0000	Shan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Casey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 65
Licensed Date	- 00/00/0000	Appl Received	- 05/18/1989	Transfer/Amended	-
Decree Date	- 00/00/0000	Microfilm Roll No	-	Presumption Flag	-

December 5, 1990

THE PINE LAKES RANCH HOMEOWNERS ASSN.
10792 W. OVERLAND
BOISE, ID 83709

LAPSE NOTICE

RE: PERMIT NO. 65-13045

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated September 30, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

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

L. GLEN SARTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 12-6-90
a copy of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

September 30, 1990

THE PINE LAKES RANCH HOMEOWNERS ASSN.
10792 W. OVERLAND
BOISE, ID 83709

RE: PERMIT NO. 65-13045 PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
November 1, 1989

THE FINE LAKES RANCH HOMEOWNERS ASSN.
10792 W. OVERLAND
BOISE, ID 83709

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P65-13045

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.

Be sure to note the special condition requiring you to install and maintain a measuring device at your point of diversion. We have enclosed a description of the different types of measuring devices accepted by this office.

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

Affidavit of publication

STATE OF IDAHO

COUNTY OF VALLEY

I, Fred K. O'Brien, being duly sworn deposes and says, I am the Publisher of *The Advocate*, a weekly newspaper published at Cascade, in Valley County, Idaho; and having a general circulation therein and of legal status in said county.

The Notice of Garnishment a copy of which is attached hereto; was published in said newspaper once a week for four consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began:

August 16, 1955

and ended August 23, 1955

Fred K. O'Brien
Subscribed and sworn before me, this the

24 day of August, 1955

On this 24 day of August, 1955

I, a Notary Public in and for the State of Idaho, state that said person, Fred O'Brien, did in fact present me with this document and I did witness his signature on the document.

Raydon J. Jensen
Raydon Jensen, Notary Public, residing at Cascade, Idaho

NOTICE OF AMENDED APPLICATION

Notice is hereby given that on June 21 & 28, 1988, a Water Right Application was listed with the wrong tributary and water use:

No. 65-13045 in the name of Pine Lakes Ranch Owners Assn. Inc. was advertised as Source: Spring and Tributary: Cascade Reservoir and should have read Source: Spring and Tributary: Sinks.

Also, Water used was advertised as:

IRRIGATION	(.400 CFS)	
RECREATION STORAGE		(12.00 AF)
DIVERSION TO STORAGE	(.009 CFS)	

and should have read:

IRRIGATION	(.400 CFS)	
RECREATION STORAGE		(12.00 AF)

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before September 5, 1989.

R. Keith Higginson,, Dir.

Published in the Cascade Advocate on August 16 & 23, 1989.

*Correct advertisement
was the original -
no protests submitted.
OK*



**State of Idaho
DEPARTMENT OF WATER RESOURCES**

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

CECIL B. ANDRUS

Governor

R. KEITH BRIDGEMAN

Director

30 June 1989

The Pine Lakes Ranch
Home Owners Assn. Inc.
10792 W. Overland
Boise, ID 83709

RE: 65-13045

Dear Applicant:

The Department recently received an application for a water right permit, no. LS-18045. The application specifies a storage dam may be constructed which will come under the jurisdiction of the State of Idaho, Dam Safety Program. Dams which are 10 feet or more in height or store 50 acre-feet or more are large enough to come under the jurisdiction of the Department of Water Resources. Dams which are more than 20 feet in height or store 100 acre-feet or more require submittal of plans and specifications, prepared by a professional engineer, to the Department for review and approval prior to start of construction.

Enclosed is a copy of the Rules and Regulations for Safety of Dams for your information. Also find enclosed an application to construct the dam. The application must be filled out completely and returned along with the appropriate fee. The fee is based on the storage capacity of the reservoir and is explained in Section 42-1713 of the Idaho Code which is located at the back of the Rules and Regulations. Construction of the dam shall not proceed until the application is submitted to and approved by the Department. Other barriers which are not subject to Department jurisdiction are listed in Rule 2,6,4, page 3.

Please contact me, phone 334-2190 if you have any questions.

Sincerely,

David R. Tuthill

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

CONVERSATION MEMORANDUM

DATE 1-26-89

FILE New App.

NAME OF PARTY Carl Echevarria

EMPLOYEE R. Whitney

RE: Tried to contact Mrs. Echevarria @
323-7655 - Left message for her
to call me. No Reply as of March 1

March 3, 1989 - Left another message
for Mrs. Echevarria to call me about
application.

