

MAP prepared 10/3/95
per applicant's original
maps - 82

gov't lots N1/2
S. 5, none in
S. 8
T18N R2E

① S. 5
78-07377

② Pond on Thrush Cr.
78-07379

③ 78-07380 WNW. stream to pond

④ 78-07381 Well to pond

S. Appls.

Moratorium
Exempt.

Moratorium
HOLD

-7381
Well
-7379
1/2 ACRE
SW. 1/4 AREA

-7380 = same
pond
-7377
-7378 ← REMAINING ON
HOLD

CAN PROCESS
12/8/95
update

METER MAP FOR
78-07377 through
78-07381

4 ponds
5 diversions

USE FOR ANY COPIES etc.
THESE APPLICATIONS

Existing Irrig. Ditch
(see 78-02000?)

pts. of return flow
to ditch
pts. of withdrawal
from ditch

P/O for
78-07377
(Ditch & Big Creek)

Return flow
to creek
P/O
Pond

⑤ 78-07378
Moratorium
on hold

78-2086

Big Creek

MAY 22 1996

New Meadows
Quad

Meadows Quad

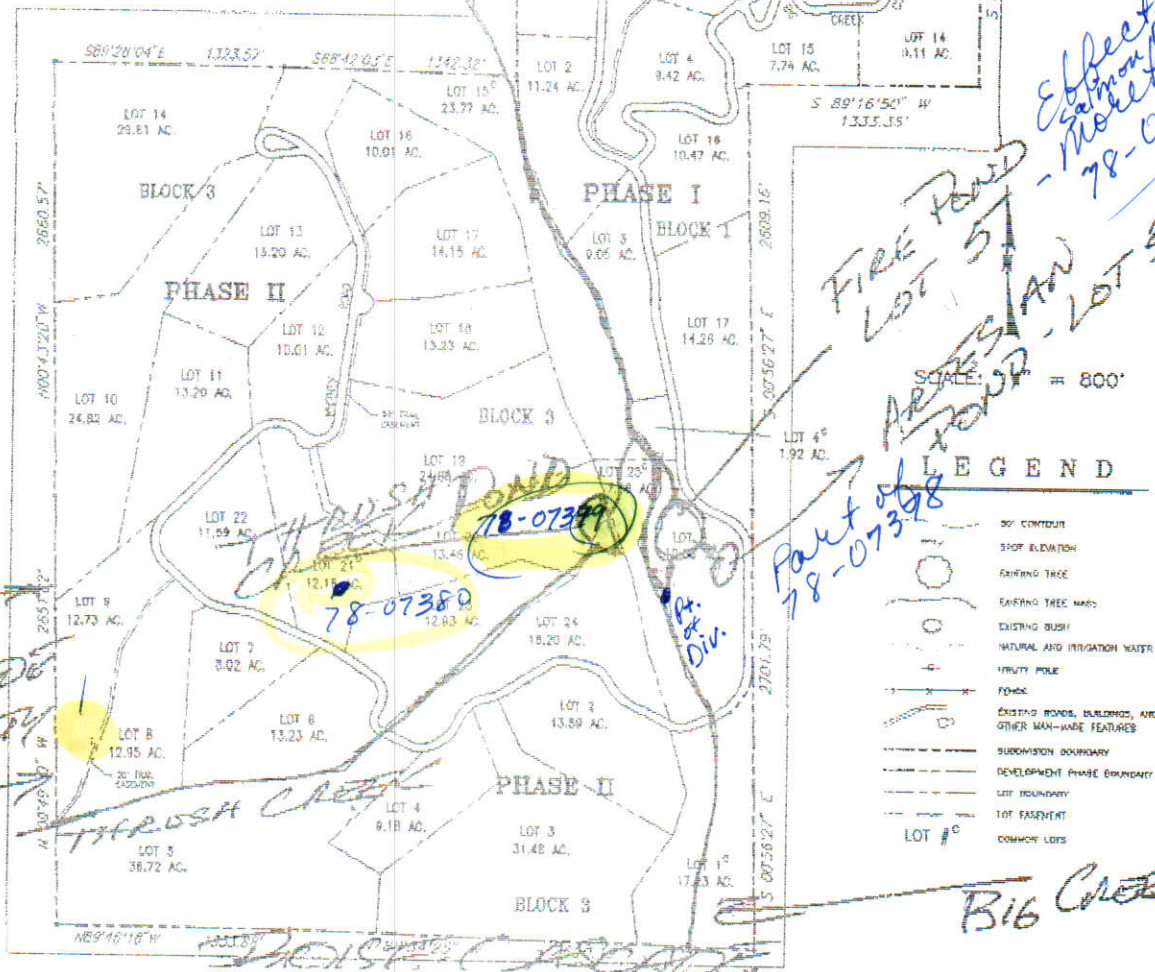


WHITNEY RANCH SUBDIVISION
A SUBDIVISION OF THE
E.1/2 SECTION 5 and the
W.1/2 AND W.1/2 E.1/2 SECTION 8,
T.18N.,R.2E, B.M.

NOTES

1. SUBDIVIDER: MR. WILLIAM FAIRFIELD, TRUSTEE
JOHNSON-ROEHLER TRUITT
P.O. BOX 207
NEW MEADOWS, ID 83854
(208) 347-2748
2. ENGINEER/SURVEYOR: TOTHMAN-ORTON ENGINEERING COMPANY
P.O. BOX 4240
MOCCALA, ID 83630
(208) 834-4663
3. PRESENT ZONING: R-2 (RECREATIONAL RESIDENTIAL)
4. EASEMENTS: AS SHOWN
5. LOTS 10 AND 11, BLOCK 1 AND LOT 4, BLOCK 2 ARE DESIGNATED AS COMMON AREAS FOR PHASE I. LOTS 1, 15, 21, AND 25, BLOCK 3 ARE COMMON AREAS FOR PHASE II.

BIG CREEK



NEW ROAD UNDER CONSTRUCTION
no further development

Effectuated by
Common River
Mortgage
78-07378

FIRE ROAD
LOT 5
ARIZONA
ROAD
LOT 5

Part of
78-07388

BOISE CASCADE PROPERTY

THORSH CREEK

BIG CREEK

MICROFILMED
MAY 24 2000

The Whitney Ranch

New Meadows, Idaho

SUBDIVISION
PLAT ATTACHED

RECEIVED

DEC 12 1995

WATER RESOURCES
WESTERN REGION

78-07377
through
78-07381

file this in
78-07379
with "master topo"

PRODUCED BY
MAY 22 1996



Whitney Road, New Meadows, Idaho

The Whitney Ranch is nestled in the foothills of New Meadows, Idaho, on 880 acres of rolling hills, meadows, pasture and Big Creek. Offered for sale are 40 multi-acre residential lots, each with a magnificent view of the ranch, surrounding mountains and/or the New Meadows valley—a real “field of dreams.”



For further information call, write or fax
WILLIAM D. FAIRFIELD
(805) 644-7458 Office
(805) 642-5788 Residence
P.O. Box 207, New Meadows, ID 83654

All information deemed reliable but not guaranteed

Brochure by The Iris Group 805/962-1194

MAILED
MAY 22 1996

APR 19 2000

P. 02

FOR OFFICE USE ONLY
Amt. of Fee \$ 50.00
Receipt No. 0048865
Receipt By: [Signature]
Date Received: 4-19-00

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 19 2000

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 7B-07379 Telephone No. 805-644-7458
2. Name of Permit Holder(s): JOHNSON ROCHER TRUST, W.D. FAIRFIELD
TRUSTEE
3. Mailing Address: 290 MAPLE CT #200
City VENTURA State CA Zip 93003
4. Source of Water: SURFACE If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
a. Well Driller: N/A Drilling Permit Number: ____ - ____ - ____ - ____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 0 Stockwater (No. and type of stock): ____
Irrigation (No. of acres): ____ Other: FIRE & WILDLIFE
6. Total rate of diversion and/or volume for which proof is submitted: ____ cfs OR 2.0 acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes ____ or No X
Has the measuring device been installed? Yes ____ or No X
8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: DICK YELTON Telephone Number: 208-347-2298
Address: Box 114, NEW MEADOWS, ID 83654
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] 4/17/00
(include your title, if on behalf of company or organization)

MAY 24 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 04 1998

Department of Water Resources

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

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

Permit No. 78-07319
Name(s) of Permit Holder JOHNSON-ROETTER TRUST
Mailing Address: 290 MAPLE CT #200, Ventura, CA 93003
Date Proof is Due: 5-1-98 Telephone No. (805) 644-7458

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".)

POND UNDER CONSTRUCTION - ANTICIPATE
COMPLETION BY 11-1-99

Costing \$ 10,000

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

WEATHER, RAIN DAMAGE, RESOURCES
TO COMPLETE

Permit holder(s) request an extension to 1-1-2000

FEE: \$50.00

(Signature)*

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

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

APR 03 1998

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 May 1, 2000.

IT IS FURTHER ORDERED that the permit is REINSTATED and the date of priority is advanced to September 3, 1995.

