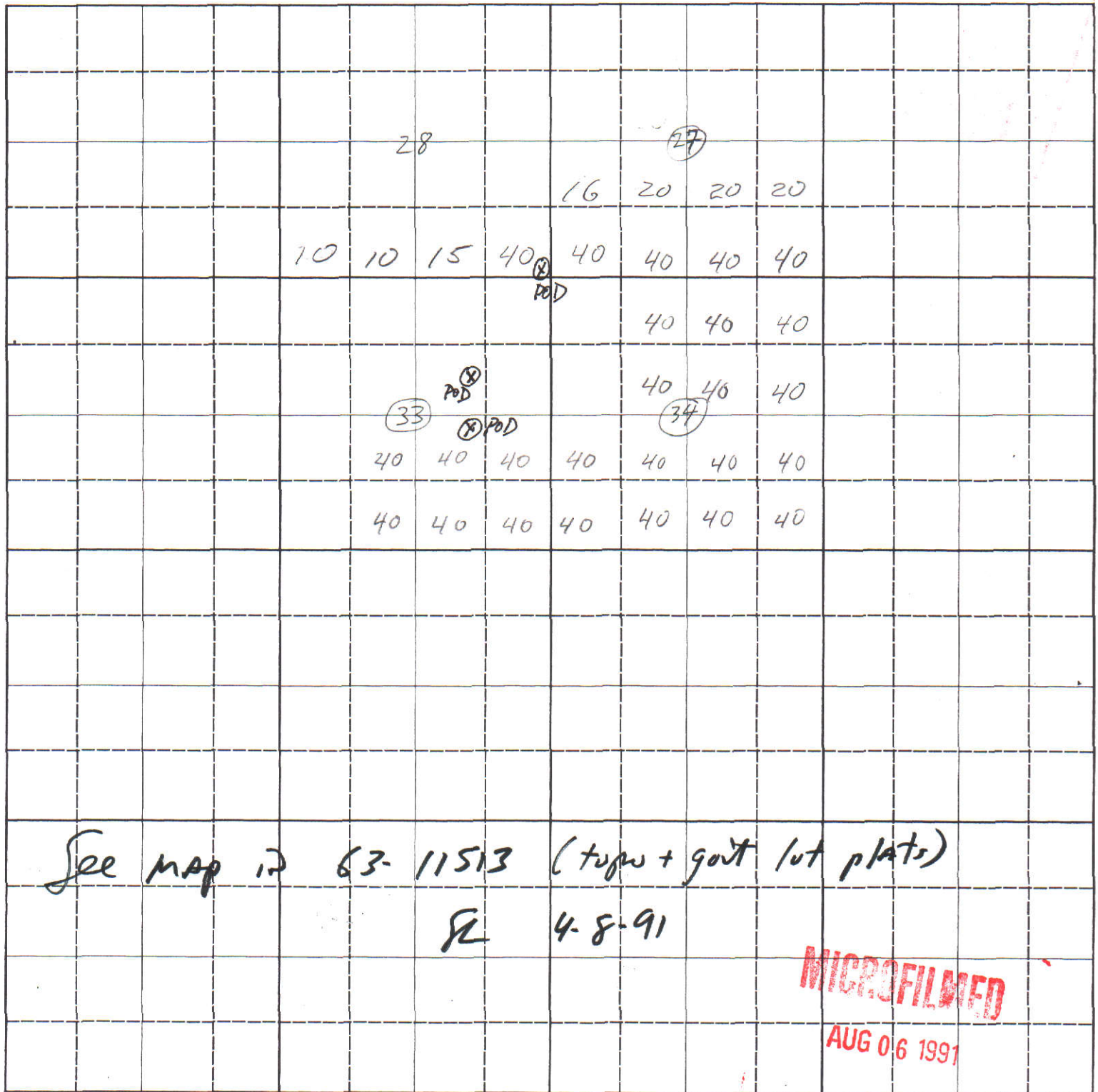


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Ray L. Wheeler Against-Pactitioner
(Applicant)
Bob Wheeler Farmers.

Affidavit of Publication
STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

E-4 Times-News, Twin Falls

**NOTICE OF
CORRECTION OF
APPLICATION FOR
PERMIT**

Notice is hereby given that on April 18 and 25, 1990, Application for Permit No. 63-11514 in the name of the Bob Rhead Farms was advertised in error.

The Point of Diversion was advertised as SWNE Sec 33 T01N R09E. Whereas, the Point of Diversion should have read SWNE Sec 33 T01N R09E, NWSE Sec 33 T01N R09E, SESE Sec 28 T01N R09E. The water source is groundwater for 12.00 cfs and is used for irrigation purposes.

Notice is hereby given that on April 18 and 25, 1991, Application for Permit No. 63-11513 in the name of the Bob Rhead Farms was advertised in error.

The Place of Use was advertised as:

T01N R09E S03 Lot 1 (NENE) Lot 2 (NWNE) SWNE SENE Lot 3 (NENW) Lot 4 (NWNW) SWNW SENW NESW NWSW NESE NWSE
S04 Lot 1 (NENE) Lot 2 (NWNE) SWNE SENE Lot 3 (NENW) Lot 4 (NWNW) SWNW SENW NESW SESW NESE NWSE SWSE SESE

S05 Lot 3 (NENW) Lot 4 (NWNW)
S09 NWNW
S32 SWSW SESW SWSE SESE
S33 SWSW
1178.0 ACRES TOTAL

Whereas, the Place of Use should have read:

T01S R09E S03 Lot 1 (NENE) Lot 2 (NWNE) SWNE SENE Lot 3 (NENW) Lot 4 (NWNW) SWNW SENW NESW NWSW NESE NWSE
S04 Lot 1 (NENE) Lot 2 (NWNE) SWNE SENE Lot 3 (NENW) Lot 4 (NWNW) SWNW SENW NESW SESW NESE NWSE SWSE SESE

S05 Lot 3 (NENW) Lot 4 (NWNW)
S09 NWNW
T01N R09E S32 SWSW SESW SWSE SESE
S33 SWSW
1178.0 ACRES TOTAL

The water source is groundwater for 12.00 cfs and is used for irrigation storage, irrigation from storage and diversion to storage.

Any protest against approval of this water right application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before June 3, 1991.

R. Keith Higginson, Dir.
PUBLISH: Thursday, May 16 and 23, 1991.

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am Quinn Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated May 16, 1991, and ending with the issue dated May 23, 1991.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 28 day of May in the year of 1991, before me, a Notary Public, personally appeared Linda Capps McGuire, 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 acknowledged to me that he executed the same.

AUG 06 1991

Martha J. Drell
Notary Public for Idaho
Residing at Twin Falls, Idaho
My commission expires: 8-8-96

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Application~~	~~63-11514~~	~~Bob Rhead Farms~~	
		~~e/o Daryl Rhead~~	~~12.0~~
Full Assignment	63-11514	Big Sky Partnership	12.0

MAINTAINED
JUL 19 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-11514	)	
	)	
IN THE NAME OF BIG SKY PARTNERSHIP	)	ORDER OF
	)	REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before August 1, 1996; and,

WHEREAS, the Department notified the permit holder on May 31, 1996, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

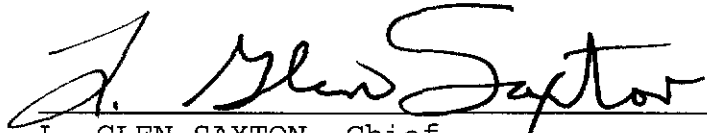
WHEREAS, the department sent the permit holder a lapse notice on August 14, 1996, since an acceptable proof of beneficial use or extension of time had not been received; and,

WHEREAS, Section 42-218a, Idaho Code, provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on September 26, 1996;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-11514 is **REINSTATED** with an advance in priority to May 10, 1991.

DATED this 6th day of November, 1996.



L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
NOV 07 1996

RECEIVED
SEP 26 1996
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 63-11514 Telephone No. 734-0004 (fax = 0005)
2. Name(s) of Permit Holder(s): Big Sky Partnership (Don McFarlane)
3. Mailing Address: 350 Falls Ave Twin Falls ID 83301
4. Source of Water: ground water If **GROUNDWATER** (well), Date Drilled: mo. PREVIOUS wells plus / yr. ↓
 - a. Well Driller: Hiddleston Drilling Permit Number: 63-96-10-0333

0334
0540
0541
 - b. **OPTIONAL:**
Pump Horsepower: See memo attached - Pressure (psi): Dynamic pumping level (ft):

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

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

Irrigation (No. of acres): 4111 Other:

6. Total rate of diversion and/or volume for which proof is submitted: 12.00 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? installing Yes ☒ or No
Has the measuring device been installed? Yes ☒ or No

Flow Measurement Port: Is a flow measurement port required? Yes or No
Has the measurement port been installed? Yes or No

8. Fee Enclosed: \$ 375.00 (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: as above Telephone Number:

Address:

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

Signature of permit holder: Big Sky Partnership by Don McFarlane Date: 9/26/96
(include your title, if on behalf of company or organization)

* 4 dep. issued per amendment appl (pending). D.P.'s issued prior to 8/1/96 proof due date - this process started e May, 1996 -82

MICROFILMED
NOV 07 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
Amt. of Fee \$25.
Date 5/17/95
Receipt No. C032682
Receipt by RT

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

XX Bob Rhead Farms, hereby assign to Big Sky Partnership
(Applicant)
of P.O. Box 268, Eden, ID 83325-0268
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 63-11514 to appropriate the public waters of the State of Idaho
OR (for partial assignments)

RECEIVED

MAY 05 1995

Department of Water Resources

The following described portion of my right, title, and interest in and to
Application for Permit No. _____ to appropriate the public waters of the
State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

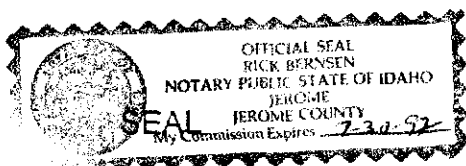
Made this 10th day of April, 19 95

BOB RHEAD FARMS

By: Robert C Rhead
Applicant(s)

State of Idaho)
County of ELMORE) SS

On this 10th day of April, 199 5, personally appeared before me the
signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



RICK BERNSEN

Notary Public

Signature

My commission expires: 7-30-97

RECORDED
JUL 19 1995

database updated 5/22/95

RECEIVED
AUG 2 1993
Department of Water Resources

For Office Use Only
\$15 Fee Received by ju
Date 8-2-93
Receipt No. 202826

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

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

Permit No. 63-11514
Name(s) of Permit Holder: BOB Rhead Farms c/o Darryl Rhead
Mailing Address: HC 85 Box 20 Mtn. Home, ID 83647
Date Proof is Due 8/2/93 Telephone No. 587-7325

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

Land cleared. Contacted well driller.

