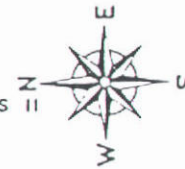


BIG LITTLE RANCHES UNIT THREE

A RESUBDIVISION & RENUMBERING OF A PORTION OF LOTS 11
thru 22 INCLUSIVE OF BLOCK 2 COUNTRY CLUB ESTATES
LOCATED IN
SECTION 16, T.9 S., R.17 E., B.M., JEROME COUNTY, IDAHO
1978

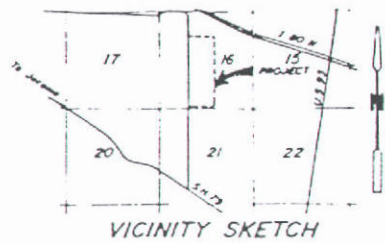


SCALE: 1" = 200'

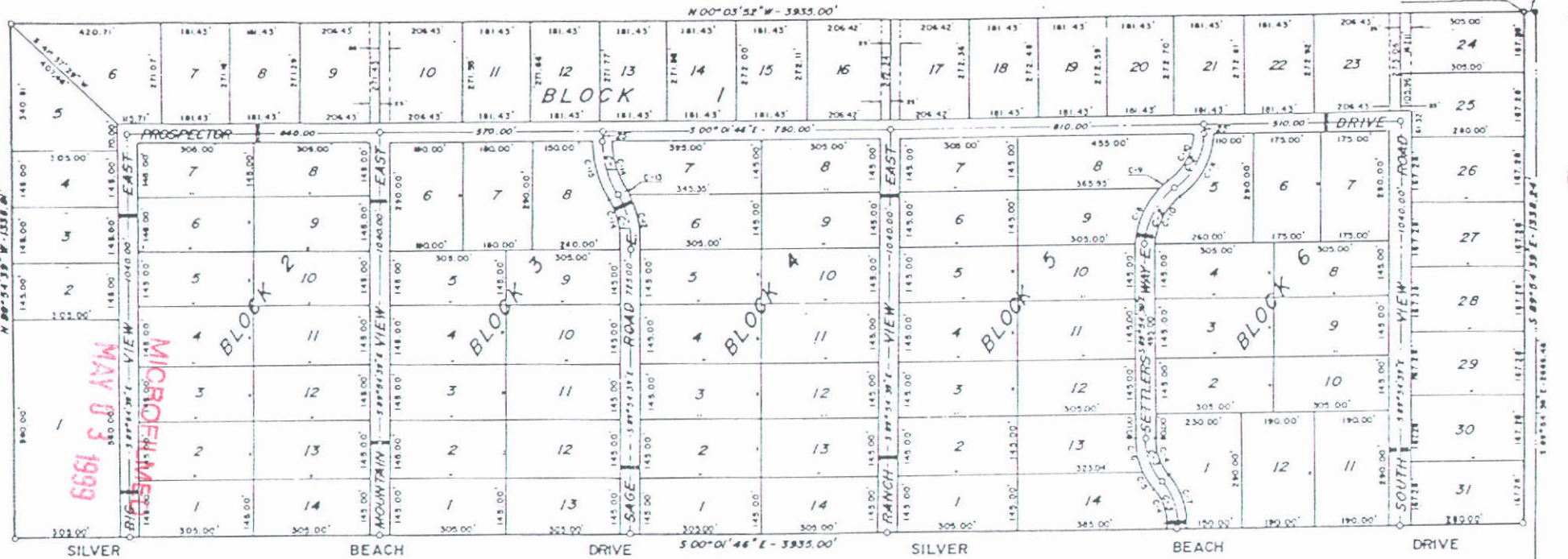
- Section Line
- Property Boundary Line
- Lot Line
- Centerline Road
- Roadway Easement
- Found Brass Cap
- INITIAL POINT - Set Brass Cap
- Set 3/8" x 30" Rebar
- Set 1/2" x 24" Rebar - All Lot Corners
- Found 5/8" Rebar

NOTE: Building Setbacks as per Jerome County Code.

INITIAL POINT



VICINITY SKETCH



CERTIFICATE OF OWNERS

This is to certify that the undersigned are the owners, or representatives of owners, in fee simple of the following described property, located in the W²S⁴, Section 16, Township 9 South, Range 17 East, Base Meridian, Jerome County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 16 from which the Northwest corner of said Section 16 bears N 00°00'21"E a distance of 5297.34'; Thence, S 89°54'39"E, 2666.48'; Thence, N 00°03'52"W, 25.00'; to the INITIAL POINT. Thence, N 00°03'52"W, 3935.00'; Thence, N 89°54'39"W, 1335.81'; Thence, S 00°01'46"E, 3935.00'; Thence, S 89°54'39"E, 1335.24'; to the INITIAL POINT. The gross area in this platted land as described is 120.78 acres.

That it is the intention of the undersigned to, and they do hereby include said land in the plat. The easements indicated on this plat are not dedicated to the public but the rights to use said easements are hereby perpetually reserved for public utilities and no structures other than for such utility purposes are to be erected within the lines of said easements.

That it is the intention of the undersigned to and they do hereby include said land in this plat; that the undersigned do by these presents grant, bargain, sell, convey, confirm and dedicate to the public, for public use forever, all streets and thoroughfares as shown on this plat.

RANCH DEVELOPMENT COMPANY

SILVER BEACH DEVELOPMENT INC.

R. Eugene Bosserman
Charles R. Bosserman
President
Secretary

ACKNOWLEDGEMENT

STATE OF IDAHO) ss
COUNTY OF JEROME)

On this 26 day of April, 1978, before me, the undersigned, a Notary Public in and for said State, personally appeared, R. Eugene Bosserman, Charles R. Bosserman, Harry F. LeMayne and Alice LeMayne, known to me to be the persons whose names are subscribed to the foregoing Certificate of Owners and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

Zella Mae Larson
Notary Public for the State of Idaho

COUNTY RECORDER'S CERTIFICATE

Instrument No. 23336

STATE OF IDAHO) ss
COUNTY OF JEROME)

This is to certify that the foregoing plat was filed for record in the office of the Recorder of Jerome County, Idaho on the 26 day of April, 1978, at 3:00 p.m., and duly record in plat book 5 of page 17.

CURVE DATA						
CURVE	DELTA	RAD.	ARC	CHORD	TAN.	LCB
C-1	54°16'05"	257.52	154.02'	151.73	79.39	N 72°30'47"
C-2	54°33'19"	177.75	103.80	103.38	54.03	N 62°35'40"W
C-3	54°08'52"	186.48	123.94	121.68	64.37	S 70°53'36"W
C-4	54°08'52"	186.48	123.94	121.68	64.37	N 70°53'36"E
C-5	10°24'46"	24.18	53.12	52.94	26.70	N 70°01'46"E
C-6	23°44'08"	24.18	87.48	84.84	44.38	N 70°04'15"E
C-7	30°08'52"	24.18	140.60	138.02	73.04	N 70°03'30"E
C-8	45°48'03"	202.25	157.41	157.41	93.94	S 67°02'00"E
C-9	08°05'16"	202.25	32.08	32.05	16.07	S 33°41'06"E
C-10	54°53'19"	152.25	143.84	140.34	79.07	S 64°15'40"E
C-11	54°53'19"	202.25	193.75	184.43	108.04	S 64°35'08"E
C-12	30°52'41"	282.52	152.21	150.45	78.05	N 70°53'30"E
C-13	05°23'16"	282.52	16.71	16.70	8.36	N 55°24'16"E
C-14	34°16'05"	232.52	139.07	137.00	71.68	N 72°30'47"E
C-15	34°16'05"	282.52	168.97	164.46	87.10	N 72°30'47"E

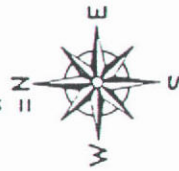
UTILITY EASEMENTS

10' Along Public Roadways
5' Along All Other Lot Lines

ENR

BIG LITTLE RANCHES UNIT THREE

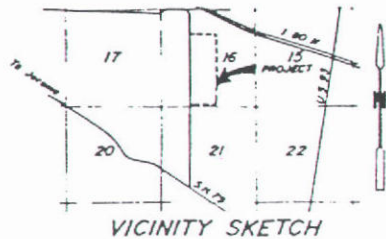
A RESUBDIVISION & RENUMBERING OF A PORTION OF LOTS II
thru 22 INCLUSIVE OF BLOCK 2 COUNTRY CLUB ESTATES
LOCATED IN
SECTION 16, T. 9 S., R. 17 E., B.M., JEROME COUNTY, IDAHO
1978



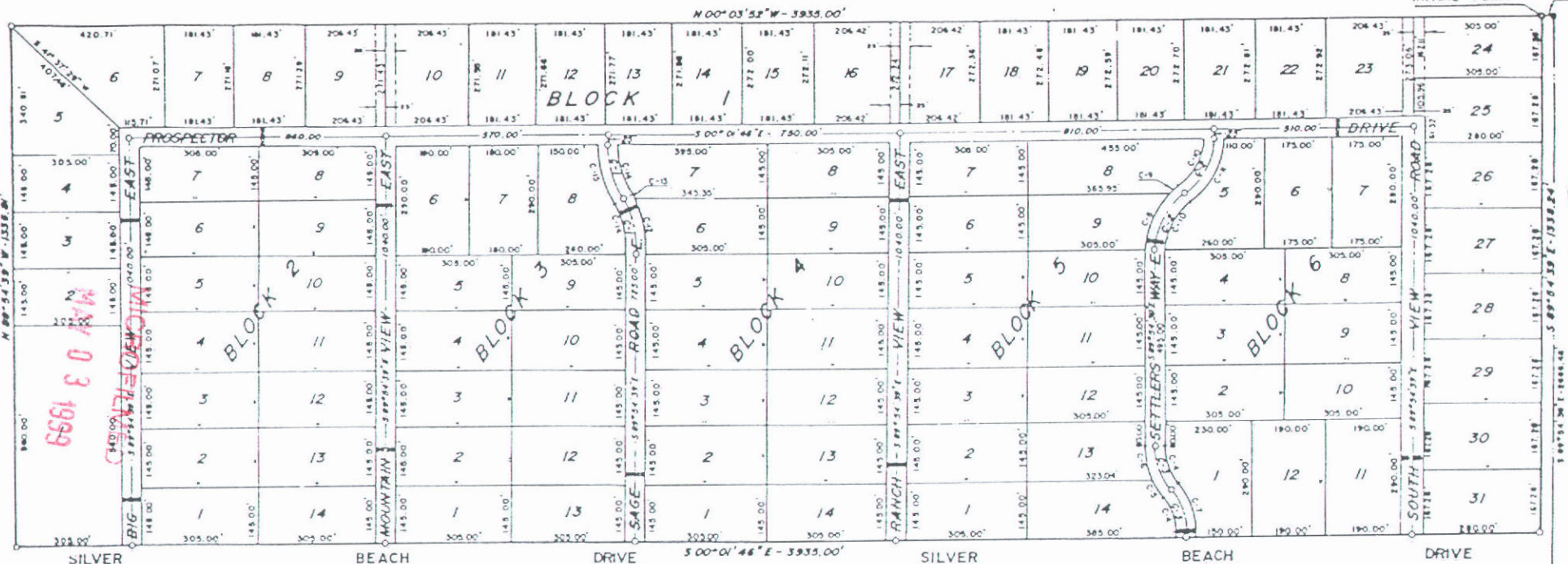
SCALE: 1" = 200'

- Section Line
- Property Boundary Line
- Lot Line
- Centerline Road
- Roadway Easement
- Found Brass Cap
- INITIAL POINT - Set Brass Cap
- Set 5/8" x 30" Rebar
- Set 1/2" x 24" Rebar - All Lot Corners
- Found 5/8" Rebar

NOTE: Building Setbacks as per Jerome County Code.
INITIAL POINT



VICINITY SKETCH



CERTIFICATE OF OWNERS

ACKNOWLEDGEMENT

This is to certify that the undersigned are the owners, or representatives of owners, in fee simple of the following described property, located in the W²S⁴, Section 16, Township 9 South, Range 17 East, Boise Meridian, Jerome County, Idaho; more particularly described as follows:

Commencing at the Southwest corner of said Section 16 from which the Northwest corner of said Section 16 bears N 00° 00' 21" E a distance of 5297.34'; Thence, S 89° 54' 39" E, 2666.48'; Thence, N 00° 03' 52" W, 25.00'; to the INITIAL POINT.

Thence, N 00° 03' 52" W, 3935.00'

Thence, N 89° 54' 39" W, 1335.81'

Thence, S 00° 01' 46" E, 3935.00'

Thence, S 89° 54' 39" E, 1338.24', to the INITIAL POINT. The gross area in this platted land as described is 12078 acres.

That it is the intention of the undersigned to, and they do hereby include said land in this plat. The easements indicated on this plat are not dedicated to the public but the rights to use said easements are hereby perpetually reserved for public utilities and no structures other than for such utility purposes are to be erected within the lines of said easements.

That it is the intention of the undersigned to and they do hereby include said land in this plat; that the undersigned do by these presents grant, bargain, sell, convey, confirm and dedicate to the public, for public use forever, all streets and thoroughfares as shown on this plat.

RANCH DEVELOPMENT COMPANY

SILVER BEACH DEVELOPMENT INC.

R. Eugene Bosserman
Charles R. Bosserman
President
Secretary

STATE OF IDAHO
COUNTY OF JEROME

On this 26 day of April, 1978, before me, the undersigned, a Notary Public in and for said State, personally appeared, R. Eugene Bosserman, Charles R. Bosserman, Harry F. LeMayne, known to me to be the persons whose names are subscribed to the foregoing Certificate of Owners and acknowledged to me that executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year in this certificate first above written.

Julia Mae Foster
Notary Public for the State of Idaho

COUNTY RECORDER'S CERTIFICATE

STATE OF IDAHO
COUNTY OF JEROME

This is to certify that the foregoing plat was filed for record in the office of the Recorder of Jerome County, Idaho on the 26 day of April, 1978, at 1:24 p.m., and duly recorded in plat book 5 at page 17.

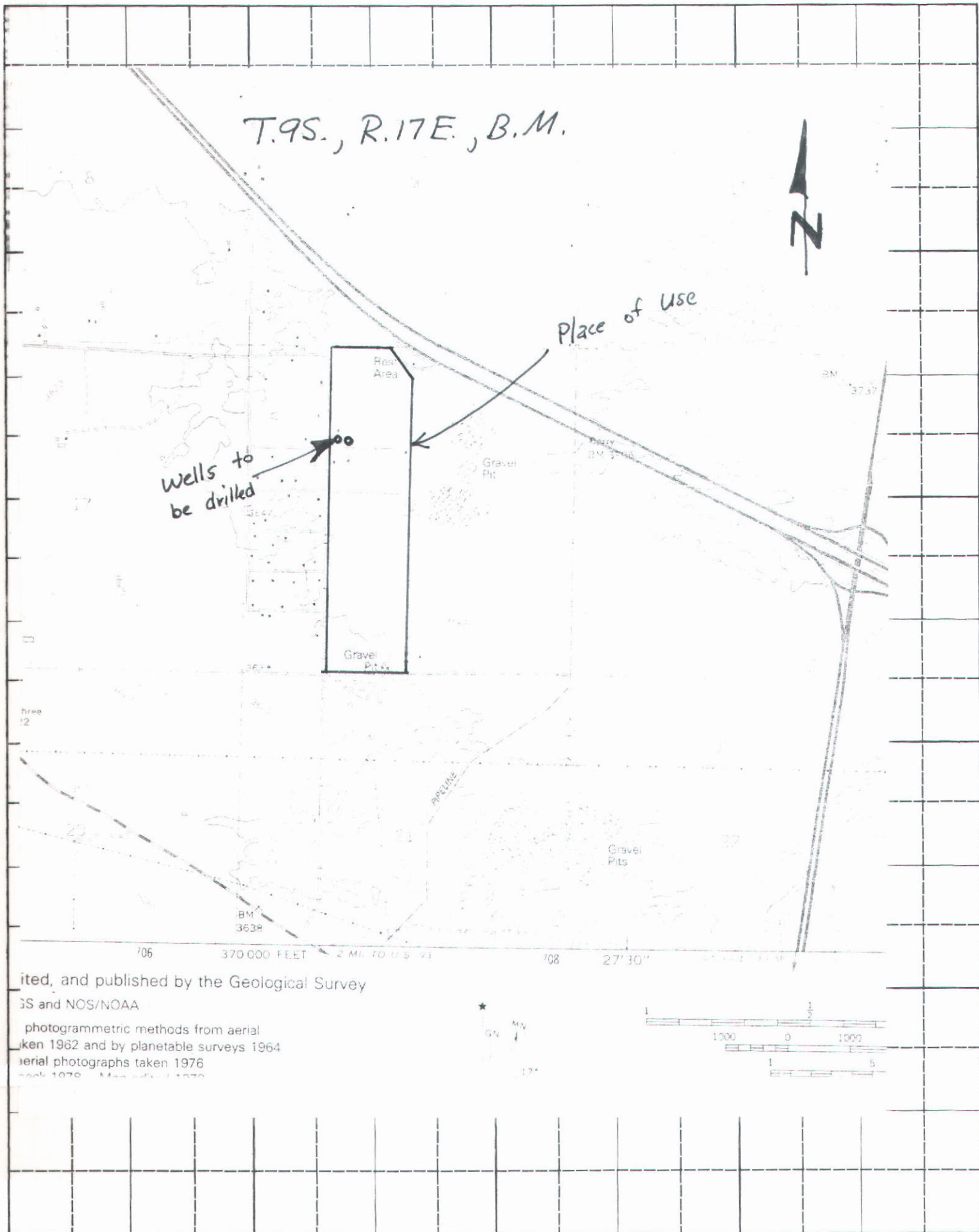
CURVE DATA					
CURVE	DELTA	RAD.	ARC	CHORD	TAN.
C-1	34° 16' 05"	257.52	154.02	151.73	79.33'
C-2	54° 33' 19"	177.75	103.80	63.30	96.05'
C-3	34° 08' 32"	186.18	123.94	121.68	64.37'
C-4	34° 08' 32"	186.18	123.94	121.68	64.37'
C-5	14° 24' 46"	211.18	53.12	52.98	26.70'
C-6	25° 44' 08"	211.18	87.48	86.86	44.36'
C-7	34° 08' 32"	211.18	140.60	138.05	73.02'
C-8	45° 48' 03"	202.25	101.64	157.41	83.44'
C-9	09° 05' 16"	202.25	32.08	32.05	16.07'
C-10	54° 33' 19"	152.25	143.84	140.34	79.07'
C-11	54° 33' 19"	202.25	183.75	186.43	108.04'
C-12	30° 52' 47"	282.52	152.21	150.45	78.05'
C-13	03° 23' 16"	282.52	16.71	16.70	8.36'
C-14	34° 16' 05"	257.52	154.02	151.73	79.33'
C-15	34° 16' 05"	282.52	162.97	164.46	87.10'

UTILITY EASEMENTS

- 10' Along Public Roadways
- 5' Along All Other Lot Lines



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



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.

John J. [Signature]
(Applicant)

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 consecu-
tive 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 two consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication
of said advertisement was on the 8th day of July
19 82, and the date of the last publication was on the 15th
day of July, 19 82

L. L. Langdon

Subscribed and sworn to before me this 16th
day of July, 19 82.
(SEAL)

Darla Bratt

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____ 13
Number of Lines in Notice _____
Number of Insertions _____ 2
Lines tabular at _____ 4¢ / Pica
44 Lines straight at 17.16 3¢ / Pica
44 Subsequent lines at 11.44 2¢ / Pica
TOTAL COST 28.60

COPY OF NOTICE

(Paste Here)

#36-8090-Bosserman
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILLO

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:

36-8090

BOSSERMAN, GENE
DBA RANCH DEVELOPMENT CO.,
RT. 3, JEROME, ID 83338
Source: GROUNDWATER
Date Filed: 06/16/1982
Amount: 1.16 CFS
Diversion Point: SENW Sec 16 T 096
R 17E, Jerome Co.

Use:

IRRIGATION (0.64 CFS) from 03/15
to 11/15

STOCKWATER (0.02 CFS) from
01/01 to 12/31

DOMESTIC (0.50 CFS) from 01/01 to
12/31

FIRE PROTECTION (1.16 CFS) from
01/01 to 12/31

Place of Use: NENW, SENW NESW
SESW Sec 16 T 095 R 17E FOR 32
ACRES

Diversion Means: WELL, PUMP,
PIPELINE

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. Nor-
th, Twin Falls, Idaho 83301 and receiv-
ed on or before JULY 26, 1982.

A. KENNETH DUNN
Director
7-8-2tc

IN

JUL 19 1982

Department of Water Resources
Twin Falls District Office

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 Two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 22nd day of July 1982 and the date of the last publication was on the 29th day of July, 1982

L. L. Langdon

Subscribed and sworn to before me this 3rd day of August, 1982.
(SEAL)

Darla Bratt
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 44
Number of Insertions 2
Lines tabular at 44 4c / Pica
Lines straight at 17.16 3c / Pica
Subsequent lines at 11.44 2c / Pica
TOTAL COST 28.60

COPY OF NOTICE

(Paste Here)

#36-8090 Bosserman
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho.

36-8090

BOSSERMAN, GENE, DBA RANCH DEVELOPMENT CO., RT. 3, JEROME, ID 83338

Source: GROUNDWATER

Date Filed: 06/16/1982

Amount: 1.16 CFS

Diversion Point: SENW Sec 16 T 09S R 17E, JEROME Co.

Use: IRRIGATION (0.64 CFS) from 03/15 to 11/15

STOCKWATER (0.02 CFS) from 01/01 to 12/31

DOMESTIC (0.50 CFS) from 01/01 to 12/31

FIRE PROTECTION (1.16 CFS) from 01/01 to 12/31

Place of Use: NENW SENW NESW SESW Sec 16 T 09S R 17E FOR 32 ACRES

Diversion Means: WELL, PUMP, PIPELINE

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before August 9, 1982.

A. KENNETH DUNN
Director
7-22-2tc

RECEIVED
JUN 21 1982

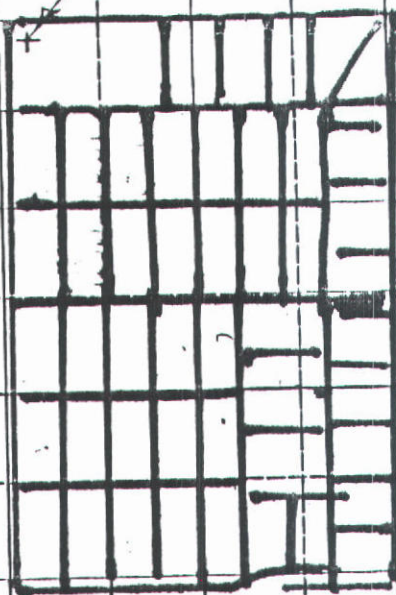
ALG 4 1002

Department of Water Resources
Southern District Office

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

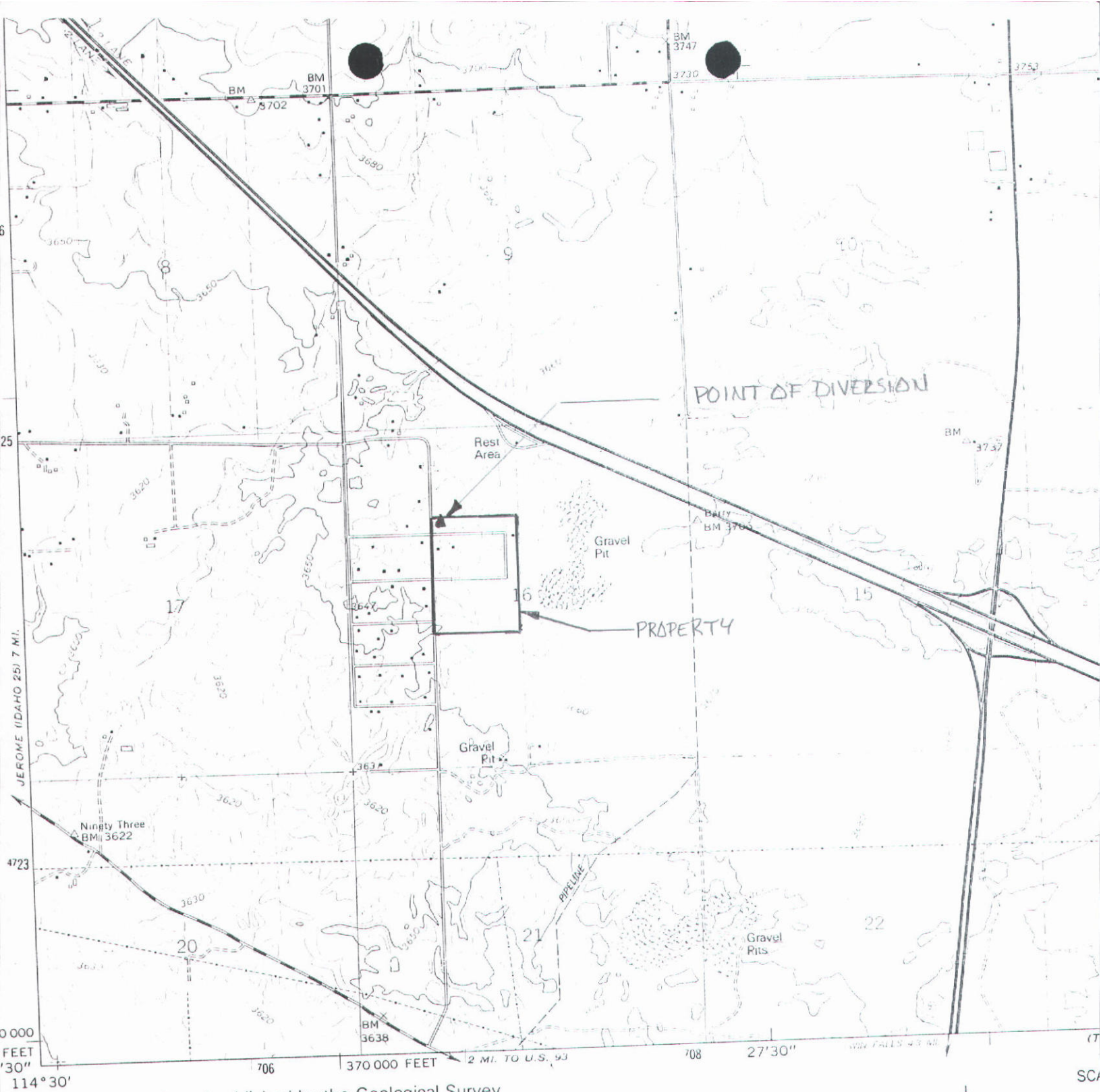
SEC 16

POINT OF DIVERSION



Scale: 2 inches equal 1 mile.

