

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-07147
Date Received: 10/18/1988
Receipt No: 5003127
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SUN VALLEY WATER & SEWER DISTRICT 208-622-4438
Address: P.O. BOX 416
SUN VALLEY, ID 83353

2. Date of Priority: MAY 23, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	17E	24	NE	NE			BLAINE

5. Description of diverting works:
PUMP & PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.150		108.00

7. Total Quantity Appropriated is:
0.150 C.F.S. (and/or) 108.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

⑨. Non-irrigation uses: Municipal use for City of Sun Valley; Well No.9

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	17E	23	SW	SW		DOMEST	
			SE	SE		DOMEST	
		24	NE	NE		DOMEST	

11. Place of use in counties: BLAINE

A37-07147

Page 1

Date: 10/18/88

COPY

NOT RECORDED
FEB 24 1993

12. Do you own the property listed above as place of use? YES

(13). Other Water Rights Used: A37-02709; A37-02722; A37-07102

14. Remarks:

WELL SUPPLIES WATER TO 4N, 17E, SECTIONS 23 & 24 UNDER
SUN VALLEY WATER & SEWER DISTRICT.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

~~XXXXXXXXXXXXX:~~

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Sun Valley Water & Sewer Date: 10/20/88

John T. Brown, General Manager

State of Idaho)

) SS.

County of Blaine)