Costing \$

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

Driller has been unavailable

Permit holder(s) request an extension to August 1, 19 96.

FEE: \$15.00

(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED
and the time within which to submit proof of beneficial use is extended AUG 27 1993
to August 1, 1996.

Signed this 4th day August, 19 93

J. Glen Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11514

Proposed Priority: March 15, 1991 Maximum Diversion Rate: 12.00 CFS
This is to certify, that BOB RHEAD FARMS

C/O DARYL RHEAD, AGENT
HC 85 BOX 20
MOUNTAIN HOME, ID 83647

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	04/15 to 10/15	12.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSE	Sec. 33, Township 01N, Range 09E
SWNE	Sec. 33, Township 01N, Range 09E
SESE	Sec. 28, Township 01N, Range 09E
	ELMORE County

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>	
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>				
01N	09E	27	NESW 20	NWSW 16	SWSW 40	
			SESW 40	NESE 20	NWSE 20	
			SWSE 40	SESE 40		236
		28	SWSW 10	SESW 10	SWSE 15	
			SESE 40			75
		33	NESW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	240
		34	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	SENE 40	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		560
Total number of acres irrigated:					1111	

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 2, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

AUG 06 1991

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

NO. 63-11514

CONDITIONS/REMARKS:

5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit 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

26th day of July, 1991.

for R. Keith Higginson
R. Keith Higginson, Director

AUG 06 1991

RECEIVED
MAR 14 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-11514

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant Bob RHEAD Farms ^{Dan Rhead} Phone 582-7325
Post office address HC 85 Box 20 Mtn Home ID 83647
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SW SE 1/4 of NE NW 1/4, Govt. Lot _____
Sec. 33 Township 1N Range 9E B.M. ELMORE County; additional
points of diversion if any: NW SE SEC 33, T1N R9E, SESE SEC 28, T1N R9E
4. Water will be used for the following purposes:
Amount 12.00 for IRRIGATION purposes from 4/15 to 10/15 (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) 12.00 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2 EXISTING WELLS, PORTABLE MAINLINES
AND 1/4 mile SINKER LINES; 1 NEW 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 12 inches; proposed depth of well is 400 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
5 years (minimum 1 year).

* per applicant's map

also see map in 63-11513, a topog prepared on info supplied in the two applications.

AUG 06 1991

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	
1N	9E	33									40			40	40	40	40	40	240
		34	40	40	40	40	40			40	40	40	40	40	40	40	40	40	560
		27									20	16	40	40	20	20	40	40	236
		28											10	10			15	40	75

Total number of acres to be irrigated 1,111

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

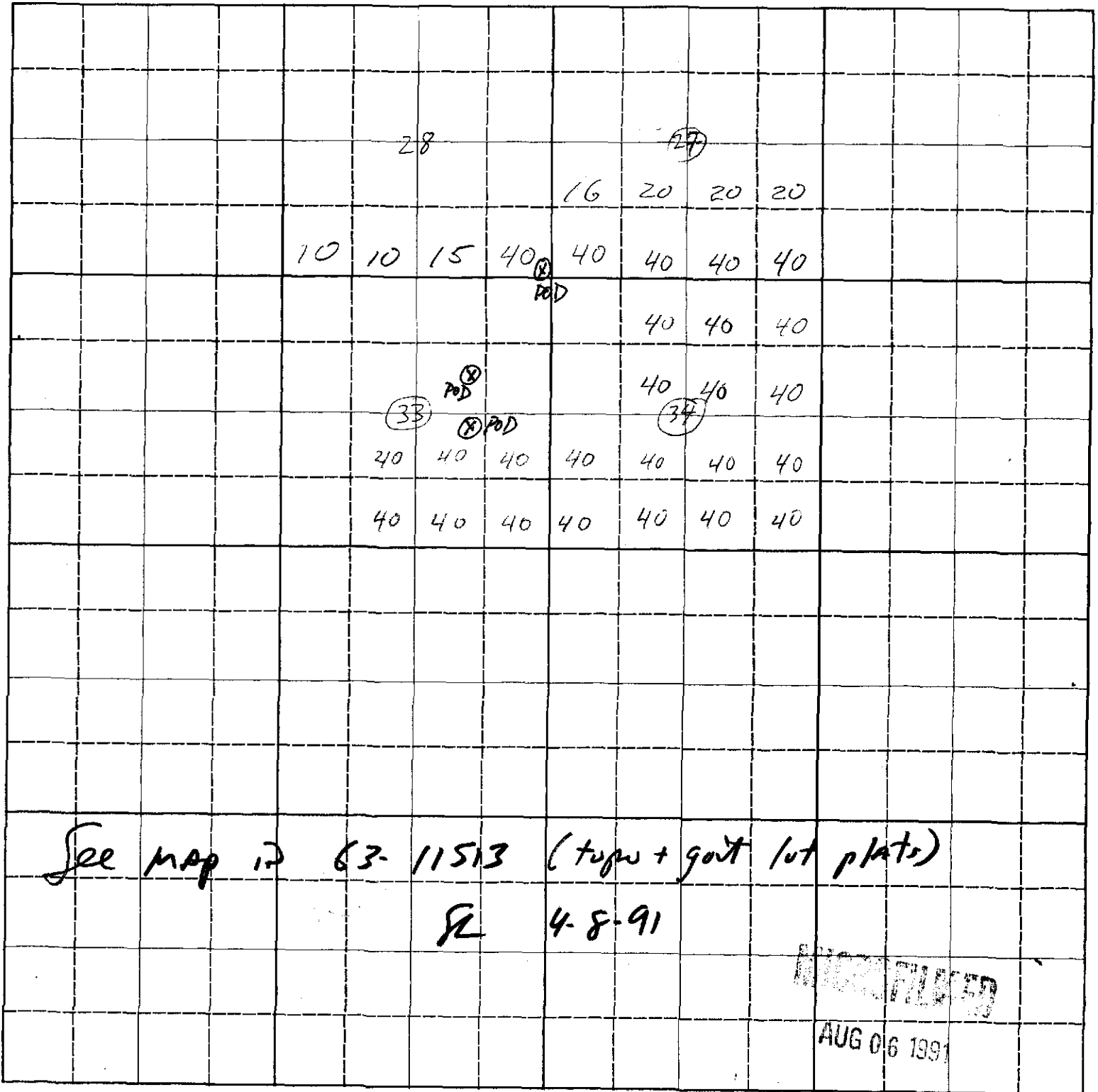
- Who owns the property at the point of diversion? Applicants
- Who owns the land to be irrigated or place of use? Applicants
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

RECORDED

AUG 06 1991

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



Scale: 2 inches equal 1 mile.

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

Daryl Wheeler
(Applicant)
BOB WHEELER FARMS.

Received by ST Apple Date 3-18-91 Time 3:00 p.m. Preliminary check by SL
Fee \$ 265.00 Received by L. Larson # 0019832 Date 3/15/91
Publication prepared by GG Date 4-10-91 Published in Mountain Home News
Publication approved _____ Date 4/17 & 4/24/91
Revised: 5/10 & 5/22

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
AUG 06 1991

MAY 23 1991

**NOTICE OF CORRECTION OF
APPLICATION FOR PERMIT**

Notice is hereby given that on April 18 and 25, 1990, Application for Permit No. 63-11514 in the name of the Bob Rhead Farms was advertised in error.

The Point of Diversion was advertised as SWNE Sec 33 T01N R09E. Whereas, the Point of Diversion should have read SWNE Sec 33 T01N R09E, NWSE Sec 33 T01N R09E, SESE Sec 28 T01N R09E. The water source is groundwater for 12.00 cfs and is used for irrigation purposes.

Any protest against approval of this water right application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, on or before June 8, 1991.

Advertised in The Mountain Home News on May 15 and 22, 1991.

Affidavit of Publication

Department of Water Resources
Western Regional Office

County of Elmore }
STATE OF IDAHO } ss.

I, Lois Whitney, do solemnly swear that I am the foreman, or publisher of the

Mountain Home News

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for

2 consecutive weeks, the first publication having been made on 15th day of

May, 1991, and the last publication having been made on the 22nd day of

May, 1991; every Wednesday

issue of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lois Whitney

Subscribed and sworn to me this 22nd day of

May, 1991

Cecil W. Silva
Notary Public

RECORDED

AUG 06 1991

RECEIVED

MAY 28 1991

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

Department of Water Resources
Western Regional Office

LEGAL ADVERTISING INVOICE

Amount Due

28.92

Account Number 47628		Identification Notice of Correction of Application for Permit	
Ordered By Gail Garrett	P.O. Number	Rate nt	Run Dates May 16, 23, 1991
Idaho Dept. of Water Resources Western Region 2735 Airport Way Boise ID 83705		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 8407

NOTICE OF CORRECTION OF APPLICATION FOR PERMIT

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Any protest against approval of this water right application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before June 3, 1991.

R. Keith Higginson, Director
Pub. May 16, 23, 1991 8407

Jill Roberts

_____, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for _____ two _____

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of _____ May 16 _____, 19 91 _____

and ending with the issue of _____ May 23 _____, 19 91 _____

Jill Roberts

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this _____ 23rd _____ day of _____ May _____ in the year of _____ 1991 _____, before me, a Notary Public, personally appeared _____ Jill Roberts _____, 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 acknowledged to me that she executed the same.

