

5N-3W

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 052145
Receipt By: LBAM
Date Received: 2/5/01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 05 2001

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 63-12562 Telephone No. 208 454-3984
2. Name of Permit Holder(s): FREDERICK ROBERT LAPPIN + JEREE LAPPIN
3. Mailing Address: 16557 Hollow Rd.
City Caldwell State ID. Zip 83607
4. Source of Water: _____ If **GROUNDWATER** (well), Date Drilled: mo. 6/19 / yr. 1997
Well Driller: Sylvan Adamson Drilling Permit Number: 63-97W-03d-000
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): 3
Irrigation (No. of acres): NA Other: NA
6. Total rate of diversion and/or volume for which proof is submitted: .06 cfs OR _____ acre-feet
7. Measuring Device Requirement: **(refer to the approval conditions on your permit and respond accordingly)**
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X
8. Fee Enclosed: \$ \$50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Jerree Lappin Telephone Number: 208 454-3984
Address: 16557 Hollow Rd. Cald. ID. 83607
10. **The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.**

Signature of permit holder: + Jerree Lappin Date: 2-2-01
(include your title, if on behalf of company or organization)

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FEB 15 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12562

Priority: January 3, 2000

Maximum Diversion Rate:

0.06 CFS

This is to certify, that **FREDERICK ROBERT LAPPIN**

JEREE LAPPIN

16557 HOLLOW RD

CALDWELL ID 83605

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>
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 8, Township 05N, Range 03W
CANYON County

PLACE OF USE: STOCKWATER

TWN RGE SEC

05N 03W 8

NENW

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before April 1, 2001.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Domestic use is for 1 home.
5. Stockwater use is for 3 range cattle and/or horses.

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

14 day of April, 2000.

Karl J. Dreher
for Karl J. Dreher, Director

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APR 5 2000

Department of Water Resources

Ident. No. 63-12562

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

RECEIVED

FEB 10 2000

WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

1. Name: FREDERICK ROBERT LAPPIN 208-454-3984
Address: 16557 HOLLOW RD
CALDWELL ID 83605

AND

Name: JEREE LAPPIN 208-454-3984
Address: 16557 HOLLOW RD
CALDWELL ID 83605

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NENW Sec. 8, Township 05N, Range 03W
CANYON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

5. Total quantity to be appropriated is:
0.060 CFS (and/or) AF

6. Proposed diverting works:

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

WELL

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 6 inches; proposed depth of well is
feet.

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

e. If well is already drilled, when? 06/19/1997

Drilling Firm ADAMSON DOMESTIC PUMP

Well was drilled for APPLICANT

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

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APR 25 2000

8. Place of Use: STOCKWATER

TWN RGE SEC
05N 03W 8 NENW

Place of Use: DOMESTIC, same as STOCKWATER 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.

James Lassin
Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 150.00 Receipted by _____ #W026053 Date 1/13/2000

Publication prepared by _____ Date _____ Published in _____

Publication approved LM Date 3-22-00

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APR 25 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Fredrick Robert E. Jerec Lappin Phone 208 454 3984
Post Office address 16557 Hollow Rd. Caldwell ID 83605
2. Source of water supply Domestic well which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____
Sec. 8 Township 5N Range 3W B.M. BM County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Stock water 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)
5. Total quantity to be appropriated is (a) _____ and/or (b) 0.06
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Drilled well w/one home
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 6 inches; proposed depth of well is 167 feet.
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? 6/19/97; Drilling firm #483 Adamson - Domestic Pump
Well was drilled for (well owner) Applicant
7. Time required for completion of works and application of water to proposed beneficial use is _____ 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 if KW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. 1 House Hold
e. Other; describe fully. _____

SEE ATTACHED WELL LOG

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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	
5N	3W	8					D												

Total number of acres to be irrigated _____

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 enable the applicant to make this filing: _____

12. Remarks: _____

13. MAP OF PROPOSED PROJECT ATTACHED _____ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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.

Joree Lappin
(Applicant)

Received by JFW Date 1/13/2000 Time 2:00 PM Preliminary check by LG
 Fee \$ 50.00 Received by JFW # W026053 Date 1/13/2000
 Publication prepared by AT Date 3-2-99 Published in PRESS TRIBUNE
 Publication approved AT Date 3-2-99 MICROFILMED

APR 25 2000

15 MI. TO U.S. 95
BLACK CANYON INTERCHANGE 4.5 MI.

PAYETTE CO.
CANYON CO.

