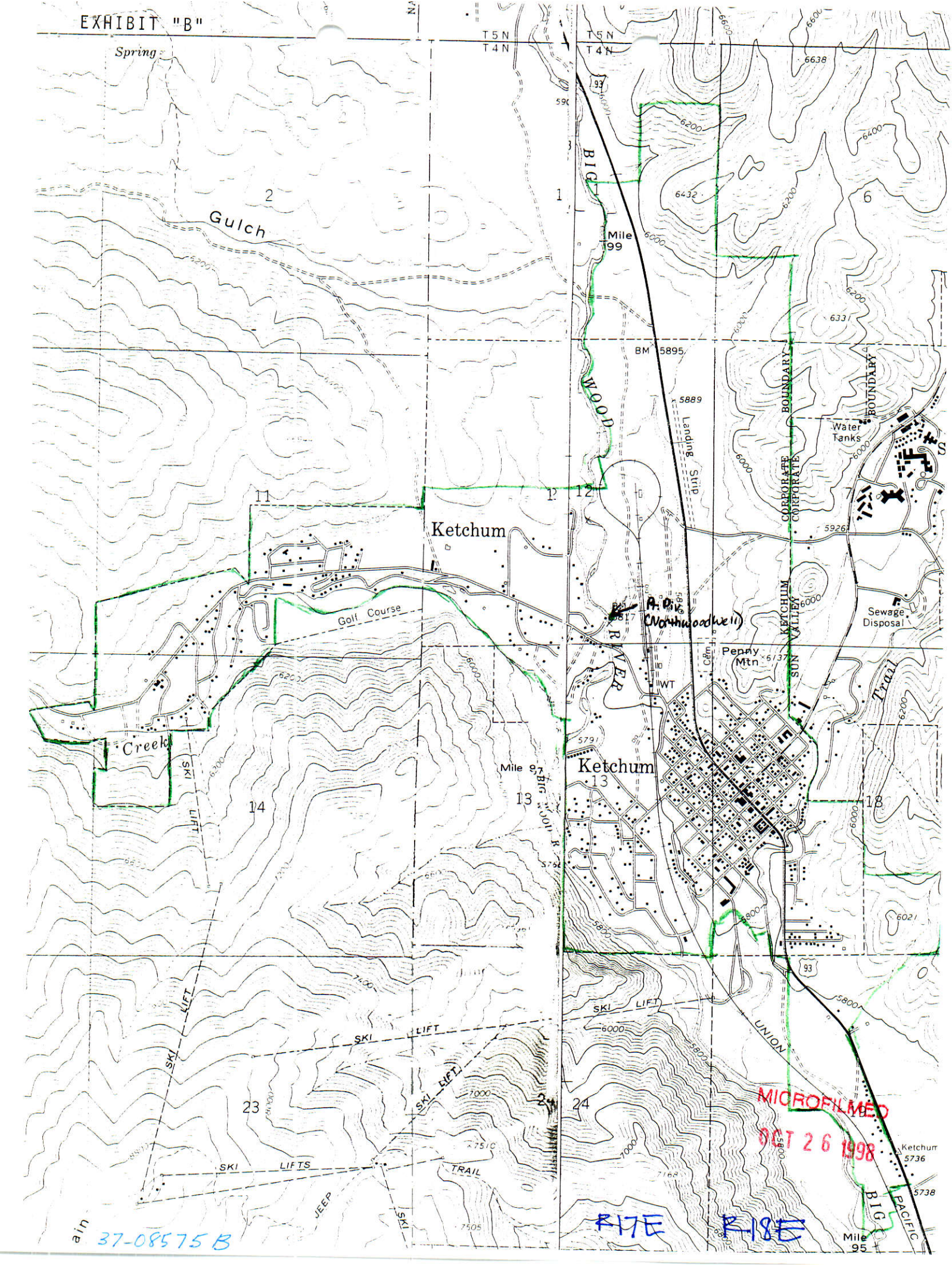
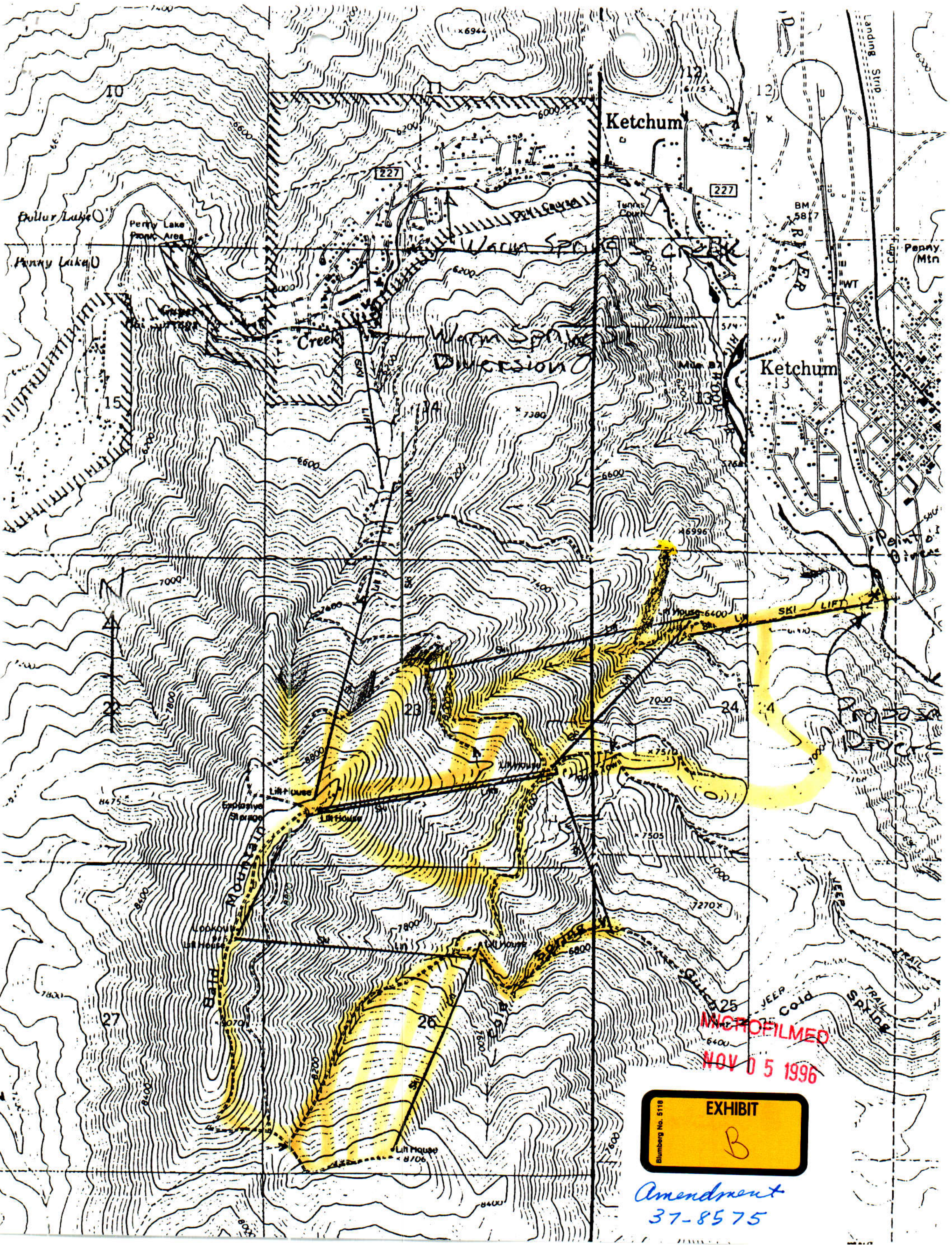
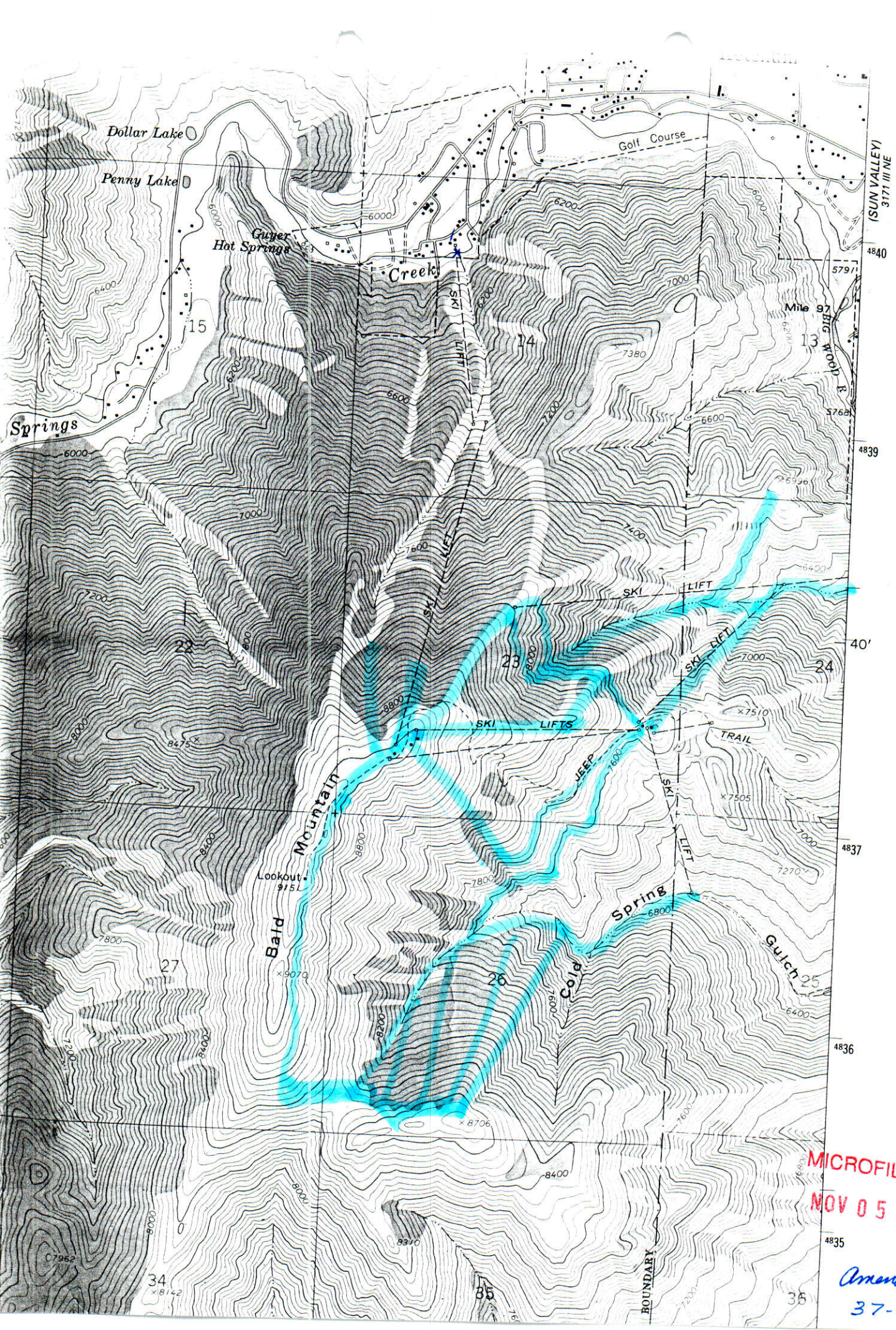

EXHIBIT "B"
T5N
T4N
Spring
Gulch
Mile 99
BIG WOOD RIVER
BM 5895
Landing Strip
BOUNDARY
CORPORATE
Water Tanks
Ketchum
Golf Course
Creek
Sewage Disposal
KETCHUM
SUN VALLEY
Penny Mtn
Trail
Mile 97
SKI LIFT
SKI LIFTS
TRAIL
JEEP
UNION PACIFIC
Ketchum 5736
Mile 95
R17E
R18E
MICROFILMED
OCT 26 1998
37-08575B



MICROFILMED
NOV 05 1996

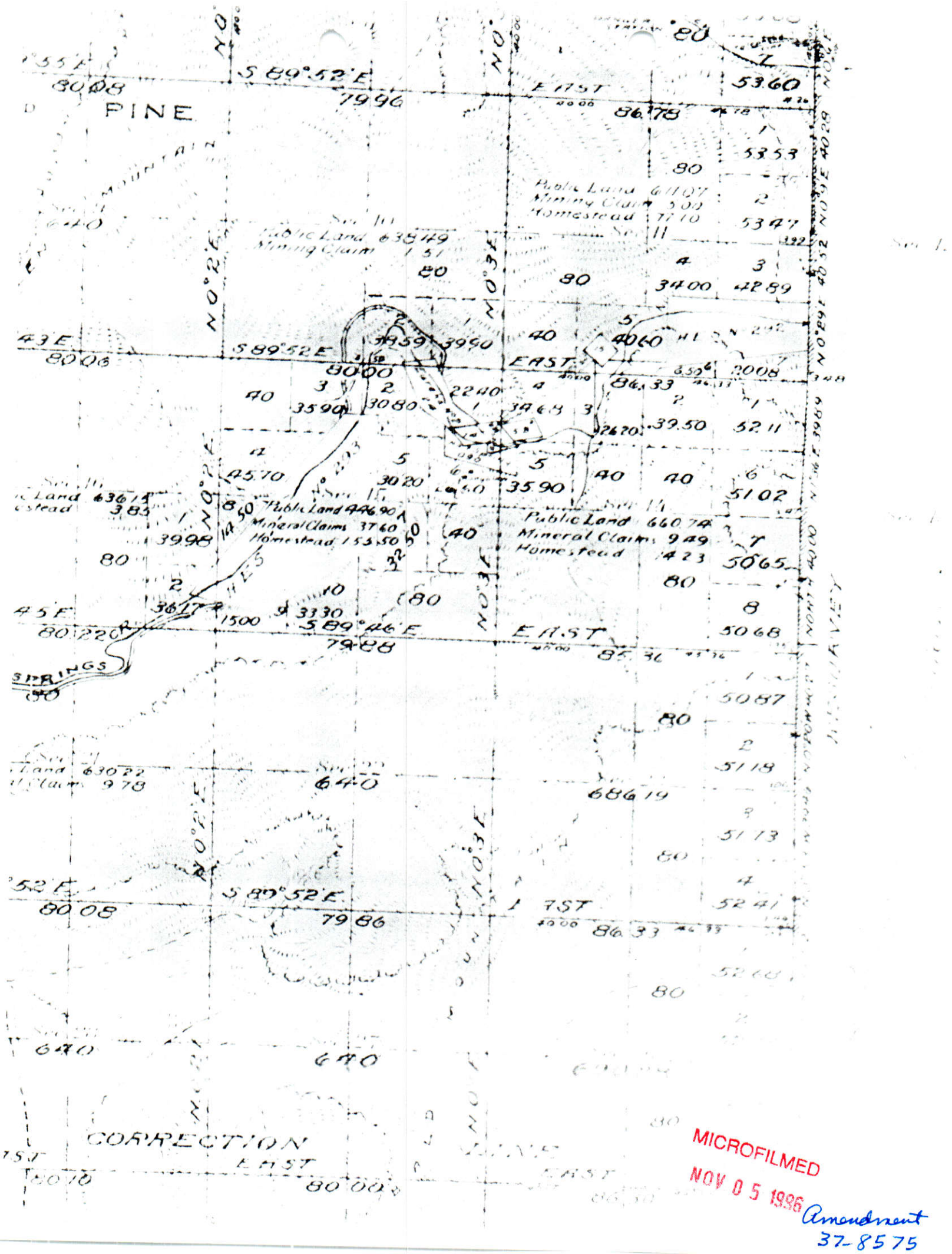
EXHIBIT B

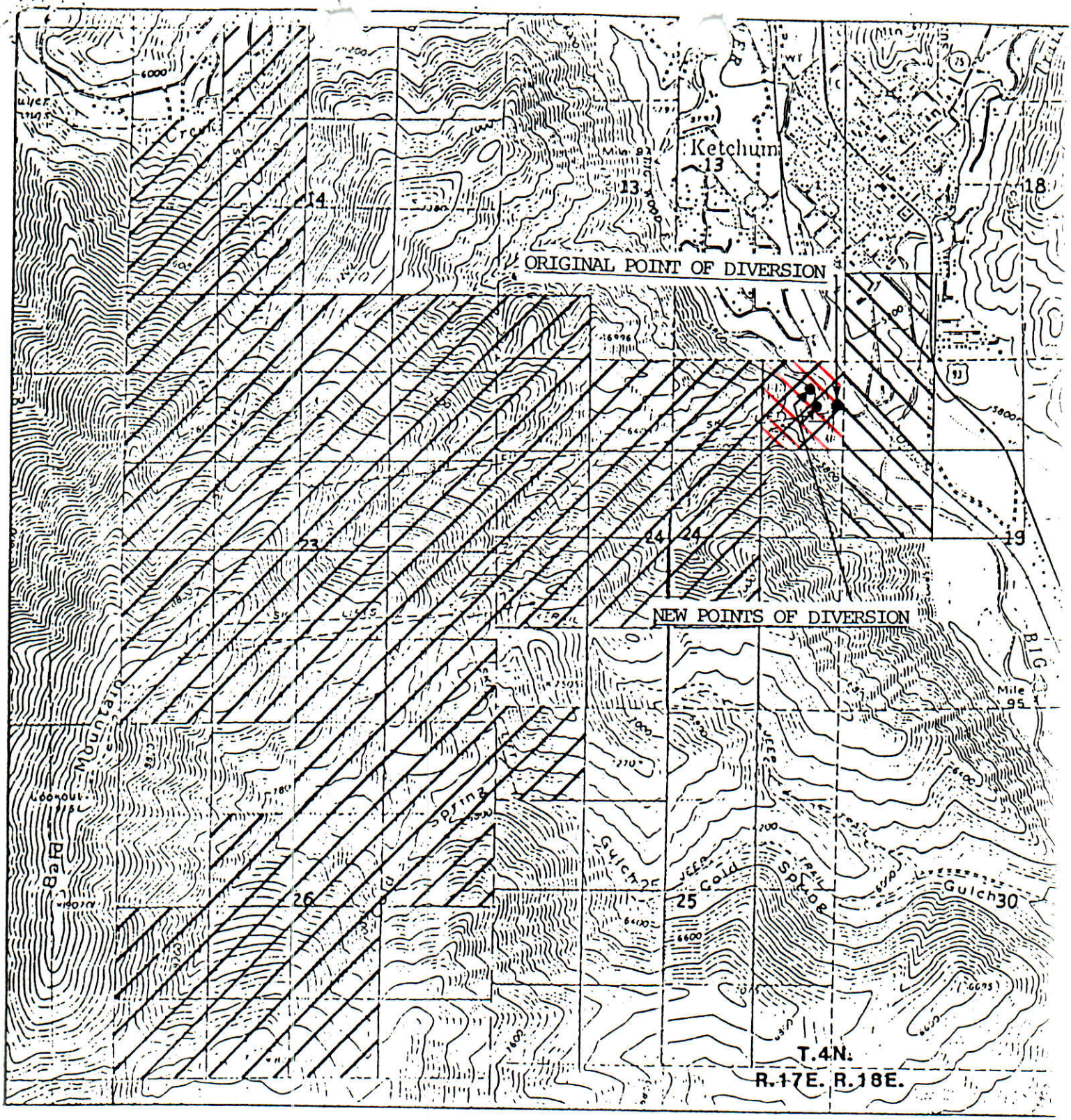
Amendment
37-8575



MICROFILMED
NOV 0 5 1996

Amendment
37-8575

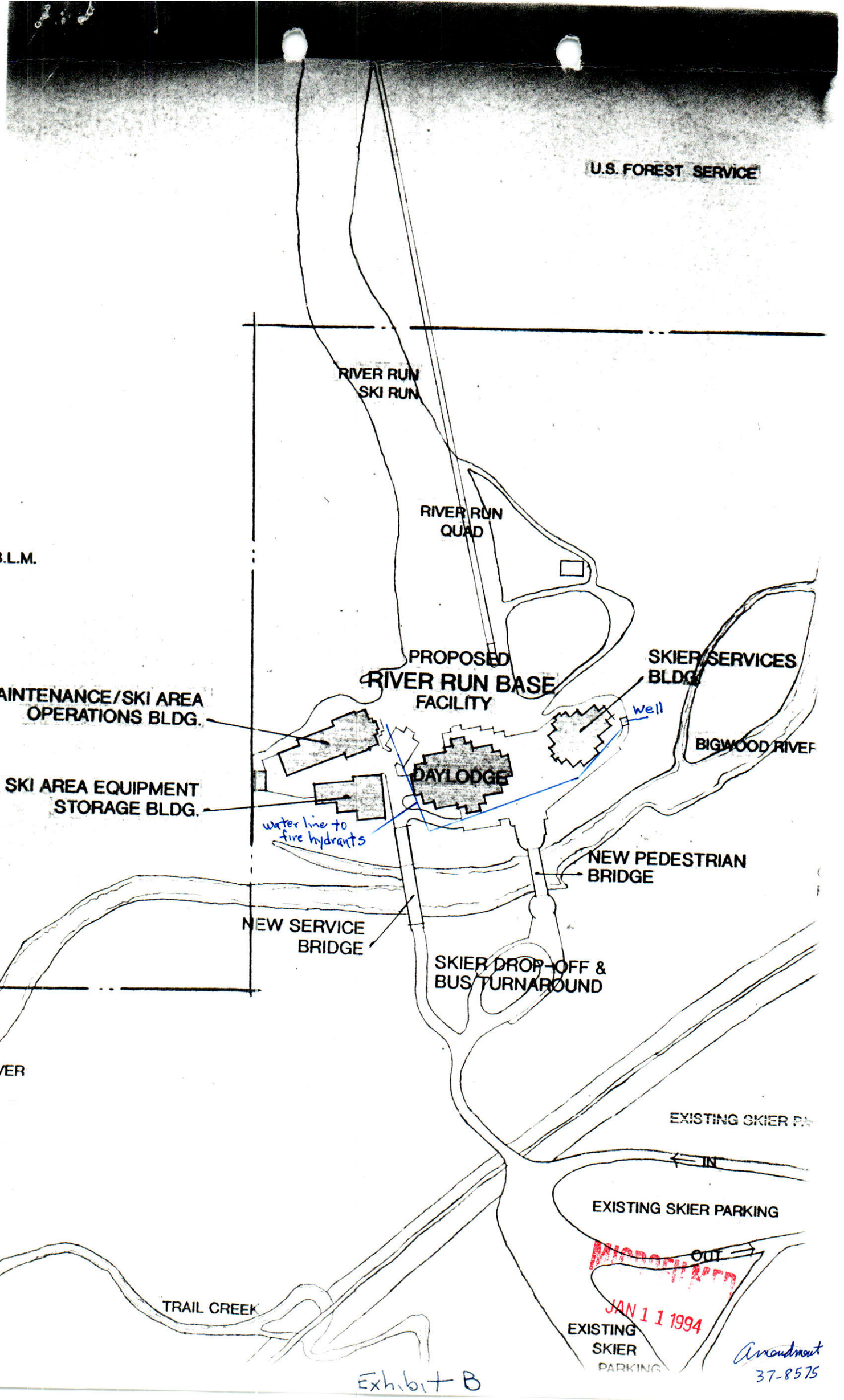

PINE
MOUNTAIN
SPRINGS
CORRECTION
EAST
S 89°52'E
S 89°46'E
N 0°02'E
N 0°03'E
Public Land 446.90
Mineral Claims 3760
Homestead 153.50
Public Land 660.74
Mineral Claim 949
Homestead 1423
Public Land 635.49
Mining Claim 1.51
Public Land 611.07
Mining Claim 3.93
Homestead 7.10
MICROFILMED
NOV 05 1996
Amendment
37-8575



RECEIVED
JAN 11 1994

Amendment 37-8575

EXHIBIT A

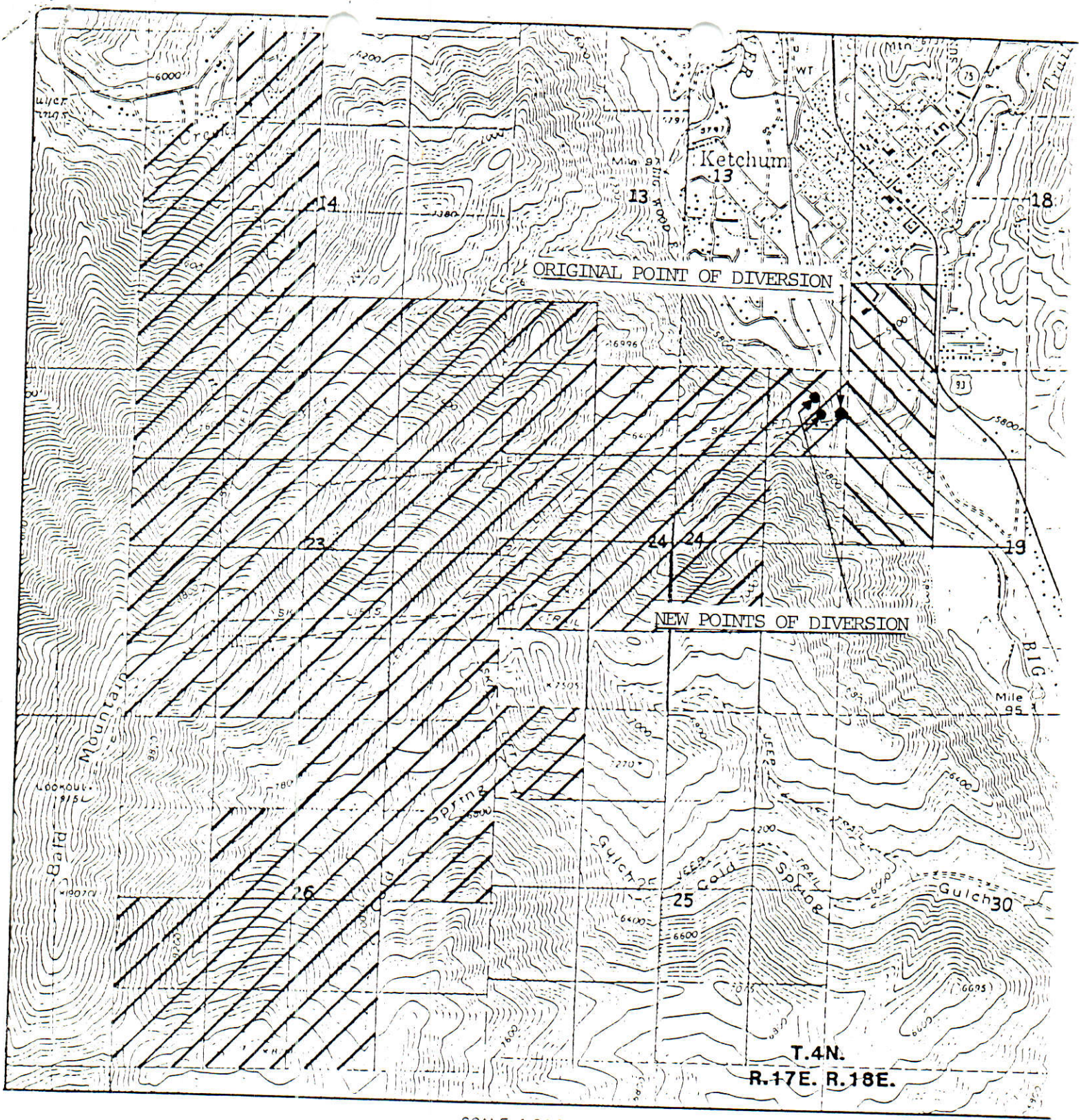


RECEIVED
JAN 11 1994

Exhibit B

Amendment 37-8575

EXHIBIT A



JAN 11 1994

EXHIBIT A

AFFIDAVIT of PUBLICATION

RECEIVED
JAN 09 1992
Department of Water Resources
Southern Region Office

State of Idaho, } SS.
County of Blaine

DANIEL J. GORHAM, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 11 day of Dec, 1991, and

the date of the last publication was on the 18 day of Dec, 1991.

Daniel J. Gorham

Subscribed and sworn to before me this 18 day of Dec., 1991.
(SEAL)

Roberta McKeehan

NOTARY PUBLIC

#7957

WOOD RIVER JOURNAL
Hailey, Idaho

OK
MB
1/14/92

COST OF PUBLICATION

Number of Picas per Line
Number of Lines in Notice 56.25
Number of Insertions

	Lines tabular at		6¢ / Pica
56.25	Lines straight at	30.94	5¢ / Pica
56.25	Subsequent lines at	24.75	4¢ / Pica
TOTAL COST	60.69	5.00	

JAN 11 1994

N- 7957

COPY OF NOTICE
(Paste Here)

Not of Permit
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IT Dept Water
BILL TO

Sinclair Oil files on amended permit

NOTICE OF AMENDMENT TO A WATER PERMIT
NO. 37-08575

Notice is hereby given that SINCLAIR OIL CORPORATION, DBA SUN VALLEY CO., c/o Scott Campbell of Boise, ID, is the holder of Approved Permit No. 37-08575 authorizing the diversion of 4.46 cubic feet per second of water from groundwater in the NE1/4NE1/4, S24, T4N, R17E; County of Blaine, to be used for Commercial & Domestic use within SW1/4SW1/4, S13, T4N, R17E; NE1/4NW1/4, SW1/4-NW1/4, SE1/4NW1/4, SW1/4, S1/2SE1/4, S14, T4N, R17E; all quarter section tracts of S23, T4N, R17E; NE1/4NE1/4, NW1/4-NE1/4, SW1/4NE1/4; NW1/4, N1/2SW1/4, NW1/4SE1/4, S24, T4N, R17E; NW1/4NW1/4, S25, T4N, R17E; NE1/4, SE1/4NW1/4, SW1/4, W1/2SE1/4, S26, T4N, R17E; SW1/4SW1/4, S18, T4N, R18E; W1/2NW1/4, S19, T4N, R18E; Blaine County.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to add two Points of Diversion as follows:

Amount: 4.46 (Commercial) Period of Use: 10/15 to 4/1; 0.20 (Commercial) 01/01 to 12/31; 0.80 (Domestic) 01/01 to 12/31

Points of Diversion: Three (3) wells located within NE1/4NE1/4, S24, T4N, R17E; Blaine County.

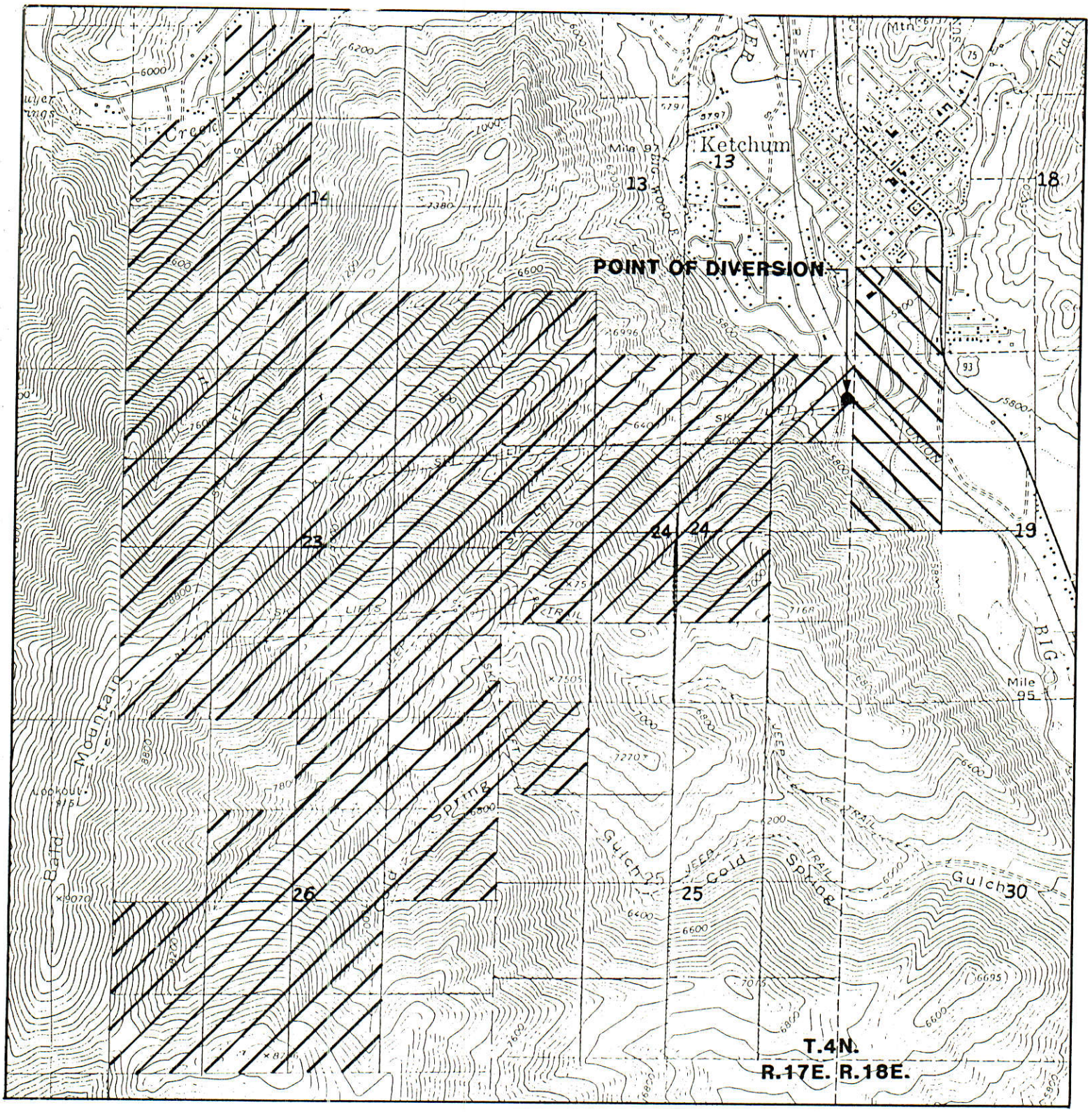
Place of Use: No changes.

Any protest against approval of the amending of Permit No. 37-08575 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301, on or before December 30, 1991.

R. Keith Higginson, Director

Publish: Wood River Journal December 11 & 18, 1991.