Subscribed and sworn (or affirmed) before me this 20th day

of October 19 88

Jan Harris
Notary Public

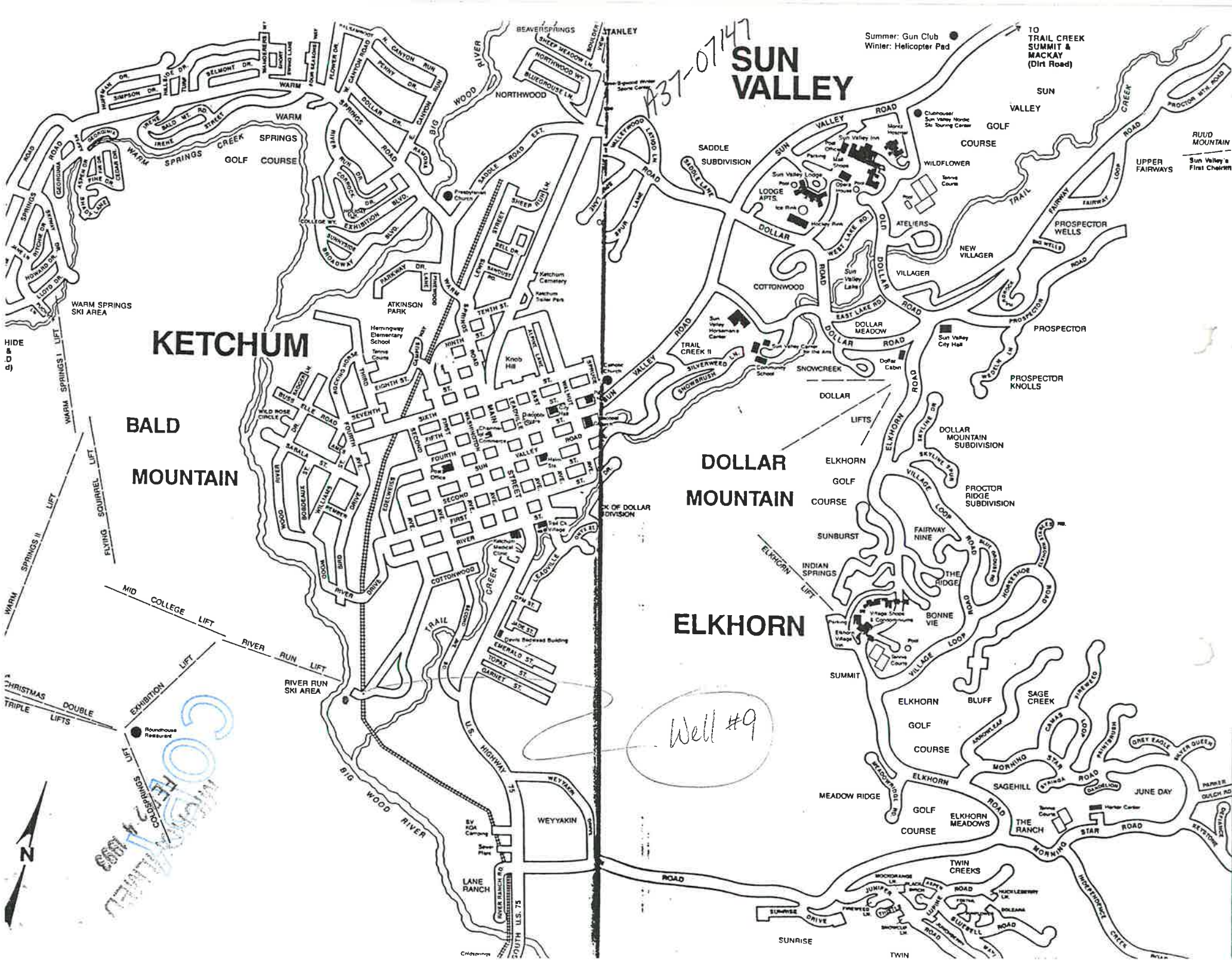
Seal

Residing at Hailey, Idaho

My Commission Expires June 10, 1993

COPY

PHOTOFILMED
FEB 24 1993



RECEIVED

MAY 29 2009

SRBA Form No.42-1409-1 (Internet 2/09)

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-07147

Date Received: _____

Receipt No: _____

Received By: _____

AMENDED
NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) SUN VALLEY WATER & SEWER DISTRICT Phone (208) 622-4438

Mailing Address PO BOX 416 SUN VALLEY ID 83353

Street or Box

City

State

2. Date of Priority (Only one (1) per claim) 05/23/1972
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water (✓) or Other () (a) _____

which is tributary to (b) _____

4. a. Location of Point of Diversion is: Township 04N, Range 17E, Section 24,
NE, 1/4 of NE, 1/4 Govt. Lot _____, BM., County of Blaine

Parcel (PIN) no. _____

Additional points of diversion if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. This Right is pumped from Sun Valley Water & Sewer District

Well No. 9. _____

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Municipal purposes from 1/01 to 12/31 amount 0.15 or 108

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.15 (cfs) and/or (b) 108 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Municipal

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	17E	23											M						
04N	17E	23				M													
04N	17E	24	M																

Parcel (PIN) no(s) _____

Total number of acres irrigated _____

10. In which county (ies) are lands listed above as place of use located? Blaine

11. Do you own the property listed above as place of use? Yes (✓) No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (✓)