Signed this 12th day of May, 19 98

A. Mue Saxton
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 78-07379

Proposed Priority: August 31, 1995

Maximum Storage Volume:

2.0 AF

This is to certify, that **JOHNSON ROEHLER TRUST**
PO BOX 207

NEW MEADOWS ID 83654-0207

has applied for a permit to appropriate water from:

THRUSH CREEK

tributary of **BIG CREEK**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31		2.0 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		2.0 AF
FIRE PROTECT. FROM STOR	01/01 to 12/31		2.0 AF
	Totals		2.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 8, Township 18N, Range 02E
NESW , Sec. 8, Township 18N, Range 02E
ADAMS County

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

18N 02E 8

SESW

NESW

PLACE OF USE: FIRE PROTECT. FROM STOR, same as WILDLIFE STORAGE use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **May 1, 1998**.
2. Subject to all prior water rights.
3. Use of water under this right may be affected by an agreement between the protestant and the right holder.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
5. Use of water under this right is subject to control by the watermaster of State Water District No. 78A.
6. Single point of diversion located on or near the line between SESW and NESW, S08, T18N, R02E.
7. Single place of use located on or near the line between SESW and NESW, S08, T18N, R02E.
8. The surface area of the reservoir shall be limited to 1/2 acre or less.
9. The right holder shall install and maintain a low level outlet works on the impoundment structure in order to release stored water as directed by the watermaster.

MAY 22 1996

State of Idaho
Department of Water Resources

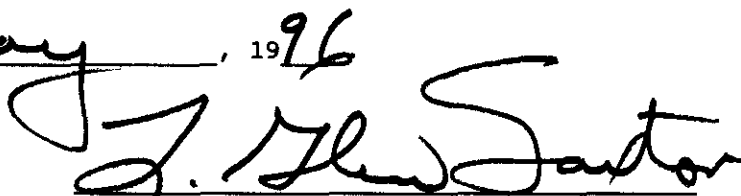
Permit To Appropriate Water

NO. 78-07379

CONDITIONS OF APPROVAL AND REMARKS

10. The right holder shall cause all water entering the reservoir from July 1 through March 31 to pass through the reservoir and exit to the natural stream channel.
11. This right authorizes an annual volume of water to fill the pond and the amount required to replace losses through evaporation.
12. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

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

14th day of May, 1996

for Karl J. Dreher, Director

MAY 22 1996

RECEIVED
MAY 03 1996

Ident. No. -78-07379

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JOHNSON ROEHLER TRUST
Address: PO BOX 207
NEW MEADOWS ID 83654

208-347-2746

2. Source: THRUSH CREEK

Trib. to: BIG CREEK

3. Location of Point of Diversion:

SESW Sec. 8, Township 18N, Range 02E
NESW Sec. 8, Township 18N, Range 02E
ADAMS County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
WILDLIFE STORAGE	01/01	12/31			2.00
FIRE PROTECTION STORAGE	01/01	12/31			2.00
FIRE PROTECT. FROM STOR	01/01	12/31			2.00

5. Total quantity to be appropriated is:

CFS (and/or) 2.00 AF

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

TRICKLE TUBE 6 FT TALL ADDED TO CULVERT THRU RAILROAD GRADE

b. Height of storage dam 8 feet; active reservoir capacity 2.00
acre-feet; total reservoir capacity 2.00 acre-feet; period of
year when water will be diverted to storage: 4/01 to 12/31 inclusive.

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

d. Is groundwater with a temperature greater than 85F being sought? NO

e. If well is already drilled, when?

Drilling Firm

Well was drilled for

4/1 to 6/30 *

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 year(s).

8. Place of Use: WILDLIFE STORAGE

TWN RGE SEC
18N 02E 8

SESW

NESW

MAY 22 1996

* Per letters dated 2/27/96 from IDEG & 4/3/96 from
date here updated 5-2-96 JT Applicant.

FINAL
REVISION

Place of Use: FIRE PROTECT. FROM STOR, same as WILDLIFE STORAGE use

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

10. Remarks:

Single point of diversion and place of use located on or near
line between SENW and NESW, S08, T18N, R02E.
Uses are for a pond not to exceed one-half acre in surface area
in conjunction with a 40 home subdivision.

11. Map of proposed point of diversion and place of use attached? ☒

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.

See original
Applicant

Received by gl for RdH Date 8/31/95 Time 9:07 Preliminary check by gl

* Fee \$ 50 250.00 Receipted by RdH #W019820 Date 8/31/1995

Publication prepared by AT Date 12-13-95 Published in The Record

Publication approved AT Date 1-11-96

* this Appl. = \$50 , 1 check used for > 1 fee

-gl 12/11/95

MAY 22 1996

MAP prepared 10/3/95
per Applicant's original
maps - 82

gov't luts N¹/₂N¹/₂
S. 5, none in
S. 8
T18N R2E

① S. 5
78-07377

② Pond on Thrush Cr.
78-07379

Well somewhere
in NWSW

③ 78-07380 WNW. stream to pond

④ 78-07381 Well to pond

5. Appls.

MORATORIUM
EXEMPT.

-7381
Well
-7379
4 1/2 ACRES
SUBST. AREA

MORATORIUM
HOLD

-7380 = SAME pond
-7377
-7378 ← REMAINING ON HOLD

CAN PROCESS
12/8/95
update

METER MAP FOR

78-07377 through
78-07381

4 ponds
5 diversions

USE FOR ANY COPIES etc.
THESE APPLICATIONS

Existing Irrig. ditch
(see 78-02000?)

Pts. of natural flow
to ditch

Pts. of withdrawal
from ditch

P.O. for
78-07377
(ditch & Big Creek)

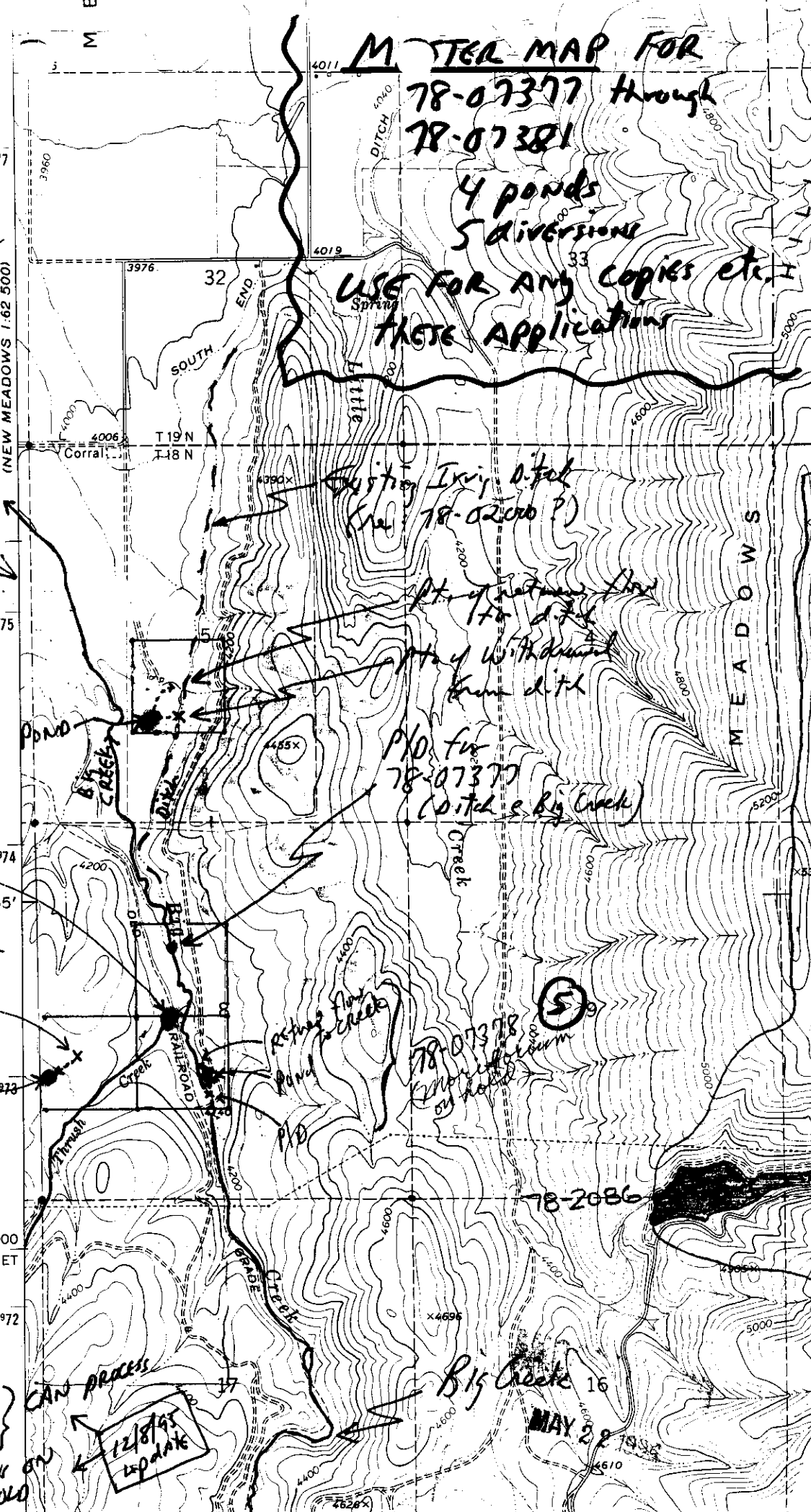
⑤

78-07378
MORATORIUM
ON HOLD

78-2086

Big Creek 16

MAY 29 1996



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Johnson Roehler Trust Phone 208-347-2746
Post office address Po Box 207
2. Source of water supply Thrush Creek which is a tributary of Little Salmon
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 8 Township 18N Range 2E B.M. Adams County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1.5 for Fire protection purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1.5 for wildlife purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 1.5
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. trickle tube 6' tall added
to existing culvert at abandon RR grade
 - b. Height of storage dam 8' feet; active reservoir capacity 1.5 acre-feet; total
reservoir capacity 1.5 acre-feet; period of year when water will be diverted to storage:
Jan 1 to Dec 31 inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
two years (minimum 1 year).