Sand

Hollow

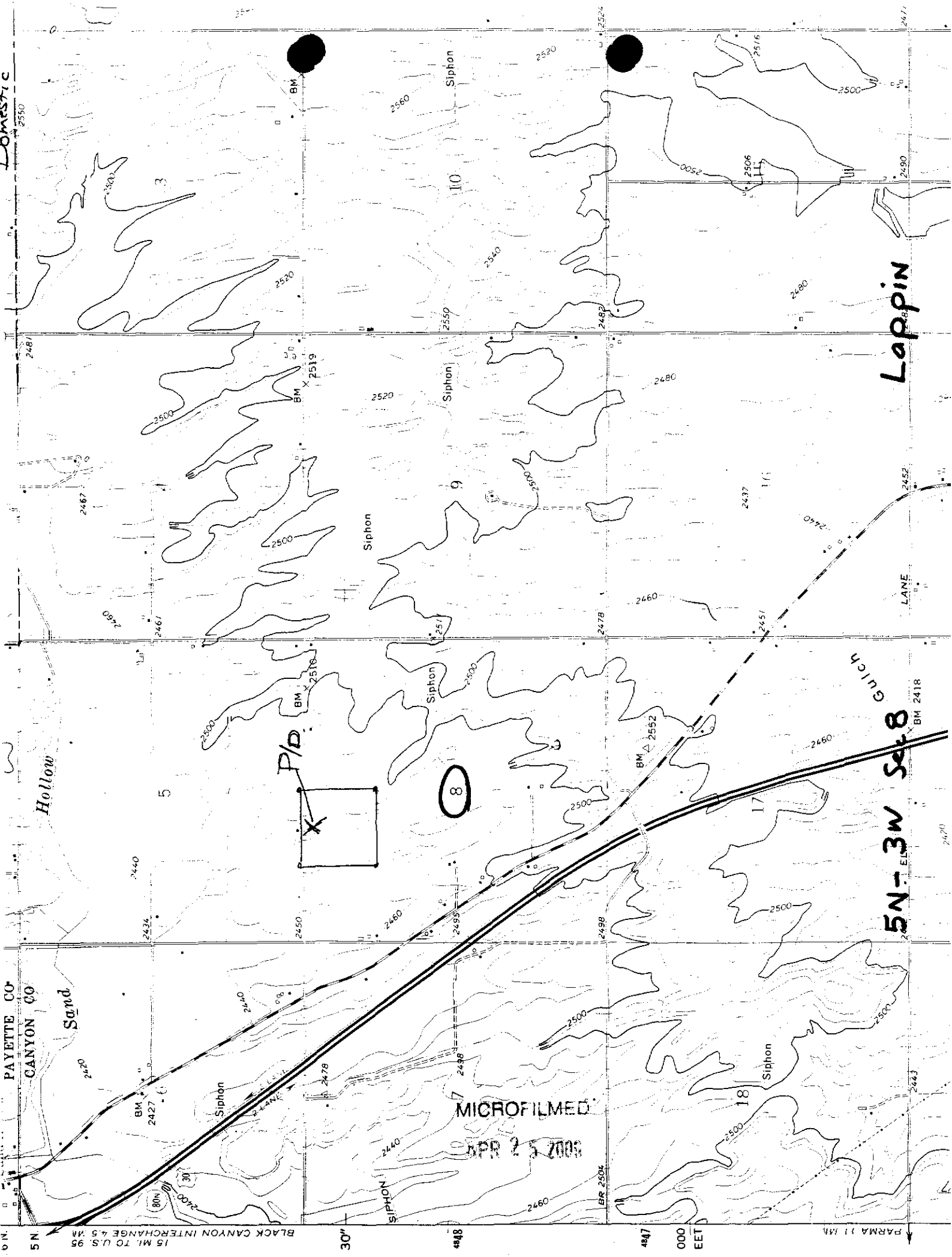
Domestic

Lappin

5N-3W Set 8

Guich

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APR 25 2005



Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: : : Long: : :
☒ Air ☐ Flowing Artesian

1. DRILLING PERMIT NO. 63-97-W-0301 - 000

Other IDWR No. _____

2. OWNER:

Name Frederick K Lappin
Address 24609 Frezont Rd
City Caldwell State Id Zip 83605