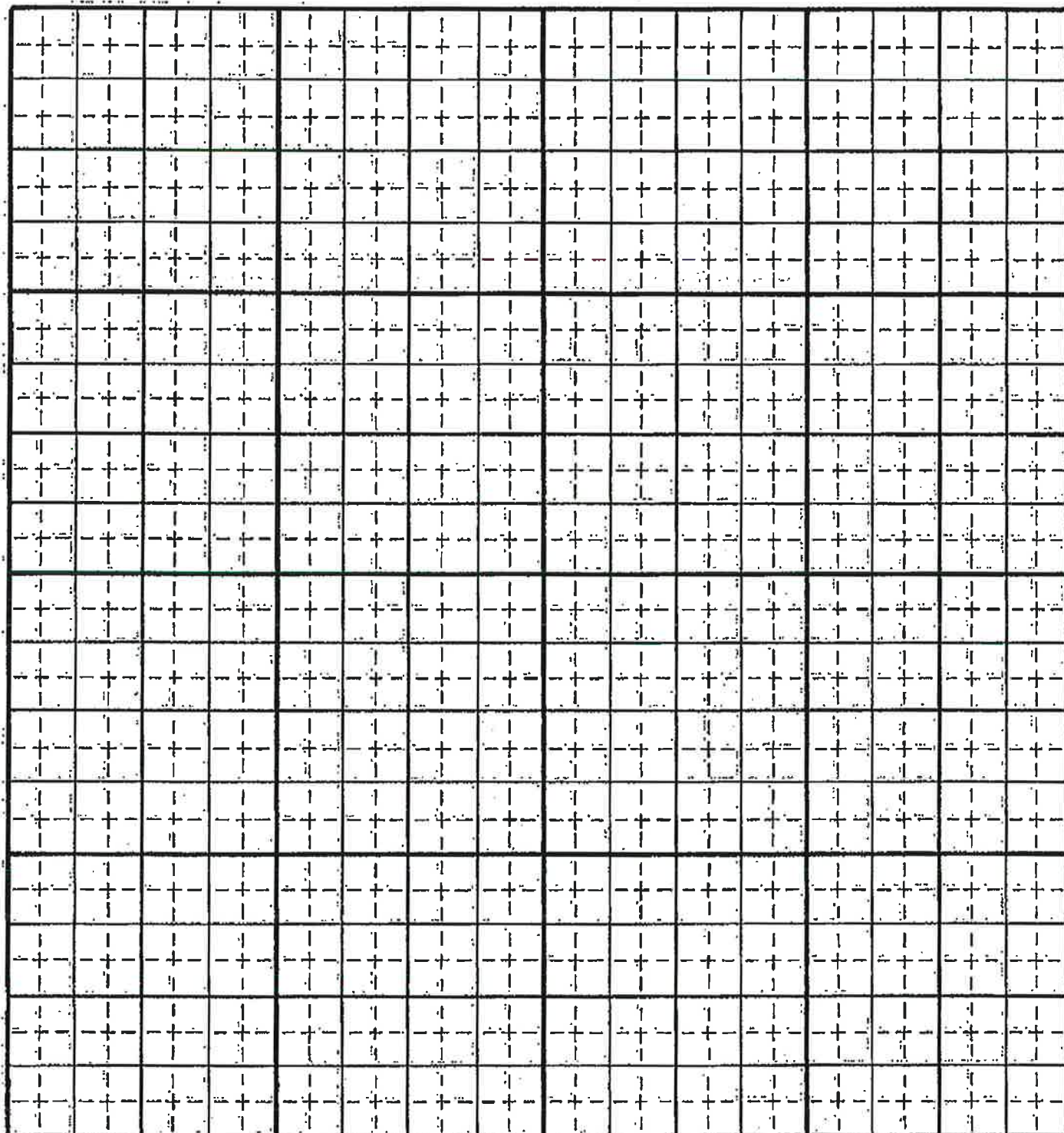
13. Remarks: WELL SUPPLIES WATER TO 4N, 17 E, SECTIONS 23 & 24 UNDER SUN VALLEY WATER & SEWER DISTRICT

Last Name SUN VALLEY WATER &

Identification No. 37-07147

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 Inches equals 1 mile



Last Name _____

Identification No. 37-07147

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License (✓) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 37-7147

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Snake River Basin Adjudication." (b.) I/We do () do not (✓) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

the attorney of record and agent _____ of the Sun Valley Water & Sewer District _____,

Title

Organization

that I have signed the foregoing document in the space below as

the attorney of record and agent _____ of the Sun Valley Water & Sewer District _____,

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent J. Evan Robertson Date 5-28-09

Title and Organization J. Evan Robertson, Attorney at Law, for the Sun Valley Water & Sewer District

16. Notice of Appearance:

Notice is hereby given that I, J. EVAN ROBERTSON, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature J. Evan Robertson Date 5-28-09

Address PO Box 1906, Twin Falls, ID 83303

(208) 933-0700

Last Name SUN VALLEY WATER & Identification No. 37-07147

CERTIFICATE OF MAILING

I certify that on May 28, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

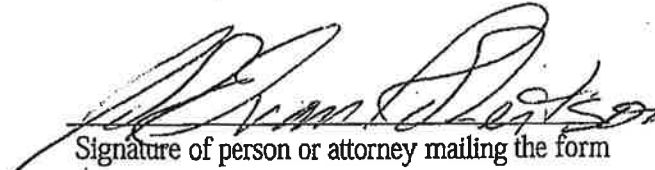
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Michael Ciscell, GISP
Sr. GIS Analyst
Adjudication Bureau
IDWR
322 E. Front St.
Boise, ID 83720-0098
Via Email Michael.Ciscell@idwr.idaho.gov

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

USA, USDA Forest Service
C/o David L. Negri
Attorney at Law
550 West Fort St, MSC 033
Boise, ID 83724
Via U.S. Mail