ORIGINAL

MAY 22 1993

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Fire protection, wild life habitat

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
18N	2E	8									W								0

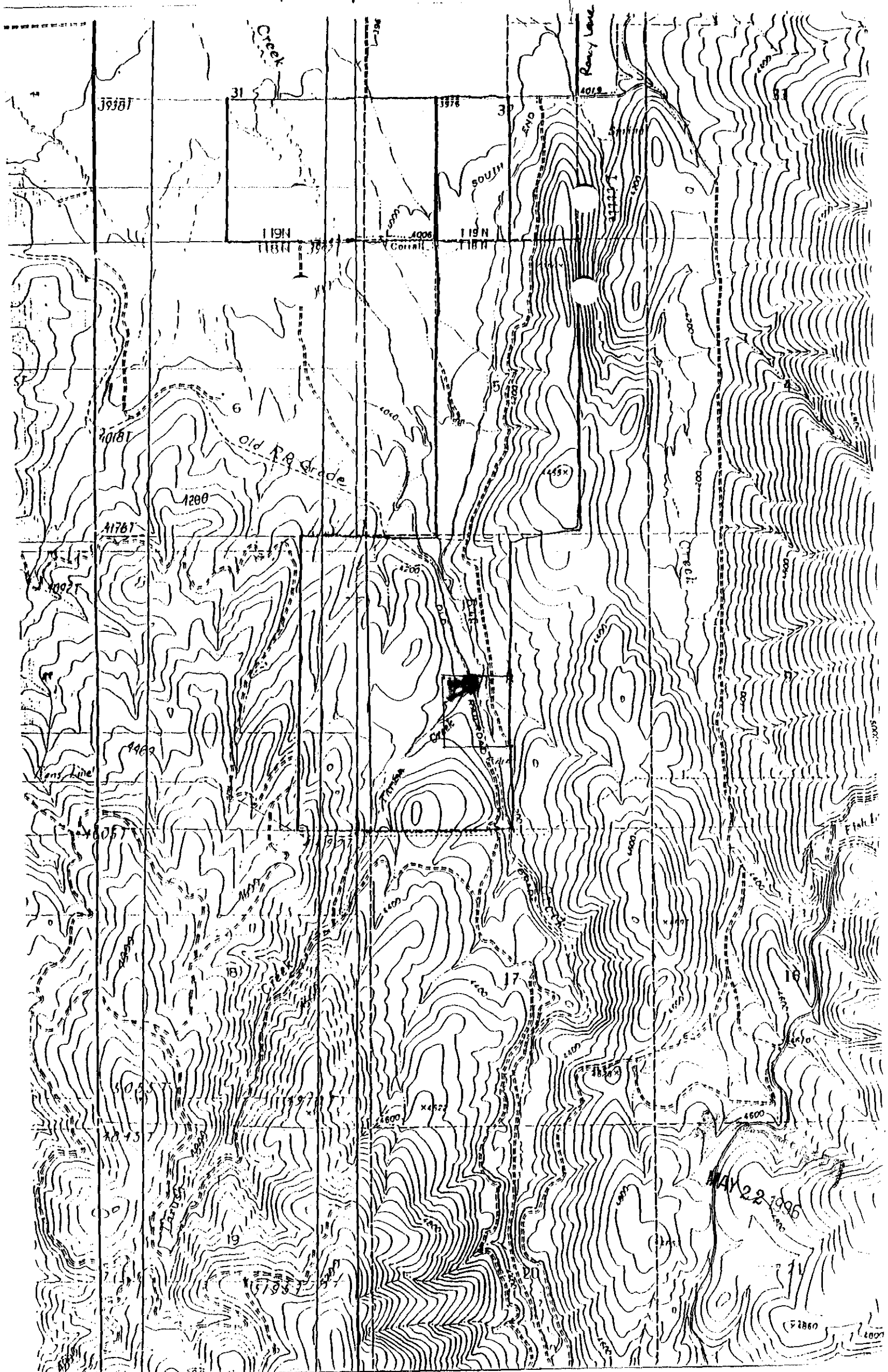
Total number of acres to be irrigated 0

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

- Who owns the property at the point of diversion? Johnson Roehler trust
- Who owns the land to be irrigated or place of use? Johnson Roehler trust
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: we propose using a trickle tube connected to an existing culvert that runs through an abandon RR Bed

Meadows Quad



[illegible]

Special Trustee

Received by RLH Date 9/31/95 Time 9:07 Preliminary check by _____
Fee \$ 50.00 Receipted by RLH # W 019820 Date 8/31/95
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MAY 22 1996

LAW OFFICES OF
FAIRFIELD & FREEMAN
A PROFESSIONAL CORPORATION
290 Maple Court, Suite 200
Ventura, CA 93003

RECEIVED

MAY 15 2000

Department of Water Resources

TELEPHONE (805) 644-7458
FACSIMILE (805) 644-4325
Sender's Extension 306
fair@venturalaw.com

WILLIAM D. FAIRFIELD
WILFRED J. FREEMAN
KEVIN L. ROSE

May 11, 2000

Deborah Drew-Ellis
Administrative Assistant
Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Johnson-Roehler Trust/Whitney Ranches

Dear Deborah:

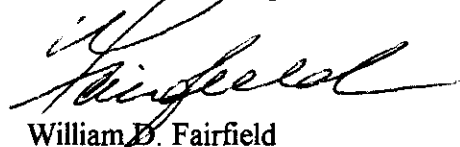
Many thanks for your assistance in connection with completing (and processing) Permit Nos. 78-07379 and 78-07380. I'm not sure this would have happened without your assistance and cooperation.

I also want to assure you that whatever remaining issues exist on the Whitney Ranches, that you will have both my and Dick Yelton's immediate cooperation.

Thanks again.

Very truly yours,

FAIRFIELD & FREEMAN
A Professional Corporation



William D. Fairfield

WDF:np



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 28, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHNSON ROEHLER TRUST
290 MAPLE CT STE 200
VENTURA CA 93003

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NOS. 78-07379 & 78-07380,

Dear Permit Holder:

The department acknowledges receipt of the proofs of beneficial use forms submitted for the above referenced permits. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

If you have questions concerning the field examination, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED
MAY 24 2000

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 78-07379 Reviewed by D. Ellis Date 4/27/00

GENERAL CONSIDERATIONS

Yes Name same as permit?

No Address same as permit?

Yes Proof timely received?

If not, complete calculation below.

TYPES OF USE

Wildlife & Fire
protection, storage

Correct Uses? Yes

SOURCE OF WATER

✓ Surface water source

 Ground water source

 Drilling permit required?

 Copy in the file? Drilling Permit No.

 Amount paid for permit

 Well log in the file?

 Correct?

LICENSE EXAMINATION FEE

Yes Required?

\$50 Amount Submitted

Yes Correct?

MEASURING DEVICE

 Required?

 Installed?

 Waiver requested?

PRIORITY CALCULATION

Date proof received 4/19/2000

Date proof due 5/1/2000

No. of days late =

Priority Date +

New Priority Date

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address % w.D. Fairfield, Trustee
290 Maple Ct., #200,
Ventura, CA 93003

Proof Made 4/19/2000

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

0048865

Date:

Time: 4/19/2000
09:55:59

Received

From: FAIRFIELD WILLIAM D

Type of Payment

Program Acct

Amount

BENEFICIA USE # 78-07379

56104

229 21 1155

50.00

BENEFICIAL USE # 78-07380

56104

229 21 1155

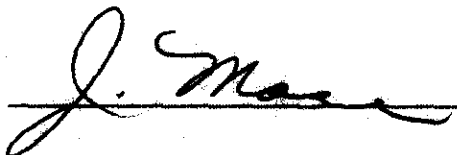
50.00

Total \$ 100.00

CHECK

3966

Region: STATE

Signature: 

MICROFILMED
MAY 24 2000

205
14.9

ATTORNEYS AT LAW
FAIRFIELD & FREEMAN
A PROFESSIONAL CORPORATION

WILLIAM D. FAIRFIELD
WILFRED J. FREEMAN
KEVIN L. ROSE

290 MAPLE COURT, SUITE 200
VENTURA, CALIFORNIA 93003
TELEPHONE (805) 644-7458
FACSIMILE (805) 644-4325

E-MAIL:
mail@venturalaw.com

FAX TRANSMITTAL

TO: D. Drew-Ellis FAX NUMBER: 208-327-7866

FROM: WJF

MESSAGE: THE MAT w/ ROND SITES
BIG CREEK THRUH CREEK
& BOISE CASCADE COMMON
BOUNDARY

TRANSMISSION DATE: 4-14-00 CLIENT: _____

TRANSMISSION TIME: _____ MATTER: _____

OPERATOR: _____ FILE NO: _____

NO. OF PAGES TO FOLLOW: 1

IF YOU DO NOT RECEIVE ALL PAGES OF TRANSMISSION, PLEASE CALL THE FOLLOWING NUMBER AS SOON AS POSSIBLE
(805) 644-7458. THANK YOU.

THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN CONFIDENTIAL INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF YOU ARE NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENTS, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. OUR TELEPHONE NUMBER IS (805) 644-7458 AND OUR FAX NUMBER IS (805) 644-4325. THANK YOU.

