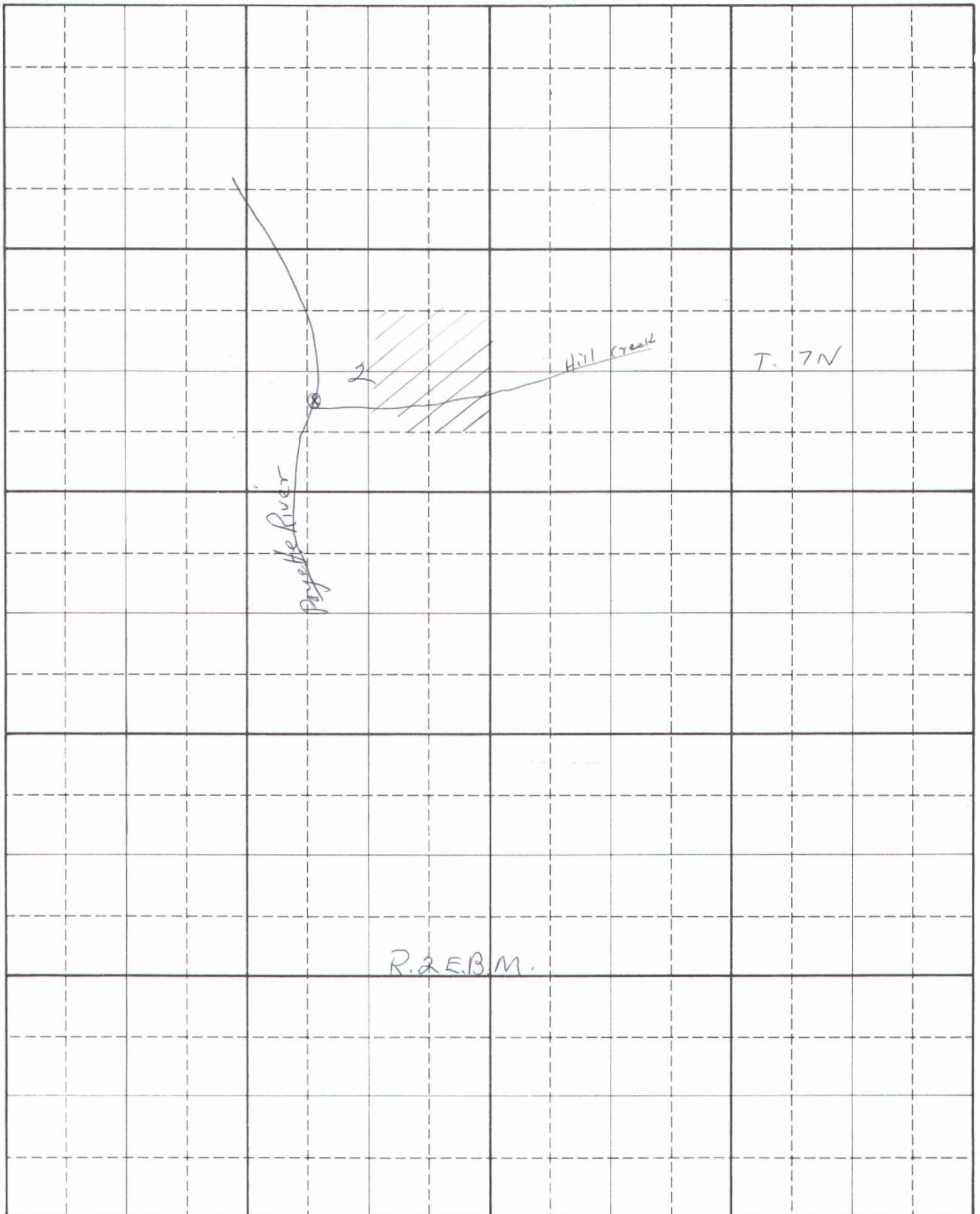


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Ernest H. Kallen
(Applicant)

STATE OF IDAHO,
County of Boise

Ronna Neth being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD, a weekly newspaper
published at Idaho City, in the
County of Boise and State of Ida-
ho; that said paper has been and
is in general circulation in the
county aforesaid, and in the vi-
cinity of Idaho City; that the
advertisement, a copy of which is
hereto attached, was published in
said newspaper once a week for

2 consecutive weeks in
the entire and regular issue of
every number of said paper dur-
ing the period and time of publi-
cation and was published in the
newspaper and not a supplement;
that said paper has been estab-
lished and regularly and continu-
ously published for more than
seventy-eight weeks past previ-
ous to the first publication of
this notice. Such notice was pub-
lished in the issue beginning with

April 8, 1977 and end-

ing with the issue of April 15

1977.

Ronna Neth

Subscribed and sworn to before

me this 18th day of Apr, 1977.

Robert J. Tuffield
Clerk of Dist Court

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Everett K. Allen, Cascade, Idaho has on March 29, 1977 submitted Application No. 65-7833 for a permit to appropriate 2.0 cubic feet per second of water from the Payette River tributary of Snake River by means of pump, pipeline and sprinkler system within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 2 T7N-R2E B.M., Boise County to be used from May 1 to October 31 for the irrigation of 160 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 2 T7N-R2E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before April 25, 1977.

C. STEPHEN ALLRED
Acting Director

Published in THE IDAHO WORLD,
Idaho City, Idaho, on April 8, 1977
and April 15, 1977.

OK
5-4-77
JY

RECEIVED
APR 29 1977

Department of Water Resources
Western Regional Office

REPROFILMED

http://wernet/appsworkflow/Framebuild.asp - Microsoft Internet Explorer

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Back Forward Stop Refresh Home Search Favorites History Mail Print

Address http://wernet/appsworkflow/Framebuild.asp Go Links

References

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[Launch ArcView](#)

[Administrative Rules](#)

[Query Tools](#)

Information Search (WR/AJ)

Basin	Seque	Suffix	Version	Basin	Status	Priority	Date	DL	Source List	Water Use List	Owner List	Source Table	Applic...
65	3803	B	1	Decreed	Active	1888-12-23	3.97		HILL CREEK	IRRIGATION	D.R. & J. INVER	waAdjudication	
65	3803	C	1	Decreed	Active	1888-12-23	2.07		HILL CREEK	IRRIGATION	EVERETT K.A.	waAdjudication	
65	3803	D	1	Decreed	Active	1888-12-23	0.19		HILL CREEK	IRRIGATION	EVERETT K.A.	waAdjudication	

The number of records is 3

Print

Parameters Results

different owners
for 65-3803 as of
SRBA -

all
acres
under
65-3803
included
in SRBA

Acres:
174 B
91 C
8 D
273

Hide References Next Step Previous Steps Screen ID 446

Done

Start Mailbox - Walker, Kay - Mi. PATHWORKS 32.VT.320 http://wernet/appswo... ArcView GIS 3.2a Local intranet 11:20 AM

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	65 2162	WILLIAM G HEROLD,	BROWNLEE CREEK	07N02E2							6										6
Right	65 13057	AVA M THORNTON, RODNEY E THORNTON,	GROUND WATER	07N02E2							4										4
Rec	65 10858	BETH ANN HEROLD, GORDON L HEROLD,	HILL CREEK	07N02E2														3			3
Rec	65 3803B	D R & J INVESTMENTS LIMITED PARTNERSHIP,	HILL CREEK	07N02E2	4	4	28	39									32	26			133
Rec	65 3803C	O & D PARTNERSHIP,	HILL CREEK	07N02E2									2.4			22	2.9	2.8	39	36	105.1
Right	65 10858	GORDON L HEROLD, BETH ANN HEROLD,	HILL CREEK	07N02E2														3			3
Right	65 3803	EVERETT K ALLEN,	HILL CREEK	07N02E2		2	28	24	2								24	22	24	28	154
Permit	65 12389	RANDY HEFFNER,	PAYETTE RIVER	07N02E2					16	16			9	3							44
Permit	65 7833	DR & J INVESTMENTS LP,	PAYETTE RIVER	07N02E2			40	40									40	40			160
Rec	65 10963	O & D PARTNERSHIP,	PAYETTE RIVER	07N02E2									2.4			22	2.9	2.8	39	36	105.1
Rec	65 2858A	O & D PARTNERSHIP,	PAYETTE RIVER	07N02E2									2.4			22	2.9	2.8	39	36	105.1
Rec	65 7071	MARY L GARRETT, DUANE W GARRETT,	PAYETTE RIVER	07N02E2							1										1
Rec	65 7073	CORY CHRISTIANSON, BON CHRISTIANSON,	PAYETTE RIVER	07N02E2							1										1
Rec	65 7079	D JACK BUETTGENBACH,	PAYETTE RIVER	07N02E2										2							2
Rec	65 7347	EVA M CLEMMER,	PAYETTE RIVER	07N02E2												4					4
Rec	65 7490	LAVERNE A MC KINNEY,	PAYETTE RIVER	07N02E2							0.5			0.5							1
Rec	65 7507	DELPHA I FREEMAN, IVAL E FREEMAN,	PAYETTE RIVER	07N02E2							1										1
Rec	65 7833	D R & J INVESTMENTS LIMITED PARTNERSHIP,	PAYETTE RIVER	07N02E2			40	40									40	40			160
Rec	65 9417A	O & D PARTNERSHIP,	PAYETTE RIVER	07N02E2									2.4			22	2.9	2.8	39	36	105.1
Rec	65 9417B	RANDY HEFFNER,	PAYETTE RIVER	07N02E2					2				23	19							44
Right	65 10963	O & D PARTNERSHIP,	PAYETTE RIVER	07N02E2												13			20	20	53
Right	65 13638	CHARLES L WOLFKIEL, KAREN E WOLFKIEL,	PAYETTE RIVER	07N02E2									0.3	0.3							0.6
Right	65 13652	MICHAEL TAMBINI,	PAYETTE RIVER	07N02E2												2					2
Right	65 2858A	O & D PARTNERSHIP,	PAYETTE RIVER	07N02E2												11			1	13	25
Right	65 7071	AUGUST G RIEKER,	PAYETTE RIVER	07N02E2							1										1
Right	65 7073	EDGAR RANFT,	PAYETTE RIVER	07N02E2							1										1
Right	65 7079	HELEN SOWER,	PAYETTE RIVER	07N02E2										2							2
Right	65 7347	TOM FAULL,	PAYETTE RIVER	07N02E2												4					4
Right	65 7490	JAY F STEVENS,	PAYETTE RIVER	07N02E2							1			1							2
Right	65 7507	IVAL E FREEMAN, DELPHA I FREEMAN,	PAYETTE RIVER	07N02E2							1										1
Right	65 7833	DR & J INVESTMENTS LP,	PAYETTE RIVER	07N02E2	2		25	40									15	20			102
Right	65 9417A	O & D PARTNERSHIP,	PAYETTE RIVER	07N02E2												15			18	16	49
Right	65 9417B	CALLENDERS INC,	PAYETTE RIVER	07N02E2					2			23	19								44
Permit	65 12842	TOM OLIVER, STEVE DOBSON,	PORTER CREEK	07N02E2												11			3		14
Rec	65 3104B	O & D PARTNERSHIP,	PORTER CREEK	07N02E2									2.4			22	2.9	2.8	39	36	105.1
Right	65 3104	TOM OLIVER, STEVE DOBSON,	PORTER CREEK	07N02E2															2	9	11
Permit	65 13606	DORIS OLIVER, LEO T OLIVER,	SPRING, UNNAMED STREAM	07N02E2															5		5



diff source
use R65

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Rec	65 3803B	D R & J INVESTMENTS LIMITED PARTNERSHIP.	HILL CREEK	07N02E1						2	10	7	10	12						41
Right	65 3803	EVERETT K ALLEN,	HILL CREEK	07N02E1							5	7	13	9						34
Right	65 7833	DR & J INVESTMENTS LP.	PAYETTE RIVER	07N02E1						2	6									8

