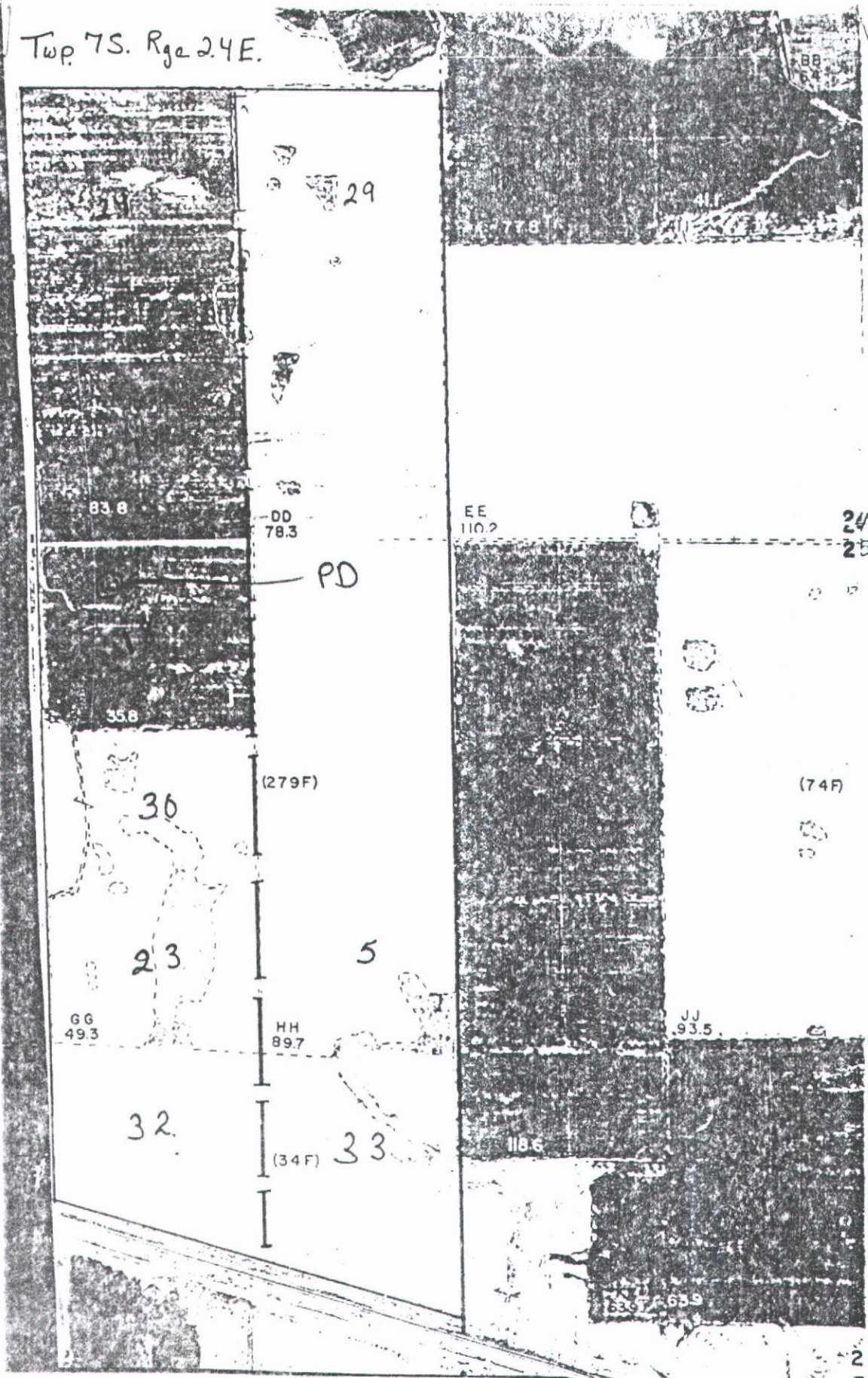
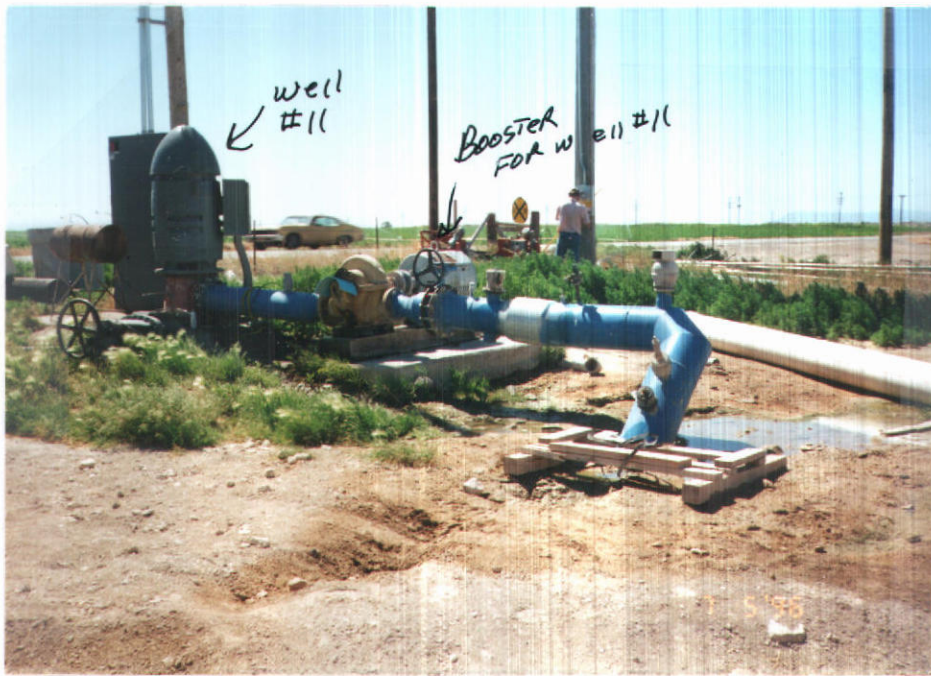


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Twp 7S. Rge 24E.



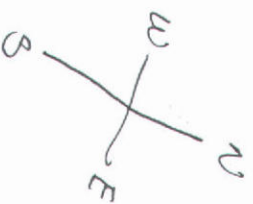


Well # 11 and Booster # 11

MICROFILMED
APR 15 1998



Place of use Looking From Well #11
 The mainline From Well #11 Travels Due North Then Turns Due West

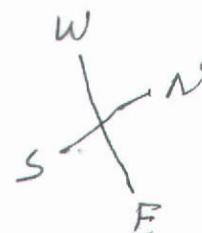




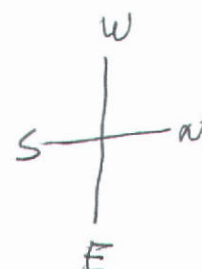
Pump
FOR
Fire
well



Diversion WORKS FOR Fire well
APR 15 1938



Idaho Youth Ranch Big well



BOOSTER FOR Idaho Youth Ranch
Big well. APR 15 1938
main line travels due west the joins
main line leading to irrigation system



Well #10

The main line runs from Well #10 to a
Booster then on to the main line
system

MICROFILMED

APR 15 1998



Well #4

The well DIVERTS INTO a mainline then
goes INTO a BOOSTER. The mainline then
CONTINUES ON TO the main line FOR IRRIGATION
SYSTEMS

RECORDED
APR 15 1998



Well # 5

The well Discharges INTO a BOOSTER
Then Discharges INTO The DIVERSION
WORKS BELOW

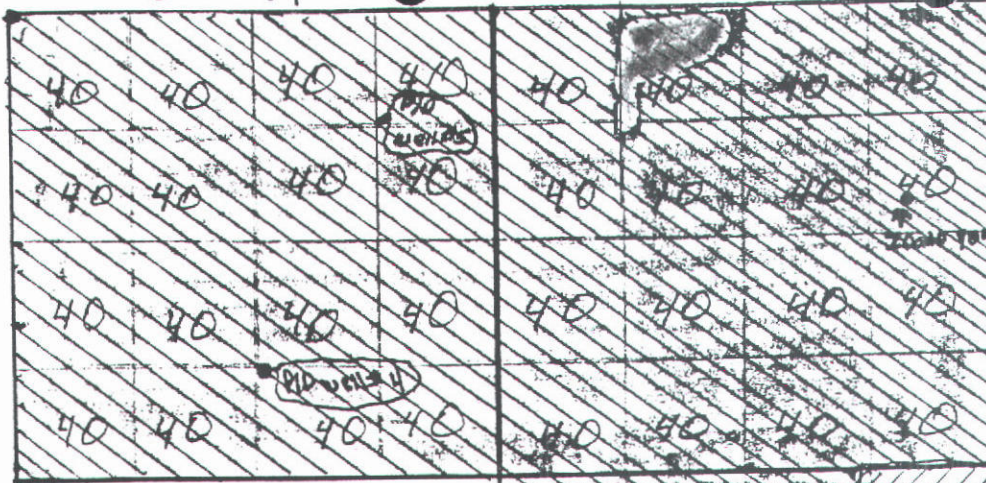


The DIVERSION WORKS goes INTO center
PIVOT and THEN SPLITS INTO two underground
Main Lines

APR 15 1938

sec 14

sec 13



36-08256
(This area is a total of 39 acres)

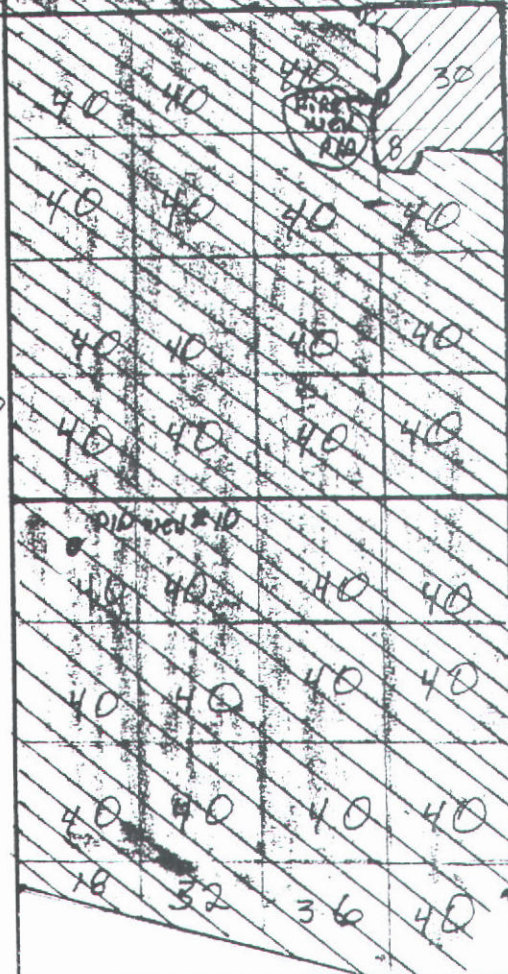


TRANSFER NC 4763
(This is a combination of
water right nos. 36-02315A
36-02315B 36-02315C 36-02315D
36-02315E/36-07399)

NOTE: TRANSFER 4763
is for a total of 22.77 cfs
and for 1,568 acres
within the 2486 acres
of permissible place of
use



ACRES IRRIGATED.

