

only govt lot
is 6.2 NWNE S.4
-SL 5/15/97

POINTS OF DIVERSION

Reservoir as proposed
& wells #1, #2, & #3
upstream of reservoir.
One or more springs at
reservoir site.

Upper William
Dam (67-04042)
Lower William
Dam, Breached
(67-04041)

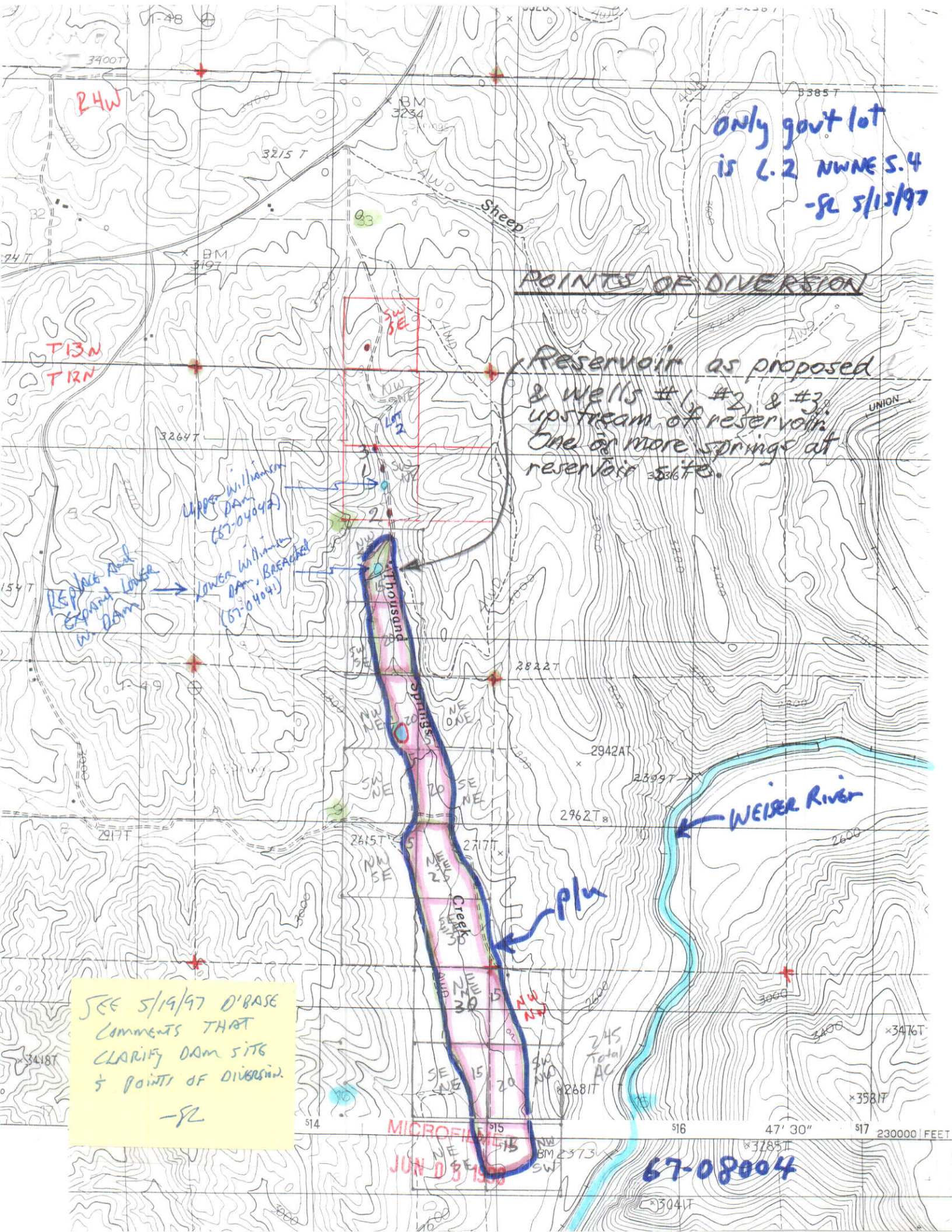
Replace And
Expand Lower
Dam

SEE 5/19/97 O'BASE
COMMENTS THAT
CLARIFY DAM SITE
& POINTS OF DIVERSION.

-SL

MICROFILM
JUN 03 1998

67-08004



T12N
R4W
S.4

12

possible
L.2

MICROFILMED
JUN 05 1998

67-08004

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENE	NWNE	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESW	NWSE	SWSE	SESE	Total
Claim	67 2372	SEWARD PROSSER MELLON,	GROUND WATER	12N04W9												5	10	7	16	38	
Right	67 2372	HOWARD LACEY,	GROUND WATER	12N04W9												5	10	7	16	38	
Permit	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12N04W9	5	20	5	20	5	20						25	5	30	110		
Right	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12N04W9	1.8	13	9.2	21								31	4.9	33	113.9		
Claim	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12N04W9	5	20	5	20								25	5	30	110		
Right	67 2373	HOWARD LACEY,		12N04W9												25	9	6	29	69	

↑ ↑ ↑ ↑

↑ ↑

Rt. 67-02372 - not claimed?
 Claim 67-02372
 Rt.

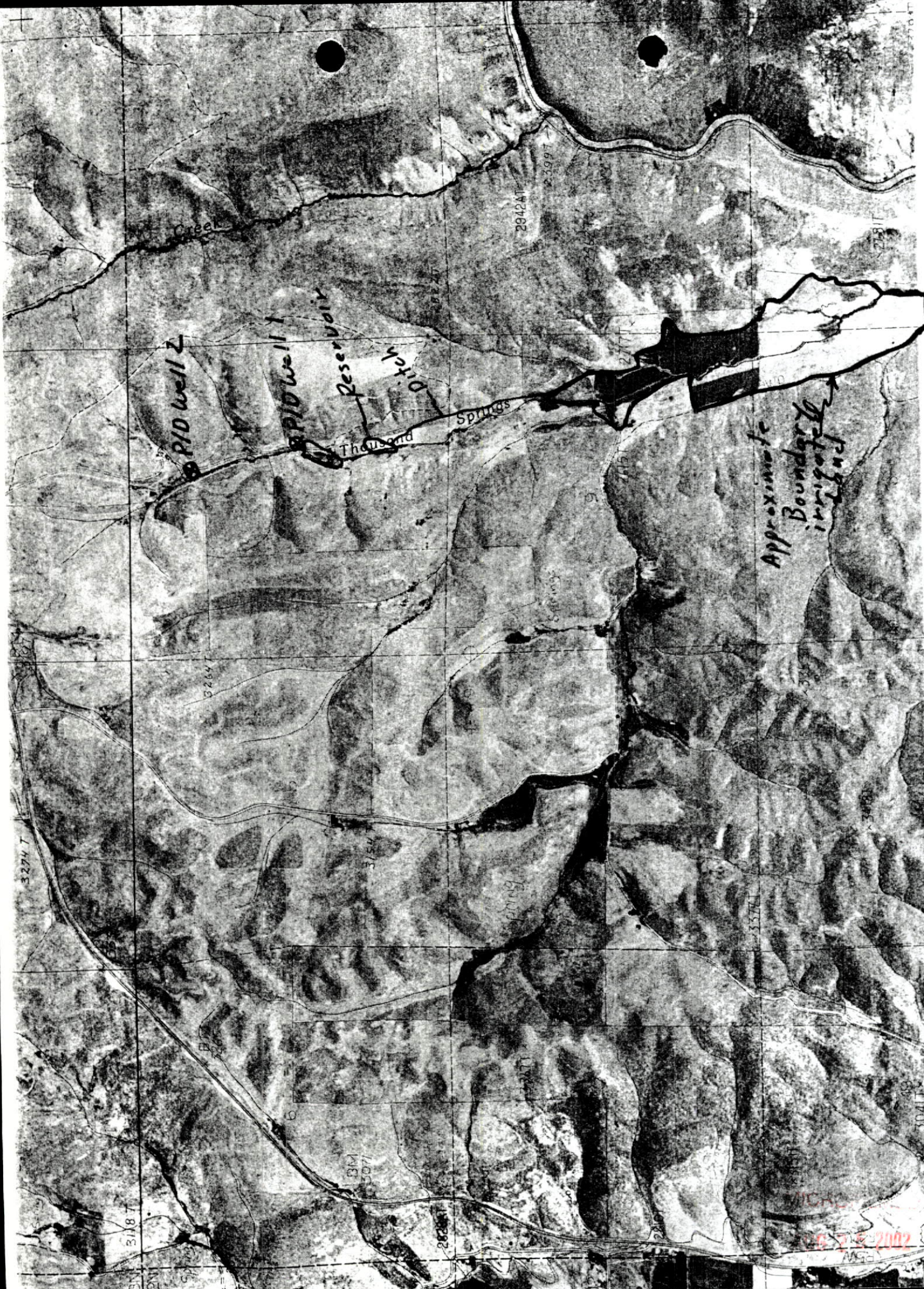
67-14110 = claim & spent Spring
Thousand Ok.

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	67 8004	S. P. MELLON,	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12N04W10							0.3			10	4.1						14.4

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NESE	NWSE	SWSE	SESE	NESE	NWSE	SWSE	SESE	Total
Permit	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12N04W16	30			15					50
Right	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12N04W16	24			16					50
Claim	67 8004	S P MELLON		12N04W16	30			16					50



Mann Creek NE

2002

T 13 N

33 34
4 3

T 12 N

Thousand Springs Cr.

Well #1

V notch weir #1

3.7 ac

Domestic Uses

Reservoir #2

V notch weir #2

Spring (S-1)

4 3
9 10

7.553

NHEL 3.1

NHEL 8.9

T 1511

NHEL 11.1

NHEL 13.2

NHEL 15.3

NHEL 17.4

NHEL 19.5

NHEL 21.6

NHEL 23.7

NHEL 25.8

NHEL 27.9

NHEL 30.0

NHEL 32.1

NHEL 34.2

NHEL 36.3

NHEL 38.4

NHEL 40.5

NHEL 42.6

NHEL 44.7

NHEL 46.8

NHEL 48.9

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NHEL 59.4

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NHEL 63.6

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NHEL 67.8

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NHEL 599.1

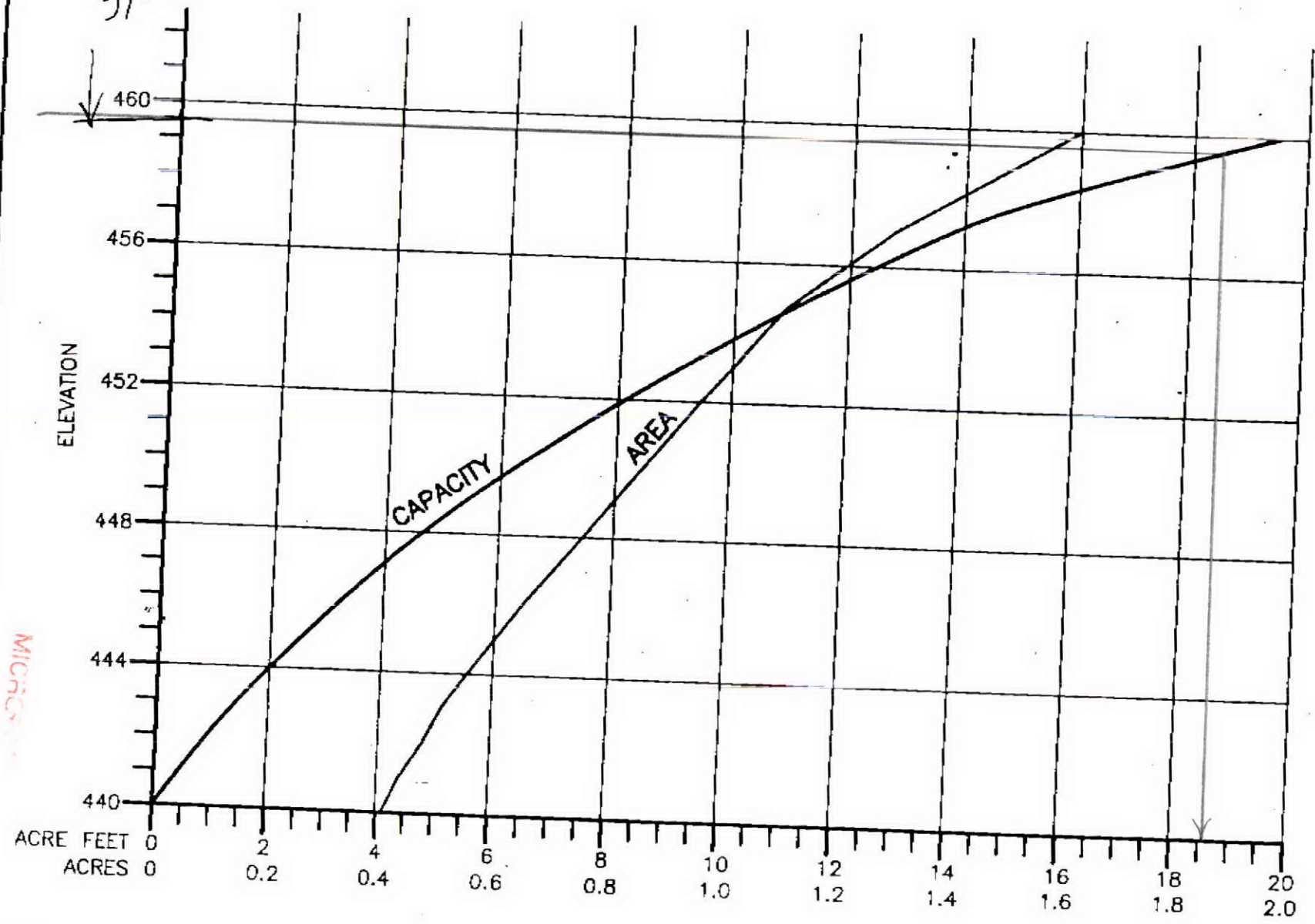
NHEL 601.2

NHEL 603.3

NHEL 605.4

THOUSAND SPRINGS RANCH DAM AREA & CAPACITY CURVES

S/W 4595



Sheri Chapman

2005 2 6 2002

MICROSOFT



Well #1 NWSE 4 12N 4W
7/18/00



North Well SWNE Sec 4 12N 4W
7/18/00 well #2



Storage pond #1: Between
Well #1 & 2
7/18/00



Thousand Springs Ranch Res.
SWSE Sec 4 T12N R4W
7/18/00

67-08004

MICROFILMED
AUG 26 2002



Irrigation Diversion from
Reservoir



Diesel engine & Cornell pump
from pipe at Res.

7/18/00



Booster pump from Thousand
Springs Cree & (portable)
7/18/00

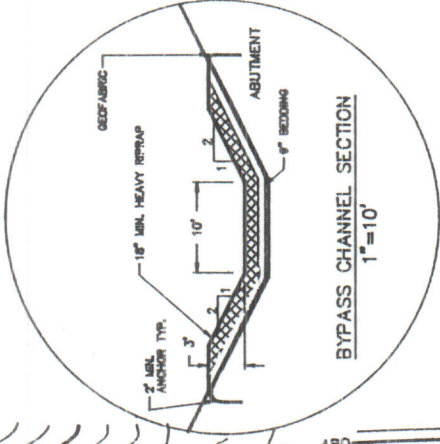
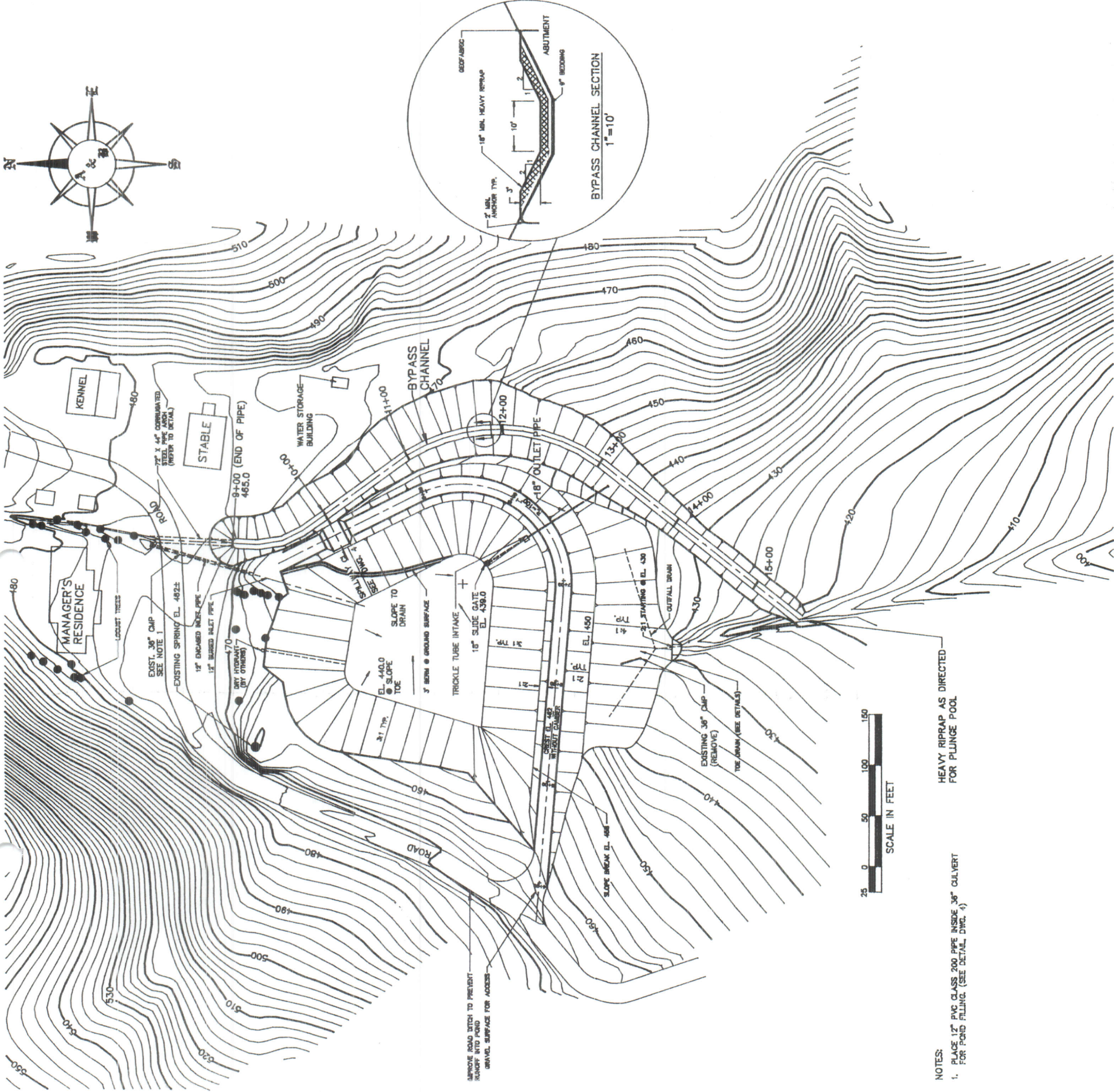
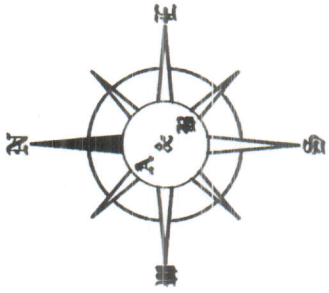


irrigated grain

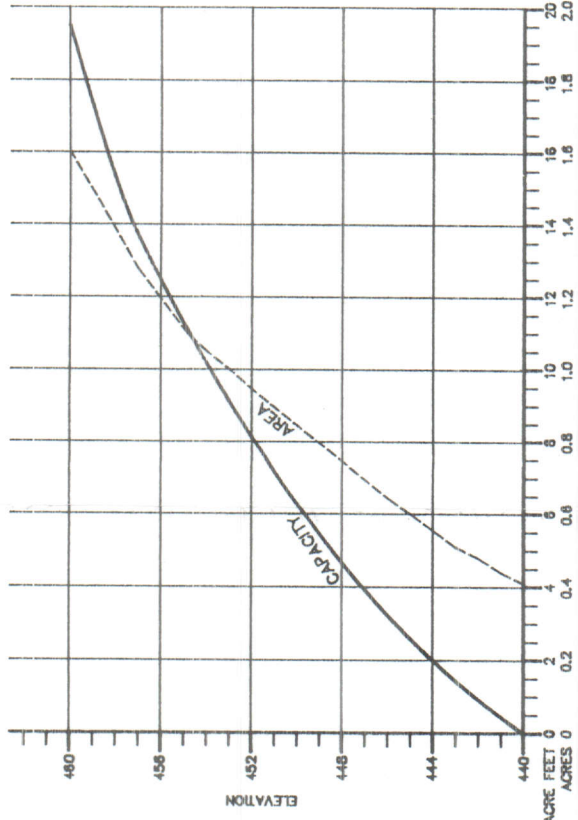
7/18/00

MICROFILMED

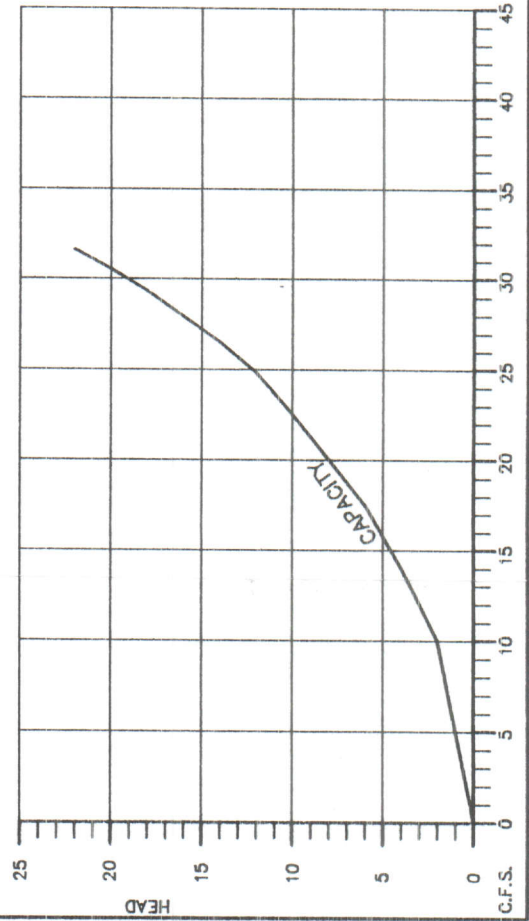
AUG 26 2002 67-08004



THOUSAND SPRINGS RANCH DAM
AREA & CAPACITY CURVES



THOUSAND SPRINGS RANCH DAM
OUTLET CAPACITY CURVE



NOTES:
1. PLACE 12" PVC GLASS 200 PIPE INSIDE 36" CULVERT
FOR FORD FILING (SEE DETAIL, DWG. 4)

HEAVY RIPRAP AS DIRECTED
FOR PLUNGE POOL

THOUSAND SPRINGS RANCH DAM	
GENERAL PLAN	
JOB # 98-113	SCALE: 1" = 50'
DESIGNED:	DATE: 12/1/96
CHECKED:	PAGE 1 OF 5
PLOTTED:	DRAWING NAME: SITI-CON

J.L. JORDAN, P.E.
A & B ENGINEERING
SHERL L. CHAPMAN

MICROFILMED
JUN 05 1998

No

298

RECEIVED

JUL 03 1997

AFFIDAVIT OF PUBLICATION

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO }
County of Washington } ss.

Sarah Bales

_____, being duly sworn,
deposes and says:

That he/she is the clerk of
THE WEISER SIGNAL AMERICAN, a bi-weekly newspaper
published at Weiser, in the County of Washington and State of
Idaho; that said paper has been and is in general circulation in the
county aforesaid, and in the vicinity of Weiser; that the adver-
tisement, a copy of which is attached hereto, was published in

said newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not in a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive weeks
prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
June 9, 1997, and ending
with the issue of June 16, 1997.

Sarah Bales

Fees, \$ 147.56

MICROFILMED

JUN 05 1998

Subscribed and sworn to before me this _____
day of June, 1997.

Judith Parsons

Notary Public, residing at Weiser, Idaho.

My commission expires Feb, 192002.

No. 298

NOTICE OF APPLICATION
FOR WATER RIGHT

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

67-08004

MELLON, S P
THOUSAND SPRINGS RANCH
1860 US HIGHWAY 95
WEISER, ID 83672

Source: THOUSAND SPRINGS CREEK

Tributary: WEISER RIVER

Source: SPRINGS

Tributary: THOUSANDS SPRINGS CREEK

Source: GROUNDWATER

Tributary:

Diversion Pt: LOT 2 (NWNE) Sec 4 T 12N R 04W
in WASHINGTON County.

SWNE Sec 4 T 12 N R 04W in WASHINGTON
County.

NWSE Sec 4 T 12N R 04W in WASHINGTON
County.

Use: DOMESTIC (0.060 CFS)

WILDLIFE (0.030 CFS)

WILDLIFE STORAGE (30.00 AF)

WILDLIFE FROM STORAGE (30.00 AF)

STOCK WATER (0.030 CFS)

STOCK WATER STORAGE (30.00 AF)

STOCK WATER FROM STORAGE (30.00 AF)

IRRIGATION (4.900 CFS)

IRRIGATION STORAGE (30.00 AF)

IRRIGATION FROM STORAGE (30.00 AF)

DIVERSION TO STORAGE (4.900 CFS)

FIRE PROTECTION STORAGE (30.00 AF)

Total Diversion: (4.900 CFS)

Date Filed: 9/19/1996

In: WASHINGTON County
T12N-R04W S04 NWSE SWSE S 09 NENE NWNE
SWNE SENE NESE NWSE SESE S15 NWNW SWNW
NWSW S16 NENE SENE NESE

245.0 ACRES TOTAL

Mitigation plan may be required for consumptive
use proposed by this application.

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
JUNE 23, 1997. The protestant must also send a
copy of the protest to the applicant.