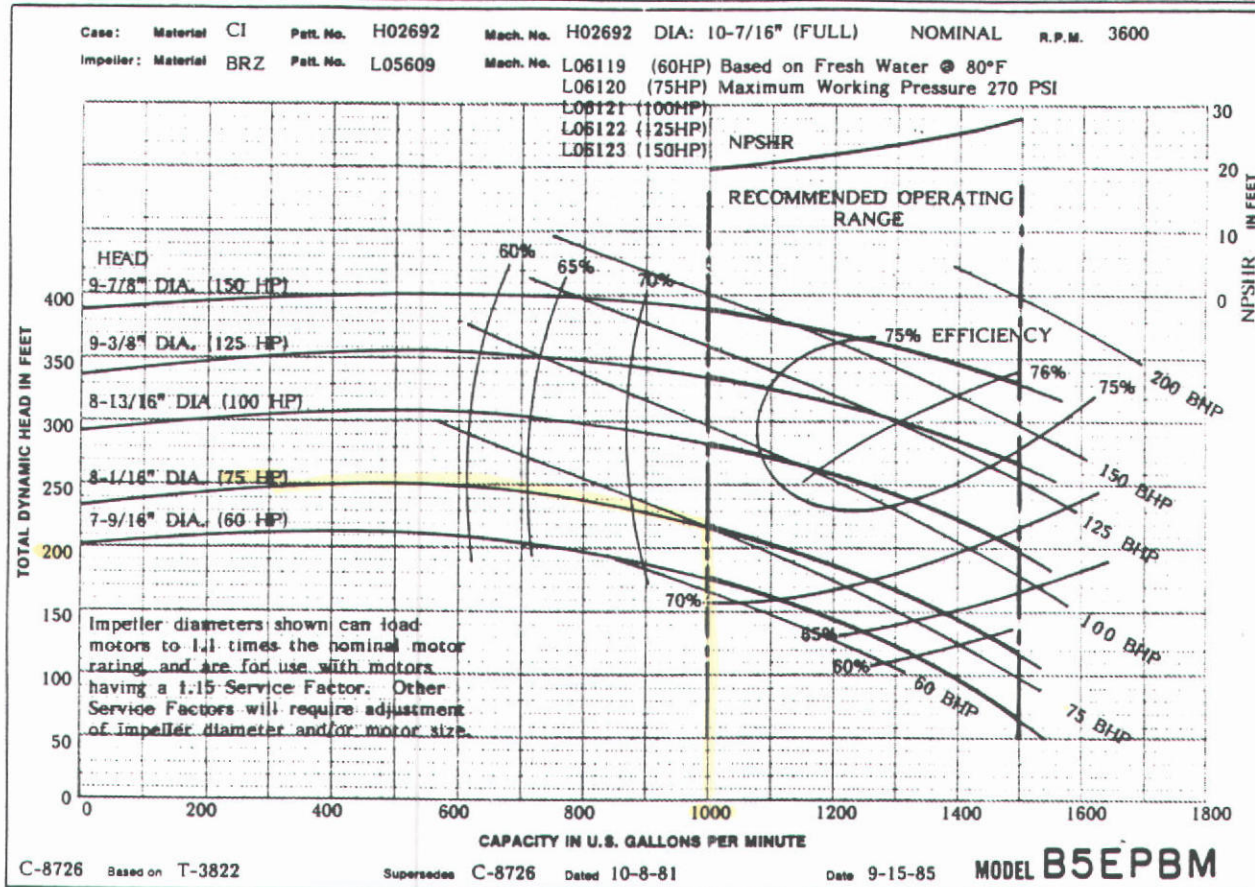
↑ ↑
 01 w/65-3803
 diff. source
 use R65



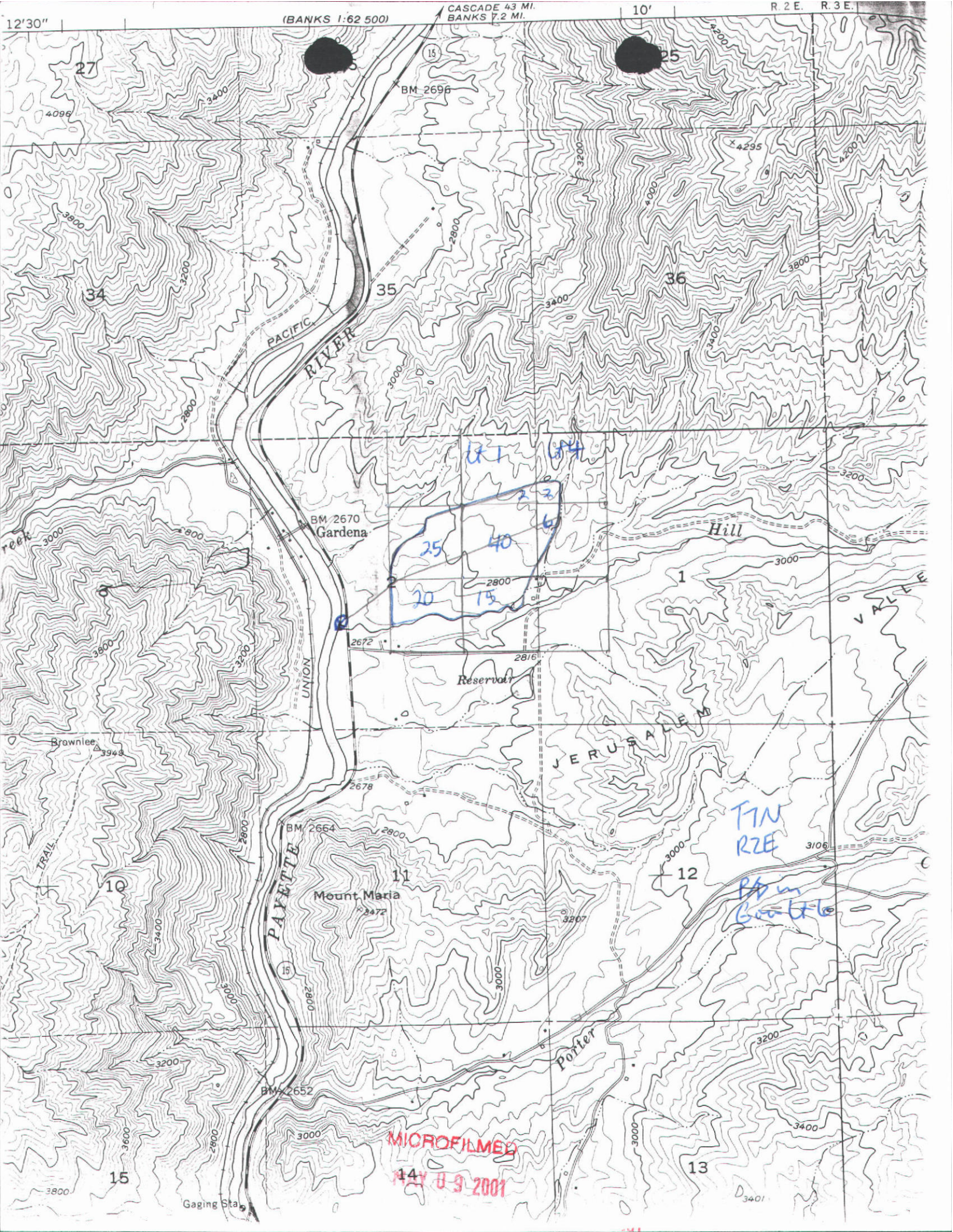
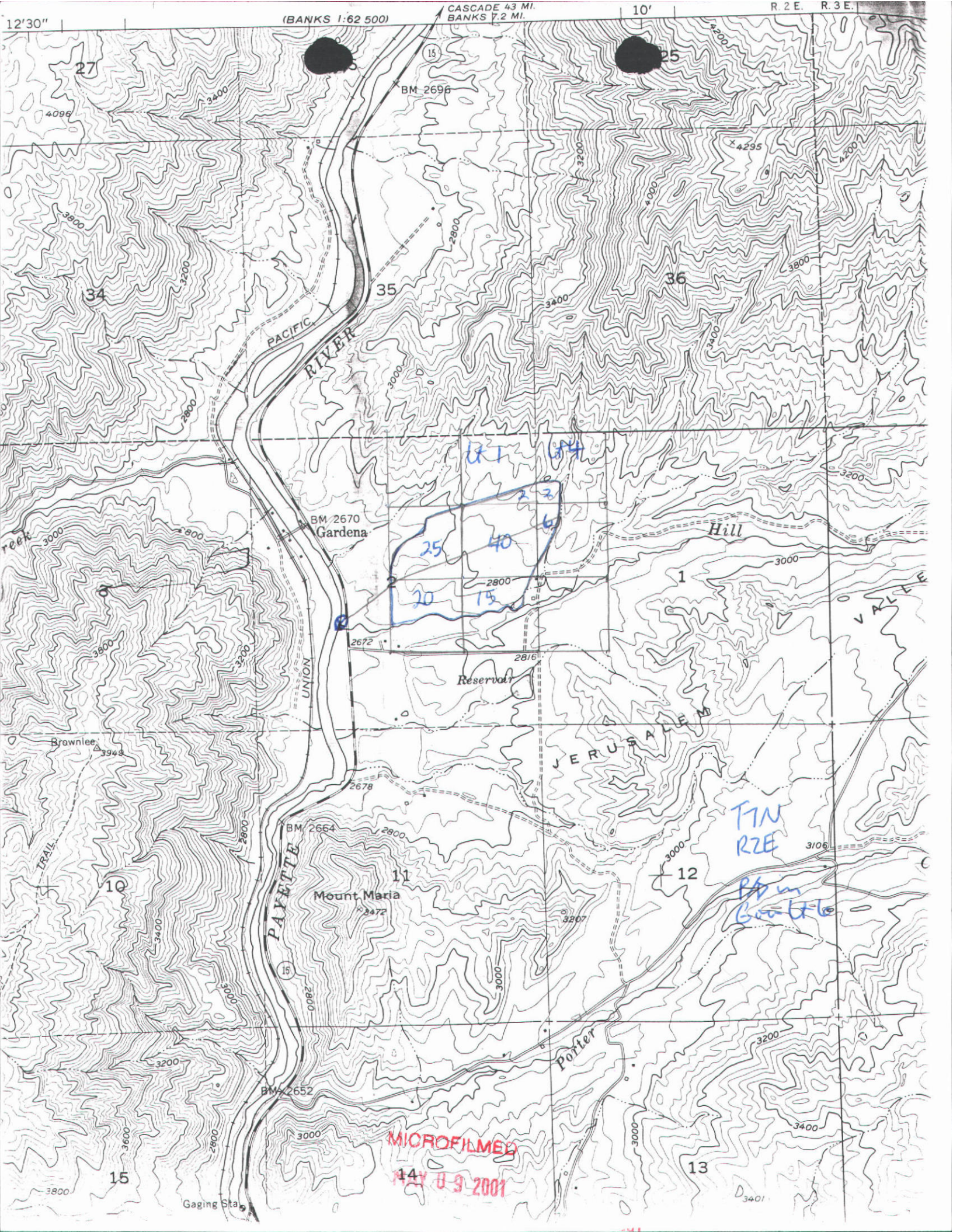
BERKELEY PUMPS
TYPE "B" RATING CURVES
MOTOR DRIVE

CURVE 4075
DATE 1-2-86
PAGE 6.01

SUPERSEDES
All previously issued
4075 Curves



MICROFILMED
MAY 09 2001

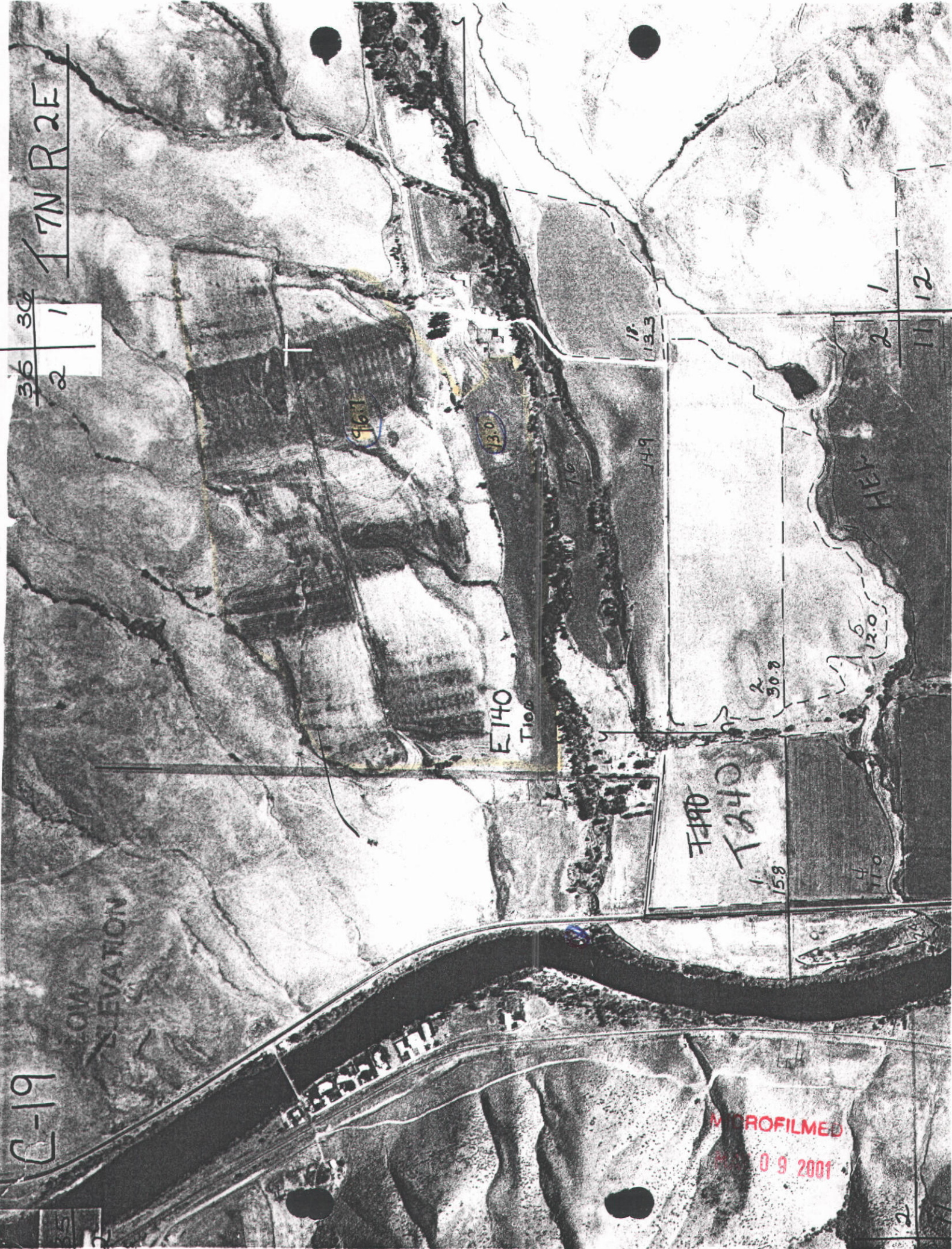


C-19

QW
ELEVATION

36	34
2	1

17N R 2E



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MAR 09 2001

(80) 77.00	77.90 (80)								
15.30	3	2	1	1	1	1	1	1	1
39.42	39.47	39.52	39.57	39.62	39.67	39.72	39.77	39.82	39.87



MAY 09 2001



3 HP River
Pump

75 HP Jacuzzi
Booster Pump



- P/u

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MAY 09 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-07833

Priority: April 23, 1977

Maximum Diversion Rate: 1.59 CFS
Maximum Diversion Volume: 495.0 AF

It is hereby certified that DR & J INVESTMENTS LP
8973 W STATE ST
BOISE ID 83703 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated March 29, 1977; and has
submitted Proof of Beneficial Use on May 26, 1982. An examination indicates that the works have a
diversion capacity of 1.59 cfs of water from:

SOURCE

PAYETTE RIVER

Tributary: SNAKE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/15 to 10/31	1.59 CFS	495.0 AF

LOCATION OF POINT(S) OF DIVERSION:

PAYETTE RIVER L6 NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2, Twp 07N, Rge 02E, B.M., BOISE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
07N 02E 1		2.0 L 4	6.0		8.0
07N 02E 2	2.0 L 1		25.0	40.0	102.0

Total Acres: 110

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above
2. Use of water under this water right will be regulated by the watermaster of State Water District No 65
3. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
4. Rights 65-03803 and 65-07833 when combined shall not exceed the irrigation of 329 acres.