RECEIVED
AUG 09 1994



Mapped, edited, and published by the Geological Survey

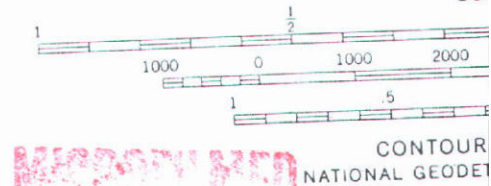
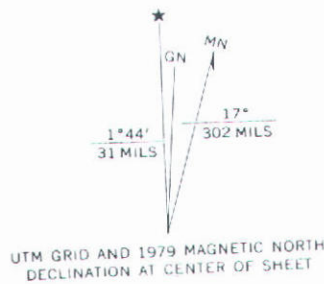
Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial photographs taken 1962 and by planetable surveys 1964
Revised from aerial photographs taken 1976
Limited field check 1978. Map edited 1979

Polyconic projection. 1927 North American Datum
10,000-foot grid based on Idaho coordinate system, central zone
1000-meter Universal Transverse Mercator grid ticks, zone 11, shown in blue

To place on the predicted North American Datum 1983
move the projection lines 14 meters north and
72 meters east as shown by dashed corner ticks

Fine red dashed lines indicate selected fence lines



AUG 09 1994

THIS MAP COMPLIES WITH
FOR SALE BY U. S. GEOLOGICAL SURVEY, [unclear]
A FOLDER DESCRIBING TOPOGRAPHY

ORIGINAL

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 19 1999

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern RegionPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 36-08090
Adjudication Claim No(s).: N/A
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: DEVCO, L.L.C.
PO BOX 448
JEROME, ID 83338
4. New Owner/Claimant(s): UNIT #3 WATERUSERS ASSOCIATION
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address: ~~245 Big View East~~
City, State and ZIP Code: JEROME, ID 83338
New Telephone Number: (208) 324-8933
5. Date you acquired the property: APRIL 15, 1999
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. N/A
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): *[Signature]* President
Benjamin V. Saitlith SECRETARY
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICROFILMED
APR 21 1999

991966

RECORDED AT THE REQUEST
Unit 3 water Assoc.
PR 16 1 38 PM '99
JEROME COUNTY, IDAHO
ES. 109 DEP *BD*

QUITCLAIM DEED

FOR VALUE RECEIVED, DEVCO, L.L.C., an Idaho Limited Liability Company, hereinafter called the "Grantor", hereby remises, releases, and forever quitclaims unto **UNIT #3 WATERUSERS ASSOCIATION**, a non-profit organization, whose address is: c/o Rex Minchey, 2405 Ranchview East, Jerome, Idaho 83338, hereinafter called the "Grantee", the following described premises, in Jerome County, Idaho, to-wit:

Lots 1, Block 1 of the Big Little Ranches Unit Three Subdivision according to the official plat thereof, record of Jerome County, Idaho.

TO HAVE AND TO HOLD the premises, with their appurtenances unto the Grantee, its successors, heirs and assigns forever.

DATED this 15th day of April, 1999.

"GRANTOR"

DEVCO, L.L.C.

H. Warren Barry
By: H. Warren Barry
Its: Vice-President

Wayne Carlton
By: Wayne Carlton
Its: Secretary/Treasurer

STATE OF IDAHO)
ss:
County of JEROME)

On this 15th day of APRIL, 1999, before me, the undersigned, a Notary Public in and for said County and State, personally appeared H. Warren Barry, Vice-President of DEVCO, L.L.C., known to me to be the officer of said Limited Liability Company, and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of said Limited Liability Company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.



Brenda S. Butler
NOTARY PUBLIC for Idaho
Residing at: Bozeman
Commission Expires: 3/5/2004

QUITCLAIM DEED

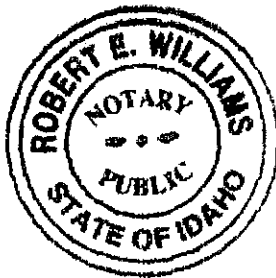
STATE OF IDAHO)

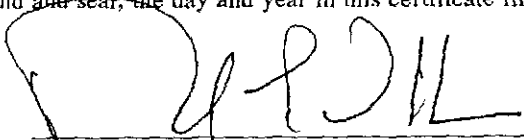
County of Terna)

ss:

On this 15th day of April, 1999, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Wayne Carlton, Secretary/Treasurer of DEVCO, L.L.C., known to me to be the officer of said Limited Liability Company, and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of said Limited Liability Company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.




NOTARY PUBLIC for Idaho

Residing at: Terna

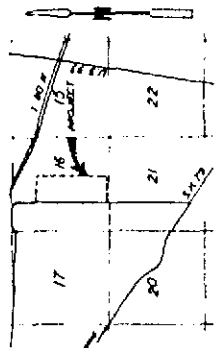
Commission Expires: ~~1/27/05~~ 1/27/05

QUITCLAIM DEED

C:\bsbDocs\Data\Devco\Unit3.qcd.wpd

MICROFILMED

APR 21 1999



BIG LITTLE RANCHES UNIT THREE

A RESUBDIVISION & RENUMBERING OF A PORTION OF LOTS 11
THRU 22 INCLUSIVE OF BLOCK 2 COUNTRY CLUB ESTATES
LOCATED IN

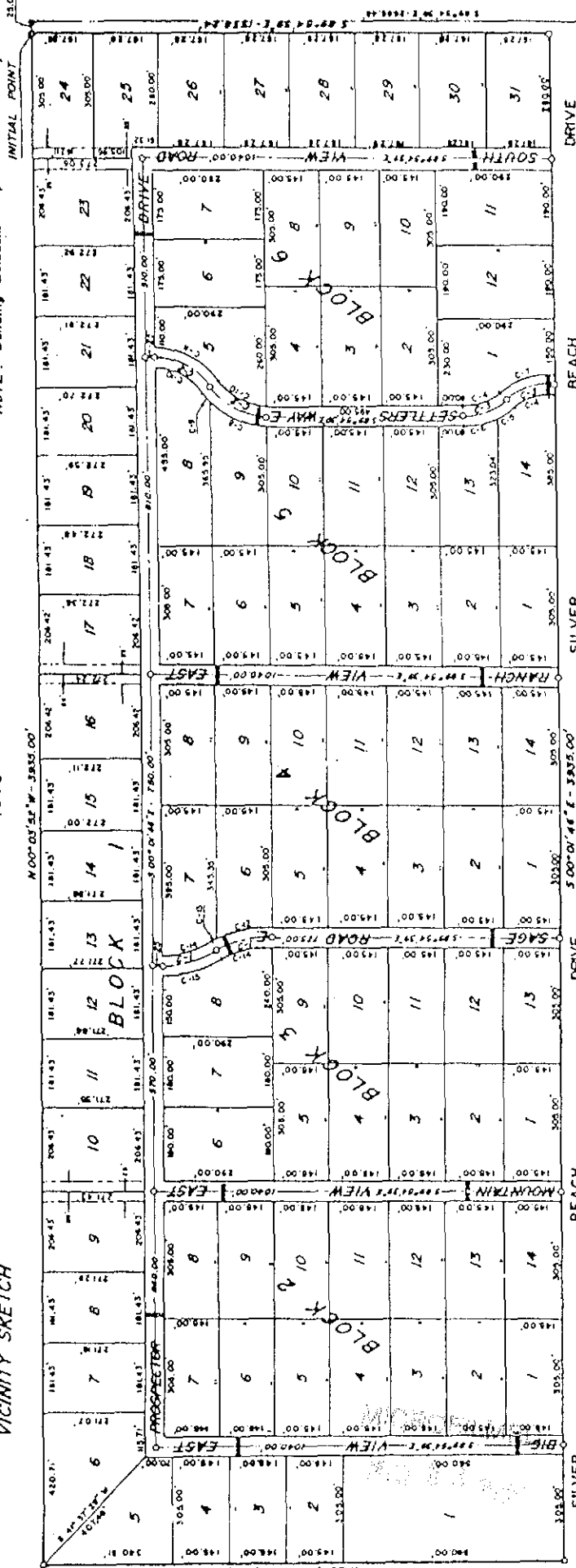
SECTION 16, T. 9 S., R. 17 E. B.M., JEROME COUNTY, IDAHO

1978

SCALE: 1"=200'

NOTE: Building Setbacks as per Jerome County Code

- Section Line
- Property Boundary Line
- Lot Line
- Centerline Road
- Roadway Easement
- Found Brass Cap
- INITIAL POINT - Set Brass Cap
- Set 5/8" x 30" Rebar
- Set 1/2" x 24" Rebar - All Lot Corners
- Found 5/8" Rebar



CERTIFICATE OF OWNERS

This is to certify that the undersigned are the owners, or representatives of owners, in the whole of the following described property, located in the W. 34th, Section 16, Township 9 South, Range 17 East, Boise Meridian, Jerome County, Idaho; more particularly described as follows:

Commencing at the Southeast corner of said Section 16 from which the Northwest corner of said Section 16 bears N 00° 00' 21" E a distance of 329.34'; Thence, S 89° 54' 39" E, 2666.48'; Thence, N 00° 03' 52" W, 25.00'; to the INITIAL POINT; Thence, N 00° 03' 52" W, 3835.00'; Thence, N 89° 54' 39" W, 1535.81'; Thence, S 00° 01' 46" E, 3935.00'; Thence, S 89° 54' 39" E, 1535.24'; to the INITIAL POINT. The gross area in this parcel land as described is 120.78 acres.

That it is the intention of the undersigned to, and they do hereby include said land as the plot. The easements indicated on this plot are not dedicated to the public but the rights to use said easements are hereby perpetually reserved for public utilities and no structures other than for such utility purposes are to be erected within the lines of said easements.

That it is the intention of the undersigned to and they do hereby include said land in this plat; that the undersigned do by these presents grant, bargain, sell, convey, confirm and dedicate to the public, for public use forever, all streets and thoroughfares as shown on this plat.

RANCH DEVELOPMENT COMPANY
SILVER BEACH DEVELOPMENT INC. Secretary: *Charles R. Basserman*

ACKNOWLEDGEMENT

STATE OF IDAHO
COUNTY OF JEROME

On this 24 day of April, 1978, before me, the undersigned, a Notary Public in and for said State, personally appeared, R. Eugene Basserman, Charles R. Basserman, Harry F. LeMayne and Alice LeMayne, known to me to be the persons whose names are subscribed to the foregoing Certificate of Owners and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the day and year in this certificate first above written.

Yellow Mas Lander
Notary Public for the State of Idaho

COUNTY RECORDERS CERTIFICATE

STATE OF IDAHO
COUNTY OF JEROME

This is to certify that the foregoing plat was filed for record in the office of the Recorder of Jerome County, Idaho on the 24th day of April, 1978, at 3:01 p.m., and duly signed in part by *Yellow Mas Lander* at noon of 17 April, 1978.

CURVE	DATA	CURVE DATA	ARC	CHORD	AREA	LCB
C-1	54° 40' 01"	257.52	147.00	131.73	79.37	17700-72
C-2	54° 40' 34"	177.25	49.80	41.30	46.03	84730-07
C-3	54° 40' 34"	44.40	12.34	10.48	4.87	370533-74
C-4	54° 40' 34"	44.40	12.34	10.48	4.87	470533-74
C-5	54° 40' 34"	44.40	12.34	10.48	4.87	570533-74
C-6	54° 40' 34"	44.40	12.34	10.48	4.87	670533-74
C-7	54° 40' 34"	44.40	12.34	10.48	4.87	770533-74
C-8	54° 40' 34"	44.40	12.34	10.48	4.87	870533-74
C-9	54° 40' 34"	44.40	12.34	10.48	4.87	970533-74
C-10	54° 40' 34"	44.40	12.34	10.48	4.87	1070533-74
C-11	54° 40' 34"	44.40	12.34	10.48	4.87	1170533-74
C-12	54° 40' 34"	44.40	12.34	10.48	4.87	1270533-74
C-13	54° 40' 34"	44.40	12.34	10.48	4.87	1370533-74
C-14	54° 40' 34"	44.40	12.34	10.48	4.87	1470533-74
C-15	54° 40' 34"	44.40	12.34	10.48	4.87	1570533-74
C-16	54° 40' 34"	44.40	12.34	10.48	4.87	1670533-74
C-17	54° 40' 34"	44.40	12.34	10.48	4.87	1770533-74
C-18	54° 40' 34"	44.40	12.34	10.48	4.87	1870533-74
C-19	54° 40' 34"	44.40	12.34	10.48	4.87	1970533-74
C-20	54° 40' 34"	44.40	12.34	10.48	4.87	2070533-74
C-21	54° 40' 34"	44.40	12.34	10.48	4.87	2170533-74
C-22	54° 40' 34"	44.40	12.34	10.48	4.87	2270533-74
C-23	54° 40' 34"	44.40	12.34	10.48	4.87	2370533-74
C-24	54° 40' 34"	44.40	12.34	10.48	4.87	2470533-74
C-25	54° 40' 34"	44.40	12.34	10.48	4.87	2570533-74
C-26	54° 40' 34"	44.40	12.34	10.48	4.87	2670533-74
C-27	54° 40' 34"	44.40	12.34	10.48	4.87	2770533-74
C-28	54° 40' 34"	44.40	12.34	10.48	4.87	2870533-74
C-29	54° 40' 34"	44.40	12.34	10.48	4.87	2970533-74
C-30	54° 40' 34"	44.40	12.34	10.48	4.87	3070533-74
C-31	54° 40' 34"	44.40	12.34	10.48	4.87	3170533-74

UTILITY EASEMENTS
5' Along All Other Lot Lines

NO#

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

VOLCO, INC., an Idaho Corporation

a corporation duly organized and existing under the laws of the State of Idaho, GRANTOR, does hereby grant, bargain, sell and convey unto

DEVCO, L.L.C.

GRANTEE, the following described real estate, to-wit:

Lot 1 of Block 1 of the Amended Plat of Big Little Ranches Unit Three, Jerome County, Idaho, said plat recorded May 3, 1978 as Instrument Number 233296, Jerome County Records.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said GRANTEE, and the successors and assigns of the GRANTEE forever, except as aforesaid.

IN WITNESS WHEREOF, The GRANTOR, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 10th day of August, 1995.

BY: [Signature]

PRESIDENT

ATTEST: [Signature]

SECRETARY

STATE OF IDAHO)

) ss.

COUNTY OF Jerome)

On this 10th day of August, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared V. E. Camozzi and Wayne D. Carlton, known or identified to me to be the President and Secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

[Signature]
Notary Public
Residing at:
My Commission expires:

BECKY SHUBERT
★ NOTARY PUBLIC ★
STATE OF IDAHO

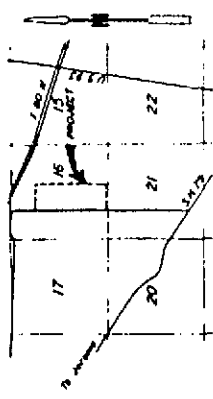
FILED AT JEROME, ID
MY COMMISSION EXPIRES 02-05-99

MICROFILMED

MAY 03 1999

REC'D
Fond Title & Escrow, Inc.
Aug 10 4 23 PM '95
JEROME COUNTY IDAHO
FEES: 3.00 DEP. [Signature]

953224



BIG LITTLE RANCHES

UNIT THREE

A RESUBDIVISION & RENUMBERING OF A PORTION OF LOTS 11 THRU 22 INCLUSIVE OF BLOCK 2 COUNTRY CLUB ESTATES

LOCATED IN

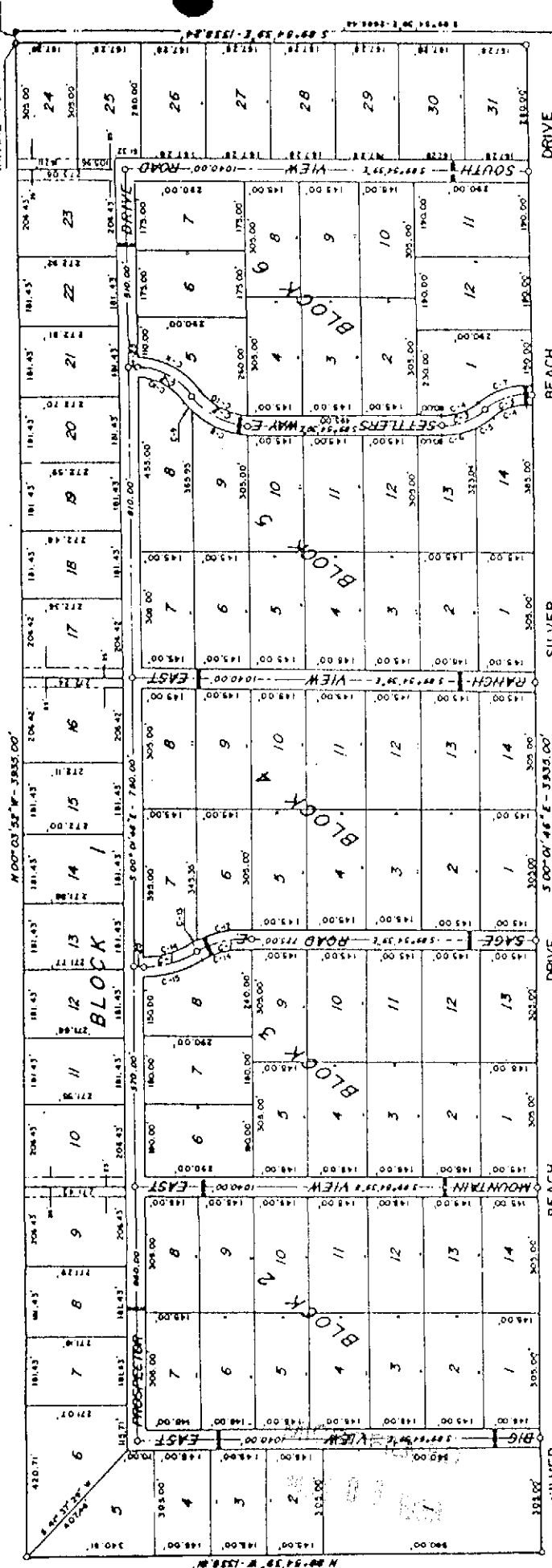
SECTION 16, T. 9 S., R. 17 E., B.M., JEROME COUNTY, IDAHO

1978

- Section Line
- Property Boundary Line
- Lot Line
- Centerline
- Road
- Right-of-Way
- Found Brass Cap
- INITIAL POINT - Set Brass Cap
- Set 3/8" x 30" Rebar
- Set 1/2" x 24" Rebar - All Lot Corners
- Found 3/8" Rebar

SCALE: 1" = 200'

NOTE: Building Setbacks as per Jerome County Code



CERTIFICATE OF OWNERS

This is to certify that the undersigned are the owners, or representatives of owner, in the simple of the following described property, located in the 1/4 Sec. 16, Township 9 South, Range 17 East, Boise Meridian, Jerome County, Idaho; more particularly described as follows:

Commencing at the Southwest corner of said Section 16 from which the Northwest corner of said Section 16 bears N 00°00'00" E a distance of 5297.34'; Thence, S 89°54'39" E, 2666.48'; Thence, N 00°03'52" W, 23.00'; to the INITIAL POINT.

Thence, N 00°03'52" W, 3833.00'; Thence, N 89°54'39" E, 1338.24'; to the INITIAL POINT. The gross area in this plat is as described is 120.78 acres.

That it is the intention of the undersigned, and they do hereby include said land in this plat. The easements indicated in this plat are not dedicated to the public but the rights to use said easements are hereby perpetually reserved for public utilities and no structures other than for such utility purposes are to be erected within the lines of said easements.

That it is the intention of the undersigned to and they do hereby include said land in this plat; that the undersigned do by these presents grant, bargain, sell, convey, confirm and warrant to the public, for public use, all streets and easements as shown on this plat.

R. Eugene Basserman, President, Silver Beach Development Company

SILVER BEACH DEVELOPMENT INC.

ACKNOWLEDGEMENT

STATE OF IDAHO
COUNTY OF JEROME

On this 26 day of April, 1978, before me, the undersigned, a Notary Public in and for said State, personally appeared, R. Eugene Basserman, Charman R. Basserman, Harry F. LeMone and Alice LeMone, known to me to be the persons whose names are subscribed to the foregoing Certificate of Owners and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

Notary Public for the State of Idaho

COUNTY RECORDERS CERTIFICATE

STATE OF IDAHO
COUNTY OF JEROME

This is to certify that the foregoing plat was filed for record in the Recorder of Jerome County, Idaho on the 17th day of May, 1978, at 10:11 A.M., and duly recorded in plat book 35 at page 17.

Recorder

CURVE	DELTA	ARC	CHORD	DATA	LEB
C-1	34°4'03"	217.52	131.73	78.78	177°00'00"
C-2	34°4'03"	177.52	103.43	78.78	177°00'00"
C-3	34°4'03"	103.43	68.37	50°53'39"	177°00'00"
C-4	34°4'03"	68.37	45.34	50°53'39"	177°00'00"
C-5	34°4'03"	45.34	30.23	50°53'39"	177°00'00"
C-6	34°4'03"	30.23	20.15	50°53'39"	177°00'00"
C-7	34°4'03"	20.15	13.43	50°53'39"	177°00'00"
C-8	34°4'03"	13.43	8.94	50°53'39"	177°00'00"
C-9	34°4'03"	8.94	5.95	50°53'39"	177°00'00"
C-10	34°4'03"	5.95	3.96	50°53'39"	177°00'00"
C-11	34°4'03"	3.96	2.64	50°53'39"	177°00'00"
C-12	34°4'03"	2.64	1.76	50°53'39"	177°00'00"
C-13	34°4'03"	1.76	1.17	50°53'39"	177°00'00"
C-14	34°4'03"	1.17	.78	50°53'39"	177°00'00"
C-15	34°4'03"	.78	.52	50°53'39"	177°00'00"
C-16	34°4'03"	.52	.34	50°53'39"	177°00'00"
C-17	34°4'03"	.34	.23	50°53'39"	177°00'00"
C-18	34°4'03"	.23	.15	50°53'39"	177°00'00"
C-19	34°4'03"	.15	.10	50°53'39"	177°00'00"
C-20	34°4'03"	.10	.07	50°53'39"	177°00'00"
C-21	34°4'03"	.07	.04	50°53'39"	177°00'00"
C-22	34°4'03"	.04	.03	50°53'39"	177°00'00"
C-23	34°4'03"	.03	.02	50°53'39"	177°00'00"
C-24	34°4'03"	.02	.01	50°53'39"	177°00'00"
C-25	34°4'03"	.01	.00	50°53'39"	177°00'00"

UTILITY EASEMENTS
10' Along Public Roadways
5' Along All Other Lot Lines

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08090

Priority: June 16, 1982

Maximum Diversion Rate: 0.51 CFS
Maximum Diversion Volume: 125.2 AF

This is to certify, that VOLCO INC
PO BOX 448

JEROME ID 83338 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 16, 1982; and has submitted Proof of Beneficial Use on October 4, 1993. An examination indicates that the works have a diversion capacity of .510 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.48 CFS	96.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.4 AF
DOMESTIC	01/01 to 12/31	0.33 CFS	28.8 AF
FIRE PROTECTION	01/01 to 12/31	0.51 CFS	
	Totals	0.51 CFS	125.2 AF

LOCATION OF POINT(S) OF DIVERSION: NWSENW , Sec. 16, Township 09S, Range 17E
JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	17E	16	SENW 15.5	NESW 8.5		24

Total number of acres irrigated: 24

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

PLACE OF USE:

FIRE PROTECTION, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

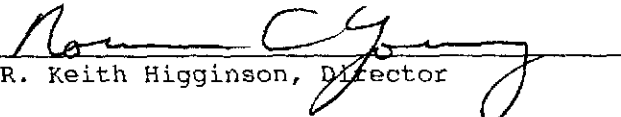
WATER RIGHT NO. 36-08090

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Point of diversion is located within Lot 1, Blk, 1 Big Little Ranch Unit 3 Subdivision.
7. Place of use is located within Lots 1-14, Blk. 1, Lots 1-14, Blk. 2, Lots 1-13, Blk. 3, and Lots 1-7, Blk. 4, Big Little Ranch Unit 3 Subdivision.
8. Domestic use is for 48 homes.
9. Stockwater use is for 25 range cattle.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 22nd day of July, 1994.