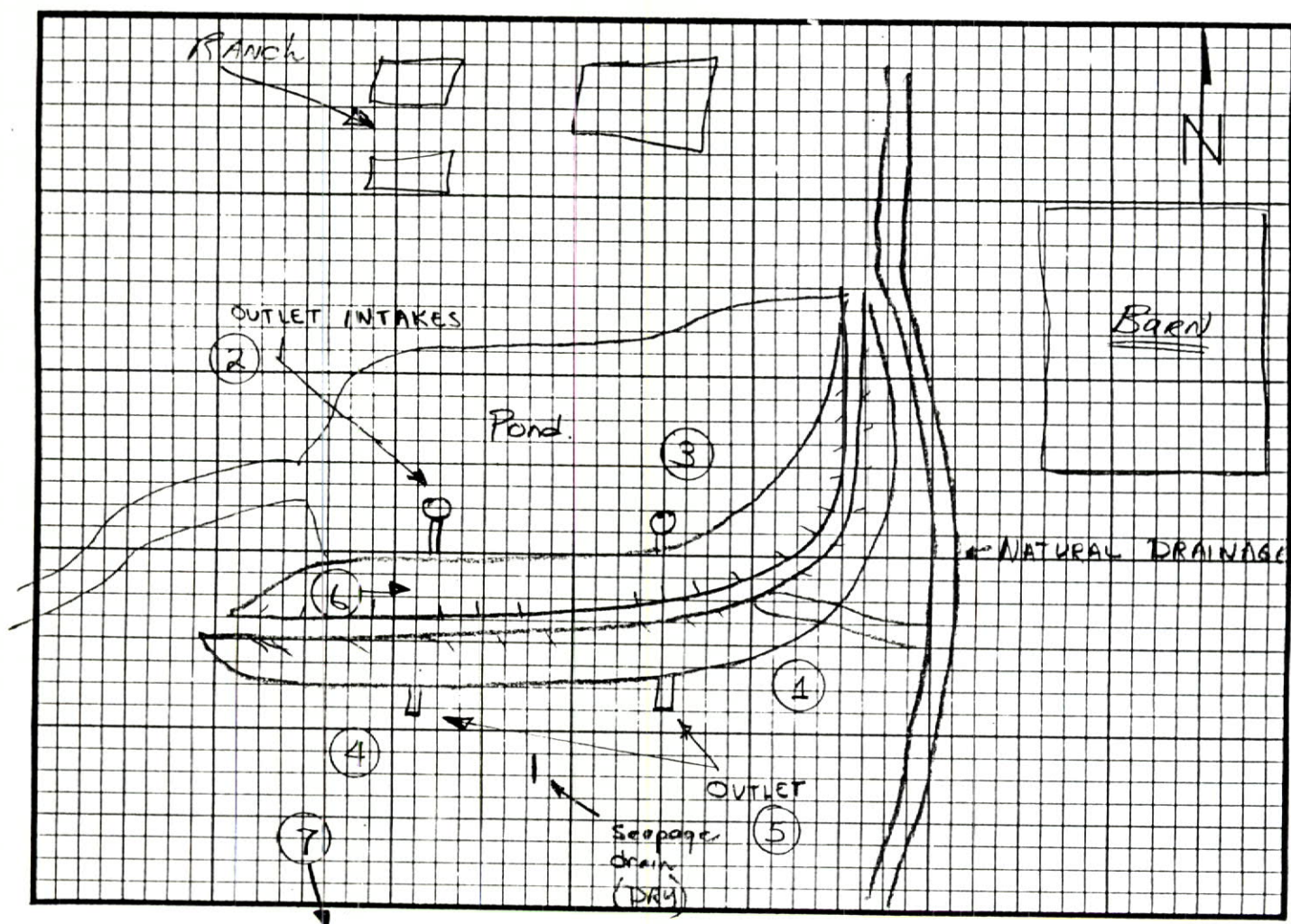
KARL J. DREHER, Director

33-2A

GENERAL CONDITION AND DESCRIPTION OF DAM: Fair to good - Some debris in the reservoir and upstream slope. The outlet trashrack structures should be cleaned out with growth removed. Nothing but dead growth on the embankment due to drought conditions, only two small willows on the downstream embankment.

INSTRUMENTATION READINGS (Piezometer, Seepage measurement, Alignment, Elevation, etc.)
None.

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



MAINTENANCE
RECOMMENDATIONS:

1. Keep debris and driftwood cleared from the embankment and trashracks.
2. Continue to control growth and rodents on the embankment.
3. Monitor seepage when reservoir is in use.

Date: Aug. 21, 1991

MICROFILMED
JUN 05 1998

Inspected by:

J. Whata Western Region
Mike Stubblefield, S.O.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 67-08004

Priority: September 19, 1996

Maximum Diversion Rate: 4.61 CFS
Maximum Diversion Volume: 1,060.0 AF

It is hereby certified that S P MELLON
THOUSAND SPRINGS RANCH
C/O SCOTT CAMPBELL
PO BOX 1539
BOISE ID 83701

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 19, 1996; and has submitted Proof of Beneficial Use on July 31, 2000. An examination indicates that the works have a diversion capacity of 5.01 cfs of water from:

SOURCE

THOUSAND SPRINGS CREEK
SPRINGS
GROUND WATER

Tributary: WEISER RIVER
THOUSAND SPRINGS CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.06 CFS	1.2 AF
WILDLIFE	01/01 to 12/31	0.03 CFS	1.3 AF
WILDLIFE STORAGE	01/01 to 12/31		19.0 AF
STOCKWATER	01/01 to 12/31	0.03 CFS	1.3 AF
STOCKWATER STORAGE	01/01 to 12/31		19.0 AF
IRRIGATION	03/01 to 11/15	4.61 CFS	1,038.0 AF
IRRIGATION STORAGE	01/01 to 12/31		19.0 AF
IRRIGATION FROM STORAGE	03/01 to 11/15		19.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	4.61 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		19.0 AF

LOCATION OF POINTS OF DIVERSION:

THOUSAND SPRINGS CREEK NW¼SE¼ Sec. 4, Twp 12N, Rge 04W, B.M., WASHINGTON County
SPRINGS SW¼NW¼SE¼ Sec. 4, Twp 12N, Rge 04W, B.M., WASHINGTON County
GROUND WATER L2 NW¼NE¼ Sec. 4, Twp 12N, Rge 04W, B.M., WASHINGTON County
GROUND WATER SW¼NE¼ Sec. 4, Twp 12N, Rge 04W, B.M., WASHINGTON County

MICROFILMED
AUG 26 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 67-08004

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4														X			

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4			X											X			
12N 04W 9	X	X	X	X									X	X		X	
12N 04W 10							X			X	X						
12N 04W 15						X	X			X							
12N 04W 16	X			X									X				

PLACE OF USE: WILDLIFE – Same as Stockwater**PLACE OF USE: WILDLIFE STORAGE**

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4														X			

PLACE OF USE: STOCKWATER STORAGE – Same as Wildlife Storage**PLACE OF USE: IRRIGATION STORAGE – Same as Wildlife Storage****PLACE OF USE: FIRE PROTECTION STORAGE – Same as Wildlife Storage****PLACE OF USE: IRRIGATION**

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4			2.1											1.8			3.9
12N 04W 9	1.8	13.0	9.2	21.0									31.0	4.9		33.0	113.9
12N 04W 10							.3			10.0	4.1						14.4
12N 04W 15						17.0	19.0			19.0							55.0
12N 04W 16	24.0			16.0									3.4				43.4

Total Acres: 230.6

PLACE OF USE: IRRIGATION FROM STORAGE – Same as Irrigation

MICROFILMED

AUG 26 2002

State of Idaho
Department of Water Resources
Water Right License

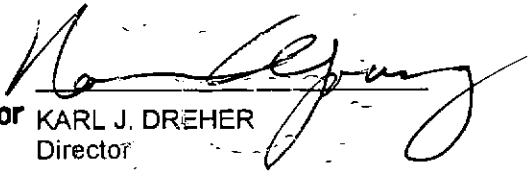
WATER RIGHT NO. 67-08004

CONDITIONS OF APPROVAL

1. Storage of water under this right shall not exceed 19.0 acre feet per year.
2. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined. The quantity of water required to be released for this purpose will not exceed 735 acre feet per year. The permit holder has the right to administrative and judicial review of any order requiring mitigation water to be provided under this right pursuant to the procedures of Section 42-1701A or Chapter 52, Title 67, Idaho Code.
3. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. Rights 67-02372, 67-02373, and 67-08004 when combined shall not exceed a total diversion rate of 4.61 cfs, a total annual maximum diversion volume of 1038 af at the field headgate, and the irrigation of 230.6 acres.
8. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 4th day of MARCH, 2002.


Acting for **KARL J. DREHER**
Director

MICROFILMED
AUG 26 2002

RECEIVED

FEB 25 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)
WATER RIGHT NO. 67-08004

Date of Priority: September 19, 1996

Maximum Diversion Rate: 4.61 CFS
Maximum Diversion Volume: 1,060.0 AF

Comes now S P MELLON
THOUSAND SPRINGS RANCH
CO SCOTT CAMPBELL
PO BOX 1539

BOISE ID 83701 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 67-08004, and requests that the permit be changed as follows:

Source: THOUSAND SPRINGS CREEK Tributary: WEISER RIVER
SPRINGS THOUSAND SPRINGS CREEK
GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.06 CFS	2.4 AF
WILDLIFE	01/01 to 12/31	0.03 CFS	1.3 AF
WILDLIFE STORAGE	01/01 to 12/31		19.0 AF
STOCKWATER	01/01 to 12/31	0.03 CFS	1.3 AF
STOCKWATER STORAGE	01/01 to 12/31		19.0 AF
IRRIGATION	03/01 to 11/15	4.61 CFS	1,038.0 AF
IRRIGATION STORAGE	01/01 to 12/31		19.0 AF
IRRIGATION FROM STORAGE	03/01 to 11/15		19.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	4.61 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		19.0 AF

LOCATION OF POINT(S) OF DIVERSION:

THOUSAND SPRINGS CREEK NW¼SE¼ Sec. 4, Twp 12N, Rge 04W, B.M., WASHINGTON County
SPRINGS SW¼NW¼SE¼ Sec. 4, Twp 12N, Rge 04W, B.M., WASHINGTON County
GROUND WATER L2 NW¼NE¼ Sec. 4, Twp 12N, Rge 04W, B.M., WASHINGTON County
GROUND WATER SW¼NE¼ Sec. 4, Twp 12N, Rge 04W, B.M., WASHINGTON County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4														X			

MICROFILMED
AUG 26 2002

PLACE OF USE: WILDLIFE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4			X											X			
12N 04W 9	X	X	X	X									X	X		X	
12N 04W 10							X		X	X							
12N 04W 15						X	X		X								
12N 04W 16	X			X									X				

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4														X			

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4			X											X			
12N 04W 9	X	X	X	X									X	X		X	
12N 04W 10							X		X	X							
12N 04W 15						X	X		X								
12N 04W 16	X			X									X				

PLACE OF USE: STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4														X			

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4			2.1											1.8			3.9
12N 04W 9	1.8	13.0	9.2	21.0									31.0	4.9		33.0	113.9
12N 04W 10							.3		10.0	4.1							14.4
12N 04W 15						17.0	19.0		19.0								55.0
12N 04W 16	24.0			16.0									3.4				43.4

Total Acres: 230.6

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AUG 26 2002

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4														X			

PLACE OF USE: IRRIGATION FROM STORAGE

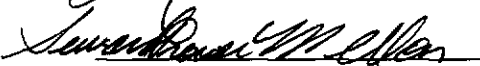
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4			2.1											1.8			3.9
12N 04W 9	1.8	13.0	9.2	21.0									31.0	4.9		33.0	113.9
12N 04W 10							.3		10.0	4.1							14.4
12N 04W 15						17.0	19.0		19.0								55.0
12N 04W 16	24.0			16.0									3.4				43.4

Total Acres: 230.6

PLACE OF USE: FIRE PROTECTION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4														X			

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 4th day of February, 2002


(Signature)

MICROFILMED
AUG 26 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 67-08004

FOR DEPARTMENT USE ONLY

Preliminary check by EW Fee = 50.00 Received by jm # 1060261 Date 2/27/02

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 67-08004 with the following:

CONDITIONS OF APPROVAL

1. Storage of water under this right shall not exceed 19.0 acre feet per year.
2. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined. The quantity of water required to be released for this purpose will not exceed 735 acre feet per year. The permit holder has the right to administrative and judicial review of any order requiring mitigation water to be provided under this right pursuant to the procedures of Section 42-1701A or Chapter 52, Title 67, Idaho Code.
3. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. Rights 67-02372, 67-02373, and 67-08004 when combined shall not exceed a total diversion rate of 4.61 cfs, a total annual maximum diversion volume of 1038 af at the field headgate, and the irrigation of 230.6 acres.
8. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

Witness my hand this 4TH day of MARCH, 2002.

Acting for

KARL J. DREHER
Director

MICROFILMED

AUG 21 6 2002

From: IWUA To: Chel Slyter

Date: 7/28/00 Time: 11:23:41

Page 1 of 5

Form No. 217
7/94

RECEIVED

JUL 31 2000

WATER RESOURCES
WESTERN REGION

AUG - 2 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY

Amt. of Fee \$: 3 N/AReceipt No. 8Receipt By: 8Date Received: 8/2

PROOF OF BENEFICIAL USE

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

- Permit No. 67-08004 Telephone No. 208-549-3645
- Name(s) of Permit Holder(s): S. P. Mellon, Thousand Springs Ranch
- Mailing Address: 1860 U.S. Highway 95, Weiser, Idaho 83672
Thousand Springs Creek
- Source of Water: Ground water/ Springs/ IF GROUNDWATER (well), Date Drilled: mo. 8 / yr. 98
a. Well Driller: Dennis Phipps Well Drilling Drilling Permit Number: 67-98-W-0025
67-98-W-0026
b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
- Use(s) (as authorized by the water right permit):
Domestic (No. of households): 3 Stockwater (No. and type of stock): 100
Irrigation (No. of acres): 230.6 Other: Storage for wildlife
- Total rate of diversion and/or volume for which proof is submitted: 4.61 cfs OR 1037.7 acre feet
- 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 XXX or No _____
Has the measuring device been installed? Yes XXX or No _____
Flow Measurement Port: Is a flow measurement port required? Yes _____ or No XXX
Has the measurement port been installed? Yes _____ or No XXX
- Fee Enclosed: \$ _____ (See Fee Schedule on back of the instructions for filing proof of beneficial use)
- Person to contact to accompany the Department representative during field examination of the water system.
Name: Chel Slyter Telephone Number: 1-208-549-3645
Address: 1860 Hwy 95 WEISER ID 83672
- The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Chel Slyter Farm Supervisor Date: 7-26-00
(include your title, if on behalf of company or organization)

MICROFILMED

AUG 26 2002

For Office Use Only
\$50 Fee Received by KS
Date 7-17-98
Receipt No. 0042889

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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

Permit No. 67-08004

Name(s) of Permit Holder: S P Mellon

Mailing Address: Thousand Springs Ranch 1860 US HWY 95 Weiser, ID 83672

Date Proof is Due: August 1, 1998 Telephone No. (208) 343-5454 (Scott Campbell)

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

SEE ATTACHED LETTER

Costing \$ _____

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

SEE ATTACHED LETTER

Permit holder(s) request an extension to August 1, 19 2000.

FEE: \$50.00

Scott L. Campbell, attorney in fact for
(Signature)* applicant and
permit holder
*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 August 1, 2000.

MICROFILMED

Signed this 23rd day of July, 19 98

AUG 10 1998

J. Blus Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 67-08004

Proposed Priority: September 19, 1996 Maximum Diversion Rate: 4.90 CFS

This is to certify, that S P MELLON

THOUSAND SPRINGS RANCH
1860 US HWY 95
WEISER ID 83672

has applied for a permit to appropriate water from:

THOUSAND SPRINGS CREEK tributary of WEISER RIVER
SPRINGS tributary of THOUSAND SPRINGS CREEK
GROUNDWATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	4.90 CFS	
IRRIGATION STORAGE	01/01 to 12/31		30.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		30.0 AF
STOCKWATER	01/01 to 12/31	0.03 CFS	
STOCKWATER STORAGE	01/01 to 12/31		30.0 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		30.0 AF
WILDLIFE	01/01 to 12/31	0.03 CFS	
WILDLIFE STORAGE	01/01 to 12/31		30.0 AF
WILDLIFE FROM STORAGE	01/01 to 12/31		30.0 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		30.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	4.90 CFS	
Totals		4.90 CFS	

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNE), Sec. 4, Township 12N, Range 04W
SWNE, Sec. 4, Township 12N, Range 04W
NWSE, Sec. 4, Township 12N, Range 04W
WASHINGTON 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>
12N	04W	4	NWSE 15.0	SWSE 20.0		35.0
		9	NENE 5.0	NWNE 20.0	SWNE 5.0	
			SENE 20.0	NESE 25.0	NWSE 5.0	
			SESE 30.0			110.0
		15	NWNW 15.0	SWNW 20.0	NWSW 15.0	50.0
		16	NENE 30.0	SENE 15.0	NESE 5.0	50.0

Total number of acres irrigated: 245.0

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: STOCKWATER FROM STORAGE, same as IRRIGATION use

PLACE OF USE: WILDLIFE, same as IRRIGATION use

PLACE OF USE: WILDLIFE FROM STORAGE, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

MICROFILMED

JUN 05 1998

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 67-08004

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1998.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
4. Construction of the well shall comply with Idaho well construction standards.
5. The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
6. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
7. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
8. The director retains jurisdiction to require by written order the release of purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of the water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit. The quantity of water required to be released for this purpose will not exceed 735 acre feet per year. The permit holder has the right to administrative and judicial review of any order requiring mitigation water to be provided under this permit condition pursuant to the procedures of Section 42-1701A or Chapter 52, Title 67, Idaho Code.
9. Three wells are proposed within the SWNE and NWNE, S04 T12N, R04W.
10. Stockwater use is for 100 range cattle.
11. Domestic use is for 2 homes and does not include lawn, garden landscape, or other types of irrigation.
12. All areas below the mean level disturbed by construction but not inundated by the reservoir shall be re-vegetated and/or reseeded as recommended by Idaho Department of Game and/or the local office of the Natural Resources Conservation Service. No structure shall be constructed, temporary or permanent, in the stream channel which would restrict the migration of indigenous fish.

MICROFILMED

JUN 05 1998

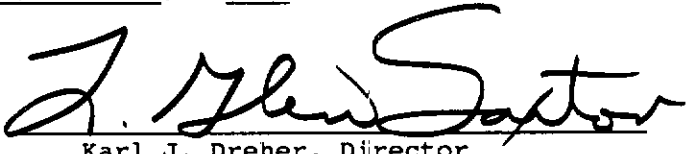
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 67-08004

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

1st day of December, 1997.

for 
Karl J. Dreher, Director

MICROFILMED
JUN 05 1998

INTER-DEPARTMENT MEMO--1

FROM

SL

TO

F. K.

DATE

5/22/97

SUBJECT

67-08004 contact list

Any contact to Applicant - include CC's to

Attorney

① Scott Campbell

Elam & Burke

PO Box 1539

Boise ID 83701

(tel. 343-5454)

MICROFILMED
JUN 05 1998

Eng.
Consultant

② Joe Jordan

Box 102

Fruitvale, ID 83620

(tel. 208-253-1103)

SIGNATURE

per file requests -82

USE this
5/19 version
w/ map for
CC's

Ident. No. 67-08004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 23 1997

APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name: S P MELLON
Address: THOUSAND SPRINGS RANCH
1860 US HIGHWAY 95
WEISER ID 83672

208-549-3645

2. Source: THOUSAND SPRINGS CREEK
SPRINGS
GROUNDWATER

Trib. to: WEISER RIVER
THOUSAND SPRINGS CREEK

3. Location of Point of Diversion: Lot 2(NWNE), Sec. 4, Township 12N, Range 04W
SWNE Sec. 4, Township 12N, Range 04W
NWSE Sec. 4, Township 12N, Range 04W
WASHINGTON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	04/01	10/31	4.900		
IRRIGATION STORAGE	01/01	12/31			30.00
IRRIGATION FROM STORAGE	04/01	10/31			30.00
STOCKWATER	01/01	12/31	0.030		
STOCKWATER STORAGE	01/01	12/31			30.00
STOCKWATER FROM STORAGE	01/01	12/31			30.00
WILDLIFE	01/01	12/31	0.030		
WILDLIFE STORAGE	01/01	12/31			30.00
WILDLIFE FROM STORAGE	01/01	12/31			30.00
DOMESTIC	01/01	12/31	0.060		
FIRE PROTECTION STORAGE	01/01	12/31			30.00
DIVERSION TO STORAGE	01/01	12/31	4.900		

5. Total quantity to be appropriated is:

4.900 CFS (and/or) AF

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
3 EXISTING WELLS, DAM, GRAVITY &/OR PUMPED DISTRIBUTION SYSTEM
- Height of storage dam 25 feet; active reservoir capacity 30.00
acre-feet; total reservoir capacity 30.00 acre-feet; period of
year when water will be diverted to storage: 1/01 to 12/31 inclusive.
- Proposed well diameter is 6 inches; proposed depth of well is 300
feet.
- Is groundwater with a temperature greater than 85F being sought? NO

* 3 wells W 1/2 NE 1/4

MICROFILMED

JUN 25 1998

5/19/97

Creek & springs,
dam NWSE

-82

CLARIFIED VERSION

e. If well is already drilled, when?

Drilling Firm SEE COMMENTS @ UPGRADING DRILLING PERMITS FOR 3 WELLS
Well was drilled for THOUSAND SPRINGS RANCH

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
12N	04W	4	NWSE 15	SWSE 20		35
		9	NENE 05	NWNE 20	SWNE 05	
			SENE 20	NESE 25	NWSE 05	
			SESE 30			110
		15	NWNW 15	SWNW 20	NWSW 15	50
		16	NENE 30	SENE 15	NESE 05	50

Total number of acres irrigated: 245

Place of Use: IRRIGATION FROM STORAGE, same as IRRIGATION use

Place of Use: STOCKWATER, same as IRRIGATION use

Place of Use: STOCKWATER FROM STORAGE, same as IRRIGATION use

Place of Use: WILDLIFE, same as IRRIGATION use

Place of Use: WILDLIFE FROM STORAGE, same as IRRIGATION use

Place of Use: DOMESTIC, same as IRRIGATION 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:

Mitigation plan may be required for consumptive use proposed by this application.

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 for signature
MICROFILMED Applicant
JUN 05 1998

Ident. No. 67-08004
Page 3

per file, SL for:

Received by DB Date 9/19/96 Time 11:35 Preliminary check by SL
Fee \$ 180.00 Receipted by DB #W021515 Date 9/19/1996
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

MICROFILMED
JUN 05 1998

Comments: Date: 3/24/1997 User-ID: STAYLOR

Subject: Uses

Stockwater use is for 100 cows plus wildlife.
Domestic use is for two houses and fire protection.

Comments: Date: 5/15/1997 User-ID: SLESTER

Subject: APPLICATION REVISIONS

Per original application and telephone conversations with Joe Jordan (consultant), 3 wells already drilled will be used to pipe water to replacement reservoir originally covered by 67-04041 (Lower Williamson Dam). That reservoir was breached and will be rebuilt and enlarged. Multiple springs will be captured at pond site. Dam will be P/D for creek source. It is not clear what P/Ds are to be in NWNE S4 or SWSE S33. Use of wells will require that each drilling permit be upgraded to \$200 category. Pond will be used for fire protection, also. It is not clear if stored water will be released for "stockwater/wildlife from storage". Some of the acres are already covered by springs (67-04041 & 4042), other groundwater (67-02372) and same creek (67-02373). Note that the 2 statutory claims are combined in SRBA as A67-14110. The older groundwater right is claimed as A67-02372 but the older creek right is not found in SRBA records (expect to find A67-02373). The revised version currently shown is primarily a direct flow irrigation right with a proposed pond to be used in the irrig. system plus for non-irrigation uses. It appears that the filing might be processable if water is stored outside of the irrigation season and if irrigation is deleted. Otherwise, mitigation is suggested to allow IDWR to process the entire filing as it now exists.

S.O. information indicates that an old water dispute is related to the former Williamson property now owned by the applicant.

Comments: Date: 5/19/1997 User-ID: SLESTER

Subject: SYSTEM & PROCESSING CLARIFICATIONS

Per telecon with consultant today, the dam will be next to creek, not onstream as originally thought. There will be a P/D from the creek in NWSE S4 and one or more (number unknown) springs will be captured by the reservoir; springs are in W 1/2 of that QQ. Two of 3 wells are in SWNE and other well appears on/near line between NWNE & SWNE S4. There will not be a P/D in SWSE S33 (the map & original appl. reference to that site probably refer to springs naturally feeding creek vs actual diversion works to put in place there per consultant).

Water will be released from storage for stock/wildlife uses so retain those uses from storage on the filing. Add fire protection storage per earlier conversation with consultant.

JUN 05 1998

-continued-

Ident. No. 67-08004

Mitigation may be required for consumptive uses to remain
consistent with current IDWR processes.

MICROFILMED

JUN 05 1968

87-08004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: S P MELLON
Address: THOUSAND SPRINGS RANCH
1860 US HIGHWAY 95
WEISER ID 83672

208-549-3645

2. Source: THOUSAND SPRINGS CREEK
SPRINGS

Trib. to: WEISER RIVER
THOUSAND SPRINGS CREEK

3. Location of Point of Diversion:

NWNE Sec. 4, Township 12N, Range 04W
SWNE Sec. 4, Township 12N, Range 04W
SWSE Sec. 33, Township 13N, Range 04W
WASHINGTON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	04/01	10/31	4.900		
IRRIGATION STORAGE	01/01	12/31			30.00
IRRIGATION FROM STORAGE	04/01	10/31	~~4.900~~		30.00
✓ STOCKWATER	01/01	12/31	0.070	.03	
STOCKWATER STORAGE	01/01	12/31			30.00
STOCKWATER FROM STORAGE	01/01	12/31	~~0.070~~		30.00
✓ WILDLIFE	01/01	12/31	0.070	.03	
WILDLIFE STORAGE	01/01	12/31			30.00
WILDLIFE FROM STORAGE	01/01	12/31	~~0.070~~		30.00
DOMESTIC	01/01	12/31	0.060		
DIVERSION TO STORAGE	01/01	12/31	4.900		

5. Total quantity to be appropriated is:

4.900 CFS (and/or) AF

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
WELLS, SPRING AND DAM.
- Height of storage dam 25 feet; active reservoir capacity 30 acre-feet; total reservoir capacity 30 acre-feet; period of year when water will be diverted to storage: 1/1 to 12/31 inclusive.
- Proposed well diameter is inches; proposed depth of well is feet.
- Is groundwater with a temperature greater than 85F being sought? NO

MICROFILMED

JUN 8 1998

3/24/97 D'Entry

VERSION

add

groundwater

add 5.4
SWNE for
reservoir/springs site

5/19/97
100 cattle =
.03 cfs
also wildl.
same per
dept standards

e. If well is already drilled, when? *See Comments*
Drilling Firm
Well was drilled for

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
12N	04W	4	NWSE 15	SWSE 20		35
		9	NENE 05	NWNE 20	SWNE 05	
			SENE 20	NESE 25	NWSE 05	
			SESE 30			110
		15	NWNW 15	SWNW 20	NWSW 15	50
		16	NENE 30	SENE 15	NESE 05	50

Total number of acres irrigated: 245

Place of Use: IRRIGATION FROM STORAGE, same as IRRIGATION use

Place of Use: STOCKWATER, same as IRRIGATION use

Place of Use: STOCKWATER FROM STORAGE, same as IRRIGATION use

Place of Use: WILDLIFE, same as IRRIGATION use

Place of Use: WILDLIFE FROM STORAGE, same as IRRIGATION use

Place of Use: DOMESTIC, same as IRRIGATION 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:

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.

Applicant

MICROFILMED

JUN 05 1998

Ident. No. 67-08004
Page 3

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 180.00 Receipted by _____ #W021515 Date 9/19/1996

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

MICROFILMED

JUN 05 1998

Ident. No. 67-08004

Comments: Date: 3/24/1997 User-ID: STAYLOR

Subject: Uses

Stockwater use is for 100 cows plus wildlife.

Domestic_use is for two houses and fire protection.

MICROFILMED
JUN 05 1998

RECEIVED

SEP 19 1996

WATER RESOURCES
WESTERN REGION

Ident. No. 67-08004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

MAR 14 1997

WATER RESOURCES
WESTERN REGION

- Springs Ranch
1. Name of Applicant S. P. Mellon dba Thousand Phone (208) 549-3645
Mailing address 1860 US Highway 95, Weiser, ID 83672
 2. Source of water supply See 12 Remarks which is a tributary of _____
 3. Location of point of diversion is Township 13N Range 4W Sec. 33 in the _____ 1/4,
SW 1/4, SE 1/4, Govt. Lot _____ S.M. Washington County;
additional points of diversion if any: 12N4W Sec 4 NW 1/4 NE 1/4 (1 point) & SW 1/4 NE 1/4 (3 pts.)
 4. Water will be used for the following purposes:
 Amount 4.9 for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for Wildlife purposes from 1-1 to 12-31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for Stockwater purposes from 1-1 to 12-31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 5. Total quantity to be appropriated is (a) 4.9 and/or (b) 30
cubic feet per second acre feet per annum
 6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source Low dam to store runoff and groundwater from wells & springs.
 - b. Height of storage dam 25 feet; active reservoir capacity 13 acre-feet; total reservoir capacity 20 acre-feet Wells in progress.
 - 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? No
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
 7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
 8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. 100 cows plus wildlife
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. One two
 - e. Other; describe fully. Domestic supply for one residences, and fire several private recreational facilities. protection.