MICROFILMED

MAY 09 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-07833

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 30th day of April, 2001.

Acting for


KARL J. DREHER
Director

MICROFILMED
MAY 09 2001

RECEIVED

APR 16 2001

Department of Water Resources

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 65-07833

Date of Priority: April 23, 1977

Maximum Diversion Rate. 1.59 CFS
Maximum Diversion Volume: 495.0 AF

Comes now **DR & J INVESTMENTS LP**
8973 W STATE ST

BOISE ID 83703 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. 65-07833, and requests that the permit be changed as follows.

Source: PAYETTE RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 10/31	1.59 CFS	495.0 AF

LOCATION OF POINT(S) OF DIVERSION:

PAYETTE RIVER L6 NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2, Twp 07N, Rge 02E, B M, BOISE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 02E 1						20	60										80
						L4											
07N 02E 2	20		25.0	40.0									15.0	20.0			102.0
	L1																

Total Acres: 110

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 this 13th day of April, 2001.

Donald B. Bunn OWNER
(Signature & Title)

MICROFILMED
MAY 03 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-07833

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = 50. Received by jm # C053415 Date 4/27/01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 65-07833 with the following:

CONDITIONS OF APPROVAL

- 1 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- 2 Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- 3 Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works
4. Rights 65-03803 and 65-07833 when combined shall not exceed the irrigation of 329 acres.

Witness my hand this 30TH day of April, 2001.

Acting for


KARL J. DREHER
Director

MICROFILMED
MAY 03 2001

WR0749NP
No. 65-07833

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/29/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DR & J INVESTMENTS LP 8973 W STATE ST BOISE ID 83703 (208) 853-1371	04/23/1977	IRRIGATION	05/01 10/31	2.000 CFS	
TOTAL DIVERSION:					2.000 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: PERMIT

Point(s) of Diversion: T07N R02E S02 NESW BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
07N	02E	2	:			40		40	:					:			40		40						:	160.0
																							TOTAL ACRES		160.0	

Pou County: GEM

Conditions of Approval:

- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.
- 001 - A measuring device of a type approved by the Department shall
- be permanently installed and maintained as part of the diverting
- works.
- 11A - No water may be diverted under this right until adequate
- supplemental water is obtained for the irrigation season when
- the natural flow is not available.

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-3803 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.
REINSTATED 6-28-1982.

Dates: App. Received: 03/29/1977 Priority Date: 04/23/1977 (Priority Date Advanced.)
Proof Due Date: 05/01/1982 Proof Made Date: 05/26/1982 (Proof Received Late.)
Exam Made Date: 05/06/1998 Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee: R (Received)

7/94 (Internet)

RECEIVED

SEP 19 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

For Office Use Only

\$25 Filing Fee

Receipt

Date

6049325
6-1-00

DONALD J. RUMSEY, dba
I, DOUBLE DIAMOND RANCHES*, hereby assign to DR & J INVESTMENTS LIMITED PARTNERSHIP
of, XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX 208-245-2137 208-853-1371
8973 W. State Street, Boise, ID 83703
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 65-07833 to appropriate the public waters of the State of Idaho.

Q1 (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho. (Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.)

effective the
Made this first day of January, 19 2000.

Donald J. Rumsey
Permit Holder

DONALD J. RUMSEY, dba DOUBLE DIAMOND RANCHES

State of Idaho)
County of Ada) ss

On this 14th day of March, 19 2000, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Shirley G. Hernandez

Notary Public residing at
Boise, Idaho

seal

My commission expires: 2/8/06 12-22-2003

- * Permit assigned from Everett K. and Marie H. Allen to Alfred C. Wolfgram and Margaret J. Wolfgram per attached Deed #1;
- Assigned from Alfred C. and Margaret J. Wolfgram to Donald J. Rumsey and Dale M. Rumsey per attached Deed #2;
- Assigned from Dale Rumsey and Betty M. Rumsey to Donald J. Rumsey per attached Deed #3; and
- Assigned from Betty E. Rumsey to Donald J. Rumsey per attached Deed #4.

MAY 09 2001

WARRANTY DEED

DEED #1

For Value Received EVERETT K ALLEN and MARIE H. ALLEN, husband and wife,

the grantor s, do hereby grant bargain, sell and convey unto ALFRED C. WOLFGAM and MARGARET J. WOLFGAM, husband and wife,
the grantees, whose current address is P. O. Box 100, Horseshoe Bend, Idaho 83629

the following described premises, in Boise County Idaho, to-wit

Lots 1, 2, 3, 4, $3\frac{1}{2}$, $5\frac{1}{2}$ of Section 1: NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 12;
and Lot 1, NE $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 2, T. 7 N., R. 2 E., EXCEPT
the following,

Beginning at the 1/16 corner 1320 feet North of the Quarter corner
in South Side of Section 2; thence East 380 feet to a point;
thence North 629 feet to a point; thence West 380 feet to a point;
thence South 629 feet to the point of beginning

Together with all water and ditch rights appurtenant to the above
described property and all rights which the Sellers have under
Idaho Department of Reclamation Water Permit No. 65-7833

RECEIVED

SEP 19 2000

Department of Water Resources

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantees
their heirs and assigns forever And the said Grantor s do hereby covenant to and
with the said Grantees, that they the owner in fee simple of said premises, that they are free
from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever

Dated Feb. 22, 1978

EVERETT K. ALLEN

MARIE H. ALLEN

STATE OF IDAHO, COUNTY OF Cecil
On this 22 day of February, 1978,
before me, a notary public in and for said State, personally
appeared Everett K. Allen and Marie H. Allen, husband and wife,

known to me to be the persons whose names are subscribed to this instrument, and acknowledged to me that they executed the same

Notary Public
Residing at Boise, Idaho
Comm. Expires 12-31-81

STATE OF IDAHO, COUNTY OF Boise
I hereby certify that this instrument was filed for record at
the request of Margaret Wolfgam

at 15 minutes past 1500 o'clock in T
this 1st day of June
1978, in my office, and duly recorded in Book
of Deeds at page 6126

Arlene C. Kolar
Ex-Officio Recorder

By Bonnie West
Fees \$ 3.00 127657 Deputy
Mail to

MICROFILMED
MAY 09 2001

DEED #2

WARRANTY DEED

RP 01 NO 2E 010050 A

RP 01 NO 2E 020050 A

FOR VALUE RECEIVED

ALFRED C. WOLFGRAM and MARGARET I. WOLFGRAM, husband and wife,

RP 01 NO 2E 120050 A

the Grantors, do hereby grant, bargain, sell and convey unto

DONALD J. RUMSEY and DALE M. RUMSEY,

the Grantees, whose address is 200 Sunrise Rim Road, Boise, Idaho 83705

the following described premises, to wit:

- All of Section 1; NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 12; and Lot 1, N $\frac{1}{2}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 2, T. 7 N., R. 2 E., except the following:

Beginning at the 1/16 corner 1320 feet North of the Quarter corner in South side of Section 2; thence East 380 feet to a point; thence North 629 feet to a point; thence West 380 feet to a point; thence South 629 feet to the point of beginning.

Together with all water and ditch rights appurtenant to the above described property and all rights which the Sellers have under Idaho Department of Reclamation Water Permit No. 65-7833.

RECEIVED

SEP 19 2000

Department of Water Resources

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GranteeS, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said GranteeS, that they are the ownerS in fee simple of said premises, that said premises are free from all encumbrances except existing Mortgage which Grantees assume and agree to pay.

and that they will warrant and defend the same from all lawful claims whatsoever

Dated June 13, 1988.

Alfred C. Wolfram
ALFRED C. WOLFGRAM
Margaret I. Wolfram
MARGARET I. WOLFGRAM

ACKNOWLEDGMENT — Individual

STATE OF Idaho County of Ada

On this 13th day of June, in the year of 1988, before me, the undersigned, a notary public, personally appeared ALFRED C. WOLFGRAM and MARGARET I. WOLFGRAM, known to me to be the personS whose nameS are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public Jacinta A. Blomgren
Residing at Meridian, Idaho
EXPIRATION DATE 2-24-94

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of M. C. Little

at 13 minutes past 14:00 o'clock m.T. this 15 day of June, 1988, in my office, and duly recorded in Book Julius of Deeds at page

Wilma C. Kaler
Ex Officio Recorder

By T. J. L. Jones Deputy
Fees \$ 3.00 12N370
Mail to



PIONEER TITLE COMPANY
OF ADA COUNTY

100 West State Street / Boise, Idaho 83702 / (208) 336 6700
100 West State Street / Boise, Idaho 83704 / (208) 336 2700

MICROFILMED

MAY 09 2001

QUITCLAIM DEED

DEED #3

FOR VALUE RECEIVED

DALE RUMSEY and BETTY M. RUMSEY, husband and wife,
do hereby convey, release, remise and forever quit claim
unto
DONALD J. RUMSEY, a single man,
whose address is 1197 Main Street, Boise, Idaho 83702
the following described premises, to wit

010050A
020050A
120050A
RECEIVED

SEP 19 2000

Department of Water Resources

All of Section 1; NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 12; and
Lot 1, N $\frac{1}{2}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 2, T.7n., R.2e.,
except the following:
Beginning at the 1/16 corner 1320 feet North of
the Quarter corner in South side of Section 2;
thence East 380 feet to a point; thence North
629 feet to a point; thence West 380 feet to a
point; thence South 629 feet to the point of
beginning.

Together with all water and ditch rights
appurtenant to the above described property
and all rights which the Sellers have under
Idaho Department of Reclamation Water Permit
No. 65-7333.

INST# 171893
REQUEST Angel Madaneta
99 JAN 29 PM 1:16
BOISE COUNTY RECORDER
J. J. J. J.
TYPE Lead FEE 2.50/cx

171893

together with their appurtenances.

Dated: 12 26 99, 1999

Dale Rumsey
DALE RUMSEY

Betty M. Rumsey
BETTY M. RUMSEY

ACKNOWLEDGMENT - Individual

STATE OF Idaho County of ADA ss

On this 26th day of December, in
the year of 1999, before me
the undersigned, a notary public,
personally appeared Dale Rumsey and Betty M.

Rumsey, known to
me as the person whose name is
subscribed to the instrument, and acknowledged to me that

Notary Public
Residing at
EXPIRATION DATE OF

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record
at the request of

at _____ minutes past _____ o'clock pm,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:

MICROFILMED

MAY 09 2001

QUITCLAIM DEED

FOR VALUE RECEIVED

BETTY E. RUMSEY,

DEED #4

RECEIVE

do hereby convey, release, remise and forever quit claim

unto

DONALD J. RUMSEY, A SINGLE MAN

whose address is 1197 Main Street, Boise, Idaho

83702

Department of Water Resources

the following described premises, to wit

All of Section 1; NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 12; and Lot 1, N $\frac{1}{2}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 2, T.7n., R.2e., except the following:

Beginning at the 1/16 corner 1320 feet North of the Quarter corner in South side of Section 2; thence East 380 feet to a point; thence North 629 feet to a point; thence West 380 feet to a point; thence South 629 feet to the point of beginning.

Together with all water and ditch rights appurtenant to the above described property and all rights which the Sellers have under Idaho Department of Reclamation Water Permit No. 65-7333.

INST# 171892
REQUEST Angel Modavita
99 JAN 29 PM 1:15
BOISE COUNTY RECORDER
Angie Dappin
TYPE Deed FEE 3.00/cx

171892

together with their appurtenances.

Dated: 6-7-97, 1997

Betty E. Rumsey
BETTY E. RUMSEY

ACKNOWLEDGMENT - Individual

STATE OF Nevada County of Clark ss.