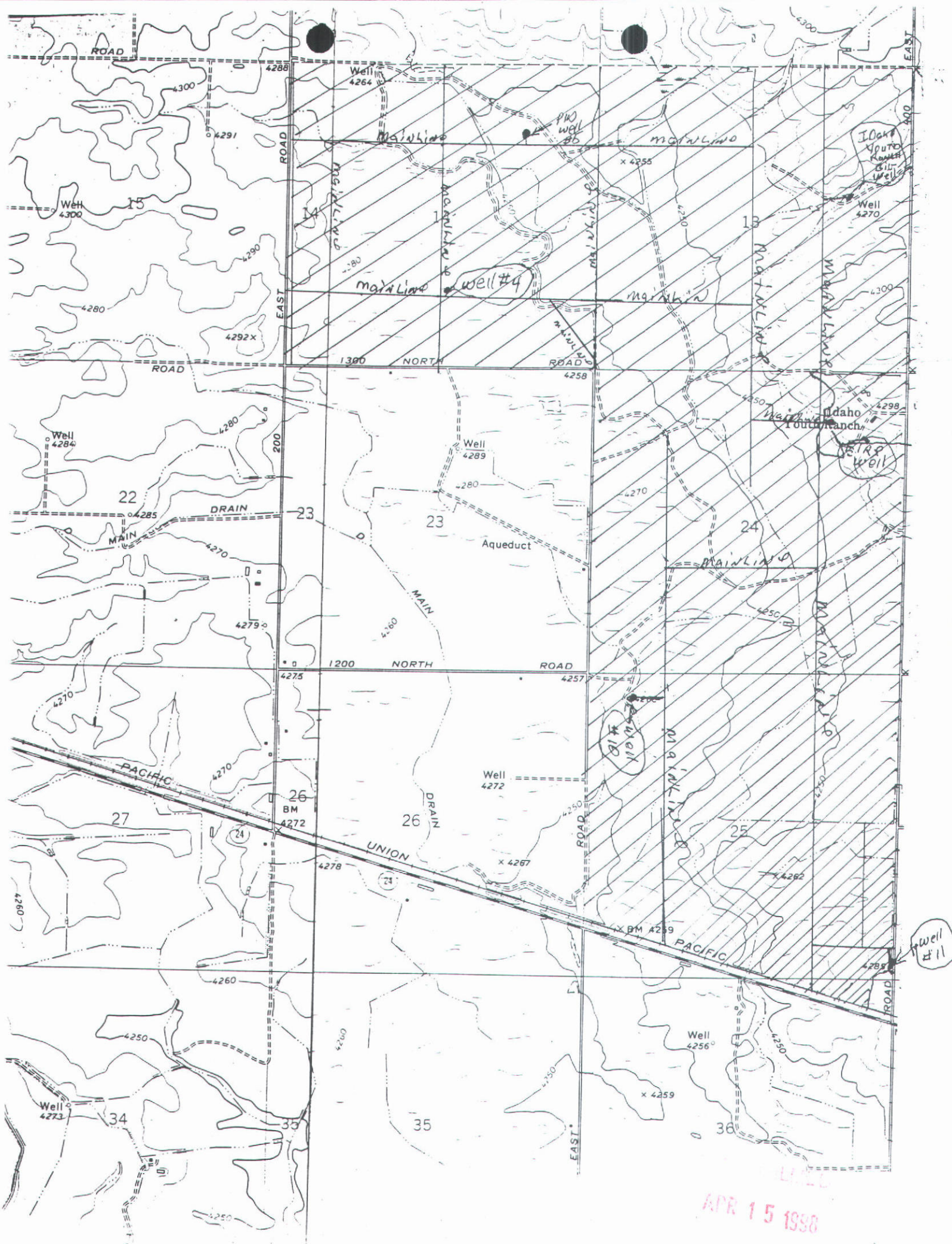


sec 24

sec 25

sec 36

RECORDED
APR 15 1932



6 25

T1332✓
2656

20 wheel 21
23.1 Lines 28
HAND LINES

22
129.6
wheel
lines
HAND LINES

Wheel Lines ↑
HANDLING
New Owners ↓
Jack Shelley
Kent + Tanners
Sec 25 + 36

24
147.8

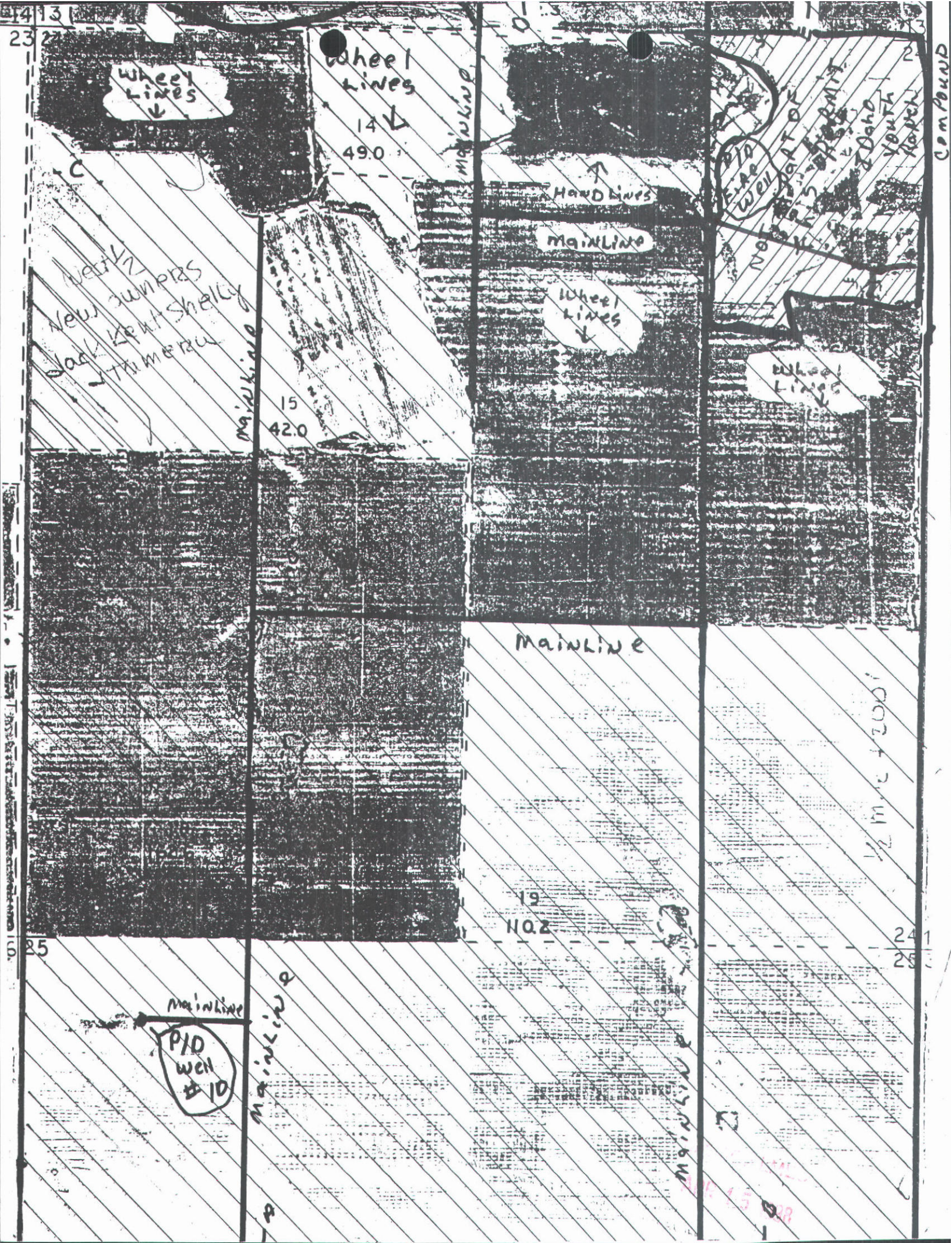
WHEEL LINES
HAND LINES
HAND LINES
HAND LINES

mainline
HAND LINES
P10
well
all

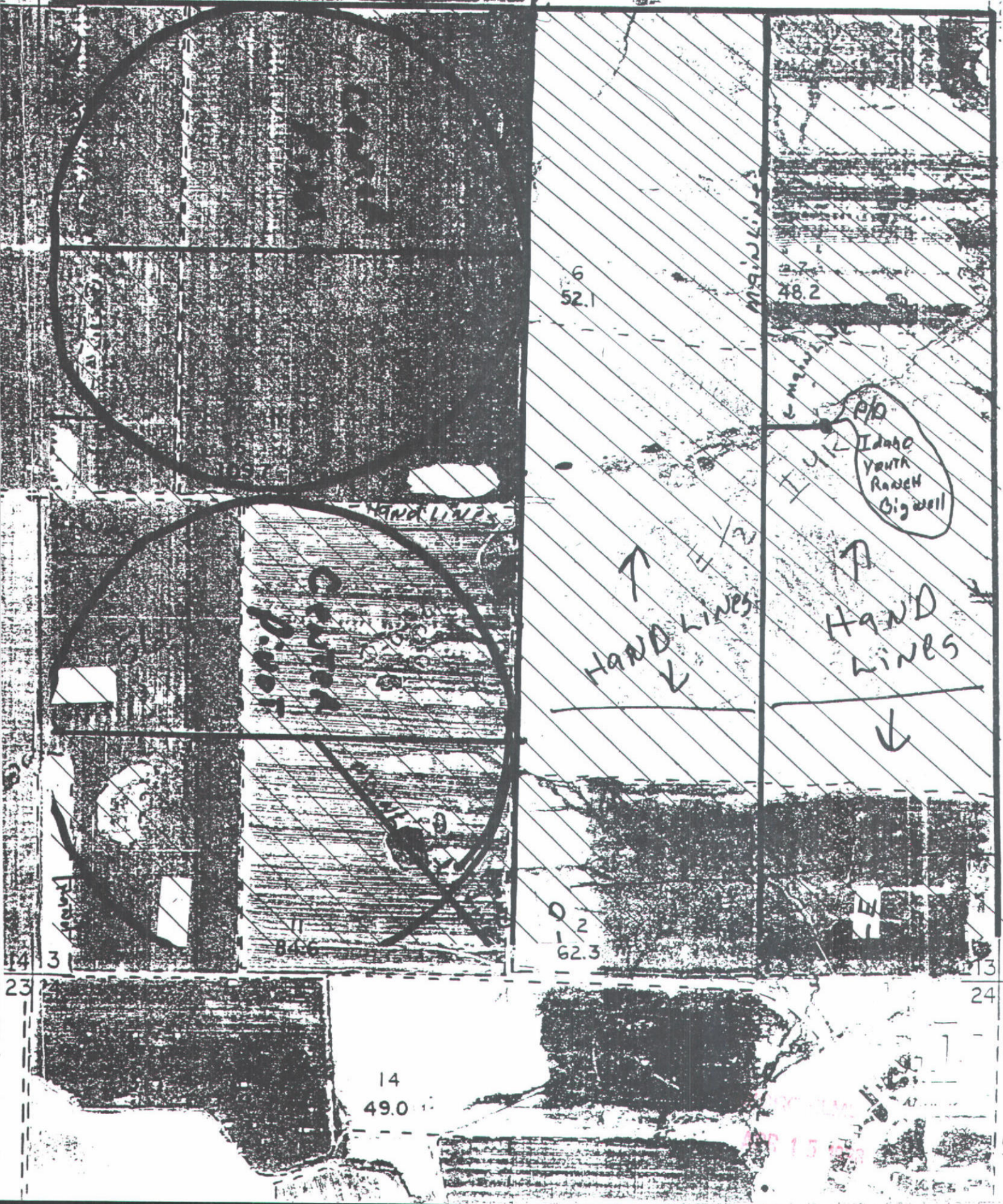
5 36

2
11.2

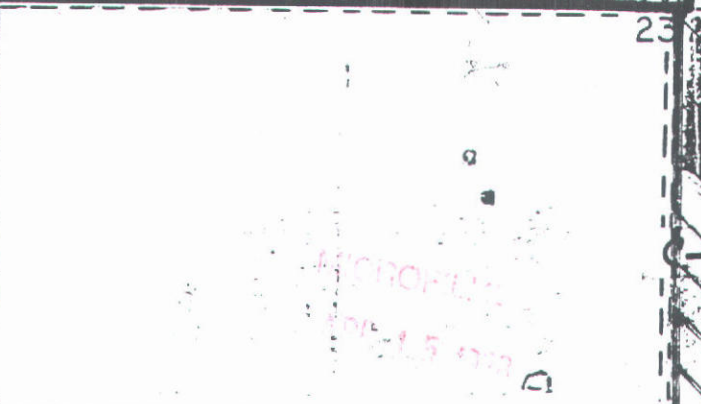
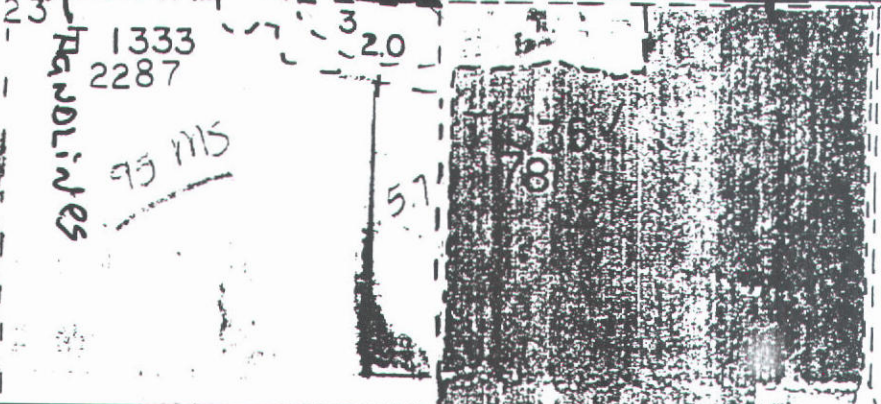
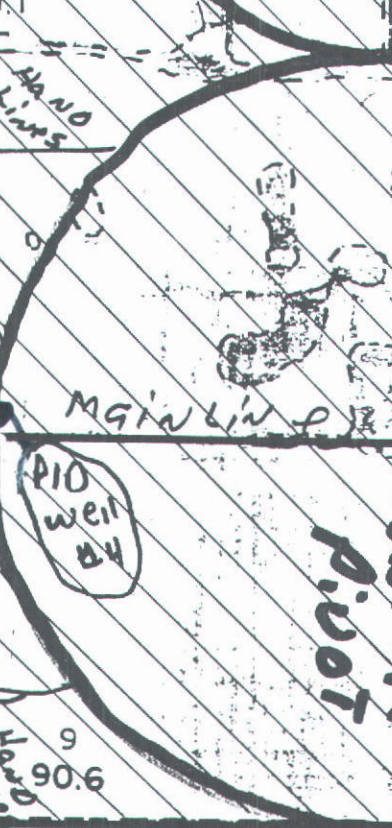
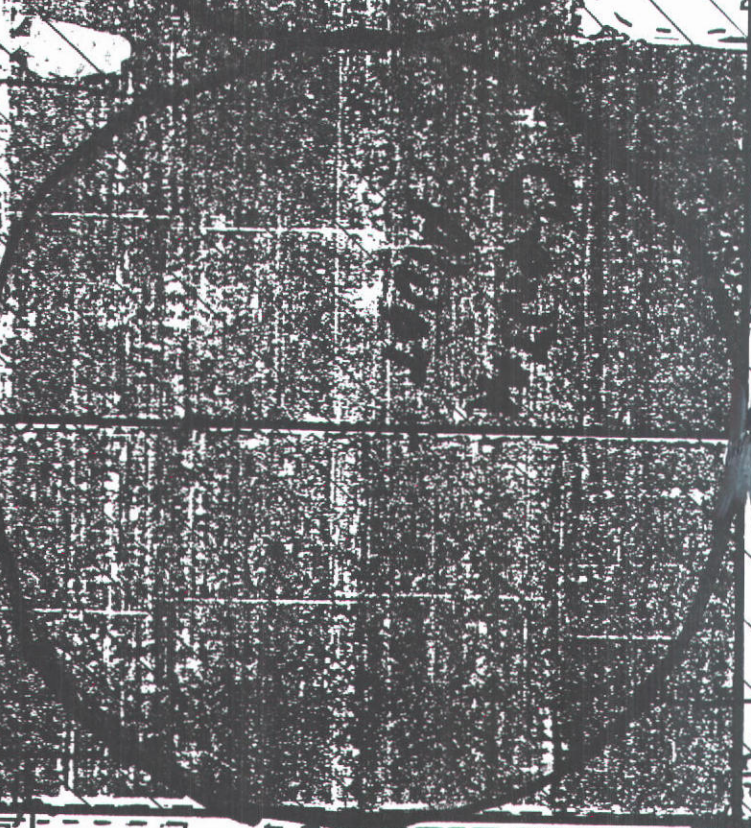
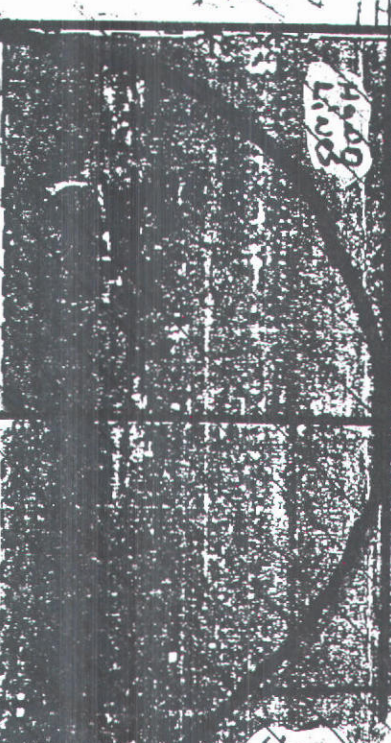
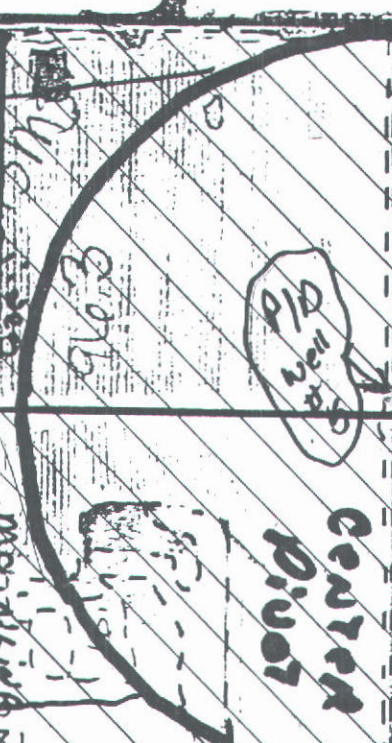
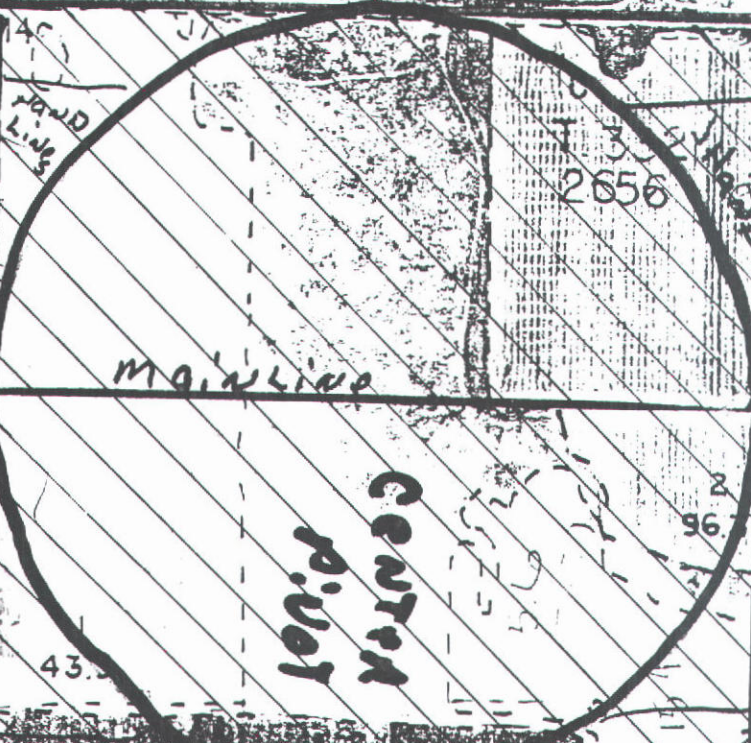
3
36.4



Hand
lines



mainline



Sec. 10.

640

Sec. 11

640

Sec. 12.

640

Sec. 15.

640

Sec. 14.

640

Sec. 13.

640

Sec. 22.

640

Sec. 23.

640

Sec. 24.

640

Sec. 27.

640

Sec. 26.

640

Sec. 25.

640

Sec. 29.

640

Sec. 35.

640

Sec. 36.

640

S. 89° 38' W.

S. 89° 30' W.

S. 89° 30' W.

50.01

80.02

79.98

S. 89° 38' W.

S. 89° 30' W.

S. 89° 30' W.

80.00

80.00

79.97

S. 89° 38' W.

S. 89° 30' W.

S. 89° 30' W.

80.12

79.89

79.99

EGON SHORT LINE

R.R.

S. 89° 38' W.

S. 89° 30' W.

S. 89° 30' W.

80.04

79.95

79.96

Sec. 29.

640

Sec. 35.

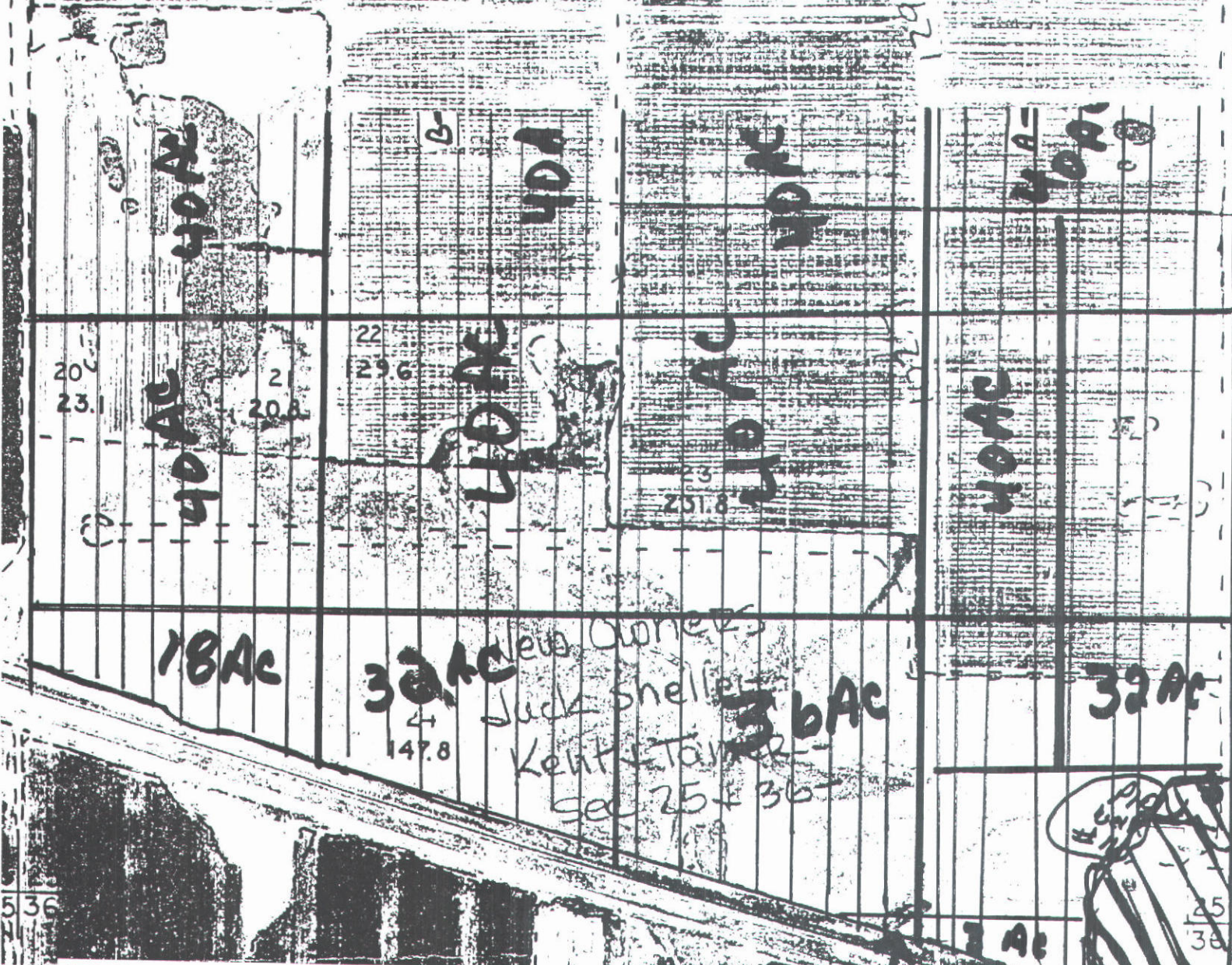
640

Sec. 36.

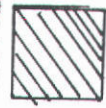
640

APR 15 1982

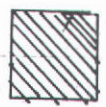
T1332✓
2656



New Clones
 Jack Snell
 Kent & Tanner
 Sec 25 & 36



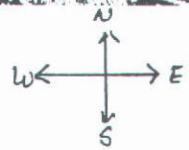
NOT irrigated



This land is covered
By license # 36-08256



PERMISSIBLE PLACE OF USE



TOTAL acre irrigated is 2483Ac.

APR 15 1968

[illegible]

24

07

PID
 I Dano
 VENT
 Ranch
 Big wa

40

40A.C

404

40 AC

40A

三

52.1

48.2

9 2
62.3

MICROFILM
APR 15 1988
14
49.0

40 AC

40 AC

40 AC

4040

40AC



40 AC

53

4012

33
2656

402

P/D
well
#5

404

40 Ac

40A

96/6

40 AC

100

404

此

Hot

40 Ac

Adio

Woke

AP/O
well
#4

40A2

40

9
906

T 1333
2287

95 MS

5.7

8

FROM PERMIT: 7S-24E

Note: I agree w/
John's Assessment that lands
under app were not entirely
irrigated, or irrigated at all.
Lands identified by
John as cleared apparently
do not provide conclusive
evidence of irrigation.

Td. 10-12-89

24 24

27

18

30

23

32

24

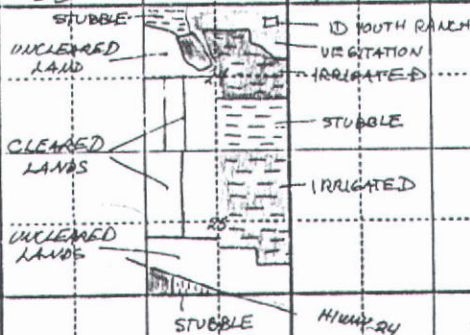
24

25

5

33

FROM NHAP: 255-48 (9/12/84) 1"=1M1



NHAP REVIEW SHOWS
LAND IN APPLICATION
TO BE NOT IRRIGATED
EXCEPT AT TIME
OF PHOTO; SHOWS LAND
WAS CLEARED IN PART

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08257

Priority: December 6, 1984

Maximum Diversion Rate:

4.42 CFS

Maximum Diversion Volume:

932.0 AF

This is to certify, that JACK HARMAN
KENT HARMAN

1500 N 461A E
RUPERT ID 83350

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 6, 1984; and has submitted Proof of Beneficial Use on December 26, 1995. An examination indicates that the works have a diversion capacity of 42.450 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	4.42 CFS	932.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 13, Township 07S, Range 24E
NENE , Sec. 14, Township 07S, Range 24E
NWSE , Sec. 14, Township 07S, Range 24E
NENE , Sec. 24, Township 07S, Range 24E
NWNW , Sec. 25, Township 07S, Range 24E
SESE , Sec. 25, Township 07S, Range 24E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	24E	13	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
14			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
24			NENE 6	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			606
25			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 18	SESW 32	
			NESE 40	NWSE 40	SWSE 36	

UNRECORDED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08257

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
	SESE 40			606
36	NENE 9	NWNE 1		10

Total number of acres irrigated: 2502

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. Rights 36-02315A/B/C/D/E, 36-07399, 36-08257, 36-08258, and 36-08259 when combined shall not exceed a total annual diversion volume of 9984.0 af at the field headgate and the irrigation of 2496 acres within the place of use described above in a single irrigation season.
9. This right is limited to the irrigation of 233 acres within the place of use described above in a single irrigation season.
10. Rights 36-02315/B/C/D/E, 36-07399, 36-08258, and 36-08259 are also diverted through the point(s) of diversion described above.

RECEIVED

APR 13 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08257

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 30th
day of MARCH, 1998.