See Attachment

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	4W	4														15	20		35
		9	5	20	5	20									25	5		30	110
		15						15	20		15								50
		16	30			15									5				50

Total number of acres to be irrigated 245

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

11. 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: _____

12. Remarks: Sources of water are Thousand Springs Creek which is tributary to Weiser River, unnamed stream tributary to Thousand Springs Creek, and ground water, AND SPRINGS TRIBUTARY TO THOUSAND SPRINGS CREEK.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

MICROFILMED

JUN 05 1998

Jennifer McGary
Signature of Applicant (and title, if applicable)

Mgr FDR S.P. Mellon

Received by DB Date 9-19-96 Time 11:35 am Preliminary check by _____
Fee \$ 180.00 Received by DB # W021515 Date 9-19-96
Publication prepared by AT Date _____ Published in Weiser Signal 6-5-97
Publication approved AT Date 7-11-97 6-9-97

* per telecon clarification with Joe Jordan 3/19/97. 4

Mike Stubblefield

S.O. Dam Safety

HAS:

Plans

Specifications.

AMT	USES	PERIOD OF USE
0.06 cfs	Domestic	1\1 to 12\31
0.07 cfs	Wildlife	1\1 to 12\31
30 AF	Wildlife Storage	1\1 to 12\31
0.07 cfs	Wildlife From Storage	1\1 to 12\31
0.07 cfs	Stockwater	1\1 to 12\31
30 AF	Stockwater Storage	1\1 to 12\31
0.07 cfs	Stockwater from Storage	1\1 to 12\31
4.90 cfs	Irrigation	~~4\1 to 10\31~~
30 AF	Irrigation Storage	1\1 to 12\31
4.9 cfs	Irrigation from Storage	~~3\5 4\1 to 10\31~~
4.9 cfs	Diversion to Storage	1\1 to 12\31

MICROFILMED

JUN 05 1998



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

March 5, 2002

S P MELLON
THOUSAND SPRINGS RANCH
C/O SCOTT CAMPBELL
PO BOX 1539
BOISE ID 83701

RE: License No. 67-8004 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

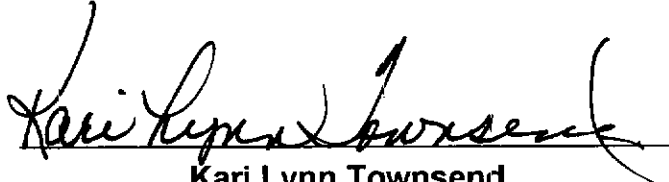
MICROFILMED
AUG 26 2002

CERTIFICATE OF SERVICE

I hereby certify that on March 5, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 67-8004

**S P MELLON
THOUSAND SPRINGS RANCH
C/O SCOTT CAMPBELL
PO BOX 1539
BOISE ID 83701**


Kari Lynn Townsend
Secretary

MICROFILMED
AUG 26 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
AUG 26 2002

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Boise
Idaho Falls
Pocatello

RECEIVED

FEB 27 2002

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Department of Water Resources

February 25, 2002

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101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

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208 385 5384 Fax
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Willis C. Moffatt,
1907-1980

Kay Walker, Sr. Resource Agent
Idaho Department of Water Resources
P.O. Box 83702
Boise, ID 83702-0098

Re: Application for Amendment of Permit For Licensing Purposes
Water Right No. 67-08004
MTBR&F File No. 18977.4

Dear Ms. Walker:

Please find enclosed a check in the amount of \$50.00 for IDWR fees pertaining to the above mentioned Application for Amendment.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,


Deborah L. Long
Administrative Assistant to Angela D. Schaer

/dll
Enclosure

MICROFILMED

AUG 26 2002

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FEB 25 2002

Boise
Idaho Falls
Pocatello

Moffatt Thomas

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February 20, 2002

Kay Walker, Sr. Resource Agent
Idaho Department of Water Resources
P.O. Box 83702
Boise, ID 83702-0098

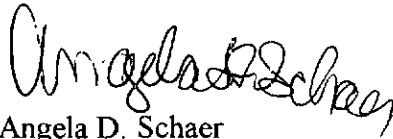
Re: Application for Amendment of Permit For Licensing Purposes
Water Right No. 67-08004
MTBR&F File No. 18977.4

Dear Ms. Walker:

On December 19, 2001, you sent the enclosed Application for Amendment to us for our review and our client's review. We have reviewed the same carefully with our client and have determined that the Application for Amendment is accurate. Therefore, our client has signed the Application, and I am returning it to you for further processing.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,


Angela D. Schaer

ADS/dll
Enclosure

cc: Mr. Ross Kane
Mr. Gerald Ellermeyer

MICROFILMED

AUG 26 2002

2/25/02
called + left msg:
need \$50.00
amendment fee.
fw

RECEIVED

Boise
Idaho Falls
Pocatello*Moffatt Thomas*

FEB -4 2002

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Kay Walker, Sr. Resource Agent
Idaho Department of Water Resources
P.O. Box 83702
Boise, ID 83702-0098

Re: Water Right Permit No. 67-08004
MTBR&F File No. 18977.4

Dear Kay:

This letter will confirm my telephone message to you in which I indicate that we are proceeding to obtain the required signatures on the Application for Amendment form which you provided to me with your correspondence of December 19, 2001. Due to the uncertainty with respect to the changes depicted on the Application for Amendment form which you prepared, it was necessary for us to obtain verification of this information. Your recent meeting with Sherl Chapman confirmed the reasons for the modifications and I am pursuing the matter with our client. We will submit the requested Application for Amendment form as soon as we receive the signed original from our client.

If this approach is not acceptable to the Department, please advise me immediately. If I do not hear from you, I will assume that you will be able to await the return of the executed Application for Amendment form for its filing with the Department. I anticipate this can be completed within two to four weeks. I would hope to do it in a more expeditious fashion, however, our client is frequently traveling and often unavailable.

Thank you for your cooperation in this matter.

Very truly yours,


Scott L. Campbell

MICROFILMED
JUN 26 2002

Kay Walker, Sr. Resource Agent
Idaho Department of Water Resources
January 30, 2002
Page 2

SLC/dll

cc: Mr. Sherl Chapman
Mr. Ross Kane
Mr. Seward Prosser Mellon
Mr. Gerald Ellermeyer

MICROFILMED
AUG 26 2002

BOI_MT1:381612.1



RESOURCES CORPORATION

RECEIVED

JAN 18 2002

Department of Water Resources

To: Kay Walker	At: 327-7866
Company:	Date: 1/18/02
From: Sherl	Time: 1:59PM
Company: ERO Resources Corp	Pages Including Cover: 2

Notes: Re:67-8004

Please let me know if this is illegible.

ERO Resources Corp.
1106 N. Cole Rd.
Suite C
Boise, Idaho 83704
Phone (208) 373-7983
FAX (208) 373-7985

Denver -- Boise

Confidentiality Notice: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, on the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by telephone and return the original message to us at the address below via first class mail.
Thank you.

www.eroresources.com
eroboise@eroresources.com

MICROFILMED

AUG 26 2002

Summary of Thousand Springs Ranch Water Rights/Adjudication Claims

Type	Water Right	Name	Use	Longitude	Latitude	Elevation (m)	Township	Range	Section	ERO Survey				Water Right Description			
										QQQ	QQ	Q	Q	QQQ	QQ	Q	Q
Spring	67-08004	Headquarters Spring	STORAGE	-116° 49' 14.92"	44° 24' 9.98"	858.637	12N	04W	4	SW	NW	SE	SE		NW	SE	SE
Well	67-08004	Headquarters Well	DOMESTIC	-116° 49' 10.00"	44° 24' 9.77"	861.653	12N	04W	4	N	NW	SE	SE		10.2		
Well	67-08004	Well 1 (upper well)	IRRIGATION	-116° 49' 15.35"	44° 24' 30.83"	903.165	12N	04W	4	SW	NW	NE	NE		NW	NE	NE
Well	67-08004	Well 2 (lower well)	IRRIGATION	-116° 49' 12.95"	44° 24' 22.34"	886.709	12N	04W	4	SE	SW	NE	NE		SW	NE	NE

MICROFILMED
AUG 26 2002



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

December 19, 2001

S P MELLON
THOUSAND SPRINGS RANCH
C/O SCOTT CAMPBELL
PO BOX 829
BOISE ID 83701-0829

RE: Water Right Permit 67-08004

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed. I have not yet received the amendment. If I do not receive it within 14 days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Enclosed for your convenience is another amendment form. Please note that the \$50.00 filing fee for this amendment has been paid. If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

1-17-02
Sheryl Chapman came
in this AM to see why
we have differences
in legal descriptions -
He will show his
client the GIS maps
w/87 & 97/98 photos
under p/u. Also he
will send GPS info
on pld's so we
can double
check last
KW

MICROFILMED
AUG 26 2002

Boise
Idaho Falls
Pocatello

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

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RECEIVED

NOV 23 2001

WATER RESOURCES
WESTERN REGION

November 20, 2001

RECEIVED

NOV 27 2001

Department of Water Resources

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Boise Idaho 83701 0829

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Kay Walker
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: Water Right Permit No. 67-08004
MTBR&F File No. 18977.4

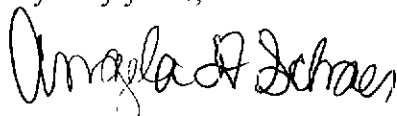
Dear Ms. Walker:

On November 15, 2001, I received your correspondence dated October 29, 2001, regarding the above referenced water right permit number. I would like to inform you that Scott Campbell and I changed law firms in August of this year. Our new mailing address is listed above on this letterhead.

Because we did not receive your correspondence until November 15, we have not yet had an opportunity to forward it to our client for his review. However, as of today's date, I am forwarding your correspondence, as well as a copy of the original permit, to our client for review. When our client has had an opportunity to review the documents, I will contact you and let you know our client's response.

Thank you for your understanding and consideration in this matter. If you have any questions, please do not hesitate to contact Scott or me.

Very truly yours,



Angela D. Schaer

ADS/dll

MICROFILMED
AUG 25 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098
R Service Requested

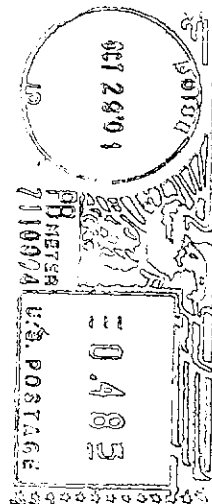
REASON CHECKED
Unclaimed
Refused
Attempted
Insufficient Address
No Such Street
No Such Address

[Handwritten signature]
[Handwritten signature]

PRESORTED
FIRST CLASS

RECEIVED

NOV - 9 2001



*Mail resent to Janet
Campbell @ Moffatt/Thomas
Kari Lynn
11.14.01*

MICROFILMED
JUN 26 2002



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

October 29, 2001

S P MELLON
THOUSAND SPRINGS RANCH
CO SCOTT CAMPBELL
PO BOX 1539
BOISE ID 83701

RE: Water Right Permit No. 167-08004

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED

AUG 26 2002

Memorandum

To: File 67-08004

From: Kay Walker *KW*

RE: Place of use description

Date: August 7, 2001

.....

When I was preparing this permit for licensing, I GIS'd the shape for the irrigation place of use and found that it did not match the place of use identified by the certified examiner. I had a hard time creating the shape file for this place because the NAPP photography did not cover the entire property. I then pulled in the 97/98 satellite imagery and tried to cover the shape with what was irrigated during that flight. Between the NAPP photography and the satellite imagery I came up with the recommended shape on the attached layouts.

I also reviewed the dam safety records to see what IDWR found could be stored in the reservoir under this permit. Dam safety records show the reservoir could hold up to 16 acre feet. When I discussed this with Mike Stubblefield, he determined that if the right holder put a flashboard in the dam it could hold the additional 3 acre feet. Mike did not have a problem with this license being issued for 19 acre feet of storage.

MICROFILMED
AUG 26 2002

LICENSE REVIEW CHECKLIST

Permit No. 67-8004 Date: 7-31-01 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P35/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use

change

Change (P41/P49) Add (P41/P44) Feds (P43)

W50 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): 67-02372, 67-02373, A67-14110
File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 4.90 cfs
Fee/Limit N/A cfs
Measured 5.01 cfs
Theoretical cfs

certified examiner

Recommended Total Diversion Rate 4.61 = 1" per acre

Water Uses

OK Change (P46)

Season of Use per new Standards
3-1 11-15

Irrigation cfs af
Stockwater cfs af
Domestic cfs af
Total 4.61 cfs 1060.7 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fish (077)
Water Quality (081/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

allow 1.2 AF per home since irrig. shape does not cover domestic plu. NO - see condition of permit approval

Volume Determination

4.61 cfs x 1.9835 x 260 days = 2377.4 af (vs) 230.6 acres x 4.5 (FHR) = 1037.7 af
3.5 (con) ≈ 1038.0

Remarks:

Additional Conditions 67 Watermaster Control
R43 GW Measurement/Measuring Device
 Other
Trust R55 - remove 051)
Non-trust (D48/049)

GW Dist?
Water Msmt. Dist?
Crit. GWMA?
GWMA?
Government Lots?

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? yes - pending

Adjust memo yes - plu

Amend Letters P87, S06

Second Amendment Notice P49 S06

Type	WR #	Owner	Source	TRIS	NEWE	NWWE	SYWE	SEWE	NENW	NWNW	SYNW	SENW	NESW	NWSE	SWSE	SESE	Total
Claim	67 2372	SEWARD PROSSER MELLON	GROUND WATER	12N04W9										5	10	7	16
Right	67 2372	HOWARD LACEY	GROUND WATER	12N04W9										5	10	7	16
Claim	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12N04W9	5	20	5	20						25	5	30	110
Right	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12N04W9	18	13	9.2	25						31	4.9	33	113.9
Claim	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12N04W9	5	20	5	20						25	5	30	110
Right	67 2373	HOWARD LACEY		12N04W9										25	9	6	29

↑ ↑ ↑ ↑

↑ ↑

Claim 67-02372 - not claimed?
Pt. 67-02372
Claim 67-02372
Pt.

WS5809NP
No. 67-02373

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/07/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HOWARD LACEY	09/19/1966	IRRIGATION	04/01 10/31	1.600 CFS	464.00 AFA
TOTAL DIVERSION:					1.600 CFS	464.00 AFA

Water Source: THOUSAND SPRINGS VALLEY CREEK Tributary to: WEISER RIVER Stage: LICENSE
THOUS. SPGS. VALLEY CK, E. BR. THOUSAND SPRINGS VALLEY CREEK

Point(s) of Diversion: T12N R04W S08 S09 NWNE NWSW NESE NWSW SWSE WASHINGTON County SWSE WASHINGTON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S	Ac	Lt	Ac	Lt	Ac	T	R	S	Ac	Lt	Ac	Lt	Ac	SUM
12N	04W	8	:	21	09	:	:	:	:	:	:	17	25	:	:	47.0
12N	04W	9	:	:	:	:	:	:	:	:	:	:	:	:	:	69.0
															TOTAL ACRES	116.0

Post County: WASHINGTON

Dates:	App. Received:	Priority Date:
	Proof Due Date:	09/19/1966
	Exam Made Date:	Proof Made Date:
	Licensed Date:	Exam Sent to S.O.:

Misc: Water District Number: 67 Field Exam Fee:

not claimed in
5809NP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-2372

WATER RIGHT NUMBER: 67-2372

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SEWARD PROSSER MELLON PO RKM LIGONIER, PA 15658 (412)238-7085
Original Owner	HOWARD LACEY THOUSAND SPRINGS VALLEY RD WEISER, ID 83672 (208)549-9362
Original Owner	MATTHEW B OLIVER 13512 VINTAGE PLACE CHINO, CA 91710
Original Owner	COREEN K OLIVER 13512 VINTAGE PLACE CHINO, CA 91710
Original Owner	DAN E FOX 13512 VINTAGE PLACE CHINO, CA 91710
Original Owner	LISA LYNN FOX 13512 VINTAGE PLACE CHINO, CA 91710
Attorney	SCOTT L CAMPBELL ELAM & BURKE PA 702 W IDAHO PO BOX 1539 BOISE, ID 83701 (208) 343-5454

Priority Date: 09/19/1966

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.750 CFS	150.00 AF
	<u>Total Diversion:</u>	0.750 CFS	150.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4SW1/4	Sec. 5,	Twp 12N,	Rge 04W, B.M.
WASHINGTON County				

Place of Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-2372

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	04W	9									5.0	10.0	7.0	16.0					38.0

Total Acres: 38

Conditions of Approval:Remarks:

- General OWNERSHIP CHANGED BY LH 3/21/95.^^^

Comments:Dates and Other Information:

Claim Received Date: 1/25/90
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate/Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Type	WR #	Owner	Source	TBS	NENE	KAWNE	SERE	NEINW	MWNW	SWNW	SENW	NESW	MWSW	SSWSW	SESW	NESS	NWSE	SWSE	SESE	TOMI
Permit	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12N04W4														15	20	35
Rght	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12N04W4			21											18		39
Rght	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12N04W4													X			
Rght	67 4041	WM WILLIAMSON,	SPRING	12N04W4														10	10	10
Rght	67 4042	WM WILLIAMSON	SPRINGS	12N03W4														20	20	20
Rght	67 14110	SEWARD PROSSER MELLON.	Claim	12N04W4			X										X		0	0
Claim	67 8004	S P MELLON.		12N04W4														15	20	35

67-14110 = claim &
on spring of
Thousand Creek.

DATE: 08/07/01
PAGE: 1

[illegible]

Place of Use Legal Description for: STOCKWATER FROM STORAGE

NE				NW				SW				SE			
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESE	NWSE	SWSE	SESE
---	---	---	---	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
12N	04W	4	:	:	:	:	:	:	:	:	:	:	:	:	:

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESE	NWSE	SWSE	SESE
---	---	---	---	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
12N	04W	4	:	:	:	:	:	:	:	:	:	:	:	:	:

PQU County: WASHINGTON

Non-Irrigation Uses: STOCKWATER, 500 HEAD BEEF CATTLE; DOMESTIC, 1 HOME

Other Rights: NONE

Remarks: GEN THIS RIGHT WAS ESTABLISHED IN 1891 UTILIZING OPEN DITCH GRAVITY IRRIGATION AND PIPED TO THE HOUSE FOR DOMESTIC USE AND STOCK.

TEMPORARY DAMS WERE CONSTRUCTED ACROSS THE CREEK BED EACH YEAR AND MAINTAINED ANNUALLY.

THE PRESENT DAM STRUCTURES WERE PUT IN AS PERMANENT STRUCTURES AND HAVE BEEN INSPECTED AND APPROVED, THEY ARE OFF STREAM BECAUSE OF FLOODING.

THE RESEVOIRS ARE CURRENTLY 0.2 ACRES W/10' DEPTH = 2.0 AF. AND 0.13 ACRES W/8' DEPTH = 1.07 AF.

THE DOMESTIC USE IS TAKE DIRECTLY FROM THE SPRINGS, NOT OUT OF THE RESEVOIR.

THIS SYSTEM UTILIZES GRAVITY DRIVEN IRRIGATION DIRECTLY FROM THE FRONT OF EACH DAM - TO PIPES AND SPRINKLERS.

THE RESEVOIRS CAN BE FILLED FROM THE SPRINGS AS WELL AS WITH RUN-OFF- HIGH WATER. THE "STREAM BED" IS ACTUALLY A CHANNEL CONSTRUCTED IN THE 1930'S. FOR FLOOD CONTROL AND DRAINAGE.

THE DIVERSION RATE TO STORAGE IS BASED UPON A MAXIMUM UTILIZING 2 4" PIPES IN THE CHANNEL DURING HIGH WATER THE SPRINGS MAX. RATE OF FLOW IS ABOUT 25". OWNERSHIP CHANGED BY LH 1/23/95.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 67-04041 AND 67-04042.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NNNE	SWNE	SENE	NENW	NNNW	SWNW	SENW	NESW	NNSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	TOTAL
Rpt#	87 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12ND4W10							0.3			10	4.1						14.4

0

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NE	ENE	NWNE	SNWNE	SENE	NENW	NWNW	SNWNW	SEWNW	NESEW	NWSEW	SWSEW	SESEW	NESE	NWSE	SWSE	SESE	Total
P	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12ND4W15							15	20			15							50
R	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12ND4W15							17	18			18							55
C	67 8004	S P MELLON		12ND4W15							15	20			15							50

0

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NE	ENE	NNE	SWNE	SSE	ENEW	NWNE	SWNW	SENE	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12NDQW16	30				16									5				50
Right	67 8004	S P MELLON	GROUND WATER, SPRINGS, THOUSAND SPRINGS CREEK	12NDQW16	24				16									3.4				43.4
Claim	67 8004	S P MELLON		12NDQW16	30				15									5				50

0

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



Denver • Boise

www.eroresources.com
eroboise@eroresources.com

RECEIVED

June 27, 2001

JUN 29 2001

Kay Walker
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Department of Water Resources

Dear Ms. Walker:

This letter is in response to your letter of May 29, 2001 requesting additional information and clarification for the Proof of Beneficial Use Exam for permit no. 67-08004 in the name of S.P. Mellon. I have added a number of facilities to the map to clarify the location and system configuration, which is enclosed with these materials I am returning to you. The narrative portion of this letter hopefully will serve to answer the other questions you needed answered. I will try to answer these questions bullet by bullet and if there is additional information needs please let me know.

- *Reservoir Information* – Both of the reservoirs are on stream. You are correct in assuming that this is the reason I did not include diversion to storage as a use of water. However, since Thousand Springs Creek flows may be augmented by the two wells upstream, I included it on the revised Proof of Beneficial Use Exam. I have identified the location of the smaller reservoir between wells 1 and 2 on the enclosed map. The upper reservoir is quite small, measuring about 50 feet in diameter and about 2 to 2 ½ feet in depth. Storage in this reservoir is as a part of the integrated system and is less than 0.2 of an acre-foot. The purpose in describing this small reservoir was merely to provide a better discussion of the system configuration. The larger reservoir, as described in the exam, is the primary storage unit for Thousand Springs Ranch. The storage volume was determined from the area and capacity curves provided by A & B Engineering Company, the engineering firm that designed and supervised construction of the facility. Mr. Don Watts, owner and principal of the firm, has indicated that the area and capacity curves are correct and represent the volume stored in the reservoir. Measuring devices in the form of V-notch weirs have been installed at locations as indicated on the enclosed map. These V-notch weirs are capable of measuring the creek and well discharge into the reservoir and the discharge from the reservoir. As such, they conform to condition no. 5 of the permit.
- *Location of the Springs* – The springs contributing flow to the reservoir are in essence now unmeasurable. They discharge at, or slightly below, the water level of the reservoir through a series of diffuse discharges from the subsurface. The flow of the springs was measured prior to construction of the reservoir by me during a series of hydrologic investigations and construction of wells no. 1 and 2.

MICROFILMED

AUG 26 2002

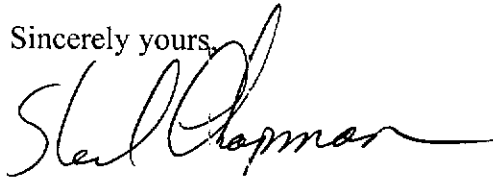
Consultants in
Natural Resources
and the Environment

At this point in time there is no way to accurately measure the springs hence the reason that the previous measurement was used.

- *Uses of Water* – The lack of a full description of all of the uses of water was an oversight on my part and the exam form has been corrected to reflect all of the uses as described in the permit.
- *Number of Stock* – The number of stock served at this location is 100 head of beef stock on an intermittent basis.
- *Measuring Devices* – The two V-notch weirs are capable of measuring all of the flow into the reservoir and out of the reservoir with the exception of the diffuse springs on the northwest corner of the reservoir. The upper V-notch weir is also capable of measuring the discharge from wells no. 1 and 2 individually should the need arise. Additionally, both wells are equipped with inline gate valves, which will allow full control and locking of the system if it becomes necessary. It is my opinion that the combination of the valves and the V-notch weirs satisfy condition no. 7 of the permit.
- *Domestic Use* – The domestic uses are located within the NW ¼, SE ¼, Sec. 4, T12N, R4W. I have noted this on the map and in the place of use description. You are correct that Thousand Springs Ranch is presently using water for domestic use for three homes along with some offices. I have informed the ranch manager of the need to file additional water rights to cover the domestic uses and he has agreed to move ahead with this process. I appreciate your notifying us of this requirement.

I believe this answers all of the questions in your request for additional information but if you do have additional information needs please don't hesitate to contact me. Again, thank you for your help in this matter.

Sincerely yours,



Sherl L. Chapman

SLC:sw

Encl.

RECEIVED

JUN 29 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 31 2000

WATER RESOURCES
WESTERN REGION

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 67-08004

1. Owner: S.P. Mellon; Thousand Springs Ranch Phone No. 208-549-3645

Current Address: 1860 U.S. Highway 95, Weiser, ID 83672

2. Accompanied by: Chet Slyter EXAM DATE: 7/18/00

Address: same Phone No. 549-3645

Relationship to Permit Holder: Farm Supervisor

3. Source: Ground water/Springs/1000 Springs Creek tributary to Weiser River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
2			SW	NE	4	12N	4W	Wash.	Field/photo map
1			NW	SE	4	12N	4W	Wash.	Field/photo map (2 points)
51			NW	SE	4	12N	4W	Wash.	Field/Photo map (springs)

2. Place(s) of Use:

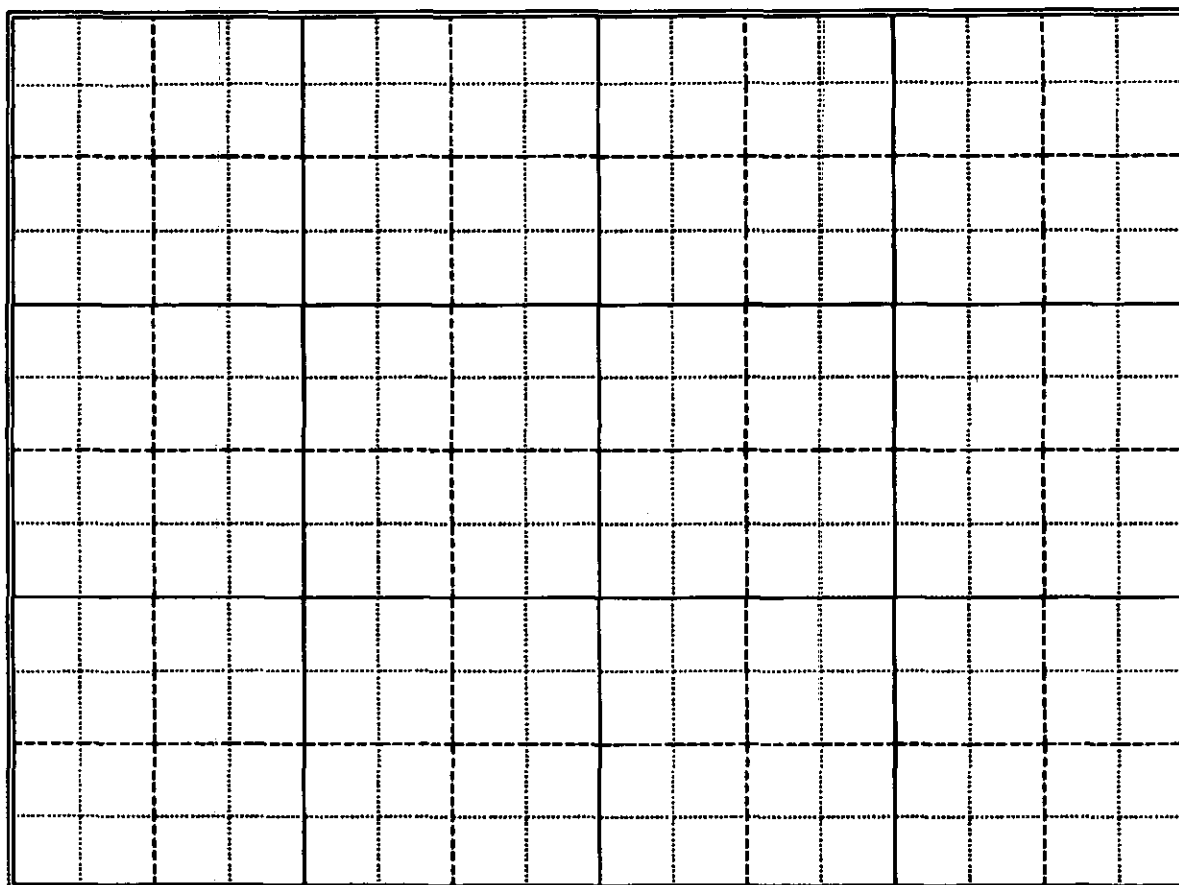
Indicate Method of Determination *

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	4W	4			3											D .7			3.7
12N	4W	9			13.9	19.9	13.2								31.7	12	8	36.5	135.2
12N	4W	15						12.6	7			5							24.6
12N	4W	16	29.2	4		14									19.9				67.1

MICROFILMED

AUG 26 2002

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe lid. as applicable. SEE ATTACHED ORTHOPHOTO QUADRANGLE



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Well #1	Franklin	5	N/A	Gould	4"
Well #2	Franklin	10	N/A	Gould	4"
Booster	Diesel	101	N/A	Comell	103727(fire protection)

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

Well #3 Franklin 3 N/A Jacuzzi 2" (Domestic)

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Badger flow meter	Saddle	Badger	MDIM-8	M0646708		1998

2. **Measurements:** Well #1 - 75 gpm; Well #2 - 153 gpm; Thousand Springs Creek flow calculated from previous velocity check at 4.26 cfs. Springs measured with a portable Parshall Flume at .24 cfs.