On this 7th day of June, in the year of 1997, before me the undersigned, a notary public, personally appeared Betty E. Rumsey

known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same

Notary Public Tammy Baron
Residing at 1000 Orange Grove Ln Las Vegas NV
EXPIRATION DATE: Sept 17, 1998

STATE OF IDAHO, COUNTY OF

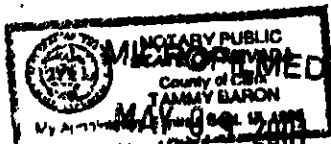
I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock pm, this _____ day of _____ 19____, in my office, and duly recorded in Book _____ of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$ _____
Mail to: _____



RECEIVED

JUN 1 - 2000

7/94 (Internet)

Department of Water Resources

For Office Use Only

\$25 Filing Fee

Receipt 2049325

Date 6-1-00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

I, Donald J. Rumsey, a Partner of Double Diamond Ranches, hereby assign to DR & J Investments Limited Partnership, a Nevada limited partnership,
of, 1197 Main Street, Boise, ID 83702 208-345-2137 - 208-853-1371
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 65-07833 to appropriate the public waters of the State of Idaho.

OR, (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho. (Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.)

Made this first day of January, 2000. xxxxxxx

Double Diamond Ranches

Donald J. Rumsey

Permit Holder Donald J. Rumsey, Partner

State of Idaho)
County of Ada) ss

On this 21 day of March, 2000, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Hecha B. Hernandez

Notary Public residing at
Boise, Idaho

seal

My commission expires: 2/2/06 12-22-2003

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MAY 09 2001

COPY

RECEIVED

JUN 09 2000

CONSENT TO ACTION OF SOLE DIRECTOR IN LIEU OF
ORGANIZATIONAL MEETING

WATER RESOURCES
WESTERN REGION

OF
DR HOLDINGS, INC.

RECEIVED

JUN 1 - 2000

Department of Water Resources

THE UNDERSIGNED sole director of DR HOLDINGS, INC., a Nevada corporation, hereby consents to, adopts, ratifies and approves in writing the following corporate actions, without a meeting, pursuant to the provisions of Title 7, Chapter 78, Nevada Revised Statutes:

INITIAL FORMATION OF CORPORATION:

BE IT HEREBY RESOLVED, that the Articles of Incorporation of the Corporation, as filed, are approved and adopted and shall be inserted in the minute book of the Corporation, together with the Certificate of Incorporation issued by the Secretary of State of Nevada on December 31, 1998.

BE IT FURTHER RESOLVED, that the form of Bylaws for the regulation of the affairs of the Corporation, approved and adopted this date, shall be filed in the corporate minute book.

CONFIRMATION OF SOLE DIRECTOR:

BE IT FURTHER RESOLVED, that the following person, who is named as the initial sole director in the Articles of Incorporation, is hereby ratified and confirmed as the sole director of this Corporation, to serve for the ensuing year or until his successor shall have been elected and qualified:

DONALD J. RUMSEY

ELECTION OF OFFICERS:

BE IT FURTHER RESOLVED, that the following persons are elected as officers of the Corporation, to serve for the ensuing year or until their successors shall have been elected and qualified:

President:
Vice President:
Secretary:
Treasurer:

DONALD J. RUMSEY
DONALD J. RUMSEY
LEECHA R. HERNANDEZ
DONALD J. RUMSEY

MICROFILMED

MAY 09 2001

CONDUCT OF CORPORATE BUSINESS:

BE IT FURTHER RESOLVED, that the secretary of this corporation shall procure all such record books, transfer books, books of account, stationery, and other office supplies as may be necessary, for the proper conduct of this corporation's business; that the form of stock certificate attached to this Consent is adopted as the stock certificate of the Corporation; and that the form of corporate seal that is impressed hereon, or an impression of which is attached to this Consent, is adopted as the corporate seal of the Corporation.

BE IT FURTHER RESOLVED, that the secretary be, and hereby is authorized and directed to pay out of any funds belonging to this corporation the expenses incurred in connection with its incorporation and for the supplies ordered or to be purchased in connection with the organization of the corporation and the establishment of its business, and such other obligations, if any, as the corporation has incurred incidental to its organization.

BE IT FURTHER RESOLVED, that this corporation shall open a bank account for the general banking business of this corporation with a banking institution in the State of Nevada or in any other state, as the officers of this corporation may deem appropriate, and the standard banking resolution used by said bank for a corporate account is hereby adopted as if said resolution had been set forth herein in full; and that the officers of this Corporation are hereby authorized and directed to execute all necessary forms of corporate resolution of authority for bank accounts and borrowings with said banking institution.

ORIGINAL STOCK ISSUE:

BE IT FURTHER RESOLVED, that, for good and valuable consideration, the receipt of which is hereby acknowledged, the Corporation shall issue shares of common stock pursuant to that certain Subscription and Investment Agreement dated December 31, 1998, as set forth below:

SUBSCRIBER	VOTING SHARES:	NONVOTING SHARES:
DONALD J. RUMSEY	100	900

DR & J PROPERTIES L.P.:

WHEREAS, this Corporation and Donald J. Rumsey have agreed to enter into and execute that certain Agreement of Limited Partnership dated January 1, 1999 (the "Agreement"), wherein this Corporation will contribute certain assets to DR & J Properties L.P., a Nevada limited partnership (the "Partnership") in exchange for a one percent (1.0%) general partner interest in said Partnership; and

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MAY 09 2001

WHEREAS, pursuant to such Agreement, this Corporation will become the sole General Partner of said Partnership and as such, will assume all of the rights, duties and obligations of a General Partner as set forth in said Agreement;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that, effective January 1, 1999, the officers of this Corporation be, and they hereby are authorized and empowered to enter into and execute the Agreement wherein this Corporation will become the sole General Partner of said Partnership and shall assume all of the rights, duties and obligations of a General Partner as set forth in said Agreement.

BE IT FURTHER RESOLVED, that thereafter the officers of this Corporation be, and they hereby are authorized and empowered to conduct the business of said Partnership as its General Partner, consistent with all the rights and powers granted to a General Partner under the Agreement and acting in the fiduciary capacity as described therein.

DR & T PROPERTIES L.P.:

WHEREAS, this Corporation and Donald J. Rumsey have also agreed to enter into and execute that certain Agreement of Limited Partnership dated January 1, 1999 (the "Agreement"), wherein this Corporation will contribute certain assets to DR & T Properties L.P., a Nevada limited partnership (the "Partnership") in exchange for a one percent (1.0%) general partner interest in said Partnership; and

WHEREAS, pursuant to such Agreement, this Corporation will become the sole General Partner of said Partnership and as such, will assume all of the rights, duties and obligations of a General Partner as set forth in said Agreement;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that, effective January 1, 1999, the officers of this Corporation be, and they hereby are authorized and empowered to enter into and execute the Agreement wherein this Corporation will become the sole General Partner of said Partnership and shall assume all of the rights, duties and obligations of a General Partner as set forth in said Agreement.

BE IT FURTHER RESOLVED, that thereafter the officers of this Corporation be, and they hereby are authorized and empowered to conduct the business of said Partnership as its General Partner, consistent with all the rights and powers granted to a General Partner under the Agreement and acting in the fiduciary capacity as described therein.

FURTHER ACTIONS:

BE IT FURTHER RESOLVED, that the officers of this Corporation be, and they hereby are, authorized and empowered to enter into and execute contracts, leases,

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MAY 11 9 2001

agreements and other legal documents of whatever kind or nature, specifically including agreements of limited partnership, as may be agreed to be necessary in the course of business, and that thereafter the Corporation shall be authorized to perform according to the same.

DATED this 31st day of December, 1998.

SOLE DIRECTOR:


DONALD J. RUMSEY

MICROFILMED

MAY 09 2001

CONSENT TO ACTION OF SOLE DIRECTOR IN LIEU
OF ORGANIZATIONAL MEETING D. 4

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-7833 IN THE)
NAME OF EVERETT K. ALLEN) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before May 1, 1982; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on May 26, 1982;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-7833 be REINSTATED and the priority advanced to April 23, 1977 .

Dated this 28th day of June, 1982.

L. Glen Saxton

L. GLEN SAXTON

Chief, Operations Bureau

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below of permit No. **65-7833**

Name(s) of Permit Holder **Ernest K Allen**

Post Office Address:

Cascade Ida Tel. No **3824/22**

Source of Water:

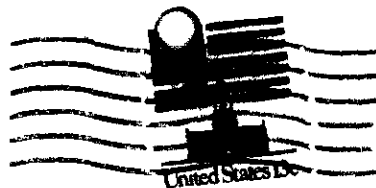
Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
 Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

5/24/82
Date

Ernest K Allen
Signature of Permit Holder



RECEIVED

MAY 26



Department of Water Resources
IDAHO
STATEHOUSE
BOISE, IDAHO 83720

Identification No. _____

Application No. 65-7833

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1 Name of applicant Everett K. Allen Phone: 382-4122
post office address Cascade, ID

2 Source of water supply Payette River which is a tributary of Snake River

3 a Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2 Township 7N
Range 2E B.M. Boise County; additional points of diversion if any _____

b If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4 Water will be used for the following purposes.

Amount 2.0 for Irrigation purpose from 5-1 to 10-31 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

5. Total quantity to be appropriated

a. 2.0 cubic feet per second and/or

b. _____ acre feet per annum.

6 Proposed diverting works

a. Description of ditches, flumes, pumps, headgates, etc _____
pump, pipeline and sprinkler system

b Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir
capacity _____ acre feet, materials used in storage dam _____

Period of year during which storage will occur _____ to _____ inclusive
(Mo Day) (Mo Day)

c Proposed well diameter is _____ inches; proposed depth of well is _____ feet

7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years

b Estimated construction cost is \$ 10,000

8 Description of proposed uses

a If water is **not** for irrigation

(1) Give the place of use of water _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated _____ hp under _____ feet of head

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe _____

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b If water is for irrigation, indicate acreage in each subdivision in the tabulation below

[illegible]

Total number of acres to be irrigated 160

c Describe any other water rights used for the same purposes as described above.

Hill Creek Water

9. a. Who owns the property at the point of diversion _____ Highway Department

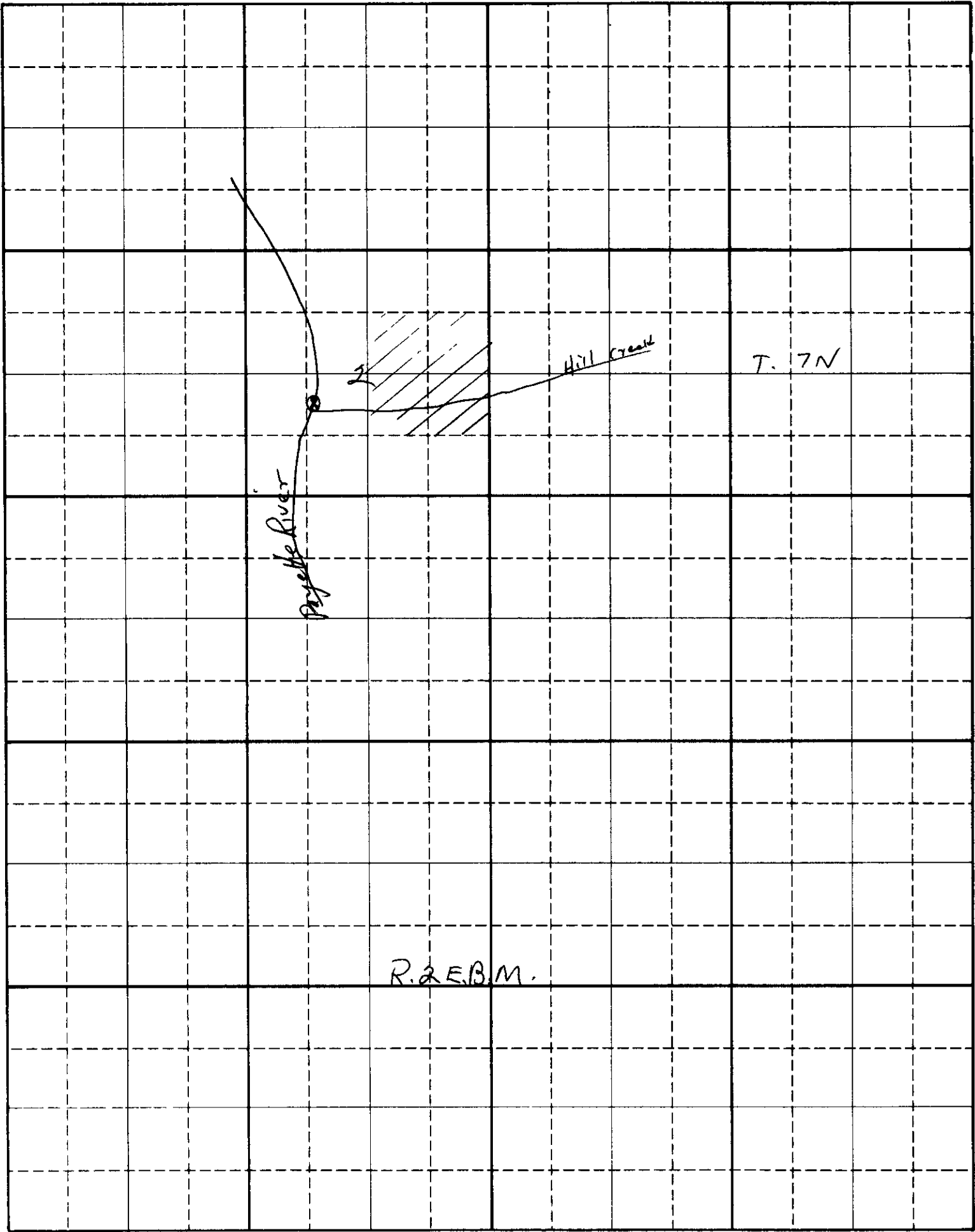
b. Who owns the land to be irrigated or place of use _____ Applicant

c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicant will get easement

~~Applicant will get easement~~ applicant to make this filing

10. Remarks

11 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

Edward H. Hall
(Applicant)

Proposed Priority 3/29/77

Received by R.W.H. Date 3-29-77 Time 11:35A M.
Preliminary check by R.W.H. Fee \$ 35.00
Receipted by ry Date 3-29-77 # 7080
Publication prepared by CS Date 3-21-77
Published in The Idaho World
Publication dates 4-6-77 & 4-13-77
Publication approved ry Date 5-4-77
Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by 1st

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No 65-7833, and said application is hereby APPROVED.

