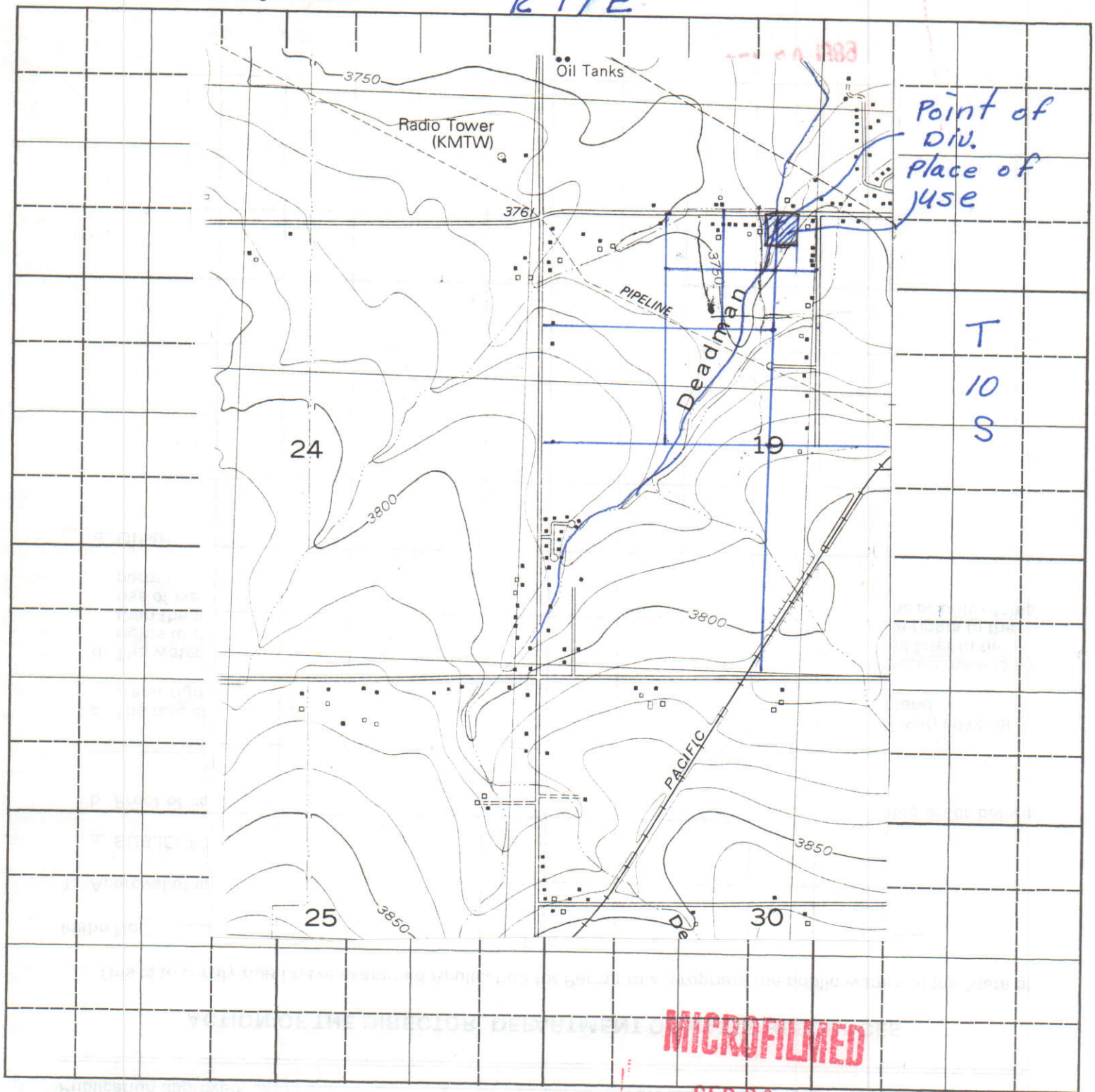


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

SEP 20 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.

Joe L. Rand
(Applicant)

RECEIVED

MAR 15 1989

Department of Water Resources
Southern Region Office

T-7975 E4184

WARRANTY DEED

For Value Received

MARY E. QUALLS, a widow

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

JOE L. RAND and ELLEN M. RAND, husband and wife

the grantees , whose current address is Diamond Valley #24
Eureka, NV 89316

the following described premises, in ... Twin Falls County Idaho, to-wit:

Township 10 South, Range 17, East of the Boise Meridian, Twin Falls County, Idaho

Section 19: The North four tenths of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$

EXCEPT the East 25 feet thereof.

AND EXCEPT the Nor. 25 feet thereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees ,
their heirs and assigns forever. And the Grantor do hereby covenant to and
with the said Grantee , that he the owner in fee simple of said premises; that they are free from all
encumbrances except current year's taxes, levies and assessments and except reservations,
restrictions and easements of record and easements visible upon the premises

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

Dated: May 2, 1988

Mary E. Qualls
MARY E. QUALLS

STATE OF IDAHO, COUNTY OF Twin Falls
On this 2nd day of May, 1988,
before me, Notary Public in and for said State, personally
appeared Mary E. Qualls

NOTARY PUBLIC

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me
that she executed the same.

Mary Lou Postage
Notary Public

Residing at Twin Falls, Idaho
Comm. Expires May 18, 1993

STATE OF IDAHO, COUNTY OF TWIN FALLS, IDAHO
I hereby certify that this instrument was filed for record at the request
of FIRST AMERICAN TITLE COMPANY
at 55 minutes past 10 o'clock A.M.
this MAY 2 1988 day of
19, in my office, and duly recorded in Book
of Deeds at page

RICHARD A. PENCE
Ex-Officio Recorder

By Janet L. Lillard Deputy.
Fees \$ 3.00
Mail to:



First American Title Company of Idaho

INSTRUMENT NO. 538613

MAILED
SEP 2 1989

NOTICE OF
APPLICATION FOR
WATER PERMIT

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

No. 47-8084

RAND, JOE &/or ELLEN
N.

DIAMOND VALLEY #24,
EUREKA, NV 89316

Source: Deadman Gulch
trib. to Rock Creek

Diversion Pt: NWNWNE
Sec 19 T 10S R 17E; 1½
miles above mouth of
Deadman Gulch.

Use: FISH PROP.

(15.0 CFS)

Date Filed: 4/05/1988

In: NWNW Sec 19 T 10S R
17E

The permit(s) will be
subject to all prior water
rights. Protests must be
filed with the Director,
Dept of Water
Resources, Southern
Region, 2148 4th Avenue
East, Twin Falls, Idaho
83301 on or before July
25, 1988.

R. Keith Higginson

Director

PUBLISH: Thursday, Ju-
ly 7 and 14, 1988.

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

Nº 18815

I, Linda Capps McSwine being first duly sworn upon
oath, depose and say that I am Deputy 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

July 7, 1988, and ending with the issue dated
July 14, 1988.

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 com-
petent 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 there-
of, Thursday is announced as the day on which said legal notices will be published.

Linda Capps McSwine
Subscribed and sworn to before me on this 18 day of

July, 1988.
Quana House

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

OK
MB
7/25/88
MICROFILMED

SEP 20 1989

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

 Date 052688

 INVOICE No. L00134463

 Account No. 44662

 Description 34463NOTIC

 Times 2

 Lines 26

 Tab Lines
**LEGAL ADVERTISING
INVOICE**

SOLD TO:

 STATE OF IDAHO
DEPT. OF WATER RESOURCES
2148 4TH AVE. E.
TWIN FALLS
ID 83301

RECEIVED

 \$ 22.75

JUN 2 1988

 Department of Water Resources
Southern Region 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

 STATE OF IDAHO, ss.
County of Nez Perce

J. J. Phillips

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 APPLICATION

 attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication beginning on 051988 WEEK 2 for 2 consecutive WEEKS, or once a publication thereof being on the 051988, and the last publication thereof being on the 052688, and said

NOTICE OF APPLICATION

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.

 SUBSCRIBED AND SWORN BEFORE ME THIS THE 27

 day of May 1988

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

MICROFILMED

SEP 20 1989

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

47-8084

 RAND, JOE &/or ELLEN M.
DIAMOND VALLEY #24, EUREKA, NV 89316

Source: DEADMAN GULCH trib. to ROCK CREEK

Diversion Pt: NWNWNE Sec 19 T 10S R 17E; 1 1/8 miles above mouth

of Deadman Gulch.

Use: FISH PROP. (15.0 CFS)

Date Filed: 04/05/1988

In: NWNE Sec 19 T 10S R 17E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JUNE 6, 1988.

R. KEITH HIGGINSON, Director

NOTICE OF
APPLICATION FOR
WATER PERMIT

The following applica-
tion (s) has been filed to
appropriate the public
waters of the State of
Idaho:

47-8084

RAND, JOE &/OR
ELLEN M.
DIAMOND VALLEY #24.
Eureka, NV 89316.

Source: DEADMAN
GULCH trib. to ROCK
CREEK

Diversion Pt: NWNWNE
Sec 19 T 10S R 17E; 1 1/2
miles above mouth of
Deadman Gulch.

Use: Fish PROP. (15.0
CFS)

Date filed: 04/15/1988

In: NWNWNE Sec 19 T 10S R
17E.

