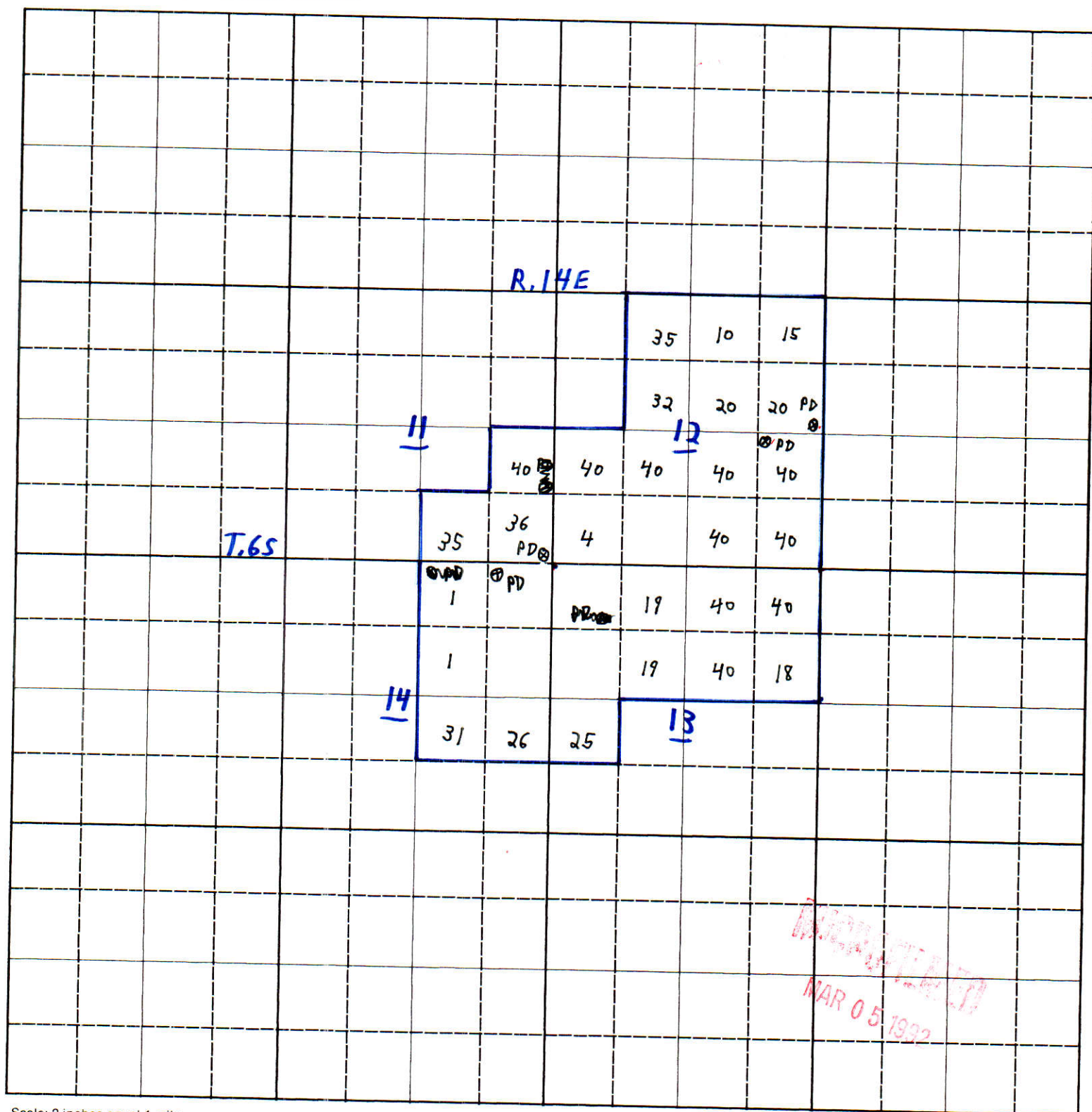


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



RECORDED
MAR 05 1932

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.

David Blahman Farm Manager
(Applicant) Butte Enterprises Inc.

RECEIVED

AUG 16 1991

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

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 7th day of Aug, 19 91, and the date of the last publication was on the 14th day of Aug, 19 91.

Subscribed and sworn to before me this 14th day of Aug., 1991.

NOTARY PUBLIC

Gooding, Idaho

OK MB
9-20-91

Number of Insertions 2X

_____	Lines tabular at _____	6¢/Pica
<u>421.8</u>	Lines straight at <u>21.09</u>	5¢/Pica
_____	Subsequent lines at <u>16.88</u>	4¢/Pica
TOTAL COST		<u>37.97</u>

(Paste Here)

~~TITLE~~ OF NOTICE

37-08742

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

I O W R T.F.
BILL TO

37-08742

BUTTE ENTERPRISES INC.

1765 HWY. 26

GOODING, ID 83330

Source: GROUNDWATER

Diversion Pt: SESESE Se 11 T
06 S R 14 E

SESENE Sec 12 T 06S R 14E

NWNESE Sec 12 T 06s R 14E

NWNESE Sec 12 T 06S R 14E
NWNENE Sec 14 T 06S R 14E

WATER GATION (1,080 CFS)

Use: IRRIGATION (4.980 CFS)

Total Diversion: (4.980 CFS)

