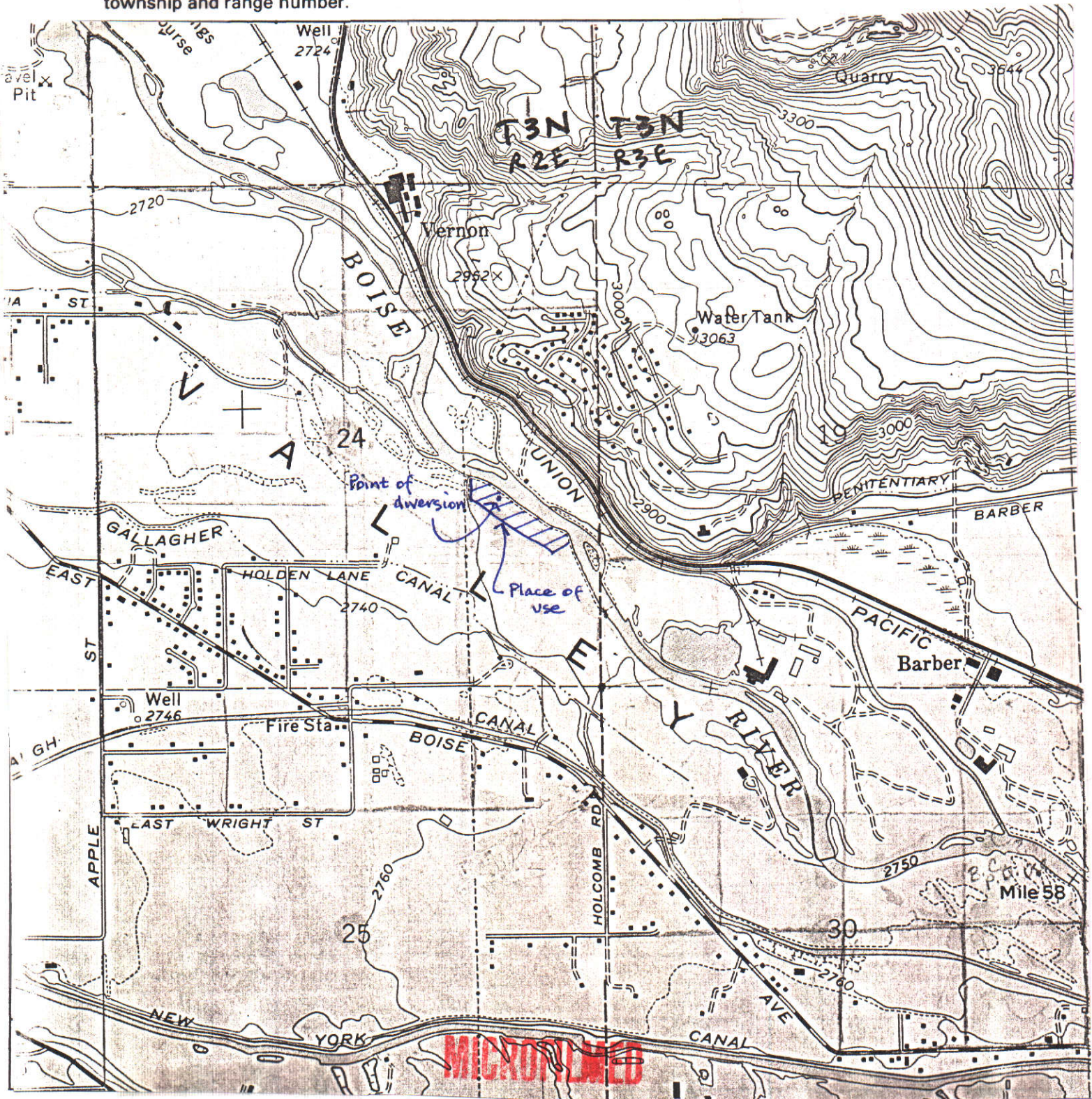


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: $\frac{3}{4}$ inches equal 1 mile.

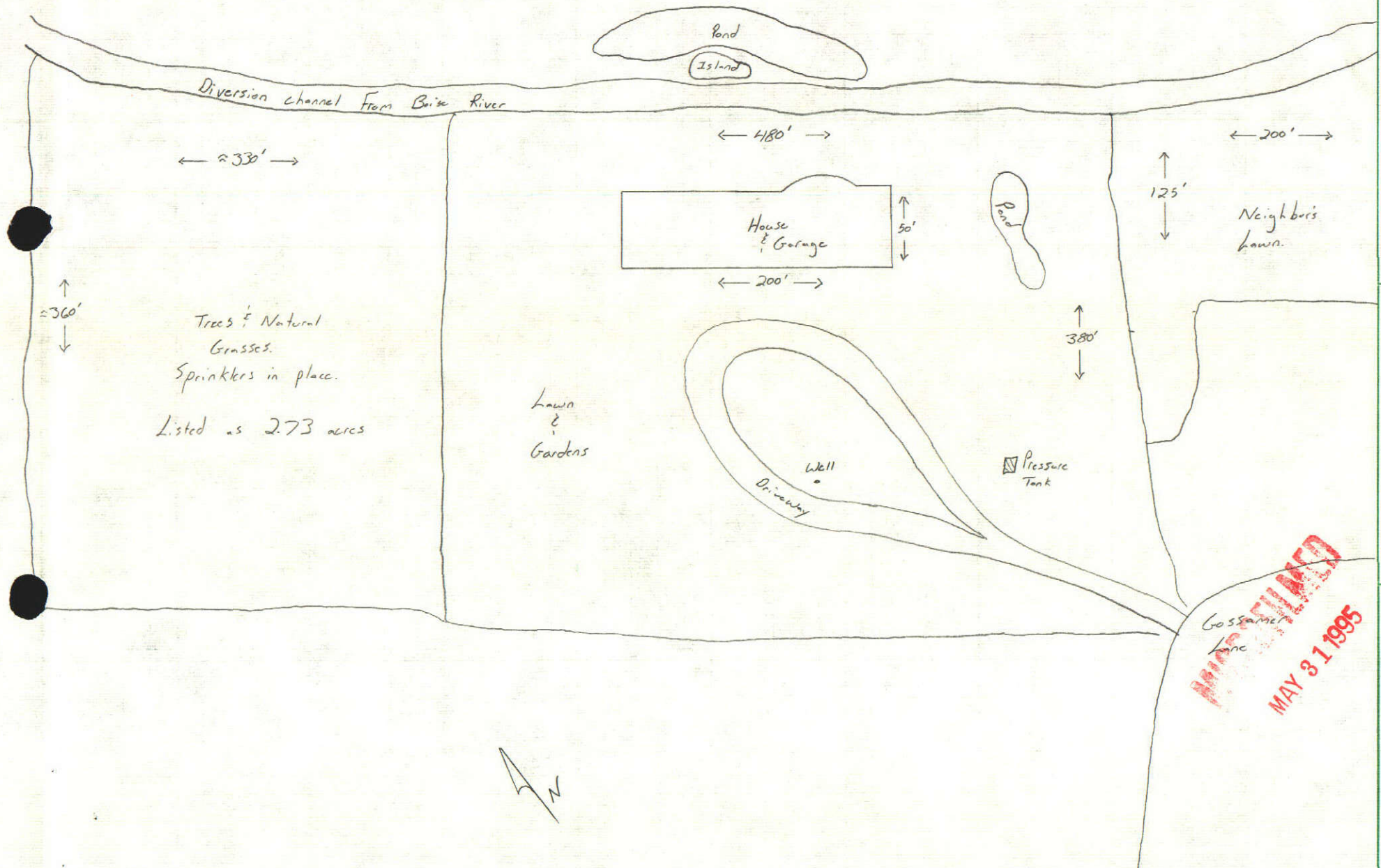
JUN 14 1989

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.

Burton N. Hamil
(Applicant)