AUG 8 6 1991

Notary Public for Idaho
Boise, ID

Residing at _____

My commission expires: _____ 12/93 _____

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

Date 052391 INVOICE No. L00229960Account No. 964760 63-11514Description 29960NOTICTimes 2 Lines 22

Tab Lines _____

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

DEPT. OF WATER RESOURCES
2735 AIRPORT WAY
BOISE
ID 83705\$ 24.75NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.**AFFIDAVIT OF PUBLICATION**STATE OF IDAHO, ss.
County of Nez Perce**NOTICE OF CORRECTION OF
APPLICATION FOR PERMIT**

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Any protest against approval of this water right application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before June 3, 1991.

R. Keith Higginson, Dir.

Sue Baumeister

being duly sworn,

deposes and says, I am the Legal Clerk

of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the

NOTICE OF CORRECTIONattached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 051691, or once a WEEK for 2 consecutive WEEKS, the first publication thereof being on the 051691, and the last publication thereof being on the 052391, and said**NOTICE OF CORRECTION**

was so published in the regular and entire issue of said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Sue BaumeisterSUBSCRIBED AND SWORN BEFORE ME THIS THE 29day of May 1991Sheryl M. LantzNotary Public in and for the State of Idaho,
residing at Lewiston, therein.**RECEIVED**

JUN 3 1991

MICROFILMED

AUG 06 1991

Department of Water Resources
Western Regional Office

Proof of Publication
The Post-Register

MAY 31 1991

Department of Water Resources
Western Regional Office

State of Idaho, }
County of Bonneville } ss

I, .. Ted. Delezene, first being duly sworn, depose and say: That I am the Foreman of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for Two Issues ~~consecutive weeks~~, first publication having been made on the .. 16th day of .. May 19. 91., last publication having been made on the 23rd day of May 19. 91., and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 28th day of May, 19. 91.

Ted Delezene
Steve Walker
Notary Public

My commission expires Nov. 7, 19. 96

B10

**NOTICE OF CORRECTION OF
APPLICATION FOR PERMIT**

Notice is hereby given that on April 18 and 25, 1990, Application for Permit No. 63-11514 in the name of the Bob Rhead Farms was advertised in error.

The Point of Diversion was advertised as SWNE Sec 33 T01N R09E. Whereas, the Point of Diversion should have read SWNE Sec 33 T01N R09E, NWSE Sec 33 T01N R09E, SESE Sec 28 T01N R09E. The water source is groundwater for 12.00 cfs and is used for irrigation purposes.

Any protest against approval of this water right application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before June 3, 1991.

R. Keith Higginson, Dir.

Published: May 16, 23, 1991

AUG 06 1991

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

107.76

Account Number 47628		Identification Notice of Application for Water Right	
Ordered By Gail Garrett	P.O. Number nt	Run Dates April 18, 25, 1991	
Idaho Department of Water Resources Western Region 2735 Airport Way Boise ID 83705		Estimated Inches = Affidavits 1	Real Inches Legal Number 8192

NOTICE OF APPLICATION FOR WATER RIGHT

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

02-07442

NICHOLSON, THOMAS T.
P.O. BOX 703
MERIDIAN, ID 83642

Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 7 (SWNE) Sec 36
T 01N R 03W

LOT 2 (NESE) Sec 6 T 01S R 02W
Use: IRRIGATION (12.820 CFS)
STOCKWATER (120 CFS)

Total Diversion: (12.820 CFS)
Date Filed: 4/9/1991

In: T01N R03W S22 Lot 8 (SWSE Lot 9 (SESE)
S25 NWSW SWSW SESW
S26 SWNE NWNW Lot 2 (SWNW) SENW
NESW Lot 3 (NWSW) Lot 4 (SWSW) Lot 4 (SESW)
NESE NWSE SWSE SESE
S27 Lot 4 (NENE)
S35 Lot 6 (NENE) Lot 5 (NWNE)
S36 NENW Lot 5 (NWNW) Lot 6 (SESW)

443.0 ACRES TOTAL

63-11513

BOB RHEAD FARMS
c/o DARYL RHEAD AGENT
HC 85 BOX 20
MOUNTAIN HOME, ID 83647
Source: GROUNDWATER
Diversion Pt. SESE Sec 32 T 01N R 09E
Use: IRRIGATION ((12.000 CFS)

IRRIGATION STORAGE

(380.00 AF)

IRRIGATION FROM STORAGE

(380.00 AF)

DIVERSION TO STORAGE

(12.000 CFS)

Total Diversion: (12.000 CFS)
Date Filed: 3/14/1991

In: T01N R09E S03 Lot 1 (NENE) Lot 2 (NWNE) SWNE SENE
Lot 3 (NENW) Lot 4 (NWNW) SWNW SENW
NESW NWSW NESE NWSE
S04 Lot 1 (NENE LOT 2 (NWNE) SWNE SENE
Lot 3 (NENW) Lot 4 (NWNW) SWNW SENW
NESW SESW NESE NWSE
SWSE SESE
S05 Lot 3 (NENW) Lot 4 (NWNW) S09 NWNW
S32 SWSW SESW SWSE SESE
S33 SWSW

1178.0 ACRES TOTAL

63-11514

BOB RHEAD FARMS
c/o DARYL RHEAD AGENT
HC 85 BOX 20
MOUNTAIN HOME, ID 83647
Source: GROUNDWATER
Diversion Pt: SWNE Sec 33 T 01N R 09E

Use: IRRIGATION (12.00 CFS)
Total Diversion: (12.000 CFS)

Date Filed: 3/15/1991
In: T01N R09E S27 NESW NWSW SWSW SESW

NESE NWSE SWSE SESE
S28 SWSW SESW SWSE SESE
S33 NESW SESW NESE NWSE SWSE SESE
S34 NENE NWNE SWNE SENE
NENW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE

1111.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before MAY 6, 1991.

R. KEITH HIGGINSON,
Director

Pub. Apr. 18, 25, 1991

8192

Richardson

, being duly

That she is the Principal Clerk of The newspaper printed and published at Boise, Idaho, and having a general circulation therein it has been continuously and uninterruptedly during a period of twelve consecutive publication of the notice, a copy of which is notice was published in The Idaho with Section 60-108, Idaho Code as two

consecutive daily ☐ single ☐ odd skip

the issue of Apr. 18, 19 91

of Apr. 25, 19 91

Janice Richardson

ss.

lay of April in the year of 1991, a Notary Public, personally appeared Richardson, known or identified to me as the name subscribed to the within instrument, sworn, declared that the statements therein made to me that she executed the same.

Janice Madie
Notary Public for Idaho
at Boise, ID

Commission expires: 5/97

RECEIVED
AUG 06 1991

Post Register

**NOTICE OF APPLICATION
FOR WATER RIGHT**
The Following application(s) have been

filed to appropriate the public waters of the
State of Idaho:

02-07442

NICHOLSON, THOMAS T.
P.O. BOX 703

MERIDIAN, ID 83642

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 7 (SWNE) Sec 36 T
01N R 03W

LOT 2 (NESE) Sec 6 T 01S R 02W

Use: IRRIGATION (12.820 CFS)

STOCKWATER (.120 CFS)

Total Diversion: (12.820 CFS)

Date Filed: 4/ 9/ 1991

In: T01N R03W S22 Lot 8 (SWSE) Lot 9
(SESE)

S25 NWSW SWSW SESW

S26 SWNE NWNW Lot 2 (SWNW) SENW

NESW Lot 3 (NWSW) Lot 4 (SWSW) Lot

4 (SESW) NESE NWSE SWSE SESE

S27 Lot 4 (NENE)

S35 Lot 6 (NENE) Lot 5 (NWNE)

S36 NENW Lot 5 (NWNW) Lot 6 (SENW)

443.0 ACRES TOTAL

63-11513

BOB RHEAD FARMS

C/O DARYL RHEAD AGENT

HC 85 BOX 20

MOUNTAIN HOME, ID 83647

Source: GROUNDWATER

Diversion Pt: SESE Sec 32 T 01N R 09E

Use: IRRIGATION (12.000 CFS)

IRRIGATION STORAGE (380.00 AF)

IRRIGATION FROM STORAGE

(380.00 AF)

DIVERSION TO STORAGE

(12.000 CFS)

Total Diversion: (12.000 CFS)

Date Filed: 3/14/ 1991

In: T01N R09E S03 Lot 1 (NENE) Lot 2

(NWNE) SWNE SENE Lot 3 (NENW) Lot

4 (NWNW) SWNW SENW NESW NWSW

NESE NWSE

S04 Lot 1 (NENE) Lot 2 (NWNE) SWNE

SENE Lot 3 (NENW) Lot 4 (NWNW)

SWNW SENW NESW SESW NESE

NWSE SWSE SESE

S05 Lot 3 (NENW) Lot 4 (NWNW)

S09 NWNW

S32 SWSW SESW SWSE SESE

S33 SWSW

1178.0 ACRES TOTAL

63-11514

BOB RHEAD FARMS

C/O DARYL RHEAD AGENT

HC 85 BOX 20

MOUNTAIN HOME, ID 83647

Source: GROUNDWATER

Diversion Pt: SWNE Sec 33 T 01N R 09E

Use: IRRIGATION (12.000 CFS)

Total Diversion: (12.000 CFS)

Date Filed: 3/15/ 1991

In: T01N R09E S27 NESW NWSW SWSW

SESW NESE NWSE SWSE SESE

S28 SWSW SESW SWSE SESE

S33 NESW SESW NESE NWSE SWSE

SESE

S34 NENE NWNE SWNE SENE NENW

SENW NESW NWSW SWSW SESW

NESE NWSE SWSE SESE

1111.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Western Region, 2735 Airport Way, Boise,
Idaho 83705 on or before MAY 6, 1991.

R. KEITH HIGGINSON, Director
Published: April 18, 25, 1991

RECEIVED

AUG 06 1991

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } ss.

JUN 4 1991

22305

E-4 Times-News, Twin Falls

NOTICE OF CORRECTION OF APPLICATION FOR PERMIT

Notice is hereby given that on April 18 and 25, 1990, Application for Permit No. 63-11315 in the name of the Bob Rhead Farms was advertised in error.

The Point of Diversion was advertised as SWNE Sec 33 T01N R09E. Whereas, the Point of Diversion should have read SWNE Sec 33 T01N R09E, NWSE Sec 33 T01N R09E, SESE Sec 28 T01N R09E. The water source is groundwater for 12.00 cfs and is used for irrigation purposes.

