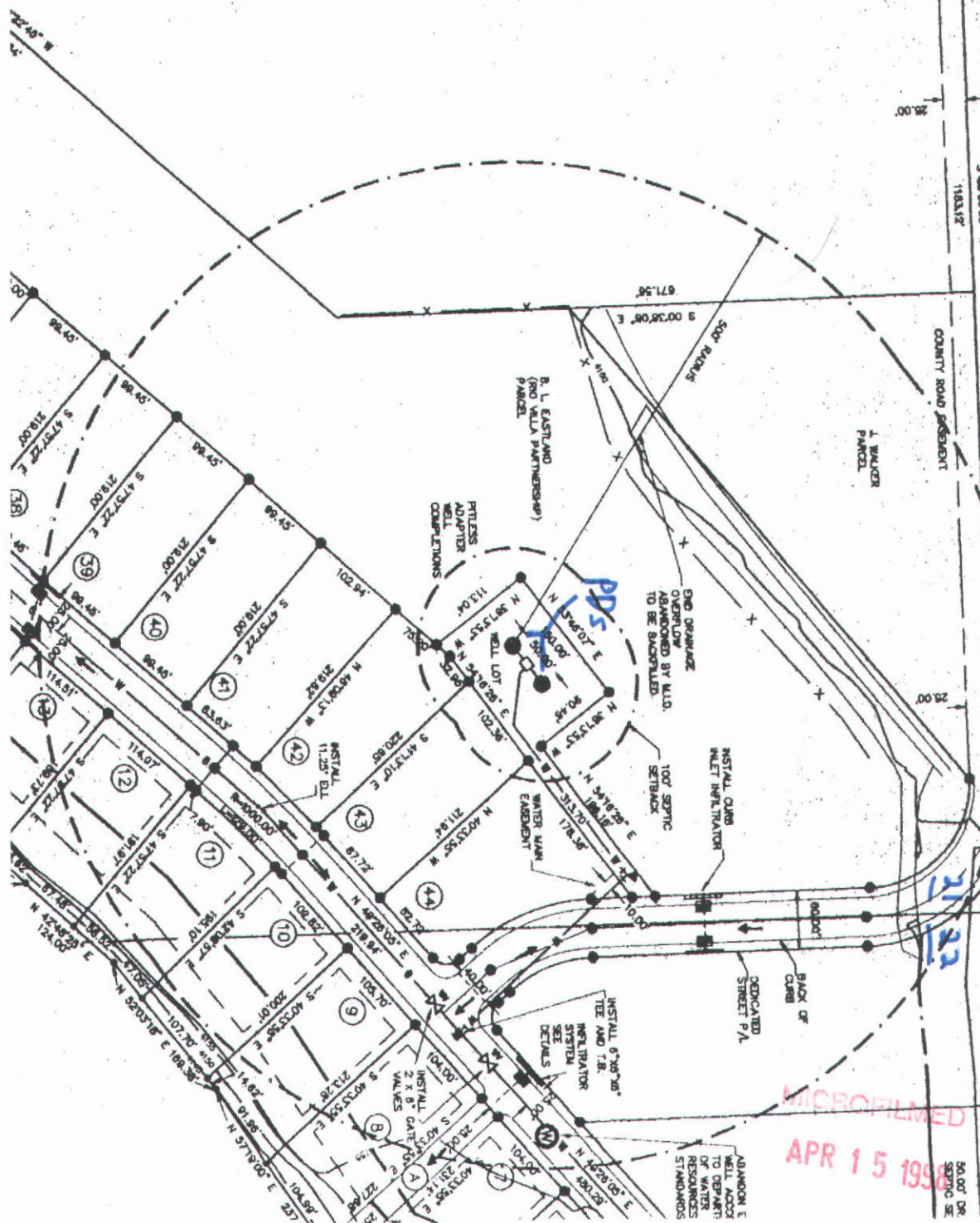
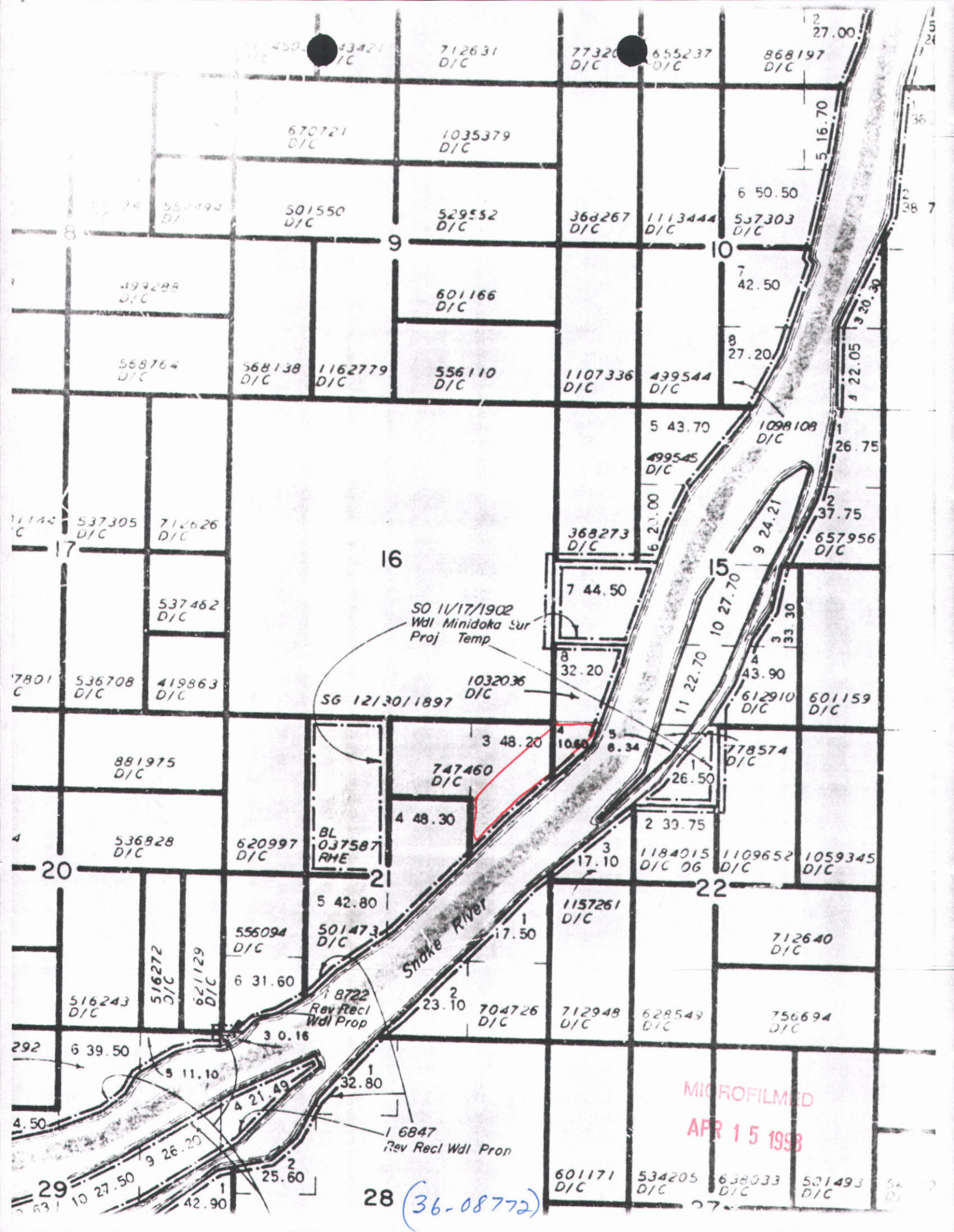


