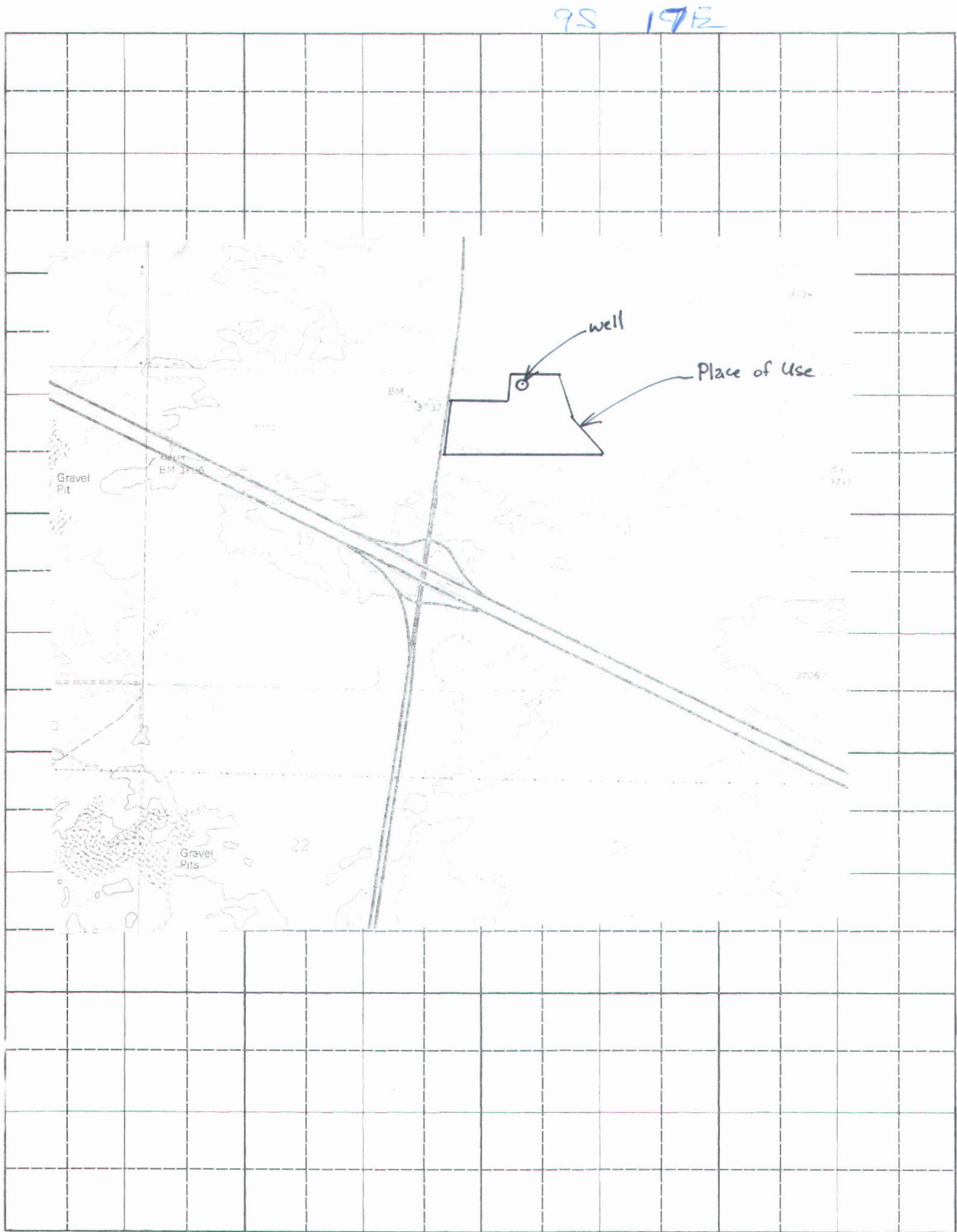


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

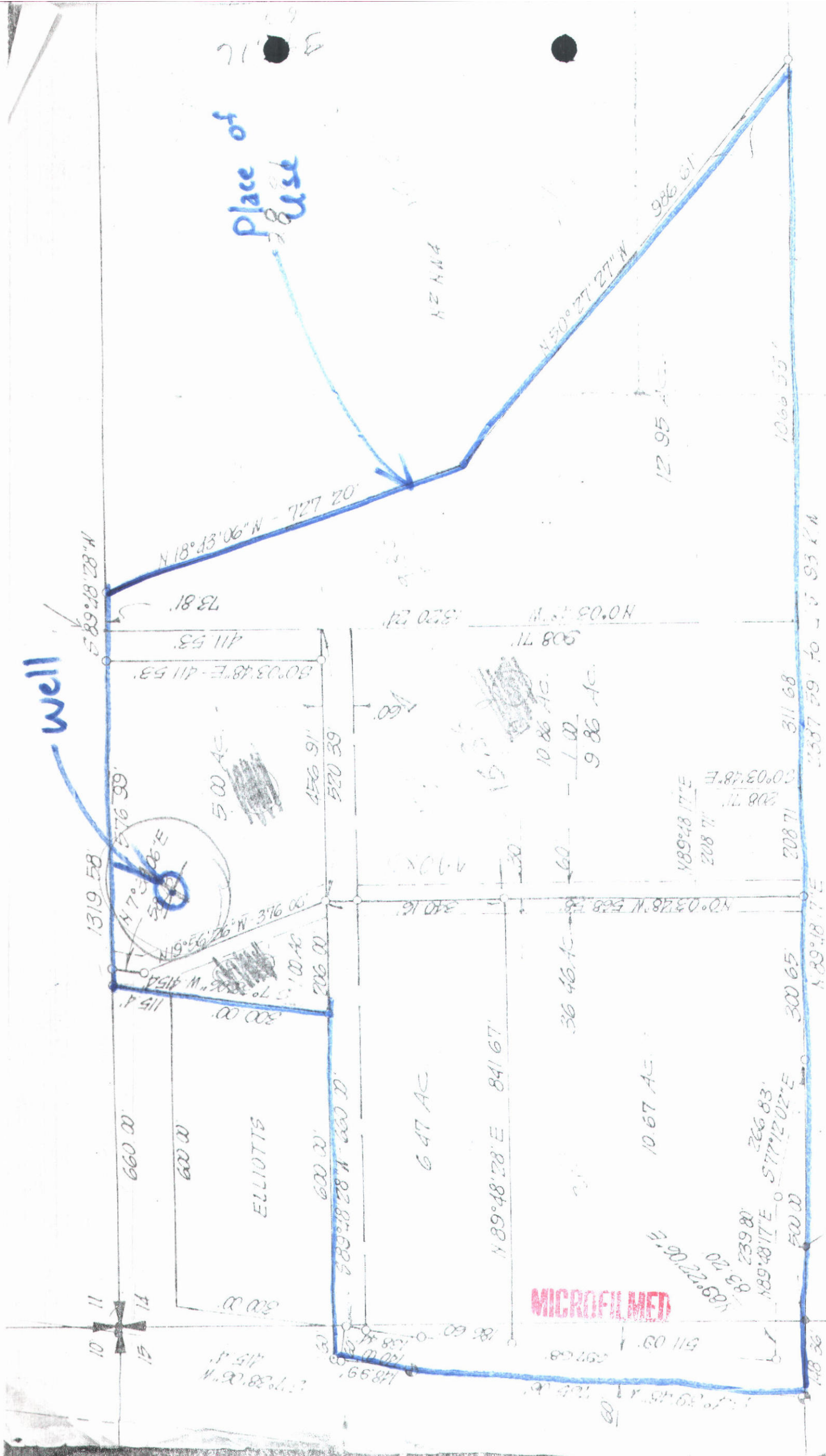
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Ronald L. Shultz partner
(Applicant)