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

a SUBJECT TO ALL PRIOR WATER RIGHTS.

b Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 82.

c. Other A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

The permit holder must obtain adequate supplemental water for the irrigation of the land during the period of the irrigation season that natural flow is not available.

Witness my hand this 31 day of May 19 77.


Deputy Director

STATE OF IDAHO,
County of Boise

Norma Neth being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD, a weekly newspaper
published at Idaho City, in the
County of Boise and State of Ida-
ho; that said paper has been and
is in general circulation in the
county aforesaid, and in the vi-
cinity of Idaho City; that the
advertisement, a copy of which is
hereto attached, was published in
said newspaper once a week for

2 consecutive weeks in
the entire and regular issue of
every number of said paper dur-
ing the period and time of publi-
cation and was published in the
newspaper and not a supplement;
that said paper has been estab-
lished and regularly and continu-
ously published for more than
seventy-eight weeks past previ-
ous to the first publication of
this notice. Such notice was pub-
lished in the issue beginning with

April 8, 1977, and end.

ing with the issue of April 15

1977.

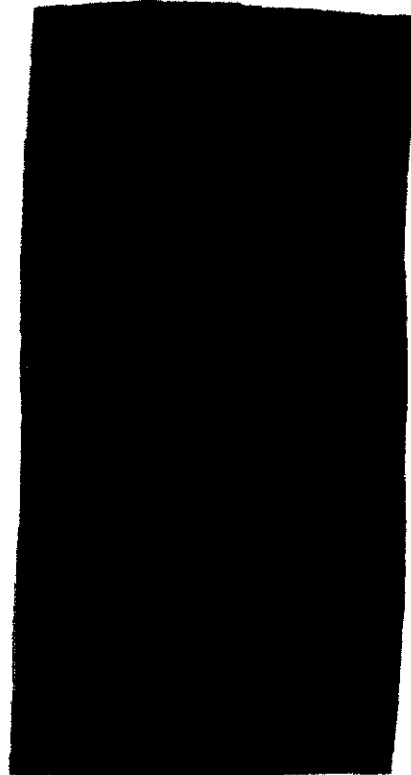
Norma Neth

Subscribed and sworn to before

me this 18th day of April, 1977.

Robert J. Tuffield
Clerk of Dist Court

OK
5-4-77
JP



REPROFILMED

Date: _____
Witness: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 2, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DR & J INVESTMENTS LP
8973 W STATE ST
BOISE ID 83703

RE License No. 65-7833 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or 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 forms and instructions.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK.klt

Enclosure(s)

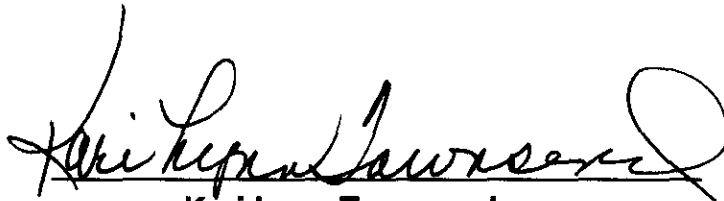
MICROFILMED
MAY 09 2001

CERTIFICATE OF MAILING

I hereby certify that on May 2, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 65-7833

**DR & J INVESTMENTS LP
8973 W STATE ST
BOISE ID 83703**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
MAY 09 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303)

FINAL ORDER

The Director 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 Director 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.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

April 19, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DR & J INVESTMENTS LP
8973 W STATE ST
BOISE ID 83703

RE. Water Right Permit No 65-02869

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

____ Point(s) of Diversion

✓ Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Please be advised that we have received the application for amendment of Permit 65-07833 but we did not receive the \$50.00 filing fee. I left a message on your phone but thought I would reiterate the message in this letter. We cannot proceed with licensing these permits without the amendments and amendment fees.

If you have any questions, please call me at 208-327-7944

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED
MAY 09 2001



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

April 6, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DR & J INVESTMENTS LP
8973 W STATE ST
BOISE ID 83703

RE: Water Right Permit No. 65-07833

Dear Permit Holder:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

 Point(s) of Diversion

 ✓ Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

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MAY 09 2001

LICENSE REVIEW CHECKLIST

Permit No. 65-07833 Date 4-5-2001 Reviewer Kay Walker

capacity = 1.59

Change/OK

Name/Address OK

Source OK
Point of Diversion OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use change

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps Right(s): 65-3803B
File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion.

Permitted rate 2.0 cfs
Fee Limit 2.0 cfs
Measured 1.59 cfs
Theoretical 1.59 cfs

Recommended Total Diversion Rate 1.59

Water Uses

495 OK Change (P46)

Season of Use per new Standards

3-15 10-31

Irrigation 1.59 cfs 495 af
Stockwater 1.59 cfs 495 af
Domestic 1.59 cfs 495 af
Total 1.59 cfs 495 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (081/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

1.59 cfs x 1.9835 x 231 days = 728.5 af (vs) 110 acres x 4.5 (FHR) = 495.0 af
3.5 (con)

Remarks: R65, R04, 103 OJT

Additional Conditions 65 Watermaster Control Yes
GW Measurement/Measuring Device
Other
Trust R55 - remove 051)
Non-trust (048/049)

GW Dist? OK
Water Msmt. Dist? OK
Crit GWMA? OK
GWMA? OK
Government Lots?

Advance Priority? yes If yes, explain why below
no

SRBA Claim?

yes - prelim report

Adjust memo

Amend Letters

P41 P87, S06

Second Amendment Notice P49 S06

04/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-7833

Owner Type Name and Address
Current Owner D R & J INVESTMENTS LIMITED PARTNERSHIP
8973 STATE ST
BOISE, ID 83703
(208) 583-1371

Original Owner DOUBLE DIAMOND RANCH
C/O DON RUMSEY
ROUTE 1 BOX 63
HORSESHOE BEND, ID 83629
(208)336-4801

Original Owner DOUBLE DIAMOND RANCHES
DON & DALE RUMSEY
311 4TH ST N EXT
NAMPA, ID 836873247
(208)336-4801

Priority Date. 04/23/1977
Basis Permit
Status: Active

Source Tributary to
PAYETTE RIVER SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	2 CFS		
Total Diversion			2 CFS		

Location of Point(s) of Diversion.

PAYETTE RIVER NESW Sec 02 Township 07N Range 02E BOISE County

IRRIGATION Use:
Acre Limit: 160

Place(s) of use.

Place of Use Legal Description: IRRIGATION BOISE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	02E	2		SWNE	40		SENE	40						
				NESE	40		NWSE	40						

Total Acres: 160

Conditions of Approval:

1. A01 THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE

STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Dates:

Licensed Date:
 Claim Received Date: 05/23/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	2/28/01 3:37:07 PM	sbock			In Process
Summary	2/28/01 3:36:32 PM	sbock			In Process

Other Information:

Receipt Number(s): X999999
 State or Federal: S
 Owner Name Connector:
 Water District Number: 65
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
Priority Date	2/28/01 3:37:05 PM	sbock	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice 6. (YES) Parent right has a priority date. 7. (YES) The basis of claim is an application or permit. 8a. (YES) Proof of beneficial use was submitted. 8b. (YES) The field exam was completed. 8c. (YES) The field exam was sent to state office. 8d. (NO) The license was not issued. 8e. (NO) The license will not be issued before filing the director's report.
Summary	2/28/01 3:36:29 PM	sbock	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.

OVERLAP ANALYSIS OF EXAM OF PERMIT NO. 65-07833

Place of Use	Twp	Rge	Sec	NE 1/4			NW 1/4			SW 1/4			SE 1/4			Totals
				NE	NW	SW	NE	NW	SW	NE	NW	SW	NE	NW	SW	
Exam Acres																
1833	7N	2E	1					2	6							8
3803			1						5	7	13	9				34
~~OL~~								2	6	7	13	9				37
3803B								2	10	7	10	12				41
7833	7N	2E	2			25	40						15	20		102
3803			2		2	28	24		23		15		16			108
~~OL~~					2	2	28	40			15		16	15	20	161
3803B				4	4	28	39		23				32	26		133

Total Acres _____

Right 65-3803 also has lands in

Sec. 11 which total 31 ac. > 131

Sec. 3 which total 100 ac

Rights 65-07833 + Rt. 65-3803 = 329 total acres

Rights 65-07833 + Sec. Rt. 65-3803B = 175 ac total

04/27/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO 65-3803

Owner Type Name and Address
Current Owner EVERETT K ALLEN
 CASCADE, ID 83611

Priority Date 12/23/1888
Basis Decreed
Status Active

Source Tributary to
HILL CREEK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	6.23 CFS		
STOCKWATER	1/01	12/31	0.03 CFS	0.5 AFA	
DOMESTIC	1/01	12/31	0.05 CFS	1.5 AFA	
Total Diversion			6.23 CFS	0.5 AFA	

Location of Point(s) of Diversion

HILL CREEK	SENE	Sec 01	Township 07N	Range 02E	BOISE County
HILL CREEK	SENE	Sec 01	Township 07N	Range 02E	BOISE County
HILL CREEK	NESE	Sec 02	Township 07N	Range 02E	BOISE County

IRRIGATION Use
Acre Limit 273

Place(s) of use

Place of Use Legal Description IRRIGATION						BOISE County								
<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	02E	1		SWNW	5		SENE	7						
				NWSW	13		SWSW	9						
		2	5	SWNW	23	6	NWSW	15	7	SENE	16	2	NWNE	2
				SWNE	28		SENE	24						
			3	NENW	2									
				NESE	24		NWSE	22		SWSE	24		SESE	28
		11		NENE	17		NWNE	2						
			1	NENW	12									

Place of Use Legal Description STOCKWATER same as IRRIGATION

Place of Use Legal Description DOMESTIC same as IRRIGATION

Total Acres 273

Remarks

1 General THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2858, 65-9417, 65-7347, 65-7439 & 65-3104 SHALL

Water Right 65-3803

PROVIDE NO MORE THAN 02 CFS/ACRE

Dates

Licensed Date
Decreed Date 01/21/1986
Enlargement Use Priority Date
Enlargement Statute Priority Date.
Application Received Date
Protest Deadline Date
Number of Protests 0

Other Information.

Receipt Number(s)
State or Federal:
Owner Name Connector
Water District Number 65
Generic Max Rate per Acre
Generic Max Volume per Acre
Civil Case Number:
Old Case Number
Decree Plaintiff:
Decree Defendant
Swan Falls Trust or Nontrust
Swan Falls Dismissed.
DLE Act Number
Cary Act Number
Mitigation Plan False

3800

3803

3949

POU ID = 486240

References

- [System Help](#)
- [Contact Help Desk](#)
- [Document Management](#)
- [Search](#)
- [Defect Tracking](#)
- [Launch ArcView](#)
- [Administrative Rules](#)
- [Query Tools](#)

Information Search (WR/AJ)

Parcel ID	County	Section	Acres	Status	Owner	Address	City	State	Zip
65 3803 C 1	Decreed	Active	1988-12-23	2.07	HILL CREEK	IRRIGATION	EVERETT K.A.	wa	Adjudication
65 3803 D 1	Decreed	Active	1988-12-23	0.19	HILL CREEK	IRRIGATION	EVERETT K.A.	wa	Adjudication

Acres	
174	B
91	C
8	D

273



different owners
for 65-3803 as of
SRBA -

all
acres
under
65-3803
included
in SRBA

04/27/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO 65-3803B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	D R & J INVESTMENTS LIMITED PARTNERSHIP 1197 MAIN ST BOISE, ID 83702
Original Owner	EVERETT K ALLEN CASCADE, ID 83611
Original Owner	DOUBLE DIAMOND INC C/O DON RUMSEY RT 1 BOX 54 HORSESHOE BEND, ID 83629
Original Owner	DOUBLE DIAMOND RANCHES DON & DALE RUMSEY 311 4TH ST N EXT NAMPA, ID 836873247 (208)336-4801

Priority Date 12/23/1888
Basis Decreed
Status Active

<u>Source</u>	<u>Tributary to</u>
HILL CREEK	PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	3.97 CFS		
Total Diversion			3.97 CFS		

Location of Point(s) of Diversion

HILL CREEK	SENE	Sec 01	Township 07N	Range 02E	BOISE County
HILL CREEK	SENE	Sec 01	Township 07N	Range 02E	BOISE County

IRRIGATION Use
Acre Limit 174

Place(s) of use

Place of Use Legal Description IRRIGATION						BOISE County								
<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	02E	1	4	NWNW	2		SWNW	10		SENE	7			
				NWSW	10		SWSW	12						
		2	1	NENE	4	2	NWNE	4		SWNE	28		SENE	39
				NESE	32		NWSE	26						