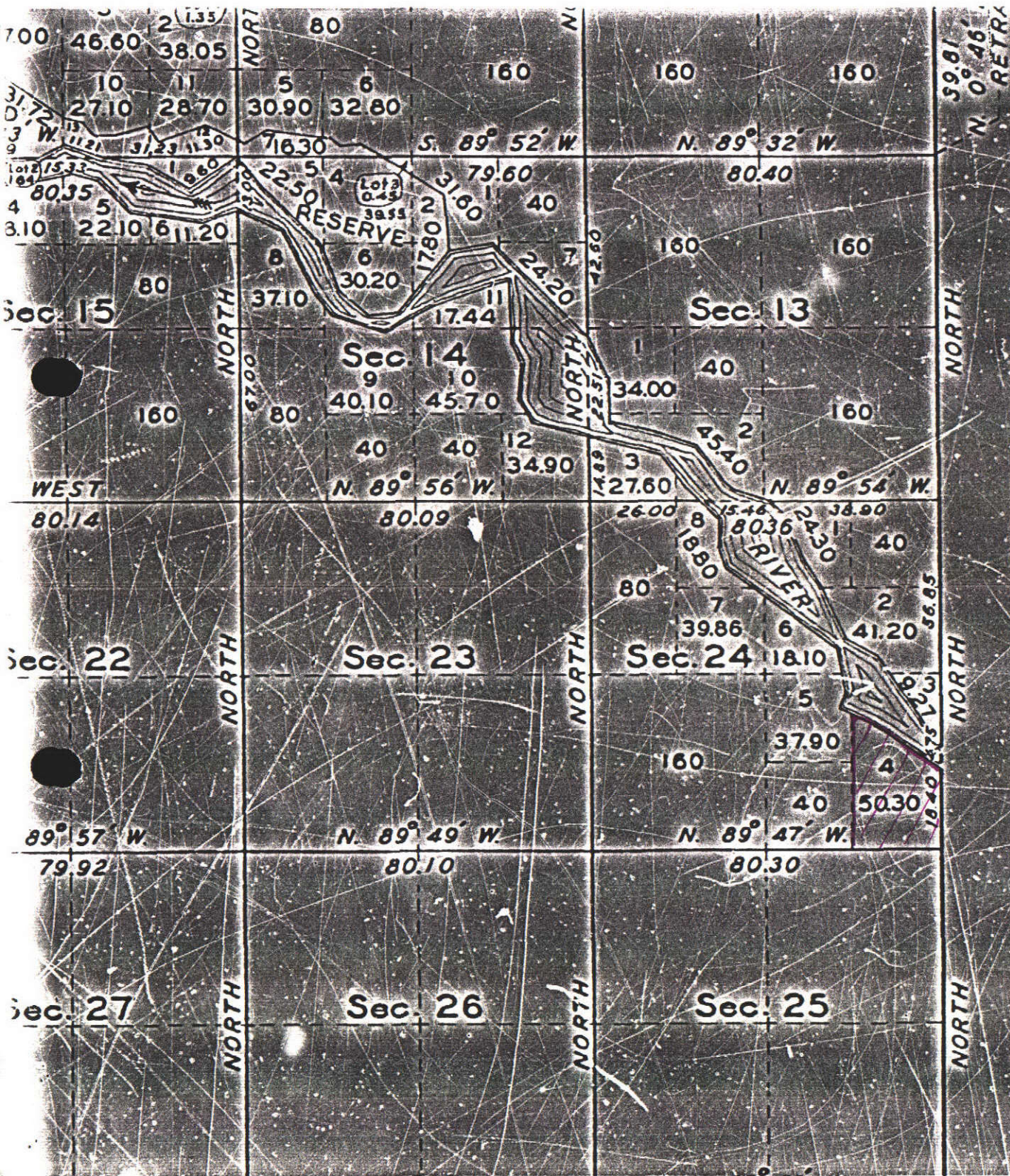


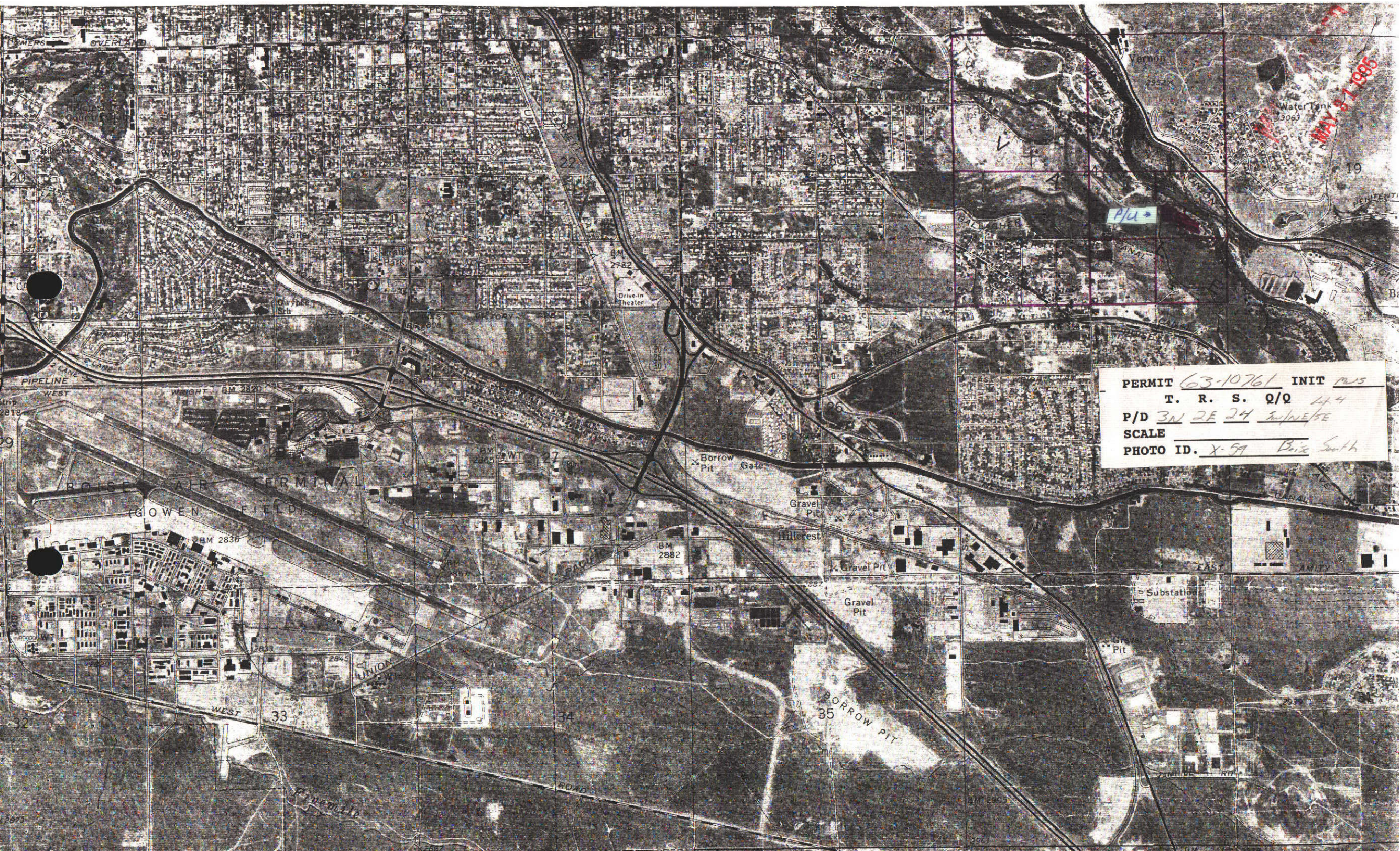
22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



Scale: 1" = 100'

MA 6-18-92





PERMIT 63-10761 INIT ms
T. R. S. Q/Q Lt. 4
P/D 3N 2E 24 3/4 NE/SE
SCALE
PHOTO ID. X-59 Boise South

Water Tank
23063

MAY 31 1996

A/A

BM 2782

Drive-In Theater

BM 2820

BM 2865

WT

BM 2882

BM 2836

2845

BORROW PIT
35

Substation

Gravel Pit

Gravel Pit

Gravel Pit

Borrow Pit Gate

Hillcrest

BOISE AIR TERMINAL
(GOWEN FIELD)

PIPELINE

WEST

2818

29

32

33

34

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36

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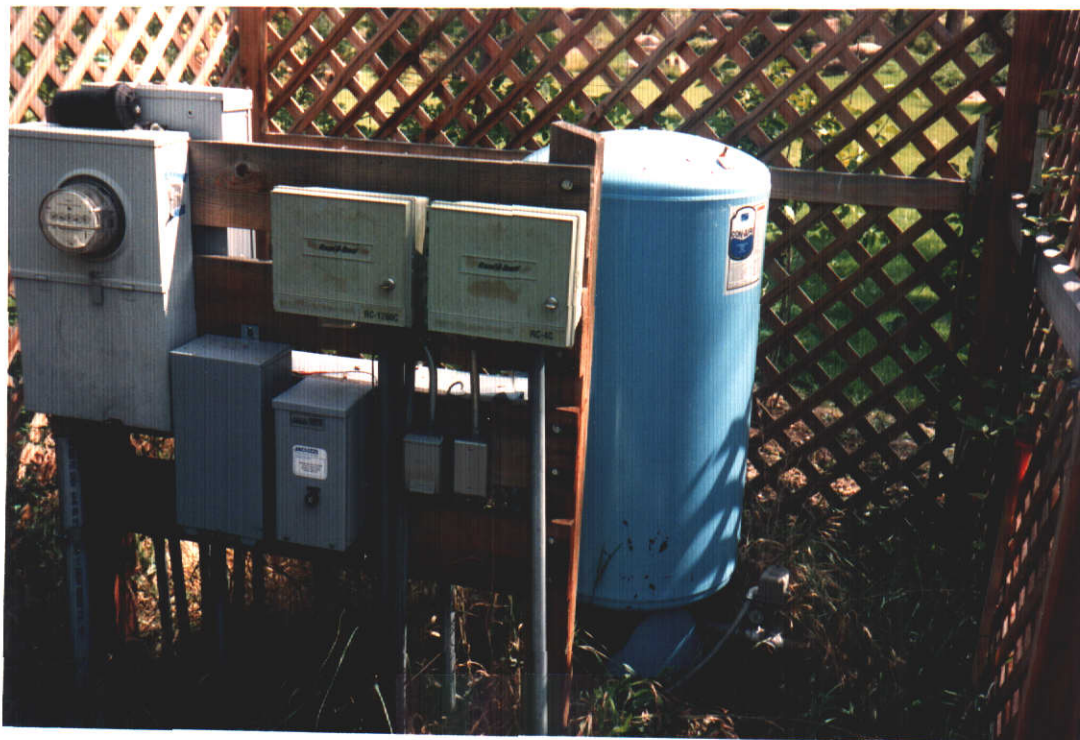
35

36

63-10761



The well



Sprinkler
controls and
pressure tank

MAINTAINED
MAY 31 1995

63-10761



Lawn on
East side
of house.



Lawn Facing
North. Pressure
tank enclosed
in middle

MISSOURI

MAY 31 1995

63-10741



Lawn behind
house, with
diversion from
the river to
the right.

From North-
East corner



Lawn, Facing
East. West
From North-
East corner

MAY 31 1995

63-10761



Trees and
grasses to
the west
of the
property.

2.7 acres
For sale, with
sprinklers in
place

Facing west



Faucet
attached to
the sprinkler
system in the
taxed property
for sale.

MAY 31 1995

63-10761



Neighbor's
property to
the East.



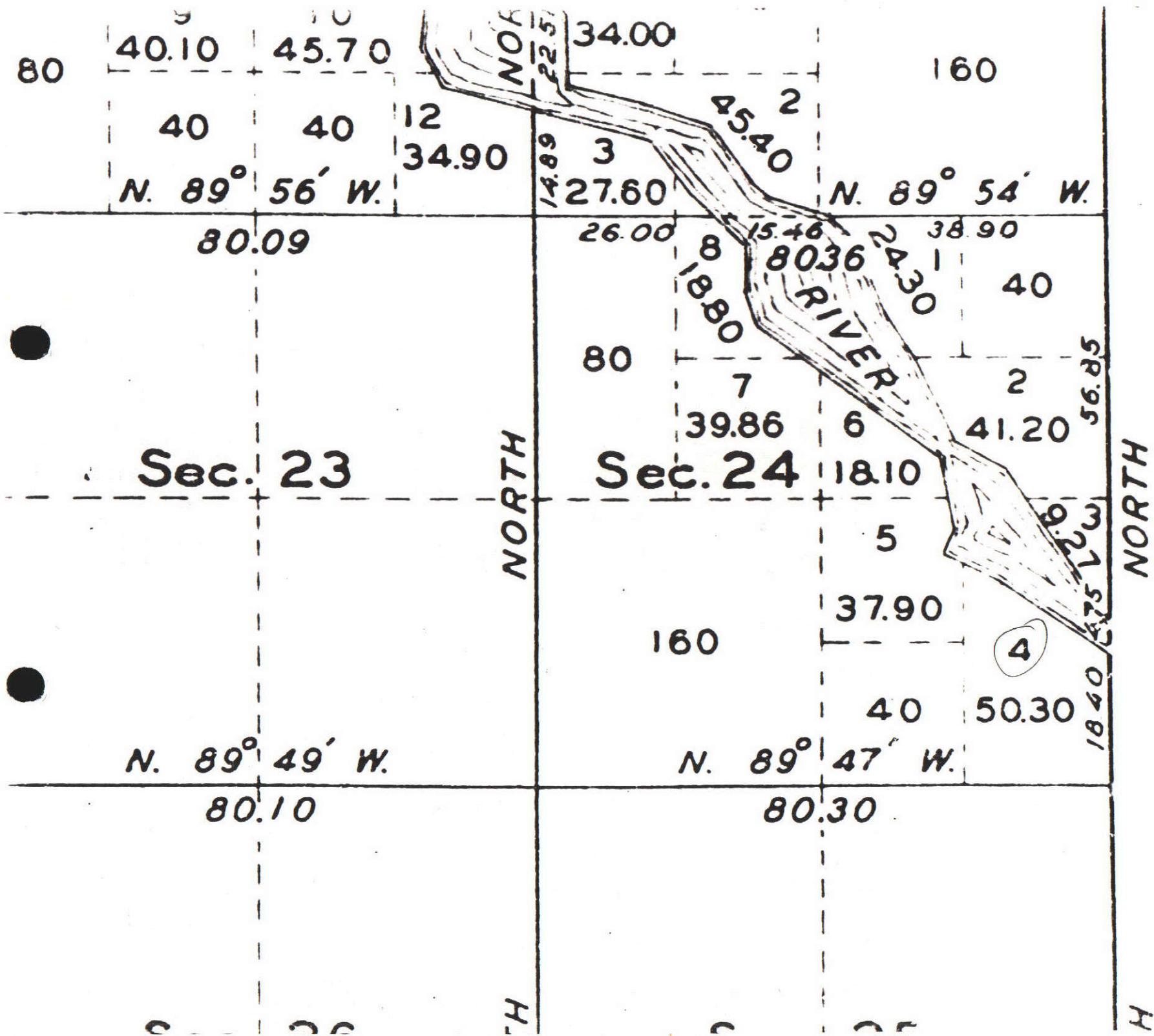
Sprinklers in
place but lawn
not yet
planted.

RECORDED
MAY 31 1995

63-10761



MIDNIGHT
MAY 31 1995



MICROFILMED

JUN 14 1989

Form 42-248/47-1409(6) July, 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**AUG 17 2001****WATER RESOURCES
WESTERN REGION**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-10761					

RECEIVED**AUG 21 2001**

Department of Water Resources

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Gerald D. Herrick
2170 E. Gossamer Lane
4. New Owner/Claimant(s) Boise, Idaho 83706
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address J. B. Scott
- City, State and ZIP Code P.O. Box 70001 Boise, Idaho 83707-0101
- New Telephone Number (208) 424-3840
5. Date you acquired the property February 3, 1994

MICROFILMED

AUG 21 2001

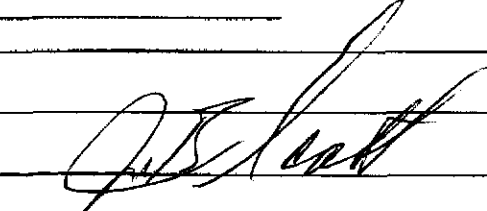
Form 42-248/42-1-409(6) July, 2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number	63-1076	
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	0.150 CFS	7.3 acres
Stock		
Domestic		
Other		
Total	0.150 CFS	- No change -

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)



For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by		Date	8-17-01
Received by		Date	8-17-01
Processed by	AJ	Date	
Fee	\$25-	Receipt No.	4028199
WR	MICROFILMED	Date	

NOV 26 2001

94010541

ORDER NO. 93045028 SB/JH

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

WARRANTY DEED

STEWART TITLE

'94 FEB 13 PM 4 10

FOR VALUE RECEIVED, Gerald D. Herrick and Kathryn Scott
Husband and Wife RECORDED AT THE RECORDER'S,

do hereby grant, bargain, sell and convey unto
J.B. Scott, a married man as his sole & separate property, Grantees,
whose address is:
380 E. ParkCenter Blvd. Ste 100, Boise, ID 83706 the following
described real property, located in Ada County, Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

EXCEPTING THEREFROM all water rights, ditch rights, and easements, and all ditches, canals, wells, diversion structures, pipelines, sprinklers, and other facilities, equipment or appurtenances of whatever character located on or pertaining to the use or delivery of water for any beneficial purpose on the property. For purposes of this deed, the term "water rights" shall mean both ground and surface water rights used upon or appurtenant to the property, and shall include, without limitation, all: 1) permits, claims, licenses, decreed rights, and beneficial use rights; 2) contracts or entitlements to receive water from any person, irrigation district or other water delivery organization; and 3) all ditch company stock, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), its heirs, successors and assigns forever.