Acting for


R. Keith Higginson, Director

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	36-8090	Bosserman, Gene dba Ranch Development Co.	1.16
Full Assignment	36-8090	VOLCO, Inc.	1.16

RECEIVED

NAME

RECEIVED

OCT 04 1993

OFFICE USE ONLY

Amt. of Fee \$ 94
Date _____
Receipt No. _____
Receipt by _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 36-08090 Telephone No. 208-324-8161
2. Name(s) of Permit Holder(s): Volco Inc. c/o Vic Camozzi
3. Mailing Address: PO Box 488, Jerome, ID 83338
4. Source of Water: Groundwater

If **GROUNDWATER**, Well Driller's Name: Unknown Date Drilled: Unknown

OPTIONAL:

Pump horsepower: 20 Pressure (psi): 65 Dynamic pumping level (ft.): 130

*prior to 11/87
pump info*

5. Extent of Use (as authorized by the permit):

Domestic 48 (No. of households) Stockwater 0.02 cfs 200 cattle (No. and type of stock)
Irrigation 32 (No. of acres) Other Fire Protection 1.16cfs

6. Total rate and/or volume for which proof is submitted 0.51 cfs OR _____ acre/feet

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

Measuring device: Required? ☐ Yes ☐ No Installed? ☒ Yes ☐ No

OR

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

8. Fee Enclosed: \$ _____ (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Gerald Martens 208-734-4888
Name Telephone No.
1139 Falls Ave. E. Suite B, Twin Falls, ID 83301
Address

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

9/30/93 [Signature]
Date Signature (and title, if on behalf of a company or organization)

IN THE MATTER OF PERMIT NO. 36-08090) ORDER EXTENDING
) PROOF OF
IN THE NAME OF VOLCO INC) BENEFICIAL USE
)

WHEREAS, notice was not given to the permit holder sixty days prior to the date that proof of beneficial use of water was due as required by Section 42-204, Idaho Code;

Dated this 13th day of August, 1993.

100-1355

Form 204
11-91

RECEIVED

DEC 11 1992

For Office Use Only
\$15 Fee Received by
Date 12-14-92
Receipt No. 00262100

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

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

Permit No. 36-08890

Name(s) of Permit Holder: Volvo Inc.

Mailing Address: PO Box 488 Jerome, ID 83338

Date Proof is Due February 1993

Telephone No. 734-4888

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".)

Well drilled, Pump in and operational, IDHWDBQ Plans and

Specifications for a Public Drinking Water System approved.

Costing \$ 15,000

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

Delays caused by the State of Idaho in reviewing Plans and

Specifications.

Permit holder(s) request an extension to November 1, 1993

FEE: \$15.00

(Signature)

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 November 1, 1993.

Signed this 15th day December, 1992

Chief, Water Allocation Bureau

JAN 27 1993

Form 204
RECEIVED
FEB 7 1992
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by:
Date: 2-7-92
Receipt # 002860

REQUEST FOR EXTENSION OF TIME

**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. 36-8090

Name(s) of Permit Holder: VOLCO, INC., an Idaho Corp. and DEVELOPMENT ENTERPRISES, LTD.,
an Idaho Ltd. partnership

Post Office Address: P. O. Box 448

Jerome, Idaho 83338 Telephone No. (208) 324-8161

Date Proof is Due: February 1, 1992

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

retained to test the capacity of the well. The testing was completed
during the summer of 1991. The capacity of the well was determined to
be 200 gallons per minute, costing \$2,000.

Costing \$ 2,000.

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:
As previously stated to the Commission, the substantial administrative proceedings initiated by the Idaho State Dept. of Health & Welfare regarding an adjacent domestic water system of which the present well would be a part, created substantial initial delays. More recently the dismal market for housing in Jerome County made it economically unfeasible to press forward. At the present time the undersigned plans to complete the project by installing a pump and motor and providing beneficial use to existing households prior to

Permit holder(s) request an extension to Feb. 1, 19 93. (over)
(1 yr. minimum) VOLCO, INC. (Signature) * Wayne Carlton

FEE: \$15.00

Wayne Carlton, Development Enterprises, Ltd.

*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 February 1, 1993.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to June 24, 1982, pursuant to Section 42-218a, Idaho Code.

Signed this 11th day of February, 19 92.

J. Glen Saxton
Chief, Water Allocation Bureau

RECEIVED
FEB 1 1985

RECEIVED
FEB 1 1985

November 1, 1992. This will require the expenditure of substantial additional funds which the undersigned now believes to be economically feasible.

RECEIVED
MAR 05 1992

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by
Date 9-8-87
Receipt # 44538

SEP 03 1987 REQUEST FOR EXTENSION OF TIME

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

RECEIVED

AUG 31 1987

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. 36-8090

Name(s) of Permit Holder: VOLCO, INC., an Idaho Corp. and DEVELOPMENT ENTERPRISES, LTD., an Idaho Limited Partnership

Post Office Address: P. O. Box 448

Jerome, Idaho 83338

Telephone No. (208) 324-8161

Date Proof is Due: September 1, 1987

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

Costing \$3,500.00 (Estimated)

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:
Volco, Inc. and Development Enterprises, Ltd. acquired real property to which water right is appurtenant by foreclosure of debt instruments and by purchase. (See document enclosed).
There have been substantial administrative proceedings initiated by the Idaho Dept. of Health & Welfare regarding an adjacent domestic water system for subdivision property owners of which the present development would necessarily be a part. Many of these problems have recently been resolved, which should allow the commencement of the completion of the water system and application to beneficial use in the near future.

Permit holder(s) request an extension to Sept. 1, 19 92.
(1 yr. minimum) Wayne Carlton VOLCO, INC. (Signature)* Wayne Carlton.
FEE: \$15.00 Wayne Carlton *IF OTHER THAN PERMIT HOLDER,
Wayne Carlton, Development Enterprises, LTD. 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 Feb. 1, 1992. IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to June 18, 1982, pursuant to Sec. 42-218a, Idaho Code.

Signed this 4 day of February, 19 91.

J. New Sartor
Chief, Water Allocation Bureau

RETTIG, FRED PICKSEN & WILLIAMS
Attorneys at Law
117 South Adams Street
P.O. Box 168
Jerome, Idaho 83338
Telephone: (208) 324-2303

Attorneys for Volco, Inc.

State of Idaho
County of Jerome
I hereby certify the foregoing to be a full, true and correct copy of the original on file in the above entitled action.

DISTRICT COURT
JUDICIAL DIV.
JEROME CO., IDAHO

Clerk of the District Court
Deputy
Date

'83 JUL 13 PM 2:59

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR JEROME COUNTY
DEPUTY CLERK

BANK OF IDAHO, N.A., a national
banking association,

Plaintiff,

vs.

EUGENE BOSSERMAN and CHARLEEN
BOSSERMAN, husband and wife,
VOLCO, INC., an Idaho corporation,

Defendants.

EUGENE BOSSERMAN and CHARLEEN
BOSSERMAN, husband and wife,

Counterclaimants,

vs.

BANK OF IDAHO, N.A., a national
banking association,

Counterdefendants.

STATE OF IDAHO)
County of Jerome) SS.

ELZA HALL, being first duly sworn, on oath, deposes and says:

That I am the Sheriff of Jerome County, State of Idaho, and I do hereby certify that pursuant to and by virtue of a Mortgage dated August 23, 1978, as recorded August 29, 1978, under Instrument No. 233295, Jerome County, Idaho records, by and between EUGENE BOSSERMAN and CHARLEEN BOSSERMAN, husband and wife, as Mortgagor, and the BANK OF IDAHO, N.A., as

SHERIFF'S CERTIFICATE OF SALE - 1

Case No. 6646

SHERIFF'S CERTIFICATE OF
SALE

RECORDED AT THE REQUEST
JUL 13 3 02 PM '83
JEROME COUNTY, IDAHO
FEES 28 DEP 57

2747543-0-

MAR 04 1991

Mortgagee, covering the following described real property:

Lots 1, 2, 3, 5, 8 and 9 in Block 1, Lots 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 in Block 2, Lots 1, 2, 3, 4, 5, and 6 in Block 3, all in Big Little Ranches Unit 3, Jerome County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of Jerome County, Idaho, together with all and singular tenements, hereditaments and appurtenances thereto belonging to or in anywise appurtenant, and,

FURTHER, by virtue of a Judgment of Foreclosure dated January 1, 1982, a copy of which is attached hereto as Exhibit A, in the present case entitled Bank of Idaho, N.A., v. Eugene Bosserman and Charleen Bosserman and Volco, Inc., in the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Jerome, Case No. 6646, and,

FURTHER, pursuant to and by virtue of a Notice of Sheriff's Levy and Sale on Foreclosure of Judgment dated June 10, 1983, as published in the North Side News, Jerome, Idaho, on June 15, 1983, June 22, 1983, and June 29, 1983, a copy of which said Notice is attached hereto as Exhibit B, and,

FURTHER, pursuant to and by virtue of an Order of Sale dated June 10, 1983, as issued by the Clerk of the District Court, a copy of which is attached hereto as Exhibit C,

I DID, personally at the time and place established in said Notice of Sheriff's Sale on Foreclosure of Judgment, being the front of the Courthouse of the Jerome County Courthouse, Jerome, Idaho, on Monday, July 11, 1983, at 10:00 a.m.. of said day expose for sale, and did sell at public auction the following described real property covered by the above described Mortgage and Judgment:

Lots 1, 2, 3, 5, 8 and 9 in Block 1, Lots 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 in Block 2, Lots 1, 2, 3, 4, 5, and 6 in Block 3, all in Big Little Ranches Unit 3, Jerome County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of Jerome County, Idaho, together with all and singular tenements, hereditaments and appurtenances thereto belonging to or in anywise appurtenant.

I FURTHER CERTIFY that I sold said real property, one lot at a time to VOLCO, INC., an Idaho corporation, for a price

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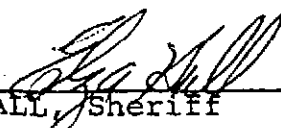
of THREE THOUSAND SIX HUNDRED SIXTY SEVEN and 32/100 DOLLARS (\$3,667.32) per lot, being a total of EIGHTY EIGHT THOUSAND FIFTEEN and 74/100 DOLLARS (\$88,015.74), that being the highest bid for said real property.

I DO FURTHER CERTIFY that VOLCO, INC., submitted to me immediately after the conclusion of the sale the amount of the bid price.

I FURTHER CERTIFY that said sale was in all respects conducted lawfully, openly, honestly and fairly.

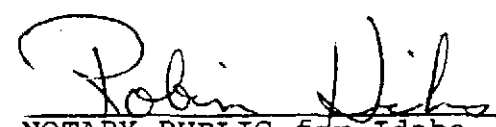
THE REAL PROPERTY ABOVE DESCRIBED IS SUBJECT TO REDEMPTION, in accordance with the provisions of Idaho Code §11-402.

13th IN WITNESS WHEREOF, I have hereunto set my hand, this day of July, 1983.



ELZA HALL, Sheriff

SUBSCRIBED AND SWORN to before me by ELZA HALL, known to me to be the Sheriff of Jerome County, Idaho, on this 13th day of July, 1983.



NOTARY PUBLIC for Idaho



MICROFILMED

MAR 04 1991

Charles L. Hay
ELAM, BURKE, EVANS, BOYD & KOONTZ
1010 FIRST INTERSTATE BANK BUILDING
P.O. BOX 1559 BOISE, IDAHO 83701
PHONE (208) 343-5454

Attorneys for Plaintiff

BK 5 14. 1092
DISTRICT COURT
JEROME, IDAHO

22 JAN 15 PM 1 22

Glenda Bell
Clerk
Darryl Chas. [unclear]

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF JEROME

BANK OF IDAHO, N.A., a national
banking association,

Plaintiff,

v.

EUGENE BOSSERMAN and CHARLEEN
BOSSERMAN, husband and wife,
VOLCO, INC., an Idaho corporation,

Defendants.

EUGENE BOSSERMAN and CHARLEEN
BOSSERMAN, husband and wife,

Counterclaimants,

v.

BANK OF IDAHO, N.A., a national
banking association,

Counterdefendant.

Case No. 6646

JUDGMENT

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The First Interstate Bank of Idaho (Bank of Idaho,
N.A.) plaintiff and counterdefendant in this action and
defendants and counterclaimants, Eugene and Charleen
Bosserman, having moved this Court by Stipulation for judg-
ment to be entered against the said defendants and counter-
claimants in favor of the First Interstate Bank, and having
stipulated that the following judgment may be so entered,

EXHIBIT A

JUDGMENT - 1

State of Idaho)
County of Jerome) ss.
I hereby certify the foregoing to be a full, true and
correct copy of the original on file in the above
entitled action.

[Signature]

ELAM, BURKE, EVANS, BOYD & KOONTZ
1010 FIRST INTERSTATE BANK BUILDING
P.O. BOX 1259 BOISE, IDAHO 83701
PHONE (208) 343-5454

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

2 1. Judgment is entered against Eugene and Charleen
3 Bosserman for principal, interest and attorney fees in the
4 sum of \$76,500.00 and interest at ten percent (10%) thereon,
5 which sum shall continue to earn interest at the rate of
6 10 percent per annum on any outstanding unpaid balance.

7 2. The payment of that sum set forth hereinabove is
8 secured by that certain mortgage to the First Interstate
9 Bank of Idaho dated the 23rd day of August, 1978, and duly
10 recorded on August 29, 1978, in the official records of
11 Jerome County, Idaho, Instrument No. 233295 which mortgage
12 is hereby foreclosed.

13 3. The aforesaid judgment is a lien on the said
14 property, more particularly described as follows:

15 Lots 1,2,3,5,8 and 9 in Block 1, Lots
16 2,4,5,6,7,8,9,10,11,12,13 and 14 in
17 Block 2, Lots 1,2,3,4,5 and 6 in Block
18 3, all in Big Little Ranches Unit 3,
19 Jerome County, Idaho, as the same is
platted in the official plat thereof,
now of record in the office of the County
Recorder of said county,

20 which lien and the mortgage lien which is hereby ordered
21 foreclosed has a priority over all encumbrances and claims
22 against such property recorded after August 29, 1978. Said
23 judgment is not a lien on any other real or personal property
24 owned by Eugene and Charleen Bosserman, wherever situate.

25 4. That the above-described real property may be sold
26 according to law.

27 5. All and singular of the mortgaged and conveyed
28 premises described in the complaint of the Bank of Idaho and
29 more particularly described herein in Exhibit A hereto, or
30 so much thereof as may be sufficient to produce monies due
31 the First Interstate Bank, being sums hereinabove adjudged
32

MAR 04 1981

ELAM, BURKE, EVANS, BOYD & KOONTZ
1010 FIRST INTERSTATE BANK BUILDING
P.O. BOX 1359 BOISE, IDAHO 83701
PHONE (208) 343-5454

1 due the First Interstate Bank, together with interest thereon,
2 and expenses of sale, and which may be sold separately without
3 material injury to the parties interested, be sold at public
4 auction by the sheriff of said Jerome County, State of Idaho,
5 in the manner prescribed by law, and according to the practices
6 of this Court, and that the sheriff, after the time allowed
7 by law for redemption has expired, shall execute a deed to
8 the purchaser of the premises at said sale; said sheriff,
9 out of the proceeds of said sale, shall retain his fees and
10 disbursements and pay to the First Interstate Bank or its
11 attorneys out of said proceeds, the amount decreed to the
12 First Interstate Bank as aforesaid, together with interest
13 thereon at the rate of ten percent (10%) per annum from the
14 date of this judgment and decree in lawful money of the
15 United States of America, or so much thereof as said proceeds
16 will pay of the said amount, and any amount in excess thereof
17 shall be paid to the person or persons entitled thereto.

18 6. First Interstate Bank further waives judgment
19 against Eugene and Charleen Bosserman, individually, for any
20 deficiency which may remain after applying all the proceeds
21 of such sale.

22 7. Eugene and Charleen Bosserman hereby dismiss with
23 prejudice their counterclaim against the First Interstate
24 Bank (formerly Bank of Idaho, N.A.) and are forever barred,
25 restrained and enjoined from instituting any like action
26 against the First Interstate Bank in the future, with regard
27 to these transactions or happenings which form a basis for
28 this litigation.

29 8. The First Interstate Bank may become a purchaser
30 at said sale.

31
32
MAR 04 1991

ELAM, BURKE, EVANS, BOYD & KOONTZ
1010 FIRST INTERSTATE BANK BUILDING
P.O. BOX 1559 BOISE, IDAHO 83701
PHONE (208) 343-8494

1 9. The terms and provisions of the Covenant not to
2 Execute attached hereto are incorporated herein.

3 MADE AND ENTERED this 19th day of January 1982

4
5 Laron W. Ward
6 DISTRICT JUDGE



27
28 MICROFILMED

29 MAR 04 1991

WILLIG, FREDERICKSON & WILLIAMS
Attorneys at Law
117 South Adams St.
Jerome, Idaho 83338
Telephone (208) 324-2303

Attorneys for Volco, Inc.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR JEROME COUNTY

BANK OF IDAHO, N.A., a nation-)
al banking association,)

Plaintiff,)

Case No. 6646

vs.)

NOTICE OF SHERIFF'S LEVY
AND SALE ON FORECLOSURE
OF JUDGMENT

EUGENE BOSSERMAN and)
CHARLEEN BOSSERMAN, husband)
and wife, VOLCO, INC., an)
Idaho Corporation,)

Defendants,)

EUGENE BOSSERMAN and)
CHARLEEN BOSSERMAN, husband)
and wife,)

Counterclaimants,)

vs.)

BANK OF IDAHO, N.A., a nation-)
al banking association,)

Counterdefendant.)

UNDER AND BY VIRTUE of an Order of Sale issued out of the
District Court of the Fifth Judicial District of the State of
Idaho, in and for the County of Jerome, on the 10th day of
June, 1983, pursuant to a Judgment issued by said

MAR 04 1991

EXHIBIT B

Court on the 12th day of January, 1982, wherein BANK OF IDAHO, N.A., obtained a Judgment against the above-named Defendants, which said Judgment is duly recorded in the records of Judgment of the County of Jerome, State of Idaho, at Book 5, Page 1692 of Judgments, on January 15, 1982, I am commanded to sell all those lots and parcels of land bounded and described as follows, to-wit:

Lots 1, 2, 3, 5, 8 and 9 in Block 1, Lots 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 in Block 2, Lots 1, 2, 3, 4, 5, and 6 in Block 3, all in Big Little Ranches Unit 3, Jerome County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of Jerome County, Idaho, together with all and singular tenements, hereditaments and appurtenances thereto belonging to or in anywise appurtenant;

NOTICE IS HEREBY GIVEN that on the 11th day of July 1983, at 10:00 o'clock A M. on that day, in front of the Courthouse in the City of Jerome, County of Jerome, State of Idaho, I will, in obedience to said Order of Sale and Judgment, sell the above-described property, or so much thereof as may be necessary to satisfy the Judgment of Plaintiff, together with interest and costs thereon, at auction to the highest bidder.

DATED this 10th day of June, 1983.

ELZA HALL, Sheriff

REILIG, FREDERICKSEN & WILLIAMS
Attorneys at Law
117 South Adams St.
Jerome, Idaho 83338
Telephone (208) 324-2303

Attorneys for Volco, Inc.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR JEROME COUNTY

BANK OF IDAHO, N.A., a nation-)
al banking association,)

Plaintiff,)

Case No. 6646

vs.)

ORDER OF SALE

EUGENE BOSSERMAN and)
CHARLEEN BOSSERMAN, husband)
and wife, VOLCO, INC., an)
Idaho Corporation,)

Defendants,)

EUGENE BOSSERMAN and)
CHARLEEN BOSSERMAN, husband)
and wife,)

Counterclaimants,)

vs.)

BANK OF IDAHO, N.A., a nation-)
al banking association,)

Counterdefendant.)

TO THE PEOPLE OF THE STATE OF IDAHO; TO THE SHERIFF OF THE
COUNTY OF JEROME, GREETINGS:

WHEREAS, the Bank of Idaho, N. A., did, on the 12th day
of January, 1982, recover judgment against the Defendants named

EXHIBIT C

ORDER OF SALE - 1

in the Complaint in the above action, where the above Plaintiff was the Plaintiff, and the said Defendants were Defendants, which said Judgment is recorded in the records of Judgments of said District Court of the County of Jerome, material parts of which are in words and figures following, to-wit:

1. Judgment is entered against Eugene and Charleen Bosserman for principal, interest and attorney fees in the sum of \$76,500.00 and interest at ten percent (10%) thereon, which sum shall continue to earn interest at the rate of 10 percent per annum on any outstanding unpaid balance.

2. The payment of that sum set forth hereinabove is secured by that certain mortgage to the First Interstate Bank of Idaho dated the 23rd day of August, 1978, and duly recorded on August 29, 1978, in the official records of Jerome County, Idaho, Instrument No. 233295, which mortgage is hereby foreclosed.

3. The aforesaid judgment is a lien on the said property, more particularly described as follows:

Lots 1, 2, 3, 5, 8 and 9 in Block 1, Lots 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 in Block 2, Lots 1, 2, 3, 4, 5, and 6 in Block 3, all in Big Little Ranches Unit 3, Jerome County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of said County,

which lien and the mortgage lien which is hereby ordered foreclosed has a priority over all encumbrances and claims against such property recorded after August 29, 1978. Said

judgment is not a lien on any other real or personal property owned by Eugene and Charleen Bosserman, wherever situate.

4. That the above-described real property may be sold according to law.

5. All and singular of the mortgaged and conveyed premises described in the complaint of the Bank of Idaho and more particularly described herein in Exhibit A hereto, or so much thereof as may be sufficient to produce monies due the First Interstate Bank, being sums hereinabove adjudged due the First Interstate Bank, together with interest thereon, and expenses of sale, and which may be sold separately without material injury to the parties interested, be sold at public auction by the sheriff of said Jerome County, State of Idaho, in the manner prescribed by law, and according to the practices of this Court, and that the sheriff, after the time allowed by law for redemption has expired, shall execute a deed to the purchaser of the premises at said sale; said sheriff, out of the proceeds of said sale, shall retain his fees and disbursements and pay to the First Interstate Bank or its attorneys out of said proceeds, the amount decreed to the First Interstate Bank as aforesaid, together with interest thereon at the rate of ten percent (10%) per annum from the date of this judgment and decree in lawful money of the United States of America, or so much thereof as said proceeds will pay of the said amount, and any amount in excess thereof

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shall be paid to the person or persons entitled thereto.

6. First Interstate Bank further waives judgment against Eugene and Charleen Bosserman, individually, for any deficiency which may remain after applying all the proceeds of such sale.

7. Eugene and Charleen Bosserman hereby dismiss with prejudice their counterclaim against the First Interstate Bank (formerly Bank of Idaho, N. A.) and are forever barred, restrained and enjoined from instituting any like action against the First Interstate Bank in the future, with regard to these transactions or happenings which form a basis for this litigation.