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
 W E S
 Twp. 5 North ☒ or South ☐
 Rge. 3 East ☐ or West ☒
 Sec. 8 1/4 NE 1/4 NW 1/4
 Gov't Lot _____ 10 acres 40 acres 160 acres
 County Canyon
 Lat. : : Long. :
 Address of Well Site 6 Mi. E of old Hw 30
on hollow rd South Side City Caldwell
 (Give at least name or road + Distance to Road or a landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Dry Gran Bent + Well Cuttings	0	18	300 lb	Overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 160

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

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6	+2	160	250	Steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe 10' Length of Tailpipe 0

9. PERFORATIONS/SCREENS

— Perforations Method _____

☒ Screens Screen Type SS

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
162	167	16		5"	SS	☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURES

56 ft. below ground Artesian pressure lb.

Depth flow encountered, 1 ft. Describe access and/or

control devices: Sanitary Well Cap

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
40	NA	105	15 Mins
70	NA	180	15 Mins

Water Temp. 59° Bottom hole temp. 44

Water Quality test or comments: Clear

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

[illegible]

Completed Depth 167 (Measurable)

Date: Started 5/21/97 Completed 5/22/97

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Domestic Pump & Milling Firm No. 482

Firm Official _____ Date _____

Supervisor or Operator Ch. Johnson Date 6/19/97

(Sign once if Firm Official & Operator)

PN 42218

9705383

WARRANTY DEED

g.d.

FOR VALUE RECEIVED RONNIE MILLS BITNER, also known as RON M. BITNER, A SINGLE MAN

the Grantor, does hereby grant, bargain, sell and convey unto FREDRICK R. LAPPIN and JEREE LAPPIN, husband and wife

the Grantees, whose address is 24609 FREEZEOUT ROAD, CALDWELL, ID 83605

the following described premises, to-wit:

The Northeast Quarter of the Northwest Quarter of Section 8, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1997 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: February 20, 1997

Ron M. Bitner
RON M. BITNER

STATE OF IDAHO

COUNTY OF CANYON

On this 21st day of February, 1997, before me a notary public, personally appeared RON M. BITNER, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they have executed the same.

Edith R. Dell
Notary Public

Residing at NAMPA, IDAHO

My commission expires: 8-24-98

REQUEST
TYPE Deed FEE 3.00
PIONEER — NAMPA

BY W. Chancy
CANYON COUNTY RECORDER

97 FEB 21 PM 4 29

RECORDED

9705383

PIONEER TITLE COMPANY
OF CANYON COUNTY

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APR 25 2000

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

N Q N.W. Q 58-5N 3.4 Bore

Jan 13, 1997

Data Entry

CANYON COUNTY - Planning & Zoning
RECEPTION

PZFM001

Assessor's Account 7R37775000 0		Owner(s) SEALE, BONNIE L BITNER, RON M	
Applicant - Name and Address Last First MI LAPPIN JEREE		Legal Description 08-5N-3W NW Bldg Cls MH? N NENW LESS 1/4 MINERAL RIGHTS	
Company Adrs 24609 FREEZEOUT RD City CALDWELL St ID Zip 83605 Home (208) 454-3984 Wk () -		Acres 40.00 Parcel 05N03W082400 Site HOLLOW RD CA Subdivision	
Applicant's Consultant Company Adrs City St ID Zip Home Wk		Date Jan 13, 1997 Time 11:54 am Reception No 4083	

Information/Notes

IS BUILDING PERMIT AVAILABLE ON THIS PROPERTY?

Clerk LCN

Data Available?

Case No 974083A08-5N-3W

N Zoning Compliance
N Zoning and C.U.P.
N Subdivision
N Parcel Division
N Enforcement

Office Visit(s) - Date

Zoning Officer Note

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APR 25 2000



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

February 6, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FREDERICK ROBERT LAPPIN
JEREE LAPPIN
16557 HOLLOW RD
CALDWELL ID 83605

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12562

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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.

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

MICROFILMED

Encl.

c: IDWR - Regional Office

FEB 06 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 63-12562

Reviewed By: dgibson

Date: February 6, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:	63-97-W-0301-00	
Appropriate fee submitted?	X		Drilling permit upgrade needed?	0	
Receipt No.:	C052145		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	02/05/2001
Date proof due	- 04/01/2001
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 01/03/2000
New priority date	= 01/03/2000

Deficiencies of Actions Items

Acknowledge proof.

