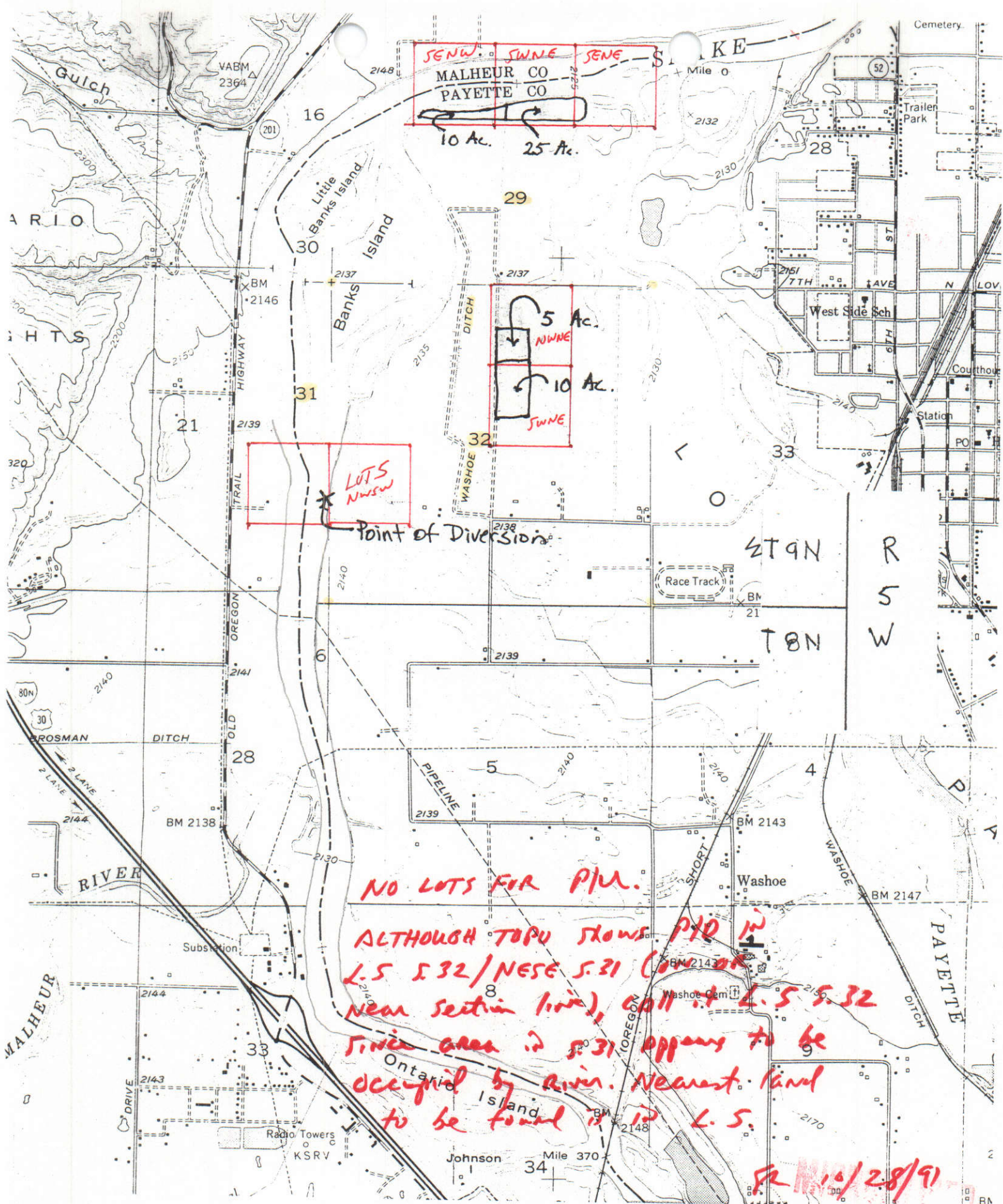




SNAKE

~~Sec. 20~~

5
49.29

PAYETTE

50

RECEIVED

6
37.10

Sec. 32
529.55

30 160

WORTH 45.50

105.527 100.000 125.501

120.00)

T9N RSW S. 29, 31, 32
APR 29 1996

COMB

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Notice of Application for Water Right
TITLE OF PUBLICATION

SPONSOR OF PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

I, Dorothy Mason, being
duly sworn, deposes and says:

That she is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published
at Payette, in the County of Payette and State of Idaho; that said
paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Payette; that the advertisement,
a copy of which is attached hereto, was published in said
newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
Nov. 6, 1991, and ending with the issue
of Nov. 13, 1991.

STATE OF IDAHO
COUNTY OF

On this 14th day of Nov. in the year of 1991, before me,
a Notary Public, personally appeared Dorothy Mason,
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Maureen J. Rhinehart
Notary Public for Idaho

Residing at Idaho

My commission expires: 11-28-92

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 28

Number of Insertions two

28 Lines @ 90 . . . \$ 25.20

28 Lines @ 72 . . . \$ 20.16

TOTAL COST
WILL BE \$ 45.36

Copy of Notice (First Copy)

NOTICE OF APPLICATION FOR WATER RIGHT

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

3-07044 ✓st

EASTERN WESTERN CORP
C/O MICHAEL E. MC GINLEY
1505 S E GIDEON ST
PO BOX 3228
PORTLAND, OR 972083228

Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 5 (NWSW) Sec 32 T 09N R 05W in
PAYETTE County.

Use: IRRIGATION (1.300 CFS)
Total Diversion: (1.300 CRS)

Date Filed: 10/22/1991
TO9N R05W S29 SWNE SENE SENW
S32 NWNE SWNE
50.0 ACRES TOTAL

The permit(s) will be subject to all prior water
rights. Protests must be filed with the Director,
Dept. of Water Resources, Western Region, 2735
Airport Way, Boise, Idaho 83705 on or before
NOVEMBER 25, 1991.

R. KEITH HIGGINSON, Director
No. 633 Nov. 6, 13

RECEIVED

NOV 14 1991

Department of Water Resources
Western Regional Office

RECEIVED

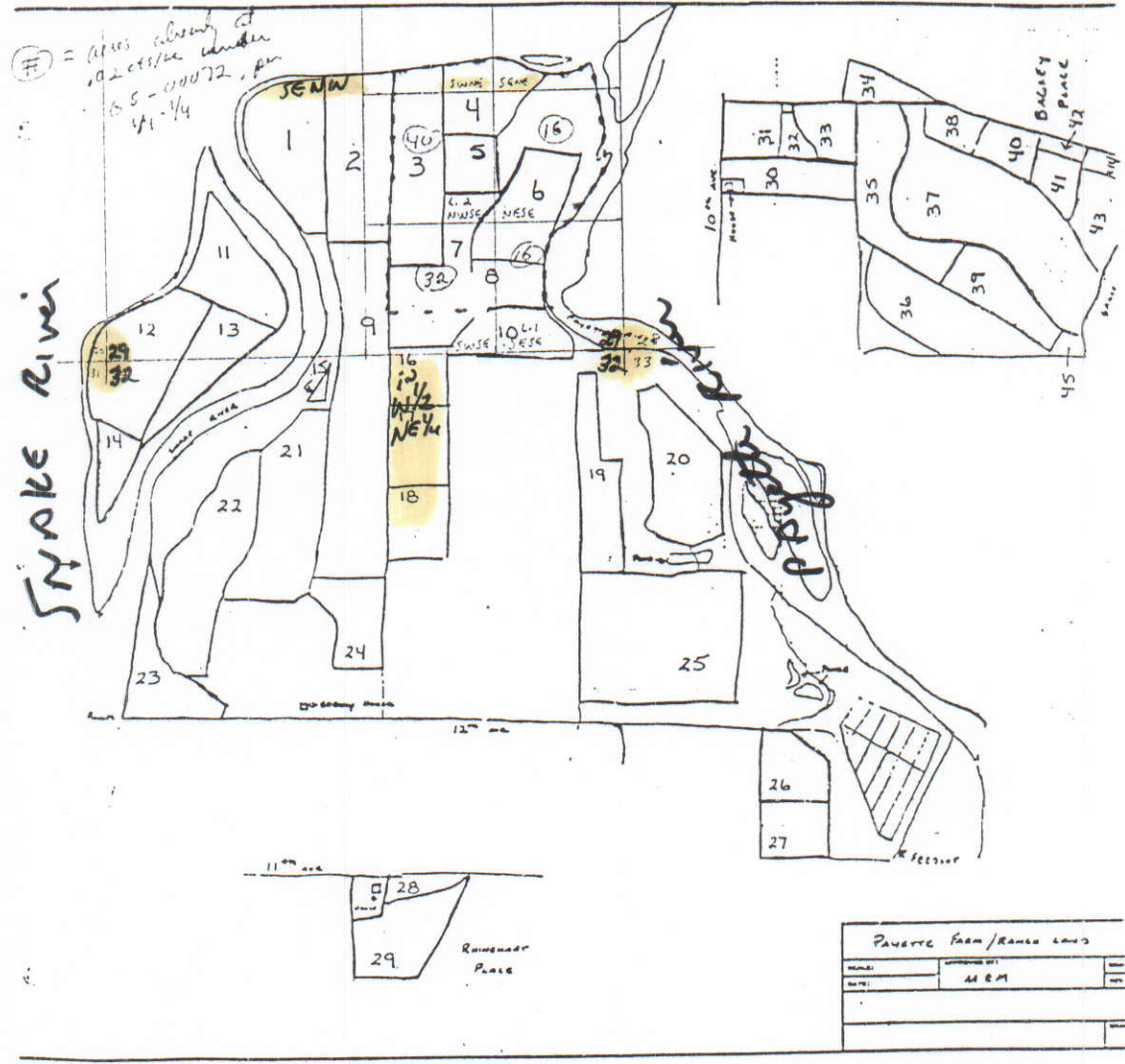
APR 29 1996

No 633

PAYETTE FARM MAP

Section - is interpreted from
 USSS 7-10-72. Area is green (outlined
 of Applicant's Agent) corresponds to area
 in application.