Total Acres 174

Conditions of Approval

1 C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE

Water Right 65-3803B

RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED
BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE SECTION 42-
1412(6), IDAHO CODE

Comments

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
sbock	1/26/01	POU	MODIFIED TO REFLECT WHAT ACTUALLY APPEARS TO BE IRRIGATED THESE RIGHTS WERE SPLIT WITH O&D, AND DOOMS ALL PARTIES APPEAR TO KNOW WHAT LAND AND WATER RIGHTS THEY RECIEVED WHEN THIS WAS SPLIT. DR&J GOT 174 ACRES WITH THIS RIGHT, HOWEVER, SOME OF THE ACRES WERE DECREED ON OTHER LANDS BASED ON INFORMATION IN ALL FILES AND TALKING WITH DOOMS AND O&D, AND HEFNER, THIS SEEMS TO BE WHERE THE ACRES WERE PRIOR TO 1987. I HAVE TRIED TO HAVE MR RUMSEY COME INTO THE OFFICE TO GO OVER CLAIMS, BUT HE HAS NOT COME IN YET IF HE DOES NOT AGREE, ACRES CAN BE CHANGED DURING THE NOTICE OF ERROR PROCESS

Dates

Licensed Date
Claim Received Date: 05/23/1989
Enlargement Use Priority Date
Enlargement Statute Priority Date
Decreed Date
Date Filed with Court
Objection Filed Date:
SF5 Filed
Special Master Recom Signed Date

Other Information

Receipt Number(s) X999999
State or Federal S
Owner Name Connector: OR
Water District Number 65
Generic Max Rate per Acre.
Generic Max Volume per Acre
Civil Case Number
Old Case Number
Decree Plaintiff.
Decree Defendant
PresumptionFlag
Notice of Error Flag
Swan Falls Trust or Nontrust
Swan Falls Dismissed
DLE Act Number
Cary Act Number
Mitigation Plan False

$$\begin{array}{r} 2 \\ 4428 \\ 4032 \\ \hline 134 \end{array}$$

$$\begin{array}{r} 2 \\ 207 \\ 1012 \\ \hline 41 \end{array}$$

175

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 22 2000

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-07833

1. Owner: Double Diamond Ranches Phone No. 793-2644

Current Address: 1197 Main Street, Boise ID 83707

2. Accompanied by: Gene Hess EXAM DATE: 05/06/1998

Address: Horseshoe Bend Phone No. Same

Relationship to Permit Holder: Manager

3. Source: Pavette River tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-03803

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	¼	¼	¼	Sec	Twp	Rge	County	Method of Determination/Remarks
	6		NE	SW	2	7N	2E	Gem	USGS Quad, CFSA Photo

2. Place(s) of Use:

Indicate Method of Determination Same as above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	2E	2	2		25	40									15	20			102
		1	41					2	6										8

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

SEE ATTACHED PHOTOS & MAPS

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

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

Y Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
River Pump	Gould Century	3	6-338874-01	Berkeley	7800292
Booster Pump	US Motors	75	R-6326-03-223 R2113921	Jacuzzi	7L 7150227

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

D. FLOW MEASUREMENTS

1.

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

E. NARRATIVE/REMARKS/COMMENTS

A 3 hp pump lifts water 10' through a 6" pipe to a 75 hp booster pump. From there, the water is pushed through an 8" mainline under Hwy 55 (via Hill Creek Bridge). The mainline is ~3/4ths mile long and lifts the water ~200'. In order to achieve 40 psi at the end of the system, there must be 127 psi at the pump. At the time of the exam, the pump had not been connected with Idaho Power. When operating, the acres are irrigated via wheel line and handline sprinklers. Although the pumpback spreadsheet calculated cfs at 1.36 cfs, 1.59 cfs theoretical calculation was recommended because it was a reasonable average between the pumpback calculation and a comparable 75 hp pump rate capacity. 65-03803 is a Hill Creek water right decreed in the payette River Adjudication that overlaps some of the same acres as listed on this permit. The specific acres could not be determined since the Decree maps were not available. According to Gene Hess, Hill Creek water is not a reliable source for irrigation and has always been considered a flood water right that is rarely

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available. Decree 65-03803 was not claimed in the SRBA.

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

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F. FLOW CALCULATIONS

Y Additional Computation Sheets Attached

Measured Method:

$$\frac{78 \text{ hp} \times .7 \times 8.8}{10' + .127 \times 2.31} = 1.59 \text{ cfs}$$

* 200' elevation lift x .433 conversion factor = 86.6 psi @ pump + 40 psi @ end of system = 127 psi (pump + back pressure)

Pumpback Computation: 1.36 cfs (see attached spreadsheet)

Pump Curve for 75 hp pump: 2.23 cfs at 70% efficiency with 200' lift (see attached pump curve)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 110 \times 4.5 = 495$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.59 \text{ cfs} \times 246 \times 1.9835 = 775.8$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 495$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Irrigation	3/15	11/15	1.59	495
Totals:			1.59	495

2. Recommended Amendments

[A 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

Mr. Gnauer

Date

5/18/99

Reviewer

MICROFILMED

Date

MAY 09 2001

SEAL

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Lori Graves
12/03/98
Project. Flow Computation for 65-07833

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:

$$f = 0.2083 * (100 / \text{roughness})^{1.85} * ((\text{cfs} * 448.8)^{1.852} / \text{ID}^4 * 1.48 \text{ Length} / 100)$$

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lift: 200 00 feet
Pressure Req'd 40 00 psi
Required Head 292.40 feet
Pump Horsepower 78 00 horsepower
Pipe Roughness: 100 00 Note: pvc = 150, smooth and straight pipe = 140
aluminum - joint length 20' = 125, joint length
30' = 130, joint length 40' = 132, joint length
50' = 134, new riveted steel = 100
old riveted steel = 100, old cast iron = 95,
old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Friction Head Loss from Pipe Friction	Head Loss per 100 ft
7 75	4356 00	61.63		1.41

61.63

Initial Estimate of Rate of Flow: 1 360 CFS

Computation of Rate of Flow. 1.36

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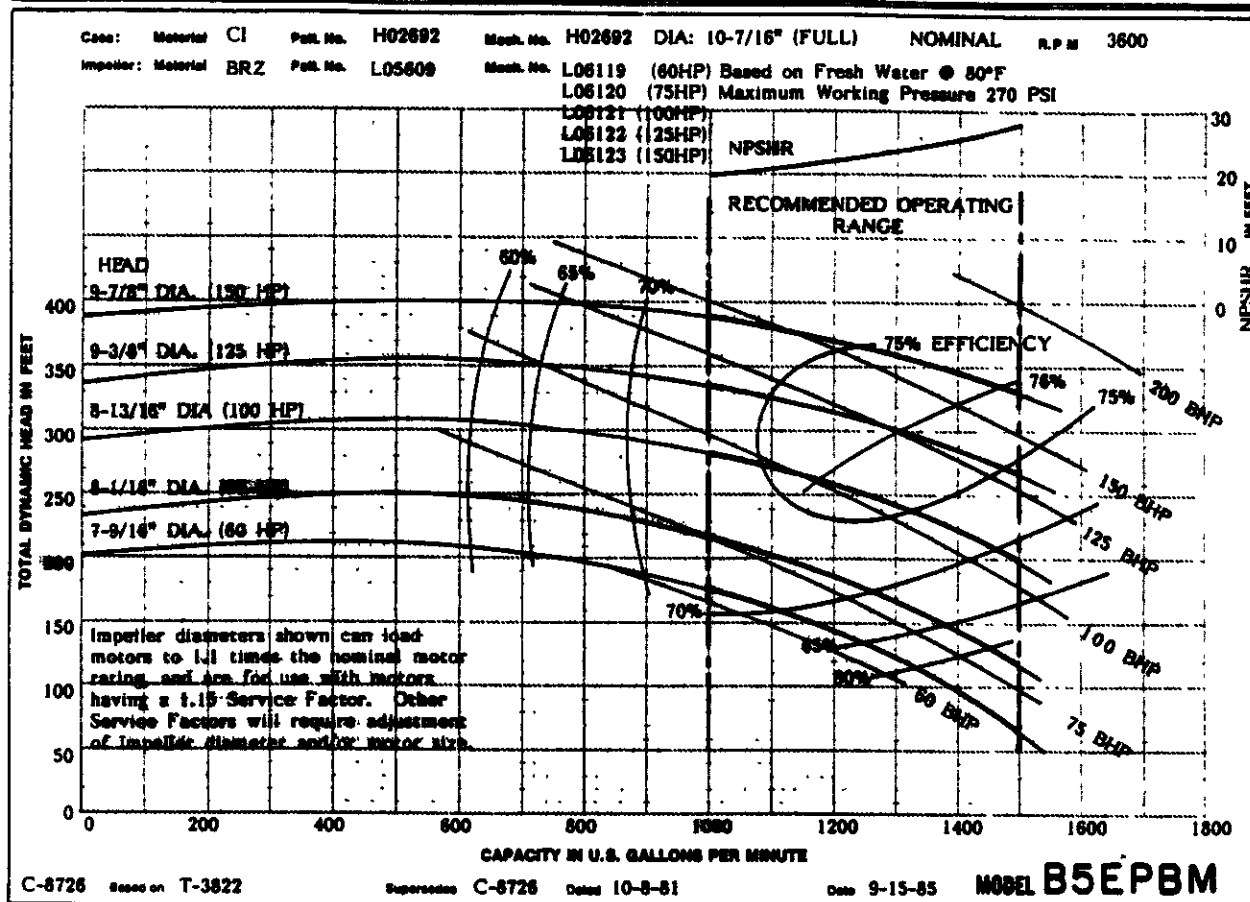
MAY 09 2001