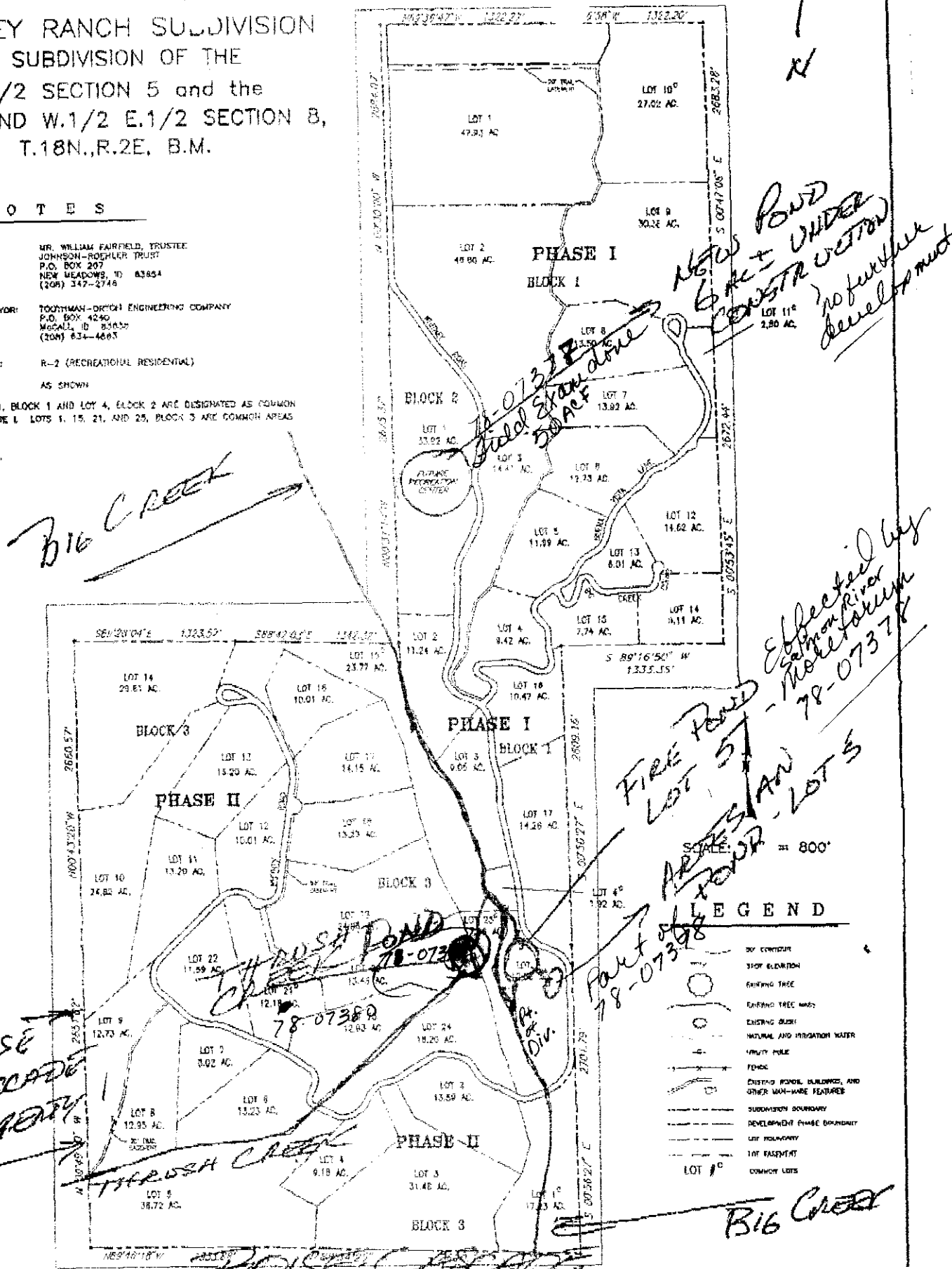
MICROFILMED

MAY 24 2000

WHITNEY RANCH SUBDIVISION
A SUBDIVISION OF THE
E.1/2 SECTION 5 and the
W.1/2 AND W.1/2 E.1/2 SECTION 8,
T.18N., R.2E. B.M.

NOTES

1. SUBOWNER: MR. WILLIAM FAIRFIELD, TRUSTEE
JOHNSON-ROEHLER TRUST
P.O. BOX 207
NEW MEADOWS, WY 83854
(208) 347-2748
2. ENGINEER/SURVEYOR: TOOTHMAN-ORFORD ENGINEERING COMPANY
P.O. BOX 4240
MCCALL, ID 83850
(208) 834-4883
3. PRESENT ZONING: R-2 (RECREATIONAL RESIDENTIAL)
4. EASEMENTS: AS SHOWN
5. LOTS 10 AND 11, BLOCK 1 AND LOT 4, BLOCK 2 ARE DESIGNATED AS COMMON AREAS FOR PHASE I. LOTS 1, 15, 21, AND 25, BLOCK 3 ARE COMMON AREAS FOR PHASE II.



MICROFILMED

MAY 24 2000

Apr-14-00 12:40pm

From: FAIRFIELD & FREEMAN - STRAUSS & CRITZ

8056444325

T-572

P.01/02

F-065

4-14-00
L. 20013

LAW OFFICES OF
FAIRFIELD & FREEMAN

A PROFESSIONAL CORPORATION

WILLIAM D. FAIRFIELD
WILFRED J. FREEMAN
KEVIN L. ROSE

290 MAPLE COURT, SUITE 200
VENTURA, CALIFORNIA 93003
TELEPHONE (805) 644-7458
FACSIMILE (805) 644-4325

E-MAIL:
mail@venturalaw.com

FAX TRANSMITTAL

TO: D DREW-ELLIS FAX NUMBER: 208-327-7866

FROM: W.D. FAIRFIELD

MESSAGE: Per our file - is this
complete? Thanks for your
help!

TRANSMISSION DATE: 4-14-00 CLIENT: Johnson Cochran Trust

TRANSMISSION TIME: _____ MATTER: _____

OPERATOR: _____ FILE NO.: _____

NO. OF PAGES TO FOLLOW: 1

IF YOU DO NOT RECEIVE ALL PAGES OF TRANSMISSION, PLEASE CALL THE FOLLOWING NUMBER AS SOON AS POSSIBLE:
(805) 644-7458. THANK YOU.

THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN CONFIDENTIAL INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF YOU ARE NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENTS, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. OUR TELEPHONE NUMBER IS (805) 644-7458 AND OUR FAX NUMBER IS (805) 644-4325. THANK YOU.

MICROFILMED

MAY 24 2000

Receipt No. _____
 Receipt By: _____
 Date Received: _____

 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 be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 78-07379 Telephone No. (805) 644-7458
 2. Name of Permit Holder(s) JOHNSON, BEHLER TRUST, WILLIAM D. FAIRFIELD, TRUSTEE
 3. Mailing Address: 290 MAPLE CT. #200
 City VENTURA State CA Zip 93003
 4. Source of Water: SURFACE If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

a. Well Driller: _____ Drilling Permit Number: _____

5. Use(s) (as authorized by the water right permit):

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

Irrigation (No. of acres): _____ Other: FIRE & WILDLIFE

6. Total rate of diversion and/or volume for which proof is submitted: 2.0 cfs OR 2.0 acre feet

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

Measuring Device: Is a measuring device required? Yes
 Has the measuring device been installed? Yes

? Yes X or No X
 ? Yes X or No X

8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: DICK FELTON Telephone Number: 208-347-2298

Address: Box 114 New Meadows, ID 83654

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Fairfield, Trustee

Date: 4-14-00

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

\$100.00
 both

MICROFILMED

MAY 24 2000

February 28, 2000

JOHNSON ROEHLER TRUST
290 MAPLE CT STE 200
VENTURA CA 93003

PROOF DUE NOTICE

RE: PERMIT NO. 78-07379

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 May 1, 2000.

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

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

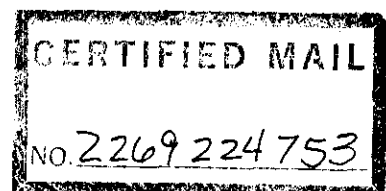
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED
MAY 24 2000



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 78-07379 Reviewed by [Signature] Date 5-12-98

BASIC INFORMATION

5-4-98 Date stamp received
NO Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
yes Address Change

BASIS FOR EXTENSION REQUEST

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

ACTION TAKEN

*Recommend extend to May 1, 2000, on basis of due diligence.
Reinstate & advance priority to Sept 3, 1995.*

PRIORITY CALCULATION

Date extension received	<u>5-4-98</u>	=	_____
Proof due date	<u>5-1-98</u>	=	_____
Number of days late	<u>3</u>	=	_____
Priority date	<u>8-31-98</u>	=	_____
New Priority Date	<u>9-3-95</u>	=	_____

DATA ENTRY

New Address 290 Maple Ct. #200, Ventura, CA 93003
Change Proof Due Date 5-1-2000
Change Priority Date 9-3-95



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

May 12, 1998

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Johnson Roehler Trust
c o William Fairchild
290 Maple Ct STE 200
Ventura CA 93003

RE: Permit Nos. 78-07379 & 78-07380

Dear Permit Holder:

Enclosed are copies of the approved requests for extension of time submitted in connection with the above referenced permits. The time within which to submit proof of beneficial use to has been extended to **May 1, 2000**. Please note that the department has granted the extensions based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Be advised that since the extension requests were received after the proof due date, it was necessary for the department to reinstate the permits and advance the date of priority to **September 3, 1995**.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosures

c: IDWR - Regional Office

MICROFILMED

APR 09 1999

February 28, 1998

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS ID 836540207

PROOF DUE NOTICE

RE: PERMIT NO. 78-07379

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 May 1, 1998.