Notice is hereby given that on April 18 and 25, 1991, Application for Permit No. 63-11513 in the name of the Bob Rhead Farms was advertised in error.

The Place of Use was advertised as:

T01N R09E S03 Lot 1
(NENE) Lot 2 (NWNE)
SWNE SENE Lot 3
(NENW) Lot 4
(NWNW) SWNW
SENW NESW NWSW
NESE NWSE

S04 Lot 1 (NENE) Lot 2
(NWNE) SWNE SENE
Lot 3 (NENW) Lot 4
(NWNW) SWNW
SENW NESW SESW
NESE NWSE SWSE
SESE

S05 Lot 3 (NENW) Lot 4
(NWNW)

S09 NWNW

S32 SWSW SESW SWSE
SESE

S33 SWSW

1178.0 ACRES TOTAL

Whereas, the Place of Use should have read:

T01S R09E S03 Lot 1
(NENE) Lot 2 (NWNE)
SWNE SENE Lot 3
(NENW) Lot 4
(NWNW) SWNW
SENW NESW NWSW
NESE NWSE

S04 Lot 1 (NENE) Lot 2
(NWNE) SWNE SENE
Lot 3 (NENW) Lot 4
(NWNW) SWNW
SENW NESW SESW
NESE NWSE SWSE
SESE

S05 Lot 3 (NENW) Lot 4
(NWNW)

S09 NWNW

T01N R09E S32 SWSW
SESW SWSE SESE

S33 SWSW

1178.0 ACRES TOTAL

The water source is groundwater for 12.00 cfs and is used for irrigation storage, irrigation from storage and diversion to storage.

Any protest against approval of this water right application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before June 3, 1991.

R. Keith Higginson, Dir.

PUBLISH: Thursday, May 16 and 23, 1991.

I, Shirley Capps McQuinn being first duly sworn upon oath, depose and say that I am Shirley Capps McQuinn of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated May 16, 1991, and ending with the issue dated May 23, 1991.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 28 day of May in the year of 1991, before me,

a Notary Public, personally appeared Shirley Capps McQuinn 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 acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at

My commission expires:

Twin Falls, Idaho
8-8-96

The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Account No. 134760

Description 273-2107-23

Times Lines

Tab Lines 154

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

DEPT. OF WATER RESOURCES
2735 AIRPORT WAY
BOISE
ID 83705

RECEIVED

MAY - 2 1991

Department of Water Resources
Western Regional Office

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

27311
NOTICE OF APPLICATION FOR WATER RIGHT
The Following application(s) have been filed to appropriate the public water of the State of Idaho:

02-07442

NICHOLSON, THOMAS T.
P.O. BOX 703
MERIDIAN, ID 83642
Source: SNAKE RIVER
Diversion Pt: LOT 7 (SWNE) Sec 36 T 01N R 03W
LOT 2 (NESE) Sec 6 T 01S R 02W
Use: IRRIGATION
STOCKWATER

Tributary: COLUMBIA RIVER

F IDAHO, ss.
Nez Perce

, being duly sworn,

Dated Filed: 4/9/1991
In: T01N R03W S22 Lot 8 (SWSE) Lot 9 (SESE)
S25 NWSW SWSW
S26 SWME NWNW Lot 2 (SWNW) Lot 4 SENW
NESW Lot 3 (NWSW) Lot 4 (SESW)
NESE NWSE SESE
S27 Lot 4 (NENE)
S35 Lot 6 (NENE)
S36 NENW Lot 5 (NWNW) Lot 6 (SENW)
443.0 ACRES TOTAL

(12.820 CFS)
(.120 CFS)
(12.820 CFS)

I say, I am the _____, being duly sworn,
a Publishing Company, a corporation organized and existing
y virtue of the laws of the State of Idaho, publishers of the
MORNING TRIBUNE, a newspaper of general circulation
Lewiston, Nez Perce County, Idaho; That the said Lewiston
une is an established paper and has been published regular-
d regularly at least once a day for more than 21 consecutive
mmediately preceding the first publication of this notice, and
published uninterrupted for said period; that the

BOB RHEAD FARMS
C/O DARYL RHEAD AGENT
HC 85 BOX 20
MOUNTAIN HOME, ID 83647
Source: GROUNDWATER
Diversion Pt: SESE Sec 32 T 01N R 09E
Use: IRRIGATION
IRRIGATION STORAGE
IRRIGATION FROM STORAGE
DIVERSION TO STORAGE

63-11513

Date Filed: 3/14/1991
In: T01N R09E S03 Lot1 (NENE) Lot 2 (NWNW) SWNE SENE
Lot 3 (NENW) Lot 4 (NWNW) SWNW SENW
S04 Lot 1 (NENE) Lot 2 (NWNW) NWSE NWSE
Lot 3 (NENW) Lot 4 (NWNW) SWNE SENE
S05 Lot 3 (NENW) Lot 4 (NWNW) SWNW SENW
S09 NWNW SESE
S32 SWSW
S33 SWSW
1178.0 ACRES TOTAL

(12.00 CFS)
(380.00 AF)
(380.00 AF)
(12.00 CFS)
(12.00 CFS)

eto and which is made a part of this affidavit was published in
Lewiston Morning Tribune, time(s). Publication be-
or once a
for consecutive, the first
hereof being on the, and the last put
of being on the, and said

ished in the regular and entire issue of said newspaper and
plement thereof and was so published in every issue and
re said paper, during the period and times of publication as
ve.

ED AND SWORN BEFORE ME THIS THE 30
Phil

Meral M. Fort
Notary Public in and for the State of Idaho
residing at Lewiston, therein

BOB RHEAD FARMS
C/O DARYL RHEAD AGENT
HC 85 BOX 20
MOUNTAIN HOME, ID 83647
Source: GROUNDWATER
Diversion Pt:
Use: IRRIGATION
Total Diversion:
Date Filed: 3/15/1991

SWNE Sec 33 T01N R 09E
(12.000 CFS)
(12.000 CFS)

In: T01N R09E S27 NESW NWSW SWSW SESW
S28 NESE NWSE SWSE SESE
S33 SWSW SESE SWSE NWSE
S34 NENE NWNE SWNE SENE
NENW SENW NWSW SWSW
SESE NESE NWSE SWSE

1111.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept.
of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before MAY 6, 1991.
R. KEITH HIGGINSON, Director

AUG 06 1991

READVERTISED
Statwide Advertising

Mountain Home News ✓
Idaho Statesman ✓
Lewiston News ✓
Time News ✓
Post Register ✓

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

02-07442
NICHOLSON, THOMAS T.
P.O. BOX 703
MERIDIAN, ID 83642
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 7 (SWNE) Sec 36T 01N R 03W

LOT 2 (NESE) Sec 6 T 01S R 02W
Use: IRRIGATION (12.820 CFS)

STOCKWATER (.120 CFS)
Total Diversion: (12.820 CFS)

Date Filed: 4/9/1991

In: T01N R03W S22 Lot 8 (SWSE) Lot 9 (SESE)

S25 NWSW SWSW SESE

S26 SWNE NWNW Lot 2 (SWNW) SENW

NESW Lot 3 (NWSW) Lot 4 (SWSW) Lot 4 (SESE)

NESE NWSE SWSE SESE

S27 Lot 4 (NENE)

S35 Lot 6 (NENE) Lot 5 (NWNW)

S36 NENW Lot 5 (NWNW) Lot 6 (SESE)

443.0 ACRES TOTAL

63-11513

BOB RHEAD FARMS

C/O DARYL RHEAD AGENT

HC 85 BOX 20 MOUNTAIN HOME, ID 83647

Source: GROUNDWATER

Diversion Pt: SESE Sec 32 T 01N R 09E

Use: IRRIGATION (12.000 CFS)

IRRIGATION STORAGE (380.00 AF)

IRRIGATION FROM STORAGE (380.00 AF)

DIVERSION TO STORAGE (12.000 CFS)

Total Diversion: (12.000 CFS)

Date Filed: 3/14/1991

In: T01N R09E S03 Lot 1 (NENE) Lot 2 (NWNW)

SWNE SESE

Lot 3 (NENW) Lot 4 (NWNW) SWNW SENW

NESW NWSW NESE NWSE

S04 Lot 1 (NENE) Lot 2 (NWNW) SWNE SESE

Lot 3 (NENW) Lot 4 (NWNW) SWNW SENW

NESW SESW NESE NWSE

SWSE SESE

S05 Lot 3 (NENW) Lot 4 (NWNW)

S09 NWNW

S32 SWSW SESW SWSE SESE

S33 SWSW

1178.0 ACRES TOTAL

63-11514

BOB RHEAD FARMS

C/O DARYL RHEAD AGENT

HC 85 BOX 20 MOUNTAIN HOME, ID 83647

Source: GROUNDWATER

Diversion Pt: SWNE Sec 33 T 01N R 09E

Use: IRRIGATION (12.000 CFS)

Total Diversion: (12.000 CFS)

Date Filed: 3/15/1991

In: T01N R09E S27 NESW NWSW SWSW

SESE

NESE NWSE SWSE SESE

S28 SWSW SESW SWSE SESE

S33 NESW SESW NESE NWSE

SWSE SESE

S34 NENE NWNE SWNE SESE

NENW SENW NESW NWSW SWSW SESW

NESE NWSE SWSE SESE

1111.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before MAY 6, 1991.

R. KEITH HIGGINSON, Director

PUBLISH: Thursday, April 18 and 25, 1991.

STATE OF IDAHO

COUNTY OF TWIN FALLS } SS.

I, Linda Capps McSweeney being first duly sworn upon oath, depose and say that I am Prime Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated April 18, 19 91, and ending with the issue dated April 25, 19 91.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO

COUNTY OF TWIN FALLS

On this 26 day of April in the year of 1991, before me,

a Notary Public, personally appeared Linda Capps McSweeney, 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 acknowledged to me that he executed the same.