MICROFILMED
AUG 26 2002

E. NARRATIVE/REMARKS/COMMENTS

Well #2 is equipped with a 30 KW Diesel Generator. The well flows when not pumped and is equipped with a control valve. Under normal operating conditions the well is pumped to Thousand Springs Creek with the water stored in a reservoir for irrigation, stockwater, fish and wildlife. Storage pond #2 is located between wells #1&2 and is used for irrigation and supplementation to the primary reservoir, well #1 is located in the NWSE, Sec. 4, T12N, R4W and also is used in the same manner as well #2. Thousand Springs Creek flows into the reservoir and Springs were measured during reservoir construction. The high water line in the culvert was measured and velocity was measured earlier at 1.25 fps providing an estimated stream flow of 4.26 cfs. Water is diverted from the reservoir in a 10" mainline to a diesel driven centrifugal pump, (101 hp), (mdl BF4L913), (2300 rpm). Cornell pump mdl 3HAEM16-3, SN 103727, 15.22. Water in general is pumped from the two wells, collected from Thousand Springs Creek and the springs in the reservoir banks. It is then released from the reservoir into the creek for repumping by the portable pump; or pressurized by the stationary Cornell centrifugal; or diverted into ditches for gravity flood application. Other sources of water include Thousand Springs Creek and spring inflow to the reservoir. Creek flow velocity was taken during the spring runoff and used to calculate the flow based on the wetted area into the culvert above the reservoir. The spring flow was measured using a portable parshall flume. An area/capacity curve is attached for the reservoir.

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

MICROFILMED
AUG 26 2002

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



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RECEIVED

MAY 23 2001

Department of Water Resources

May 22, 2001

Kay Walker
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RE: Thousand Springs Ranch

Dear Kay:

Enclosed you will find additional remarks which should be included with the proof of beneficial use filing made for permit # 67-08004. The proof of beneficial use as submitted includes the point of diversion and the uses for the domestic wells on the property. However, I neglected to include additional narrative remarks describing the uses and the equipment. The enclosure should be attached to the proof of beneficial use as a supplement to Section E - Narrative/Remarks/Comments. If you have any questions or need additional information please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Sherl", is written over a horizontal line.

Sherl L. Chapman

SLC:sw

Encl.

cc: Ross Kane
Scott Campbell

MICROFILMED
AUG 26 2002

Consultants in
Natural Resources
and the Environment

Supplement to Section E - Narrative/Remarks/Comments
Proof of Beneficial Use for Permit # 67-08004

The domestic well serving the three households listed on the proof of beneficial use form is located in the SE ¼, NW ¼, SE ¼ in addition to the irrigation well noted as well no. 1 on page 1 of the beneficial use field report. The well is 500 feet in depth and equipped with a 3 horsepower jacuzzi submersible turbine pump (model # 5675). This well serves the main office building, the owners residence, and an apartment and dog run area all located in separate buildings. Water is delivered from the submersible turbine pump to a series of bladder type pressure tanks for delivery to the three facilities. Water from the well provides supplies for all uses by office staff, the owners of the property, and other employees.

MICROFILMED
OCT 25 2002

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

Well #1 - .17 cfs

Well #2 - .34 cfs

Thousand Springs Creek - 4.26 cfs

Springs - .24 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 230.6 \times 4.5 = 1037.7$$

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

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1037.7$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

See Attached Page

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3/15	11/15	4.61	1037.7
Irrigation Storage	1/1	12/31		19.0
Irrigation from storage	3/15	11/15	4.61	19.0
Stockwater storage	1/1	12/31		19.0
Wildlife Storage	1/1	12/31	.06	
Domestic	1/1	12/31	Totals: .06	
	TOTALS		4.61	1037.7

2. Recommended Amendments

___ Change P.D. as reflected above

___ Add P.D. as reflected above

___ None

XX Change P.U. as reflected above

___ Add P.U. as reflected above

___ Other

I. AUTHENTICATION

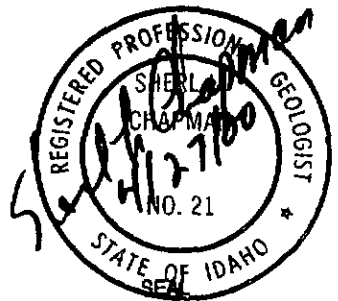
Field Examiner's Name



Date 4/27/00

Reviewer _____

Date _____



MICROFILMED

AUG 26 2002

F. **FLOW CALCULATIONS** _____ Additional Computation Sheets Attached
Measured Method:

G. **VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses:

H. **RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Stockwater	1-1 to 12-31	.02	
Stockwater from storage	1-1 to 12-31		30
Wildlife	1-1 to 12-31	.03	
Wildlife from storage	1-1 to 12-31		30
Fire protection storage	1-1 to 12-31		30
Diversion to storage	1-1 to 12-31	4.61	
		Totals: 4.61	1037.7

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

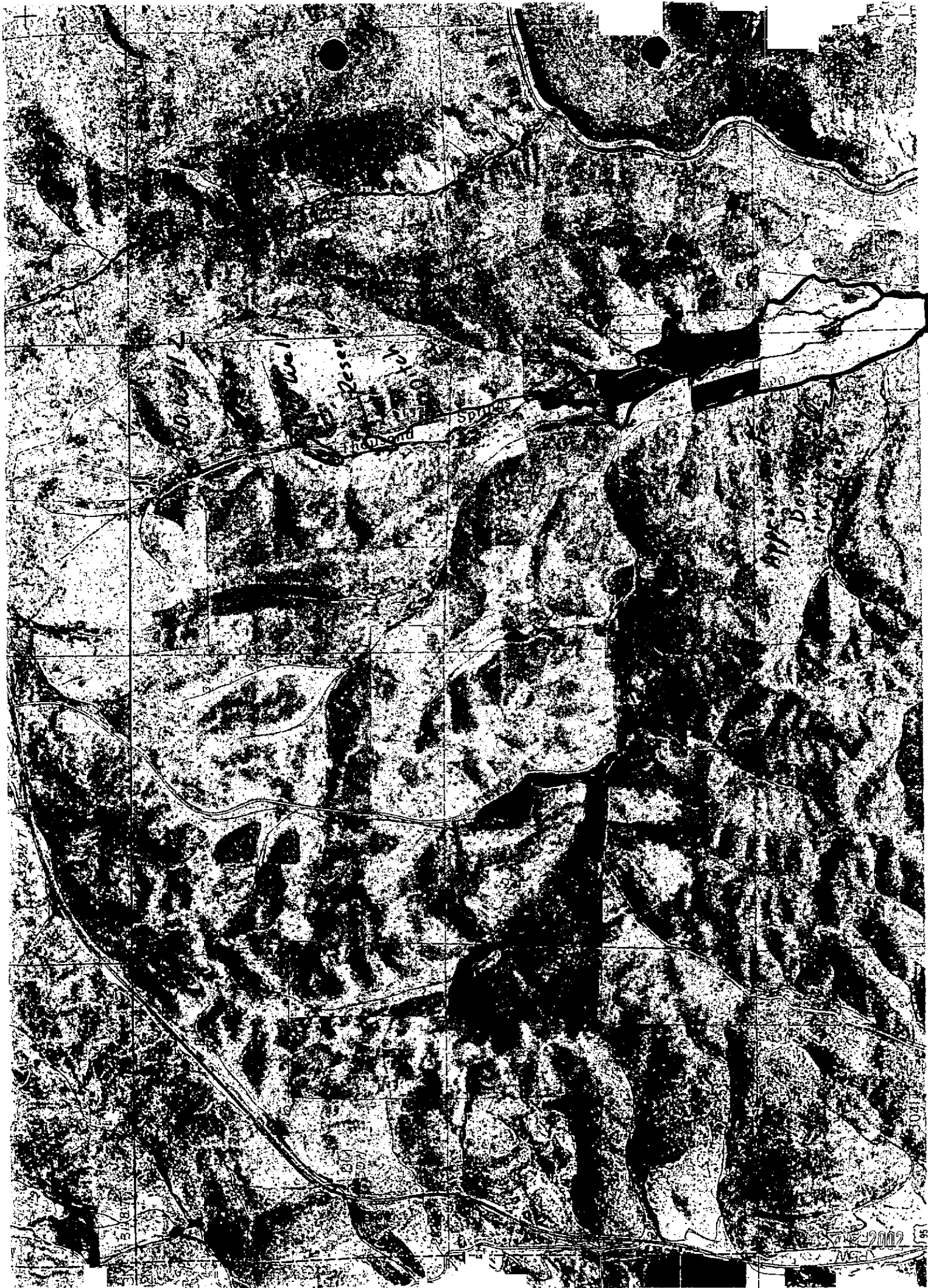
I. **AUTHENTICATION**

Field Examiner's Name _____ Date _____

Reviewer _____ Date _____

SEAL

MICROFILMED
AUG 26 2002



Mann Creek NE

Approx. 1000'

1000'

Reservoir

Spence

1000'

1000'

T 13 N

33 34
4 3

T 12 N

Thousand Springs Cr.

Well #1

V notch weir #1

3.7 ac

Domestic Uses

Reservoir #2

V notch weir #2

Spring (S-1)

4 3
9 10

7.553

NHEL 3.1

NHEL 8.9

T 1511

NHEL 11.1

NHEL 13.2

NHEL 15.3

NHEL 17.4

NHEL 19.5

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NHEL 25.8

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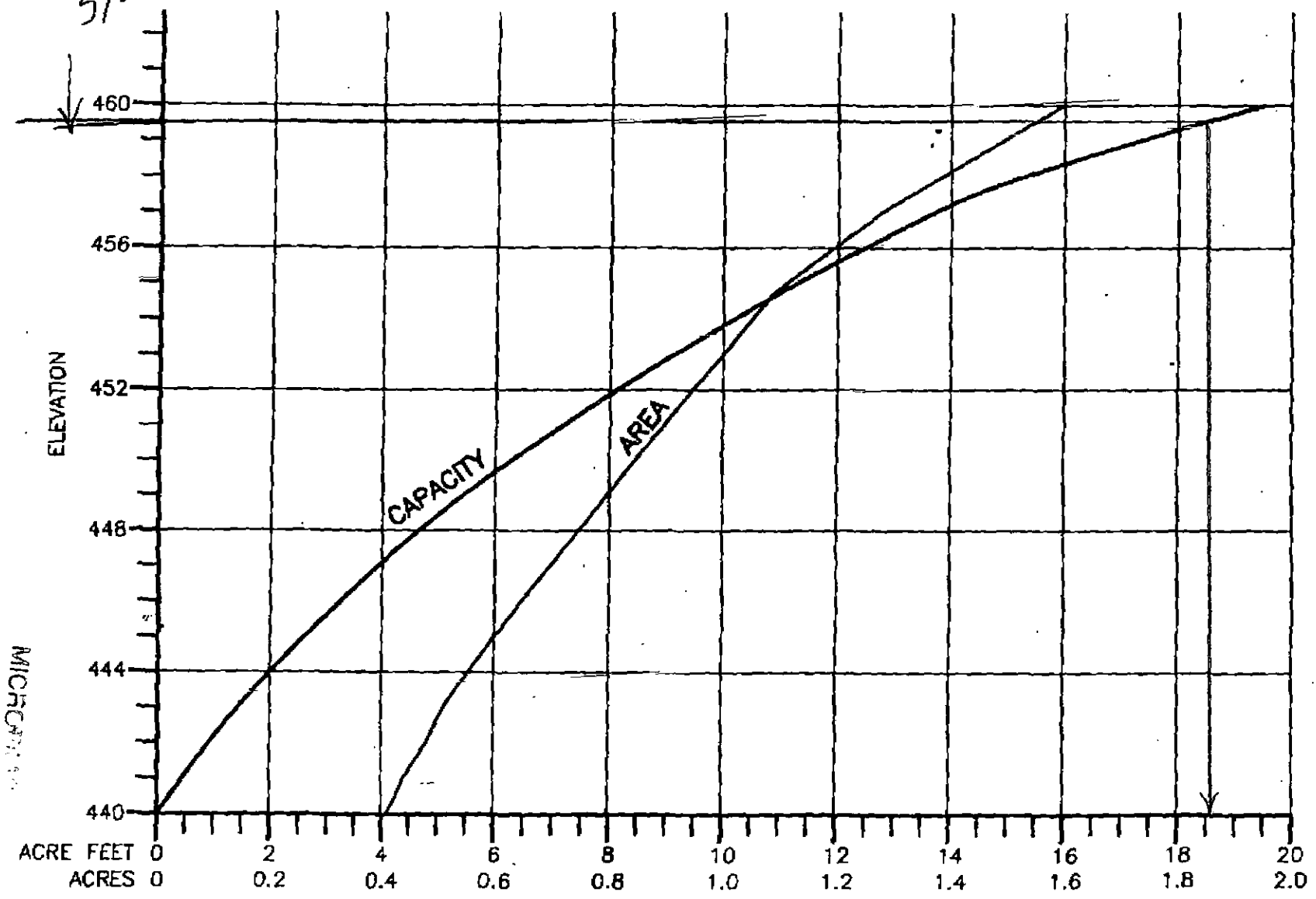
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THOUSAND SPRINGS RANCH DAM AREA & CAPACITY CURVES

S/W 4595



Sheri Chapman

2002 2 6 2002

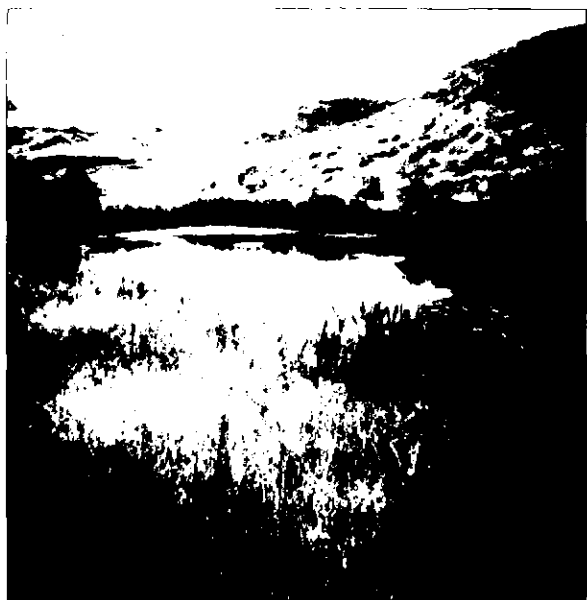
MICROMAN



Well #1 NWSE 4 12N 4W
7/18/00



North Well SWNE Sec 4 12N 4W
7/18/00 well #2



Storage pond #1 Between
Well #1 & 2
7/18/00



Thousand Springs Ranch Res.
SWSE Sec 4 T12N R4W
7/18/00

67-08004

MICRO LEVEL

AUG 26 2002



Irrigation Diversion from
Reservoir



Diesel engine & Cornell pump
from pipe at Res.

7/18/00



Booster pump from Thousand
Springs Cree E (portable)
7/18/00



irrigated grain

7/18/00

MED

AUG 26 2002 67-08004



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

May 29, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SHERL L CHAPMAN
ERO RESOURCES CORP
1106 N COLE RD
SUITE C
BOISE ID 83704-8661

RE: Permit No. 67-08004 in the name of S. P. Mellon

Dear Mr. Chapman:

In a review of the field examination that you submitted for the above referenced permit we find that we need more information before we can prepare a license for this right. I have identified several items that need to be addressed on the examination. Those items are as follows:

- **Reservoir information:**
- Are the reservoirs on-stream? It appears they are but I can't tell for sure. If they are, that would resolve the question of why you didn't include "diversion to storage" as a use of water.
- The location of reservoir between wells 1 and 2 (as described in narrative) is not identified on the map of the system.
- The size of the reservoirs is not mentioned on the exam – this would assist in knowing how you determined the storage volume you have recommended.
- Are measuring devices installed in such a manner that water entering the reservoirs and the amount of water released from the reservoirs can be measured, as required on condition No. 5 of the permit?
- **Location of springs.** We cannot license springs as a source if we don't know where they are located. These springs need to be identified on the map attached to the exam along with the legal descriptions listed under item C(1) on the examination report.
- **Uses of water.** The permit identified many uses of water. You have identified only a portion of the permitted uses on your report. What about diversion to storage, fire protection storage, and stockwater? Do the stock only drink from the ponds?
- **Number of stock** to be licensed is not mentioned.

MICROFILMED

- Are **measuring devices** installed on all sources as required under condition No. 7 on the permit?
- **Domestic use.** Where are the domestic uses located? Please mark the location on the map and identify same location under item C(2) on the field report. Please note that the permit allows for only 2 homes. On your supplemental report of the domestic uses, you mentioned domestic use for 3 homes along with domestic use for some offices. The permit holder may need to file additional water rights to cover all of the domestic uses you have identified.

Please be advised that according to Beneficial Use Rule 35.02(c), IDAPA 37.03.02 (as listed below), we are returning the exam to you for more information.

02. Field Report Acceptability. (7-1-93)

c. If the director determines that a field report is acceptable but that additional information is needed to clarify the field report, he will notify the certified water right examiner in writing of the information required. If the additional information is not submitted within thirty (30) days or within the time specified in the written notice, the priority date of the permit will be advanced one (1) day for each day the information submittal is late. Failure to submit the required information within one (1) year of the date of the department's request is cause for the director to take action to cancel the permit. (7-1-93)

We request that you address all of the items identified above and return the field report to our office on or before June 30, 2001. If you have any questions in regard to this matter, please do not hesitate to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosure: Original field examination

Cc: S.P. MELLON
THOUSAND SPRINGS RANCH
1860 US HWY 95
WEISER ID 83672

AUG 25 2002

MICROFILMED

AUG 25 2002



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 3, 2000

S P MELLON
THOUSAND SPRINGS RANCH
1860 US HIGHWAY 95
WEISER ID 83672

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 67-08004

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and field examination submitted for the above referenced permit. The next step in the process of developing a water right is for the department to review the field examination for licensing.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. 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.

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

AUG 25 2002

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 67-08004 Reviewed by D. Ellis Date 8/3/00

GENERAL CONSIDERATIONS

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Irrigation, Domestic,
Stockwater & storage.
Correct Uses? Yes, however
Domestic is limited
to 2 homes & no irrigation.
The proof states 3 homes &
nothing on irrigation.

SOURCE OF WATER

Yes Surface water source
Yes Ground water source
Yes Drilling permit required? 67-98-W-0026
No Copy in the file? Drilling Permit No. 67-98-W-0025
Amount paid for permit _____ Correct?
No Well log in the file?

LICENSE EXAMINATION FEE

No Required?
\$0 Amount Submitted
Yes Correct?

MEASURING DEVICE

Yes Required?
Yes Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received 7/31/00
Date proof due 8/1/00 -
No. of days late _____ =
Priority Date _____ +
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

Acknowledge receipt of R/fee with field exam.

DATA ENTRY

New Address N/A Proof Made 7/31/00

May 31, 2000

S P MELLON
THOUSAND SERINGS RANCH
CO SCOTT CAMPBELL
PO BOX 1539
BOISE ID 83701

PROOF DUE NOTICE

RE: PERMIT NO. 67-C8004

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 August 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.

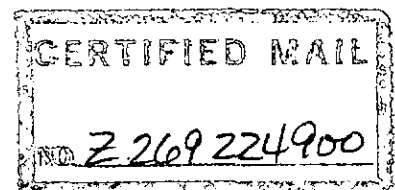
SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED

AUG 26 2002



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 67-08004 Reviewed by Jy Date 7-22-98

BASIC INFORMATION

7-17-98 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
NO Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
_____ 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 approval ~~on~~ to August 1, 2000, on basis of due diligence.*

PRIORITY CALCULATION

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

DATA ENTRY

New Address X
Change Proof Due Date 8-1-2000
Change Priority Date X



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 1998

Thousand Springs Ranch
c/o Scott L. Campbell
ELAM AND BURKE
702 W Idaho
PO Box 1539
Boise ID 83701

RE: Permit No. 67-08004

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit, which extends the time within which to submit proof of beneficial use to **August 1, 2000**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of this project since the department **will not** be able to grant additional extension requests based on due diligence.

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 this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

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

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

AND REFILED

AUG 10 1998

Richard K. Mellon and Sons

P.O. Box RKM

Ligonier, Pennsylvania

Telephone

724-238-6671

15658 - 0780

Fax 724-238-8482

July 21, 1998

Ms. Julie Yarbrough
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

FAX 208-327-7866
Phone 208-327-7900

RE: Thousand Springs Ranch
Washington County, Idaho
Water Permit No. 67-08004

Dear Ms. Yarbrough:

I am the sole owner of Thousand Springs Ranch and the holder of Water Permit No. 67-08004 thereon.

Please be advised that Scott L. Campbell, Esquire, of the law firm of Elam & Burke has been retained by me to handle all matters of a legal nature which in any way relate to water rights and water permits on Thousand Springs Ranch. Mr. Campbell has full authority to act on my behalf in these matters.

Should you have any questions or require further information, please contact me by telephone, facsimile or mail as set forth above.

Thank you.

Sincerely,



Seward Prosser Mellon
Sole Owner
Thousand Springs Ranch

c: Scott L. Campbell, Esquire – Elam & Burke
Fax No. 208-384-5844

RECEIVED

JUL 17 1998

Department of Water Resources

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

July 17, 1998

VIA HAND-DELIVERY

Jim Johnson
Manager, Water Permit Section
Idaho Dept. of Water Resources
1301 North Orchard
Boise, ID 83706

Re: Permit No. 67-08004

Dear Jim:

Pursuant to our telephone conversation today, enclosed please find a check in the amount of \$50.00, as and for the requisite fee for the filing of an application for extension of time to file proof of beneficial use of a water permit.

Thank you for you assistance in this matter.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:thm G:\TMH\WPDATA\6681\00033-ltr.wpd
encl.



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

TRANSMITTAL COVER SHEET

FAX NUMBER: (208) 327-7866

DATE: 7/17/98

TO: Scott Campbell FROM: Julie Yarbrough
Elam Burke

DOCUMENT DESCRIPTION: Extension of Time
Request

COVER SHEET + 1 PAGES

CONTACT: 327-7953 IF YOU DO NOT RECEIVE ALL THE PAGES

THANK YOU!

NOV 17 1998

4:16 PM 1998

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

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

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

Permit No. 67-08004

Name(s) of Permit Holder: S P Mellon

Mailing Address: Thousand Springs Ranch 1860 US HWY 95 Weiser, ID 83672

Date Proof is Due: October 1, 1998 Telephone No. (208)343-5454 (Scott Campbell)

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

SEE ATTACHED LETTER

Costing \$ _____

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

SEE ATTACHED LETTER

Permit holder(s) request an extension to _____, 19____.

FEE: \$50.00

(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

Signed this _____ day of _____, 19____.

RECEIVED

JUL 15 1998

Department of Water Resources

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

July 15, 1998

VIA HAND-DELIVERY

Jim Johnson
Manager, Water Permit Section
Idaho Dept. of Water Resources
1301 North Orchard
Boise, ID 83706

Re: Permit No. 67-08004

Dear Jim:

I am writing on behalf of Mr. Seward Prosser Mellon (Thousand Springs Ranch), our firm's client, concerning permit to appropriate water no. 67-08004, issued by the Idaho Department of Water Resources on December 1, 1997.

Pursuant to Idaho Code section 42-218, I am requesting an extension of time in which to make proof of beneficial use of the water which is allowed to be developed under the permit. Condition number 1 of permit no. 67-08004 specifies that the proof of beneficial use date is August 1, 1998. As you can see by the enclosed letter from Mr. Sherl Chapman, the permit holder has encountered substantial unforeseen circumstance which have adversely impacted its ability of proceed with development of the water. Mr. Rob Whitney of your department has indicated to Mr. Chapman that he would support this application for extension of time, as documented in Mr. Chapman's correspondence.

Additionally, since the initial proof of beneficial use date of August 1, 1998 was less than one year from the date of issuance of the permit, an extension of time would not be unreasonable. Moreover, such an extension would not exceed the maximum period prescribed in Idaho Code section 42-204 (5 years from permit issuance, normally).

Finally, no prior request for extension of time to submit proof of beneficial use for this water permit has been submitted to the Department. The permit holder requests an extension of time of a minimum period of one year, but would prefer an extension of time of two years from date of approval in order to avoid encountering any potential problems associated with completion of the facilities and submitting the proof of beneficial use to the Department in a timely fashion. While the permit holder does not anticipate the need to utilize the full two year

Letter to Mr. Johnson
July 15, 1998
Page 2

extension, caution would appear to be indicated because of the complications which the permit holder has encountered.

Since the August 1, 1998 deadline for proof of beneficial use is quickly approaching, the permit holder requests that the Department take action on this request for extension of time prior to that date. In this regard, please contact me for any additional information you may require. I would appreciate receiving written notification from the Department as soon as possible.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:thm GATMHWPDATA\6681\00032-ltr.wpd
encl.

cc: Seward Prosser Mellon (w/encl)
Sherl Chapman (w/encl)
Rob Whitney (w/encl)

A.5

013 11 1

Sheri L. Chapman Consulting, Inc.