The permit (s) will be
subject to all prior water
rights. Protests must be
filed with the Director,
Dept. of Water
Resources, Southern
Region, 2148 Fourth
Avenue East, Twin
Falls, Idaho 83301 on or
before June 6, 1988

R. Keith Higginson,
Director

PUBLISH: Thursday,
May 19, and 26, 1988

Affidavit of Publication

RECEIVED

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

JUN 2 1988

No 18627

I, Linda Capps McQuinn being first duly sworn upon
oath, depose and say that I am Assistant Publisher 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

May 19, 1988, and ending with the issue dated
May 26, 1988.

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 com-
petent 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 there-
of, Thursday is announced as the day on which said legal notices will be published.

SEP 20 1989

Subscribed and sworn to before me on this 26 day of

May, 1988.

Brenda Parker

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Account Name Idaho Department of Water Resources (Southern)				Account Number #100632		Amount Due 29.41	
Address 2148 4th Avenue East			City/State Twin Falls, ID			Zip 83301	
Ordered By Mary A. Baldwin		P.O. Number		Rate NT		Run Dates 1988 May 19, 26	
Identification Application for Water Right: Rand				Estimated Inches		Real Inches	
1 Number of Affidavits Requested						Legal Number #8567	

RECEIVED

MAY 31 1988

Department of Water Resources
Southern Region Office

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Deborah Gregory, 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 (2) ☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of May 19, 1988

and ending with the issue of May 26, 1988

Deborah Gregory

Subscribed and sworn to before me this 26th

day of May, 1988

NOTICE OF APPLICATION FOR WATER RIGHT

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

47-8084
Rand, Joe and/or Ellen M.
Diamond Valley #24
Eureka, Nevada 89316
Source: Deadman Gulch Trib. to Rock Creek
Diversion Pt: NWNWNE Sec. 19 T 10S R 17E; 1 1/8 miles above mouth of Deadman Gulch
Use: Fish Prop. (15.0 CFS)
Date Filed: 04/05/1988
In: NWNWNE Sec. 19 T 10S R 17E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 Fourth Avenue East, Twin Falls, Idaho 83301 on, or before, June 6, 1988.

R. KEITH HIGGINSON
Director

Pub. May 19, 26, 1988 8567

Amela E. Snow 12/93
Notary Public for Idaho, Residing at Boise, Idaho

RECEIVED

MAY 31 1988

Department of Water Resources
Southern Region Office

State of Idaho,
County of Bonneville } ss

Proof of Publication

The Post-Register

I, ... J. Robb Brady , first being duly sworn, depose and say: That I am the Principal Clerk 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 consecutive weeks, first publication having been made on the 19th day of May , 19. 88. , last publication having been made on the 26th day of May , 19. 88. , 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 .. 27th .. day of May , 19. 88. .

Notary Public

My commission expires .. September 30, ..., 1988. .

B10

NOTICE OF APPLICATION
FOR WATER RIGHT

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

47-8084

RAND, JOE &/or ELLEN M.
DIAMOND VALLEY #24, EUREKA, NV
89316

Source: DEADMAN GULCH trib. to
ROCK CREEK

Diversion Pt: NWNWNE Sec 19 T 10S R
17E; 1 1/8 miles above mouth of Deadman
Gulch.

Use: FISH PROP. (15.0 CFS)

Date Filed: 04/05/1988

In: NWNWNE Sec 19 T 10S R 17E

The permit(s) will be subject to all prior
water rights. Protests must be filed with the
Director, Dept. of Water Resources, South-
ern Region, 2148 4th Avenue East, Twin
Falls, Idaho 83301 on or before JUNE 6,
1988.

R. KEITH HIGGINSON, Director

Published: May 19, 26, 1988

MICROFILMED

SEP 20 1989

11/99

MAR 12

 STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 13 2002

ASSIGNMENT OF PERMIT

To change the ownership of a permit

 Department of Water Resources
 Southern Region

I, Ellen M. Rand & Joe Rand, hereby assign to C & C Enterprises, Raymond Coats & Jeffery Coats
 of, P.O. Box 923, Twin Falls, Idaho 83303
 (Full Address) (Phone)

All my right, title, and interest in and to Permit No. 47-8084 to
 appropriate the public waters of the State of Idaho.

OR (for partial assignments)

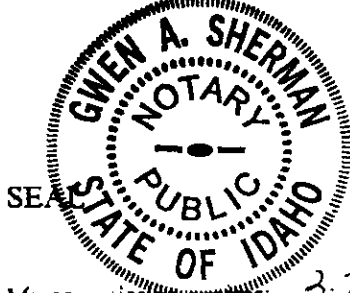
The following described portion of my right, title, and interest in and to for
 Permit No. _____ to appropriate the public waters of the State of Idaho.
 (Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
 subdivision, point of diversion location, and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

Made this 12th day of March, 2002

Joe Rand Ellen M. Rand
 Permit Holder(s)

State of Idaho)
 County of Twin Falls)ss

On this 12th day of March, 2002, personally appeared before me the signer(s) of the above
 instrument, who duly acknowledged to me that he (she) (they) executed the same.



Gwen A. Sherman
 Notary Public residing at Shoshone, ID

My commission expires: 3-27-06

MICROFILMED
 MAY 18 2002

7/94

JUL 19 1994

FOR OFFICE USE ONLY

Amt. of Fee \$: 450Receipt No. 5017267Receipt By: MTSDate Received: 8-18-94

AUG 19 1994

Department of Water Resources
Term Region OfficeSTATE 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. 47-08084 Telephone No. 208-326-5404
208-237-5429
2. Name(s) of Permit Holder(s): Joe Rand Ellen M. Rand
3. Mailing Address: 4050 N 2000E, Zulei, ID 83328
4. Source of Water: Deadman Gulch if GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
- a. Well Driller: _____ Drilling Permit Number: _____

b. **OPTIONAL:**

Pump Horsepower: _____ 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): _____ Other: Fish Propagation

6. Total rate of diversion and/or volume for which proof is submitted: 15 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes ☒ or No ☐

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: \$ 450 (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: Jeff Schwan and/or. Mrs. Mrs. Rand Telephone Number: 734-3930 - Schwan
326-5404 - Rand

Address: 4050 N. 2000E; Zulei, ID. 83328

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.

* September & October is best time of year.

Signature of permit holder: Joe Rand

(include your title, if on behalf of company or organization)

Date: 8/19/94

SEP 09 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 47-08084

Proposed Priority: April 5, 1988 Maximum Diversion Rate: 15.00 CFS

This is to certify, that **JOE RAND**
ELLEN M. RAND
DIAMOND VALLEY #24
EUREKA, NV 893160000

has applied for a permit to appropriate water from:

DEADMAN GULCH tributary of **ROCK CREEK**

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>
FISH PROPAGATION	01/01 to 12/31	15.00 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNWNE Sec. 19, Township 10S, Range 17E
TWIN FALLS County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

10S 17E 19 NWNE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1994**.
2. Subject to all prior water rights.
3. 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.
4. Water shall not be diverted under this permit until an easement or right-of-way with the owner of the drain is filed with the Department of Water Resources.
5. The permit holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
6. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
7. Use of water under this permit shall be non-consumptive.
8. Assignment or sale of this permit is subject to a determination by the Department that the permit holder has proceeded to develop the permit with due diligence and without speculation.
9. Measuring devices of a type approved by the Department shall permanently installed and maintained at the point of diversion and the point of effluent discharge.

MICROFILMED

SEP 20 1989

Permit To Appropriate Water

NO. 47-08084

CONDITIONS/REMARKS:

10. Water used under this permit if discharged into a natural channel shall meet Idaho Water Quality Standards.
11. This permit is subject to the agreement dated August 30, 1988 between permit holder and protestant(s) to the extent such agreement covers matters within the jurisdiction of the Department of Water Resources.

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

1st day of September, 1989.

J. Glen Saylor
for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

~~APPROVED~~

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Joe &/or Ellen M. Rand Phone 202-237-5429
Post office address Diamond Valley #24 Eureka, Nev. 89316
* Deadman Gulch
2. Source of water supply unnamed stream which is a tributary of Rock Cr.
3. Location of point of diversion is NW 1/4 of NW 1/4 of NE 1/4, Govt. Lot
Sec. 19 Township 10S Range 17E B.M. Twin Falls County; additional
points of diversion if any: * Per conversation w/applicant 4-13-88 y
4. Water will be used for the following purposes:
J.R.
Amount 15.0 for Fish Prop purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) AP 15.0 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Concrete Head Works
and pipeline to Facilities.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to MICROFILMED use is
5 years (minimum 1 year).