EXHIBIT A

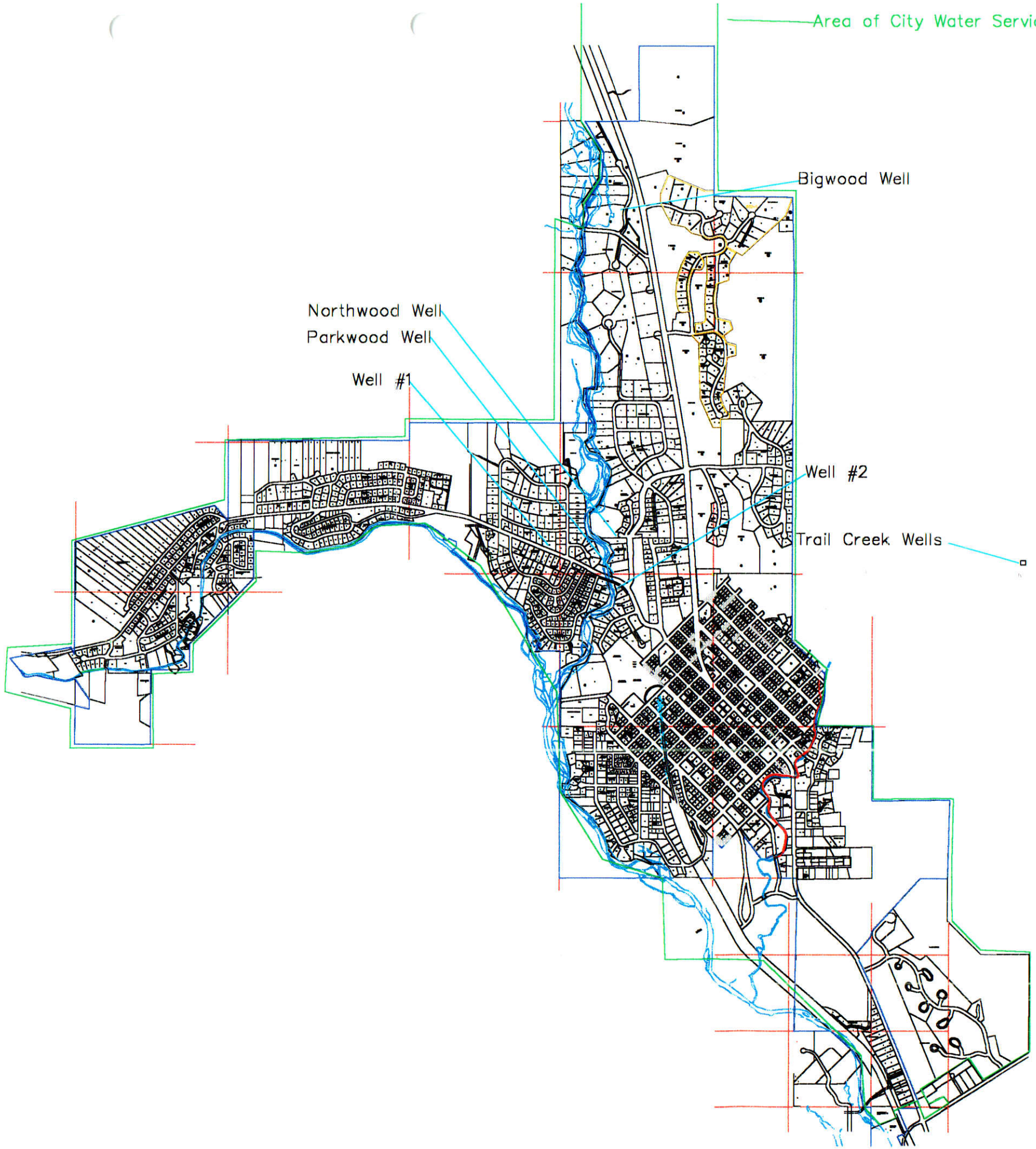


COMMERCIAL/SNOWMAKING PLACE OF USE

COMMERCIAL/DOMESTIC PLACE OF USE

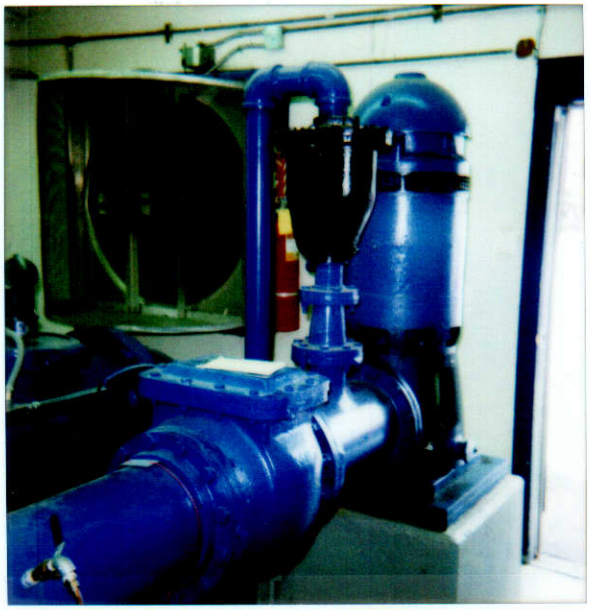
MICROFILMED
FEB 21 1990

EXHIBIT A



ATTACHMENT "B"
Place of Use - Service area located in T4N, R17E, Sections 11, 12, 13, 14 and T4N, R18E, Sections 18 and 19

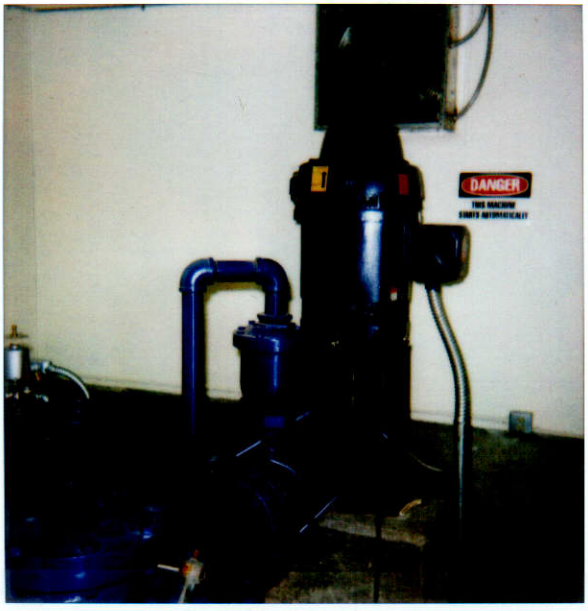
MICROFILMED
APR 27 2000



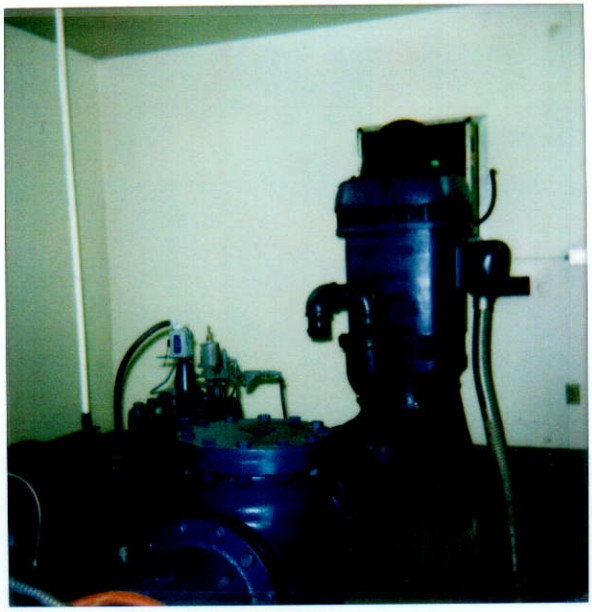
WELL #1



WELL #2



PARKWOOD WELL



NORTHWOOD WELL

ATTACHMENT "D" - Beneficial Use Exam #37-08575B - PUMP SYSTEM PHOTOGRAPHS

APR 27 2000



BIGWOOD WELL



TRAIL CREEK WELL #1



TRAIL CREEK WELL #2

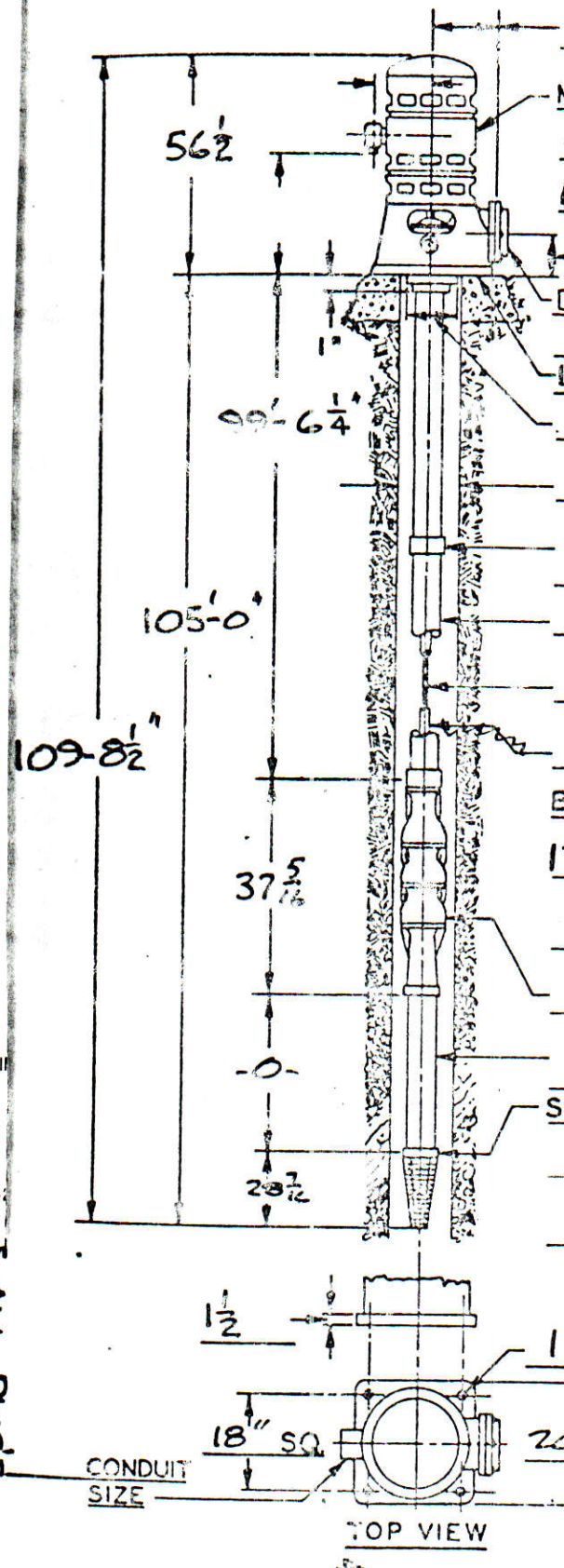
MICROFILMED
APR 27 2000

ATTACHMENT "D" - Beneficial Use Exam #37-08575B - PUMP SYSTEM PHOTOGRAPHS

WELL #1

DRAWING NO. 2823002

SURFACE DISCHARGE



10¼" ℄ TO FACE OF FLANGE

MOTOR: NEWMAN MFR. VHS TYPE

40 H.P. 60 CY. 230/460 VOLTS

1800 R.P.M. 3 PH. 324TP FRAME

9" BASE TO ℄ OF DISCHARGE

DISCHARGE COMPANION FLANGE FOR:

10x10x10½" DISCHARGE HEAD

14" O.D. TOP COL. FLANGE

20" I.D. OF WELL

11⅞" O.D. OF COUPLING

10" COLUMN

1 3/16" SHAFT

[redacted]

BOWL UNIT:

12MB ASSEMBLY

2 STAGE

11¾ O.D. OF BOWLS

10" SUCTION

[redacted]

STRAINER:

10" SIZE 11¼" O.D.

CONE TYPE

1" DIA. 4 HOLES

18" SQ.

20" SQ.

CONDUIT SIZE

TOP VIEW

PUMP RATING

G.P.M. 1200

FT. FIELD HD. 100

S.O. NO.

SOLD TO: CITY OF KETCHUM, WARMSPRINGS BOOSTER FACILITY

ORDER NO.

USER:

ITEM NO.

PUMP IDENTIFICATION:

THIS CERTIFIED PRINT

☐ FOR APPROVAL

BY _____ DATE _____

☐ FOR CONSTRUCTION

BY _____ DATE _____

Peerless Pump
An Indian Head Company

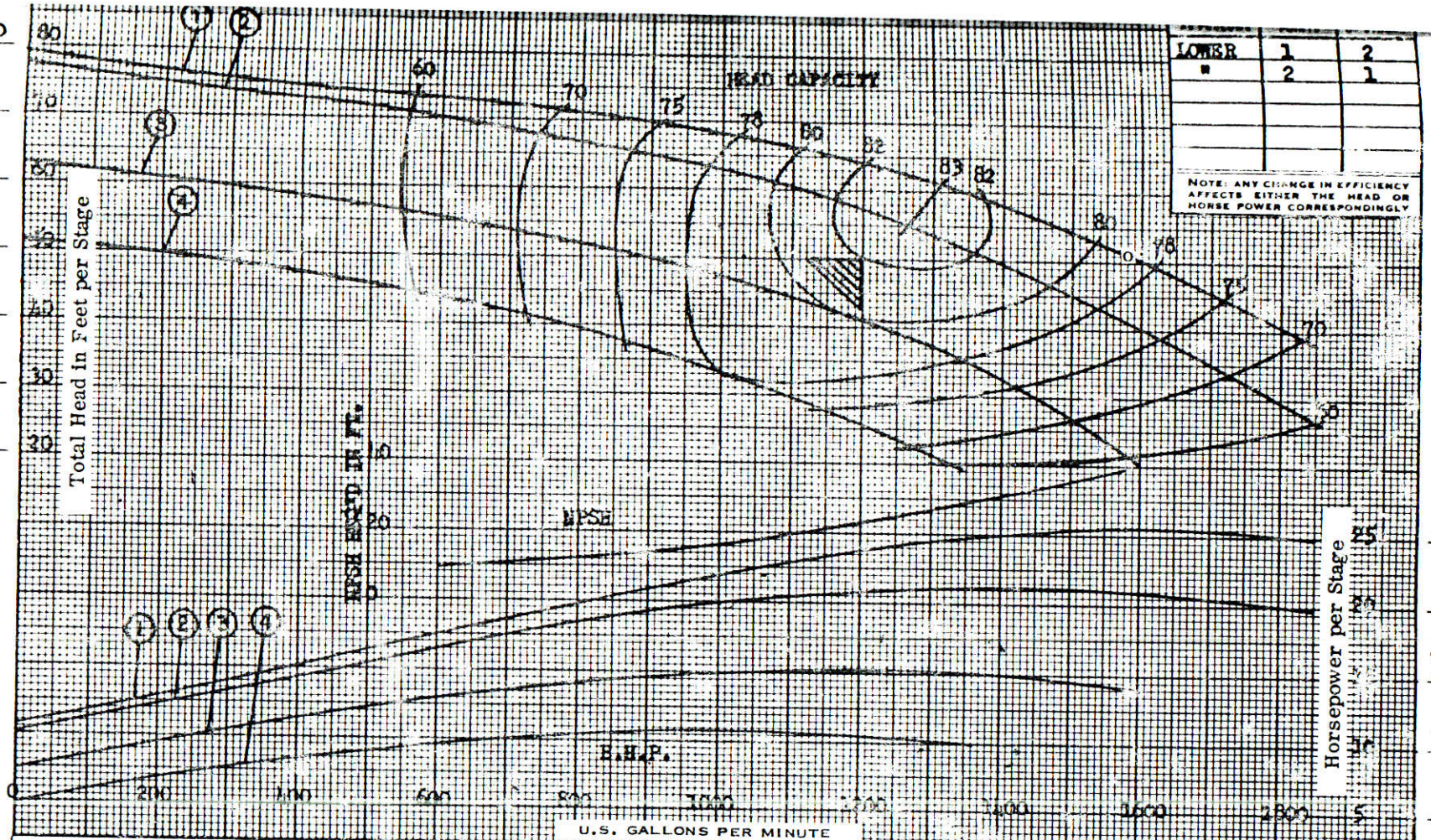
MICROFILMED
APR 2 7 1988

DRN. BY: JEA CHK'D BY: DATE 9-5-73

PUMP NO.-WELL PUMP

A296-A

ALL DWG'S



HYDRAULIC PERFORMANCE WARRANTY	CURVE NO.	IMPELLER NO.	IMPELLER DIA.	TAKEN FROM
Guaranteed at designated point only, and contingent on:	1	2624331	8 7/8"	40385
Proper flow to pump suction	2	2624331	8 11/16"	35492
Proper submergence	3	2624331	8 3/16"	
Fluid free of gas, air & abrasives	4	2624331	7 11/16"	
Proper lateral setting of impeller				

Customer CITY OF KETCHUM, IDAHO
WARM SPRINGS BOOSTER FACILITY
Item WELL PUMP
Peerless Ref. No:

Laboratory Performance		
SIZE 12 MB	RPM 1760	BOWL T84506-E
		CURVE 2842487

PUMP DESCRIPTION: Driver NEWMAN-40HP-1760RPM-VHS-NRR; Head 10X10X16½; Column 13/16 X 10

GUARANTEED BOWL ☐ FIELD ☐ PERFORMANCE: Capacity 1200 gpm; Head 100 ft; Eff 80 %; BHP 38

SUPERSEDES ALL DWG'S DATED BEFORE 9-5-78

BY JCA 9-5-78

FMC Pump Division

VERTICAL TURBINE PUMPS A-300-A Section 140 10-74

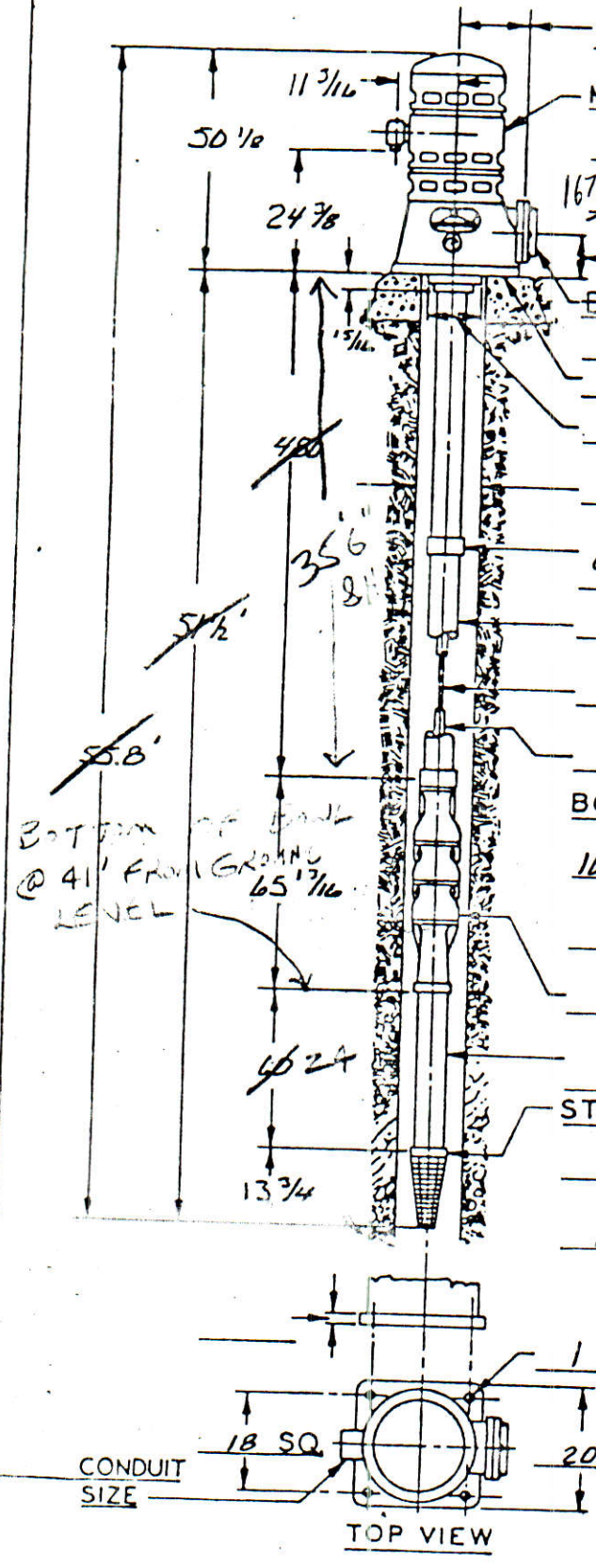
Peerless Pumps

MICROFILMED 2000

PEERLESS PUMP

WELL #2

SURFACE DISCHARGE



10 1/4 ℄ TO FACE OF FLANGE

MOTOR: GENERAL ELECTRIC MFR. K TYPE

60 H.P. 60 CY. 460 VOLTS

~~1675~~ 800 R.P.M. 3 PH. 364 FRAME

7 3/4 BASE TO ℄ OF DISCHARGE

~~DISCHARGE COMPANION FLANGE FOR:~~

8 x 8 x 16 1/2 DISCHARGE HEAD

12 O.D. TOP COL. FLANGE

I.D. OF WELL

9 7/16 O.D. OF COUPLING

8 STD COLUMN

1 7/16 SHAFT

~~TUBE~~

BOWL UNIT:

10 LB ASSEMBLY

6 STAGE

9 3/4 O.D. OF BOWLS

6" SUCTION PIPE

STRAINER:

6 SIZE 7 1/4 O.D.

CONE TYPE

PUMP RATING

G.P.M. 500

FT. FIELD HD. 254

SCREEN SET @ 40' - 50'

S.O. NO.

SOLD TO: WATER WORKS EQUIPMENT CO.

ORDER NO.

USER: CITY OF KETCHUM

ITEM NO.

PUMP IDENTIFICATION:

THIS CERTIFIED PRINT

☐ FOR APPROVAL

BY _____ DATE _____

☐ FOR CONSTRUCTION

BY _____ DATE _____

HYDRODYNAMICS DIVISION

fmc PEERLESS PUMP

Los Angeles 31, Calif. · Indianapolis 8 Ind

MICROFILMED APR 27 2000

DRN. BY: FENHOLT CHK'D BY: DATE: 7-6-81

PUMP NO.

Peerless Pump
An Indian Head Company

1200 Sycamore Street
Montebello, CA 90640

2005 Northwestern Avenue
Box 7026
Indianapolis, IN 46206

HYDRAULIC PERFORMANCE WARRANTY

Guaranteed at designated point only and is contingent on:

1. Proper and adequate flow to pump suction.
2. Proper submergence and NPSH available.
3. Fluid free of gas, air and abrasive matter.
4. Impeller with proper lateral adjustment.

PUMP TYPE: 10LB-6

IMPELLER: 2625033 — RPM: 1765

BOWL: 2625039 — STAGES: 6

COLUMN:

CUSTOMER: PEERLESS PUMP.

FRESNO

254

CERTIFIED CORRECT AND APPROVED
BY Z. Chase
DATE 10-22-81

BROKE SECTION

HEAD CAPACITY

EFFICIENCY

BHP. SP. GR. 1.0

TOTAL DYNAMIC HEAD IN FEET

& EFFICIENCY

CORRECTED TO

400
300
200
100
90
80
70
60
50
40
30
20
0

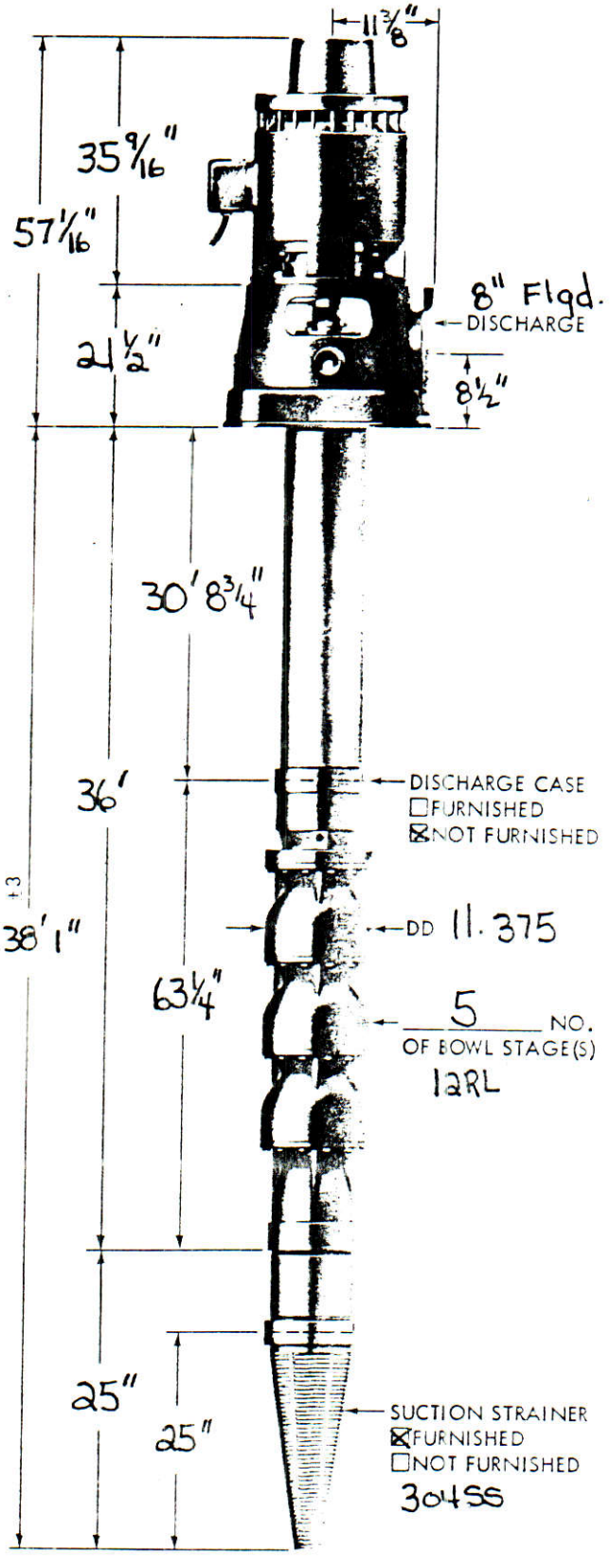
100 200 300 400 500 600 700 800

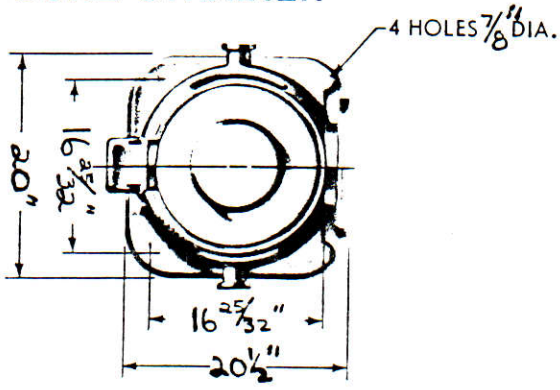
GALLONS PER MINUTE

PLOTTED BY M. Sala FROM TEST NO. 56322 DAT 10-22-81 S/O NO. 6-3008HR CURVE & PUMP NO. E-2903

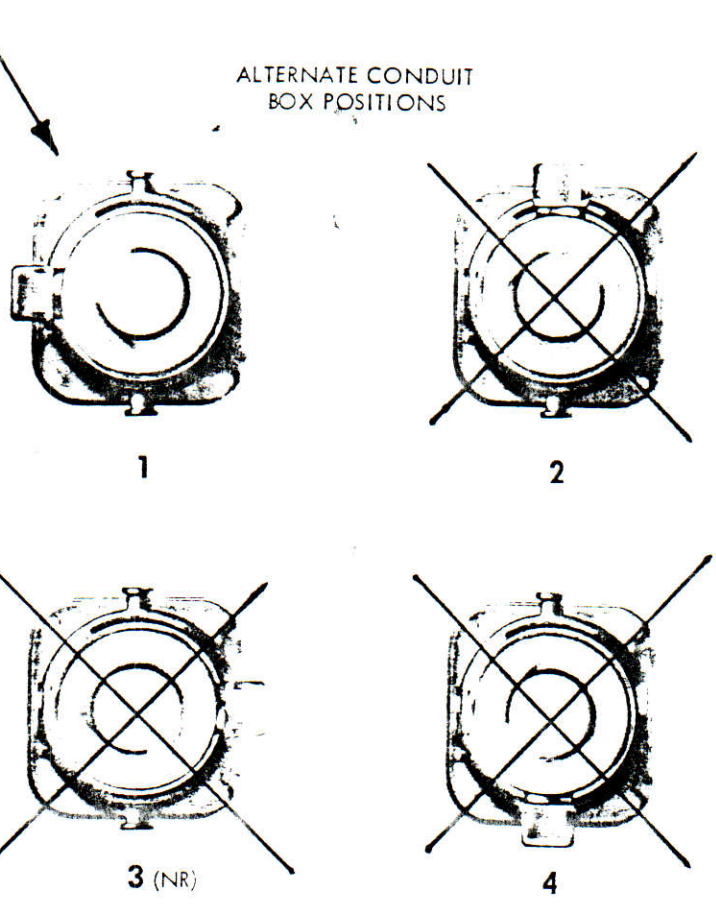
PARKWOOD WELL

1130 SERIES PUMPS
ELECTRIC MOTOR DRIVE
CAST ABOVE SURFACE "AC"
DISCHARGE HEAD — CONE STRAINER





ALTERNATE CONDUIT BOX POSITIONS



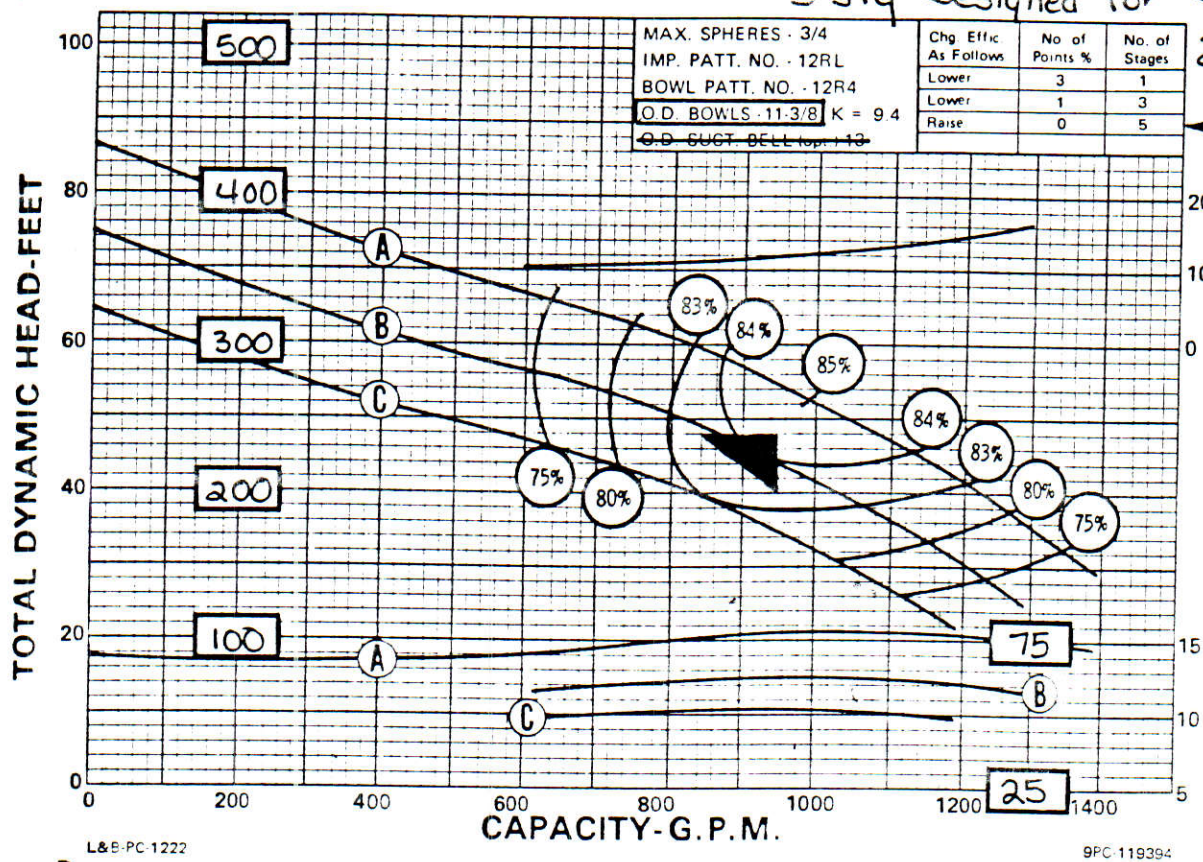
NOTES:
1. All dimensions in inches.
2. Component dimensions may vary ± 1/8.
3. Not for construction purposes unless certified.
4. Conduit box is shown in approximate location. Dimensions are not specified as they vary with each motor manufacturer.
5. Motor to be mounted by others.
6. Discharge flange is American Standard flat face 125# ANSI. Bolt holes - strad. vert. ℄.
7. NA - not applicable.
8. NR - not recommended

MICROFILMED
APR 27 2000

12RL SERIES 1110
Verti-Line PUMP

5 stg Designed for 950 GPM @ 242' TDH

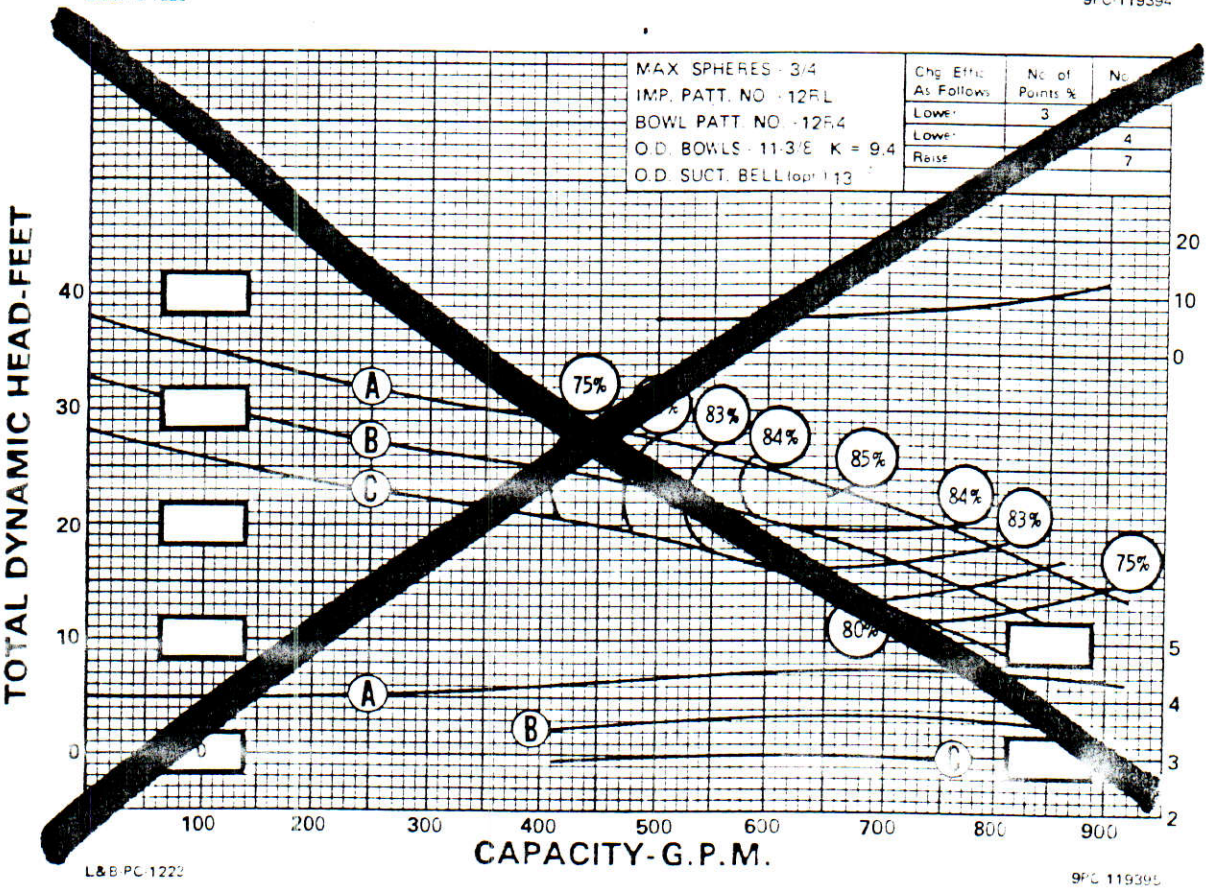
1770 R.P.M.