JUL 06 1998

410 S. Orchard / Suite 144 / Boise, Idaho 83705 / Phone (208) 344-6690
Fax (208) 344-2744 / Email chapmaninc@rmci.net

RECEIVED

JUL 15 1998

July 1, 1998

Department of Water Resources

Mr. Jerry Ellermeyer
Thousand Springs Ranch
P. O. Box RKM
Ligligonier, PA 15658

Dear Jerry:

I wanted to take a moment to brief you on the progress on the first well being drilled at Thousand Springs Ranch since there have been some field changes necessary. As you may remember, the well driller's report filed by Gary Jones indicated sediments to a depth of 425 feet below land surface with basalt or shale below 170 feet. We set up the drilling rig approximately 50 feet from the well and began drilling early in June. Other than breakdowns, which tend to be common in the drilling industry, progress was being made until the driller reached 410 feet below land surface. Because of a problem with one of the drilling tools, the driller needed to shut down for about a week while the equipment was fixed and when he went back into the hole he found that the well had collapsed from about 200 feet to the bottom. In checking the materials, it appears that there are a large number of ash or clay beds in the basalt that will not remain open without being cased which is totally different than the well driller's report filed by Gary Jones. As you may remember, the proposed construction of the well was based primarily on the subsurface geology as described by Jones and this lack of competence in the lower portion of the well bore came as a distinct surprise. We will be able to handle the problem by installing perforated steel, six (6) inch diameter casing in the well from 200 feet to the bottom to hold the hole open and to allow water to move into the well bore. This will not adversely affect our ability to use the well but will increase the cost by the amount of casing and installation which was not calculated in the original bid. The other problem this causes for us is that it takes at least a week to get the casing on site and probably another week to get it installed in the hole in the proper manner so as to maximize production. Between this delay and the breakdowns they've had we are rapidly approaching the proof due date for the water right we have on the ranch. In order to expedite matters I've had the driller move to well site #2 and he is presently drilling at that location in order to maximize the well construction process. However, with the proof due date approaching I would recommend that we ask Scott Campbell to apply for an extension of time to complete proof of beneficial use on this project in order to make sure that we have two

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JUL 15 1998

Specialist In

Ground-Water Hydrology / Water Rights / Water Well Design / Geothermal Resources

Mr. Jerry Ellermeyer
July 2, 1998
Page 2

successful wells and that we're not rushed into installing pumping equipment that might be more costly than we might otherwise use or inappropriate for the applications we need. Scott has indicated he would be more than happy to file the request for extension and Rob Whitney of the Idaho Department of Water Resources has indicated he would support the application since he is aware of the problems we've been having with well construction.

If you have any questions or would like to discuss the matter further, please don't hesitate to give me a call at any time.

Sincerely yours,

COPY

Sheri L. Chapman
President

SLC:kje
cc:Mr. Scott Campbell
Mr. Ross Kane

NOT RECORDED
AUG 10 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 1, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

**S P MELLON
THOUSAND SPRINGS RANCH
1860 US HIGHWAY 95
WEISER ID 83672**

PERMIT APPROVAL NOTICE

RE: PERMIT 67-08004

Dear Permit Holder:

Enclosed is a copy of your approved permit. In addition to the following information affecting your water right, please be sure to thoroughly review the 'CONDITIONS OF APPROVAL AND REMARKS' listed on the permit.

Your Permit is issued as a Preliminary Order

Your permit is issued as a Preliminary Order meaning that if you disagree with any of the requirements of the permit you must petition the Director for Reconsideration within a limited amount of time. See enclosed "Responding to Preliminary Orders..." sheet for more details.

Mitigation

Mitigation may be required on all permits that consume water to assure that Idaho is not allowing appropriations that would reduce the flows needed for salmon migration in the Lower Snake/Columbia River system.

Condition 8, listed on the permit, provides the parameters and quantifies as specifically as possible the quantity of water which may be needed for mitigation of any consumptive water use occurring under this right that may cause a reduction in flows needed for salmon migration. At this time we know the maximum consumption is 735 acre feet which is based on 3.0 acre feet per acre for the 245 acres authorized by this permit. However, actual mitigation will be based upon depletion occurring.

Water Measurement and Controlling Devices

You are required to install a measuring device and lockable controlling works that will enable the watermaster to measure and control the rate of diversion. See conditions 5 and 7.

MICROFILMED

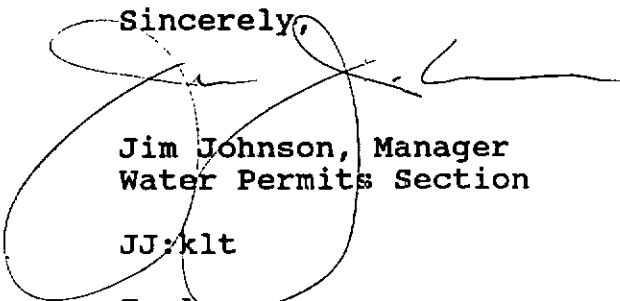
DEC 6 1998

Recording water right ownership/address change

As of July 1, 1996, all water right owners are required to report changes of water right ownership and/or change of mailing address to the department. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department for more information.

If you have any questions about your permit, please let me know.

Sincerely,



Jim Johnson, Manager
Water Permits Section

JJ:klt

Enclosures

cc: Scott Campbell
c/o Elam & Burke
PO Box 1539
Boise ID 83701-1539

MICROFILMED

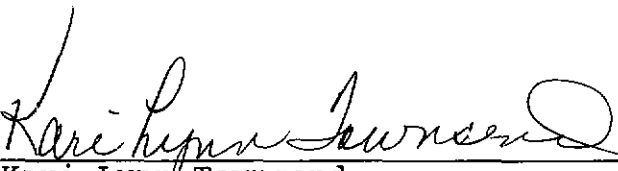
JUN 05 1998

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of December, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right 67-08004

SP MELLON
THOUSAND SPRINGS RANCH
1860 US HIGHWAY 95
WEISER ID 83672



Kari Lynn Townsend
Secretary

MICROFILMED

JUN 05 1998

RECEIVED

SEP 24 1997

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

Department of Water Resources

TELEPHONE
208-343-5454

FACSIMILE

SCOTT L. CAMPBELL

208-384-5844

September 23, 1997

Mr. Norman C. Young, Administrator
Water Management Division
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

Re: Thousand Springs Ranch Draft Water Permit No. 67-08004

Dear Norm:

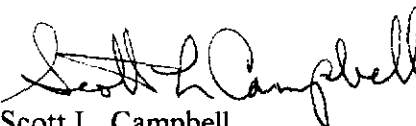
Since my correspondence to you of September 17, 1997 concerning this matter, I have had an opportunity to discuss your letter with our client.

The language for Condition Number 12, which you have set forth in your September 10, 1997 correspondence is acceptable if the clarifying information in your September 10, 1997 correspondence will be utilized by the Department should Condition 12 ever be exercised by the Director. It would be preferable to incorporate paragraphs a and b in your September 10, 1997 correspondence as part of Condition Number 12. If the Department does not desire to put that additional language in the permit, I would like written confirmation that paragraphs a and b of your September 10, 1997 correspondence will in fact be followed if Condition Number 12 of the permit is ever utilized by the Department.

Thank you for your consideration.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:tmh G:\TMH\WPDATA\6681\00020.LTR

cc: Seward Prosser Mellon
Gary Spackman

MICROFILMED

SEP 24 1997

 Jim Johnson _____

Let's finalize this
application & acknowledge
in cover letter that
paragraph's "a & b" from
Sept 10, 1997 letter will
be followed as and is
utilized.

Ncy

RECEIVED

SEP 18 1997

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

Department of Water Resources

TELEPHONE
208-343-5454

FACSIMILE

SCOTT L. CAMPBELL

208-384-5844

September 17, 1997

Norman C. Young, Administrator
Water Management Division
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Re: Thousand Springs Ranch Draft Water Permit No. 67-08004

Dear Norm:

Thank you for your correspondence of September 10, 1997, regarding the above-referenced water permit.

As I indicated to you during a brief telephone conversation last week, I was not able to direct any attention to this matter until this week because of my schedule requiring out of town travel.

I have provided a copy of your correspondence to my client, Seward Prosser Mellon. I have not had an opportunity to discuss the proposed language of condition no. 12 with Mr. Mellon and therefore, am not yet able to provide you with a substantive response. As soon as I have had an opportunity to discuss these matters with Mr. Mellon, I will contact you to provide you with his input.

Norm, I appreciate your willingness to consider alternative approaches to this difficult issue. I will attempt to provide you with a substantive response within the next seven days. Please do not issue a preliminary order on this matter until I have had an opportunity to provide you with that response.

Thank you for your cooperation in this matter.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:tmh G:\TMH\WPDATA\6681\00018.LTR

cc: Mr. Seward Prosser Mellon
Mr. Gary Spackman

MICROFILMED
SEP 18 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

September 10, 1997

Scott L. Campbell
Elam & Burke
P.O. Box 1539
Boise, Idaho 83701

Re: Thousand Springs Ranch Draft Water Permit No. 67-08004

Dear Scott:

I have reviewed the alternative language suggested for conditions number 12 of the draft permit and have the following comments and suggestions:

A. The purpose for the mitigation requirement is to assure that Idaho is not approving permits for consumptive uses that may reduce flows for salmon migration in the Lower Snake/Columbia River system. The condition should describe the parameters that will require mitigation water to be released.

B. The condition should also describe the technical basis for determining the amount of mitigation water required. Mitigation should only be required for the actual depletion in flow of the Weiser River caused by the project that is needed and would have been available for salmon migration. The order requiring mitigation will include a determination of the volume required to be made available for release. The amount will be based upon the consumptive irrigation requirement (CIR) (consumptive use minus precipitation during the growing season) for Basin 67. IDWR has a guideline indicating the CIR for Basin 67 is approximately 3 acre-feet per acre per year. The amount required will also take into account the timing of the depletion in relationship to the portion of the year that fish migration flows are required. In no case will the amount required exceed the annual volume diverted. Measuring and reporting of both surface and ground water diversions in accordance with Section 42-701, Idaho Code, may be necessary to determine the amount required for mitigation.

C. The mitigation cannot be considered to be effective to satisfy delivery calls from the Weiser River unless the mitigation water is made available in the Weiser River as needed to offset depletions in flow that would otherwise have been available to earlier priority rights on the Weiser River. Regulation of diversions from the stream with the Weiser River rights would not be required if the stream from which the application proposes to take water is not reaching the Weiser River. This may be the case during most of the irrigation season on a normal year.

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JUN 05 1998

Scott L. Campbell
September 10, 1997
Page 2

Accordingly Condition 12 will read as follows:

12. The Director retains jurisdiction to require by written order the release of purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of the water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit. The quantity of water required to be released for this purpose will not exceed 735 AF per year. The permit holder has the right to administrative and judicial review of any order requiring mitigation water to be provided under this permit condition pursuant to the procedures of Section 42-1701A or Chapter 52, Title 67, Idaho Code.

I have reviewed conditions 7, 11, 14, 15, and 16 of the draft permit. Condition 7 is unnecessary and will be dropped. Condition 11 is not needed because IDWR records show that the "upgrade" fees for the drilling permits were paid on June 19, 1997. Condition 14 will be revised to clarify that the area inundated by the reservoir need not be revegetated. Condition 15 will be dropped. Condition 16 will be retained with the understanding that it is applicable only if fish are indigenous to the stream in the reach affected by the reservoir.

I appreciate your input on this matter. The permit will be issued as a preliminary order at an early date.

Sincerely,



NORMAN C. YOUNG
Administrator
Water Management Division

c. Gary Spackman

MICROFILMED

JUN 05 1998

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AUG 20 1997

ELAM & BURKE

A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

Department of Water Resources

TELEPHONE
208-343-5454

FACSIMILE

SCOTT L. CAMPBELL

208-384-5844

August 19, 1997

Mr. Norman Young
Administrator of Water Allocation
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Re: Thousand Springs Ranch
Draft Water Permit No. 67-08004

Dear Norm:

First, I would like to thank you for taking the time to meet with me and Ms. Jennifer McGary, ranch manager for Thousand Springs Ranch, on August 13, 1997. Your courtesy was greatly appreciated.

Based upon our discussions at the meeting, I have developed the following alternative language for condition number 12 in the draft water permit number 67-08004:

12. The Director retains the right to exercise jurisdiction over this permit to require purchase or lease of storage or natural flow water, limited to an annual volume of no more than _____, or some other reasonable mitigation to compensate for water diverted pursuant to this permit. If the Director exercises this retained jurisdiction, the permit holder shall be provided with prior written notice of the Director's intent to exercise this retained jurisdiction. The permit holder shall have the right to present evidence and legal argument to the Director (or his designee) in a formal administrative hearing. Any final determination of the Director after the hearing shall be appealable to the State District Court pursuant to Section 42-1701(A), Idaho Code and the Judicial Review Provisions and Standards of Chapter 52, Title 67, Idaho Code. If any mitigation water is ever required under this condition, it shall be applied as a credit against any delivery call by senior water right holders in Water District 67.

In addition to this alternative language for condition number 12, you indicated that you would review condition numbers 7, 11, 14, 15, and 16 for possible removal or modification. We appreciate your consideration in this regard.

MICROFILMED
JUN 8 1998

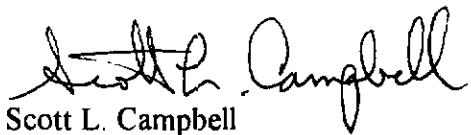
Letter to Mr. Norman Young
August 19, 1997
page 2

Please contact me at your convenience to discuss the alternative language for condition number 12 or any of the other conditions which you plan on reviewing. I will be happy to make myself available for another meeting in your office if you believe that would be helpful.

Thank you for your consideration in this matter.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:tmh G:\KCC\WPDA\A6681\YOUNG.LTR

cc: Mr. Seward Prosser Melton
Ms. Jennifer McGary
Mr. Joseph Jordan
Mr. Sheri Chapman

MICROFILMED
JUN 05 1998

MEMORANDUM

TO: FILE 67-08004

FROM: NORM YOUNG

RE: MEETING WITH SCOTT CAMPBELL AND JENNIFER McGARY

DATE: August 18, 1997

At a meeting on August 13, 1997, Scott Campbell agreed to provide a revised draft of the condition providing for mitigation. The draft will be reviewed with legal and when acceptable to the Director will be incorporated into the permit.

I agreed to discuss the need for conditions providing for fish passage, payment of additional fees for drilling permits, and reseedling.

MICROFILMED

JUN 05 1998

MAX to Norm Young

327-7866

J

JOSEPH L. JORDAN, P.E.

Consulting Civil Engineer

P.O. Box 102 • Fruitvale, ID 83620
(208) 253-1103

Mr. Scott Campbell
Elam & Burke
Key Financial Center
P.O. Box 1539
Boise, Idaho 83701

August 12, 1997

RE: Thousand Springs Ranch
Draft Water Permit No. 67-08004

Dear Scott,

Regarding your August 4th letter and subsequent telephone conversation, I will not plan to attend the August 13th meeting with the Department Of Water Resources. As a member of the Idaho Water Resource Board, my involvement in the wording of the permit could be considered a conflict of interest.

I have suggested that Ms. Jennifer McGary, TSR Manager, attend to represent the applicant. As their engineering consultant, I will be available by phone should any design or construction questions arise.

I appreciate the efforts of all concerned and feel it is essential that the permit be issued as soon as possible. As you know construction is underway on the storage facility.

Sincerely,


Joseph L. Jordan PE

CC: Mr. S.P. Mellon, TSR
Mr. Norm Young, IDWR
Mr. Clarence Parr, Chairman, IWRB

MICROFILMED

JUN 05 1998

7/16/97

Norm —

Re: Thousand Springs Ranch

Here are copies of
my correspondence w/
Gene Gibson re his
requirement for SCA
permit.

We want to meet all
requirements of our
construction permit to
Mike Stubblefield's
satisfaction. Seems to me
another regulatory interface
just complicates everyone's
life. We do have the
COE 404 permit.

MICROFILMED

JUN 05 1998

Joe Jordan
253-1103

J
J

JOSEPH L. JORDAN, P.E.

Consulting Civil Engineer

P.O. Box 102 • Fruitvale, ID 83620
(208) 253-1103

RECEIVED

JUL 18 1997

Department of Water Resources

July 3, 1997

M. Gene Gibson
IDWR
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RE: Thousand Springs Ranch
Permit 67-484

Dear Mr. Gibson,

Reference is made to your letter dated June 30, 1997.

It was my understanding after IDWR site inspection on May 21, 1997 and issuance of a construction permit on May 30, 1997 that the project is exempt from a Stream Channel Alteration Permit. In addition, the stream is not continuously flowing.

To avoid delay, however, a check for \$20.00 is enclosed. Please review the Rules and Regulations in this regard.

Sincerely,

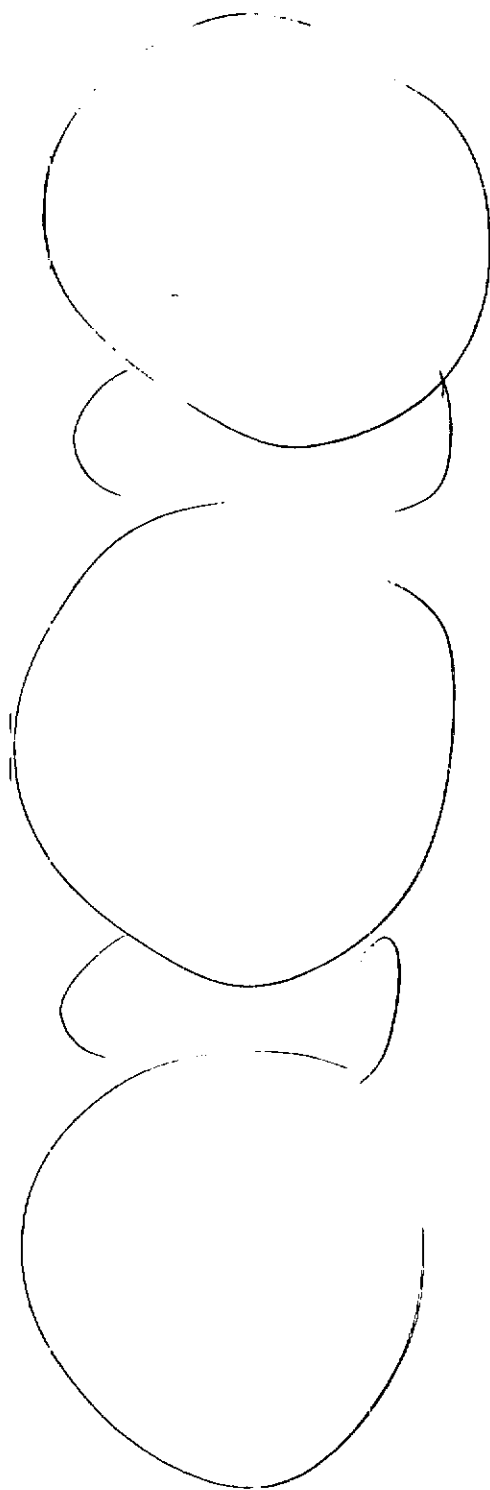


Joseph L. Jordan, P.E.

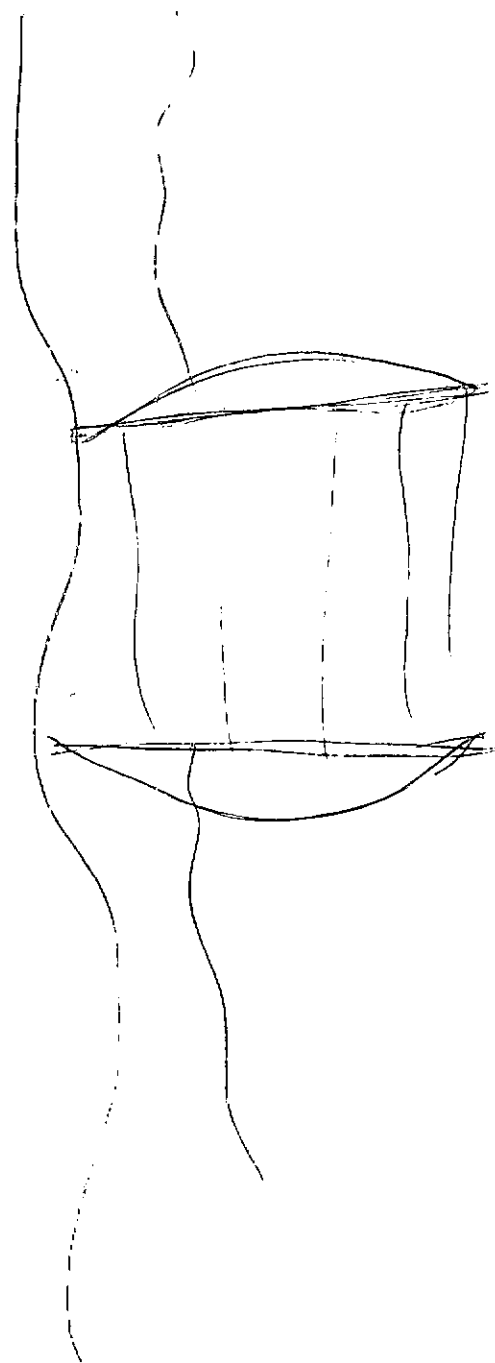
JLS:be
CC:TSR

MICROFILMED

JUN 05 1998



6





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

I called G F at 1600. Gone home. Left message for return call & I to not agree w/ determination. Confirmed my position on 7/2 but agreed to send \$20. He said no delay. I advised work underway.

June 30, 1997

THX

COE # ?

Philip E. Batt
GOVERNOR

Karl J. Dreher
DIRECTOR

Thousand Springs Ranch
1860 U.S. Highway 95
Weiser ID 83672

RE: Joint Application for Permit 67-S-484
Thousand Springs Ranch

Dear Mr. Mellon,

After reviewing your application it has been determined that the diversion structures are non-jurisdictional for this Department, except for the outfall structure. The outfall structure will be permitted with conditions in compliance with Stream Channel Alteration Rules and Regulations.

Effective July 1, 1994 Idaho Department of Water Resources has implemented \$20.00 fee per application for the Joint Application for permit. Please submit the \$20.00 application fee as soon as possible in order to expedite the processing time.

If you have any questions regarding this application, please do not hesitate to call me at 334-2190.

Sincerely,

M. Gene Gibson
Stream Protection Specialist

MGG:kg
Enclosure

cc: Joseph L. Jordan

MICROFILMED

JUN 05 1998

MEMORANDUM

To: Cindy Zimmerman, Jim Johnson
From: Gary Spackman
Date: July 21, 1997
Re: Application for Permit No. 67-08004

RECEIVED
JUL 23 1997
Department of Water Resources

I am sending application for permit no. 67-08004 forward for you to consider. I am not recommending it for approval nor am I recommending it for denial. If approved, I suggest the following conditions be incorporated into the approval:

1. Diversion and use of water pursuant to this water right shall be regulated by the watermaster of water district no. 67, Weiser River.

2. (01M) (13A)

3. (026) (now 26A)

4.468 (046) Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code. Specifically, the water right holder must pay the difference between the drilling permit fee for the proposed ground water uses and the drilling permit fee previously paid for each respective well.

5. (059 modified) The Director retains jurisdiction of this right to require purchase or lease of storage water or some other mitigation to compensate for water diverted pursuant to this water right.

* 6. Diversion for irrigation pursuant to this right and right nos. 67-04041, 67-04042, 67-02372, 67-02373, and A67-14110 shall not exceed 0.02 cfs per acre or 4.5 acre feet annually.

7. The water right holder must comply with all dam safety requirements. 138 ok

8. All areas below the mean high water level disturbed by construction shall be revegetated and/or reseeded as recommended by Idaho Department of Fish and Game and/or the local office of the Natural Resources Conservation Service.

9. IDWR may inspect the work and determine if additional planting or replanting will be required.

10. No structure (permanent or temporary) in the stream channel shall constitute a restriction or migration barrier to fish indigenous to this stream.

MICROFILMED
JUN 6 5 1998

* R4

The following paragraph should be added to a transmittal letter:

This water right permit does not relieve the applicant of the responsibility to obtain a separate permit from the U.S. Army Corps of Engineers before starting this project. You should contact their office at (208) 343-0671 to obtain additional information on permitting requirements that may be needed for this project.

MICROFILMED
JUN 05 1998

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lee

No.: 67-8004 Name: Mello Date: 7/28/87 Ad OK? ☒ Gvmt Lts: ☒

AREA OF CONCERN?

- No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED:

- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

Yes/proof filed

- NA

1 year/no proof

- P16

+1 year

- 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.24 cfs

- 01M (report when notified) or _____ (if in MD, must report)

≈/- 0.24 cfs

- No MD

+ 5 a.

- 01M; 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

DRILLING PERMIT:

Existing well

- NA (pre 7/1/87; ✓ WDQ3)

Included w/permit

- Permit No. _____, P99

No WD permit?

- ~~046-46E-P23~~ (post 7/1/87)

irr. in WD

- P05 (new well location)

SURFACE WATER <✓ FLD-CH> (Surface water that *doesn't sink* is regulated):

Source in/below Min. Str. Flow? - <SEE MAP & LISTING> (modify remark *WB9)

Water District (dom. inc.)

- R04 (req) WD # 67 <SEE MAP & LISTING>

> 0.20 cfs

- 01J (MD) (P08)

≤ 0.20 cfs

- 01H (ILD & MD)-P01 or No MD (in-stream stock)

Water Measurement District

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- No MD

Springs/sink, Inactive WD, & Rest of State

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS (*Surface water):

Snake R (01)

- 11A-P04, NA

(02/03-in)

- 007-P07 (w/ remark *WB9 if above Weiser), NA

Boise River (63)

- 05A (if WD), 11E (not 42-111 use), NA

Payette River (65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (surface)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

Domestic (multi in concern area)

- 070-071

Fish Propagation

- 07A-042 (req)-09E (WQ)-P10; 044 (North of 1000 Springs)

Irr <POLU> ≤ 5 acres

- 057 (0.03 cfs/acre)

> 5 acres

- 05A (0.02 cfs/acre)

Mining

- 054 (req) & 09E-P10

Municipal (in restricted areas)

- 022, 075, 004 (+memo?)

Power

- 17K-08A-025-01F(P19)-028-09E(P10); 027 (if no other cons. use);

17G (FERC) or 17M (FERG); 18B-P09; +25 cfs-P18

Storage (✓3 compo.)

- 080 (req); 18A (multiple MD within district), 18B (P09) (+10' dam),**LOCATION:**

42-248 area

- (P84) (if in 20/30/40/50/60/70/80 (87) basin)

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

- <SEE CODE CHART>

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust <1>

- 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-owner

- 004 (PD/PU)

OTHER CONDITIONS:- 077**STANDARD REMARKS:**- 01W02/10000 ② WB5/2 ③ PD 2 in SWNE 1 well on line between Swan- ④ Rate Remark ⑤**BENEFICIAL USE DUE:**

- 8/1/1998

COMMENTS:

RECEIVED

JUL 2 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEETAlso see 5/27/97
MGmo + LetterINITIAL REVIEW BY: JLDATE: 5/22/97APPLICATION: 67-08004

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. $\geq$ 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:

Y P/DN P/U

RECEIVED

JUL 2 1997

Department of Water Resources

ADVERTISE w/ Remark

ADDITIONAL INFORMATION

YES NO

Overlapping place of use: (Describe source & relationship to present application on next page.)
Overlapping point of diversion.
Field check required: Field check by: _____
Field report attached:
Critical groundwater area:
Groundwater management area:
1992 moratorium:
Copy to SCA staff: (perennial stream, non-pump diversion &/or any mining). - completed already ✓
Copy to Dam Safety staff: (for any storage) copy completed already ✓
* 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
Drilling permits upgraded (\$); clarify dam & creek relationship (SCA work or not?)
DATE REQUESTED 5/27/97 Letter

NOTE
DAM Safety permit issued 5/30/97
e S.O. letter from M.S.See response to
letter received
3/14/97 etc.