MICROFILMED

7105

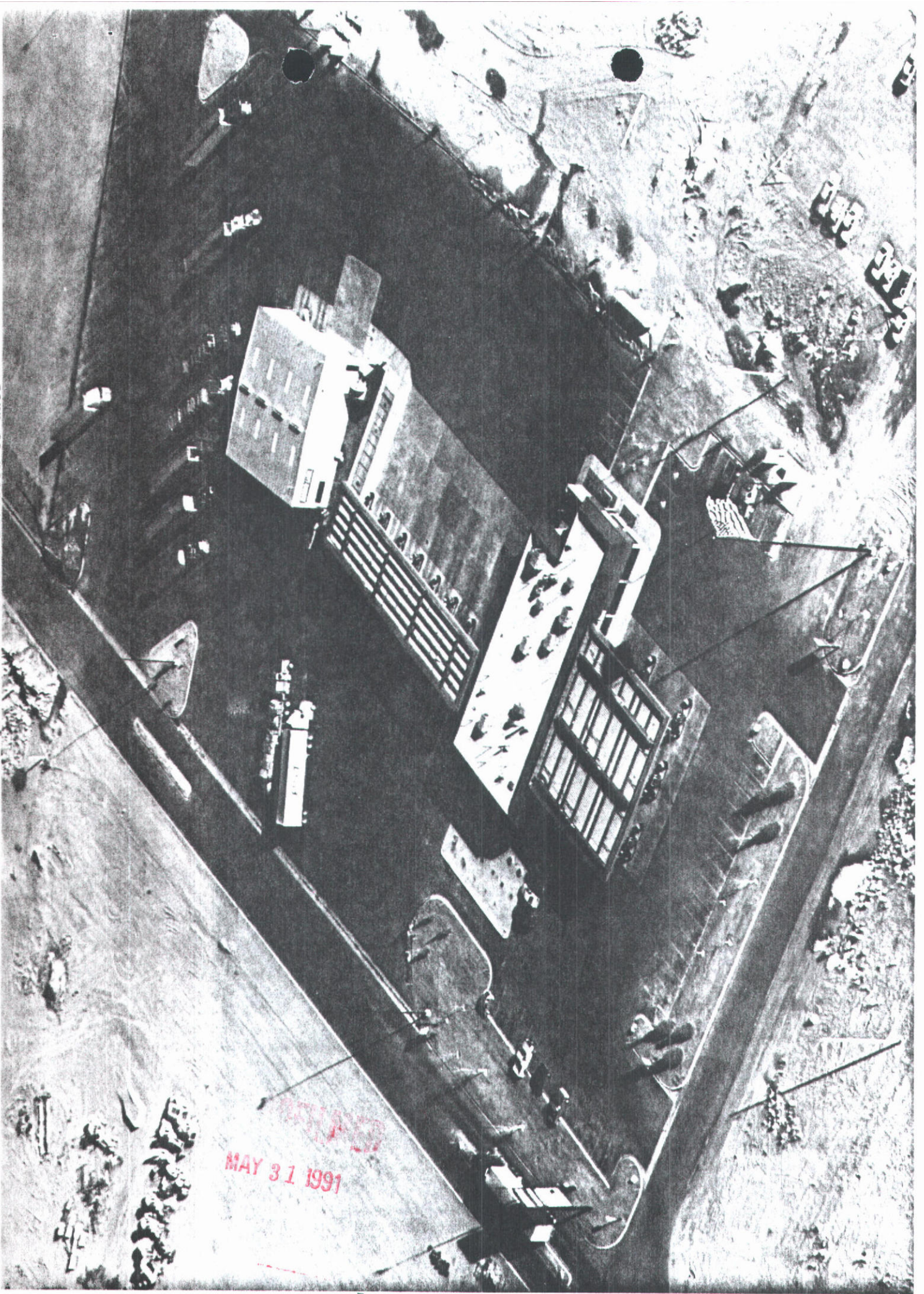
well



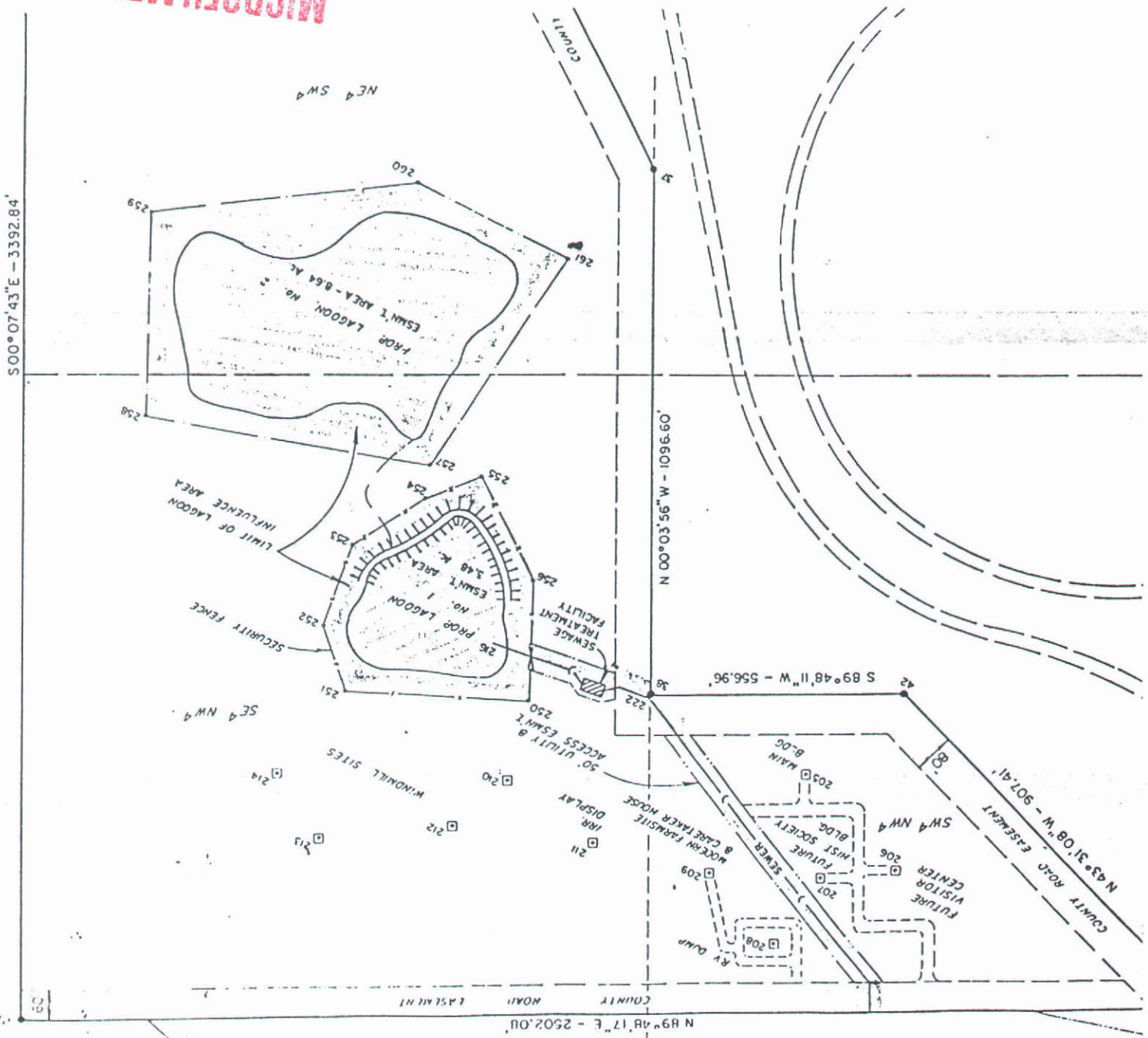
PETRO 2 including water system, roads and sewer system 4.4 Million invested to date

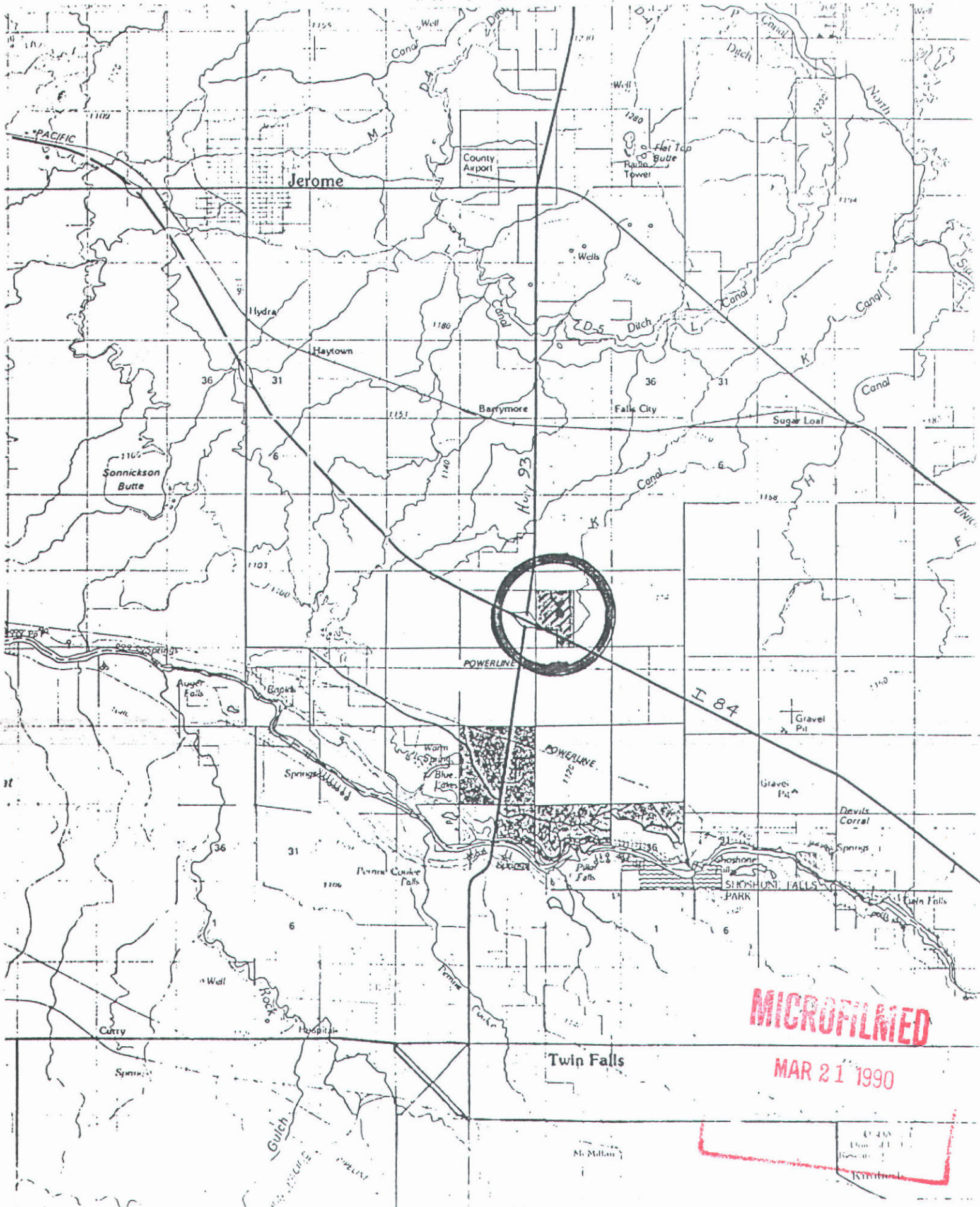
5/6/91

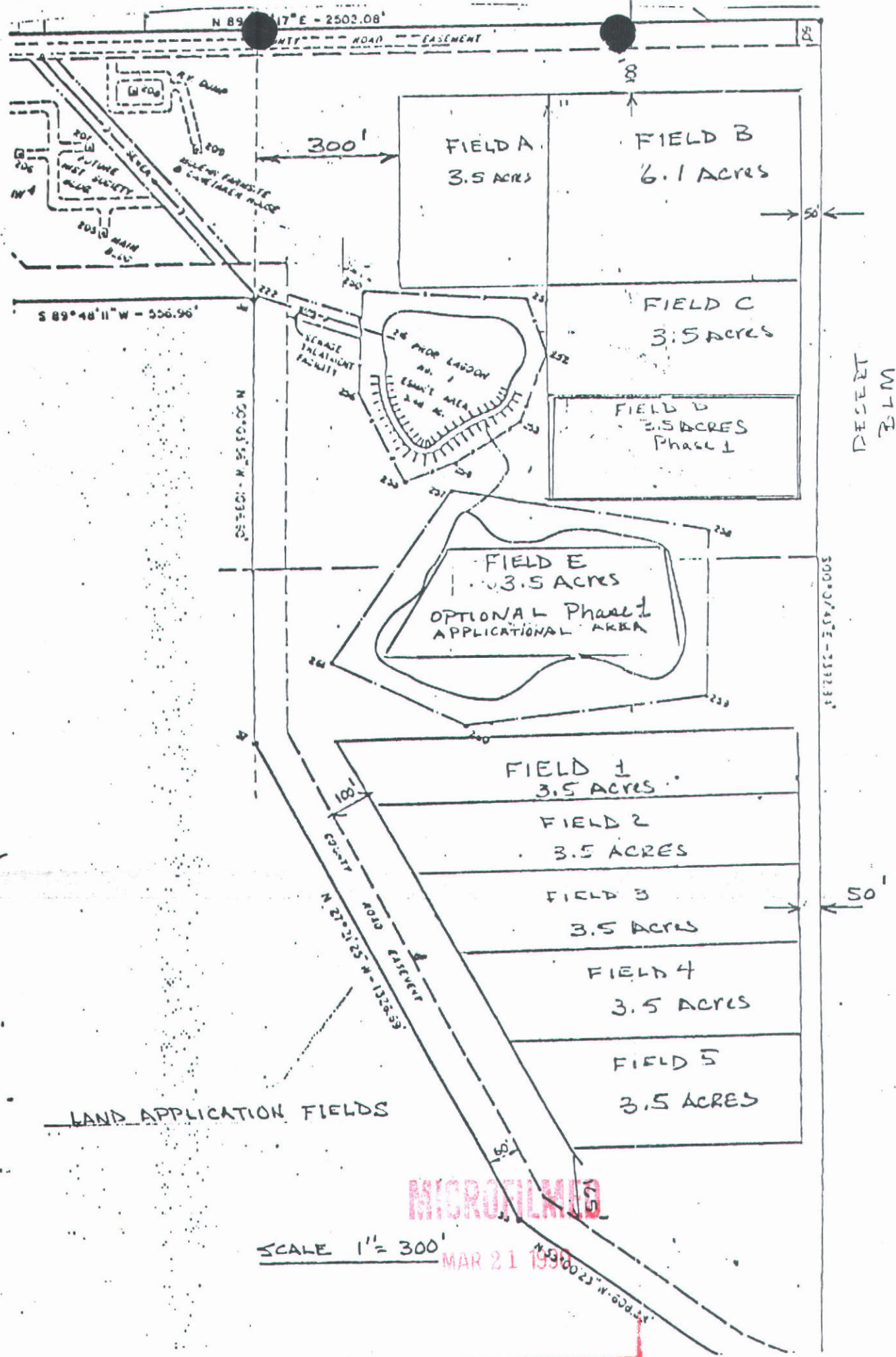
36-8237



MAR 21 1990
MICROFILMED









STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

November 8, 1983

Gary R. Burkett
Idaho Department Health & Welfare
Division of Environment
P. O. Box 1626
Twin Falls, Idaho 83301

Re: Application for Permit No. 36-8032 - 36-8324

Dear Mr. Burkett:

Enclosed are copies of the above referenced applications for permit for your information and files.

Very truly yours,

Mary A. Newby
Sec/Office Coord

Encl:



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

November 20, 1985

North Side News
P. O. Box 468
Jerome, Idaho 83338

Re: Applications for Permit No. 36-8232, 36-8234, 36-8249,
36-8293

Gentlemen:

Enclosed you will find 4 legal notices which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary A. Newby
Sec/Office Coord.

Encl:

RECEIVED

MAY 12 1994

For Office Use Only
Fee Received 125.00
Date 5/12/94
Receipt # LP30274
Receipt by duw
Reviewed by _____
Sent to region _____

STATE OF IDAHO

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

Permit No. ³⁶37-08234

Name(s) of Permit Holder: David Millard, Ronald Stanley, & Keith Sliger, a partner
SHIP

Post Office Address: Box 1724 Twin Falls, ID 83301

Telephone No. 423-5411

Source of Water: Groundwater, 36-91-S-0048-000

Extent of Use:

Domestic Commercial (number of households) Stockwater _____ (number and type of stock)

Irrigation 14 acres (acres) Other/Remark Recreation

Commercial (Commercial & retail businesses)

Total rate and/or volume for which proof is submitted 1.23 cfs _____ acre-feet

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

Measuring Device: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

Fee enclosed \$ 125
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☒ Yes ☐ No
Installed? ☒ Yes ☐ No

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

Charles E. Brockway P.E.
(Name)

208-423-6601
(Telephone Number)

706 Sunrise Blvd. North Twin Falls, ID 83301
(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

5/10/94
Date

X Ronald Stanley Partner
Signature of Permit Holder (and title, if appropriate)

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFor Office Use Only
\$15 FEE Received by GA
Date 5-7-91
Receipt # 5013319

MAY 07 1991

REQUEST FOR EXTENSION OF TIME

Department of Water Resources
Southern Region OfficeTo provide additional time in which to submit proof
of beneficial use for a water right permit

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

Permit No. 36-8234Name(s) of Permit Holder: David Millard, Keith Sligar, Ronald StanleyPost Office Address: P.O. Box 1724, Twin Falls, ID 83303-1724

Telephone No. _____

Date Proof is Due: April 1, 1991

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

See letter from C.E. Brockway

Costing \$ _____

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

See letter from C.E. Brockway

Permit holder(s) request an extension to March 31, 1994.
(1 yr. minimum)

Keith Sligar (Partner)
(Signature)*
*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

FEE: \$15.00

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MAY 31 1991

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to April 1, 1994.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to December 1, 1983, pursuant to Sec. 42-218a, Idaho Code.