RIO VILLA SUBDIVISION AMENDED
GOV'T LOT 3 SECTION 21 AND GOV'T LOT 4
OF SECTION 22, TOWNSHIP 10 SOUTH, RANGE 24 EAST,
BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO

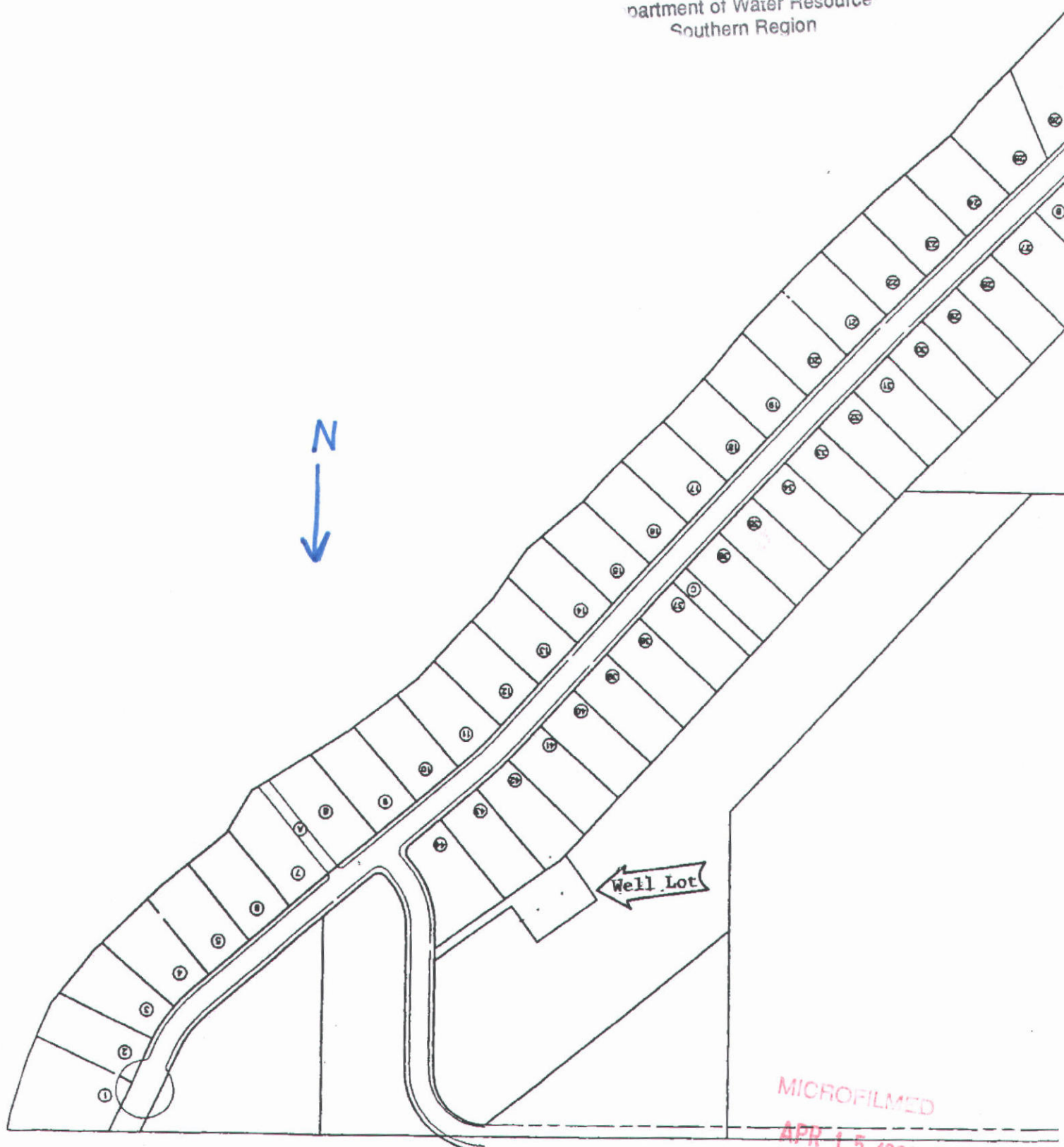




RECEIVED

MAR 24 1998

Department of Water Resources
Southern Region



MICROFILMED
APR 15 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 25 2003

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 3608772 Telephone No. 208-878-1116
2. Name of Permit Holder(s): Eastland Limited Partnership
3. Mailing Address: P.O. Box 1120
City Burley State ID Zip 83318
4. Source of Water: Well If **GROUNDWATER** (well), Date Drilled: mo. 06 / yr. 98
Well Driller: Weech Well Drilling Drilling Permit Number: 36-98-8-0083-000
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 50 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 20 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .73 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 x or No _____
Has the measuring device been installed? Yes x or No _____
8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: David Price Telephone Number: 208-878-1116
Address: 1200 Overland Ave., Burley, ID 83318
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] Partner Date: 2/6/03
(include your title, if on behalf of company or organization)

MICROFILMED

MAY 21 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 3608 172
Name(s) of Permit Holder: Pelican Point Sub Assn Inc
Address: Po Box 1120 City Burley State ID Zip 83318
Telephone No. 208 678 1116 Date Proof is Due: Apr 1 2000

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Pump system is not complete at this
writing.

Costing \$ 15,000

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

The water use is for 42 homes when when
the tract is complete. We are using a much
smaller pump as there is only two homes in
use.

Permit holder(s) request an extension to April 1, 2005

Dan R Price
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MICROFILMED

IT IS HEREBY ORDERED that the above request for extension of time be
APPROVED and the time within which to submit proof of beneficial use is extended to
April 1, 2003.

Signed this 6th day of March, 2000

L. Glen Saxton
L. Glen Saxton, Chief
Water Allocation Bureau

RECEIVED

JUL 22 1999

For Office Use Only

\$25 Filing Fee

Receipt#

Date

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

Eastland Limited Partnership, also known
as B.L. Eastland Manor Associates, hereby assign to Pelican Point Subdivision Association,
an Idaho limited partnership Inc.
of, P.O. Box 1120, Burley, Idaho 83318 208-678-1116
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 36-08772 to
appropriate the public waters of the State of Idaho.

Q (for partial assignments)

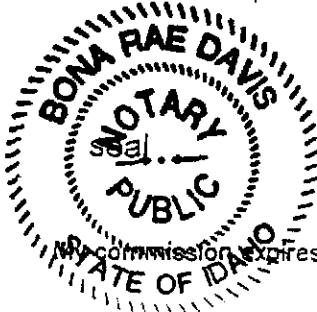
The following described portion of my right, title, and interest in and to
Permit No. to appropriate the public waters of the State of
Idaho. (Describe portion of the permit assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic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

Made this 20th day of July, 1999.