8. The First Interstate Bank may become a purchaser at said sale.

and,

WHEREAS, on the 2nd day of June, 1983, Volco, Inc., an Idaho Corporation, acquired all right, title and interest of the Bank of Idaho, N. A., in said Judgment by virtue of an Assignment, which document has been recorded in the records of Jerome County, Idaho, as Instrument No. 273919, on June 7, 1983.

NOW, THEREFORE, you, the said Sheriff, are commanded and required to proceed to notice of levy and sale, and to sell the property, and to apply the proceeds of said sale to the

MICROFILMED

MAR 04 1991

.. satisfaction of said Judgment, with interest thereon and costs, together with your fees, and to make and file your return of said sale to the Clerk of the District Court within sixty (60) days of the date of your receipt hereof, and to do all things according to the terms and requirements of said Judgment and Assignment and the provisions of such statutes and cases made and required.

WITNESS: Honorable Theron W. Ward, Judge of the District Court of the Fifth Judicial District of the State of Idaho, and the seal of said Court this 10th day of June, 1983.

CHERYL M. WATTS, CLERK

By _____
DEPUTY CLERK

FILED
MAR 6 1981

QUITCLAIM DEED

For Value Received

R. EUGENE BOSSERMAN and CHARLEEN R. BOSSERMAN, husband
and wife, Route 3, Jerome, Idaho, 83338,

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

VOLCO, INC., an Idaho Corporation, P.O. Box 448,
Jerome, Idaho, 83338Hereinafter called the grantee, the following described premises, in JEROME County, Idaho
to-wit:

Lots 1, 2, 3, 5, 8 and 9 in Block 1, Lots 2, 4, 5, 6, 7, 8,
9, 10, 11, 12, 13, and 14 in Block 2, Lots 1, 2, 3, 4, 5, and
6 in Block 3, all in Big Little Ranches Unit 3, Jerome County,
Idaho, as the same is platted in the official plat thereof, now
of record in the office of the County Recorder of Jerome County,
Idaho, together with all and singular tenements, hereditaments
and appurtenances thereto belonging to or in anywise appur-
taining.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the gran-
tee's heirs and assigns forever.

Dated: MARCH 7, 1984

R. Eugene Bosserman
R. EUGENE BOSSERMAN

Charleen R. Bosserman
by Anne Bosserman, her
Attorney in fact, CHARLEEN R. BOSSERMAN

STATE OF IDAHO, COUNTY OF *Jerome*On this *7th* day of *March*, 1984before me, a notary public in and for said State, per-
sonally appeared*R. Eugene Bosserman*

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that *he* executed the same.

Debra L. Martin
Notary Public

Residing at *Jerome*, Idaho.

RECORDED AT THE REQUEST
of *Collyer Stadelman*
MAR 12 4 18 PM '84
JEROME COUNTY, IDAHO
FEES *See DEP 94*

280139

Instrument No.

STATE OF IDAHO)
) SS.
County of Jerome)

On this 12 day of March, 1984, before me, a Notary Public in and for said County and State, personally appeared R. EUGENE BOSSERMAN, known to me to be the person whose name is subscribed to the within instrument as the attorney in fact of CHARLEEN R. BOSSERMAN, and acknowledged to me that he subscribed the name of CHARLEEN R. BOSSERMAN as principal, and his own name as attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.

Debra L. Martin
NOTARY PUBLIC for Idaho

RECEIVED
MAR 6 1984

MAR 6 1984

DEED

FOR VALUE RECEIVED, LeMOYNE DEVELOPMENT, Inc.

who acquired title as SILVER BEACH DEVELOPMENT INC.
a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
Bargain, Sell and Convey unto

DEVELOPMENT ENTERPRISES, LTD. an Idaho Limited Partnership
grantee, the following described real estate, to-wit: P.O. Box 448, Jerome, Idaho 83338

Lots 11,12,13,14,17,18,19 & 22 thru 31, inclusive, Block 1;
Lots 7, 8, 9,10,11,12 Block 3;
Lots 1 thru 11, inclusive Block 4;
Lots 3, 4, 5, 8, 9,10,11, Block 5;
Lots 2 thru 12, inclusive, Block 6;
All in BIG LITTLE RANCHES UNIT THREE, JEROME COUNTY, IDAHO
as the same is platted in the official plat thereof, now of
record in the office of the Recorder of said County.

SUBJECT TO REAL PROPERTY TAXES FOR 1987, AND FUTURE YEARS,
AND SUBJECT TO EXHIBIT "A" ATTACHED HERETO.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, and their
heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its
corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secre-
tary this 27th day of January, 1987

By

Nary F. LeMoyn

PRESIDENT

ATTEST:

Alice L. M.

SECRETARY

STATE OF IDAHO

County of Jerome

ss.

On this 27th day of January, 1987
before me, a Notary Public in and for said State, personally
appeared Harry F. LeMoyn and
Alice LeMoyn

, known to me to
be the President and Secretary of the corporation that exe-
cuted this instrument or the persons who executed the instru-
ment on behalf of said corporation, and acknowledged to me
that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my official seal, the day and year in this certificate
first above written.

Kathleen L. Jones
Notary Public
Jerome, Idaho

JAN 29 3 12 PM '87
FEB 1 1987
JAN 29 3 12 PM '87
JAN 29 3 12 PM '87

RECORDED AT THE RECORDER
Land Title & Escrow, Inc.

303999

Exhibit "A"

SUBJECT TO THE FOLLOWING:

Taxes for 1987 and subsequent years, which are not yet due and payable.

Assessments of the American Falls Reservoir District and the rights and powers of said District as by law provided.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Terms and conditions of an Agreement by and between Jerome County, Idaho, as County, and Eugene Bosserman and Charleen Bosserman, husband and wife, as Developer, dated February 28, 1978, recorded March 3, 1978 in Book 189 Page 935 as Instrument Number 231590, Jerome County records, pertaining to construction of all roads and streets of the Big Little Ranches Subdivision, Units 3 and 4. Amendment to Agreement between Silver Beach Development Co., Inc., an Idaho Corporation, the County of Jerome, State of Idaho, and Eugene Bosserman and Charlene Bosserman, husband and wife, dated May 3, 1978, recorded May 3, 1978 in Book 189 Page 953 as Instrument Number 233295, Jerome County records.

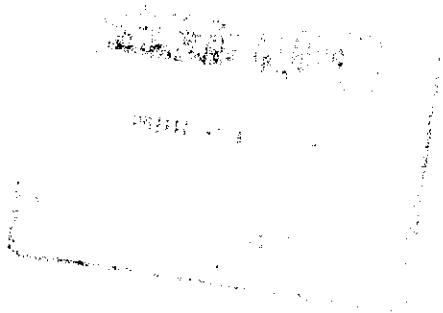
Restrictions as disclosed by the instrument entitled "Restrictive and Protective Covenants", dated May 2, 1978, recorded May 3, 1978 in Book 184 Page 1668 as Instrument Number 233297, Jerome County records. Revised Restrictive and Protective Covenants executed by R. Eugene Bosserman and Charleen Bosserman recorded May 4, 1982 as Instrument Number 264903, Jerome County records.

Sanitary Restrictions on Big Little Ranches Unit One, Two and Three given by Idaho Department of Health and Welfare recorded March 3, 1980 as Instrument Number 247891, Jerome County records.

Easements as shown on the recorded plat.

Declaration of Conditions and Restrictions in Big Little Ranches Unit #3 executed by R. Eugene Bosserman and Charleen Bosserman, dated October 29, 1982, recorded October 29, 1982 as Instrument Number 268634, Jerome County records.

Conditions contained in Stipulation and Order in the case of Country Club Estates Water Association, Inc., Plaintiffs/Counterdefendant, vs. Gene Bosserman, Defendants/Counterclaimant, dated November 8, 1984, recorded December 5, 1984 as Instrument Number 286260, Jerome County records, pertaining to domestic and irrigation water.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Gene Bosserman DBA Ranch Development Company Phone 324-5621
Post office address Rt. 3, Jerome, Idaho, 83338
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SE ^{2 pts.} $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 16 Township 9S.
Range 17E B.M. Jerome County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.50 for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.64 for Irrigation purposes from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Stockwater purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1.16 for Fire Protect. purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.16 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Two wells delivering to buried pipeline system which supplies water to subdivision.

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 2-8" inches; proposed depth of well is 200 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: E $\frac{1}{2}$ W $\frac{1}{2}$
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 16 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 25 range cattle or horses

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 130.

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

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S.	17E.	16					8			8	8			8					32

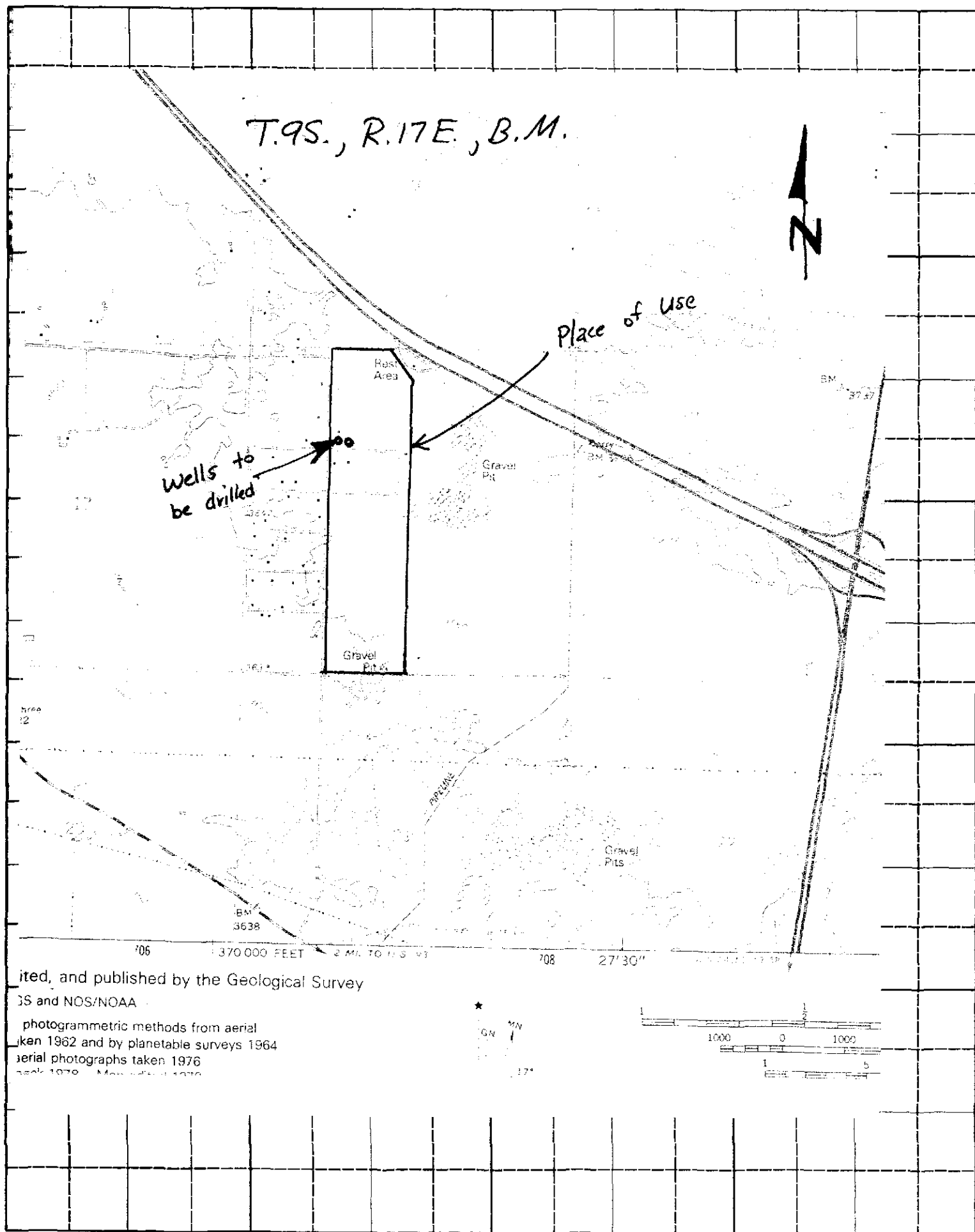
Total number of acres to be irrigated 32

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 Applicant
 b. Who owns the land to be irrigated or place of use Applicant & 4 other individuals who have purchased lots.
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicant is developing the subdivision and is developing the water system

10. Remarks P/U is Big and Little Ranches Subdivision Units #3 and #4.

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.

[Signature]
(Applicant)

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 two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 8th day of July, 1982, and the date of the last publication was on the 15th day of July, 1982.

L. L. Langdon

Subscribed and sworn to before me this 16th day of July, 1982.
(SEAL)

Darla Bratt

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 2
Number of Insertions 2
Lines tabular at 44 4¢ / Pica
Lines straight at 17.16 3¢ / Pica
Subsequent lines at 11.44 2¢ / Pica
TOTAL COST 28.60

COPY OF NOTICE

(Paste Here)

#36-8090-Bosserman
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

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:

36-8090

BOSSERMAN, GENE
DBA RANCH DEVELOPMENT CO.,
RT. 3, JEROME, ID 83338
Source: GROUNDWATER
Date Filed: 06/16/1982
Amount: 1.16 CFS
Diversion Point: SENW Sec 16 T 096 R 17E, Jerome Co.

Use:
IRRIGATION (0.64 CFS) from 03/15 to 11/15
STOCKWATER (0.02 CFS) from 01/01 to 12/31
DOMESTIC (0.50 CFS) from 01/01 to 12/31
FIRE PROTECTION (1.16 CFS) from 01/01 to 12/31
Place of Use: **NENW, SENW NESW SESW Sec 16 T 095 R 17E FOR 32 ACRES**
Diversion Means: **WELL, PUMP, PIPELINE**

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 JULY 26, 1982.

A. KENNETH DUNN
Director
7-8-2tc

INC

JUL 19 1982

Department of Water Resources
Twin Falls District Office

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 Two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 22nd day of July 1982 and the date of the last publication was on the 29th day of July, 1982

L. L. Langdon

Subscribed and sworn to before me this 3rd

day of August, 1982
(SEAL)

Darla Bratt

NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 44
Number of Insertions 2

Lines tabular at 4¢ / Pica

Lines straight at 17.16 3¢ / Pica

Subsequent lines at 11.44 2¢ / Pica

TOTAL COST 28.60

COPY OF NOTICE

(Paste Here)

#36-8090 Bosserman
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILLED TO

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho.

36-8090

BOSSERMAN, GENE, DBA RANCH DEVELOPMENT CO., RT. 3, JEROME, ID 83338

Source: GROUNDWATER

Date Filed: 06/16/1982

Amount: 1.16 CFS

Diversion Point: SENW Sec 16 T 09S R 17E, JEROME Co.

Use: IRRIGATION (0.64 CFS) from 03/15 to 11/15

STOCKWATER (0.02 CFS) from 01/01 to 12/31

DOMESTIC (0.50 CFS) from 01/01 to 12/31

FIRE PROTECTION (1.16 CFS) from 01/01 to 12/31

Place of Use: NENW SENW NESW SESW Sec 16 T 09S R 17E FOR 32 ACRES

Diversion Means: WELL, PUMP, PIPELINE

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before August 9, 1982.

A. KENNETH DUNN
Director
7-22-2tc

RECEIVED
JUN 17 1982

AUG 4 1982

Department of Water Resources
Southern District Office



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

United 3 Water Assn
245 Big View E
Jerome, Idaho 83338

Re: Curtailment of Ground Water Use Under Water Right(s) 36-8090

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.

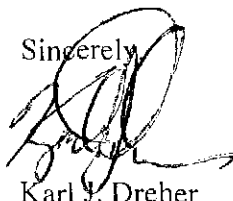
On March 27, 2002, the Department sent a letter to you and others within Water District 130 who had water rights that were not afforded the "safe harbor" provided by an approved mitigation plan or one of the stipulated agreements negotiated last year by either the ground water districts or a group of 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,



Karl J. Dreher
Director

c: Cindy Yenter, Water District 130 Watermaster



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 23, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

UNIT #3 WATERUSERS ASSN
245 BIG VIEW EAST
JEROME ID 83338

RE: Water Right 36-08090

Dear Water Right Holder(s):

The Department is in receipt of the correspondence changing the ownership of the above referenced water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,

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

for JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED

APR 30 1999



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

July 25, 1994

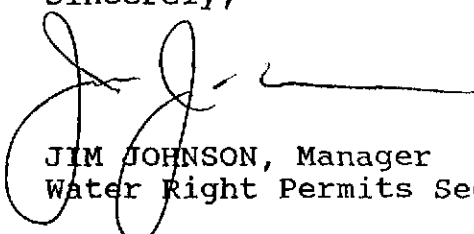
VOLCO INC
PO BOX 448
JEROME ID 83338

RE: WATER RIGHT NO. 36-08090

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

RECEIVED
AUG 5 1994

LICENSE REVIEW
Cindy Zimmerman

Permit #: 16-8090 Name: Volkowine Date: 4/26/94

	Yes	No	
NAME	☐	☒	Or Address Change?
SOURCE	☐	☒	Change/Clarify source
	☐	☐	Prelim. Order to Void - Source change.
P/D	☐	☒	Amendment Needed? clarify? <u>NW SE NW -P39, P38</u>
	☐	☒	Overlap(s) <u>no overlap with NENW, SE SW</u>
P/U	☐	☒	Amendment Needed? reduce? <u>SE NW, 15.5A -P41, P38</u>
	☐	☒	Overlap(s) <u>NE SW, 8.5A -P41</u>
			*P/D & P/U Amend? <u>P37, P38</u> (See list for feds.)
RATE	☒	☐	Measurement Done? <u>McBrometer = 230 gpm/448.83 = .51 cfs</u>
	☒	☐	Theoretical Only? <u>24A x 0.02 cfs/A = 0.48 cfs</u>
			<u>dom: 48 hrs = .38 cfs; stock = .02 cfs; fire prot = .51 cfs</u>
			Theoretical (HP) <u>8.8 x 0.70 x 20</u>
			<u>*1 cfs at *120 + (2.31 x 65) = .44 cfs</u>
			Capacity <u>0.51</u> cfs
			Allowable Amount: <u>0.51</u> cfs
VOLUME	☒	☐	Season of Use: <u>irr: 4/1 - 10/31</u> days <u>214</u>
			Calculations: <u>24A x 4.0 = 96.0 AF; dom: 48 x .6 = 28.8 AF;</u>
			<u>stock = .4; fire prot. = .5</u>
			Flow limit: <u> </u> x <u> </u> x 1.9835 = <u> </u> AF
			Allowable volume <u>125.2</u> AF
USES	☐	☒	Change(s) in Nature of Use? <u>-P46</u>
	☐	☐	Amendment Needed?
REMARKS	☐	☒	Multiple p/d's in <u>1/4</u> ? <u>① P/D located in Ltr, Bk, Big Little Ranch Unit 3</u>
	☒	☐	Other <u>② Dom: 48 hrs, ③ Stock (permitted) 25 R.C. ④ P/U is located in Ltr</u> <u>Subd.</u>
CONDITIONS	☒	☐	Measuring/Locking Devices
	☒	☐	R04 Watermaster Control - Water District
	☒	☐	R31 Irrigation Overlap
	☒	☐	Water Quality
	☒	☐	Other
PRIORITY	☐	☒	Correct fee submitted? Receipt No. <u>No fee/private exam</u>
	☐	☒	Order to Reinstate Needed? <u>Done?</u>
	☐	☒	Advance(d)? <u> </u> Advanced to: <u> </u>
	☐	☐	App Rcd <u>6/16/82</u> Priority <u>6/16/82</u> Exam done <u>9/30/93</u>

COMMENTS: private exam; system limited by capacity (230 gpm measured)

RECOMMENDED	CFS	DIV VOL	LICENSE: <u>P49</u>
<u>irr/24A</u>	<u>.48</u>	<u>96.0</u>	#1 AMEND LTR: P46 or
<u>Stock/.25</u>	<u>.02</u>	<u>.4</u>	P39/P41/P37 & P38
<u>Dom/48 hrs</u>	<u>.38</u>	<u>28.8</u>	#2 AMEND LTR: P42/P47
<u>Fire Prot.</u>	<u>.51</u>	<u>0</u>	
TOTAL	<u>.51</u>	<u>125.2</u>	

WR0749NP
No. L36-08090

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/29/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VOLCO INC PO BOX 448 JEROME ID 83338 (208) 324-8161	06/16/1982	IRRIGATION STOCKWATER DOMESTIC FIRE PROTECTION	04-01 10-31 01-01 12-31 01-01 12-31 01-01 12-31	0.48 CFS 0.02 CFS 0.33 CFS 0.51 CFS	96.00 AFA 0.40 AFA 28.80 AFA -----
TOTAL DIVERSION:					0.51 CFS	125.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.51 CFS

Point(s) of Diversion: T09S R17E S16 NWSNW JEROME County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE					
T	R S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM	
09S	17E 16	:				:				:				:				:	24.0
																		TOTAL ACRES	24.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Place of use location for FIRE PROTECTION is the same location as described for: IRRIGATION

Pou County: JEROME

Other Water Rights with Same Point(s) of Diversion and Source:
36-08090 36-08727

Other Water Rights Listing Overlapping Place(s) of use:
36-08090 36-08607 36-08727

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.0 afa per acre for the
- lands above.

Remarks: Point of diversion is located within Lot 1, Blk, 1 Big Little
Ranch Unit 3 Subdivision.
Place of use is located within Lots 1-14, Blk. 1, Lots 1-14,
Blk. 2, Lots 1-13, Blk. 3, and Lots 1-7, Blk. 4, Big Little Ranch
Unit 3 Subdivision.
Domestic use is for 48 homes.
Stockwater use is for 25 range cattle.

WR0749NP
No. L36-08090

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/29/94
PAGE: 2

=====
Dates: App. Received: 06/16/1982 Priority Date: 06/16/1982
Proof Due Date: 11/01/1993 Proof Made Date: 10/04/1993
Exam Made Date: 09/30/1993 Exam Sent to S.O.: 10/04/1993
Licensed Date:

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 06/29/94 CZIMMERM

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L3608090	T09S R17E S16 GROUNDWATER																	
	:							08						08	:			32
0100212	SNAKE RIVE :																	
A010021223	LARGE CLAI :		13					19	19	19	19		15		15			119
0100213	SNAKE RIVE :																	
0100215	SNAKE RIVE :																	
0100220	SNAKE RIVE :																	
3608090	GROUNDWATE :							08					08		08			32
3608607	GROUNDWATE :							01	01	05	03		10	05				25
3608727	GROUNDWATE :										15		08					23
	C83Q-BB 23 :		02	06				02	32	37	01		39	37				156
	C53Q-BB 23 :		01						33	38	06		06	40	40	02		166

MEMORANDUM

DATE: June 29, 1994
TO: File No. 36-08090
FROM: Cindy Zimmerman
SUBJECT: Adjustments to Beneficial Use Exam

=====

Adjustments to the flow calculations, volume calculations, and licensing recommendations were made on the field exam to correct omissions on the exam.

1. Flow Calculations.
 - a. Irrigation = $24.0 \text{ acres} \times 0.02 \text{ cfs/a} = 0.48 \text{ cfs}$
 - b. Stockwater = 25 hd (per IDWR standard) = 0.02 cfs
 - c. Domestic = 48 hms (per IDWR standard) = 0.33 cfs
 - d. Fire Protection (measured) $230 \text{ gpm} \div 448.83 = 0.51 \text{ cfs}$
2. Volume Calculations.
 - a. Irrigation = $24.0 \text{ acres} \times 4.5 \text{ AF/acre} = 96.0 \text{ AFA}$
 - b. Domestic (internal use only)
 $= 48 \text{ homes} \times 0.6 \text{ AF/hm} = 28.8 \text{ AFA}$
 - c. Stockwater = 25 hd (per IDWR standard) = 0.4 AFA
 - d. Total volume = $a + b + c = 96.0 + 28.8 + 0.4 = 125.2 \text{ AFA}$

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 04 1993
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08090

1. Owner: Volco Inc. c/o Vic Camozzi Phone No. 208-324-8161

Current Address: PO Box 488, Jerome, Id. 83338

2. Accompanied by: Gerald Martens EXAM. DATE 3-30-93

Address: 1139 Falls Ave E Twin Falls ID Phone No. 734-4888

Relationship to Permit Holder: None

3. Source: Groundwater tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: N/A

☐ Copies Attached

2. Other water rights with same point of diversion: N/A

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached

(See attached map)

Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

AUG 09 1993

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Community water system well serving 4 residential homes

at the time of survey. Well produced 230 gpm at 48 psi.

Fire flow certified at 230 gpm.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1		20		Grundfos	65CHC

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SE	NW	16	95	17E	Jerome	Platted Subd.