Martha J. Dault
Notary Public for Idaho

Residing at Twin Falls, Idaho

My commission expires: 8-8-96

NOTARIZED
AUG 06 1991

**NOTICE OF APPLICATIONS
FOR WATER RIGHTS**

The Following applications have been filed to appropriate the public waters of the State of Idaho:

61-07661

CATTLE INC.
D W LAND & CATTLE CO.
WATKINS, ARTHUR D.
P.O. BOX 32
KUNA, ID 83634
Source: SPRINGS; Tributary: SINKS
Diversion Pt: SENESW Sec 25 T 01N R 05E; NWSESW Sec 25 T 01N R 05E; NWNWSE Sec 25 T 01N R 05E; NWNESE Sec 35 T 01N R 05E; SE-NESE Sec 35 T 01N R 05E; NWNWNW Sec 36 T 01N R 05E

Use: STOCKWATER (.010 CFS); Total Diversion: (.010 CFS)
Date Filed: 3/22/1991
In: T01S R05E S09 SENW

63-11513

BOB RHEAD FARMS
C/O DARYL RHEAD AGENT
HC 85 BOX 20
MOUNTAIN HOME, ID 83647
Source: GROUNDWATER
Diversion Pt: SESE Sec 32 T 01N R 09E

Use: IRRIGATION (12.000 CFS); IRRIGATION STORAGE (380.00 AF); IRRIGATION FROM STORAGE (380.00 AF); DIVERSION TO STORAGE (12.000 CFS); Total Diversion: (12.000 CFS)

Date Filed: 3/14/1991

In: T01N R09E S03 Lot 1 (NENE) Lot 2 (NWNW) SWNE SENE Lot 3 (NENW) Lot 4 (NWNW) SWNW SENW NESW NWSW NESE NWSE; S04 Lot 1 (NENE) Lot 2 (NWNW) SWNE SENE Lot 3 (NENW) Lot 4 (NWNW) SWNW SENW NESW SESW NESE NWSE SWSE SESE; S05 Lot 3 (NENW) Lot 4 (NWNW); S09 NWNW; S32 SWSW SESW SWSE SESE; S33 SWSW

1178.0 ACRES TOTAL

63-11514

BOB RHEAD FARMS
C/O DARYL RHEAD AGENT
HC 85 BOX 20
MOUNTAIN HOME, ID 83647
Source: GROUNDWATER
Diversion Pt: SWNE Sec 33 T 01N R 09E

Use: IRRIGATION (12.000 CFS); Total Diversion: (12.000 CFS)

Date Filed: 3/15/1991

In: T01N R09E S27 NESW NWSW SWSW SESW NESE NWSE SWSE SESE; S28 SWSW SESW SWSE SESE; S33 NESW SESW NESE NWSE SWSE SESE; S34 NENE NWNE SWNE SENE NENW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE

1111.0 ACRES TOTAL

The permits will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before MAY 8, 1991.

R. KEITH HIGGINSON, Director
Published 4/17/1991 & 4/24/1991.

Affidavit of Publication

County of Elmore } ss.
STATE OF IDAHO }

I, Lois Whitney, do solemnly swear that I am the foreman, or publisher of the

Mountain Home News

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for

_____ consecutive weeks, the first publication having been made on _____ day of

_____, 19____, and the last publi-

cation having been made on the _____ day of

_____, 19____; every Wednesday

issue of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lois Whitney

Subscribed and sworn to me this 25th day of

April, 1991

Carol W. Seve
Notary Public

AUG 06 1991

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: : : Long: : :

1. DRILLING PERMIT NO. 63-96-W-0540-000 ³⁰⁰
Other IDWR No. 63-11514

2. OWNER: Don M. Farland
Name BIG SKY PARTNERSHIP
Address 350 FALLS AVE
City TWIN FALLS State ID Zip 83301

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

Twp. 1 North ☒ or South ☐
 Rge. 9 East ☒ or West ☐
 Sec. 34 $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$

Gov't Lot _____ County ELMORE
 Lat: _____ Long: _____

Address of Well Site _____
 City CAMAS
 (Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

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

5. TYPE OF WORK check all that apply

☒ New Well ☐ Modify ☒ Abandonment ☐ Other _____

6. DRILL METHOD *Re-drilled 63-96 W-0540-000*

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
BENTONITE	0	19	8 sack	overbore

Was drive shoe used? ☐ Y ☐ N Shoe Depth(s) _____
Was drive shoe seal tested? ☐ Y ☐ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
12	1	19	250	steel	X	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

- Perforations Method _____
 - Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

234 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices:

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
150	435	440	8hr

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
15	0	10	soil & brown clay		
5-12	10	45	gray lava		
12	45	54	red & brown lava		
12	54	157	gray lava		
12	157	228	brown & gray lava		
			some clay & cinder broken		X
12	228	326	gray lava		
12	326	355	black lava some tan clay		
12	355	410	black lava		
12	410	455	black lava & gray clay		
12	455	460	granite	X	

This well is currently NOT in use and has a lid welded on. (Per Ken @ Hiddleston's - tel. con on 10/3/96. - Used same # and moved over to drill in... T1N R9E s-33 SENW. This was approved by Steve Lester. Ken stated that this well will be abandoned.

See attached Log

~~RECEIVED~~

~~AUG 28 1996~~

**WATER RESOURCES
WESTERN REGION**

Completed Depth 460' (Measurable)

Date: Started 8-20-96 Completed 8-26-96

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 HIDDLESTON & SON, INC. Firm No. 35

Firm Official _____ Date _____
and
Supervisor or Operator Ken Koch Date 8-28-96

(Sign once if Firm Official & Operator)

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 63-11514 Reviewed by [Signature] Date 10-29-96

GENERAL CONSIDERATIONS

yes Name same as permit?
no Address same as permit?
no Proof timely received?
If not, complete calculation below.

TYPES OF USE

Inc.

Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

no Copy in the file? Drilling Permit No. 63-96 W-0333-000

200 - Amount paid for permit

yes Correct?

no Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
375 - Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>9-26-96</u>	<u>269</u>
Date proof due	<u>8-1-96</u>	<u>- 213</u>
No. of days late	<u> </u>	<u>= 56</u>
Priority Date	<u>3-15-91</u>	<u>+ 74</u>
New Priority Date	<u>5-10-91</u>	<u>130</u>

75-10-91

DEFICIENCIES OR ACTION ITEMS

Reinstatement & advance priority to May 10, 1991
Proof Acceptable

DATA ENTRY

New Address 350 Falls Ave.
Twin Falls, 83301

Proof Made 9-26-96



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 6, 1996

BIG SKY PARTNERSHIP
350 FALLS AVE
TWIN FALLS ID 83301

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11514

Dear Permit Holder:

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

Enclosed is an order reinstating your permit since proof was submitted after the proof due date of August 1, 1996. Please note that the priority date has been advanced to May 10, 1991.

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

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 the field examination, contact the **WESTERN** Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

MICROFILMED
NOV 07 1996

INTER-DEPARTMENT MEMO

RECEIVED

SEP 27 1996

Department of Water Resources

TO: FileFROM: Steve LesterSUBJECT: 63-11514DATE: 9/26/96

Filed late proof today to re-instate permit. I worked with previous owner (Rhead) & current one (Big Sky) on other WR's for this large parcel irrigation site. Will conduct exams on 63-11513 (proof already filed) & 63-11514 upon re-instatement.

Will allow total license recommendations for 63-08067 & 63-10272 (exams done # yrs. ago) plus 2 power rights.

Pending amendment appl. should be returned to Regis, 63-11514.

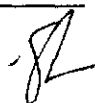
Will use " " info for conduct exam & make license rec'ds

(✓) For your information within allowable limits.

() Response required

Please contact me if any questions re re-instatement.

signature NOV 07 1996





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

September 20, 1996

PHILIP E. BATT
GOVERNOR

ATTN DON MCFARLAND
BIG SKY PARTNERSHIP
350 FALLS AVE
TWIN FALLS ID 83301

SENT VIA FACSIMILE

KARL J. DREHER
DIRECTOR

RECEIVED

RE: PERMIT NO. 63-11514 - DEVELOPMENT AND PROOF OF BENEFICIAL USE SEP 23 1996

Department of Water Resources

Dear Mr. McFarland:

When we worked together to amend the above-referenced permit to allow additional well drilling and other changes this summer, the Boise River Basin was closed to development of new appropriations. Therefore, the only feasible solution was to work within the existing permit to complete development within the authorized time-frame. This could have included filing a late proof of beneficial use with the penalty of a minor loss of priority.

In that vein, this office had approved four well drilling permits to assist you in completing your development. Today, the well driller contacted this office to request permission to relocate a drilling project due to "dry hole" problems that have been experienced.

Recently, however, the Upper Boise River Basin (above Lucky Peak Dam) has been opened to new ground water appropriations. The opportunity to obtain a new permit exists for the property listed in permit no. 63-11514. Given this new situation plus the understanding that the permit rapidly approaches its final deadline for a late proof filing, this office cannot authorize additional well drilling activity at this time.

The recommended solution for your situation is to file proof of beneficial use before the 60 day grace period expires. The proof should list the development completed by the date defined by the lapse notice sent to you by the department's state office. Any development beyond that level could be covered by filing a new application for permit. Such a permit, if approved, could provide much more time to complete the total development for the site (probably two to three years).

This procedure will afford you the flexibility to "prove up" on existing development plus to add more capacity etc. as needed without facing a tight deadline. Your long-term interests might be served by taking advantage of the recent policy change. Recent drought conditions, moratoriums and so forth have caused several significant shifts in department policy in recent years; it has sometimes been difficult for water users - and for department staff! - to keep up with all of these details.

Please advise your driller that any well drilling activity related to permit no. 63-11514 is no longer authorized at this time. I will be glad to discuss this with you in more detail if you have any questions.

Sincerely,

Steve Lester, Deputy Regional Manager

MICROFILMED
SEP 27 1996

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

August 14, 1996

BIG SKY PARTNERSHIP
PO BOX 268
EDEN ID 833250268

LAPSE NOTICE

RE: PERMIT NO. 63-11514

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1996. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

MICROFILMED

NOV 07 1996

CERTIFICATION OF MAILING

I hereby certify that on 8-14-96
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 6, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

JUN 07 1996

MR DON MCFARLAND
BIG SKY PARTNERSHIP
PO BOX 268
EDEN ID 83325-0268

Department of Water Resources

RE: PERMIT NO. 63-11514

Dear Don:

I have completed additional research regarding the status of the above-referenced permit with respect to the recent amendment application and the thought of obtaining a second extension of time by the proof of beneficial use due date of August 1, 1996.