SEP 20 1989

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Fish propagation,

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
103	172	19		X															

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. No

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. _____

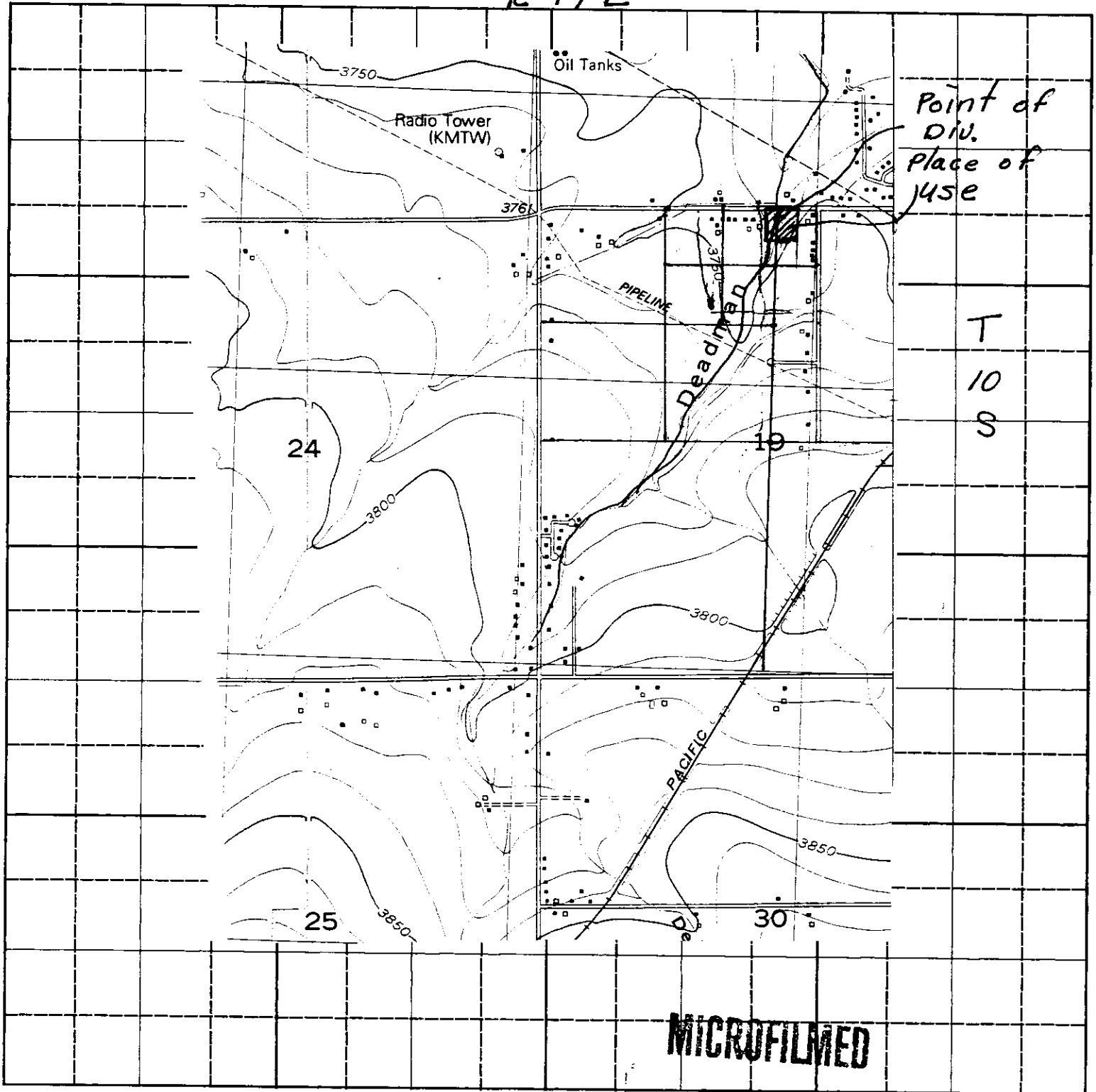
12. Remarks: The main source of this water is a seep tunnel that enters Deadman Gulch about 400' above my property. The diversion point is on Deadman Gulch, so this is listed as the source.

571. 10/11/20

11/1/20

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

R 17 E



Scale: 2 inches equal 1 mile.

SEP 20 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.

Joe L. Ravel
(Applicant)

Received by Ray [Signature] Date 4/5/88 Time 11:05AM Proposed priority 4-5-88
Fee \$ 325.00 Received by M. Baldwin # 45808 5000060 Preliminary check by J. Stanton
Publication prepared by M. Baldwin Date 5/4/88 Published in Times-News, Id. Statesman,
Publication approved TS Date 6/20/88
Post Register

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:

MICROFILMED

SEP 20 1989

RECEIVED

MAR 15 1989

Department of Water Resources
Southern Region Office

1975-14184

WARRANTY DEED

For Value Received

MARY E. QUALLS, a widow

the grantor, do hereby grant, bargain, sell and convey unto

JOE L. RAND and ELLEN M. RAND, husband and wife

the grantees, whose current address is Diamond Valley #24
Burke, WY 89316

the following described premises, in ... Twin Falls ... County Idaho, to-wit:

Township 10 South, Range 17, East of the Boise Meridian, Twin Falls County, Idaho

Section 19: The North four tenths of the NE1/4NE1/4

EXCEPT the East 25 feet thereof.

AND EXCEPT the North 25 feet thereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the Grantor do hereby covenant to and with the said Grantees, that he the owner in fee simple of said premises; that they are free from all encumbrances except current year's taxes, levies and assessments and except reservations, restrictions and easements of record and easements visible upon the premises

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

Dated: May 2, 1988

Mary E. Qualls
MARY E. QUALLS

STATE OF IDAHO, COUNTY OF Twin Falls
On this 2nd day of May, 1988,
before me, Notary Public in and for said State, personally
appeared Mary E. Qualls

NOTARY
PUBLIC

known to me to be the person whose name is
subscribed to the above instrument, and acknowledged to me
that she executed the same.

Mary Lou Postupalsky
Mary Lou Postupalsky

Building at Twin Falls, Idaho
Comm. Expires May 18, 1993

STATE OF IDAHO, COUNTY OF TWIN FALLS, IDAHO
I hereby certify that this instrument was filed for record in Book
of 55, page 10, of the
May 3, 1988, day of
in my office, and duly recorded in Book
of 55, page 10.

RONALD A. FINE

Notary Public

Janet T. Tisdale
Janet T. Tisdale



First American Title Company of Idaho

INSTRUMENT NO. 55000

SEP 2 1989

RECEIVED

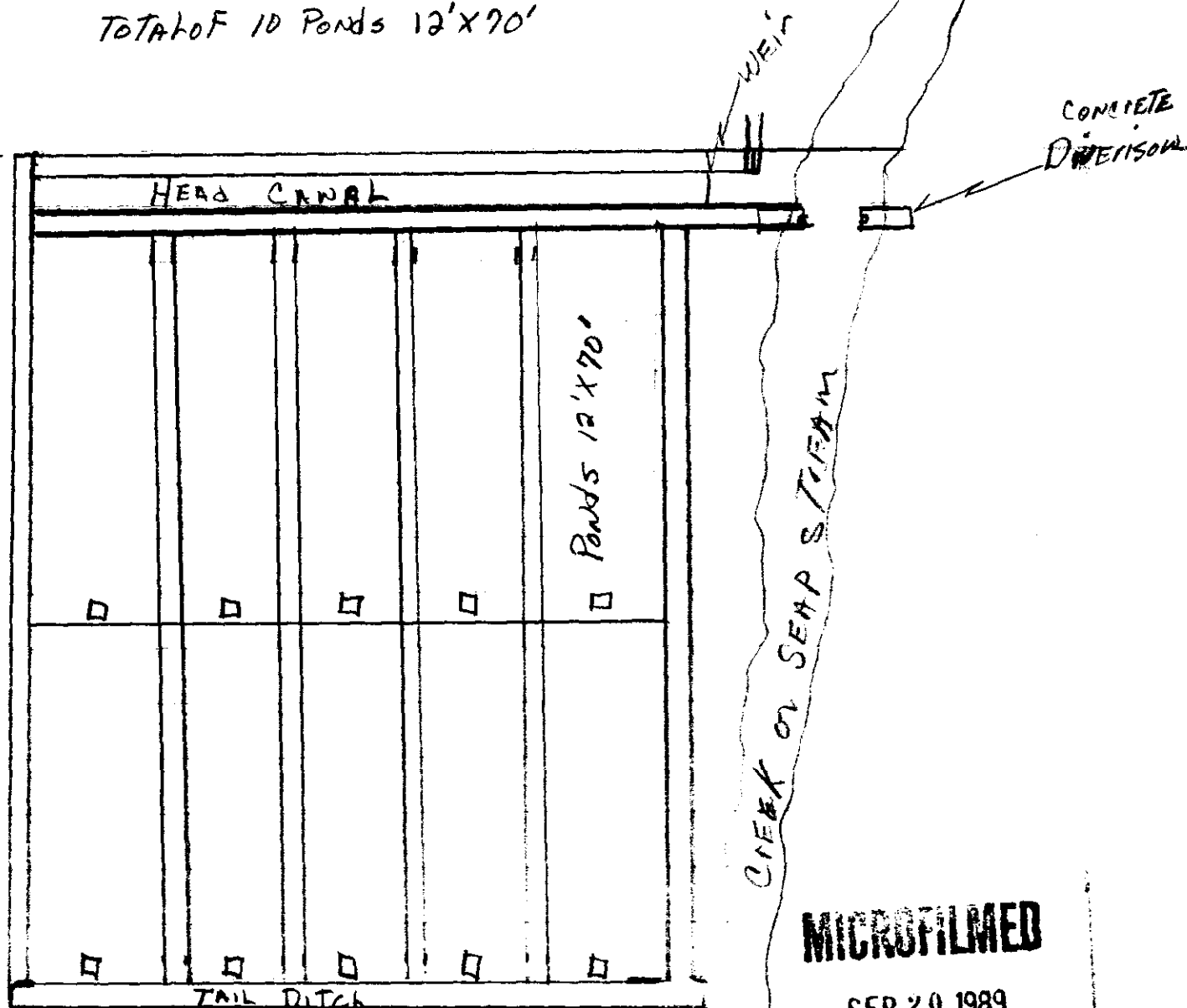
MAY 2 1988

5

Department of Water Resources
Southern Region Office

Pond Plan For
JOE RAN

TOTAL OF 10 Ponds 12'x70'



South Park AV.