Signed this 15th day of May, 1991.

J. Allen Saxton
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

For Office Use Only

\$15 FEE Received by

Date

Receipt

RECEIVED

FEB 28 1990

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

Permit No. 36-8234

Name(s) of Permit Holder: David Millard, Ronald Stanley and Keith Sligar, a partnership

Post Office Address: P.O. Box 1724, Twin Falls, ID 83303-1724

Telephone No. 423-5411

Date Proof is Due: April 1, 1990

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

See attached letter from C.E. Brockway, P.E. and plan sheets.

Costing \$

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

Delays in securing Federal permits. See attached letter from C.E. Brockway, P.E.

Permit holder(s) request an extension to April 1, 19 91.
(1 yr. minimum)

Ronald Stanley (Partner)
(Signature)

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to April 1, 1991.

Signed this 8th day of March, 19 90.

J. Glen Saylor
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

David Millard, Ronald Stanley, & Keith Sligar, a partnership

1. Name of applicant _____ Phone 423-5411

Post office address Box 1724, Twin Falls, Idaho, 83301

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 14 Township 9S

Range 17E B.M. Jerome County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.17 for Recreation purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-foot per annum)

Amount 0.28 for Irrigation purposes from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-foot per annum)

Amount 6.50 for Domestic (Commercial) purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-foot per annum)

Amount 0.28 for Commercial purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-foot per annum)

5. Total quantity to be appropriated:

a. 1.23 cfs 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 delivering to pipeline network.

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 12 inches; proposed depth of well is 240 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: NE NE Sec. 15
NE NW
(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 14 Township 9S

Range 17E 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 commercial supplied with domestic water 336 unit motel & trailer park

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

Recreational Use--- two swimming pools and jaccuzzi

Commercial Use --- 109,000 sq. ft. of commercial businesses

70,000 sq. ft. of retail businesses

Service facilities for 2000 vehicles per day

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	17E	14					2	12											14

Total number of acres to be irrigated 14

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

None

9. a. Who owns the property at the point of diversion Applicants

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

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 The well is intended to supply all water needs for commercial development near freeway.

98 1972



Ronald L. Shultz partner
(Applicant)

Proposed Priority 10/26/83

MICROFILMED

Received by gf Date 10/26/83 Time 1:30 p
Preliminary check by T.G. Blau Fee \$ 65.00 # 82912
Receipted by merpa Date 10/26/83
Publication prepared by merpa Date _____
Published in north side news
Publication dates 11/20/84 12/4/85
Publication approved merpa Date 11/22/85
Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by ADM kw

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

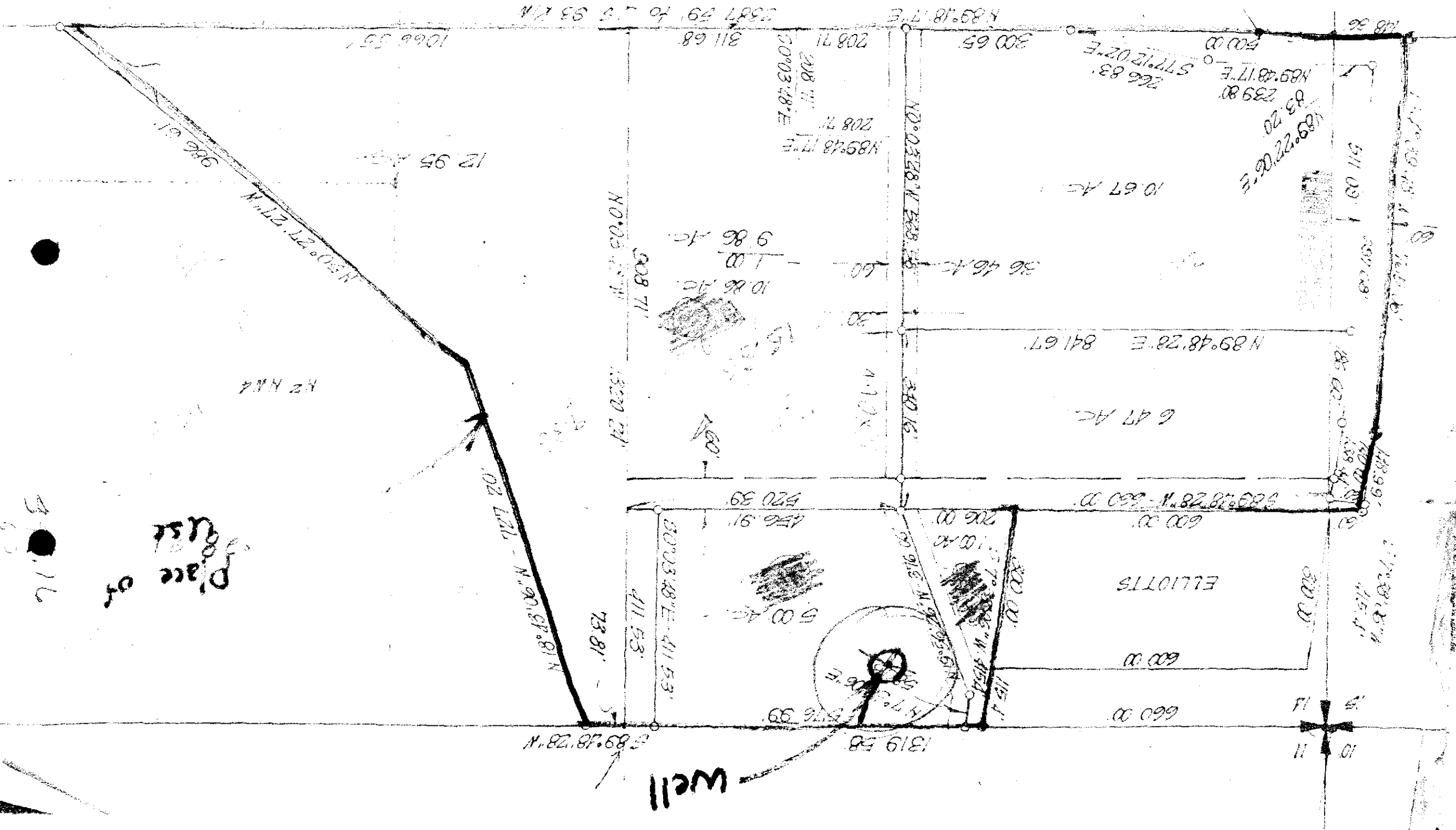
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-8234, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 90.
- 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: 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.
Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
Irrigation use under this permit is authorized only in connection with a domestic use.
Consumptive use of water under this permit shall not exceed 2.0 acre feet per day.

Witness my hand this 30th day of April, 1986.

A. Glen Saxton
Chief, Operations Bureau



Well

Place of Use

N 2 N M 4

3.16

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Jerome } SS.

L. L. LANGDON
ASST. PUBLISHER

being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 26th day of November

1985, and the date of the last publication was on the 4th

day of December, 1985.

Subscribed and sworn to before me this 5th

day of December, 1985.

(SEAL)

L. L. Langdon

Sasha Bratt

NOTARY PUBLIC

RECEIVED

NORTH SIDE NEWS
Jerome, Idaho

DEC 5 1985

COST OF PUBLICATION

Numer of Picas per Line

Number of Lines in Notice

Number of Insertions

Lines tabular at 5 5"/Pica
Lines straight at 4 4"/Pica
Subsequent lines at 3 3"/Pica

TOTAL COST 1.00

COPY OF NOTICE

(Paste Here)

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO

Four apply for state water permits

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following applications have been submitted for permit to appropriate the public waters of the State of Idaho:

38-8232

ANDERSON, LARREY B/OR
RETHA, RT. 1, EDEN, ID 83325
Source: GROUNDWATER
Date Filed: 09/27/1983
Diverson Pt: SESE Sec 01 T 10S R 18E

Use: IRRIGATION (0.03 CFS)
COMMERCIAL (0.20 CFS)
DOMESTIC (0.20 CFS)
In: SESE Sec 01 T 10S R 18E FOR 1 ACRES

38-8234

MILLARD, DAVID
STANLEY, RONALD
SLIGAR, KEITH
BOX 1724, TWIN FALLS, ID 83301
Source: GROUNDWATER
Date Filed: 10/28/1983
Diverson Pt: NWNW Sec 14 T 09S R 17E

Use: IRRIGATION (0.28 CFS)
COMMERCIAL (0.28 CFS)
DOMESTIC (0.50 CFS)
RECREATION (0.17 CFS)
In: NENW NWNW Sec 14 T 09S R 17E NENE Sec 15 T 09S R 17E FOR 14 ACRES

38-8248

KUNSMAN, BOB B/OR SHIRLEY,
RT. 2, FILER, ID 83328
Source: GROUNDWATER
Date Filed: 07/12/1984
Diverson Pt: NWSW Sec 09 T 09S R 17E

Use: IRRIGATION (0.08 CFS)
DOMESTIC (0.04 CFS)
In: NWSW Sec 09 T 09S R 17E FOR 3 ACRES

38-8293

WILLS, INC., P.O. BOX 1866, TWIN FALLS, ID 83301
Source: GROUNDWATER
Date Filed: 08/25/1985
Diverson Pt: 2 PTs NENW Sec 07 T 09S R 17E

Use: IRRIGATION (0.64 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.26 CFS)
FIRE PROTECTION (1.00 CFS)
In: NENW SENW Sec 07 T 09S R 17E FOR 32 ACRES

If issued the permits will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before December 15, 1985

A. KENNETH DUNN
Director
11-28-2tc



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

Keith Sligar
Rt 4 Box 7390
Twin Falls, Idaho 83301

Re: Curtailment of Ground Water Use Under Water Right(s) 36-7619, 36-8234

Dear Water Right Holder:

The records of the Idaho Department of Water Resources ("Department") indicate that you own one or more water rights for the use of ground water within Water District 130 and the Thousand Springs Ground Water Management Area (GWMA). Department records do not indicate that out-of-priority diversion and use of water under your water right(s) is covered by either an approved mitigation plan or one of the stipulated agreements negotiated last year by the North Snake and Magic Valley Ground Water Districts and certain municipal and industrial water users.

Because of severe drought conditions persisting across the Upper Snake River Basin, the Thousand Springs GWMA was established last August. This allowed the Department to seek curtailment of relatively junior priority ground water diversions from the Eastern Snake Plain Aquifer ("ESPA") that further reduce the water supply available to senior priority water rights from springs and surface water tributary to the Snake River. The order designating the Thousand Springs GWMA identified an area within 10 kilometers from the Thousand Springs canyon wall north and east of the Snake River within which use of ground water rights having priority dates later in time than July 21, 1967, were determined by the Department to be injuring senior priority surface water rights. Within this area, curtailing ground water diversions will increase spring discharges tributary to the Snake River by an amount equal to 50 percent or more of the associated ground water depletions within 6 months of curtailment. This determination was made using the results from the Department's ESPA regional ground water flow model.

Curtailment orders were not issued last year to the holders of water rights for ground water in the area identified for curtailment because ground water districts and other entities representing the holders of the water rights entered into 2-year stipulated agreements with representatives of holders of affected senior rights from the interconnected springs and surface water tributary to the Snake River. These stipulated agreements provided for creation of a water district pursuant to Chapter 6, Title 42, Idaho Code, to enforce the terms of the agreements and curtail the diversion and use of water under junior priority water rights that the Department determines are injuring senior priority water rights, if the holders of the junior priority water rights are not represented by entities entering into the stipulated agreements or are not otherwise mitigating the injury.

June 18, 2002
Page 2

On February 19, 2002, a Final Order was issued creating Water District 130 for the administration of rights to the use of ground water and springs discharging from the ESPA in the Thousand Springs area. The first annual Water District 130 meeting was held on April 23, 2002, at which a watermaster was elected and certain resolutions were adopted.

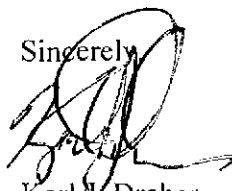
On March 27, 2002, the Department sent a letter to you and others within Water District 130 who had water rights that were not afforded the "safe harbor" provided by an approved mitigation plan or one of the stipulated agreements negotiated last year by either the ground water districts or a group of municipal and industrial users. That letter notified right holders that the Department, through Water District 130, might need to take action to curtail diversions not covered by a stipulated agreement or an approved mitigation plan where the Department has determined that such diversions are causing injury to senior priority water rights.

Unfortunately, drought conditions continue to persist across southern Idaho and the Snake River plain, and spring discharges in the Thousand Springs reach of the Snake River are similar or less than last year. Therefore, certain senior priority water rights that were calling for water last year are again not being satisfied during parts of this year. As described above, the Department, through use of its ESPA ground water model, has determined that unmitigated ground water pumping in the area of impact is causing injury to the holders of senior priority water rights from the Snake River. Consequently, in accordance with Idaho Code §§ 42-237a.g. and 42-607 it is necessary to seek curtailment of all junior priority ground water rights within the Thousand Springs impact area that are not covered by an approved mitigation plan or stipulated agreement.