Date Filed: 3/28/1991

In: T06S R14E S11 NESE SWSE SESE

S12 NENE NENE SWNE SENE

NENW SENW NESW NWSW

SWSW NESE NWSE SWSE

SESE

S13 NENE NWNE SWNE SENE

STSE NENE NENE SWNE SENE
NENW SENW NWSW

S14 NWNE SWNE NESE NWSE

RES TOTAL

747.0 ACRES TOTAL

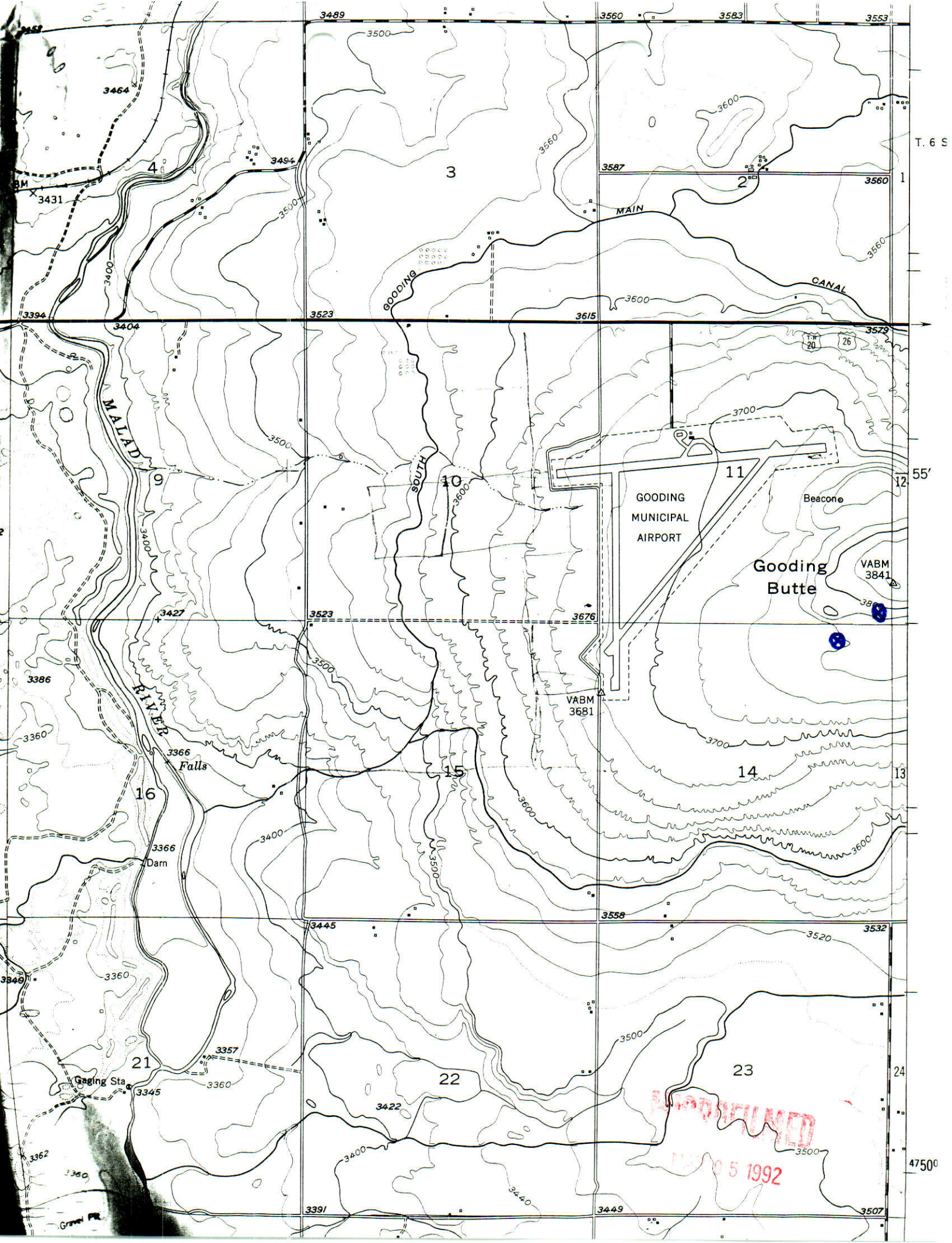
The permit(s) will be subject to all prior water rights. Protests may be submitted on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone St. East, Twin Falls Idaho on or before AUGUST 26, 1991.

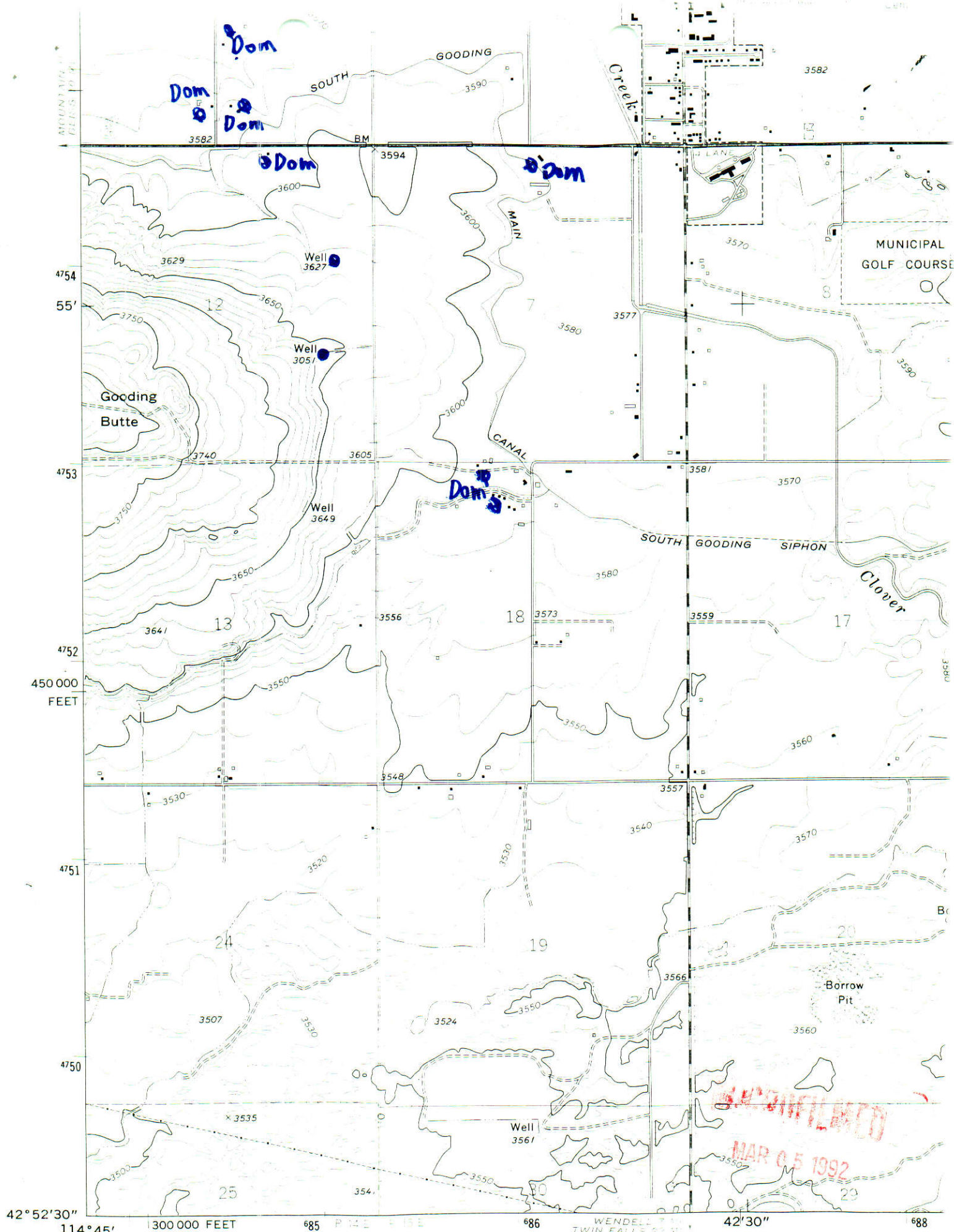
Pub: 8-7, 14 -s- R. Keith Higginson, Director
G7801

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-07-2001 BY 60322 UCBAW

№ 5107

7801





Mapped, edited, and published by the Geological Survey

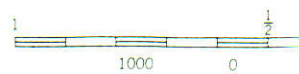
Control by USGS and USC&GS

Topographic map prepared by the Geological Survey

3089 IV SE
(TUTTLE)



MN



11/99

For Office Use Only
\$25 filing fee 25.00
Receipt # 0061972
Date 5-10-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

ASSIGNMENT OF PERMIT

To change the ownership of a permit

MAY 10 2002

Department of Water Resources

I, Butte Enterprises, hereby assign to Larry R. and Cindy L. Gillette
of, 1961 S 1800 E Gooding, ID 83330 208-934-4555
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 37-08742 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this _____ day of _____, 20____.

Please See Attached Corporate
Permit Holder(s) Warranty Deed

State of Idaho)
County of _____)ss

On this _____ day of _____, 20____, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at _____

SEAL

My commission expires: _____

MICROFILMED

MAY 11 2002

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED.

BUTTE ENTERPRISES, INC., who acquired title to WALKER FAMILY FARMS & RANCHES, INC.