6. **Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
95	17E	16								15.5	8.5								24.0 Acres

RECEIVED

AUG 09 1994

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow Meter	Vane	McCrometer	MW-500	9366336	4"	9/15/93

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: Pump turned on measured flow against system pressure while filling pneumatic tank.

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

* G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.0 \times .02 = 0.04 \text{ cfs}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.04 \text{ cfs}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 0.04 \text{ cfs}$

2. Volume Calculations for Other Uses:

H. REMARKS AND OVERLAP REVIEW ANALYSIS

[illegible]

*1. RECOMMENDATIONS

1. Recommended Amounts

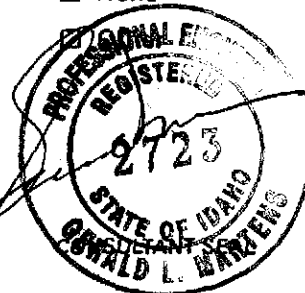
Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
	Totals:			

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name Gerald L. Martens
Signature 
Certification Date 9/30/93
Field Report Preparation Date 10/1/93



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

* Adjustments made during review of this right for license approval.
See memo for additional information. 6/29/94 czj.

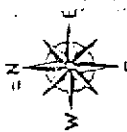
AUG 09 1994

AREA SERVED

BIG LITTLE RANCHES

UNIT THREE

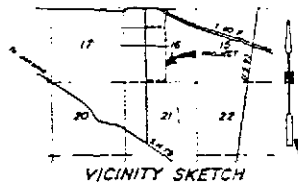
A RESUBDIVISION & RENUMBERING OF A PORTION OF LOTS 11
THRU 22 INCLUSIVE & BLOCK 2 COUNTRY CLUB ESTATES
LOCATED IN
SECTION 16, T.9 S., R.17 E., S.W. JEROME COUNTY, IDAHO
1978



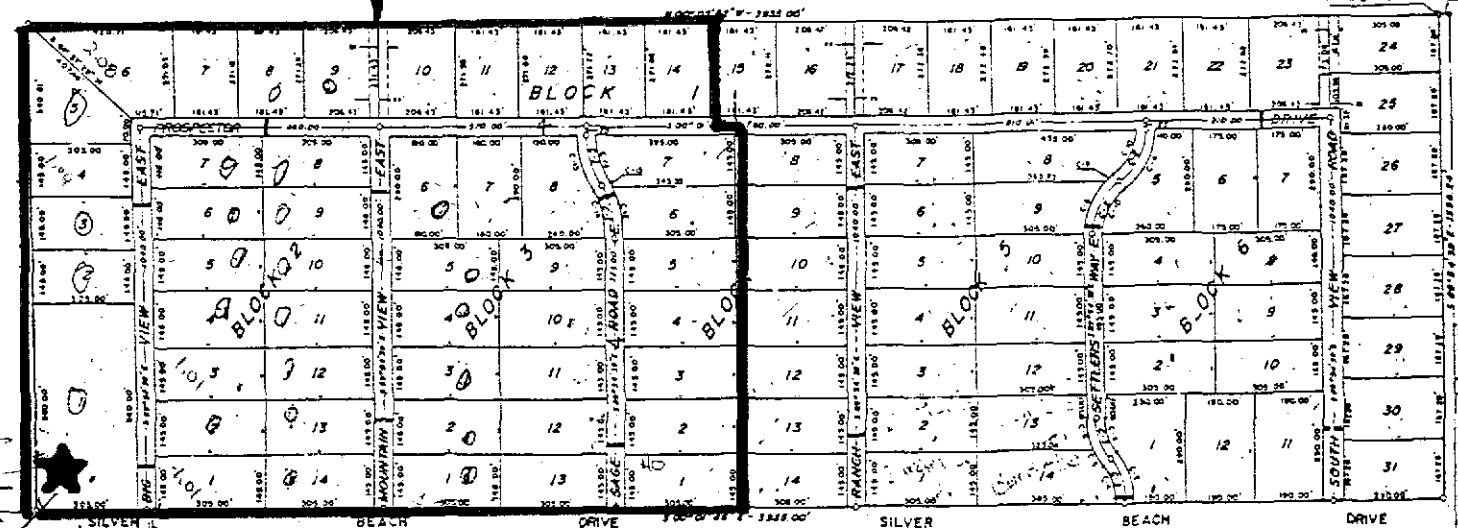
SCALE: 1" = 200'

- Section Line
- Property Boundary Line
- Lot Line
- Conveying Road
- Roadway Easement
- Found Brass Cap
- INITIAL POINT - Set Brass Cap
- Set 5.68" x 5.68" Brass
- Set 1/2" x 3/4" Brass - All Lot Corners
- Found 5.68" Brass

NOTE: Building Setbacks as per Jerome County Code.



VICINITY SKETCH



EXISTING WELL (APPROX.) ABOVE (225'± ONLY)

CERTIFICATE OF OWNERS

This is to certify that the undersigned are the owners, or representatives of owners, in fee simple of the following described property, located in the 1/4 SW 1/4, Section 16, Township 9 South, Range 17 East, Base Meridian, Jerome County, Idaho; more particularly described as follows:

Commencing at the Southeast corner of said Section 16 from which the Northwest corner of said Section 16 bears N 00°00'00"E a distance of 3297.34'; Thence, S 89°54'18"E, 2686.48'; Thence, N 00°00'00"E, 25.00'; to the INITIAL POINT Thence, N 00°00'00"E, 3833.00'; Thence, N 83°54'33"W, 1333.81'; Thence, S 00°00'00"E, 3833.00'; Thence, S 89°54'18"E, 1336.24'; to the INITIAL POINT. The gross area in this planned land as described is 12078 acres.

That it is the intention of the undersigned to, and they do hereby include said land in this plat. The easements indicated on this plat are not subject to the public but the rights to use said easements are hereby perpetually reserved for public utilities and no structure other than for such utility purposes are to be erected within the limits of said easements.

That it is the intention of the undersigned to and they do hereby include said land in this plat; that the undersigned do by these presents grant, bargain, sell, convey, confirm and guarantee to the heirs, for public use, power, all streets and easements as shown on this plat.

RANCH DEVELOPMENT COMPANY
SILVER BEACH DEVELOPMENT INC.

ACKNOWLEDGEMENT

STATE OF IDAHO
COUNTY OF JEROME

On this 21st day of June, 1978, before me, the undersigned, a Notary Public in and for said State, personally appeared, R. Eugene Beallman, Charles R. Beallman, Harry F. LeMay and Alice LeMay, known to me to be the persons whose names are subscribed to the foregoing Certificate of Owners and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and the day and year in this certificate first above written.

R. Eugene Beallman
Notary Public for the State of Idaho

COUNTY RECORDER'S CERTIFICATE

STATE OF IDAHO
COUNTY OF JEROME

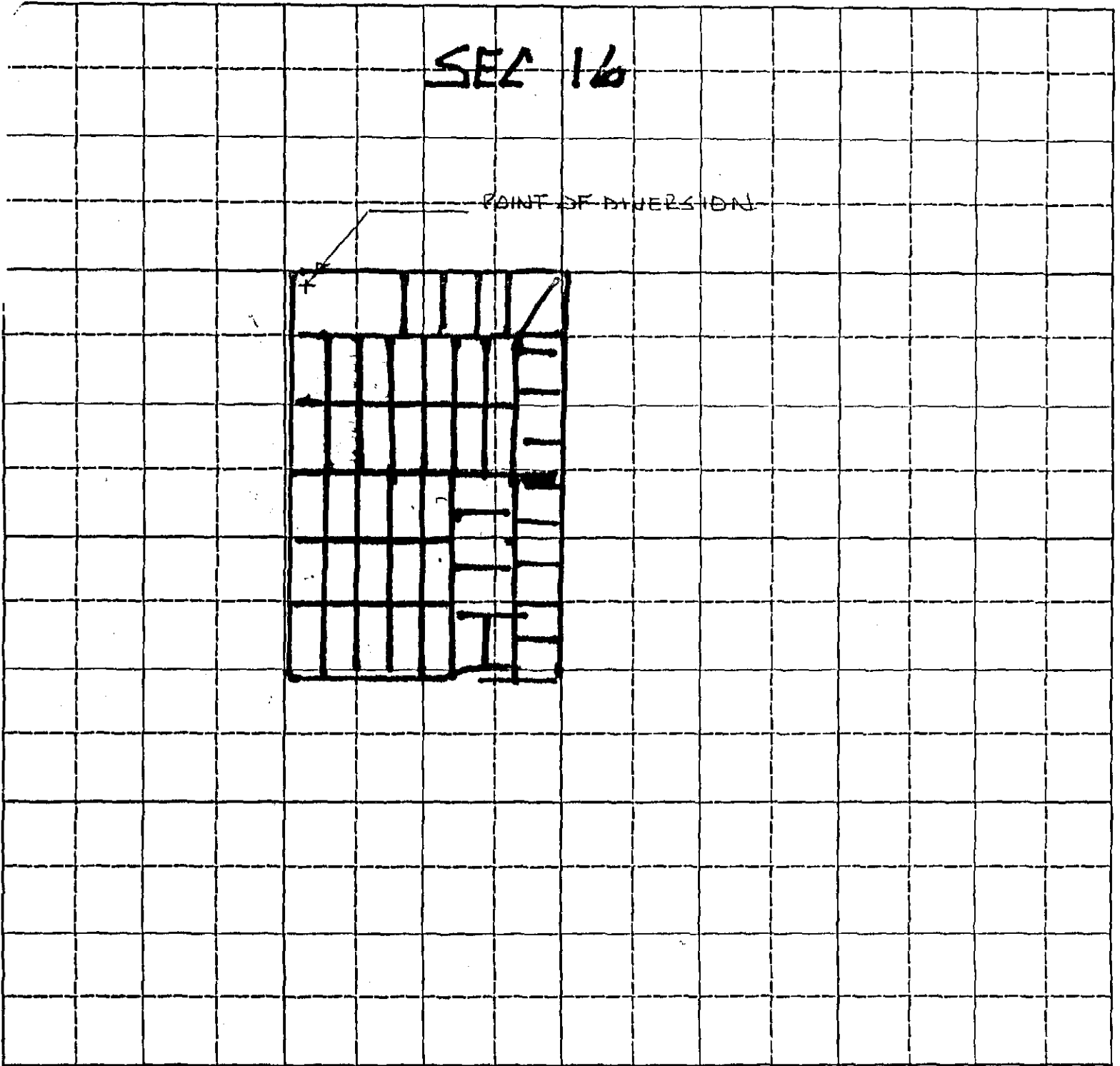
This is to certify that the foregoing plat was filed for record in the office of the Recorder of Jerome County, Idaho on the 21st day of June, 1978, at 10:11 A.M., and duly signed in my presence by me.

[Signature]
Recorder

CURVE	DELTA	RAI	ARC	CHORD	CHORD	CHORD
C-1	174°00'	257.34	150.00	150.00	150.00	150.00
C-2	174°00'	177.25	150.00	150.00	150.00	150.00
C-3	174°00'	177.25	150.00	150.00	150.00	150.00
C-4	174°00'	177.25	150.00	150.00	150.00	150.00
C-5	174°00'	177.25	150.00	150.00	150.00	150.00
C-6	174°00'	177.25	150.00	150.00	150.00	150.00
C-7	174°00'	177.25	150.00	150.00	150.00	150.00
C-8	174°00'	177.25	150.00	150.00	150.00	150.00
C-9	174°00'	177.25	150.00	150.00	150.00	150.00
C-10	174°00'	177.25	150.00	150.00	150.00	150.00
C-11	174°00'	177.25	150.00	150.00	150.00	150.00
C-12	174°00'	177.25	150.00	150.00	150.00	150.00
C-13	174°00'	177.25	150.00	150.00	150.00	150.00
C-14	174°00'	177.25	150.00	150.00	150.00	150.00
C-15	174°00'	177.25	150.00	150.00	150.00	150.00
C-16	174°00'	177.25	150.00	150.00	150.00	150.00
C-17	174°00'	177.25	150.00	150.00	150.00	150.00
C-18	174°00'	177.25	150.00	150.00	150.00	150.00
C-19	174°00'	177.25	150.00	150.00	150.00	150.00
C-20	174°00'	177.25	150.00	150.00	150.00	150.00

UTILITY EASEMENTS
10' Along Public Right-of-Way
5' Along All Other Lot Lines

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.

RECEIVED
FEB 29 1934



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 7, 1993

Volco Inc
c/o Vic Camozzi
PO Box 488
Jerome, ID 83338

Re: Permit No. 36-08090

PROOF ACKNOWLEDGEMENT LETTER

Dear Permit Holder:

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

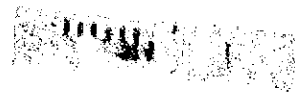
Since you have chosen to hire a certified water right examiner to complete the field exam, we will continue with the licensing process.

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

Sincerely,

Karen L. Gustafson
Senior Secretary

C: IDWR - Regional Office



OCT 10 1993



EHM Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS

IN THE FIELDS OF:
PLANNING
SURVEYING
HIGHWAYS
WATER
SEWAGE
STRUCTURAL
SUBDIVISIONS
BRIDGES
ENVIRONMENTAL
QUALITY CONTROL
CONSTRUCTION MGMT.

September 30, 1993

RECEIVED

OCT 04 1993

Department of Water Resources

Karen L. Gustafson
IDWR
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720-9000

RE: IDWR Permit No. 36-08090

Ms. Gustafson,

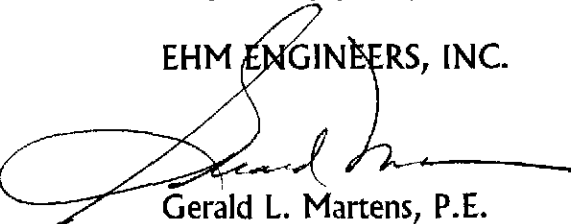
Enclosed find a proof of beneficial use for 0.51 cfs on the Volco, Inc. Permit No. 36-08090.

The survey was completed 9-30-93.

Please call if there are any questions.

Respectfully yours,

EHM ENGINEERS, INC.



Gerald L. Martens, P.E.

GLM:bn

cc: Vic Camozzi
PO Box 488
Jerome, ID 83338

RECEIVED
OCT 19 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 31, 1993

Volco Inc
PO Box 488
Jerome, ID 83338

PROOF DUE NOTICE

RE: Permit No. 36-08090

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 November 1, 1993. (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.

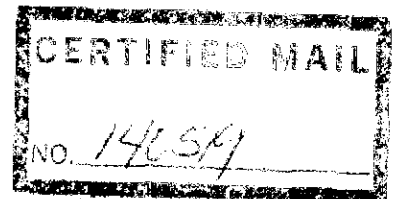
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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 days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosures





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

December 15, 1992

Volco Inc
PO Box 488
Jerome, ID 83338

Re: Permit No. 36-08090

Dear Permit Holder:

Enclosed is a copy of your approved Request for Extension of Time submitted in connection with the above referenced permit. The time within which to submit proof of beneficial use is extended to November 1, 1993.

Please note that the department has granted this extension based upon governmental agency delay. 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.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

c: IDWR-Regional Office

December 1, 1992

RECEIVED

DEC 3 1992

Department of Water Resources

Karen Gustafson
IDWR
1301 N Orchard St
Statehouse Mail
Boise, ID 83720-9000

RE: Permit No. 36-08090 Volco Inc.

Ms. Gustafson,

On February 11, 1992 the Department approved a request for water permit # 36-08090 to extend proof of beneficial use until February 1993. This extension was based on due diligence.

The owner has proceeded with development of construction plans for a public water system but delays in obtaining approval from the IDHWDEQ have prevented construction during 1992. The owner requests an extension until November of 1993 due to delays caused by the State of Idaho.

The following chronology is presented for your review.

DATE

ACTIVITY

April 8, 1992

Owner contacted EHM Engineers to design water system improvements.

EHM Engineers prepared plans and specifications for submittal to IDHWDEQ.

May ?

June 22, 1992

Owners attorney prepared corporation documents required by IDHWDEQ for establishing proper maintenance authority (45 days required with prep & legal advertisements) (See enclosed letter).

June 23, 1992

EHM made preliminary plan and specification submittal to IDHWDEQ. (Letter enclosed).

DEC 7 1992

August 3, 1992	Final articles of corporation submitted to IDHWDEQ. (Letter enclosed).
August 3-15, 1992	EHM prepared bid documents for well pump installation.
August 24, 1992	Owner authorized a well pump test to obtain sand samples required by IDHWDEQ prior to approval. Test required construction of pump, control panel and electrical service.
August 25-Sept. 23, 1992	Construction of well pump by Smith Drilling.
August 28, 1992	EHM resubmits plans to IDHWDEQ. (Letter enclosed).
September 1, 1992	EHM provides additional information to IDHWDEQ. (Letter enclosed).
September 17, 1992	IDHWDEQ asks to review well lot et al. (Letter enclosed).
October 8, 1992	IDHWDEQ approves well lot. (Letter enclosed).
October 8-Nov. 3, 1992	Construction of pump, panel & Idaho Power service to well. (Letter enclosed).
November 9, 1992	Well test EHM. (Letter enclosed).
November 16, 1992	EHM requests IDHWDEQ approval of well and plans and specifications. (Letter enclosed).
November 30, 1992	IDHWDEQ gives verbal approval of plans and specifications for construction. (Letter enclosed).

Section 39-118 of Idaho Code prevents the owner from construction activities until IDHWDEQ has approved the plans and specifications. Because of IDHWDEQ's concerns over the proposed tank and well sand production approval was not given until November 30, 1992.

11/30/92

We feel these delays were caused by the State of Idaho and justify an extension of proof of beneficial use to November 1, 1993.

Please review this request and inform us at your decision.

Respectfully yours,

EHM ENGINEERS, INC.


Gary R. Burkett, P.E.

GRB:bp

cc: Vic Commozzi
PO Box 448
Jerome, ID 83338

FREDERICKSEN, WILLIAMS & MESERVY

ATTORNEYS AT LAW

117 South Adams Street
P.O. Box 168
Jerome, Idaho 83338

EUGENE D. FREDERICKSEN
ROBERT E. WILLIAMS, III
JAMES C. MESERVY

Telephone: (208) 324-2303
Telecopier: (208) 324-3135

June 22, 1992

Gary Burkett
EHM Engineers, Inc.
1139 Falls Ave. East
Twin Falls, ID 83301

Dear Gary:

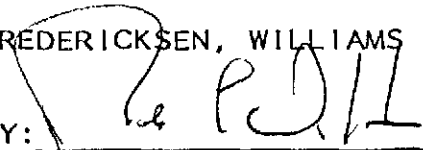
My client Volco, Inc., for itself and as general partner of Development Enterprises, Inc., has retained me to incorporate an Idaho nonprofit corporation to be named "Unit Three Water Association, Inc." The purpose of this corporation will be to establish an entity for the construction, operation and maintenance of a domestic water system within the Big Little Ranch Unit III Subdivision in Jerome County. My client owns the substantial part of the platted lots within the subdivision. The corporation will have as its voting members the owners of lots within the subdivision. Membership will be transferable with ownership of lots. The corporation will have the power to authorize connection to the system, set and collect fees for its operation and maintenance, carry out maintenance and repair, establish rules for the operation and use of the system and otherwise provide for the efficient and equitable operation of the water system.

I anticipate that this corporation will be fully formed within forty-five days.

Please call me if you desire more information.

Very truly yours,

FREDERICKSEN, WILLIAMS & MESERVY

BY: 

ROBERT E. WILLIAMS III

REW:rlw
0005J.63

June 23, 1992

Greg Misbach, PE
IDHWDEQ
PO Box 1626
Twin Falls ID 83303

Greg,

Enclosed find plans and referenced specifications for Phase 1 of Unit 3 Water System. Phase 1 involves development of 19 lots.

- 1) Formation documents for the maintaining authority are being prepared (attached letter).
- 2) The well to be utilized is an existing well. We have not been able to locate a log or driller but have found information regarding a pump test (enclosed).
- 3) We will sample groundwater quality and quantify sand in the near future.

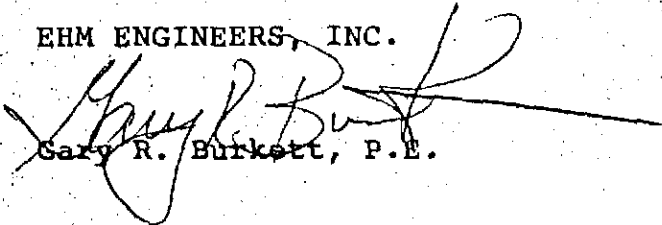
The owner is:

Volco, Inc.
C/O Vic Camozzi
105 S. Fillmore
Jerome, ID 83338

Please call if you have any questions.

Respectfully yours,

EHM ENGINEERS, INC.


Gary R. Burkett, P.E.

GRB:dw

August 3, 1992

Greg Misbach, P.E.
IDHWDEQ
PO Box 1626
Twin Falls Id 83303

RE: Unit Three Water Association Inc.
Articles of Incorporation

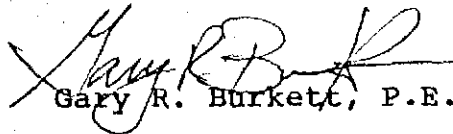
Greg,

As referenced with the Plan and Specifications submittal for the Jerome Co. Unit Three Water Association we are transmitting the final Articles of Incorporation.

Please call if you have any questions.

Respectfully yours,

EHM ENGINEERS, INC.


Gary R. Burkett, P.E.

GRB:dw
CC: Vic Commozi

JUL 31 '92 13:52 FREDERICKSEN, WILLIAMS & MESERVY

P.1/6

FREDERICKSEN, WILLIAMS & MESERVY

ATTORNEYS AT LAW

117 South Adams Street

P.O. Box 168

Jerome, Idaho 83338

EUGENE D. FREDERICKSEN
ROBERT E. WILLIAMS, III
JAMES C. MESERVY

Telephone: (208) 324-
Telecopier: (208) 324-

TELECOPIER COVER SHEET

TO

EHM

FAX NO.

1-734-6049

DATE

July 31, 92

FROM

☒ EUGENE D. FREDERICKSEN
☒ ROBERT E. WILLIAMS III
☒ JAMES C. MESERVY

MATTER

*Club Three Water Assoc.
Ass. of Inc.*

We are transmitting 6 pages, including this page, from a Ricoh Fax 35 machine which is available 24 hours a day. If you do not receive all the pages please call (208) 324-2303 and ask for John.

The documents accompanying this telecopy transmission contain information from the law firm Frederickson, Williams & Meservy which is confidential and/or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, please be aware that any disclosure, copying, distribution, or use of the contents of this telecopied information is prohibited. If you have received this telecopy in error, please notify us by telephone immediately. Arrangements will be made for the retrieval of the original documents at no cost to you.

State of Idaho

Department of State

CERTIFICATE OF INCORPORATION OF

UNIT THREE WATER ASSOCIATION, INC.

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of Articles of Incorporation for the incorporation of UNIT THREE WATER ASSOCIATION, INC. duly signed pursuant to the provisions of the Idaho Nonprofit Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Incorporation and attach hereto a duplicate original of the Articles of Incorporation.

Dated: July 15, 1992



Pete T. Cenarrusa

SECRETARY OF STATE

By

Valerie Flint

ARTICLES OF INCORPORATION
SEC. OF STATE

92 JUL 15 AM 8 58

KNOW ALL MEN BY THESE PRESENTS, that I, the undersigned Incorporator being of the age of eighteen years or more, desiring to organize a non-profit corporation under the laws of the State of Idaho, do hereby make, sign and verify these Articles of Incorporation.

ARTICLE I.

The name of the corporation is UNIT THREE WATER ASSOCIATION, INC., and shall be referred to hereinafter as the "Corporation".

ARTICLE II.

This Corporation is a non-profit corporation, incorporated under the provisions of Idaho Code § 30-301, et seq. No pecuniary profit to the members of the corporation is contemplated.

ARTICLE III.

The Corporation's duration shall be perpetual.

ARTICLE IV.

The Corporation is organized for the following purposes:

(a) To acquire, by purchase, lease, or other lawful means, a supply of domestic water, and the pumps, motors, pipe, meters and all other necessary machinery and equipment necessary and sufficient to furnish domestic water to the

owners and residents of real property located in Jerome County, Idaho, and more particularly described as Big Little Ranches Unit Three, according to the official plat thereof of record with the Jerome County, Idaho Recorder, being located in Section 16, Township 9 South, Range 17 East of the Boise Meridian, Jerome County, Idaho;

(b) To provide for the assessment of members of the Corporation for the use of the water from the system and the cost of operating, repairing and maintaining the water delivery system;

(c) To exercise all powers and privileges and perform all the duties and obligations set forth in that certain Declaration of Restrictive Covenants of record with the Jerome County, Idaho Recorder which restrictive covenants are applicable to any portion of the real property described in paragraph (a) above.