82 3/20/89



Payette Farm MAP,
 map from file 65-13091
 APR 29 1996

Form No. 217
6/00FOR OFFICE USE ONLY
Amt. of Fee \$ 100.00
Receipt No. 03-07034
Receipt By: [Signature]
Date Received: 3/25/02STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
MAR 25 2002

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 the permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 03-07034 Telephone No. (208) 278-3448
2. Name of Permit Holder(s): C/C, LLC
3. Mailing Address: c/o George Colwell, 3990 Highway 52
City Payette State ID Zip 83661
4. Source of Water: Snake River # GROUNDWATER (well), Date Drilled: mo. / yr.
Well Driller: Drilling Permit Number:
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): Stockwater (No. and type of stock):
Irrigation (No. of acres): 50 Other:
6. Total rate of diversion and/or volume for which proof is submitted: 1.0 cfs OR acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes or No X
Has the measuring device been installed? Yes or No
8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: George Colwell Telephone Number: (208) 278-3448
Address: 3990 Highway 52, Payette, Idaho 83661
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.
C/C, LLC by George Colwell Date: 3/25/02
Signature of permit holder: George Colwell
(include your title, if on behalf of company or organization)
Member C/C, LLC

MICROFILMED

APR 22 2002

RECEIVED

AUG 31 2001

11/99

WATER RESOURCES
WESTERN REGION

For Office Use Only
\$25 filing fee ☒
Receipt # C086022
Date 9.7.01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Eastern Western Corporation, hereby assign to CK, LLC, an Idaho Limited Liability Company
of, 3990 Highway 52, Payette, ID 83661 (Full Address) (208) 278-3448 (Phone) (541) 898-2863

All my right, title, and interest in and to Permit No. 03-07044 to RECEIVED
appropriate the public waters of the State of Idaho.

SEP - 4 2001

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 22nd day of August, 2001

Michael S. McKinley
Permit Holder(s) Eastern Western Corporation an Oregon Corporation
by Michael E. McGinley, President

State of Oregon
County of Multnomah

On this 22nd day of August, 2001, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.



Cindi Masterson
Notary Public residing at
Gresham

My commission expires: 12-29-02

MICROFILMED

NOV 1 2001

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF ASSIGNMENT OF)
PERMIT NO. 03-07044 IN THE NAME)
OF EASTERN WESTERN)
CORPORATION)
_____)

**ORDER APPROVING
ASSIGNMENT**

FINDINGS OF FACT

1. On April 11, 1996, the Idaho Department of Water Resources ("department") issued Permit No. 03-07044 ("permit") in the name of Eastern Western Corporation ("permit holder") authorizing the diversion of 1.0 cubic feet per second ("cfs") of water from the Snake River to be used for the irrigation of 50 acres within parts of sections 29 and 32, T9N, R5W, B.M., Payette County. A condition of permit approval required the permit holder to submit proof of beneficial use of water ("proof") to the department on or before April 1, 1997.

2. On May 9, 1997, the department extended the proof due date to April 1, 2000 with a condition that the permit holder was not authorized to assign ownership of the permit to another party without prior approval of the department.

3. On April 7, 2000, the department approved a second request for extension of time in which to submit proof, extending the proof due date to April 1, 2002.

4. On August 21, 2001, the permit holder contacted the department seeking approval of assignment of the permit.

5. On October 31, 2001, the permit holder advised the department that the permit holder has taken steps to ensure that completion of construction associated with permit development and that filing of proof of beneficial use of water will be completed prior to the proof due date of April 1, 2002.

CONCLUSIONS OF LAW

1. The permit holder has made a sufficient showing relative to due diligence in development of the permit.

2. The department should authorize assignment of ownership of the permit to another party.

ORDER

IT IS THEREFORE HEREBY ORDERED that the assignment by the permit holder of Permit No. 03-07044 to C/C, LLC, an Idaho Limited Liability Corporation is **APPROVED**.

Dated this 1st day of November, 2001.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

NOV 13 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

MAR 1 2000

Department of Water Resources

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

Permit No. 03-07044
Name(s) of Permit Holder: Eastern Western Corporation, c/o Michael E. McGinley, President
Address: P. O. Box 3228 City Portland State OR Zip 97208-3228
Telephone No. (503) 236-1978 Date Proof is Due: April 1, 2000

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)
This application was made in part because it appeared that the northern 35-acre tract may not have been fully covered by existing water rights. That 35-acre tract currently is irrigated. With respect to the 15-acre tract in Section 32, the application was made to provide a supplemental source from the Snake River. The 15-acre tract already is covered by a Washoe Irrigation District right. The new pumping station has not yet been developed for irrigation of the 15-acre tract from the Snake River. Costing \$

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:
The permit was issued in April 1996, and Eastern Western Corporation has not been able to develop the alternative source. Since then, due to the death of a principal in the company, Eastern Western Corporation has put this property up for sale and has not been able to develop the alternative source out of the Snake River at this time. The property has not yet been sold.

Permit holder(s) request an extension to April 1, 20 02

Dana Hofstetter
(Signature)* Dana L. Hofstetter, Attorney for Eastern Western Corporation
*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use is extended to April 1, 2002, with the following condition: The permit holder is not authorized to assign ownership of this permit to another party without prior approval of the department.

Signed this 7th day of April, 2000

L. Glen Saxton
L. Glen Saxton, Chief
Water Allocation Bureau

MICROFILME

APR 12 2000

\$50 Fee Received by ju
 Date 5-5-97
 Receipt No. 0039796
 50.00

**STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES**

RECEIVED

MAY 5 - 1997

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

Department of Water Resources

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

Permit No. 03-07044

Name(s) of Permit Holder: Eastern Western Corporation, c/o Michael E. McGinley, President

Mailing Address: P. O. Box 3228, Portland, Oregon 97208-3228

Date Proof is Due: April 1, 1997 Telephone No. (503) 236-1978

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

This application was made in part because it appeared that the northern 35-acre tract may not have been fully covered by existing water rights. That 35-acre tract currently is irrigated. With respect to the 15-acre tract in Section 32, the application was made to provide a supplemental source from the Snake River. The 15-acre tract already is covered by a Washoe Irrigation District right. The new pumping station has not yet been developed for irrigation of the 15-acre tract from the Snake River.

Costing \$

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

The permit was issued in April 1996, and Eastern Western Corporation was not able to develop the alternative source during the last irrigation season. Since then, Eastern Western Corporation has put this property up for sale and is not able to develop the alternative source out of the Snake River at this time. Because of the intended sale of the property, the permit holder has decided not to develop this alternative source for the 15-acre tract this irrigation season.

Permit holder(s) request an extension to April 1, 2002, ~~to~~ .

FEE: \$50.00

Eastern Western Corp by Curt Long
 (Signature)*

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

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MAY 19 1997

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to **April 1, 2000**.

IT IS FURTHER ORDERED that this permit is REINSTATED and the date of priority is advanced to **November 25, 1991**.

IT IS FURTHER ORDERED that this permit cannot be assigned to another party without prior approval from the department.

Signed this 9th day of May, 19 97.

J. Glen Saylor
 Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 03-07044

Proposed Priority: October 22, 1991 Maximum Diversion Rate: 1.00 CFS

This is to certify, that **EASTERN WESTERN CORP**
C/O MICHAEL E MC GINLEY PRES
1505 S E GIDEON ST
PO BOX 3228
PORTLAND OR 97208-3228
has applied for a permit to appropriate water from:
SNAKE RIVER tributary of **COLUMBIA RIVER**

and a permit is **APPROVED** for development of water as follows:

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

IRRIGATION	03/15 to 11/15	1.00 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: Lot 5(NWSW), Sec. 32, Township 09N, Range 05W
PAYETTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N	05W	29	SWNE 22.0	SENE 3.0	SENW 10.0	35.0
		32	NWNE 5.0	SWNE 10.0		15.0

Total number of acres irrigated: 50.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **April 1, 1997**.
2. Subject to all prior water rights.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. The right shall not be assigned or sold without first securing the written approval of the Department of Water Resources.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.023 cubic feet per second for each acre of land.
6. Water shall not be diverted, under this right, when flows in the Snake River are below established minimum flow amounts at any of the following locations: Weiser, 4750 cfs; Johnson Bar, 5,000 cfs; Lime Point 13,000 cfs.

APPROVED

APR 29 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 03-07044

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

11 th day of April, 1996


for Karl J. Dreher, Director

APR 20 1996

RECEIVED

OCT 22 1991

RECEIVED

MAR 07 1996

Water Resources
Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 03-07044

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant Eastern Western Corporation Phone (503)236-1978
Attn: Michael E. McGinley, President
Post office address 1505 S.E. Gideon St., Box 3228, Portland, OR 97208-3228

2. Source of water supply Snake River which is a tributary of Columbia River

3. Location of point of diversion is _____ ¼ of NW ¼ of SW ¼, Govt. Lot 5
Sec. 32 Township 9N Range 5W B.M. Payette County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

* 1.00 cfs
Amount 1.30 for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 1.30 1.00 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2 pumps in river to gravity
flow ditch system

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 the proposed beneficial use is
one year (minimum 1 year).

APR 29 1996

* maximum allowable per IDWR standards. 3/11/96 sz.

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

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

9. Description of place of use:

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

ACRES OK AS SHOWN
PER TOPO, 82 10/29/91

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9N	5W	29			22	3				10									35.0
		32		5	10														15.0
					↑ 10														↑ 15

Total number of acres to be irrigated 50.0
↑
50

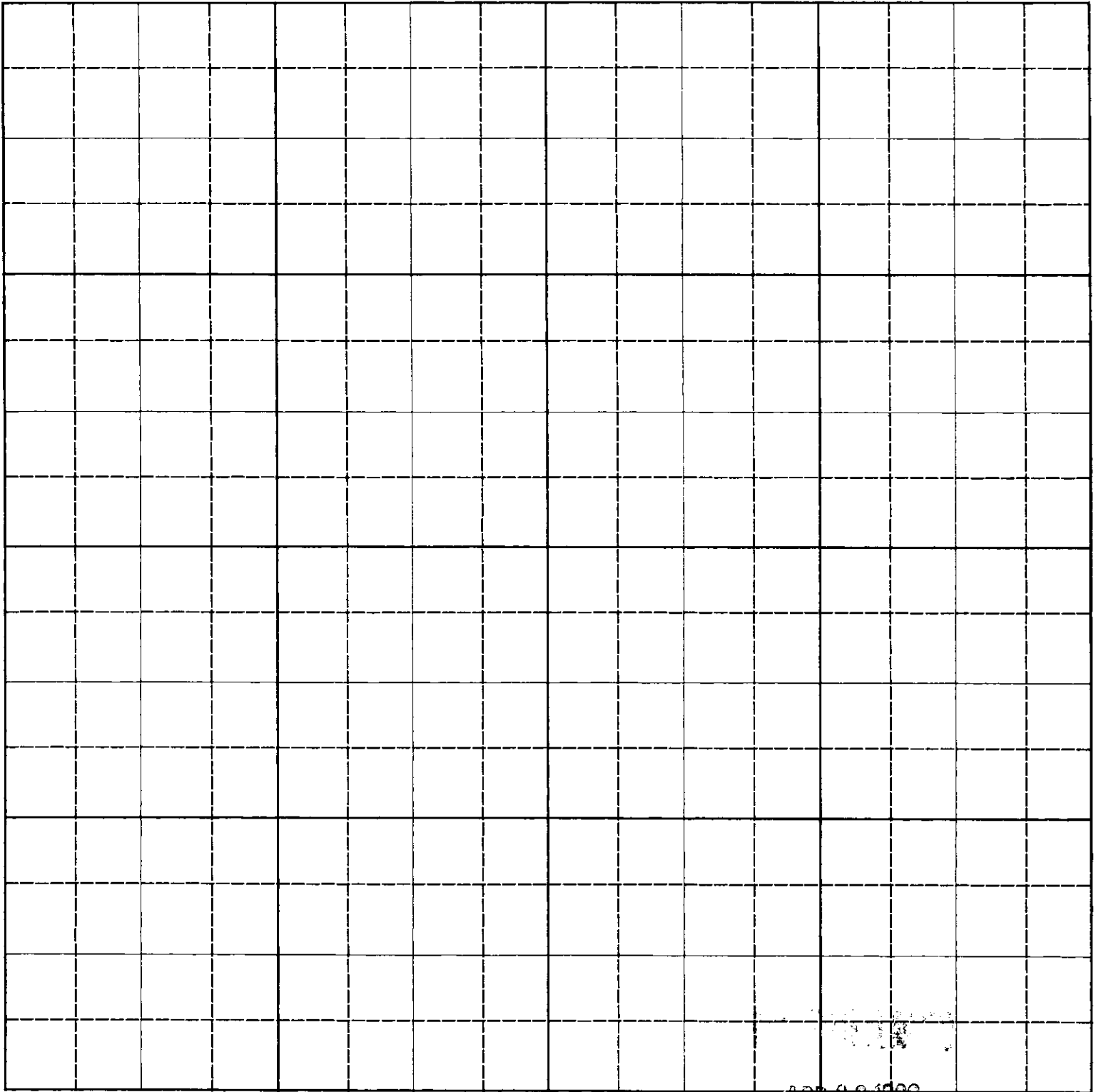
10. Describe any other water rights used for the same purposes as described above. The Washoe Irrigating & Water Power Company water right also supplies some of these lands.