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

LARRY R. GILLETTE and CINDY L. GILLETTE, husband and wife
whose address is: 337 South 1950 East, Paul, Idaho 83447

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

SEE EXHIBIT "A" ATTACHED HERETO.

TOGETHER WITH 114.94 SHARES OF BIG WOOD CANAL COMPANY WATER STOCK
AND WATER RIGHTS PERMIT NUMBERS 37-02729, 37-02840, 37-02742, A37-12824
AND A37-02857

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GRANTEE, and
the successors and assigns of the GRANTEE forever, except as aforesaid.IN WITNESS WHEREOF, The GRANTOR, pursuant to a resolution of its Board of Directors has caused
its corporate name to be hereunto subscribed by its AGENT, this 23rd day of January, 1996.BY: Dean Rampy
DEAN RAMPY FOR BUTTE ENTERPRISES, INC.

STATE OF TEXAS)

COUNTY OF HARRIS)

On this 24th day of JANUARY, 1996, before me, the undersigned, a Notary Public in and for said State,
personally appeared DEAN RAMPY, known or identified to me to be the AN of the corporation that
caused the instrument on the person who executed the instrument on behalf of said corporation, and
acknowledged to me that such corporation executed the same.Cynthia R. Lammert
Notary Public
Residing at: Houston Co, TX
My Commission expires: 2-11-96

164131

STATE OF IDAHO COUNTY OF GOODING

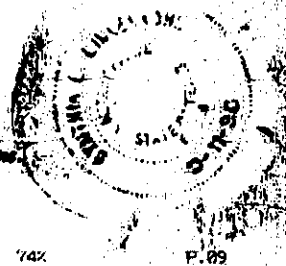
Filed for record at the request of

15 min past 1 o'clock A.M. on the 26th

of January 1996

By Donny Watson Deputy

JRN-24-1996 13:40



MICROFILMED

JUN 11 2002

EXHIBIT "A"

ROUTE ENTERPRISES, INC. TO GILLETTE

Order Number: G-23144

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 12: NE¼, E½NW¼;

EXCEPTING 40 foot strip of land for highway purposes as set forth in deeds to State of Idaho as follows:

1. Dated October 2, 1937, recorded December 11, 1937 in Book 28 Deeds, Page 416, across SW¼SW¼ of Section 1 and NE¼NW¼, NW¼NE¼ Section 12.
2. Dated September 10, 1937, recorded December 11, 1937 in Book 28 Deeds, Page 620, across NE¼NE¼ Section 12.

AND EXCEPTING THEREFROM the following described tract:

Beginning at the Southeast corner of said NE¼ of Section 12;
Thence South 89°58' West, 3946.1 feet to the Southwest corner of the SE¼NW¼ of Section 12;
Thence North 0°10' West, 690 feet;
Thence South 85°59' East, 2987.7 feet;
Thence North 75°35' East, 999.1 feet;
Thence South 725 feet to THE POINT OF BEGINNING.

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 11: NE¼SE¼, SE¼SE¼;

Section 12: SW¼;

That part of the SW¼NE¼, described as follows:

Beginning at the Southeast corner of the NE¼;
Thence South 89°58' West, 3946.1 feet, more or less, to the Southwest corner of the SE¼NW¼;
Thence North 0°10' West, 690 feet;
Thence South 85°59' East, 2987.7 feet;
Thence North 75°35' East, 999.1 feet;
Thence South 725 feet to THE POINT OF BEGINNING.

Section 13: NW¼, NE¼NE¼, SW¼NE¼, NW¼SW¼, and part of the SE¼NE¼ lying North of Idaho Irrigation Company's Canal.

Section 14: NE¼, NW¼SE¼;

EXCEPTING THEREFROM a parcel of land located in the SE¼SE¼ of Section 12 and the NE¼NE¼ of Section 13, Township 6 South, Range 14, East of the Boise Meridian, Gooding County, Idaho, described as follows:

Beginning at the Southeast corner of said SE¼SE¼ Section 12;
Thence North 0°00'00" East for a distance of 275.06 feet along the Easterly boundary of said SE¼SE¼;
Thence North 90°00'00" West for a distance of 300.00 feet to a ½" rebar;
Thence South 0°00'00" West for a distance of 1465.00 feet parallel with the Easterly boundary of said SE¼SE¼ and NE¼NE¼ to a ½" inch rebar;
Thence South 90°00'00" East for a distance of 300.00 feet to a ½" inch rebar set in the Easterly boundary of said NE¼NE¼ Section 13;
Thence North 0°00'00" East for a distance of 1190.00 feet along the Easterly boundary of said NE¼NE¼ to THE POINT OF BEGINNING.

SUBJECT TO the rights of a public road which affects the Easterly 25.00 feet thereof.

MICROFILMED
JUN 11 2002

RECEIVED

AUG 17 1992

Department of Water Resources
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

OFFICE USE ONLY

Amt. of Fee \$ 200.00

Date 8-17-92

Receipt No. 5014860

Receipt by G. F. Stanton

RECEIVED
AUG 18 1992

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

1. Permit No. 37-08742 Telephone No. 934-49222. Name(s) of Permit Holder(s): Butte Enterprises Inc.3. Mailing Address: 1765 Hwy. 26, Fooding, ID 833304. Source of Water: GroundwaterIf GROUNDWATER, Well Driller's Name: Eaton, E/sing Date Drilled: 1986 or before

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

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

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

Irrigation 247 (No. of acres) Other _____6. Total rate and/or volume for which proof is submitted 4.98 cfs OR _____ acre/feet

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

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

OR

Flow Measurement Port: Required? _____ Yes ☒ No _____ Installed? _____ Yes ☒ No _____8. Fee Enclosed: \$ 200.00 (See License Fee Schedule on back of Instruction Sheet)

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

Dave Bloxham
NameSame
Telephone No.Same
Address

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

8-17-92
DateDave Bloxham for Butte Enterprises
Signature (and title, if on behalf of a company or organization)

MICROFILMED

SEP 10 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08742

Proposed Priority: March 28, 1991 Maximum Diversion Rate: 4.98 CFS

This is to certify, that **BUTTE ENTERPRISES INC**
1765 HWY 26
GOODING ID 83330

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	4.98 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESESE , Sec. 11, Township 06S, Range 14E
SESENE , Sec. 12, Township 06S, Range 14E
NWNESE , Sec. 12, Township 06S, Range 14E
NWNENE , Sec. 14, Township 06S, Range 14E
GOODING 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>
06S	14E	11	NESE 40	SWSE 35	SESE 36	111
		12	NENE 15	NWNE 10	SWNE 20	
			SENE 20	NENW 35	SENE 32	
			NESW 40	NWSW 40	SWSW 4	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			376
		13	NENE 40	NWNE 40	SWNE 40	
			SENE 18	NENW 19	SENE 19	
			NWSW 25			201
		14	NWNE 1	SWNE 1	NESE 26	
			NWSE 31			59
Total number of acres irrigated:						747

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1993**.
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

APPROVED
MAR 05 1992

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

NO. 37-08742

CONDITIONS/REMARKS:

6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of this right and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

28th day of February, 1992

[Signature]
for R. Keith Higginson, Director

RECEIVED
MAR 05 1992

Form 202
6/85
RECEIVED

MAR 29 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 37-08742

Department of Water Resources **To appropriate the public waters of the State of Idaho**
Southern Region Office