(d) To fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration of Restrictive Covenants; to pay all expenses in connection therewith and all other expenses incidental to the conduct of the business of the Corporation, including any taxes or assessments levied against the Corporation;

(e) To participate in mergers, consolidations or other working arrangements with other non-profit corporations for the same purposes for which this Corporation is created;

(f) To carry out any other business activity or purpose necessary or incidental to the primary business purposes above recited, or which may be appropriate for non-profit corporations to exercise under the provisions of Idaho Code § 30-301 et seq.

ARTICLE V.

The Corporation shall have members. The ownership of one lot within the boundaries of the Big Little Ranches Unit Three Subdivision shall make the owner eligible for membership. Actual membership shall be granted by the Board of Directors of the Corporation in accordance with its duly adopted By-Laws.

ARTICLE VI.

The address of the Corporation's initial registered office, and the name of its initial registered agent at such address, shall be as follows:

V. E. Camozzi
515 West Main Street
P. O. Box 448
Jerome, Idaho 83338

ARTICLE VII.

The names and addresses of the initial directors of the Corporation are as follows:

V. E. Camozzi
515 West Main Street
P. O. Box 448
Jerome, ID 83338

Wayne Carlton
515 West Main Street
P. O. Box 448
Jerome, ID 83338

ARTICLE VIII.

The name and address of the incorporator is:

V. E. Camozzi
515 West Main Street
P. O. Box 448
Jerome, Idaho 83338

ARTICLE IX.

The Corporation reserves the right to amend, alter, change or repeal any provision contained in these Articles of Incorporation in the manner now or hereafter provided by law, and all rights conferred upon members of this Corporation are granted subject to this reservation.

SIGNED this 14 day of July, 1992.

V. E. CAMOZZI

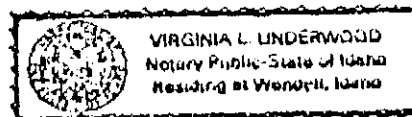
STATE OF IDAHO
County of Jerome

)
) ss.
)

On this 14 day of July, 1992, before me, the undersigned, a Notary Public in and for said County and State, personally appeared V. E. CAMOZZI, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.

Virginia L. Underwood
NOTARY PUBLIC for Idaho
Residing at: Wendell
Commission Expires: 4-28-98



August 24, 1992

Vic Camozzi
PO Box 448
Jerome ID 83338

Vic Camozzi,

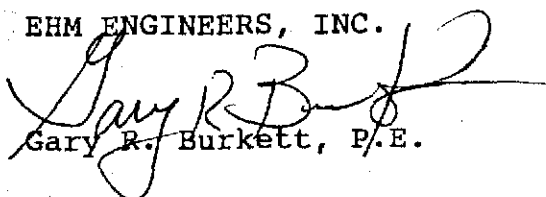
Enclosed find a tabulation of bids on the Unit 3 water system pump installation. Please let us know of your decision on bid award and authorization to proceed.

Smith Drilling and Pump	\$ 4,792.00
Elsing Pump Services	\$ 5,959.00
Layne Pump	\$ 5,968.00

Please call if you have any questions.

Respectfully yours,

EHM ENGINEERS, INC.


Gary R. Burkett, P.E.

GRB:dw

08/25/92

15:20

2083 161

VOLCO JEROME

601

VOLCO, INC.

P.O. BOX 448 -- JEROME, IDAHO 83338

PHONE (208) 324-8161

Aug. 25, 1992

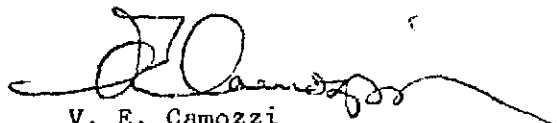
Attn: Gary Burkett
EHM Engineers, Inc.
1139 Falls Ave E., Ste 8
Twin Falls, ID 83301

Dear Gary:

Please award Smith Drilling and Pump the bid to put the pump into the Unit 3, Big Little Ranches well for the quoted price of \$4,792.00.

Sincerely,

VOLCO, INC.



V. E. Camozzi
President & General Manager

VEC:mb

WHOLESALE DISTRIBUTORS AND MANUFACTURERS OF STRUCTURAL COMPONENTS

NOTICE OF AWARD

TO: Smith Drilling and Pump
328 West Ave A
Jerome Idaho 83338

Project Description: Pump Installation Unit 3
Big Little Ranches

The Owner has considered the Bid submitted by you for the above described work in response to its Advertisement for Bids dated August 24, 1992, and Information for Bidders.

You are hereby notified that your Bid has been accepted for items in the amount of \$ 4,792.00.

If you fail to execute said Contract within ten (10) days from the date of this notice, said Owner will be entitled to consider all your rights arising out of the Owner's acceptance of your Bid as abandoned. The Owner will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this Notice of Award to the Owner.

Dated this _____ day of _____, 19____.

Owner _____

By _____

Title _____



August 28, 1992

Vic Camozzi
Volco Inc.
105 South Fillmore
Jerome, Idaho 83338

Re: Plans and Specifications, Water System, Phase 1 of Unit 3

Dear Mr. Camozzi:

We have reviewed the plans and referenced specifications for the above referenced project and have the following comments:

SCOTT --- A minimum depth of water main cover should be specified on the plans.

SCOTT Change to 2" Frost Free Hydrant --- Ten State Standards require that where dead end mains occur, they shall be provided with an approved flushing device. Flushing devices should be sized to provide flows which will give a velocity of at least 2.5 feet per second in the water main being flushed. It is doubtful that the frost free hydrant shown on the plans will provide this velocity.

SCOTT --- It appears that the plans indicate that the drain line from the floor drain will drain to a dry well. However, the plans also indicate that the drain line will daylight at the canyon rim. Please clarify.

GARY --- The proposed dry well must be approved by the District V Health Department.

SCOTT --- The well vent should be terminated in a downward inverted U.

GARY --- Any pressure vessel with working pressures of 100 psi or less shall have manufacturer's documentation that the tanks have been tested to 400 psi burst pressure.

GARY --- The water quality of the new well must conform to the Idaho Regulations for Public Drinking Water Systems, Sections 01.8300-8400 plus regulated and unregulated VOC's. Please submit the required water quality analyses to this office when available.

44827 103

Vic Cammozi
Page 2
August 28, 1992

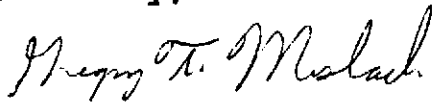
6wy --- Pressure tank materials must conform to applicable AWWA Standards and be adequately protected with protective coatings and cathodic protection.

This concludes our comments.

Please submit revised plans for our review and approval prior to construction.

If you have any questions, please do not hesitate to contact this office (736-2190).

Sincerely,



Gregory T. Misbach, P.E., Supervisor
Prevention and Certification

cc: Gary Burkett, EHM Engineers Inc.
Greg Misbach, SCIRO

September 1, 1992

Greg Misbach PE
IDHWDEQ
PO BOX 1626
Twin Falls, ID 83303

Dear Greg,

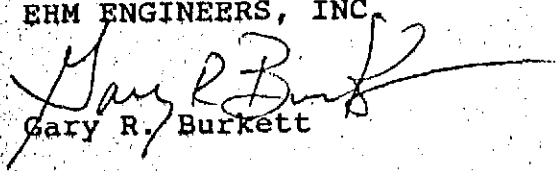
Enclosed find revised plans for the Phase 1, Unit 3 water system for Volco. Responses to comments in your letter dated August 28, 1992 are as follows.

1. A water main depth of 30 inches is now shown.
2. A 2 inch flushing hydrant has been specified. This hydrant will provide a 2.5 foot/second flushing velocity in the dead end main.
3. The note indicating drain line to canyon rim has been removed. The building has been raised 30 inches from natural ground to allow floor drains to daylight out and preclude the need for a wet well.
4. The well vent is now terminated downward.
5. Enclosed are copies of manufacturers data for a Tank built in 1972. The indicated test pressure was 188 psi. The owners would prefer to purchase this tank. Please let us know of your comments on this matter. If this Tank is unacceptable a tank meeting the 400 psi requirements for testing will be provided.
6. Required well test data will be provided in the near future.

Please call if you have any questions.

Respectfully yours,

EHM ENGINEERS, INC.


Gary R. Burkett

GRB:bp
cc Vic Camozzi



IDAHO DEPARTMENT
OF HEALTH AND WELFARE
DIVISION OF
ENVIRONMENTAL QUALITY

Post Office Box 1626, Twin Falls, ID 83303-1626, (208) 736-2190

Cecil D. Andrus, Governor Richard P. Donovan, Director

September 17, 1992

Vic Camozzi
Volco Inc.
105 South Fillmore
Jerome, Idaho 83338

Re: Plans and Specifications, Water System, Phase 1 of Unit 3, Big
Little Ranches

Dear Mr. Camozzi:

We have reviewed the revised plans and specifications for the above
referenced project and have the following comments:

- Prior to approval of the existing well for use as a
public water supply, this office will require that we
inspect the well lot and approve it in writing. At the
convenience of you or your engineer, please call or write
to arrange a well lot inspection.
- The water quality of the new well must conform to the
Idaho Regulations for Public Drinking Water Systems,
sections 01.8300-8400 plus regulated and unregulated
VOCs. Please submit the required water quality analyses
to this office when available. The required information
must be submitted prior to use of the well for public
water consumption.
- The pressure testing results for the proposed used
pressure tank indicate that it was tested to only 188
psi. In addition that test was done about twenty years
ago. We strongly recommend for safety that only tanks
that have been tested to 400 psi and/or are stamped with
the ASME Code be used for water systems.
- Can it be certified by the previous owners that the tank
was used only for potable water purposes? If not, the
use of the tank will be disallowed.

This concludes our comments.

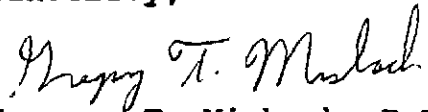
Please submit required information concerning the pressure tank and
water quality analyses.

RECEIVED
SEP 21 1992

Vic Camozzi
Page 2
September 17, 1992

If you have any questions, please do not hesitate to contact this office (736-2190).

Sincerely,

A handwritten signature in cursive script, reading "Gregory T. Misbach".

Gregory T. Misbach, P.E., Supervisor
Prevention and Certification

cc: Gary Burkett, EHM Engineers

September 23, 1992

Vic Comozzi
PO Box 448
Jerome Idaho 83338

Vic,

Enclosed find a billing from Smith Drilling and Pump Co. for the Big Little Ranches Project.

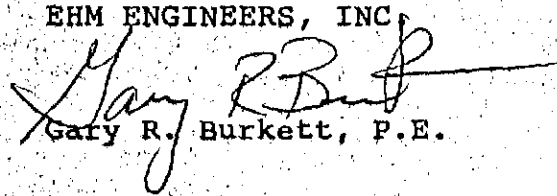
The installation is complete but we are unable to complete testing on the pump until Idaho Power completes their hookup.

We recommend payment of 95% of the amount billed equalling \$4,628.40. The remaining 5% should be released when testing is complete.

Please call if you have any questions.

Respectfully yours,

EHM ENGINEERS, INC.


Gary R. Burkett, P.E.

GRB:dw

CABLE AND ROTARY WELL DRILLING

WATER SYSTEMS

DOMESTIC AND IRRIGATION PUMPS

MEMBERS OF:

National Water Well Assoc.
Idaho Water Well Assoc.
SRVEA
NFIB
Chamber of Commerce



LICENSED:

Public Works Contractor
Electricians
Drillers and Contractors
Retail Store
Apprenticeship Training, U.
Bureau of Labor Standards

328 WEST "A" — 83338

EHM Engineers
C/O Gary R. Burkett, P.E.
1139 Falls Ave. East
Twin Falls, ID 83301

RE: Volco Water System Unit 3, Jerome

Installed:

1. 20 hp 65CHC 3 Ø 460 v
187' 8-3 Subcable
175' 4" pipe
8 x 4 well seal
fittings
labor

4792.00

30" 8 5/8 OD x .250 well casing
labor

80.00

TOTAL: \$4872.00

FOR OVER FORTY YEARS — THE WATER PEOPLE OF THE MAGIC VALLEY



IDAHO DEPARTMENT
OF HEALTH AND WELFARE

DIVISION OF
ENVIRONMENTAL QUALITY

Post Office Box 1626, Twin Falls, ID 83303-1626, (208) 736-2190

Cecil D. Andrus, Governor Richard P. Donovan, Director

October 8, 1992

Vic Camozzi
Volco Inc.
105 South Fillmore
Jerome, Idaho 83338

Re: Well Site Inspection, Water System, Phase 1 of Unit 3, Big
Little Ranches

Dear Mr. Camozzi:

On September 30, 1992, Mr. Gary Burkett of EHM Engineers and myself
inspected the existing well site for the above referenced project.

I did not discover any item that precludes the use of this well
site for the proposed public water system for Phase 1 of Unit 3,
Big Little Ranches.

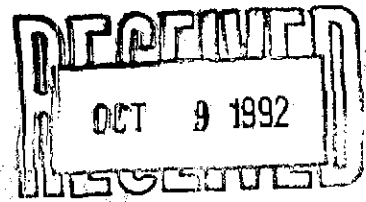
The well site appears to meet State standards and requirements for
siting of wells. I hereby approve the site for use as a community
water system well site.

If you have any questions, please do not hesitate to contact this
office (736-2190).

Sincerely,

Gregory T. Misbach, P.E., Supervisor
Prevention and Certification

cc: Gary Burkett, EHM Engineers



OCT 27 1992

EHM Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS

IN THE FIELDS OF:
PLANNING
SURVEYING
HIGHWAYS
WATER
SEWAGE
STRUCTURAL
SUBDIVISIONS
BRIDGES
ENVIRONMENTAL
QUALITY CONTROL
CONSTRUCTION MNGMT.

November 3, 1992

Vic Camozzi
PO Box 448
Jerome, ID 83338

RE: Volco unit 3 water system

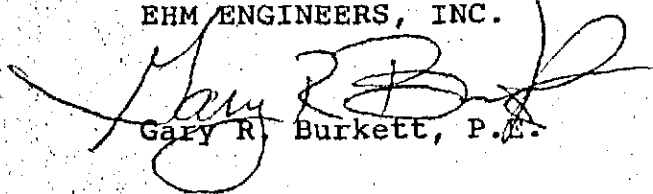
Vic Camozzi,

The Idaho Power drop to the well is complete. We will test the well Thursday the 5th of November. Laboratory tests on the water will be available approximately the 26th. The state has indicated that they will accept the used pressure tank but won't commit until they see water test results.

Please call if you have any questions.

Respectfully yours,

EHM ENGINEERS, INC.


Gary R. Burkett, P.E.

GRB:bp

November 16, 1992

Greg Misbach, P.E.
IDHWDEQ
PO Box 1626
Twin Falls, Idaho 83303

RE: Volco Unit Three
Water System
Jerome Co.

Greg,

Monday, November 9th and Tuesday, November 10th we conducted pumping tests on the Volco Unit 3 well in Jerome County. Samples for Sand Content, Bacteriological, Radiochemical, Inorganic, and Organic Chemical analysis were taken.

We expect to have laboratory results for chemical analysis within two weeks. Results of the sand tests were as follows:

Nov. 9th	- Pumped well for one hour		
	0.06 gms sand in 5 gallons	=	3.2 ppm
Nov. 10th	- Pumped well for 15 minutes		
	0.01 gms sand in 5 gallons	=	0.5 ppm

The sand content is below the upper limit of 5 ppm referenced in Section IDAPA 16.01.8700,06.

With submission of the included data we request approval of the design contingent on water quality test results being within regulated limits.

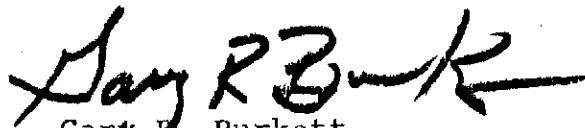
JAN 8 7 1993

We also request approval to use the water pressure tank which we have discussed. This tank has been tested at 188 psi and has never been used for any purpose other than as a potable water tank.

Please feel free to call me if you have any questions about this matter.

Sincerely yours,

EHM ENGINEERS, INC.


Gary R. Burkett

cc: V.C. Commozzi
Volco
Jerome



DIVISION OF
ENVIRONMENTAL QUALITY

Post Office Box 1626, Twin Falls, ID 83303-1626, (208) 736-2190

Cecil D. Andrus, Governor Richard P. Donovan, Director

November 30, 1992

Vic Camozzi
Volco Inc.
105 South Fillmore
Jerome, Idaho 83338

Re: Plans and Specifications, Water System, Phase 1 of Unit 3

Dear Mr. Camozzi:

The revised plans and specifications for the referenced public water system appear to meet state standards and are therefore approved. Our approval is for design only; final system approval is given after it is established that the system is operating properly.

Any major changes, or changes that might result in violations of Idaho regulations, must be reviewed by this office prior to field installation. This office must also be kept informed of the scheduling of all construction phases so that spot inspections can be made as necessary.

This approval will expire December 1, 1993. If construction is not completed at this time, plans will need to be resubmitted for approval before further construction proceeds.

Within 30 days after construction, a professional engineer registered in the State of Idaho must provide this office with as-built plans, or a letter of certification stating that the project was installed substantially according to the approved plans.

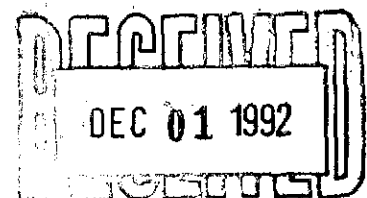
Please be aware that this approval is for design only; it does not constitute an approval of the water supply source. The water quality of the new well must conform to the Idaho Regulations for Public Drinking Water Systems, Sections 01.8300-8400 plus regulated and unregulated VOC's. Please submit the required water quality analyses to this office for review and approval prior to using the source for a public water supply.

If you have any questions, please do not hesitate to contact this office (736-2190).

Sincerely,

Gregory T. Misbach, P.E.
Senior Water Quality Engineer

JAN 8 7 1993



cc: Gary Burkett, EHM Engineers Inc.



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

December 3, 1992

Mr. Gary Burkett
EHM Engineers Inc
1139 Falls Ave E Suite B
Twin Falls, ID 83301

Re: Permit No. 36-08090 in the name of Volco Inc.

Dear Gary:

The Department is in receipt of the information forwarded in connection for a request for extension of time on the above referenced permit.

However, before the Department can take action on the request, an extension form must be completed and submitted along with the \$15 filing fee. I have enclosed a new form and instructions for your convenience.

Please return the form and fee no later than January 1, 1993.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

November 30, 1992

VOLCO INC.
P.O. BOX 448
RT. 3
JEROME ID 83338

PROOF DUE NOTICE

RE: PERMIT NO. 36-08090

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 February 1, 1993. (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.

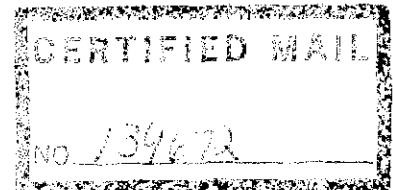
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures





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

February 11, 1992

Volco Inc.
P.O. Box 448
Jerome, ID 83338

Re: Permit No. 36-08090

Dear Permit Holder:

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 February 1, 1993. However, since the extension was received after the proof of beneficial use date, it was necessary for the department to reinstate your permit and advance your priority date to June 24, 1982.

Please note that 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.

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

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Regional Office

106-11-180

Enclosure For Your Action

Re: Volco, Inc. / Development Enterprises Date: 2-9-92 Our file no.: 36-8090
Request for Extension of Time 45 file
Enclosed is Request for Extension of Time

- ☐ Please review and call with any revisions or questions
- ☐ Please call for an appointment to sign original
- ☐ Please sign on every line noted and return to us promptly
- ☐ Signature(s) required in _____ place(s)
- ☐ Please have signature(s) notarized



To:

STATE OF ID, Dept. of
Water Resources
Statehouse Mail
Boise, ID 83720-9000

MAR 05 1992

FREDERICKSEN, WILLIAMS & MESERVY
117 S. Adams - P.O. Box 168
Jerome, Idaho 83338
(208) 324-2303

February 5, 1992

VOLCO INC.
P.O. BOX 448
RT. 3
JEROME ID 83338

LAPSE NOTICE

RE: PERMIT NO. 36-08090

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 November 30, 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

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 2/5/92
a certain original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

MAR 05 1992

138271
November 30, 1991

VOLCO INC.
P.O. BOX 448
RT. 3
JEROME ID 83338

PROOF DUE NOTICE

RE: PERMIT NO. 36-08090

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 February 1, 1992. (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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

February 5, 1991

VOLCO INC
DEVELOPMENT ENTERPRISES LTD
P O BOX 448
JEROME ID 83338

Gentlemen:

Re: Permit No. 36-8090

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 February 1, 1992. Note that the permit has been reinstated with an advance in priority, since the extension was received after the proof of beneficial use date.

If you have questions concerning this matter, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

MAR 05 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 21, 1990

Volco, Inc. and Development Enterprises, Ltd.
P.O. Box 448
Jerome, ID 83338

RE: PERMIT NO. 36-8090

Gentlemen:

On September 3, 1987, you submitted a request for an extension of time (extension request) in which to submit the proof of beneficial use for the above referenced permit. The permit authorized the diversion of 1.16 cfs of water from a well to be used for domestic, irrigation, stockwater and fire protection purposes.

On April 4, 1988, the department corresponded with you and advised that we would hold the extension request without action until the permit was reprocessed as required by Section 42-203D, Idaho Code. This reprocessing was a direct result of the Swan Falls water right controversy which is now essentially resolved.

As it turns out, your permit is not subject to reprocessing under Section 42-203D, Idaho Code. For this reason, the extension request can now be further processed.

Please contact me soon in connection with the pending extension request including the amount of additional time needed, if any. If your project is complete, it is appropriate for you to file the proof of beneficial use in order to complete the filing requirements associated with the permit.

Enclosed is a proof of beneficial use form together with instructions which you should file if your project is complete. If the project is not complete, please advise me and the department will act on the pending extension request. If you have questions, feel free to call me at 327-7953.

Sincerely,


RITA I. FLECK
Secretary/Records Manager

Encl: 2

c: IDWR - S. Region

RECEIVED

MAR 05 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 36-8090

Name(s) of Permit Holder(s): Gene Bosserman

Post Office Address: Route #3

Jerome, ID Tel. No. 324-5621

☒ I hereby certify that construction of diversion works for the above referenced permit began on June 20, 1981. I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

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

*Note: A financing difficulty is not an acceptable reason.

3-4-83
Date

Gene Bosserman
Signature of Permit Holder

RECEIVED

PLACE
STAMP
HERE

MAR 4 1983

Department of Water Resources
Southern District Office

FILED



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

April 4, 1988

Volco, Inc. and Development Enterprises, Ltd.
P.O. Box 448
Jerome, ID 83338

RE: Permit No. 36-8090 / REQUEST FOR EXTENSION OF TIME

Gentlemen:

The department has received the request for extension of time submitted in connection with the above referenced permit. The department will hold the request without action until the permit is reprocessed in compliance with the provisions of Section 42-203D, Idaho Code.

The enactment of H.R. 519 on December 29, 1987 by the Congress of the United States overcomes the last obstacle to make the Swan Falls Agreement effective. As a result of the enactment, the department is determining which permits can be reprocessed in a given year up to the 20,000 acre per year limitation.

The permits are being reviewed in order of priority starting with the oldest permit first. When further development under your permit can be considered relative to the terms of the Swan Falls agreement, the department will contact you.

I note that your permit has been named in the Idaho Power Company lawsuit (Civil Case No. 81375) but has been dismissed. If the permit was dismissed due to substantial investment, the permit may not be subject to reprocessing. Until this determination can be made, however, the department will hold the request for extension of time without action.

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

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

c: W. Region

RECEIVED
APR 5 1988

APR 5 1988

CONVERSATION MEMORANDUM

DATE 2-23-1988FILE 310-8090NAME OF PARTY Cheryl KoskutaEMPLOYEE Rita FleckRE: Extension of Time

I contacted H+W's attorney, Cheryl Koskuta, to determine if this project was still being contested as provided in the second Amended Complaint.

Note: H. + W. has an "administrative procedure" whereby they can take action against a party without actually going thru a Court Proceedings. The problems H+W were having with this subdivision were brought forth thru this administrative procedure.

The parties have signed a consent order (12-12-86) outlining conditions and requirements to bring and continued construction up to standards.