Acting for KARL J. DREHER, Director

APR 15 1998

APR 15 1998

RECEIVED

MAR 20 1998

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08257

Date of Priority: December 6, 1984

Maximum Diversion Rate: 4.42 CFS

Maximum Diversion Volume: 932.0 AF

Comes now

IDAHO YOUTH RANCH INC

PO BOX 8538

BOISE ID 83707

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. 36-08257, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	4.42 CFS	932.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 13, Township 07S, Range 24E
NENE , Sec. 14, Township 07S, Range 24E
NWSE , Sec. 14, Township 07S, Range 24E
NENE , Sec. 24, Township 07S, Range 24E
NWNW , Sec. 25, Township 07S, Range 24E
SESE , Sec. 25, Township 07S, Range 24E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	24E	13	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
14			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
24			NENE 6	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			606
25			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 18	SESW 32	

MICROFILMED

APR 15 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08257

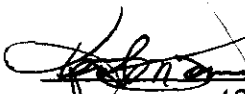
PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		NESE	40	NWSE	40	
		SESE	40		SWSE	36
	36	NENE	9	NWNE	1	606
						10

Total number of acres irrigated: 2502

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

Signed at _____, this 17 day of MAR, 1998.


(Signature)
MICROFILMED
APR 15 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08257

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 5000 Receipted by LB # CN1072 Date 3/20/98

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. 36-08257 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. Rights 36-02315A/B/C/D/E, 36-07399, 36-08257, 36-08258, and 36-08259 when combined shall not exceed a total annual diversion volume of 9984.0 af at the field headgate and the irrigation of 2496 acres within the place of use described above in a single irrigation season.
9. This right is limited to the irrigation of 233 acres within the place of use described above in a single irrigation season.
10. Rights 36-02315/B/C/D/E, 36-07399, 36-08258, and 36-08259 are also diverted through the point(s) of diversion described above.

APR 13 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 36-08257

Witness my hand this 30th day of March, 1978.


Acting for KARL J. DREHER, Director

RECORDED

APR 15 1978

24

For Office Use Only
 \$25.00 Filing Fee
 Receipt # 5020750
 Date 3-16-98

State of Idaho
 DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT
 To change the ownership of a permit

I, Idaho Youth Ranch hereby assign to Jack & Kent Harman
(Permit Holder)
 of 1500 N 461-A E, Rupert, ID 83350
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 36-08257
 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.

RECEIVED

MAR 16 1998

Department of Water Resources
 Southern Region

Made this 13 day of March, 1998

X Michael Dan
 Permit Holder(s)

State of Idaho)
 County of Minidoka ss

On this 13 day of March, 1998, personally appeared before me
 the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

SEAL

Notary Public

Jacqueline Larson
 Signature

My commission expires: 12-15-2003

MICROFILMED

APR 15 1998

RECEIVED

DEC 26 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 36-8257 Telephone No. (208) 377-2613

2. Name(s) of Permit Holder(s): Idaho Youth Ranch, Inc.

3. Mailing Address: P. O. Box 8538, Boise, Idaho 83707

4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. Jan. / yr. 91

a. Well Driller: Harry King Drilling Permit Number: 36 - 90 - 2 - 008

(See also Schedule A attached hereto.)

b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ 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): 233 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 4.42 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No x
Has the measuring device been installed? Yes _____ or No x

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No x
Has the measurement port been installed? Yes x or No _____

8. Fee Enclosed: \$ 200.00 (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: Bob Harman Telephone Number: (208) 532-4768

Address: Box 3254, Route 3, Rupert, Idaho 83350

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] Date: 12-26-95
(include your title, if on behalf of company or organization)

JAN 23 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NOS.)
36-08257, 36-08258 AND 36-08259)
IN THE NAME OF IDAHO YOUTH RANCH))
INC.)
_____)

ORDER

This matter having come before the Idaho Department of Water Resources (department), as a request for reinstatement of permits, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On November 9, 1994, the department issued an Order for Temporary Stay of Development and Notice of Formal Proceedings (Temporary Stay Order) requiring certain permit holders to either file proof of beneficial use of water in connection with their permit or to otherwise respond to the department in connection with the order.

2. On February 14, 1995, the department issued a Final Order cancelling Permit Nos. 36-08257, 36-08258 and 36-08259 (permits) in the name of Idaho Youth Ranch, Inc. (permit holder), since the permit holder did not respond to the November 9, 1994 Temporary Stay Order.

3. On August 8, 1995 and September 29, 1995, the permit holder submitted information to the department to show that development had already occurred under the permits and that the department should reinstate the permits.

CONCLUSIONS OF LAW

1. The department should rescind its Final Order dated February 14, 1995 and should reinstate the permits.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the Final Order of the department dated February 14, 1995 which cancelled Permit Nos. 36-08257, 36-08258 and 36-08259 is **RESCINDED**.

IT IS FURTHER HEREBY ORDERED that Permit Nos. 36-08257, 36-08258 and 36-08259 in the name of Idaho Youth Ranch, Inc. are **REINSTATED**.

Dated this 2ND day of OCTOBER, 1995.

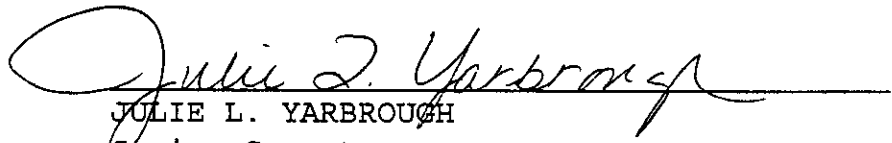

NORMAN C. YOUNG
Administrator

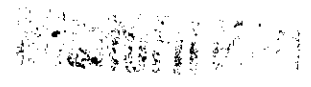
JAN 23 1996

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 25TH day of October, 1995,
I mailed a true and correct copy, postage prepaid, of the foregoing
ORDER to the following:

Neil Howard
Idaho Youth Ranch
P.O. Box 8538
Boise, ID 83707


JULIE L. YARBROUGH
Senior Secretary


JAN 23 1996

NOTICE

This file has been REPRODUCED
from MICROFICHE [REDACTED].

L. Paula J. Block
Person Recreating File

OCT. 24, 1995
Date

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPROVED PERMITS)
FOR THE APPROPRIATION OF GROUND)
WATER FROM THE EASTERN SNAKE RIVER)
PLAIN AQUIFER FOR WHICH PROOF OF)
BENEFICIAL USE HAS NOT BEEN)
SUBMITTED AND IS NOT PAST DUE)

FINAL ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of failure of the permit holder to respond to a prior order of the department, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On November 9, 1994, the department issued an Order for Temporary Stay of Development and Notice of Formal Proceedings (order) requiring certain permit holders to either file proof of beneficial use of water in connection with their permit or to otherwise respond to the department in connection with the order.
2. The holder of Permit Nos. 36-08257, 36-08258 and 36-08259 (permit holder) has neither filed proof of beneficial use of water nor responded to the department in connection with the order.

CONCLUSIONS OF LAW

1. Section 42-1805, Idaho Code, provides in part as follows:

In addition to other duties prescribed by law, the director of the department of water resources shall have the following powers and duties:

...

(7) After notice, to suspend the issuance or further action on permits or applications as necessary to protect existing vested water rights or to ensure compliance with the provisions of chapter 2, title 42, Idaho Code, or to prevent violation of minimum flow provisions of the state water plan.

2. IDAPA Rule 37.03.08055.02 (Water Appropriation Rule 55) of the Department of Water Resources, provides as follows:

a. To the extent a permit has not been developed, the director may cancel, or modify permits for which proof of

beneficial use has not been submitted in a designated geographical area as an extension of Rule 55.01.

b. Notice of the director's action to cancel or modify permits shall be by:

i. Summary Order served by certified mail upon the affected permit holders in the designated area.

ii. Publication of an order for three (3) consecutive weeks in a newspaper or newspapers of general circulation in the area.

c. Objections to the director's action shall be considered under the department's rules of procedure and applicable law.

3. IDAPA Rule 37.01.01104 (Rule of Procedure 104) of the Department of Water Resources provides in part as follows:

Formal proceedings may be initiated by a document from the agency informing the party(ies) that the agency has reached an informal determination that will become final in the absence of further action by the person to whom the correspondence is addressed, provided that the document complies with the requirements of Rules 210 through 280.

4. The department has properly notified the permit holder of requirements related to the department's order dated November 9, 1994 and the permit holder has failed to respond.

5. The department should cancel Permit Nos. 36-08257, 36-08258 and 36-08259.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Permit Nos. 36-08257, 36-08258 and 36-08259 in the name of Idaho Youth Ranch Inc. are CANCELLED and are of no further force nor effect.

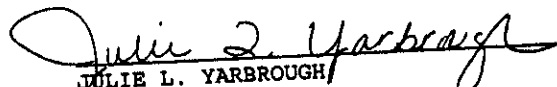
Dated this 14TH day of FEBRUARY, 1995.


R. KEITH HAZZINSON
Director

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 14th day of February, 1995,
I mailed a true and correct copy, postage prepaid, of the foregoing
FINAL ORDER to the following:

Idaho Youth Ranch Inc.
P.O. Box 534
Rupert, ID 83350


JULIE L. YARBROUGH
Senior Secretary

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPROVED PERMITS)
FOR THE APPROPRIATION OF GROUND)
WATER FROM THE EASTERN SNAKE RIVER)
PLAIN AQUIFER FOR WHICH PROOF OF)
BENEFICIAL USE HAS NOT BEEN)
SUBMITTED AND IS NOT PAST DUE)

ORDER FOR TEMPORARY
STAY OF DEVELOPMENT AND
NOTICE OF FORMAL PROCEEDINGS

The Director of the Idaho Department of Water Resources (Director), having responsibility for the administration of the appropriation of the water of the state of Idaho, the protection of rights to the use of water within the state, the protection of the public interest in the waters of the state and the conservation of the water resources of the state enters the following Findings of Fact, Conclusions of Law and Order for temporary stay; and provides the following notice of formal proceedings:

FINDING OF FACTS

1. On May 15, 1992, the Director issued an order establishing a moratorium on the processing and approval of applications for permit to appropriate water from all surface and ground water sources upstream from the USGS Gauge on the Snake River near Weiser, Idaho. On April 30, 1993, the Director issued an Amended Moratorium Order covering the Eastern Snake River Plain Aquifer. The 1994 session of the Idaho Legislature enacted section 42-1806, Idaho Code, requiring that the moratorium relating to the the Eastern Snake River Plain area shall continue in effect until December 31, 1997.

2. The state of Idaho has experienced seven (7) recent years of drought conditions resulting in lowered ground water levels and decreased discharge from surface water sources. The Idaho Legislature has authorized a study to examine the implications of these changes and the relationships between surface and ground water resources. The study is expected to be completed in approximately two (2) years.

3. Delivery calls have been made by the holders of senior-priority surface and ground water rights against the holders of junior-priority ground water rights from the Eastern Snake Plain Aquifer which could result in the curtailment of diversion and use of water under junior-priority ground water rights including rights which might otherwise be developed under permits which are the subject of this order and notice.

CONCLUSIONS OF LAW

1. Section 42-1805, Idaho Code, provides in part as follows:

In addition to other duties prescribed by law, the director of the department of water resources shall have the following powers and duties:

...

(7) After notice, to suspend the issuance or further action on permits or applications as necessary to protect existing vested water rights or to ensure compliance with the provisions of chapter 2, title 42, Idaho Code, or to prevent violation of minimum flow provisions of the state water plan.

2. Water Appropriation Rule 55.02. of the Department of Water Resources (IDAPA 37.03.08055.02) provides as follows:

02. PERMITS

a. To the extent a permit has not been developed, the director may cancel, or modify permits for which proof of beneficial use has not been submitted in a designated geographical area as an extension of Rule 55.01.

b. Notice of the director's action to cancel or modify permits shall be by:

i. Summary Order served by certified mail upon the affected permit holders in the designated area.

ii. Publication of the order for three (3) consecutive weeks in a newspaper or newspapers of general circulation in the area.

c. Objections to the director's action shall be considered under the department's adopted rules of procedure and applicable law.

3. Rule of Procedure 104 of the Department of Water Resources (IDAPA 37.01.01104) provides in part as follows:

Formal proceedings may be initiated by a document from the agency informing the party(ies) that the agency has reached an informal determination that will become final in the absence of further action by the person to whom the correspondence is addressed, provided that the document complies with the requirements of Rules 210 through 280.

4. Protection of prior rights to the diversion and use of surface and ground water of the Eastern Snake River Plain Aquifer

and the Snake River may require that the further development of water under existing undeveloped permits be suspended indefinitely to assure that the effects and conditions caused by drought, changes in irrigation practices and resulting aquifer recharge, and diversion and use of ground water from the aquifer under prior established water rights are properly evaluated.

5. Section 42-204, Idaho Code, provides in part as follows:

Every holder of a permit which shall be issued under the terms and conditions of an application filed hereafter appropriating twenty-five (25) cubic feet or less per second must, within one (1) year from the date upon which said permit issues from the office of the department of water resources, commence the excavation or construction of the works by which he intends to divert the water, and must prosecute the work diligently and uninterruptedly to completion, unless temporarily interrupted through no fault of the holder of such permit by circumstances, over which he has no control.

ORDER

IT IS THEREFORE, HEREBY ORDERED as follows:

1. The owners of all permits to appropriate ground water within the boundaries of the Eastern Snake Plain Aquifer, as that area is defined by Rule 50 of the rules for Conjunctive Management of Surface and Ground Water Resources (IDAPA 37.03.11), shall, effective immediately upon receipt of this order, temporarily stop further development under the permit until the Director authorizes further development.

2. The owners of all permits for appropriation of ground water within the boundaries of the Eastern Snake River Plain Aquifer shall on or before February 1, 1995, either:

A. File proof of beneficial use to cover the extent of diversion and beneficial use of water that has been accomplished prior to receipt of this order; or

B. File a response with the Director in this proceeding to satisfy the requirements of either subparagraph 1) or 2) below:

1) Document with supporting information that a "substantial investment" has been made, prior to receipt of this order, in facilities to divert and beneficially use water under the permit that merits the granting of additional time to complete all or part of the project. Substantial investment means an actual expenditure or written commitment for development of the project which meets the following requirements:

a) The actual expenditure or written commitment for the diversion and related equipment must equal or exceed the amount of fifteen thousand dollars (\$15,000) or exceed twenty five (25) percent of the estimated cost of the system for diverting and beneficially using the water, whichever is less; and

b) The actual expenditure or written commitment must have been made before receipt of this order.

2) Request an indefinite stay in the development period for the project, or any part of the project for which a substantial investment has not been made, until the conditions that resulted in this order have been alleviated if such should ever occur. Upon approval of any such stay, no further development is to occur until such time as the department has issued an extension of time setting a date for completion of the project.

3. Failure to submit either proof of beneficial use or a satisfactory response shall result in cancellation of the permit without further notice.

4. Before receiving approval for either additional time to complete a project under subparagraph 2.B.1) or a stay under subparagraph 2.B.2) above, the owner of the permit shall provide information to demonstrate compliance with the provisions of Sections 42-204, Idaho Code, with respect to commencing and diligently proceeding to develop the project authorized under the permit.

5. This order does not prevent the Director from reviewing continued development of a permit on a case-by-case basis if,

a. The Director determines that protection and furtherance of the public interest justifies continued development of a permit; or

b. The Director determines that continued development and use of water will have no effect on prior water rights because of its location, insignificant consumption of water or mitigation provided by the permit holder to offset injury to other rights.

Dated this 9TH day of NOVEMBER, 1994.


R. KEITH HAGGINS
Director

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 36-08257

Proposed Priority: December 6, 1984 Maximum Diversion Rate: 4.42 CFS
This is to certify, that **IDAHO YOUTH RANCH INC.**
P.O. BOX 534
RUPERT, ID 83350
has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	4.42 CFS
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		
	SESE	Sec. 25, Township 07S, Range 24E
	NWNW	Sec. 25, Township 07S, Range 24E
		MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	24E	24	NESW 29	NWSW 24	SWSW 27		80
		25	NENE 4	NWNW 18	SWNW 30		
			NESW 5	NWSW 23	SWSW 32		
			SESW 33	SWSE 2			147
		36	NENE 6				6

Total number of acres irrigated: 233

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1995.
2. Subject to all prior water rights.
3. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
4. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
5. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
6. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

PAGE 2

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08257

CONDITIONS/REMARKS:

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

23rd day of July, 1990

R. Keith Higginson
for R. Keith Higginson, Director

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

To appropriate the public waters of the State of Idaho

1. Name of applicant Idaho Youth Ranch Inc. Phone 436-9365
Post office address Box 534, Rupert, ID 83350

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25 Township 7S.
Range 24E B.M. Mauduka County, additional points of diversion if any: _____
SE SE sec 25 T7S R 24E

4. Water will be used for the following purposes:

Amount 4.42 for Irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 4.42 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump to
Wheel line sprinklers installed in 1974

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

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 20 inches; proposed depth of well is 295 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

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: _____ horsepower 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: _____

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

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	24E	24									29	24	27						80
"	"	25	4				18	30			5	23	32	33			2		144 147
		36	6																6

Total number of acres to be irrigated 221 233*

c. Describe any other water rights used for the same purposes as described above. 34-2315

36-2314 (for 12 acres, no longer available)

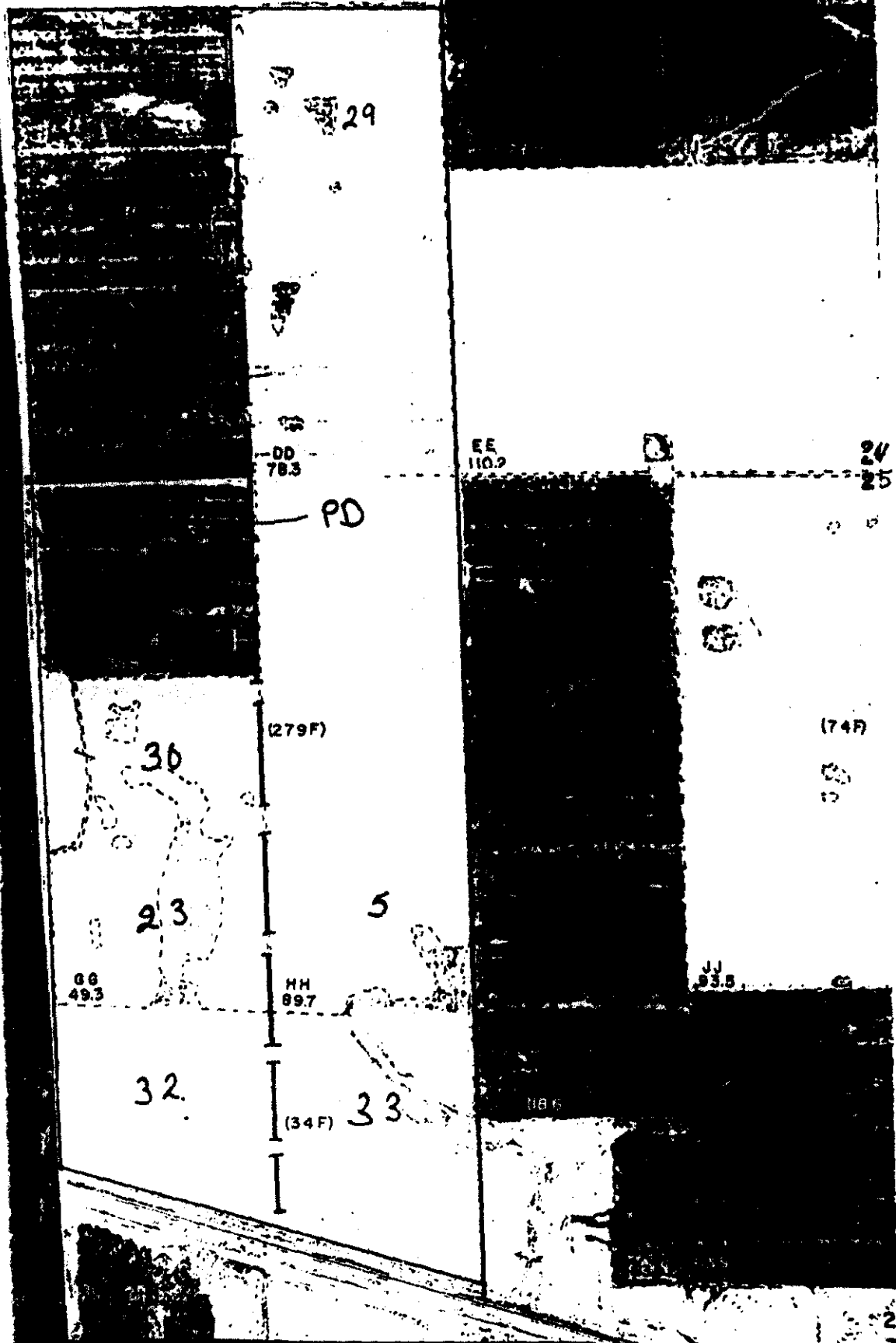
9. a. Who owns the property at the point of diversion Applicant
 b. Who owns the land to be irrigated or place of use Applicant
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