1. Name of applicant Butte Enterprises Inc. Phone 934-4922
Post office address 1765 Hwy. 26, Gooding, ID 83330

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

3. Location of point of diversion is NW ¼ of NE ¼ of NE ¼, Govt. Lot _____
Sec. 14 Township 6S Range 14E B.M. Gooding County; additional
points of diversion if any: SE/SE/NE & NW/NE/SE Sec. 12; SE/SE/SE Sec. 11 T. 6S R. 14E
~~SE/NE/NE, NW/NE, Sec. 13~~

4. Water will be used for the following purposes:

Amount 4.98 for Irrig. purposes from 4-1 to 11-1 (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) 4.98 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 4 existing wells & pumps, sprinklers

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

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

d. Is ground water with a temperature of greater than 90°F being sought? No

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

MAR 05 1992

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	14E	11													40		35	36	111
		12	15	10	20	20	35			32	40	40	4		40	40	40	40	376
		13	40	40	40	18	19			19	~~25~~	25							201
		14		1	1										26	31			59

Total number of acres to be irrigated 747

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

37-2660, 2677, 2727

11. a. Who owns the property at the point of diversion? Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

MAR 05 1992

12. Remarks: Replaces voided application 37-8286,

Requested flow will bring 404 acres up to 5/8" of flow per acre, plus
providing 5/8" per acre for 343 new acres. The rest of the 1230-acre
farm is already licensed for over 5/8" per acre.

[illegible]

David Blashaw Farm Manager
(Applicant) Butte Enterprises Inc.

Received by JA Date 3-28-91 Time 1:10 pm Preliminary check by A.J.
Fee \$ 125.00 Receipted by JA # 5013162 Date 3-28-91
Publication prepared by MB Date 7-15-91 Published in Gooding Co. Leader
Publication approved M Baldwin Date 9-20-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

RECEIVED

MAR 6 5 1992

RECEIVED

8-8-91

AUG 09 1991

Dear Gary

Department of Water Resources
Southern Region Office

This letter is regarding the application for permit # 37-08742. The permit is under Butte Enterprises Inc. The additional information concerning the corporation officers is as follows:

Clayton Waggood - President
4796 Business Park Blvd.
Bldg. H, # 4
Anchorage, Alaska 99503

James Malach - Vice President
4796 Business Park Blvd.
Bldg. H, # 4
Anchorage, Alaska 99503

If you have any questions or need any additional information; you may contact me at 934-4922.

Thank You

David Blosham

RECEIVED
AUG 15 1991

37-8742

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho }
County of Gooding } ss.

AUG 16 1991

Department of Water Resources
Southern Region Office

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

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 7th day of Aug, 1991, and the date of the last publication was on the 14th day of Aug, 1991.

Subscribed and sworn to before me this 14th day of Aug, 1991.
(SEAL)

NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X

_____	Lines tabular at _____	6¢/Pica
<u>421.8</u>	Lines straight at <u>21.09</u>	5¢/Pica
_____	Subsequent lines at <u>16.88</u>	4¢/Pica
TOTAL COST		<u>37.97</u>

COPY OF NOTICE

(Paste Here)

Not. Appl. Court Writ. A.

FILE OF NOTICE

Butte Enterp. Inc.

37-08742

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

J D W R T.F.
BILL TO

NOTICE OF APPLICATION FOR

37-08742

BUTTE ENTERPRISES INC.

1765 HWY. 28

GOODING, ID 83330

Source: GROUNDWATER

Diversion Pt.

08S

SESESE Sec 11 T

R 14E

SESENE Sec 12 T 06S R 14E

NWNESE Sec 12 T 06S R 14E

NWNESE Sec 14 T 06S R 14E

Use: IRRIGATION (4,900 CFS)

Total Diversion: (4,900 CFS)

Date Filed: 3/28/1991

In: T08S R14E S11 NESE SWSE SESE

S12 NENE NWNE SWNE SESE

NENE SWNE NWNE NWSE

SWSW NESE NWSE SWSE

747-9-0000 747-9-0000

The undersigned is the publisher of the water, on the basis of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone St. East, Twin Falls Idaho on or before AUGUST 26, 1991.

- R. Keith Higginson, Director
Pub: 8-7, 14 G7501

APR 05 1992

No 5107

7801



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 11, 2002

LARRY R GILLETTE
CINDY L GILLETTE
1961 S 1800 E
GOODING ID 83330-5209

RE: Change of Ownership for Water Right 37-8742

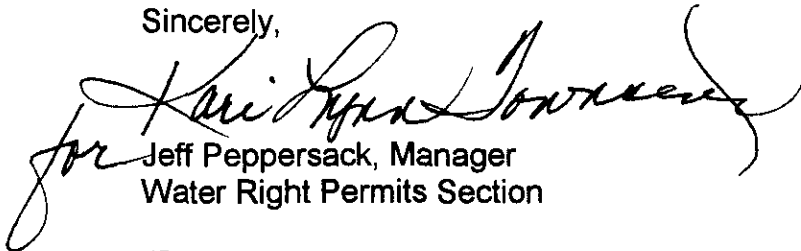
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

JUN 11 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

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

[] Water Right Number(s): 37-08742

[] Name(s): LARRY GILLETTE

[] Old Mailing Address: 557 S 1950 E

PAUL ID 83347

[] New Mailing Address: 1800 E 1961 S

GOODING ID 83330

Telephone Number: 208 934-4555
(208) 539 - 4315

[] ~~Signature(s) of Owner(s)~~ *Larry Gillette*

Cindy Gillette
(Include your title if on behalf of company or organization)

~~Stamp~~ 5-7 MICROFILMED

JUN 11 2002

Windy Acres Inc.

*1800 East 1961 South
Gooding, Idaho 83330
Office (208) 934-4555
Cell (208) 539-4315*

May 7, 20002

RECEIVED

MAY 10 2002

Department of Water Resources

State of Idaho
Department of Water Resources
ATTN: Kari Lynn Townsend
1301 North Orchard Street
Boise, ID 83706

Subject: Change in Ownership of Permit 37-08742

Dear Ms. Townsend:

In response to your letter on April 29, 2002 regarding Permit 37-08742 I am enclosing the following items:

- Assignment of Permit
- Corporate Warranty Deed
- Change in Address Form
- \$25 Filing Fee

The Corporate Warranty Deed should be able to serve as the Assignment of Permit, it has permit 37-08742 listed with the sellers signature right below. The purchase of the property was in January of 1996. I contacted the realtor on this sell and she said it would be a very difficult task to track the sellers down at this point and the Corporate Warranty Deed should serve the purpose, it lists all the necessary information.

Please let me know if there are any problems. I can be reached at 208-934-4555 office, 208-358-1687 cell, or by e-mail at rustyg@pmt.org. Thanks for your time.

Sincerely,



Lucinda Rogers, Secretary
Windy Acres, Inc.

MICROFILMED

JUN 11 2002

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

1 Service Requested



Permit # 31-08942
Mailresent w/ address change
form to:

Larry R. Gillette

1800 E 1961 S

Gooding ID 83330

per phone call to Mr. Gillette.