The Grantee(s) hereby acknowledge and attest, under oath, that:
(1) (he) (she) (they) (it) understand that the premises are a part of the Spring Meadow Subdivision and are subject to the Spring Meadow Master Declaration of Covenants, Conditions and Restrictions as well as all applicable Supplemental Declarations of Covenants, Conditions and Restrictions recorded pursuant to said Master Declaration; (2) (he) (she) (they) (it) have received, read and understood these Declarations and that they contain specific covenants, conditions and restrictions regarding the use of the premises and of adjoining land areas; (3) (he) (she) (they) (it) understand that, among other things, said Declarations contemplate the formation of a master owner's association and other local associations, which will have powers and authorities affecting the premises and the power to levy assessments and impose liens; (4) (he) (she) (they) (it)

Continued on next page

MICROFILMED

NOV 26 2001

understand that such Declarations create an architectural control committee(s) which must approve the design and construction of all improvements to the premises; (5) (he) (she) (they) (it) understand and agree that the Declarations and Associations have and/or will impose restrictions for the establishment and preservation of Riparian Easement Areas, and wildlife and fishing habitats; (6) (he) (she) (they) (it) understand and agree that upon receiving this conveyance, the Grantee(s) will advise and inform the master owners association and any applicable local association that they have acquired the premises described herein and will advise and inform said association(s) of the Grantees' current address for notice purposes, so long as such association exists.

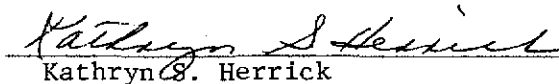
TO BE LEGALLY BINDING AND EFFECTIVE, THIS INSTRUMENT MUST BE EXECUTED AND ACKNOWLEDGED BY THE GRANTEE(S) HEREUNDER. ANY SUBSEQUENT OR OTHER PURPORTED CONVEYANCE OF THE PREMISES (EXCEPTING MORTGAGES, DEEDS OF TRUST OR OTHER SECURITY INSTRUMENTS) IN ORDER TO BE A VALID CONVEYANCE MUST BE EXECUTED AND ACKNOWLEDGED BY THE GRANTEE DESCRIBED THEREUNDER ACCEPTING THE FOREGOING NUMBERED CONDITIONS.

And the said Grantor does hereby covenant to and with the said Grantee(s) that it is the owner in fee simple of said Premises; that said Premises are free from all liens, claims and encumbrances except reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any, for the current year, which are not yet due and payable), and that it will warrant and defend the same from all other lawful claims whatsoever.

IN WITNESS WHEREOF, the Grantors, have caused its name(s) to be hereunto subscribed this 3rd day of February, ~~1993~~ 1994

"GRANTOR"


Gerald D. Herrick


Kathryn S. Herrick

"GRANTEE"


J.B. Scott

Continued on next page

STATE OF IDAHO)

ss

COUNTY OF ADA)

On this 3rd day of February in the year of ~~1993~~¹⁹⁹⁴, before me, the undersigned, a Notary Public in and for said State, personally

appeared Gerard D. Herrick and Kathryn S. Herrick known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Signature: Stephanie Buse

Name: Stephanie Buse

Residing At: Boise Id

My Commission expires: 8/31/96

STATE OF IDAHO, County of ADA, ss.

On this 3rd day of February in the year of ~~1993~~¹⁹⁹⁴, before me, the undersigned, a Notary Public in and for said State, personally appeared J.B. Scott

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Signature: Stephanie Buse

Name: Stephanie Buse

(Type or Print)

Residing At: Boise Id

My Commission expires: 8/31/96

EXHIBIT "A"

DA
DA
X54

PARCEL 1

Lot 190 in Block 1 of SPRING MEADOW 2 (PHASE B), according to the Official Plat thereof, filed in Book 57 of Plats at Page(s) 5383, 5384 and 5385, records of Ada County, Idaho.

AND

A portion of Lot 191 in Block 1 of SPRING MEADOWS 2 (PHASE B), a subdivision, as filed for record in the office of the Ada County Recorder, Boise, Idaho in Book 57 of Plats at pages 5383, 5384 and 5385, ALSO as shown on Record of Survey No. 1948, filed for record in the office of the Ada County Recorder, Boise, Idaho in Book G of Surveys at page 1976, and more particularly described as follows:

COMMENCING at a point marking the Southwesterly corner of the said Lot 191, also said point being THE REAL POINT OF BEGINNING; thence along the Southwesterly boundary of the said Lot 191

North 24 degrees 00'00" West 198.31 feet to a point marking the Northwesternly corner of the said Lot 191; thence along the Northwesternly boundary of the said Lot 191

North 46 degrees 30'00" East 283.90 feet to a point marking the Northeastly corner of the said Lot 191; thence along the Northeastly boundary of the said Lot 191

South 51 degrees 16'40" East 60.19 feet to a point; thence continuing

South 44 degrees 54'42" West 20.00 feet to a point; thence continuing

South 36 degrees 26'09" East 37.91 feet to a point; thence leaving the said Northeastly boundary

South 46 degrees 30'00" West 214.76 feet to an iron pin; thence

South 13 degrees 27'54" West 82.55 feet to an iron pin on the Southeastly boundary of the said Lot 191; thence along the said Southeastly boundary of Lot 191

South 22 degrees 00'00" East 72.00 feet to a point on the Northerly boundary of Lot 173 of Block 1, also known as East Gossamer Lane, to a point marking a point of beginning of curve; thence along the said Northerly boundary of Lot 173 along a curve to the left 32.63 feet, said curve having a central angle of 07 degrees 55'16", a radius of 236.00 feet and a long chord bearing

North 88 degrees 57'38" West 32.60 feet to a point of ending of curve, also said point being the POINT OF BEGINNING.

For Review at Ada County Advertiser Office
T3N, R2E, S24, SE 2
David Egan
11.19.81

MICROFILMED

90-10-071

Continuation of Exhibit A

Order No. ST-93045028 JH/SB

PARCEL 2

A perpetual, non-exclusive Easement for maintenance, replacement and repairs to existing water and sprinkler systems over, upon and under Lots 188 through 193 in Block 1 of said SPRING MEADOW 2 (PHASE B).

[Handwritten signature]
[Handwritten initials]
[Handwritten initials]

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10761

Priority: January 31, 1989

Maximum Diversion Rate:

0.15 CFS

This is to certify, that GERALD D HERRICK
2170 E GOSSAMER LANE
BOISE ID 83706

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 31, 1989; and
has submitted Proof of Beneficial Use on May 1, 1991. An examination indicates
that the works have a diversion capacity of 0.230 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
-----------------------	----------------------	--------------------------	----------------------

IRRIGATION	03/15 to 11/15	0.15 CFS	
------------	----------------	----------	--

LOCATION OF POINT(S) OF DIVERSION: Lot 4 (NESE), Sec. 24, Township 03N, Range 02E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	02E	24	Lot 4(NESE)	7.3		7.3

Total number of acres irrigated: 7.3

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
5. The Director retains jurisdiction to require future installation of a totalizing measuring device of a type approved by the Department upon a finding of need.
6. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
7. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
8. This right when combined with Right 63-00243D and all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 32.9 af for the lands above.

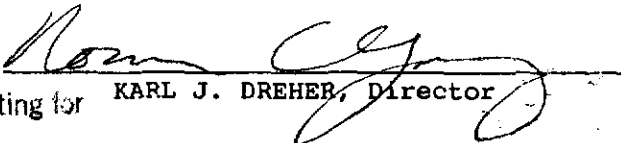
MAY 31 1995

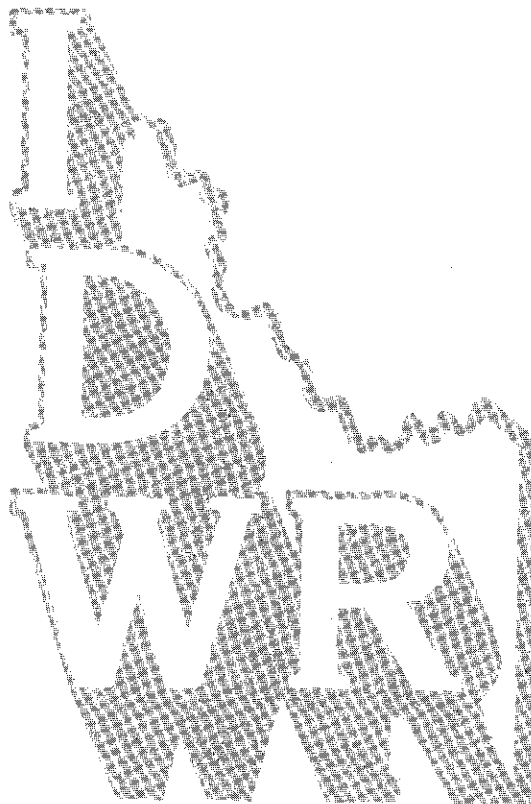
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10761

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 26TH
day of MAY, 1995.


Acting for KARL J. DREHER, Director



MAY 26 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NOS.	)
63-10761 GERALD D. HERRICK	)
63-10786 WISHNEY-ATTORNEY RETIREMENT PLAN	)
63-10943 ADA COUNTY HIGHWAY DEPT.	)
63-10940 DIAMOND SPORTS INC.	)
63-11079 MOUNTAIN HOME ROAD DISTRICT	)
63-11082 ERNEST A. QUIER	)
63-11152 JANET A. HAHN, WILLIAM C. HAHN	)

ORDER

ORDER REMOVING THE CONDITION OF APPROVAL
FROM PERMITS WITH DIVERSIONS TRIBUTARY TO THE BOISE RIVER

Each of the above-referenced permits was approved with one of the following requirements:

A. Prior to diverting water under this water right, the water right holder shall submit to the Department and for an augmentation plan to compensate for depletions of the flows of the Boise River. (63-10761)

B. Twelve acre-feet of storage water shall be leased from the Boise River water supply bank every year prior to diverting water under this right. (63-10786)

C. Diversion of water under this right is conditioned upon the annual rental of two acre-feet or storage water from the Boise River Water Supply Bank. The Department retains jurisdiction to modify the rental storage requirement if it finds that the water right holder is diverting more or less water than is required presently under this condition. (63-10943)

D. Authorization to divert water under this right is dependent upon the annual lease of water from the Boise River Water Supply Bank. (63-10940, 63-11080, and 63-11082)

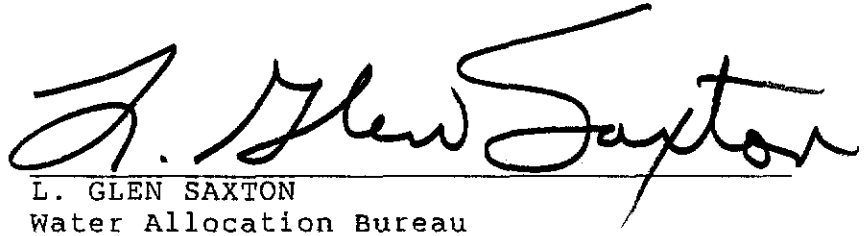
E. It is the responsibility of the user of this water right to determine when flows are sufficient to satisfy this water right plus all downstream water rights. (63-11152)

The Department has determined that these conditions are not necessary for the distribution of water under these permits.

The Department orders the removal of any one of these conditions from the above-referenced permits.

FEB 10 1992

Dated this 28th day of January, 1992.


L. GLEN SAXTON
Water Allocation Bureau

ORDER - 63-10761

RECEIVED
FEB 10 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-10761)
THE NAME OF GERALD D. HERRICK) ORDER
_____)

WHEREAS, on April 11, 1991, the Department of Water Resources issued Permit No. 63-10761 with the condition that:

A totalizing measuring device of a type allowed by the Department shall be permanently installed and maintained as part of the diverting works.