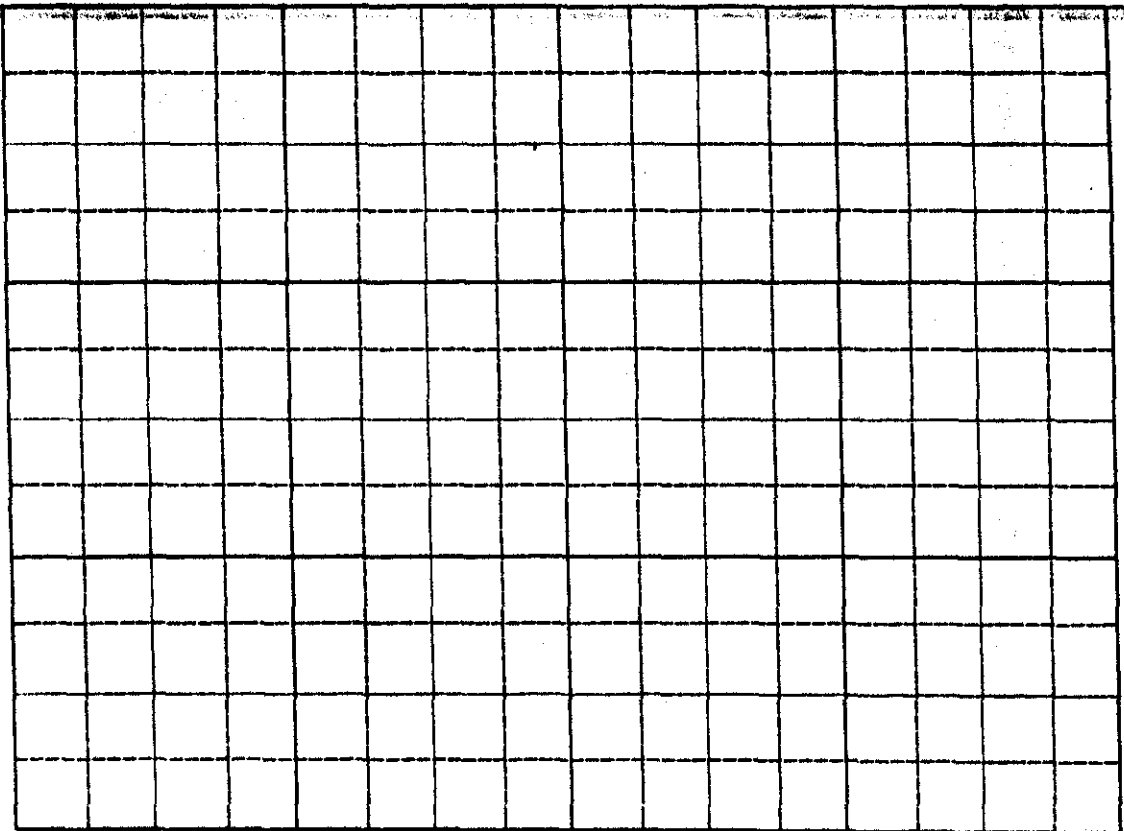
10. Remarks This Application is being filed to include land now irrigated or proposed to be irrigated that was not irrigated when 36-2315 was licensed.
A Sprinkler System Covering The W 1/2 of Sec 25 and The SW 1/4 of Sec 24 was installed in 1972.

* ACREAGE (12 acres) & POD in SESE Sec 25 was added to this Application & deleted from Application No. 36-8258. (see memo DATED 5-31-90 tjh).

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

Twp 7S. Rge 24E.





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.

Idaho Youth Ranch, Inc.
(Applicant)

By
L. Larry Jones
Assistant Director

Received by T.G. Blau Date 12-6-84 Time 10:00 AM

Preliminary check by ADA Fee \$ 125.00

Receipted by T.G. Blau Date 12-6-84 # 35231

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by tw

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other:



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 31, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JACK HARMAN
KENT HARMAN
1500 N 461A E
RUPERT ID 83350

RE: WATER RIGHTS 36-08257/36-08258/36-08259

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permits referenced above. The licenses are preliminary orders issued by the Department pursuant to section 67-5243, Idaho Code. They can and will become final orders 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 this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

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

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

UNRECORDED

APR 15 1998

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

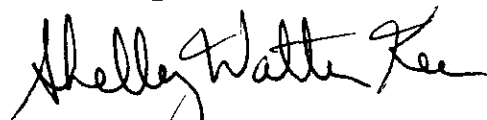
- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

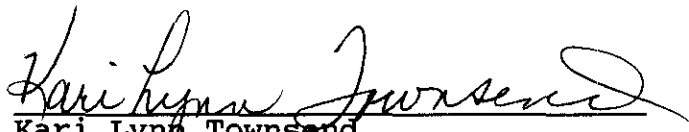
APR 13 1981

CERTIFICATE OF MAILING

I hereby certify that on the 31st day of **March, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDERS (Approved Licenses)** to the person(s) listed below:

WATER RIGHTS 36-08257/36-08258/36-08259

**JACK HARMAN
KENT HARMAN
1500 N 461A E
RUPERT ID 83350**


Kari Lynn Townsend
Secretary

TO: Sharla Curtis

DATE: March 16, 1998

FROM: Jim Stanton

SUBJECT: Permits 36-08257, 08258, 08259, Idaho Youth Ranch

Attached are assignments of permit to Jack & Kent Harman. I have been working with their father, Bob Harman, on this. He has the licensing amendments on these permits, which will be signed and mailed to you later this week. So even though the amendments show the Youth Ranch as the permittee, the Harmans now own the permits. Once you get the signed amendments, please proceed with licensing. While the Youth Ranch still owns some of the land, there is a single irrigation system on the 2500-acre PPU. The Harmans operate the entire system. I spoke with Steve of the Youth Ranch at their Boise office, and he agreed to the full assignments to Harman; I explained that the water rights become appurtenant to the land upon licensing. Thanks.

RECEIVED

MAR 19 1998

Department of Water Resources

RECEIVED
APR 15 1998



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 16, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

IDAHO YOUTH RANCH INC
PO BOX 8538
BOISE ID 83707

RE: WATER RIGHTS 36-08257/36-08258/36-08259

Dear Permit Holder(s):

I previously forwarded to you Applications for Amendment so that you could amend your permits to depict your water rights as they have actually been developed.

As of this date, I have not received these amendments. If I do not receive the amendments within 14 days, Water Right Licenses will be issued for less than could have been allowed. In case the amendment forms I sent you have been misplaced, new ones are enclosed. Please note that the filing fees for these amendments are \$50.00 per amendment.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

RECEIVED
APR 15 1998



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

February 18, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

IDAHO YOUTH RANCH INC
PO BOX 8538
BOISE ID 83707-8538

RE: Water Rights 36-08257/36-08258/36-08259

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permits referenced above prior to issuing water right licenses. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point(s) of diversion and place(s) of use developed are in locations other than what was described on your permits. Therefore, before licenses can be issued, your permits must be amended to depict your water rights as they were actually developed.

The enclosed Application for Amendment forms depict the point(s) of diversion and places(s) of use and other information as it will appear on the licenses when they are issued. Please review the amendment forms carefully. If you concur with the information presented, please sign the forms and return them with the \$50.00 filing fee for each form (total \$150.00) within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure

306-10-1998

MEMORANDUM

TO: Files 36-08527 through 36-08529

FROM: Sharla Curtis

DATE: February 10, 1998

RE: Recommendation Adjustment(s)

The permissible place of use to be licensed under these rights is a total of 2502 acres, taken from Jim Stanton's land list with one change -- Jim makes the statement that the ppu in the SENE, S24 is 40 acres but listed only 32; 40 acres will be shown on the licenses.

The existing rights are for a total of 22.77 cfs, 6272 acre feet and irrigation of 1568 acres out of a 2486 acre ppu land base. The three rights to be licensed include 10 acres in Section 36 and the additional 8 acres mentioned above (SENE, S24). Each of these licenses will be issued for the permitted rates of diversion; when combined with the existing rights the total is 41.09 cfs out of a capacity of 42.45 cfs. The three rights were permitted for a total of 928 acres; the licenses will reflect the permitted limitations of each right and a remark will list the total number of acres under all of the rights allowable for irrigation/season as 2496 acres of the 2502 acre ppu.

Overlap analysis:

36-02315A	254 acres/2486	4.38 cfs	1,016.0 afa
36-02315B	400 acres/2486	7.00 cfs	1,600.0 afa
36-02315C	62 acres/2486	0.92 cfs	248.0 afa
36-02315D	220 acres/2486	2.83 cfs	880.0 afa
36-02315E	312 acres/2486	3.44 cfs	1,248.0 afa
36-07399	320 acres/2486	4.83 cfs	1,280.0 afa
36-08257	233 acres/2502	4.42 cfs	932.0 afa
36-08258	435 acres/2502	8.70 cfs	1,740.0 afa
36-08259	260 acres/2502	5.20 cfs	1,040.0 afa
TOTALS	2496 acres/2502	41.09 cfs	9,984.0 afa

36-08527-011120

APR 15 1998

Idaho Youth Ranch

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

WP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
5	24E	13			14		24	9	40	40	11	33 2	29 5	40					247	
			40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
		14	4	20	31	33	24			5	40	40	40	40	40	40	40	40	427	
			40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
		24		33	40	37	23	21	5	5	11	35 16	13	40	70	40	40	37	488	
				40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	600	
		25	40	40	40	40	40	22	10	40	35	17		39	40	33	40	476		
			40	40	40	40	40	40	40	40	40	40	18	32	40	40	36	40	606	
15	24E	13	✓40	✓40	✓36	✓40	✓16	✓31			✓29	✓5	✓6		✓40	✓40	✓40	✓40	393	
		14	✓36	✓20	✓19	✓7	✓16	✓40	✓40	✓35									313	
		24	6	+4 15		+7 3	✓17	✓19	+4 35	+1 10	✓27	✓24	✓27					+8 3	+29 188 26-321	
		25	+4					✓18	✓30		✓5	✓23	+14 18	+1 32	-1 1		+1 3		+25 130 26-32	
36 9 actuals +6																			Total number of acres to be irrigated	918

Total number of acres to be irrigated

10

Licensed/Recommended

Transferred PPU T.4763

Licenseable Acres (Licensed-Allowed PPU)

New New ~~trans~~ acres (difference between red numbers & permit)

Need 14 acres outside allowed PPU for 36-08257 to be fully licensable

Allow 10^{new} ac in Sec. 36. Leaves 2 acres undeveloped. Allow 231 acres under 8257SE/NE 8, 24 now has 32 ac (~~40~~ is 40 ac, licensed for 37)

Allow 6 new acres in NE/NE 8, 24

2. Place(s) of Use:

Indicate Method of Determination Visual and ASCS Maps

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	24E	13	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640 AC
07S	24E	14	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640 AC
07S	24E	24	18 6	39 40	40	32	40	40	40	40	40	40	40	40	40	40	40	40	601 AC 598
07S	24E	25	40	40	40	40	40	40	40	40	40	40	18	32	40	40	36	32 40	598 AC 606
07S	24E	36	4 0	1															4 AC 10

TOTAL ACRES = 2483 ACRES

* Please note that this permit is for 233 acres within the permissible place of use of 2483 acres.

2494

Post-it* Fax Note	7671	Date	# of pages 2
To	Shirley Curtis	From	Jim Stanton
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

LICENSE REVIEW CHECKLIST

PERMIT NO. 36-08257

DATE 1/12/98

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>No</u>
SOURCE	—	✓	Is change/clarification of originally intended source? <u>—</u>
POINT OF DIV	✓	—	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	✓	—	Amendment required <u>yes</u>
			Amendment required <u>yes</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U
Overlap file pulled & reviewed —

RATE OF DIV

Permitted Rate	<u>4.42</u> cfs
Fee limit	<u>5.0</u> cfs \$20000
Measured	<u>42.45</u> cfs
Theoretical	<u>37.26</u> cfs (see review sheet in 36-08258)
Recommended Total Div Rate	<u>4.42</u> cfs

ANNUAL VOLUME/ NATURE OF USES

Use <u>✓</u>	<u>4.42</u> cfs	Volume Calc <u>233 X 4.0</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
SUBTOTAL	<u>4.42</u>	<u>932.0</u> af

Flow rate 4.42 cfs X 214 days X 1.98 = 1872.8 af
Total volume recommended 932.0 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

W27 (233)
W35
W36 (36-08258/08259) 9940 af, 2494 ac

CONDITIONS — Watermaster Control WD# —

R6A GW Measurement/Measuring Device
R6A Overlap R55.052

— Use-specific conditions
Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo —

1st Amend Letter P37, P38

2nd Amend Letter P42

Phases from Jim Stanton

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 11 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08257

1. Owner: Idaho Youth Ranch Inc. / Harman Land Ranch Phone No. (208) 377-2613 / (208) 532-4768

Current Address: P.O. Box 8538, Boise, Idaho 83707 / 1475 N 475 E, Rupert, Idaho 83350

2. Accompanied by: Bob Harman EXAM DATE : 7/5/96

Address: 1475 N 475 E, Rupert, Idaho 83350 Phone No. (208) 532-4768

Relationship to Permit Holder: Owner/ Lessor/ Farm Manager

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Transfer #4763, 36-08258, 36-08259

2. Other water rights with the same point of diversion: Transfer #4763, 36-08258, 36-08259

* PLEASE NOTE: Transfer #4763 locates fire well in NWNE 1/4 of ssection 24 however field exam finds well in SWNENE 1/4 (very close to line).

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge	County	Method of Determination/Remarks
WELL #11		S E	S E	S E	25	07S	24E	MINIDOKA	VISUAL AND ASCS MAPS
WELL #10		N E	N W	N W	25	07S	24E	MINIDOKA	see above
FIRE WELL		S W	N E	N E	24	07S	24E	MINIDOKA	see above
IDAHO YOUTH RANCH BIG WELL		S W	S E	N E	13	07S	24E	MINIDOKA	see above
WELL #5		S W	N E	N E	14	07S	24E	MINIDOKA	see above
WELL #4		S W	N W	S E	14	07S	24E	MINIDOKA	see above

2. Place(s) of Use:

Indicate Method of Determination Visual and ASCS Maps

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	24E	13	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640 AC
07S	24E	14	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640 AC
07S	24E	24	10	39	40	32	40	40	40	40	40	40	40	40	40	40	40	40	601 AC
07S	24E	25	40	40	40	40	40	40	40	40	40	40	18	32	40	40	36	32	598 AC
07S	24E	36	3	1															4 AC

TOTAL ACRES = 2483 ACRES

* Please note that this permit is for 233 acres within the permissible place of use of 2483 acres.

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

SEE ATTACHED SHEET

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

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

YES Photo of diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
WELL #11	WESTING-HOUSE	300 Hp	6761659-606	WINTROATH	10163
WELL #11 BOOSTER	LINCOLN	100 Hp	1282737	AURORA	86-10070
WELL #10	GENERAL ELECTRIC	350 Hp	UNKNOWN	WELLINE	LP95228
WELL #10 BOOSTER	US ELECTRIC	150 Hp	01004950	AURORA	8002716-2
FIRE WELL	GENERAL ELECTRIC TRICLAD	300 Hp	OFG60930 34	WELLINE	CP91087
IDAHO YOUTH RANCH BIG WELL	GENERAL ELECTRIC	200 Hp	CYJ03131 11	VERTILINE	8570011
IDAHO YOUTH RANCH BIG WELL BOOSTER	US ELECTRIC	150 Hp	CF7172-98080-6218	PEERLESS	9149566
WELL #5	US MOTORS	350 Hp	J521977	VERTILINE	38170152
WELL #5 BOOSTER	BALDOR	75 Hp	595C-1539	CORNELL	92270
WELL #4	GENERAL ELECTRIC	300 Hp	5K6287X	LAYNE BOWLER	5350
WELL #4 BOOSTER	BALDOR	75 Hp	595C-1537	CORNELL	921631150

* 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
Polysonic Portable Flow Meter	Tyme Flyte	149744	TF*P	N7H5506		April, 96

2. Measurements: see attached reading sheets

E. NARRATIVE/REMARKS/COMMENTS

The water for this permit can come from any of the six wells on this system. All of the wells are interconnected to allow the permit holder to irrigate any portion of the land from any of the six wells if one of them should break down.

This farm sits on four different sections (sec. 13, sec. 14, sec. 24, and sec. 25) and a small portion of section 36. Sections 24, 25, and 36 are irrigated by a combination of hand lines and wheel lines. These sprinklers are fed by two parallel mainlines and two wells (well #11 and well #10). The first mainline is positioned a 1/4 mile east of the western boundaries of both section 24 and 25. This mainline is approximately 1 3/4 miles long. Well # 10 discharges into this mainline in the northwest corner of section 25. This is accomplished by a short mainline from well #10 traveling due east until it intersects the west mainline. The west mainline interconnects with the east mainline through a 1/2 mile mainline located a 1/4 of a mile north of the border between sections 25 and 25.

The east mainline travels the full 3+ mile length of the farm which includes the eastern half of a section 13. Three wells feed directly into this mainline. Well #11 is located on the southern end of this mainline in the NE 1/4 of the SE 1/4 of the SE 1/4 of section 25. Well #11 discharges into a mainline that travels west for a 1/4 of a mile to intersect the east mainline. Approximately half way down this mainline makes a T and with one leg of the T traveling due north for approximately 1/2 of a mile. The second well to intersect the east mainline is the Fire Well located in the SW 1/4 of the NE 1/4 of the NE 1/4 of section 24. The mainline from the Fire Well splits into two mainlines. The first mainline travels

southwest to the fire station located at the Idaho youth ranch compound. Where as fire fighting does not require a water right according to Idaho code 42-222. Therefore, there is not a diversion rate associated with fire fighting all of the diversion from this well should be used for irrigation unless it is necessary to use for fighting a fire. The second mainline from the fire well travels west approximately 100 feet to the east mainline where it connects with the east mainline with a + connection. This mainline continues on for another 1/4 of a mile and the turns north and travels 1 1/4 miles through the center of section 13 to the northern boundary of section 13. The third well to intersect the east mainline is the Idaho Youth Ranch Big Well located in the SW 1/4 of the SE 1/4 of the NE 1/4 of section 13. The mainline from The Idaho Youth Ranch big well travels west from the well and intersects the east mainline approximately 1/16 of mile from the well. The western 1/2 of section 13 and all of section 14 are irrigated by six center. These pivots are set in two rows with one row located in the northern half of section 14 and the northwest 1/4 of section 13 and the other row located in the southern 1/2 of section 14 and the southwest 1/4 of section 13. The six pivots are interconnected by two mainlines that run east and west through both rows of center pivots. Both of these mainlines intersect the mainline from the fire well located in the center of section 13. There is also a third connection to the southern mainline from the mainline in the center of section 13. The two east and west mainlines connecting the mainlines are intersected by three 1 mile mainlines that are positioned in between the pivots so that all the corners of the center pivots can be irrigated with hand lines. Well #4 is located at one of these intersections in the SW 1/4 of the NW 1/4 of the SE 1/4 of section 14. This well discharges water into these mainlines to maintain the pressure for the system. Well #5 is located at the tower of the center pivot in the northeast corner of section 14 or the SW 1/4 of the NW 1/4 of the NE 1/4 of section 14.

All of the wells have been tied together in this system to irrigate any portion of the land from any well in case one of the wells breaks down. Harman Land Ranch's main crop is potatoes and sugar beets which requires a consistent irrigation schedule. Tying these wells together prevents crop losses due to a well breaking down.