Signature of person or attorney mailing the form

RECEIVED

MAR 29 2010

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 37-07147
(Insert water right number)

STANDARD FORM 1

OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: **SUN VALLEY WATER & SEWER DISTRICT**

Address: **PO BOX 416, SUN VALLEY, ID 83353**

Daytime Phone: (208) 622-4438

Name & Address of Attorney, if any:

**J. EVAN ROBERTSON
PO BOX 1906
TWIN FALLS ID 83303
(208) 933-0700**

C. CLAIMANT OF WATER RIGHT AS LISTED IN AMENDED DIRECTOR'S REPORT DATED FEBRUARY 25, 2010

Name: SUN VALLEY WATER & SEWER DISTRICT

Address: PO BOX 416, SUN VALLEY, ID 83353

D. I object to the following elements as recommended in the Amended Director's Report dated February 25, 2010. (Please check the appropriate box(es)).

1. ☐ **Name and Address:**
Should be:
2. ☐ **Source:**
Should be:
3. ☐ **Quantity:**
Should be:
4. ☐ **Priority Date:**
Should be:
5. ☐ **Point(s) of Diversion:**
Should be:
6. ☐ **Instream Flow Description:**
Should be:
7. ☒ **Purpose(s) of Use:**
Should be: Municipal, as set forth in Claimant's Amended Notice of Claim to a Water Right dated May 28, 2009
8. ☐ **Period of Use:**
Should be:
9. ☐ **Place of Use:**
Should be:

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

Claimant's Amended Notice of Claim to a Water Right for 37-07147 set forth the use as Municipal, rather than Domestic. Claimant is a municipal water provider, and the uses for which this right was initially licensed and is currently being used is not domestic. It provides the water needs for restaurants located on Bald Mountain, the primary ski slope operated by Sun Valley Resort.

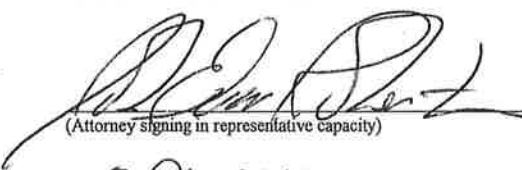
VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Twin Falls)

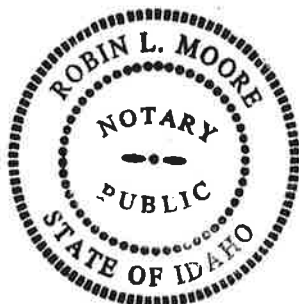
J. Evan Robertson, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6), or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 3-26-2010




NOTARY PUBLIC FOR IDAHO

Residing at: Jerome

My commission expires: 12-29-12

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all of the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I hereby certify that on March 26, 2010, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right at the following address:

Name: **Sun Valley Water & Sewer District**
Address: **P.O. Box 416, Sun Valley, ID 83353**

3. Copies to:

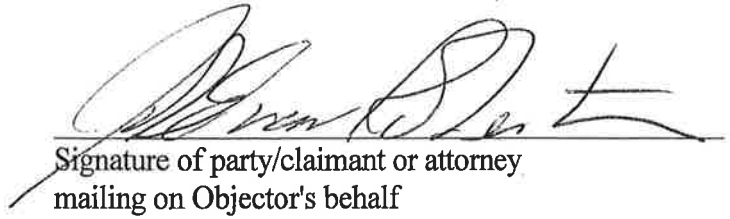
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