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

12. Remarks: This water right, together with Washoe Irrigating & Water Power Company's water right no. 65-00072, will not be used to supply more than 0.023 cfs/acre, the flow rate authorized under water right no. 65-00072.

APR 9 1996

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



Scale: 2 inches equal 1 mile.

APR 29 1996

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.

Curt Ingle
Curt Ingle, (Applicant)
Manager
Eastern Western Corporation

Received by MM Date 10-22-91 Time 4:40pm Preliminary check by R
Fee \$ 65.00 Receipted by JOL # W0013817 Date 10-23-91
Publication prepared by GG Date 10-30-91 Published in Independent Enterprise
Publication approved ST Date 11-27-91 11/7 & 11/14/91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

11-27-91
11-27-91

NO LOTS FOR
~~PL~~, PL
L.S. for PL

SNAKE

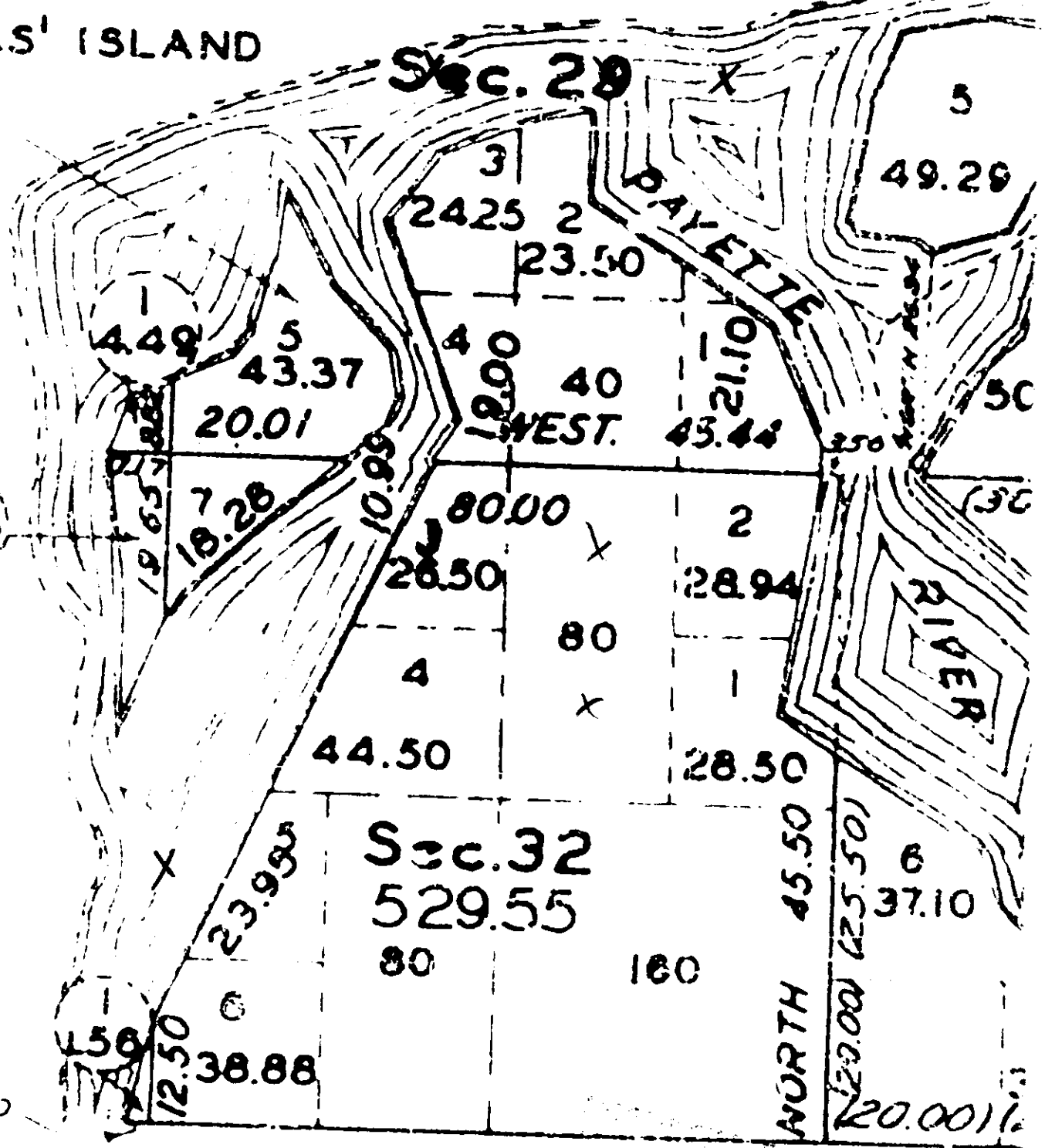
BANKS' ISLAND

30

Sec. 28

2
14.82

31



T9N R5W S. 29, 31, 32

APR 29 1996

COMED



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

April 10, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

C/C LLC
GEORGE COLWELL
3990 HIGHWAY 52
PAYETTE ID 83661

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 03-07044

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)
Dana Hofstetter

MICROFILMED

APR 22 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 03-7044

Reviewed By: dgibson

Date: April 10, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		C038796,	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		03/25/2002
Date proof due	-	04/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	11/25/1991
New priority date	=	11/25/1991

Deficiencies of Actions Items

Acknowledge proof.

HOFSTETTER LAW OFFICE

608 West Franklin Street
Boise, Idaho 83702

Dana@IdahoWaterLaw.com

Dana L. Hofstetter
Attorney at Law

Telephone: (208) 424-7800
Facsimile: (208) 424-8774

March 25, 2002

RECEIVED

MAR 25 2002

Via Hand Delivery

Department of Water Resources

Glen Saxton
Chief, Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho

Re: Idaho Water Right Permit No. 03-07044

Dear Mr. Saxton:

On behalf of C/C, LLC, I enclose a completed Idaho Department of Water Resources Proof of Beneficial Use form for Permit No. 03-07044 and a check in the amount of \$100.00 to cover the license examination fee. Also enclosed is a copy of the form and a stamped addressed envelope. Please have the copy stamped with the date of *done* filing and returned to me as a receipt in the enclosed envelope. Please also let me know if you have any questions or need any additional information concerning this matter. Thank you for your assistance.

Sincerely,

HOFSTETTER LAW OFFICE, LLC



Dana L. Hofstetter

cc: George Colwell w/o enclosures
Enclosures
E:\4001.2\5217

MICROFILMED

APR 22 2002

January 31, 2002

C/C LLC
3990 HWY 52
PAYETTE, ID 83661

PROOF DUE NOTICE

RE: PERMIT NO. 3-7044

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

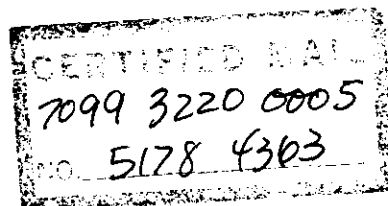
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Admin. Asst.
Water Allocation Bureau

Enclosures

MICROFILMED
APR 22 2002



Permits 03-07044
45-13474

Mail present to
Senabofstetter at
her request. She is
Attorney for C/C.
Kari Lipun
11.14.01

MICROFILMED
DEC 12 2001

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

RECEIVED

NOV 13 2001

Department of Water Resources

R(Service Requested

RESORTS
CLASE



COLW990 T036612016 1501 06 11/08/01
COLWELL RETURN TO SENDER
TEMPORARILY AWAY
RETURN TO SENDER

83720-0098 100





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 2, 2001

C/C LLC
3990 HWY 52
PAYETTE ID 83661

RE: Change of Ownership for Water Right Permits 3-7044 and 65-13474

Dear Water Right Holder(s):

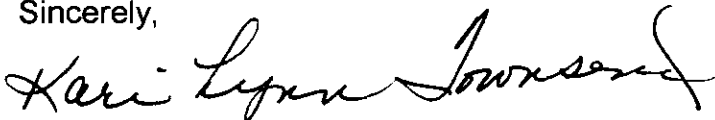
The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Also enclosed is an Order Approving Assignment for permit 3-7044.

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

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

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED
NOV 13 2001

HOFSTETTER LAW OFFICE

608 West Franklin Street

Boise, Idaho 83702

Phone: (208) 424-7800

Fax: (208) 424-8774

E-Mail: Dana@IdahoWaterLaw.com

RECEIVED

OCT 31 2001

Department of Water Resources

FAX COVER SHEET

DATE: October 31, 2001

TO: Glen Saxton
Greg Sackos

Fax: 327-7866
(541) 523-9452

FROM: Dana Hofstetter

RE: Permit Nos. 03-07044 and 65-13474

The information contained in this facsimile may be confidential information or attorney work product or both and is for the exclusive use of the intended recipient listed above. Any reading, disclosure, use or reproduction of this communication other than by the intended recipient is prohibited. If you have received this communication in error, please notify us by collect telephone call immediately and return the communication to us by U. S. Mail.

NUMBER OF PAGES BEING TRANSMITTED (INCLUDING THIS PAGE) = 5

IF ALL PAGES ARE NOT RECEIVED, PLEASE CALL (208) 424-7800.