N

Nº 18815

STATE OF IDAHO,
COUNTY OF TWIN FALLS

I, Linda Capps McLeure being first duly sworn upon
oath, depose and say that I am Print 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

July 7, 1988, and ending with the issue dated
July 14, 1988.

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 is 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 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.

Subscribed and sworn to before me on this 18 day of

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

[illegible]

(15.0 CFS)

... ..

THE

1000

rights. Protesters must be

Part of Water

PRODUCTION CONTINUED

100

0001 on or before July 25, 1997

1990

Source: *Blackboard*

July 7 and 14, 1963.

SEP 20 1989

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

Date 052688

INVOICE No. L00134463

Account No. 44662

Description 34463NOTIC

Times 2

Lines 26

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

STATE OF IDAHO
DEPT. OF WATER RESOURCES
2148 4TH AVE. E.
TWIN FALLS
ID 83301**RECEIVED**

\$ 22.75

JUN 2 1988

Department of Water Resources
Southern Region OfficeNOTICE: 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

J. J. Phillips

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 APPLICATION

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication beginning on 051988 WEEK 2 for 2 consecutive WEEKS, or once a publication thereof being on the 051988, and the last publication thereof being on the 052688, and said

NOTICE OF APPLICATION

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.

SUBSCRIBED AND SWORN BEFORE ME THIS THE 27

day of May 1988

*Sheral M. Lundy*Notary Public in and for the State of Idaho,
residing at Lewiston, therein.**MICROFILMED**

SEP 20 1989

**NOTICE OF
APPLICATION FOR
WATER PERMIT**

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

47-8084

**HAND, JOE &/OR
ELLEN M.
DIAMOND VALLEY #24.
EAGLE, NV 89318**

**Source: DEADMAN
GULCH trib. to ROCK
CREEK**

**Diverdale Pt. NWNWNE
Sec 19 T 10S R 17E; 1 1/4
miles above mouth of
Deadman Gulch.**

**Use: Fish PROP. (15.0
CFS)**

**Date filed: 04/15/1988
In: NWNWNE Sec 19 T 10S R
17E.**

The permit (s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 Fourth Avenue East, Twin Falls, Idaho 83301 on or before June 6, 1988.

**R. Keith Higginson,
Director
PUBLISH: Thursday,
May 19, and 26, 1988**

Affidavit of Publication

STATE OF IDAHO.

COUNTY OF TWIN FALLS

ss.

JUN 2 1988

No. 18627

I, Linda Capps McShane, being first duly sworn upon oath, depose and say that I am Printer 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 19, 1988, and ending with the issue dated May 26, 1988.

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 the first day 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.

SEP 20 1989

Subscribed and sworn to before me on this 26 day of

May, 1988

Brenda Parker

Notary Public in and for the County of Twin Falls, State of Idaho, residing at Twin Falls, Idaho

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

29.41

Account Name Idaho Department of Water Resources (Southern)			Account Number #100632	
Address 2148 4th Avenue East		City/State Twin Falls, ID		Zip 83301
Ordered By Mary A. Baldwin	P.O. Number	Rate NT	Run Dates 1988 May 19, 26	
Identification Application for Water Right: Rand			Estimated Inches	Real Inches
Number of Affidavits Requested 1				Legal Number #8567

RECEIVED

MAY 21 1988

Department of Water Resources
Southern Region Office

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Deborah Gregory, 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 (2) ☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of May 19, 1988
and ending with the issue of May 26, 1988

Deborah Gregory
p 20 1989

Subscribed and sworn to before me this 26th
day of May, 19 88

Anna E. Power 12/93
Notary Public for Idaho, Residing at Boise, Idaho

RECEIVED

MAY 31 1988

Department of Water Resources
Southern Region Office

State of Idaho,
County of Bonneville } ss

Proof of Publication

The Post-Register

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk 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 consecutive weeks, first publication having been made on the 19th day of May, 1988, last publication having been made on the 26th day of May, 1988, 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 27th day of May, 1988.

Notary Public

My commission expires September 30, 1988.

B10

NOTICE OF APPLICATION
FOR WATER RIGHT
The following (water rights) have been
filed to withdraw the public waters of the
State of Idaho.
49-2004
RAND, JOE, 444 E. 1st St.
DIAMOND VALLEY 408 EUREKA, NV
89316
Source: DEARBORN CULCH trib. to
ROCK CREEK
Diversion Pt. 19 T 40S R
17E: 1/4 mile west of Dearborn
Culch.
Use: FISH PROP. 140 (S)
Date Filed: 5/18/88
In: BWRB Sec 19 T 40S R 17E
The permit(s) will be subject to all prior
water rights. Protests must be filed with the
Director, Dept. of Water Resources, South-
ern Region, 2145 4th Avenue East, Twin
Falls, Idaho 83301 on or before JUNE 6,
1988.
R. KEITH HIGGINSON, Director
Published: May 19, 1988

MICROFILMED

SEP 20 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 19, 2002

C & C ENTERPRISES
RAYMOND & JEFFERY COATS
PO BOX 923
TWIN FALLS ID 83303

RE: Change of Ownership for Water Right Permit 47-8084

Dear Water Right Holder(s):

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

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

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

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
MAY 16 2002

August 26, 1994

JOE RAND
ELLEN M. RAND
DIAMOND VALLEY #24
EUREKA NV 893160000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-08084

Dear Permit Holder:

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

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

SEP 09 1994

June 30, 1994

JOE RAND
ELLEN M. RAND
DIAMOND VALLEY #24
EUREKA NV 893160000

PROOF DUE NOTICE

RE: PERMIT NO. 47-08084

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 September 1, 1994. (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.

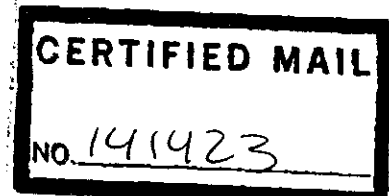
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

SEP 09 1994



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 44-8034
Name(s) of Permit Holder(s): Joe Rand
Post Office Address: Diamond Valley #24, Eureka, NV 89316
Tel. No. 702-227-5427

☒ I hereby certify that construction of diversion works for the above referenced permit began on 6-1-1990 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diversion works on the above referenced project has not yet begun due to the following reason beyond my control*:
5/25/08 1994

*Note: A financing difficulty is not an acceptable reason.

Dec. 21 90
Date

Joe Rand
Signature of Permit Holder

RECEIVED

DEC 21 1990

Department of Water Resources
State Region Office



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

SEP 09 1994

RECEIVED
DEC 24 1990

PLACE
STAMP
HERE

Department of Water Resources

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
September 1, 1989

JOE RAND
ELLEN M. RAND
DIAMOND VALLEY #24
EUREKA, NV 893160000

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P47-08084

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.

Please be advised that your plans for fish propagation may be subject to regulations of the Idaho Department of Fish and Game. We suggest that you check with them before starting construction.

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 Right Permits Section

GS: SC
Enclosures

RECEIVED

SEP 20 1989

MEMORANDUM

TO: Application No. 47-8084
FROM: Gary Spackman *Gary*
DATE: August 23, 1989

RE: Compliance with Rule 4,5. of the Water Appropriation Rules
and Regulations

I have reviewed application no. 47-8084 and the information provided by the developers. I find that it substantially complies with Rule 4,5. The application can be processed for approval.

MINUTEMAN

SEP 20 1989



IDAHO FISH & GAME

REGION 4
868 East Main Street
Jerome, ID 83338
(208) 324-4350

June 6, 1989

RECEIVED

JUN 8 1989

Department of Water Resources
Southern Region Office

Mr. Loren Holmes
Department of Water Resources
Southern Region
2148 4th Ave. East
Twin Falls, ID 83301

Re: Application for Permit No. 47-8084, Deadman Gulch
(Trib. to Rock Creek), 15 c.f.s. for Fish Propagation,
Joe and/or Ellen M. Rand

Dear Loren:

We have reviewed the above referenced permit and have no objection to
issuance.

Sincerely,

Carl H. Nellis
Supervisor, Region 4

cc: Gary Spackman, DWR, Boise
Joe & Ellen Rand, Diamond Valley #24, Eureka, NV 89316

Cecil D. Andrus / Governor
Jerry M. Conley / Director



ESTABLISHED 1909

MICROFILMED

SEP 20 1989

RECEIVED

JUN 8 1989

Deposited



STATE OF IDAHO

DEPARTMENT OF HEALTH
AND WELFARE

DIVISION OF ENVIRONMENTAL QUALITY
Twin Falls Field Office
Post Office Box 1626
Twin Falls, Idaho 83303-1626

June 7, 1989

Gary Spackman
Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720

JUN 08 1989

Department of Water Resources

Re: Water Appropriation Permit #47-8084 - Joe Rand, Deadmans
Gulch, Twin Falls County, Idaho

Dear Mr. Spackman:

Cheryl Eggleston recently contacted me relative to the above referenced permit indicating that our agency comments were required prior to final processing by IDWR.

A conference held on August 30, 1988 addressing protests related to the above referenced permit included specific conditions to withdraw IDHW-DEQ protests. Those conditions are as follows:

- 1) The facility shall be operated to comply with federal NPDES permit conditions and the Idaho Water Quality Standards and Wastewater Treatment Requirements.
- 2) The Idaho Department of Health and Welfare, Division of Environmental Quality (IDHW-DEQ) shall review and approve the design of the fish rearing facilities prior to construction.
- 3) An operation and maintenance plan shall be submitted to IDHW-DEQ for review and approval.