ADDITIONAL INFORMATION ON REVERSE SIDE:

* mitigation should be required for cons. use: probably just for
irrig. use since re-built reservoir to be in riparian area ("wetland
gone") where evaporation loss etc. minimized.

PROCESSING

APP. NO. 67-08004

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☒ YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands
☐ ☒ Adjudication Bureau

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☒ ☐ Water Dist. # 67
☐ ☒ 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 6-23-97
☐ ☒ Protest dates, resolution of protest recorded on application: N/A
☒ ☐ Recommendations attached: See memo of 7/21/97
☐ ☒ Measuring device required:
☐ ☒ Measuring port required:
☒ ☐ Water delivered by water master? District # 67
☒ ☐ Special conditions of approval or cover letter: See memo dated 7/21/97

See below for additional information

Recommended Date or Priority

Recommended by: Barry S9/19/96

Date:

7/21/97STATE OFFICE REVIEW

See below for additional information. By _____

Date _____

ADDITIONAL INFORMATION:

Overlap: Replacing breached dam (if enlarging) from 67-04041 "Lower Williamson Rec".
Existing Upper Williamson Rec. (67-04042) in SWNE will continue to be used. Springs in
serving those other rights represent water within this drainage now being applied for in
67-08004. Other ground H2O division is 67-02372, other divisions from same creek
found in 67-02373. All of these rights appear to overlap some of the proposed
Acres in 5.4 & 5.9; proposed Acres in 5.15 & 16 have no overlap.

Form No.
7/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

67-08004
JL 5/22/97

CHECKLIST OF REQUIREMENTS
LARGE DIVERSION SUPPLEMENTARY
ANALYSIS SHEET*

EFFECT ON EXISTING RIGHTS

- ☒ Yes ☐ No Springs/surface streams with 5 or less existing users
☐ Identify number of impacted rights
☐ Name and address of users
☐ Location of points of diversion
☐ Nature of use of the existing rights
- ☒ Yes ☐ No Groundwater
☐ Plat showing proposed well and any other wells &/or springs within 1/2 mile radius
- ☐ Yes ☒ No Statement of design construction, or operation techniques which will be used to reduce impact on existing rights.
- states that Applicant owns ± all of the watershed & has the only wells/springs in the area*
Anticipate ± no impact within creek watershed

SUFFICIENCY OF WATER SUPPLY

Water Requirements of Proposed Project

- ☒ Required diversion rate during peak use (Maximum rate)
☒ Required diversion rate during average use period
☒ Annual volume
☒ Season of use
☒ Volume to be consumptively used/year

Quantity of Water Available from Source

- ☒ Flow rates for surface water sources available during peak and average water demand period
☐ Properties of aquifers - said will send separate report & g.w.
☐ Other sources available for supplementation - no info submitted

GOOD FAITH, DELAY OR SPECULATION

- ☒ Copies of deeds, leases, easements, and right-of-ways from _____
- ☐ Power applications affidavit form 205/206 is required
- N/A* ☐ Yes ☐ No Other needed permits, licenses, or approvals required. If yes, _____.

FINANCIAL RESOURCES

- ☐ Current certified financial statement
☐ Financial commitment letter/financial statement from committed party
☐ Project design/plans along with cost estimation to complete project
- OK 11/14/96 LKH*
- being furnished separately (is any of that in dem state?) Appl. & S.O. - 500 mile S. ?)

*For applications of more than 5 cfs. or more than 500 AF.

67-08004

LOCAL PUBLIC INTEREST

Comments received from:

- | | | |
|--|---|--|
| ☐ City | ☐ Idaho Fish & Game | ☐ Irrigation District |
| ☒ County | ☐ Idaho Health & Welfare | ☐ Canal Company |
| ☐ Reservations | Division of Environment | ☐ Other _____ |

Project impacts/implications report

COMMENTS

Co. Comm. Approve

Watermaster comment being requested by IOWR in
advertising comment process

APPLICATION FOR PERMIT FOR WATER RIGHT

NO. 67-08004

RECOMMENDATION OF WATERMASTER

RECEIVED

JUL 10 1997

WATER RESOURCES
WESTERN REGION

I, Gerald K. Myers, watermaster of
Wieser River, of Water District No. 67, County of
Washington, State of Idaho, whose address is
2189 Bonner Rd Mediala Id 83645, have read
the attached copy of the application for permit for a water
right in the name of S. L. Mellon.

A. I hereby endorse the above numbered application
and recommend that the Director of the Department of Water
Resources approve the application subject to the following
conditions: _____

OR

B. I do not endorse approval of the above numbered
application for water right as requested for the following
reasons:

Dated at Mediala, Idaho, this 9 day of
July, 1997.

Gerald K. Myers
(signature)

Please use reverse side if needed.

MICROFILMED
JUN 05 1998

MEMORANDUM

TO: FILE

FROM: STEVE LESTER *SL*

DATE: MAY 27, 1997

RE: APPLICATION FOR PERMIT 67-08004, MELLON (THOUSAND SPRINGS RANCH)

This application is being processed at the direction of the state office. A number of concerns are noticed in the review process as summarized by this memo.

MITIGATION

How will consumptive use be mitigated? Isn't it correct that at least the natural flow from the creek should be subject to watermaster control within district #67 when Weiser River flows are not adequate to fill earlier in time rights, at least for downstream diversions from the river? Mitigation provided from another basin, e.g. Payette River system, will not excuse a junior right from senior right calls for water.

DRILLING PERMITS

*Resolved,
Fees
Received* It appears that four wells have drilled recently (1995 and 1996) on the ranch. The drilling permit database suggests that problems have occurred: no logs are found for three of the four wells. Also, the well locations are incorrect per consultant Joe Jordan (wells in SWNE with perhaps 1 on line between NWNE and SWNE Section 4 -- not in NWSE of Section 4).

Any of the four wells will require additional fees to upgrade to \$200 drilling permits if used in 67-08004. Applicant has been notified of this in today's letter.

Regional well construction staff has been notified and can contribute comments in the application review process for 67-08004.

STREAM CHANNEL ALTERATION

It is not clear exactly what work will occur in or near the stream channel to build and fill the proposed dam. Clarification regarding the creek and dam has been requested in today's letter to the applicant. Regional SCA staff has been notified as a precaution -- can contribute comments in the application review process for 67-08004.

MICROFILMED
JUN 05 1998

Application 67-08004
May 27, 1997

OVERLAP

Some of the proposed irrigation already has rights from the creek and springs in question and might also be partly covered by another well. Because it is difficult to account for multiple sources and partial overlap in this stage of the process, it is recommended to process the application as it has been filed and condition any approval with standard .02 cfs/acre limits. If the filing ever reaches the field examination stage, the complete overlap review can be more accurately made. This will provide the best way to limit each acre to no more than .02 cfs/acre per source.

Copies to: Regional Well Construction and Stream Channel Staff
State Office Dam Safety Section

MICROFILMED
JUN 05 1998

No 298

RECEIVED

JUL 03 1997

AFFIDAVIT OF PUBLICATION

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO }
County of Washington } ss.Sarah Bales, being duly sworn,
deposes and says:That he/she is the clerk of
THE WEISER SIGNAL AMERICAN, a bi-weekly newspaper
published at Weiser, in the County of Washington and State of
Idaho; that said paper has been and is in general circulation in the
county aforesaid, and in the vicinity of Weiser; that the adver-
tisement, a copy of which is attached hereto, was published insaid newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not in a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive weeks
prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

June 9, 1997, and ending
with the issue of June 16, 1997.Sarah BalesFees, \$ 147.56

MICROFILMED

Subscribed and sworn to before me this 16day of June, 1997.Judith Parsons
Notary Public, residing at Weiser, Idaho.My commission expires Feb, 192002.

No. 298

NOTICE OF APPLICATION
FOR WATER RIGHTThe Following application(s) have been filed to
appropriate the public waters of the State of Idaho:

67-08004

MELLON, S P
THOUSAND SPRINGS RANCH
1860 US HIGHWAY 95
WEISER, ID 83672Source: THOUSAND SPRINGS CREEK
Tributary: WEISER RIVER
Source: SPRINGS
Tributary: THOUSANDS SPRINGS CREEK
Source: GROUNDWATER
Tributary:Diversion Pt: LOT 2 (NWNE) Sec 4 T 12N R 04W
in WASHINGTON County.
SWNE Sec 4 T 12 N R 04W in WASHINGTON
County.
NWSE Sec 4 T 12N R 04W in WASHINGTON
County.Use: DOMESTIC (0.060 CFS)
WILDLIFE (0.030 CFS)
WILDLIFE STORAGE (30.00 AF)
WILDLIFE FROM STORAGE (30.00 AF)
STOCKWATER (0.030 CFS)
STOCKWATER STORAGE (30.00 AF)
STOCKWATER FROM STORAGE (30.00 AF)
IRRIGATION (4.900 CFS)
IRRIGATION STORAGE (30.00 AF)
IRRIGATION FROM STORAGE (30.00 AF)
DIVERSION TO STORAGE (4.900 CFS)
FIRE PROTECTION STORAGE (30.00 AF)
Total Diversion: (4.900 CFS)

Date Filed: 9/19/1996

In: WASHINGTON County
T12N R04W S04 NWSE SWSE S 09 NENE NWNE
SWNE SENE NESE NWSE SESE S15 NWNW SWNW
NWSW S16 NENE SENE NESE

245.0 ACRES TOTAL

Mitigation plan may be required for consumptive
use proposed by this application.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
JUNE 23, 1997. The protestant must also send a
copy of the protest to the applicant.

KARL J. DREHER, Director

RECEIVED

JUN 25 1997

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

WATER RESOURCES
WESTERN REGION

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

June 24, 1997

Mr. Gary Spackmar
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Re: Thousand Springs Ranch Water Permit Application No. 67-08004

Dear Gary:

The purpose of this correspondence is to confirm the general content of our telephone conversation this afternoon.

You indicated that the Western Region office of the Idaho Department of Water Resources had not received a protest against the above referenced Application for Water Permit. You advised me that the State office of the Department may have received a protest, but you would not definitely know if this were the case for a few days. If a protest has not been received by the State office, you indicated that the Department would proceed to process this application and you anticipated that completion of the processing may be likely within three to four weeks. I believe your exact comment was you felt that processing could be completed within thirty days.

While I know that I cannot hold you to this tentative commitment, our client would certainly appreciate any expedited treatment of this application which can be provided by the Department.

We also briefly discussed the potential for a condition of approval of the permit which would deal with some kind of retained jurisdiction by the Department to consider "mitigation" if that is deemed necessary. It indicated that we would need to review the language of such a condition after the permit is issued before I can advise our client concerning his position on this issue.

MICROFILMED

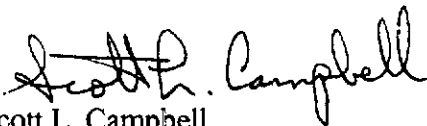
JUN 25 1998

Mr. Gary Spackman
June 24, 1997
Page 2

Please advise me if my description of the general content of our discussions is inaccurate. I appreciate your cooperation in this matter.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:kc g:\kcc\wpdata\6681\00013

cc: Mr. Seward Prosser Mellon
Mr. Joseph Jordan
Mr. Sherl Chapman

MICROFILMED
JUN 05 1998

TO

STEVE LESTER
 IDWR
 2735 Airport Way
 Boise, ID 83705-5082

RECEIVED

JUN 02 1997

WATER RESOURCES
WESTERN REGION

FROM

JL JORDAN
 Box 102
 Fruitvale, ID
 83620

↓

SUBJECT

Thousand Springs Ranch

DATE

5/29/97

MESSAGE

Applic. for Permit No. 67-08004

• Final decisions on production wells due soon. Ground water consultant, recommends one or more production wells in area of 3 test wells noted in application. Full payment will be made when location, number, and use of wells is fixed (mid June).

• Creek Dam Relationship. Plan view & operation

REPLY plan are enclosed. Proposed dam is enlargement of earlier dam at old farmstead. Both dams bypassed flood flows to avoid pond sedimentation and reduce size of spillway. Irv Ballou indicated no stream channel permit needed during 5/21 site inspection (consistent w/ Rule 2 exemption). Corps of Engineers may require Nationwide 404 permit.

SIGNED

JL Jordan

JUN

DATE

5/29/97

REDIFORM

45 471

cc Scott Campbell

SEND PARTS 1 AND 3 WITH CARBON INTACT -
 PART 3 WILL BE RETURNED WITH REPLY.

POLY PAK (50 SETS) 4P 471

To IDWR (Safety of Dams) Apr 97
cc IDWR W Region May 29/97

DRAFT

April 3, 1997

THOUSAND SPRINGS RANCH DAM
OPERATION PLAN

RECEIVED

JUN 02 1997

WATER RESOURCES
WESTERN REGION

PURPOSE

This plan is for the Owner's use in operation of the dam and related facilities at the Thousand Springs Ranch headquarters. A formal operation plan is not required by the Idaho Department of Water Resources (IDWR) as the dam is classified as intermediate in height (30 feet) and low risk (no permanent structures for human habitation downstream.) However, the dam is subject to periodic inspection by IDWR and should have regular maintenance to insure its safety.

PROJECT DESCRIPTION

The dam is located on Thousand Springs Creek in Section 33 T13 NR4W, Washington County, Idaho. It is a homogeneous earthfill embankment, 30 feet high and 700 feet long (See attached drawings, Sheets 1-5). Crest width is 16 feet. Slopes are 3:1 upstream and 2:1 downstream with a 4:1 buttress at the downstream toe. A gravel drain blanket and pipe collector system control seepage through the dam and foundation. The upstream face is riprapped for slope protection. Creek flow is diverted around the pond and dam through a 10-foot wide riprapped bypass channel about 650 feet long. Flows enter the channel through a pipe arch culvert and are discharged back into the creek channel downstream of the dam. The purpose of the bypass is to protect the pond from sedimentation and the dam from damage during high storm runoff.

Outlet works consist of a combination trickle tube and gated outlet pipe. The trickle tube is a vertical riser with screened intake at normal pool level. The outlet pipe is a horizontal pipe with upstream slide gate at pond bottom and a downstream butterfly valve which allows releases either to the bypass channel or to a future pressure irrigation line. Both pipes are 18-inch diameter concrete encased steel. The slide gate is mounted on a concrete intake structure and controlled by a hydraulic hand pump on the dam crest. Three concrete seep collars are located as shown on the drawings.

MICROFILMED

JUN 05 1998

The inlet pipe is a 12-inch diameter PVC line with canal gate at the upstream end. This line leads from the creek channel upstream of the road crossing and dam through a 36-inch culvert casing to the pond. Its purpose is to divert low creek flows to the pond. Future water lines from wells upstream of the pond can be discharged directly into the inlet pipe.

A 20-foot wide spillway lined with grouted riprap allows for overflow from the pond to the bypass channel. Its purpose is to protect the dam against overtopping in the event of plugging or inadvertent closing of the outlet works.

A dry hydrant is located at the north end of the pond for fire water.

OPERATION

The project is intended to bypass floods safely without operator control. The manually operated gates and valves control inflow to the pond and releases from the pond.

The design flood of 120 cfs is based on the 100-year frequency runoff flow from the 440 acre drainage area. The pipe arch culvert and bypass channel are sized for this flow. It is essential that this bypass be kept clear of trash, sediment, and other obstructions. The 12-inch inlet valve should be closed when creek flow is carrying sediment which could otherwise accumulate in the pond. Inflow to the pond includes both local springs and the well and creek flows which enter the inlet pipe. If a trash rack or screen is placed over the 12-inch gate it will require frequent clearing.

Pond releases are controlled by the 18-inch slide gate, using the hydraulic controls on the dam crest. With the gate closed and continuous inflow the pond level rises until the trickle tube intake is submerged. When submergence exceeds 2 feet the spillway begins to flow into the bypass channel. At this level the trickle tube capacity is about 15 cfs which exceeds anticipated inflow from springs and the inlet pipe. With the outlet works slide gate open this capacity increases to about 27 cfs.

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JUN 05 1998

The spillway is a "safety valve" to avoid overtopping the dam in the unlikely event of outlet works failure. The spillway capacity with a 2-foot head (water level at dam crest) exceeds 100 cfs, more than necessary to release total anticipated inflow including storm runoff from adjacent slopes. Both it and the trickle tube screen should be kept clear of trash. As the pond banks are erosion-prone, sediment may accumulate at the slide gate. It can be removed by sluicing occasionally to prevent buildup. Roadway ditches west of the pond should be kept clear to avoid inflow and sedimentation from the hillside.

A minimum pool level should be maintained to ensure a reserve of fire water. This required volume will be measured after final excavation of the pond and marked on the staff gage. The dry hydrant is fitted with a standard fire truck coupling.

MAINTENANCE

The culvert, bypass channel, and spillway must be kept free of trash and other obstructions. Some riprap movement, particularly at the downstream end of the channel is anticipated with flood flows. It is recommended that several truck loads of riprap be stockpiled for repair of any areas which require maintenance.

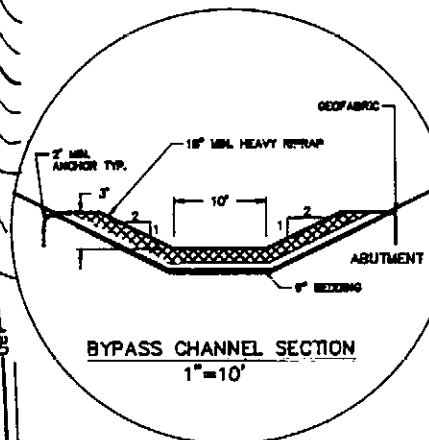
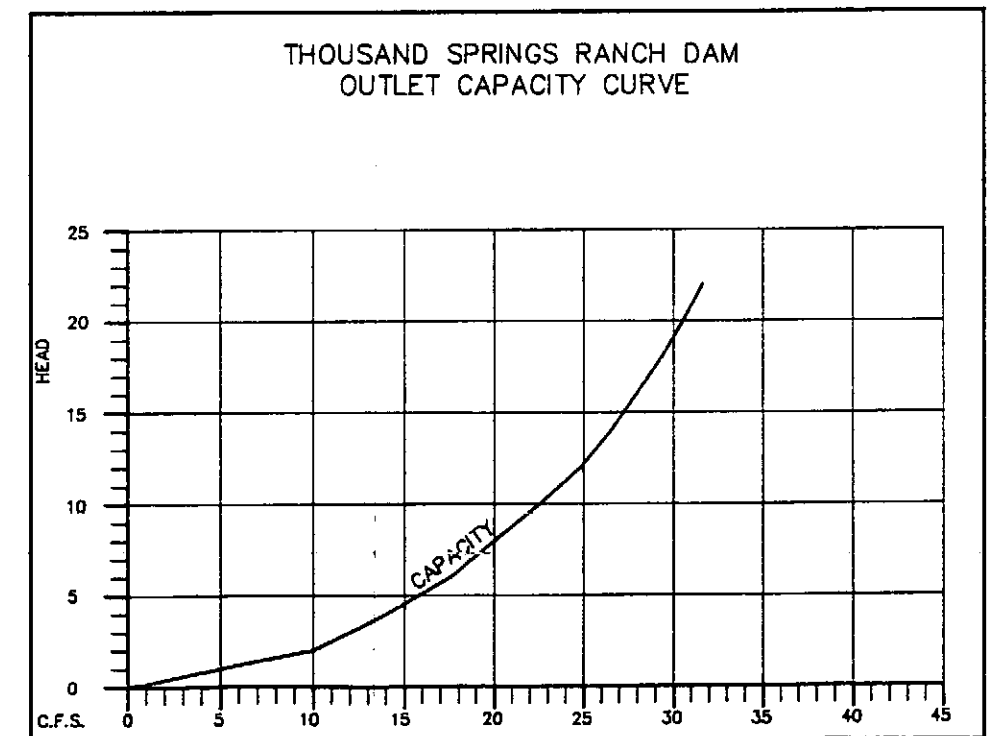
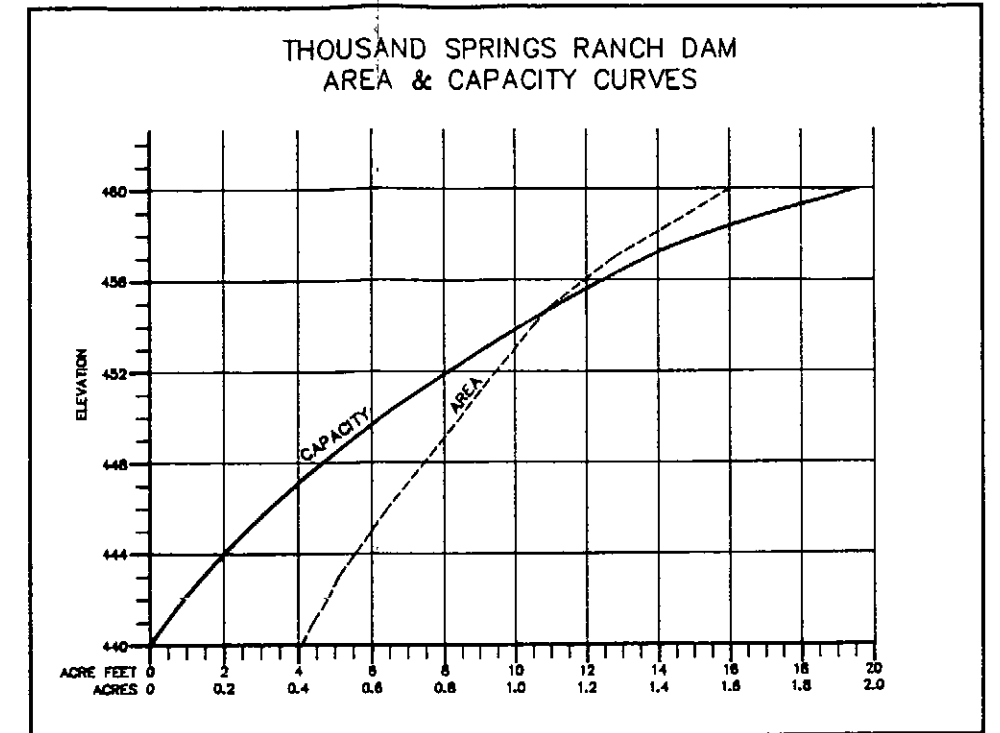
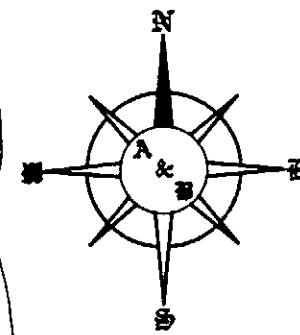
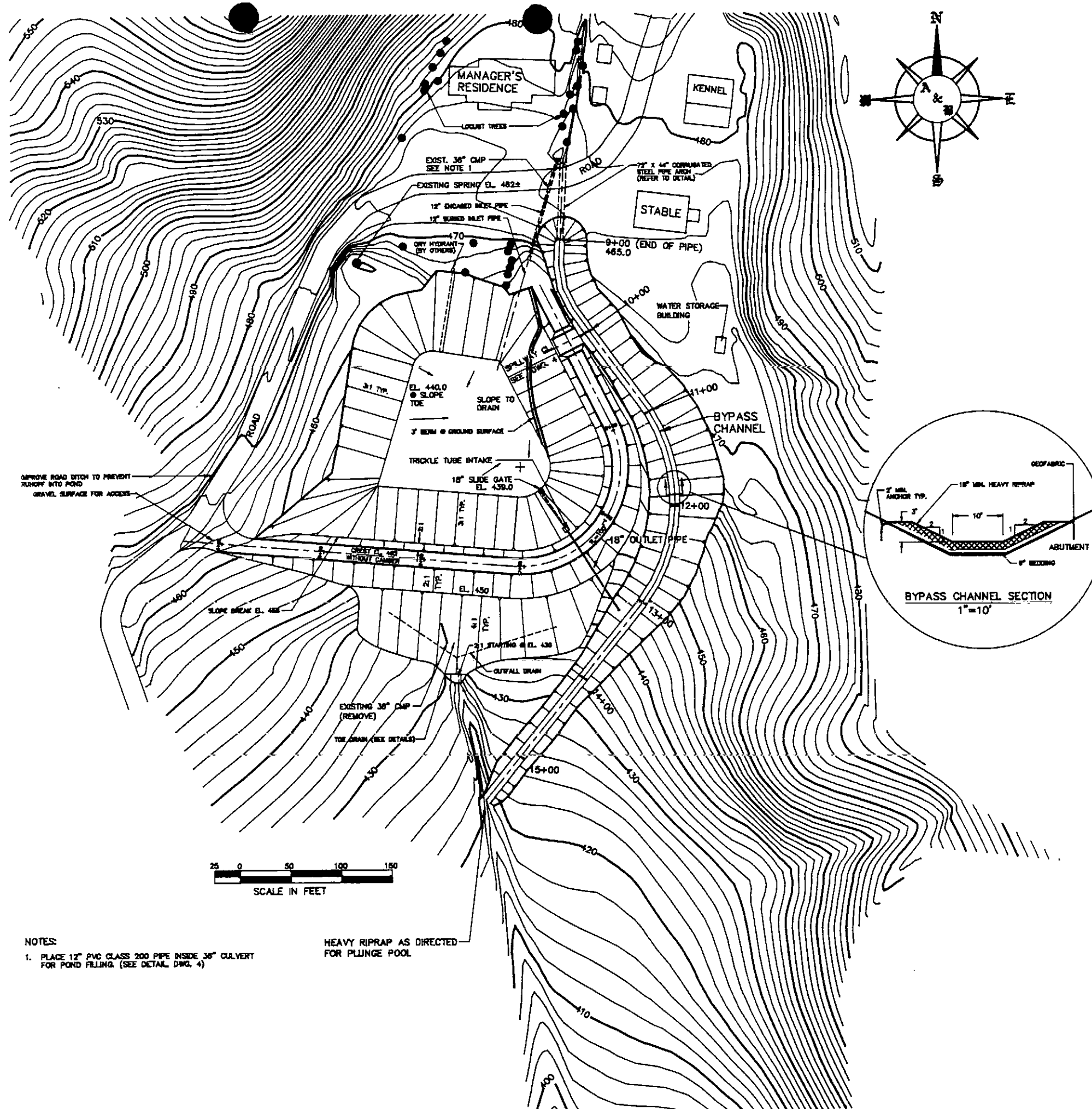
The dam should be monitored for any changes in rate of seepage from the drain system. Dirty water would indicate a problem for which the reservoir should be immediately drawn down. The dam should be checked periodically for settlement, using a survey level to compare settlement monuments on the embankment with a permanent benchmark. Some settlement is expected due to soft foundations, particularly during and after initial filling of the pond. Burrowing rodents and tree roots should be discouraged wherever they could affect the embankment.

Valves and gates should be periodically checked for proper operation. They are standard irrigation products for which replacement parts should be readily available.

Excavation and fill slopes in the local soils will erode unless protected. The downstream slopes of the dam should be seeded to permanent grass using a mulch fabric. The 3:1 pond slopes can be partially protected by maintaining a ditch along the slope shoulder and/or planting grass around the pond area.