ORIGINAL BY MAIL: YES NO X

MICROFILMED

NOV 13 2001

HOFSTETTER LAW OFFICE

608 West Franklin Street
Boise, Idaho 83702

Dana@IdahoWaterLaw.com

Dana L. Hofstetter
Attorney at Law

Telephone: (208) 424-7800
Facsimile: (208) 424-8774

October 31, 2001

Via Facsimile 327-7866

Glen Saxton
Chief, Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720-0098

Re: Permit Nos. 03-07044 and 65-13474

Dear Glen:

At the time of my August 21, 2001 letter to you, a sale of the land associated with Permit No. 03-07044 was proposed and the status of the Permit with respect to 15 acres (of a total of 50 acres under the Permit) was uncertain. Since the property had been leased in recent years, we needed to confirm whether existing ditches could carry water from the existing pumping station on the Snake River to the 15 acre parcel or whether additional construction remained necessary to provide Snake River water to this 15 acre parcel. The contemplated transaction has since closed and the new owner of the land is C/C, LLC, an Idaho limited liability corporation.

While Eastern Western Corporation has assigned Permit No. 03-07044 to C/C as part of the closing of the transaction, approval of the assignment remains subject to Idaho Department of Water Resources (IDWR) approval. I enclose a copy of the Assignment of Permit for 03-07044 executed by Michael McGinley, the President of Eastern Western Corporation. C/C has undertaken steps to ensure completion of any further necessary construction as soon as possible and C/C plans to submit proof of beneficial use to IDWR in advance of the upcoming April 1, 2002 deadline. Please advise me whether IDWR may approve the assignment at this time, subject to the submission of proof of beneficial use by April 1, 2002 or whether IDWR must wait until proof of beneficial use is timely submitted before approving the assignment of Permit No. 03-07044.

I also enclose for your files the Assignment of Permit for 65-13474 which was part of the same transaction. I do not believe that the assignment of Permit No. 65-13474 is subject

MICROFILMED

NOV 13 2001

Re: Permit Nos. 03-07044 and 65-13474
October 31, 2001
Page 2

to IDWR approval as I do not see any such condition on the face of that Permit or your November 19, 1998 approval of the Request for Extension of Time. Permit No. 65-13474 was intended as a protective filing, pending the outcome of Snake River Basin Adjudication proceedings for water right no. 65-05800. Since IDWR recently issued its Director's Report recommendation for that water right, I expect that the status of 65-05800 (and Permit No. 65-13474) will be determined prior to the October 1, 2003 proof of beneficial use deadline. Please let me know whether you have any questions about the status of Permit No. 65-13474.

Thank you for your assistance with these matters.

Sincerely,

HOFSTETTER LAW OFFICE



Dana L. Hofstetter

Enclosures
E:\1838.2\5067

cc: Greg Sackos via facsimile

MICHELLE

NOV 13 2001

10/30/2001 16:18 5415239
10/30/01 10:13 FAX 208941SACKS
PATCO PAYETTEPAGE 81
002/003

11/99

For Office Use Only
\$25 filing fee _____
Receipt # _____
Date _____STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Eastern Western Corporation, hereby assign to CK, LLC, an Idaho Limited Liability Company
of 3490 Highway 52, Payette, ID 83441 (208) 778-3448
(Full Address) (Phone)All my right, title, and interest in and to Permit No. 03-07044 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 22nd day of August, 2001Michael E. McGinty
Permit Holder(s) Eastern Western Corporation, an Oregon Corporation
by Michael E. McGinty, PresidentState of OregonCounty of MalheurOn this 22nd day of August, 2001, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.Cindi Montanone
Notary Public residing at
BoonvilleMy commission expires: 12-29-02

10/30/2001 16:18 5415230

HOFSTETTER LAW OFFICE ; Page 2

SACKIS

KALISU PAYETTE

PAGE 02
003/003

11/99

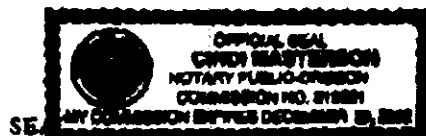
For Office Use Only
\$25 Stamp fee _____
Receipt # _____
Date _____STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Eastern Western Corporation hereby assign to ELC, LLC, an Idaho Limited Liability Company
of 3490 Highway 52, Payette, ID 83661 (201) 278-3448
(Full Address) (Phone)All my right, title, and interest in and to Permit No. 65-13474 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, points of diversion location, and amount of the water in cubic feet per second.)Made this 22nd day of August, 2001Michael E. McGinley
Permit Holder(s) Eastern Western Corporation, an Oregon Corporation
by Michael E. McGinley, PresidentState of Idaho OregonCounty of MultnomahOn this 22nd day of August, 2001, personally appeared before me the signers of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.Cindi Masterson
Notary Public residing atOrethonMy commission expires: 12-31-02



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

August 22, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dana Hofstetter
HOFSTETTER LAW OFFICE
608 West Franklin St.
Boise, ID 83702

RE: PERMIT 03-07044 - PROPOSED ASSIGNMENT

Dear Ms. Hofstetter:

I have reviewed your letter dated August 21, 2001, that you faxed to me in connection with the above referenced permit. You have asked if the department will approve assignment of the permit to another party.

My review of the water right file shows that the permit was approved in April 1996 and that the department has extended the proof due date on two different occasions, once in 1997 and again in 2000. The last extension approval was conditioned that the permit holder was not authorized to assign the permit without prior approval of the department. The reason for the condition was to prevent speculation in development of the permit.

In order for the department to approve assignment of the permit, the permit holder needs to provide evidence of due diligence in development of a water right authorized by the permit. If my understanding of past development is correct, no development has occurred under this permit. If this is the case and development is not completed by the permit holder prior to the proof due date of April 1, 2002, the department will not approve of the assignment of the permit which will lapse and become of no force nor effect. If the new buyer is interested in pursuing a similar development, the new buyer then would need to file a new application for permit and start the water right development process over.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - W. Region

MICROFILMED

NOV 13 2001

HOFSTETTER LAW OFFICE
608 West Franklin Street
Boise, Idaho 83702
Phone: (208) 424-7800
Fax: (208) 424-8774
E-Mail: Dana@IdahoWaterLaw.com

FAX COVER SHEET

DATE: August 21, 2001

TO: Glen Saxton Fax: (208) 327-7866
Greg Sackos (541) 523-9452

FROM: Dana Hofstetter

RE: Water Right Permit No. 03-07044

The information contained in this facsimile may be confidential information or attorney work product or both and is for the exclusive use of the intended recipient listed above. Any reading, disclosure, use or reproduction of this communication other than by the intended recipient is prohibited. If you have received this communication in error, please notify us by collect telephone call immediately and return the communication to us by U. S. Mail.

NUMBER OF PAGES BEING TRANSMITTED (INCLUDING THIS PAGE) = 4

IF ALL PAGES ARE NOT RECEIVED, PLEASE CALL (208) 424-7800.

ORIGINAL BY MAIL: YES NO X

MICROFILMED

NOV 13 2001

HOFSTETTER LAW OFFICE

608 West Franklin Street
Boise, Idaho 83702
Dana@idahoWaterLaw.com

Dana L. Hofstetter
Attorney at Law

Telephone: (208) 424-7800
Facsimile: (208) 424-8774

August 21, 2001

Via Facsimile (208) 327-7866

Glen Saxton
Chief, Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720-0098

Re: Permit No. 03-07044
Our File No. 1838.2

Dear Glen:

Eastern Western Corporation recently entered into a purchase and sale agreement for its Payette County property. Under the terms of the contract, Eastern Western Corporation will sell all of its remaining Payette County real property (over 1000 acres including accretion lands) to C/C, LLC, an Idaho limited liability corporation with George Colwell its sole member. The sale is intended to include water right Permit No. 03-07044. As you know, the Permit and the Permit's recent Request for Extension of Time were approved with conditions requiring approval of the Department prior to any assignment of the Permit. The Buyer has been informed of the Permit's current proof of beneficial use deadline of April 1, 2002.

We understand that the Buyer intends to continue to farm and ranch the property. Of the 50 acres covered by the Permit, 35 acres already are irrigated from the Snake River and the Permit was intended as a protective filing in case it was determined that prior water rights did not cover this acreage at the confluence of the Snake and Payette Rivers. The imminent Snake River Basin Adjudication Director's Report for this area should help clarify this matter. The Permit also was sought to obtain an alternative Snake River source for 15 acres covered by the Washoe Irrigating and Water Power Company's water right no 65-00072. It is this 15 acre portion that likely has not been developed yet. I expect that the Buyer should be able to make a decision as to whether to develop this alternative source prior to the next irrigation season.

MICROFILMED

NOV 13 2001

Re: Permit No. 03-07044
August 21, 2001
Page 2

Please let me know whether you will need any additional information to approve assignment of the Permit. Greg Sackos of Intermountain Realty, Inc. is representing the Buyer. His telephone number is (541) 523-4434. Please feel free to contact him as well if you have any questions. Thank you for your assistance with this matter.

Sincerely,

HOFSTETTER LAW OFFICE


Dana L. Hofstetter

DLH:sh
Enclosure
cc: Greg Sackos via facsimile

E:\1838.2\5008

MICROFILMED
NOV 13 2001

Date 21-01-01
Receipt No. 1041656
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

MAR 31 2000

Department of Water Resources

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

Permit No. 03-07044

Name(s) of Permit Holder: Eastern Western Corporation, c/o Michael E. McGinley, President

Address: P. O. Box 3228 City Portland State OR Zip 97208-3228

Telephone No. (503) 236-1978 Date Proof is Due: April 1, 2000

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

This application was made in part because it appeared that the northern 35-acre tract may not have been fully covered by existing water rights. That 35-acre tract currently is irrigated. With respect to the 15-acre tract in Section 32, the application was made to provide a supplemental source from the Snake River. The 15-acre tract already is covered by a Washoe Irrigation District right. The new pumping station has not yet been developed for irrigation of the 15-acre tract from the Snake River. Costing \$

The permit holder(s) has been unable to complete the remainder of the work for the following reasons: The permit was issued in April 1996, and Eastern Western Corporation has not been able to develop the alternative source. Since then, due to the death of a principal in the company, Eastern Western Corporation has put this property up for sale and has not been able to develop the alternative source out of the Snake River at this time. The property has not yet been sold.

Permit holder(s) request an extension to April 1 20 02

Dana L. Hofstetter
(Signature)* Dana L. Hofstetter, Attorney for Eastern Western Corporation
If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use is extended to April 1, 2002, with the following condition: The permit holder is not authorized to assign ownership of this permit to another party without prior approval of the department.