B.L. Eastland Manor Associates, also
known as Eastland Limited Partnership, a limited partnership
BY: B & D, Inc., an Idaho corporation
general partner Permit Holder President

State of Idaho)
County of Cassia) ss

On this 20th day of July, 1999, personally appeared before me the signer(s) of the
above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Bona Rae Davis
Notary Public residing at
Burley Idaho

MICROFILMED
AUG 06 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08772

Proposed Priority: January 16, 1998 Maximum Diversion Rate: 0.73 CFS

This is to certify, that **EASTLAND LIMITED PARTNERSHIP**
C/O DAVID PRICE
PO BOX 1120
BURLEY ID 83318-1120

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

DOMESTIC	01/01 to 12/31	0.73 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NENE), Sec. 21, Township 10S, Range 24E
MINIDOKA County

PLACE OF USE: DOMESTIC

TWN RGE SEC

10S 24E	21	Lot 3(NENE)	Lot 3(SENE)
	22	Lot 4(NWNW)	

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 2000.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
7. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
8. Two points of diversion are located within Lot 3 (NENE), S21, T10S, R24E.
9. Places of use are located within Lots 1-50, Rio Villa Subdivision.
10. Domestic use is for 50 homes.

APR 15 1998

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08772

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

10th day of April, 1998.

Karl J. Dreher

Karl J. Dreher, Director

for



MICROFILMED

APR 15 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

Amended

APPLICATION FOR PERMIT

MAR 26 1998

To appropriate the public waters of the State of Idaho

Department of Water Resources

- Name of Applicant Eastland Ltd. Partnership Phone 678-1116
Mailing address c/o David Price, PO Box 1120, Burley, ID 83318
- Source of water supply Groundwater which is a tributary of _____
- Location of point of diversion is Township 10S Range 24E Sec. 21 in the NE 1/4, NE 1/4, Govt. Lot 3, B.M., Minidoka County.
additional points of diversion if any: _____
- Water will be used for the following purposes:
 Amount * 0.73 cfs for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount * 0.40 cfs for Irrigation purposes from 4-1 to 10-31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
- Total quantity to be appropriated is (a) 0.73 and/or (b) _____
 cubic feet per second acre feet per annum
- Proposed diverting works:
 - Describe type and size of devices used to divert water from the source 2 wells & pumps, storage tank, mainlines along access roads with stub-ins to lots
 - Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - Proposed well diameter is 8 inches; proposed depth of well is 180 feet
 - Is ground water with a temperature of greater than 85°F being sought? No
 - If well is already drilled, when? _____; Drilling firm _____
 Well was drilled for (well owner) _____; Drilling Permit No. _____
- Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)
- Description of proposed uses (if irrigation only, go to item 9):
 - Hydropower; show total feet of head and proposed capacity in KW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; show name of municipality. _____
 - Domestic; show number of households. 50 lots in Rio Villa Subdivision
 - Other; describe fully. irrigation of lawns in subdivision

* per dept policy 4/8/98 cz.

APR 15 1998

APR 15 1998

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
105	24E	21	Lt3 6.6			D 6.6													13.2
		22				Lt3													6.8

P/U for Domestic is same irrigation

Total number of acres to be irrigated 20.0

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

None

11. a. Who owns the property at the point of diversion? Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

12. Remarks: Partners are David Price & Grant Wyatt (327 S 400 W, Burley, ID).
David Price is the general partner & signator for Eastland.
Lots are about 1/2 acre in size; up to 0.4 acres per lot may be irrigated.
The recreation area will be watered with canal shares.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

 General Partner
Signature of Applicant (and title, if applicable)

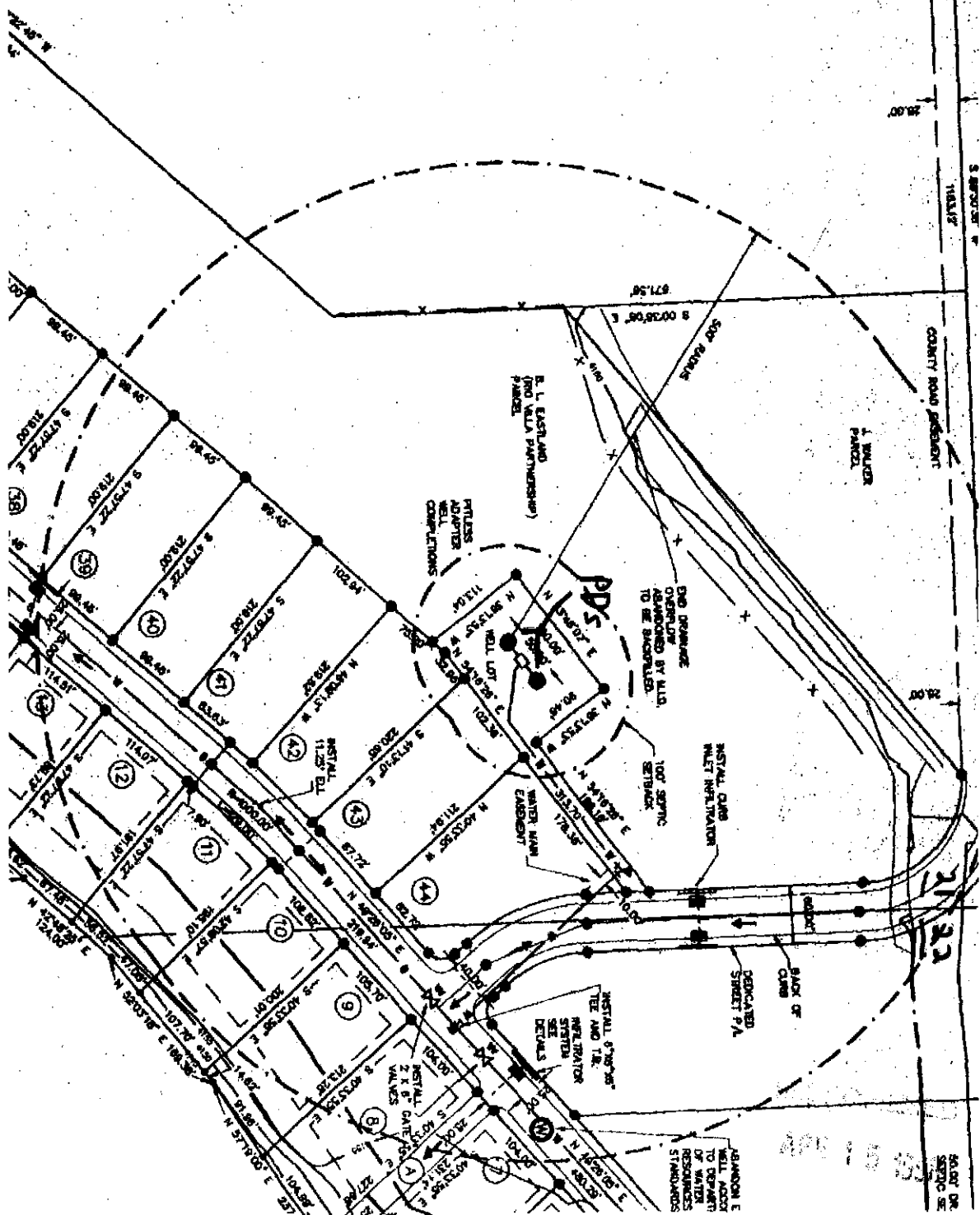
Received by  Date 2-17-98 Time 11 am Preliminary check by _____
Fee \$ 50.00 Received by  # 5020894 Date 2-17-98
Publication prepared by MB Date 2/24/98 Published in _____
Publication approved MB Date 3/18/98