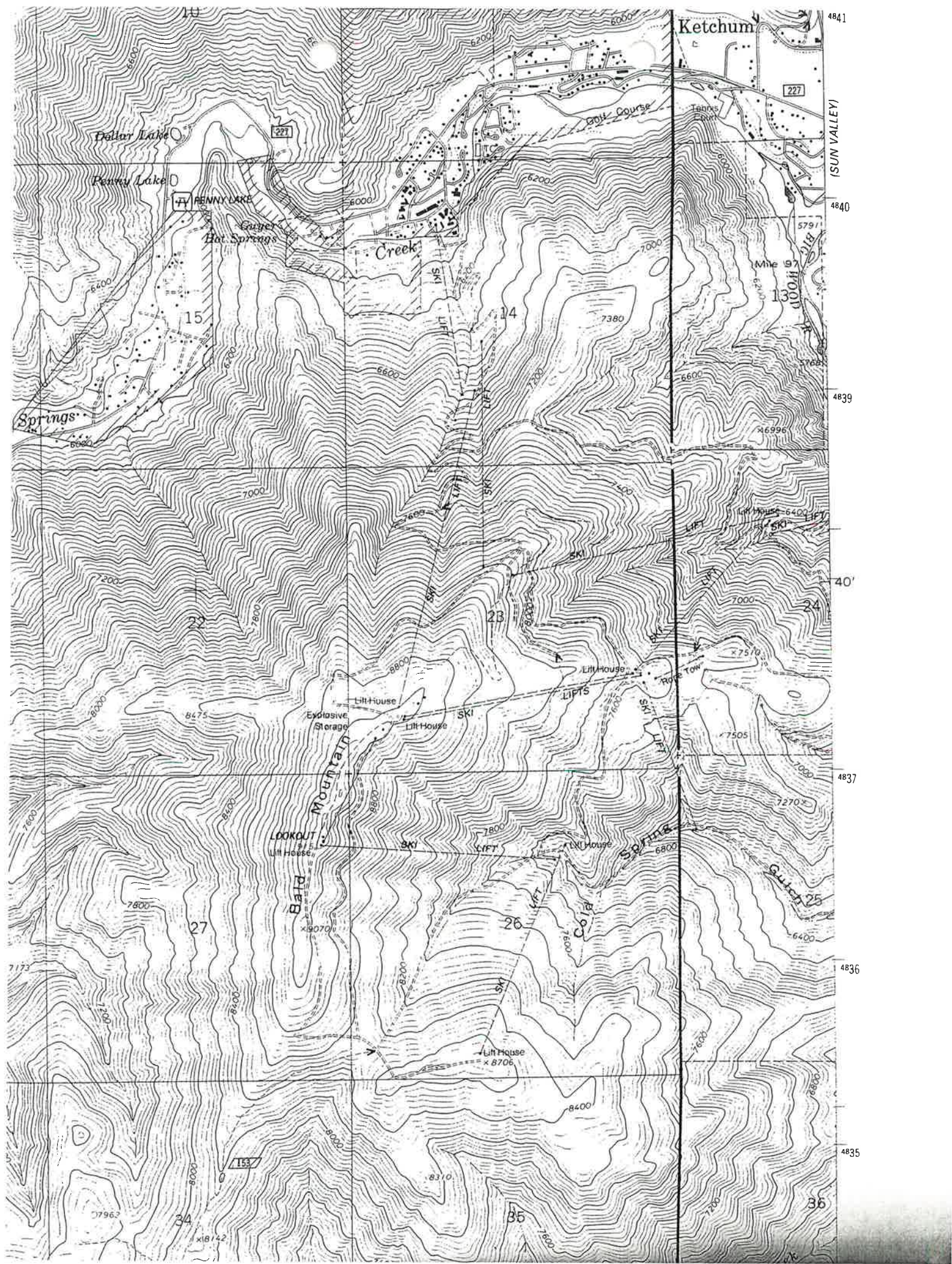
United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Michael Ciscell, GISP, Sr. GIS Analyst
IDWR – Adjudication Bureau
322 E. Front St.
Boise, ID 83720-0098

USA/USDA Forest Service
C/o David L. Negri
Attorney at Law
550 West Fort St., MSC 033
Boise, ID 83724



Signature of party/claimant or attorney
mailing on Objector's behalf



Ketchum

(SUN VALLEY)