Because the water right you hold is located in Water District 130 and the Thousand Springs GWMA impact area and is not covered by an approved mitigation plan or one of the stipulated agreements negotiated by either the ground water districts or the group of municipal and industrial water users, you are hereby notified that the watermaster for Water District 130 has been instructed to curtail diversion and use of ground water under your water right for the remainder of this irrigation season. The watermaster for Water District 130 will contact you after 14 days from the date of this letter to arrange for the curtailment of the diversion and use of ground water under your water right. The watermaster will allow you reasonable time to make adjustments or arrangements to minimize hardships caused by this action. Unless water supply conditions dramatically improve, I anticipate that curtailment will need to be extended for all of next year's irrigation season.

I regret that this action is necessary. You may want to consider joining one of the ground water districts that has signed a stipulated agreement as an alternative to having your use of ground water curtailed. Should you have questions about this matter, or if you believe your water right should be excluded from this action, please contact Cindy Yenter (Water District 130 Watermaster) by telephone at (208) 736-3033 or contact Tim Luke at the Department of Water Resources at the address above or by telephone at (208) 327-7864.

Sincerely,

A handwritten signature in black ink, appearing to read "Karl J. Dreher", with a stylized flourish extending to the right.

Karl J. Dreher
Director

c: Cindy Yenter, Water District 130 Watermaster



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

David Millard
PO Box 1724
Twin Falls, Idaho 83301

Re: Curtailment of Ground Water Use Under Water Right(s) 36-8234

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Curtailment orders were not issued last year to the holders of water rights for ground water in the area identified for curtailment because ground water districts and other entities representing the holders of the water rights entered into 2-year stipulated agreements with representatives of holders of affected senior rights from the interconnected springs and surface water tributary to the Snake River. These stipulated agreements provided for creation of a water district pursuant to Chapter 6, Title 42, Idaho Code, to enforce the terms of the agreements and curtail the diversion and use of water under junior priority water rights that the Department determines are injuring senior priority water rights, if the holders of the junior priority water rights are not represented by entities entering into the stipulated agreements or are not otherwise mitigating the injury.

June 18, 2002
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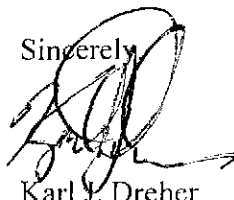
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Sincerely,



Karl J. Dreher
Director

c: Cindy Yenter, Water District 130 Watermaster



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

Ronald Stanley
PO Box 1724
Twin Falls, Idaho 83303

Re: Curtailment of Ground Water Use Under Water Right(s) 36-8234

Dear Water Right Holder:

The records of the Idaho Department of Water Resources ("Department") indicate that you own one or more water rights for the use of ground water within Water District 130 and the Thousand Springs Ground Water Management Area (GWMA). Department records do not indicate that out-of-priority diversion and use of water under your water right(s) is covered by either an approved mitigation plan or one of the stipulated agreements negotiated last year by the North Snake and Magic Valley Ground Water Districts and certain municipal and industrial water users.

Because of severe drought conditions persisting across the Upper Snake River Basin, the Thousand Springs GWMA was established last August. This allowed the Department to seek curtailment of relatively junior priority ground water diversions from the Eastern Snake Plain Aquifer ("ESPA") that further reduce the water supply available to senior priority water rights from springs and surface water tributary to the Snake River. The order designating the Thousand Springs GWMA identified an area within 10 kilometers from the Thousand Springs canyon wall north and east of the Snake River within which use of ground water rights having priority dates later in time than July 21, 1967, were determined by the Department to be injuring senior priority surface water rights. Within this area, curtailing ground water diversions will increase spring discharges tributary to the Snake River by an amount equal to 50 percent or more of the associated ground water depletions within 6 months of curtailment. This determination was made using the results from the Department's ESPA regional ground water flow model.

Curtailment orders were not issued last year to the holders of water rights for ground water in the area identified for curtailment because ground water districts and other entities representing the holders of the water rights entered into 2-year stipulated agreements with representatives of holders of affected senior rights from the interconnected springs and surface water tributary to the Snake River. These stipulated agreements provided for creation of a water district pursuant to Chapter 6, Title 42, Idaho Code, to enforce the terms of the agreements and curtail the diversion and use of water under junior priority water rights that the Department determines are injuring senior priority water rights, if the holders of the junior priority water rights are not represented by entities entering into the stipulated agreements or are not otherwise mitigating the injury.

June 18, 2002
Page 2

On February 19, 2002, a Final Order was issued creating Water District 130 for the administration of rights to the use of ground water and springs discharging from the ESPA in the Thousand Springs area. The first annual Water District 130 meeting was held on April 23, 2002, at which a watermaster was elected and certain resolutions were adopted.

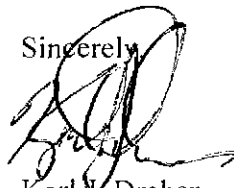
On March 27, 2002, the Department sent a letter to you and others within Water District 130 who had water rights that were not afforded the "safe harbor" provided by an approved mitigation plan or one of the stipulated agreements negotiated last year by either the ground water districts or a group of municipal and industrial users. That letter notified right holders that the Department, through Water District 130, might need to take action to curtail diversions not covered by a stipulated agreement or an approved mitigation plan where the Department has determined that such diversions are causing injury to senior priority water rights.

Unfortunately, drought conditions continue to persist across southern Idaho and the Snake River plain, and spring discharges in the Thousand Springs reach of the Snake River are similar or less than last year. Therefore, certain senior priority water rights that were calling for water last year are again not being satisfied during parts of this year. As described above, the Department, through use of its ESPA ground water model, has determined that unmitigated ground water pumping in the area of impact is causing injury to the holders of senior priority water rights from the Snake River. Consequently, in accordance with Idaho Code §§ 42-237a.g. and 42-607 it is necessary to seek curtailment of all junior priority ground water rights within the Thousand Springs impact area that are not covered by an approved mitigation plan or stipulated agreement.

Because the water right you hold is located in Water District 130 and the Thousand Springs GWMA impact area and is not covered by an approved mitigation plan or one of the stipulated agreements negotiated by either the ground water districts or the group of municipal and industrial water users, you are hereby notified that the watermaster for Water District 130 has been instructed to curtail diversion and use of ground water under your water right for the remainder of this irrigation season. The watermaster for Water District 130 will contact you after 14 days from the date of this letter to arrange for the curtailment of the diversion and use of ground water under your water right. The watermaster will allow you reasonable time to make adjustments or arrangements to minimize hardships caused by this action. Unless water supply conditions dramatically improve, I anticipate that curtailment will need to be extended for all of next year's irrigation season.

I regret that this action is necessary. You may want to consider joining one of the ground water districts that has signed a stipulated agreement as an alternative to having your use of ground water curtailed. Should you have questions about this matter, or if you believe your water right should be excluded from this action, please contact Cindy Yenter (Water District 130 Watermaster) by telephone at (208) 736-3033 or contact Tim Luke at the Department of Water Resources at the address above or by telephone at (208) 327-7864.

Sincerely,

A handwritten signature in black ink, appearing to read "Karl J. Dreher", written over a circular stamp or seal.

Karl J. Dreher
Director

c: Cindy Yenter, Water District 130 Watermaster

RONALD & MARGARET STANLEY
P.O. BOX 471 TWIN FALLS, ID. 83303
(208) 423-5411 PHONE/FAX

June 21, 2002

State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Water Right(s) 36-8234 curtailment of ground water use under water rights

All mailings regarding the above water right are to be sent to P.O. Box 471, Twin Falls, Idaho 83303

CERTIFIED MAIL was sent to P.O. Box 1724 which is an old p.o. box no. that no longer pertains to us.

Thank you,



Ronald L. Stanley
David Millard

*Database Changed
Ket
6.24.02*

FAX (208) 327-7066

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

[] Water Right Number(s): 36-8-34[] Name(s): DAVID R MILLARD[] Old Mailing Address: P.O. Box 1724TWIN FALLS, IDAHO 83303[] New Mailing Address: P.O. Box 471TWIN FALLS, IDAHO 83303

Telephone Number:

(425) 432-5772(208) 423-5411[] Signature(s) of Owner(s): [Signature]MANAGING MEMBER / PARTNER
(Include your title if on behalf of company or organization)Date: JUNE 27, 2002

Database updated
Kari Lynn
7.1.02

1. DRILLING PERMIT NO. 36 - 94 - S - 0048 - 000
Other IDWR No. 36-08234

2. OWNER:

Name David Milland, Keith Sligar, Ronald Stan-
Address Box 1724 ley
City Twin Falls State ID Zip 83303

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

T. 9 North ☐ or South ☒

E. 17 East ☒ or West ☐

Sec. 14 NW 1/4 10 acres NW 1/4 40 acres NW 1/4 160 acres

Gov't Lot _____ County Jerome

Address of Well Site 1100 Centennial Spur

(Give at least Direction + Distance to Road or Landmark)

Lot No. _____ Block No. _____ Subd. Name _____

4. PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☒ Other Commercial, Irrig.

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	32	1950#	Overbore

Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Casting	Liner	Steel	Plastic	Welded	Threaded
14od	+3	192	.250	X		☒	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐

Final location of shoes

Top Packer or Headpipe _____ Bottom Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____

☐ Screens Type _____ Material _____

From	To	Slot Size	Number	Diameter	Tele/Pipe Size	Casting	Linear
						☐	☐
						☐	☐
						☐	☐
						☐	☐

10. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Depth	Time

Temperature of water 56 Was a water analysis done? Yes ☐ No ☐

By whom?

Water Quality (odor, etc.) _____

Bottom Hole Temperature _____

11. STATIC WATER LEVEL:

140 ft. below surface Depth artesian flow found _____

Artesian pressure _____ lb. Describe access port 1 1/4" pipe

Describe Controlling Devices: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	GPM	SWL
17 1/2	0	9	Fill, broken basalt		
	9	14	Surface sand, gravel		
	14	34	Grey basalt		
	34	41	Grey/brown basalt		
	41	57	Brown clay, broken basalt		
	57	71	Grey basalt		
	71	84	Broken grey basalt		
	84	104	Grey basalt		
	104	118	Grey w/ red basalt		
	118	144	Grey basalt		
	144	158	Broken basalt w/ clay	T	
	158	168	Broken black & red basalt	T	
	168	188	Grey basalt		
	188	190	Soft clay		
	190	192	Grey basalt		
14	192	201	Grey basalt		
	201	248	Broken black & red basalt	X	
	248	270	Grey basalt		
	270	274	Soft	X	
	274	304	Hard grey basalt		
	304	340	Soft clay, ash, some sand	X	
RECEIVED					
MAY 11 1994					
Date Started 3/31/94				Region Office Completed 4/27/94	

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the pit was removed. Systems 1-7

Firm Name 624 Pierce Street Firm No. 15
Twin Falls, Idaho 83301

Firm Official [Signature] Date 5/2/94

and
Supervisor or Operator [Signature] Date

(Sign once if Firm Official & Operator)

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 36-08234

Reviewed by [Signature]

Date 5-25-94

GENERAL CONSIDERATIONS

TYPES OF USE

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

comm, Ind, Rec.
Correct Uses? yes

SOURCE OF WATER

 Surface water source
✓ Ground water source

yes Drilling permit required?
no Copy in the file? Drilling Permit No. 36-94-S-0048
200.00 Amount paid for permit yes Correct?
no Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
1.25 Amount Submitted
yes Correct?

yes Required?
yes Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received 5-12-94 132
Date proof due 4-1-94 - 91
No. of days late = 41
Priority Date 12-1-83 + 335
New Priority Date 1-11-84

DEFICIENCIES OR ACTION ITEMS

4/16- Proof acceptable

DATA ENTRY

New Address

Proof Made 5-12-94

June 16, 1994

DAVID MILLARD RONALD STANLEY &
KEITH SLIGER
BOX 1724
TWIN FALLS ID 83301

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 36-08237

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 this matter, 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

APR 18 1994
TWIN FALLS, ID

June 1, 1994

David Millard
Ronald Stanley
Keith Sliger
P.O. Box 1724
Twin Falls, ID 83301

RE: Permit No. 36-08234

Returned is your Proof of Beneficial Use submitted in connection with the above referenced permit. Before we can complete processing, additional information is required.

A drilling permit is required for all wells drilled, deepened or enlarged after July 1, 1987 (Section 42-235, Idaho Code). You have indicated neither the well driller or the date the well was drilled. If the well was drilled prior to July 1, 1987, simply indicate this on the form and return it to me.

If your well was drilled after July 1, 1987, please submit a copy of the drilling permit. The well log should have been submitted by the driller within 30 days of the completion of the well. If you have a copy of the well log, please submit that as well. If you do not, please contact your driller and ask that he submit a copy.