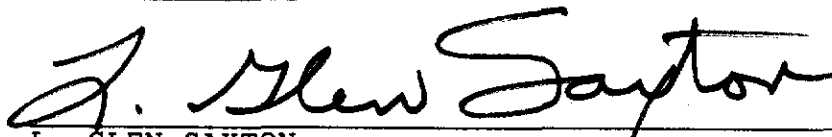
and;

WHEREAS, the Department of Water Resources has determined that the compliance with this condition of approval is not required at this time;

IT IS ORDERED that this condition of approval on Permit No. 63-10761 is REMOVED.

IT IS FURTHER ORDERED that the Director retains jurisdiction to require future installation upon a finding of need.

Dated this 8th day of November, 1991.


L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED

FEB 10 1992

RECEIVED

MAY 16 1991

STATE OF IDAHO

For Office Use Only

Amt. of Fee \$ 50.00Date 5/16/91Receipt No. 0020513Received by J. Larson

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-10761 Telephone No. 336-8719
2. Name(s) of Permit Holder(s): GERALD D. HERRICK
3. Post Office Address: 2170 E. GOSSAMER LN., BOISE, IDAHO 83706
4. Source of Water: WELL
 - a. If ground water, well driller's name: DENNIS PHIPPS Date drilled: APR. 13, 1989
 - b. Pump horsepower: 5 Pressure (psi): 50 PSI Dynamic pumping level (ft.): 60 FT.
5. Extent of Use: 9 ACRES

Domestic _____ (No. of households)

Irrigation 9 ACRES (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

6. Total rate and/or volume for which proof is submitted 0.18 cfs 27 acre/feet 80 gpm

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

Measuring device: * Required? ☒ Yes ☐ No Installed? ☐ Yes ☐ NoFlow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

GERALD D. HERRICK336-8719

Name

Telephone No.

2170 E. GOSSAMER LN. BOISE IDAHO

Address

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

FEB 10 1992

5-10-91

Date

Gerald D. Herrick

Signature (and title if on behalf of a company or organization)

X REQUEST PERMISSION TO WAIVE REQUIREMENTS FOR MEASURING DEVICE AND FLOW MEASUREMENT PORT.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Gerald D. Herrick Phone 383-6351
Post office address 2242 Whitepine Place, Boise, Idaho 83707

2. Source of water supply groundwater which is a tributary of Boise River

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot 4
Sec. 24 Township 3N Range 2E B.M. Ada County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.18 for irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.18 and/or (b) 27 N/A *
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump, pipeline, sprinklers *

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

c. Proposed well diameter is 8 inches; proposed depth of well is 70 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
2 years (minimum 1 year).

JUN 14 1989

* per Attachment A, SL 2/2/89

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	
3N	2E	24													4 9				9

Total number of acres to be irrigated 9

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

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

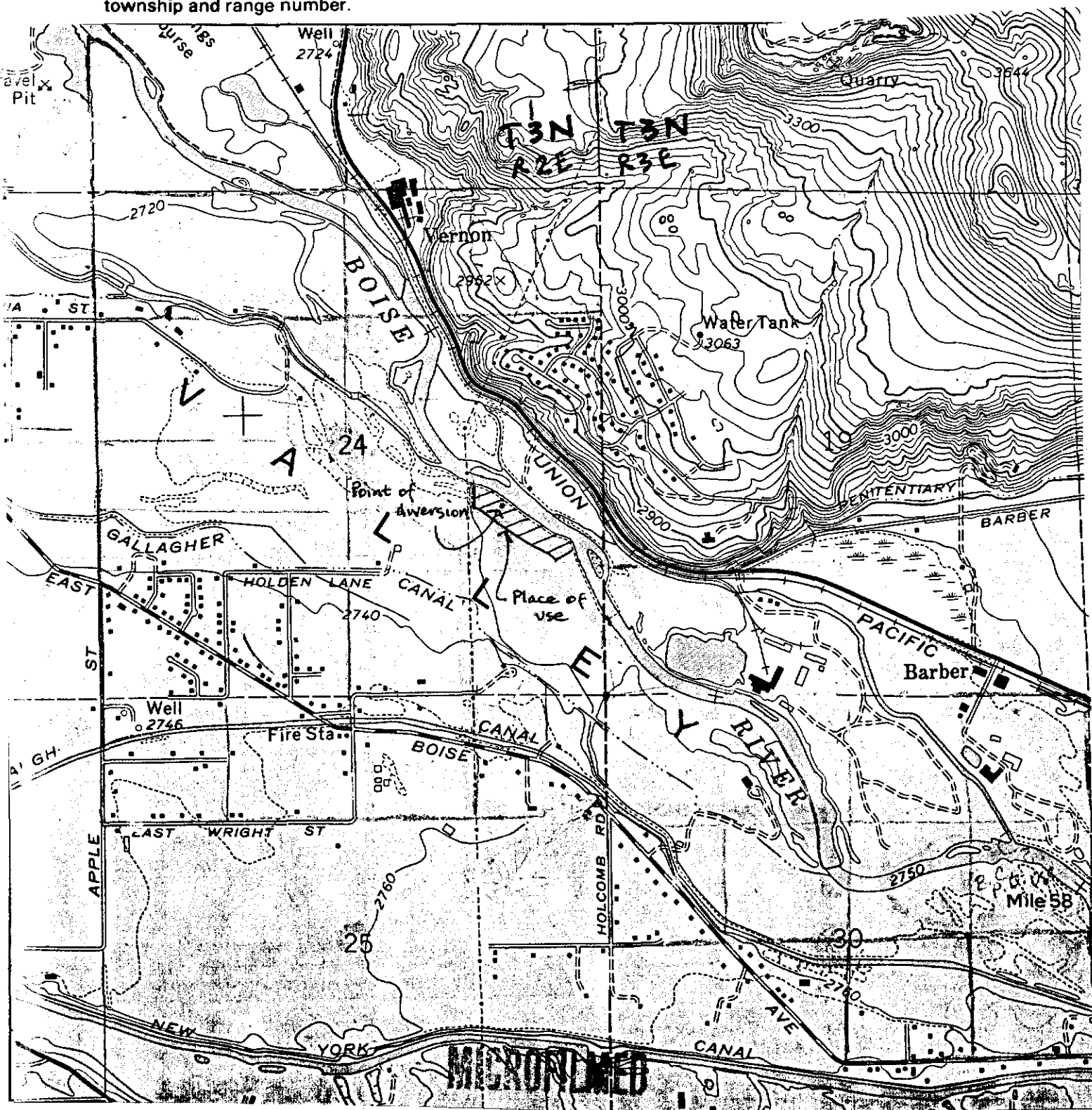
b. Who owns the land to be irrigated or place of use? Applicant

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

12. Remarks: See Attachment A

RECEIVED
JUN 14 1980

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



Scale: 1/4 inches equal 1 mile.

3/4

JUN 14 1939

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.

Edward N. Smith
(Applicant)

Proposed Priority 1/31/89

Received by nl Date 1-31-89 Time 5:10 p.m. Preliminary check by SL

Fee \$ 30⁰⁰ Received by DW # W002143 Date 2/1/1989 *check rec'd with appl. on 1/31/89*

Publication prepared by GG Date 2-8-89 Published in ID Statesman 2/16 & 2/23/89 *SL*

Publication approved SL Date 3/13/89 *(see letters)*

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. 63-10761, and said application is hereby APPROVED.

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 May 1, 19 91.

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:

Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Use of water under this permit is subject to control by the watermaster of State Water District No. 63, Boise River.

✓ A totalizing measuring device of a type allowed by the Department shall be permanently installed and maintained as part of the diverting works.

✓ Prior to diverting water under this water right, the water right holder shall submit to the Department and receive approval for an augmentation plan to compensate for depletions of the flows of the Boise River.

Witness my hand this 11th day of April, 1989.

J. Glen Saxton

RECEIVED

APR 14 1989

ATTACHMENT A

This application seeks a permit for a small irrigation well to be constructed near the Boise River in Boise, Idaho. The well will irrigate Applicant's 9-acre parcel using sprinklers. Since the well presumably will produce groundwater tributary to the river, Applicant proposes to augment river flows to cover the depletions resulting from operating the well. Augmentation water will be held under separate rights or entitlements to mainstem flows which Applicant will commit to this purpose.

Applicant is entitled to irrigate the property described as the place of use with rights diverted by South Boise Mutual Irrigation Company ("SBMIC"). However, residential land development in the area has made continued surface delivery to the property impractical. Applicant is working with SBMIC and other entities in the area to arrange a transfer of Applicant's portion of the right so that it might be used as described in this application. Applicant would accept a permit and license condition specifying that the well could not be pumped without identifying an acceptable source of water to be used in a temporary plan for supplemental supply, an approved plan for augmentation, or a similar approved program.

Applicant desires to begin pumping in the spring of 1989. In case the SBMIC rights or other permanent augmenting rights cannot be approved by then, Applicant has applied for 27 acre-feet of water from the Boise River Water Bank for the 1989 season, and will do so thereafter as necessary to assure that augmenting flows will be available. Applicant requests that such a use of Water Bank waters be approved. If a greater volume of water from the Water Bank or other source is deemed necessary to achieve the purposes of this application, Applicant would seek such additional volume.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 19, 2001

J B SCOTT
PO BOX 70001
BOISE ID 83707-0101

RE: Change of Ownership for Water Right 63-10761

Dear Water Right Holder(s):

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

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

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

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

NOV 26 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 30, 1995

GERALD D HERRICK
2170 E GOSSAMER LANE
BOISE ID 83706

RE: WATER RIGHT NO. 63-10761

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
MAY 31 1995

LICENS REVIEW CHECKLIST

PERMIT NO. 63-10761 DATE 5/22/95



NAME	Change OK ☒	Or Address Change? ☐
PRIORITY DATE	☒	Advance? ☐ Advanced to: _____ Order to reinstate needed? ☐ Incorrect fee for rate recommended? ☐
SOURCE	☒	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? ☐
POINT OF DIV	☒	Amendment needed? _____ ☒ Overlaps? _____
PLACE OF USE	☒	Amendment needed? _____ ☒ Overlaps? <u>Transferred surface water 63-00243.D</u>
DIV RATE	☒	Permit/fee limits: <u>.18 CFS</u> Meas Q = _____ Theo Q = <u>.23</u> Recommend: <u>.15</u> <u>7.3 x .02 = .15 CFS</u> Combined rates exceed capacity _____
ANNUAL VOLUME	☒	Volume Limit: _____ Season: <u>D/4.5 (3/5 to 11-15)</u> Calculations: <u>7.3 x 4.5 = 32.9 g/s</u> Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable _____
USES	☒	Change in Nature of Use or additional uses? _____ Amendment necessary? ☐
ADDITIONAL INFO		Supplemental Groundwater <u>YES</u> PPU Scenario _____ Irr/Dom Combination <u>—</u> Shared G/W System _____
NEW REMARKS	☒	Multiple p/d(s) in ¼ ¼? <u>YES</u> Other <u>WB3 WB8 W44 (.02/32.9)</u>
NEW CONDITIONS	<u>R04</u>	Watermaster control - District <u>63</u> <u>R32</u> Measuring/Locking Devices Irrigation Overlap Other _____ Water Quality _____ Heat/Cool/Fish verified _____

*theoretical
ADJUSTMENT*

COMMENTS: _____

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
<u>Irrigation</u>	<u>7.3</u>	<u>32.9</u>	Adjustment Memo Needed	<u>NO</u>
_____	_____	_____	LICENSE	☒
_____	_____	_____	1ST AMEND LETTER	_____
_____	_____	_____	2ND AMEND LETTER	_____