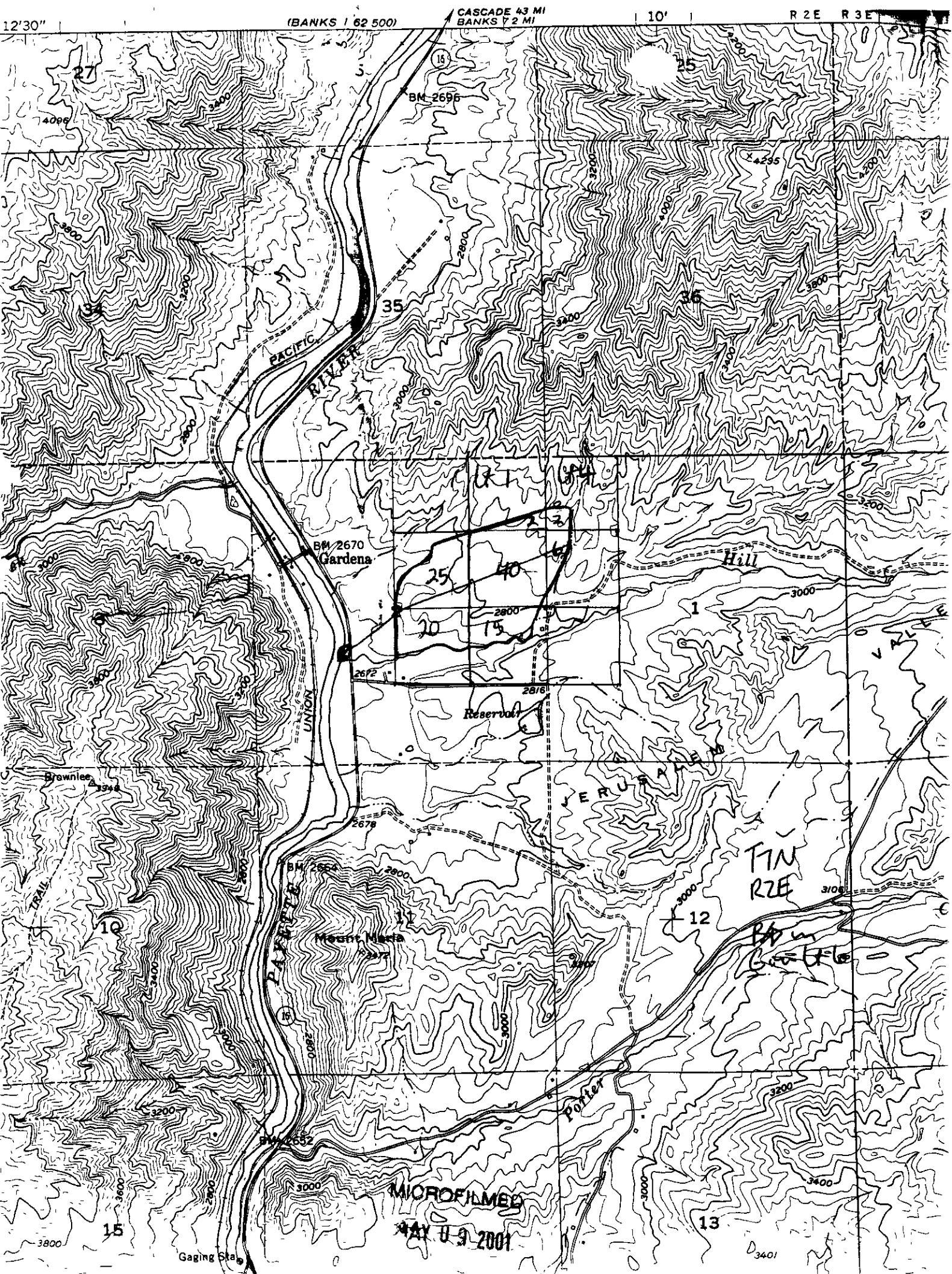
BERKELEY PUMPS

TYPE "B" RATING PUMPS MOTOR DRIVE

CURVE	4075
DATE	1-2-86
PAGE	6.01
SUPERSEDES	
All previously issued	
4075 Curves	



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D 3401

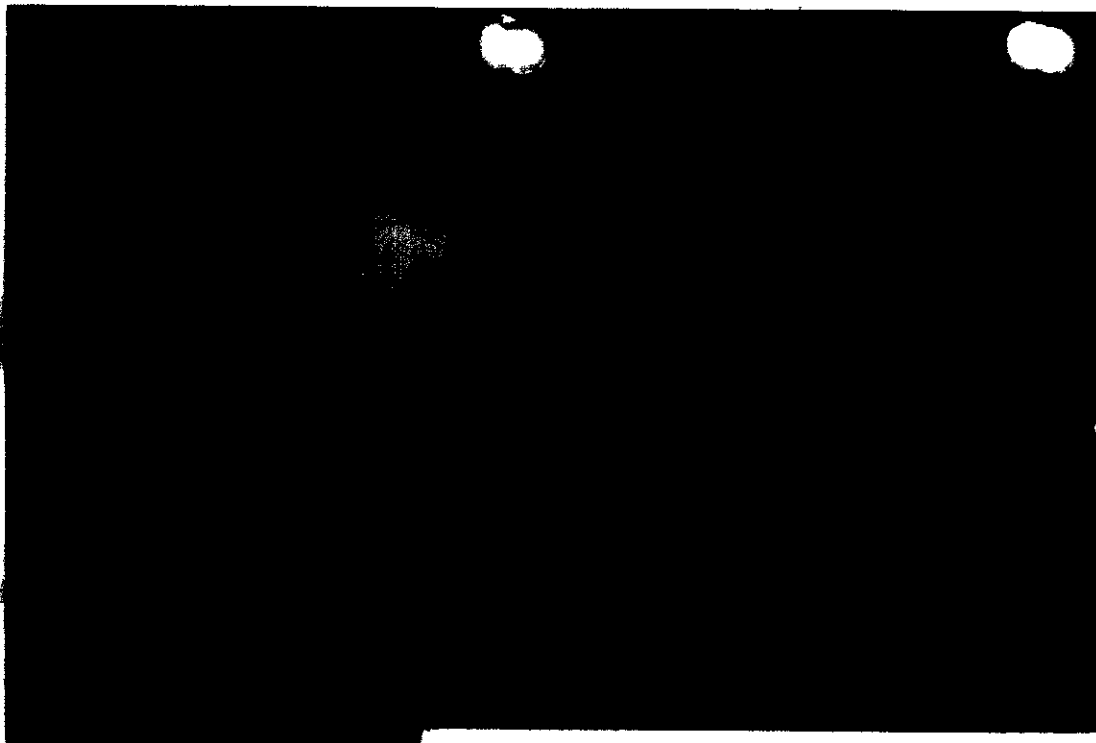


30 136 1 7N P 2 E

ETHO

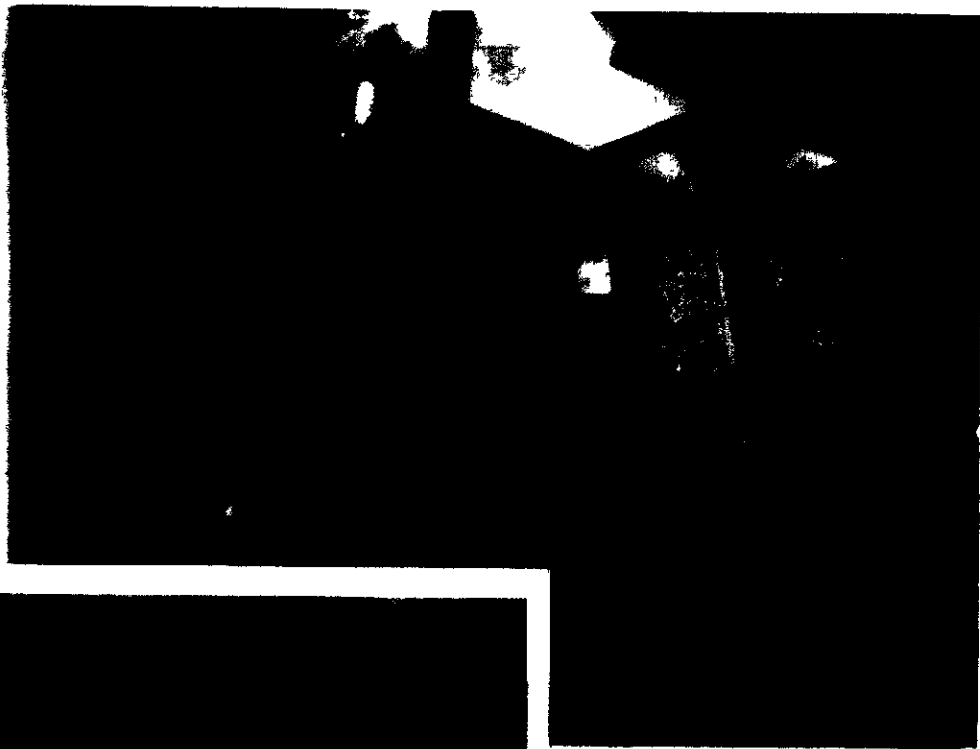
ROFILME

0 9 2001



3 HP River
Pump

75 HP Jacuzzi
Booster Pump



- P/u

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MAY 09 2001



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 29, 2000

D John Thornton & Associates
PO Box 7156
Boise ID 83707-1156

RE: Assignment of Permit No. 65-07833 for DR & J Investments LP

Gentlemen:

The department acknowledges receipt of the correspondence changing ownership of the above referenced permit to DR & J Investments. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your information.

Please note that as of July 1, 1996, water right owners are required to report any change of ownership and any change of mailing address of the owners of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department. You can also download our forms from our Internet site at <http://www.idwr.state.id.us/info/forms.htm>

Please feel free to contact me if you have any questions in regard to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosure

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MAY 09 2001

RECEIVED

SEP 19 2000

LAW OFFICE

D. JOHN THORNTON & ASSOCIATES, P.A.

TAX • BUSINESS • ESTATE PLANNING • WEALTH PRESERVATION

THE GOLDEN EAGLE AT FOREST RIVER
1101 WEST RIVER STREET, SUITE 340
BOISE, IDAHO 83702-7067

POST OFFICE BOX 7156
BOISE, IDAHO 83707-1156

TELEPHONE (208) 344-8600
FACSIMILE (208) 344-8720

Department of Water Resources

D. JOHN THORNTON
GREGORY A. BYRON, LL.M.

NICHOLAS S. MARSHALL, LL.M.
AMBER R. MYRICK, LL.M.
MARK P. THOMAS, LL.M.

KATHLEEN A. ROCKNE
LEGAL ASSISTANT

LICENSED TO PRACTICE IN
IDAHO, OREGON, WASHINGTON, CALIFORNIA

STRATEGIC LEGAL ALLIANCES
ARIZONA, NEVADA, UTAH

September 18, 2000

Ms. Kay Walker
Sr. Water Resource Agent
State of Idaho
Department of Water Resources
1301 N. Orchard
Boise, ID 83706-2237

Re: Donald J. Rumsey / Permit No. 65-07833 (Everett K. Allen)

Dear Kay:

Per our discussion last week, enclosed is an additional Assignment of Permit from Donald J. Rumsey, dba Double Diamond Ranches, to DR & J Investments Limited Partnership. This Assignment concerns Permit No. 65-07833, for which you show current ownership vested in Everett K. Allen. To clarify the chain of title to the land and the permit, I have attached the following documents:

1. Warranty Deed dated February 22, 1978, from Everett K. and Marie H. Allen to Alfred C. and Margaret I. Wolfgram, recorded June 1, 1988, as Instrument No. 127657, records of Boise County;
2. Warranty Deed dated June 13, 1988, from Alfred C. and Margaret I. Wolfgram to Donald J. Rumsey and Dale M. Rumsey, recorded June 15, 1988, as Instrument No. 128370, records of Boise County;
3. Quitclaim Deed dated June 7, 1997, from Betty E. Rumsey to Donald J. Rumsey, recorded January 29, 1999, as Instrument No. 171892, records of Boise County; and
4. Quitclaim Deed dated December 28, 1998, from Dale Rumsey and Betty M. Rumsey to Donald J. Rumsey, recorded January 29, 1999, as Instrument No. 171893, records of Boise County.

MICROFILMED

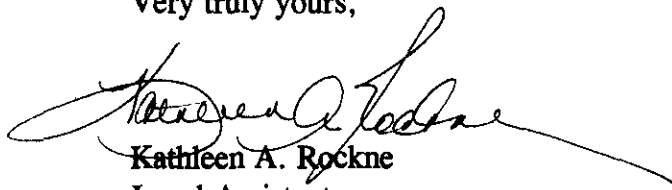
MAY 09 2001

September 18, 2000
Page 2

You will note that a typographical error has been made in both Quitclaim Deeds, which sets forth the water permit number as "65-7333" rather than "65-7833," but since the water rights run with the land, we do not believe this to be a substantive problem. If you have any questions or need additional information to finalize the assignment of this permit, please call.

Thank you for your assistance in this rather confusing matter. I look forward to hearing from you.

Very truly yours,



Kathleen A. Rockne
Legal Assistant

/K
Enclosures

MICROFILMED
MAY 09 2001



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

August 31, 2000

D John Thornton & Associates
PO Box 7156
Boise ID 83707-1156

RE: Assignment of Permits for DR & J Investments LP

Gentlemen:

The department acknowledges receipt of the assignment of permit forms you submitted on June 1, 2000. We find, however, that we have several items that must be taken care of to finalize all the assignment forms. The department has modified its records for Permit 65-02869 to reflect the change in ownership and has enclosed a computer-generated report for your records.

In regard to the assignment submitted for Permit 65-07833, we find that we cannot process this assignment. This permit is in the name of Everett K. Allen and only he can assign the permit. Please submit an assignment of the permit from Everett K. Allen to Donald J. Rumsey of Double Diamond Ranches so we can process the assignment to DR & J Investments LP. In Idaho, a water right permit is considered personal property and only the current permit holder of record can take action towards the permit. If Mr. Allen is no longer available, please contact me and we can discuss the action to be taken to resolve this matter. We will withhold action on the assignment until we hear from you in regard to this permit. As you can see on the enclosed profile report, we have entered DR & J Investments LP as the present owner of the permit.

You also submitted an assignment for Right 65-12751 that was licensed in February of 1991. Therefore, an assignment of this right is not required and we are returning the form to you. Please note that the change of ownership has been completed by the adjudication bureau. I have enclosed a profile report of that claim for you.

We have tried to send an acknowledgement letter to the address shown on the assignment form for Permit 65-02869 but it was returned to our office with a notice of address correction. In order for us to change our records to your current address, please complete the enclosed change in address form and return it to my attention at your earliest convenience. I have also included several blank "change in address" forms that you can use for other water rights you may have under your previous address.

MICROFILMED

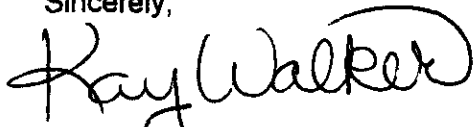
MAY 09 2001

We found that you submitted duplicate assignment forms for Permits A65-02869 and A65-07833. There is no fee associated with assignment of adjudication claims so we are returning those assignments to you. If a water right is pending action in the SRBA fees are not required to change ownership. Once the right is decreed, fees will once again become applicable. We have requested a \$75.00 refund for the fees you submitted with the assignment forms that we are returning herein. The refund will be coming under separate cover.

Please note that as of July 1, 1996, water right owners are required to report any change of ownership and any change of mailing address of the owners of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department. You can also download our forms from our Internet site at <http://www.idwr.state.id.us/info/forms.htm>

Please feel free to contact me if you have any questions in regard to this matter.

Sincerely,



KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

MICROFILMED
MAY 09 2001

Memorandum

To: Debbie Allen

From: Kay Walker *Kay*

Date: August 31, 2000

Re: Request for Refund
.....

Please refund \$75.00 to D. John Thornton & Associates for fees submitted on June 1, 2000. They submitted "Assignment of Permit" forms for claims pending in the SRBA. See attached letter for further explanation.

The receipt number is C049325 in the amount of \$125.00. Two of the assignment forms were acceptable. I returned the assignment forms for Rts. A65-02869, A65-07833 and A65-12751. A copy of the receipt is attached for your convenience.

Mailing address for Thornton is:

D. John Thornton & Associates, P.A.
P.O. Box 7156
Boise, ID 83707-1156

Thanks for your help. Kay

MICROFILMED
MAY 09 2001

LAW OFFICE

D. JOHN THORNTON & ASSOCIATES, P.A.

TAX • BUSINESS • ESTATE PLANNING • WEALTH PRESERVATION

THE GOLDEN EAGLE AT FOREST RIVER
1101 WEST RIVER STREET, SUITE 340
BOISE, IDAHO 83702-7067

POST OFFICE BOX 7156
BOISE, IDAHO 83707-1156

TELEPHONE (208) 344-8600
FACSIMILE (208) 344-8720

RECEIVED

JUN 09 2000

D. JOHN THORNTON
GREGORY A. BYRON, LL.M. WATER RESOURCES
WESTERN REGION

NICHOLAS S. MARSHALL, LL.M.
AMBER R. MYRICK, LL.M.
MARK P. THOMAS, LL.M.