Please return the requested information, and resubmit the returned proof of beneficial use within 30 days of the date of this mailing. Please address any correspondence directly to me.

Since proof was due on April 1, 1994, it imperative that your return the form within the 30 days or the department will lapse the permit.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

1994 JUN 1 10 33 AM



CHARLES
BROCKWAY
ENGINEERING

May 10, 1994

Mr. L. Glen Saxton
Idaho Department of Water Resources
State House
Boise, Idaho 83720

Subject: Beneficial Use- Permit 36-8234
David Millard, Ronald Stanley and Keith Sliger

Dear Glen:

Thank you for your letter of April 7, 1994 allowing additional time to provide additional information regarding the request for extension of time on this permit. As I indicated in my letter of March 29, 1994, the developers did make a diligent effort to meet the April 1, 1994 time for proof of beneficial use. However, the reasons for the delays as outlined apparently do not meet the criteria required for the Department of Water Resources to grant additional time.

Walker Water Systems has completed construction of the well and the plumbing for the intertie of this supply with the project is complete. This intertie allows integration of the total supply and along with Permit 37-07619 provides firm fire flows for the project. The entire development project is still behind schedule because of the reasons mentioned in my previous letter. However, rather than risking a lapse in the permit, I am filing proof of beneficial use on the permit for the facilities already completed.

The required form 217, Proof of Beneficial Use, and Crossroads of Idaho check for \$125.00 is enclosed.

Sincerely,

C. E. Brockway, P.E.

Enclosures

Crossroads of Idaho check , \$125

CHARLES E.
BROCKWAY,
PHD, P.E.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208 • 733 • 0938
FAX: 733 • 1746



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

April 7, 1994

C. E. Brockway
706 Sunrise Blvd N.
Twin Falls, ID 83301

RE: REQUEST FOR EXTENSION OF TIME - PERMIT NO. 36-08234

Dear Mr. Brockway:

The department has reviewed your letter dated March 29, 1994 together with the request for extension of time in which to submit proof of beneficial use of water (proof) for the above referenced permit.

Review of the water right file shows that the department issued the permit on April 30, 1986 with a condition of approval requiring the submittal of proof on or before April 1, 1990. On March 8, 1990, the department extended the proof due date to April 1, 1991. This extension was based on authority in Section 42-204, subsection 1, Idaho Code.

On May 15, 1991, the department granted a second extension request extending the proof due date to April 1, 1994. This extension was based on authority in Section 42-204, subsection 5, Idaho Code.

Since the extension of time which the department can grant for due diligence has been exhausted, you need to provide specific evidence to show that the permit holder qualifies for another extension under terms of Section 42-204, subparagraph 1, Idaho Code. This paragraph provides that the department can grant extension of time as described below:

"In cases where the applicant is prevented from proceeding with his work by his failure to obtain necessary consent or final approval or rejection from the federal government because of the pendency of an application for right of way or other matter within the jurisdiction of the United States, or by litigation of any nature which might bring title to said water in question ..."

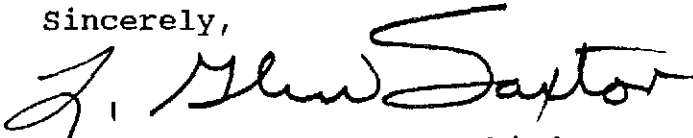
Please provide within thirty (30) days specific evidence to show application dates, rejection dates and/or other information to justify an extension under this provision. Delay which the

JUL 28 1994

department can consider must have occurred during the last authorized development period from April 1, 1991 and April 1, 1994. Failure to timely respond or to provide sufficient evidence will result in denial of the pending extension request and lapsing of the permit. Under such a denial and lapsing, however, the permit holder could file proof on the portion of the permit which has been developed.

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

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." and last name "Saxton" clearly distinguishable.

L. GLEN SAXTON, P.E., Chief
Water Allocation Bureau

c: IDWR - S. Region

RECEIVED
MAR 30 1994
Department of Water Resources
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by det
Date 03-30-94
Receipt # 5016705

REQUEST FOR EXTENSION OF TIME

RECEIVED

MAR 31 1994

Department of Water Resources

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

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

Permit No. 36-8234

Name(s) of Permit Holder: David Millard, Ronald Stanley, & Keith Sliger

Post Office Address: P.O. Box 1724 Twin Falls, ID 83301

Telephone No. (208) 734-0455

Date Proof is Due: April 1, 1994

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

See letter by C.E. Brockway P.E.

Costing \$ _____

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

See letter by C.E. Brockway P.E.

Permit holder(s) request an extension to April 1, 1997.
(1 yr. minimum)

Ronald L. Sliger X
(Signature)*

FEE: \$15.00

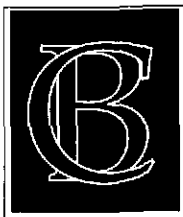
*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

Signed this _____ day of _____, 19____.

JUN 20 1994



CHARLES
BROCKWAY
ENGINEERING

RECEIVED

MAR 31 1994

Department of Water Resources

March 29, 1994

Mr. Keith Higginson
Idaho Department of Water Resources
State House
Boise, Idaho 83720

RECEIVED

MAR 30 1994

Department of Water Resources
Southern Region Office

Subject: Request for Extension of Time- Permit 36-8234
David Millard, Ronald Stanley and Keith Sliger

Dear Keith:

The proof of beneficial use is due on this permit on April 1, 1994. The water supply contemplated under this permit is to be a principle component of the total water supply for the commercial, recreational, and historical development at the intersection of Interstate 84 and U.S. Highway 93. Crossroads of Idaho is has made and is making diligent progress on the Traveler's Plaza project and in fact most of the major improvements are installed including the Petro restaurant-truck stop complex, sewage treatment facility, access roads and part of the water supply system. The Blue Beacon truck wash has also been constructed and is operational. To date the investment on the site is estimated at nearly 6 million dollars including the Petro2 truck stop and restaurant(\$4.4M), Blue Baron truck wash(\$1.0M), the Idaho Farm and Ranch Museum (\$20K) and the utility infrastructure including water tower, well, roads, and other utilities (approximately \$0.5M). Negotiations for construction of a 66 room motel estimated at \$2.0M are nearing completion (see attached letter from D. Robert McIntyre, Petro2) and negotiations with TRF Pacific Inc. which plans a large (500 acre) development at the Crossroads are proceeding (see attached letter from David Millard, L.P.M. Services Inc.)

*attached letter
David Millard*

The project was begun in 1983 and this permit (36-8234) was acquired in 1984 to complete the water supply for the multipurpose facility. Delays in negotiation with the BLM prevented finalizing of plans for the sewer system and delays in planning by the Idaho Farm and Ranch Museum(IFARM), a voluntary organization, have impeded full development of water under this permit. The IFARM has Federal grants pending for development and contemplates significant improvements for which the water supply under this permit is intended. Improvements for which water supplies will be required are planned for 5 years in the future (see attached letter from Ralph Peters, IFARM). This makes it very difficult to develop the water supply for all contemplated requirements in the time frame normally allotted.

Because of new Federal and State requirements for permitting and compliance, additional time and effort have been required in application and negotiations. New, more stringent Federal lending regulations have extended the time required to bring the total project to fruition than was ever expected.

Added development in the Crossroads area and the entire Magic Valley has forced the Idaho Department of Transportation to begin a major traffic study to accommodate expected new growth and major investments at the intersection. This study, which contemplates major expansion of the Interstate and U.S. Highway 93 exchange and associated property requirements will likely require changes in the Crossroads project.

CHARLES E.
BROCKWAY,
PHD, P.E.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208 • 733 • 0938
FAX: 733 • 1746

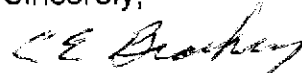
404 23 1994

As you may know, Keith Sliger, principle partner in the development, suffered a major heart attack in August of 1992. As a result he was forced to sell his company and has been able to tend to only the most pressing obligations related to the project. Keith has played a critical role in the negotiations with government agencies, potential clients, and financial institutions and his absence has resulted in delays not contemplated in the initial planning.

The developers are making reasonable progress and are proceeding post-haste with development of the water supply under this permit. Walker Water Systems began construction of the well this month (March 1994) and design of the *intertie of this supply with the project is complete*. This intertie will firm up the total supply and provide firm fire flows for the project. The entire project is estimated to be four years behind schedule because of the above-mentioned delays. Additional facilities construction to effect beneficial use of the water under this permit will require at least three additional years. I am therefore requesting, in behalf of Crossroads of Idaho Enterprises, an extension of time for proof of beneficial use on this permit of three years to April 1, 1997.

The required form 204, Request for Extension of Time and Crossroads of Idaho check #213 for \$15.00 is enclosed.

Sincerely,



C. E. Brockway, P.E.

Enclosures

Letter from Idaho Farm and Ranch Museum
Letter from David R. Millard P.E. PLS
Letter from D. Robert McIntyre
Request for Extension of Time
Check #255, Crossroads of Idaho, Inc. \$15.00 fee
Application for Drilling Permit 36-94-S-0048-000

[Faint, illegible handwritten notes or stamps]

**IDAHO
FARM
AND
RANCH
MUSEUM** *Agriculture
Museum*

Box 50 • Jerome, Idaho 83338 • (208) 324-5641

MAR 30 1994

February 14, 1994

Department of Water Resources
Southern Region Office

RECEIVED

MAR 31 1994

Department of Water Resources

Ron Stanley
1887 Highland Ave. E
Twin Falls, Id 83301

Dear Ron:

You asked what the Idaho Farm and Ranch Museum is going to do in the next few years. That is difficult to say but here is what we have in mind.

For the year 1994 we intend to build one storage shed; one museum building which will be 48' by 108', shaped like a barn; and the first phase of infrastructure which will consist of about a mile of main-line water pipe and about one half mile of main-line sewer pipe.

Future infrastructure will consist of more water lines, sewer lines, gas lines, power lines, telephone lines, parking for 200 cars, roadway of about two miles, tree planting, irrigation pipe, fences, nature trails, and any other items that will make a complete farm and ranch.

Looking five years down the road we will be constructing a visitor's center which will also house our main restroom facilities. Then two more museum buildings all of which will be barn shaped; two more storage buildings, three shops for restoring farm equipment; six 25' by 50' store buildings to form a small business center; and we will move in one church which is now in existence, plus a one-room school house will be moved in from north of Jerome.

Our farming activities are not clear cut at this time but we will be building a farm home and out-building somewhere during the next five years. We will also have this building used to house personnel to help run and protect the entire museum site. We will also have corrals for livestock.

I hope this will give you some idea of our future plans.

Sincerely,



Ralph B. Peters, Director

TRANSMITTED VIA PRIORITY MAIL AND FAXED TO (208) 734-7841

March 25, 1994

RECEIVED
MAR 31 1994
Department of Water Resources

RECEIVED

MAR 30 1994

Department of Water Resources
Southern Region Office

Mr. Ron Stanley, Partner
Millard/Stanley/Sligar Partnership
PO Box 1724
Twin Falls, ID 83303

RE: Development Delays, Crossroad of Idaho

Dear Ron:

As you know, we are preparing the comprehensive sewer and water plan for the property lying north of Interstate 84 and east of US Highway 93, which property lies in Jerome County, Idaho. Late last year we were asked to enlarge our study area to include the property lying west of US Highway 93. Consequently, our study area, which originally encompassed 200 acres, now encompasses 600 acres.

One large property owner in this study area is trying to secure approval of his development proposal through Jerome County, and other state and federal regulatory agencies. He has been delayed, and continues to move ahead slowly, due in large part, to the complex and time consuming process required by the involved agencies.

Governmental processing has delayed and prolonged the finalization of development plans for other properties in the Crossroads comprehensive planning area, thereby preventing the construction of said projects. We expect to complete the water and sewer plan in 1994, whereupon said properties can move ahead, and you can implement water and sewer decisions for construction of the Crossroads facilities.

Sincerely,

L.P.M. Services, Inc

David R. Millard

David R. Millard, PE, PLS

DRM/mc

PETRO:2

RECEIVED

MARCH 18, 1994

RECEIVED

MAR 31 1994

Department of Water Resources

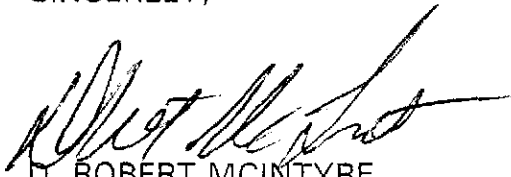
MAR 30 1994

Department of Water Resources
Southern Region Office

TO WHOM IT MAY CONCERN:

AT THE PRESENT TIME CROSSROADS OF IDAHO IS NEGOTIATING WITH A DEVELOPER TO CONSTRUCT A MOTEL ADJACENT TO OUR CURRENT FACILITIES. THE PROPOSED UNIT WILL CONSIST OF 66 ROOMS AND WILL BE SPRINKLED. WE ANTICIPATE THAT CONSTRUCTION WILL BEGIN WITHIN THE NEXT SIX MONTHS.