Kari Lynn
5.2.02

☒ MOVED, LEFT NO ADDRESS
☒ NOT DELIVERABLE AS ADDRESSED
☐ UNABLE TO FORWARD
☐ ATTEMPTED - NOT KNOWN
☐ USED AHEAD ☐ RETURNED
☐ NO SUCH STREET - RETURNED
☐ POWER NUMBER IN THE HOUSE
☐ INCORRECT ADDRESS
☐ NO MAIL DELIVERABLE
☐ BOX OR AREA TO BE REMOVED

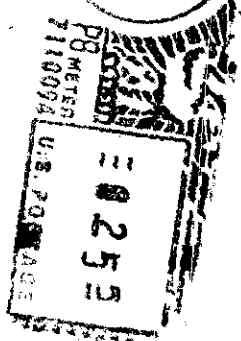


RECEIVED

MAY - 1 2002

Department of Water Resources

PRESORTED
FIRST CLASS



MICROFILMED

MAY 1 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

April 29, 2002

LARRY R GILLETTE
557 S 1950 E
PAUL ID 83347

RE: Change in Ownership of Permit 37-08742

Dear Mr. Gillette:

The Department of Water Resources acknowledges receipt a copy of a Corporate Warranty Deed that includes water right **permit** 37-08742.

Because this water right is still in the permit stage, an Assignment of Permit will be required to complete the ownership change. Enclosed is an assignment form for your use. Please note that there is a \$25 filing fee required.

The Department cannot process the ownership change without proper documentation or fees; therefore we will hold any action on your notice pending receipt of the necessary information and fees.

Please note that water right owners are required to report any change in 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 (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

Please feel free to contact the Department if you have any questions.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

Enclosure

MICROFILMED

JUN 11 2002

August 21, 1992

BUTTE ENTERPRISES INC
1765 HWY 26
GOODING ID 83330

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08742

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

SEP 10 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 37-08742

Reviewed by Klg

Date 8/18/92

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

____ Surface water source
✓ Ground water source
NA Drilling permit required?
1986 / Copy in the file? Drilling Permit No. _____
/ Amount paid for permit _____ Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
200 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received NA _____
Date proof due / - _____
No. of days late / = _____
Priority Date / + _____
New Priority Date / _____

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address _____

Proof Made 8/17/92
8/21/92 Klg



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 3, 1992

Butte Enterprises Inc.
1765 Hwy 26
Gooding, ID 83330

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08742

Dear Permit Holder:

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

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

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by

RECEIVED
MAR 05 1992

state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

Pamela Skaggs

PAMELA SKAGGS
Technical Records Specialist

PS:clh

Enclosure

RECEIVED

MAY 05 1992

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 37-8742/Trust Water Processing & Rule 4,5,3 Info.

DATE: 2-26-92

The above application is a trust water filing which has been forwarded to the state office for final review and processing.

My review of both 1983 and 1984 infrared aerial photos shows that most of the land under the application may have been irrigated. Only about 120 acres under the filing was conclusively not irrigated. Some other portions, including most of section 12, could have been dry farmed in 1983 and 1984. The attached place of use overlap report shows that most of the land is covered by existing rights. The report also shows that nearly all of the land was classified as irrigated by the IDWR remote sensing staff using 1986 Landsat data. Based on all of this information, I recommend that the 120 acres which did not appear irrigated prior to 10/1/1984 should be counted as trust acreage. All trust conditions are applicable.

The rule 4,5,3. information which has been submitted with this filing appears sufficient. Further processing of the application is recommended.

MAR 05 1992

1983 photo

[illegible]

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

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
0100006	SNAKE RIVE																	
A370086722	LARGE CLAI																	150
3702697	GROUNDWATE																	23
A3702697	GROUNDWATE																	23
3702729	GROUNDWATE	40	39	39	40													158
A3702729	GROUNDWATE	40	39	39	40													158
3702761	GROUNDWATE					40	16	40	40									136
3707611	GROUNDWATE									40								80
P3708742	GROUNDWATE																	59
A3713043	SILVER CRE																	150
--86 MAP--	CA70-AA 20	39	37	40	39	39	35	37	38	39	37	36	36	36	36	39	39	607

19 pumps
Irrig 83 phots

RECEIVED
FEB 25 1992

237 new needs?

1984 NHTAA

See 11: SE SE - NI (not irrig)

SW SE = ~~irrig~~ 35 ✓

NE SE = NI

13 NE 1/4 = irrig

E 1/2 NW = irrig

NW SW = OK/irrig

12 NE = Irrig

E 1/2 NW = irrig

14 N 1/2 SE = OK/irrig

N 1/2 SW = necessary irrig; NW SW - NI

SE = Irrig

App, 37-08742 Rule 4, 5, 3. Answers

RECEIVED

Rule 4, 5, 3, 1/- N/A

FEB 18 1992

Department of Water Resources
Southern Region Office

2- See attached map.

3- The entire system is sprinklers ($\frac{5}{8}$ " pivots, corner handlines). System was developed in 1987 under a permit that lapsed. This project should not affect other users. There are no other irrigation wells within $\frac{1}{2}$ mile of my wells. Our ground is much higher than surrounding lands, most of which are irrigated with canal water.

Rule 4, 5, 3, 2. 1- We raise wheat, corn, & potatoes. The full requested flow is usually needed from mid-May to the end of July. Lesser flows are needed early & late in the season when fewer acres are being watered. Annual volume needs average 2-2 $\frac{1}{2}$ AFA. Soil is silt-loam.

2- We are pumping from the Snake Plain Aquifer 350' or so feet deep. A well in Sec. 10 west of me produces closer to 2900 gpm.

4, 5, 3, 3. 1- We own this property.