Should any questions arise, please contact me at 734-9520.

Sincerely,

M. J. McMasters

Michael J. McMasters
Water Quality Field Supervisor

MJM/ta
cc: Susan Martin
Loren Holmes
Darrell Heider
Cheryl Eggleston

EQUAL OPPORTUNITY EMPLOYER

MICROFILME
SEP 20 1989

Re Permit # 47-8084

We estimate the cost of this project
to come to approx. \$30,000.

Joe L. Rand

RECEIVED

MAY 11 1989

Department of Water Resources
Southern Region Office

RECEIVED

SEP 20 1989

RECEIVED

FARM CREDIT BANKS OF SACR NTO
FINANCIAL STATEMENT

Date Received

APR 28 1988
1 A - IDENTIFICATION: Principal Applicant (Y-Yes) (N-No) ☒ Association SIERRA/NEVADA Code 132-02
2 Billing/Member Name Do JOSEPH L. RAND
3 Applicant JOSEPH L. RAND SS# 530-10-2493 Spouse ELLEN M. RAND SS# 530-64-0475
4 Address Diamond Valley Route, Box 24 City Eureka State Nevada Zip 89316

1 B - FINANCIAL STATEMENT: as of (date) 04/07/87 Use present market value and attach or use schedules on reverse as necessary.

CURRENT ASSETS*	Amount	CURRENT LIABILITIES*	Amount	An. Prin. & Int. Paymts.
2 Cash-Checking (Bank)	\$ 9,000	Accounts Payable (Sch. E-1)	\$ 104,093	\$
3 Savings (Bank)	5,861	Notes Payable - Due Within One Yr. (Sch. E-2)	4,000	
4 Notes Rec. - Current Portion (Sch. A-2)	43,000	April Bills	10,000	
5 Accounts Rec. (Sch. A-1)	6,264	Tractor Purchased	35,086	
6 Listed Stocks and Bonds (Sch. B) Merrill Lynch	24,508	Federal Income Taxes (Yr.) 1986		
7 Prepaids Wire Purchased	81,500	State Income Taxes (Yr.)		
8 IRS Tax Receivable	20,410	Real Estate Taxes		
9 Cash in Growing Crops (Sch. C-3)	9,000	Other Taxes (Identify)		
10 Inventory (Sch. C-1)	14,000	Current Portion of Long-Term Debt	18,499	
11 Livestock Held for Sale (Sch. C-2)	9,925	Other Payables, Rent, Etc.		
12 Fish A/R	223,468			
13 Trucking Checking & A/R	4,460			
14 PCA B Stock - Current	179,960			
15 TOTAL CURRENT \$	1,616,000	TOTAL CURRENT \$	45,663	\$
16 Co-op Stock: FLBA; PCA				
17 Co-op Retains				
18 Unlisted Stocks and Bonds (Sch. B)				
19 Breeding Livestock (Sch. F)				
20 1 horse				
21 Autos and Trucks (Sch. F)				
22 Machinery and Equip. (Sch. F)				
23 TOTAL INTERMEDIATE \$	653,917	TOTAL INTERMEDIATE \$	871,258	\$
24 Farm Land and Improvements (Sch. D)				
25 Other Real Estate (Sch. D)				
26 Notes Receivable (Sch. A-3)				
27 TOTAL FIXED \$	1,704,844	TOTAL LONG TERM \$	1,237,014	\$
28 TOTAL ASSETS \$		TOTAL LIABILITIES \$		\$
29		NET WORTH \$		\$
30				
31				
32				
33				
34				
35				
36				
37				
38				
39				
40 Intangible Assets	\$ -0-			
41 Contingent Liabilities	\$ 80,000	Ken Benson Truck, Betschart - Oper w/FIB &		
42 Notes Endorsed for Others		Eureka Producers Cooperative		
43 Judgments, Suits or Claims Pending				
44 Insurance: Buildings/Facilities \$ COVERED		Equipment \$ covered	Commodity/Livestock \$ hay on hand	
45 Life Insurance \$	Liability \$ YES	Are any assets above involved in a trust? Y-Yes, N-No		☒

1 C - RELEASE OF INFORMATION:
2 As authorized by Federal regulations, this association will make available to any other Farm Credit institution, for its confidential use, any information concerning your
3 loan, including financial statements, your credit history and transactions with this association. Federal regulations also permit this association to furnish to any reliable
4 organization impersonal information based solely on transactions or experience the association has had with you.

1 D - CERTIFICATION:
2 The undersigned certifies that the information contained herein and any attachments hereto fully, truly, and correctly represents the undersigned's financial condition
3 as of the effective date indicated; and furnishes the information for the purpose of inducing the above-referenced association to establish or continue financing for
4 the benefit of the undersigned.

5 Dated May 04 19 87
6 Applicant Joseph L. Rand SEP 20 1989 Telephone (702) 237-5429 Eureka, NV
7 Applicant Ellen M. Rand Telephone (208) 326-5404 Filer ID



IDAHO FISH & GAME

REGION 4
868 East Main Street
Jerome, ID 83338
(208) 324-4350

April 25, 1989

RECEIVED

APR 27 1989

Department of Water Resources
Southern Region Office

Mr. Laren Holmes
State of Idaho
Department of Water Resources
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301

RE: Application for Permit No. 47-8084, Joe and/or Ellen Rand,
Deadman Gulch

Dear Laren:

The Department of Fish and Game has no objection to the above referenced permit. The project should have no adverse impact on the fisheries or aquatic habitat in Rock Creek.

Sincerely,

Carl H. Nellis
Supervisor, Region 4

cc: Joe and Ellen Rand

Cecil D. Andrus / Governor
Jerry M. Conley / Director



MICROFILMED

SEP 20 1989

In the matter of application for Permit
No. 47-8084 in the name of Joe &/or
Ellen Bond:

The undersigned withdraw protests
against granting of the application subject
to the following conditions:

- 1) The facility shall be operated in such a
way as to meet Federal & State water
quality standards administered by the Idaho
Dept. of Health & Welfare, Division of Environmental
Quality. (DEQ).
- 2) Prior to operation, the operator shall
submit designs & operating plans for
approval by DEQ

Signed at Twin Falls on August 30, 1988

For William H. Clark
Michael J. McMaster WQ Field Supervisor

Danell O'Heider - County (T.F.) Director of Parks.

Jack C. McCall

RECEIVED

SEP 20 1989

47-8084

Aug 30, 1988

Joe & Ellen Rand
Attorney

Protestant

TF County - Darrell Heider, Parks -

Idaho Dept. H & W - Mike McMaster -

" " Parks & Rec. - Did not appear >

Jack McCall - Did not appear >

Conference -

Concrete raceways -

Fingerlings are planted and raised -

Vacuuming the ponds to dispose of waste at the end of each pond -

→ DH & W has spent several millions of dollars cleaning up Rock Creek.

→ Co. Parks - Wants to review the pollution plan.

~~Action delayed until a written pollution~~

SEP 20 1988

- Submittal of design

→ Submittal of best management operational plan -

→ H & W review & approve the management -

- ~~Approved~~ Protests withdrawn at the end of the conference

Re: Applications ~~47-8087, 47-8088, Jack McCall, Applicant~~

Date: Tuesday, August 30, 1988; ~~1:00 PM~~ 10: AM

Hearing Officer: *Bob Fleenor*

Assisted by: Loren Holmes

[illegible]

MICROFILMED

SEP 20 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 16, 1988

Joe Rand &/or Ellen M. Rand
Diamond Valley #24
Eureka, NV 89316

Re: Application for permit No. 47-8084

Dear Mr. & Mrs. Rand:

Enclosed is a copy of a letter of protest against your application received in this office on July 15, 1988.

Due to an error in publication, the notice of your application had to be re-published with a final date for receiving protests of July 25, 1988. Therefore, the protest must be considered timely.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED

SEP 20 1989

NAME AND ADDRESS OF SENDER

IDWR 8/16/88

Indicate type of mail

- ☐ Registered
☐ Insured
☐ COD
☐ Certified

I certify that we have

- ☐ Commercial Insurance
☐ A deductible clause of \$

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
1	454	ID. Post of Patles & Rec. 47-8084, 8087, 8088	.45	.85	.45	1.75						
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MICROFILMED
 SEP 20 1989

TOTAL NUMBER OF PIECES LISTED BY SENDER 1	TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE	POSTMASTER, PER (Name of receiving employee)	The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.
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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 16, 1988

Joe Rand &/or Ellen M. Rand
Diamond Valley #24
Eureka, NV 89316

Re: Application for permit No. 47-8084

Dear Mr. & Mrs. Rand:

Enclosed is a copy of a letter of protest against your application received in this office on July 15, 1988.

Due to an error in publication, the notice of your application had to be re-published with a final date for receiving protests of July 25, 1988. Therefore, the protest must be considered timely.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED
SEP 20 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 16, 1988

Jim Poulsen, Recreation Resources Bureau Chief
Idaho Department of Parks & Recreation
2177 Warm Springs Ave.
Statehouse Mail
Boise, ID 83720

Re: Applications for permit No. 47-8087 & 47-8088, Jack McCall
Application for permit No. 47-8084, Joe Rand

Dear Mr. Poulsen:

Enclosed are notices of hearing in the matter of the above referenced applications.