In remarks

RECEIVED

AUG 30 1994

STATE OF IDAHO
Department of Water Resources

DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 7 1993

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-10761

1. Owner: Gerald D. Herrick Phone No. 336-8719

Current Address: 2120 E. Gossamer Lane Boise, ID 83706

2. Accompanied by: _____ EXAM. DATE: 6-17-92

Address: _____ Phone No. _____

Relationship to Permit Holder: Same

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None

☐ Copies Attached

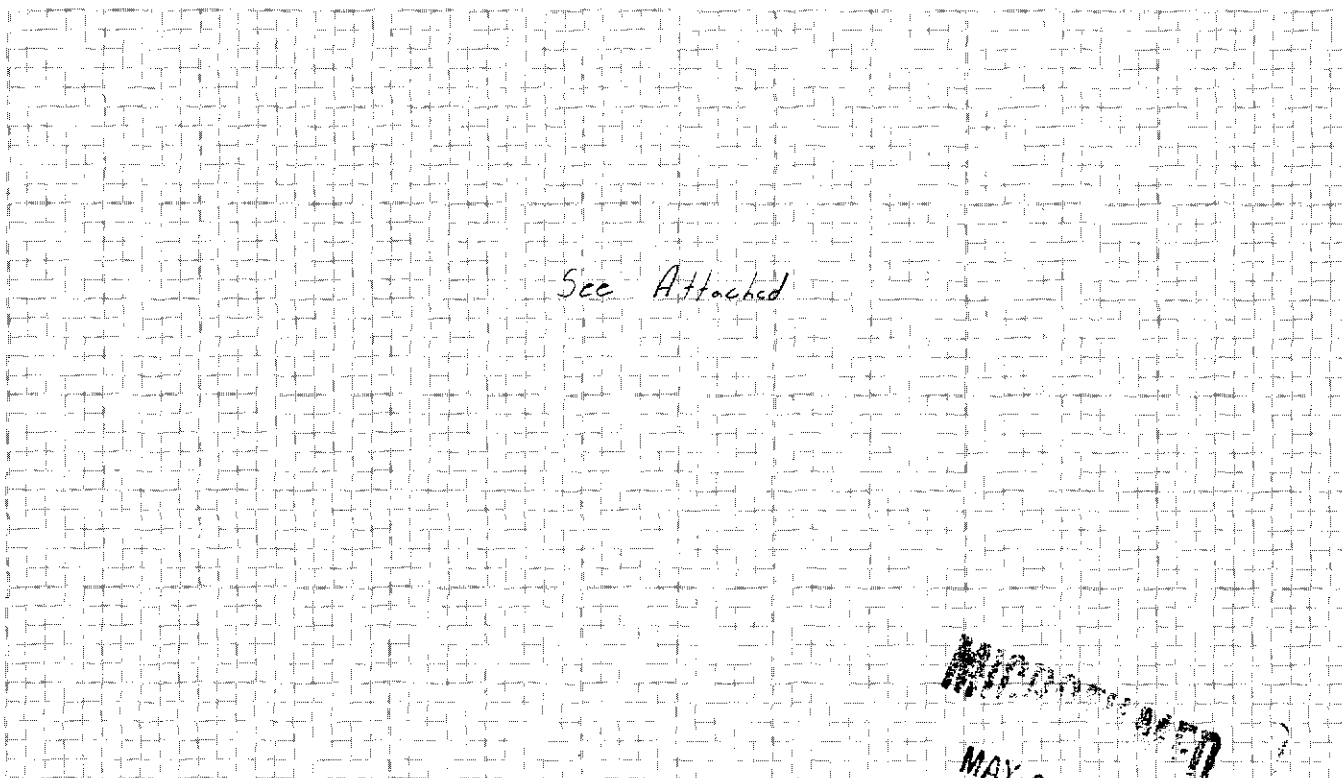
2. Other water rights with same point of diversion: None

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

An 8" dia, ~~40'~~^{82'} deep well is located on the property of the owner. The water is diverted to a pressure tank before it is used by underground sprinklers and various faucets. The owner's original land totaled 9 acres, but 4.63 acres has been sold or is for sale. The owner has approx. 4.2 acres of lawn and gardens being watered via the sprinklers. To the east of his property is located 1.9 of the original 9 acres that is under a new owner. Of the 1.9 acres, approx. .6 acres of lawn will be watered by

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		5		Jacuzzi	556B5

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	4	SW	NE	SE	24	3N	2E	Ada	USGS Photo Quad

6. Place(s) of Use:

Indicate Method of Determination

USGS Photo Quad

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	2E	24													73				7.3

Do not use this space

MAY 31 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Total Acreage = $(380' \times 480') - (50' \times 200') + (125' \times 200') / 43560 = 7.3 \text{ acres}$
 Well depth = 40', dynamic level unknown, but cannot exceed 40'
 62' per log well 20'

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$7.3 \text{ acres} \times .02 \frac{\text{cfs}}{\text{acre}} = .15 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

$$\frac{5 \text{ hp} \times 70\% \times 8.8}{(231.5 \text{ gal} \times \frac{40'}{20'})} = .23 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 7.3 \text{ acres} \times 4.5 = 32.9 \text{ a-f}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .15 \text{ cfs} \times 245 \times 1.9835 = 7.2 \text{ a-f}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 32.9 \text{ a-f}$$

2. Volume Calculations for Other Uses:

RECORDED
MAY 31 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

a sprinkler system that is currently being installed. The owner of this land has an agreement with Mr. Herrick to utilize his well and system. To the west of Mr. Herrick's property lies another 2.73 acres, per real estate info., that is also for sale. This land currently contains wild grasses and trees. An underground sprinkler system and faucets are in place on this property, and they are also attached to Mr. Herrick's system.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	11-15	.15 cfs	32.9 afa
Totals:			.15 cfs	32.9 afa

2. Recommended Amendments

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

J. AUTHENTICATION

Field Examiner's Name Mark Sevin
Signature Mark Sevin
Certification Date _____
Field Report Preparation Date 6-18-92

CONSULTANT SEAL

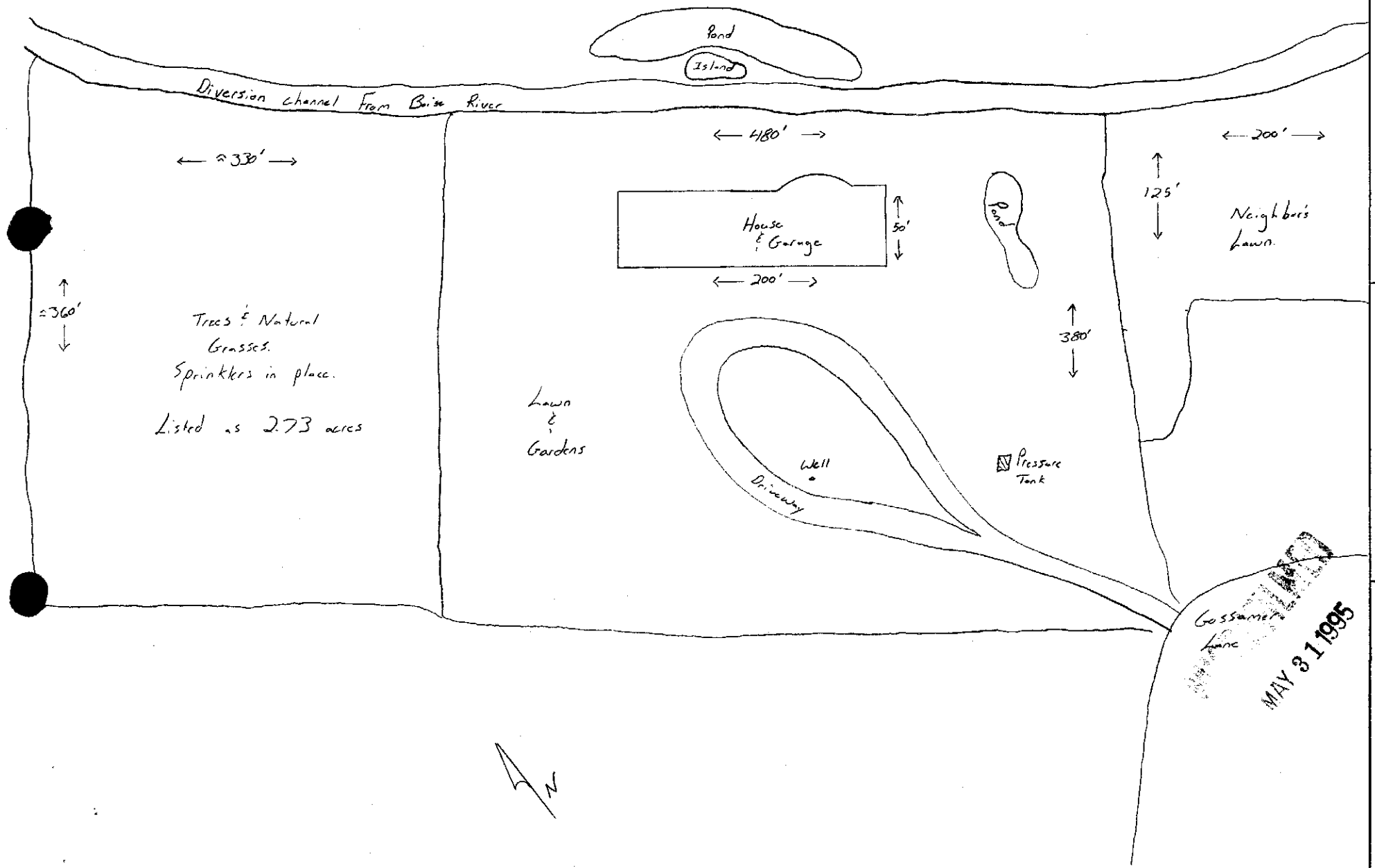
- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