Dollar Lake

Penny Lake

PENNY LAKE

Garret Hot Springs

Creek

Golf Course

Tennis Court

Springs

Explosive Storage

LOOKOUT

Bald Mountain

Lift House

Lift House

Lift House

Lift House

Lift House

Lift House

Lift House

Lift House

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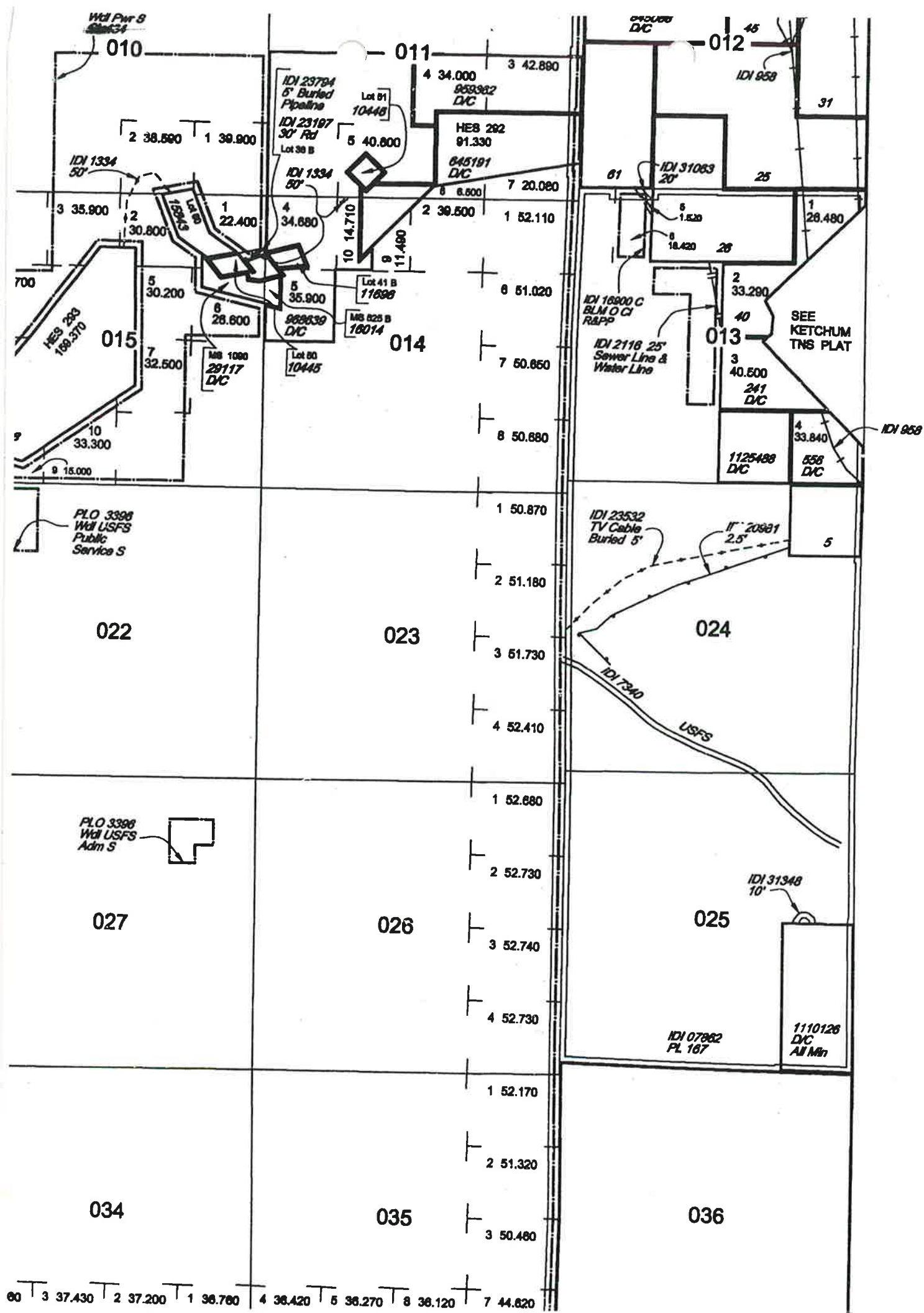
Lift House

Lift House

Lift House

Lift House

Lift House



11/26/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-7147

NAME AND ADDRESS: SUN VALLEY WATER & SEWER DIST
PO BOX 416
SUN VALLEY ID 83353

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS
108.000 AFY

PRIORITY DATE: 05/23/1972

POINT OF DIVERSION:

T04N R17E S24 NENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

1/01 12/31

0.150 CFS
108.00 AFY

PLACE OF USE:

DOMESTIC in BLAINE County

T04N R17E S23 SWSW

T04N R17E S23

T04N R17E S24 NENE

SESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that SUN VALLEY WATER & SEWER DISTRICT
of Sun Valley, Idaho, has complied with the terms and conditions of Permit
No. 37-7147 issued pursuant to Application for Permit dated May 23, 1972,
and has submitted proof to the Department of Water Resources on May 6, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.34 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than 0.15 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 108 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24 Twp. 4N, Rge. 17E, Bl.M. in the County of Blaine

[illegible]

Total number of acres irrigated _____

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of February, 19 80.