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

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

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

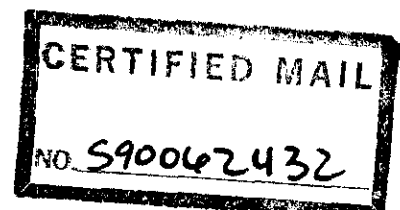
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

APR 09 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 14, 1996

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS ID 83654-0207

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 78-07379

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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

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

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

RECORDED

MAY 22 1996

SK:rl

Enclosures

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman**

No.: 78-7379 Name: Johnson Roehler Trust Date: 5/7/96 Ad OK? ✓
Correct Fee? ✓ Receipt #: W019820 Priority: 8/3/95 / Gvmt Lts:

AREA OF CONCERN? - No/Yes Mor GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - **P16**
+1 year - **26A-P17**
GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)
Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. , P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)
SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):
Water District(~~dem~~) - 005 (req) WD # 78A <SEE MAP & LISTING>
+ 0.2 cfs - 01J(meas dev)-P08
Storage only ✓ =/- 0.2 cfs - 01H(lock dev)-P01 or No MD
In ~~WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M
RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA
USE:
Domestic (surface) - 021(Boise R † Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - **P52** (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B/K <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP: Non-land owner - 004 (PD/PU)
OTHER CONDITIONS: -
STANDARD REMARKS: - ① W33 ② W07 ③ WBL
BENEFICIAL USE DUE: - 5-1-1998
COMMENTS: -

RECEIVED
MAY 03 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: RL DATE: 10/5/95 APPLICATION: 78-07379

update 12/8/95

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Fee:
- ☒ Yes ☐ No* In form to receipt:

Gov't. Lots:
RL P/D
P/U

12/8/95: Applicant will provide 5000 requested; OK to advertise without but eventually need

OK
12/12

ADDITIONAL INFORMATION

- | YES | NO | |
|-------------------------------------|-------------------------------------|---|
| ☐ | ☒ | Overlapping place of use: (Describe source & relationship to present application on the back.) |
| ☐ | ☒ | Overlapping point of diversion: |
| ☐ | ☐ | Field check required: Field check by: _____ |
| ☐ | ☒ | Field report attached: |
| ☐ | ☒ | Critical groundwater area: |
| ☐ | ☒ | Groundwater management area: |
| ☐ | ☒ | 1992 moratorium: <u>Exempted - pond covers $\leq 1/2$ acre surface area per RDH i JFW, who assisted Applicant</u> |
| ☐ | ☒ | Copy to SCA staff: (perennial stream, non-pump diversion) |
| ☐ | ☒ | Copy to Dam Safety staff: (for any storage) |
| ☐ | ☒ | Basin 63 mitigation plan: (where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge) |
| ☐ | ☒ | Send power requirement letter: |
| ☐ | ☒ | Send fish farm requirement letter: |
| ☐ | ☒ | Power residency affidavit: |
| ☐ | ☒ | Power efficiency form: |
| ☐ | ☒ | Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.) |
| ☒ | ☐ | *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT |
| ☒ | ☐ | <u>subd. plat, name of signatory (cannot read who signed) OK</u> |
| ☒ | ☐ | DATE REQUESTED: <u>10-5-95</u> |
| ☐ | ☐ | Additional information on reverse side: |

PROCESSING

APPLICATION

78-07379

YES NO

☒ ☒
☒ ☐

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. District Health

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest 1-8-96

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, Dnr

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

26A (Allow 2 yrs), OS (78A, Big Creek), OIE, Season of diversion is limited to 9/1 thru 6/30.

See below for additional information

Recommended Date or Priority 8/31/95

Recommended by: Dnr

Date 4/29/96

STATE OFFICE REVIEW

See below for additional information. By

Date

ADDITIONAL INFORMATION

12/8 Update: 5 App's filed for separate systems

4 can be processed

1 held by Salmon R. negotiation.

See Comments 78-07377 for more plus

12/8 corr. memo.

Surface area of pond limited to 1/2 Ac. to be removed
except in negotiation.

↑ off-stream diversion does not
require Wm consent for Big Creek,
#78A



The Best Kept Secret in Idaho

RECEIVED

APR 03 1996

WATER RESOURCES
WESTERN REGION

April 3, 1996

David R. Tuthill
Manager, Western Regional Office
Dept. of Water resources

Re: Applications for permit nos. 78-7377, 78-7379, 78-7380

Dear David,

This is a letter to confirm our conversation concerning the recommended restrictions from Tracey Trent, Regional Supervisor Idaho Fish & Game, dated Feb 27, 1996.

It is my belief that with these restrictions will still allow us to achieve our goals and they are acceptable to us.

Sincerely,


JR Henry special trustee

MAY 22 1996



IDAHO FISH & GAME
SOUTHWEST REGION
3101 South Powerline Road
Nampa, Idaho 83686

✓ Ans
Sue
Philip E. Batt / Governor
Jerry M. Conley / Director

February 27, 1996

RECEIVED

MAR 04 1996

**WATER RESOURCES
WESTERN REGION**

David R. Tuthill
Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

RE: Protests of Water Right Applications Nos. 78-07377, 78-07379, and 78-07380; Johnson-Roehler Trust

Dear Mr. Tuthill:

The Idaho Department of Fish and Game has recently discussed the protests of the above listed water right applications with Jay Henry, trustee for the Johnson-Roehler Trust, and we have tentatively agreed to conditionally withdraw our protests if the following stipulations are met and attached as conditions to the water rights.

In regards to water right applications 78-07379 (Thrush Creek) and 78-07380 (unnamed tributary to Thrush Creek), the Department does not object to the amount of water applied for, but the water rights should be amended to allow for diversion only during the high flow period of April, May, and June. This would eliminate significant adverse impacts to resident fish.

In regards to water right application 78-07377 (Big Creek), the Department will conditionally withdraw our protest if the amount of water applied for is reduced from 1.0 cfs to not more than 0.2 cfs and withdrawal only occur during the high flow period of April, May, and June. Again, this would eliminate significant adverse impacts to aquatic resources but still allow the applicants to achieve their goals.

Approved
MAY 22 1996

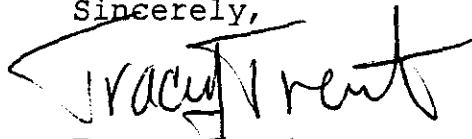
Mr. David R. Tuthill, IDWR

Page 2

February 27, 1996

We trust that you will find this an acceptable solution for all involved parties. Thank you for the opportunity to resolve this matter. If you have any questions, please contact Scott Grunder, Environmental Staff Biologist.

Sincerely,

A handwritten signature in black ink, appearing to read "Tracey Trent". The signature is written in a cursive style with a large, sweeping initial "T".

Tracey Trent
Regional Supervisor

TT:sag

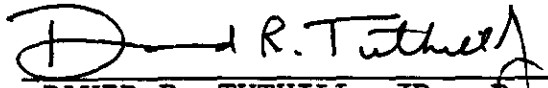
cc: NRPB (Cindy Robertson)
IDFG State Office-Legal (Dallas Burkhalter)
McCall Office (Don Anderson, Kim Apperson)

RECEIVED
FEB 22 1996

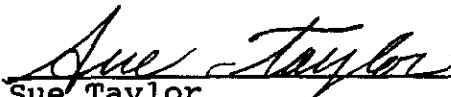
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS)
FOR PERMIT NOS. 78-7377, 78-7379) CANCELLATION OF CONFERENCE
AND 78-7380 IN THE NAME OF)
JOHNSON-ROEHLER TRUST.)

Because the applicant is unable to attend the conference scheduled for March 5, 1996 in the above-referenced matter the conference is hereby canceled. If the department receives notice within 20 days that the protests have been resolved, the conference will not be rescheduled.


DAVID R. TUTHILL, JR., R. E.
Manager, Western Regional Office

I hereby certify that on the 22nd day of February, 1996, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

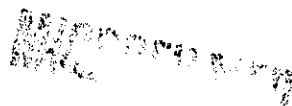

Sue Taylor
Senior Secretary

Non-Certified Mail

JOHNSON-ROEHLER TRUST
PO BOX 207
NEW MEADOWS ID 83654

SCOTT GRUNDER
ID DEPT OF FISH & GAME
SOUTHWEST REGION
3101 SOUTH POWERLINE RD
NAMPA ID 83686

ID DEPT OF FISH & GAME
555 DIENHARD LN
MCCALL ID 83638



MAY 22 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS)
FOR PERMIT NOS. 78-7377, 78-7379)
AND 78-7380 IN THE NAME OF JOHNSON-)
ROEHLER TRUST.)

NOTICE OF CONFERENCE

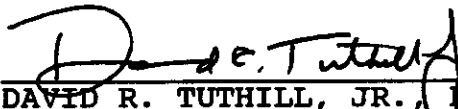
On August 31, 1995, Johnson-Roehler Trust filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. The application was protested by the Idaho Department of Fish & Game.

The Department has set the matter of protest for a telephonic conference to be held on Tuesday, March 5, 1996, at 10:00 a.m. The applicant will be able to participate in the conference at either the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705, or at the Idaho Department of Fish & Game, 555 Deinhard Lane, McCall, Idaho 83638. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of

RECEIVED
MAY 22 1996

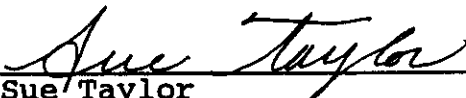
Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 16th day of February, 1996.



DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

I hereby certify that on the 16th day of February, 1996, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:



Sue Taylor
Secretary/Office Coordinator

Certified Mail

JOHNSON-ROEHLER TRUST
PO BOX 207
NEW MEADOWS ID 83654

TRACEY TRENT
ID DEPT FISH & GAME
SOUTHWEST REGION
3101 SOUTH POWERLINE RD
NAMPA ID 83686

Non-Certified Mail

ID DEPT OF FISH & GAME
555 DIENHARD LN
MCCALL ID 83638


MAY 22 1996

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The Applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. the applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize

MAY 22 1996

themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may be written stipulation waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

RECEIVED
MAY 22 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 9, 1996

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS ID 83654

Re: Applications for Permit Nos. 78-7377, 78-7379 and 78-7380

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced applications. The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for a conference. At such a conference, the following are the principle items the Department will review (per Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Please contact this office if you have questions regarding this procedure.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

Enclosure: Copy of protest(s)

MAY 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

January 10, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TRACEY TRENT
ID FISH & GAME
SOUTHWEST REGION
3101 SOUTH POWERLINE RD
NAMPA ID 83686

Re: Applications for Permit Nos. 78-7377, 78-7379 and 78-7380 in
the Name of Johnson Roehler Trust

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

If this office can be of further assistance, please contact us.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT/st

MAY 22 1996



IDAHO FISH & GAME
SOUTHWEST REGION
3101 South Powerline Road
Nampa, Idaho 83686

Philip E. Batt / Governor
Jerry M. Conley / Director

RECEIVED

JAN 08 1996

**WATER RESOURCES
WESTERN REGION**

January 4, 1996

David R. Tuthill, P.E. *DR*
Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

RE: Applications for Water Right Nos. 78-07377, 78-07379, and
78-07380 in the Name of Johnson Roehler Trust

Dear Mr. Tuthill:

The Idaho Department of Fish and Game (Fish and Game) wishes to protest the issuance of pending water right applications Nos. 78-07377 (Big Creek), 78-07379 (Thrush Creek) and 78-07380 (Unnamed Stream) in the Little Salmon River drainage due to potential adverse impacts to aquatic/riparian resources including native wild fish. We do not object to application No. 78-07381 (Groundwater). Enclosed find our protest fee of \$75.00. We request a receipt for accounting purposes.

We do not object to development of the ponds, but we will object to the period of use stipulated as year-round if it results in complete or significant dewatering of the channels to the detriment of aquatic resources. In order to resolve Fish and Game concerns, we recommend the applicant consider modifying the period of use so water is diverted only during high flow periods or for fire protection as needed, or reasonable bypass flows are provided. Continual diversions during base flow conditions (summer, fall, and winter) could result in significant loss of habitat for aquatic species and perhaps eventual loss of these resources.

RECEIVED

MAY 22 1996

REC'd by *SL*

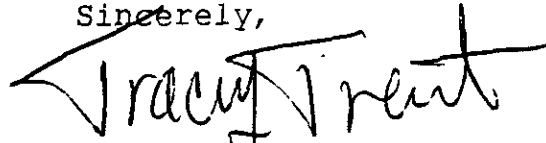
1/8/96

Receipt # *W020236 (\$75)*

Mr. David R. Tuthill, IDWR
Page 2
January 4, 1996

Thank you for the opportunity to comment. If you have any questions, please call Scott Grunder, Environmental Staff Biologist, at the above listed phone number or Don Anderson, Regional Fishery Manager in our McCall Office at 208-634-8137.

Sincerely,


Tracey Trent
Regional Supervisor

TT:sag

(w/attachment)

cc: NRPB (Cindy Robertson)
McCall Office (Don Anderson)

(roehler.wpd)

RECEIVED
MAY 22 1996

RECEIVED
JAN 08 1996
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)
) ss.
COUNTY OF ADAMS)

Nancy Laker, being duly sworn,
deposes and says: That she is the Principle Clerk of The Council Record,
a weekly newspaper printed and published at Council, Adams County,
State of Idaho, and having a general circulation therein and which said
newspaper has been continuously and uninterruptedly published in said
County during a period of twelve consecutive months prior to the first
publication of the advertisement, a copy of which is attached hereto; that
advertisement was published in the regular edition of The Council Record

for two insertion(s), beginning with the
issue of December 21, 1995, and ending with the
issue of December 28, 1995

Nancy Laker
Subscribed and sworn to before me this 5 day of

January, 1996

Patricia Ann
Notary Public for Idaho, Residing at 221 N. 2nd St.

RECORDED

MAY 22 1996

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

78-07377

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS, ID 83654

Source: BIG CREEK
RIVER

Tributary: LITTLE SALMON

Diversion Pt: SENW Sec 8 T 18N R 02E in ADAMS County.

Use: FIRE PROTECTION STORAGE	(	50.00 AF)
FIRE PROTECT. FROM STOR	(	50.00 AF)
DIVERSION TO STORAGE (1.000 CFS)		
RECREATION STORAGE	(	50.00 AF)
Total Diversion:	(1.000 CFS)	

Date Filed: 8/31/1995

In: ADAMS County
T18N R02E S05 NESW

Applicant seeks exemption from Salmon River Moratorium for pond development on irrigated land.

78-07379

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS, ID 83654

Source: THRUSH CREEK

Tributary: BIG CREEK

Diversion Pt: SENW Sec 8 T 18N R 02E in ADAMS County.
NESW Sec 8 T 18N R 02E in ADAMS County.

Use: FIRE PROTECTION STORAGE	(	2.00 AF)
FIRE PROTECT. FROM STOR	(	2.00 AF)
WILDLIFE STORAGE	(	2.00 AF)
Total Diversion:	(	2.00 AF)

Date Filed: 8/31/1995

In: ADAMS County
T18N R02E S08 SENW NESW
78-07380

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS, ID 83654

Source: UNNAMED STREAM

Tributary: THRUSH CREEK

Diversion Pt: NWSW Sec 8 T 18N R 02E in ADAMS County.

Use: FIRE PROTECTION STORAGE	(	20.00 AF)
FIRE PROTECT. FROM STOR	(	20.00 AF)
WILDLIFE STORAGE	(	20.00 AF)
Total Diversion:	(	20.00 AF)

Date Filed: 8/31/1995

In: ADAMS County
T18N R02E S08 NWSW

Applicant seeks exemption from Salmon River Moratorium for a 20 acre foot pond also filled under right no. 78-07381 (well).

78-07381

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS, ID 83654

Source: GROUNDWATER

Diversion Pt: NWSW Sec 8 T 18N R 02E in ADAMS County.

Use: FIRE PROTECTION STORAGE	(	20.00 AF)
FIRE PROTECT. FROM STOR	(	20.00 AF)
WILDLIFE STORAGE	(	20.00 AF)
DIVERSION TO STORAGE (- 0.200 CFS)		
Total Diversion:	(	0.200 CFS)

Date Filed: 8/31/1995

In: ADAMS County
T18N R02E S08 NWSW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JANUARY 8, 1996. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 12/21/1995 & 12/28/1995

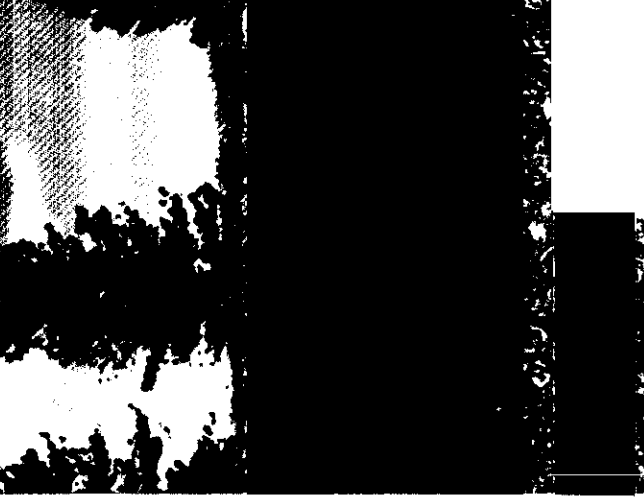
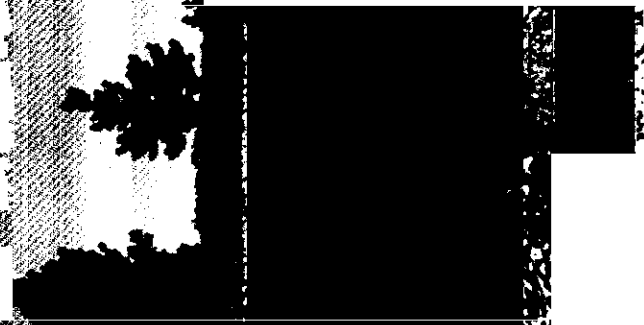
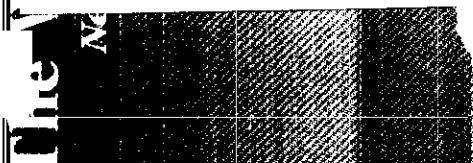
Bill
Fairfield
- Attorney

SUBDIVISION
PLAT ATTACHED

RECEIVED

DEC 12 1995

WATER RESOURCES
WESTERN REGION

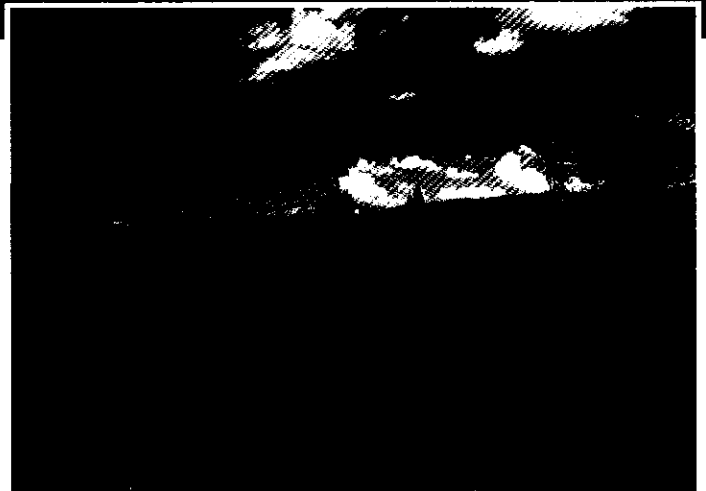


DEC 12 1995



Whitney Road, New Meadows, Idaho

The Whitney Ranch is nestled in the foothills of New Meadows, Idaho, on 880 acres of rolling hills, meadows, pasture and Big Creek. Offered for sale are 40 multi-acre residential lots, each with a magnificent view of the ranch, surrounding mountains and/or the New Meadows valley—a real “field of dreams.”