MAY 31 1995

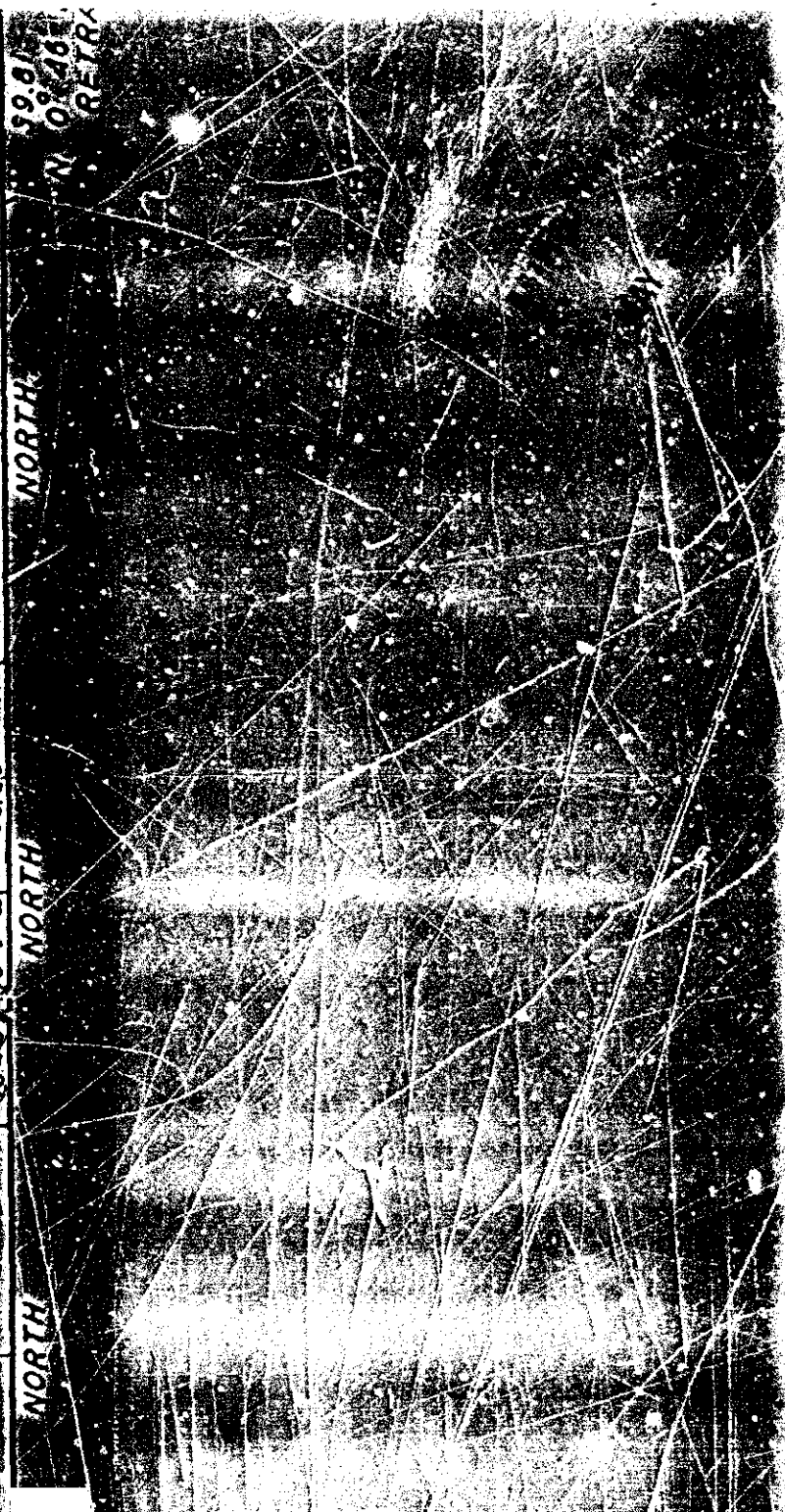
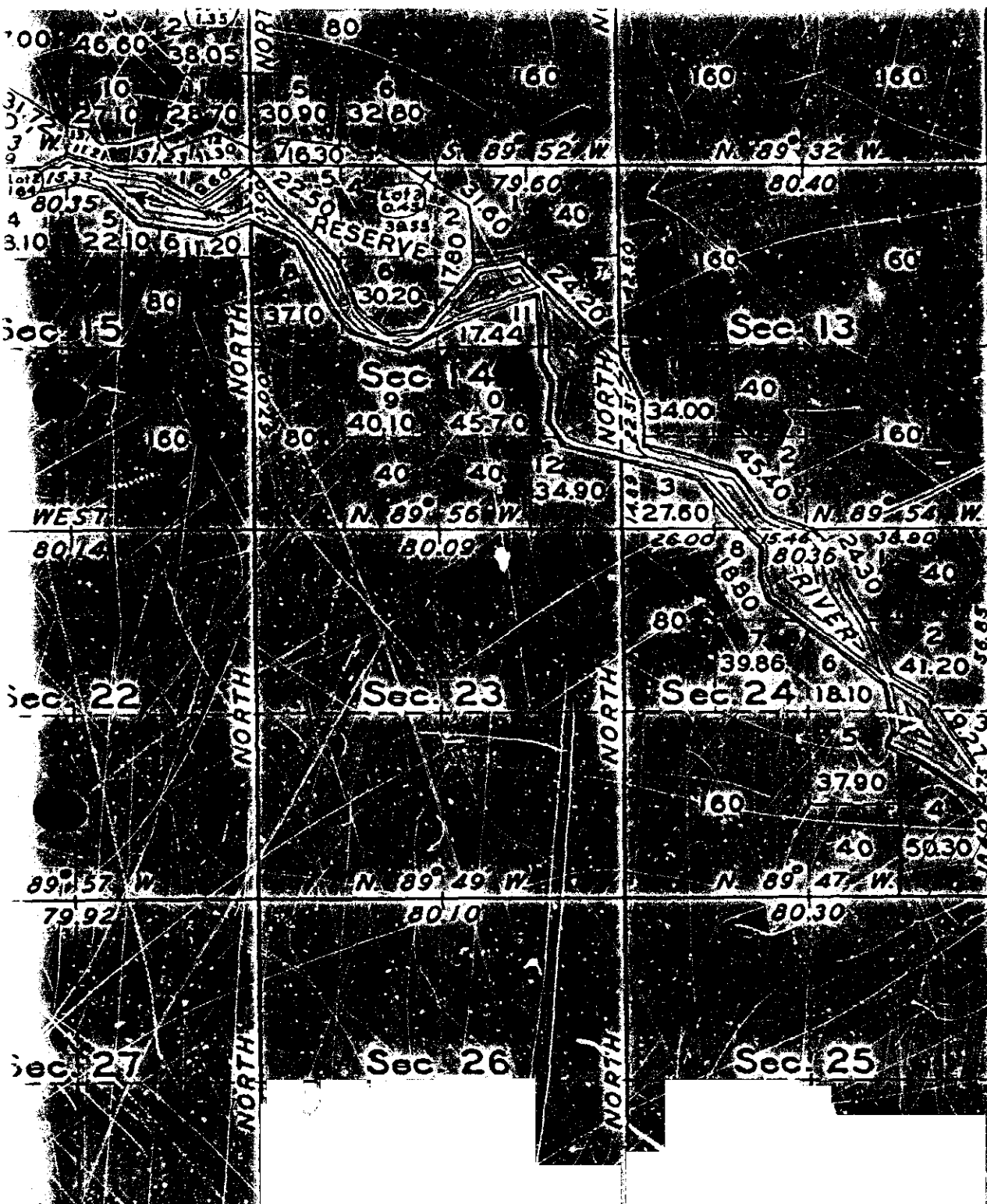


22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



Geospatial
MAY 31 1995

MVS 6-18-92





P/U →

PERMIT 63-10761 INIT M/S
T. R. S. Q/Q 1/1/9
P/D 3N 2E 24 3/1/95
SCALE
PHOTO ID. X-99 Bois South

[illegible]

Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# 63-10761

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 3N, Rge 2E, Sec. 24, NE 1/4 SE 1/4 or Lot 4.

2. Owner: Gerald J. Herrick
Address 2170 E. Gossard, City Bixie, St ID

3. Casing $\geq$ 12 inches above ground: Yes ☒ No ☐

4. Access Port: Yes ☒ No ☐ Static Water Level: _____
Pressure Gauge: Yes ☐ No ☒ Casing Diameter: 2"
Flowing: Yes ☒ No ☐ Temperature: _____

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes ☐ No ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

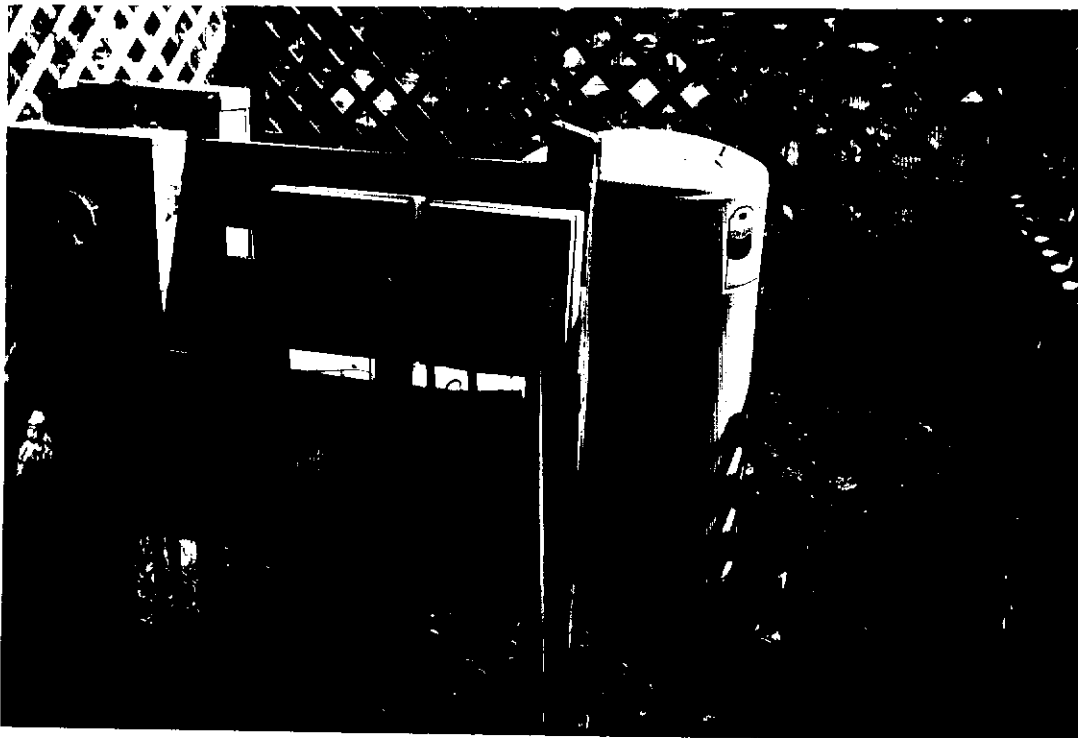
Remarks: _____

MAY 2 1995

63-10761



The well



Sprinkler
controls and
pressure tank

2007-05-31 10:00 AM
MAY 31 1995

63-10761



Lawn on
East side
of house.



Lawn Facing
North. Pressure
tank enclosed
in middle

MAY 31 1995

63-10741



Lawn behind
house, with
diversion from
the river to
the right.

From North-
East corner



Lawn, Facing
East. West
From North-
East corner

MAY 31 1995

63-10761



Trees and
grasses to
the west
of the
property.

2.7 acres
For sale, with
sprinklers in
place

Facing west



Faucet
attached to
the sprinkler
system in the
truss property
for sale.

MAY 31 1995

63-10761



Neighbor's
property to
the East.



Sprinklers in
place but lawn
not yet
planted.

MAY 31 1995

63-10761



RECORDED

MAY 31 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

November 8, 1991

Mr. Gerald Herrick
2170 E. Gossamer Lane
Boise, ID 83706

Re: Permit No. 63-10761

PROOF ACKNOWLEDGEMENT LETTER

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for this permit. Note the enclosed order removing the condition to install a measuring device.

The next step in the process of developing a water right is for the department to conduct a field inspection to determine and confirm the use being made of the water. Our regional office will contact you to make arrangements to conduct this survey.

If you have any questions or if we can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

RECEIVED

FEB 10 1992

INTER-DEPARTMENT MEMO

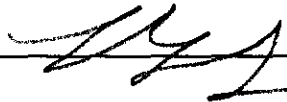
TO: Rita

SUBJECT: _____

FROM: MrDATE: 6-4-91

- We can remove M.D. request BUT
ply coordinate effort w/ Jim J.
who is preparing an order
to change last card of approval
incl. augmentation plan to compensate...

- We don't need to advance
priority since there was a
misinterpret.

☐ For your information☐ Response required
signature

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 63-10761

Date 5 16 91

GENERAL CONSIDERATIONS

☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☐ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

☐ Surface water source
☒ Ground water source
☒ Drill permit req'd?
☒ Copy in file? Drill permit no. 63-89-2-048
☒ Amt paid for drilling permit? yes Correct?
☒ Well log in file?

LICENSE EXAMINATION FEE

☒ Required?
56.00 Amount submitted?
☒ Correct amount?

MEASURING DEVICE

☒ Measuring device or access port required?
☐ Installed?
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

*address change! need well log
Does not need reinstated - see memo of 5-10-91
asked for waiver*

PRIORITY CALCULATION

Date proof received	<u>May 16, 1991</u>	<u>136</u>
Date proof due	<u>May 1, 1991</u>	<u>121</u>
No. of days late		<u>15</u>
Priority date	<u>Jan 31, 1989</u>	<u>31</u>
NEW PRIORITY DATE	<u>Feb 5, 1989</u>	<u>46</u>

KRG 1/28/92

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY. - FORWARD THE WHITE COPY TO THE DEPARTMENT

Form 235-1
3/89

Drilling Permit No. 63-892-048
Water Permit No. 63-10761
Injection Permit No. _____

State of Idaho
Department of Water Resources

RECEIVED
APR 13 1989

DRILLING PERMIT

Department of Water Resources

1. Applicant Gerald D. Herrick
2. Address 2242 Whitepine Place
Boise, ID 83707 Telephone 336-8719
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location NE 1/4 SE 1/4, or Gov't lot No. 4,
Sec. 24, Twp. 3N, Rge. 2E, County Ada,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
☐ Domestic ☐ Stockwater ☐ Monitoring
 No. of households _____ No. of livestock _____
☒ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☐ Other, Specify _____
5. Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 8" Maximum depth 70 feet
Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date April 20, 1989
7. Well Driller (if known) DENNIS PHIPPS
Address MERIDIAN
8. Applicant's signature Gerald D. Herrick
Title _____
Date April 13, 1989

ACQUISION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved.

If approved, this permit authorizes the construction of a well subject to the following conditions:

GENERAL CONDITIONS

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS

Dated this 14 day of April, 19 89.

Signed Idunrik A. Reed

Title Groundwater Prot Mgr

Receipt No. C006331 Received by K. Young Fee 100.00 Date 4/14/89

EXTENSION OF DRILLING PERMIT

Approval Date _____ Extension approved by _____
This extension is good for 60 days beyond the above extension approval date.

FEB 10 1992

MEMORANDUM

TO: FILE

FROM: JIM JOHNSON

RE: CONVERSATION WITH GERALD HERRICK

DATE: May 10, 1991

=====

On April 1 Mr. Herrick called in reference to Rita's Proof Due Notice asking more specific information on the type of totalizing measuring device required under this permit.

In noting that this permit was using a groundwater source and that the type of measuring device requirement put on the permit was for the purpose of monitoring total volume diverted, because it was assumed that the water diverted was actually Boise River water. The totalizing device was required so that the amount required to augment the Boise River from release of storage water could be determined. However, knowing that the Department is not now requiring new groundwater diversions near the Boise River to install totalizing devices until more information is available, I advised Mr. Herrick that he did not need to install the device.

My verbal communication was interpreted by him to mean that he also didn't need to submit the proof to beneficial use statement mailed to him. He didn't realize any had gone afoul until he received the Lapse Notice from Glen.