MICROFILMED

MAR 05 1991

334-5834

Idaho Dept. of Health and Welfare
DOCKET NO. 0108-85-03
FILED
AUG 6 1985
<i>L. Nesmith</i>
Recording Secretary

CHERYL R. KOSHUTA
Deputy Attorney General
Division of Environment
Department of Health and Welfare
450 W. State Street - 10th Floor
Boise, Idaho 83720
Telephone: (208) 334-4006

334-440

BEFORE THE BOARD OF HEALTH AND WELFARE

STATE OF IDAHO

DEPARTMENT OF HEALTH AND
WELFARE,

Complainant,

v.

COUNTRY CLUB ESTATES WATER
ASSOCIATION, INC., an Idaho
corporation; and JOHN DOES
1-100,

Respondents.

DOCKET NO. 0108-85-03

SECOND AMENDED COMPLAINT

Complainant, Idaho Department of Health and Welfare
(Department) is an executive department of the State of
Idaho.

I.

The undersigned Director of the Department is
responsible under Idaho Code §39-108 for bringing
complaints before the Board of Health and Welfare
(Board) when investigations reveal the facts are probable

SECOND AMENDED COMPLAINT - 1

MAR 05 1981

basis to believe that there exists a violation of the Environmental Protection and Health Act of 1972 or regulations promulgated thereunder.

II.

On March 19, 1985 the Director of the Department filed a Complaint against Jay Hartwell, Ronald Lancaster, Dennis Lowe, and Mike Lloyd, statutory trustees, and last named officers and directors of Country Club Estates Water Association, Inc. (CCEWA), an Idaho corporation which had forfeited its charter; Robert F. Berentz, acting president of CCEWA; and John Does 1-200.

III.

On July 11, 1985, the Director of the Department amended the Complaint by naming John Does 1-66 as follows: VOLCO INCORPORATED; EUGENE AND CHARLE BOSSERMAN; ODEL D. AND MARIE SWEAT; HAROLD L. AND CAROL MILLICAN; JAMES D. AND JO H. LEUZE; ERVIN E. AND LAURA M. JURGENS; DEBORAH L. GRIFFITH; RICHARD W. AND NAOMI McMURRAY; DANNY AND LEAINE COPE; BLAINE J. AND MARGENE BUSHMAN; MIKE AND BETTY LU BURDETTE; JEROME FLORAL & GIFT, INC.; JAMES E. JERGENS; LONNY R. AND KASEY A. JURGENS; MARTIN AND RENET MILLER; RICHARD G. AND CHRISTY L. BAUER; RICHARD H. FREY AND HOA UNITED FIRST NATIONAL; WILLIAM A. AND MARIA YURKEVICIUS; GARY AND

MAR 05 1986

MARVIS LISENBEE; THOMAS AND TERRI HECKLEY; MICHAEL AND THERESA LLOYD; TERRY L. FREED; DOUGLAS P. GOTTO, JOHN W. AND MABEL GLICK; DARWIN H. AND PHYLLIS PHILLIPS; PETER G. AND SANDRA GREGORY; JEROME COUNTY; NILE F. AND COLLEEN MARCIE; ROBERT W. AND PATRICIA GIBBONS; JOHN R. AND EDYTH SPENCER, CHARLES O. AND JEANNE E. MARTIN; JERRY AND MARCIA AUTEN; WILLIAM R. AND JOANNE DALLING; DENNIS R. AND SARA LOWE; G.E. AND ALICE BRADFORD; ANDREW N. AND DAWNA G. ACKERMAN; DENNIS C. AND SUSAN EHRESMAN; ARTHUR R. AND TERESA NAZARETH; RICHARD AND JENNIFER GREENWOOD; RONALD E. AND DENISE HICKS; PAULINE S. CHRISTIANSEN; RONALD A. AND DONITA LANCASTER; JERRY A. AND CARROL R. DAVIS; ALLEN AND RITA GOMEZ; CHARLES T. AND THELMA BUSH; JAMES AND NANCY JONES; WAYNE T. AND LOUETTA E. JOHNSON; ALAN J. AND JOAN BIERMANN; GLEN D. BROOKE; WALTER AND RULENE RINEHART; GEORGE A. AND CORAL McADAMS; JOHN E. AND SHIRLEY SUMMERLIN; MAJOR W.A. TWEED; CHERI V. HUMAN; EDWIN AND JUANITA KIMBALL; THOMAS G. AND JUDY HANSEN; FRED W. AND ELOISE HERSHBERGER; JERRY W. HAFTER; JERRY WILLIAM HAFTER AND NANCY LIND; ROBERT J. AND BARBARA ADAMS; JAMES AND DIANA TROHGLIA; ANNETTE CLARK; RANCH DEVELOPMENT COMPANY; AND COUNTRY CLUB ESTATES WATER ASSOCIATION.

IV.

On July 17, 1985 CCEWA reinstated its charter with

the Idaho Secretary of State's office. This reinstatement has caused the Director to file this Second Amended Complaint against CCEWA.

V.

CCEWA is an Idaho corporation which owns and operates a potable water supply and distribution system serving at least Units No. 1 and 2 of the Big Little Ranches Subdivision; Lots 15 and 16 of Country Club Estates Subdivision; and those persons presently residing in Unit No. 3 of the Big Little Ranches Subdivision and their successors-in-interest, specifically Robert Berentz, Lots 6 and 7, Block 1, Unit No. 3, Big Little Ranches Subdivision; Odel Sweat, Lot 4, Block 1, Unit No. 3, Big Little Ranches Subdivision; Robert Griffith, Lot 1, Block 2, Unit No. 3, Big Little Ranches Subdivision; Richard McMurray, Lot 3, Block 2, Unit No. 3, Big Little Ranches Subdivision; Richard Griff, Lot 10, Block 2, Country Club Estates Subdivision. Both the Big Little Ranches Subdivision and the Country Club Estates Subdivision are located in Jerome County, Idaho. The system serves less than 1000 people.

VI.

John Does 1-100 are other persons who may be owners or operators of potable water supplies and distribution

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systems serving any persons in the Big Little Ranches Subdivision and/or Country Club Estates Subdivision.

VII.

Plans and specifications for Unit No. 2 were approved by the Department's Division of Environment in 1975; plans and specifications for Unit No. 3 (which included Unit No. 1) were approved in 1978. The water supply and distribution system obtains water from a 190 foot (190') deep well.

VIII.

The water system has been disapproved since November 21, 1983.

VIOLATION NO. 1

Rules and Regulations of the Department of Health and Welfare, "Idaho Regulations for Public Drinking Water Systems," Title I, Chapter 8, Section 1-8400.04, (Drinking Water Regulations), requires Respondents submit as-built plans and specifications to the Department.

Respondents have failed to provide the Department with as-built plans and specifications for that portion of the water system that is completed.

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VIOLATION NO. 2

Drinking Water Regulations, §1-8305.06, requires that all pipe, packing, and jointing materials shall be tested in accordance with the latest standards of the American Water Works Association (AWWA).

Respondents have failed to perform the required testing.

VIOLATION NO. 3

Drinking Water Regulations, §1-8306.07, requires cross-connection controls to be installed when necessary on all public drinking water systems.

Respondents have failed to install necessary cross-connection controls.

VIOLATION NO. 4

Drinking Water Regulations, §1-8303.11, requires that a vent be installed on well casings.

Respondents have failed to install a vent on the well casing.

VIOLATION NO. 5

Drinking Water Regulations, §1-8100.01(a), requires systems serving up to 1000 people to monitor for coliform density by sampling at least once per month.

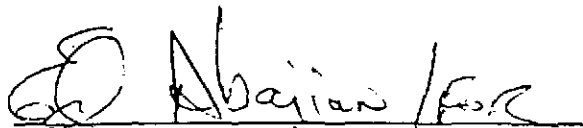
Results of the monitoring must be reported to the Department under §1-8106.

Respondents have failed to perform required monitoring and reporting.

WHEREFORE, Complainant prays that the Board find as follows:

1. That the Proposed Order attached as Exhibit 'A' be adopted by the Board;
2. That the Department may determine when a violation has been committed, assess civil penalties and collect the civil penalties directly from Respondents;
3. That Respondents be assessed legal fees, hearing costs, witness fees, and other expenses incurred by the Department in prosecuting this matter; and
4. That such other relief be granted as the Board considers necessary to provide for the protection of the environment and the State of Idaho.

DATED this 6th day of August, 1985.


ROSE BOWMAN, Director
Idaho Department of
Health and Welfare

MICROFILMED

MAR 05 1991

CHERYL R. KOSHUTA
Deputy Attorney General
Division of Environment
Department of Health and Welfare
450 W. State Street - 10th Floor
Boise, Idaho 83720
Telephone: (208) 334-4006

BEFORE THE BOARD OF HEALTH AND WELFARE

STATE OF IDAHO

DEPARTMENT OF HEALTH AND
WELFARE,

Complainant,

v.

COUNTRY CLUB ESTATES WATER
ASSOCIATION, INC., an Idaho
corporation; and JOHN DOES
1-200,

Respondents.

DOCKET NO. 0108-85-03

PROPOSED ORDER

This matter having come before the Board of Health and Welfare (Board) and the Board having adopted said findings of fact and conclusions of law as follows:

FINDINGS OF FACT

1. Respondent, Country Club Estates Water Association, Inc. (CCEWA), is an Idaho corporation which

PROPOSED ORDER - 1

MAR 05 1987

EXHIBIT 'A'

owns and operates a potable water supply and distribution system serving at least Units No. 1 and 2 of the Big Little Ranches Subdivision; Lots 15 and 16 of Country Club Estates Subdivision; and those persons presently residing in Unit No. 3 of the Big Little Ranches Subdivision and their successors-in-interest, specifically Robert Berentz, Lots 6 and 7, Block 1, Unit No. 3, Big Little Ranches Subdivision; Odel Sweat, Lot 4, Block 1, Unit No. 3, Big Little Ranches Subdivision; Robert Griffith, Lot 1, Block 2, Unit No. 3, Big Little Ranches Subdivision; Richard McMurray, Lot 3, Block 2, Unit No. 3, Big Little Ranches Subdivision; Richard Griff, Lot 10, Block 2, Country Club Estates Subdivision. Both the Big Little Ranches Subdivision and the Country Club Estates Subdivision are located in Jerome County, Idaho. The system serves less than 1000 people.

2. Respondents, John Does 1-100, are other persons who may be owners or operators of potable water supplies and distribution systems serving any persons in the Big Little Ranches Subdivision and/or Country Club Estates Subdivision.

3. Plans and specifications for Unit No. 2 were approved by the Idaho Department of Health and Welfare (Department), Division of Environment in 1975; plans and specifications for Unit No. 3 (which included Unit No. 1) were approved in 1978. The water supply and

distribution system obtains water from a 190 foot (190') deep well.

4. The water system has been disapproved since November 21, 1983.

CONCLUSIONS OF LAW

5. Respondents have failed to provide the Department with as-built plans and specifications for that portion of the water system currently completed.

6. Respondents failed to test the water system in accordance with the latest standards of the American Water Works Association (AWWA) as required.

7. Respondents have failed to install necessary cross-connection controls on the drinking water system.

8. Respondents have failed to install a required vent on the well casing.

9. Respondents have failed to conduct required monthly coliform density monitoring and reporting of results to the Department.

NOW, THEREFORE, the Board having determined that the Environmental Protection and Health Act and regulations promulgated pursuant to it have been violated, it is HEREBY ORDERED THAT RESPONDENTS COMPLY WITH THE FOLLOWING CORRECTIVE AND PREVENTIVE MEASURES:

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MAR 05 1991

ORDER

10. Respondents shall submit as-built plans and specifications to the Department within sixty (60) days of the date of this Order.

11. Respondents shall obtain prior approval of the Department for any and all deviations from the approved plans and specifications.

12. Respondents shall test the lines in accordance with the latest standards of the AWWA and submit the results of the testing to the Department within sixty (60) days of the date of this Order.

13. Respondents shall at all times maintain a minimum of twenty pounds per square inch (20 psi) in the distribution system as required by the Rules and Regulations of the Department of Health and Welfare, "Idaho Regulations for Public Drinking Water Systems," Title I, Chapter 8, §1-8200.01, (Drinking Water Regulations).

14. Respondents shall make any and all necessary corrections, additions or changes to the system as required by the Department after review of the as-built plans and specifications.

15. Respondents shall install a vent on the well casing within thirty (30) days of the date of this Order.

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MAR 5 1981

16. Respondents shall provide cross-connection controls within thirty (30) days of the date of this Order.

17. Respondents shall perform monthly coliform density monitoring as required by the Drinking Water Regulations, §1-8100.01.

18. Respondents shall report the results of the monthly coliform density monitoring to the Department as required by the Drinking Water Regulations, §1-8106.

19. Respondents shall provide to the Department for review and approval, plans and specifications for any modifications or additions to the system. No work shall begin on any modifications or additions until plans and specifications are approved by the Department.

20. Respondents shall conduct any additional monitoring or take any corrective or preventive measures as required by the Department.

21. If any provision of this Order is violated, Respondents shall pay stipulated penalties of at least ONE THOUSAND DOLLARS AND NO CENTS (\$1,000.00) per day per violation.

22. All penalties incurred pursuant to this Order shall be in addition to costs and attorney's fees if further proceedings are necessary to enforce this Order. The penalties set forth in this Order shall not

limit any relief which a court enforcing this Order
determines reasonable.

DATED this _____ day of _____, 1985.

SO ORDERED:

BOARD OF HEALTH AND WELFARE

_____	_____
_____	_____
_____	_____

ATTEST:

Secretary to the Board

MICROFILMED

MAR 05 1981

PROPOSED ORDER - 6

EXHIBIT 'A'

FREDERICKSEN & WILLIAMS
ATTORNEYS AT LAW
117 SOUTH ADAMS STREET
P. O. BOX 168
JEROME, IDAHO 83338

EUGENE D. FREDERICKSEN
ROBERT E. WILLIAMS, III

RECEIVED
FEB - 8 1988

AREA CODE 208
324.2303

February 3, 1988

Department of Water Resources

Dept. of Water Resources
ATTN: Rita Fleck
Statehouse Mail
Boise, Idaho 83720

Dear Ms. Fleck:

Please consider this an amendment to the Request for Extension of Time originally filed on behalf of my clients, Volco, Inc. and Development Enterprises, Ltd., with respect to Permit No. 36-8090. I have enclosed a copy of the original Request for Extension of Time for your reference.

I have included for your further reference a copy of a Second Amended Complaint filed by the Department of Health & Welfare for the State of Idaho under Docket No. 0108-85-03, being the administrative proceeding referred to in the previous Request for Extension of Time. As you will note, the matter involved certain alleged irregularities in the potable water system within real property to which a portion of the water right granted by Permit No. 36-8090 is appurtenant. Originally, the real property to which Permit No. 36-8090 is appurtenant and other adjacent real property were subdivided by one developer for the purpose of constructing rural residential housing. The subdivision was developed in several phases. Unit 3 of the subdivision, comprising the majority of the property to which Permit No. 36-8090 is appurtenant, was a part of the last of the property to be developed. The original developer constructed the rudimentary portions of a potable water system for all portions of the land which he owned. Many houses were constructed on other parts of the subdivision, but only two or three within Unit 3. The administrative proceeding addressed problems in the construction and design of the potable water system. Since part of this system extended into Unit 3, Volco, Inc. and Development Enterprises, Ltd. were necessarily affected by the administrative proceeding.

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MAR 05 1981

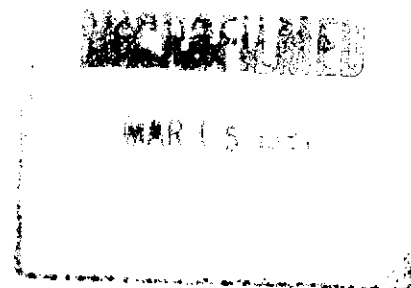
Dept. of Water Resources
ATTN: Rita Fleck
RE: Permit No. 36-8090
February 3, 1988
Page Two

The defendant named in the proceeding, Country Club Estates Water Association, Inc., was the homeowners association set up by the original developer to own and administer both the potable water and irrigation water systems within the entire subdivision. Further, the original developer had originally intended that an additional well be drilled in Unit 3 to accomodate the additional demand for culinary water when that phase of the development had been determined to be economically feasible. Hence, the original developer obtained Permit No. 36-8090.

As explained in the previous portions of the Application, Volco, Inc. and Development Enterprises, Ltd. came into the matter relatively late because of the default of the original owner on certain obligations to those two firms. That factor, together with the delays caused by the administrative proceeding during the pendency of which connections to the culinary water system were prohibited, combined with the marked deterioration of demand for residential housing because of the depressed farm economy in the Magic Valley area, have combined to not allow either the original developer or the present owners of the Permit, Volco, Inc. and Development Enterprises, Ltd., to proceed with the original plan of development as contemplated.

It is our present understanding from the Department of Health & Welfare that the culinary water system within Unit 3 can proceed to be developed and utilized as long as the standards of that department are adhered to.

Jerome County has lifted its moratorium on bulding permits in the area, which it had originally placed becaused of the Health & Welfare action. It is for all these reasons, together with the reasons cited in the previous Request for Extension of Time, that the permit holders respectfully request an extension of time to submit proof of beneficial use

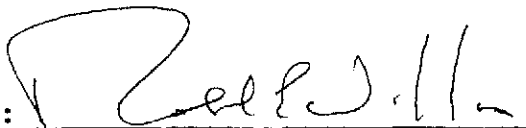


Dept. of Water Resources
ATTN: Rita Fleck
RE: Permit No. 36-8090
February 3, 1988
Page Three

for a water right permit until September 1, 1994. The additional time is sought over and above the original Request for Extension to September 1, 1992, for the reason that the administrative proceeding above referred to has caused an additional two years in delay of the timetable for construction of the necessary improvements to require the water to be put to a beneficial use.

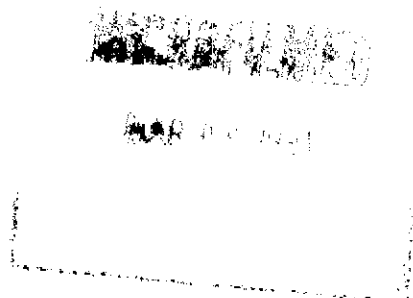
Very truly yours,

FREDERICKSEN & WILLIAMS

BY: 

ROBERT E. WILLIAMS III
Attorney for Volco, Inc. and
Development Enterprises, Ltd.

REW:rlw
cc: Clients



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by _____
Date _____
Receipt # _____

REQUEST FOR EXTENSION OF TIME

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

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

Permit No. 36-8090

Name(s) of Permit Holder: VOLCO, INC., an Idaho Corp. and DEVELOPMENT ENTERPRISES, LTD., an Idaho
Limited Partnership

Post Office Address: P. O. Box 448

Jerome, Idaho 83338

Telephone No. (208) 324-8161

Date Proof Is Due: September 1, 1987

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

Costing \$3,500.00 (Estimated)

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

Volco, Inc. and Development Enterprises, Ltd. acquired real property to which water right
is appurtenant by foreclosure of debt instruments and by purchase. (See document enclosed).

There have been substantial administrative proceedings initiated by the Idaho Dept. of
Health & Welfare regarding an adjacent domestic water system for subdivision property
owners of which the present development would necessarily be a part. Many of these problems
have recently been resolved, which should allow the commencement of the completion of the
water system and application to beneficial use in the near future.

Permit holder(s) request an extension to Sept. 1, 19 92.
(1 yr. minimum)

Wayne Carlton VOLCO, INC. (Signature)* Wayne Carlton

FEE: \$15.00

Wayne Carlton
Wayne Carlton, Development Enterprises, LTD.

*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 ____.

MAR 15 1987

RETTIG, FRED WICKSEN & WILLIAMS
Attorneys at Law
117 South Adams Street
P.O. Box 168
Jerome, Idaho 83338
Telephone: (208) 324-2303

Attorneys for Volco, Inc.

State of Idaho
County of Jerome
I hereby certify the foregoing to be a full, true and correct copy of the original on file in the above entitled action.

DISTRICT COURT
JUDICIAL DIV.
JEROME CO., IDAHO

'83 JUL 13 PM 2:59

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR JEROME COUNTY
DEPUTY CLERK

BANK OF IDAHO, N.A., a national
banking association,

Plaintiff,

vs.

EUGENE BOSSERMAN and CHARLEEN
BOSSERMAN, husband and wife,
VOLCO, INC., an Idaho corporation,

Defendants.

EUGENE BOSSERMAN and CHARLEEN
BOSSERMAN, husband and wife,

Counterclaimants,

vs.

BANK OF IDAHO, N.A., a national
banking association,

Counterdefendants.

STATE OF IDAHO)
County of Jerome) SS.

ELZA HALL, being first duly sworn, on oath, deposes and
says:

That I am the Sheriff of Jerome County, State of Idaho,
and I do hereby certify that pursuant to and by virtue of a
Mortgage dated August 23, 1978, as recorded August 29, 1978,
under Instrument No. 233295, Jerome County, Idaho records, by
and between EUGENE BOSSERMAN and CHARLEEN BOSSERMAN, husband
and wife, as Mortgagor, and the BANK OF IDAHO, N.A., as

SHERIFF'S CERTIFICATE OF SALE - 1

Case No. 6646
SHERIFF'S CERTIFICATE OF
SALE

RECORDED AT THE REQUEST
JUL 13 3 02 PM '83
JEROME COUNTY, IDAHO
FEES \$28.00
DEP 57
of Elza Hall
Sheriff of Jerome County, Idaho

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Mortgagee, covering the following described real property:

Lots 1, 2, 3, 5, 8 and 9 in Block 1, Lots 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 in Block 2, Lots 1, 2, 3, 4, 5, and 6 in Block 3, all in Big Little Ranches Unit 3, Jerome County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of Jerome County, Idaho, together with all and singular tenements, hereditaments and appurtenances thereto belonging to or in anywise appurtenant, and,

FURTHER, by virtue of a Judgment of Foreclosure dated January 1, 1982, a copy of which is attached hereto as Exhibit A, in the present case entitled Bank of Idaho, N.A., v. Eugene Bosserman and Charleen Bosserman and Volco, Inc., in the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Jerome, Case No. 6646, and,

FURTHER, pursuant to and by virtue of a Notice of Sheriff's Levy and Sale on Foreclosure of Judgment dated June 10, 1983, as published in the North Side News, Jerome, Idaho, on June 15, 1983, June 22, 1983, and June 29, 1983, a copy of which said Notice is attached hereto as Exhibit B, and,

FURTHER, pursuant to and by virtue of an Order of Sale dated June 10, 1983, as issued by the Clerk of the District Court, a copy of which is attached hereto as Exhibit C,

I DID, personally at the time and place established in said Notice of Sheriff's Sale on Foreclosure of Judgment, being the front of the Courthouse of the Jerome County Courthouse, Jerome, Idaho, on Monday, July 11, 1983, at 10:00 a.m., of said day expose for sale, and did sell at public auction the following described real property covered by the above described Mortgage and Judgment:

Lots 1, 2, 3, 5, 8 and 9 in Block 1, Lots 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 in Block 2, Lots 1, 2, 3, 4, 5, and 6 in Block 3, all in Big Little Ranches Unit 3, Jerome County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of Jerome County, Idaho, together with all and singular tenements, hereditaments and appurtenances thereto belonging to or in anywise appurtenant.

I FURTHER CERTIFY that I sold said real property, one lot at a time to VOLCO, INC., an Idaho corporation, for a price

SHERIFF'S CERTIFICATE OF SALE 552 1981

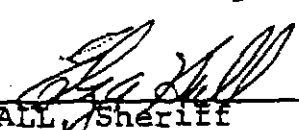
of THREE THOUSAND SIX HUNDRED SIXTY SEVEN and 32/100 DOLLARS (\$3,667.32) per lot, being a total of EIGHTY EIGHT THOUSAND FIFTEEN and 74/100 DOLLARS (\$88,015.74), that being the highest bid for said real property.

I DO FURTHER CERTIFY that VOLCO, INC., submitted to me immediately after the conclusion of the sale the amount of the bid price.

I FURTHER CERTIFY that said sale was in all respects conducted lawfully, openly, honestly and fairly.

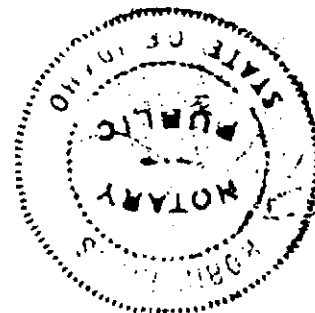
THE REAL PROPERTY ABOVE DESCRIBED IS SUBJECT TO REDEMPTION, in accordance with the provisions of Idaho Code §11-402.

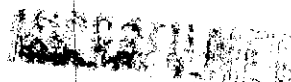
13th IN WITNESS WHEREOF, I have hereunto set my hand, this day of July, 1983.


ELZA HALL, Sheriff

SUBSCRIBED AND SWORN to before me by ELZA HALL, known to me to be the Sheriff of Jerome County, Idaho, on this 13th day of July, 1983.