MICROFILMED

9905 10 5 2001

January 31, 2001

FREDERICK ROBERT LAPPIN
JEREE LAPPIN
16557 HOLLOW RD
CALDWELL, ID 83605

PROOF DUE NOTICE

RE: PERMIT NO. 63-12562

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. 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.

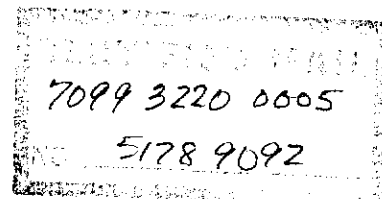
Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures

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MAR 0 5 2001





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

April 14, 2000

FREDERICK ROBERT LAPPIN
JEREE LAPPIN
16557 HOLLOW RD
CALDWELL ID 83605

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12562

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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 into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

FILED

2000

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

Sincerely,

Kari Lynn Townsend
for Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

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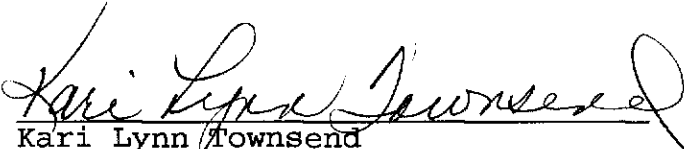
APR 2 1988

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of April, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 63-12562

FREDERICK ROBERT LAPPIN
JEREE LAPPIN
16557 HOLLOW RD
CALDWELL ID 83605


Kari Lynn Townsend
Secretary

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APR 25 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

CERTIFICATE OF SERVICE

All documents intended to be part of the Department record in connection with a preliminary order shall be served upon the representatives of each party of record. Every document filed with and intended to be part of the agency record must be attached to or accompanied by proof of service by the following or similar certificate.

I HEREBY CERTIFY (swear or affirm) that I have this day of _____, served the foregoing (name(s) of document(s)) upon all parties of record in this proceeding, (by delivering a copy thereof in person: (list names)) (by mailing a copy thereof, properly addressed with postage prepaid, to: (list names)).
(Signature)

MICROFILMED
APR 25 2000

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case.

FINAL ORDER

The Department 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 Department 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.

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.

RIGHT TO HEARING

Pursuant to Section 42-1701A(3), Idaho Code, unless the right to a hearing before the Department is otherwise provided by statute, any person aggrieved by any decision, determination, order, or action of the Department or any applicant for any permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the Department, who is aggrieved by a denial or conditional approval ordered by the Department, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Department to contest the denial or conditional approval upon filing with the Department, within fifteen (15) days after receipt of the denial or conditional approval, a written permission stating the grounds for contesting the action by the director and requesting a hearing.

APPEAL OF FINAL ORDER TO DISTRICT COURT

If a preliminary order becomes final, any party aggrieved by the final order or orders previously issued in the 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 (a) a hearing was held, or (b) the final agency action was taken, or (c) the party seeking review of the order resides, or (d) 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. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal. See Sections 67-5270 through 67-5273, Idaho Code.

MEMORANDUM

To: File 63-12562

FROM: Sharla

DATE: April 12, 2000

RE: Telecon

On this date I spoke with Mrs. Lappin concerning the number and type of stock related to this application. She told me they have 3 head of cattle and horses. This information will be placed on the permit. The priority date of this right remains the original filing date of January 3, 2000. The priority date does not need to be advanced to the date the Amended application came in -- first of all, the amended application didn't contain anything new and the only thing sought by the amended application was the number and type of stock. This type of information does not result in an advancement of priority.

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APR 25 2000

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 4/7/00

No. 103-12562 Name: Lappin Corp. Officers N/A Ad ok ☒ Govt Lots _____

AREA OF CONCERN: No/Yes TRGW Moratorium study area GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LeGeo - 058 (<85 GW)
~~Mitigation~~ - 121
42-248 Area - P84(20s-70s, 81-86)
Swan Falls Flag
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS) N/A
MINING - 054-081(P10)
FISH/PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 4/01/2001

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response _____
In/Above MSF - WB9
PLANNING SECTION REVIEW/RESPONSE _____
In-stream development - P52
WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map)