Director

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

TELEPHONE (208) 734-0700

FAX (208) 736-0041

Boise Office

1020 MAIN ST., SUITE 400

P.O. BOX 2139

BOISE, IDAHO 83701-2139

TELEPHONE (208) 336-0700

FAX (208) 344-6034

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

June 13, 1989

RECEIVED
JUN 14 1989

Mr. Don Shaff
Idaho Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Dear Don:

On April 6, 1989, we had a phone conversation regarding the SRBA claims of the Sun Valley Water & Sewer District. I had done a sweep of the adjudication side of the Public Access computer program on the PC here in the firm and did not find any claims under this applicant's name.

At the time, you indicated that the department is working on an electronic fix to make changes in receipted claims. I checked the AJ side of our computer access program this morning and note that there has been no change regarding the claims of this applicant. I enclose copies of the screens for your information.

Please advise the status of these claims and whether you have a suggestion for entering them into the adjudication either through the previously mentioned electronic fix or some sort of manual method. Best wishes. I appreciate your help and your interest in my on-going SRBA questions.

Very truly yours,

Frank

FRANCIS G. HITCHCOCK
Legal Assistant

FGH/
24321

Enclosures

5003127 10/21/88

A3702722
2709
7102
7147

MICROFILMED
FEB 24 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 15, 1989

Mr. Francis G. Hitchcock
Legal Assistant
Nelson, Rosholt, Robertson,
Tolman & Tucker
P. O. Box 1906
Twin Falls, Idaho 83303-1906

A37-02722
A37-02709
A37-07102
A37-07147

Re: Snake River Basin Adjudication SRBA
Sun Valley Water & Sewer District
Blaine County

Dear Frank,

Responding to your letter of June 13, 1989, I see that today the four claims of the Sun Valley District are electronically stuck in the Southern Region computer. As I indicated then the completing of the receipt for the District's fees was done in error such that the water right numbers on the receipt do not match the water right numbers assigned to the claims. The fix to the receipting programs is in a testing stage at this time and should be in production soon. This will allow modifying the water right numbers within the receipt to permit the proper updating of the computer files.

From all appearances the claims of the Sun Valley District have been properly filed and the appropriate fees paid. Viewing of these records through the public access program should soon be available. Until that time I appreciate your patience as those of us at the Agency struggle with these little snags. As of today the method to confirm the filing of these claims is by contacting the Southern Region office where you may obtain photocopies or computer prepared copies.

Yours Truly,

Donald V. Shaff
Manager, Adjudication Section

DVS:mcc:state

RECEIVED

FEB 14 1991

Department of Water Resources
Southern Region Office

RECEIVED
FEB 24 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

RECEIVED

MAR 1 1990

Department of Water Resources
Southern Region Office

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 22, 1990

Sun Valley Water & Sewer
C/O Jack Brown
P. O. Box 2410
Sun Valley, ID 83353

Gentlemen:

Our records show you have filed your adjudication claim(s) in the Snake River Basin Adjudication. Our records do not, however, include a clear map of your service area. Would it be possible for us to get a map of your customer service area for your municipal water system, both to supplement the record of your claim(s) and for use as described below?

In our review and investigation phase of the Snake River Basin Adjudication, the map would be helpful for us to have this information in verifying individual claims to water rights for domestic purposes. We will be happy to discuss with you the most convenient way for you to provide this information to us. I can be reached at 327-7931 or you may contact my assistant, Anita Warntjes at 327-7986.

Your assistance in this matter is greatly appreciated.

Sincerely,

DAVID B. SHAW
Adjudication Bureau Chief

DBS:alw

A37-02709

02722

07102

07147

MICROFILMED
FEB 24 1993