1 ed this 7th day of April 2000

L. Glen Saxton
L. Glen Saxton, Chief
Water Allocation Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

April 7, 2000

KARL J. DREHER
DIRECTOR

Dana L. Hofstetter
Beeman & Hofstetter, P.C.
P.O. Box 1427
Boise, ID 83701-1427

RE: PERMIT NO. 03-07044 for Eastern Western Corporation

Dear Permit Holder:

On behalf of the Department, I acknowledge receipt of Eastern Western Corporation's Proof of Beneficial Use and Extension of Time filed on March 31, 2000, along with the appropriate fees. However, only one of these documents can be processed at this time. The Extension is appropriate at this time, because it allows a delay in the filing of the Proof of Beneficial Use. Mr. Glen Saxton contacted you on April 5, 2000, and spoke to you about this matter. He has advised me that you wish to withdrawal the Proof of Beneficial Use at this time. Therefore, I am enclosing a copy of the Proof of Beneficial Use representing withdrawal of that document, and on this date I will request a check for reimbursement of the \$100.00 filing fee to be returned to you. You may expect a check in approximately 10 days.

Also enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use of water to **April 1, 2002**. Please note that the department granted this extension based on additional information you submitted at this time, and due to the fact that the department did not approve the full amount of time requested on the first extension. It is important that the permit holder work diligently toward the completion of this project during the construction period allowed, since the department may not be able to grant additional extension requests.

A special provision has been added to this Extension of Time, which states:

The permit holder is not authorized to assign ownership of this permit to another party without prior approval of the department.

MICROFILMED

APR 12 2000

Dana L. Hofstetter
April 7, 2000
Page 2

Please be advised that Section 42-248, Idaho Code, requires the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

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

Sincerely,

A handwritten signature in cursive script that reads "Deborah Drew-Ellis".

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Enclosure
c: IDWR - Regional Office
Fiscal

MICROFILMED

APR 12 2000

MEMORANDUM

To: File 03-07044

From: L. Glen Saxton 

RE: Permit 03-07044

Date: April 5, 2000

I discussed this file with Dana Hofstetter this morning. I advised her she can file either the proof or the extension request but not both. After some discussion, she wants to withdraw the proof for which the department should refund the filing fee.

With respect to the extension request, she originally asked for 5 years on the previous extension request which the department approved for 3 years instead of 5 years. The intent of the 2nd extension request is to request the other 2 years which the department did not grant. I think that request is reasonable provided the department conditions the extension with the following language:

The permit holder is not authorized to assign ownership of this permit to another party without prior approval of the department.

The reason for this condition is to minimize speculation that the permit holder will just sell the permit and/or land to someone else without making any effort toward the development of a water right for the permit.

MICROFILMED

APR 12 2000

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

C048656

Date:

Time:

3/31/2000

16:11:50

**Received
From:**

BEEMAN & HOPKINSON PC

Type of Payment

Program Acct

Amount

EXTENSIONS	#03-07044	56103	229 21 1155	50.00
------------	-----------	-------	-------------	-------

Total

CHECK 2087

\$ 50.00

Region: STATE

Signature: *Jean Marie*

MICROFILMED

APR 12 2000

BEEMAN & HOFSTETTER, P.C.

Counselors and Attorneys at Law

608 West Franklin Street

P. O. Box 1427

Boise, Idaho 83701-1427

Josephine P. Beeman

Dana L. Hofstetter

Telephone: (208) 388-8900

Facsimile: (208) 388-8400

e-mail: beehof@micron.net

March 31, 2000

Via Hand Delivery

Debbie Ellis

Idaho Department of Water Resources

1301 North Orchard Street

Boise, ID 83706

RECEIVED

MAR 31 2000

Department of Water Resources

Re: Eastern Western Permit No. 03-07044
Proof of Beneficial Use and Request for Extension of Time
Our File No. 1838.1

Dear Ms. Ellis:

On behalf of Eastern Western Corporation, I enclose a Request for Extension of Time and a Proof of Beneficial Use for Permit No. 03-07044. Also enclosed are two checks in the amounts of \$50 and \$100 to cover the respective filing fees for each form.

As we previously discussed, I do not believe that Eastern Western Corporation has yet been able to develop the new Snake River pumping station which was the basis for the original request for an additional five years. However, only three years were granted under that previous Request for Extension of Time. We are now requesting the other two years that were not previously approved since the status of the property has not changed. However, if for some reason this Request for Extension of Time is not granted, we are also providing the Proof of Beneficial Use form. If the extension of time is granted, we would request return of the check for the Proof of Beneficial Use.

If you have any questions about this matter, please do not hesitate to contact me. Thank you for your assistance.

Sincerely,

BEEMAN & HOFSTETTER, P.C.


Dana L. Hofstetter
MICROFILMED

APR 12 2000

DLH:ja

Enclosures

cc: Michael McGinley

D:\1838\1\3834

RECEIVED

MAR 3 2000

Forest and Water Resources

1. Permit No. 03-07044 Telephone No. (503) 236-1978

3. Mailing Address: P. O. Box 3228

City Portland State OR Zip 97208-3228

4. Source of Water: Snake River If **GROUNDWATER** (well), Date Drilled: mo. / yr.

a. Well Driller: _____ Drilling Permit Number: _____

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

Irrigation (No. of acres): 50 Other:

6. Total rate of diversion and/or volume for which proof is submitted: 1.0 cfs OR _____ acre feet

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

Measuring Device: Is a measuring device required? Yes or No X

Has the measuring device been installed? Yes / or No

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Terry Scanlan Telephone Number: (208) 383-4140

Scanlan Engineering

Address: 600 East River Park Lane, Suite 105, Boise, Idaho 83706

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

Signature of permit holder:
MICROFILMED

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

Dana L. Hofstetter, Attorney for Eastern Western Corporation

Date: March 31, 2000

APR 17 2000

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

0048655

Date:

Time:

3/31/2000

16:11:11

Received
From:

BEEMAN ~~UPPER CENTER~~ PC

Program Acct

Amount

BENEFICIAL USE #03-07044

56104

229 21 1155

100.00

Total

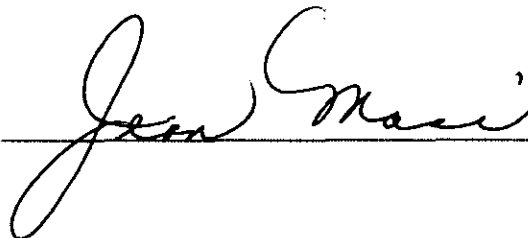
\$

100.00

CHECK

2088

Region: STATE

Signature: 

MICROFILMED

APR 12 2000

BEEMAN & HOFSTETTER, P.C.

Counselors and Attorneys at Law

608 West Franklin Street

P. O. Box 1427

Boise, Idaho 83701-1427

Josephine P. Beeman

Dana L. Hofstetter

Telephone: (208) 388-8900

Facsimile: (208) 388-8400

e-mail: beehof@micron.net

March 31, 2000

Via Hand Delivery

Debbie Ellis

Idaho Department of Water Resources

1301 North Orchard Street

Boise, ID 83706

Re: Eastern Western Permit No. 03-07044
Proof of Beneficial Use and Request for Extension of Time
Our File No. 1838.1

Dear Ms. Ellis:

On behalf of Eastern Western Corporation, I enclose a Request for Extension of Time and a Proof of Beneficial Use for Permit No. 03-07044. Also enclosed are two checks in the amounts of \$50 and \$100 to cover the respective filing fees for each form.

As we previously discussed, I do not believe that Eastern Western Corporation has yet been able to develop the new Snake River pumping station which was the basis for the original request for an additional five years. However, only three years were granted under that previous Request for Extension of Time. We are now requesting the other two years that were not previously approved since the status of the property has not changed. However, if for some reason this Request for Extension of Time is not granted, we are also providing the Proof of Beneficial Use form. If the extension of time is granted, we would request return of the check for the Proof of Beneficial Use.

If you have any questions about this matter, please do not hesitate to contact me. Thank you for your assistance.

Sincerely,

BEEMAN & HOFSTETTER, P.C.



Dana L. Hofstetter

DLH:ja

Enclosures

cc: Michael McGinley

D:\1838\1\3834

MICROFILMED

APR 12 2000

03/31/90

15:13

EASTERN WESTERN CORPORATION - 208 388 8400

NO. 130 002

Form No. 217
12/88

FOR OFFICE USE ONLY

Amt. of Fee \$:

Receipt No.:

Receipt By:

Date Received:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 03-07044 Telephone No. (503) 236-1978
2. Name of Permit Holder(s): Eastern Western Corporation, c/o Michael E. McGinley, President
3. Mailing Address: P. O. Box 3228
City Portland State OR Zip 97208-3228
4. Source of Water: Snake River If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
5. Well Driller: _____ Drilling Permit Number: _____
6. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 50 Other: _____
7. Total rate of diversion and/or volume for which proof is submitted: 1.0 cfs OR _____ acre feet
8. 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 required not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No _____
9. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
10. Person to contact to accompany the Department representative during field examination of the water system.
Name: Terry Scanlan Telephone Number: (208) 383-4140
Address: Scanlan Engineering
600 East River Park Lane, Suite 105, Boise, Idaho 83706
11. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder:

EASTERN WESTERN CORPBy: Michael E. McGinleyDate: 3-31-90(Include your title, if on behalf of company or organization)
Michael E. McGinley, President, Eastern Western Corporation

03/31/00 15:10

EASTERN WESTERN CORPORATION 208 388 8400

NO.130 003

Form No. 204
12/98

FILING FEE \$50.00

For Office Use Only
\$50 Fee Received By _____

Date _____

Receipt No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

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

Permit No. 03-07044

Name(s) of Permit Holder: Eastern Western Corporation, c/o Michael E. McGinley, President

Address: P. O. Box 3228 City Portland State OR Zip 97208-3228

Telephone No. (503) 236-1978 Date Proof is Due: April 1, 2000

Describe what work has been completed toward the development of this water right

(This must be filled out! If no work has been completed, show "none".)

This application was made in part because it appeared that the northern 35-acre tract may not have been fully covered by existing water rights. That 35-acre tract currently is irrigated. With respect to the 15-acre tract in Section 32, the application was made to provide a supplemental source from the Snake River. The 15-acre tract already is covered by a Washoe Irrigation District right. The new pumping station has not yet been developed for irrigation of the 15-acre tract from the Snake River. Costing \$

The permit holder(s) has been unable to complete the remainder of the work for the following reasons: The permit was issued in April 1996, and Eastern Western Corporation has not been able to develop the alternative source. Since then, due to the death of a principal in the company, Eastern Western Corporation has put this property up for sale and has not been able to develop the alternative source out of the Snake River at this time. The property has not yet been sold.

Permit holder(s) request an extension to April 1 20 02

Michael E. McGinley
(Signature) Michael E. McGinley, President, Eastern Western Corp.
*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

Signed this _____ day of _____ 20 _____

MACROFILMED

January 31, 2000

EASTERN WESTERN CORP
C/O MICHAEL E MC GINLEY PRES
1505 S E GIDEON ST
PO BOX 3228
PORTLAND OR 972083228

PROOF DUE NOTICE

RE: PERMIT NO. 03-07044

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 2000.