L&B-PC-1222

9PC-119394

1170 R.P.M.



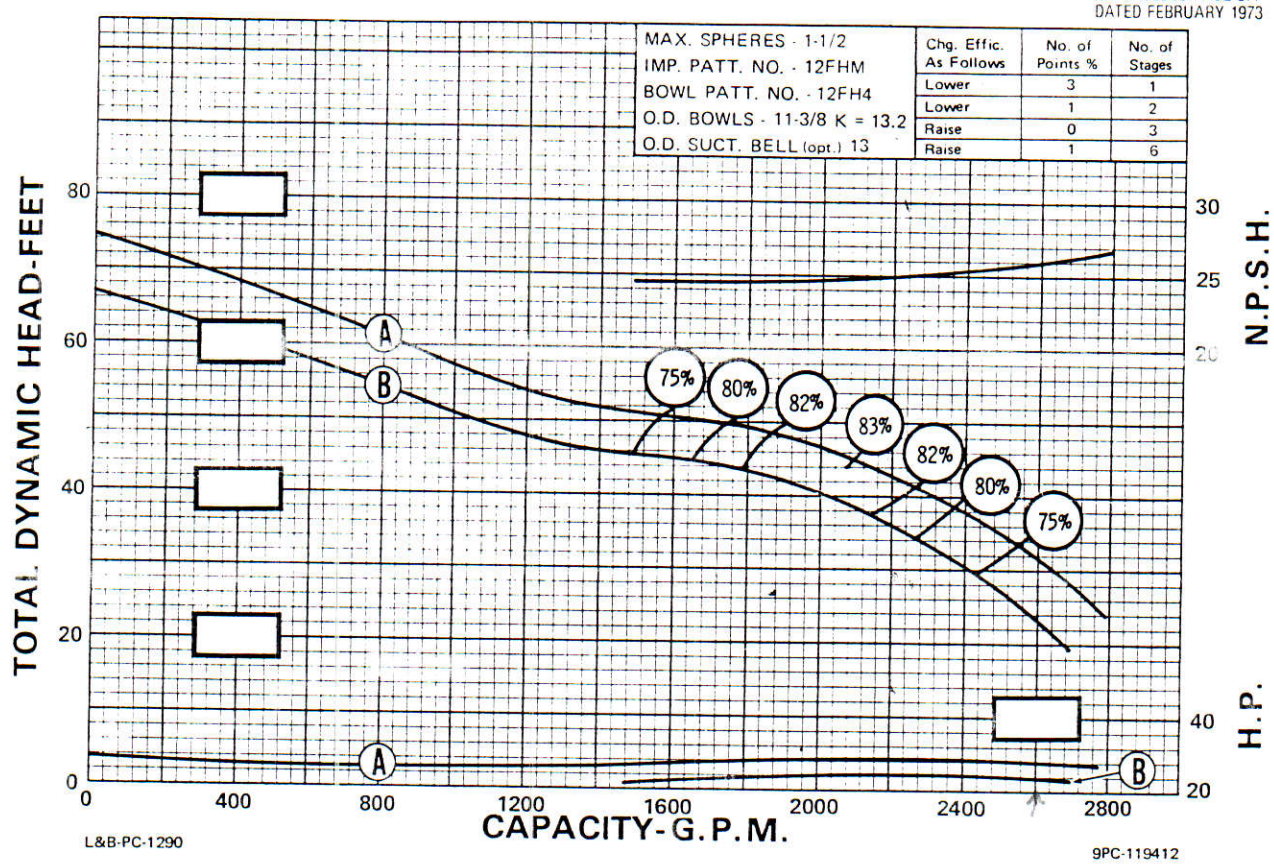
L&B-PC-1223

9PC-119395

A	9.188
B	8.625
C	8.125

AURORA PUMP

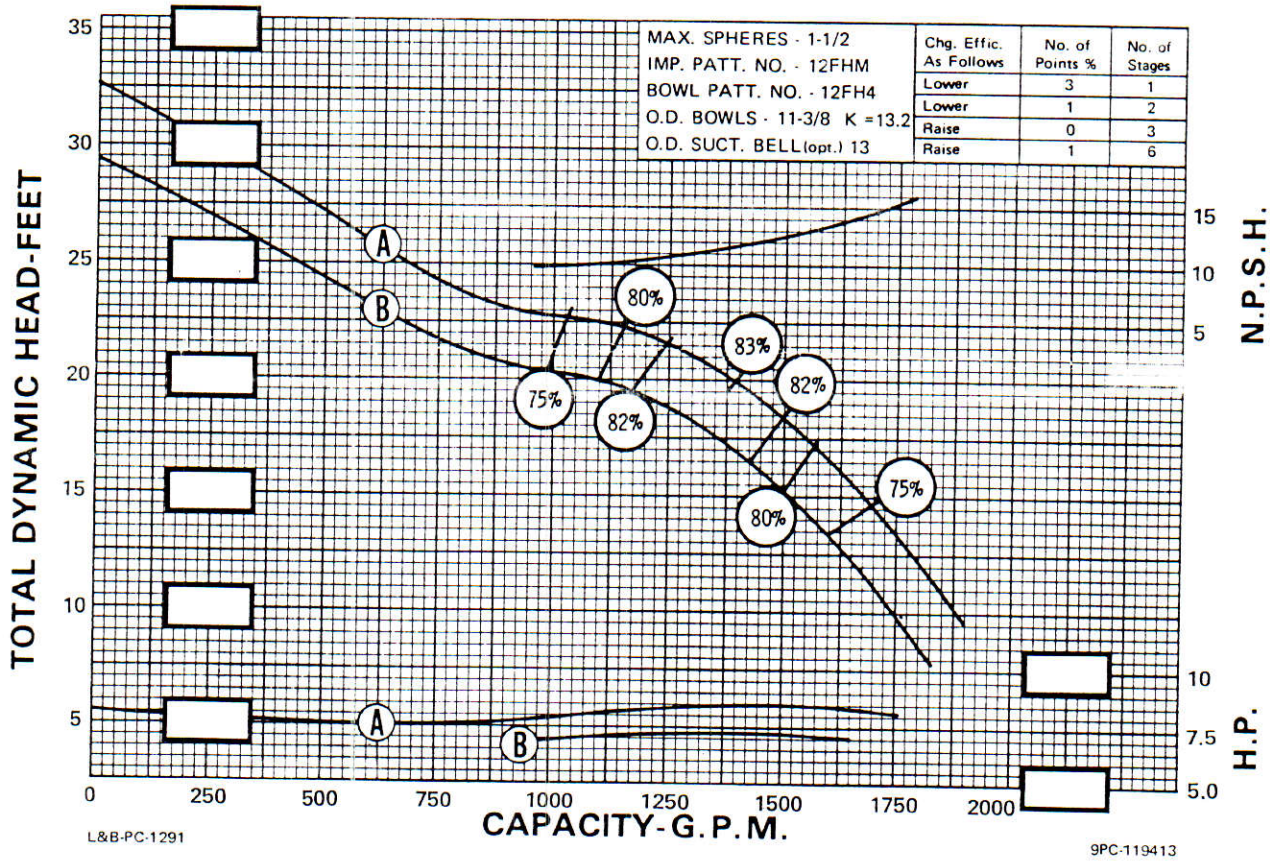
MICROFILMED
APR 27 2000



1770 R.P.M.

L&B-PC-1290

9PC-119412



1170 R.P.M.

L&B-PC-1291

9PC-119413

AURORA PUMP
A UNIT OF GENERAL SIGNAL
P.O. BOX 1300 • CITY OF INDUSTRY, CA. 91744

MICROFILMED
APR 2 7 2000

Ⓐ = 9.469
Ⓑ = 9.000
Ⓒ = REFER TO FACTORY

NUMBER OF STAGES REQUIRED FOR APPLICATION

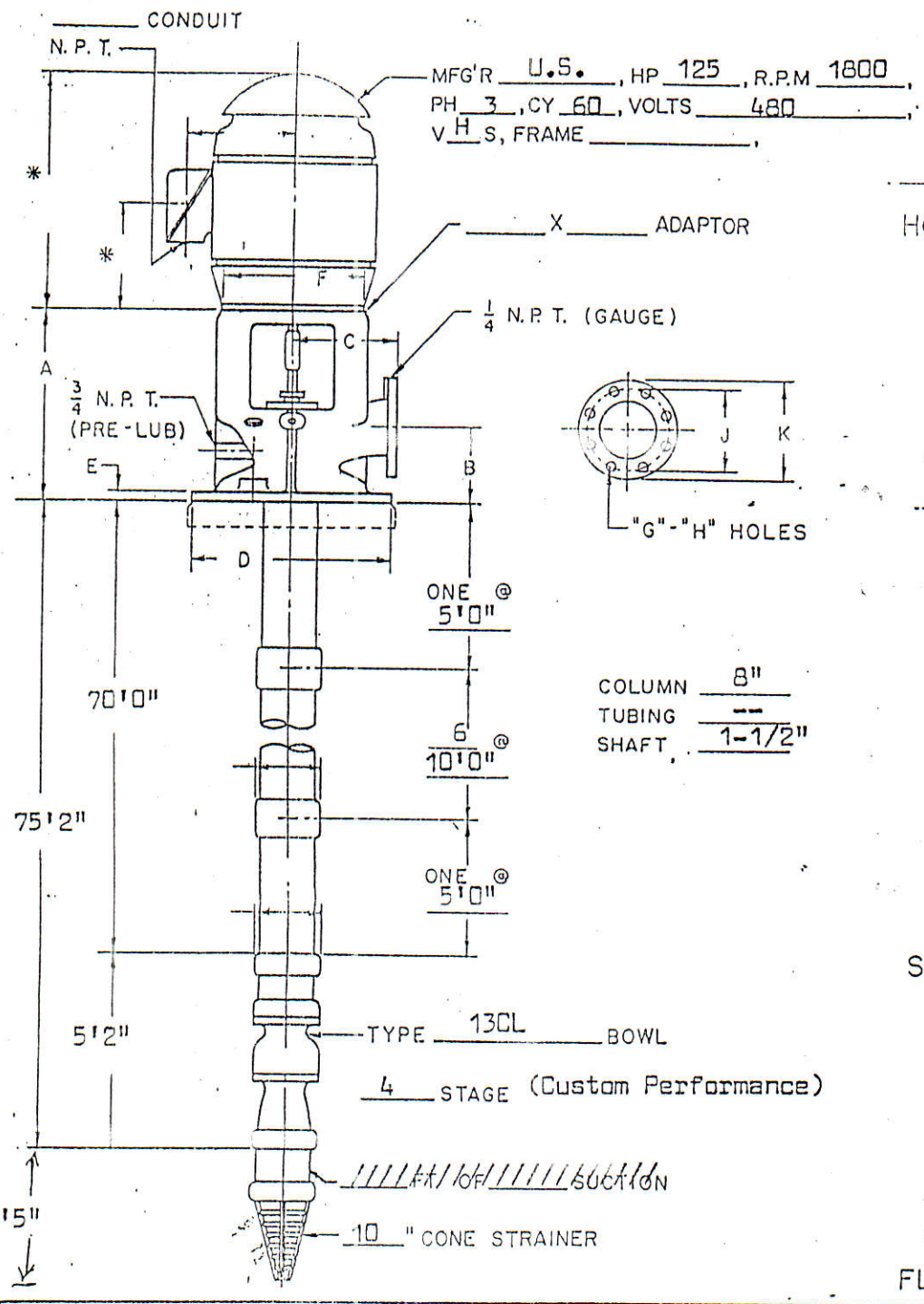
STANDARD CURVE ILLUSTRATES SINGLE STAGE PERFORMANCE ONLY

INSTALLATION PLAN

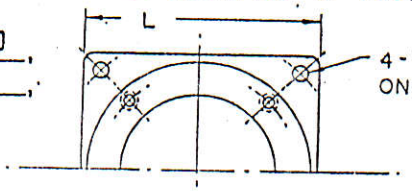
TYPE RF ~~SDKV~~ DISCHARGE HEAD

Bigwood Well

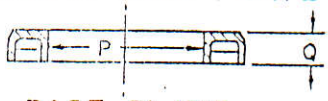
SECTION 3100
PAGE 3
DATE 6/1/77
SUPERSEDES



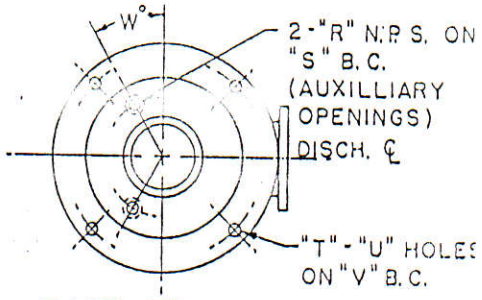
USE THESE DIMENSIONS ONLY WHEN CERTIFIED BY FACTORY



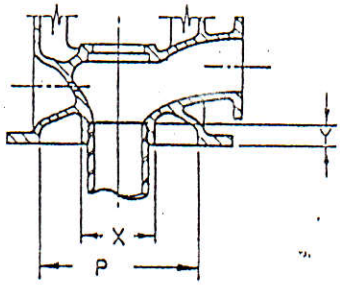
HOLES IN BASE PLATE



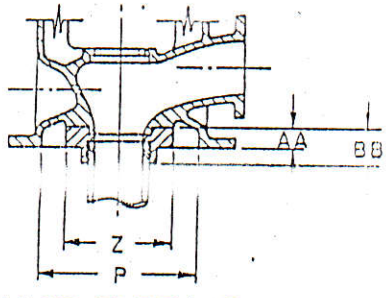
BASE PLATE



BASE OF HEAD



SCREW TYPE HEAD



FLANGE TYPE HEAD

CUSTOMER: Walker Water Systems	YOUR NO:	G.P.M: 1300
LOCATION: Ketchum, ID	OUR NO:	T.D.H: 272'
FOR APPROVAL:	PUMP NO:	R.P.M: 1770
CERTIFIED:	DATE: 9-30-86	B.H.P: 110

MICROFILMED
APR 27 2000

3/15/81
Supersedes 7/1/79

SECTION 8100
CURVE NO. 18-133X

LAYNE & BOWLER, INC.
MEMPHIS, TENN. 38108
Layne
A Marley Company

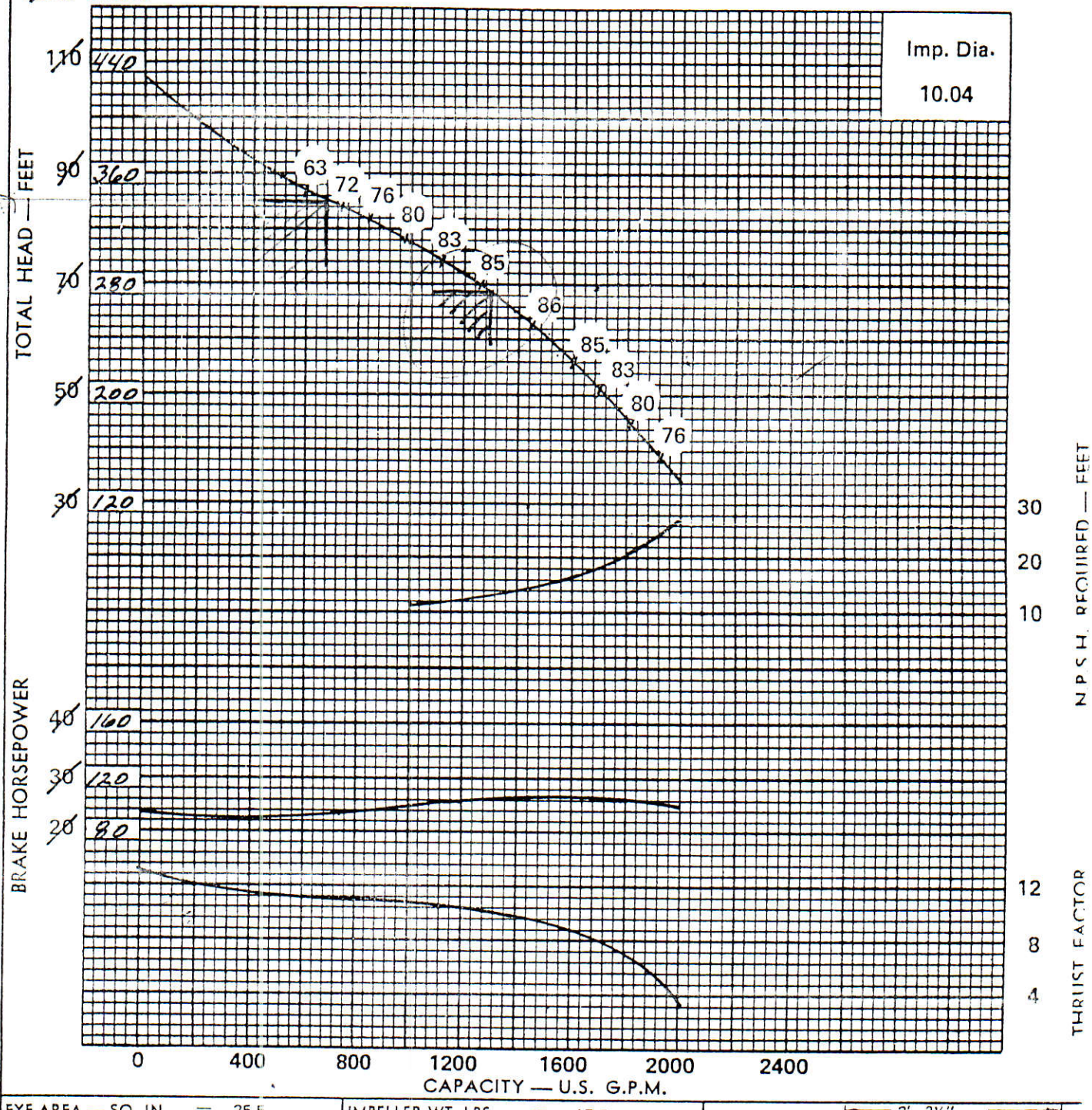
No. Stages	Eff. Change	MATERIAL	Eff. Change
1	−2	IMP.—C.I.	N/A
2	−1.	IMP.—NI-RI	N/A
3	0	BOWL—BRZ.	−2
4		BOWL—NI-R.	−1

13C L — 1770 R.P.M.

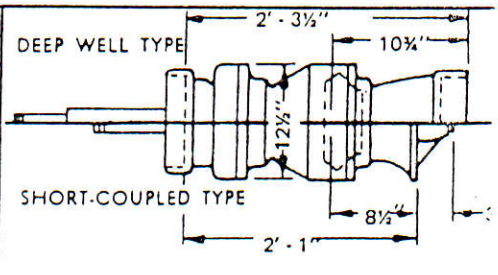
SINGLE STAGE LAB PERFORMANCE WITH STANDARD MATERIALS. EFFICIENCY SHOWN FOR 3 OR MORE STAGES. HORSE POWER SHOWN FOR ONE STAGE BASED ON 3 STAGE EFFICIENCY. CORRECTIONS SHOULD BE MADE FOR STAGES AND MATERIAL.

ONE / (4) STAGES

CUSTOM PERFORMANCE



EYE AREA — SQ. IN.	=	25.5		IMPELLER WT.-LBS.	= 17.5
WR^2 PER IMPELLER	=	1.45	LB.-FT.^{2}	ONE STAGE WT.-LBS.	= 278
MAX. SPHERE SIZE	=	1.00	in.	ADD'L STAGE WT.-LBS.	= 116
MAX. NO. STD. STAGES	=	8		IMPELLER NUMBER	= 65C13
MAX. OPERATING P.S.I.	=	400		DISCH. SIZES	= 8,10
STD. LATERAL	=	.64	in.	SUCTION SIZES	= 10
STD. SHAFT DIA.	=	1.687	in.	MAX. LATERAL	= 1.00 in.
MAX. SHAFT DIA.	=	1.937	in.	BOWL CONN.	FLANGED — COLLET
MIN. SUBMERGENCE	=	36	in.	ADD 11.38 " PER ADDITIONAL STAGE.	



APR 27 2005

AFFIDAVIT of PUBLICATION

RECEIVED

JUL 28 1998

Department of Water Resources
Southern Region

State of Idaho, } SS.
County of Blaine }

On this _____ day of _____, in the year 19___, before me a Notary Public of said State, personally appeared DANIEL J. GORHAM, known or identified to me to be the person whose name is subscribed to be 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. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 15 day of July, 1998, and the date of the last publication was on the 22 day of July, 1998.

Daniel J. Gorham

Subscribed and sworn to before me this 28 day of July, 1998.
(SEAL)

NOTARY PUBLIC

#11043

WOOD RIVER JOURNAL
Hailey, Idaho

OK MB 8/3/98

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 47.667
Number of Insertions 2

_____ Lines tabular at _____ 7 6¢ / Pica
47.667 Lines straight at 32.890 6 5¢ / Pica
47.667 Subsequent lines at 27.4085 4¢ / Pica
TOTAL COST +5 $65.30

No. 37-08575 B

COPY OF NOTICE
(Paste Here)

Amendment to water permit
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Resources
BILL TO

Amendment to water permit

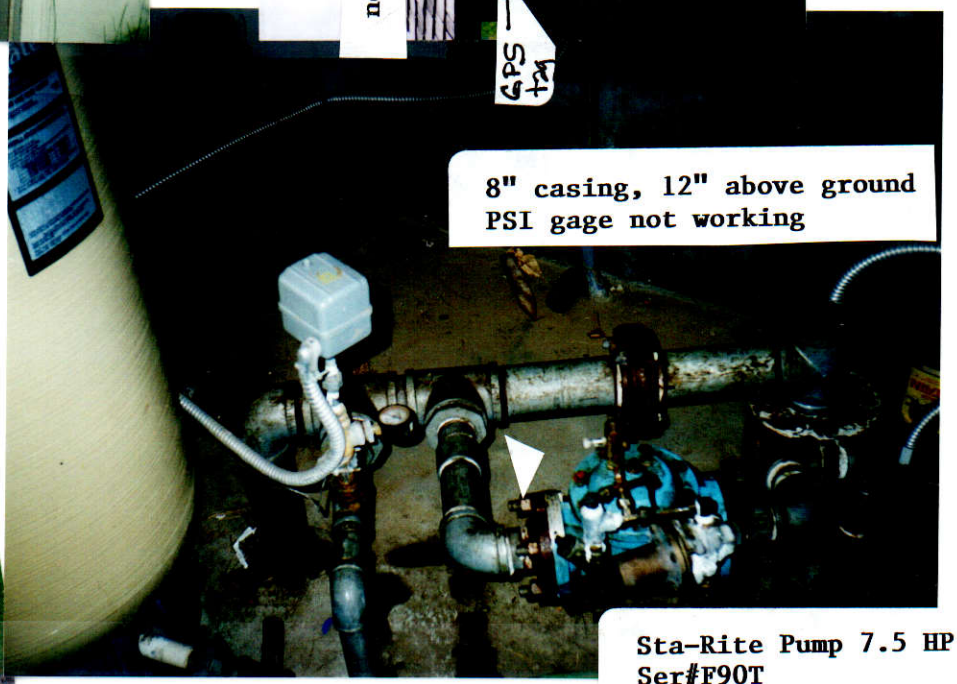
NOTICE OF AMENDMENT TO A WATER PERMIT
Notice is hereby given that the CITY OF KETCHUM, PO BOX 2315; KETCHUM ID 83340 has applied to the Department of Water Resources to make changes to a water right.
PRESENTLY, Permit No. 37-08575B with a priority date of 10/26/1989 is authorized to divert 0.80 cfs for domestic use and 0.20 cfs for commercial use within an extensive place of use in and around the City of Ketchum from a well within NE1/4NE1/4, S24, T04N, R17E. The Amendment proposes to divert 0.80 cfs from the existing Northwood Well within SW1/4SE1/4, S12, T04N, R17E for Municipal use within the service area of the City of Ketchum; Blaine County. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of $25.00 on or before August 3, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director
Jan.,
to Code,
Publish: Wood R... 1984) — July 15 & 22, 1998.
...raight: .5/ pica
...6 pt. line tabular: .6/ pica
7-8 pt./ line successive insertion: .4/ pica

MICROFILMED 1043
OCT 26 1998

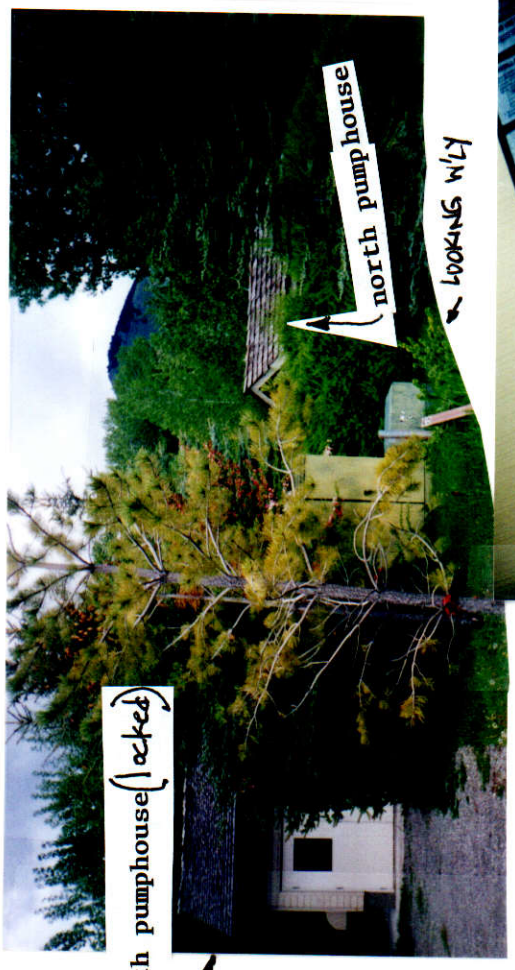


photo looking into north pumphouse





Sta-Rite Pump 7.5 HP
Ser#F90T
Mod#CP6K02HG-04



MICROFILMED
OCT 2 8 1998

City of Ketchum
03 June 1998 1030 hrs
Examiner: G. Satterlee

37-08575B

EXHIBIT FOR SUN VALLEY PROOF OF BENEFICIAL USE



WELL



PUMP STATION #1



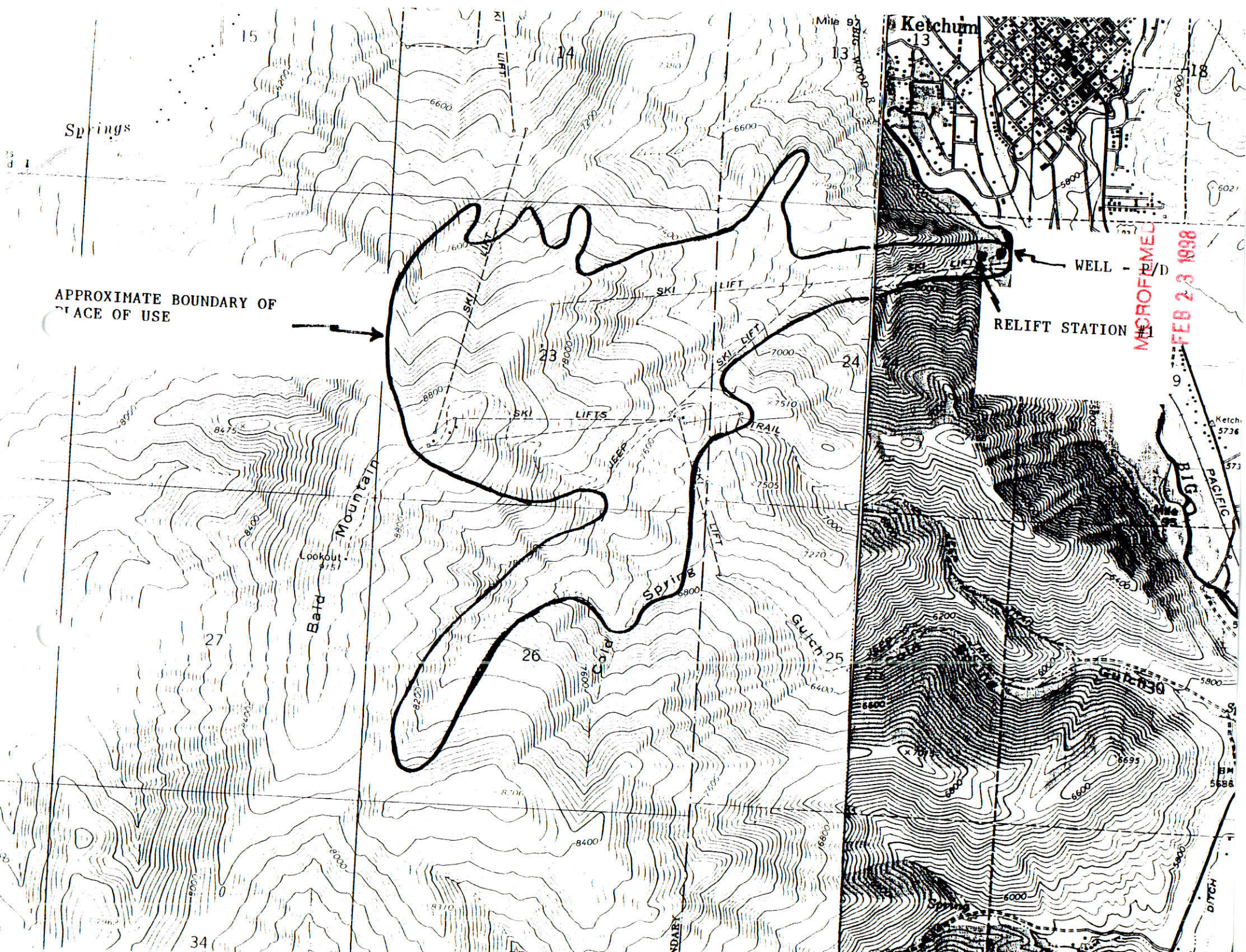
SNOW GUN



PUMP STATION #2

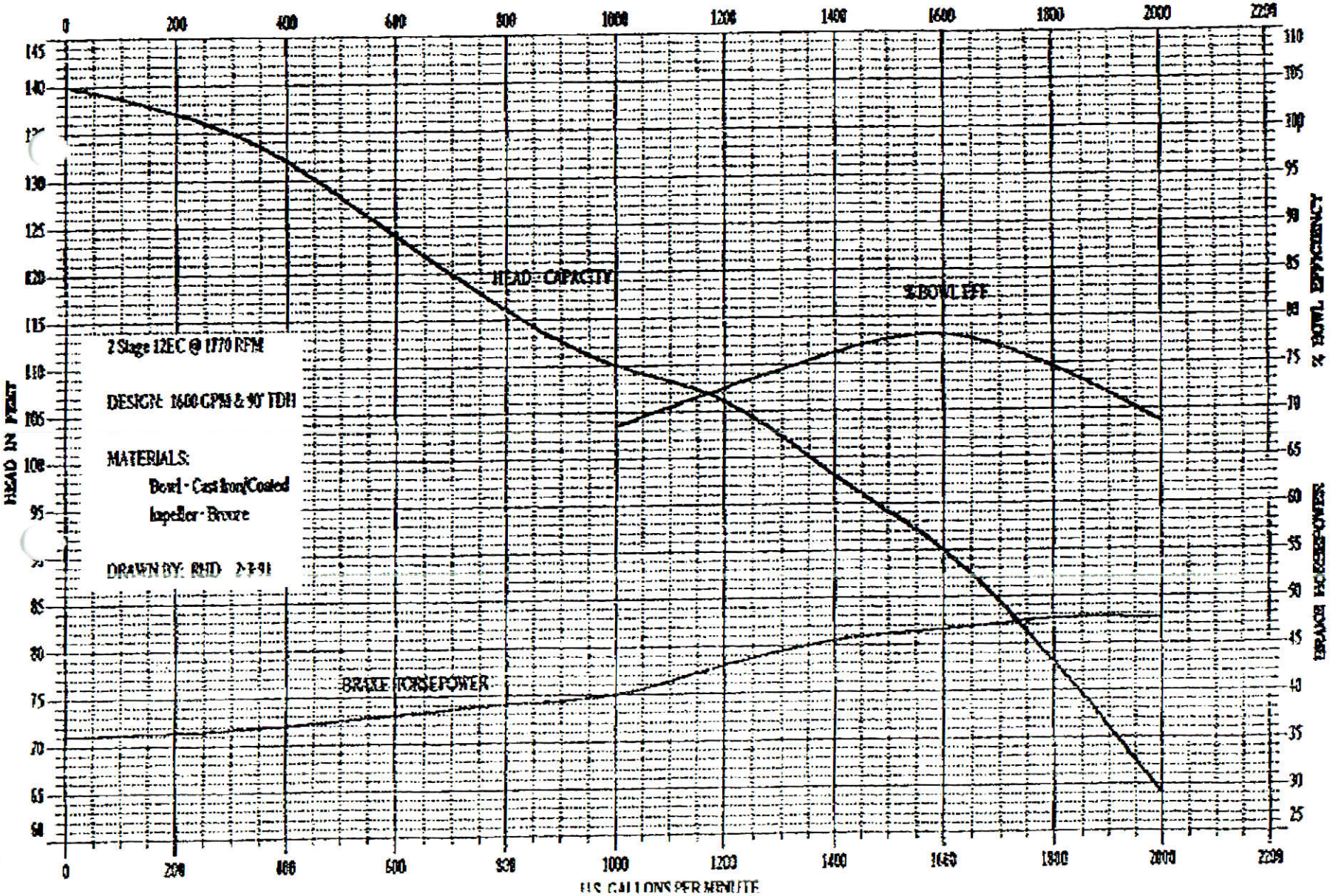
MICROFILMED
FEB 2 3 1996

PHOTOGRAPHS OF FACILITIES FOR WATER RIGHT PERMIT #37-08575



MICROFILMED
FEB 23 1998

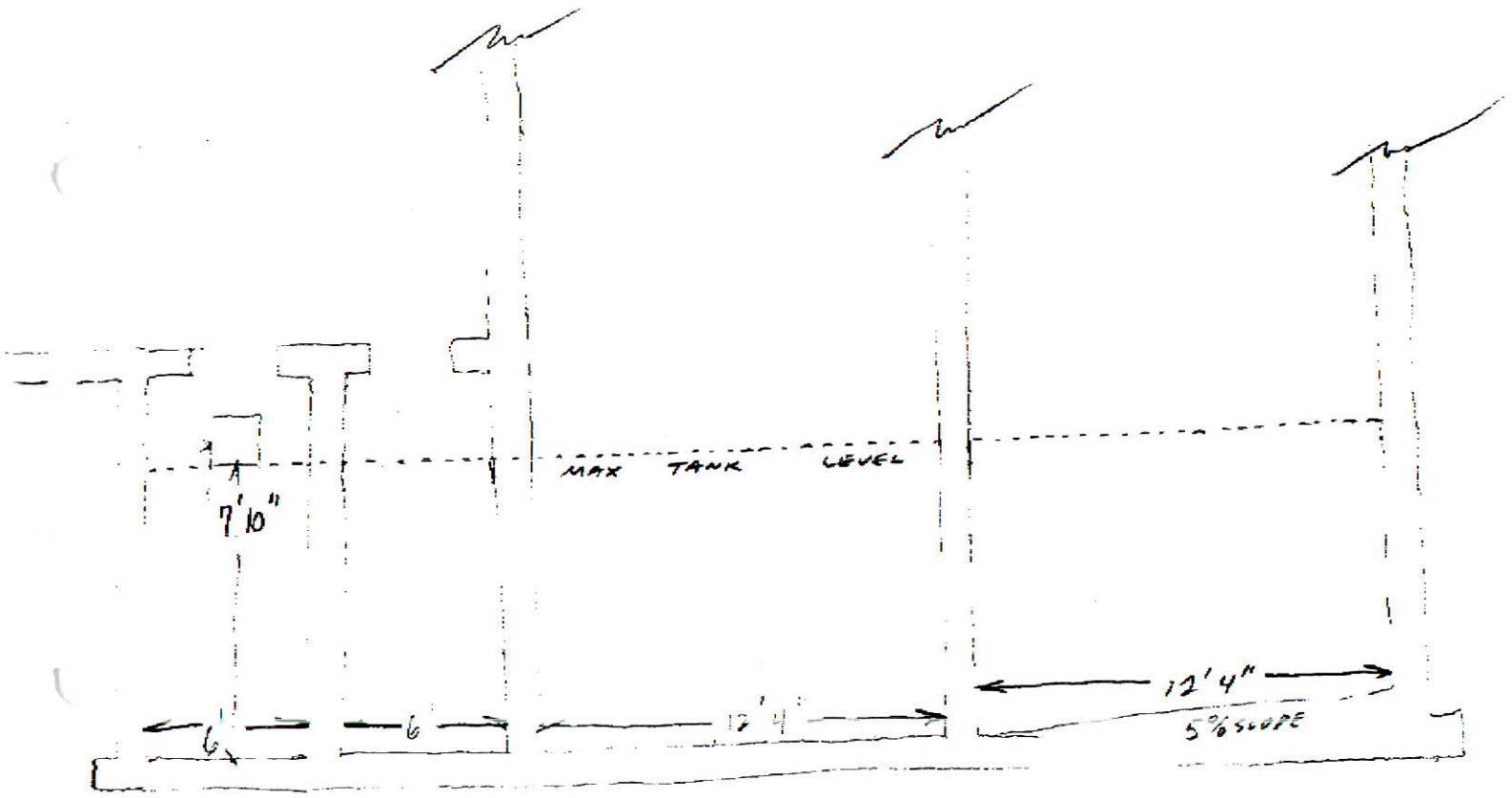
JOHNSTON PUMP COMPANY
Brookshire, Texas
PREDICTED PERFORMANCE CURVE Job # TC-1921
Customer: Sun Vally well house



MICROFILMED
FEB 2 3 1998

DRAWING IS NOT TO SCALE.