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

APR 5 2000

IDaho DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: ly DATE: 1/25/00 APPLICATION: 63-12562

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: Canyon
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Gov't. Lots:
☒ P/D
☒ P/U

N ADVERTISE REMARK(S)
(Reviewer identify which remarks)

ADDITIONAL INFORMATION

done T FLAG CHANGED TO P FLAG

YES NO

- N/A ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ Overlapping point of diversion.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium:
- ☒ Surface water source, IDFG letter needed.
- ☒ Protected river or minimum flow reach, notify water planning bureau.
- ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ Mitigation plan: Check any that apply.
- ☐ immediate = acceptable plan required and submitted.
- ☐ future = open areas, acceptance of condition of approval is in file.
- ☒ Send power requirement letter &/or fish farm requirement letter.
- ☒ Power residency affidavit:
- ☒ 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

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO. 6-12562

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: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

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

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. # _____
☐ ☒ Water Planning Bureau
☐ ☒ 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:
☒ ☐ Final date for protest 3-20-00
☐ ☒ Protests received.
☐ ☐ Recommendations attached:
☐ ☐ Measuring device required:
☐ ☐ Water delivered by water master? District # _____
☐ ☐ Special conditions of approval or cover letter: Standard

See below for additional information

Recommended Date or Priority 2/10/00

Recommended by: W. Bauer

Date: 3/29/00

ADDITIONAL INFORMATION:

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Carolyn Roberson
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States, and at all times
hereinafter mentioned was over the age of eighteen years, and
not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a
daily newspaper published in the City of Nampa and Caldwell,
in the County of Canyon, State of Idaho; that the said
newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Nampa and Caldwell, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of
the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper (TWICE) in the regular and entire
issue of said paper, and was printed in the newspaper proper,
and not in a supplement.

4. That said notice was published the following dates:

March 2, 9, 2000

Carolyn Roberson

STATE OF IDAHO)
)
County of Canyon)

On this 9TH day of MARCH in
the year of 2000 before me a Notary Public, personally
appeared Carolyn Roberson, known or identified to me to be
the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements
therein are true, and acknowledge to me that she executed the
same.

Janet Lusk
Notary Public for Idaho

Residing at Nampa

My Commission expires June 21st, 2003

RECEIVED

MAR 13 2000

WATER RESOURCES
WESTERN REGION

MICROFILMED

MAR 23 2000

RECEIVED

MAR 13 2000

WATER RESOURCES
WESTERN REGION

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12562

LAPPIN, FREDERICK ROBERT

LAPPIN, JEREE

16557 HOLLOW RD

CALDWELL, ID 83605

Source: GROUNDWATER

Diversion Pt: NENW Sec 8 T 05N R 03W in CANYON County.

Use: STOCKWATER { 0.020 CFS)

DOMESTIC { 0.040 CFS)

Total Diversion: { 0.060 CFS)

Date Filed: 1/3/2000

In: CANYON COUNTY

T05N R03W S08 NENW

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 for each application on or before MARCH 29, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

March 2, 9, 2000

578

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APR 25 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FEBRUARY 23, 2000

Legal Notices Department
Press-Tribune
P.O. Box 9399
Nampa, ID 83652

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 MARCH 29, 2000.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

APR 25 2000

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MICROFILMED
APR 25 2000

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KARL J. DREHER, Director

Published: 3/ 2/2000 & 3/ 9/2000

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APR 2 5 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 1, 2000

Frederick Robert & Jeree Lappin
16557 Hollow Rd
Caldwell ID 83605

Re: Application For Permit No. 63-12562

Dear Applicants:

Your recent application for domestic and stockwater uses from an existing well was received 1/13/2000. Enclosed is a copy of the original application. The highlighted items have been clarified by the Department to correspond to Department standards. The enclosed computer generated **amended application** reflects these changes.

Information that was missing from the original application includes:

8.b. Number and kind of livestock.

Please list this information in the remarks section of the **amended application**.

If you disagree with any of the clarifications, please line through the data on the **amended application**, then list and initial your correction. After your review, please sign and return for processing within 30 days from the date of this letter. Your priority date will be the date the completed amended application is received by this office.

If the above request is not timely submitted, IDWR will remove the application from its records.

Please contact me at this office if you have any questions.

Sincerely,

Lori Graves
Water Allocations

Encl: original application copy, amended application

MICROFILMED

APR 25 2000