RECORDED

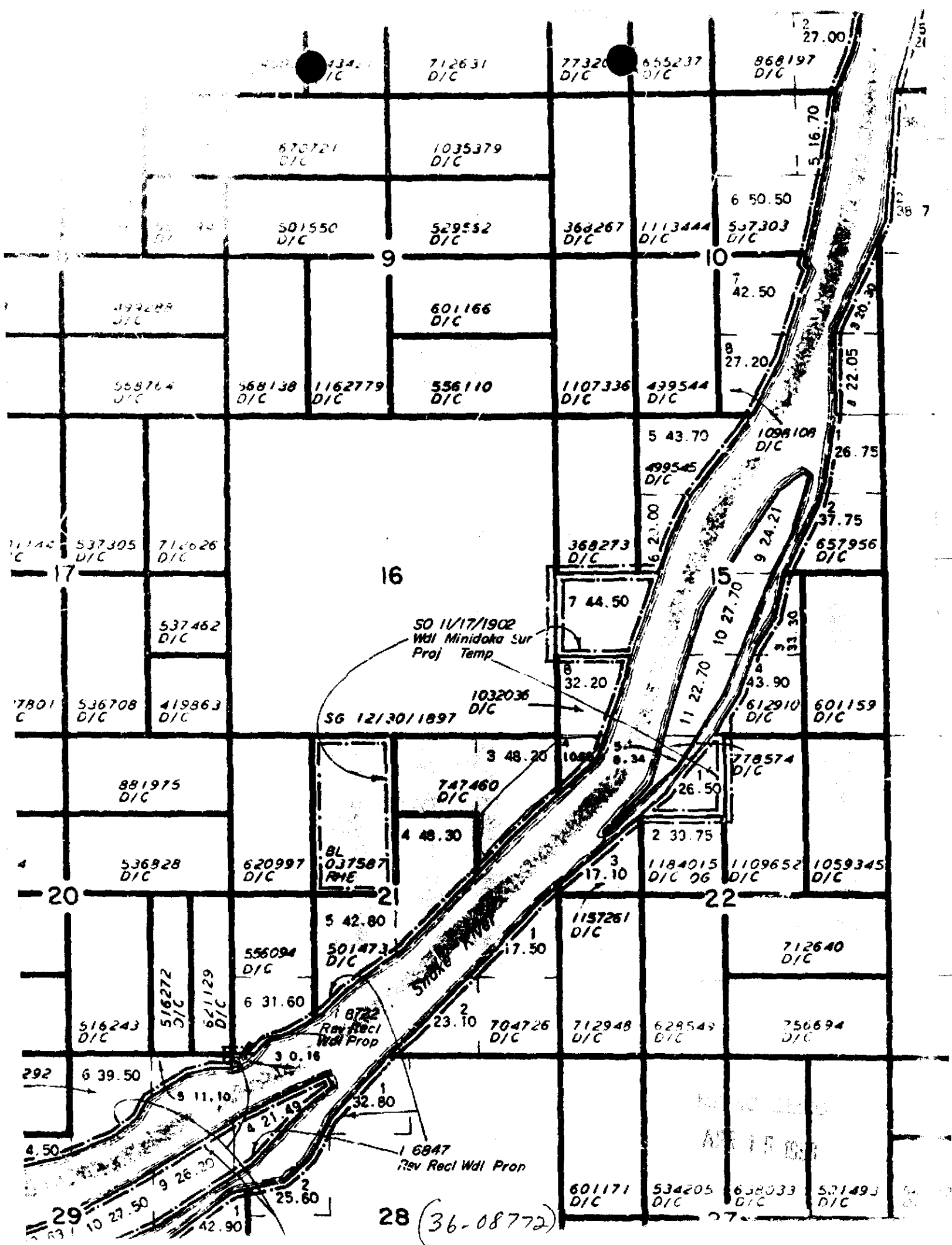
APR 15 1998

APR 15 1998

**RIO VILLA SUBDIVISION AMENDED
GOV'T LOT 3 SECTION 21 AND GOV'T LOT 4
OF SECTION 22, TOWNSHIP 10 SOUTH, RANGE 24 EAST,
BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO**



36 -
08772





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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 2, 2003

PELICAN POINT SUBDIVISION ASSN INC
PO BOX 1120
BURLEY ID 83318

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08772

Dear Permit Holder:

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

There is one matter that may need to be clarified regarding the Proof of Beneficial Use (proof) you filed with the department. In proof question number 2 you stated the permit holder to be Eastland Limited Partnership, however our records show that this permit was assigned to Pelican Point Subdivision Assn., Inc. and Eastland Limited Partnership is no longer the permit holder. If our records need to be changed back to Eastland Limited Partnership, you will need to file another Assignment of Permit. Additionally, upon completion of the field examination, the next step is review for issuance of a License, which as our records reflect at this time, that license will be issued in Pelican Point's name, unless we hear from you that a change of the permit holder's name is necessary.

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

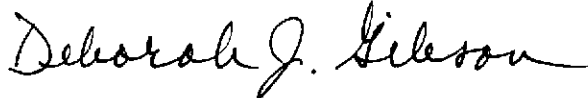
MICROFILMED

MAY 2 1 2003

Page 2

If you have questions, please contact the **Southern** Regional Office of the department in Twin Falls (208) 736-3033. You may contact me at (208)327-7953, if I may be of assistance.

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Gibson".

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

MAY 21 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 36-8772

Reviewed By: dgibson

Date: May 1, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:	36-98-8-0083-00 0	
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	C068231		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?	X	
Name and address same as permit?	X		Measuring device installed?	X	
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	03/26/2003
Date proof due	- 04/01/2003
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 01/16/1998
New priority date	= 01/16/1998

Deficiencies of Actions Items

Acknowledge proof. Clarify that Pelican Point Subdivision Assn is the current owner of this right, because of an assignment of permit filed by Eastland Limited Partnership. If that is not correct then Eastland should file an assignment of permit back to them from Pelican Point.

January 31, 2003

PELICAN POINT SUBDIVISION ASSN INC
PO BOX 1120
BURLEY, ID 83318

PROOF DUE NOTICE

RE: PERMIT NO. 36-8772

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 01, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

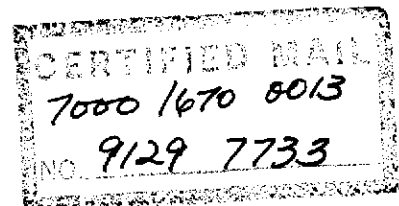
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
MAY 21 2003





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

March 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PELICAN POINT SUBDIVISION ASSN INC
PO BOX 1120
BURLEY ID 83318

RE: PERMIT NO. 36-08772

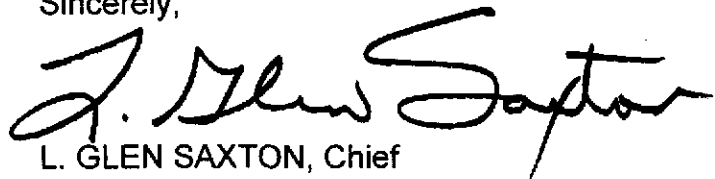
Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **April 1, 2003**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of the project since the department **will not** be able to grant future extension requests based on due diligence.

Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact the department, if you have any questions regarding this matter.