ELEVATION
RIVER RUN COOLING TOWER

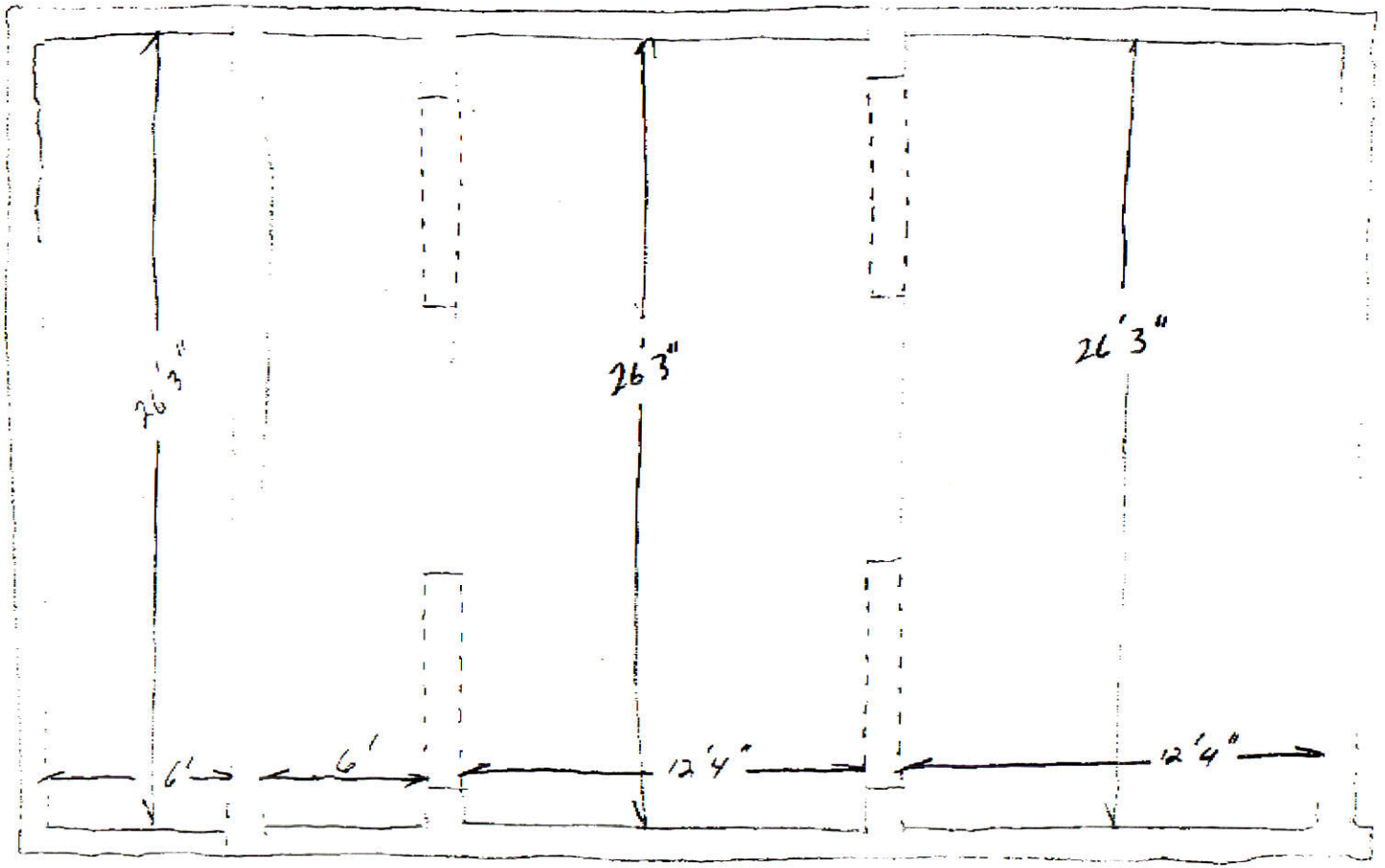


MICROFILMED
FEB 23 1938

DRAWING IS
NOT TO SCALE.

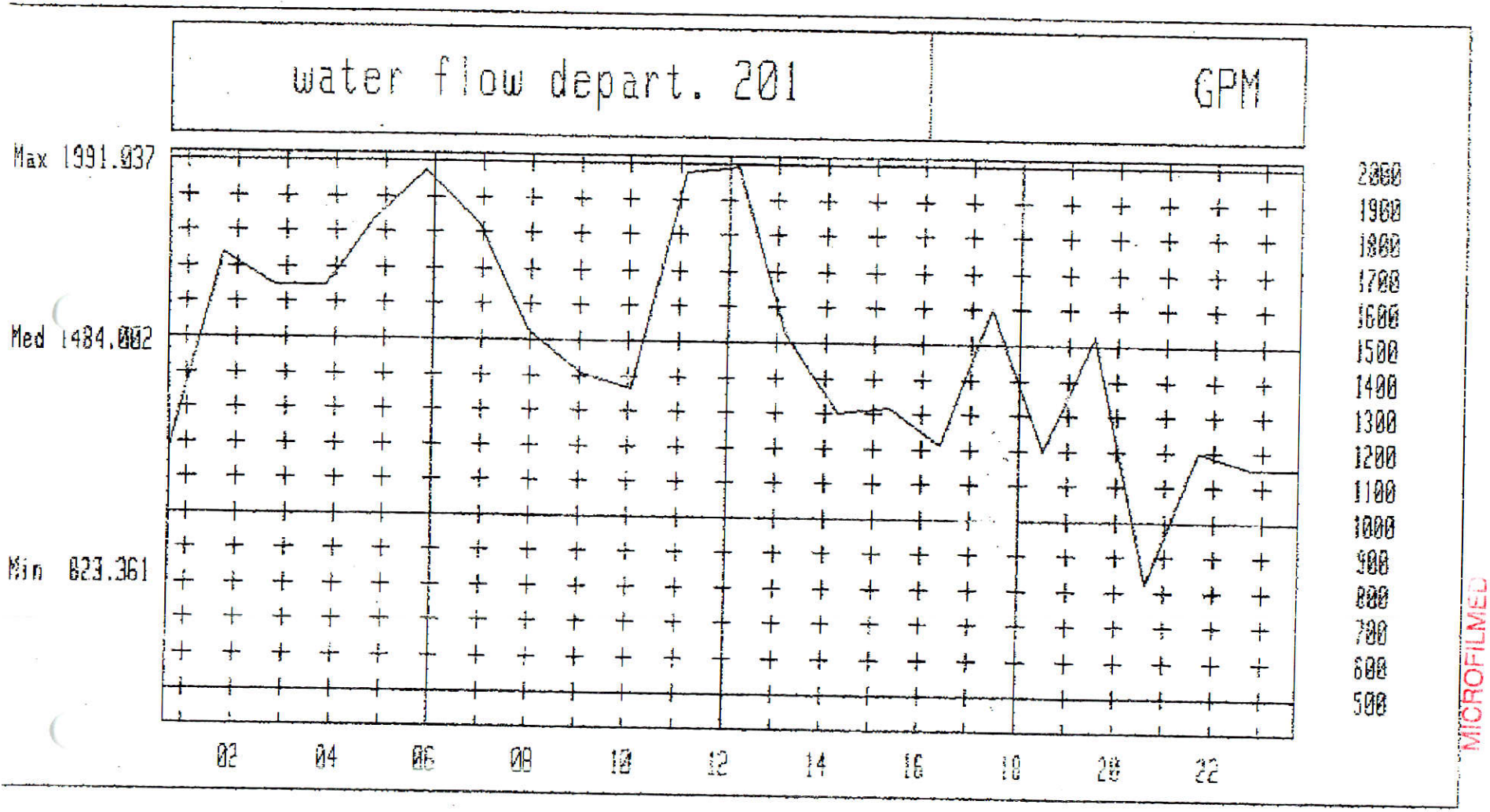
DOTTED LINE INDICATES 10' LONG X 3' HIGH
COMMUNICATION BETWEEN THE TANKS.

RIVER RUN COOLING TOWER -



MICROFILMED
FEB 23 1988

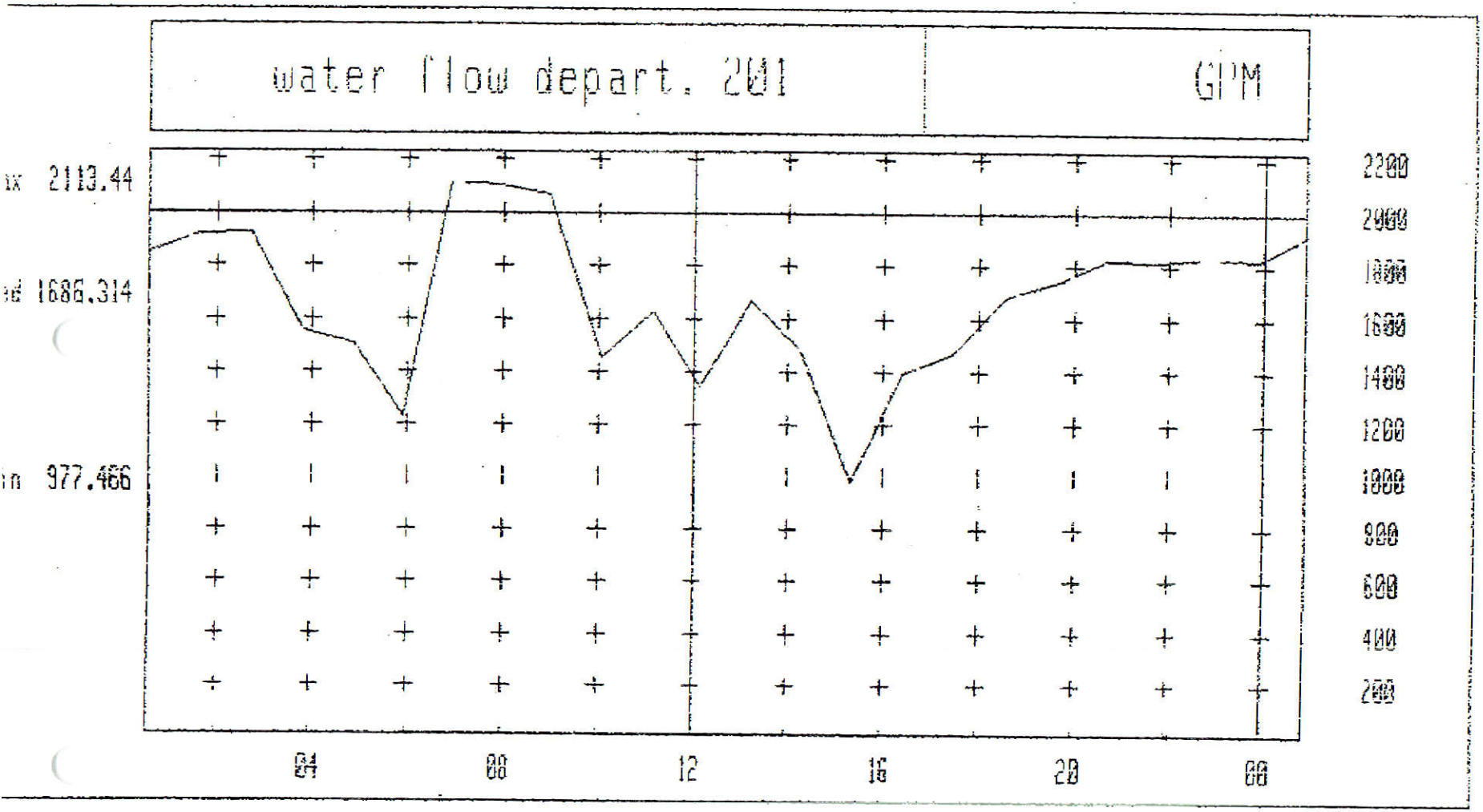
********** Installation analysis ********** SUN VALLEY 21/01/98 - 13:24:00



MICROFILMED
FEB 2 3 1998

1:00 a.m. November 23, 1996 to 11:30 p.m. November 23, 1996

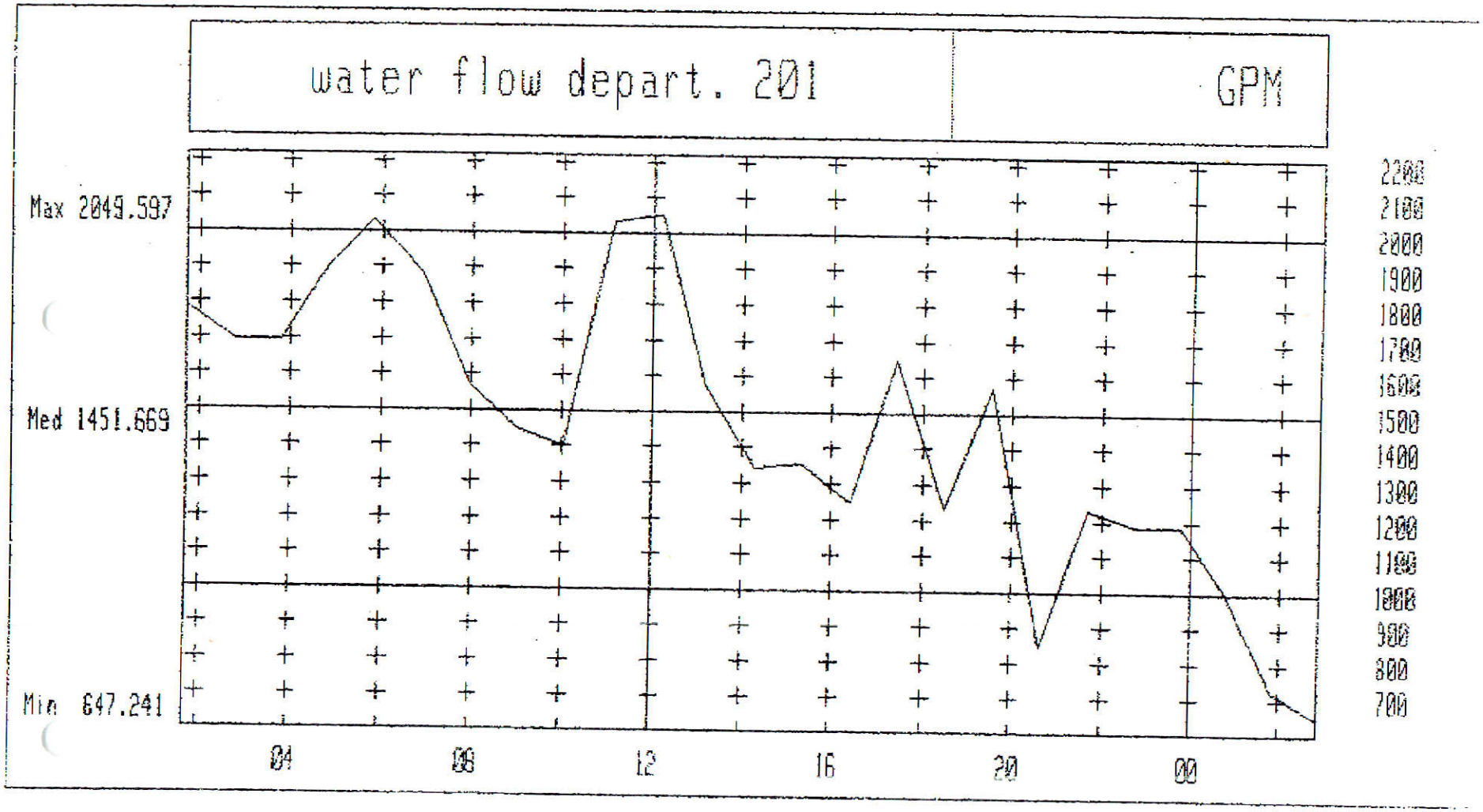
********** Installation analysis ********** SUN VALLEY 21/01/98 - 13:10:35



1:00 a.m. December 2, 1996 to 1:00 a.m. December 3, 1996

MICROFILMED
FEB 2 3 1998

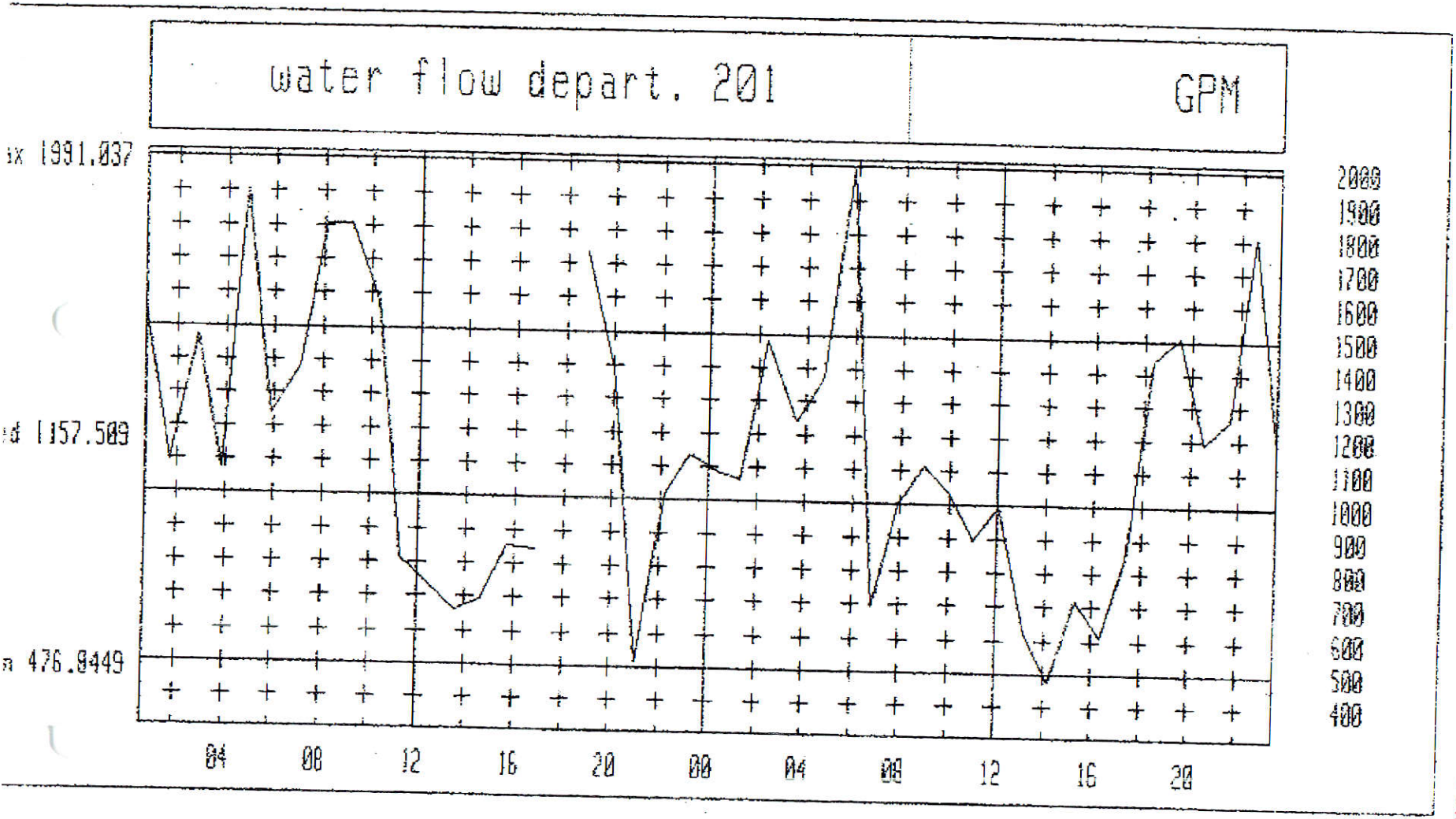
********** Installation analysis ********** SUN VALLEY 21/01/98 - 13:18:31



2:00 a.m. December 17,1996 to 1:30 a.m. December 18, 1996

MICROFILMED
FEB 2 3 1998

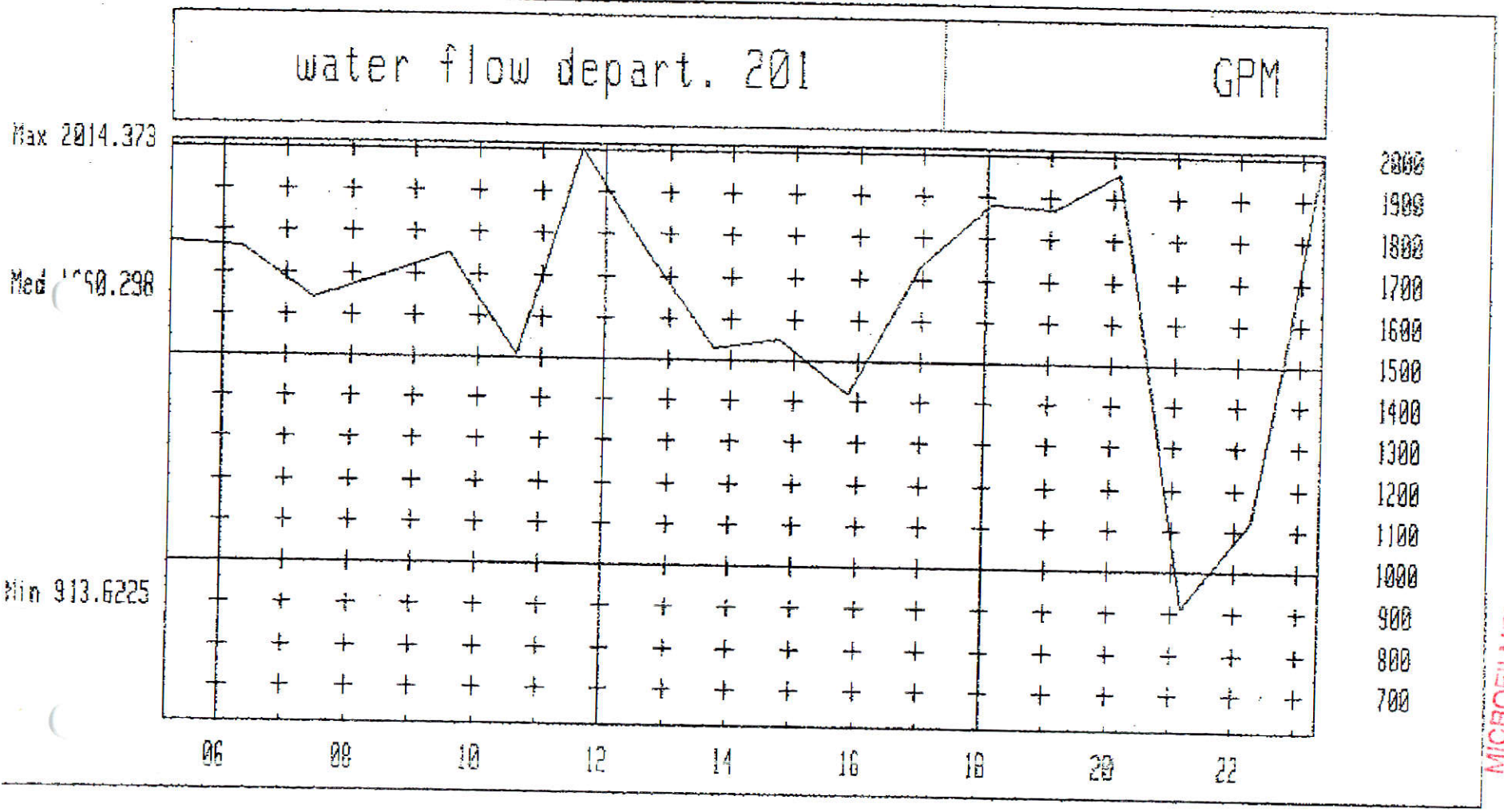
********** Installation analysis ********** SUN VALLEY 21/01/98 - 15:08:04



1:00 a.m. December 20,1995 to 10:00 p.m. December 21, 1995

MICROFILMED
FEB 2 3 1998

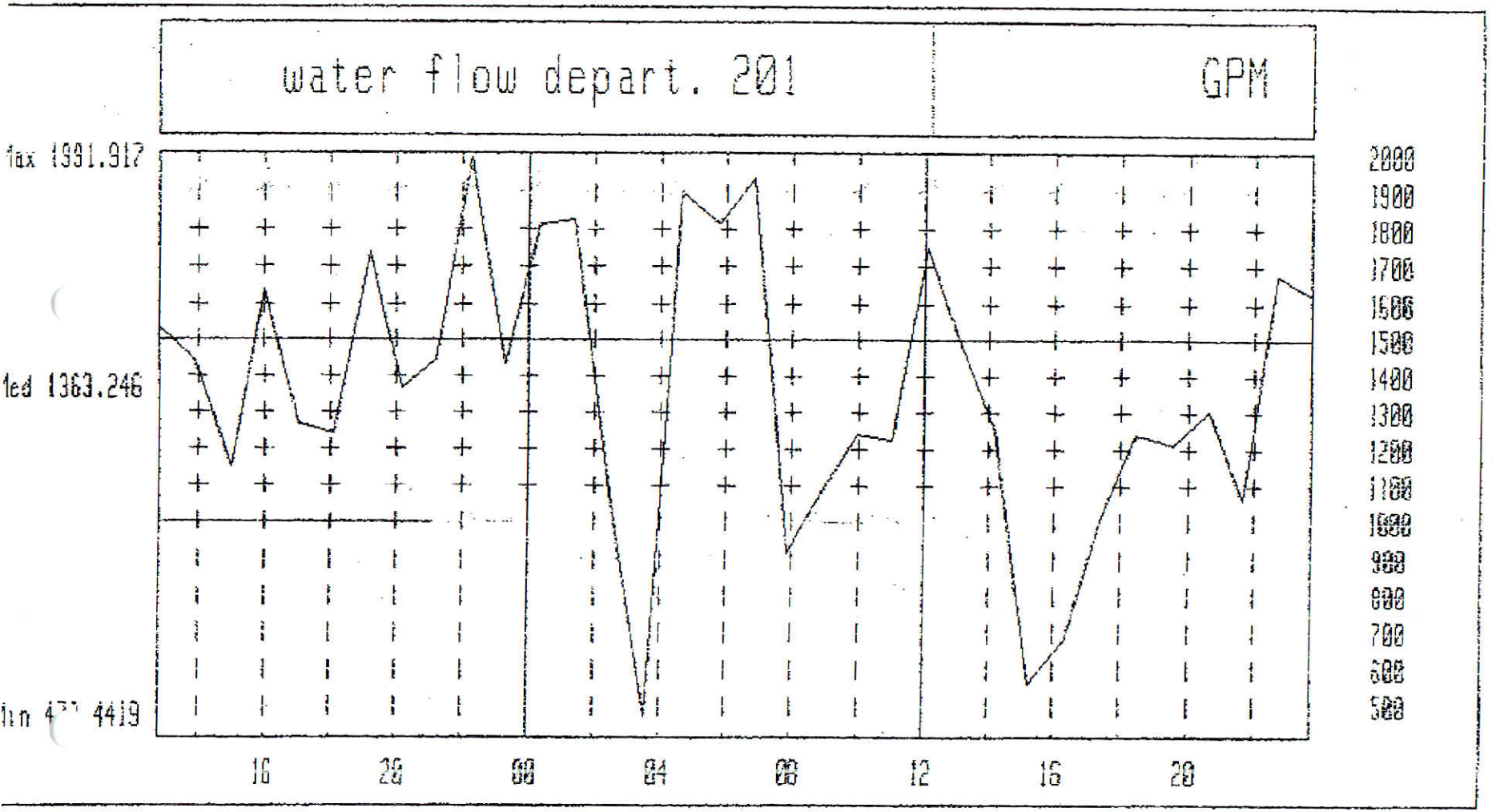
********** Installation analysis ********** SUN VALLEY 21/01/98 - 15:17:22



MICROFILMED
FEB 2 3 1998

5:00 a.m. December 24, 1995 to 11:30 p.m. December 24,1995

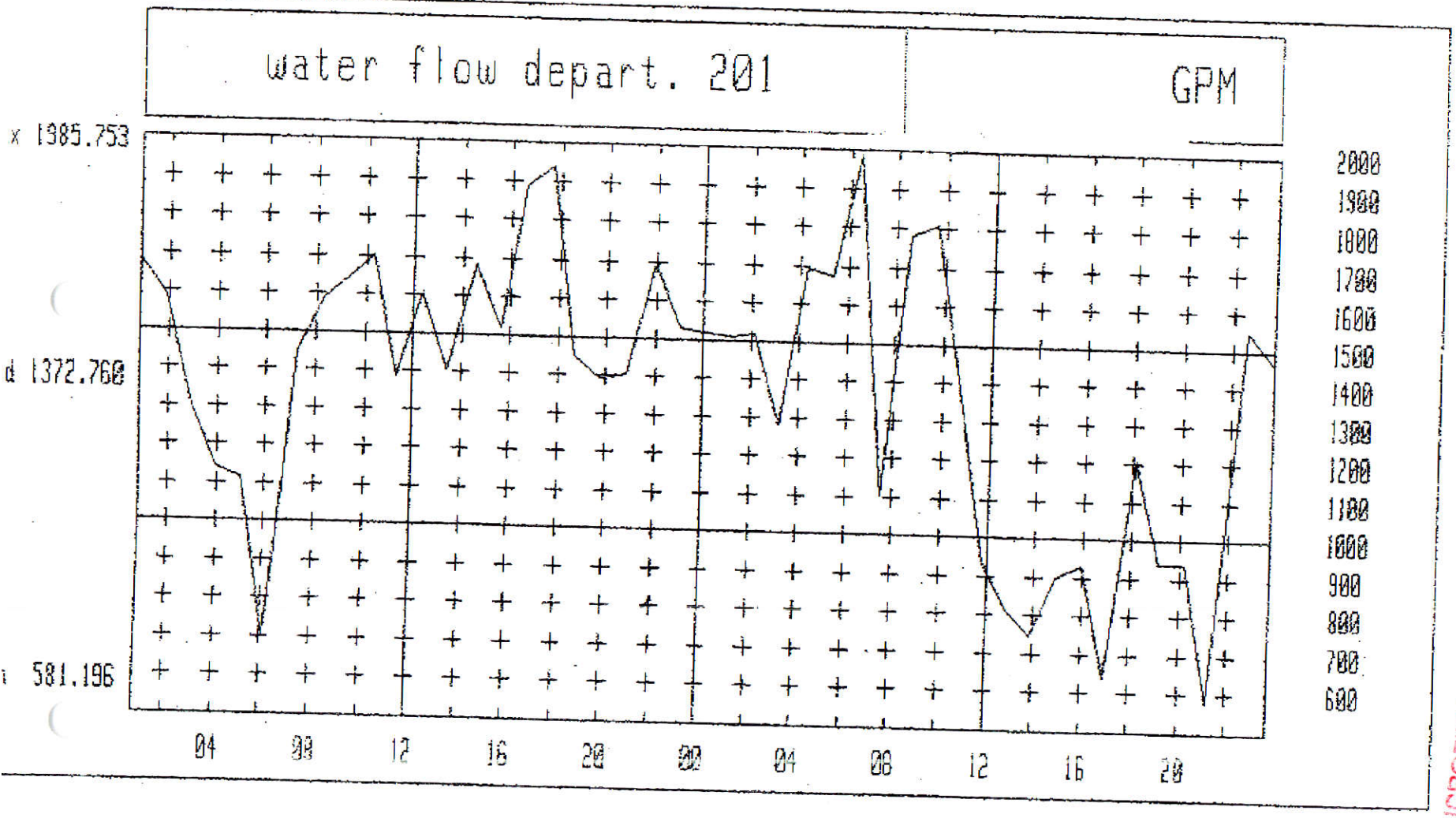
********** Installation analysis ********** SUN VALLEY 21/01/98 - 14:08:31



1:00 p.m. January 2, 1996 to 10:00 p.m. January 3, 1996

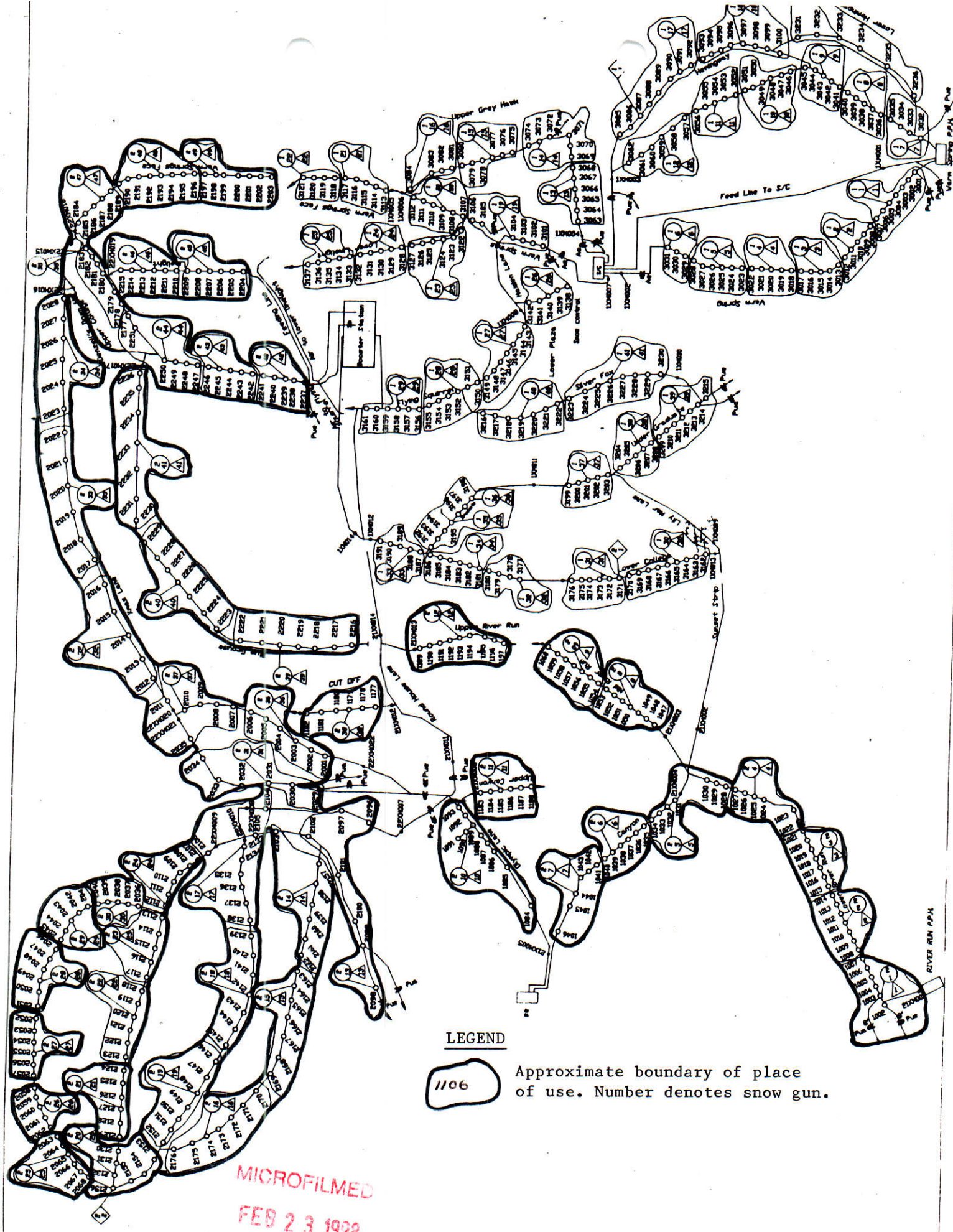
MICROFILMED
FEB 2 3 1998

********** Installation analysis ********** SUN VALLEY 21/01/98 - 14:02:18



2:00a.m February 5, 1996 to 10:00 p.m. February 6, 1996

MICROFILMED
FEB 2 3 1998



LEGEND

1106 — Approximate boundary of place of use. Number denotes snow gun.