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

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

WELL #11

2668 ave gpm / 448.8 = 5.94 cfs (see attached sheet for polysonic readings)

WELL #10

4341 ave gpm / 448.8 = 9.67 cfs (see attached sheet for polysonic readings)

FIRE WELL

Theoretical - 5.34 cfs (see attached theoretical sheet)

IDAHO YOUTH RANCH BIG WELL

3170 ave gpm / 448.8 = 7.06 cfs (see attached sheet for polysonic readings)

WELL #5

3244 ave gpm / 448.8 = 7.23 cfs (see attached sheet provided by Scott King)

WELL #4

3236 ave gpm / 448.8 = 7.21 cfs (see attached sheet for polysonic readings)

TOTAL 42.45 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{233 \text{ ac} \times 4.0 = 932 \text{ afa}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{4.42 \text{ cfs} \times 214 \times 1.9835 = 1876.15 \text{ afa}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{932 \text{ afa}}$$

B

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)
<u>IRRIGATION</u>	<u>APRIL 1</u>	<u>OCT. 31</u>	<u>4.42 cfs</u>	<u>932 afa</u>

Totals: 4.42 cfs 932 afa

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Daniel A. Nelson Date 8-29-96

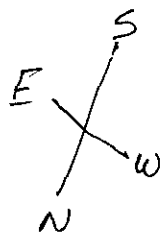
Reviewer _____ Date _____

SEAL

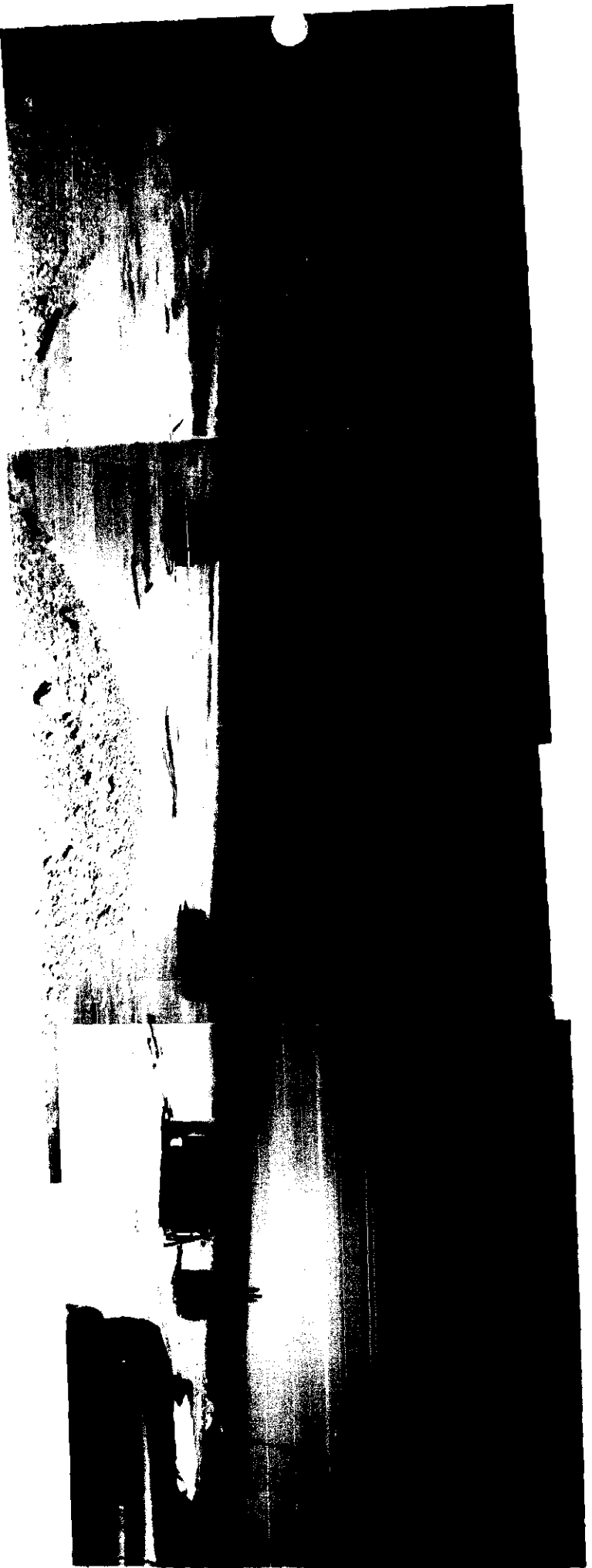
RECOMMENDATIONS AND REMARKS:

I recommend that this permit be licensed under the following conditions:

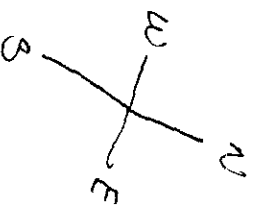
1. That this permit be licensed as 233 acres within the 2483 acres of permissible place of use. When these acres are combined with transfer # 4763, permit number 36-08258, and permit number 36-08259 all of the 2483 acres of this farm will be covered by a water right. Therefore all the acres in this permit will not overlap the acres of these other permits but will share the same place of permissible use.
2. That this permit be licensed for 4.42 cfs diversion rate. This will allow .02 cfs per acre as is required by the Department of Water Resources as a maximum diversion rate per acre.
3. That when this permit is combined with all other water rights for this farm is limited by a total diversion rate of 41.09 cfs for the six wells included on this permit.
4. That the point of diversion on this permit include all six wells within this system. All of the wells are interconnected allowing the permit holder to use this water right out of any of the six wells if one of the wells should break down during the irrigation season.
5. That this water right belongs solely to Idaho Youth Ranch until such a time as Harman Land Ranch should purchase the Idaho Youth Ranch's land and transfer this water right to their ownership. The Harman Land Ranch does presently lease the Idaho Youth Ranch's land and have an option to buy at the end of the lease. The wells that will be associated with permit will be the Well # 10 and Well #11.

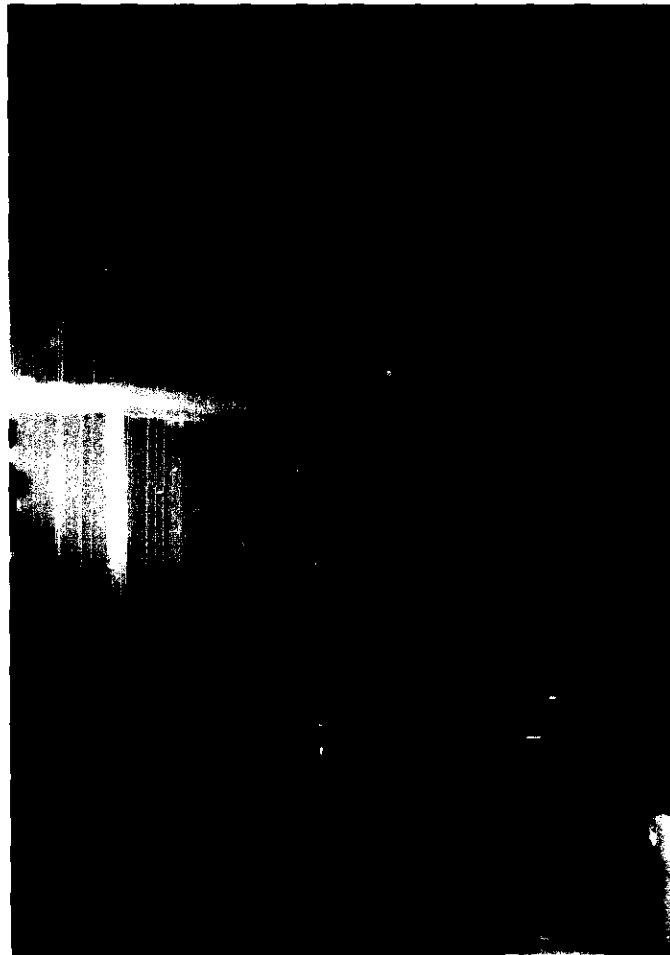


Well # 11 and Booster # 11

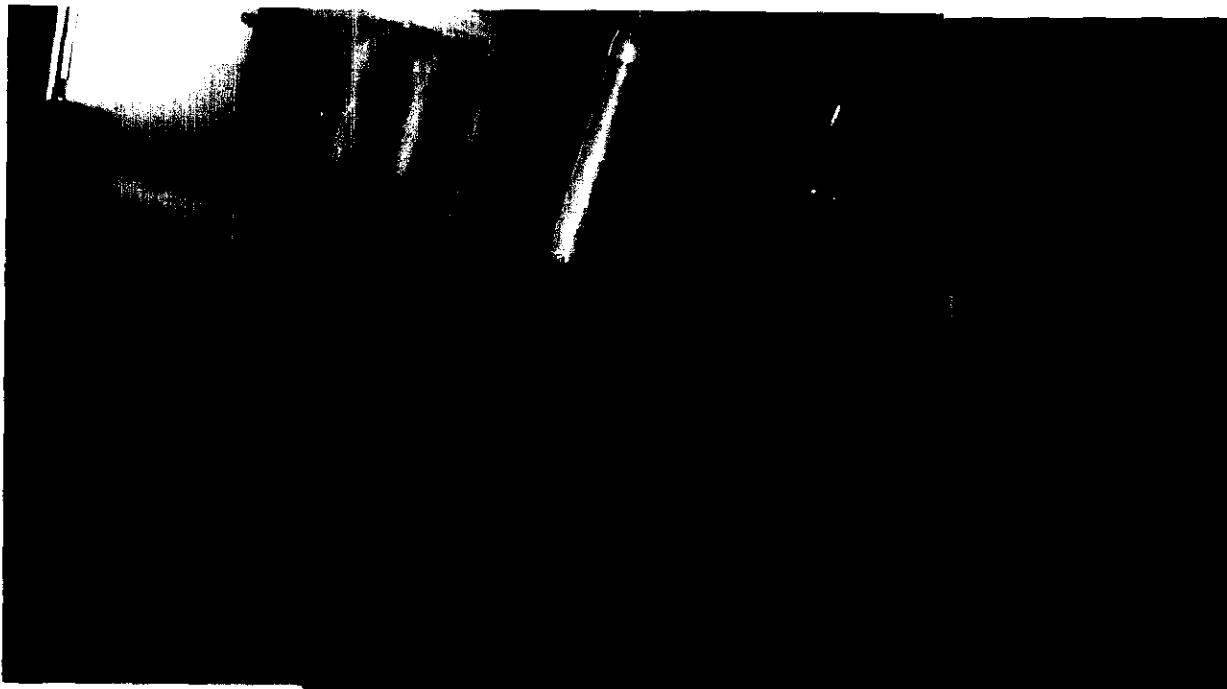


Place OF USE Looking FROM Well #11
The mainline FROM Well #11 Travels Due NORTH THEN TURNS Due WEST

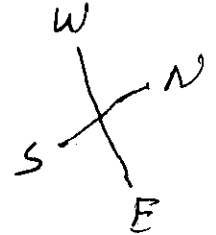




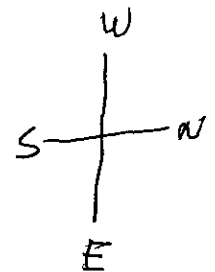
Pump
FOR
Fire
well



DIVERSION WORKS FOR FIRE WELL



Idaho youth Ranch Big well



BOOSTER FOR Idaho youth Ranch
Big well.

main line travels due west the joins
main line leading to irrigation system



Well #10

The main line runs from Well #10 to a
Booster then on to the main line
system



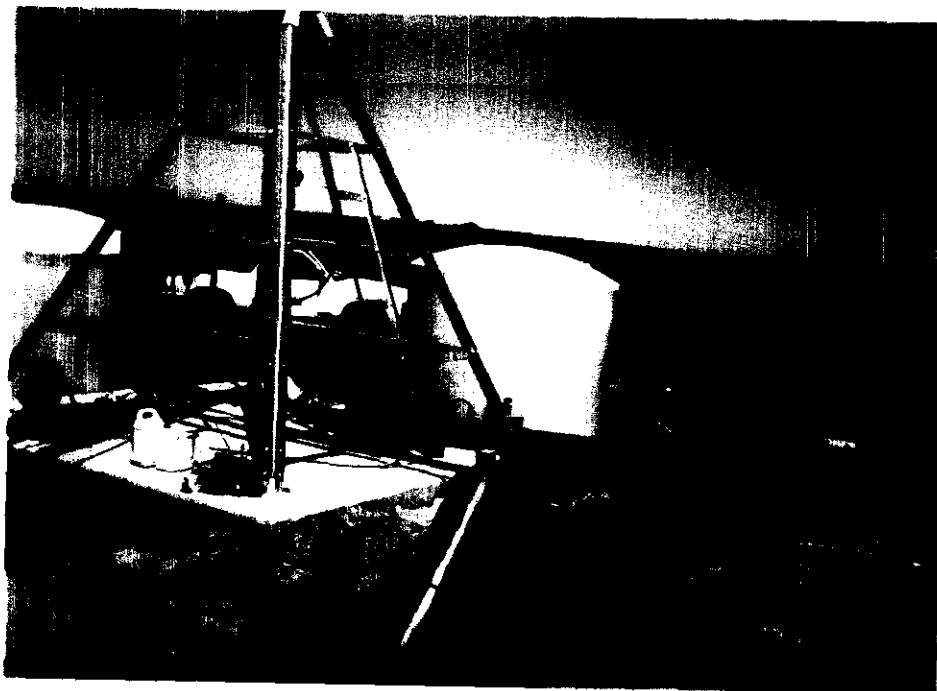
Well #4

The well DIVERTS INTO a mainline Then
goes INTO a BOOSTER. The mainline Then
CONTINUES ON TO the main line FOR IRRIGATION
SYSTEMS



Well # 5

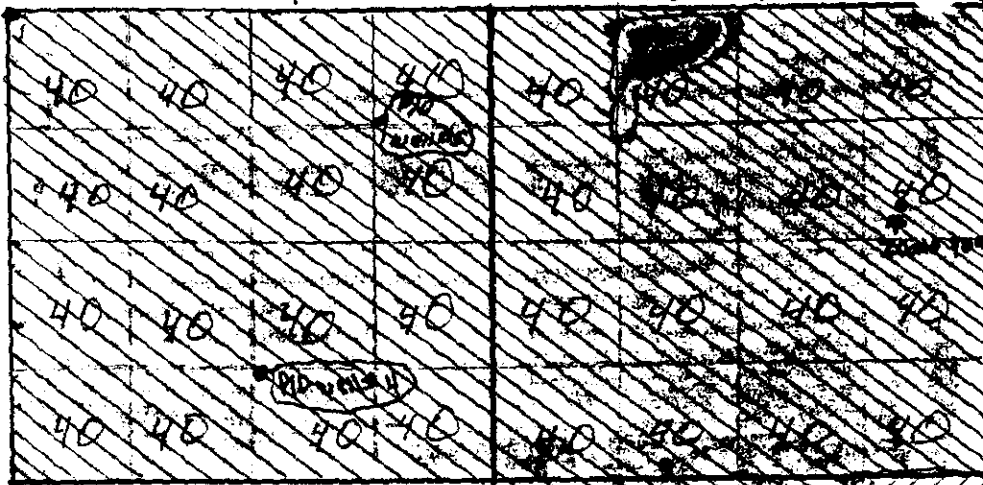
The well Discharges INTO a BOOSTER
Then Discharges INTO The DIVERSION
WORKS BELOW



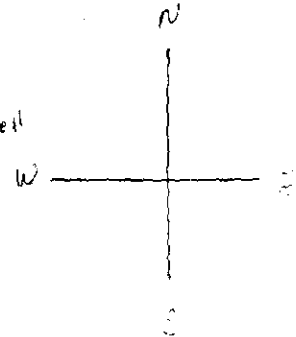
The DIVERSION WORKS goes INTO center
PIVOT and THEN SPlITS INTO two underground
Main lines

sec 14

sec 13



h Ranch
Big well



36-08256
(This area is a total of 39 acres)

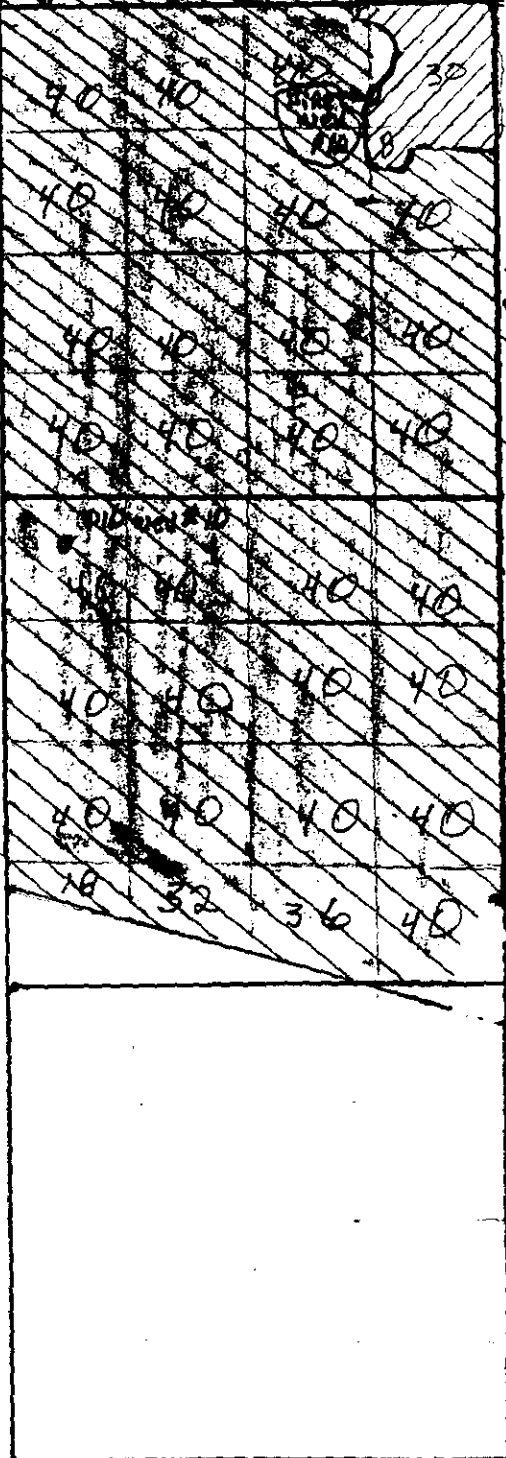


TRANSFER NO. 4763
(This is a combination of
water right nos. 36-02315A/
36-02315B # 36-02315C # 36-02315D
36-02315E/36-07399)

NOTE: TRANSFER 4763
is for a total of 22.77 cfs
and for 1,568 acres
within the 2466 acres
of permissible phase of
use



ACRES IRRIGATED.