Sincerely,


L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

MAR 20 2000

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 36-08772 Reviewed by WJH Date 02-07-00

BASIC INFORMATION

yes Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
NO Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
1 Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
1 Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
1 Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Extend proof due date to 4-1-2003 for due dil.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address _____
Change Proof Due Date Apr 1, 2003
Change Priority Date _____

3/6/00
del

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

LO48008

Date:

Time: 2/ 7/2000

10:57:25

Received

From: EASTLAND B.L.

Type of Payment

Program A cct

Amount

EXTENSION OF TIME

56103

229 21 1155

50.00

Total

50.00

CHECK

556

Region: STATE

Signature:

ap Koock

MICROFILMED

MAR 20 2000

January 31, 2000

PELICAN POINT SUBDIVISION ASSN INC
PO BOX 1120
BURLEY ID 83318

PROOF DUE NOTICE

RE: PERMIT NO. 36-08772

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 2000.

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

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

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

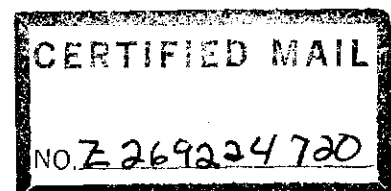
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

MAR 20 2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

July 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PELICAN POINT SUBDIVISION ASSN INC
PO BOX 1120
BURLEY ID 83318

RE: ASSIGNMENT OF PERMIT 36-08772

Dear Permit Holder(s):

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

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner 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.

Please feel free to contact the department if you have questions.

Sincerely,

for L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosures

MICROFILMED

AUG 06 1999

RECEIVED

JUL 22 1999

W. KENT FLETCHER
ATTORNEY AT LAW

FLETCHER LAW OFFICE
1200 OVERLAND AVENUE
P. O. BOX 248
BURLEY, IDAHO 83318-0248
(208) 678-3250

Department of Water Resources

FAX: (208) 678-2548

E-MAIL
wkf@cyberhighway.net

July 21, 1999

Kari Lynn Townsend
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

RE: Change of Ownership for Permit 36-08772

Dear Ms. Townsend:

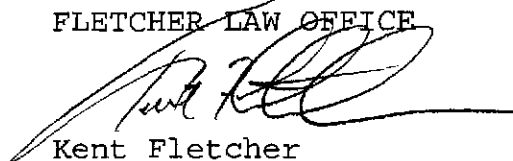
Enclosed is the Assignment of Permit from Eastland Limited Partnership to Pelican Point Subdivision Association, Inc.

Also enclosed is a check in the amount of \$25.00 for the filing fee.

Thank you for your attention to this matter. If you have any questions or need anything further regarding this assignment, please contact me.

Sincerely,

FLETCHER LAW OFFICE



Kent Fletcher

KF/brd

Enclosures

pc: Pelican Point Subdivision Association w/enclosure

MICROFILMED

AUG 6 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

July 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PELICAN POINT SUBDIVISION ASSN INC
DAVID R PRICE
PO BOX 1120
BURLEY ID 83318-1120

RE: Change of Ownership for Permit 36-08772

Dear Mr. Price:

The paperwork that you submitted to our Southern Region office for change of ownership on the above referenced permit has been forwarded to me for processing.

Because this water right is still in the **permit** stage, an Assignment of Permit will be required to complete the ownership change. I have enclosed an assignment form for your convenience. Please note that there is a \$25.00 filing fee required.

I am returning the paperwork that you sent as we only require the completed assignment form and filing fee to process your request.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

A handwritten signature in cursive script, reading 'Kari Lynn Townsend'.

Kari Lynn Townsend
Secretary

/k

Enclosures

MICROFILMED

AUG 06 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 10, 1998

EASTLAND LIMITED PARTNERSHIP
C/O DAVID PRICE
PO BOX 1120
BURLEY ID 83318-1120

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08772

Dear Permit Holder:

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

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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

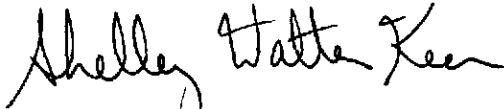
RECORDED

APR 15 1998

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

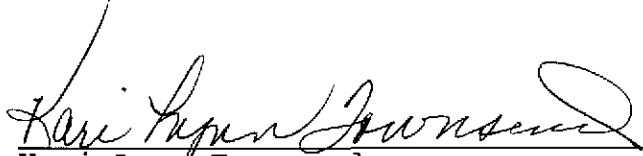
REC'D - L&L
APR 15 1997

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 36-08772

EASTLAND LIMITED PARTNERSHIP
C/O DAVID PRICE
PO BOX 1120
BURLEY ID 83318-1120


Kari Lynn Townsend
Secretary

APR 15 1998

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

FILED
APR 4 1997

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lou

No.: 36-8772 Name: Eastland Add flw Date: 4/8/98 Ad OK? ✓ Gvmt Lts: ✓

AREA OF CONCERN:**PROTESTED:****SYSTEM COMPLETED:**

- > 1 year
- ≤ 1 year/no proof

GROUNDWATER: (✓ FLO-CH)**WMD (✓ MAP)**West

- > 0.24 cfs/5 acres
- ≤ 0.24 cfs/5 acres

WMD Supplemental use NA

- > 0.24 cfs/5 acres
- ≤ 0.24 cfs/5 acres

DRILLING PERMIT:**All wells (✓ WDQ3)****Included w/permit****irr. in WD****SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):****IN/ABOVE MIN. STR. FLOW (✓ MAP)****WD (✓ MAP & LISTING)**

- > 0.10 cfs
- ≤ 0.10 cfs

WMD (✓ MAP)

- > 0.24 cfs/5 acres
- ≤ 0.24 cfs/5 acres

SPRINGS/SINK, INACTIVE WD & REST OF STATE

- > 0.24 cfs/5 acres
- ≤ 0.24 cfs/5 acres

RIVER BASINS: (*Surface water):**Snake R (01)**

(02/03-irr)

Payette R(65)**Salmon R (70's)****USE:****Domestic surface**

>1 in rest area

Fire Protection**Fish Propagation****Heating/Cooling****Irr ≤ 5 acres**

> 5 acres

Mining**Municipal****Power****Stockwater****Storage (✓3 compo.)****LOCATION:****42-248 area****Boise Front LoGeo****In-stream dev.****Irr Dist/Canal Co.****SWAN FALLS FLAG (See Code Chart)****Trust****Non-Trust (1)****OWNERSHIP:****OTHER CONDITIONS:****STANDARD REMARKS:****BENEFICIAL USE DUE:****COMMENTS:**

- No/Yes: ESRP Mor / _____ GWMA / Trust / Non-trust within Aquifer
- 020 (Protest Agreement) or *W19 (Order)

- 26A P17
- P16

- 067 or No MD (in-stream stock or power)
- No MD
- 065-070 (if GW use SW 1st-statewide)-(cannot move SW off)
- 01M (report when notified)
- No MD

- 046 P23
- Permit No. _____ P99
- P05 (new well location)

- *WB9
- R04 (WD # _____)
- 01J-P08 (MD & LD)
- 01H-P01 (LD) or No MD (in-stream stock)

- 067 or No MD (in-stream stock or power)
- No MD

- 01M or No MD (in-stream stock or power)
- No MD

- *W22 -P04, NA
- 007 (w/ remark *WB9 if above Weiser), NA
- *W22 (regulated uses), 047-P04 (Payette Lake), NA
- 029 (fish screens), NA