MICROFILMED
FEB 2 3 1998

AFFIDAVIT of PUBLICATION

RECEIVED

APR 09 1993

Department of Water Resources
Southern Region Office

State of Idaho, } SS.
County of Blaine }

On this 7th day of April in the year 1993, before me a Notary Public of said State, personally appeared DANIEL J. GORHAM, known or identified to me to be the person whose name is subscribed to be 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. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 31 day of March, 1993 and the date of the last publication was on the 7 day of April, 1993.

Daniel J. Gorham

Subscribed and sworn to before me this 7th day of Apr., 1993.
(SEAL)

Roberta Kay Fischer
NOTARY PUBLIC

#8644

OK NB 4-14-93

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 63
Number of Insertions _____

_____ Lines tabular at _____ 6¢ / Pica
63 Lines straight at 31.50 5¢ / Pica
63 Subsequent lines at 28.35 4¢ / Pica
TOTAL COST 64.85 5.00

RECEIVED
JAN 11 1994

COPY OF NOTICE
(Paste Here)

Amendment to a water permit
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
State of Idaho - Dept of Water Resources T.F
BILL TO

Amendment to a water permit

NOTICE OF AMENDMENT TO A WATER PERMIT
NO. 37-08575

Notice is hereby given that SINCLAIR OIL CORPORATION dba SUN VALLEY COMPANY, c/o David B. Lincoln, Esquire is the holder of Approved Permit No. 37-08575 with a priority date of 10/05/1989 authorizing the diversion of 4.46 cubic feet per second of water from groundwater in the NE1/4NE1/4, S24, T04N, R17E; County of Blaine, to be used for Commercial & Domestic use within Sections 13, 14, 23, 24, 25, & 26, T04N, R17E; Sections 18 & 19, T04N, R18E.

This Application for Amendment proposes to add the use of fire protection.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Amount: 4.46 cfs

Period of Use: 01/01 to 12/31

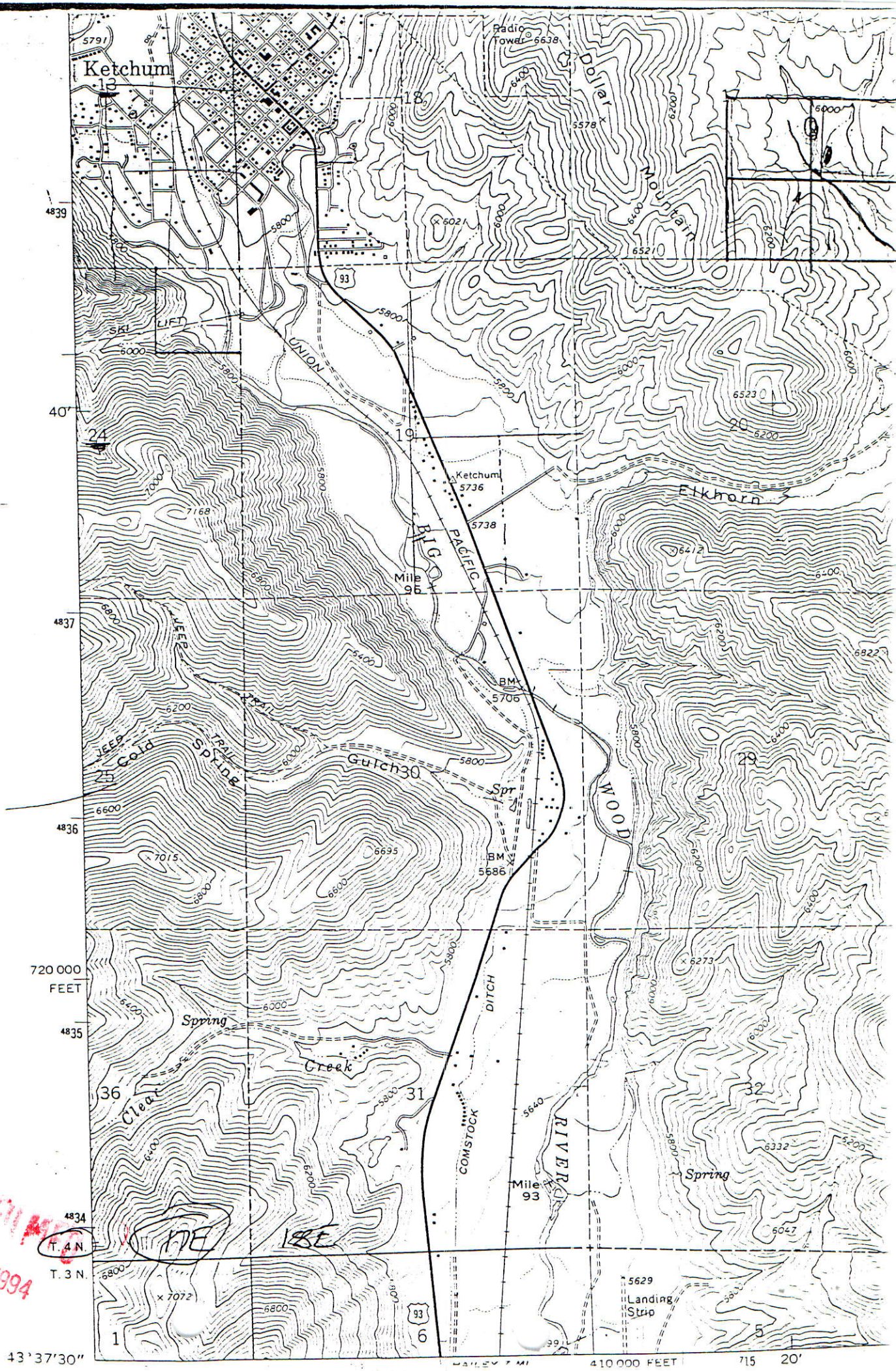
Point of Diversion: No change.

Place of Use: No change.

Any protest against approval of the amending of Permit No. 37-08575 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before April 19, 1993.

R. Keith Higginson, Director

Publish: Wood River Journal– March 31 and April 7, 1993.



RECEIVED
JAN 11 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-08575B IN THE NAME OF CITY OF KETCHUM	)	**REINSTATEMENT ORDER**

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before December 31, 1999, and,

WHEREAS, the Department notified the permit holder on September 30, 1999 by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

WHEREAS, the Department sent the permit holder a lapse notice on December 16, 1999, since the department had not received an acceptable proof of beneficial use statement or extension of time; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on February 11, 2000;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-08575B is **REINSTATED** with an advance in priority to **December 7, 1989.**

DATED this 26th day of April, 2000.

L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
APR 27 2000

RECEIVED
FEB 11 2000
WATER RESOURCES
WESTERN REGION

FOR OFFICE USE ONLY
Amt. of Fee $: N/A
Receipt No: N/A
Received By:
Date Received: 2-11-2000

Exam. No. 317
7/04

Should questions arise during the processing of this application please contact:
SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 17 2000
Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 37-08575B Telephone No. 208-726-3841

2. Name(s) of Permit Holder(s): City of Ketchum

3. Mailing Address: 480 E. Avenue North, P. O. Box 2315, Ketchum, ID 83340

4. Source of Water: Groundwate See Attachment A If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____

a. Well Driller: ____ Drilling Permit Number: ____ - ____ - ____ - ____

b. *OPTIONAL:*
Pump Horsepower: ____ Pressure (psi): ____ Dynamic pumping level (ft): ____

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

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

Irrigation (No. of acres): ____ Other: Municipal

6. Total rate of diversion and/or volume for which proof is submitted: 0.80 cfs OR 125.9 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 XX
	Has the measuring device been installed?	Yes ____ or	No XX
Flow Measurement Port:	Is a flow measurement port required?	Yes ____ or	No XX
	Has the measurement port been installed?	Yes ____ or	No XX

8. Fee Enclosed: $ -0- (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: N/A Telephone Number: ____

Address: ____

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

Signature of permit holder: James D. Jaquet Date: 2/11/00
(include your title, if on behalf of company or organization)

MICROFILMED
APR 27 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDMENT OF PERMIT

PERMIT NO. 37-08575B

This is to certify, that CITY OF KETCHUM
480 E AVE N
PO BOX 2315
KETCHUM ID 83340
has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-211, Idaho Code. The approved amendment of permit is described as follows:

SOURCE

GROUNDWATER

Priority: October 26, 1989

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
MUNICIPAL	01/01 to 12/31	0.80 CFS	125.9 AF

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 12, Township 04N, Range 17E
BLAINE County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 31, 1999.**
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. 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.
5. The city shall provide a plan for limiting the maximum diversion rate when combined with the authorized snow making under Right 37-08575A to not exceed 4.46 cfs. Until the plan is submitted and approved by the department, the city is not authorized to divert or use any water under this permit from October 15 to April 1.
6. Place of use is within the service area of the City of Ketchum.

Witness my hand this 14th day of October, 1998.

Chief, Water Allocation Bureau

MICROFILMED

OCT 26 1998

WATER RIGHT NUMBER	NAME	CFS
37-08575	SINCLAIR OIL CORP SUN VALLEY CO , DBA	
37-08575A	SINCLAIR OIL CORP SUN VALLEY CO , DBA	4.46
37-08575B	CITY OF KETCHUM	0.80

MICROFILMED
FEB 23 1998

Form 211
10/93

Receipt No. 5021141
Receipted By GLS $50.00
Date 21 MAY 1998

MAY 19 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 12 1998
Department of Water Resources

ORIGINAL APPLICATION FOR AMENDMENT OF A PERMIT

Applicant City of Ketchum ** Phone (208) 726-3841

Address 480 E. Avenue North, PO Box 2315, Ketchum, ID 83340

I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08575B, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: X * Change point of diversion ~~xx~~ * Add point of diversion

xx Change place of use xx Change nature of use _____ Change period of use _____ Other

1. Point of diversion: _____ ¼ SW ¼ SE ¼, Section 12, Township 4N, Range 17E, B.M., County of Blaine. Other points of diversion _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) Per phone conversation Scott Campbell 28 May 98 *

Amount (cfs or acre feet per annum)	for (water use)	purposes from (Begin month)	to (End month)	
~~.20 cfs~~ *	~~municipal~~ *	~~1/1~~ *	~~12/31~~ *	(both dates inclusive)
.80 cfs	municipal	1/1	12/31	(both dates inclusive)
				(both dates inclusive)

3. Place of use or land to be irrigated: Please see attached Exhibit "A"

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? City of Ketchum

b. Who owns the land to be irrigated at the place of use? Residents of Ketchum

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

MICROFILMED
OCT 26 1998

** Please address any orders, correspondence, etc. to Scott Campbell and Angela Schaer, ELAM & BURKE, PO Box 1539, Boise, ID 83701

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)

Please see attached map Exhibit "B"

Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 13th day of MAY, 1998. Greg P Green

Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by GLS Publication prepared by MB Date 7/9/98

Published in Wood River Journal Publication dates 7/15 & 7/22/98

I, _____, of the Department of Water Resources hereby

MICROFILMED

OCT 26 1998

Witness my hand this _____ day of _____, 19_____.

_____

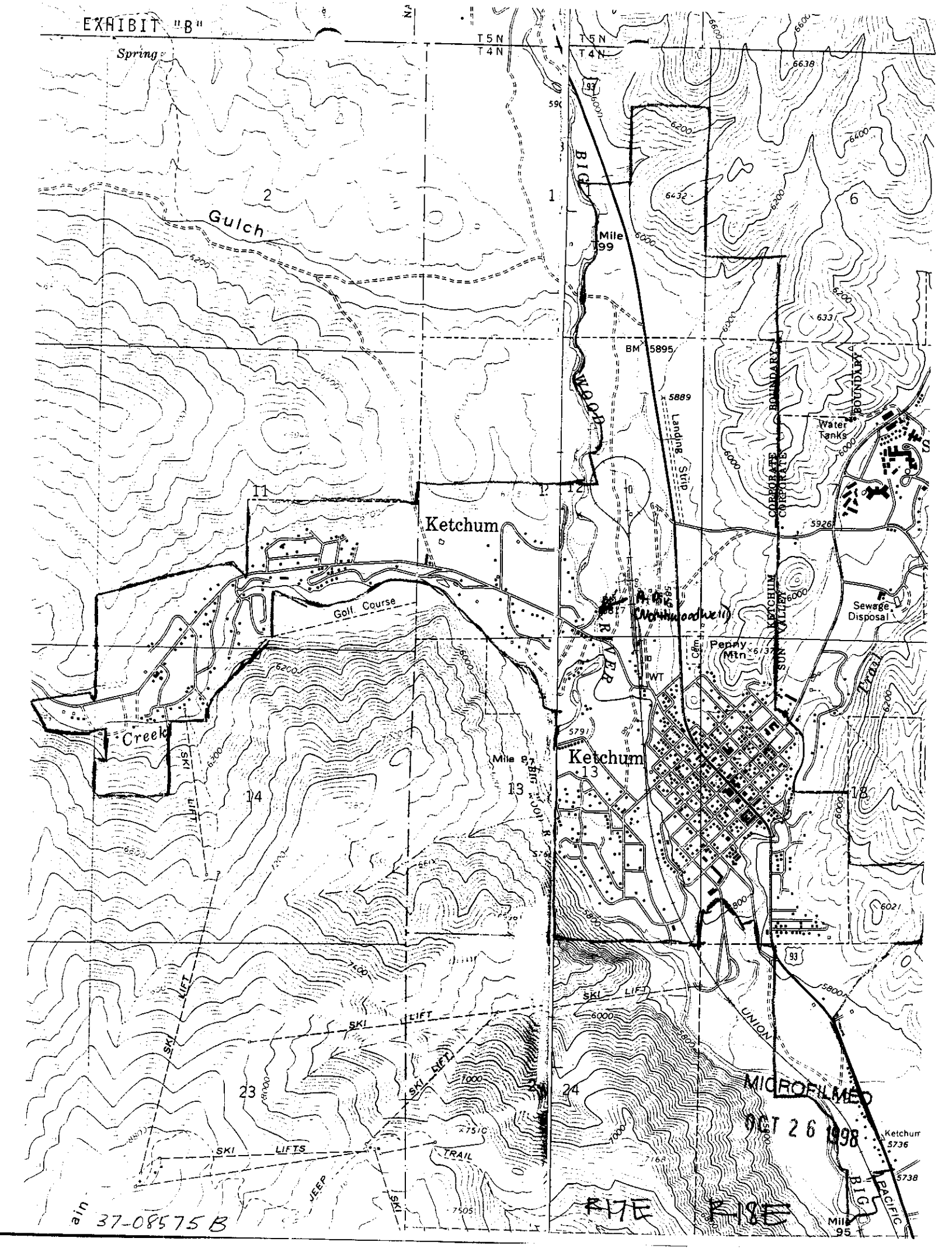
SIGNATURE

EXHIBIT "A"

3. Place of Use

Township	Range	Section	1/4	of	1/4
04N	17E	1			
		11			
		12			
			SW		NE
			SW		NE
			SE		NE
			SE		NE
			NE		SE
			NE		SE
			NW		SE
			NW		SE
		13			
		14			
		15			
	18E	6			
		7			
		18			

MICROFILMED
OCT 2 6 1998


EXHIBIT "B"
Spring
T5N
T4N
Gulch
Mile 99
BIG WOOD
BM 5895
5889
Landing Strip
Water Tanks
CORPORATE BOUNDARY
KETCHUM
SUN VALLEY
Ketchum
Golf Course
Creek
Sewage Disposal
Penny Mtn
Trail
Mile 87
SKI LIFT
SKI LIFTS
TRAIL
JEEP
UNION PACIFIC
Ketchum 5736
Mile 95
R17E
R18E
MICROFILMED
OCT 26 1998
ain 37-08575B

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-08575B IN THE NAME OF THE CITY OF KETCHUM

PRELIMINARY ORDER

This matter having come before the Idaho Department of Water Resources (department), the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On February 13, 1990, the department issued Permit No. 37-08575 (permit) to Sinclair Oil Corporation DBA Sun Valley Company (Sinclair) authorizing the maximum diversion of 4.46 cfs of groundwater for the following purposes:

4.46 cfs	Snow making	Oct 15 to April 1
0.80 cfs	Domestic	Year-round
0.20 cfs	Commercial	Year-round
4.46 cfs	**TOTAL**	

Proof of construction of works and application of water to beneficial use (proof) was due on February 1, 1995.

2. On February 27, 1995, Sinclair submitted a request for extension of time (extension request) seeking to extend the date by which Sinclair was required to file proof with the department to December 31, 1999. In the extension request, Sinclair stated that the undeveloped part of the permit would be assigned to another party. On February 27, 1995, the department approved the extension request extending the proof due date to February 1, 1998.

3. On January 30, 1998, Sinclair filed the following with the department:

a) Proof of beneficial use of water for the snowmaking portion of the permit together with a completed field examination of the system showing that Sinclair diverts water at a rate of 4.46 cfs for the snowmaking use.

b) A request that the extension of time approved February 27, 1995 be amended for the undeveloped part of the permit on behalf of the city of Ketchum (city).

c) An assignment of a portion of the permit to the city together with an Assignment of Water Rights Agreement (agreement) which assigns 0.2 cfs of water for commercial (non-snowmaking) use and 0.8 cfs for domestic use for a total

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of 1.0 cfs to the city.

4. Paragraph 3. of the agreement retains 4.46 cfs of the permitted right for snowmaking purposes and provides that the city "shall not interfere with the Company's exercise of its retained right to use 4.46 cfs for commercial snowmaking use under the Permit".

CONCLUSIONS OF LAW

1. Section 42-204, Idaho Code, authorizes the department to extend the time for the submittal of proof under terms of a permit for a period of up to five (5) years.

2. The department should amend the extension of time request approved on February 27, 1995 in connection with the portion of the permit assigned to the city.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the extension of time approved on February 27, 1995 is **AMENDED** with respect to the part of the permit assigned to the city of Ketchum subject to the following conditions and limitations:

1. The city shall submit proof of construction of works and application of water to beneficial use to the department on or before **December 31, 1999.**

2. The city shall provide a plan for limiting the maximum diversion rate when combined with the authorized snow making use not to exceed the permitted rate of 4.46 cfs. Until the plan is submitted and approved by the department, the city is not authorized to divert or use any water under the permit from October 15 to April 1. (This condition prevents enlargement of the permitted uses during the time that Sinclair is using all of the authorized rate of diversion of 4.46 cfs for snowmaking purposes).

3. This approval does not amend the nature or amount of diversion and beneficial use authorized by the permit.

Dated this 13TH day of February, 1998.

NORMAN C. YOUNG
Administrator

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CERTIFICATE OF MAILING

I DO HEREBY CERTIFY that on the 17th day of February, 1998, a true and correct copy of the foregoing **PRELIMINARY ORDER** was forwarded, by regular U.S. Mail, to the parties listed below:

City of Ketchum
480 E Ave N
PO Box 2315
Ketchum ID 83340

Scott Campbell
ELAM AND BURKE
PO Box 1539
Boise ID 83701

Julie L. Yarbrough

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

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FEB 2 3 1998

RECEIVED

JAN 30 19

Department of Water Resources

Form No. 217
7/94

FOR OFFICE USE ONLY
Amt. of Fee $: N/A
Receipt No. ____
Receipt By: JW
Date Receipted: 1/30/98

Should questions arise during the processing of this application please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. **Permit No.** 37-08575A **Telephone No.** 208-622-6171

2. **Name(s) of Permit Holder(s):** Sinclair Oil Corporation, d/b/a Sun Valley Company

3. **Mailing Address:** Sun Valley, ID 83353

4. **Source of Water:** Groundwater **If GROUNDWATER (well), Date Drilled: mo.** 9 **/ yr.** 91

   a. **Well Driller:** Walker Water Systems **Drilling Permit Number:** 37 - 91 - Z - 007

   b. ***OPTIONAL:***
   Pump Horsepower: 50 **Pressure (psi):** 49 **Dynamic pumping level (ft):** N/A

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

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

   Irrigation (No. of acres): ---- **Other:** Commercial (snow making)

6. **Total rate of diversion and/or volume for which proof is submitted:** 4.46 **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 XX
	Has the measuring device been installed?	Yes ____ or	No XX
Flow Measurement Port:	Is a flow measurement port required?	Yes ____ or	No XX
	Has the measurement port been installed?	Yes ____ or	No XX

8. **Fee Enclosed: $** N/A (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: N/A **Telephone Number:** _____

   Address: _____

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

Signature of permit holder: Scott A. Campbell, Attorney for **Date:** 1/30/98
(include your title, if on behalf of company of organization)
Sinclair Oil Corporation, d/b/a Sun Valley Company

FEB 2 3 1998

06/93

CC 41333
1-3098
25.00

RECEIVED
JAN 30 1997
Department of Water Resources

State of Idaho
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Sinclair Oil Corporation d/b/a Sun Valley Company (Permit Holder), hereby assign to the City of Ketchum

of 480 East Avenue North, P.O. Box 2315, Ketchum, Idaho 83340 (Full Address)

All my right, title, and interest in and to Permit No._____ 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 Permit No. 37-08575 to appropriate the public waters of the State of Idaho.

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

As described in the Assignment of Water Rights Agreement, attached as Exhibit A.

Made this 29th day of January, 19 98.

Scott L. Campbell
Permit Holder(s)

Scott L. Campbell, Authorized Agent and Attorney for Permit Holder

State of Idaho)
ss
County of ADA)

On this 30 day of Jan, 1998, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

JENNIFER C. LAWRENCE
Notary Public

JENNIFER C. LAWRENCE NOTARY PUBLIC STATE OF IDAHO

Signature

My commission expires 8-11-99

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FEB 23 1998

EXHIBIT A

ASSIGNMENT OF WATER RIGHTS AGREEMENT

This Assignment of Water Rights Agreement ("Agreement") is dated this 14 day of Jan, 1998, by and among Sinclair Oil Corporation d/b/a Sun Valley Company of Sun Valley, Idaho, 83383 an entity incorporated and existing under and by virtue of the laws of the State of Wyoming ("Company"), and the City of Ketchum ("City") of 480 East Avenue North, PO Box 2315, Ketchum, Idaho, 83340, a municipality incorporated and existing under and by virtue of the laws of the State of Idaho.

RECITALS

A. The Company owns Water Permit Number 37-08575, a true and correct copy of which is attached hereto as Exhibit A and made a part hereof ("Permit").

B. The Company desires to assign a portion of the Permit, specifically .20 cubic feet per second ("c.f.s.") currently for commercial (non-snowmaking) use and .80 c.f.s currently for domestic use, to the City ("Partial Assignment").

C. The Company desires that as the River Run Project ("Project") is developed, the City will provide water services for the Project.

D. The City desires to receive the Partial Assignment, and to change the place of use of the Partial Assignment to add the City's service area of its municipal water delivery system, and to change the nature of use of the Partial Assignment from commercial and domestic to municipal.

E. The Company and the City desire that the City provide proof of beneficial use for water transferred under the Partial Assignment to the Idaho Department of Water Resources ("Department") before February 1, 1998.

F. The Company and the City desire that the costs and fees associated with filing the Partial Assignment of Water Permit with the Department and the costs and fees associated with filing the Application for Transfer and Proof of Beneficial Use be borne by the Company.

NOW, THEREFORE, in consideration of the mutual benefits to be received by the Company and the City and other good and valuable consideration, which consideration and the sufficiency thereof is hereby acknowledged by the parties hereto, the Company and the City represent, covenant, undertake and agree as follows:

1. Definitions. In addition to other capitalized terms defined herein, this Agreement contains certain words which have the following meaning:

a. "Sun Valley" means Sinclair Oil Corporation, d/b/a Sun Valley Company, a business entity doing business in Blaine County, Idaho.

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b. "City" means City of Ketchum, a municipality organized and existing under the laws of the State of Idaho.

c. "C.f.s." means "cubic feet per second."

d. "Permit" means Water Permit Number 37-08575.

e. "Partial Assignment" means that portion of Water Permit Number 37-08575 as follows:

(1) .20 c.f.s for commercial (non-snowmaking) use; and

(2) .80 c.f.s for domestic use;

for a total of 1.0 c.f.s.

f. "Project" means the River Run Project, owned by the Company.

g. "Department" means the Idaho Department of Water Resources.

2. Ownership of Water Permit No. 37-08575. The Company is the sole owner of Water Permit No. 37-08575. That permit allows for the diversion of 4.46 c.f.s of groundwater from, NE ¼ of the NE ¼ of Section 24, Township 04 North, Range 17 East, for commercial snowmaking and firefighting use; the diversion of .20 c.f.s of water for commercial use; and .80 c.f.s of water for domestic use.

3. Partial Assignment of Water Permit No. 37-08575. The Company hereby assigns to the City a portion of the Permit, to wit, .20 c.f.s. of water for commercial (non-snowmaking) use and .80 c.f.s of water for domestic use. The Company does not assign and therefore retains 4.46 c.f.s of water for commercial snowmaking and firefighting use under the Permit. The use of water by the City under the assigned portion of the Permit shall not interfere with the Company's exercise of its retained right to use 4.46 c.f.s. of water for commercial snowmaking use under the Permit.

4. Assignment of Permit Form Filing. The Company shall file a completed "Assignment of Permit" form with the Department, reflecting the Partial Assignment set forth in Paragraph 4. The Company shall pay the filing fee and related processing and delivery costs, and shall pay any attorney fees associated with preparation and approval of the Assignment of Permit form.

5. River Run Project. In consideration for the Partial Assignment by the Company, the City agrees to provide water to all of the Company-owned buildings that are present at the time of the execution of this Agreement and the property located in the NE 1/4 of the NE 1/4 of Section 24, Township 04N, Range 17E, commonly known as the River Run Project.

6. City Water Supply to River Run. The City shall provide water service to the River Run Project, pursuant to the terms of paragraph 5 hereof, immediately upon final approval of the City's Application for Transfer by the Department, as described in paragraph 7 hereof.

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7. Transfer. The City shall file an Application for Transfer with the Department, to change the nature of use from commercial and domestic to municipal, and to make any other necessary changes to the point of diversion or place of use of the assigned portion of the permit. The Company shall pay filing fees and related processing and delivery costs, and shall employ an attorney to prepare and process the Application for Transfer.

8. Beneficial Use. It shall be the responsibility of the City to put the water obtained under the Partial Assignment to beneficial use before the February 1, 1998 deadline set by the Department. The City shall file a Proof of Beneficial Use form with the Department before the February 1, 1998 deadline or obtain an extension from the Department. The City shall pay any costs and expenses associated with putting the water obtained under the Partial Assignment to beneficial use, the Company shall pay any costs or fees associated with filing the Proof of Beneficial Use form with the Department, or obtaining an extension.

9. Reconveyance. The Company retains the right to require from the City a reconveyance of the assigned portion of the Permit or any subsequent water license upon the delivery of a written request to the City. The written request may be made at any time within five (5) years from the date of this Agreement. If the written request is not made within this time period, the reconveyance right terminates. No consideration shall be required from the City if the Company elects to exercise this right.

10. Limitations on Liability. The parties hereto agree that nothing herein contained shall be construed to create a joint venture, partnership or other similar relationship which might subject any party to liability for the debts and/or obligations of the other, except as in connection with this Agreement. In the event any party hereto shall bring any action to enforce a breach of this Agreement, the prevailing party shall be entitled to recover reasonable costs and attorneys' fees from the nonprevailing party.

11. Notices. All notices, demands, requests, and other communications under this Agreement shall be in writing, and shall be deemed properly served or delivered, if delivered by hand to the party to whose attention it is directed, or when sent, 3 days after deposit in the U.S. Mail, postage prepaid, addressed as follows:

Company: Sinclair Oil Corporation
d/b/a Sun Valley Company
Sun Valley, Idaho 83383

City: City of Ketchum
480 East Avenue North
PO Box 2315
Ketchum, Idaho 83340

Each party may change its address for delivery of written notice in the manner provided herein.

12. Entire Agreement. This Agreement contains the entire agreement between the parties hereto with respect to the subject matter of this Agreement. Amendments to this Agreement shall be made only by written instrument executed by each of the parties hereto.

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FEB 23 1998

13. Severability. If any part of this Agreement is held to be illegal or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall be given effect to the fullest extent reasonably possible.

14. Survival. The terms, representations, provisions, covenants, and agreements shall survive the delivery of the Assignment of Permit form to the Idaho Department of Water Resources and shall remain binding upon and for the parties hereto until fully observed, kept or performed.

15. Limited Liability. No director, officer, staff member, agent, or designee of the Company shall incur any liability hereunder to the City, or any other party in their individual capacities by reason of their actions hereunder or execution hereunder. No director, officer, staff member, agent, or designee of the City shall incur any liability hereunder to the Company or any other party in their individual capacities by reason of their actions hereunder or execution hereunder.

16. Representations and Warranties.

(a) Company -- The Company represents and warrants that: (i) it is a corporation incorporated and in good standing in the State of Wyoming; (ii) it has the capacity to enter into and perform its obligations under this Agreement; (iii) all actions required to authorize the Company to enter into and perform this agreement have been properly taken; (iv) this Agreement has been properly executed and delivered by the Company and is valid and binding upon the Company in accordance with its terms; and (v) The Company has obtained or will obtain all permits, licenses, and acknowledgments required to conduct its activities under the terms of the Agreement.

(b) City -- The City represents and warrants that: (i) it is an Idaho municipal corporation incorporated and in good standing in the State of Idaho; (ii) it has the capacity to enter into and perform its obligations under this Agreement; (iii) all actions required to authorize the City to enter into and perform this Agreement have been properly taken; (iv) this Agreement has been properly executed and delivered by the City and is valid and binding upon the City in accordance with its terms; and (v) this City has obtained or will obtain all permits, licenses, and acknowledgments required to conduct its activities under the terms of the Agreement.

17. Governing Law. This agreement shall be construed under, and governed by, the laws of the state of Idaho.

18. Binding Effect. This Agreement shall bind the parties hereto and their respective heirs, personal representatives, successors and assigns.

19. Attorney Fees -- In the event of any suit or proceeding by either party herein against the other party arising out of this Agreement, the nonprevailing party in such suit or proceeding shall pay to the prevailing party such sum or sums as the court shall adjudge reasonable for attorney fees and costs, including such fees and costs on appeal.

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FEB 23 1998

IN WITNESS WHEREOF, the parties have hereunto caused their names to be subscribed this 14 day of JAN, 1998.

SINCLAIR OIL CORPORATION
d/b/a SUN VALLEY COMPANY

By: Wallace A. Huffman
Wallace A. Huffman, Vice President, General Manager

STATE OF IDAHO)
) ss.
County of Blaine)

On this 14th day of January, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared WALLACE A. HUFFMAN, known or identified to me to be as the Vice President/General Manager of SINCLAIR OIL CORPORATION d/b/a SUN VALLEY COMPANY, the person who executed the instrument and acknowledged to me that he executed the same.

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

Julie Draayer
Notary Public for Blaine County, Idaho
Residing at ~~Box 25 94 Ketchum~~
My commission expires: 10-25-99

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FEB 23 1998

CITY OF KETCHUM

By: Guy P. Coles
Guy P. Coles Mayor

STATE OF IDAHO)
) ss.
County of Blaine)

On this 14th day of January, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Guy P. Coles, known or identified to me to be the MAYOR of the CITY OF KETCHUM, the person who executed the within instrument on behalf of said City, and acknowledged to me he executed the same.

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

James O. Jaquet
Notary Public for Idaho
Residing at Ketchum
My commission expires: March 24, 2003

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FEB 23 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDMENT OF PERMIT

PERMIT NO. 37-08575

This is to certify, that SINCLAIR OIL CORP
DBA SUN VALLEY CO
C/O SCOTT L CAMPBELL ESQ
ELAM & BURKE
PO BOX 1539
BOISE ID 83701

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-211, Idaho Code. The approved amendment of permit is described as follows:

SOURCE

GROUNDWATER

Priority: 10/26/1989

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
COMMERCIAL	10/15 to 04/01	4.46 CFS
COMMERCIAL	01/01 to 12/31	0.20 CFS
DOMESTIC	01/01 to 12/31	0.80 CFS
FIRE PROTECTION	01/01 to 12/31	4.46 CFS
	Totals	4.46 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 24, Township 04N, Range 17E
BLAINE County

PLACE OF USE: COMMERCIAL

TWN	RGE	SEC						
04N	17E	13		SWSW				
		22		SESE				
		23		SWNE	Lot	2(SENE)		SWNW
				SENW		NESW		NWSW
				SWSW		SESW	Lot	3(NESE)
				NWSE		SWSE	Lot	4(SESE)
		24		NENE		NWNE		SWNE
				NENW		NWNW		SWNW
				SENW		NESW		NWSW
				SESW		NESE		NWSE
				SWSE				
		25		NWNW				
		26	Lot	1(NENE)		NWNE		SWNE
			Lot	2(SENE)		SENW		NESW
				NWSW		SWSW		SESW
				NWSE		SWSE		
		27		NENE		SENE		NESE
				SESE				
	18E	18	Lot	6(SWSW)				
		19	Lot	1(NWNW)	Lot	2(SWNW)		

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NOV 05 1996

AMENDMENT OF PERMIT
PERMIT NO. 37-08575

PLACE OF USE: DOMESTIC

TWN	RGE	SEC		
04N	17E	24	NENE	
	18E	18	Lot 6(SWSW)	
		19	Lot 1(NWNW)	Lot 2(SWNW)

PLACE OF USE:
FIRE PROTECTION, same as DOMESTIC use

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The issuance of this right does not grant any right-of-way or easement across the land of another.
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. Commercial use occurring from 10/15 - 4/1 is for snow making purposes and such use shall be non-consumptive.
5. Three points of diversion are located within NENE, S24, T04N, R17E.
6. Year-round commercial use is for a restaurant and four commercial buildings.
7. Domestic use is for 100 homes.

Witness my hand this 28th day of October, 1996.