SINCERELY,


D. ROBERT MCINTYRE
GENERAL MANAGER

C

Drilling Permit No. 26-94-5-0048-000
Water Right Permit No. 36-082342
Injection Permit No. _____**WELL DRILLER: PLEASE COMPLETE FOR VERBALS**

IDWR Employee Issuing Verbal: _____

Verbal Issued Date: _____ Time: _____

RECEIVED RECEIVED

MAR 31 1994

MAR 28 1994

State of Idaho
Department of Water ResourcesDepartment of Water Resources
Southern Region Office**APPLICATION FOR DRILLING PERMIT**1. Applicant (please print): DAVID Milland, Keith Sligan, Ronald Stanley2. Mailing Address: Box 1724City & State Twin Falls, Id Zip Code 83302 Telephone 734-0455☒ Well Owner ☐ Well Operator ☐ Contractor or Other, specify _____3. Proposed Well Location: Twp. 9 S Rge. 17 E Sec. 14 NW 1/4 NW 1/4Gov't Lot No. _____ County JeromeStreet Address of Well Site 1100 Centennial Spur

Lot, block and subdivision _____

Proposed Use of Well:

- ☐
- DOMESTIC:**
- The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC:☐ Irrigation☐ Municipal☐ Industrial☐ Stock☐ Test☒ Other

(Over 1,000 Head)

Commercial, recreational, Irrig
(Describe)☐ **INJECTION**☐ **MONITORING:** A well bore schematic and map is required for each blanket permit.

No. of proposed wells: _____

Well Construction Information:1. ☒ New well ☐ Modify (Deepen or Enlarge) ☐ Replace - See Condition 92. Proposed Casing Diameter 14" Proposed Maximum Depth 350'

3. Anticipated bottom hole temperature:

☒ 85°F or less
(Cold Water Well)☐ 85°F to 212°F
(Low Temp. Geo. Well)☐ 212°F or more
(Geothermal Well)Construction Start Date: 3-28-94Anticipated Well Driller: Walker Water Systems Inc.

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

Applicant's Signature Ronald Stanley Date 3/23/94

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 3/28/94

If approved, this permit authorizes the construction or modification 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 well permit, injection well permit, transfer or amendment and the rules and regulations of the Department for well 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 year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an 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° 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:

Signature of Authorized Department Representative

Title

Water Rights Supervisor

Receipt No. 5016697 Received by [Signature] Fee \$200.00 Date 3-28-94

EXTENSION OF DRILLING PERMIT:

Extension approved by _____ Approval Date _____

This extension expires: _____

JUN 28 1994

January 31, 1994

DAVID MILLARD
KEITH SLIGAR
RONALD STANLEY
P.O. BOX 1724
TWIN FALLS ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 36-08234

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1994.

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

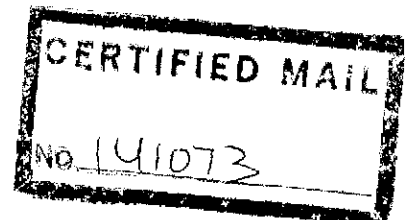
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures



JUN 28 1994

May 17, 1991

DAVID MILLARD, KEITH SLIGAR
RONALD STANLEY
P O BOX 1724
TWIN FALLS ID 83303-1724

Gentlemen:

Re: Permit No. 36-8234

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to April 1, 1993. Note that the permit has been reinstated with an advance in priority, since the extension was received after the proof of beneficial use date.

The department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MAY 22 1991

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 36-8234Reviewed by [Signature]Date 5-15-91

BASIC INFORMATION

Y Date stamp received
Y Extension received timely (not too early not too late)
Y Fee received and receipted
Y Name and signature same as permit
N Address change

BASIS FOR EXTENSION REQUEST

Y Has adequate work been completed to demonstrate due diligence?
Y Has the cost incurred been adequate to demonstrate an intent to complete the project?
 _____ Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

_____ Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN - First ext. granted due to gov. delay.
This ext granted based on diligence until
Apr. 1, 1994.

Y Reinstate Date extension received May 7 = 127
 Proof due date Apr. 1 = - 91
 No. of days late = 36
 Priority date Oct. 26 '83 = +299
 ADJUSTED PRIORITY DATE Dec. 1, '83 = 335

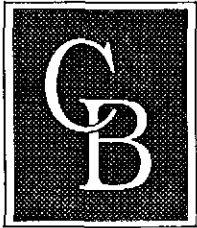
DATE ENTRY

✓ Change proof due date _____ Address change
✓ Priority date change

RECEIVED

MAY 13 1991

May 7, 1991



CHARLES
BROCKWAY
ENGINEERING

Mr. Keith Higginson ^{Department of Water Resources}
Idaho Department of Water Resources
State House
Boise, Idaho 83720

Subject: Request for Extension of Time- Permit 36-8234
David Millard, Ronald Stanley and Keith Sliger

Dear Keith:

The proof of beneficial use was due on this permit on April 1, 1991. The Partnership has made diligent progress on the Traveler's Plaza project and in fact most of the major improvements are installed including the Petrol restaurant-truck stop complex, sewage treatment facility, access roads and part of the water supply system. The total investment thus far in the project is \$4.4 million with projected employment of 50 people. Remaining to be constructed are a truck wash, motel, truck depot, recreation vehicle facilities and associated commercial facilities.

The project was begun in 1983 and this permit was acquired in 1984 to complete the water supply for the multipurpose facility. Extreme delays have occurred in finalizing agreements between government agencies to satisfy requirements for the final agreement with the BLM. Negotiations with governmental agencies (BLM, IDHW, Jerome County) and volunteer organization (Jerome Historical Society) and private investors have required considerably more time and effort than was originally contemplated. Financing under new, more stringent Federal lending regulations has made it considerably very difficult to put a project like this together in a timely manner.

The entire project is estimated to be five years behind schedule because of the above-mentioned delays. It is estimated that additional facilities construction to effect beneficial use of the water under this permit will require at least three additional years. I am therefore requesting, in behalf of Crossroads of Idaho Enterprises, an extension of time for proof of beneficial use on this permit of three years to March 31, 1994.

The required form 204, Request for Extension of Time and Crossroads of Idaho check #213 for \$15.00 is enclosed.

Sincerely,

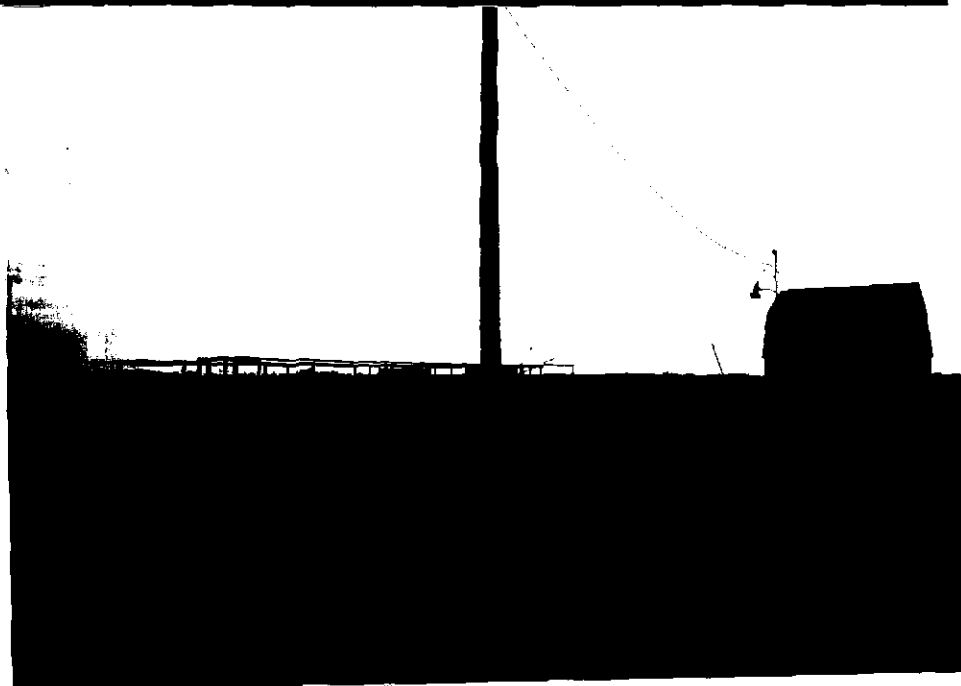
C. E. Brockway, P.E.

CHARLES E.
BROCKWAY,
PhD., P.E.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208-733-0938

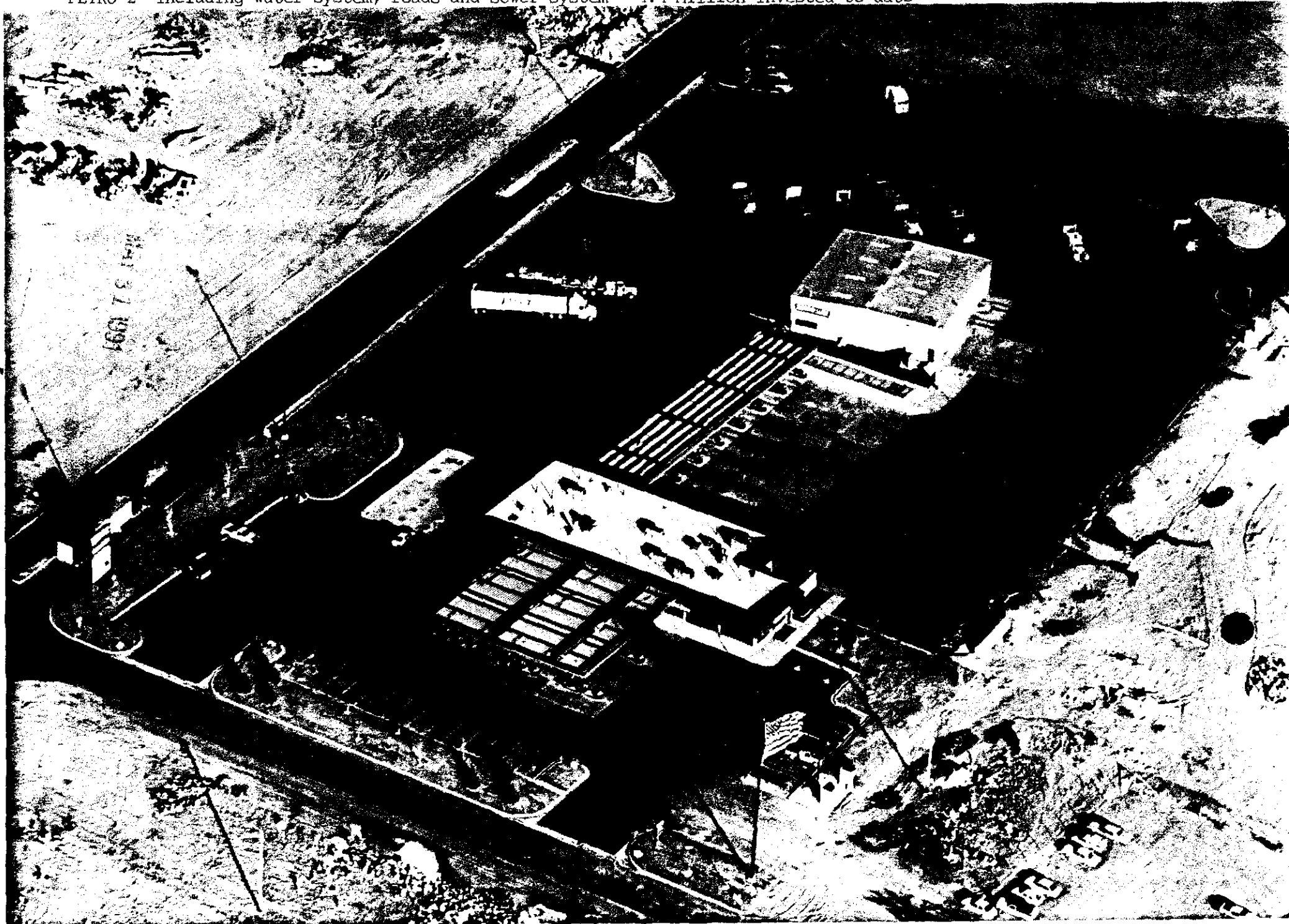


MAY 31 1991

PETRO 2 including water system, roads and sewer system 4.4 Million invested to date

5/6/91

36-8237



WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

April 8, 1991

DAVID MILLARD
KEITH SLIGAR
RONALD STANLEY
P.O. BOX 1724
TWIN FALLS, ID 83301

LAPSE NOTICE

RE: PERMIT NO. 36-08234

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated January 31, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

MAY 31 1991

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 4-9-91
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

138996
January 31, 1991

DAVID MILLARD
KEITH SLIGAR
RONALD STANLEY
P.O. BOX 1724
TWIN FALLS, ID 83301

PROOF DUE NOTICE
RE: PERMIT NO. 36-08234

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

JAN 31 1991
JAN 31 1991

March 13, 1990

David Millard
Ronald Stanley
Keith Sligar
P. O. Box 1724
Twin Falls, ID 83303-1724

Gentlemen:

Re: Permit No. 36-8234

Enclosed is a copy of the approved request for extension of time. The time within which to submit the proof of beneficial use is extended to April 1, 1991.