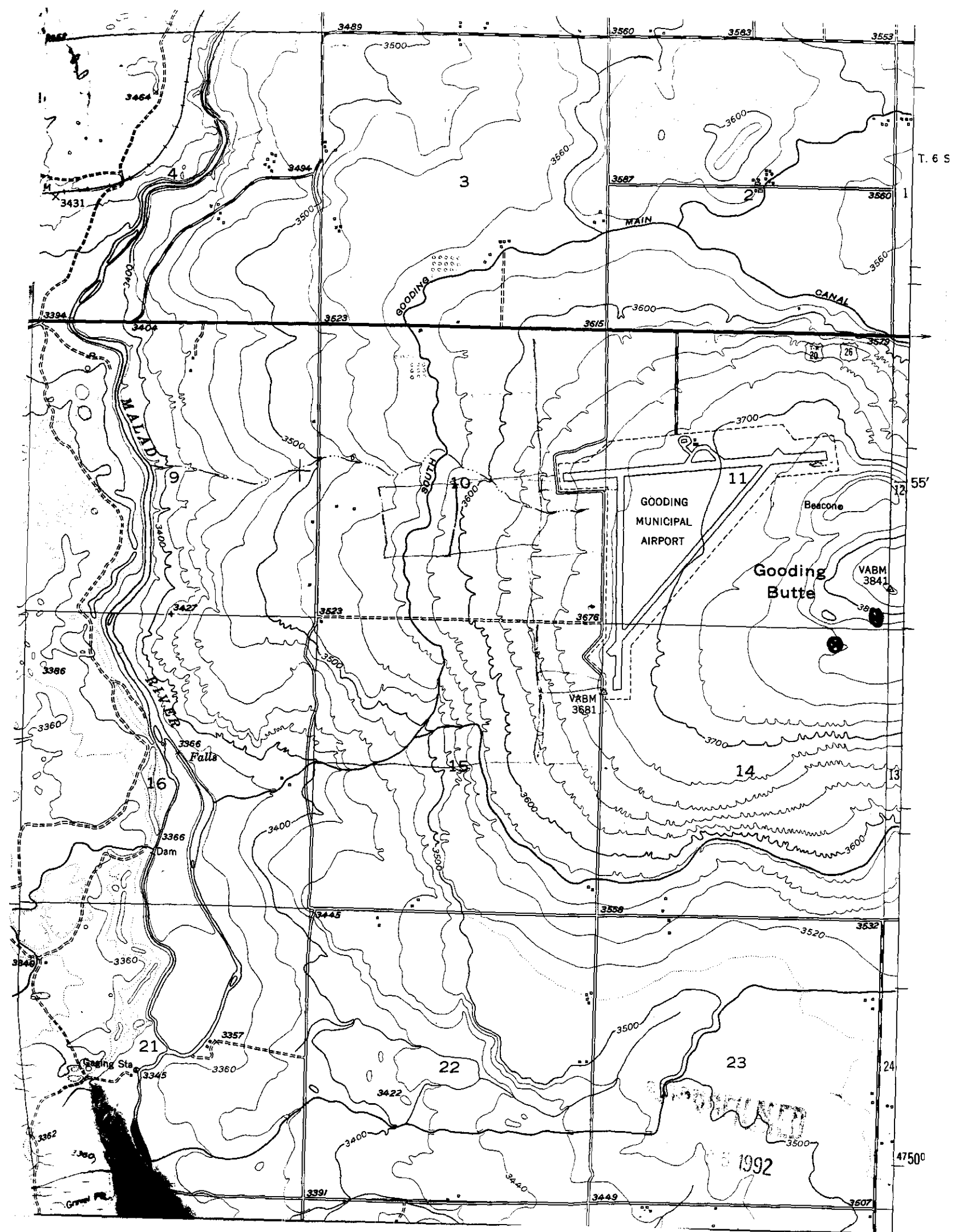
RECEIVED

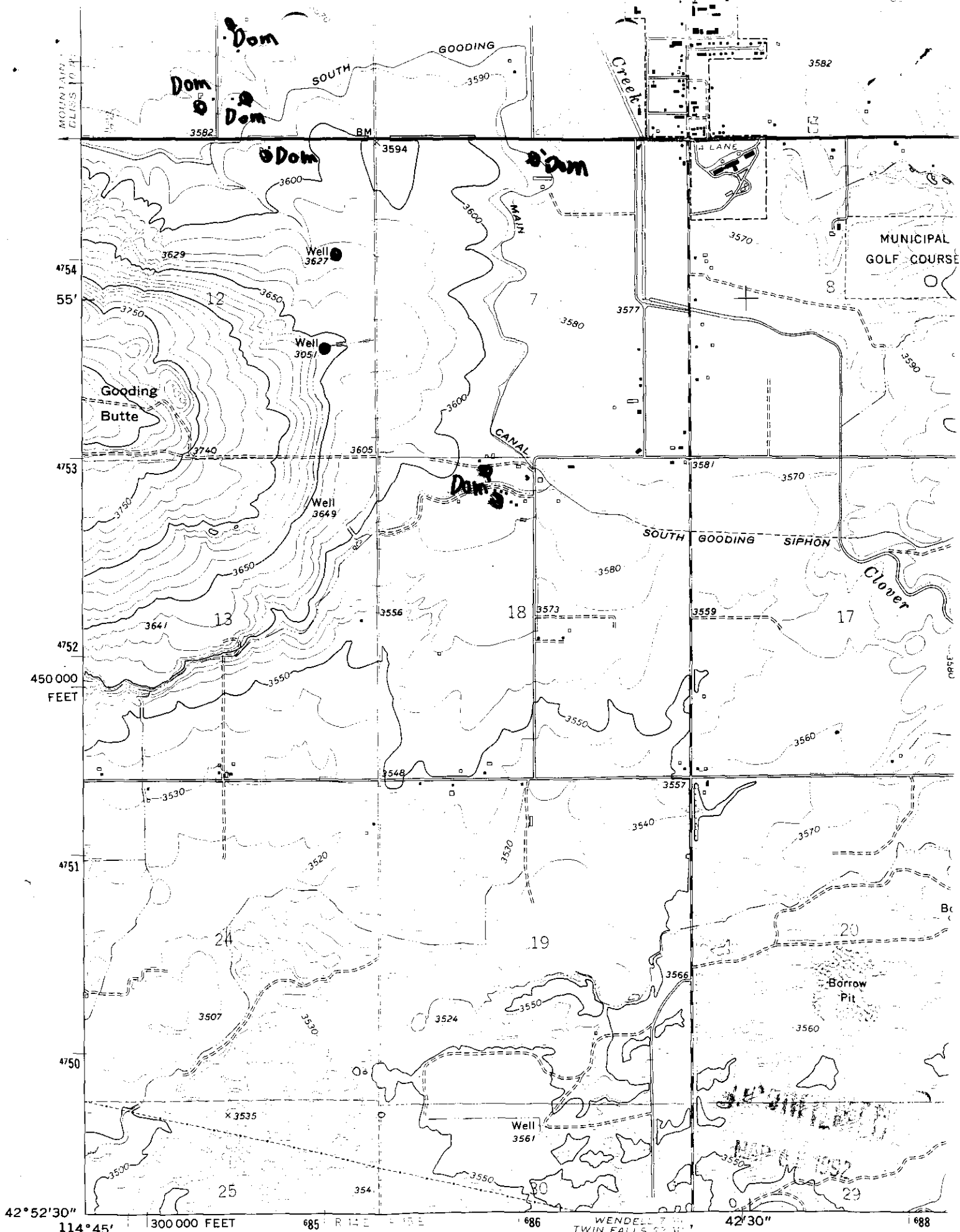
MAR 05 1992

2- No other approvals are required.

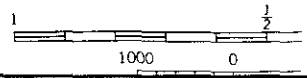
Rule 4, 5, 3, 4. The project is completed & has been used for five years, so no additional financial data is submitted.

Rule 4, 5, 3, 5. This land is too high to be served by the canal system. The project will not impact any wetlands, live streams, tribal lands, etc.





Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS



3069 IV SE
(TUTTLE)

27-Jan-1992

ATTN DAVID BLACKER
BUTTE ENTERPRISES INC
1765 HWY 26
GOODING ID 83330

Re: Application for Permit No. 37-08742

Dear Mr. Blacker:

Your application, which proposes to place more than 200 acres under irrigation, is subject to the additional information requirements of Rule 4,5,3. of the Department's Rules and Regulations for Water Appropriation.

Enclosed is a copy of the rule and a guide to providing the required information.

The additional information must be submitted within thirty (30) days or, if this is not possible, this office must be notified and additional time may be granted.

If you have any questions, please contact this office.

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Enclosures

RECEIVED
MAR 05 1992

GUIDELINE FOR SUBMITTING ADDITIONAL INFORMATION

This outline is intended to assist you with providing the additional information required under Rule 4,5,3. and may help answer questions as to the type of information you should submit.

The outline below follows the same order as the attached rules. Please take the time to review the outline. Much of the information requested under Rule 4,5,3. may already be available to you. Gathering the necessary information may be of benefit to you in planning the proposed development.

Rule 4,5,3,1. Information relative to effects on existing rights:

1. If diverting from a surface water source with 5 or fewer existing users, submit the water right numbers held by those users if available. If not available, submit the names and addresses of those users and describe the location of their diversions and types of use associated with those diversions.