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- 071-070
- 077
- 029-007-042(req)-081 (WQ)-P10
- R07 (injection well)
- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- 054(req) -081-P10
- 022, 075, 004 (+memo?), NA (not in restricted area)
- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
- 17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18
- R37 (BLM/USFS); NA
- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

- P84 (in 20/30/40/50/60/70/80 (87) basin)
- 058 (<85° GW temp only)
- P52 (stream channel alteration)
- 023 (Twin Falls area)

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

- ① W01/50 ② P01/1-50 ③ W32
- 4/1/ 2000

MOON & ASSOCIATES

ENGINEERING - SURVEYING - PLANNING

525 F. Street

Rupert, Idaho 83350

April 6, 1998

Idaho Department of Water Resources

1301 N. Orchard Street

Boise, ID 83706

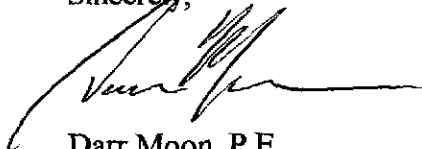
Attn: Cindy Zimmerman

Ref: Rio Villa Subdivision, Minidoka County, Idaho

Dear Ms. Zimmerman,

Please find enclosed a copy of the Rio Villa Subdivision Amended showing the proposed future 50 lot subdivision. Should you require further information please don't hesitate to contact me.

Sincerely,



Darr Moon, P.E.

Moon & Associates

RECEIVED
APR 15 1998

APR- 3-88 FRI 11:08

PRICE-POULTON & COMPANY

FAX NO. 2086780476

P.01

APR 12 1998
BUREAU OF LAND MANAGEMENT

The issues of how to maintain and control water usage and pressure from 50 individual users is an extremely difficult problem to consider. In addition to management problems, the water district system will require an installation to control water diverted from the canal which typically involves a water master employed by the district to turn the water in and out on an order of system. I'm not certain if the district will even allow this type of system. If they do, the idea of designing a system that will clean the water and supply pressure to 50 users on a demand basis is inconceivable to me.

Cindy, your mention of the ground water diversion as a secondary source to irrigation water from the district came as a complete surprise and a real concern. To begin with, all water rights in the Mindoka Irrigation system are non-transferable. However, many individuals with water rights cannot use them because of lack of conveyance systems. The subdivision in question is in that condition. For several years the tract has not been cultivated due to the fact that the ditches used to convey the water from the M.I.D. system have been removed. In order to convey the water gravity, new conveyance devices would have to be installed and easements obtained from adjoining property owners. Many problems arise using a pumping system as an alternative. Much of the problem centers around how to install, maintain and filter the system as well as supervise the water use. Without question the typical automatic sprinkler system used commonly by new homeowners would have difficulty using canal water. Water from the canal contains debris and dirt that clog most sprinkler systems.

You have requested a plat copy for the subdivision which will reflect 50 lots to receive culinary water from two wells yet to be drilled. Mr. Dar Moon, our engineer on the project has agreed to forward the drawing to you at his earliest convenience.

Dear Cindy,

RE: Rio Villa Subdivision
Mindoka County, Idaho

Cindy Zimmerman
Idaho Dept. of Water Resources
Via Fax 327-7866

April 2, 1998

B.T. EASTLAND ASSOCIATES
1200 OVERLAND AVENUE
BURLEY, IDAHO 83318
Office 208-678-1116 fax 208-678-0476

RECEIVED
APR 03 1998
DEPARTMENT OF WATER RESOURCES

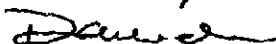
The only practical way to resolve this issue is to allow the usage of the diverted water to be used for culinary and for what small amount of irrigation that will be done through lawn sprinklers. Our system design at peak will not use all the applied for water. It's a system that will work and is required by the D.E.Q. as to a community installation. We will have two wells and a series of pressure tanks along with a chlorinator and filter system if necessary.

An alternative would be to have each user make application for a permit and end up with 50 wells and systems which would be costly and certainly less desirable than our design.

In summation, the practicality of using district water is extremely remote and cumbersome. Our current design will use less water and is much more efficient than each lot owner providing their own water by drilling. Delivery systems for the district water are non-existent and would be cumbersome and costly to replace. It is therefore our request for the department to disregard the requirement for primary water to be diverted from the Minidoka Irrigation system and allow our domestic water use to come from the wells.

Respectfully,

B.L. EASTLAND



David R. Price
Partner

APR 15 1998

MEMORANDUM

DATE: April 1, 1998
TO: File No. 36-08772
FROM: Cindy Lou Zimmerman *3*.
SUBJECT: Telephone Conversation

Today, I called David Price requesting a subdivision plat showing the location of all 50 lots. Mr. Price brought his engineer on the line. I explained that I needed the plat to identify the location of all 50 lots as a condition/remark on the permit.

They explained that so far 44 lots are platted with two areas for the six more lots. The engineer will send me the approved plat showing 44 lots, and the proposed platting of the additional six lots this week.

I was asked what other conditions might be on the permit. I explained some conditions that may be applied to the permit on this application, including:

- 065 -- the requirement to use the surface water historically used on the land in conjunction with groundwater diverted
- 079 -- cannot move the surface water off the land to be used elsewhere.
- 070 -- irrigation use limited to 1/2 acre per lot upon which a home has been built and does not include common areas or vacant lots.

Mr. Price was not aware of the possible requirement to continue to use the irrigation surface water. He had intended to build a single water supply system for in-house and lawn use from groundwater. He had intended to let the surface water pass by unused by the subdivision to eventually dump into the Snake River. They will look into using the surface water for irrigation.

RECORDED

APR 15 1998

MAR 26 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY
APPLICATION NO.

J. K. Stanton
36-08772

DATE 1-22, 1998

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block descriptions, subdivisions, local name, flow &/or volume.)
☒ County
☒ Quantity (flow &/or volume)
☒ Period of use
☒ Nature of proposed use (include description of use)
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

---PROPOSED PRIORITY DATE
1-20 1998

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back. Advertise - Domestic use)
☒ Overlapping point of diversion.
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical Ground water area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send Dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit.
☐ Yes ☒ No Power efficiency form
☒ Yes ☐ No Within trustwater boundary(If yes, attach trustwater supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

Date Requested _____, 19____

PROCESSING ☒ Yes ☐ No In form for Advertising
☐ Yes ☒ No No Statewide Advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on app.

SEND COPIES TO: ☐ Idaho Dept of Health & Welfare ☐ USDI BLM
☐ Idaho Dept of Fish & Game ☐ USFS
☐ Idaho Dept of Lands ☐ Water Dist.
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received.
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates and paper, recorded on App.
☐ Yes ☒ No Protests received
Final date for Protest
MA ☒ Yes ☐ No Protests, dates, resolution of protest, recorded on app.
☒ Yes ☐ No Recommendations attached
☒ Yes ☐ No Measuring device required
☐ Yes ☒ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist.
☐ Yes ☒ No Special conditions of approval or cover letter below.