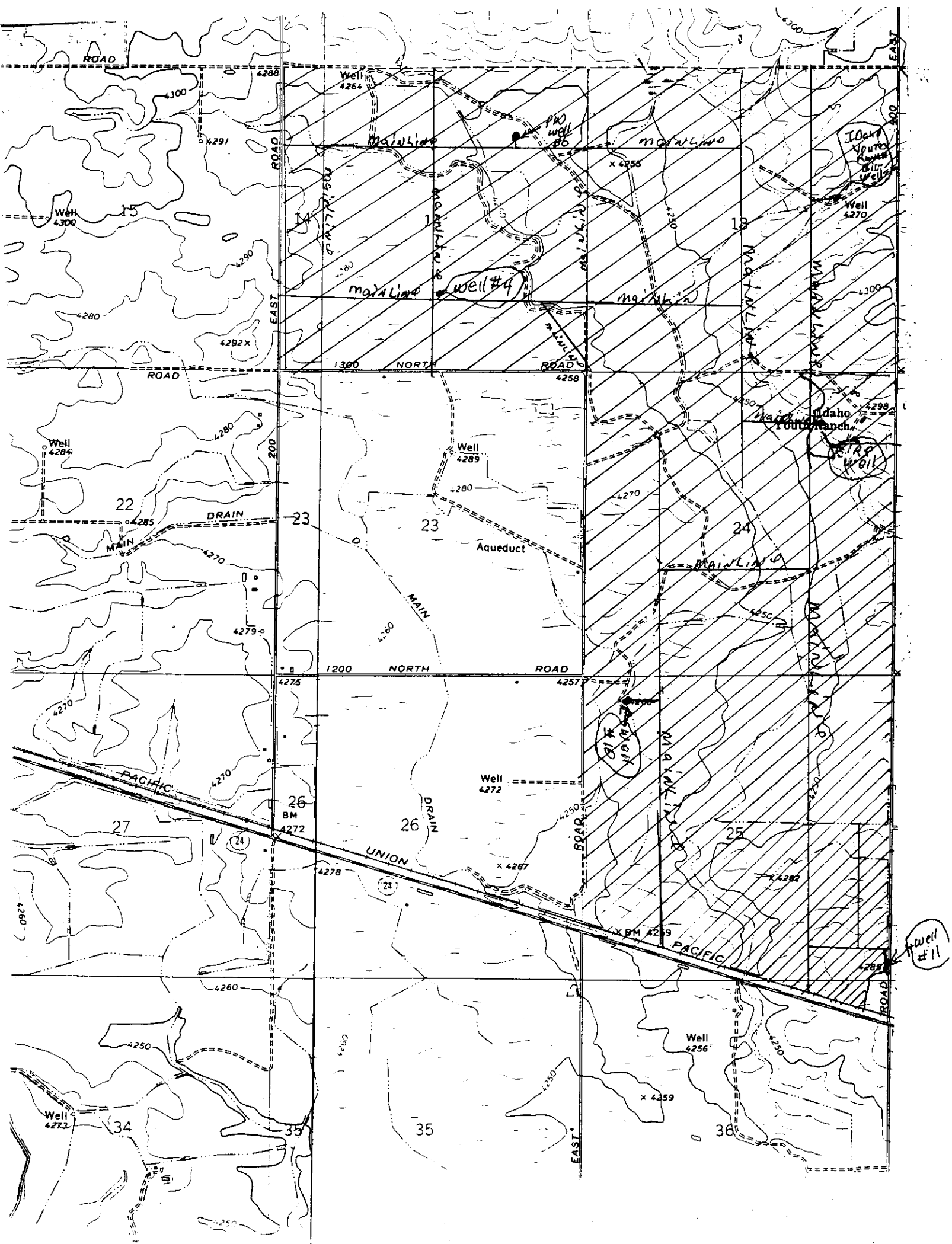
sec 24

sec 25

sec 36

Flow well #11

SPAD
Cellars



6 25

T1332✓
2656

20 wheel x1 21
23.1 Lines 28

HAND LINES

22

129.6

wheel ↑
lines

HAND LINES

wheel lines ↑

HAND LINES

New Owners ↓

Jack Shelley

Kent Tanberg

Sec 25 & 30

24
147.8

WHEEL LINES

HAND LINES

HAND LINES

mainline

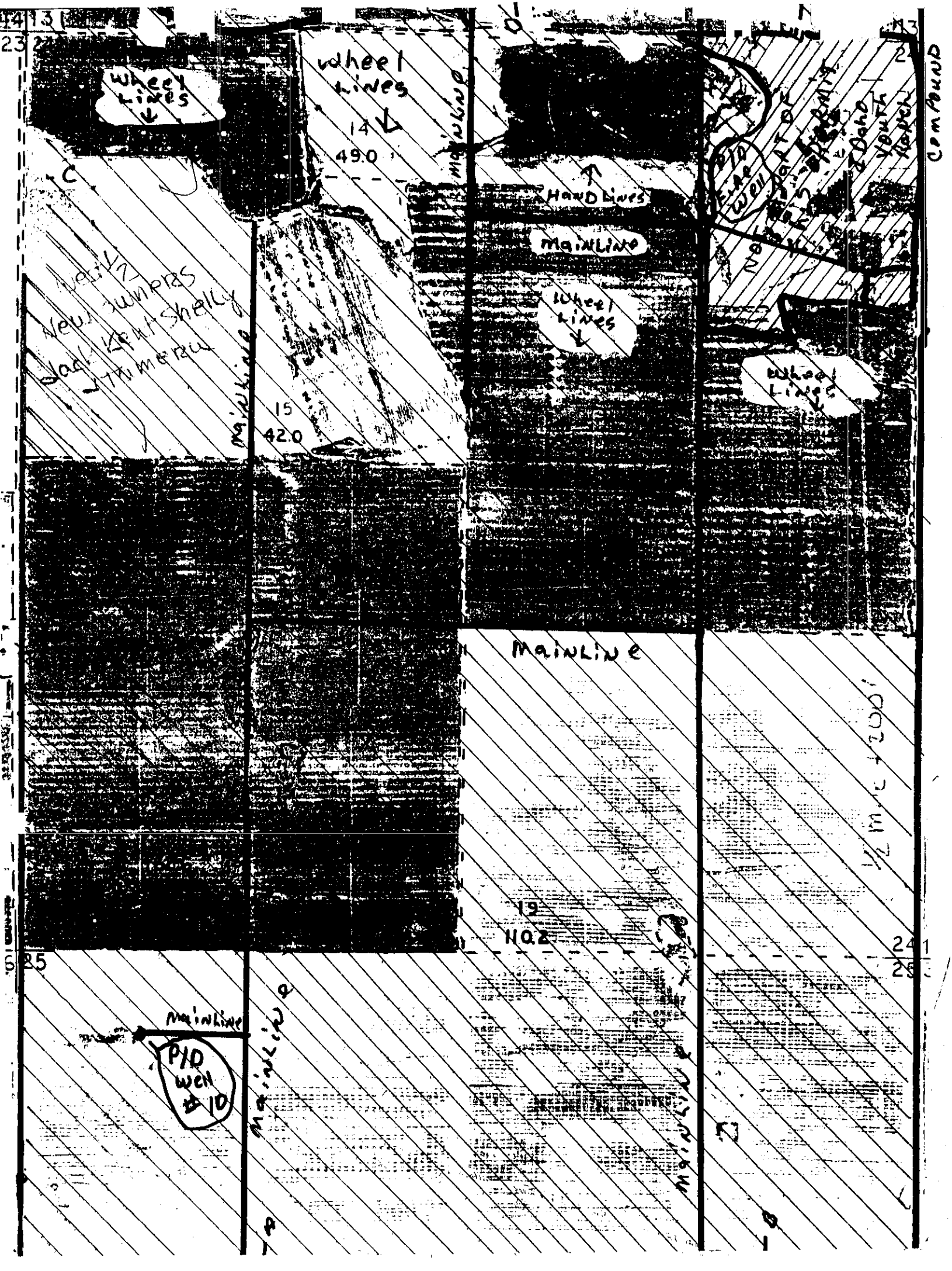
HAND LINES

PID
well
in

5 36

2
11.2

3
36.4



wheel lines

wheel lines

14

490

HAND LINES

mainline

wheel lines

wheel lines

15

420

mainline

19

HQ2

mainline

100
HQ2

mainline

100' 200'

24

25

compound

Hand
lines

6
52.1

48.2

Idaho
Youth
Ranch
Signal

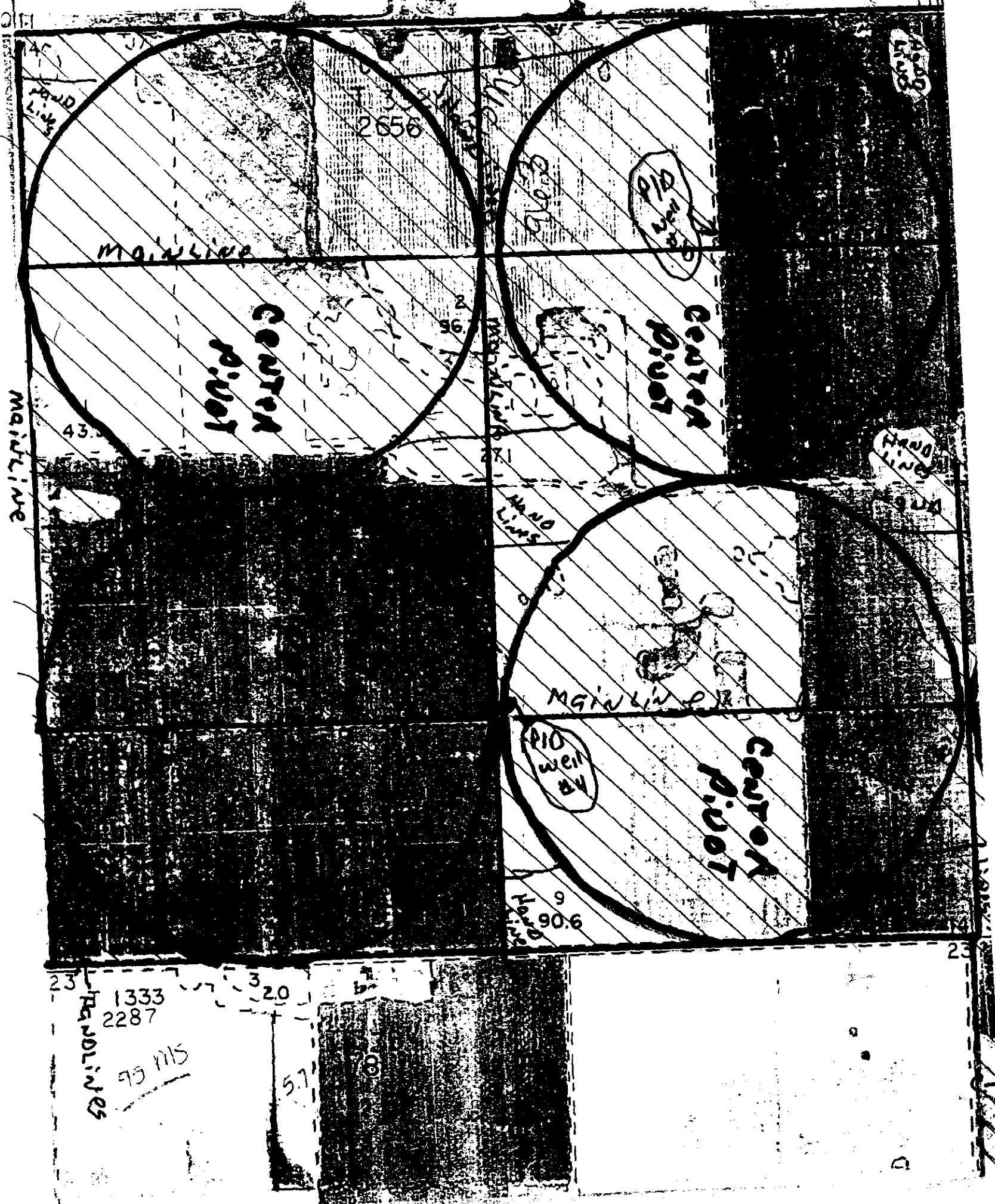
Hand
lines

Hand
lines

12
62.3

14
49.0

NEW YORK P-
SEC 14 + W12



1333
2287

75 M15

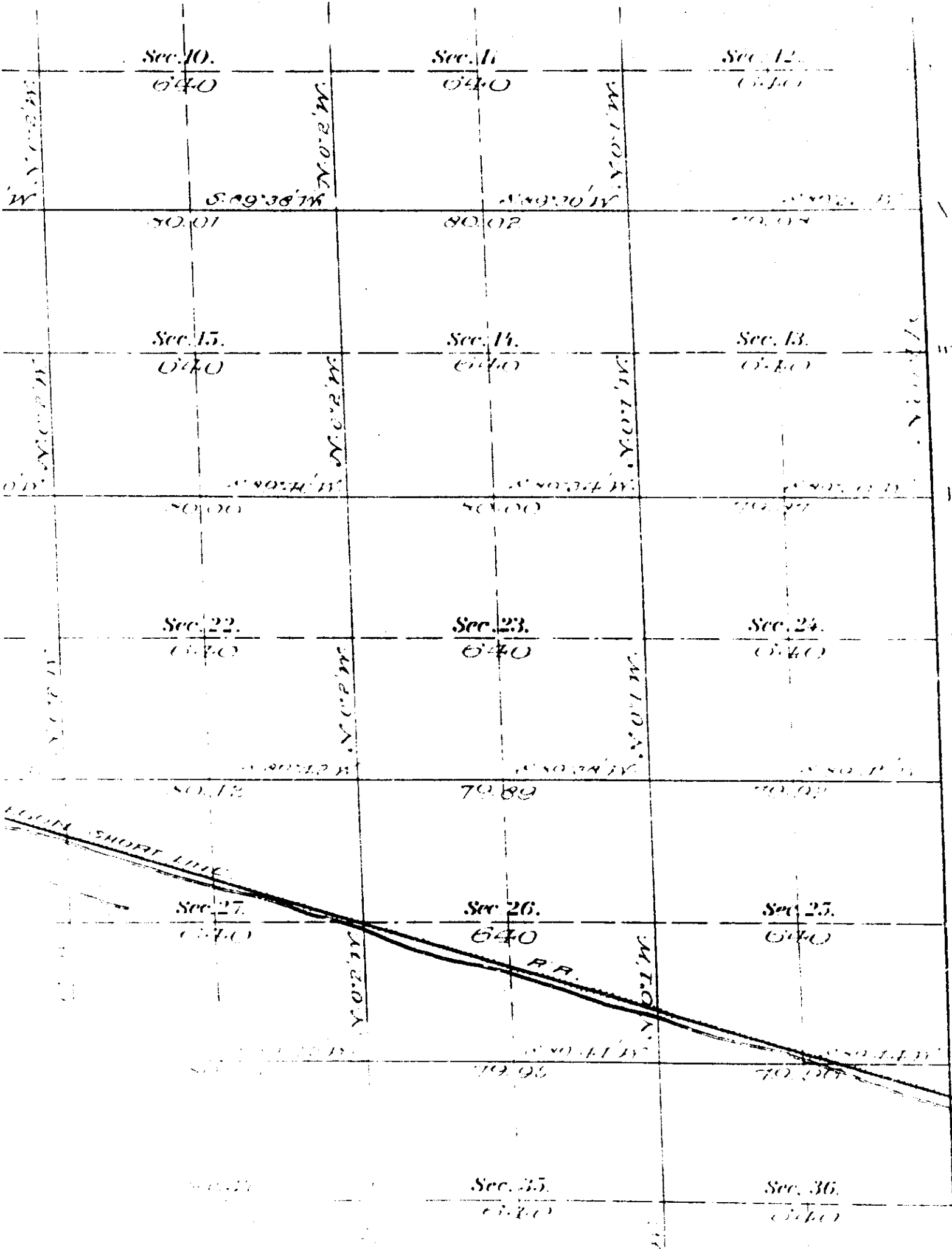
57

8

23

20

23



24
25 3

T1332✓
2656

6 25

5 36

25
36

180

180

180

180

180

180

180

180

180

320

320

320

147.8

new owners
Jack Sheller
Kent Turner
Sec 25 & 36

180

180



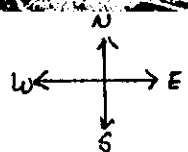
NOT IRRIGATED



This land is covered
by license # 36-OB 256



PERMISSIBLE PLACE OF USE



TOTAL acre irrigated is 2483 ac.

5
9
T

400E

40AC

40AC

40AC

40AC

40AC

40AC

40AC

40AC

40

6
52.1

40AC

40AC

40AC

10
2
62.3

40

37
38.2

40

40

40AC

E

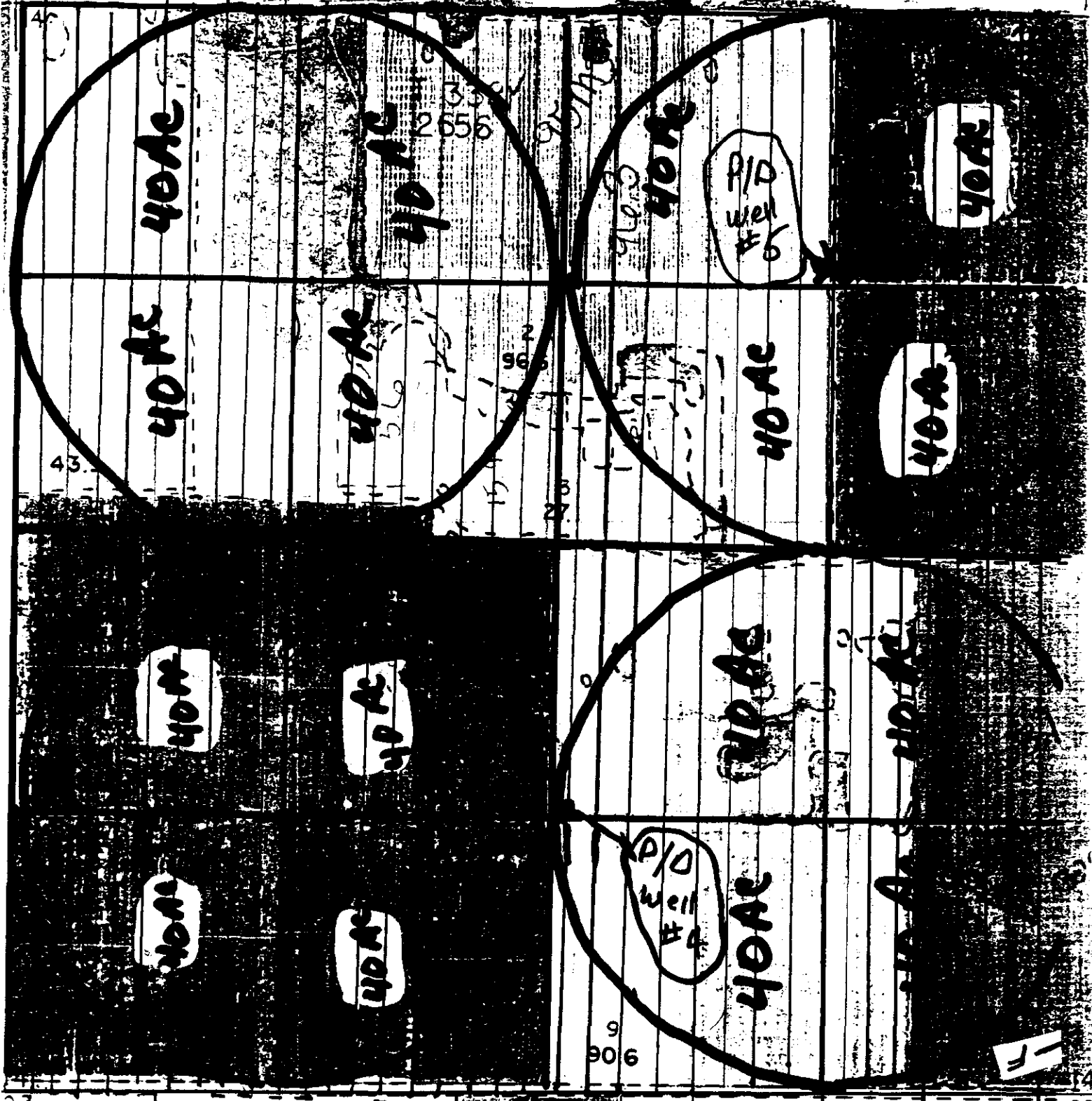
40
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Ranch
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23 T 1333 2287 3 20 93 115 57 3 23

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 36-08257 Reviewed by [Signature] Date 1-3-96

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

Irr.

no Address same as permit?

yes Proof timely received?

Correct Uses? yes

If not, complete calculation below.

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

yes Copy in the file?

Drilling Permit No. 36-90-C 0008-000

100.00 Amount paid for permit

yes Correct?

yes Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?

no Required?

200.00 Amount Submitted

yes Installed?

yes Correct?

 Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

_____	+	_____
_____	+	_____
_____	+	_____
_____	+	_____
_____	+	_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address P.O. Box 8538

Proof Made 12-26-95

Boise, Id. 83707



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 5, 1996

IDAHO YOUTH RANCH INC
PO BOX 8538
BOISE ID 83707

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 36-08257

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning the field examination, please feel free to contact the SOUTHERN Regional Office in Twin Falls, at (208) 736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

JAN 23 1996

SCHEDULE A

Water also diverted from existing wells, all of which are intertied.

<u>Diversion</u>	<u>Pump Horsepower</u>	<u>License or Permit</u>	<u>Date Drilled</u>
T7S, R24E S14, SWNWSE	300 75 booster	36-07399	1957-62
T7S, R24E S14, NENE	350 75 booster	36-02315D P.36-8259	1981
T7S, R24E S13, SWSENE		36-02315B P.36-8258	1957
T7S, R24E S24, NWNW	300	36-8256 P.36-8258	1991
T7S, R24E S25, NWNWNW	350 150 booster	36-02315A P.36-08257	1957
T7S, R24E S25, SESESE	300 100 booster	36-02315E P.36-08257	1957



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 25, 1995

Neil Howard
Idaho Youth Ranch
P.O. Box 8538
Boise, ID 83707

PROOF DUE NOTICE

RE: Permit Nos. 36-08257, 36-08258 & 36-08259

Dear Mr. Howard:

The above referenced water right permits have been reinstated by the department and proof of beneficial use was due on the permits July 1, 1995. Since the permits were in the process of being reinstated during the proof due period, the department has extended the proof due date to January 1, 1996. Enclosed are forms 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.