March 28, 1989 - Spoke w/ Mrs. Echevarria
she said she couldn't help me with info
until after tax season was over -
said she'd call me back then.

May 10, 1989 - Mrs. Echevarria will
be in to see me on May 18, 1989
@ 2:00 pm

RW:

May 18 1989 - Completed App. w/ Mrs. Echevarria
w/ the exception of the additional \$15 and
names of corp. officers. She said
she would mail it ASAP -

No reply as of May 26 and

Affidavit of publication

STATE OF IDAHO

COUNTY OF VALLEY

I, Fred K. O'Brien, being duly sworn deposes and says, I am the Publisher of *The Advocate*, a weekly newspaper published at Cascade, in Valley County, Idaho, and having a general circulation therein and of legal status in said county

The Advocate a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication and was published in the newspaper proper and not in a supplement, and that publication of such notice began.

6-21, 1987

and ended 6-28, 1987

Subscribed and sworn before me, this the

29th day of June, 1987

On this 29th day of June, 1987
I, a Notary Public in and for the State of Idaho, state that said person, Fred O'Brien, is in fact present me with this document and I did witness his signature on the foregoing.

Raymond J. Jensen
Raymond J. Jensen, Notary Public, residing at Cascade, Idaho

PUBLIC NOTICES

17th day of April, 1989, in the official records of Valley County, Idaho Record's Instrument No. 146748. The Commission cannot herein be listed to comply with Section 45-1506 (4) (a) of the Idaho Code. No representation is made whether or not they are currently responsible for the obligation listed herein.

Foreclosure is being effected because of default in the payment of the obligation due and owing from the Owner to Beneficiary and evidenced by a Promissory Note, which said obligation is secured by the said Deed of Trust; said default amounting to: payments in the amount of \$215.00 due since May 14, 1989 and each and every month thereafter.

By reason of said default, the Beneficiary has exercised its option in the Deed of Trust to declare the entire indebtedness and accrued interest, late charges, attorney's fees, owner's fees and other costs or expenses mentioned with the foreclosure to be due and payable.

The principal balance owing, as of this date is \$28,888.00 plus interest at the rate of 14% per annum, and any other costs or expenses mentioned with this foreclosure as provided by the Deed of Trust, the Promissory Note or Idaho Law.

DATED: This 16th day of June, 1989
TRUSTEE:
MOLITAN TITLE & ESCRROW COMPANY, INC.
By: William L. Cole, Corporate Secretary
Published 6/21, 6/28, 7/5 & 7/12, 1989

NOTICE OF APPLICATION FOR WATER RIGHT
The following applications have been filed to appropriate the public waters of the State of Idaho:

65-13885
YOUNG, RONALD E.
PO BOX 488
CASCADE, ID 83611

Source: GROUNDWATER
Diversion Pt. SESE Sec 28 T
LIN E 08E
Use: COMMERCIAL (2.000
CFS)
Date Filed: 5/18/1989
Ac: T14N R08E S28 S29S

65-13885
THE FIVE LAKES RANCH HOME OWNERS ASSOCIATION, INC.
10795 W OVERLAND
BOISE, ID 83749

Source: SPRING
Tributary: CASCADE RESERVOIR
Diversion Pt. SWNE1/4 Sec 1 T 14N
R 08E
Use: IRRIGATION (1.400
CFS)
RECREATION STORAGE
(12.00 AP)
DIVERSION TO STORAGE (.500
CFS)
Date Filed: 5/18/1989
Ac: T14N R08E S28 N2SW
N2SW
S28 N2SE
70.6 ACRES TOTAL

The project(s) will be subject to all prior water rights. Projects must be filed with the Director, Dept. of Water Resources, Whitman Building, 2725 Alameda Way, Boise, Idaho 83725 on or before JULY 10, 1989.

KIRBY HICKSON, Director
Published 6/21/1989 & 6/28/1989

65-13045

THE PINE LAKES RANCH HOME OWNERS
ASSOCIATION, INC.
10792 W. OVERLAND
BOISE, ID 83709

Source: SPRING Tributary: CASCADE RESERVOIR

Diversion Pt: SWNESE Sec 1 T 14N R 03E

Use: IRRIGATION (.400 CFS)
RECREATION STORAGE (12.00 AF)
DIVERSION TO STORAGE (.009 CFS)

Date Filed: 5/10/1989

In: T14N R03E S01 NESW
S02 NESE NNESE

70.0 ACRES TOTAL