If you have any questions concerning this filing, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

MAR 21 1990

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 36-8234

Reviewed by Jy

Date 3-8-90

BASIC INFORMATION

- 6 Date stamp received
3 Extension received timely (not too early not too late)
3 Fee received and receipted
3 Name and signature same as permit
N Address change

BASIS FOR EXTENSION REQUEST

- Has adequate work been completed to demonstrate due diligence?
 Has the cost incurred been adequate to demonstrate an intent to complete the project?
 Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

- 4 Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN

*Recommend approval based on gov't
 mental delay for one year*

N/A Reinstate Date extension received _____ = _____
 Proof due date _____ = _____
 No. of days late _____ = _____
 Priority date _____ = + _____
 ADJUSTED PRIORITY DATE _____ = _____

DATE ENTRY

Change proof due date _____ Address change _____
 Priority date change _____

FROM

Ylm

DATE

2-28-90

TO

File

SUBJECT

Re: Memo dated 2-9-90 in this file.

- This permit was conditioned the
consumptive use not exceed 2 AF/day.
Hence, it is presumed not to individually
cause a significant reduction. (See
Waterappo Rule 5, 2/1/90)

MICROFILMED

MAR 21 1990

SIGNATURE



CHARLES
BROCKWAY
ENGINEERING

February 27, 1990

RECEIVED

FEB 28 1990

Department of Water Resources

Mr. Norman Young
Idaho Department of Water Resources
State House
Boise, Idaho 83720

Subject: Request for Extension of Time- Permit 36-8234
David Millard, Ronald Stanley and Keith Sliger
a partnership

Dear Norm:

I am requesting an extension of time for proof of beneficial use on this permit due to delays in completing the requirements of the BLM to secure a final notice to proceed. Delays in completing beneficial use on this permit are the same as those experienced on permit 36-7619, primarily satisfying BLM requirements. This permit was secured in 1984 to complete the water supply for the multiple use project including recreation, domestic, irrigation and commercial uses on the Crossroads of Idaho Traveler' Plaza project. Proof of completion of beneficial use is due April 1, 1990. The project began in 1983 and has experienced continued delays because of the joint agencies involved and the necessity to secure multiple agreements and permits before final approval by the BLM.

Crossroads of Idaho secured an agreement with the Jerome County Historical Society in August 1989 under which Jerome County would apply for a lease and patent to land on which the agricultural museum, wastewater treatment systems and related facilities would be constructed. Since that time, Crossroads has been pursuing the proper permits and agreements with State and County agencies to satisfy the BLM requirements for a Notice to Proceed. Crossroads retained EHM Engineers to prepare plans and specifications for the facilities including water and sewer plans for submittal to the Department of Health and Welfare. The enclosed letter from EHM outlines the status of the Preliminary Engineering Report, Land Application Permit Application, Specifications, Maintenance Authority Documents and design calculations submitted to IDHW. To date, no response has been received from IDHW and the review is not scheduled to be completed until after April 15, 1990. The Bureau of Land Management will not issue the Notice to Proceed until all required permits from State and Local agencies are secured as indicated in the enclosed attachment from the BLM. Crossroads has completed the facilities plans and, pending approval from the BLM, is prepared to pursue construction and completion of beneficial use on this permit (see enclosed plans).

CHARLES E.
BROCKWAY,
PhD., P.E.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208-733-0938

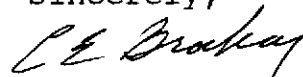
MAR 21 1990

Crossroads is proceeding with land preparation on non-BLM land in anticipation of rapid approval of required permits and issuance of the Notice to Proceed by the BLM.

An application to IDWR for an injection well permit has also been submitted and no response has been received. Agreements with operating firms for the Traveler's Plaza and RV facilities have been completed.

It is estimated that construction, to effect beneficial use of the water under this permit, would require at least eight months after all approvals are complete. Based on the recent delays and anticipated final approval of water and wastewater plans by June 1990, I am requesting on behalf of Crossroads of Idaho an extension of time for proof of beneficial use to April 1, 1991. An application for the extension and Millard, Stanley, and Sligar check # 422 for \$15.00 is enclosed.

Sincerely,



C. E. Brockway, P.E.

CEB: Enclosures

RECEIVED
BUREAU OF LAND MANAGEMENT
FEB 1 1991

100-100000-100000

100-100000-100000



Edwards, Howard & Martens, Inc.

ENGINEERS / PLANNERS / SURVEYORS

1139 Falls Ave. E., Suite B
Twin Falls, Idaho 83301
Phone 734-4888

IN THE FIELDS OF:

PLANNING
SURVEYING
HIGHWAYS
WATER
SEWAGE
STRUCTURAL
SUBDIVISIONS
AIRPORTS
BRIDGES

February 22, 1990

Dr. Charles Brockway , P.E., PhD
706 Sunrise Blvd. N.
Twin Falls, Idaho 83301

Re: Crossroads Development
Permits and Licenses

Dr. Brockway:

EHM Engineers, Inc. was retained to complete plans, specifications, and permit applications for the Crossroads of Idaho Development sewer and water systems. We are forwarding this letter to document the status of those items.

1. Water and sewer system plans were submitted to the State of Idaho, Department of Health and Welfare, Division of Environmental Quality (IDHWDEQ) on September 26, 1989.
2. November 28, 1989, IDHWDEQ responded on wastewater treatment requesting more information.
3. December 14, 1989, IDHWDEQ responded on the water system design requesting more information and stating the need for a waiver to the regulation requirement for a normal operating pressure of 60 psi.
4. December 20, 1990, the request for waiver and additional water system information were supplied to IDHWDEQ. No response has been received by EHM to those submittals as of February 21, 1990.
5. February 12, 1990, EHM Engineers, Inc. resubmitted to IDHWDEQ A Preliminary Engineering Report, Land Application Permit Application, Specification Maintenance Authority Documents, and design calculations for the Crossroads wastewater treatment system. No response has been received as of February 21, 1990. We have been informed by IDHWDEQ

RECEIVED
MAR 21 1990

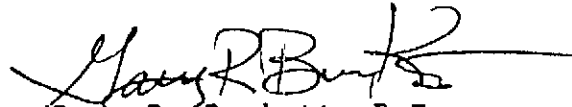
That the Land Application Permit Application will probably not be reviewed until after April 15, 1990 due to manpower requirements and current backlog. The statutory review period for the Land Application Permit Application expires August 12, 1990.

6. Crossroads made an application to construct an injection well to the Idaho Department of Water Resources on January 3, 1990. No response has been received as of February 21, 1990.
7. Crossroads made a notification of compliance to the Bureau of Land Management on February 19, 1990.

We hope this information will be of value.

Respectfully yours,

EHM ENGINEERS, Inc.,


Gary R. Burkett, P.E.

GRB/jm
cc:file

RECEIVED

MAR 21 1990

ATTACHMENT A
CROSSROADS OF IDAHO, INC.
RIGHT-OF-WAY IDI-26996

1. There shall be no development within the rights-of-way held by the State of Idaho Division of Highways or Jerome County Highway District.
2. As-built construction surveys will be required for the following:
 - Water Line
 - Utility
 - Roads
 - Waste water and/or sewage lines and treatment facility
 - Lagoon

Surveys must be of sufficient detail to enable BLM staff to locate improvements in the field and allow platting on maps of 1:24,000 scale. Surveys must be tied to an existing monument of an official governmental land survey. These documents must be filed with the BLM within six months of construction completion and no later than December 31, 1990.

3. No construction (surface disturbance activity) will be allowed until the Authorized Officer of BLM issues a Notice To Proceed. No Notice To Proceed will be issued until all necessary licenses and/or permits required by other Federal, State or local regulatory agencies have been obtained.
4. The Holder shall contact the Authorized Officer (AO) at least five (5) working days prior to the anticipated start of construction and/or any surface disturbing activities. The AO may require and schedule a preconstruction conference with the holder prior to the Holder's commencing construction and/or surface disturbing activities on the right-of-way. The Holder and/or his representative shall attend this conference. The Holder's contractor, or agents involved with construction and/or any surface disturbing activities associated with the right-of-way, shall also attend this conference to review the stipulations of the grant including the plan of development.
5. The AO may suspend or terminate in whole, or in part, any notice to proceed which has been issued when, in his judgment, unforeseen conditions arise which result in the approved terms and conditions being inadequate to protect the public health and safety or to protect the environment.
6. The Holder shall designate a representative who shall have the authority to act upon and to implement instructions from the AO. The Holder's representative shall be available for communication with the AO within a reasonable time when construction or other surface disturbing activities are underway.

MICROFILMED

MAR 21 1990

7. The Holder shall provide a bond or other security satisfactory to the AO, in the amount of \$1,950, to be maintained until restoration of disturbed areas and other requirements relative to the construction phase of the project have been accepted by the AO. Upon completion, or partial completion of these construction related requirements, the AO may terminate or reduce the amount of the bond or security.
8. The Holder of right-of-way IDI-26996 agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource conservation and Recovery Act, 42 U.S.C. 6901, et seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way), or resulting from the activity of the right-of-way holder on the right-of-way. This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
9. Holder will furnish the AO, for approval prior to any construction activities, a clearing and rehabilitation plan including, but not limited to, clearing methods, site preparation, plant species to be seeded, rate of seeding, type of fertilizer and mulching to be used, and time of seeding of temporary roads and other disturbed areas.
10. Unless otherwise agreed to by the AO in writing, power lines shall be constructed in accordance to standards outlined in "Suggested Practices for Raptor Protection on Power Lines", Raptor Research Foundation, Inc., 1981. the Holder shall assume the burden and expense of providing that pole designs not shown in the above publication are "eagle safe". Such proof shall be provided by a raptor expert approved by the AO. The BLM reserves the right to require modifications or additions to all power lines structures placed on this right-of-way, should they be necessary to ensure the safety of large parching birds. Such modifications and/or additions shall be made by the Holder without liability or expense to the United States.
11. Use of pesticides shall comply with the applicable Federal and State laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the Holder shall obtain from the AO, written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the AO. Emergency use of pesticides shall be approved in writing by the AO prior to such use.

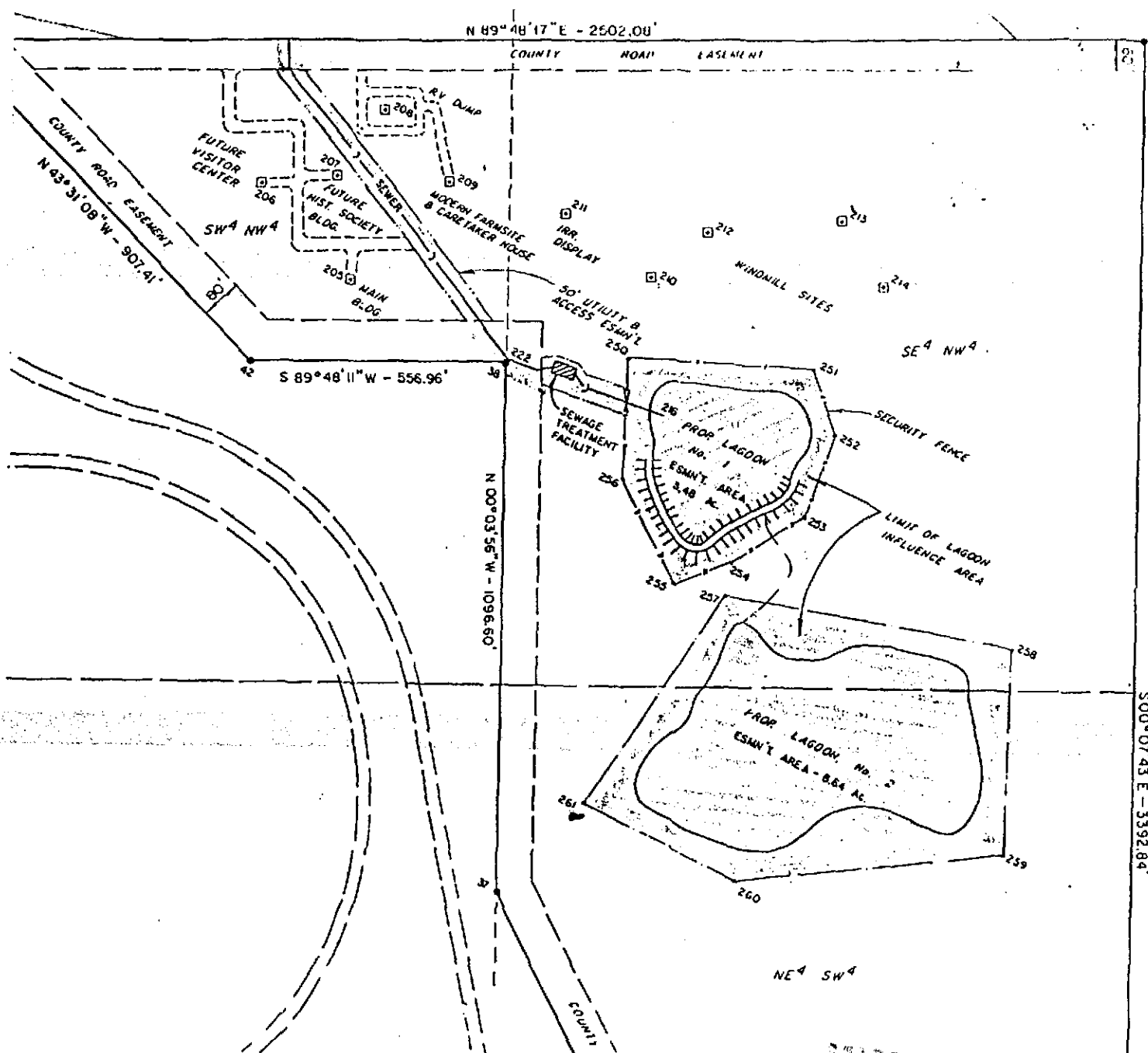
Ronell L. Sturvo
Signature of Applicant

8/23/89
Date

Robert D. Collett
BLM Authorized Officer

August 25, 1989
Date

MAR 21 1990



MICROFILMED

MAR 21 1990

02-17-03

Twin Falls

78 J

July 93

Performance

PACIFIC

282

EXHIBIT A



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
SHOSHONE DISTRICT OFFICE
400 WEST "F" STREET
P.O. BOX 2B
SHOSHONE, IDAHO 83352