L. Glen Saylor
Chief, Water Alloc. Bureau

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NOV 0 5 1996

Form 211
10/93

RECEIVED

Receipt No. 5019165
Receipted By DF
Date 5/23/96

MAY 23 1996

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

Applicant Sinclair Oil Company (Corp.), dba Sun Valley Company Phone (208) 622-4111 (208) 343-5454

Address Sun Valley Company c/o Scott L. Campbell, Elam & Burke, P.O. Box 1539, Boise, Idaho 83701

I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08575, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: ____ Change point of diversion ____ Add point of diversion

X Change place of use ____ Change nature of use ____ Change period of use ____ Other

1. Point of diversion: 4 wells Lot 1 ¼ (NE ¼ NE) ¼, Section 24, Township 04N., Range 17E., B.M., County of Blaine. Other points of diversion N/A (No Change)

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) 12-31 AJJed 7-1-96 BP

Amount 4.46 (cfs or acre feet per annum) for Fire Protection (water use) purposes from 10/15 (Begin month) to 04/01 (End month) (both dates inclusive)

Amount 0.20 (cfs or acre feet per annum) for commercial (water use) purposes from 01/01 (Begin month) to 12/31 (End month) (both dates inclusive)

Amount 0.80 (cfs or acre feet per annum) for domestic (water use) purposes from 01/01 (Begin month) to 12/31 (End month) (both dates inclusive)

3. Place of use or land to be irrigated: See Exhibit A

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

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AUG 16 1996
Department of Water Resources

Total number of acres to be irrigated = ____

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

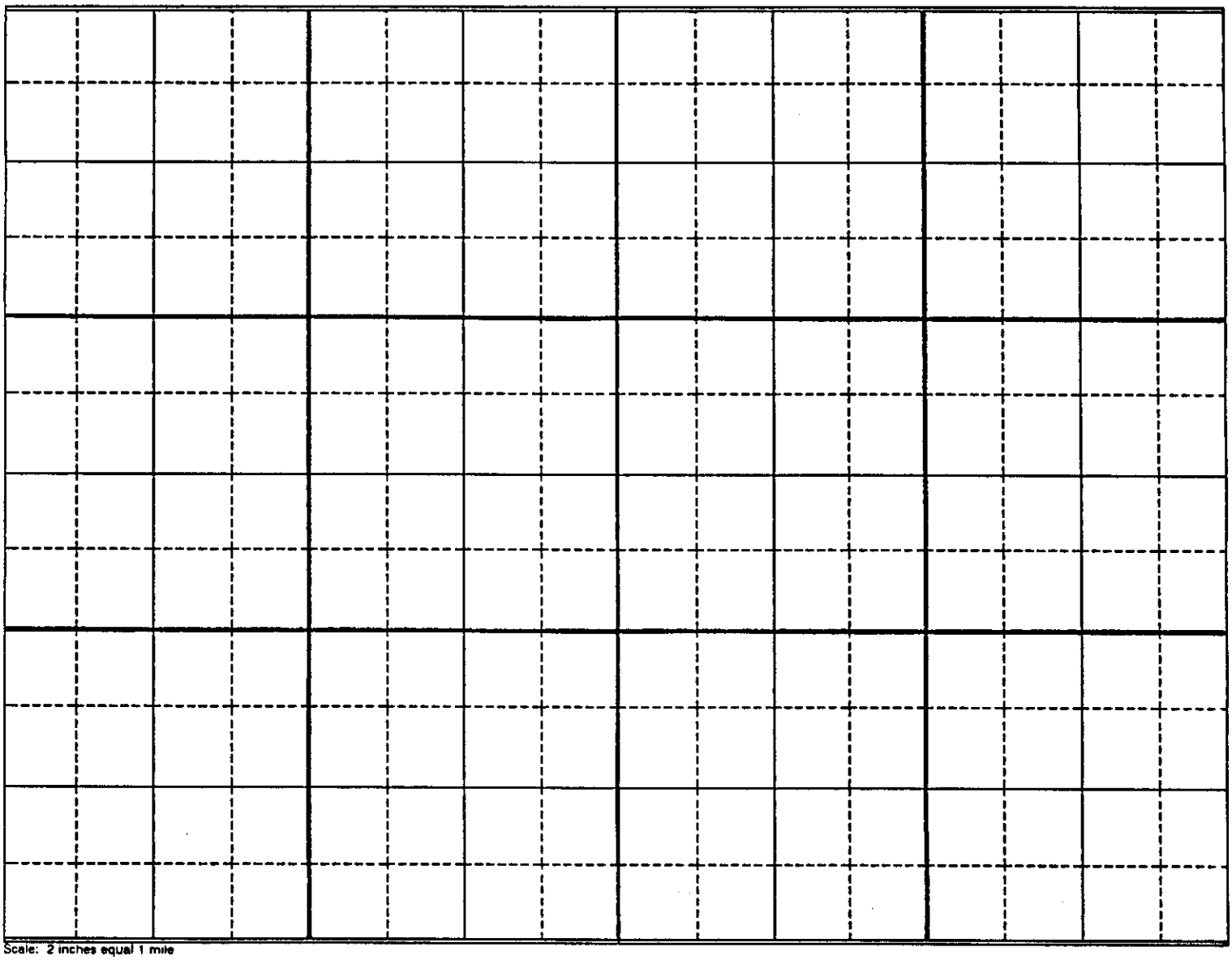
b. Who owns the land to be irrigated at the place of use? Applicant and U.S. Department of Agriculture Forest Service

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Applicant possesses a special use permit, issued by the Forest Service, for use of the land as a ski area.

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Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres) See Exhibit B



Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 20th day of May, 19 96.

William W. Huffman
Permit Holder

Wallace W. Huffman, Vice President

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by JS Publication prepared by MB Date 7/9/96

Published in Wood River Journal Publication dates 7/17 + 7/24/96

I, _____, of the Department of Water Resources hereby

_____

_____

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NOV 05 1996

Witness my hand this _____ day of _____, 19_____.

_____

SIGNATURE

EXHIBIT A

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SE¼	SW¼	
4N	17E	13											*						
		23			*	Lt2 *			*	*	*	*	*	*	Lt3 *	*	*	Lt4 *	
		22																*	
		24	*	*	*		*	*	*	*	*	*		*	*	*	*		
		25						*											
		26	Lt1 *	*	*	Lt2 *				*	*	*	*	*		*	*		
		27	*			*									*			*	
4N	17E	24	C,D																
	18E	18											Lt6 C,D						
		19						Lt1 C,D	Lt2 C,D										

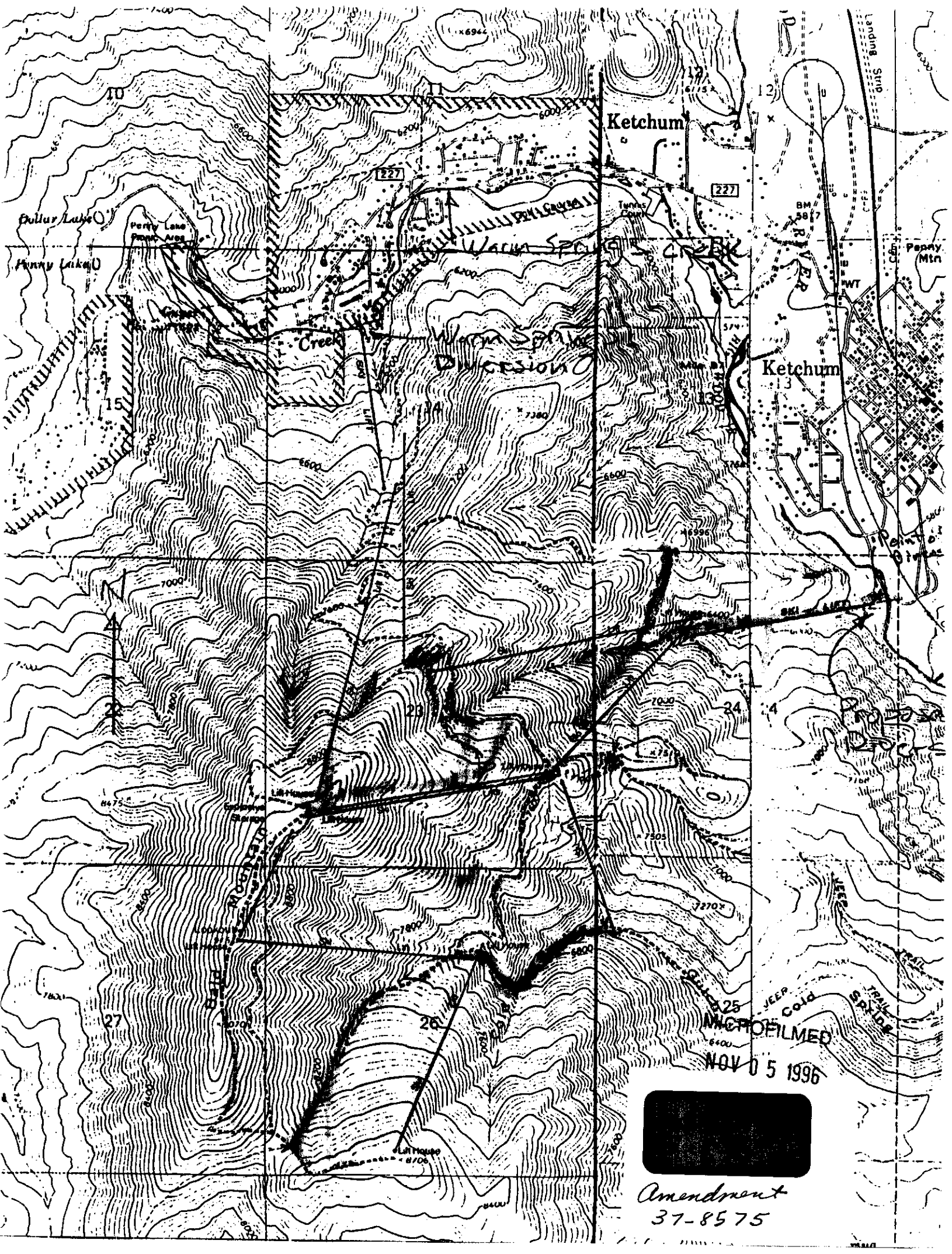
Total number of acres to be irrigated _____

* = Commercial Snow Making

C,D = Commercial Buildings, Domestic, Fire Protection

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NOV 05 1996

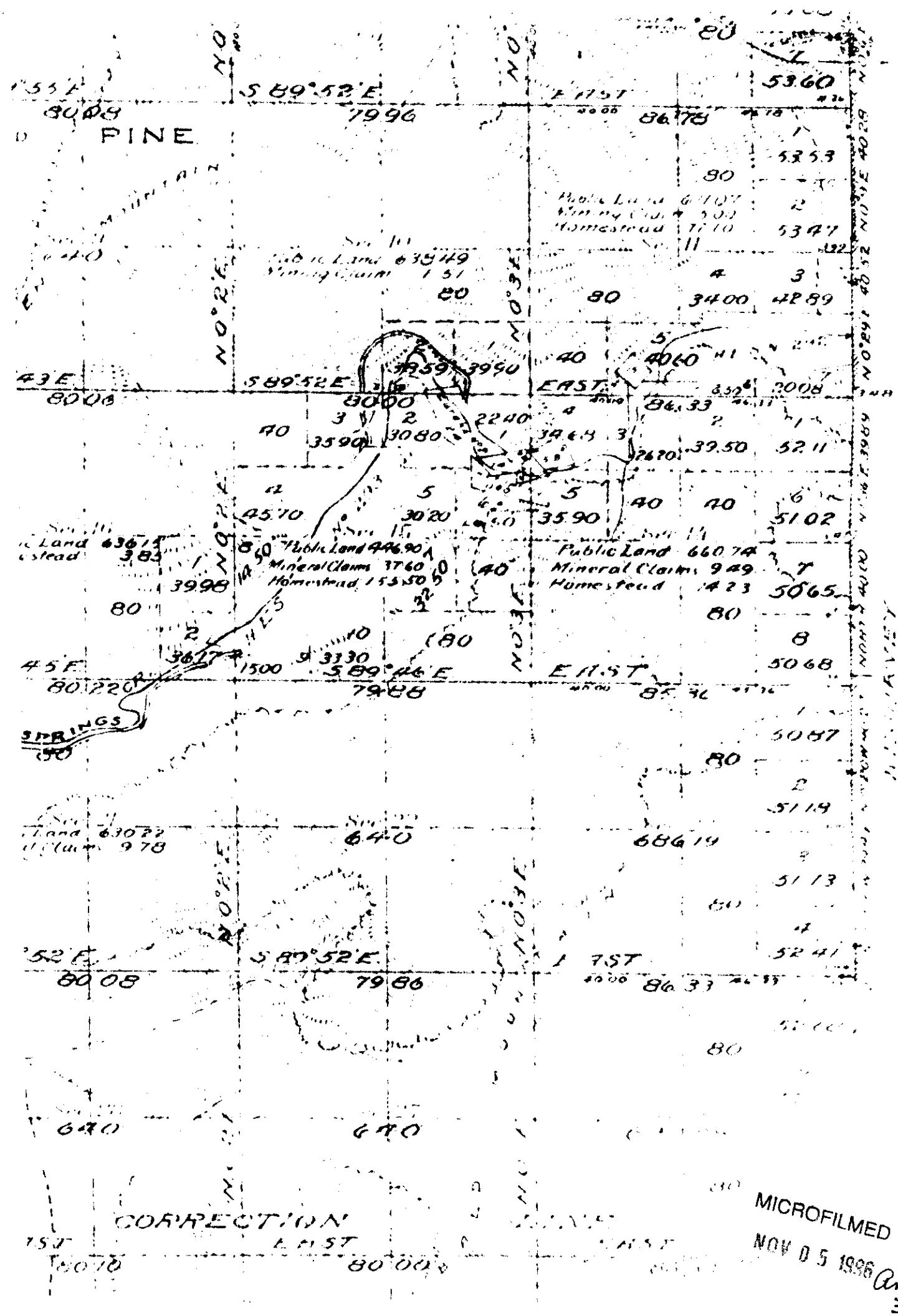
Amendment
37-8575


Ketchum
Ketchum
Landing Strip
Dollar Lake
Penny Lake
Penny Area
Hanny Lake
Warm Springs Creek
Warm Springs
Creek
Diversion
Penny Mtn
Penny Creek
Ski Area
Lift House
Lift House
Lift House
Gulch
Cold
Trail
Spring
Jeep
Jeep
227
227
10
11
12
13
15
22
23
24
25
26
27
MICROFILMED
NOV 05 1996
Amendment
37-8575



MICROFILMED
NOV 0 5 1996

Amendment
37-85 75


PINE
SPRINGS
CORRECTION
MICROFILMED
NOV 05 1996
Amendment
37-8575

Form No. 204
7/91

For Office Use Only
$50 Fee Receipted by RT
Date 2-22-95
Receipt No. C032194

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 22 1995
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. 37-08575

Name(s) of Permit Holder: Sinclair Oil Corporation d/b/a Sun Valley Company

Mailing Address: Attn: Wallace Huffman, Sun Valley Company, Sun Valley, Idaho 83353

Date Proof is Due: February 1, 1995 Telephone No. (208) 622-2041

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".)

The entire portion of the water permit for snowmaking has been fully developed for approximately three and one-half years. The system for the domestic and commercial (restaurant) portion of the permit has not been developed.

Costing $ 4.0 million

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

The development of the other portion of the permit has not occurred due to delays in the expansion of facilities at the intended place of use. The permit holder intends to assign the undeveloped part of the permit to the Sun Valley Water & Sewer District for future use in the municipal system.

Permit holder(s) request an extension to December 31, 19 99.

FEE: $50.00

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to **February 1, 1998.**
IT IS FURTHER HEREBY ORDERED that the permit be reinstated and the priority date is advanced to October 26, 1989.

Signed this 27th day of February, 19 95.

Chief, Water Allocation Bureau

MAR 23 1995

Form 211
2/80

RECEIVED
JAN 29 1993
Department of Water Resources
Southern Region Office

STATE OF IDAHO
APPROVED

RECEIVED
MAY 12 1993
Department of Water Resources

37-08575

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Sinclair Oil Corporation dba Sun Valley Company Phone (208) 343-5454
c/o David B. Lincoln, Elam, Burke and Boyd
of (address) P.O. Box 1539, Boise, Idaho 83701, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08575/as amended 2/6/92, and requests that the permit and permit map be changed as follows:

1. Point of diversion: _____ ¼ _____ ¼, Section _____, Township _____, Range _____, B.M.,

County of _____. Other points of diversion: _____

no change

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) No change. See Attachment 1

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)

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

3. Place of use or land to be irrigated: See Attachment 1 and Exhibits A and B.

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated = 0

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

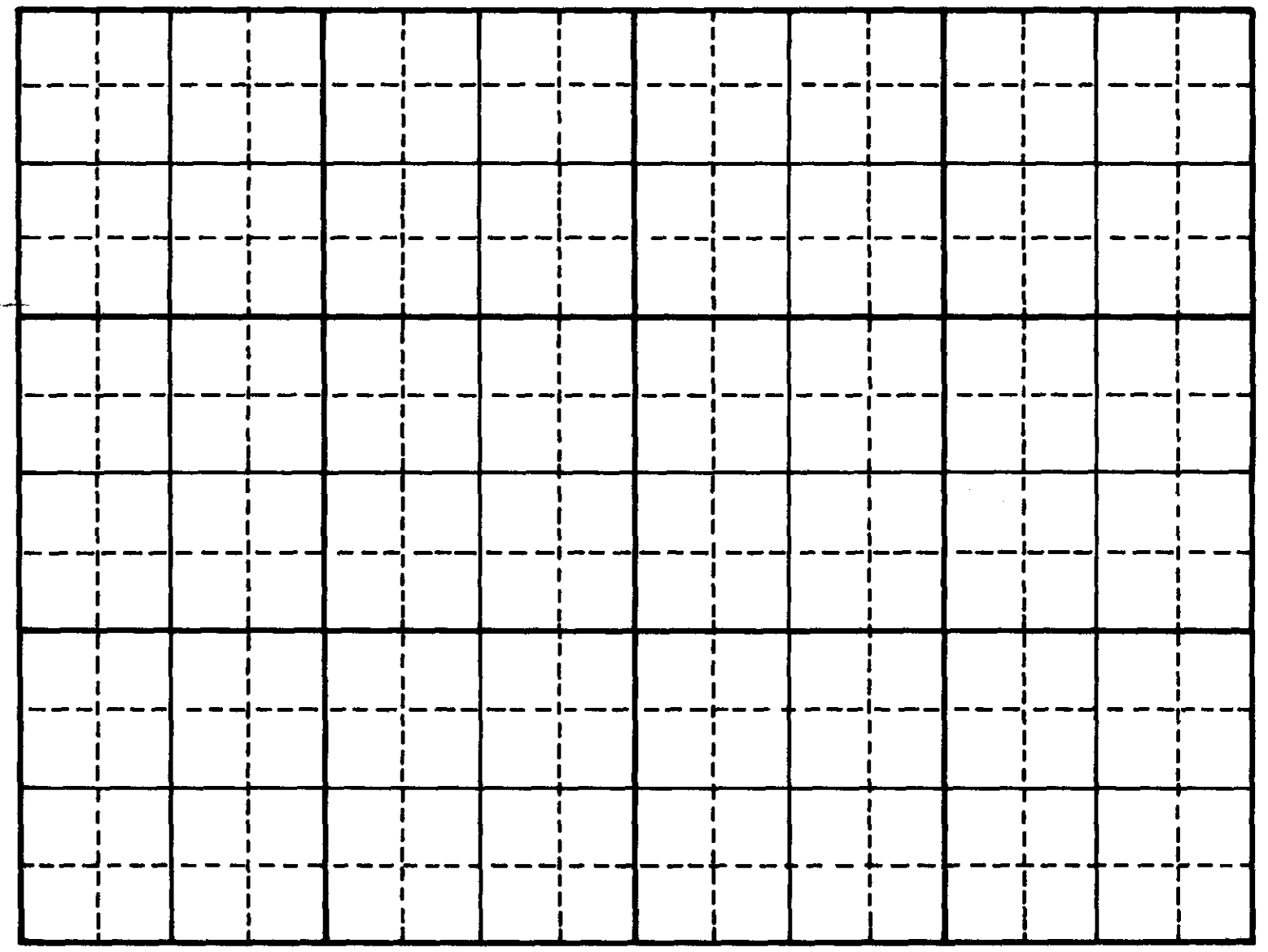
b. Who owns the land to be irrigated or the place of use? Applicant and U.S. Forest Service

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: See attachments to application for amendment dated June 17, 1991 and approved January 6, 1992 for copy of U.S. Forest Service Special Use Permit.

JAN 11 1994

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches. See Exhibit A and B



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Sun Valley, Idaho, this 23 day of January, 1993.

(Signature)
Vice President, Sinclair Oil Corp.
dba Sun Valley Company

FOR DEPARTMENT USE ONLY

Preliminary check by MTS Fee = $20.00 Receipted by GK Date 2-11-93 5015381

Publication prepared by MB Date 3/17/93 Published in Wood River Journal

Publication dates 3/31 & 4/7/93

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby approve the above referenced application for amendment provided the conditions as set forth in Permit No. 37-08575 are met.

Witness my hand this 6th day of January, 19 94.

L. Glen Saxton

JAN 11 1994

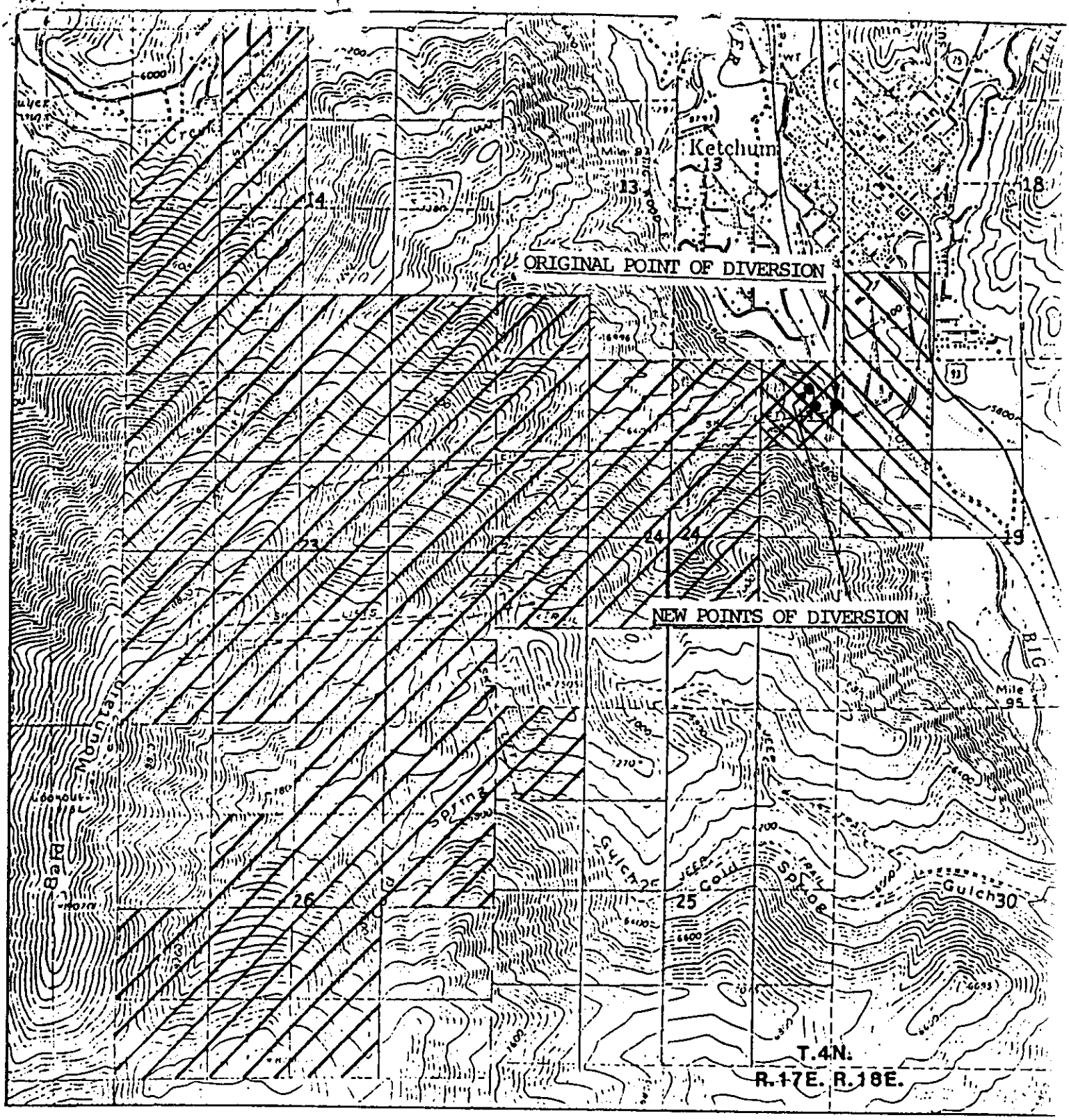
ATTACHMENT 1

Applicant desires to add an additional place of commercial/domestic use to the existing water right as depicted on Exhibit A hereto. This additional place of commercial/domestic use is located on the west side of the Big Wood River and consists of the area surrounding the base of the newly constructed ski lift on Bald Mountain. This area is proposed to be improved by applicant as the River Run base facility consisting of four commercial buildings as depicted on Exhibit B attached hereto. The commercial/domestic use of water for this additional use area will include emergency fire protection purposes with the diversion facilities consisting of a water line running from the newly relocated well to fire hydrants adjacent to the commercial structures.

MICROFILMED

JAN 1 1 1994

Amendment
37-8575



SCALE 1:24 000

1 0 1 MILE

1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

COMMERCIAL/SNOWMAKING PLACE OF USE

COMMERCIAL/DOMESTIC PLACE OF USE

Additional Commercial/Domestic Place of Use

JAN 11 1994

Amendment 37-8575

EXHIBIT A

U.S. FOREST SERVICE

RIVER RUN
SKI RUN

RIVER RUN
QUAD

B.L.M.

PROPOSED
RIVER RUN BASE
FACILITY

SKIER SERVICES
BLDG.

well

AINTENANCE/SKI AREA
OPERATIONS BLDG.

BIGWOOD RIVER

SKI AREA EQUIPMENT
STORAGE BLDG.

water line to
fire hydrants

NEW PEDESTRIAN
BRIDGE

NEW SERVICE
BRIDGE

SKIER DROP-OFF &
BUS TURNAROUND

IIVER

EXISTING SKIER PA

IN

EXISTING SKIER PARKING

OUT

TRAIL CREEK

JAN 11 1994

EXISTING
SKIER
PARKING

Amendment
37-857

Exhibit B

Form 211
2/80

RECEIVED JUN 24 1991

Idaho No. 37-08575

STATE OF IDAHO
Department of Water Resources

APPROVED

RECEIVED JUL 29 1991
Department of Water Resources
Southern Region Office

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Sinclair Oil Corporation d/b/a Sun Valley Co. Phone (208) 622-4111
Sun Valley, Idaho, c/o Scott Campbell, Elam, Burke & Boyd,
of (address) P. O. Box 1539, Boise, Idaho 83701-1539, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08575, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE ¼ NE ¼, Section 24, Township 4N, Range 17E, B.M., County of Blaine. Other points of diversion: Total of 3 wells: 1 existing on east side of Big Wood River plus 2 new wells on the west side of the river. See Attachment 1

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 4.46 (cfs or acre feet per annum) for commercial purposes from 10/15 to 04/01 (both dates inclusive)
Amount 0.20 (cfs or acre feet per annum) for commercial purposes from 01/01 to 12/31 (both dates inclusive)
Amount 0.80 (cfs or acre feet per annum) for domestic purposes from 01/01 to 12/31 (both dates inclusive)
Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

3. Place of use or land to be irrigated: N/A
Same

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? applicant

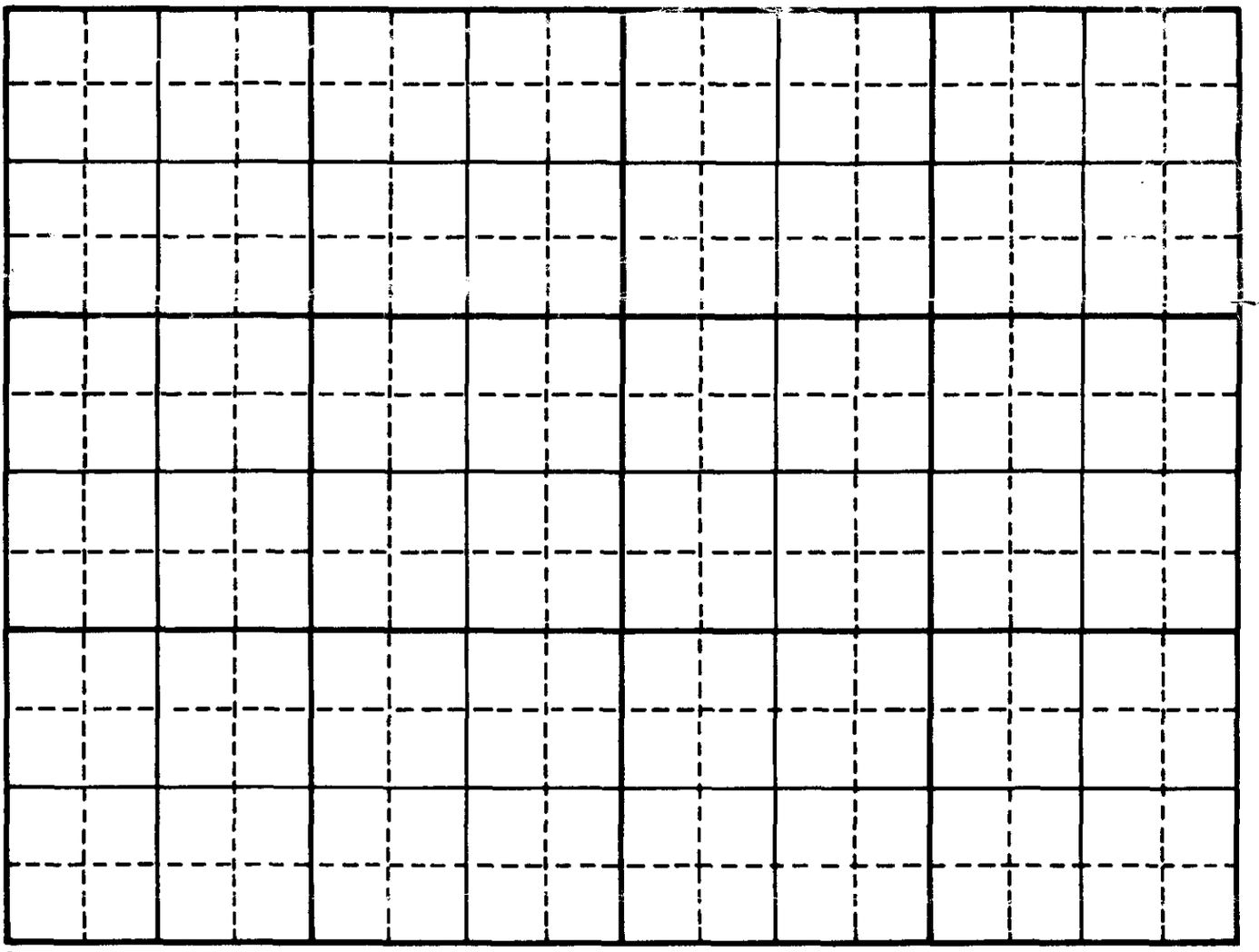
b. Who owns the land to be irrigated or the place of use? applicant and U.S. Forest Service

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: See Attachment 2 - U.S. Forest Service Special Use Permit

JAN 11 1994

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches. See Exhibit A



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Sun Valley, this 17 day of June, 19 91.

(Signature)

Vice President - Sinclair Oil Corp. d/b/a Sun Valley Company

FOR DEPARTMENT USE ONLY C020972

Preliminary check by Jim Fee = $20.00 Receipted by JC Date 6/25/91

Publication prepared by MB Date 11-26-91 Published in Wood River Journal

Publication dates 12/11 & 12/18/91

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby approve the above referenced application for amendment. See the attached sheet for the conditions of approval.

Witness my hand this 6th day of February, 19 92

L. Glen Saxton

Chief, Water Allocation Bureau

JAN 11 1994

CONDITIONS OF APPROVAL

Amendment of Permit No. 37-08575

1. The previous conditions as set forth in Permit No. 37-08575 must be met.

2. The three points of diversion are located within NENE, S24, T04N, R17E.

Dated this 6th day of February, 1992.

L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED

JAN 11 1994

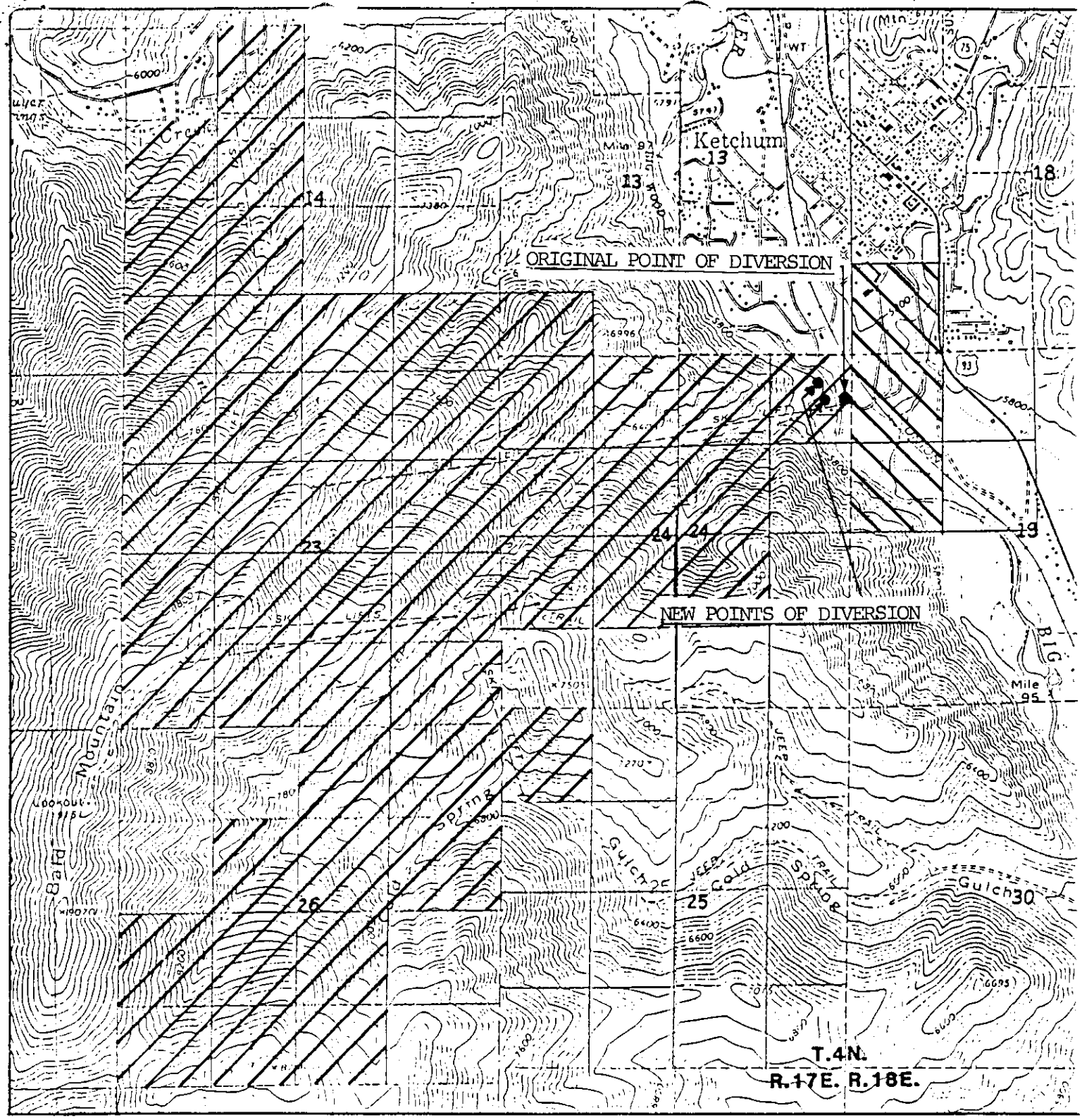
ATTACHMENT 1

Applicant desires to add two points of diversion to the existing water right to allow more efficient development of the water distribution system. The existing point of diversion is located on the east side of the Big Wood River. The place of use for the water authorized for diversion under the permit for snow-making purposes is Bald Mountain, which is located on the west side of the Big Wood River. Use of water from the existing point of diversion for snow-making purposes would require construction of distribution lines through wetland areas and across or under the Big Wood River. The disruption to these sensitive areas could be avoided by allowing the addition of the two new points of diversion, which are located on the west side of the Big Wood River. The addition of the two new points of diversion on the west side of the river would not increase the amount of water diverted under the permit. It would merely allow the withdrawal of the quantity of water under the permit for snow-making to be made from the two new wells on the west side of the river instead of the existing well located on the east side. The quantity of water diverted would not exceed the 4.46 cfs authorized under the permit, but the water for snow-making would be diverted from the two new wells to be located on the west side of the river, thereby avoiding crossing the river with the water distribution lines.

After the first production well on the west side of the Big Wood River is drilled and tested, the applicant may decline to construct the second new well if the first new well produces sufficient quantities of water to satisfy the 4.46 cfs amount authorized under the permit for snow-making pruposes. At this time, the applicant does not know if that will be the case. However, the field inspection process, following notice of beneficial use to the Department, will reveal whether one or two wells were constructed on the west side of the Big Wood River.