I advised him to submit the beneficial use form ASAP and to request a format waiver of the totalizing measuring device requirement.

This permit should be reinstated without advancing the priority dated and the measuring device requirement should be waived.

RECEIVED

FEB 10 1992



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

May 3, 1991

GERALD D. HERRICK
2242 WHITEPINE PLACE
BOISE, ID 83707

LAPSE NOTICE

RE: PERMIT NO. 63-10761

Y010

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 February 28, 1991. 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 fifteen dollar (\$15) 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

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

JIM

This is The

*Letter, I called
you about!*

FEB 10 1992

Gerald Herrick

May 3, 1991

GERALD D. HERRICK
2242 WHITEPINE PLACE
BOISE, ID 83707

LAPSE NOTICE

RE: PERMIT NO. 63-10761

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 February 28, 1991. 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 fifteen dollar (\$15) 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

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 5-8-91
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

GERALD D. HERRICK
2242 WHITEPINE PLACE
BOISE, ID 83707

138151
February 28, 1991

PROOF DUE NOTICE

RE: PERMIT NO. 63-10761

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1991. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED
FEB 10 1992

LAW OFFICES
GIVENS, PURSLEY, WEBB & HUNTLEY

REBECCA W. ARNOLD
ELEANORE S. BAXENDALE*
CHRISTOPHER J. BEESON
JOANN C. BUTLER†
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MICHAEL T. SPINK
CONLEY WARD
JAY L. WEBB

LISTED ALPHABETICALLY
*ALSO ADMITTED IN OREGON
†ADMITTED ONLY IN ILLINOIS

SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

TELEPHONE
(208) 342-6571

FACSIMILE
(208) 343-9492
(208) 342-8920

November 20, 1990

RECEIVED
NOV 21 1990

Mr. L. Glen Saxton, Chief
Water Allocation Bureau
Idaho Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Re: Herrick Water Permit No. 63-10761 and Transfer No. 3757

Dear Glen:

In our telephone conversation yesterday we discussed the condition, in Mr. Gerald Herrick's water right permit No. 63-10761 for his well, that Mr. Herrick is to submit and receive approval for an augmentation plan to compensate for depletions of Boise River flows. This is the letter explaining the plan that you requested in satisfaction of this condition.

Mr. Herrick irrigates nine acres of gardens, lawn and landscaping by means of his shallow well. It is presumed that the well's depletions are felt in the Boise River, although we have not felt it necessary to quantify or predict the exact timing of these depletions. Based on the Department's standard consumptive use figures, and considering that this is a sprinkler system for which we expect very little delivery loss, total depletions over time should be a maximum of 27 acre-feet.

The augmentation plan we have devised involves the acquisition of natural flow and storage rights that can deliver a yearly total of 27 acre-feet to the river by small releases (or, in the case of the natural flow rights, foregone diversions) throughout the irrigation season. To cover these depletions, Mr. Herrick purchased nine shares of stock in the South Boise Mutual Irrigation Company, Ltd., along with the rights to 0.18 cfs of the flows available under water right No. 63-00243D (1889 priority). This right

63-00243D
FEB 10 1992

Mr. L. Glen Saxton
November 20, 1990
page 2

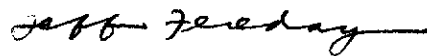
historically has been diverted by SBMIC and beneficially used on irrigated lands of other shareholders in Southeast Boise. These lands are no longer being irrigated. The calculations explaining the yield of the 1889 right are contained in the Department's September 14, 1990 memorandum, which should be in your files on transfer No. 3756, by which Boise Water Corporation transferred another portion of the 1889 right for its own augmentation plan.

In addition, as a SBMIC shareholder Mr. Herrick is entitled to receive his commensurate portion of the Anderson Ranch storage that SBMIC holds under contract. I am enclosing for your files a copy of SBMIC president Richard Harland's letter to Mr. Herrick dated October 17, 1990, as well as my letter to Lee Sisco dated November 7, 1990. These letters should provide additional background on this transfer and augmentation plan.

We have discussed this plan with Mr. Sisco, including the means for accounting storage for Mr. Herrick's benefit. I am sending Mr. Sisco a copy of this letter for his further information.

I trust that this adequately describes the augmentation plan. Please let me know if you have additional questions.

Sincerely,



Jeffrey C. Fereday

JCF/jf
Enclosures

cc: Mr. Gerald D. Herrick
Mr. Lee Sisco
David R. Tuthill, P.E.
Willis E. Sullivan, III, Esq.

RECEIVED
FEB 10 1992

FILE COPY

LAW OFFICES
GIVENS, PURSLEY, WEBB & HUNTLEY

REBECCA W. ARNOLD
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SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

TELEPHONE
(208) 342-6571

TELECOPIER
(208) 343-9492
(208) 342-8920

October 17, 1990

RECEIVED
NOV 21 1990

ALSO ADMITTED IN OREGON
LISTED ALPHABETICALLY

VIA HAND DELIVERY

Willis E. Sullivan, III, Esq.
Cantrill, Skinner, Sullivan & King
1423 Tyrell
P. O. Box 359
Boise, ID 83706

Department of Water Resources

Re: South Boise Mutual, Boise Water Corporation and Jerry Herrick

Dear Willis:

This follows up our telephone conversation yesterday concerning the availability of South Boise Mutual Irrigation Company's contract storage water to Herrick and Boise Water Corporation. As I explained, the Western Region of the Department of Water Resources has determined that, in years of normal runoff, the 1889 priority natural flow water rights that Boise Water and Herrick purchased from SBMIC are not available for diversion after about mid-July. The 1889 rights can divert all season only about one out of five years. The former holders of these priorities in SBMIC were able to continue diverting all season long because in the typical year SBMIC diverts, on behalf of its shareholders, portions of its contract storage entitlement in Anderson Ranch Reservoir for which has contracted with the Bureau of Reclamation. We wish to confirm that SBMIC will continue to make use of its storage so as to allow both Herrick and Boise Water to obtain releases from storage for their benefit.

As shareholders in SBMIC, Boise Water and Herrick both will be paying annual assessments, and both are entitled to the same water delivery privileges that other shareholders enjoy, which of course include the delivery of storage water when necessary. Also, their ability to receive storage water on an equal footing with other shareholders will maximize the amount of water available for diversion under the transfers and thus will maximize Boise Water's and Herrick's additional purchase payments under the contract.

FEB 10 1992

Willis E. Sullivan, III, Esq.
October 17, 1990
Page 2

We would appreciate receiving a letter from you or the SBMIC president which confirms that storage will be available to these shareholders. In Herrick's case, the letter can state that Herrick will be entitled to receive enough storage to fill his contractual entitlement for irrigating his 9-acre tract. Both David Tuthill of the Department and Lee Sisco, the watermaster, have confirmed that the accounting can be worked out based on an understanding that storage will be delivered to the river from SBMIC's Anderson Ranch storage releases during those times when the 1889 right is not in priority. The watermaster determines when this occurs each year. I have enclosed a draft letter to Herrick for your consideration.

As you and I have discussed, delivering storage for Boise Water's use involves a potential additional issue as to a change of use from irrigation to municipal. While neither the Department nor Mr. Sisco considers this a problem, it is possible that the Bureau of Reclamation will want to work out an arrangement with Boise Water and/or SBMIC to address this. In either case, Boise Water would agree to be responsible for the work and expenses incurred on this matter.

I am also enclosing a proposed letter from the Board confirming Boise Water's rights to receive water from SBMIC's storage account and which would leave Boise Water with the burden of working out any arrangements with the Bureau of Reclamation concerning the municipal use question. The letter would pledge SBMIC's cooperation in any such effort.

Let me know as soon as possible whether this approach is acceptable. As I explained, the Department's state office is now evaluating the applications for transfer, and it would be helpful to have our understanding as to storage water in final form prior to final approval. Thanks for your help.

Sincerely,



Jeffrey C. Fereday

JCF/jf

Enclosure

cc: Mr. Benjamin M. Hepler
Mr. Gerald D. Herrick

RECEIVED
FEB 10 1992

October 17, 1990

Mr. Benjamin M. Hepler, Vice President
Boise Water Corporation
8248 W. Victory Road
P. O. Box 7488
Boise, ID 83709

Re: South Boise Mutual Irrigation Co. storage

Dear Mr. Hepler:

This letter confirms that, as a shareholder in the South Boise Mutual Irrigation Co., Ltd., Boise Water Corporation is entitled to receive its proportional share of SBMIC's irrigation storage entitlement each year as necessary to supplement those natural flow rights SBMIC diverts. SBMIC does not object to your use of these storage rights for augmentation purposes for your municipal supply system or to your obtaining a change of use for this portion of SBMIC's storage entitlement. However, SBMIC will expect you to take the responsibility of working with the Boise River Watermaster, the Bureau of Reclamation and the Department of Water Resources as necessary to determine the amount of your share of SBMIC's storage entitlement that should be dedicated to augmenting your well depletions and to carrying out any necessary change of use of your portion of the storage. SBMIC will expect to be kept apprised of these determinations, and will reserve the right to approve any proposed change of use that may be proposed.

Very truly yours,

Richard D. Harland, President

cc: Willis E. Sullivan, III, Esq.
Jeffrey C. Fereday, Esq.

RECEIVED
FEB 10 1992

October 17, 1990

Mr. Gerald D. Herrick
2242 Whitepine Place
Boise, ID 83707

Re: South Boise Mutual Irrigation Co. storage

Dear Mr. Herrick:

This letter confirms that, as a shareholder in the South Bosie Mutual Irrigation Co., Ltd., you are entitled to receive your proportional share of SBMIC's irrigation storage entitlement each year as necessary to supplement those natural flow rights which you purchased from SBMIC. SBMIC will expect you to take the responsibility of working with the Boise River Watermaster and the Department of Water Resources as necessary to determine the amount of your share of SBMIC's storage entitlement that should be dedicated to augmenting your well depletions. SBMIC will expect to be kept apprised of these determinations.

Very truly yours,

Richard D. Harland
President

cc: Willis E. Sullivan, III, Esq.
Jeffrey C. Fereday, Esq.

RECEIVED
FEB 16 1992

LAW OFFICES
GIVENS, PURSLEY, WEBB & HUNTLEY

SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

TELEPHONE
(208) 342-6571

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CONLEY WARD
JAY L. WEBB

LISTED ALPHABETICALLY
* ALSO ADMITTED IN OREGON
† ADMITTED ONLY IN ILLINOIS

FILE COPY

November 7, 1990

FACSIMILE
(208) 343-9492
(208) 342-6920

RECEIVED
NOV 21 1990

Lee Sisco, Watermaster
Water District No. 63
214 Broadway
Boise, ID 83702

Department of Water Resources

Re: South Boise Mutual Irrigation Company/Herrick

Dear Lee:

I am enclosing two documents pertaining to Mr. Herrick's recent purchase and transfer of a portion of an 1889 water right (No. 63-00243D) previously diverted through South Boise Mutual Irrigation Company's ditch facilities: 1) Approved Transfer No. 3757 dated October 15, 1990; and 2) SBMIC President Richard Harland's October 17, 1990 letter to Mr. Gerald D. Herrick.

As you can see, Mr. Herrick is entitled to divert shallow groundwater through his well at the rate of 0.18 cfs pursuant to the approved transfer. A like amount of water under the 1889 right will no longer be diverted into the SBMIC system and effectively will serve to augment, under that priority, any surface water depletions Mr. Herrick may cause. In addition, during those periods when the 1889 right would not be in priority, Mr. Harland's letter makes it clear that Mr. Herrick will be entitled to receive his share of SBMIC's storage water entitlement as an SBMIC shareholder. Thus, Mr. Herrick will be able to continue to divert under this transfer, at least so long as there is storage available, even after the 1889 right is cut.

RECEIVED
FEB 10 1992

Lee Sisco
November 7, 1990
Page 2

Please let me know if you need any further information to administer this transfer.

Sincerely,

Jeff Fereday

Jeffrey C. Fereday

JCF/jf

cc: Mr. Gerald D. Herrick
Willis E. Sullivan, III, Esq.
David R. Tuthill, P.E.