An acceptable proof of beneficial use submittal 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 days of the mailing of the lapse notice, the permits will no longer be of any force nor effect.

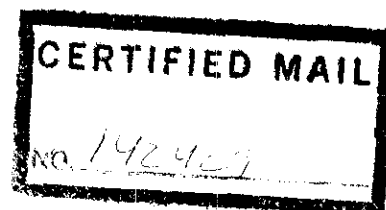
Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

PAID 10.25.95

OCT 28 1995





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 25, 1995

RE: In the Matter of Permit Nos. 36-08257, 36-08258 &
36-08259 in the name of Idaho Youth Ranch

Dear Interested Parties:

I have enclosed a copy of the **ORDER** which rescinds the Final Order dated February 14, 1995, and reinstates the above referenced permits.

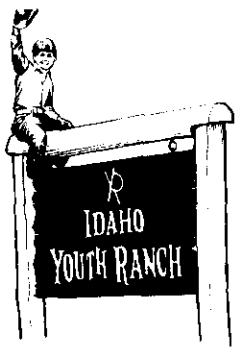
If you have any questions regarding the enclosed order, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

cc: IDWR - Region



IDAHO YOUTH RANCH

P.O. Box 8538, Boise, ID 83707

(208) 377-2613 Fax (208) 377-2819 E-Mail HN3410 @ HANDSNET.ORG

BOARD OF DIRECTORS

PHILLIP BATT
Governor of Idaho
Honorary Member

RAY MILLER
Chairman
Moscow

JOHN STANGER
Vice Chairman
Idaho Falls

GEORGINA WOLVERTON
Secretary
Twin Falls

BILL DANIELS
Treasurer
Boise

DON WESTFALL
Past Chairman
Burley

JACK ALLRED
Burley

JARIS COLLINS
Ketchum

TOM MAHAN
Jerome

MARY McCLUSKY
Twin Falls

JOHN McHUGH
Coeur d'Alene

ROY MILLER
Pocatello

DAVID MURRAY
Boise

LYNDA RAWLINGS
Boise

ERNIE ROBERSON
Boise

JAMES ROPER
Burley

BUD SICKINGER
Pocatello

WANDALEE TIMM
Boise

GIL WALKER
Boise

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Princeton

EARL PECK
Board Member Emeritus
Twin Falls

ROBERT NIELSEN, ESQ.
Legal Counsel
Rupert

NEIL HOWARD
President Emeritus

MIKE JONES
President

Member Agency



National Association
of Homes and Services
for Children

ED

AUG 09 1995

Department of Water Resources

August 8, 1995

State of Idaho
Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, ID 83720

Attention: Julie Yarbrough

In a follow up to our telephone conversation on August 7, 1995, I am requesting consideration for reinstatement of the water rights on Permit Nos. 36-08258 and 36-08259.

About 5 years ago, we closed our administrative office in Rupert and located our main office in Boise. We did keep the Box 534 active inasmuch as we continued to receive Memorials and other correspondence for a few years. Mail received at the Box number subsided over the years and was rarely used. Occasionally our Thrift Store Manager picked up the mail and supposedly forwarded on to us.

The information that you sent us back in February of 1995 never got to our office. I have checked with everyone I could and cannot find it. I understand completely the importance of water rights and its use. Believe me, if I had received it, the matter would have been taken care of.

The new well was dug as per the agreement we had in our application and is in use. It is vital to our operations of the boys ranch as well as irrigation water for crops. Our whole fire hydrant system is hooked up to this well. It provides protection to the entire campus that houses some 50 youngsters and many staff quarters and housing.

Please be assured that if the papers that you mailed had reached me, I certainly would have followed through on the proper filings.

Please let me know what we can do to make this right.

Sincerely,

Neil Howard
President Emeritus.



ACCREDITED

COUNCIL ON ACCREDITATION
OF SERVICES FOR FAMILIES
AND CHILDREN, INC.

IDAHO YOUTH RANCH, INC.
P. O. Box 8538
Boise, Idaho 83707
(208) 377-2613 Fax (208) 377-2819

RECEIVED

SEP 29 1995

Department of Water Resources

L. Glen Saxton
Chief, Water Allocation Bureau
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RE: Reinstatement of Permit Nos. 36-8257, 36-8258 and 36-8259

Dear Mr. Saxton:

As a follow-up to my letter of August 8, 1995 and our subsequent telephone conversation, I would like to present the following facts in support of our request for reinstatement of the above permits. Many of these facts may be verified by the records of the Idaho Department of Water Resources and records of the Idaho Youth Ranch.

Permit No. 36-08257

This application was filed in 1984 and shows on its face, under Remarks, that it was filed to include land then irrigated and land proposed to be irrigated that was not irrigated under License 36-2315. Under the Remarks section of the application, it is stated that the sprinkler system for the lands described in the application was installed in 1972. The diversion points were from two existing wells, one of which provided water for License No. 36-02315A and one used to provide water for License No. 36-02315E. The irrigation equipment required to irrigate lands that were not being irrigated prior to 1984 was installed by 1993. A part of the equipment purchased was a part of Invoice Nos. 300503, 400181 and 101277, copies of which are enclosed.

Permit No. 36-08258

This application was filed at the time the application was filed for Permit Nos. 36-08259 and 36-08257. The application shows on its face, in the Remarks section, that it was filed to provide for the irrigation of lands then irrigated and proposed to be irrigated that were not being irrigated under License No. 36-2315. The original application contemplated the use of two existing wells. The remarks also show that a portion of land was developed in 1966 and a portion in 1974. The permit issued provided for the diversion of water from a well used to divert water under License No. 36-02315B and the second diversion point was a new well drilled in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, Township 7 South, Range 24 East of the Boise Meridian. A drilling permit was granted to the Idaho Youth Ranch on June 5, 1990 and extended on October 3, 1990. From the Well Driller's Permit, it appears that the drilling of the well commenced in January of 1990. Additional irrigation equipment

JAN 23 1996

L. Glen Saxton
Chief, Water Allocation Bureau
Department of Water Resources
Page 2

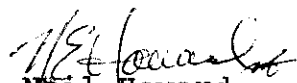
was installed to irrigate the additional lands that were not being irrigated under License No. 36-02315B by 1993. A part of the equipment purchased is shown by a part of Invoice Nos. 201029 and 400181. Also enclosed is the Well Driller's Report and Drilling Permit for the second well under this permit.

Permit No. 36-08259

On the face of the application, under the Remarks section, it is shown that the application was filed to provide for the irrigation of land then being irrigated and land proposed to be irrigated that was not being irrigated under License No. a 36-02315. The Remarks section also shows that the sprinkler system for the irrigation of the lands had been installed in 1981. Water was to be diverted from an existing well from which water was being diverted for License No. 36-02315D.

I have also enclosed a map showing how water from existing licenses and the permits are used to irrigate the Idaho Youth Ranch properties. As you can see, Idaho Youth Ranch, Inc. was prepared to file its Proof of Construction of Works and Application of Water to Beneficial Use on or before July 1, 1995. Shortly after July 1, 1995, an investigation was commenced by the Idaho Youth Ranch to determine whether or not the Proof of Beneficial Use had been filed and license issued. It was then that it was discovered that the above permits had apparently been cancelled on February 14, 1995, even though the time for proof of completion of works and application of beneficial use was not due until July 1, 1995. A fourth permit, No. 36-08256 was issued on August 13, 1990. On this permit, Idaho Youth Ranch, Inc. submitted its Proof of Beneficial Use in December, 1990. As I previously indicated to you, we simply did not receive your request to file an early Proof of Beneficial Use or to otherwise respond to the Department, nor did we receive the Final Order cancelling these permits. In view of the above information, we would ask that you reinstate the three permits so that Proof of Beneficial Use may be submitted and licenses issued. Substantial investment has been made by Idaho Youth Ranch, Inc. on reliance upon these permits and it can ill afford loss of this substantial investment. If there is any further information that we may provide to you, please feel free to contact me at any time.

Sincerely


Neil Howard
President Emeritus

enclosures

9/28/95
JAN 28 1996

Invoice No. 300503
 Date: 05/22/91
 Page No. 1

DUPLICATE INVOICE

Sold IDAHO YOUTH RANCH
 To P.O. BOX 8538
 BOISE, ID 83707

P

Salesman SUE

Quantity	Unit	Item Number	Description	Price	Extension
2,280	FT	AP122080.	PIPE, 8" 100# 20' PVC	1.94	4,423.20
1	EACH	NA6568062	ELL, 8" 90°	56.00	56.00
440	FT	IJM100 6	PIPE, 6" PIP 100# PVC	1.06	466.40
440	FT	IJMPU	USED, PIPE MISC.	.84	369.60
6	EACH	USED M	USED, MISC. V,T,E,R, ETC.	29.60	177.60
6	EACH	USED	USED, MISC. SMALL PARTS	7.60	45.60
6	EACH	TRUVS4003	VALVE STUB THREADED	15.50	93.00
3	NONE	B3	NON-CODED INV SALE	50.00	150.00
			THRUST BLOCKS		
1	EACH	TRAV200	VALVE, 2" AIR RELIEF	28.64	28.64
1	EACH	SRV-3	VALVE, 3" SURGE DECOTO	51.95	51.95
9	FT	IV3219933	PLY, 6" X 20' PIPE	4.42	39.78
1	EACH	TRUVS4003	VALVE STUB THREADED	20.91	20.91
1	EACH	TRPIPC6	COPLR, 6" PIP WO STARTER	20.59	20.59
1	EACH	TRWSCBM6	RL, 6" WOM STEEL	9.33	9.33
1	EACH	TRWD12	DISC, 12" WELDING	9.04	9.04
1	NONE	B1	SERVICE LABOR	94.06	94.06
			6" OUTDIVE LABOR		
3,160	NONE	B2	TRENCH/BACKHOE	.35	1,106.00
			TRENCH & BACKFILL		
2,280	NONE	B1	SERVICE LABOR	.32	729.60
			8" PVC INSTALLATION		
380	NONE	B1	SERVICE LABOR	.24	211.20
			6" PVC INSTALLATION		
6	NONE	B1	SERVICE LABOR	3.00	18.00
			6" SADDLE INSTALLATION		
1	NONE	B1	SERVICE LABOR	15.00	15.00
			6" DIVE INSTALLATION		
1	NONE	B1	SERVICE LABOR	15.00	15.00
			8" DIVE INSTALLATION		

(Continued)

MAY 23 1996

INVOICE

INVOICE DATE INVOICE NO. PAGE

THE SPRINKLER SHOP, INC.

P.O. BOX 599 HIGHWAY 25 EAST
PHONE (208) 438-8194 PAUL, IDAHO 83347



06/21/91 400181 1

SOLD TO

IDAHO YOUTH RANCH
P.O. BOX 8538
BOISE, ID 83707

SHIP TO

9

ORDER NO.	ORDER DATE	CUSTOMER NO.	SALES MAN	PURCHASE ORDER NO.	SHIP VIA	SHIP DATE	TERMS
400181	06/21/91		WY			ASAP	

QUANTITY		ITEM NUMBER	ITEM DESCRIPTION	UNIT PRICE	PER UNIT	AMOUNT
ORDERED	SHIPPED					
1040	1040	JM100 10	PIPE, 10" PIP 100# PVC	3.07 FT		3,192.80
660	660	JM100 8	PIPE, 8" PIP 100# PVC	1.95 FT		1,287.00
560	560	JM100 6	PIPE, 6" PIP 100# PVC	1.10 FT		616.00
1	1	VIC86	RED, 8 X 6	40.60 EACH		40.60
1	1	TRSLR810	RED, 10 X 8 RL	51.62 EACH		51.62
1	1	WMN048-02-001	VENT, 3" AIR	.00 EACH		.00
1	1	TRCEP6	PLUG, 6" HL END	.00 EACH		.00
1	1	CLCC6	CPLR, 6" PIP COMP. START	.00 EACH		.00
9	9	VE612	PIPE, 6" STEEL	.00 FT		.00
1	1	B3	NON-CODED INV SALE	219.47 NONE		219.47
			6" OUTDIVE ASSY.			
1	1	WMN048-01-000	VENT, 2" AIR	.00 EACH		.00
1	1	TRSEP4325	VALVE, PRESSURE RELIEF	.00 EACH		.00
1	1	TRUVS300	VALVE STUB 3"	.00 EACH		.00
9	9	VE1012	PIPE, 10" STEEL	.00 FT		.00
1	1	B3	NON-CODED INV SALE	288.84 NONE		288.84
			10" DIVE ASSY.			
17	17	TRSSGTF310	SDL, 10" BOLT ON	71.40 EACH		1,213.80
11	11	TRSSGTF38	SDL, 8" BOLT ON STEEL	65.44 EACH		719.84
9	9	TRSSGTF36	SDL, 6" BOLT ON STEEL	62.44 EACH		561.96
2	2	B2	TRENCH/BACKHOE	55.00 NONE		110.00
			THRUST BLOCKS, & CEMENT			
1	1	PAGOV10	VALVE, 10" GEAR-OP	296.05 EACH		296.05
2	2	CLFL10	FLNG, 10"	26.44 EACH		52.88
48	48	IMI	MISC. NUTS & BOLTS	.00 EACH		.00
4	4	CLFF10	GSKT, 10" FULL FACE	.00 EACH		.00
12	12	B1	SERVICE LABOR	29.00 NONE		58.00
			WELDING			
6.5	36.5	B2	TRENCH/BACKHOE	45.00 NONE		1,642.50

TERMS: 10th of month. A Finance Charge of 1 1/2% per month (an annual percentage rate of 18%) will be made on (past due amounts). Freight is charged from our yard.
Good Received By
X

SALE AMOUNT
MISC. CHARGES
FREIGHT
SALES TAX
TOTAL
PAYMENT REC'D

JAN 28 1992

I certify that the property which I have purchased will be used for mining, processing, or for farming or for repair thereof. I certify that all statements are true and correct.

Any damage or loss to the described property, or to other property (including but not limited to crop losses), regardless of cause while under customer's possession or control, shall be customer's sole liability and customer will save this company harmless thereon.

INVOICE

INVOICE DATE INVOICE NO. PAGE

06/21/91 400181 2

INC.
25 EAST
PAUL, IDAHO 83347



S
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IDAHO YOUTH RANCH
P.O. BOX 8538
BOISE, ID 83707

S
H
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P
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9

ORDER NO.	ORDER DATE	CUSTOMER NO.	SALES- MAN	PURCHASE ORDER NO.	SHIP VIA	SHIP DATE	TERMS
400181	06/21/91		WY			ASAP	

QUANTITY		ITEM NUMBER	ITEM DESCRIPTION	UNIT PRICE	PER UNIT	AMOUNT
ORDERED	SHIPPED					
2260	2260	B2	TRENCH/BACKHOE	36	NONE	813.60
21	21	TRSSGTF315	TRENCH AND BACKFILL SDL, 15 X 14 EPOXY	86.18	EACH	1,809.78
1040	1040	B1	SERVICE LABOR 10" INSTALATION	40	NONE	416.00
660	660	B1	SERVICE LABOR 8" INSTALATION	32	NONE	211.20
560	560	B1	SERVICE LABOR 6" INSTALATION	24	NONE	134.40
58	58	B1	SERVICE LABOR SADDLE INSTALATION	5.00	NONE	290.00
2	2	B1	SERVICE LABOR DEVE INSTALATION	15.00	NONE	30.00
REFER TO TICKETS 38200, AND 34724.						

JAN 23 1993

THANK YOU

TERMS: 10th of month. A Finance Charge of 1 1/4% per month (an annual percentage rate of 18%) will be made on past due accounts. Freight is charged from our yard.

Good Received By

X

SALE AMOUNT

MISC CHARGES

FREIGHT

SALES TAX

TOTAL

PAYMENT REC'D

BALANCE DUE

14,056.34

14,056.34

14,056.34

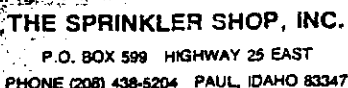
I certify that the property which I have purchased will be used for mining, processing, or for farming or for repair thereof. I certify that all statements are true and correct.

Any damage or loss to the described property, or to other property (including but not limited to crop losses), regardless of cause while under customer's possession or control, shall be customer's sole liability and customer will save this company harmless thereon.

X

SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS INVOICE.

Drw: 4 Usr: CDA 1:08 am



Date _____ 19____

INVOICE NUMBER

34724

TO: Isako Youth Ranch

CUSTOMER ORDER NO.

[illegible]

JAN 23 1996

PLEASE PAY FROM THIS INVOICE

TERMS: NET 30 DAYS A LATE CHARGE OF 1½% PER MONTH (AN ANNUAL PERCENTAGE RATE OF 18%) WILL BE MADE ON PAST DUE ACCOUNTS. Freight is charged from our yard.

GOODS RECEIVED BY

SUB TOTAL

SALES TAX

TOTAL

108/260

certify that the property which I have purchased will be used for
mining, processing, or for farming or for repair thereof. I solemnly
swear that all statements are true and correct.

Any damage or loss to the described property or to other property (including but not limited to crop losses) regardless of cause while under customer's possession or control, shall be customer's sole liability and customer will save this company harmless thereon.

BOVE LISTED MATERIAL SUBJECT
IDE OF THIS INVOICE

TO THE TERMS AND
ORIGINAL

CONDITIONS LISTED ON THE REVERSE

02/13/92 101277 1



IDAHO YOUTH RANCH
P.O. BOX 8538
BOISE, ID 83707

101277 02/13/92 SUE

ASAP

2	2 A&MWLU	USED, A&M STYLE WHEELINE COMPLETE	4350.00 EA	8,700.00
---	----------	--------------------------------------	------------	----------

THANK YOU
Drw: 1 Usr:SER 12:56 pm
A/R 8,700.00

JAN 28 1992

8,700.00

.00
8,700.00
.00
8,700.00

PRICE QUOTATION AND SALES ORDER

Highway 25
P.O. Box 599
PAUL, IDAHO 83347
(208) 438-5204

Job No: 8-91-247

Date:

Salesman: PAUL HAYNES

Phone: 532-4117

Sold To: IDAHO YOUTH RANCH

Ship To:

WILLIAMSON
MERT ~~WILLIAMSON~~

[illegible]

TERMS: 20% down 70% upon delivery 10% balance upon completion - unless otherwise specified.

Balance due 10th of the month following date of invoice. A FINANCE CHARGE of 1 1/2% PER MONTH which is an ANNUAL PERCENTAGE RATE of 21% will be charged to all past due accounts. All Past Due accounts will be cash in advance.

ALL USED EQUIPMENT SOLD AS IS UNLESS OTHERWISE SPECIFIED

ROCK CLAUSE

"If during the process of excavation in performing the installation work described, Seller encounters rock or rock formations of any kind, which, in Seller's sole opinion, must be or should be removed to complete the installation, and Seller determines, in its sole discretion, that Seller has not the tools, equipment or expertise to remove the same, Seller will promptly give notice of such determination to Purchaser. Purchaser shall then arrange for removal of such rock or rock formation to Seller's specifications at the sole effort and expense of Purchaser. Further, if Seller should elect to remove such rock, though not obligated to do so, the expense for such removal shall be the responsibility of Purchaser. Seller will be entitled to additional compensation from Purchaser for materials, equipment and labor to be billed to Purchaser at the usual and customary billing rate or charge in addition to any other compensation stated in this agreement. In any event, any delay in rock removal shall be the responsibility and liability to Purchaser solely."

(attach with terms & conditions)

Comments:

Purchasers

By:

Title



INVOICE DATE	INVOICE NO.	PAGE
--------------	-------------	------

05/09/95 265017 1

IDAHO YOUTH RANCH
P.O. BOX 8538

BOISE. ID 83707

SHIP TO

ORDER NO.	ORDER DATE	CUSTOMER NO.	SALES-MAN	PURCHASE ORDER NO.	SHIP VIA	SHIP DATE	TERMS
26501Z	05/09/95	99561	KCDA			ASAP	Net 30 Days

[illegible]

Str: 1 Reg: 2 Drw: 2
AR 1.069.73

TERMS: 10th of month. A Finance Charge of 1½% per month (an annual percentage rate of 18%) will be made on past due accounts. Freight is charged from our yard.