NOTARY PUBLIC for Idaho





MAR 25 1984

SHERIFF'S CERTIFICATE OF SALE - 3

Charles L. Hay
ELAM, BURKE, EVANS, BOYD & KOONTZ
1010 FIRST INTERSTATE BANK BUILDING
P.O. BOX 1539 BOISE, IDAHO 83701
PHONE (208) 343-8434

Attorneys for Plaintiff

BK 5 Pg. 1092
DISTRICT COURT
STATE OF IDAHO

1982 JAN 15 PM 1:22

Glinda Bell
Clerk of the District Court

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF JEROME

BANK OF IDAHO, N.A., a national
banking association,

Plaintiff,

v.

EUGENE BOSSERMAN and CHARLEEN
BOSSERMAN, husband and wife,
VOLCO, INC., an Idaho corporation,

Defendants.

EUGENE BOSSERMAN and CHARLEEN
BOSSERMAN, husband and wife,

Counterclaimants,

v.

BANK OF IDAHO, N.A., a national
banking association,

Counterdefendant.

Case No. 6646

JUDGMENT

The First Interstate Bank of Idaho (Bank of Idaho,
N.A.) plaintiff and counterdefendant in this action and
defendants and counterclaimants, Eugene and Charleen
Bosserman, having moved this Court by Stipulation for judg-
ment to be entered against the said defendants and counter-
claimants in favor of the First Interstate Bank, and having
stipulated that the following judgment may be so entered,

EXHIBIT A MAR 05 1991

JUDGMENT - 1

State of Idaho
County of Jerome ss.

I hereby certify the foregoing to be a full, true and
correct copy of the original on file in the above
entitled action.

Glinda Bell
Clerk of the District Court

ELAM, BURKE, EVANS, BOYD & KOONTZ
1010 FIRST INTERSTATE BANK BUILDING
P.O. BOX 1559 BOISE, IDAHO 83701
PHONE (208) 343-2484

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

2 1. Judgment is entered against Eugene and Charleen
3 Bosserman for principal, interest and attorney fees in the
4 sum of \$76,500.00 and interest at ten percent (10%) thereon,
5 which sum shall continue to earn interest at the rate of
6 10 percent per annum on any outstanding unpaid balance.

7 2. The payment of that sum set forth hereinabove is
8 secured by that certain mortgage to the First Interstate
9 Bank of Idaho dated the 23rd day of August, 1978, and duly
10 recorded on August 29, 1978, in the official records of
11 Jerome County, Idaho, Instrument No. 233295 which mortgage
12 is hereby foreclosed.

13 3. The aforesaid judgment is a lien on the said
14 property, more particularly described as follows:

15 Lots 1,2,3,5,8 and 9 in Block 1, Lots
16 2,4,5,6,7,8,9,10,11,12,13 and 14 in
17 Block 2, Lots 1,2,3,4,5 and 6 in Block
18 3, all in Big Little Ranches Unit 3,
19 Jerome County, Idaho, as the same is
platted in the official plat thereof,
now of record in the office of the County
Recorder of said county,

20 which lien and the mortgage lien which is hereby ordered
21 foreclosed has a priority over all encumbrances and claims
22 against such property recorded after August 29, 1978. Said
23 judgment is not a lien on any other real or personal property
24 owned by Eugene and Charleen Bosserman, wherever situate.

25 4. That the above-described real property may be sold
26 according to law.

27 5. All and singular of the mortgaged and conveyed
28 premises described in the complaint of the Bank of Idaho and
29 more particularly described herein in Exhibit A hereto, or
30 so much thereof as may be necessary to produce monies due
31 the First Interstate Bank, being sums hereinabove adjudged
32

MAR 05 1991

ELAM, BURKE, EVANS, BOYD & KOONTZ
1010 First Interstate Bank Building
P.O. BOX 1339 Boise, Idaho 83701
PHONE (208) 321-3494

1 due the First Interstate Bank, together with interest thereon,
2 and expenses of sale, and which may be sold separately without
3 material injury to the parties interested, be sold at public
4 auction by the sheriff of said Jerome County, State of Idaho,
5 in the manner prescribed by law, and according to the practices
6 of this Court, and that the sheriff, after the time allowed
7 by law for redemption has expired, shall execute a deed to
8 the purchaser of the premises at said sale; said sheriff,
9 out of the proceeds of said sale, shall retain his fees and
10 disbursements and pay to the First Interstate Bank or its
11 attorneys out of said proceeds, the amount decreed to the
12 First Interstate Bank as aforesaid, together with interest
13 thereon at the rate of ten percent (10%) per annum from the
14 date of this judgment and decree in lawful money of the
15 United States of America, or so much thereof as said proceeds
16 will pay of the said amount, and any amount in excess thereof
17 shall be paid to the person or persons entitled thereto.

18 6. First Interstate Bank further waives judgment
19 against Eugene and Charleen Bosserman, individually, for any
20 deficiency which may remain after applying all the proceeds
21 of such sale.

22 7. Eugene and Charleen Bosserman hereby dismiss with
23 prejudice their counterclaim against the First Interstate
24 Bank (formerly Bank of Idaho, N.A.) and are forever barred,
25 restrained and enjoined from instituting any like action
26 against the First Interstate Bank in the future, with regard
27 to these transactions or happenings which form a basis for
28 this litigation.

29 8. The First Interstate Bank may become a purchaser
30 at said sale.

1 9. The terms and provisions of the Covenant not to
2 Execute attached hereto are incorporated herein.

3 MADE AND ENTERED this ^{19th} day of January 1982

4
5 Sharon W. Ward
6 DISTRICT JUDGE
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ELAM, BURKE, EVANS, BOYO & KOONTZ
1010 FIRST INTERSTATE BANK BUILDING
P.O. BOX 1889 BOISE, IDAHO 83701
PHONE (208) 343-3434

Attorneys at Law
117 South Adams St.
Jerome, Idaho 83338
Telephone (208) 324-2303

Attorneys for Volco, Inc.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR JEROME COUNTY

BANK OF IDAHO, N.A., a nation-)
al banking association,)

Plaintiff,)

vs.)

EUGENE BOSSERMAN and)
CHARLEEN BOSSERMAN, husband)
and wife, VOLCO, INC., an)
Idaho Corporation,)

Defendants,)

Case No. 6646

NOTICE OF SHERIFF'S LEVY
AND SALE ON FORECLOSURE
OF JUDGMENT

EUGENE BOSSERMAN and)
CHARLEEN BOSSERMAN, husband)
and wife,)

Counterclaimants,)

vs.)

BANK OF IDAHO, N.A., a nation-)
al banking association,)

Counterdefendant.)

RECORDED

MAR 05 1983

UNDER AND BY VIRTUE of an Order of Sale issued out of the
District Court of the Fifth Judicial District of the State of
Idaho, in and for the County of Jerome, on the 10th day of
June, 1983, pursuant to a Judgment issued by said

EXHIBIT B

Court on the 12th day of January, 1982, wherein BANK OF IDAHO, N.A., obtained a Judgment against the above-named Defendants, which said Judgment is duly recorded in the records of Judgment of the County of Jerome, State of Idaho, at Book 5, Page 1692 of Judgments, on January 15, 1982, I am commanded to sell all those lots and parcels of land bounded and described as follows, to-wit:

Lots 1, 2, 3, 5, 8 and 9 in Block 1, Lots 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 in Block 2, Lots 1, 2, 3, 4, 5, and 6 in Block 3, all in Big Little Ranches Unit 3, Jerome County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of Jerome County, Idaho, together with all and singular tenements, hereditaments and appurtenances thereto belonging to or in anywise appurtenant;

NOTICE IS HEREBY GIVEN that on the 11th day of July 1983, at 10:00 o'clock A M. on that day, in front of the Courthouse in the City of Jerome, County of Jerome, State of Idaho, I will, in obedience to said Order of Sale and Judgment, sell the above-described property, or so much thereof as may be necessary to satisfy the Judgment of Plaintiff, together with interest and costs thereon, at auction to the highest bidder.

DATED this 10th day of June, 1983.

RECORDED

MAR 05 1991

ELZA HALL, Sheriff

Attorneys at w
117 South Ada St.
Jerome, Idaho 83338
Telephone (208) 324-2303

Attorneys for Volco, Inc.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR JEROME COUNTY

BANK OF IDAHO, N.A., a nation-)
al banking association,)

Plaintiff,)

Case No. 6646

vs.)

ORDER OF SALE

EUGENE BOSSERMAN and)
CHARLEEN BOSSERMAN, husband)
and wife, VOLCO, INC., an)
Idaho Corporation,)

Defendants,)

EUGENE BOSSERMAN and)
CHARLEEN BOSSERMAN, husband)
and wife,)

Counterclaimants,)

vs.)

BANK OF IDAHO, N.A., a nation-)
al banking association,)

Counterdefendant.)

TO THE PEOPLE OF THE STATE OF IDAHO; TO THE SHERIFF OF THE
COUNTY OF JEROME, GREETINGS:

WHEREAS, the Bank of Idaho, N. A., did, on the 12th day
of January, 1982, recover judgment against the Defendants named

EXHIBIT C

ORDER OF SALE - MAR 01 1982

in the Complaint in the above action, where the above Plaintiff was the Plaintiff, and the said Defendants were Defendants, which said Judgment is recorded in the records of Judgments of said District Court of the County of Jerome, material parts of which are in words and figures following, to-wit:

1. Judgment is entered against Eugene and Charleen Bosserman for principal, interest and attorney fees in the sum of \$76,500.00 and interest at ten percent (10%) thereon, which sum shall continue to earn interest at the rate of 10 percent per annum on any outstanding unpaid balance.

2. The payment of that sum set forth hereinabove is secured by that certain mortgage to the First Interstate Bank of Idaho dated the 23rd day of August, 1978, and duly recorded on August 29, 1978, in the official records of Jerome County, Idaho, Instrument No. 233295, which mortgage is hereby foreclosed.

3. The aforesaid judgment is a lien on the said property, more particularly described as follows:

Lots 1, 2, 3, 5, 8 and 9 in Block 1, Lots 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 in Block 2, Lots 1, 2, 3, 4, 5, and 6 in Block 3, all in Big Little Ranches Unit 3, Jerome County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of said County,

which lien and the mortgage lien which is hereby ordered foreclosed has a priority over all encumbrances and claims against such property recorded after August 29, 1978. Said

judgment is not a lien on any other real or personal property owned by Eugene and Charleen Bosserman, wherever situate.

4. That the above-described real property may be sold according to law.

5. All and singular of the mortgaged and conveyed premises described in the complaint of the Bank of Idaho and more particularly described herein in Exhibit A hereto, or so much thereof as may be sufficient to produce monies due the First Interstate Bank, being sums hereinabove adjudged due the First Interstate Bank, together with interest thereon, and expenses of sale, and which may be sold separately without material injury to the parties interested, be sold at public auction by the sheriff of said Jerome County, State of Idaho, in the manner prescribed by law, and according to the practices of this Court, and that the sheriff, after the time allowed by law for redemption has expired, shall execute a deed to the purchaser of the premises at said sale; said sheriff, out of the proceeds of said sale, shall retain his fees and disbursements and pay to the First Interstate Bank or its attorneys out of said proceeds, the amount decreed to the First Interstate Bank as aforesaid, together with interest thereon at the rate of ten percent (10%) per annum from the date of this judgment and decree in lawful money of the United States of America, or so much thereof as said proceeds will pay of the said amount, and any amount in excess thereof

RECEIVED
MAR 05 1991

shall be paid to the person or persons entitled thereto.

5. First Interstate Bank further waives judgment against Eugene and Charleen Bosserman, individually, for any deficiency which may remain after applying all the proceeds of such sale.

7. Eugene and Charleen Bosserman hereby dismiss with prejudice their counterclaim against the First Interstate Bank (formerly Bank of Idaho, N. A.) and are forever barred, restrained and enjoined from instituting any like action against the First Interstate Bank in the future, with regard to these transactions or happenings which form a basis for this litigation.

8. The First Interstate Bank may become a purchaser at said sale.

and,

WHEREAS, on the 2nd day of June, 1983, Volco, Inc., an Idaho Corporation, acquired all right, title and interest of the Bank of Idaho, N. A., in said Judgment by virtue of an Assignment, which document has been recorded in the records of Jerome County, Idaho, as Instrument No. 273919, on June 7, 1983.

NOW, THEREFORE, you, the said Sheriff, are commanded and required to proceed to notice of levy and sale, and to sell the property, and to apply the proceeds of said sale to the

.. satisfaction of said Judgment, with interest thereon and costs, together with your fees, and to make and file your return of said sale to the Clerk of the District Court within sixty (60) days of the date of your receipt hereof, and to do all things according to the terms and requirements of said Judgment and Assignment and the provisions of such statutes and cases made and required.

WITNESS: Honorable Theron W. Ward, Judge of the District Court of the Fifth Judicial District of the State of Idaho, and the seal of said Court this 10th day of June, 1983.

CHERYL M. WATTS, CLERK

By _____
DEPUTY CLERK

MAR 05 1981

ORDER OF SALE - 5

DEED

FOR VALUE RECEIVED, LeMOYNE DEVELOPMENT, Inc.
 who acquired title as SILVER BEACH DEVELOPMENT INC.
 a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
 Bargain, Sell and Convey unto

DEVELOPMENT ENTERPRISES, LTD. an Idaho Limited Partnership
 grantee, the following described real estate, to-wit: P.O. Box 448, Jerome, Idaho 83338

Lots 11,12,13,14,17,18,19 & 22 thru 31, inclusive, Block 1;
 Lots 7, 8, 9,10,11,12 Block 3;
 Lots 1 thru 11, inclusive Block 4;
 Lots 3, 4, 5, 8, 9,10,11, Block 5;
 Lots 2 thru 12, inclusive, Block 6;
 All in BIG LITTLE RANCHES UNIT THREE, JEROME COUNTY, IDAHO
 as the same is platted in the official plat thereof, now of
 record in the office of the Recorder of said County.

SUBJECT TO REAL PROPERTY TAXES FOR 1987, AND FUTURE YEARS,
 AND SUBJECT TO EXHIBIT "A" ATTACHED HERETO.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, and their
 heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its
 corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secre-
 tary this 27th day of January, 1987

MICROFILMED

MAR 05 1991

By

Harry F. LeMoyné

PRESIDENT

ATTEST:

Alice L. M.

SECRETARY

STATE OF IDAHO

County of Jerome

On this 27th day of January, 1987
 before me, a Notary Public in and for said State, personally
 appeared Harry F. LeMoyné and

Alice LeMoyné, known to me to
 be the President and Secretary of the corporation that exe-
 cuted this instrument or the persons who executed the instru-
 ment on behalf of said corporation, and acknowledged to me
 that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand
 and affixed my official seal, the day and year in this certificate

that above written

Kathleen L. Jones
 Notary Public

Jerome Falls, Idaho

RECORDED AT THE CLERK'S
 Land Title & Escrow, Inc.
 JAN 29 3 12 PM '87
 J. J. COURT, DAVID
 FL. 4/20/87

303999

SUBJECT TO THE FOLLOWING:

Taxes for 1987 and subsequent years, which are not yet due and payable.

Assessments of the American Falls Reservoir District and the rights and powers of said District as by law provided.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Terms and conditions of an Agreement by and between Jerome County, Idaho, as County, and Eugene Bosserman and Charleen Bosserman, husband and wife, as Developer, dated February 28, 1978, recorded March 3, 1978 in Book 189 Page 935 as Instrument Number 231590, Jerome County records, pertaining to construction of all roads and streets of the Big Little Ranches Subdivision, Units 3 and 4. Amendment to Agreement between Silver Beach Development Co., Inc., an Idaho Corporation, the County of Jerome, State of Idaho, and Eugene Bosserman and Charlene Bosserman, husband and wife, dated May 3, 1978, recorded May 3, 1978 in Book 189 Page 953 as Instrument Number 233295, Jerome County records.

Restrictions as disclosed by the instrument entitled "Restrictive and Protective Covenants", dated May 2, 1978, recorded May 3, 1978 in Book 184 Page 1668 as Instrument Number 233297, Jerome County records. Revised Restrictive and Protective Covenants executed by R. Eugene Bosserman and Charleen Bosserman recorded May 4, 1982 as Instrument Number 264903, Jerome County records.

Sanitary Restrictions on Big Little Ranches Unit One, Two and Three given by Idaho Department of Health and Welfare recorded March 3, 1980 as Instrument Number 247891, Jerome County records.

Easements as shown on the recorded plat.

Declaration of Conditions and Restrictions in Big Little Ranches Unit #3 executed by R. Eugene Bosserman and Charleen Bosserman, dated October 29, 1982, recorded October 29, 1982 as Instrument Number 268634, Jerome County records.

Conditions contained in Stipulation and Order in the case of Country Club Estates Water Association, Inc., Plaintiffs/Counterdefendant, vs. Gene Bosserman, Defendants/Counterclaimant, dated November 8, 1984, recorded December 5, 1984 as Instrument Number 286260, Jerome County records, pertaining to domestic and irrigation water.

RECORDED

MAR 05 1981

QUITCLAIM DEED

For Value Received

R. EUGENE BOSSERMAN and CHARLEEN R. BOSSERMAN, husband
and wife, Route 3, Jerome, Idaho, 83338,

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

VOLCO, INC., an Idaho Corporation, P.O. Box 448,
Jerome, Idaho, 83338Hereinafter called the grantee, the following described premises, in JEROME County, Idaho
to-wit:

Lots 1, 2, 3, 5, 8 and 9 in Block 1, Lots 2, 4, 5, 6, 7, 8,
9, 10, 11, 12, 13, and 14 in Block 2, Lots 1, 2, 3, 4, 5, and
6 in Block 3, all in Big Little Ranches Unit 3, Jerome County,
Idaho, as the same is platted in the official plat thereof, now
of record in the office of the County Recorder of Jerome County,
Idaho, together with all and singular tenements, hereditaments
and appurtenances thereto belonging to or in anywise appur-
taining.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the gran-
tee's heirs and assigns forever.

Dated: MARCH 7, 1984

RECORDED

MAR 05 1991

R. Eugene Bosserman
R. EUGENE BOSSERMAN
Charleen R. Bosserman
Charleen R. BOSSERMAN, her
separate self,

STATE OF IDAHO, COUNTY OF *Jerome*
On this *7th* day of *MARCH*, 1984before me, a notary public in and for said State, per-
sonally appeared*R. Eugene Bosserman*

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that he executed the same.

Debra L. Martin

Notary Public

Residing at

Jerome

Idaho.

Instrument No.

280139

RECORDED AT THE REQUEST

of *Billy Stadelman*

MAR 12 4 28 PM '84

JEROME COUNTY, IDAHO

FEES: REC DEP *21*

STATE OF IDAHO)
) SS.
County of Jerome)

On this 12 day of March, 1984, before me, a Notary Public in and for said County and State, personally appeared R. EUGENE BOSSERMAN, known to me to be the person whose name is subscribed to the within instrument as the attorney in fact of CHARLEEN R. BOSSERMAN, and acknowledged to me that he subscribed the name of CHARLEEN R. BOSSERMAN as principal, and his own name as attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.

Debra L. Martin
NOTARY PUBLIC for Idaho

RECORDED

MAR 05 1984

January 26, 1988

Wayne Carlton
Volco, Inc.
P. O. Box 448
Jerome, ID 83338

Re: Permit No. 36-8090

This office acknowledges receipt of the assignment conveying the above referenced permit to Volco, Inc. The department has changed its records to reflect the change in ownership. Enclosed is a copy of the permit and other documents for your records.

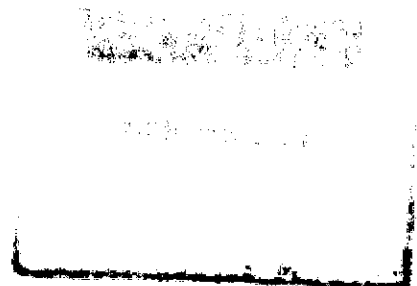
As per our telephone conversation, I contacted your attorney to get more information. Upon receipt of that information, the department will take action on the pending extension request.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures



CONVERSATION MEMORANDUM

DATE 1-20-1988FILE 36-8090NAME OF PARTY Rob WilliamsEMPLOYEE Rita Fleck

RE:

Rob Williams is attorney for Volco, Inc.

I contacted him regarding the "substantial
Administrative proceedings initiated by
the Dept. of Health & Welfare.

He said he would write us a letter and
explain the proceedings. It should be here
within two weeks.

RECEIVED
JAN 21 1988

JAN 21 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

Governor

A. KENNETH DUNN R. Keith Higginson

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

EXTENSION OF TIME

September 9, 1987

Volco, Inc.

P. O. Box 448

Jerome, ID 83338

PERMIT NO. 36-8090

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

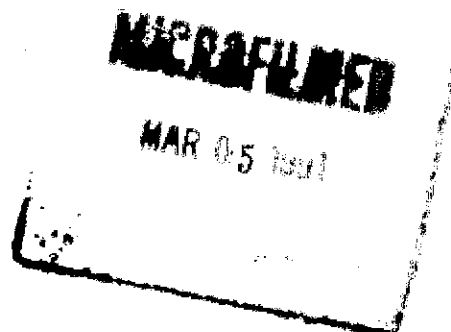
Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 44558.

Roberta Garrett

Records Supervisor

Enclosure



138692
CERTIFIED MAIL
June 30, 1987

BOSSERMAN, GENE
DBA RANCH DEVELOPMENT CO.
RT. 3
JEROME, ID 83338

PROOF DUE NOTICE

RE: Permit No. 36-8090

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 September 1, 1987. (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 completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this Department on or before the above described proof due date, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

1020200000

MAR 05 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

RECORDED
INDEXED
MAR 45 1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

BOSSERMAN, GENE
DBA RANCH DEVELOPMENT CO.
RT. 3
JEROME, ID 83338

SEPTEMBER 28, 1982

RE: PERMIT NO. 36-8090

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.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS MUST BE STARTED WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED. THE PROJECT MUST THEN BE DILIGENTLY CONSTRUCTED UNTIL COMPLETED. TO MAINTAIN THE PERMIT IN A VALID STATUS YOU MUST COMPLETE AND RETURN THE ENCLOSED POSTCARD WHEN CONSTRUCTION IS COMMENCED, NO LATER THAN ONE YEAR FROM THE DATE OF APPROVAL OF THE PERMIT.

PLEASE BE ADVISED THAT NUMEROUS PRIOR APPLICATIONS FOR PERMIT HAVE BEEN FILED TO APPROPRIATE WATER FROM YOUR SOURCE, TO BE USED ON DESERT LAND ENTRY AND/OR CAREY ACT LANDS. DEVELOPMENT OF THESE WATER RIGHTS IS CURRENTLY PREVENTED BY THE U.S. BUREAU OF LAND MANAGEMENT. HOWEVER, IF THE LANDS ARE RELEASED FOR DEVELOPMENT, THE ASSOCIATED WATER RIGHTS WILL RECEIVE WATER PRIOR TO YOUR WATER RIGHT ENCLOSED. THEREFORE BE SURE TO ANALYZE THE FUTURE IMPACT OF THESE RIGHTS BEFORE MAKING A MAJOR INVESTMENT IN A WATER SUPPLY SYSTEM.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS 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 ACCESS PORT.

RE: PERMIT 36-8090

PAGE 01
SEPTEMBER 28, 1982

SINCERELY,

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

ENCLOSURE



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

July 2, 1982

Mr. Alex Schaefer
Department of Health & Welfare
Division of Environment
P. O. Box 1626
Twin Falls, Idaho 83301

Re: Application for Permit No. 36-8090

Dear Mr. Schaefer:

Please find enclosed a copy of the above referenced application for permit for your information and files.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

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:

36-8090

BOSSERMAN, GENE

DBA RANCH DEVELOPMENT CO., RT. 3, JEROME, ID 83338

Source: GROUNDWATER

Date Filed: 06/16/1982

Amount: 1.16 CFS

Diversion Point: ~~SENE~~ Sec 16 T 09S R 17E, JEROME Co.

Use: IRRIGATION	(0.64 CFS)	from 03/15 to 11/15
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31
DOMESTIC	(0.50 CFS)	from 01/01 to 12/31
FIRE PROTECTION	(1.16 CFS)	from 01/01 to 12/31

Place of Use: NENW SENW NESW SESW Sec 16 T 09S R 17E FOR 32 ACRES

Diversion Means: WELL, PUMP, PIPELINE

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 ~~JULY 26, 1982.~~

Aug. 7,

A. KENNETH DUNN

Director

Published ~~7/8 & 7/15/82~~

7/22 + 7/29/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JUNE 29, 1982

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before JULY 26, 1982.

Yours truly,

Mary R. Hill
Secretary

Encl.