For further information call, write or fax

WILLIAM D. FAIRFIELD

(805) 644-7458 Office

(805) 642-5788 Residence

P.O. Box 207, New Meadows, ID 83654

REC-111
MAY 22 1995

All information deemed reliable but not guaranteed

Brochure by The Iris Group 805/ 982-1194



Chisholm Realty

500 W. Lake Street, P.O. Drawer H

McCall, Idaho 83638

Fax (208) 634-3719

Business (208) 634-2100

WHITNEY RANCH SUBDIVISION

LOCATION: Southeast corner of Meadows Valley, 10 miles from McCall - take Highway 55 to New Meadows, turn left (South) at Raney Lane (Meadows RV park is on the right), then take a right on Whitney Lane. (See location map on next page.)

PROJECT DESIGN: This 800 acre subdivision was divided into 40 private residential lots with acreage between 6 to 47 acres together with common areas and trail easements so that owners will have access to the entire ranch. The design was based on the best division of the land as dictated by the lay of the land (i.e. surface water drainages, streams, natural buffers, etc).

SPECIAL FEATURES: This subdivision offers a variety of properties and attractions. They are:

1. Spectacular views of Meadows Valley, Brundage, Granite and Pollock mountains
2. Large parcels with irrigation for the gentlemen rancher
3. Trail easements to allow people access to the entire ranch
4. Seven common parcels for everyone's enjoyment
5. Borders Boise Cascade lands
6. Nine miles to Brundage ski resort
7. Access to great snowmobiling and hunting areas adjacent to the ranch.
8. Big Creek stream flows year round and is accessible by all property owners

ASSOCIATION DUES: The Whitney Ranch Homeowners Association (WRHA) is only responsible for snow removal and maintaining the Association roads, weed control and maintenance of common parcels. The estimated cost per year is \$250 - \$500 dollars.

PRICE: The parcels are ranging in price from \$70,000 to \$140,000. Owner financing is available. Discounts available for half down and cash offers.

MAY 22 1996

SUMMARY OF WHITNEY RANCH SUBDIVISION CC&R'S

The CC&R's for the Whitney Ranch Subdivision are written to give all property owners the guidelines for how they can develop and use the property. The goal of these guidelines are to protect the aesthetic quality of the property, the quality of life, and the value of the property.

The following is a summary of the most common questions of prospective buyers. If a buyer becomes very serious about purchasing property at Whitney Ranch, we will provide a copy of the recorded Whitney Ranch Subdivision CC&R's.

GENERAL AND SPECIFIC RESTRICTIONS

1. No alterations of any lot shall be allowed without the written approval from the Design Review Committee (DRC).
2. No further subdividing of any lot shall be allowed.
3. No commercial boarding, breeding, training, etc. of any animals shall be allowed. No more than 4 dogs and 4 cats (and other household pets) may be kept. Farm animals shall not exceed 1 per 5 acres unless approved by the WRHA Board. No pigs, chickens or burrowing animals allowed. Exceptions: Lot 1 & 2, Block 1 and Lot 1, Block 2 may have 1 farm animal per acre.
4. Greenbelts and common areas are managed by the association and no alterations within said areas shall be allowed.
5. All lots are approved for an individual septic system and a water well.
6. Fire protection is provided by Adams County Rural Fire District and the City of New Meadows. A pond with a dry hydrant will be located on site for additional fire protection.
7. Commercial timber removal shall not be allowed. Any removal of existing vegetation outside of approved site plan must be approved by the WRHA Board.

PERMITTED USES AND IMPROVEMENTS

1. All improvements must be approved by the DRC. One house and three outbuildings may be constructed. A guest house not to exceed 800 square feet may be located in an outbuilding.
2. Further improvement of view corridors by the selective removal of trees must be approved by the DRC.
3. The exterior of each improvement on any lot shall be completed within one year from commencement of construction.
4. Except for Lot 1 Block 2 Phase 1 each lot is limited to residential use. No guest house may be used as a separate rental property.

MAY 22 1996

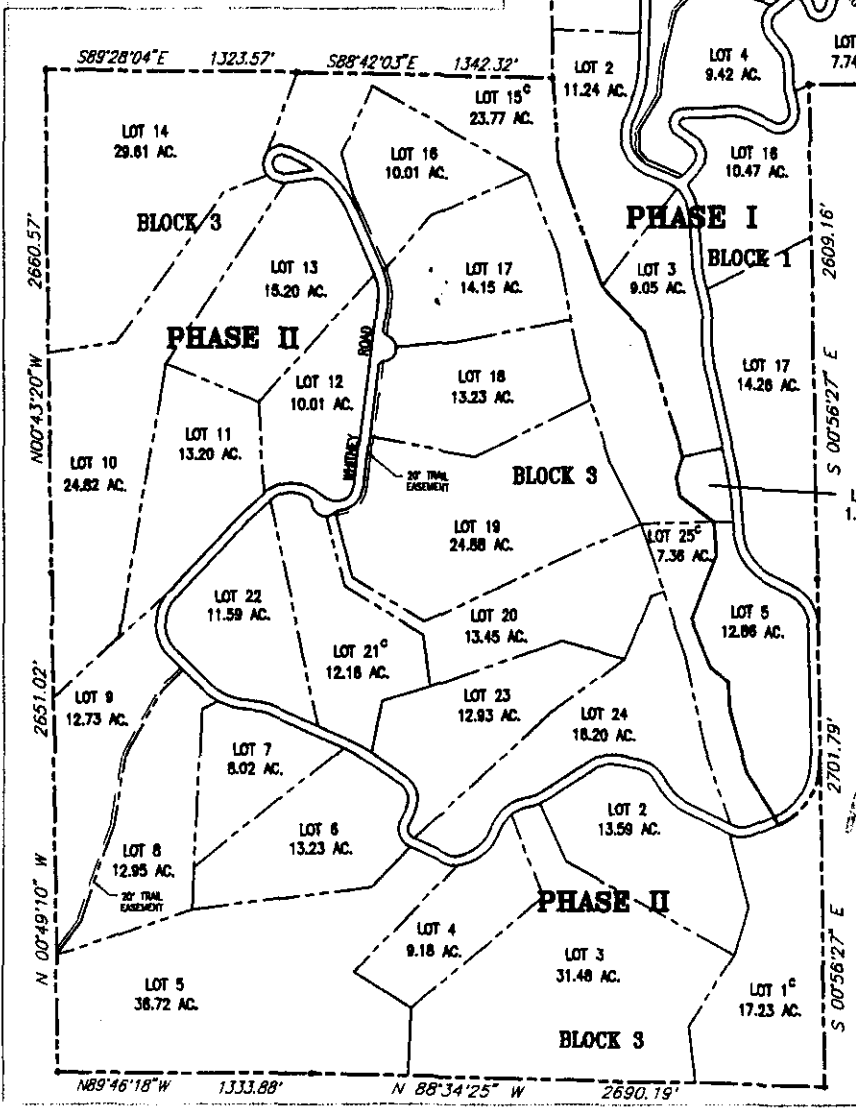
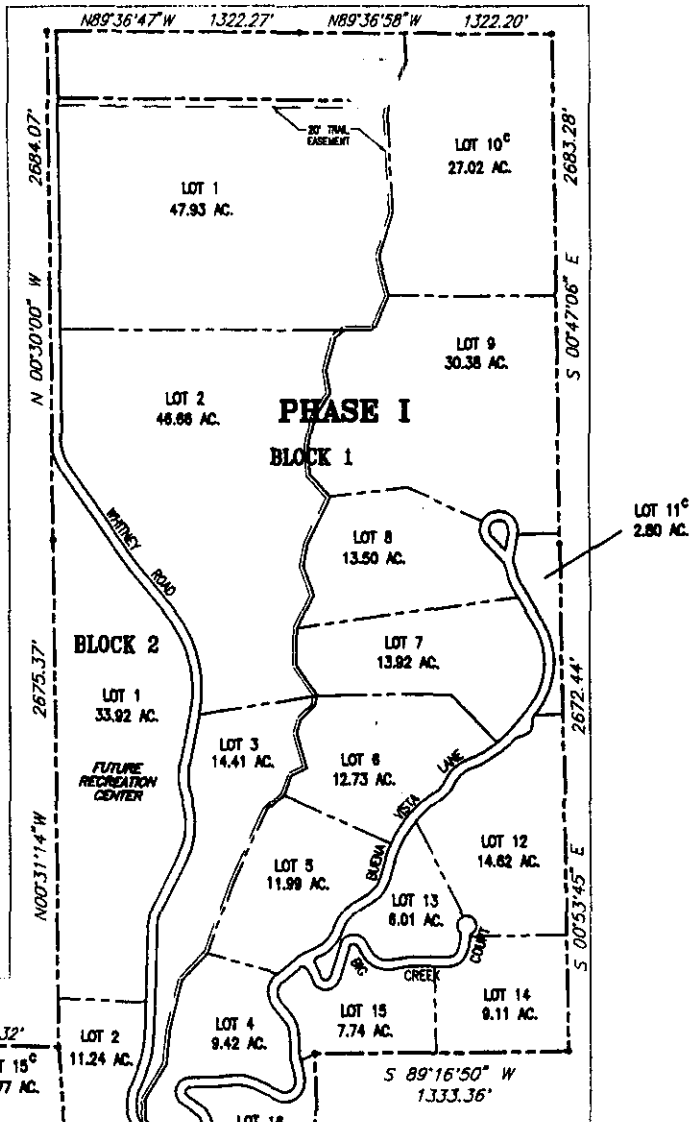
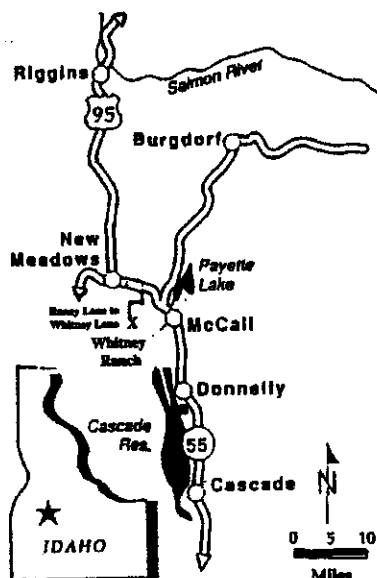
WHITNEY RANCH SUBDIVISION