Y

I certify that the property which I have purchased will be used for mining, processing, or for farming or for repair thereof. I certify that all statements are true and correct.

Any damage or loss to the described property, or to other property (including but not limited to crop losses), regardless of cause while under customer's possession or control, shall be customer's sole liability and customer will save this company harmless thereon.

SALE AMOUNT	1,069.55
MISC. CHARGES	
FREIGHT	
SALES TAX	1.18
TOTAL	1,069.73
PAYMENT REC'D	.00

5-5-95

Contract ☐ Job Completed ☐ Partial ☐

Customer Name LYR - Ted Robins Who Called

Service Performed _____

100 PSI

JAN 23 1968**FARMER'S INSTRUCTIONS OR OTHER PROBLEMS:**

Drilling Permit No. 36-90-2-008
Water Right Permit No. 36-8258 Permit
Injection Permit No.

Extension given - see bottom back page

State of Idaho
Department of Water Resources

DRILLING PERMIT

1. Applicant (Please Print) IDAHO YOUTH RANCH
2. Mailing Address 1416 W. Franklin St.
Boise, ID 83702 Telephone 342-6375
- ☒ Well Owner () Well Operator () Other, specify
3. Proposed well location NW 1/4 NE 1/4, or Gov't lot No. ,
Sec. 24, Twp. 7S, Rge. 24E, County MINIDOKA,
Street Address of Well Site ,
Lot, block and subdivision
4. Proposed use of well:
() Single family or stockwater use (less than 13,000 gallons per day)
☒ Irrigation (more than 1/2 acre)
() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells:
() Other (describe fully)
5. Well construction information:
A. ☒ New well () Deepen () Replace - See Condition 9.
B. Proposed surface diameter 16" Maximum depth ~ 350
C. Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Construction Start Date 7-1-80
7. Anticipated Well Driller HARRY KING, RUDERT 436-4641
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Neil R. Howard Date 6-5-90
Title President
(Owner, Firm Representative, Other)

This Permit is

Date

-5-90

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

This permit does not constitute a water right and does not authorize diversion or use of water from the well.

J. M. Saxton

Signature of Authorized Department Representative

Chief, Water Alloc.

Title

Bureau

Receipt No. C017139 Received by lt Fee 100⁰⁰ Date 6-5-90

EXTENSION OF DRILLING PERMIT

Extension approved by

Mark B. Hill

Approval Date

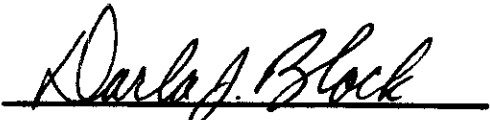
October 3, 1990

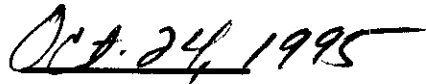
This extension expires December 31, 1990.

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

NOTICE

This file has been REPRODUCED
from MICROFICHE 


Person Recreating File


Date

I certify that file No. 36-08257

has been reviewed and is ready to be

MICROFILMED and DESTROYED.

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

S. Carter
Reviewer

4-18-95
Date

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

04/18/95 11:00:59
Page 1

Water Right Number - 36-08257

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
IDAHO YOUTH RANCH INC.

1 - P.O. BOX 534
2 -
3 -
City- RUPERT State- ID Zip- 83350
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/06/1984 17 SOUTHERN P - PERMIT

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Turn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
078 24E 25 NW NW (67) MINIDOKA
SE SE (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 4.420

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
4.420

+ - - - - Place of Use - - - - - +
Turn Rng Sec Tract Lot Acres Code Description County
078 24E 24 NE SW 29.0 01 IRRIGATION (67) MINIDOKA
078 24E 24 NW SW 24.0 01 IRRIGATION (67) MINIDOKA
078 24E 24 SW SW 27.0 01 IRRIGATION (67) MINIDOKA
078 24E 25 NE NE 4.0 01 IRRIGATION (67) MINIDOKA
078 24E 25 NW NW 18.0 01 IRRIGATION (67) MINIDOKA
078 24E 25 SW NW 30.0 01 IRRIGATION (67) MINIDOKA
078 24E 25 NE SW 5.0 01 IRRIGATION (67) MINIDOKA
078 24E 25 NW SW 23.0 01 IRRIGATION (67) MINIDOKA
078 24E 25 SW SW 32.0 01 IRRIGATION (67) MINIDOKA
078 24E 25 SE SW 33.0 01 IRRIGATION (67) MINIDOKA
078 24E 25 SW SE 2.0 01 IRRIGATION (67) MINIDOKA
078 24E 36 NE NE 6.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 233.0

+ - - Diversion Means - WELL, PUMP, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-2315, 36-2314

WR5808WP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

04/18/95 11:00:59
Page 2

Water right number - 36-08257

Prefix Translation: WATER RIGHT

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

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

+ - - - - Conditions of Approval - - - - -

051 - Any license issued by IDWR pursuant to the right or portion
- thereof for the use of trust water is subject to a term review
- of 20 years after the date of this approval to determine
- availability of water for the use and to re-evaluate the public
- interest at the end of the term.

052 - Diversion and use of water under this right is subject to an
- annual use fee if rules are subsequently promulgated which
- provide for the submittal of the fee.

053 - The Director retains jurisdiction of this right and/or
- subsequent license issued to change, add or remove any
- requirement as determined to be appropriate.

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

026 - Permit holder shall commence the excavation or construction of
- diverting works within one year of the date this permit is issued
- and shall proceed diligently until the project is complete.

03A - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 09/22/87 05/28/88 07/20/89 06/12/90 07/18/90
07/20/90

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 07/01/1995	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 07/23/1990	Protested Date - 00/00/0000	Suen Falls - 7
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag -
Presumption Flag -		



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 14, 1995

RE: In the Matter of Application for Permit Nos. 36-08257, 36-08258 & 36-08259 in the name of Idaho Youth Ranch INC.

Dear Interested Party:

The accompanying order is a "final order" issued by the department pursuant to section 67-5246 or 67-5247, Idaho Code.

Section 67-5246 provides as follows:

- (1) If the presiding officer is the agency head, the presiding officer shall issue a final order.
- (2) If the presiding officer issued a recommended order, the agency head shall issue a final order following review of that recommended order.
- (3) If the presiding officer issued a preliminary order, that order becomes a final order unless it is reviewed as required in section 67-5245, Idaho Code. If the preliminary order is reviewed, the agency head shall issue a final order.
- (4) Unless otherwise provided by statute or rule, any party may file a petition for reconsideration of any order issued by the agency head within fourteen (14) days of the issuance of that order. The agency head shall issue a written order disposing of the petition. The petition is deemed denied if the agency head does not dispose of it within twenty-one (21) days after the filing of the petition.
- (5) 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.

(6) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

(7) A nonparty shall not be required to comply with a final order unless the agency has made the order available for public inspection or the nonparty has actual knowledge of the order.

(8) The provisions of this section do not preclude an agency from taking immediate action to protect the public interest in accordance with the provisions of section 67-5247, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order 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 67-5246(4) Idaho Code.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter 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 a) of the service date of the final order, b) of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 9, 1994

IDAHO YOUTH RANCH INC.
P.O. BOX 534
RUPERT ID 83350

RE: Water Right No. 36-08257 Certified Mail No. 141802

Dear Water Right Holder(s):

Enclosed is a copy of an Order for Temporary Stay of Development and Notice of Formal Proceedings in connection with the above referenced water right permit. Also enclosed is a form and instructions for filing proof of beneficial use of water.

If you have questions related to the order and its effect upon your permit, please feel free to contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 36-9257
Name(s) of Permit Holder(s): Don John Paul
Post Office Address: P.O. Box 584
Idaho Falls, ID Tel. No. 336-5111

☒ I hereby certify that construction of diversion works for the above referenced permit began on 12-1-50 (date) I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that nonconstruction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:
Delivery of material

When a financing difficulty is not an acceptable reason, Date 12-16-50 Signature of Permit Holder Don John Paul

RECEIVED

OCT 16 1990

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PLACE
STAMP
HERE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
July 23, 1990

IDAHO YOUTH RANCH INC.
P.O. BOX 534
RUPERT, ID 83350

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P36-08257

Dear Permit Holder:

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

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the

permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

JUNE 12, 1990

South Idaho Press
Box 190
Burley, ID 83318

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before JULY 6, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

36-08257

IDAHO YOUTH RANCH INC.
P.O. BOX 534
RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: NWNW Sec 25 T 07S R 24E
 SESE Sec 25 T 07S R 24E

Use: IRRIGATION (4.420 CFS)
 Total Diversion: (4.420 CFS)

Date Filed: 12/ 6/ 1984

In: T07S R24E S24	NESW	NWSW	SWSW	
S25	NENE	NWNW	SWNW	NESW
S36	NWSW	SWSW	SESW	SWSE
	NENE			

233.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before JULY 6, 1990.

Published 6/20/1990 & 6/27/1990

R. Keith Higginson, Director

MEMORANDUM

TO: FILE/APPLICATION NO.S 36-8256, 36-8257, 36-8258 & 36-8259
FROM: TIM LUKE
RE: SWAN FALLS PROCESSING/AMENDMENTS
DATE: 5-31-90

=====

The above applications are all owned by the Idaho Youth Ranch and are filings which have been made to cover some irrigation expansion prior to 1984 as well as some additional irrigation of lands which have not yet been developed.

Upon reviewing the applications with Youth Ranch Director Neil Howard, some questions were raised about legal place of use and point of diversion descriptions. The Youth Ranch was also interested in drilling a new well that was not described in any of these applications (but would be used to irrigate the same lands). This interest and the prior questions prompted us to make some amendments to several of the applications.

Application No. 36-8258
- Applicant wishes to drill a new well in NWNE sec. 24 T7S R24E to irrigate lands in the N1/2 of sec. 24, and which may be tied into a well in the SENE sec. 13, which presently is used to irrigate land in the E1/2 of sec. 13. The new POD was added, replacing the well listed for SESE sec. 25. The well in the SESE sec 25 was originally added to this filing because it irrigates 12 acres of land in sec 25 that was not included on an earlier license. The 12 acres and well in the SESE of sec. 25 were then deleted from this filing and added to application no. 36-8257. This latter application was filed to record irrigation of land in the SW1/4 of sec. 24 and W1/2 of sec 25 from a well located in the NWNW of sec. 25. It seemed logical to add the well in the SESE of 25 and 12 acres to app. no. 36-8257 because the two wells both irrigate land in sec. 25 and can be connected to each other. The amendment adding acreage to 36-8257 should be allowed since the same acreage was deleted from 36-8258. The amendment was made with the hope of eliminating confusion for future review analysis and licensing.
Using 1986 remote sensing data, department orthophoto and 1984 NHAP review, I estimated that 61 acres under application 36-8257 and 179 acres under application 36-8258 were not irrigated prior to October, 1984.

Application No. 36-8259

- We discovered incorrect POU description in sec. 13. Changed from N1/2NE to N1/2NW. The lands in sec. 13 were irrigated prior to 1984. As per the 1986 IDWR remote sensing data and report, about 20 acres in sec. 14 under this app. were classified as non-irrigated. These 20 acres will count as trust water acres.

Application No. 36-8256

- These lands were irrigated from well under this filing prior to 1984. This filing therefore is exempt from trust water review requirements.

PAGE: 2

PLACE OF USE 1/4 1/4 OVERLAP REPORT

05/24/90

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	SUM
3608258																			
3602314	IDAHO RANCH FOR YOUTH	L	UNNAMED STREAM	07S	24E	13		24		: 24 9		40		: 29 40 35 28					243
3602315	IDAHO RANCH FOR YOUTH	L	GROUNDWATER	07S	24E	13		14		: 24 9		40 40		: 40 40 40 40					287
3608258	IDAHO YOUTH RANCH INC.	A	GROUNDWATER	07S	24E	13	40	40	26	40							40 40 40 40		306
3608259	IDAHO YOUTH RANCH INC.	A	GROUNDWATER	07S	24E	13	16	21											47
	1986 MAPPING DATA	-	COUNTY 67 QUAD AA 33	07S	24E	13	10	7	20	21	: 40 41 42 39		40 41 40 40		: 33 34 40 37				525
3608258																			
3602314	IDAHO RANCH FOR YOUTH	L	UNNAMED STREAM	07S	24E	24	2	16	40	20	: 23 21 1	31	: 11 16 13 40		: 40 40 40 29				383
3602315	IDAHO RANCH FOR YOUTH	L	GROUNDWATER	07S	24E	24	16	40	20	23 21 1	31	: 11 16 13 40		: 40 40 40 29					381
360226	IDAHO YOUTH RANCH INC.	S	GROUNDWATER	07S	24E	24	2		10										12
3608256	IDAHO YOUTH RANCH INC.	A	GROUNDWATER	07S	24E	24	22												22
3608257	IDAHO YOUTH RANCH INC.	A	GROUNDWATER	07S	24E	24							29 24 27						80
3608258	IDAHO YOUTH RANCH INC.	A	GROUNDWATER	07S	24E	24	24	10	: 17 19 39	9								11	129
	1986 MAPPING DATA	-	COUNTY 67 QUAD AA 33	07S	24E	24	37	40	39	37	: 40 32 9	38	: 39 39 39 40		: 38 39 40 39				585
3608258																			
3602314	IDAHO RANCH FOR YOUTH	L	UNNAMED STREAM	07S	24E	25	36	40	40	40	: 40 22 10	40	: 35 17		: 40 40 33 40				473
3602315	IDAHO RANCH FOR YOUTH	L	GROUNDWATER	07S	24E	25	36	40	40	40	: 40 22 10	40	: 35 17		: 40 40 33 40				473
3608257	IDAHO YOUTH RANCH INC.	A	GROUNDWATER	07S	24E	25					: 18 30		: 5 23 32 33						141
3608258	IDAHO YOUTH RANCH INC.	A	GROUNDWATER	07S	24E	25	4				: 3	(1)	: (1) (6)				2		6
	1986 MAPPING DATA	-	COUNTY 67 QUAD AA 33	07S	24E	25	38	40	40	39	: 40 37 34	39	: 38 37 28 11	: 39 40 36 39					575
3608258																			
360528	WILLIAMS	L	GROUNDWATER	07S	24E	36	23	28	38	38	: 31 35 38	37	: 36 37 38 37	: 38 37 36 37					564
360528	IDAHO YOUTH RANCH INC.	A	GROUNDWATER	07S	24E	36	6												6
	1986 MAPPING DATA	-	COUNTY 67 QUAD AA 33	07S	24E	36	38	38	41	36	: 39 39 39	40	: 37 40 38 41	: 39 40 37 39					621

PDS - APP

26-7654 = 14120 SW 25

26-8654 = SE 1/4 SW 13

SE SE SW 25

26-9257 = 15116 SW 14

26-8654 = SE 1/4 SW 13
 SE SE SW 14
 NW NW SW 15
 SE SE SW 15

PAGE: 3

PLACE OF USE 1/4 1/4 OVERLAP REPORT

05/24/90

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM			
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
3608259																										
3602314	IDAHO RANCH FOR YOUTH L		UNNAMED STREAM	07S	24E	13			24	:	24	9		40	:	29	40	35	28	:		243				
3602315	IDAHO RANCH FOR YOUTH L		GROUNDWATER	07S	24E	13			14	:	24	9		40	40	:	40	40	40	40	:	287				
3608258	IDAHO YOUTH RANCH INC. A		GROUNDWATER	07S	24E	13	40	40	26	40	:					:					40	40	40	40	306	
3608259	IDAHO YOUTH RANCH INC. A		GROUNDWATER	07S	24E	13	16	31		:						:									47	
	1986 MAPPING DATA —	-	COUNTY 67 QUAD AA 33	07S	24E	13	10	7	20	21	:	40	41	42	39	:	40	41	40	40	:	33	34	40	37	525
3608259																										
3602314	IDAHO RANCH FOR YOUTH L		UNNAMED STREAM	07S	24E	14	4	20	21	33	:	24	5		:						:	31	1	10	149	
2 315	IDAHO RANCH FOR YOUTH L		GROUNDWATER	07S	24E	14	4	20	21	33	:	24		5	:						:				107	
3 399	IDAHO YOUTH RANCH INC. L		GROUNDWATER	07S	24E	14					:				:	40	40	40	40	:	40	40	40	40	320	
3608259	IDAHO YOUTH RANCH INC. A		GROUNDWATER	07S	24E	14	36	20	19	7	:	16	40	40	35	:					:				213	
	1986 MAPPING DATA —	-	COUNTY 67 QUAD AA 33	07S	24E	14	39	39	39	40	:	33	32	37	38	:	18	36	38	21	:	39	40	39	39	567



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 4, 1990

RE: APPLICATION FOR PERMIT NO. 36-8257

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (in particular, Rules 4.5.3. thru 4.5.3.5, apply to your project if it is more than 200 acres).

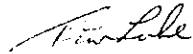
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

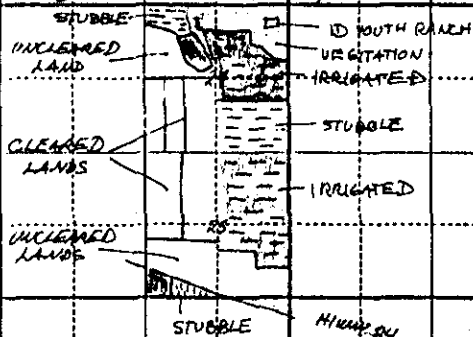
FROM PERMIT: 75-24E

24 24
27

Note: I agree w/
John's Assessment that CROPS
UNDER APP were not entirely
irrigated, or irrigated at all.
LANDS identified by
John as cleared apparently
do not provide conclusive
evidence of irrigation.
T.D. 10-12-89

18
30
23 25
5
32 33

FROM NHAP: 265-48 (9/12/84) 1" = 1 MI



NHAP REVIEW SHOWS
LAND IN APPLICATION
TO BE NOT IRRIGATED
EXCEPT FOR AT TIME
OF PHOTO; SHOWS LAND
WAS CLEARED IN PART

36-8252-

IDAHO YOUTH RANCH, INC.

BOX 534, RUPERT, ID 83350

Source: GROUNDWATER

Date Filed: 12/06/1984

Diversion Pt: NWNW Sec 25 T 07S R 24E

Use: IRRIGATION (4.42 CFS)

In: NESW NWSW SWSW Sec 24 T 07S R 24E NWNW SNNW NESW NWSW SWSW SESW
Sec 25 T 07S R 24E FOR 221 ACRES

SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia, } ss.
STATE OF IDAHO }

90-828
**NOTICE OF APPLICATION FOR
TRUST WATER RIGHT**
35-00257

IDAHO YOUTH RANCH INC.
P.O. BOX 534
RUPERT, ID 83350
Source: GROUNDWATER
Division: P: NWNW Sec 35 T 07S R 24E
SEER Sec 35 T 07S R 24E
Use: IRRIGATION (4,450 CFS)
Total Diversion: (4,450 CFS)
Date Filed: 12/6/1984
In: T07S R24E S24 N2SW N2SW S2SW
S2S N2NE N2NW S2NW N2SW
N2SW S2SW S2SW S2SW
S2S N2NE
232.0 ACRES TOTAL

The parcel(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 48-203A, Idaho Code and/or the new public interest criteria of Sec. 48-208C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before JULY 4, 1990.

R. Keith Higgins, Director
Published in the South Idaho Press on June 30 and 27, 1990.

John Johnson being first
duly sworn, deposes and says that John
is the owner 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 two
consecutive weeks, commencing with the
issue dated June 30 19 90, and
ending with the issue dated June 27,
19 90. John Johnson

STATE OF IDAHO }
COUNTY OF Cassia }

On this 28 day of June in the year of 1990, before me,
a Notary Public, personally appeared John Johnson,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

Robert M. Miley
Notary Public for Idaho
Residing at Burley ID
My commission expires 2/4/93

Cost of Publication: 28.05
Notary Fee: .50
Total Cost: 28.55