2. If you are diverting from a groundwater source, submit a map locating your proposed well and all other wells within a 1/2 mile radius of your well. It would be helpful to describe the use from those wells (i.e.; domestic, irrigation etc.). You are not required to submit a map if there are no wells within the 1/2 mile radius, but you should indicate if there are no existing wells within that radius, if that indeed is the case.

3. This rule seeks general information about the type of irrigation system you intend to install and how the project may affect other users. If you feel your proposed project will not affect other users, then explain why. You may describe any techniques or equipment you intend to employ which may reduce impacts on other water rights or promote water conservation.

Rule 4,5,3,2. Information relative to sufficiency of water supply:

1. Provide projections for your peak and average water demands. While your well or diversion may not yet be completed, you should be able to estimate project demand based on size of project (or number of acres irrigated), type or texture of local soils, type of crops grown, and type of irrigation system used. Demand projections should be given in terms of **flow rate (cfs or gpm)** and **annual volume diverted (acre-feet)**.

Example: A 40 acre tract with 6 handlines and 20 heads/line discharging 3 gpm/head would produce a total flow rate of about 360 gpm or 0.8 cfs (1 in/acre). This flow rate multiplied by average number of hours per set, sets per irrigation and irrigations per year provides number of acre-feet per year or annual volume.

2. You should be able to provide some basic information about the nature of the water supply. If the diversion is from a surface water

MAR 05 1992

source for example, you should provide stream flow data or estimate the amount of stream flow available for diversion and describe generally the seasonal availability of water. If you are diverting from a groundwater source, you should be able to generally describe the aquifer which you plan to divert from, i.e.; deep confined or shallow unconfined aquifer, depth to water level or depth to aquifer, known yields from wells within the same aquifer etc.

Rule 4,5,3,3. Information relative to good faith, delay, or speculative purposes of the applicant:

1. If you do not own the land to be irrigated and/or where the point of diversion is located, you must submit copies of lease agreements, easements or rights-of-way etc. If you are the owner of the place of use and point of diversion, documentation of ownership is not required.
2. If applicable, submit copies of applications for permits or approvals which are needed from other government agencies or individuals in order to complete the water development project.

Rule 4,5,3,4. Information relative to financial resources:

1. and 2. Submit a current financial statement or other statement describing how you will finance the project. You must also submit basic estimates of construction and equipment costs of the proposed project.

Rule 4,5,3,5. Information relative to conflict with the local public interest:

1. You, as the applicant, bear the initial burden of coming forward with evidence as to whether your proposed project may have any affect concerning local public interest. If you have any reason to believe that the proposed project under your application may be of concern to any local individuals, governments, tribal reservations, irrigation districts, the State Fish and Game Department, or Health and Welfare Department, then you are responsible for seeking comments from those individuals or groups. This requirement is mandatory for projects located within irrigation districts, canal companies or tribal reservations (failure to obtain comments from the irrigation district, canal company or reservation will delay approval of the application.). All comments must be submitted to the Department of Water Resources.

RECEIVED
MAR 05 1992

IDAHO DEPARTMENT OF WATER RESOURCES RULES AND REGULATIONS

4,5,3. Information to be submitted

The following information shall be submitted for applications to appropriate unappropriated water or trust water and for permits being reprocessed for trust water. The additional information submittal requirements of this rule are waived for filings which seek to appropriate five (5) cfs or less or storage of five hundred acre-feet (500 A-F) or less and for filings seeking reallocation of trust water which the director determines will reduce the flow of the Snake River measured at Murphy Gauge by not more than two (2) acre-feet per day. For filings proposing irrigation as a purpose of use, the additional information is required if more than 200 acres will be irrigated. However, the director may specifically request submittal of any of the following information for any filing, as he determines necessary.

4,5,3,1. Information relative to the effect on existing water rights, Section 42-203A(5)(a), Idaho Code, shall be submitted as follows:

4,5,3,1,1. For applications appropriating springs or surface streams with 5 or fewer existing users, either the identification number, or the name and address of the user, and the location of the point of diversion and nature of use for each existing water right shall be submitted.

4,5,3,1,2. For applications appropriating groundwater, a plat shall be submitted locating the proposed well relative to all existing wells and springs and permitted wells within a one-half mile radius of the proposed well.

4,5,3,1,3. Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights.

4,5,3,2. Information relative to sufficiency of water supply, Section 42-203A(5)(b), Idaho Code, shall be submitted as follows:

4,5,3,2,1. Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.

4,5,3,2,2. Information shall be submitted on the quantity of water available from the source applied for, including, but not limited to, information concerning flow rates for surface water sources available during periods of peak and average project water demand, information concerning the properties of the aquifers that water is to be taken from for groundwater sources, and information on other sources of supply that may be used to supplement the applied for water source.

4,5,3,3. Information relative to good faith, delay, or speculative purposes of the applicant, Section 42-203A(5)(c), Idaho Code, shall be submitted as follows:

4,5,3,3,1. The applicant shall submit copies of deeds, leases, easements or applications for rights-of-way from

RECEIVED
MAR 05 1992

federal or state agencies documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. Applicants for hydropower uses shall also submit information required to demonstrate compliance with Sections 42-205 and 42-206, Idaho Code.

4,5,3,3,2. The applicant shall submit copies of applications for other needed permits, licenses and approvals, and must keep the department apprised of the status of the applications and any subsequent approvals or denials.

4,5,3,4. Information Relative to Financial Resources, Section 42-203A(5) (d), Idaho Code, shall be submitted as follows:

4,5,3,4,1. The applicant shall submit a current financial statement certified to show the accuracy of the information contained therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the beneficial use proposed.

4,5,3,4,2. The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications.

4,5,3,5. Information Relative to Conflict with the Local Public Interest, Section 42-203A(5) (e), Idaho Code, shall be submitted as follows:

4,5,3,5,1. The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the governing body of the city and/or county and tribal reservation within which the point of diversion and place of use are located, the Idaho Department of Fish and Game, the Idaho Department of Health and Welfare, Division of Environment, and any irrigation district or canal company within which the proposed project is located and from other entities as determined by the director.

4,5,3,6. The following information Relative to the Public Interest Criteria of Section 42-203C(2), Idaho Code, shall be submitted by an applicant seeking reallocation of trust water for a project which the director determines will reduce the flow of the Snake River by more than two (2) acre-feet per day. For filings proposing irrigation as a purpose of use, the additional information is required if more than 200 acres will be irrigated. The director may request any or all of the following information for any filing seeking the reallocation of trust water.

4,5,3,6,1. A project design and estimate of cost of development shall be submitted. For applications appropriating more than 25 cfs, or 10,000 AF of storage, or generating more than 5 megawatts, the information shall be prepared and submitted by a qualified engineer licensed under the provisions of Chapter 12, Title 54, Idaho Code, unless waived by the director. The design shall be definite enough to reflect the project's impacts and implications as required in subsequent rules.

RECEIVED
MAR 05 1992

4,5,3,6,2. If the project proposes development for irrigation purposes, information shall be submitted on crop rotation, including acreages, for lands when newly developed.

4,5,3,6,3. Information shall be submitted concerning the number and kinds of jobs that will be created or eliminated as a direct result of project development including both the construction and operating phases of the project. If jobs are seasonal, the estimated number of months per year of employment shall be submitted.