For the amendment, the regional manager has determined that advertising is not needed due to the isolated location. This should expedite the decision-making process regarding that filing, thereby making it easier to begin use of any successful wells completed via the two new drilling permits.

There does not appear to be any reason to expect approval of a second extension of time. A second extension may be granted under conditions of delays related to litigation, complications related to the federal government, or due to very large projects. It does not appear that the circumstances of the permit include any of these three factors. Of course, the only way to receive a definitive answer is to apply for a second extension, but it looks like a futile effort.

Therefore, the proof due date will most likely remain as August 1. This means that the development should be completed by that time. Following the completion of the project and the filing of proof of beneficial use, this office will contact you to arrange a field examination of this permit. As we discussed the other day, permit no. 63-11514 will be integrated with the other water rights used at the site. Such integration will be defined in the licensing process.

I hope this information helps you make progress in fully developing your permit. Please let me know if I can provide any help in this or in other water right matters.

Sincerely,

Steve Lester
Water Rights Supervisor

MICROFILMED
NOV 07 1996

May 31, 1996

BIG SKY PARTNERSHIP
PO BOX 268
EDEN ID 833250268

PROOF DUE NOTICE

RE: PERMIT NO. 63-11514

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1996.

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

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

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

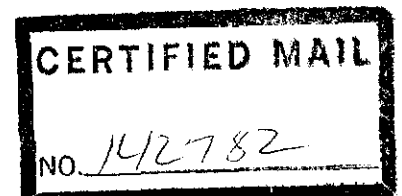
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JUN 10 7 1996





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 3, 1995

Big Sky Partnership
PO Box 268
Eden ID 83325-0268

Permit No. 63-10272/63-11513/63-11514

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water rights to you. We have modified our computer records to reflect these changes in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

JUL 19 1995

WR0749NP
No. 63-11514

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/22/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BIG SKY PARTNERSHIP PO BOX 268 EDEN ID 83325-0268	03/15/1991	IRRIGATION	04-15 10-15	12.000 CFS	
TOTAL DIVERSION:					12.000 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T01N R09E S28 SESE ELMORE County
S33 SWNE NWSE ELMORE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
01N	09E	27	:									20	16	40	40	20	20	40	40	236.0
01N	09E	28	:											10	10			15	40	75.0
01N	09E	33	:									40			40	40	40	40	40	240.0
01N	09E	34	:	40	40	40	40	40			40	40	40	40	40	40	40	40	40	560.0
TOTAL ACRES																			1111.0	

Pou County: ELMORE

Conditions of Approval:

- 26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.
- 01C - 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.
- 046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
- 03A - 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.

Dates: App. Received: 03/15/1991 Priority Date: 03/15/1991
Proof Due Date: 08/01/1996 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

WR0749NP
No. 63-11514

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/22/95
PAGE: 2

Comments: Date: 05/22/1995 User-ID: CZIMMERM Subject: PARTNERS

The partners of Big Sky Partnership are:

Lori & Kelly Human, 12-1/2%; Maurisa McFarland, 12-1/2%;
Kristi Lucas, 12-1/2%; Suzanne Vance, 12-1/2%; Don & Carol
McFarland, 12-1/2%; McFarland Agricultural Co, 37-1/2%.

Audit: 04/11/91 GARRETT 06/04/91 TAYLOR 07/22/91 SKAGGS 07/24/91 SKAGGS
08/04/93 GUSTAFSO

Big Sky Partners

INTEREST

~~12 1/2~~ Lori & Kelly Human

12 1/2 % 2246 E. 1850 S.

Gooding, Idaho 83330

12 1/2 % Maurisa McFarland

451 Gossi Ave.

Boise, Id. 83706

12 1/2 % Kristi Lucas

204 Horseshoe Bend

Winston Salem, N.C. 27101

12 1/2

Suzanne Vance

351 7th Ave. E.

Jerome, Id. 83338

12 1/2

Lori & Carol McFarland

P.O. Box 268

Eden, Id. 83325

37 1/2

McFarland Agricultural Co. JUL 19 1995

P.O. Box 268

Eden, Id. 83325

COPY

CL 547

286253

ELMORE COUNTY, IDAHO ss

Request of

HTI for Land Titles Escrow
Time *4:11* PM

Date *April 10, 1995*

Book _____ Page _____

DOLORES ROBISON

Recorder

By *Marla F. Becker*

Deputy

Fee *\$9.00*

RECEIVED

MAY 05 1995

Department of Water Resources

Recorded at the request of
Benoit, Alexander, Sinclair,
Harwood & High
126 2nd Avenue North, P.O. Box 366
Twin Falls, Idaho 83303-0366

Mail original to Benoit, Alexander,
Sinclair, Harwood & High

Mail tax notices to:
Don McFarland
P.O. Box 268
Eden, Idaho 83325

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUITCLAIM DEED

For Value Received ROBERT C. RHEAD and MARLENE D. RHEAD hereby convey, release, remise and forever quit claim unto BIG SKY PARTNERSHIP, a general partnership, DON MCFARLAND and CAROL MCFARLAND, general partners, whose address is P.O. Box 268, Eden Idaho, 83325, any and all interest they may have in all ditch and water rights of every nature, however, evidenced, appurtenant and/or used on the land described on Exhibit "1" hereto, situated in Elmore County, Idaho.

DATED: April 7, 1995.

Robert C. Rhead

ROBERT C. RHEAD
Marlene D. Rhead

MARLENE D. RHEAD

STATE OF IDAHO)
County of ELMORE) ss.

On this 10th day of April, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT C. RHEAD known to me to be the person whose name is

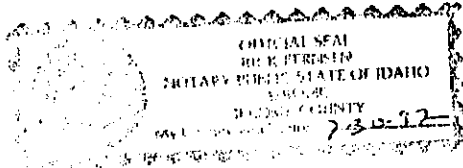
QUITCLAIM DEED\1

RECORDED

MAY 19 1995

subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



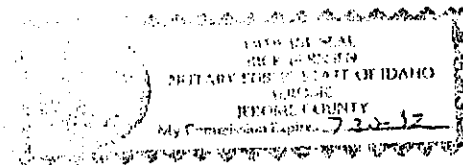


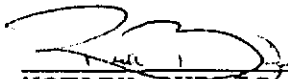
NOTARY PUBLIC
Residence: Jerome
My Commission Expires: 7-30-97

STATE OF IDAHO)
County of ELMORE) ss.

On this 10th day of April, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared MARLENE D. RHEAD, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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





NOTARY PUBLIC
Residence: Jerome
My Commission Expires: 7-30-97

QUITCLAIM DEED\2

JUL 19 1995

EXHIBIT "1"

LEGAL DESCRIPTION

Township 1 North, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 27: $S\frac{1}{2}N\frac{1}{2}SE\frac{1}{4}$; $S\frac{1}{2}SE\frac{1}{4}$, $SW\frac{1}{4}$
Section 28: $SE\frac{1}{4}SE\frac{1}{4}$; $SW\frac{1}{4}SW\frac{1}{4}$
Section 32: $S\frac{1}{2}S\frac{1}{2}$
Section 33: $E\frac{1}{2}$, $E\frac{1}{2}W\frac{1}{2}$; $SW\frac{1}{4}SW\frac{1}{4}$
Section 34: ALL

Township 1 South, Range 9 East, Boise Meridian, Elmore County, Idaho

Section 3: Lots 1, 2, 3 and 4, $S\frac{1}{2}N\frac{1}{2}$; $N\frac{1}{2}SE\frac{1}{4}$; $SW\frac{1}{4}$ LESS TAX
LOT 1
Section 4: All
Section 5: All LESS $SW\frac{1}{4}NW\frac{1}{4}$ AND LESS $W\frac{1}{2}SW\frac{1}{4}$
Section 8: $N\frac{1}{2}NE\frac{1}{4}$
Section 9: $NW\frac{1}{4}NE\frac{1}{4}$; $N\frac{1}{2}NW\frac{1}{4}$

(The following is the legal description of Tax Lot 1 in Section 3, Township 1 South, Range 9 East, Boise Meridian)

SAVE AND EXCEPT that portion of $S\frac{1}{2}SW\frac{1}{4}$, Section 3, Township 1 South, Range 9 East, Boise Meridian, Elmore County, Idaho; more particularly described as follows:

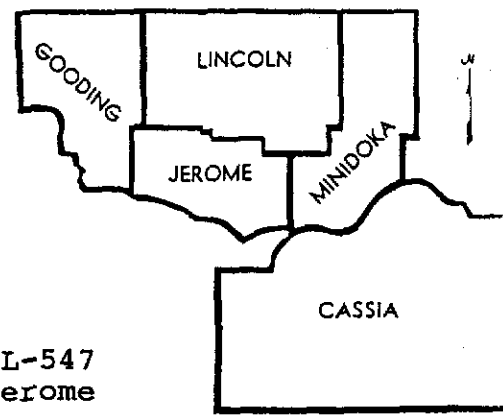
Commencing at the Southwest corner of Section 3, Township 1 South, Range 9 East, Boise Meridian, and running thence South $89^{\circ}51'$ East along the South Section line of said Section 3, a distance of 437 feet to a steel pin in the center of a graveled road, the Real Point of Beginning.

thence continuing from the real point of beginning North $0^{\circ}04'$ West a distance 1,000 feet to a steel pin; thence South $89^{\circ}51'$ East a distance of 1,742.4 feet to a steel pin; thence South $0^{\circ}04'$ East a distance of 1,000 feet to a steel pin on the South Section line of said Section 3, thence North $89^{\circ}51'$ West along the South Section line of said Section 3 a distance of 1,742.4 feet, more or less to the Real Point of Beginning.