JAN 1 1 1994

EXHIBIT A



COMMERCIAL/SNOWMAKING PLACE OF USE

COMMERCIAL/DOMESTIC PLACE OF USE

JAN 11 1994

EXHIBIT A

AFFIDAVIT of PUBLICATION

RECEIVED
JAN 04 1992
Department of Water Resources
Southern Region Office

State of Idaho, } SS.
County of Blaine

DANIEL J. GORHAM, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 11 day of Dec, 1991, and

the date of the last publication was on the 18 day of Dec, 1991.

Daniel J. Gorham

Subscribed and sworn to before me this 18th day of Dec., 1991.
(SEAL)

Roberta McKeehan
NOTARY PUBLIC

#7957

WOOD RIVER JOURNAL
Hailey, Idaho

OK
mb
1/14/92

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 56.25
Number of Insertions _____

_____ Lines tabular at _____ 6¢ / Pica
56.25 Lines straight at 30.94 5¢ / Pica
56.25 Subsequent lines at 24.75 4¢ / Pica
TOTAL COST 60.69 5.00

JAN 11 1994

COPY OF NOTICE
(Paste Here)

Not of Permit
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IT Dept Water
BILL TO

Sinc[illegible]iles
on amended permit

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 37-08575

Notice is hereby given that SINCLAIR OIL CORPORATION, DBA SUN VALLEY CO., c/o Scott Campbell of Boise, ID, is the holder of Approved Permit No. 37-08575 authorizing the diversion of 4.46 cubic feet per second of water from groundwater in the NE1/4NE1/4, S24, T4N, R17E; County of Blaine, to be used for Commercial & Domestic use within SW1/4SW1/4, S13, T4N, R17E; NE1/4NW1/4, SW1/4-NW1/4, SE1/4NW1/4, SW1/4, S1/2SE1/4, S14, T4N, R17E; all quarter section tracts of S23, T4N, R17E; NE1/4NE1/4, NW1/4-NE1/4, SW1/4NE1/4; NW[illegible]4, N1/2SW1/4, NW1/4SE1/4, [illegible] T4N, R17E; NW1/4NW1/[illegible] T4N, R17E; NE1/4, SE1/[illegible]/4, SW1/4, W1/2SE1/4, S26, T[illegible] R17E; SW1/4SW1/4, S18, T[illegible] R18E; W1/2NW1/4, S19, [illegible] R18E; Blaine County.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to add two Points of Diversion as follows:

Amount: 4.46 (Commercial) [illegible]
Period of Use: 10/15 to 4/1; [illegible] (Commercial) 01/01 to 12/31; [illegible] (Domestic) 01/01 to 12/31
Points of Diversion: Three [illegible] wells located within NE1/4NE1/4, [illegible], T4N, R17E; Blaine County.
Place of Use: No changes.

Any protest against approval of [illegible] amending of Permit [illegible] 08575 as set forth above must be filed with the Idaho Department of Water Resources, 222 [illegible]shone Street East, Twin Falls, [illegible]3301, on or before December [illegible], 1991.

[illegible] R. [illegible]ohnson, Director

Publish[illegible] Journal
Decem[illegible]

N- 7957

United States Department of Agriculture Forest Service	a. Record no. (1-2)	b. Region (3-4)	c. Forest (5-6)
SPECIAL USE PERMIT Act of June 4, 1897 This permit is revocable and nontransferable (Ref. FSM 2710)	70	04	14
	d. District (7-8) Ketchum 03	e. User number (9-12) 2720	f. Kind of use (13-15) Winter Sports 161
	g. State (16-17) Idaho 16	h. County (18-20) Blaine 013	k. Card no. (21) 1

Permission is hereby granted to Sun Valley Company

of Sun Valley, Idaho 83353,

hereinafter called the permittee, to use subject to the conditions set out below, the following described lands or improvements:

Portions of Sections 14, 22, 23, 26, and 27, T4N, R17E, Boise Meridian, Sawtooth National Forest, Idaho, and portions of Sections 13, 24, and 25, T4N, R17E, Boise Meridian, Shoshone District No. 5, Bureau of Land Management, Idaho, more specifically described on a plat designated Bald Mountain Winter Sports Area and dated 6/3/76, exclusive of lands covered by the Term Special Use Permit.

This permit covers 3,271.00 acres and/or -- miles and is issued for the purpose of:

Constructing and maintaining ski trails, parking areas, work roads, utilities, and similar improvements. A separate term special use permit dated December 2, 1977 covers the construction, operation, and maintenance of ski lifts, ski tows, buildings, and similar facilities on the ski area.

See Exhibit B for acreage tabulation of landownership; and addendum describing runs and others facilities. Both the addendum and Exhibit B are attached and made a part of this permit.

1. Construction or occupancy and use under this permit shall begin within -- months, and construction, if any, shall be completed within -- months, from the date of the permit. This use shall be actually exercised at least 150 days each year, unless otherwise authorized in writing.

2. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of -- Dollars ($ --) for the period from -- 19__, to -- , 19__, and thereafter annually on FREE USE - 36 CFR 251.2,
--- Dollars ($ ---):
Provided, however, Charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.

3. This permit is accepted subject to the conditions set forth herein, and to conditions 18 to 21 attached hereto and made a part of this permit.

	NAME OF PERMITTEE	SIGNATURE OF AUTHORIZED OFFICER	DATE
PERMITTEE	SUN VALLEY COMPANY	TITLE	December 1,197
ISSUING OFFICER	NAME AND SIGNATURE JAN 11 1994	TITLE Forest Supervisor	DATE Dec. 2, 1977
BLM Issuing Officer	Name and Signature	Title District Manager	Date 12/7/77

(Continued on Reverse)

4. Development plans; layout plans; construction, reconstruction, or alteration of improvements; or revision of layout or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved, and has marked or otherwise designated that which may be removed or destroyed. Timber cut or destroyed will be paid for by the permittee as follows: Merchantable timber at appraised value; young-growth timber below merchantable size at current damage appraisal value; *provided* that the Forest Service reserves the right to dispose of the merchantable timber to others than the permittee at no stumpage cost to the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

5. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

6. This permit is subject to all valid claims.

7. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

8. The permittee shall take all reasonable precautions to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

9. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the National Forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

10. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest roads and trails caused by the permittee in the exercise of the privilege granted by this permit.

11. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

12. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and restoration of the site.

13. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements other than those owned by the United States situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner provided is qualified as a permittee and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the issuing officer or his successor, issuance of a permit is desirable and in the public interest.

14. In case of change of address, the permittee shall immediately notify the forest supervisor.

15. The temporary use and occupancy of the premises and improvements herein described may be sublet by the permittee to third parties only with the prior written approval of the forest supervisor but the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

16. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the regional forester or the Chief, Forest Service.

JAN 1 1 1994

17. In the event of any conflict between any of the preceding printed clauses or any provisions thereof and any of the following clauses or any provisions thereof, the following clauses will control.

4. Development plans; lay-out plans; construction, reconstruction, or alteration of improvements; [illegible] lay-out or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved and has marked or otherwise designated that which may be removed or destroyed. Timber cut or destroyed will be paid for by the permittee as follows: Merchantable timber at appraised value; young-growth timber below merchantable size at current damage appraisal value; provided that the Forest Service reserves the right to dispose of the merchantable timber to others than the permittee at no stumpage cost to the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

5. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

6. This permit is subject to all valid claims.

7. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

8. The permittee shall take all reasonable precaution to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

9. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the national forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

10. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest roads and trails caused by the permittee in the exercise of the privilege granted by this permit.

11. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

12. Except as provided in Clause 16 below, upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and the restoration of the site.

13. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements other than those owned by the United States situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner above provided is qualified as a permittee, and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises will be authorized by a permit to him, which may be for the unexpired term of this permit or for such new period as the circumstances justify.

14. The permittee may sublease the use of land and improvements covered under this permit and the operation of concessions and facilities authorized; Provided the express written permission of the Forest Supervisor has been secured. The permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

15. This permit may be terminated upon breach of any of the conditions herein.

16. If during the term of this permit or any extension thereof, the Secretary of Agriculture or any official of the Forest Service acting by or under his authority shall determine that the public interest requires termination of this permit, this permit shall terminate upon thirty days' written notice to the permittee of such determination, and the United States shall have the right thereupon to purchase the permittee's improvements, to remove them, or to require the permittee to remove them, at the option of the United States, and the United States shall be obligated to pay an equitable consideration for the improvements or for removal of the improvements and damages to the improvements resulting from their removal. The amount of the consideration shall be fixed by mutual agreement between the United States and the permittee and shall be accepted by the permittee in full satisfaction of all claims against the United States under this clause: *Provided,* That if mutual agreement is not reached, the Forest Service shall determine the amount and if the permittee is dissatisfied with the amount thus determined to be due him he may appeal the determination in accordance with the Appeal Regulation (36 C.F.R. 211.20 - 211.37) and the amount as determined on appeal shall be final and conclusive on the parties hereto; *Provided further,* That upon the payment to the permittee of 75% of the amount fixed by the Forest Service, the right of the United States to remove or require the removal of the improvements shall not be stayed pending final decision on appeal.

17. [illegible]

18. In case of change of address the permittee shall immediately notify the forest supervisor.

19. In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provisions thereof, the following clauses will control.

[illegible]

JAN 1 1 1994

GPO 865-247

ADDENDUM TO TERM PERMIT

SUN VALLEY COMPANY, INC. TERM PERMIT ACREAGES - 1977

30 FEET WIDE

Lifts	Acres
River Run	1.45
Exhibition	2.41
Christmas Triple	2.72
Cold Springs	1.92
Christmas Double	2.96
Mid College	3.31
Flying Squirrel	2.62
Lookout	1.40
Warm Springs #1	2.14
Warm Springs #2	3.91
Roundhouse T Bar	0.63
Chaneys	2.75

Proposed

Lifts	Acres
Holiday	4.99
Graduate	2.58
Olympic	1.72
Big Meadow	3.69
Grey Hawk	2.58
Mayday	2.93
Seattle Ridge	3.58
Fire Trail	3.10
Broadway Saddle	1.38
TOTAL	54.77

Buildings	Acres
Round House	0.14
Duchin 9000	0.10
Lookout Restaurant	0.13
Ski Patrol Hut (2)	0.07
Explosive Storage	0.01
Pumphouse-Warm Springs	0.01
Compressor House	0.07
Meadows Restaurant (Proposed)	0.11
TOTAL	.64

TOTAL OF ALL BUILDINGS AND LIFTS
EXISTING AND PROPOSED.....55.41 Acres

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20. (A-7) 1. Sales for the purpose of fee calculation include (1) revenue derived from all goods and services sold which are related to operations under this permit, and (2) the value of gratuities not excluded by Item g. Gratuities include such goods, services, or privileges as discounts, gifts, dividends, or benefits that are furnished to such individuals as stockholders, owners, creditors or other obligees, officers, employees or their families, at rates or under conditions not available to the general public. Such gratuities will be sales-priced by the permittee at the current price to the public.

The following items will be excluded from gross receipts or revenue to arrive at sales:

a. Refunds from returned merchandise and receipts from sales of real and personal property used in the operation.

b. Rents paid to the permittee by sublessees, even if based on sales. (The gross sales of sublessees are included as provided under Item (1).)

c. Amounts received for goods sold, services rendered, or privileges granted at a price lower than the permittee's current price to the public. (The full value is included as provided under Item (2).)

d. Sales taxes paid or payable to taxing authorities and Federal and State gasoline taxes on sales of gasoline collected from customers.

e. Amounts paid or payable to a Government licensing authority or recreation administering agency from sales of hunting or fishing licenses and recreation fee tickets.

f. Value of sales where the permittee is serving as a collection or sales agent for businesses not directly associated with the permitted operation. This includes such things as bus- or sight-seeing ticket sales for trips not related to activities on the permitted area, telephone-toll charges, and accident-insurance sales.

g. Items listed in a policy statement prepared by the permittee pertaining to gratuities previously approved in writing by the Forest Supervisor. The policy may provide for those furnished to persons present in the interest of public safety; those whose presence will significantly increase sales by publicity for the operation; competitors, judges, and other officials of organized competitive or exhibition events; officials responsible for inspection and administration of the permitted use; and other similar purposes.

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The policy statement will describe how gratuities are to be recorded. A record of all gratuities will be kept by the permittee as a part of the records under this permit.

h. Franchise receipts. (See definition below.)

i. Commissions. (See definition below.)

2. Franchise Receipts are defined as amounts paid the permittee by sublessees, as determined at the time franchise operations are authorized, solely for the opportunity to do business at a specific location in addition to a stated rental fee. Franchise receipts may be in the form of fixed amounts of money or reduced prices for the franchiser's product or service. No franchise operations will be undertaken until approved, in advance, by the Forest Supervisor.

3. Commissions are payments received by the permittee for serving as an agent or providing services, such as those described in Items e and f.

4. For purposes of recording and reporting sales, and sales-related information including the cost of sales, the activities of the permittee are divided into:

Service, Food. Includes the serving of meals, sandwiches, and other food materials either consumed on the premises or prepared for carryout. Snack bars are included here, as well as the sale of non-alcoholic drinks and wine and beer, served in conjunction with food.

Merchandise. Includes the sale of miscellaneous clothing, and such items as hardware, souvenirs, and gifts. Bait, fishing rods, reels, boats, motor and boating accessories are included as well as other sporting equipment and clothing sales. Where a "Service, Cars" category of business is not established by this permit, the sale of auto accessories is included in this category.

Service, Liquor. Includes the sale of alcoholic drinks for consumption on the premises and other sales ordinarily a part of a bar or cocktail-lounge business. Where a bar is operated in conjunction with a restaurant or overnight accommodations, liquor, beer and wine sales are recorded separately from the other sales and included in this category. The sale of alcoholic beverages for consumption off the premises is also included in this item, except as indicated in "Service, Food."

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Outfitting, Guiding. Includes all activities or commercial guiding services involving back-country travel, regardless of mode of travel, when associated with a resort or dude ranch with a mixture of businesses. All fees charged are considered sales.

Rentals and Services. Includes the rental of furnished or unfurnished cabins, cottages, housekeeping rooms, condominiums, motel units (where daily maid service is not furnished by the permittee), etc., and the rental of camping space, trailer space, horses, trailers, and other equipment rentals. Also included are services such as barbershops, and amusements such as billiards. Includes the rental of marine-type equipment, such as boats, motors, boat docks and boat moorings, and boat launching. Rentals of ski and snowplay equipment and snowmobiles are also included.

Lifts, Tows, and Ski Schools. Includes charges for use of all types of uphill transportation facilities and for sports lessons and training.

For purposes of fee calculation, the development boundary will include all permitted National Forest land, Bureau of Land Management land, and those portions of the private land which in combination with the National Forest land constitute a logical overall integrated business operation.

Slope Transport Feet Method of Proration. In this method, the capacity of each lift is multiplied by the slope distance travelled by that lift through each ownership. This provides a factor called slope transport feet. These factors are added for each ownership and the percentage they bear to the total is determined. The resulting percentages reflect, by ownership, the weighted capacity of the lifts to accommodate skiers. (Currently, this proration equals 95 percent of net sales and other income from uphill facilities located all or partially on Federal lands. This percentage will be adjusted as uphill facilities are added or deleted. Any adjustment in percentage will be effective the first day of the permittee's following fiscal year.)

5. Gross Fixed Assets (GFA) is the total cost of improvements, equipment, and fixtures necessary and used to generate sales and other income during the permit year on the permitted area or within the development boundary shown in this permit.

   a. Costs of the following items verified by a representative of the Forest Service to be in existence and used by the

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permittee are included in the establishment of the original GFA, but not includable thereafter unless capitalized in the permittee's accounting records.

1. Expensed items that are identifiable structures, major equipment, such as road maintenance equipment, or land improvements which play a distinct role in generating sales.

2. Identifiable permittee costs to provide utility services to the area.

b. Such items as the following are not a part of GFA:

1. Assets that ordinarily qualify for inclusion in GFA, but which are out of service for the full operating year for which fees are being determined.

2. Land.

3. Expendable or consumable supplies.

4. Intangible assets, such as goodwill, organization expense, and permit value.

5. Improvements not related to the operation.

6. Luxury improvements not used to generate sales.

7. Improvements not located on the permit sites or within the development boundary.

As of 11/24/75, the tentative GFA under this ownership is $6,868,593. Actual GFA will be determined at a later date and shown as an amendment (Schedule A) to the permit.

All work and capital expenditures made to improve tangible fixed assets that are expensed but not capitalized will not be included in the Gross Fixed Assets after the initial GFA has been established and GRFS implemented. Fixed assets expensed by the permittees prior to the implementation of the GRFS system will be included in the initial GFA only after the permittee supplies the Forest Officer with sufficient proof that the work and expense did occur.

21. (A-8) The annual fees due the United States for those activities authorized by this permit shall be calculated on sales according to the following schedule.

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Kind of Business	Breakeven Point (Sales to GFA) (Percentage)	Rate Base (Percentage)	Balance of Sales Rate (Percentage)
Service, Food	70	1.25	1.50
Merchandise	70	1.50	1.80
Service, Liquor	60	1.80	2.15
Outfitting, Guiding	50	2.00	2.65
Rentals and Services	30	4.50	5.95
Lifts, Tows, and Ski Schools	20	2.00	5.00

A weighted-average break-even point (called the break-even point) and a weighted-average rate base (called the rate base) will be calculated and used when applying the schedule to mixed business. If the permittee's business records do not clearly segregate the sales into the business categories authorized by this permit, they will be placed in the most logical category whenever possible. If sales with a different rate base are grouped, it will be necessary to place them all in the rate category that will yield the highest fee. The fee on sales below the break-even point will be calculated using 50 percent of the rate base. The fee on sales between the break-even point and twice the break-even point will be calculated using 150 percent of the rate base. The fee on sales above twice the break-even point will be calculated using the balance of sales rate. Form 2700-19 will simplify computation.

This use occupies both private and public land. For purposes of the fee calculation, "GFA" and "Sales" will be adjusted by a percentage representing the portion of the use attributed to National Forest land. This percentage has been calculated on the basis of slope transport feet method of proration. This has been determined to be 95 percent and is subject to annual review and adjustment by the Forest Service as may be necessitated by the addition or removal of improvements.

To the above basic fee will be added the fee for commissions calculated by applying the weighted average fee rate to revenue collected as commissions. The weighted average fee rate is derived by dividing the total basic fee by sales.

To the above fees will be added 50 percent of franchise receipts.

The minimum annual fee for this use, which is due in advance and is not subject to refund, will be equal to the fee that would

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result when sales are 40 percent of the break-even point. This fee will be calculated and billed by the Forest Service during the final quarter of the permittee's fiscal year using the most recent GFA figure and previously reported sales data for the current year, plus, if the operating season is still active, estimated sales for the remainder of the year.

22. (A-10) Upon determination by the Chief of the Forest Service that sufficient changes have occurred in conditions relating to specific kinds of business to warrant review, break-even points and rates will be reexamined and, if appropriate, new schedules will be prepared by the Forest Service to be effective in all permits authorizing such business or businesses. The charges for this permit will be developed according to the new schedule as of, and effective on, the beginning of the permittee's business year following approval of the revised rate scheduled.

23. (A-12) Reports and deposits required as outlined above shall be tendered in accordance with the schedule below. They will be sent or delivered to the Collection Officer, Forest Service, USDA, 1525 Addison Avenue East, Twin Falls, Idaho 83301. Checks or money orders will be payable to "Forest Service, USDA."

The permittee will:

1. During the final fiscal quarter, pay within 15 days of billing by the Forest Service, the annual minimum fee for the next year.

2. The permittee will send to the Forest Supervisor on or before three months after close of permittee's fiscal year an annual operating statement reporting the results of operations including yearend adjustments. The permittee will also include or cause to be provided from each sublessee an operating statement covering the results of its operations for the same period. The permittee will also include a balance sheet representing his financial condition at the close of his business year, and a schedule of gross fixed assets adjusted to comply with the terms of this permit in a format and manner prescribed by the Forest Service.

3. Within 15 days of receipt of a statement from the Forest Supervisor, pay any additional fee required to correct fees paid for the past year's operation.

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All fee calculations and records of sales and GFA are subject to periodic audit. Errors in payment will be corrected as needed in conformance with those audits.

24. (A-13) A service charge in addition to the regular fees shall be made for failure to meet the fee payment due date or any of the dates specified for submission of statements required for fee calculation. The service charge shall be one (1.0) percent per month of the fee from the date statement and fees were due, or $15, whichever is greater. If a due date falls on a non-workday, the service charge will not apply until the end of the next workday.

25. (A-14) For the purpose of administering this permit (including ascertaining that fees paid were correct and evaluating the propriety of the fee base), the permittee agrees to make all of the accounting books and supporting records to his business activities, as well as those of sublessees operating within the authority of this permit, available for analysis by qualified representatives of the Forest Service or other Federal agencies authorized to review the Forest Service activities. Review of accounting books and supporting records will be made at dates convenient to the permittee and reviewers. Financial information so obtained will be treated as confidential to the extent allowed in the Freedom of Information and the Privacy Acts, 5 U.S.C. 552 and 552a, respectively.

The permittee will retain the above records and keep them available for review for 3 years after the end of the year involved, unless disposition is otherwise authorized by the Forest Service in writing.

26. (A-15) The permittee shall follow generally accepted accounting principles in recording his financial transactions and in reporting results to the Forest Service. When requested by the Forest Service, the permittee at his own expense, will have his annual accounting reports audited by a public accountant acceptable to the Forest Service. The permittee will require his sublessees to comply with these same requirements. The minimum acceptable accounting system will include:

1. Systematic internal controls and recording by kind of business the gross receipts derived from all sources of business conducted under this permit. Receipts should be recorded daily and, if possible, deposited into a bank account without reduction by disbursements. Receipt entries should be supported by such source documents as cash-register tapes, sale invoices, room-rental records, and cash accounts from other sources.

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2. A record of all disbursements, including capital items, and a permanent record of investments in facilities.

3. Bank accounts will be maintained separately for the businesses conducted under this permit and not co-mingled with those for other businesses of the permittee.

27. (B-1) In connection with the performance of work under this permit, the permittee agrees as follows:

a. The permittee will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The permittee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The permittee agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Forest Service setting forth the provisions of this nondiscrimination clause.

b. The permittee will, in all solicitations or advertisements for employees placed by or on behalf of the permittee, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

c. The permittee will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Forest Service, advising the labor union or workers' representative of the permittee's commitments under this clause, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

d. The permittee will comply with all provisions of Executive Order No. 11246 of Septemher 24, 1965, as amended by Executive Order No. 11375 of October 31, 1967, and of the rules, regulations, and relevant orders of the Secretary of Labor.

e. The permittee will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit

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access to his books, records, and accounts by the Forest Service and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

f. In the event of the permittee's noncompliance with the nondiscrimination clauses of this permit or with any of such rules, regulations, or orders, this permit may be cancelled or terminated in whole or in part and the permittee may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor or as otherwise provided by law.

g. The permittee will include the provisions of the foregoing paragraphs (a) through (f) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The permittee will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions, including sanctions for non-compliance: Provided, however, that in the event the permittee becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Forest Service, the permittee may request the United States to enter into such litigation to protect the interests of the United States.

28. (B-4) In the transportation, storage, and use of explosives, the permittee shall comply with all applicable Federal, State, and local laws or regulations, more particularly described in Section 6.1 of the Forest Service Health and Safety Code (FSH 6109.13).

29. (B-8) The permittee shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of National Forest lands under this permit.

30. (B-10) The permittee shall have in force public liability insurance covering: (1) property damage in the amount of twenty-five thousand dollars ($25,000), and (2) damage to persons in the minimum amount of five hundred thousand dollars ($500,000) in the event of death or injury to one individual and the minimum amount of two million dollars ($2,000,000) in the event of death

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or injury to more than one individual. The coverage shall extend to property damage, bodily injury, or death arising out of the permittee's activities under the permit including, but not limited to, the occupancy or use of the land and the construction, maintenance, and operation of the structures, facilities, or equipment authorized by this permit. Such insurance shall also name the United States as a co-insured and provide for specific coverage of the permittee's contractually assumed obligation to indemnify the United States. The permittee shall require the insurance company to send an authenticated copy of its insurance policy to the Forest Service immediately upon issuance of the policy. The policy shall also contain a specific provision or rider to the effect that the policy will not be cancelled or its provisions changed or deleted before thirty (30) days written notice to the Forest Supervisor, 1525 Addison Avenue East, Twin Falls, Idaho, 83301, by the insurance company.

Rider Clause (for insurance companies)

It is understood and agreed that the coverage provided under this policy will not be cancelled or its provisions changed or deleted before thirty (30) days written notice to the Forest Supervisor, 1525 Addison Avenue East, Twin Falls, Idaho 83301, from the insurance company.

31. (B-11) The operation and maintenance of all sanitation, food-service, and water-supply methods, systems, and facilities shall comply with the standards of the local department of health and the United States Public Health Service.

The permittee shall dispose of all garbage and refuse in a place and manner specified by the Forest officerin charge.

32. (B-13) Not later than October 1 of each year, the permittee shall have the lifts and ski tows inspected by an engineer who is qualified, as defined by the current American National Standard Safety Requirements for Aerial Passenger Tramways, to make such inspections. A certificate of this inspection, attesting to the adequacy and safety of the installations and equipment for public use, shall be forwarded to the Forest Supervisor not later than thirty (30) days following each inspection. Inspections will be made in accordance with the current American National Standard Safety Requirements for Aerial Passenger Tramways.

33. (B-14) The Forest Service reserves the right to inspect the permitted facilities and improvements at any time for compliance with terms of this permit, and if in the opinion of the Forest

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Supervisor there is insufficient adherence to the terms of the permit, he may suspend use or operation of any part, or all, of the permitted facilities or improvements. Such inspections by the Forest Service do not relieve the permittee of his responsibilities under other terms of this permit.

34. (B-15) At any time the lift systems authorized by this permit are open to public use, the permittee shall maintain in operable condition an auxiliary source of power sufficient to operate the lifts for the purpose of unloading passengers.

35. (B-16) The permittee shall install and maintain in operable condition, an adequate telephone or radio-telephone system to provide communication between operators at each terminal or loading station and to and from the area.

36. (B-17) The use of explosives and blank ammunition shall be in accordance with safety rules designed to prevent damage to life, property, or forest cover. Periods of use may be restricted by the Forest Service, when fire danger conditions require.

37. (B-22) The permittee shall maintain and operate a ski school on the permit area. The director for said school shall be certified and qualified to the satisfaction of the Forest Supervisor to give instruction and to direct others in giving instruction in all degrees of skiing proficiency required at the site. Ski safety shall be emphasized in all instruction.

38. (B-24) The permittee shall carry on all operations in a workmanlike manner, having due regard for the safety of employees; and shall safeguard with fences, barriers, fills, covers, or other effective devices, pits, cuts, and other excavations which otherwise would unduly imperil the life, safety, or property of other persons.

39. (B-31) Natural phenomenons in the Forest such as avalanches, rising waters, high winds, falling limbs or trees, and other hazards present risks to the permittee's property which the permittee assumes. The permittee has the responsibility of inspecting his site, right-of-way and immediate adjoining area for dangerous trees, hanging limbs, and other evidence of hazardous conditions and, after securing permission from the Forest Service, of removing such hazards, in order to protect his improvements.

40. (B-32) The permittee shall maintain an adequate ski patrol organization. Each patrolman shall meet the qualifications as specified in the safety and operations plan and may be either paid or volunteer.

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An adequate ski patrol, also specified in the safety and operations plan, shall be present at all times during which the public is using the uphill equipment or skiing the slope.

41. (B-33 and X-72) The permittee shall conduct the operations authorized by this permit with full recognition of the need for public safety. In furtherance of this requirement, the permittee and the Forest Service shall jointly prepare a plan covering safety and operations designed to provide among other things, adequate safety to the users of the permitted area and facilities. The plan shall have written approval of the Forest Supervisor prior to operation of the facilities for public use purposes. The plan shall include, but shall not be limited to, avalanche safety; amount and kind of rescue equipment; conditioning of trails; and frequency of permittee inspection of area, equipment, machinery, uphill facilities, communications, sanitation, and erosion control.

The provisions of the safety and operations plan and the annual revisions will become a part of this permit and will be signed by the Forest Supervisor and the permittee or his designated representative.

42. (B-35) All transmission lines shall be designed and constructed in accordance with accepted standards and specifications for transmission lines of similar voltage, capacity, and purpose. All transmission lines and all power transmission lines of 34.5 KV or less will be placed underground except where prohibited by technical circumstances. The burden of proof for deviation from this requirement rests with the permittee and any deviation will be authorized only after review of the facts by the Forest Supervisor. Any deviations must be approved in writing.

43. (C-2) The permittee shall prepare site plans to show the location of all buildings, service areas, roads, and structures. Such plan shall be on a scale of 1" = 500' with 40-foot contour intervals. The permittee is encouraged to consult with the Forest Service during the preparation of all site plans to ensure that they are adequate and to gain multiple use compliance. No construction shall be undertaken by the permittee prior to site plan approval.

44. (C-3) As a further guarantee of the faithful performance of the provisions of clauses __--__ of this permit, the permittee agrees to deliver and maintain a surety bond in the amount of _____--_____ dollars ($__--__). Prior to undertaking additional construction or alteration work not provided for in the above clause(s) or when the improvements are to be removed and the area restored, the permittee shall deliver and maintain a surety bond in an amount set by the Forest Service, which amount shall not be in excess of the estimated

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loss which the Government would suffer upon default in performance of this work. Should the sureties or the bonds delivered under this permit become unsatisfactory to the Forest Service, the permittee shall, within thirty (30) days of demand, furnish a new bond with surety, solvent and satisfactory to the Forest Service. In lieu of surety bond, the permittee may deposit into a Federal depository, as directed by the Forest Service, and maintain therein, cash in the amounts provided for above, or negotiable securities of the United States having a market value at time of deposit of not less than the dollar amounts provided above.

The permittee's surety bond will be released, or deposits in lieu of bond, will be returned thirty (30) days after certification by the Forest Service that priority installations under the development plan are complete, and upon furnishing by the permittee of proof satisfactory to the Forest Service that all claims for labor and material on said installations have been paid or released and satisfied. The permittee agrees that all moneys deposited under this permit may, upon failure on his part to fulfill all and singular the requirements herein set forth or made a part hereof, be retained by the United States to be applied as far as may be to the satisfaction of his obligations assumed hereunder, without prejudice whatever to any other rights and remedies of the United States.

45. (C-4) The permittee shall prepare grading plans, profiles, and cross-sections to show precise elevations, excavations, and other details related to the installations of buildings, structures, or improvements on the permitted-use area. Such plans shall include provisions for drainage, retaining structures, seeding, and planting, to be made for the prevention and control of erosion on the permitted area and the National Forest lands adjacent to the permitted area, insofar as the latter may be influenced by the permitted use.

46. (C-6) All plans and specifications for buildings shall be prepared by an architect licensed in the State in which the building will be located. The plans shall be in accordance with the current Uniform Building Code. Building plumbing shall be in accordance with the National Plumbing Code. The electrical system shall be in accordance with the National Electrical Code. Other systems shall be designed in accordance with recognized standards.

Plans shall be submitted to the Forest Service for approval prior to beginning of construction.

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The permittee shall submit to the Forest Service a certification by the architect or engineer who inspected construction that the building has been constructed in accordance with the approved plans before the building is approved for use.

47. (C-7) All uphill facilities shall be designed, constructed, operated, inspected, and maintained in accordance with the latest edition of the American National Standard Safety Requirements for Aerial Passenger Tramways.

The permittee shall present to the Forest Service for approval detailed drawings and specifications for all towers and foundations, including those for the upper and lower terminals. The permittee shall also provide detailed drawings of mechanical parts to show design or a manufacturer's model or schematic diagram showing the parts, or make reference to manufacturer's identification of such parts as gears, reducers, power units, and brakes. Plans must be approved by the Regional Forester or his designated representative.

During foundation construction, concrete shall be tested for quality and the test results presented to the Forest Supervisor.

48. (C-8) All lifts and tows installed on National Forest land, or which serve National Forest together with other lands, must be constructed under the supervision of an engineer who is qualified, as defined by the current American National Standard Safety Requirements for Aerial Passenger Tramways, to provide such supervision. The engineer shall certify in writing that all improvements have been installed in accordance with approved plans. The permittee shall bear the cost of engineering and supervision services. The permittee shall not operate the facilities for public purposes until written approval is granted by the Forest Service.

49. (C-13) All plans, maps, and specifications shall be written in English and shall use American standards of measurement.

50. (D-2) No waste or byproducts shall be discharged if it contains any substances in concentrations which will result in substantial harm to fish and wildlife, or to human water supplies.

Storage facilities for materials capable of causing water pollution, if accidentally discharged, shall be located so as to prevent any spillage into waters, or channels leading into water, that would result in substantial harm to fish and wildlife or to human water supplies.

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51. (D-3) The permittee shall protect the scenic esthetic values of the area under this permit, and the adjacent land, as far as possible with the authorized use, during construction, operation, and maintenance of the improvements.

52. (D-4) The permittee shall take reasonable precautions to protect, in place, all public land survey monuments, private property corners, and Forest boundary markers. In the event that any such land markers or monuments are destroyed in the exercise of the privileges authorized by this permit, depending on the type of monument destroyed, the permittee shall see that they are re-established or referenced in accordance with (1) the procedures outlined in the "Manual of Instructions for the Survey of the Public Land of the United States," (2) the specifications of the county surveyor, or (3) the specifications of the Forest Service.

Further, the permittee shall cause such official survey records as are affected to be amended as provided by law.

53. (D-5) The permittee will take reasonable measures to prevent and discourage vandalism or disorderly conduct, and when necessary, will call in the appropriate law-enforcement officer.

54. (D-7) The permittee shall be responsible for the prevention and control of soil erosion and gullying on the area covered by this permit and lands adjacent thereto, resulting from construction or operation of the permitted use, and shall provide preventive measures as required by the Forest Officer in charge.

55. (D-9) All earth cut or fill slopes favorable to revegetation or other areas on which ground cover is destroyed in the course of construction, will be revegetated to grasses or other suitable vegetation as required by the Forest Supervisor.

56. (D-10) Topsoil shall be stripped from the permitted area and be deposited in storage piles apart from other excavated material. After the desired amount of material has been removed, and the resulting pit has been trimmed and smoothed as required, the stored topsoil shall be evenly spread over exposed subsoil to the extent that may be practicable, and shall be revegetated.

57. (D-11) Seeding or planting will be done at a time of the year, in a manner, and with species which the District Ranger considers offer the best chance of success and will be repeated annually until such areas are accepted in writing by the District Ranger as satisfactorily revegetated and stabilized.

58. (D-14) All butane, propane, or other liquified-petroleum-gas equipment shall be installed and operated in accordance with the laws and regulations of the State.

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59. (D-15) The permittee shall take reasonable precautions to prevent pollution of or deterioration of lands or waters which may result from the exercise of the privileges extended by this permit.

60. (F-4) Open fireplaces shall be equipped with spark screens.

61. (F-7) The permittee shall install fire extinguishers and firefighting apparatus of types, of capacities, in numbers, and at locations approved by the Forest Supervisor. This equipment shall be in readiness at all times for immediate use, and shall be tested each year, at such times as may be required by the Forest Supervisor.

62. (F-24) The permittee shall do everything reasonably within its power and shall require its employees, contractors, and employees of contractors to do everything reasonably within their power, both independently and upon request of the Forest Service to prevent and suppress fires on or near the lands to be occupied under this permit.

63. (X-3) Nothing in this permit shall be construed to imply permission to build or maintain any structure not specifically named on the face of this permit, or approved by the Forest Service in the form of a new permit or permit amendment. Additional structures requiring specific approval shall include, but are not limited to: signs, fences, nameplates, pipelines, television antenna, helicopter pads, and telephone boxes.

64. (X-22) The Forest Service shall have the authority to check and regulate the adequacy and type of services provided the public and to require that such services conform to satisfactory standards. The permittee may be required to furnish the Forest Service a schedule of prices for sales and services authorized by the permit. Such prices and services may be regulated by the Forest Service: Provided, That the permittee shall not be required to charge prices lower than those charged by comparable or competing enterprises.