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

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

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

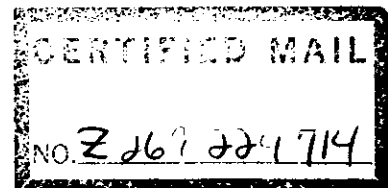
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

APR 12 2000



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 03-07044 Reviewed by QJ Date 5-9-97

BASIC INFORMATION

5-5-97 Date stamp received
no Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN Recommended extend to ~~the~~ April 1, 2000, on basis of due diligence.
Advance priority to November 25, 1991.

Permit may not be assigned without prior approval.

PRIORITY CALCULATION

Date extension received	<u>5-5-97</u>	=	<u>125</u>
Proof due date	<u>4-1-97</u>	=	<u>91</u>
Number of days late		=	<u>34</u>
Priority date	<u>10-22-91</u>	=	<u>295</u>
New Priority Date	<u>11-25-91</u>	=	<u>329</u>

Y 11-25-91

DATA ENTRY

New Address X

Change Proof Due Date 4-1-2000

Change Priority Date 11-25-91



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 9, 1997

Eastern Western Corp.
P.O. Box 3228
Portland, OR 97208-3228

RE: Permit No. 03-07033

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to **April 1, 2000**. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department **will not** be able to grant additional requests based on due diligence.

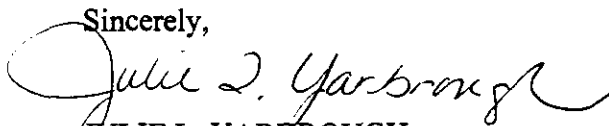
Since the extension was received after the proof due date of April 1, 1997, it was necessary for the department to reinstate your permit and advance the date of priority to November 25, 1991.

Additionally, please note the condition that this permit cannot be assigned to another party without prior approval from the department.

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

Please contact me at (208)327-7900, if you have any questions regarding this matter.

Sincerely,


JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

MICROFILMED

MAY 12 1997

BEEMAN & HOFSTETTER, P.C.

608 West Franklin Street
Boise, Idaho 83702-5509

Josephine P. Beeman
Dana L. Hofstetter

Telephone: (208) 388-8900
Facsimile: (208) 388-8400
e-mail: beehof@micron.net

RECEIVED

May 6, 1997

MAY 6 - 1997

Hand Delivered

Department of Water Resources

L. Glen Saxton
Chief, Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho

Re: Eastern Western Corporation
Permit No. 03-07044
Our File No. 1838.1

Dear Mr. Saxton:

The Request for Extension of Time that I submitted yesterday on behalf of Eastern Western Corporation was signed by Curt Ingle. I enclose an Eastern Western Corporation Resolution dated October 15, 1991 authorizing Curt Ingle to represent the Corporation in matters concerning its water rights.

Please let me know if you have any questions about this matter.

Sincerely yours,

BEEMAN & HOFSTETTER, P.C.



Dana L. Hofstetter

DLH:ja
Enclosure
D:\1838\1356

MICROFILMED

MAY 15 1997

RECEIVED
OCT 17 1991

Department of Water Resources

**SPECIAL MEETING OF THE BOARD OF DIRECTORS
OF
EASTERN WESTERN CORPORATION**

The Board of Directors of Eastern Western Corporation, an Oregon corporation, after waiving notice, held a special meeting on the 15th day of October, 1991, at corporation headquarters at 1505 SE Gideon Street, Portland, Oregon, at 9:00 o'clock a.m. Present were Michael McGinley and Nancy Robison.

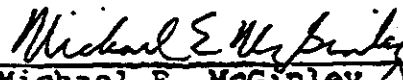
The President called the meeting to order and indicated that the purpose for the meeting was to authorize the appointment of Curt Ingle to represent the corporation in any and all dealings with the Idaho Department of Water Resources pertaining to Idaho water rights and/or the Snake River Adjudication. Upon motion duly made, seconded and unanimously passed, it was resolved:

R E S O L U T I O N

That Curt Ingle is authorized to represent Eastern Western Corporation in connection with any and all dealings with the Idaho Department of Water Resources pertaining to Idaho water rights and/or the Snake River Adjudication. This authority to represent the corporation includes the right to vote, file claims and make decisions on behalf of Eastern Western Corporation regarding policy as affects water rights within the State of Idaho.

There being no further business to come before the meeting, it was moved, seconded and unanimously passed that the meeting be adjourned.

DATED This 15th day of October, 1991.


Michael E. McGinley
President


Nancy Robison
Assistant Secretary

THARP & VAN ATTA
Attorneys at Law
One Main Street
Portland, Oregon 97204
(503) 228-1800

MICROFILMED

MAY 19 1997

BEEMAN & HOFSTETTER, P.C.

Josephine P. Beeman
Dana L. Hofstetter

608 West Franklin Street
Boise, Idaho 83702-5509

Telephone: (208) 388-8900
Facsimile: (208) 388-8400
e-mail: beehof@micron.net

May 5, 1997

Hand Delivered

L. Glen Saxton
Chief, Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho

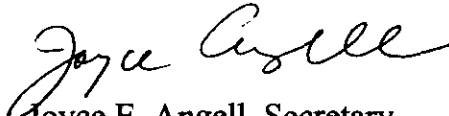
Re: Eastern Western Corporation
Permit No. 03-07044
Our File No. 1838.1

Dear Mr. Saxton:

Enclosed please find a Request for Extension of Time for Permit No. 03-07044,
and a check in the amount of \$50 to cover the filing fee.

Sincerely yours,

BEEMAN & HOFSTETTER, P.C.


Joyce E. Angell, Secretary
to Dana L. Hofstetter

:ja
Enclosure
D:\1838\1354

MICROFILMED

MAY 15 1997

April 16, 1997

EASTERN WESTERN CORP
C/O MICHAEL E MC GINLEY PRES
1505 S E GIDEON ST
PO BOX 3228
PORTLAND OR 972083228

LAPSE NOTICE

RE: PERMIT NO. 03-07044

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated January 31, 1997. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

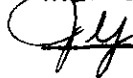
Enclosures

MICROFILMED

MAY 19 1997

CERTIFICATION OF MAILING

I hereby certify that on 4/16/97
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



January 31, 1997

EASTERN WESTERN CORP
C/O MICHAEL E MC GINLEY PRES
1505 S E GIDEON ST
PO BOX 3228
PORTLAND OR 972083228

PROOF DUE NOTICE

RE: PERMIT NO. 03-07044

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1997.

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

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

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

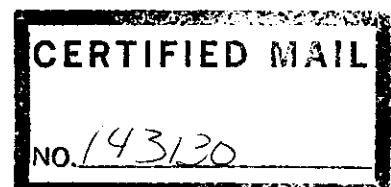
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

MAY 19 1997





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 11, 1996

EASTERN WESTERN CORP
C/O MICHAEL E MC GINLEY PRES
1505 S E GIDEON ST
PO BOX 3228
PORTLAND OR 97208-3228

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 03-07044

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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

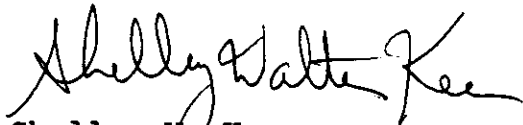
Note also that water shall not be diverted under this permit unless the flow of the Snake River exceeds established downstream minimum stream flows. In addition, there are many applications for permit for the use of Snake River water that are prior to your permit. If these rights are developed, and if established minimum stream flows are maintained, then no water would be available for this permit. You should carefully review this before making expenditures under this appropriation.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

RECEIVED

APR 29 1996

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures



APR 29 1998

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 03-07044 Name: Eastern Western Corp. Date: 4/10/96 Ad OK? ☒
Correct Fee? ☒ Receipt #: W013817 Priority: 10/23/91 ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: w/d - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)

Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):

~~Water District (dem)~~ - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J(meas dev) - P08
=/- 0.2 cfs - 01H(lock dev) - P01 or No MD
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-↑ Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R ↑ Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner - 004 (PD/PU) _____

OTHER CONDITIONS: _____

STANDARD REMARKS: ① WB9

BENEFICIAL USE DUE: 4-1-1997

COMMENTS: ① need Corp off requested 3/11/96 said 4/10/96
② reduce to 1.00 cfs

April 10, 1996

DILLION
BOSCH
DAW &
BOCK
Chartered

The information contained in this facsimile is confidential information or attorney work product or both and is for the exclusive use of the intended recipient listed below. Any reading, disclosure, use or reproduction of this communication other than by the intended recipient is prohibited. If you have received this communication in error, please notify us by collect telephone call immediately and return the communication to us by U. S. mail.

NUMBER OF PAGES BEING TRANSMITTED (INCLUDING THIS PAGE) = 1
IF ALL PAGES ARE NOT RECEIVED, PLEASE TELEPHONE (208) 344-8990.
FACSIMILE OPERATOR: CW Time Sent: 9:55 a.m. ☐ p.m.
A DUPLICATE OF THIS FACSIMILE WILL NOT BE SENT BY REGULAR MAIL
UNLESS REQUESTED BY THE RECIPIENT.

Fax No. 327-7866

Attorneys
Josephine P. Seeman
Les Bock
Allan R. Bosch
C. A. Daw
Lee B. Dillion
Dana L. Hofstetter
Robert
Wreggelsworth

Cindy Zimmerman
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706

Re: Officers for Eastern Western Corporation
Application for Permit No. 03-07044

Dear Ms. Zimmerman:

Per your request, I list below the officers' names and addresses for Eastern Western Corporation.

Michael E. McGinley	President	P.O. Box 3228 Portland, OR 97208
Sally O'Leary	Chairman of the Board	P.O. Box 3228 Portland, OR 97208
Nancy Rovison	Assistant Secretary	P.O. Box 3228 Portland, OR 97208

I was unable to reach Mr. McGinley, but spoke with his secretary. She informed me that Mr. McGinley serves as the chief officer in all positions. Please feel free to call if you need further information.

Thank you for your assistance with this matter.

Sincerely,

Dillion, Bosch, Daw & Bock
Chartered

By: *Jennifer Vansant*
Jennifer Vansant for
Dana L. Hofstetter

Fidelity Building
242 N. 8th St.
Suite 200
Boise, ID 83702

tel (208) 344-8990
fax (208) 344-9140

Internet E-mail to:
dbdb@micron.net

E:017LETTERHE.FAX

APR 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

March 27, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

EASTERN WESTERN CORP
C/O DANA HOFSTETTER
DILLION, BOSCH, DAW, & BOCK
242 N 8TH ST STE 200
BOISE ID 83702

RE: Application for Permit No. 03-07044

Dear Ms. Hofstetter:

I received for final review the above application for permit in the name of Eastern Western Corporation for irrigation use on 50.0 acres. A note in the file identifies you as contact person.

Due to the requirement of Water Allocation Rule 035.03.b.i., I need the listing of the names, titles, and addresses of all the officers of Eastern Western Corporation. On March 11, 1996, I sent a letter to you at Holland & Hart requesting the additional information. I understand you no longer work at Holland & Hart and may not have received my first letter, hence, this second request.