See Memo 3/24/98

See below for additional information

Date of priority recommended 1/20, 19 98
By AD Date 3/24/98, 19 98

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19 ____

ADDITIONAL INFORMATION:

FROM: Allen Merritt *Am*

DATE: March 24, 1998

TO: Application No. 36-08772

In the Name of: EASTLAND LTD. PARTNERSHIP

SUBJECT: Review and Recommendation

This applications proposes to develop groundwater for domestic & irrigation use in a subdivision. The site is in Minidoka County along the Snake River and is within the ESPA moratorium area.

I recommend that the application be approved subject to the following conditions:

- Domestic use is for 50 homes and does not include lawn, garden, landscape, or other types of irrigation.

- 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.

- The Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

- The irrigation authorized by this permit shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.

- The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.

- The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

- The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

- 2 pds in NENE Sec 21 T10S, R24E.

- Note one drilling permit has been filed on. Please notify Gary Funderburg when permit is approved so he can process drilling permit.

ENCLOSURE

APR 15 1998

TO: Allen

DATE: March 24, 1998

FROM: Jim Stanton

SUBJECT: App. for Permit 36-08772

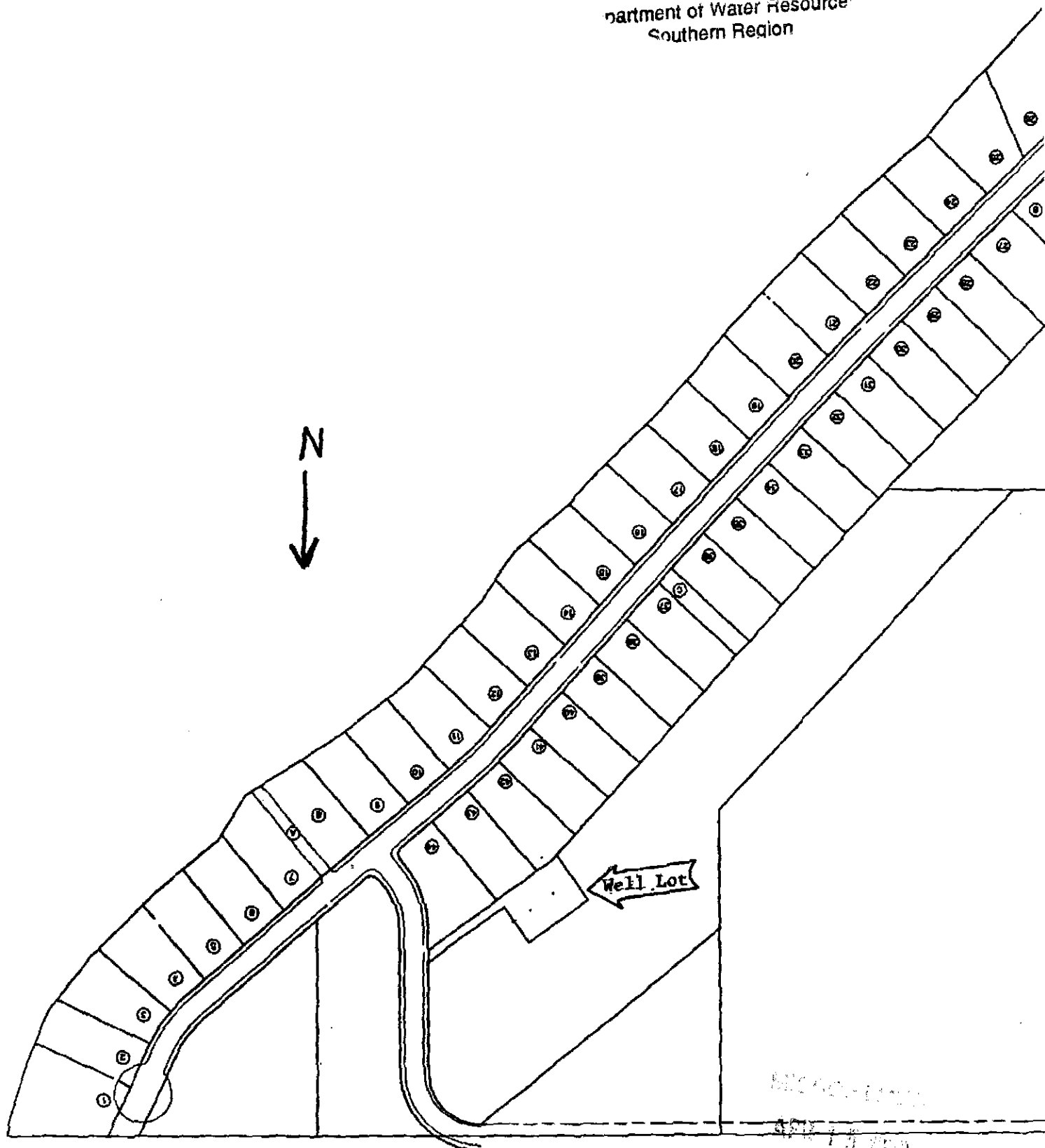
Per your request, I have obtained a new plat of the proposed subdivision from applicant David Price. He told me that this plat is ready to be approved by the county. Although the application request domestic use on 50 lots, this plat shows only 44 lots. Price told me that he plans to request zoning for an additional 6 lots in a month or two. These lots will be north of the road along Lots 1-8. He already owns this land, so I see no reason to hold up processing of the application until he can provide a plat of the additional lots. If the county refuses to approve the extra lots for some reason, then they just won't be developed. Since water for subdivisions is not covered by the moratorium, there does not seem to be any reason for us to be extra cautious in these kinds of situations. Mr. Price understands that the water is to be used only in connection with homes (no common areas), so I have no reason to think that he has any evil intentions here.

RECEIVED
APR 15 1998

RECEIVED

MAR 24 1998

Department of Water Resource
Southern Region



**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated March 2 1998, and ending with the issue dated March 9 1998.

Ruth Anne Holmes

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 9th day of March in the year of 1998 before me, a Notary Public, personally appeared Ruth Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Janet Burr
Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Cost of Publication 51.48
Affidavit Fee 5.00
Total Cost 56.48

OK
MB
3/18/98
RECEIVED

MAR 11 1998

Department of Water Resources
Southern Region

RECORDED
APR 15 1998

98-082

**NOTICE OF AMENDED
APPLICATION FOR WATER
PERMIT**

Notice is hereby given that the following
application for permit to appropriate
the public waters of the State of Idaho
has been amended as follows:

EASTLAND LTD PARTNERSHIP

C/O DAVID PRICE

PO BOX 1120

BURLEY ID 83318

Application for Permit No. 36-08772

Date Filed: 1/20/98

Date Amended: 2/17/98

Source: groundwater

**Diversion Pt: Two points within Lot 3
(NE1/4NE1/4), S21, T10S, R24E;**

Minidoka County.

Use:

Domestic (0.33 cfs) 1/1-12/31

irrigation (0.40 cfs) 4/1-10/31

**Total quantity to be appropriated:
0.73 cfs**

**In: 20 acres within parts of Sections 21
& 22, T10S, R24E; Minidoka County.**

**(50 domestic lots in Rio Villa
Subdivision). Any protest against the**

**proposed application must be filed with
the Department of Water Resources,**

**Southern Region, 1341 Fillmore St.,
Suite 200; Twin Falls, ID 83301**

**together with a protest fee of \$25.00 on
or before March 20, 1998 to be**

**considered by the Department in its
decision to grant or deny any part of**

**the proposed application. The
protestant must also send a copy of the**

protest to the applicant.