MICROFILMED

JUN 05 1998



NOTES:
1. PLACE 12" PVC CLASS 200 PIPE INSIDE 36" CULVERT FOR POND FILLING. (SEE DETAIL DWG. 4)

HEAVY RIPRAP AS DIRECTED FOR PLUNGE POOL

MICROFILMED
JUN 05 1998

THOUSAND SPRINGS RANCH DAM	
GENERAL PLAN	
JOB # 08-113	SCALE: 1" = 50'
DESIGNED:	DATE: 12/1/96
CHECKED:	PAGE 1 OF 5
PLOTTED:	DRAWING NAME: SH11-CON
J.L. JORDAN, P.E.	
A & B ENGINEERING	
SHFRI 1 CHAPMAN	



State Idaho

DEPARTMENT OF WATER RESOURCES

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

May 27, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

S P MELLON
THOUSAND SPRINGS RANCH
1860 HIGHWAY 95
WEISER ID 83672

W022415 ^{AB}

RECEIVED

JUN 19 1997

WATER RESOURCES
WESTERN REGION

Dear Applicant:

The above referenced application for permit to utilize multiple sources to fill and maintain a reservoir involved with substantial irrigation plus other uses is now being processed. While the public notice portion of the processing occurs, additional information and payment should be submitted as described by this letter.

Please respond to the following items within 30 days to facilitate your application.

1. Well drilling permits ("DP") need to be upgraded from the domestic and/or exploratory status to the irrigation etc. status. Four drilling permits were issued for your site: three domestic wells and one exploratory well. The water right filing includes three wells to be used. Please remit additional payment to upgrade the use of any of these wells to \$200 DP production wells as follows:

Domestic IDP 67-95-W-0030-000 issued in 1995 for \$35, remit \$165.

Domestic IDP 67-95-W-0031-000 issued in 1995 for \$35, remit \$165.

Exploratory DP 67-96-W-0071-801 issued in 1996 for \$75, remit \$125.

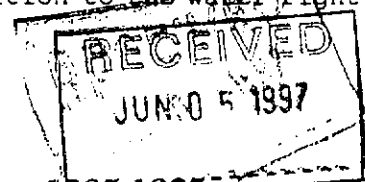
Domestic IDP 67-96-W-0072-000 issued in 1996 for \$75, remit \$125.

Remit payment only for any of the above wells that will be used within the context of application no. 67-08004.

2. The relationship of the creek to the proposed dam should be clarified. Your consultant indicated that the dam will be built off-stream instead of on-stream and that the stream channel may be re-routed in some manner. Please describe how water will be diverted from the stream to the reservoir and in what manner, if any, that the stream channel will be disturbed. It is conceivable that a stream channel alteration permit may be required in addition to the water right permit and the dam construction permit.

MICROFILMED

JUN 05 1998



RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: **W022615**

Date: **6/19/1997**
Time: **10:51:25**

Received
From: **THOUSAND SPRINGS RANCH**

Type of Payment	Program A cct	Amount
UPGRADE FEE: 67-95-W-0030-000 (DOM) 62134	229 21 1205	165.00
UPGRADE FEE: 67-95-W-0031-000 (DOM) 62134	229 21 1205	165.00
UPGRADE FEE: 67-96-W-0071-801 (EXP) 62134	229 21 1205	125.00
UPGRADE FEE: 67-96-W-0072-000 (DOM) 62134	229 21 1205	125.00
	Total	\$ 580.00

CHECK 1636

Region: **WESTERN**

Signature: _____

DBuffington

MICROFILMED
JUN 05 1998



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

June 6, 1997

GERALD MYERS
HC 70 BOX 2010
MIDVALE ID 83645

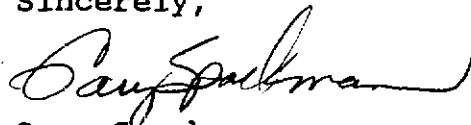
Re: Application for Permit No. 67-08004 in the Name of S. P.
Mellon

Dear Watermaster:

Enclosed is an application(s) for water right(s) within your water district. Also enclosed is a form for your recommendation concerning this application for permit.

Please review the application and return your recommendation within two weeks. If you have questions or need information, feel free to contact this office.

Sincerely,



Gary Spackman

GS/st

Enclosure: Copy of Application
Recommendation of Watermaster Form

MICROFILMED

JUN 05 1998

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 30, 1997

RECEIVED PHILIP E. BATT
GOVERNORJUN 03 1997 KARL J. DREHER
DIRECTORWATER RESOURCES
WESTERN REGION

Joseph L. Jordan, P.E.
P.O. Box 102
Fruitvale, ID 83620

RE: Thousand Springs Ranch (proposed) Dam

D67-8004

Dear Joe:

We recently received the revised plans and specifications for construction of the Thousand Springs Ranch Dam. Enclosed is a copy of the approved application, several approved sets of drawings and one approved set of the technical specifications. Construction is hereby authorized, subject to the conditions outlined on the back of the application and the following:

- Construction in excess of that needed to restore storage authorized under existing valid rights should not proceed until water right permit #67-08004, for storage, is issued. This approval for construction does not ensure the approval of any water rights necessary to utilize the dam. If you choose to construct the dam at this time, you are hereby notified that you are doing so at your own risk. The Department will not consider any costs incurred in constructing this dam when considering action on the water rights associated with the dam.
- Site foundation preparation and construction of the dam and appurtenant features shall be under the direction of a registered professional engineer, and in accordance with the approved plans and specifications.
- The engineer in responsible charge shall compile a construction log (e.g. foundation preparation, fill placement, test results, etc.) and provide progress reports during the course of construction, all of which shall be submitted to the Department after completion, along with record (as-built) drawings.
- Certification by the engineer that construction was completed essentially in accordance with the plans approved, or as revised and approved, if there is a significant design change. As necessary, minor adjustments may be accommodated by amending the drawing (noting changes on the as-builts).
- The Department shall be notified in advance, so that construction inspections can be conducted at the following times:
 - During foundation preparation and prior to placing any fill material.

MICROFILMED

JUN 05 1998

Joseph L. Jordan, P.E.
RE: D67-8004
Page 2

- During installation of the outlet conduit, and before placing any backfill material around the conduit.
- After construction is completed and before any water is stored in the reservoir.
- At such other times as determined necessary.

- The details for instrumentation and flow measuring devices shall be submitted for review and approval when the designs are completed, prior to completion of construction.

- A copy of the project operation plan shall be submitted when it is finalized, prior to completion of construction.

You may contact the Department at 327-7952 to arrange for an inspection, or call the Western Regional Office (John Westra), phone 334-2190, to examine the work as it proceeds.

Please advise the Department when work is scheduled to commence. If there are any questions, please contact me.

Sincerely,



A. Michael Stubblefield, P.E.
Safety of Dams Section

enclosures

cc: ✓ IDWR - Western Region
Jennifer A. McGary, Thousand Springs Ranch
Don Watts, A & B Engineering
Dan Gado, Strata

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JUN 05 1988



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

MAY 28, 1997

Legal Notices Department
The Weiser Signal
P.O. Box 709
Weiser, ID 83672

Dear Legal Dept.:

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. 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 JUNE 23, 1997.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

JUN 11 1998

67-08004

MELLON, S P
THOUSAND SPRINGS RANCH
1860 US HIGHWAY 95
WEISER, ID 83672

Source: THOUSAND SPRINGS CREEK
Source: SPRINGS
Source: GROUNDWATER

Tributary: WEISER RIVER
Tributary: THOUSAND SPRINGS CREEK
Tributary:

Diversion Pt: LOT 2 (NWNE) Sec 4 T 12N R 04W in WASHINGTON County.
SWNE Sec 4 T 12N R 04W in WASHINGTON County.
NWSE Sec 4 T 12N R 04W in WASHINGTON County.

Use: DOMESTIC	(	0.060 CFS)		
WILDLIFE	(	0.030 CFS)		
WILDLIFE STORAGE			(	30.00 AF)
WILDLIFE FROM STORAGE			(	30.00 AF)
STOCKWATER	(	0.030 CFS)		
STOCKWATER STORAGE			(	30.00 AF)
STOCKWATER FROM STORAGE			(	30.00 AF)
IRRIGATION	(	4.900 CFS)		
IRRIGATION STORAGE			(	30.00 AF)
IRRIGATION FROM STORAGE			(	30.00 AF)
DIVERSION TO STORAGE	(	4.900 CFS)		
FIRE PROTECTION STORAGE			(	30.00 AF)
Total Diversion:	(	4.900 CFS)		

Date Filed: 9/19/1996

In: WASHINGTON County

T12N R04W S04	NWSE	SWSE		
S09	NENE	NWNE	SWNE	SENE
	NESE	NWSE	SESE	
S15	NWNW	SWNW	NWSW	
S16	NENE	SENE	NESE	

245.0 ACRES TOTAL

Mitigation plan may be required for consumptive use proposed by this application.

MICROFILMED
JUN 05 1988

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 JUNE 23, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 6/ 5/1997 & 6/12/1997

MICROFILMED

JUN 05 1998

CONVERSATION MEMORANDUM

DATE 5/29/97FILE 67-08004NAME OF PARTY Joe JordanEMPLOYEE Steve LutzRE: RESPONSE TO POINTS ID MY 5/27/97 MEMO

① Discussed upgrading of d.p. for \$35 or \$75 wells ID 1995-1996 - not sure which ones will use, maybe 2? maybe need drill another? Will submit payment for upgrading any existing wells to be used as production wells.

② SCA - said Env B. & mamm Y. were onsite a week ago with Joe. Said Env stated no SCA permit needed although US Army Corps permit might be needed. Joe will pursue that with Corps.

③ Operation plan - said schematic & operation plan found in Dam Construction appl. file now in S.O.

PER HIS CALL - Appears - SCA & Dam topics in memo have been adequately addressed.

- Well topic being addressed.

- Mitigation to be handled at S.O. level.

Joe said will send brief summary of his info in call today to document the file.

MICROFILMED

JUN 03 1998

RECEIVED

MAY 20 1997

ELAM & BURKE

A Professional Association

ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

WATER RESOURCES
WESTERN REGION

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

May 19, 1997

Mr. Gary Spackman
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Re: Thousand Springs Ranch Water Rights Application

Dear Gary:

The purpose of this correspondence is to confirm the general content of our telephone conversation of last Friday, May 16, 1997.

As I indicated during that conversation, I am representing Seward Prosser Mellon, d/b/a Thousand Springs Ranch, regarding this water rights application. Accordingly, please send all future notices and written communications to me at the above address in addition to Joseph Jordan and Mr. Mellon.

Finally, this will confirm that you and Norm Young agreed that publication of notice could proceed in this matter, based upon the indication in the notice that "mitigation, as necessary, would be considered by the Department in evaluation of this application." While I and my client do not concede the legal validity of the Department including such a provision in the notice or evaluating a new water rights application on this basis, we thank you for proceeding with the publication of the notice at this time.

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JUN 05 1998

Mr. Gary Spackman

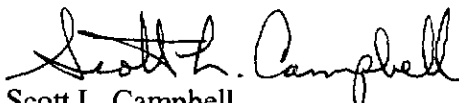
May 19, 1997

Page 2

Please contact me if you have any questions.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:kc g:\kce\wpdata\6681\00013

cc: Mr. Norman C. Young
Mr. Joseph Jordan
Mr. Seward Prosser Mellon
Mason Walsh, Jr., Esq.
Ms. Jennifer McGary

MICROFILMED
JUN 05 1998

CONVERSATION MEMORANDUM

DATE 5/19/97FILE 67-08004NAME OF PARTY Joe Jordan ²⁰⁸⁻ 253-1103EMPLOYEE Steve LesterRE: Appl. Clarification

1. Reservoir will be off-stream in NWSE 5.4, not onstream. This will allow high flows to bypass Reservoir if necessary.
2. Multiple springs will be a reservoir site so will be captured by reservoir.
3. 3 wells are the most upstream diversion legal's, probably the SWSE 5.33 reference on plat list & map refers to spring(s) that naturally flow into the creek - but do not represent actual plat point(s).
4. Water will be released ~~from~~ from storage for stock/wildl. use whenever irrig found to keep " " from storage as a use.
5. Add fire prot. storage component as noted in 5/13 tele. conversation.
6. Mellon bought Williams place plus downstream property that was owned by other party in dispute (1970's delivery problems?).

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JUN 10 1998

MEMORANDUM

TO: FILE

FROM: STEVE LESTER *SL*

DATE: MAY 12, 1997

*this memo was
prepared prior to
95 + Ncy discussion with
Joe Jordan & Scott Campbell*

-SL

RE: PROCESSING APPLICATION 67-08004

Consultant Joe Jordan called today to inquire about the status of this filing held due to irrigation concerns. We discussed the overall scenario preventing the filing from moving forward and some alternatives available to the applicant.

He agreed that the irrigation can be deleted to allow the other uses to proceed in this application. The only unclear item is the rate for diversion to storage - the creek flow can include up to 4.90 cfs at high water and/or flood stage, he stated, but it is not clear if the application should include that rate if irrigation is deleted. The applicant can refile for the irrigation use under another filing if so desired.

Mr. Jordan had a concern about the pending "construction permit" to begin work on the proposed dam. It has been confirmed through the dam safety program that the new reservoir cannot be built until a dam safety permit and a water right have been approved - one or the other is insufficient. This is standard procedure in IDWR. I provided this information via a telephone message to Mr. Jordan.

Apparently, a previous smaller reservoir occupied this (or nearby) site under right 67-04041 and associated dam safety permit D67-4041 ("Lower Williamson Dam"). The owner now wants to replace the breached dam with a somewhat larger one covering about three surface acres for uses beyond the scope of the older right.

The new dam will be located onstream in a site that can be considered a "wetted area" or a riparian zone. Consumptive losses should be minimal due to the location and fairly small size of the reservoir. The non-irrigation uses are essentially non-consumptive and will include fire protection (the latter not stated nor required in the water right application). The three wells found upstream will include piping to route water to the reservoir, thus adding ground water to the application under the "one system" concept.

Once the proposed "diversion to storage" rate is clarified, the application can be revised to be processed.

CONTACT PERSON IS:

JOE JORDAN
BOX 102
FRUITVALE ID 83620 (TEL. 208-253-1103)

c: IDWR State Office

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JUN 6 5 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

RECEIVED

APR 15 1997

WATER RESOURCES
WESTERN REGION

April 14, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Joseph L. Jordan, P.E.
P.O. 102
Fruitvale, ID 83620

RE: Thousand Springs Ranch Dam

D67-8004

*to REPLACE
067-4041
(Lower dam)*

Dear Joe:

We have completed our review of the plans, specifications and design documents for construction of the Thousand Springs Ranch Dam and have the following comments:

-The dam is designed to bypass major flows from the drainage above the dam. The inflow to the reservoir is controlled through a 12 inch diameter inlet pipe, with a total capacity from the pipe and springs of approximately 10 cfs. Since the bypass channel has sufficient capacity to bypass major runoff events, the release capability of the dam should be at least equal to the inflow, or 10 cfs. The Safety of Dams Rules require passage of the inflow design flood (IDF) with a minimum freeboard of 2.0 feet plus waveheight. Since the reservoir is very small and well protected, waveheight can be neglected; therefore, the IDF ($Q = 10$ cfs) must be passed with 2.0 feet of freeboard. I have estimated that the trickle tube (drop inlet) spillway will pass 10 cfs with approximately 2.5 feet freeboard; therefore, the freeboard requirement is met. However, because of the butterfly valve to be placed on the downstream end of the outlet pipe, storage will be under the condition that the valve will be operated in the fully opened position at all times, except during periods when water is diverted through the flange for irrigation. This condition is necessary to insure the trickle tube spillway is operable at all times. If this condition cannot be adhered to, then it will be necessary to either remove the butterfly valve, or lower the crest of the emergency spillway 0.5 feet, to insure passage of the IDF with the required freeboard.

-The spillway discharge curve on page 4 of the plans should include an additional curve showing the discharge capacity of the trickle tube spillway.

-Details of the trickle tube inlet and trashrack (screen) structure need to be included.

MICROFILMED

cc for 67-08004

Joseph L. Jordan, P.E.
RE: D67-8004
Page 2

- I did not find any discussion or calculations to show that the trickle tube structure will not cause differential settlement (cracking of the outlet pipe connection) because of the foundation conditions and the point load caused by the weight of the structure. It is recommended that you consider the load (and the bearing pressure of the soil) and design a reinforced support pad accordingly.
- It appears that the hydraulic lines for operating the outlet gate will be buried in the upstream slope of the embankment. Do the lines need to be encased in a sleeve of some type to protect them from being damaged?
- Section 206, Embankment Drainage, of the Specifications indicates the drain material shall not contain more than 10% fines (material passing the 200 sieve). All of the literature I have read indicates that in order to be free draining, the drainage material must not contain more than 5% fines, by weight.
- Once the geofabric material is selected, please submit the manufacturers specifications for the material.
- Section 904 of the Specifications, Instrumentation, indicates flow measuring devices shall be installed upstream and downstream of the dam, settlement monuments will be placed in the embankment, and a permanent reservoir staff gauge will be installed. Details of the instrumentation will need to be submitted for review and approval prior to installation.
- The Idaho Standards for Public Works Construction and the Construction Geotextiles that were submitted as part of the Specifications for the project are quite confusing in some sections. The specifications appear to be generic and apply to many different applications. Those specifications that do not apply to the project should be deleted.
- The plans indicate that sandy silt soils will be used in the center of the dam, sandy soils will be used towards the outer slopes of the dam, and the buttress will be a random fill. The specifications should describe the materials to be placed in the different zones in more detail, especially the random fill.
- The plans indicate a minimum core (cutoff) trench depth of 1 foot will be excavated under the dam. Because the bearing capacity of the foundation soils is in question, the Department may require that the core trench be constructed

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JUN 6 5 1998

Joseph L. Jordan, P.E.
RE: D67-8004
Page 3

deeper, especially in the vicinity of the outlet conduit. As a condition of approval, once the foundation has been cleared and excavated, the Department will require an inspection of the foundation area, prior to placing any backfill.

-Strata's Geotechnical Engineering Evaluation Report states on page 6, "A remolded direct shear test was performed on a soil sample obtained from the proposed pond area in both the consolidated/draind (CD) and unconsolidated/undraind (UU) conditions, to evaluate strength characteristics of the embankment soil". The tests referred to above (CD and UU tests) are triaxial tests performed on triaxial compression apparatus. The direct shear testing apparatus is a shear test where the sample is put into a split ring and vertical pressure is applied and shear stress is applied horizontally. The direct shear test can not test soil samples under CD and UU conditions. Basing the soil strength parameters on CD and UU tests may not be valid and could effect the results of the stability analysis. Please comment.

-The content of the operation plan looks good. My only comment would be to include some emergency phone numbers for contact in case an emergency situation should occur. Probably including the Department's phone number(s) and your phone number, as the engineer, would suffice, since there is nothing below the dam that would be damaged by failure, except for the owner's property.

Once our comments have been satisfactorily answered, please submit 1 set of reproducible drawings and 3 sets of prints and 3 sets of specifications for final approval. If you would like a reproducible set of drawings for your files, or if you would like to have several sets of approved prints or specifications please submit additional sets for approval. Also, the plans and specifications need to be stamped by a registered engineer.

Please let me know if you have any questions.

Sincerely,



A. Michael Stubblefield, P.E.
Safety of Dams Section

✓cc: IDWR - Western Region

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JUN 05 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

RECEIVED

NOV - 5 1996

WATER RESOURCES
WESTERN REGION

November 4, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Jennifer McGary, Manager
Thousand Springs Ranch
1860 US Highway 95
Weiser, ID 83672

RE: Williamson Upper and Lower Dams

D67-4041/4042

Dear Ms. McGary:

In 1987, the Department advised Mr. Williamson, the previous owner, the referenced dams would be re-examined (approximately every five years) to ascertain whether the downstream risk has changed, or the size of the projects has increased. The dams were examined in 1991 and found to be in generally satisfactory condition and the downstream risk had not changed. On August 1, 1996, the site was re-examined, which revealed the downstream area is still low risk, and it appears the size of the upper dam has not changed; and therefore, it is excluded from the Department's regulation in accordance with the provisions in Section 42-1711, Safety of Dams Statutes, Idaho Code.

The inspection of the upper dam revealed it is in satisfactory condition and adequately maintained. To insure continued safe operation, we recommend that routine maintenance be performed, which should include removing large growth (trees, brush, willows, etc) from the embankment as necessary, and controlling burrowing animal activity on the embankment and filling in large burrows as necessary with suitable soil material, compacted in place.

The examination of the lower dam revealed that it has been breached and no longer stores water. We are presently working with your engineer, Joe Jordan, who is developing plans for rebuilding the dam. Once the plans are completed, they need to be submitted to the Department for review and approval, along with the construction application and fee. The fee is based on the amount of water to be stored, and is \$10 for each 10 acre-feet or part thereof. The lower dam has been removed from the active dam inventory until the new application is received and the dam is rebuilt.

Should you have any questions, please contact John Westra, phone 208-334-2190 in our Western Regional Office in Boise.

Sincerely,

A. Michael Stubblefield

A. Michael Stubblefield, P.E.
Dam Safety Section

✓cc: IDWR - Western Region

MICROFILMED

JUN 05 1998

cc: 67-08004

STATE OF IDAHO

Department of Water Resources

5-YR DAM INVENTORY RECORD OF INSPECTION

Dam Name: Williamson Lower File No: D67-4041

Name of Owner: SP Mellon dba - Thousand Springs Ranch ☐ New owner Photos: X

Phone - 549-3645

Owner Address and Phone No: 1860 Hwy 95 Weiser ID 83672 Jennifer McGary Manager
(Fill out address and phone no. only if info has changed or if new owner.)

Hazard Classification: LOW ☐ changed ☒ unchanged
(If downstream development has changed since last inspection, fill out new HAZARD CLASSIFICATION WORKSHEET and attach. If downstream risk has changed to significant or high, fill out regular RECORD OF INSPECTION OF DAM form.)

Inspection of Dam: ☒ changed ☐ unchanged
(If the dam, outlet(s), spillway, reservoir, etc. have been modified in any way since the last inspection, mark "changed" and note changes below.)

Condition of Dam:	☐ Good	☐ Fair	☐ Poor	} Not Functional
Condition of Outlet(s):	☐ Good	☐ Fair	☐ Poor	
Condition of Spillway(s):	☐ Good	☐ Fair	☐ Poor	

Reservoir Level at Time of Inspection: Empty

Seepage Conditions: None

Recommended Maintenance, Comments or Remarks: _____

Through the construction of the lodge above the reservoir, areas of the embankment have been excavated/breached. The facility is not functional at this point. The owner is in the planning process for design and enlargement. (Joe Jordan, Engineer).

Inspector: J. Wantha, Western Reg.

Date: 8/21/96.

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JUN 05 1998

App.
67-08004

Risk Evaluation

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECORD OF INSPECTION OF DAM

"Lower"

Name of dam: WILLIAMSON Stream: Thousand Springs Crk. ☒ Offstream

Name of owner: W.M. WILLIAMSON Location: Sec 4 12 N-4 W

Individuals accompanying inspector: No one

Reservoir characteristics: Dam height 20 Ft Surface area 1 ac Storage capacity 5 AC-Ft.

Hazard class: Low - no change Photographs: yes

CONDITION OF EMBANKMENT OR STRUCTURE: ☐ Poor ☒ Fair ☐ Good ☐ Excellent

Type: ☒ Earth ☐ Rockfill ☐ Conc. arch ☐ Conc. gravity ☐ Timber crib ☐ Other _____

	UPSTREAM SLOPE	CREST	DOWNSTREAM SLOPE	TOE AREA
Surface cover material	EARTH			
Growth	None	None	2- Willow bushes	
Settlement or cracks	None			
Surface erosion	Some near trash East rock	None	minor livestock	
Debris	A few driftwood Dead brush.			
Animal burrows	A FEW scattered	squirrel holes.		
Crest width and slope measurements	2.2:1	±12 wide	1.7:1	

CONDITION OF OUTLET WORKS: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Location: ☒ ^{6"} Left side ☐ Center ☒ ^{4"} Right side ☐ Other _____
EAST WEST.

Description and condition: steel & Al. Pipes through the dam. - mainline valves.

Gate hoist: ☐ Manual ☐ Electric ☐ Other _____

Stem: ☐ Inclined from entrance to crest ☐ Vertical on tower at entrance

☐ Vertical through dam from crest ☒ Downstream valves

Entrance: some grass & debris Outlet: OK.

CONDITION OF SPILLWAY: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Location: ☐ Left abutment ☒ Right abutment ☐ Away from dam ☐ Other _____

Base width 10 Ft. Freeboard at crest 3.5 Ft Sideslope 3:1 Channel slope Mild Fetch 100 yds.

Overflow channel: ☒ Well defined ☒ Flow directed away from toe ☐ Flow could reach toe

Erosion control present: Earth Channel Erosion present: None

Maintenance condition: Debris None Growth None

SEEPAGE:

Reservoir level during inspection: Empty - appears not have been used. for several years.

	TOE AREA	DOWNSTREAM SLOPE	ABUTMENTS	OTHER
Piping of material evident (Est. G.P.M.)	None			
Flowing water (Est. G.P.M.)	None			
Marshy or standing water	None			
Damp	None			
Evident from growth present	None			

Inspected by: J. Heath Western Region
Mike Stubblefield, S.O.

IDAHO DEPARTMENT OF WATER RESOURCES INVENTORY WORKSHEET -

FORM NO. 1

Identification No. D 67 - 4041

Name of Dam WILLIAMSON LOWER

County WASHINGTON

River or Stream THOUSAND SPRINGS CREEK (DS)

Purpose J (Specify if other)

Location Sec 04 Twnshp 12 N Range 04 W NW 1/4 SE 1/4 - MAP U3 - MANN CREEK

FORM NO. 2

Name of Owner W M WILLIAMSON

Owner's Phone No. 549 - 1981 (Alternate phone no.)

Address Line 1

FORM NO. 3

Address Line 2 ROUTE 2 BOX 113

Address Line 3 WEISER ID 83672

FORM NO. 4

Type of Dam EARTH (Other dam types)

Storage Capacity (ac-ft) , , 5

Height of Dam (ft) 20.0

Drain. Area (sq. mi.) , . 1

Res. Surface Area (ac) , . 1

Year Completed 1977 (Date enlarged, reconstructed, etc.)

Crest Elev. (M.S.L.) 2, 820 APPROXIMATE

Crest Length (ft) , 300 (Dike lengths)

Spillway Type ERCHAN (Auxiliary spillways)

Spillway Depth (ft) , 3.5 (Aux. spillway depths)

Spillway Capacity (cfs) , 37 W/2.5' FREEBOARD

Hazard Classification 3

Region 2

FORM NO. 5

Last Inspection Month 8 Year 91

Approval Expiration Month 11 Year 82

General Condition FR

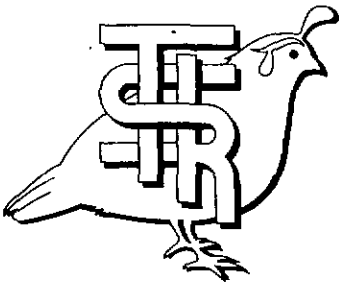
Q 100 (cfs) , 23 ESTIMATE

Outlet Type STEEL 1-4 IN + 1-6 IN PIPE

Outlet Capacity (cfs) , 3 ESTIMATE

Problems/Remarks

WATER RIGHTS: 67-4041 - CLAIM FOR .2 CFS



Thousand Springs Ranch

1860 U.S. Highway 95

Weiser, ID

83672

Jennifer A. McGary
Manager

RECEIVED

MAR 14 1997

WATER RESOURCES
WESTERN REGION

Telephone
(208) 549-8645

Ms. Lori Graves
State of Idaho
Dept. Of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705

Re: Application for permits
Thousand Springs Ranch

The following addition information is submitted in response to your letter dated October 11, 1996. Rule numbers are used to identify the specific requirements.

Rule 37.03.08.05

c. More than 200 acres may be irrigated.