I will hold further processing on this application for 14 days pending your response to my request. Please submit this information as quickly as possible within the 14-day period to prevent any further undue delay in processing this application.

If you have any questions, you may contact me directly at (208) 327-7944.

Sincerely,

Cindy Zimmerman
Water Resource Agent

RECEIVED

APR 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

March 11, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

EASTERN WESTERN CORP
C/O DANA HOFSTETTER
HOLLAND & HART
PO BOX 2527
BOISE ID 83701-2527

RE: Application for Permit No. 03-07044

Dear Ms. Hofstetter:

I received for final review the above application for permit in the name of Eastern Western Corporation for irrigation use on 50.0 acres. A note in the file identifies you as contact person. Due to the requirement of Water Allocation Rule 035.03.b.i., I need a list of the names, titles, and addresses of all the officers and/or partners of Eastern Western Corporation.

I will hold further processing on this application for 14 days pending your response. Please submit this information as quickly as possible within the 14-day period to prevent any further undue delay in processing this application.

If you have any questions, you may contact me directly at (208) 327-7944.

Sincerely,

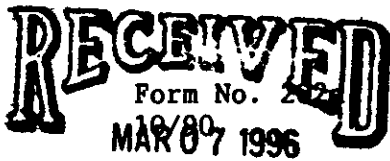
A handwritten signature in cursive script that reads "Cindy Zimmerman".

Cindy Zimmerman
Water Resource Agent

c: Michael E McGinley, Eastern Western Corp.

APR 11 1996

APR 11 1996



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: RZ DATE: 10/29/91 APPLICATION: 03-07044

REQUIRED INFORMATION

See File 65-13091
Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume) *See additional info, next pg.* Gov't. Lots: Y P/D
Period of use: N P/U
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map:
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ___ No* In form to receipt:

ADDITIONAL INFORMATION

YES NO

☒ ___ Overlapping place of use: (Describe source & relationship to present application on the back.)
___ ☒ Overlapping point of diversion:
___ ___ Field check required: Field check by: _____
___ ___ Field report attached:
___ ___ Critical groundwater area:
___ ___ Groundwater management area:
___ ___ Diversion within interim protected river area
___ ___ Send dam safety information:
___ ___ Send power requirement letter:
___ ___ Send fish farm requirement letter:
___ ___ Power residency affidavit:
___ ___ Power efficiency form:
___ ___ Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
___ ___ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
___ ___ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

☒ ___ Additional information on reverse side:

NOTE: CONTACT PERSON IS ATTY. Dana Hofstetter, see 10/24/91 letter.

PROCESSING

APPLICATION NO. 03-07044

YES NO

☒ ☒
☒ ☒

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. # _____

Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest November 25, 1991

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, DWR

Measuring device required:

Measuring port required:

Water delivered by water master? District # _____

Special conditions of approval or cover letter: _____

(Withdrawn) OIF, 031

See below for additional information

Recommended Date or Priority 10/22/1991Recommended by: DWRDate 3/5/1996

STATE OFFICE REVIEW

See below for additional information. By _____

Date _____

ADDITIONAL INFORMATION

OVERLAP

plu 65-13091, Payette River for some of same acres. One other right
 65-00072 } for same Payette Farm that appl. partially covers.

03-02000B } Snake River for other acres
 03-04008 }

RATE OF FLOW: 50 acres, max. allowable is 1.00 cfs. Assumed from appl. &
 Reference to 65-00072 @ .023 cfs/ac. that ditch loss is
 requested in application. Intent is to pump from Snake River into
 existing Washoe Ditch system. Acres in 5.29 are at N. end of
 the Payette Farm. This implies that "max. ditch loss" may be
 needed for water to reach at least those acres.
 Assuming same ditch loss as in 65-00072, perhaps could approve
 for .023 cfs/ac. (50 ac.) (.023 cfs/ac) = 1.15 cfs.
 Suggest that B.U. field exam should quantify ditch loss.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 5, 1996

TRACEY TRENT
ID FISH & GAME
SOUTHWEST REGION
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Permit No. 03-07044 in the Name of Eastern
Western Corp

Dear Protestant:

This letter is to acknowledge your withdrawal of protest against
the above-referenced application for water right.

The Department now will continue to process the application,
subject to certain conditions of approval.

If you have any questions please call this office.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

CC: Applicant

Dana Hofstetter, Esq

APR 29 1996



IDAHO FISH & GAME

SOUTHWEST REGION
3101 South Powerline Road
Nampa, Idaho 83686

Philip E. Batt / Governor
Jerry M. Conley / Director

February 13, 1996

RECEIVED
FEB 22 1996
WATER RESOURCES
WESTERN REGION

DR
David R. Tuthill, P.E. *DR*
Regional Manager
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Fish and Game Protest of Water Right 03-07044, Eastern
Western Corporation, Dated November 12, 1991

Dear Mr. Tuthill:

The Idaho Department of Fish and Game wishes to withdraw a previous protest concerning water right application 03-07044 by Eastern Western Corporation for 1.30 cubic feet per second from the Snake River, albeit reluctantly. While we believe our original intent when filing this protest was biologically valid and warranted, it would now be a difficult burden to show a specific cause and effect relationship between diversion of an additional 1.30 cfs of surface flow from the Snake River and fish and wildlife habitat losses.

During the period 1990-1992, southern Idaho was still in a severe drought. The long drought led to very low flow conditions in the lower mainstem Snake River and we experienced terrible water quality problems and numerous fish kills including the loss of a documented 27 white sturgeon at the upper end of Brownlee Reservoir in July 1990. Dissolved oxygen levels of 0 ppm were measured by Fish and Game personnel immediately following this major fish kill. Flows measured at both the Murphy and Weiser gauges were near record lows.

Because of these additive events and growing concerns for fish and wildlife losses, Fish and Game's Southwest Region decided at the time to routinely protest any additional surface water right applications from the lower Snake River. This was evidenced by our protest of the Weiser Irrigation District's filing for 100 cfs which was approved by Water Resources because water in excess

RECEIVED

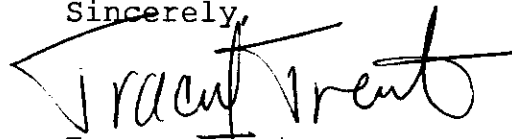
APR 29 1996

Mr. David R. Tuthill, IDWR
Page 2
February 13, 1996

of the recommended minimum flow (State Comprehensive Water Plan) of 4,750 cfs was available. However, we should keep in mind that the minimum flow recommended in the State Water Plan is not based on the biological needs of the river's biota, but rather it is a compromise flow aimed at resolving part of the Swan Falls dispute. Hopefully, we'll have a much better understanding of potential water availability as the Snake River Adjudication Process evolves.

Fish and Game remains very concerned with the status of fish and wildlife resources of the Snake River. Routine issuance of surface water rights from the Snake River should no longer be done. Additional water withdrawals will further impact native fish and wildlife species. It is our hope that in the long-term we strive to find additional water for fish and wildlife and water-based recreation associated with the Snake River. Thank you for the opportunity to comment.

Sincerely,


Tracey Trent
Regional Supervisor

TT:sag

cc: NRPB (Cindy Robertson)
Dillion, Bosch, Daw & Bock (Dana Hofstetter)

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APR 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX TRANSMITTAL COVER SHEET

2/6/96

FAX # (208) 334-2348

TO: Dana Hofstetter

FROM: Dave Tuthill

DOCUMENT DESCRIPTION: Letter from IDFG

TOTAL PAGES SENT: 1 + COVER SHEET

CONTACT: D. Tuthill

RECEIVED

APR 29 1996

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Notice of Application for Water Right
TITLE OF PUBLICATION

SPONSOR OF PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

I, Dorthy Mason, being
duly sworn, deposes and says:

That she is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published
at Payette, in the County of Payette and State of Idaho; that said
paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Payette; that the advertisement,
a copy of which is attached hereto, was published in said
newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
Nov. 6, 1991, and ending with the issue
of Nov. 13, 1991.

STATE OF IDAHO
COUNTY OF

On this 14th day of Nov. in the year of 1991, before me,
a Notary Public, personally appeared Dorthy Mason,
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Maureen J. Kunkel
Notary Public for Idaho

Residing at Fruitland

My commission expires: 11-28-92

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 28

Number of Insertions two

28 Lines @ 90 ... \$ 25.20

28 Lines @ 72 ... \$ 20.16

TOTAL COST
WILL BE \$ 45.36

Copy of Notice
(First Copy)

NOTICE OF APPLICATION FOR WATER RIGHT

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

3-07044 et

EASTERN WESTERN CORP
C/O MICHAEL E. MC GINLEY
1506 S E GIDEON ST
PO BOX 3228
PORTLAND, OR 972083228

Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 5 (NWSW) Sec 32 T 09N R 05W in
PAYETTE County.

Use: IRRIGATION (1.300 CFS)
Total Diversion: (1.300 CRS)

Date Filed: 10/22/1991
T09N R05W S29 SWNE SENE SENW
S32 NWNE SWNE
50.0 ACRES TOTAL

The permit(s) will be subject to all prior water
rights. Protests must be filed with the Director,
Dept. of Water Resources, Western Region, 2735
Airport Way, Boise, Idaho 83705 on or before
NOVEMBER 25, 1991.

R. KEITH HIGGINSON, Director
No. 633 Nov. 6, 13

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NOV 14 1991

Department of Water Resources
Western Regional Office

APR 29 1996

Nº 633

IDAHO FISH & GAME

RECEIVED
100 West Main Street
Boise, ID 83714
(208) 333-7025

Sue
RECEIVED
NOV 19 1991

November 12, 1991

Department of Water Resources
Western Regional Office

Dr
David R. Tuthill, Supervisor
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

RE: Water Right 03-07044

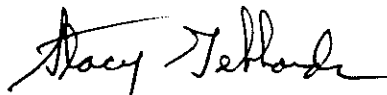
Dear Dave:

The Department of Fish and Game protests against issuance of the application for Permit Number 03-07044 by Eastern Western Corporation of Portland, Oregon to appropriate 1.30 cfs of public water from the Snake River.

As previously cited by the Department, the Snake River is one of the most popular and important fisheries in the State of Idaho as well as a haven for numerous wildlife species. Low flows and nutrient enrichment are seriously degrading the Snake River, jeopardizing the existence of the white sturgeon, a State of Idaho designated Species of Special Concern. Additional allocation of water from the Snake River potentially would exacerbate the problem. Although this is a relatively minor application, our contention is they have added up to the detriment of the resource.

Thank you for the opportunity to comment.

Sincerely,



Stacy Gebhards
Regional Supervisor

SG/SAG:sm

cc: Program Coord./Res. Planning
Division of Environmental Quality
USFWS (Lobdell)
Steve Goddard, IDFG

R0R3171SM

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



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APR 29 1996

CONVERSATION MEMORANDUM

DATE 1/13/92

FILE Easton - Western Corp

NAME OF PARTY Dana Hoffstetter 342-5000

EMPLOYEE D. Turnill

RE: _____

Requested a continuance in the resolution period.