Your letter of protest was received July 15, 1988, after the June 6, 1988 deadline originally set in the legal notices of the applications for accepting protests. However, the Rand application, 47-8084 had to be readvertised due to a publication error and the protest date was set to July 25, 1988, therefore, your protest against the Rand Application is timely.

Your protest against the McCall applications is not timely and if you wish to act as a party in that matter you must request leave to intervene five or more days prior to the hearing. The other parties will be given opportunity to respond to your motion to intervene.

A copy of your letter is being sent to the applicants. At a conference or hearing the following are the principal items the depart can consider in approving or denying an application for permit (Section 42-203, IDAHO CODE):

- 1) Will the proposed use reduce the quantity of water under existing rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?

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SEP 20 1989

Page 2

Jim Poulsen

August 16, 1988

Re: Applications for permit No. 47-8087 & 47-8088, Jack McCall
Application for permit No. 47-8084, Joe Rand

4) Has the applicant sufficient financial resources with which to complete the proposed project?

5) Will the proposed use conflict with the local public interest?

If you have any questions about procedure in this matter, please let me know.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED

SEP 20 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

15-Aug-1988

Jewell Chandler
Twin Falls City Hall
321 2nd Ave. East
Twin Falls, ID 83301

Re: 47-8087, 47-8088, 47-8084, 37-7850, 37-8337

Dear Ms. Chandler:

This is to confirm the use of the Council Chambers for conference and/or hearing to be held by this office all day on 8/30/88 and 8/31/88.

Thank you very much for your cooperation.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

MICROFILMED

SEP 20 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 12, 1988

William H. Clark, Sr. Water Quality Analyst
Idaho Department of Health & Welfare
Division of Environmental Quality
450 West State St.
Boise, ID 83720-9990

Re: Applications for permit No. 47-8087 & 8088, Jack McCall
Application for permit No. 47-7084, Joe Rand

Dear Mr. Clark:

Enclosed are hearing notices in the above referenced applications.

Your letter of protest was received June 15, 1988, after the June 6, 1988 date originally set in the legal notices of the applications for accepting protests. However, the Rand application, 47-7084 had to be readvertised due to a publication error and the protest date was set to July 25, 1988, therefore, your protest against the Rand Application is timely.

Your protest against the McCall applications is not timely and if you wish to act as a party in that matter you must request leave to intervene five or more days prior to the hearing. The other parties will be given opportunity to respond to your motion to intervene.

If you have any questions about procedure in this matter, please let me know.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

MICROFILMED

SEP 20 1989

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
↑(Extra charge)↑ ↑(Extra charge)↑

3. Article Addressed to:

Mr. Rand &/or Elie M. Rand
2 Second Valley #24
New York, NY 89316

4. Article Number

443
Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

MICROFILMED
Signature of addressee
DATE DELIVERED.

5. Signature — Addressee

X

6. Signature — Agent

X

7. Date of Delivery

8/16/88

8. Addressee's Address (ONLY if requested and fee paid)

SEP 20 1989

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

MICROFILMED

SEP 20 1989



PENALTY FOR PRIVATE
USE, \$300

RETURN

Print Sender's name, address, and ZIP Code in the space below.

Department of Water Resources
Southern Region Office
TWIN FALLS, IDAHO

AUG 19 1988

DEPARTMENT OF WATER RESOURCES
2148 4th AVENUE EAST
TWIN FALLS, IDAHO 83301

RECEIVED

NAME AND ADDRESS OF SENDER

IDWR 8/11/88

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ Certified

\$1.55 ea

I certify that we have
☐ Commercial Insurance
☐ A deductible clause of \$

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
 POSTMARK AND DATE OF RECEIPT

PS Form 3877 April 1980 ACCEPTANCE OF REGISTERED, INSURED, C.O.D. AND CERTIFIED MAIL

1. No.	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST. REV.
1	443 ✓	Joe Rand - 47-8084 * See File 47-8088 for broken cards	1.25	.85	.45						
2	444 ✓	Jack McCall - 47-8084 47-8087, 47-8088									
3	445 ✓	T.F. Co. Commissioners 47-8084, 47-8087, 47-8088									
4	446 ✓	Ed. Dept. of H&W 47-8084, 47-8087, 47-8088									
5	447	Joe Sotenson 37-7850									
6	448	BLM, Shoshone Dist 37-8337									
7	449	Don Church 37-8337									
8	450	Deloss Stoker 45-7161 etc Transfer									
9	451	Mary Johnson " " "									
10	452	William A. Parsons " " "									
11	453	Kent Church " " "									
12			2.50	8.50	4.50						
13											
14											
15											

TOTAL NUMBER OF PIECES LISTED BY SENDER

10

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER, PER (Name of receiving employee)

The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U. S. GOVERNMENT PRINTING OFFICE: 1980-0

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT TO APPROPRIATE)
WATER NO. 47-8084)
_____)

NOTICE OF CONFERENCE
AND/OR HEARING

Joe &/or Ellen M. Rand,)

SOURCE: Deadman Gulch

Applicant)

COUNTY: Twin Falls

Jack McCall)

Twin Falls County Commissioners)
Idaho Dept. of Health & Welfare,)
Div. of Environmental Quality)

Protestants)
_____)

On April 5, 1988, Joe &/or Ellen M. Rand, applicant, filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On April 15, 1988, the Department received a protest against the approval of said application from Jack McCall. Additional protests were received from the Twin Falls County Commissioners on June 6, 1988 and from the Idaho Dept. of Health and Welfare on June 15, 1988.

The Department has set the matter of protest for conference and/or hearing for 10:00 AM on Tuesday, August 30, 1988, in the City Council chamber, Twin Falls City Hall, 321 2nd Ave. East, Twin Falls.

The hearing will be held in accordance with chapter 2, Title 42 of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded to all parties to respond and present evidence and argument on all issues involved.

Dated this 11 day of August, 1988.


Loren O. Holmes
Southern Region Manager

MICROFILMED

SEP 20 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

28-Jul-1988

Editor
Times News
P.O. Box 548
Twin Falls, ID 83301

RECEIVED

AUG 3 1988

Department of Water Resources
Southern Region Office

Re: Publication charges, 47-8084 (Rand)

Dear Sir:

Legal No. 181-3575 contained an error which was brought to the attention of your paper on 5/17/88, which was prior to the scheduled publication date of 5/19/88 for which Affidavit #18627 was issued for the cost of \$20.16.

Legal No. 181-1396 contained the same error which was brought to the attention of your paper on 6/30/88 and was corrected for re-publication date of 7/7 for which Affidavit #18815 was issued for the cost of \$19.60.

It is my feeling that the Department should have no charge for the first publication since it contained an error that had been reported prior to publication date.

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

Very truly yours,

Mary Baldwin

Mary Baldwin
Secretary/Office Coordinator

Enclosures

cc: State Office

*Affidavit #18627 for \$20.16 has been
credited off.*

MICROFILMED

SEP 20 1989

Linda McQuinn



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

28-Jul-1988

Editor
Times News
P.O. Box 548
Twin Falls, ID 83301

Re: Publication charges, 47-8084 (Rand)

Dear Sir:

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Legal No. 181-1396 contained the same error which was brought to the attention of your paper on 6/30/88 and was corrected for re-publication date of 7/7 for which Affidavit #18815 was issued for the cost of \$19.60.

It is my feeling that the Department should have no charge for the first publication since it contained an error that had been reported prior to publication date.

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

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosures

cc: State Office

MICROFILMED

SEP 20 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 18, 1988

William H. Clark, Sr. Water Quality Analyst
Idaho Department of Health & Welfare
Division of Environmental Quality
450 West State Street
Boise, ID 83720-9990

Re: Applications for permit No. 47-8087 & 47-8088, Jack McCall
Application for permit No. 47-8084, Joe Rand

Dear Mr. Clark:

Your protest against the approval of the above referenced applications has been received and copies have been sent to the applicants. The Department suggests you contact the applicants directly in an effort to determine what is proposed by the applications and to attempt to resolve the protests.

Please be advised that the protest on the McCall applications was received after the June 6, 1988 deadline set for accepting protests. If you wish to be a party in the matter of those applications, you must be granted leave to intervene in accordance with this department's Rules of Practice and Procedure. Requests to intervene must be filed five (5) or more days prior to hearing.

This office is tentatively scheduling the matter of protests for conference and/or hearing for Tuesday, August 30, 1988 in Twin Falls. Formal notices giving the time and place for the hearing will be mailed about August 12.

At such a conference and/or hearing, the following are the principal items the Department can consider in either approving or denying an application for permit (Section 42-203, IDAHO CODE):

- 1) Will the proposed use reduce the quantity of water under existing rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for speculative purposes?

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SEP 20 1989

Page 2

Re: Applications for permit 47-8087 & 47-8088
Application for permit 47-8084

July 18, 1988

4) Has the applicant sufficient financial resources with which to complete the proposed project?

5) Will the proposed use conflict with the local public interest?

If you have any questions, or if this office can be of assistance in this matter, please contact us.

Very Truly yours,



Loren O. Holmes, P. E.
Southern Region Manager

LH

MICROFILMED

SEP 20 1988



IDAHO DEPARTMENT of PARKS & RECREATION

Cecil D. Andrus, Governor

Yvonne S. Ferrell, Director

RECEIVED

July 13, 1988

JUL 15 1988

Dept. of Water Resources
2148 4th Ave. East
Twin Falls, ID 83301
Attn: Loren Holmes

Department of Water Resources
Southern Region Office

Re: Joe Rand Application #478087
& #478088
Jack McCall Application #478084
LWC 16-00450

Dear Mr. Holmes:

Our Agency administers a federal grant called the "Land and Water Conservation Fund". We use these funds for Outdoor Recreation projects in cooperation with any political subdivision of the state. By federal law it is our responsibility to monitor all projects as to their maintenance and condition for public enjoyment in perpetuity.