I. The applicant is the only existing user of water from sources upstream of the proposed storage.

II. See attached map. All known wells and springs existing within one-half mile radius are on applicant's property.

III. As essentially the entire watershed of Thousand Springs Creek is owned by the applicant, no impact to existing water rights of others is anticipated. The services of a groundwater consultant are being used in well location, design, construction and testing.

d. See Application Paragraph 4.

I. Peak and average diversion rates and annual diversion volume will depend on well and spring yields, not yet fully developed. Irrigation water will be required during the period of April 1- October 31. Stock, Wildlife, and fire protection water will be required at year-round as indicated on the application which reflects amounts in your comments. Allowing for evaporation and seepage losses, consumptive use is estimated at 70% of the total diverted.

III. No reliable flow records for Thousand Springs Creek are available. The main spring at the dam site

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Large Div. info JUN 05 1998

Effect
Existing
Rights

Water
Supply

was recently measured at 0.17cfs about 75 gpm. The three new wells (#1,2,&3) upstream from the Thousand Springs Ranch development are currently being tested and a separate report will be forwarded. Additional wells may prove feasible. A design flood (50 year) of 85 cubic feet per second has been estimated as peak runoff from the total watershed area which is less than one square mile. Peak runoff normally occurs in the early spring and will be used to refill the reservoir throughout the year. Our records indicate the existing well with water right 67-02372 for 0.75cfs is no longer owned by Thousand Springs Ranch. However, it is planned to use all above sources in a combination of sprinkler and surface flows to irrigate the proposed acreage.

e. Good Faith. etc.

I. All sources, storage, and use will be on applicant property. See attached copies of deeds.

f. Financial Resources

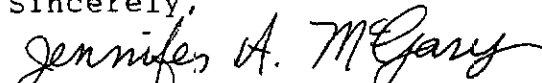
I. A financial statement is attached in letter form dated Nov. 14, 1996.

II. Preliminary plans, specifications, and cost estimates are being forwarded separately.

g. A letter of comment from the Washington County Commissioners is attached. It addresses the effects of construction and operation of the proposed project.

Please contact me or Joe Jordan at 253-1103 if additional information is needed.

Sincerely,


Jennifer A. McGary, Manager
Thousand Springs Ranch

Encl: Application for permit (revised)
Deeds (6) for all TSR properties
Well permits
Financial Statement
Comment letter from Washington County Commissioners

MICROFILMED
JUN 05 1998

WASHINGTON COUNTY

Commissioners:
Roy Mink, Chairman
Anthony (Tony) Edmondson
Frank Stirm

STATE OF IDAHO Telephone: (208) 549-2092

**OFFICE OF
THE BOARD OF COUNTY COMMISSIONERS**

**P. O. Box 670
256 East Court
Weiser, Idaho 83672**

RECEIVED

MAR 14 1997

**WATER RESOURCES
WESTERN REGION**

March 3, 1997

Jennifer McGary, Manager
Thousands Springs Ranch
1860 Highway 95
Weiser ID 83672

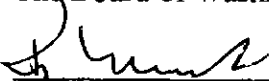
Re: Storage Reservoir

Dear Ms. McGary:

The Commissioners of Washington County support the construction of this facility. The uses of local contractors in its construction, and its potential benefits in fire suppression all suggest this is an asses for the county.

Good luck.

Sincerely,
The Board of Washington County Commissioners



Roy Mink



Frank Stirm



Tony Edmondson

RM/tr

**MICROFILMED
JUN 05 1998**

Richard K. Mellon and Sons

Telephone

412-238-6671

Gerald T. Ellermeyer
(412) 238-7085

*P. O. Box RKM
Ligonier, Pennsylvania
15658*

Fax

412-238-8482

November 14, 1996

RECEIVED

MAR 14 1997

WATER RESOURCES
WESTERN REGION

Department of Water Resources
State of Idaho

Re: Application for Permit for Water Diversion --
Thousand Springs Ranch, Washington County, Idaho
Financial Position of Seward Prosser Mellon, Sole Owner of Thousand Springs Ranch

Dear Sir or Madam:

In lieu of financial statements, this letter is intended to inform you of the financial responsibility of Seward Prosser Mellon in connection with the referenced application.

In my capacity as Vice President of Richard K. Mellon and Sons (of which Seward Prosser Mellon is President), and as a Trustee of several Trusts of which Mr. Mellon is a beneficiary, I am intimately familiar with Mr. Mellon's financial position.

As a matter of policy and confidentiality, Mr. Mellon's personal financial statements are not disclosed but the following information is provided to establish Mr. Mellon's financial responsibility (all dollar data are minimum amounts):

1. Mr. Seward Prosser Mellon is the sole owner of property known as "Thousand Springs Ranch", located north of Weiser in Washington County, Idaho. Thousand Springs Ranch consists of approximately 9,600 acres of contiguous, deeded land and improvements, acquired in four (4) separate purchases over the last two years. All purchases were paid in cash and there is no indebtedness on the property. The total acquisition cost of these properties exceeded \$1,000,000.

MICROFILMED

JUN 05 1998

Department of Water Resources
State of Idaho
November 14, 1996
Page 2

2. Since acquiring the properties, a substantial capital improvement program has been in progress. This has included:

- Remodeling of existing houses, barns and other structures
- The erection of new structures including a residence house, barn and kennel.
- Building of miles of new roads
- Building miles of new fencing
- Acquisition of farm machinery, trucks, heavy equipment
- Numerous other improvements too lengthy to mention

The cost of this capital improvement program has exceeded \$1,000,000 to date and everything has been paid in cash as acquired or built.

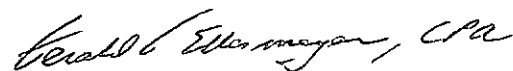
There is no indebtedness with respect of any of the capital improvement items described above. Further, it is reasonable to project that Mr. Mellon will be able to pay cash for any additional capital and operating items at Thousand Springs Ranch.

3. Mr. Mellon has personal net worth in excess of \$1,000,000 and an annual income net of tax also in excess of \$1,000,000.
4. Mr Mellon has served for many years as a Director of Mellon Bank Corporation in Pittsburgh, Pennsylvania which was founded by his ancestors and of which he is a substantial shareholder.

Trusting that this letter will be treated confidentially, I hereby aver that all of the information set forth above is true and accurate to the best of my knowledge and belief.

Should you have any questions, please contact me in writing or by telephone or fax as shown in the letterhead.

Sincerely,



Gerald T. Ellermeyer, CPA
Vice President and Real Estate Manager

cc: Mr. Seward Prosser Mellon

MICROFILMED
JUN 05 1998

RECEIVED

100-94-4734

INSTRUMENT NO. 162205
PAGE 1 OF 1

MAR 14 1997

WARRANTY DEED

WATER RESOURCES
WESTERN REGION

For Value Received W. MARDELL WILLIAMSON and DELORIS L. WILLIAMSON, husband and wife

the grantor s, do hereby grant, bargain, sell and convey unto SEWARD PROSSER MELLON, a married man dealing with his sole and separate property

the grantee, whose current address is P.O. Box RKM; Ligonier, PA. 15658

the following described premises, in WASHINGTON County, Idaho, to-wit:

TOWNSHIP 12 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:

Section 3: Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;Section 4: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;Section 9: NE $\frac{1}{4}$ NE $\frac{1}{4}$;Section 10: NW $\frac{1}{4}$ NW $\frac{1}{4}$;

TOWNSHIP 13 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:

Section 33: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, and a parcel described as follows:

Beginning at a point where the east boundary of Highway #95 crosses the south boundary of the NW $\frac{1}{4}$ of said Section 33; thence northeasterly along the easterly boundary of said highway right of way to the center of a ditch or small gully, which said ditch or gully runs approximately north and south near the line between the east half and west half of said NW $\frac{1}{4}$; thence in a southerly direction down the center of said ditch or gully to a point which is 25 feet North of the South line of said NW $\frac{1}{4}$; thence directly East to the East line of said NW $\frac{1}{4}$; thence South 25 feet to the southeast corner of said NW $\frac{1}{4}$; thence West to the point and place of beginning, describing a tract of land approximately 3 acres out of the southern part of said NW $\frac{1}{4}$ of said Section 33;

Section 34: W $\frac{1}{2}$.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and his heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee, that t he y the owners in fee simple of said premises; that they are free from all incumbrances excepting reservations, easements, incumbrances, restrictions and rights of way appearing of record and/or existing.

and that t he y will warrant and defend the same from all lawful claims whatsoever.

Dated: January 3, 1995

W. Mardell Williamson

W. Mardell Williamson

Deloris L. Williamson

Deloris L. Williamson

STATE OF IDAHO
COUNTY OF Payette

On this third day of January, in the year 1995, before me, a Notary Public, personally appeared W. Mardell Williamson & Deloris L. Williamson, known & identified to me to be the person whose name s are subscribed to the within instrument, and acknowledged to me that t he y executed the same.

Notary Public
Residing at Payette, Idaho.
My Commission Expires: 09/03/99

STATE OF IDAHO, COUNTY OF WASHINGTON

I hereby certify that this instrument was filed for record at the request of WEISER VALLEY TITLE

at 50 minutes past FIFTEEN o'clock P.M.,
this 3RD day of JANUARY
1995, in my office, and duly recorded in ~~BOOK~~
XX Deeds ~~BOOK~~ BY #162205

MARY KAUTZ

Ex-Officio Recorder

By

Fees \$ 3.00

Mail to: WEISER VALLEY TITLE

INSTRUMENT NO.

Inde
Rel.
Cmp
Rel.
Film
Comp
Card
Rel.
Blk.
Rel.
Up-
Date
Return
Copy



First American Title

100-54757

DEED

FOR VALUE RECEIVED, S & S LAND AND CATTLE COMPANY,

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
Bargain, Sell and Convey unto

SEWARD PROSSER MELLON, a married person

grantee whose current address is

P.O. BOX RKM, LIGONIER, PA 15658
the following described real estate, to-wit:

IN WASHINGTON COUNTY, IDAHO:

SEE ATTACHED EXHIBIT "A"

Together with BLM Grazing Allotments: Stout and Tarter.

Together with all water, water rights, ditches and ditch rights appurtenant thereto
and in anywise belonging.Subject to all valid outstanding reservations, easements, rights-of-way, restrictions,
dedications, mineral leases, mineral reservations and mineral conveyances of record.TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee
his heirs and assigns foreverIN 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 2nd DAY OF JANUARY, 1995.
February

S & S LAND AND CATTLE COMPANY

By

THOMAS H. SWEET

PRESIDENT.

ATTEST:

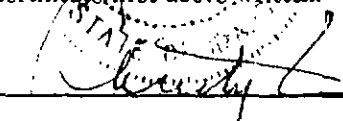
SECRETARY.

STATE OF IDAHO,

On this 2nd day of February, 1995,
before me, a Notary Public in and for said State, personally appeared THOMAS H. SWEET and

, known to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument 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.


Kristy L. Veach
Notary PublicResiding at WEISER, Idaho
Comm. Expires 11/4/97

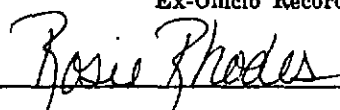
STATE OF IDAHO, COUNTY OF WASHINGTON

I hereby certify that this instrument was filed for record at
the request of WEISER VALLEY TITLEat 58 minutes past THIRTEEN o'clock P. M.,
this 2ND day of FEBRUARY,
19 95, in my office, and duly recorded in BOOK DEED #162420
~~XXXXXX XXXX~~

SHARON WIDNER

Ex-Officio Recorder

By



Deputy.

Fees \$ 6.00

Mail to: WEISER VALLEY TITLE

MICROFILMED
JUN 6 5 1998

INSTRUMENT NO.

Comp.
Cmp.
Film
Compan
Card Re
Bk. Rel.
Up-date
Return
Copy

FILE NO. 100-95-4757

EXHIBIT "A"

PARCEL I:

TOWNSHIP 11 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

- SECTION 3: LOT 3;
SECTION 4: LOTS 1, 2, 3 AND 4;
SECTION 5: LOTS 3 AND 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
SECTION 6: LOT 1, ALL THAT PART OF THE S $\frac{1}{2}$ NE $\frac{1}{4}$ LYING EAST OF THE COUNTY ROAD;

TOWNSHIP 12 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

- SECTION 17: S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
SECTION 18: NE $\frac{1}{4}$ NE $\frac{1}{4}$;
SECTION 20: NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
SECTION 21: N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
SECTION 28: N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$;
SECTION 29: E $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
SECTION 30: SE $\frac{1}{4}$ SE $\frac{1}{4}$, and that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows: Beginning at a point 595 feet East of the southwest corner of the said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence East 725 feet; thence North 410 feet; thence southwesterly to the point of beginning;
SECTION 31: NE $\frac{1}{4}$ EXCEPT the following: Beginning at a point 725 feet West of the northeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$; thence West 595 feet; thence South 310 feet; thence northeasterly to the point of beginning; FURTHER EXCEPTING A parcel of land situated within the NE $\frac{1}{4}$ of Section 31, Township 12 North, Range 4 West, Boise Meridian, more particularly described as follows:
Beginning at the northwest corner of the NE $\frac{1}{4}$ of Section 31, T. 12 N., R. 4 W., B.M.;
Thence S 0°14'51" W - 1302.44 feet along the west line of said NE $\frac{1}{4}$;
Thence N 89°21'22" E - 13.89 feet to the TRUE POINT OF BEGINNING;
Thence N 89°21'22" E - 1405.71 feet;
Thence S 0°06'38" W - 619.81 feet;
Thence S 89°21'22" W - 1405.71 feet to a point which bears N 89°21'22" E - 15.37 feet from a point on the west line of said NE $\frac{1}{4}$;
Thence N 0°06'38" E - 619.81 feet to the TRUE POINT OF BEGINNING;
AND FURTHER EXCEPTING a parcel of land situated within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 12 North, Range 4 West, Boise Meridian, more particularly described as follows:
Beginning at a point 82.50 feet (5 rods) south of the northwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T. 12 N., R. 4 W., B.M.;
Thence South 1050 feet, more or less, along the west line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ to a point on the northeasterly right-of-way of an existing County Road known as Mann Creek Road;
Thence southeasterly along the northeasterly right-of-way of said Mann Creek Road to a point which is 74.60 feet east of the west line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence N 5°33'46" W - 585.00 feet;
Thence N 0°06'38" E - 522 feet, more or less, to a point on a line 82.50 feet south of the north line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence West, parallel to the north line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 14.13 feet, more or less, to the point of beginning;
E $\frac{1}{2}$ SE $\frac{1}{4}$, and that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying easterly of Webb Ditch;
SECTION 32: ALL;
SECTION 33: SW $\frac{1}{4}$ NE $\frac{1}{4}$ and that part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying southwesterly of Weiser River, the W $\frac{1}{2}$, and the SE $\frac{1}{4}$;
SECTION 34: That part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ lying southwesterly of Weiser River.

PARCEL II:

TOWNSHIP 12 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

- SECTION 16: W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$ AND SE $\frac{1}{4}$ SE $\frac{1}{4}$.

MICROFILMED
JUN 05 1996

100-94-4728

WARRANTY DEED

For Value Received

DAN FOX AND LISA LYNN FOX, husband and wife AND MATT OLIVER AND COREEN K. OLIVER, husband and wife

The grantor s, do hereby grant, bargain, sell and convey unto

SEWARD PROSSER MELLON

the grantee , whose current address is

P.O. BOX RKM, LIGONIER, PA 15658

the following described premises, in WASHINGTON

County Idaho, to-wit:

PARCEL I

In Township 12 North, Range 4 West of the Boise Meridian,
Washington County, Idaho:

Section 5: S $\frac{1}{2}$ S $\frac{1}{2}$;

Section 8: NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;

Section 9: NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$;

Section 17: N $\frac{1}{2}$ NE $\frac{1}{4}$.

PARCEL II

In Township 12 North, Range 4 West of the Boise Meridian,
Washington County, Idaho:

Section 10: NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$;

Section 15: NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;

Section 16: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they the owner s in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: DECEMBER 22, 1994

Dan Fox

DAN FOX

Lisa Lynn Fox

LISA LYNN FOX

Matt Oliver

MATT OLIVER

Coreen K. Oliver

COREEN K. OLIVER

CALIFORNIA
STATE OF ~~XXXX~~, COUNTY OF

On this 22 day of DECEMBER, 1994, before me, a notary public in and for the said State, personally appeared

DAN FOX AND LISA LYNN FOX
MATT OLIVER AND COREEN K. OLIVER

known or identified to me to be the person s whose name s subscribed to the within instrument, and acknowledged to me that THEY executed the same.

Marlene Louise Jarmusch
Notary Public

Residing at EL CAJON
Comm. Expires Aug



Marlene Louise Jarmusch
NOTARY PUBLIC - CALIFORNIA
SAN DIEGO COUNTY

STATE OF IDAHO, COUNTY OF WASHINGTON

I hereby certify that this instrument was filed for record at the request of WEISER VALLEY TITLE

at 50 minutes past FIFTEEN o'clock P.M.,
this 3RD day of JANUARY
1995, in my office, and duly recorded in ~~XXX~~
Xl Deeds at ~~XXXX~~ BY #162206

MARY KAUTZ

Ex-Officio Recorder

By

Fees \$3.00

Mail to: WEISER VALLEY TITLE

Deputy.

Emp. Inc.
Cmp. R.
Film
Compan
Card Re
Bk. Re.
Up date
Return
Copy

(Optional)

Recorded	☐	Platted	☐	Key Punched	☐	To Treasurer	☐
Microfilmed	☐	Deed Card	☐	Master File	☐		☐
Indexed	☐	Compared	☐	Abstracted	☐		

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

SEWARD PROSSER MELLON, a married man dealing with his sole and separate property,

GRANTOR(S)
State of Idaho

of _____ County of _____
hereby CONVEYS, GRANTS and WARRANTS TO

WAYNE W. WILLIAMSON and ANITA WILLIAMSON, husband and wife, GRANTEE(S)

whose current address is 1731 Thousand Springs, Weiser, Id. 83672

for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION Dollars (\$10.00)

the following described tract(s) of land in Washington County, State of Idaho:

IN TOWNSHIP 12 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN,
WASHINGTON COUNTY, IDAHO:

Section 5: S1/2SW1/4, EXCEPTING therefrom that portion lying
east of the County Road.

Section 8: NW1/4; EXCEPTING therefrom that portion lying east
of the County Road,
ALSO that part of the W1/2NE1/4 of said Section lying
West of the County Road.

DUPLICATE

MICROFILMED
JUN 05 1998

Location of above described property _____

House No. _____

Street _____

WITNESS the hand of said Grantors this

Paul E. Elmer, Witness

6th MARCH day of February A.D. 19 95

Seward Prosser Mellon, Grantor
Seward Prosser Mellon

(NOTARY SEAL)

State of Idaho
County of _____

ss. On the 6th day of March A.D. 1995

personally appeared before me SEWARD PROSSER MELLON, a married man
dealing with his sole and separate property,

the signer(s) of the within instrument, who duly acknowledged to me that he
executed the same.

Notarial Seal
Patricia L. Hess, Notary Public
Ligonier Twp., Westmoreland County
My Commission Expires Feb. 21, 1998

Patricia L. Hess
(NOTARY PUBLIC)

Residing at _____
Member of the Pennsylvania Association of Notaries
PENNSYLVANIA

My Commission expires: Feb 21, 1998

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name Mr. & Mrs. Wayne W. Williamson

Address 1731 Thousand Springs

City & State Weiser, Idaho Zip 83672

No. _____

WARRANTY DEED

—TO—

Dated 6th, 1995
STATE OF IDAHO
County of _____ ss.
I hereby certify that this instrument was
filed for record at request of _____
at _____ minutes past
o'clock _____ M., this _____ day
of _____, A.D. 19____
in my office, and duly recorded in Book _____
of _____ at page _____
By _____ Deputy.
Fees \$ _____
Ex-Officio Recorder.

(Optional)

Recorded ☐
 Microfilmed ☐
 Indexed ☐

Platted ☐
 Deed Card ☐
 Compared ☐

Key Punched ☐
 Master File ☐
 Abstracted ☐

To Treasurer ☐
☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

WAYNE W. WILLIAMSON and ANITA WILLIAMSON, husband and wife, GRANTOR(S)
 of Weiser County of Washington State of Idaho
 hereby CONVEYS, GRANTS and WARRANTS TO
 SEWARD PROSSER MELLON, a married man dealing with his sole and separate GRANTEE(S)
 property
 whose current address is
 for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE Dollars (\$10.00)
 CONSIDERATION
 the following described tract(s) of land in Washington County, State of Idaho:

IN TOWNSHIP 12 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:

Section 4: SE1/4NW1/4, E1/2SW1/4;
 Section 8: E1/2NE1/4;
 Section 9: NW1/4NE1/4, NE1/4NW1/4, SW1/4NW1/4.

Location of above described property

MICROFILMED

JUN 05 1998

House No.

Street

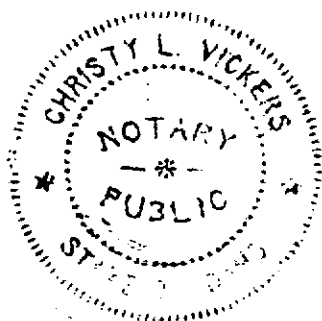
WITNESS the hand of said Grantors this

74 day of March A.D. 1995

Wayne W. Williamson
Wayne W. Williamson

Anita Williamson
Anita Williamson

(NOTARY SEAL)



State of Idaho }
County of Washington } ss. On the 74 day of March A.D. 1995

personally appeared before me WAYNE W. WILLIAMSON and ANITA WILLIAMSON, husband and wife,

the signer(s) of the within instrument, who duly acknowledged to me that the y executed the same.

Christy L. Vickers
(NOTARY PUBLIC)
My Commission expires: 4/4/97

Residing at: Weiser, Idaho

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name Seward Prosser Mellon

Address _____

City & State _____

Zip _____

No. 162648

WARRANTY DEED

—TO—

Dated _____, 19____

STATE OF IDAHO

County of WASHINGTON ss.

I hereby certify that this instrument was

filed for record at request of _____

WEISER VALLEY TITLE

at 56 minutes past FOURTEEN

o'clock P. M., this 7TH day

of MARCH, A.D. 1995

in my office, and duly recorded in _____

Xo DEEDS BY #162648 XXXX page _____

SHARON WIDNER

Ex/Office Recorder. Film

By Jessie Mc Knight Compare Card Rel.

Deputy Bk. Rel. Up-date

Fees \$6.00 Return

Copy

WEISER VALLEY TITLE

JUN 05 1998

WARRANTY DEED

For Value Received

WILLIAM I. MAXWELL AND C. AUDREY MAXWELL, husband and wife

The grantor s, do hereby grant, bargain, sell and convey unto

SEWARD PROSSER MEULON, a married man as his sole and separate property
the grantee, whose current address is

ATTN: GERALD T. ELLERMEYER, P.O. BOX RKM, LIGONIER, PA 15658
the following described premises, in WASHINGTON

County Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

Together with all water, water rights, ditches and ditch rights appurtenant thereto
and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way,
restrictions, dedications, mineral leases, mineral reservations and mineral
conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
his heirs and assigns forever. And the said Grantor s do hereby covenant to and

EXHIBIT "A"

FILE NO.: 100-96-5282

PARCEL 1:

TOWNSHIP 12 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

SECTION 4: SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;

SECTION 5: Lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and all that part of lots 2 and 3 lying southeasterly of the County Road;

SECTION 7: All that part of Lots 1 and 2 of Section 7, lying easterly of the easterly right of way line of Highway #95 as the same traverses said subdivision EXCEPTING ANY PART OF THE West 10 $\frac{1}{2}$ rods of the South 40 rods of Lot 2, lying easterly of the right of way of said Highway #95; E $\frac{1}{2}$ NW $\frac{1}{4}$;

TOWNSHIP 13 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

SECTION 32: That portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying southeasterly of the old Highway #95;

TOWNSHIP 13 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

SECTION 36: SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;

PARCEL 2:

TOWNSHIP 12 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

SECTION 5: That part of Lots 2 and 3 lying northwesterly of the County Road; Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;

SECTION 6: Lots 1, 2, 3 and 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;

TOWNSHIP 13 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

SECTION 28: SW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;

SECTION 29: SE $\frac{1}{4}$ SE $\frac{1}{4}$;

MICROFILMED

JUN 05 1998

EXHIBIT "A" - CONTINUED

FILE NO.: 100-96-5282

SECTION 31: S $\frac{1}{2}$ of Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;

SECTION 32: N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ EXCEPT that portion lying southeasterly of the old Highway #95, that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying North of the right of way of Highway #95, and a tract situate in the southwest corner of the said NE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

Beginning at the Southwest corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence East 35 rods, more or less, to the right of way of County Road;

Thence Northwesterly along said right of way to the South right of way of State Highway;

Thence Westerly to the West line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence South to the place of beginning;

SECTION 33: NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and a tract of land in the S $\frac{1}{2}$ NW $\frac{1}{4}$ described as follows:

Beginning at a point where the North boundary of State Highway #95, as granted the State of Idaho in Deed recorded December 12, 1962, in Book 82 of Deeds, page 513, Official records, intersects the South boundary of the NW $\frac{1}{4}$ of said Section 33;

Thence northeasterly along the North line of the right of way of said Highway #95 to the center of a small gully or ditch running north and south and being near the division line between the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 33;

Thence in a southerly direction down the center of said gully to a point 25 feet north of the south line of said NW $\frac{1}{4}$;

Thence East to the East line of said NW $\frac{1}{4}$;

Thence North to the northeast corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence West 2640 feet, more or less to the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 33;

Thence South 1320 feet to the Southwest corner of SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence East to the point of beginning.

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JUN 05 1998



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 11, 1996

S.P. Mellon DBA Thousand Springs Ranch
c/o Jennifer Mc Gary
1860 US HWY 95
Weiser ID 83672

RE: Application for Permit Large Diversion Requirements

Dear Applicant:

Your application for permit was received 9/19/1996 and will be advertised and processed once the following information is submitted.

Pursuant to Idaho Code 42-203A(5)(a-e) and 42-203C(2), additional information is needed for applications for permit involving irrigation of more than 200 acres and/or diversions exceeding 5.00 cfs or 500 acre-feet of storage. Required information relating to the proposed water right, as outlined in the attached copy of Water Appropriation Rules 37.03.08.05.c through g, covers the following items:

- c) effect on existing water rights,
- d) sufficiency of water supply,
- e) good faith, delay, or speculative purposes,
- f) financial resources, and
- g) local public interest.

The local public interest criteria may be met by soliciting comment letters from the Washington County Board of Commissioners. Comment should address the effect of the construction and operation of the project within the local area.

You may summarize any of the answers with a brief statement where appropriate.

On the original application, I taped a list of the uses that should be included based on your proposal and our telecon 10/11/1996. If you do not plan to divert water from the reservoir to stock troughs or small holding ponds, then diversion from storage for stockwater and wildlife is not a necessary use and can be erased.

Please specifically designate the points of diversion for the sources listed (wells, streams, reservoir) on the map.

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Also, please describe your irrigation system for the 245 acres and how the refernced water right 67-02372 relates to this proposal.

Lastly Jennifer, please specify your title with Thousand Springs Ranch to justify your signature on the application.

Let me know if you have any questions.

Sincerely,



Lori Graves
Sr. Water Resource Agent

Enclosures

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JUN 05 1993

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: W021515

Date: 9/19/1996
Time: 11:53:22

Received
From: THOUSAND SPRINGS RANCH

Type of Payment	Program Acct	Amount
APPLICATION FOR PERMIT	62103 229 21 1155	180.00
CHECK 1486		
	Total	\$ 180.00

Region: WESTERN

Signature: DBuffington

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JUN 05 1998