RECEIVED
FEB 10 1992

October 17, 1990

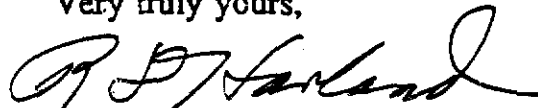
Mr. Gerald D. Herrick
2242 Whitepine Place
Boise, ID 83707

Re: South Boise Mutual Irrigation Co. storage

Dear Mr. Herrick:

This letter confirms that, as a shareholder in the South Bosie Mutual Irrigation Co., Ltd., you are entitled to receive your proportional share of SBMIC's irrigation storage entitlement each year as necessary to supplement those natural flow rights which you purchased from SBMIC. SBMIC will expect you to take the responsibility of working with the Boise River Watermaster and the Department of Water Resources as necessary to determine the amount of your share of SBMIC's storage entitlement that should be dedicated to augmenting your well depletions. SBMIC will expect to be kept apprised of these determinations.

Very truly yours,



Richard D. Harland
President

cc: Willis E. Sullivan, III, Esq.
Jeffrey C. Fereday, Esq.

RECEIVED
FEB 10 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3757

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant Gerald D. Herrick Phone 336-8719
Post Office address 2242 White Pine Place, Boise, Idaho 83707

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe the reason for the proposed changes To change the place of use and point of diversion for 0.20 cfs currently diverted through the South Boise Mutual Irrigation Company's system. This transfer will make these waters available for diversion by Mr. Herrick through his alluvial well near the Boise River.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|-----------------|---------------------------------|-------------------|-------------------------------------|
| <u>63-002438</u> | <u>5/1/1889</u> | <u>0.20 cfs</u>
<u>0.18*</u> | <u>Irrigation</u> | <u>April 1</u> to <u>October 31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
- Total amount of water being transferred 0.20 0.18* cubic feet per second and/or _____ acre-feet per annum.
- Source of water Boise River tributary to Snake River
- Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
4		NE	SE	24	3N	2E	Ada	Herrick well

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				Lot 4 SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	2E	24													9				9

MICROFILMED

OCT 1 1980

CONDITIONS OF APPROVAL

Transfer of Water Right No. 63-0243D

1. Prior to diversion and use of water under this transfer, a lockable controlling device and totalizing flow measuring device acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Diversion of water under this right is limited to a maximum rate of flow of 0.02 cfs per acre, for the irrigation of a maximum of nine acres.
3. Use of water under this right is subject to control by the watermaster of State Water District 63, Boise River.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Dated this 15th of October, 1990.

J. Glen Saylor
Chief, Water Alloc. Bureau

MICROFILMED

OCT 19 1990

FEB 10 1992

LAW OFFICES
GIVENS, McDEVITT, PURSLEY, WEBB & BUSER

REBECCA W. ARNOLD
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*ALSO ADMITTED IN OREGON

SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

TELEPHONE
(208) 342-6571

TELECOPIER
(208) 343-9492

May 10, 1989

RECEIVED
MAY 12 1989

Lee Sisco, Watermaster
Water District No. 63
214 Broadway
Boise, ID 83702

Department of Water Resources

RE: Gerald D. Herrick

Dear Lee:

I am sending a Water Bank Water Lease Agreement for Gerald D. Herrick for the 1989 irrigation season, along with his check to you in the amount of \$148.50 for the rental fee. As we have explained previously, this water is being rented in order to augment the Boise River from storage to make up for depletions to the River that may occur this season through the pumping of Mr. Herrick's recently permitted well. Once you have executed this lease on behalf of Water District 63, please send me a copy. I will then file it with the Department of Water Resources in order to comply with the well permit requirement concerning a plan for augmentation. Thanks again for your help.

Sincerely,

Jeff

Jeffrey C. Fereday

JCF/jb
Enclosures

cc: Mr. Gerald D. Herrick
Mr. L. Glen Saxton

RECEIVED

JUN 14 1989

RECEIVED
MAY 12 1989

WATER BANK WATER LEASE AGREEMENT
FOR 1989 Irrigation Season

Department of Water Resources The Committee of Water District 63 being authorized pursuant to Idaho Code Section 42-1765 to lease stored water which has been provided to the Water Supply Bank by water users who own reservoir space and have excess supplies for the current year, does agree to sell Gerald D. Herrick (entity), 27 A.F. of water requested for irrigation (use). This agreement is subject to the adopted Rules and Regulations of the Water Supply Bank and execution of same by the party herein named.

Upon receipt of \$148.50 and the information requested below, the Boise River Watermaster will release to you from storage, at the rate you specify 27 A.F. of stored water between April 1 and November 1 of 1989.

Description of point of diversion:

Located in NE 1/4 SE 1/4, Sec. 29, T. 3 N, R. 2 E;

Other: Gov't Lot 4

On source Boise River

Pump H.P. 7 1/2 Lift 70'

Headgate N/A (canal name if appropriate)

Description of place of use:

Legal Description: NE 1/4 SE 1/4, Sec. 29, T. 3 N, R. 2 E, B.M.

Total number of acres irrigated: 9

Dated this 8 day of April, 1989

May

Gerald D. Herrick
(name) Gerald D. Herrick

2242 Whitepine Place, Boise, ID 83707
(address)

State of Idaho)
County of Ada)

May

On this 8th day of April, 1989, before me the undersigned Notary Public in and for said county and state, personally appeared Gerald D. Herrick, known to me to be the person whose name is subscribed to within 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 written.

Susan R. [Signature]
Notary Public in and for Idaho
Residing at: Boise, Idaho

Commission Expires: March 19, 1991

I have accepted the request of
to purchase water from Boise Supply Bank this 8 day of
April, 1989.

JUL 14 1989

Watermaster, Water District No. 63
Agent for the Committee of Water
District 63

Form 235-1
3/89

Drilling Permit No. 63-89-2-048
Water Permit No. 63-10761
Injection Permit No. _____

State of Idaho
Department of Water Resources

RECEIVED
APR 13 1989

DRILLING PERMIT

Department of Water Resources

1. Applicant Gerald D. Herrick
2. Address 2242 Whitepine Place
Boise, ID 83707 Telephone 336-8719
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location NE 1/4 SE 1/4, or Gov't lot No. 4,
Sec. 24, Twp. 3N, Rge. 2E, County Ada,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
☐ Domestic ☐ Stockwater ☐ Monitoring
 No. of households _____ No. of livestock _____
☒ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☐ Other, Specify _____
5. Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 8" Maximum depth 70 feet
Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date April 20, 1989
7. Well Driller (if known) DENNIS PHIPPS
Address MERIDIAN
8. Applicant's signature Gerald D. Herrick
Title _____
Date April 13, 1989

INDEXED

JUN 14 1989

ADJUDICATION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved.

If approved, this permit authorizes the construction of a well subject to the following conditions:

GENERAL CONDITIONS

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS

Dated this 14 day of April, 1989.

Signed

Sturik A. Reed

Title

Groundwater Plot Mgr

Receipt No. C006331

Received by K. Young

Fee 100.00

Date

4/14/89

FILED

EXTENSION OF DRILLING PERMIT

JUN 14 1989

Approval Date

Extension approved by

This extension is good for 60 days beyond the above extension approval date.



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

April 13, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

GERALD D. HERRICK
2242 WHITEPINE PLACE
BOISE, ID 83707

RE: Permit No. 63-10761

Dear Mr. Herrick:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Rights Permits Section

GS:hm

Enclosure

MICROFILMED

JUN 14 1989

LAW OFFICES
GIVENS, McDEVITT, PURSLEY, WEBB & BUSER

REBECCA W. ARNOLD
ELEANORE S. BAXENDALE*
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CHAS. F. McDEVITT
LEO EDWARD MILLER
PATRICK J. MILLER
TERRY L. MYERS
STEVEN L. OLSEN
KENNETH L. PURSLEY
MICHAEL T. SPINK
CONLEY WARD
JAY L. WEBB

SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

TELEPHONE
(208) 342-6571

TELECOPIER
(208) 343-9492

February 1, 1989

*ALSO ADMITTED IN OREGON

Via Hand Delivery

David R. Tuthill, Jr., P.E. *Dr*
Western Region Director
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705

RECEIVED

Re: Herrick well application

Department of Water Resources
Western Regional Office

Dear David:

I am sending a check for \$30.00 to cover the filing fee for an application for a well designed to pump .18 cfs. In line with our conversation this morning, we will agree to a change in our application from .22 cfs to that amount. Please send us a copy of the amended application and return our check for \$45.00 that was delivered yesterday.

Please let me know if you have any further questions about the application.

Sincerely,

Jeff

Jeffrey C. Fereday

JCF:gc
Encl.

cc: Mr. Gerald D. Herrick

MICROFILMED

JUN 14 1989

*Receipt & copy
of app returned to
Jeff Fereday on 2/1/89.
One*

LAW OFFICES
GIVENS, McDEVITT, PURSLEY, WEBB & BUSER

REBECCA W. ARNOLD
ELEANORE S. BAKENDALE*
CHRISTOPHER J. BEESON
PAUL J. BUSER
JEFFREY C. FEREDAY
RAYMOND D. GIVENS
JAMES D. HANSEN
JUDITH K. HOLCOMBE
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BOISE, IDAHO 83701

TELEPHONE
(208) 342-6571



Idaho Department of Water Resources
Western Regional Office

TELECOPIER
(208) 343-9492

January 31, 1989

*ALSO ADMITTED IN OREGON

Via Hand Delivery

David R. Tuthill, Jr., P.E.
Western Region Director
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705

Re: Herrick application

Dear David:

I am sending for filing with the Department the original and one copy of an Application for Permit for an irrigation well near the Boise River in Southeast Boise, along with our check for \$45.00. Please return a conformed copy of the application to us in the enclosed return envelope.

You will see from the application and the explanation contained in Attachment A that the Applicant proposes to institute a plan for augmenting the Boise River to cover the depletions expected from operating his well. For 1989, the Applicant intends to obtain Boise River Water Bank water as his augmenting supply. Thereafter, or during 1989 if he can achieve a transfer by then, he intends to use surface water currently diverted by South Boise Mutual Irrigation Company or some other entity. As the application explains, Mr. Herrick already is entitled to irrigate his property with SBMIC water.

I look forward to any comment you may have on this application, and hope that it can be advertised and processed as soon as possible. Thanks for your help.

Very truly yours,

Jeff Fereday

Jeffrey C. Fereday

JUN 14 1989

JCF:gc
Encls.

cc: Mr. Gerald D. Herrick

RECEIVED
FEB 23 1989

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

Department of Water Resources
Western Regional Office

LEGAL ADVERTISING INVOICE

Amount Due

57.72

Account Name Idaho Department of Water Resources (Western)			Account Number #47628		
Address 2735 Airport Way		City/State Boise, ID		Zip 83705	
Ordered By Judy Pense	P.O. Number	Rate NT	Run Dates 1989 February 16, 23		
Identification Applications for Water Rights			Estimated Inches	Real Inches	
Number of Affidavits Requested 1				Legal Number #1864	

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-10760
City of Boise
Boise Park System
1104 Royal Blvd.
Boise, ID 83706
Source: Groundwater
Diversion Pt: Lot 8 (SENW)
Sec. 9 T 03N R 02E
Use: Irrigation (1.340 CFS)
Use: Wildlife Storage (10.00
AF)
Use: Diversion to Storage
(1.340 CFS)
Date Filed: 01/31/1989
In: T03N R02E S09 Lot 7
(SENE), Lot 8 (SENW),
NENW Lot 10 (NWNW)
SWNW
32.00 Acres Total

63-10761
Herrick, Gerald D.
2242 Whitepine Place
Boise, ID 83707
Source: Groundwater
Diversion Pt: Lot 4
(SWNESE) Sec. 24 T 03N R
02E
Use: Irrigation (.180 CFS)
Date Filed: 1/31/1989
In: T03N R02E S24 Lot 4
(NESE)
9.0 Acres Total

The permit(s) will be subject to
all prior water rights. Protests
must be filed with the Director,
Dept. of Water Resources, West-
ern Region, 2735 Airport Way,
Boise, Idaho 83705 on or before
March 6, 1989.

R. KEITH HIGGINSON
Director

Pub. Feb. 16, 23, 1989

1864

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Debbie Richards, 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 2
☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of February 16, 19 89
and ending with the issue of February 23, 19 89

Debbie Richards

Subscribed and sworn to before me this 23rd
day of February, 19 89

John Rice 12/93
Notary Public for Idaho, Residing at Boise, Idaho

63-10761

HERRICK, GERALD D.
2242 WHITEPINE PLACE
BOISE, ID 83707

Source: GROUNDWATER

Diversion Pt: LOT 4 (SWNESE) Sec 24 T 03N R 02E

Use: IRRIGATION (.180 CFS)

Date Filed: 1/31/1989

In: T03N R02E S24 Lot 4 (NESE)

9.0 ACRES TOTAL

MICROFILMED

JUN 14 1989