A SUBDIVISION OF THE

E.1/2 SECTION 5 and the

N.1/2 AND W.1/2 E.1/2 SECTION 8,

T.18N., R.2E, B.M.



SCALE: 1" = 800'

LEGEND

- 30' CONTOUR
- SPOT ELEVATION
- EXISTING TREE
- EXISTING TREE MASS
- EXISTING BUSH
- NATURAL AND IRRIGATION WATER
- UTILITY POLE
- FENCE
- EXISTING ROADS, BUILDINGS, AND OTHER MAN-MADE FEATURES
- SUBDIVISION BOUNDARY
- DEVELOPMENT PHASE BOUNDARY
- LOT BOUNDARY
- LOT EASEMENT
- COMMON LOTS

MAY 22 1996

Whitely Ranch Price Sheet

Block	Lot	Acreage	Price	Status
PHASE I				
1	1	47.93	140,000.00	
1	2	46.66	130,000.00	
1	3	14.41	90,000.00	
1	4	9.42	80,000.00	
1	5	11.99	90,000.00	
1	6	12.73	100,000.00	
1	7	13.92	100,000.00	SOLD
1	8	13.50	110,000.00	SOLD
1	9	30.38	225,000.00	SOLD
1	10	COMMON	PARCEL	
1	11	COMMON	PARCEL	
1	12	14.62	125,000.00	SOLD
1	13	6.01	90,000.00	
1	14	9.11	90,000.00	
1	15	7.74	85,000.00	
1	16	10.47	75,000.00	
1	17	14.26	95,000.00	
2	1	33.92	225,000.00	
2	2	11.24	95,000.00	SOLD
2	3	9.05	95,000.00	
2	4	COMMON	PARCEL	
2	5	12.86	105,000.00	
PHASE II				
3	2	13.59	75,000.00	SOLD
3	3	31.48	130,000.00	
3	4	9.18	70,000.00	
3	5	36.72	130,000.00	SOLD
3	6	13.23	85,000.00	SOLD
3	7	8.02	85,000.00	
3	8	12.95	80,000.00	SOLD
3	9	12.73	95,000.00	
3	10	24.82	80,000.00	
3	11	13.20	105,000.00	
3	12	10.01	90,000.00	
3	13	15.20	110,000.00	
3	14	29.61	130,000.00	SOLD
3	15	COMMON	PARCEL	
3	16	10.01	85,000.00	
3	17	14.15	95,000.00	
3	18	13.23	90,000.00	
3	19	27.14	130,000.00	
3	20	13.45	110,000.00	
3	21	COMMON	PARCEL	
3	22	11.59	95,000.00	
3	23	12.93	95,000.00	
3	24	16.19	95,000.00	
3	25	COMMON	PARCEL	

MAY 22 1996

8/18/95

JOHNSON-ROEHLER TRUST APPLS.

ER-DEPARTMENT MEMO--1

FROM JR
TO FILE

DATE 12/12/95

SUBJECT APPLICANT AVAILABILITY

During most/all of 1/96, JAY HENRY
will be out of AREA but can get messages.
IF need to contact him, leave msg. at
208-347-2746.

Per office visit
today.

INDEXED
MAY 22 1996

JR
SIGNATURE

78-07379

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS, ID 83654

Source: THRUSH CREEK

Tributary: BIG CREEK

Diversion Pt:	SENW	Sec 8 T 18N R 02E in ADAMS County.
	NESW	Sec 8 T 18N R 02E in ADAMS County.

Use: FIRE PROTECTION STORAGE	(	2.00 AF)
FIRE PROTECT. FROM STOR	(	2.00 AF)
WILDLIFE STORAGE	(	2.00 AF)
Total Diversion:	(	2.00 AF)

Date Filed: 8/31/1995

In: ADAMS County		
T18N R02E S08	SENW	NESW

MAY 22 1996

CONVERSATION MEMORANDUM

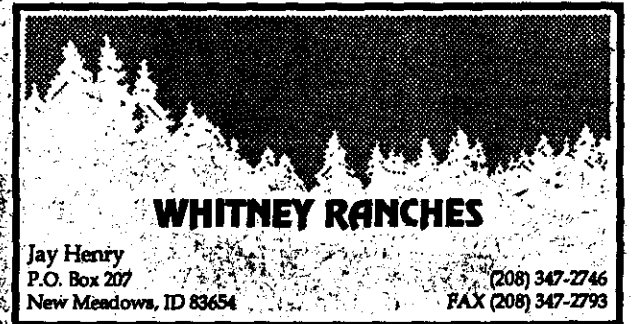
Date 12/8/95

FILE JOHNSON ROSEHLEN
TRUST APPLS.

NAME OF PARTY JAY HENRY - PER OFFICE
EMPLOYEE ITAVE LOSTA

RE: PROCESSING

① JAY HENRY of Whitney Ranches is Special Trustee of J-R Trust.



② 78-07377 pond will be developed on site already irrigated by Big Creek & Brannan Res. water. No net change in surface water used consumptively (at least, no increase). OK to advertise.

③ 78-07378 pond not on land already irrigated. It can provide info & nature of site, i.e., already is wetted area although non-irrig. - can consider for approval. Remains on Moratorium Hold.

④ 78-07379 OK to advertise since pond size exempted. ($\leq \frac{1}{2}$ acre surface area).

⑤ 78-07380 Runoff as available through & mid June to August pond that will be mostly filled by well right (78-07381). Possibly could be approved since minimal impact on fisheries anticipated. OK to advertise for dept. consideration.

⑥ 78-07381 MAY 26 1996 to pond (same pond as - 7380) - OK to advertise.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 5, 1995

Johnson-Roehler Trust
PO Box 207
New Meadows, ID 83654

RE: APPLICATION FOR PERMIT NOS. 78-07377 THROUGH 78-07381

Dear Applicant:

Your recent applications for the above-referenced five water right permits were received at this office on August 31, 1995. Two of the applications can be processed without delay but the remaining three cannot be processed now.

APPLICATIONS TO PROCESS

1. Application No. 78-07379 for a small pond on Thrush Creek can be processed as an exemption to the Salmon River Moratorium. The moratorium is discussed later in this letter.
2. Application No. 78-07381 for a well can also be processed. The moratorium does not apply to ground water development. Additional information is needed for the well proposal. The well will provide water to a pond, and the "diversion to storage" component of the water use from the source to the pond must be added to the application. This means that a rate of flow should be included on the application; up to .20 cfs (about 90 gpm) could be added based on the \$50 fee paid for this filing. If you want to pump at a higher rate from the well, you need to let me know and also to pay any additional fees.
3. For all of the applications filed, please identify the party who signed the applications (cannot read signature). Also, please provide a copy of the subdivision plat or plats since all five applications refer to uses within a proposed subdivision(s).

APPLICATIONS SUBJECT TO PROCESSING DELAY - SALMON RIVER MORATORIUM

Due to concerns about water supplies, existing water rights, and impacts of new development on anadromous fish migration, the Director of this agency declared a moratorium on approval of applications for surface water in the Salmon River drainage in May, 1992. The moratorium applies to new consumptive uses not in place prior to November, 1987. Water storage beyond a minor amount is a consumptive use subject to the moratorium.

RECEIVED

MAY 22 1996

Johnson-Roehler Trust
October 5, 1995
Page 2

The applications subject to the moratorium include the following: No. 78-07377 for Big Creek in Section 5, No. 78-07378 for Big Creek in Section 8, and No. 78-07380 for an unnamed stream that will serve the same pond as the well application (No. 78-07381). The three moratorium filings will be held at this office pending changes in the moratorium as determined by the Director. Delays related to department decisions do not affect the date of priority of an application. You will be informed of any moratorium changes.

To facilitate processing of the two applications that can move forward, please provide your response to item nos. 2 and 3 above within 30 days. Let me know if I can help you in this matter.

Sincerely,



Steve Lester
Water Rights Supervisor

MAY 22 1996