IN REPLY REFER TO:
ID I 26996

AUG 25 1989

Crossroads of Idaho, Inc.
Attn: Ron Stanley
P. O. Box 471
Twin Falls, ID 83303

Dear Mr. Stanley,

Enclosed is the right-of-way document for the utility access, sewage treatment facility, lagoons and sign for Crossroads of Idaho, Inc. Also enclosed is a receipt for the interim rental.

Before a Notice To Proceed is issued for this right-of-way, the required bond must be in place. I have enclosed the bonding form which should accompany your check for a cash bond or certification from the bank that a book entry deposit transaction has been completed. If you choose to do a book entry deposit, we must receive notification from the Federal Reserve Bank that the transaction has been processed before the Notice to Proceed is issued.

If you have any questions, please feel free to contact us.

Sincerely,

Pamela B. Brown
Land Law Examiner

Enclosures

MICROFILMED

MAR 21 1990

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

Issuing Office

Shoshone District Office

Serial Number

IDI 26996

1. A (right-of-way) (~~permit~~) is hereby granted pursuant to:

- a. ☒ Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761);
- b. ☐ Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185);
- c. ☐ Other (describe) _____

2. Nature of Interest:

- a. By this instrument, the holder Crossroads of Idaho, Inc. receives a right to construct, operate, maintain, and terminate a Utility Access, Sewage Treatment Facility, Lagoons & a Sign on public lands (or Federal land for MLA Rights-of-Way) described as follows:

T. 9 S., R. 17 E., B.M.
Sec. 14: S $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

b. The right-of-way ~~or permit~~ area granted herein is _____ feet wide, _____ feet long and contains _____ acres, more or less. If a site type facility, the facility contains 13.84 acres.

c. This instrument shall terminate on December 31, 2019, 30 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.

d. This instrument ☒ may ☐ may not be renewed. If renewed, the right-of-way ~~or permit~~ shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.

e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

- a. This grant ~~or permit~~ is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 180 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued pursuant to the authority of paragraph (1)(a) for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibit(s) A* and Attachment A, dated _____, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant ~~or permit~~ shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

*See EHM Engineers, Inc. drawing #39.88 dated 5/8/89

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

Ronald L. Stines
(Signature of Holder)

Robert O. Cordell
(Signature of Authorized Officer)

Partner

(Title)

Area Manager

(Title)

8/23/87
(Date)

8/25/89

(Effective Date of Grant)



Edwards, Howard & Martens, Inc.

ENGINEERS / PLANNERS / SURVEYORS

1139 Falls Ave. E., Suite B
Twin Falls, Idaho 83301
Phone 734-4888

IN THE FIELDS OF:

PLANNING
SURVEYING
HIGHWAYS
WATER
SEWAGE
STRUCTURAL
SUBDIVISIONS
AIRPORTS
BRIDGES

February 27, 1990

Bob Cordell
Bureau of Land Management
P.O. Box 288
Shoshone, Idaho 83352

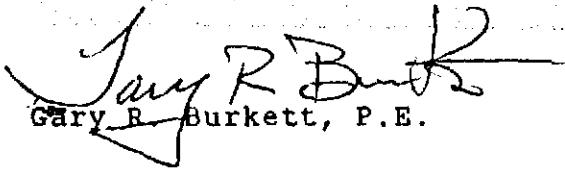
Mr. Cordell:

We are submitting this letter to provide notice of compliance with 1) the requirements of right of way grant use permit #26996 between the BLM and Crossroads of Idaho, and 2) with the agreement between Jerome County/Jerome County Historical Society and Crossroads of Idaho Enterprises.

The enclosed map, identifying application fields by numbers, has been submitted to the Idaho Department of Health and Welfare, Division of Environmental Quality as part of a land application permit application. The identification numbers are required by IDHWDEQ for reporting annual application rates for each field.

Respectfully submitted,

EHM ENGINEERS, INC.

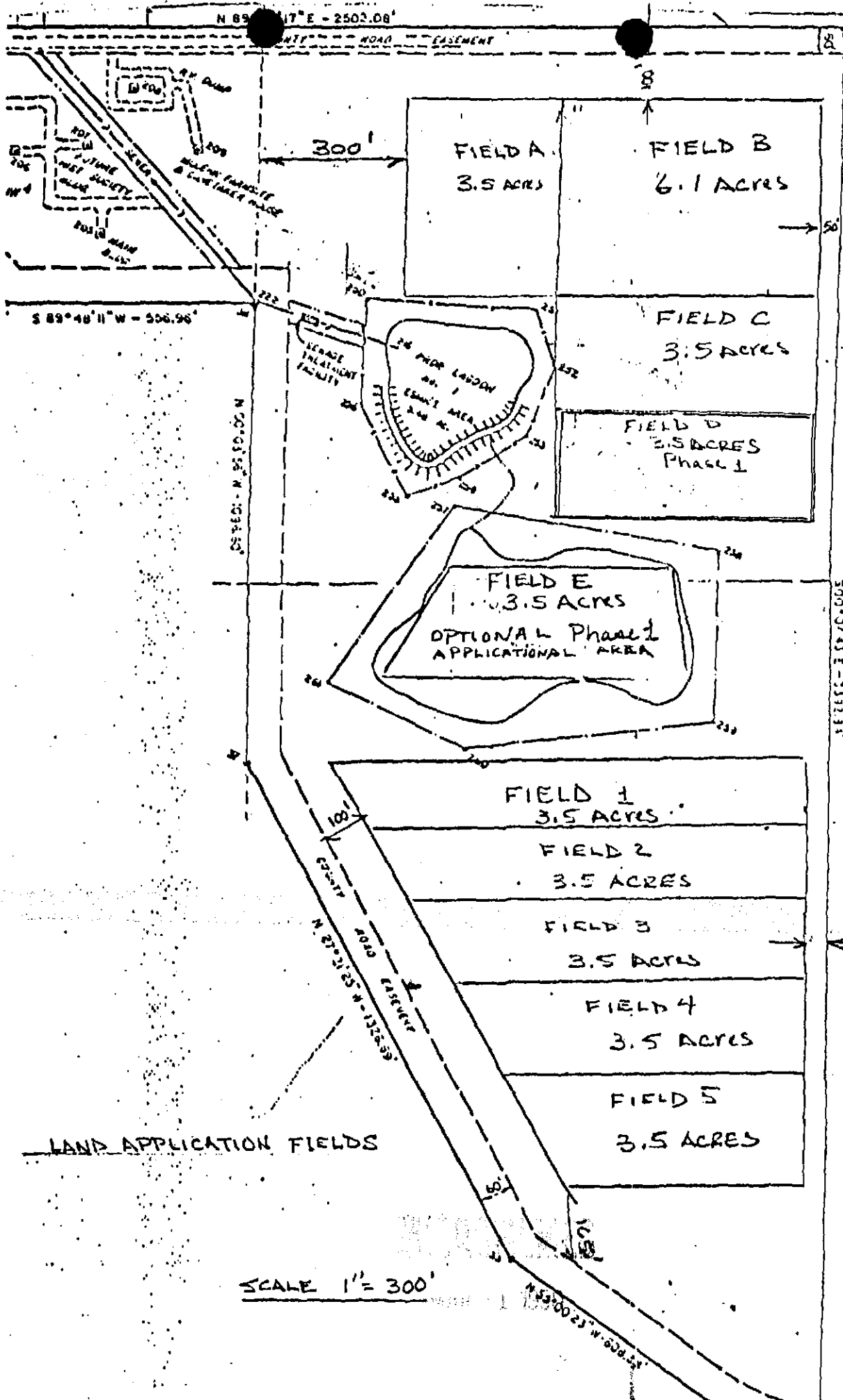

Gary R. Burkett, P.E.

GRB:mt
Enclosure

cc: Walt Bentzinger
Jerome Historical Society
P.O. Box 50
Jerome, Idaho 83338

MICROFILMED

MAR 31 1990



FROM

Tim Little

DATE 2-9-90

TO

File

SUBJECT

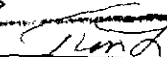
Swan Falls Processing

This permit has a 1983 priority & is eligible for receiving a first water questionnaire under the first mailing in 1990. Since we just recently sent a proof due notice, I feel it is better to delay sending first water correspondence until we receive a response to the proof due notice.

MICROFILMED

MAR 21 1990

IRRIGATION Component may meet or fall w/in DCM I non-consumptive use definition. MAY BE exempt from 42-203C Requirements


SIGNATURE

138104
January 31, 1990

DAVID MILLARD
KEITH SLIGAR
RONALD STANLEY
P.O. BOX 1724
TWIN FALLS, ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 36-08234

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

MAR 21 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
MAY 06, 1986

MILLARD, DAVID
BOX 1724
TWIN FALLS, ID 83301

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-8234

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR A FLOW MEASUREMENT PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE FLOW MEASUREMENT PORT.

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,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

DRT: SC
ENCLOSURES

APPROVED
MAY 10 1986

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

SLIGAR, Keith
MILLARD, David, STANLEY, Ronald

INITIAL REVIEW BY: T.G. Blau

APPLICATION NUMBER: 36-8234

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

- ☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

SEND COPIES TO:

- ☒ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: manya Date: 11/8/83

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. BB-23
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 12/5/85
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 12/5/85
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district?
☒ 10/26/83 Date of priority recommended.
Special conditions of approval or cover letter. 26, 32, OIC, O9E

app. not identified in S.F. suit

By: ADM Date: 1/8/86

STATE OFFICE REVIEW:

L03, L17 32 26 OIG 41

- ☐ See attached sheet for more information.

By: KW Date: 4/22/86

Department of Water Resources
Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application (s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-8234-

MILLARD, DAVID
STANLEY, RONALD
SLIGAR, KEITH

BOX 1724, TWIN FALLS, ID 83301

Source: GROUNDWATER

Date Filed: 10/26/1983

Diversion Pt: NWNW Sec 14 T 09S R 17E

Use: IRRIGATION	(0.28 CFS)
COMMERCIAL	(0.28 CFS)
DOMESTIC	(0.50 CFS)
RECREATION	(0.17 CFS)

In: NENW NWNW Sec 14 T 09S R 17E NENE Sec 15 T 09S R 17E FOR 14 ACRES

If issued the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 and received on or before December 15, 1985.

A. KENNETH DUNN
Director

Published North Side News Nov. ²⁶~~27~~, & Dec. 4, 1985.

*OK
macy
11/2/85*

36-8234

MILLARD, DAVID
STANLEY, RONALD
SLIGAR, KEITH
BOX 1724, TWIN FALLS, ID 83301
Source: GROUNDWATER
Date Filed: 10/26/1983
Diversion Pt: NWNW Sec 14 T 09S R

17E

Use: IRRIGATION (0.28 CFS)
COMMERCIAL (0.28 CFS)
DOMESTIC (0.50 CFS)
RECREATION (0.17 CFS)

In: NENW NWNW Sec 14 T 09S R
17E NENE Sec 15 T 09S R 17E FOR 14
ACRES

IDENT. NO. _____

WATER RIGHT
DATA ENTRY LOG

[illegible]