Karl J. Dreher, Director

**Published in the South Idaho Press on March
3, and 9, 1998**



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

February 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

EASTLAND LTD PARTNERSHIP
C/O DAVID PRICE
PO BOX 1120
BURLEY ID 83318

Re: Amended Application for Permit No. 36-08772

Dear Mr. Price:

The Department of Water Resources acknowledges the changes to your application for permit as referenced above.

This office will be advertising the amended application in the South Idaho Press on 2/2 & 2/9/98. A period of ten days following the second publication will be allowed for the submittal of protests.

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

If the amended application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

RECEIVED
APR 13 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

February 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTENTION-LEGALS
SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

RECEIVED
APR 15 1998

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that the following application for permit to appropriate the public waters of the State of Idaho has been amended as follows:

EASTLAND LTD PARTNERSHIP
C/O DAVID PRICE
PO BOX 1120
BURLEY ID 83318

Application for Permit No. 36-08772

Date Filed: 1/20/98
Date Amended: 2/17/98

Source: groundwater

Diversion Pt: Two points within Lot 3 (NE1/4NE1/4), S21, T10S, R24E; Minidoka County.

Use:

Domestic	(0.33 cfs)	1/1-12/31
irrigation	(0.40 cfs)	4/1-10/31

Total quantity to be appropriated: 0.73 cfs

In: 20 acres within parts of Sections 21 & 22, T10S, R24E; Minidoka County. (50 domestic lots in Rio Villa Subdivision)

Any protest against the proposed application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before March 20, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 3/2 & 3/9/98

APR 15 1998

**NOTICE OF AMENDED
APPLICATION FOR WATER
PERMIT**

Notice is hereby given that the following application for permit to appropriate the public waters of the State of Idaho has been amended as follows:

**EASTLAND LTD PARTNERSHIP
C/O DAVID PRICE**

PO BOX 1120

BURLEY ID 83318

Application for Permit No. 36-08772

Date Filed: 1/20/98

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Source: groundwater

**Diversion Pt: Two points within Lot 3
(NE1/4NE1/4), S21, T10S, R24E;
Minidoka County.**

Use:

Domestic (0.33 cfs) 1/1-12/31

irrigation (0.40 cfs) 4/1-10/31

**Total quantity to be appropriated:
0.73 cfs**

**In: 20 acres within parts of Sections 21
& 22, T10S, R24E; Minidoka County.**

**(50 domestic lots in Rio Villa
Subdivision). Any protest against the
proposed application must be filed with
the Department of Water Resources,
Southern Region, 1341 Fillmore St.,
Suite 200; Twin Falls, ID 83301
together with a protest fee of \$25.00 on
or before March 20, 1998 to be
considered by the Department in its
decision to grant or deny any part of
the proposed application. The
protestant must also send a copy of the
protest to the applicant.**

Karl J. Dreher, Director

**Published in the South Idaho Press on
3/2 & 3/9/98**

11140-12
885 13 021

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated February 2 1998, and ending with the issue dated February 9 1998.

Ruth Holmes

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 9th day of February in the year of 1998 before me, a Notary Public, personally appeared Ruth Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

James K. Burns

Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Cost of Publication 44.88
Affidavit Fee 5.00
Total Cost 49.88

OK
MB

3/18/98

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FEB 11 1998

Department of ...

UNRECORDED

APR 15 1998

98-005

**NOTICE OF APPLICATION FOR
WATER PERMIT**

The following application has been filed
to appropriate the public waters of the
State of Idaho:

**EASTLAND LTD PARTNERSHIP
C/O DAVID PRICE
PO BOX 1120**

BURLEY ID 83318

Application for Permit No. 36-08772

Source: groundwater

Diversion Pt(s): Lot 4 (NW1/4NW1/4),
S22, T10S, R24E; Minidoka County.

Use: Domestic(0.33 cfs) 1/1-12/31
irrigation(0.40 cfs) 4/1-10/31

Total Diversion: 0.73 cfs

In: 20 acres within NE1/4NE1/4, S21
and NW1/4NW1/4, S22, all T10S,
R24E; Minidoka County (50 domestic
lots in Rio Villa Subdivision).

Date Filed: 1/20/98

Any protest against the proposed
application must be filed with the
Department of Water Resources,
Southern Region, 1341 Fillmore St.,
Suite 200; Twin Falls, ID 83301
together with a protest fee of \$25.00 on
or before February 20, 1998 to be
considered by the Department in its
decision to grant or deny any part of
the proposed application(s). The
protestant must also send a copy of the
protest to the applicant.

Karl J. Dreher, Director

Published in the South ~~Idaho Press~~ on 02/02
& 02/09/98

.....



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

January 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTENTION-LEGALS
SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

RECORDED

APR 15 1998

NOTICE OF APPLICATION FOR WATER PERMIT

The following application has been filed to appropriate the public waters of the State of Idaho:

EASTLAND LTD PARTNERSHIP
C/O DAVID PRICE
PO BOX 1120
BURLEY ID 83318

Application for Permit No. 36-08772

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Use: Domestic (0.33 cfs) 1/1-12/31
irrigation (0.40 cfs) 4/1-10/31

Total Diversion: 0.73 cfs

In: 20 acres within NE1/4NE1/4, S21 and NW1/4NW1/4, S22, all T10S, R24E; Minidoka County (50 domestic lots in Rio Villa Subdivision).

Date Filed: 1/20/98

Any protest against the proposed application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before February 20, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 02/02 & 02/09/98.

RECORDED
APR 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

January 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

EASTLAND LTD PARTNERSHIP
C/O DAVID PRICE
PO BOX 1120
BURLEY ID 83318

Re: Application for Permit No. 36-08772

Dear Mr. Price:

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

This office has scheduled advertising the application in the South Idaho Press for 2/2 & 2/9/98. A period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

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APR 15 1998

**NOTICE OF APPLICATION FOR
WATER PERMIT**

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to appropriate the public waters of the
State of Idaho:

**EASTLAND LTD PARTNERSHIP
C/O DAVID PRICE**

PO BOX 1120

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Application for Permit No. 36-08772

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and NW1/4NW1/4, S22, all T10S,
R24E; Minidoka County (50 domestic
lots in Rio Villa Subdivision).**

Date Filed: 1/20/98

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application must be filed with the
Department of Water Resources,
Southern Region, 1341 Fillmore St.,
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together with a protest fee of \$25.00 on
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protest to the applicant.

Karl J. Dreher, Director

**Published in the South Idaho Press on
02/02 & 02/09/98.**

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APR 13 1998

B.L. EASTLAND ASSOCIATES

1200 OVERLAND AVENUE

BURLEY, IDAHO 83318

office 208-678-1116 fax 208-678-0476

January 16, 1998

RECEIVED

JAN 20 1998

Department of Water Resources
Attn: Jim Stanton
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301

Department
Southern Idaho

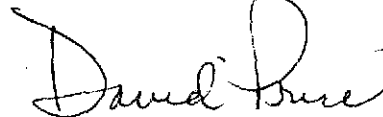
RE: Water permits for Rio Villa

Dear Jim:

Enclosed is a check in the amount of \$300.00 for the application for water permits at Rio Villa Subdivision in Minidoka County.

Regards,

B.L. Eastland



David R. Price
Partner

DRP:sjk
enc.

RECEIVED
JAN 23 1998

36-08772