We have developed a fine working relationship with Twin Falls county on several projects, but none with the potential of Rock Creek Park.

This project started as an auto junkyard cleanup, and involved acquisition of several pieces of property to result in the special facility the county now has. Through this matching program we and the county have invested more than \$240,000.00 in to this project. The Department of Agriculture has invested \$3,000,000.00 into cleaning up this stream which has made it possible for Rock Creek Park users to use the stream for recreational activities such as fishing and tubing. After the investment which has been made to make this stream and park an example of restoration, it would be a shame to foul it for the economic benefit of a few.

Rock Creek flows through the middle of this park, and now provides a wonderful amenity to this facility. The county has built a bridge which will give access to a new amphitheatre across the creek. If the referenced applications would impact the water quality so as to negatively effect the recreational experience and the esthetics of this park, we would have to oppose their approval.

MICROFILMED

SEP 20 1989

Please carefully evaluate the effect of these applications on the Outdoor Recreation experience and at least recommend modifications to reduce that impact so that this park can continue to improve its benefit to the community and visitors.

Your help is appreciated.

Sincerely,

Jim Poulsen

Jim Poulsen
Recreation Resources Bureau Chief

cc: Twin Falls County

ar/4061E

SEP 28 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 15, 1988

Jack McCall
P.O. Box 1585
Twin Falls, ID 83301

Re: Application for permit No. 47-8084, Joe Rand

Dear Mr. McCall:

Your protest against the approval of the above referenced application has have been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

This office is tentatively scheduling the matter of protests for conference and/or hearing for Tuesday, August 30, 1988. Formal notices giving the time and place for the hearing will be mailed about August 12.

At such a conference and/or hearing, the following are the principal items the Department can consider in either approving or denying an application for permit (Section 42-203, IDAHO CODE):

- 1) Will the proposed use reduce the quantity of water under existing rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the proposed project?
- 5) Will the proposed use conflict with the local public interest?

MICROFILMED

SEP 20 1989

Page 2

Re: Application for permit 47-8084

July 15, 1988

If you have any questions, or if this office can be of assistance in this matter, please contact us.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

LH

SEP 20 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 15, 1988

Twin Falls County
Board of Commissioners
425 Shoshone St. N.
Twin Falls, ID 83301

Re: Application for permit No. 47-8084, Joe Rand

Gentlemen:

Your protest against the approval of the above referenced application has have been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

This office is tentatively scheduling the matter of protests for conference and/or hearing for Tuesday, August 30, 1988. Formal notices giving the time and place for the hearing will be mailed about August 12.

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- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the proposed project?
- 5) Will the proposed use conflict with the local public interest?

NOT RECORDED

SEP 20 1989

Page 2

Re: Application for permit 47-8084

July 15, 1988

If you have any questions, or if this office can be of assistance in this matter, please contact us.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

LH

ENCLOSURE

SEP 20 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 15, 1988

Joe Rand &/or Ellen M. Rand
Diamond Valley #24
Eureka, NV 89316

Re: Application for permit No. 47-8004

Dear Mr. Rand:

Enclosed are copies of protests filed against the issuance of a permit pursuant to your above referenced application. The Department suggests you contact the protestants directly in an effort to determine nature of the protests and to attempt to resolve the protests.

This office is tentatively scheduling the matter of protests for conference and/or hearing for Tuesday, August 30, 1988. Formal notices giving the time and place for the hearing will be mailed about August 12.

At such a conference and/or hearing, the following are the principal items the Department can consider in either approving or denying an application for permit (Section 42-203, IDAHO CODE):

- 1) Will the proposed use reduce the quantity of water under existing rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the proposed project?
- 5) Will the proposed use conflict with the local public interest?

MICROFILMED

SEP 20 1989

Page 2

Re: Application for permit 47-8084

July 15, 1988

If you have any questions, or if this office can be of assistance in this matter, please contact us.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

LH

SEP 20 1988

SEP 20 1988



STATE OF IDAHO

DEPARTMENT OF HEALTH
AND WELFARE

DIVISION OF ENVIRONMENTAL QUALITY
450 West State Street
Boise, ID 83720-9990

June 13, 1988

RECEIVED

JUN 15 1988

Loren Holmes
Idaho Department of Water Resources
2148 4th Avenue East
Twin Falls, ID 83301

Department of Water Resources
Twin Falls Region Office

Dear Mr. Holmes:

I am writing to oppose the proposed allocation of water from Deadman's Gulch, a tributary of Rock Creek at Rock Creek Park (applications #478084, 478087, and 478088).

I am the water quality coordinator for the Rock Creek Rural Clean Water Program (RCWP). As part of this program we have been monitoring the water quality of Rock Creek and selected agricultural drains since 1981. One of our important monitoring sites is on Deadman's Gulch in Rock Creek Park. Any activities planned for Deadman's Gulch will make some change in the water quality and make data analysis more difficult or impossible. We now have nearly eight years of water quality data on this Gulch and hope to complete the project (end of 1990) without any major changes to the drain.

In addition, this drain acts as an alternate habitat during the summer when Rock Creek carries higher sediment loads. People frequently fish the drain and I think that it adds substantially to the Park. We are starting to make real progress in the fishery of Rock Creek (see enclosed article on page 8 of Idaho Clean Water). Small drains such as this one are important to the fishery. I would hate to see the efforts of the farmers in the Rock Creek watershed who have worked towards improving the water quality and fishery of the stream be wasted.

We have some fish habitat improvements planned for Deadman's Gulch which would be negated by other activities on it or diversion of water from it.

I would appreciate your attention given to the above comments. Feel free to call me (334-5860) if you have any questions or need further information concerning the Rock Creek RCWP.

MICROFILMED

SEP 20 1989

Loren Holmes
June 13, 1988
Page 2

Thank you for your time and consideration.

Sincerely,

William H. Clark

William H. Clark
Sr. Water Quality Analyst

WHC:lab
Enclosure

cc: (w/o encl.)
Mike McMasters/Rich Morrison
Rich Yankey
Don Martin
Bob Bell
Darrell A. Heider
Twin Falls Board of County Commissioners
Dick Rogers
Bob Braun

RECEIVED

SEP 20 1989

JUDY FELTON
CHAIRMAN
COUNTY COMMISSIONER
FIRST DISTRICT
BOX 126

MARVIN HEMPLEMAN
COUNTY COMMISSIONER
SECOND DISTRICT
BOX 126

JAMES F. FRALEY
COUNTY COMMISSIONER
THIRD DISTRICT
BOX 126

TWIN FALLS COUNTY

OFFICE PHONE 734-3300
425 SHOSHONE STREET NORTH
TWIN FALLS, IDAHO 83301

June 6, 1988

BONNIE BRUNING
TREASURER
BOX 88

DORTHY HAMBY
ASSESSOR
BOX 265

RICHARD A. PENCE
CLERK
BOX 126

Department of Water Resources
Southern Region Office

JUN 8 1988

RECEIVED

Dept. of Water Resources
2148 4th Ave. East
Twin Falls, Idaho 83301
Attn: Loren Holmes

Re: Joe Rand Application #478087
Jack McCall Application #478088
#478084

Mr. Holmes,

Your department is considering the above two requests for allocation of water from seepage water forming what is commonly referred to as "Deadman's Gulch".

This stream of water enters the flow of Rock Creek at the top end of the Twin Falls County's "Rock Creek Park". The County over the years has spent a good deal of monies & labor to develop this Park. It has become quite a fishery & is used extensively as a floating area for our young people.

The purpose for this letter is to object to any possible pollution of these waters or odors from the water that flows through this Rock Creek Park. I am aware that fish farms can be made acceptable as far as the environmentalists are concerned, but it makes us apprehensive when we read articles such as was published in the Times News Thursday - June 2, 1988 and the Editorial of Sunday - June 5, 1988 (copies enclosed) regarding the pollution of "Billingsley Creek".

Mr. Burt Holmes, who lives on Billingsley Creek tells me that when the water flow is low, what used to be sandbars appearing, now are composed of "Muck". With these conditions affecting Billingsley Creek, it makes us (the Twin Falls County Advisory Board myself as Director of Parks) want to move cautiously before allowing this condition to become a reality on this portion of Rock Creek.

RECEIVED
SEP 20 1989

Might I remind you also, that the U.S. Department of Agriculture is completing a Three Million Dollar (\$3,000,000.00) project to clean up the pollution in Rock Creek. This is a pilot project that has been underway since 1981. Significant improvements have been made to date. The project is also in conjunction with the Environmental Protection Agency and the Idaho Department of Health and Welfare.

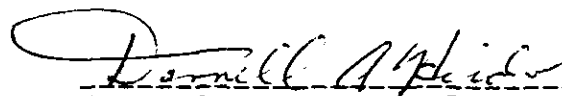
These agencies are very concerned that no new activities be undertaken that might reverse the present trend.

Please take this request under advisement, as you make the determination on this matter.