4,5,3,6,4. For applications or permits being reprocessed for more than 25 cfs, or more than 10,000 Af of storage, or more than 5 megawatts, information shall be submitted concerning the changes to community services that will be required during the construction and operation phases of the project including, but not limited to, changes to schools, roads, housing, public utilities and public health and safety facilities, if any.

4,5,3,6,5. Information shall be submitted concerning the source of energy for diverting and using water for the project, the estimated instantaneous demand and total amount of energy that will be used, the efficiency of use, and energy conservation methods.

4,5,3,6,6. Information shall be submitted concerning the location, amount, and quality of return flow water, and any water conservation features of the proposed project.

4,5,3,6,7. If the project proposes irrigation as a use, information shall be submitted concerning the kinship, if any, of the operator of the land to be irrigated by the project to the applicant, the location and acreage

of other irrigated lands owned, leased, or rented by the applicant, the names, addresses and number of shares held by each shareholder if the applicant is a corporation, evidence of tax-exempt status if a corporation is so claiming, a soil survey prepared in accordance with the U.S. Soil Conservation Service irrigable land classification system, and a schedule for bringing into production the project lands.

MAR 05 1992

MEMORANDUM

TO: SOUTHERN REGION

FROM: PAM SKAGGS

RE: RULE 4,5,3 INFO.

APPLICATION 37-08742

DATE: 21-JAN-1992

=====

This application is being returned to the region because it is incomplete. The application proposes to add supplemental water on 404 acres and to develop 343 new acres (See Remarks on Application). This exceeds the 200 acres new development and Rule 4,5,3 information is required.

There is no evidence in the file that this information was ever requested, or any reference on the region review sheet. Please, attempt to gather all the required information before forwarding applications to the State Office. Thank you for your prompt attention to this matter in order to avoid any further delay in processing.

RECORDED

MAR 05 1992

APPLICATION FOR PERMIT REVIEW

Application #: 37-8742
Date: 01-17-92

Reviewer: Pam Skaggs

- ✓ Existing:
 - No - 26A-P17
 - Complete in 1 year - P16
- ✓ Yes
 - ✓ Proof not submitted - P16
 - Proof submitted - N/A
- ✓ Groundwater:
 - ✓ GT. 0.2 cfs - 01G-P03, 01C-P03 (existing well)
 - LT. 0.2 cfs - N/A
- ✓ Drilling Permit:
 - Approved w/permit - P99
 - Not included - 046-P23 (All GW, even existing wells)
- ✓ Location:
 - Water Districts - WD No. _____
 - Surface water - 005, 005-01H-P01 (LT.2 w/pump)
005-01J-P08 (GT.2)
 - Groundwater - P05
 - Irrigation Districts - 023
 - Canal Co. Areas - 023
 - Drainage Districts - 024
 - Boise Front (63) - 058 (Groundwater)
 - ✓ Swan Falls Flag - 7 (1, Blank or Other)
 - ✓ Trust - 051-052-053-P74 (Consumptive Uses)
 - Non Trust - 048-049
- River Basins:
 - (Surface Water) Water District Control Condition &....
 - Boise (63) - 05A & 11E
 - Payette (65) - 047-P04, 059-P71
 - SNAKE (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)
- Use:
 - Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)
 - Power - Use Power Review
 - Mining - 06A, 010, or 09E-P10 & 054(req.)
 - Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)
 - Rec. & Aesthetic - 027(Non-Consumptive)
 - Domestic - 021(restricted areas)
- Ownership:
 - Non land owner - 004
- Protested:
 - Agreement - 020

- ✓ Beneficial Use Due Date: - 02-01-1993
- Other Conditions Recommended Route for Trust Review/Supplemental & New
Rule 4, 5, 3 - Info - 343 acres new development

MAR 05 1992

RECEIVED

memo
2-26-92

2-26-92
memo

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

Butte ENTERPRISES
INC

INITIAL REVIEW BY AD DATE 6-17-91 APPLICATION NUMBER 37-08742

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ 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
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt ***PROPOSED PRIORITY DATE 3-28-91
1:10 PM

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☐ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☒ See reverse side for additional information

RECEIVED
DEC 13 1991

Department of Water Resources

SWAN FALLS HOLD? ☒

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

SEND COPIES TO _____ Idaho Dept. of Health & Welfare _____ U.S. BLM
 _____ Idaho Dept. of Fish & Game _____ U.S. Forest Service
 _____ Idaho Dept. of Lands _____ Water District
 _____ Adjudication Bureau Unit _____ Other _____

☒ Yes ☐ No Affidavit of publication received

☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application

☐ Yes ☒ No Protests received

☐ Yes ☒ No Final date for protest 8/24/91

☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application

☐ Yes ☒ No Recommendations attached

☐ Yes ☒ No Measuring device required

☒ Yes ☐ No Access port required

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____

☒ Yes ☐ No Special conditions of approval or cover letter below. _____

016, 43,

See below for additional information

Date of priority recommended 3/28/91
BY Larry O. Palmer Date 12/9/91

See below for additional information

By _____ Date _____

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

23-Jul-1991

R. KEITH HIGGINSON
Director

ATTENTION DAVID BLACKER
BUTTE ENTERPRISES INC
1765 HWY 26
GOODING ID 83330

Re: Application for Permit No. 37-08742

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Gooding County Leader on 8/7 & 8/14/91. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks. Please see attached list for additional information requirement.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

MAR 05 1992

S. Region
5/89

Application No. 37-08742

ADDITIONAL INFORMATION REQUIREMENTS
FOR APPLICATIONS IN THE NAME OF A CORPORATION,
COMPANY, OR PARTNERSHIP

In reviewing the application for compliance with the requirements of the Department's Rules and Regulations for Water Appropriations, we have determined that the following information is required to make the Application complete for processing.

- 1) If the Application is filed in the name of a corporation, the names and addresses of its directors and officers shall be provided. If the application is filed by or in behalf of a partnership or joint venture, the application shall provide the names and addresses of all partners and shall designate the managing partner, if any. (Rule 3,3,2,1)

Because the required information does not appear in the legal notice, we are proceeding with advertising of your Application. If the required information is received within ten days of the second publication date, no additional delay should be incurred in processing.

RECEIVED

MAR 05 1992

NOTICE APPLICATION FOR TRUST RIGHT

37-08742

BUTTE ENTERPRISES INC.
1765 HWY. 26
GOODING, ID 83330

Source: GROUNDWATER

Diversion Pt: SESESE Sec 11 T 06S R 14E
SESENE Sec 12 T 06S R 14E
NWNESE Sec 12 T 06S R 14E
NWNENE Sec 14 T 06S R 14E

Use: IRRIGATION (4.980 CFS)
Total Diversion: (4.980 CFS)

Date Filed: 3/28/ 1991

In: T06S R14E S11	NESE	SWSE	SESE	
S12	NENE	NWNE	SWNE	SENE
	NENW	SENW	NESW	NWSW
	SWSW	NESE	NWSE	SWSE
	SESE			
S13	NENE	NWNE	SWNE	SENE
	NENW	SENW	NWSW	
S14	NWNE	SWNE	NESE	NWSE

747.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone St., East, Twin Falls, Idaho 83301 on or before AUGUST 26, 1991.

R. Keith Higginson, Director

Published 8/ 7/1991 & 8/14/1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208) 734-3578

JULY 15, 1991

GOODING COUNTY LEADER
BOX 56
GOODING, ID 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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 AUGUST 26, 1991.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECORDED

MAR 05 1992