KATHLEEN A. ROCKNE
LEGAL ASSISTANT

LICENSED TO PRACTICE IN
IDAHO, OREGON, WASHINGTON, CALIFORNIA

STRATEGIC LEGAL ALLIANCES
ARIZONA, NEVADA, UTAH

May 31, 2000

Ms. KariLynn Townsend
State of Idaho
Department of Water Resources
1301 N. Orchard
Boise, ID 83706-2237

RECEIVED

JUN 1 - 2000

Department of Water Resources

Re: Donald J. Rumsey

Dear KariLynn:

As we discussed earlier today, enclosed are Assignments of Permits and Notices of Change of Water Right Ownership to the following named limited partnerships:

To DR & J INVESTMENTS L.P.:

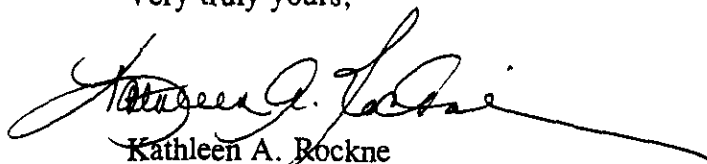
1. Five Assignments of Permit ##65-02869, 65-07833, A65-02869, A65-12751 and A65-07833, together with our check for assignment fees in the amount of \$125; and
2. Notice of Change of Water Right Ownership for various water rights and adjudication claims in Boise County.

To DR & T PROPERTIES L.P.:

3. Notice of Change of Water Right Ownership for one water right and two adjudication claims in Elmore County.

If you have any questions or need additional information, please call. Thank you in advance for your assistance.

Very truly yours,


Kathleen A. Rockne
Legal Assistant

MICROFILMED
MAY 09 2001

/K
Enclosures

WR0749NP
No. 65-07833

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/31/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	DOUBLE DIAMOND RANCHES DON & DALE RUMSEY 1197 MAIN ST BOISE ID 83702 (208) 345-2137	04/23/1977	IRRIGATION	05/01 10/31	2.000 CFS	
TOTAL DIVERSION:					2.000 CFS	
C	EVERETT K. ALLEN CASCADE ID 83611 (208) 382-4122					

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: PERMIT

Point(s) of Diversion: T07N R02E S02 NESW BOISE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	02E	2	:			40		40	:					40		40		:	160.0
TOTAL ACRES																		160.0	

Pou County: GEM

Conditions of Approval:

- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.
- 001 - A measuring device of a type approved by the Department shall
- be permanently installed and maintained as part of the diverting
- works.
- 11A - No water may be diverted under this right until adequate
- supplemental water is obtained for the irrigation season when
- the natural flow is not available.

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-3803 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.
REINSTATED 6-28-1982.

Dates: App. Received: 03/29/1977 Priority Date: 04/23/1977 (Priority Date Advanced.)
Proof Due Date: 05/01/1982 Proof Made Date: 05/26/1982 (Proof Received Late.)
Exam Made Date: 05/06/1998 Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee: R (Received)

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MAY 09 2001

INDICATES TOTAL

SOURCE: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	IRRIGATION	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION PLINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-7845	THE ENTERPRISE DITCH COMPANY ROUTE 1, EMMETT, IDAHO 83617 REMARKS: THIS PERMIT RIGHT IS NOT DECREEED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	3/16/1977	IRRIGATION	3/15 11/15	---	AFA .80 CFS	LOT 6 S11 T 6N R 2W	SESE(40) S16 T 6N R 2W +40*	PERMIT
65-7846	THE ENTERPRISE DITCH COMPANY ROUTE 1, EMMETT, IDAHO 83617 REMARKS: THIS PERMIT RIGHT IS NOT DECREEED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	3/16/1977	IRRIGATION	3/15 11/15	---	AFA .70 CFS	LOT 6 S11 T 6N R 2W	SENE(35) S16 T 6N R 2W +35*	PERMIT
65-7832	EMMETT IRRIGATION DISTRICT P. O. BOX 515, EMMETT, IDAHO 83617 REMARKS: PLACES OF USE WITHIN LANDS OF EMMETT IRRIGATION DISTRICT. THIS PERMIT RIGHT IS NOT DECREEED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	3/23/1977	IRRIGATION	3/15 11/15	---	AFA 6.00 CFS	LOT 1 S22 T 7N R 1W	+21452*	PERMIT
65-7833	ALLEN, EVERETT K. CASCADE, IDAHO 83611 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-3803 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. THIS PERMIT RIGHT IS NOT DECREEED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	3/29/1977	IRRIGATION	4/ 1 11/ 1	---	AFA 2.00 CFS	MESH S 2 T 7N R 2E	SWNE(40) SENE(40) NESE(40) NWSE(40) S 2 T 7N R 2E +160*	PERMIT

MICROFILMED
MAY 09 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 17, 1998

Double Diamond Ranch
ATTN Gene Hess
1197 Main St
Boise ID 83702

RE: Water Right No. 65-07833

Dear Water Right Holder:

I am in receipt of the Proof of Beneficial Use Statement you submitted to the department's Western Regional Office on June 5, 1998. Proof was filed for this water right on June 17, 1986, along with a \$125.00 license examination fee. I have enclosed a copy of the proof for your reference. Please note that this permit is under the name of Everett K. Allen.

I am returning the proof statement and I have initiated the process to refund the \$125.00 examination fee submitted with the proof. You should receive the refund within seven (7) to ten (10) business days under separate cover.

If you have any questions regarding this matter, please contact me at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - W. Region
Fiscal

MICROFILMED

AUG 21 1998

RECEIVED

JUN 09 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 05 1998

Department of Water Resources

PROOF OF BENEFICIAL USE

WATER RESOURCES
WESTERN REGION

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 who has been appointed by the department.

1. Permit No. 65-07833 Telephone No. 345-2137
2. Name(s) of Permit Holder(s): Double Diamond Ranch
3. Mailing Address: 1197 main st Boise, Idaho 83702
4. Source of Water: PAYETTE R ☒ GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
 - a. Well Driller: _____ Drilling Permit Number: _____
 - b. **OPTIONAL:**
Pump Horsepower: 3 + 12 Pressure (psi): 60 Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 110 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 2 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 _____
	Has the measuring device been installed?	Yes _____ or No <u>/</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____ or No _____
	Has the measurement port been installed?	Yes _____ or No _____
8. Fee Enclosed: \$ 125 (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: COPY Telephone Number: _____
Address: _____
10. The information given on this form 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.

Signature of permit holder: [Signature]

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

Date: 5-29-98

AUG 21 1998

COPY

4/86

KEYPINCHED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 6-17-86 125.00
Date 6-17-86
Receipt # 40372
Receipt by SP
Sent to S.O. 7/1/86

1. Permit No. 65-7833

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Everett K. Allen

3. Post Office Address: Cascade, Id.

Telephone No. 382-4122

4. Source of Water: Payette River

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 160 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 2.0 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1977

8. Person to contact to accompany the department representative during the field examination:

Everett K. Allen

(Name)

Same as above

(Address)

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

MICROFILMED

6-17-86

Date

AUG 21 1986
Signature of Permit Holder (and title, if appropriate)

June 19, 1986

Everett K. Allen
Cascade, ID 83611

Dear Mr. Allen:

Re: Permit No. 65-7833

The department has received the examination fee which you submitted in connection with the above-referenced water right permit together with the request to delay examination of the system since the system which pumps from the Payette River presently is not operational.

As you are aware, the field examination by department personnel is one of the required steps before a water right license can be issued and the water right developed process completed.

The department will delay the examination until the system is operable and requests that the system be operable not later than September 1, 1987. If the system is fixed this summer, however, please advise us so the water right development process can be completed.

Please contact the department if you have questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

cc: Margaret Wolfgram
Horseshoe Bend, ID

MICROFILMED

AUG 21 1988

6/15/86
TO: DEPT OF WATER RESOURCES

WE (E.K. Allen Ranch INC) REQUEST
AN ^{FIELD EXAM -} INSPECTION Delay ON APPLICATION #
65-7833 BECAUSE OF THE FOLLOWING:

1. RANCH HAS BEEN SOLD ON A CONTRACT,
IN THE CONTRACT THEY MUST PROTECT
THE WATER RIGHTS.
2. THE SYSTEM SINCE NEW OWNER HAVE
TAKEN OVER HAS BEEN BROKEN DOWN.
3. WHEN THE ~~PROV~~ APPLICATION WAS FILED
& SHOULD HAVE BEEN INSPECTED IT WAS
FULLY OPERATIONAL

THESE ARE THE REASONS FOR THE REQUEST
FOR A Delay.

Thank you

E.K. Allen Ranches INC.
JR. Allen Inc.



RECEIVED
JUN 17 1986

Department of Water Resources
MICROFILMED

AUG 21 1998

4/86

KEYPUNCHED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 65712
Date 6-17-86
Receipt # 40372
Receipt by JP
Sent to S.O. 7/1/86

1. Permit No. 65-7833

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Everett K. Allen

3. Post Office Address: Cascade, Id.

Telephone No. 382-4122

4. Source of Water: Payette River

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 160 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 2.0 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1977

8. Person to contact to accompany the department representative during the field examination:

Everett K. Allen

(Name)

Same as above

(Address)

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

6-17-86

Date

Signature of Permit Holder (and title, if appropriate)



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

65-7833

ALLEN, EVERETT K.
CASCADE, ID 83611

Mailing address:
Statehouse
Boise, Idaho 83720

138531

June 5, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

REC'D
JUN 21 1986

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

AUG 21 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. Kenneth Dunn
Director

(208) 334-2190

July 19, 1982

Everett K. Allen
Cascade, Idaho 83611

RE: 65-7833

Dear Mr. Allen:

We acknowledge receipt of your statement submitted as proof as beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

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

Sincerely,

Judy Pense

Judy Pense
Secretary

MICROFILMED

CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck

TO: File # 45-7833

DATE: ~~65-1~~ June 28, 1982

Date Proof Received	May 26	146
Proof Due	May 1	<u>121</u>
Number of Days Proof Late		25

Priority Date	88	
Number of Days Proof Late	<u>25</u>	
New Priority Date	113	= Apr. 23, 1977

Remarks

MICROFILMED

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

MICROFILMED

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

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

ALLEN, EVERETT K.
CASCADE, ID 83611

MAY 04, 1982

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 65-7833 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER A NOTICE THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT, OR A REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR NOTICE TO YOU DATED FEBRUARY 28, 1982.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

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CERTIFICATION OF MAILING

This document was
mailed by first class mail,
certified by the United States mail,
and registered to the
recipient.

Pat Sears

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

#138385

ALLEN, EVERETT K.
CASCADE, ID 83611

FEBRUARY 28, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-7833 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MAY 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

UNRECORDED

February 21, 1978

Re: Permit No. 65-7833 *file*

Everett K. Allen
Cascade,
Idaho 83611

Dear Mr. Allen:

Enclosed are copies of the Permit No. 65-7833 and the cover letter that we sent to you last June.

Sincerely,

KAY WALKER
Senior Clerk

KW/k
Enclosure

UNRECORDED

~~June 7, 1977~~ *resent*
Feb. 21, 1978 kw

Re: Permit No. 65-7833

Everett K. Allen
Cascade, ID 83611

Dear Mr. Allen:

Enclosed is a copy of your approved Application for Permit No. 65-7833. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Please be advised that there is insufficient natural flow available in the Payette River to provide water for a new appropriation throughout the entire irrigation season.

During the spring run-off each year, there may be a period of time in which the prior rights to the use of the natural flow and storage are filled leaving water available for your later-in-time permit. As the natural flow diminishes, however, there would be no water available for your right and unless you had arranged for an additional source of water to supplement the flow right, you may find that you have to cease irrigating in the middle of the season.

This information is provided so that you will not be misled into thinking that

UNRECORDED

this permit will provide sufficient water thru the entire irrigation season.

If you have any questions regarding this matter, please feel free to contact this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure

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DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) WKM 3-29-77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) WKM 3-29-77

In form for advertising.

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels: N/A

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) N OK

Affidavit of Publication received(date) 5-4-77

(12) _____

Final date for protests 4-25-77

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

☒ Measuring device required

☒ See attached sheet for other conditions of approval

☒ Payette R. Chausel

No special conditions for approval

(15) District W

By PHH

Date 5-5-77

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN REGION

Cecil D. Anderson
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

April 1, 1977

Re: Notice of Application for Water Permit No. 65-7853 -- Roy &/or Jessie Queen
63-8624 -- Randall A. Ambuehl
65-7833 -- Everett K. Allen

Idaho World
P.O. Box 220
Idaho City, ID 83631

Gentlemen:

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

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before April 25, 1977.

Sincerely,

Bill submitted
5-4-77
y.

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NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Everett K. Allen

Cascade, ID

has on March 29, 1977 submitted Application No. 65-7833

for a permit to appropriate 2.0 cubic feet per second acre feet
XXXXXXXXXX

XXXXXXXXXX per annum of water from the Payette River tributary of Snake River

by means of pump, pipeline and sprinkler system

within the NE 1/4 Sec 2 T7N-R2E B.M., Boise County

to be used from May 1 to Oct 31

for the irrigation of 160 acres

within the S 1/4 NE 1/4 Sec 2 T7N-R2E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before April 25, 1977.

C. STEPHEN ALLRED

Acting Director

Published in the The Idaho World, Idaho City

April 6, 1977 and April 14, 1977

RECORDED