Respectfully,



Judy Felton, Chairperson
Twin Falls Board of County Commissioners



Darrell A. Heider, Director
Twin Falls County Parks & Recreation Dept.

cc:

Mike McMasters, Water Quality Environmentalist
Rich Yankey, District Conservationist
Bob Bell, Regional Fisheries Biologist
George Holmes, Chairman Parks Advisory Commission
Board of County Commissioners

MICROFILMED
SEP 20 1989

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

TELEPHONE (208) 734-0700

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY T. UHLING
TERRY R. McDANIEL
F. BRUCE COVINGTON
JERRY JENSEN
GARY D. SLETTE
CAROLYN M. MINDER
VICKI L. YRAZABAL
BRUCE M. SMITH
G. RICHARD BEVAN
MICK HODGES

Boise Office
1020 MAIN ST., SUITE 400
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700

May 25, 1988

RECEIVED

MAY 26 1988

Department of Water Resources
Southern Region Office

Mr. Loren Holmes
Idaho Department of Water Resources
Twin Falls Office
2148 Fourth Avenue E.
Twin Falls ID 83301

RE: Joe & Ellen M. Rand
Application No. 47-8084

Dear Loren:

The Twin Falls Canal Company Board of Directors has concerns about Application No. 47-8084 as filed by Joe and Ellen M. Rand.

The applicants should be aware that they establish no right to the continued delivery of the water by Twin Falls Canal Company. This is strictly seepage water and subject to Twin Falls Canal Company's prior rights. There may be or may not be water at this point of diversion in the future if irrigation patterns change.

While the Company has no objection to the use of the water because the use is nonconsumptive, the purpose of this letter is to advise that the Twin Falls Canal Company canal is mossed with chemical on an ongoing basis for operation and maintenance purposes above this location, and that applicants assume that risk if they construct fish facilities.

This water is available at this location because of past work the Company has done to alleviate seepage of farm ground. Applicants should be aware that they will be responsible for any seepage caused by their construction and ponding of the water, or if they impede the flow of water from the seepage tunnel, causing seepage to the lands of others.

To the extent that the water quality is degraded by applicants' use, I am sure that the applicants are aware of their water quality problem. We would anticipate that if the

SEP 20 1989

Mr. Loren Holmes
Idaho Department of Water Resources
May 25, 1988
Page - 2

Company is ever sued for alleged water quality violations concerning this waterway, that they will also look to this user.

Please do not consider this an official protest letter to the permit, but we request that this letter be included in the file.

Respectfully submitted,


JOHN A. ROSHOLT

JAR:dcb
86381

cc: Joe & Ellen M. Rand
Diamond Valley #24
Eureka NV 89316

RECEIVED

SEP 20 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

May 5, 1988

Joe &/or Ellen Rand
Diamond Valley #24
Eureka, NV 89316

Re: Application for Permit No. 47-8084

Dear Mr. & Mrs. Rand:

The Department of Water Resources acknowledges receipt of your application for a water right permit. The application has been assigned identification No. 47-8084. Please refer to this number in all further correspondence.

This office will be reviewing and processing your application pursuant to Idaho statutes and the department's Rules and Regulations for Water Appropriation.

A legal notice of the application is being prepared for publication in the Times News, Post Register, Idaho Statesman and Lewiston Morning Tribune to appear on 5/19 & 5/26/88. The last date for receiving protests against granting of the application will be June 6, 1988.

If the application is protested you will be notified and sent a copy of all protests filed. Protests must be resolved either by hearing before the department or agreement among the parties before the application is approved or denied.

Review of your application indicates the following additional information is required to be made part of the application file pursuant to the Rules and Regulations for Water Appropriation:

- 1) Copies of deeds, leases, easements, or other information documenting that you have a possessory interest in the place of use. (Rule 4,5,3,3,1)
- 2) A certified financial statement or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the proposed use. (Rule 4,5,3,4,1)
- 3) Copies of plans and specifications along with estimated construction costs for the project works. The plans must be definite enough to allow for determination of project costs.

SEP 20 1989

Joe &/or Ellen Rand
Page 2
May 5, 1988

and implications. For fish propagation facilities the plans must show the number of ponds proposed and give the length, width and depth dimensions of all ponds. (Rule 4,5,3,4,2)

4) You must seek comment on the effects of the construction and operation of the proposed project from the city and/or county within which the project is to be 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 project is to be located. (Rule 4,5,3,5,1)

The required additional information must be submitted within 30 days after the final date for receiving protests (June 6, 1988). The time may be extended upon request and showing of good cause that additional time is required to submit the information.

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

Very truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

LH

RECORDED

SEP 20 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

May 5, 1988

Carl H. Nellis
Idaho Dept. of Fish & Game
P.O. Box 428
Jerome, ID 83338

Re: 47-8084

Dear Mr. Nellis:

Please find enclosed a copy of the above referenced
Application for Permit for your information and files.

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

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

Enclosure

MICROFILMED

SEP 20 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

2148 4th Avenue East
Twin Falls, Idaho 83301
(208) 734-3578

MAY 5, 1988

POOR QUALITY

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 6, 1988.

Yours truly,

Mary A. Baldwin
Secretary/Office Coordinator

Encl.

MICROFILMED

SEP 20 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

2148 4th Avenue East
Twin Falls, Idaho 83301
(208) 734-3578

MAY 5, 1988

Post Register
P. O. Box 1800
Idaho Falls, ID 83402

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 6, 1988.

Yours truly,

Mary A. Baldwin
Secretary/Office Coordinator

Encl.

MICROFILMED

SEP 20 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

2148 4th Avenue East
Twin Falls, Idaho 83301
(208) 734-3578

MAY 5, 1988

Lewiston Mornings Tribune
505 C Street
Lewiston, ID 83501

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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Yours truly,

Mary A. Baldwin
Secretary/Office Coordinator

Encl.

MICROFILMED
SEP 20 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

2148 4th Avenue East
Twin Falls, Idaho 83301
(208) 734-3578

MAY 5, 1988

Idaho Statesman
Box 40
Boise, ID 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a sales proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 6, 1988.

Yours truly,

Mary A. Baldwin
Secretary/Office Coordinator

Encl.

MICROFILMED

SEP 20 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

SEP 20 1988

RECEIVED

47-8084

RAND, JOE &/or ELLEN M.

DIAMOND VALLEY #24, EUREKA, NV 89316

Source: DEADMAN GULCH trib. to ROCK CREEK

Diversion Pt: NWNWNE Sec 19 T 10S R 17E ; 1 1/8 miles above mouth of Deadman Gulch.

Use: FISH PROP. (15.0 CFS)

Date Filed: 04/05/1988

In: NWNNE Sec 19 T 10S R 17E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before ~~JUNE 8, 1988~~ ~~SEP 20, 1988~~

R. KEITH HIGGINSON, Director

Published ~~05/19 & 05/26~~

07/07 & 07/14

RECEIVED
SEP 20 1988

181-3575

~4~NOTICE OF~
~APPLICATIONS OR~
~WATER PERMIT~

The following applica-
tion (s) has been filed to
appropriate the public
waters of the State of
Idaho:~

~47-8084~

RAND, JOE &/OR
ELLEN M.~

DIAMOND VALLEY #24,
Eureka, NV 89316.~

Source: DEADMAN

GULCH trib. to ROCK
CREEK~

Diversion Pt: NWNWNE

Sec 19 T 10S R 17E; 11/8
miles above mouth of
Deadman Gulch.~

Use: Fish PROP. (15.0
CFS)~

Date filed: 04/15/1988~

In: NWNWNE Sec 19 T 10S R
17E.~

The permit (s) will be
subject to all prior water
rights. Protests must be
filed with the Director,
Dept. of Water
Resources, Southern
Region, 2148 Fourth
Avenue East., Twin
Falls, Idaho 83301 on or
before June 6, 1988~
R. Keith Higginson,
Director~

PUBLISH: Thursday,
May 19, and 26, 1988.~

MICROFILMED

SEP 20 1989

correction called
5/17/88, 9:30 am

Times News

correction called
6/30/88
mb

AND. VIF.

181-1396

~4~NOTICE OF~
~APPLICATION FOR~
~WATER PERMIT~

The following applica-
tion(s) have been filed to
appropriate the public
waters of the State of
Idaho:~

No. 47-8084~

RAND, JOE &/or ELLEN
N.~

DIAMOND VALLEY #24,
EUREKA, NV 89316~

Source: Deadman Gulch
trib. to Rock Creek~

Diversion Pt: NWNWNE
Sec 19 T 10S R 17E; 11/8
miles above mouth of
Deadman Gulch.~

Use: FISH PROP.~
~(15.0 CFS)

Date Filed: 4/15/1988~

In: NWNWNE Sec 19 T 10S R
17E~

The permit(s) will be
subject to all prior water
rights. Protests must be
filed with the Director,
Dept of Water
Resources, Southern
Region, 2148 4th Avenue
East, Twin Falls, Idaho
83301 on or before July
25, 1988.~

R. Keith Higginson~
Director~

PUBLISH: Thursday, Ju-
ly 7 and 14, 1988.~

RECEIVED

APR 15 1988

Dept. of water Res.

2148 4th ave.East

Twinn Falls, Idaho

Department of Water Resources
Regional Office

RECEIVED

APR 15 1988

Department of Water Resources
Regional Office

Gentlemen:

This letter is in protest for the filing for water application
47-8084.

This Filing is in protest for the following item:

- 1.Public Interest(these ponds will be located near homes)
- 2.This water will be/ and is being used for irrigation, that there
will not be water available during irrigation season.
3. water Quality will beaffected by these fishponds.

Jack McCall

P.O. Bx.1585

TwinFalls, Ida. 83303

MICROFILMED

SEP 20 1989