I stated that we will not schedule for conf until 20 days
after the WID decision is issued.

I also stated that we will send her a copy of the WID
decision when it is issued.

DM

APR 29 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 20, 1991

ID Dept. of Fish & Game
Region 3
109 W. 44th St.
Boise, ID 83714

Re: Application for Permit No. 03-7044 in the Name of Eastern
Western Corp.

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-1203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water 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 project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

If this office can be of further assistance, please contact us.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT/st

APR 29 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 20, 1991

Eastern Western Corp
c/o Dana L. Hofstetter, Esq.
P.O. Box 2527
Boise, ID 83701-2527

Re: Application for Permit No. 03-7044

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced application. The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for a conference. At such a conference, the following are the principle items the Department will review (per Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water 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 project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

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

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

Enclosure: Copy of protest(s)

APR 29 1996

HOLLAND & HART
ATTORNEYS AT LAW

DENVER
DENVER TECH CENTER
COLORADO SPRINGS
ASPEN
BILLINGS
BOISE
CHEYENNE
WASHINGTON, D.C.

SUITE 1400
WEST ONE PLAZA
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
TELECOPIER (208) 343-8869

Dana L. Hofstetter

October 24, 1991

RECEIVED
25 MM
OCT-24-1991

Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705

Department of Water Resources
Western Regional Office

Attn: Sue Taylor

Re: Application for Permit
Eastern Western Corporation

Dear Sue:

On October 22, 1991 our office filed an Application for Permit on behalf of Eastern Western Corporation. I have attached a copy of the date stamped first page for your information. Pursuant to my telephone conversation with Rob this date, I am writing this letter for your file in the event the Department of Water Resources has any notices or inquiries regarding this Application for Permit.

Thank you for your courtesy.

Sincerely,

HOLLAND & HART

Judie Taylor

Judie E. Taylor, Secretary
to Dana L. Hofstetter

DLH/jt
Encl.

OCT 29 1991

RECEIVED

OCT 22 1991

RECEIVED

OCT 24 1991

Form 202

6/85 Department of Water Resources
Western Regional Office

STATE OF IDAHO

Department of Water Resources
Western Regional Office

Ident. No. _____

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

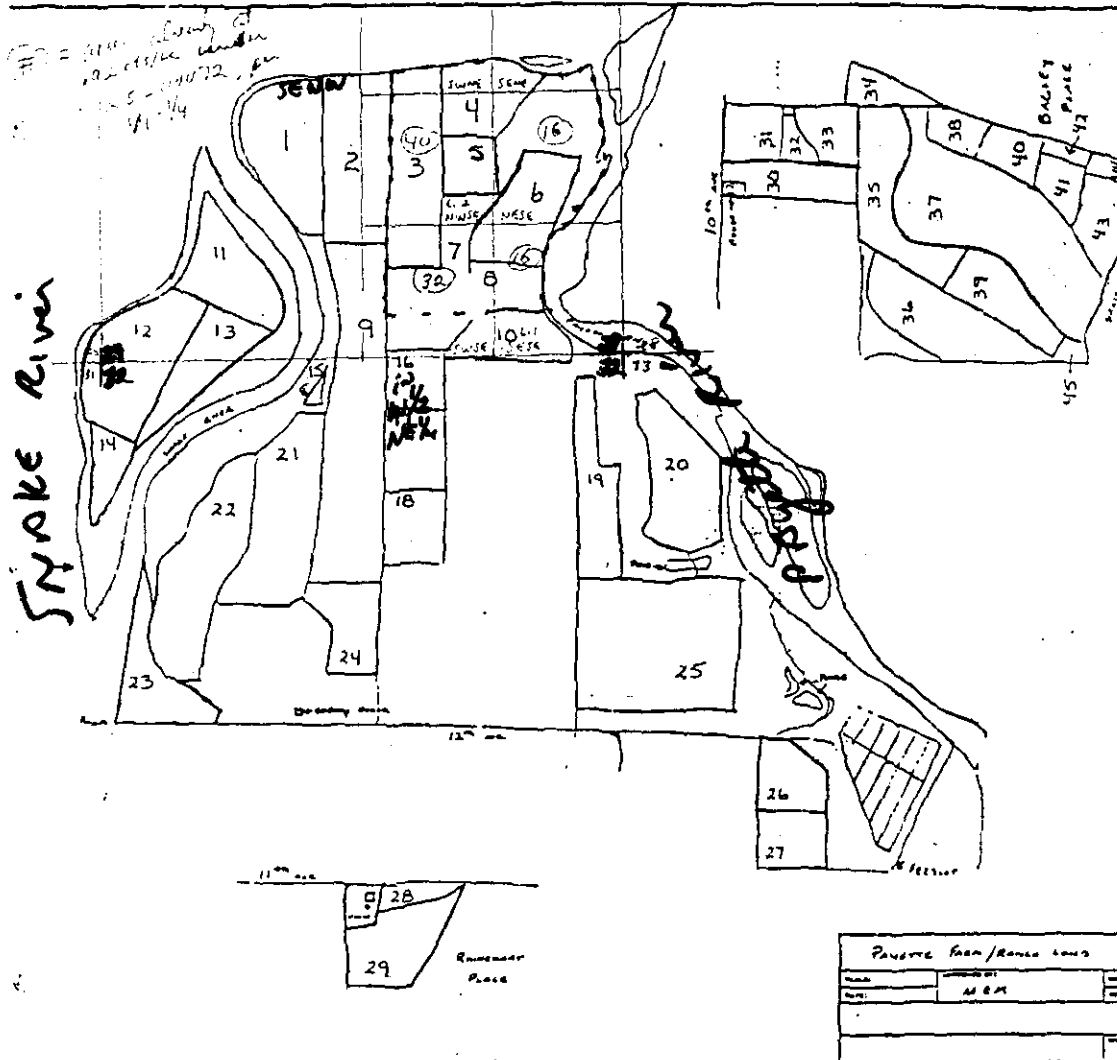
To appropriate the public waters of the State of Idaho

1. Name of applicant Eastern Western Corporation Phone (503)236-1978
Attn: Michael E. McGinley, President
Post office address 1505 S.E. Gideon St., Box 3228, Portland, OR 97208-3228
2. Source of water supply Snake River which is a tributary of Columbia River
3. Location of point of diversion is _____ ¼ of NW ¼ of SW ¼, Govt. Lot 5
Sec. 32 Township 9N Range 5W B.M. Payette County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1.30^{cfs} for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 1.30 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 2 pumps in river to gravity
flow ditch system
 - 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 the proposed beneficial use is
one year (minimum 1 year).

APR 29 1996

PAYETTE FARM MAP

Section 1 is interpreted from
1855-56 guide book in presentment
of Appraisement Secured to land
in application
E. 3/20/89



Payette Farm MAP,
Map from file 65-13091

APR 29 1996

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 20 02, 1979

INDICATES TOTAL

SOURCE: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS
65-0067	FARMERS COOPERATIVE IRRIGATION CO. LTD. 109 S. PLYMOUTH AVENUE, BOX 206, NEW PLYMOUTH, IDAHO 83655 REMARKS: PLACE OF USE WITHIN LANDS OF FARMERS COOPERATIVE IRRIGATION CO., LTD. AS SHOWN ON RIGHT 65-0066.	4/ 1/1895	IRRIGATION	3/15 11/15	--- AFA 335.41 CFS	LOT 1 S 5 T 6N R 1W	*12874*	BENEFIT USE
-0072	WASHOE IRRIGATING & WATER POWER COMPANY ROUTE 1, BOX 102, PAYETTE, IDAHO 83661	10/ 9/1895	IRRIGATION	3/15 11/15	--- AFA 39.99 CFS	LOT 3 S 15 T 8N R 5W	NWNE(5) NENE(1) NWNE(22) SWNE(8) SENE(11) S 9 T 8N R 5W SENE(32) NENE(18) SWSE(29) SWSE(15) SESW(33) SWNW(36) NWSW(27) LOT 4(4) LOT 7(9) LOT 5(27) LOT 6(30) LOT 8(21) S 4 T 8N R 5W NENE(33) NWNE(30) SWNE(34) SENE(38) LOT 1(39) LOT 5(29) LOT 6(8) LOT 2(22) LOT 4(11) S 8 T 8N R 5W SWNE(36) SENE(30) SENE(36) NENE(31) NESE(28) NWSE(33) SWSE(37) SESE(38) LOT 1(31) LOT 2(27) LOT 3(30) LOT 4(15) LOT 7(26) LOT 6(37) S 5 T 8N R 5W NWNW(15) SWNW(31) SENE(2) SWSE(18) LOT 6(38) LOT 7(31) S 3 T 9N R 5W NWNE(34) SWNE(32) SESW(33) NESE(32) NWSW(33) SWSE(34) SESE(33) NENE(28) LOT 2(31)	BENEFIT USE

No info found that indicates this right was objected to & reduced in proceedings of PRBA. Rate of .023 cfs/ac includes 1"/ac and ditch loss in Washoe Ditch system.

.023 cfs/ac
5.32 NWNE 34 ac. + 5 in app = 39
5.32 SWNE 32 ac. + 10 in app = 42

New app:

Can allow 5 in NWNE 5.32

" " 8 " SWNE 5.32

13 ac. in 5.32 eligible for Payette R. water

LOT 1(36)
LOT 6(8)
LOT 3(27)
LOT 4(53)
LOT 5(34)
S 3 T 9N R 5W
SWSE(32)
LOT 3(38)
LOT 4(11)
LOT 1(16)
LOT 2(56)
S 2 T 9N R 5W
1724

INDICATES TOTAL

RIGHT NUMBER

05-5019 MORE INFO MORE INFO ROUTE 1

APR 29 1996

05-5019 LOWER 114 IN IDAHO REMARKS BIG W 26, 10 RE-DIV 18N, 10 LANDS CO. 5

05-5015 SPURD ROUTE 10400 REMARKS COMBAT RIGHT 91500 THAM

05-5017 HOLL 1 STAR 11661

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

OCTOBER 30, 1991

Independent Enterprise
P.O. Box 520
Payette, ID 83661

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before NOVEMBER 25, 1991.

Yours truly,

GAIL GARRETT
Secretary

Encl.

APR 29 1996

03-07044

EASTERN WESTERN CORP
C/O MICHAEL E. MC GINLEY
1505 S E GIDEON ST
PO BOX 3228
PORTLAND, OR 972083228

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 5 (NWSW) Sec 32 T 09N R 05W in PAYETTE County.

Use: IRRIGATION (1.300 CFS)
Total Diversion: (1.300 CFS)

Date Filed: 10/22/1991

T09N R05W S29
S32

SWNE
NWNE

SENE
SWNE

SENE

50.0 ACRES TOTAL

APR 29 1996