JUL 18 1905

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: CL-547
OFFICE: Jerome

May 16, 1995

RECEIVED

MAY 17 1995

State of Idaho Department of Water Resources
1301 North Orchard Street - Statehouse Mail
Boise, ID 83720-9000

Department of Water Resources

RE: Assignment of Application for Permit
Robert C. & Marlene D. Rhead to Big Sky Partnership
Permit No. 63-08067, 63-11513, 63-11514, 103-10272

Dear Ms. Zimmerman:

Please find enclosed the following items in regard to the transfer of the above referenced permits:

Copy of your letter of May 10, 1995
(4) Assignment of Application for Permit
Copy of Quitclaim Deed, Inst. No. 286253
Check from Big Sky
List of Big Sky Partners

PLEASE BE SURE TO SEND ALL FUTURE CORRESPONDENCE DIRECTLY TO BIG SKY AT THE ADDRESS SHOWN ON THE CHECK.

If you have any questions regarding this matter, please do not hesitate to contact this office at 208-324-3357.

Very truly yours,

Nancy Jackson
Rick Bernsen, Manager
LAND TITLE AND ESCROW, INC.

Enc. 8

RB:nj

MICROFILMED

JUL 19 1995

BOX 177, BURLEY, IDAHO 83318
PHONE 878-3524 - FAX 878-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8981

BOX 473, GOODING, IDAHO 83330
PHONE 834-8477 - FAX 834-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0608 - FAX 438-1188

BIG SKY

9039

12 MAY 1995

To: DEPT OF WATER RESOURCES

Cash Account No.

12000

Account Name:

CHECKING-IB&T

Act No	Ent	OH	Quantity	Cost/Unit	Description	Amount
113702		1	1.000	100.0000	DEPT WATER	100.00
113702		1	1.000	0.0000	RESOURCES	0.00

Total						100.00

JUL 19 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 10, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BIG SKY PARTNERSHIP
C/O RICK BERNSEN
LAND TITLE & ESCROW INC
PO BOX 349
JEROME ID 83338-0349

RE: CL-547 on Permit Nos. 63-08067, 63-10272, 63-11513, & 63-11514

Dear Mr. Bernsen:

I recently received assignments on the above permits transferring ownership of these rights to your client, Big Sky Partnership. However, due to the requirements of Water Allocation Rule 035.03.b.i., I need a list of the names, titles, and addresses of all the officers and/or partners of Big Sky Partnership.

Also, as of July 1, 1994, each assignment of permit must be accompanied by a \$25.00 filing fee. Assignments of permits are not acceptable without filing fees. No fees were submitted with these assignments.

I am returning these assignments to you. Please resubmit the assignments and listing of partners along with the filing fees to my attention at the above address.

If you have any questions, please feel free to contact me at (208) 327-7944.

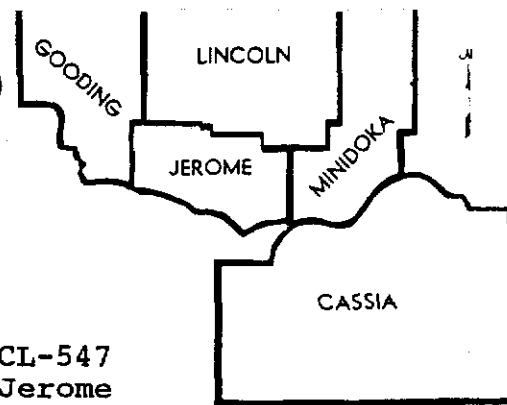
Sincerely,

Cindy Zimmerman
Cindy Zimmerman
Water Resource Agent

RECEIVED
JUL 19 1995

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: CL-547
OFFICE: Jerome

May 4, 1995

State of Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 93706

RECEIVED
MAY 05 1995

RE: Assignment of Application for Permit
Robert C. & Marlene D. Rhead to Big Sky Partnership
PERMIT NO. 63-08067, 63-11513, 63-11514, 103-10272

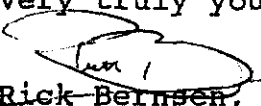
Department of Water Resources

Dear Gentlemen:

Please find enclosed the original signed documents for each of the above referenced permit numbers and a copy of the Quitclaim Deed dated April 7, 1995, recorded April 10, 1995 as Instrument Number 286253 records of Elmore County, Idaho.

If you have any questions regarding this matter, please do not hesitate to contact this office at 208-324-3357.

Very truly yours,


Rick Bernsen, Manager
LAND TITLE AND ESCROW, INC.

Enc. 5

cc: Don McFarland w/copies

RB:nj

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0606 - FAX 1199

RECEIVED
MAY 19 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 4, 1993

Bob Rhead Farms
c/o Darryl Rhead
HC 85 Box 20
Mountain Home, ID 83647

Re: Permit No. 63-11514

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to August 1, 1996. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

RECEIVED

AUG 27 1993

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 63-11514 Reviewed by Klg Date 8/3/93

BASIC INFORMATION

8/2/93 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

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

ACTION TAKEN

*Recommend for approval Based on due diligence
Extend to August 1, 96*

PRIORITY CALCULATION

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

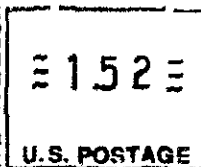
DATA ENTRY

New Address _____
Change Proof Due Date 8/4/93 Klg
Change Priority Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street
Boise, Idaho 83706-2237

XXBQI ID # 37 DCF 1 65 2A-33 9:15
NO. 140236

CERTIFIED MAIL



RECEIVED
JUN 23 1993
Department of Water Resources

Karen



RETURNED TO SENDER
REASON FOR RETURN
Unclaimed ☒
Attempted Not known
Insufficient Address
No such street number
No such office in state
Do not re-mail in this envelope

Name _____
1st Notice MAY 29 1993
2nd Notice 6-4
Return 6-14

AUG 27 1993

May 31, 1993

BOB RHEAD FARMS
C/O DARYL RHEAD, AGENT
HC 85 BOX 20
MOUNTAIN HOME ID 83647

PROOF DUE NOTICE

RE: PERMIT NO. 63-11514

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL

NO. 140236

RECEIVED
AUG 27 1993

July 30, 1991

BOB RHEAD FARMS
C/O DARYL RHEAD, AGENT
HC 85 BOX 20
MOUNTAIN HOME, ID 83647

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11514

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

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.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

AUG 06 1991

APPLICATION FOR PERMIT REVIEW

Application #: 63-11514

Date: 7-24-91

Reviewer: Pam Skaggs

✓ Existing:

✓ No

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

Surface water - 005, 005-01H-P01 (LT.2 w/pump)
mostly thing 005-01J-P08 (GT.2)

✓ Groundwater ^{Mo. epist.} - 8 P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

✓ Swan Falls Flag - — (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 or 010, 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: - 08-02-1993

Other Conditions Recommended *Region recommends Rule 4.5.3 is sufficient since system is mostly existing + developed.*

RECEIVED
AUG 06 1991

Statewide Advertising
12.0 cfs

Form No. 202a.
10/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: SL DATE: 4-8-91 APPLICATION: 63-11514

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map:
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No ☐ In form to receipt:

Gov't. Lots:

☒ P/D
☒ P/U

ADDITIONAL INFORMATION

YES NO

☒ Overlapping place of use: (Describe source & relationship to present application on the back.)
☒ Overlapping point of diversion:
Field check required: Field check by: _____
Field report attached:
Critical groundwater area:
Groundwater management area:
Diversion within interim protected river area
Send dam safety information:
Send power requirement letter:
Send fish farm requirement letter:
Power residency affidavit:
Power efficiency form:
Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☒ 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

Large Div. info requested by 5-13-91
DATE REQUESTED: 4-8-91
☒ Additional information on reverse side:

RECEIVED
JUL 22 1991

Department of Water Resources

See 63-11513 for more info

PROCESSING

APPLICATION NO. 63-11514

YES NO

☒ ☐
☒ ☐
☒ ☐

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. # _____

Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

☐ ☐
☐ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

Final of diversion, incorrectly advertised, agreement, etc.
☒ ☐
☐ ☐
Publication dates and paper recorded on application: June 2, 1991Protests received. Final date for protest May 6, 1991

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve

Measuring device required:

Measuring port required: flow memo

Water delivered by water master? District # _____

Special conditions of approval or cover letter: _____

26A (Allow 2 years), 46Re: large diversion info: system is largely developed. See attached info.

See below for additional information

Recommended Date or Priority 3/14/1991Recommended by: DesDate 7/10/91

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

Appears to be existing system except for a new well to be drilled so may need 4-5 yrs. Responses to large div. Info may give clues whether or not development is complete.

INTER-DEPARTMENT MEMO

TO: Files 63-11513 & 11514

SUBJECT: Large Div. Info

FROM: Steve Leste

DATE: 6-11-91

Daryl Rheard sent this info in response to request for large div. info per letter of 4/8/91. The info supplied refers to an appl. for amendment of existing permit 63-08067 (different area but same wells as 63-11514).

Daryl apparently misunderstood my reference to new rights & large div. info requirements.

However, the use of the 2 new appls is existing & in a fairly isolated area. Perhaps the response by county comm. is sufficient for the existing systems.

() For your information

() Response required

signature

AUG 06 1991

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MAY 24 1991

Department of Water Resources
Western Regional Office

May 20, 1991

To The County Commissioners;

This letter is concerning water permit number 63-08067.
Our Dam is located in the NE 1/4 of the NW 1/4; Section 9;
Township 1 S; Range 9 E in Elmore County.
Note this water has been used according to the permit for the
last 10 years and will continue to be used in the same manner.
Please sign noting no objections to this permit. Thank-you.

Sincerely,

Bob Ahead Farms

Bob Ahead Farms
Daryl Ahead, Agent

Daryl Ahead agent

Elmore County Commissioners - *Marion A. Burt*

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AUG 06 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 8, 1991

Bob Rhead Farms
C/O Daryl Rhead, Agent
HC 85, Box 20
Mtn. Home, ID. 83647

RE: Applications for Permit and Large Diversion Information Requirement

Dear Mr. Rhead:

Three Applications for Permit for new water rights and one Application for Amendment of Permit 63-08067 were recently received and reviewed. Several changes are needed before proceeding. Please review the following items and respond accordingly.

1. This office has tried to conduct a licensing field exam for Permit 63-08067 since 1986. The exam never occurred for a variety of reasons. The appropriate manner to amend the permit is through a field exam. The \$20 amendment fee paid on 3-15-91 will be applied to the licensing process. It is imperative that the field exam be conducted for this right during the 1991 irrigation season. Without the examination or without a valid reason for again delaying the exam, the permit will be recommended to be cancelled. An examiner will contact you early in the irrigation season to schedule a field appointment.

2. The application for permit for 380 acre feet of storage involving Little Camas Creek to irrigate 1,178 acres is unnecessary. Permit 63-10272 for storing 380 acre feet in the Rhead Ranch Reservoir is a valid permit for up to 570 acres in Sections 4, 5, and 8. Under Idaho Code 42-222, the transfer statute, one may expand the number of acres for storage water without increasing the amount of storage water. Because the reservoir capacity is 380 acre feet already covered by Permit 63-10272, a license exam for the permit will accurately describe the acres eligible for stored water. Proof of beneficial use for the permit was filed on 11-3-89, and a field exam can be conducted for the reservoir water right along with Permit 63-08067. Additional lands using reservoir water can be included in licensing permit 63-10272 or additional lands can be added once the right is licensed. This will allow considerable flexibility in using Little Camas Creek water. The \$105 application fee for the unneeded application will be refunded. An examiner will arrange a field inspection for this right along with Permit 63-08067 during this irrigation season.

3. Two applications for wells serving different lands will be advertised and processed. For the application for two wells in Section 32, during what period of year will irrigation storage occur? Will water be pumped to the reservoir during the irrigation season or during other times? Also, in what year were the wells drilled, what is the diameter and depth of each well, and is the water temperature 90 degrees F. or less?

MAILED
AUG 06 1991

Bob Rhead Farms
Page 2

For the application for two existing wells and one proposed well in Sections 28 and 33, when were the two wells drilled? What diameters and depths are involved? Is the water temperature 90 degrees F. or less?

4. Based on Idaho Code 42-203A(5)(a-e), additional information is needed for applications for permit involving irrigation of more than 200 acres and/or diversions exceeding 5.00 cfs or 500 acre-feet of storage. Both applications for the different wells require additional information. Please provide information relating to the proposed water rights as outlined in the attached copy of Water Appropriation Rules 4,5,3,1 through 4,5,3,5,1. This covers the following items:

- N/A { (a) effect on existing water rights,
(b) sufficiency of water supply,
(c) good faith, delay, or speculative purposes,
(d) financial resources,
(e) local public interest.

Need comment letter from County Commissioners

The applications can be advertised but not approved until the information in item 4 is provided.

~~Please provide the information in item 3 by 4-19-91. The information in item 4 should be submitted by 5-13-91. Let me know if I can offer any help in the process.~~

Sincerely,

Steve Lester

Steve Lester
Sr. Water Resource Agent

Enclosure: Large Diversion Information Requirement

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AUG 06 1991

LARGE DIVERSION INFORMATION Requirement

for decision. The director may extend the time within which to submit the information upon request by the applicant and upon a showing of good cause.

Failure to submit the required information within the time period allowed will be cause for the director to void an application or to advance the priority of a permit being reprocessed by the number of days that the information submittal is late. The director will provide opportunity for hearing as provided in Section 42-1701A, Idaho Code.

- 4,5,2. For protested applications or protested permits being reprocessed, the information required by Rule 4,5,3. may be requested by the director to be submitted within 30 days after notification by the director, may be made a part of the record of the hearing held to consider the protest, or may be made available in accordance with any pre-hearing discovery procedures.

Failure to submit the required information within the time period allowed will be cause for the director to void an application or to advance the priority of a permit being reprocessed by the number of days that the information submittal is late.

- 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

For any diversion
greater than 5.00 cfs,
or 500 ac. ft., or for
more than 200 acres:

4,5,3,1 - } most
4,5,3,5,1 } Application

4,5,3,6,1 - } additional
4,5,3,6,7 } info to
above it

Reallocation of
Trust Water.

For existing system where you are simply obtaining water rights for uses that have occurred for some time, ok to summarize your answers briefly. For example, # 4,5,3,1,3: have used system since 19-- I have no reports of impacts on

NOV 06 1991

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 ground-water 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 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 and apply it to the

AUG 06 1991
20

beneficial use proposed.

Send
Letter
to
TOWNE

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.

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

AUG 06 1991

NOTICE OF CORRECTION OF APPLICATION FOR PERMIT

Notice is hereby given that on April 18 and 25, 1990, Application for Permit No. 63-11514 in the name of the Bob Rhead Farms was advertised in error.

The Point of Diversion was advertised as SWNE Sec 33 T01N R09E. Whereas, the Point of Diversion should have read SWNE Sec 33 T01N R09E, NWSE Sec 33 T01N R09E, SESE Sec 28 T01N R09E. The water source is groundwater for 12.00 cfs and is used for irrigation purposes.

Any protest against approval of this water right application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before June 3, 1991.

R. Keith Higginson, Dir.

Advertised in The Idaho Statesman on May 16 and 23, 1991.

Post Register
Lewiston Trib.

Time News

Mtn. Home News 5-15+22

RECEIVED

AUG 06 1991

MEMORANDUM

TO: NANCY HANDZEL

FROM: STEVE LESTER

DATE: APRIL 9, 1991

SUBJ: REFUND FOR APPLICATION

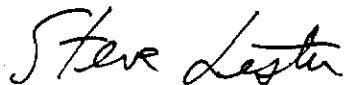
On 3/15/91 several applications for permit and an application for amendment of a permit were received and receipted (see attached receipt copy). Upon review, it was apparent that one application for permit for 380 acre feet of storage should not have been filed. The application was returned and the applicant was notified by letter of 4/8/91. The application fee for 380 acre feet is \$105.

Based on the above, please send a \$105 refund to:

Bob Rhead Farms
C/O Daryl Rhead, Agent
HC 85, Box 20
Mtn. Home, ID. 83647

(telephone 587-7325)

Thanks,



Steve Lester
Sr. Water Resource Agent

CC: Applications 63-11513 & 63-11514
Permit 63-08067

AUG 06 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

April 8, 1991

GOVERNOR

Bob Rhead Farms
C/O Daryl Rhead, Agent
HC 85, Box 20
Mtn. Home, ID. 83647

R. KEITH HIGGINSON

DIRECTOR

RE: Applications for Permit and Large Diversion Information Requirement

Dear Mr. Rhead:

Three Applications for Permit for new water rights and one Application for Amendment of Permit 63-08067 were recently received and reviewed. Several changes are needed before proceeding. Please review the following items and respond accordingly.

1. This office has tried to conduct a licensing field exam for Permit 63-08067 since 1986. The exam never occurred for a variety of reasons. The appropriate manner to amend the permit is through a field exam. The \$20 amendment fee paid on 3-15-91 will be applied to the licensing process. It is imperative that the field exam be conducted for this right during the 1991 irrigation season. Without the examination or without a valid reason for again delaying the exam, the permit will be recommended to be cancelled. An examiner will contact you early in the irrigation season to schedule a field appointment.

2. The application for permit for 380 acre feet of storage involving Little Camas Creek to irrigate 1,178 acres is unnecessary. Permit 63-10272 for storing 380 acre feet in the Rhead Ranch Reservoir is a valid permit for up to 570 acres in Sections 4, 5, and 8. Under Idaho Code 42-222, the transfer statute, one may expand the number of acres for storage water without increasing the amount of storage water. Because the reservoir capacity is 380 acre feet already covered by Permit 63-10272, a license exam for the permit will accurately describe the acres eligible for stored water. Proof of beneficial use for the permit was filed on 11-3-89, and a field exam can be conducted for the reservoir water right along with Permit 63-08067. Additional lands using reservoir water can be included in licensing permit 63-10272 or additional lands can be added once the right is licensed. This will allow considerable flexibility in using Little Camas Creek water. The \$105 application fee for the unneeded application will be refunded. An examiner will arrange a field inspection for this right along with Permit 63-08067 during this irrigation season.

3. Two applications for wells serving different lands will be advertised and processed. For the application for two wells in Section 32, during what period of year will irrigation storage occur? Will water be pumped to the reservoir during the irrigation season or during other times? Also, in what year were the wells drilled, what is the diameter and depth of each well, and is the water temperature 90 degrees F. or less?

RECEIVED

AUG 06 1991

See 63-11513

Application -
Returned
4-8-91

63-11513 -
63-11514

Bob Rhead Farms
Page 2

For the application for two existing wells and one proposed well in Sections 28 and 33, when were the two wells drilled? What diameters and depths are involved? Is the water temperature 90 degrees F. or less?

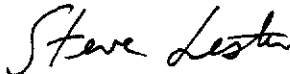
4. Based on Idaho Code 42-203A(5)(a-e), additional information is needed for applications for permit involving irrigation of more than 200 acres and/or diversions exceeding 5.00 cfs or 500 acre-feet of storage. Both applications for the different wells require additional information. Please provide information relating to the proposed water rights as outlined in the attached copy of Water Appropriation Rules 4,5,3,1 through 4,5,3,5,1. This covers the following items:

- a) effect on existing water rights,
- b) sufficiency of water supply,
- c) good faith, delay, or speculative purposes,
- d) financial resources,
- e) local public interest.

The applications can be advertised but not approved until the information in item 4 is provided.

Please provide the information in item 3 by 4-19-91. The information in item 4 should be submitted by 5-13-91. Let me know if I can offer any help in the process.

Sincerely,



Steve Lester
Sr. Water Resource Agent

Enclosure: Large Diversion Information Requirement

AUG 06 1991

63-11514

BOB RHEAD FARMS
C/O DARYL RHEAD AGENT
HC 85 BOX 20
MOUNTAIN HOME, ID 83647

Source: GROUNDWATER

Diversion Pt: SWNE Sec 33 T 01N R 09E

Use: IRRIGATION (12.000 CFS)
Total Diversion: (12.000 CFS)

Date Filed: 3/¹⁴15/ 1991

In: T01N R09E S27	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE
S28	SWSW	SESW	SWSE	SESE
S33	NESW	SESW	NESE	NWSE
	SWSE	SESE		
S34	NENE	NWNE	SWNE	SENE
NENW	SENE	NESW	NWSW	SWSW
	SESW	NESE	NWSE	SWSE
	SESE			

1111.0 ACRES TOTAL

RECORDED

AUG 06 1991