65. (X-24) Gambling or gambling machines or devices will not be permitted on National Forest lands regardless of whether or not they are lawful under State law or County ordinances.

66. (X-26) The sale of beer and wine is allowed under this permit. However, if conditions develop as a result of this privilege which, in the judgment of the Forest officer in charge are undesirable, the sale of such beer and wine shall be discontinued. In the event that this action becomes necessary, the permittee will be informed in writing by the Forest Service.

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67. (X-30) The permittee, in his advertisements, signs, circulars, brochures, letterheads, and like materials, as well as orally, shall not misrepresent in any way, either the accommodations provided, the status of his permit, or the area covered by it or tributary thereto.

The fact that the permitted area is located on the Sawtooth National Forest and the Bureau of Land Management shall be made apparent in all of the permittee's brochures and advertising regarding use and management of the area and facilities under permit.

68. (X-49) This permit shall not be exclusive. The Forest Service reserves the right to use or permit others to use any part of the permitted area for any purposes, provided such use does not interfere with the rights and privileges hereby authorized.

69. (X-69) The acquisition or assumption by another party under an agreement with the permittee of any right or obligation of the permittee under this permit shall be ineffective as to the Forest Service unless and until the Forest Service shall have been notified of such agreement and shall have recognized and approved it in writing signed by the Forest officer who approved this permit, or by his successor or superior officer; and in no case shall such recognition or approval:

a. Operate to relieve the permittee of the responsibilities or liabilities he has assumed hereunder; or

b. Be given unless such other party:

1. Is acceptable to the Forest Service as a permittee, and assumes in writing all of the obligations to the Forest Service under the terms of this permit as to the incomplete portion thereof, or

2. Acquires the rights in trust as security and subject to such conditions as may be necessary for the protection of the public interests.

70. (X-92) The permittee, if a corporation, shall notify the Forest Service within fifteen (15) days of changes listed below:

a. Names of officers appointed or terminated.

b. Names of stockholders who acquire stock shares causing their ownership to exceed 50 percent of shares issued or who otherwise acquire controlling interest in the corporation.

JAN 1 1 1994

71. (X-93) The permittee, if a corporation, shall furnish the Forest Supervisor a copy of the articles of incorporation, a copy of the corporation's bylaws and, in addition, an authenticated copy of a resolution of the board of directors specifically authorizing one certain individual or individuals to represent the permittee in its dealing with the Forest Service. Also, the permittee will furnish the Forest Supervisor a list of officers and directors of the corporation and their addresses and promptly notify him of any changes. A certified list of the stockholders and amount of stock owned by each will be furnished the Forest Supervisor on his request.

72. (X-18) This permit supersedes a special use permit designated Sun Valley Company, Inc., Winter Sports, 7/18/68.

JAN 1 1 1994

United States Department of Agriculture
Forest Service

TERM SPECIAL USE PERMIT

Act of March 4, 1915, as amended July 28, 1956,
~~xxxxxxxxxxxxxxxxxxx~~
(Ref. FSM 2710)
ec. 302(b) of the Federal Land Policy and
Mgmt. Act of 1976, 43 U.S.C. 1732; 43 CFR
2920.

a. Record no. (1-2)	b. Region (3-4)	c. Forest (5-6)
70	04	Sawtooth 14
d. District (7-8)	e. Use number (9-12)	f. Kind of use (13-15)
Ketchum 03	2720	Winter Sports 161
g. State (16-17)	h. County (18-20)	k. Card no. (21)
Idaho 16	Blaine 013	1

Permission is hereby granted to Sun Valley Company

of Sun Valley, Idaho 83353,
hereinafter called the permittee, to use subject to the conditions set out below, the following described lands or improvements for the period of 30 years from the date thereof:

Portions of Sections 14, 22, 23, 26, and 27, T4N, R17E, Boise Meridian, Sawtooth National Forest, Idaho, and portions of Sections 13, 24, and 25, T4N, R17E, Boise Meridian, Shoshone District No. 5, Bureau of Land Management, Idaho, more specifically described on a plat designated Bald Mountain Winter Sports Area and dated 6/3/76, which is attached and made a part of this permit.

This permit covers 55.41 acres and is issued for the purpose of:

Operating and maintaining a public ski and recreation area, including uphill facilities, shelters, lodge, ski patrol building, rental shop, and other facilities, as described on the attached addendum and permit area map.

There is a separate annual special use permit dated December 2, 1977 covering the lift-served area and appurtenant improvements used in conjunction with the privileges granted by this permit.

1. Construction or occupancy and use under this permit shall begin within -- months, and construction, if any, shall be completed within -- months, from the date of the permit. This use shall be actually exercised at least 365 days each year, unless otherwise authorized in writing.

2. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, ~~the sum of xxxx Dollars ($xxxx) for the period from xxxx 19xx to xxxx 19xx and thereafter annually xx~~ See clauses 20 and 21,
~~xxxx Dollars ($xxxx): Provided, however, That the charges for this use shall be readjusted as of and effective on the beginning of each 5-year period from the due date of the first annual payment in order to place the charges on a basis commensurate with the value of use authorized by this permit.~~

3. This permit is accepted subject to the conditions set forth herein, and to conditions 20 to 72 attached hereto and made a part of this permit.

	NAME OF PERMITTEE	SIGNATURE OF AUTHORIZED OFFICER / TITLE	DATE
PERMITTEE	SUN VALLEY COMPANY	(signature)	December 1, 1977
ISSUING OFFICER	NAME AND SIGNATURE: (signature)	TITLE: Forest Supervisor	DATE: Dec. 2, 1977
BLM Issuing Officer	Name and Signature: (signature)	Title: District Manager	Date: 12/7/77

JAN 11 1994

(Continued on Reverse)

2700-5

ADDENDUM TO TERMINABLE PERMIT

SUN VALLEY COMPANY, INC. 1977

Existing Runs		Acres
A. Easiest		
1. Lower Warm Springs		21.81
2. Lower River Run		18.48
3. Upper College		17.96
4. Lower College		29.27
5. Ridge		18.94
6. Roundhouse Slope		4.02
7. Olympic Ridge		5.52
8. Broadway		50.22
9. Silver Fox		20.66
10. Southern Comfort		26.72
11. Lower Limelight		10.04
12. Lower Greyhawk		16.07
	TOTAL	239.71
B. More Difficult		
1. Mid Warm Springs		30.99
2. Mid Greyhawk		6.89
3. Lower Plaza		17.22
4. Mid River Run		24.39
5. Flying Squirrel		18.32
6. Graduate		10.90
7. Blue Grouse		12.67
8. Cut Off		4.59
9. Ridge South Slopes		10.38
10. Canyon		14.52
11. Lower Olympic		5.51
12. Christmas Bowl		16.36
13. Christmas Ridge		25.25
14. Lower Christmas		11.48
15. Cold Springs		12.93
16. Easter Bowl		15.78
17. Lookout Bowl		21.52
18. Mayday Bowl		15.21
19. Lefty Bowl		10.93
20. Far Out Bowl		9.93
	TOTAL	295.77

JAN 1 1 1994

18. (E-4) Unless sooner terminated or revoked by the Regional Forester in accordance with the provisions of the permit, this permit shall expire and become void on July 1, 2007, but a new permit to occupy and use the same National Forest land may be granted provided the permittee will comply with the then-existing laws and regulations governing the occupancy and use of National Forest lands and shall have notified the Forest Supervisor not less than six (6) months prior to said date that such new permit is desired.

19. (X-19) The permittee agrees to permit the free and unrestricted access to and upon the premises at all times for all lawful and proper purposes not inconsistent with the intent of the permit or with the reasonable exercise and enjoyment by the permittee of the privileges thereof.

20. (X-96) This permit is issued subject to the conditions set forth above and to the conditions in Clauses 3 through 14, 20 through 45, and 49 through 72 of the term special-use permit dated December 2, 1977. These clauses and only these clauses from the term permit are incorporated and made a part of this permit.

21. (X-18) This permit supersedes a special-use permit designated Sun Valley Company, Inc., Winter Sports, 7/18/68.

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EXHIBIT B OF SUN VALLEY PERMIT

Acreage Tabulation of Landownership

National Forest Lands — T. 4 N., R. 17 E., Boise Meridian

Section 14 (Irregular)	
S½, Lot 6	(25.51 acres)
S½SW¼SW¼NE¼	(5 acres)
SE¼	(181.33 acres)
SW¼	(160.0 acres)
W½W½NE¼SE¼NW¼	(2.5 acres)
SE¼SE¼NW¼	(10 acres)
W½SE¼NW¼	(20 acres)
Section 22	
E½SE¼NE¼	(20.0 acres)
E½E½SE¼	(40.0 acres)
Section 23	(686.19 acres)
Section 26	(690.88 acres)
Section 27	
E½NE¼	(80.0 acres)
NE¼SE¼	(40.0 acres)
Total	1961.41 acres

Bureau of Land Management Lands — T. 4 N., R. 17 E., Boise Meridian

Section 13	
W½NW¼NW¼	(20.0 acres)
SW¼NW¼	(40.0 acres)
SW¼SE¼NW¼	(10.0 acres)
W½NE¼SW¼	(20.0 acres)
NW¼SW¼	(40.0 acres)
S½SW¼	(80.0 acres)
Section 24	
W½NE¼	(80.0 acres)
W½NE¼SE¼NE¼	(5.0 acres)
W½SE¼NE¼	(20.0 acres)
SE¼SE¼NE¼	(10.0 acres)
W½	(320.0 acres)
SE¼	(160.0 acres)
Section 25	
N½	(320.0 acres)
SW¼	(160.0 acres)
W½SE¼	(80 acres)
Total	1365 acres

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ADDENDUM TO TERMINABLE PERMIT

SUN VALLEY COMPANY, INC. 1977

Existing Runs		Acres
A. Easiest		
1. Lower Warm Springs		21.81
2. Lower River Run		18.48
3. Upper College		17.96
4. Lower College		29.27
5. Ridge		18.94
6. Roundhouse Slope		4.02
7. Olympic Ridge		5.52
8. Broadway		50.22
9. Silver Fox		20.66
10. Southern Comfort		26.72
11. Lower Limelight		10.04
12. Lower Greyhawk		16.07
	TOTAL	239.71
B. More Difficult		
1. Mid Warm Springs		30.99
2. Mid Greyhawk		6.89
3. Lower Plaza		17.22
4. Mid River Run		24.39
5. Flying Squirrel		18.32
6. Graduate		10.90
7. Blue Grouse		12.67
8. Cut Off		4.59
9. Ridge South Slopes		10.38
10. Canyon		14.52
11. Lower Olympic		5.51
12. Christmas Bowl		16.36
13. Christmas Ridge		25.25
14. Lower Christmas		11.48
15. Cold Springs		12.93
16. Easter Bowl		15.78
17. Lookout Bowl		21.52
18. Mayday Bowl		15.21
19. Lefty Bowl		10.93
20. Far Out Bowl		9.93
	TOTAL	295.77

JAN 1 1 1994

Existing Runs		Acres
C. Most Difficult		
1. Warm Springs Face		22.73
2. Upper Warm Springs		8.03
3. Upper Limelight		14.35
4. Flying Maid		3.10
5. Upper Plaza		6.89
6. Upper Greyhawk		8.03
7. Upper River Run		15.84
8. Central Park		9.18
9. Upper Holiday		3.44
10. Lower Holiday		10.79
11. Sunnyside Six		5.70
12. Rock Garden		3.30
13. Exhibition		9.78
14. Olympic		8.63
15. Inhibition		5.85
	TOTAL	135.64
	SUBTOTAL	673.31
Planned Runs (50)		451.00
	TOTAL	1,124.31

Other

1. Sewer lines
2. Helispots
3. Water tanks
4. Water lines
5. Roads
6. Ski lanes
7. Telephone lines
8. Snow-making equipment

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EXHIBIT B OF SUN VALLEY PERMIT

Acreage Tabulation of Landownership

The permit consists of the following described lands:

National Forest Lands: S½S½NE¼ (45.51 acres), SE¼ (181.33), SW¼ (160.0), SE¼NW¼ (40.0), Section 14; E½SE¼NE¼ (20.0), E½E½SE¼ (40.0), Section 22; Section 23 (686.19); Section 26 (690.88); E½NE¼ (80.0), NE¼SE¼ (40.0), Section 27, T4N, R17E, Boise Meridian. Total - 1983.91 acres.

Bureau of Land Management Lands: S½SW¼NW¼ (20.0 acres), S½SW¼SE¼NW¼ (5.0), W½SW¼ (80.0), W½NE¼SW¼ (20.0), SE¼SW¼ (40.0), W½NW¼NW¼, N½SW¼SE¼NW¼, N½SW¼NW¼, Section 13; W½ (320.0), NW¼NE¼ (40.0), SW¼NE¼, W½NE¼SE¼NE¼, NW¼SE¼NE¼, S½SE¼NE¼ (75.0), SE¼, Section 24; N½NW¼ (80.0), SW¼NW¼ (40.0), NE¼SE¼NW¼, SW¼, and W½SE¼, Section 25; T4N, R17E, Boise Meridian. Total - 1365 acres.

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Existing Runs		Acres
C. Most Difficult		
1. Warm Springs Face		22.73
2. Upper Warm Springs		8.03
3. Upper Limelight		14.35
4. Flying Maid		3.10
5. Upper Plaza		6.89
6. Upper Greyhawk		8.03
7. Upper River Run		15.84
8. Central Park		9.18
9. Upper Holiday		3.44
10. Lower Holiday		10.79
11. Sunnyside Six		5.70
12. Rock Garden		3.30
13. Exhibition		9.78
14. Olympic		8.63
15. Inhibition		5.85
	TOTAL	135.64
	SUBTOTAL	673.31
Planned Runs (50)		451.00
	TOTAL	1,124.31

Other

1. Sewer lines
2. Helispots
3. Water tanks
4. Water lines
5. Roads
6. Ski lanes
7. Telephone lines
8. Snow-making equipment

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State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08575

Proposed Priority: October 5, 1989 Maximum Diversion Rate: 4.46 CFS

This is to certify, that **SINCLAIR OIL CORP.**
DBA SUN VALLEY CO.
C/O SCOTT CAMPBELL, ESQ.
P.O. BOX 1559
BOISE, ID 83701
has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
COMMERCIAL	10/15 to 04/01	4.46 CFS
COMMERCIAL	01/01 to 12/31	0.20 CFS
DOMESTIC	01/01 to 12/31	0.80 CFS
	Totals	4.46 CFS

LOCATION OF POINT(S) OF DIVERSION: NENE Sec. 24, Township 04N, Range 17E
BLAINE County

PLACE OF USE: COMMERCIAL

TWN	RGE	SEC			
04N	17E	13	SWSW		
		14	NENW	SWNW	SENW
			NESW	NWSW	SWSW
			SESW	SWSE	SESE
		23	NENE	NWNE	SWNE
			SENE	NENW	NWNW
			SWNW	SENW	NESW
			NWSW	SWSW	SESW
			NESE	NWSE	SWSE
			SESE		
		24	NENE	NWNE	SWNE
			NENW	NWNW	SWNW
			SENW	NESW	NWSW
			NWSE		
		25	NWNW		
		26	NENE	NWNE	SWNE
			SENE	SENW	NESW
			NWSW	SWSW	SESW
			NWSE	SWSE	
	18E	19	NWNW		

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PLACE OF USE: DOMESTIC

TWN	RGE	SEC	
04N	18E	18	SWSW

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08575

PLACE OF USE: DOMESTIC

TWN RGE SEC

19 NWNW SWNW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1995.**
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
5. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
6. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
7. Use of water under this permit for snow-making purposes shall be non-consumptive.
8. Commercial use is for a restaurant.
9. Domestic use is for 100 homes.

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

13th day of February, 1990.

for R. Keith Higginson, Director

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Form 202
6/88

OCT 05 1989

Ident. No. 37-08575

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Sinclair Oil Corporation, a Wyoming corporation, dba Sun Valley Company Phone (208) 622-4111

   Post office address Sun Valley, ID 83353 (c/o Scott Campbell, Atty, ELam, Burke & Boyd PO Box 1559, Boise, ID 83701)

2. Source of water supply Groundwater which is a tributary of N/A

3. Location of point of diversion is _____ ¼ of N.E. ¼ of N.E. ¼, Govt. Lot _____

   Sec. 24 Township 4N. Range 17E. B.M. Blaine County, additional

   points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 4.46 (cfs or acre-feet per annum) for Commercial (snowmaking - non-consumptive) purposes from Oct. 15 to April 1 (both dates inclusive)

   Amount 0.8 (cfs or acre-feet per annum) for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)

   Amount 0.2 (cfs or acre-feet per annum) for Commercial purposes from Jan. 1 to Dec. 31 (both dates inclusive)

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

5. Total quantity to be appropriated is (a) 4.46 cubic feet per second ~~and/~~or (b) ~~3229~~ N/A acre feet per annum

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Existing 12-inch I.D. well, approximately 1800 k.w. (total) electric pumps. After water is withdrawn, it will be distributed through a system of fixed and movable pipelines for snow-making purposes with required booster pump facilities. Domestic and commercial uses will utilize a system of buried distribution lines.

   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~~ Existing well diameter is 12 inches; ~~proposed~~ existing depth of well is 48 feet.

   d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is five (5) years (*minimum 1 year*).

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

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. Approximately 100 households*

e. Other; describe fully. Commercial (snowmaking - non-consumptive)--4.46 cfs. Commercial (.2 cfs) will provide a supply for culinary purposes at a proposed restaurant facility.

9. Description of place of use:

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

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	17E	14					C		C	C	C	C	C	C			C	C	
4N	17E	23	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
4N	17E	24	C	C	C		C	C	C	C	C	C				C			
4N	17E	25						C											
4N	17E	26	C	C	C	C				C	C	C	C	C		C	C		
4N	17E	13											C						
4N	18E	19						C D	D										
4N	18E	18											D						

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. License #37-7170; Source - Warm Springs Creek, 2.0 cfs, commercial use (snowmaking), priority 10/31/72. License #37-7340; Source - Warm Springs Creek, 0.23 cfs, commercial use (snowmaking) priority 2/8/74. License #32672/37-2722; Source - groundwater, 0.04 cfs, municipal use, priority 1/3/66. Also see remarks below.

11. a. Who owns the property at the point of diversion? Sun Valley Company

b. Who owns the land to be irrigated or place of use? Federal lands administered by USFS, Sawtooth National Forest, Ketchum Ranger District; Sun Valley Company

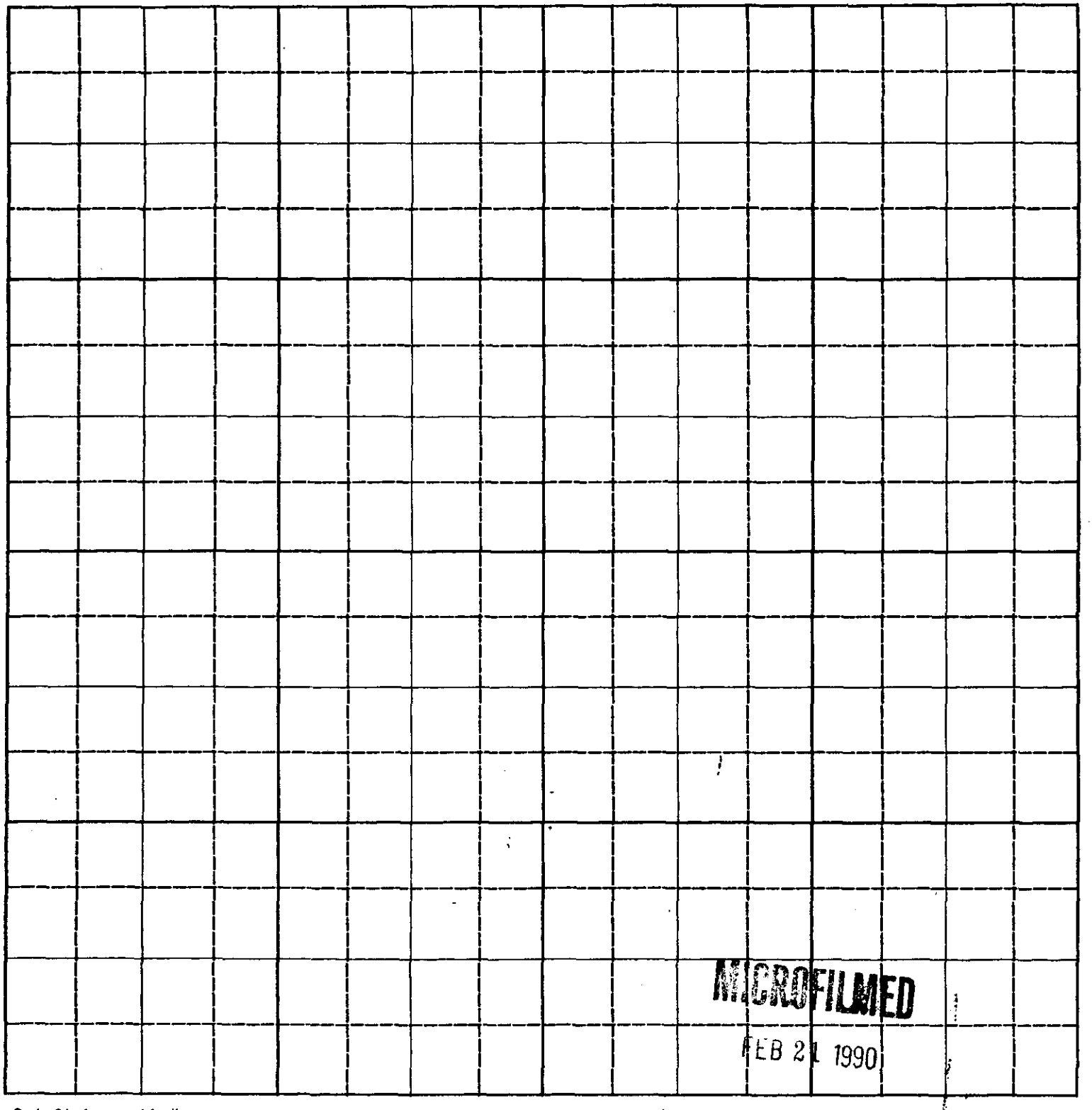
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Annual Special Use Permit

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12. Remarks: This application is submitted in conjunction with pending applications #378297 and #378298. The proposed use of water identified in these applications is also commercial (snowmaking) a non-consumptive use. These applications would be withdrawn by Sun Valley Company upon approval of this application.

*The total number of households will not exist until completion of the proposed residential development which will be constructed in phases. Upon completion of development, the domestic water supply will be provided by the municipal water system of Ketchum or Sun Valley. The domestic use requested in this application will be discontinued at that time.

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



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Scale: 2 inches equal 1 mile.

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

William Thompson
(Applicant)

(Vice President of Sinclair Oil Co.) DRJ 11/21/89, per attached 10/20/89 Memo from Gary Spackman

SC 10/23/89 10:30 AM

Received by Cary S. D 10/5/89 Time 10:30 a.m. Preli.. .ary check by DRJ

Fee $ 125.00 Receipted by D.K. # C 012017 Date 10-5-89

Publication prepared by M. Baldwin Date 11-29-89 Published in Wood River Journal

Publication approved T. Jaspers Date 1-8-90

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____.

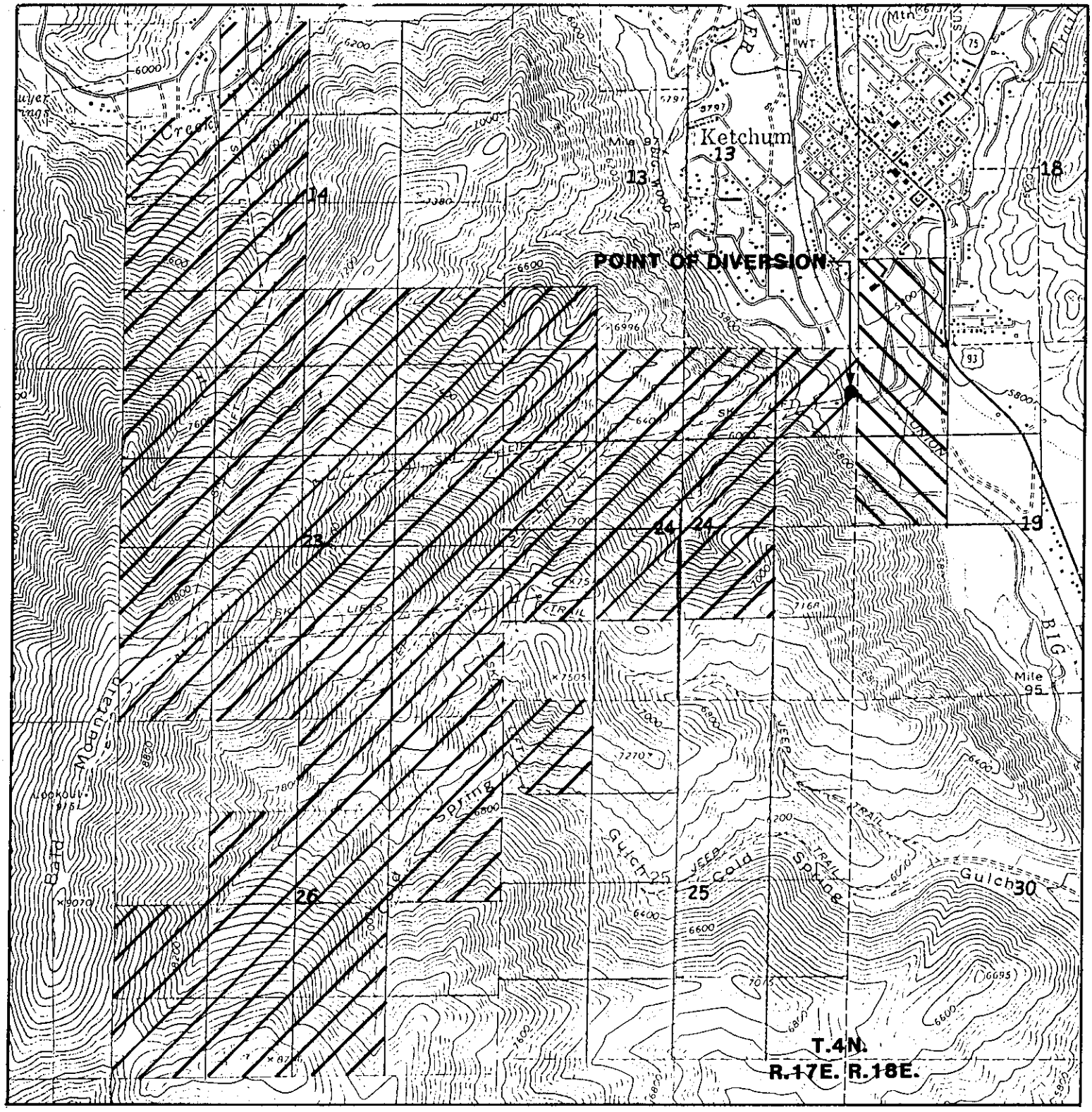
   c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

   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:

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EXHIBIT A



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FEB 21 1990

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

700 IDAHO TOWER, TENTH FLOOR
POST OFFICE BOX 1559
BOISE, IDAHO 83701
TELEPHONE 208-343-5454
TELECOPIER 208-384-5844

SCOTT L. CAMPBELL

CANYON COUNTY OFFICE
1120 SIXTH STREET SOUTH
POST OFFICE DRAWER E
NAMPA, IDAHO 83653
TELEPHONE 208-466-9222

December 4, 1989

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DEC 5 1989
Department of Water Resources
Southern Region Office

Douglas Jones, E. I. T.
Water Resources Engineer
State of Idaho, Dept. of Water Resources
Southern Region
2148 4th Avenue East
Twin Falls, Idaho 83301

Re: Sinclair Oil Corporation
Application for Permit No. 37-08575

Dear Mr. Jones:

Thank you for your correspondence of November 30, 1989, regarding Application for Permit No. 37-08575.

Pursuant to your request for additional information, I am providing the names and addresses of the directors and officers of Sinclair Oil Corporation:

Name	Title	Address
R. E. Holding	President & Director	P.O. Box 1529 Cheyenne, WY 82001
P. M. Johnson	Vice President	P.O. Box 30825 Salt Lake City, UT 84130
C. W. Fink	Vice President	P.O. Box 30825 Salt Lake City, UT 84130
L. S. Richards	Secretary & Director	333 East 400 South Salt Lake City, UT 84111
Carol Holding	Director	P.O. Box 1529 Cheyenne, WY 82001
K. Y. Knight	Director	P.O. Box 30825 Salt Lake City, UT 84130
A. H. Peterson	Director	P.O. Box 1529 Cheyenne, WY 82001

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FEB 21 1990

I trust that this additional information complies with the requirements of Rule 3,3,2,1 of the Department's rules and regulations for water appropriations. If you require additional information, please contact me at your earliest convenience.

Very truly yours,

ELAM, BURKE & BOYD

Scott L. Campbell

SLC:jc
cc Wallace Huffman
Max McKinnon

MICROFILMED
FEB 21 1990

RECEIVED

DEC 28 1989

Department of Water Resources
Southern Region Office

State of Idaho, } ss.
County of Blaine }

DANIEL J. GORHAM

being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 20 day of Dec. 19 89 and the date of the last publication was on the 27 day of Dec. 19 89.

David Gorham

Subscribed and sworn to before me this 27th day of Dec. 19 89.
(SEAL)

Roberta McKercher
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

OK DB 1-8-90

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 81
Number of Insertions 2

	Lines tabular at	5.5¢/Pica
81	Lines straight at 44.55	~~4.5¢~~/Pica
81	Subsequent lines at 35.64	~~3.5¢~~/Pica
TOTAL COST	$80.19	

MICROFILMED

FEB 21 1990

TITLE OF NOTICE Rights

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
Department of Water Res. (TF)

BILL TO

Three file
on water rights

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08574
DAWSON, CATHERINE S.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt.: NWSWNW Sec 14 T 05N R 17E
Use: DOMESTIC (.060 CFS)
IRRIGATION (.120 CFS)
Total Diversion: (.180 CFS)
Date Filed: 3/13/1989
In: T05N R17E S14 SWNW
6.0 ACRES TOTAL

37-08575 ✓
SINCLAIR OIL CORP.
DBA SUN VALLEY COMPANY
C/O SCOTT CAMPBELL, ESQ.
P.O. BOX 1559
BOISE, ID 83701
Source: GROUNDWATER
Diversion Pt: NENE Sec 24 T 04N R 17E
Use: COMMERCIAL = (Snowmaking) (4.460 CFS)
DOMESTIC (.800 CFS)
COMMERCIAL (.200 CFS)
Total Diversion: (4.460 CFS)
Date Filed: 10/05/1989
In: T04N R17E S13 SWSW; S14 NENW SWNW SENW NESW NWSW SWSW SESW SWSE SESE; S23 NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE; S24 NENE NWNE SWNE NENW NWNW SWNW SENW NESW NWSW NWSE; S25 NWNW; S26 NENE NWNE SWNE SENE SENW
7- NESW NWSW SWSW SESW
7- NWSE SWSE; R18E S18 SWSW; S19 NWNW SWNW

37-08576
CLARK, GARY
P.O. BOX 210
BELLEVUE, ID 83313
Source: GROUNDWATER
Diversion Pt: NENW Sec 35 T 02N R 18E
Use: IRRIGATION (.090 CFS)
Total Diversion: (.090 CFS)
Date Filed: 11/27/1989
In: T02N R18E S35 NENW
3.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before JANUARY 8, 1990.

R. Keith Higginson, Director

608

686

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

KARL J. DREHER
DIRECTOR

May 8, 2000

Scott L. Campbell
Elam & Burke
702 West Idaho
P.O. Box 1539
Boise, ID 83701

Re: Permit No. 37-08575B

Dear Scott:

Thank you for bringing your question to my attention. You are quite right, a field examination on this permit is unnecessary since a Water Right Examiner has completed the examination of the use being made for this permit. No, our region will not be sending anyone "to determine and confirm the use being made of the water." Sorry, I'm trying to learn this job and there are definite downfalls to using forms.

Sincerely,

Deborah Drew-Ellis

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Cc: Southern Region

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

April 28, 2000

RECEIVED
MAY 1 - 2000
Department of Water Resources

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Permit No. 37-08575B/Your Letter of April 26, 2000

Dear Deborah:

I am writing concerning your correspondence of April 26, 2000, concerning the above-referenced water permit. I appreciate the Department acknowledging the receipt of the proof of beneficial use form. I also appreciate the issuance of the order reinstating the permit which you enclosed with your correspondence.

I am puzzled by the comments contained in the third paragraph of your correspondence. Since the proof of beneficial use form was presented by a certified water rights examiner, Mr. Sherl Chapman, please explain to me the justification for the Department conducting a field examination "to determine and confirm the use being made of the water." It is my understanding that submission of such a proof of beneficial use form by a certified water rights examiner satisfies the statutory requirement for examination and confirmation of the use of the water. If the Department of Water Resources has a contrary interpretation, I would appreciate receiving a written explanation of the Department's statutory or regulatory basis for this position.

Thank you for your attention in this regard.

Very truly yours,

ELAM & BURKE
A Professional Association

Scott L. Campbell

SLC:dap
Enclosure
G:\Dap\WPDATA\1000\34\00004-DrewEllis re permit 37-08575B.wpd
cc(w/encl.): City of Ketchum City Attorney
Wallace Huffman
Carl Burke

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

April 26, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF KETCHUM
480 E AVE NO
PO BOX 2315
KETCHUM ID 83340

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 37-08575B

Dear Permit Holder:

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

Enclosed is an order reinstating the permit since proof were submitted more than 60 days after the lapse notice was issued. Please note that the priority date has been advanced to **December 17, 1989,** the date the proof and license examination fee were submitted to the department, as provided in Section 42-218a(2), Idaho Code.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, please contact the **Southern** Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

Deborah Drew-Ellis

DEBORAH DREW-ELLIS
Administrative Assistant
Water Allocation Bureau

Enclosure
c: IDWR - Region
Scott Campbell & Angela Schaer

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2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 37-08575B Reviewed by D. Elder Date 4/20/00

GENERAL CONSIDERATIONS

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

TYPES OF USE

Municipal - Ground water

Correct Uses? Yes

SOURCE OF WATER

_____ Surface water source

✓ Ground water source
No Drilling permit required?
_____ Copy in the file? Drilling Permit No. _____
_____ Amount paid for permit _____ Correct?
Yes Well log in the file?

LICENSE EXAMINATION FEE

No Required?
_____ Amount Submitted
Yes Correct?

MEASURING DEVICE

Not at this time. Required?
No Installed?
_____ Waiver requested?

PRIORITY CALCULATION

Date proof received	2/11/2000	42 ✓
Date proof due	12/31/99 -	—
No. of days late	_____ =	42 ✓
Priority Date	10/26/89 +	299 ✓
New Priority Date	12/7/89	341 ✓

DEFICIENCIES OR ACTION ITEMS

Reinstate permit with an advance in priority date, acknowledge proof. to 12/7/89. cc: Scott Campbell (Atty. for City)

2.

DATA ENTRY

New Address N/A

Proof Made 2/11/2000

He is atty for part A, but I don't think for the city

Form 219
6/92

Should questions arise during the processing of this application please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise ID 83705
344-6690

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 17 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08575B

1. Owner: City of Ketchum, Idaho Phone No. 208-726-3841

Current Address: 480 E. Avenue N, P. O. Box 2315, Ketchum, ID 83340

2. Accompanied by: Steve Hansen EXAM DATE: 2/8/2000

Address: same as above Phone No. 720-4345

Relationship to Permit Holder: Water Facilities Manager

3. Source: Groundwater tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 37-07682; 08269; 08195; 04415; 04414; 04413; 07150; 08202
2. Other water rights with the same point of diversion: Same as #1

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:** See Attachment "A"

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks

2. **Place(s) of Use:** See Attachment "B" Indicate Method of Determination Field/Map

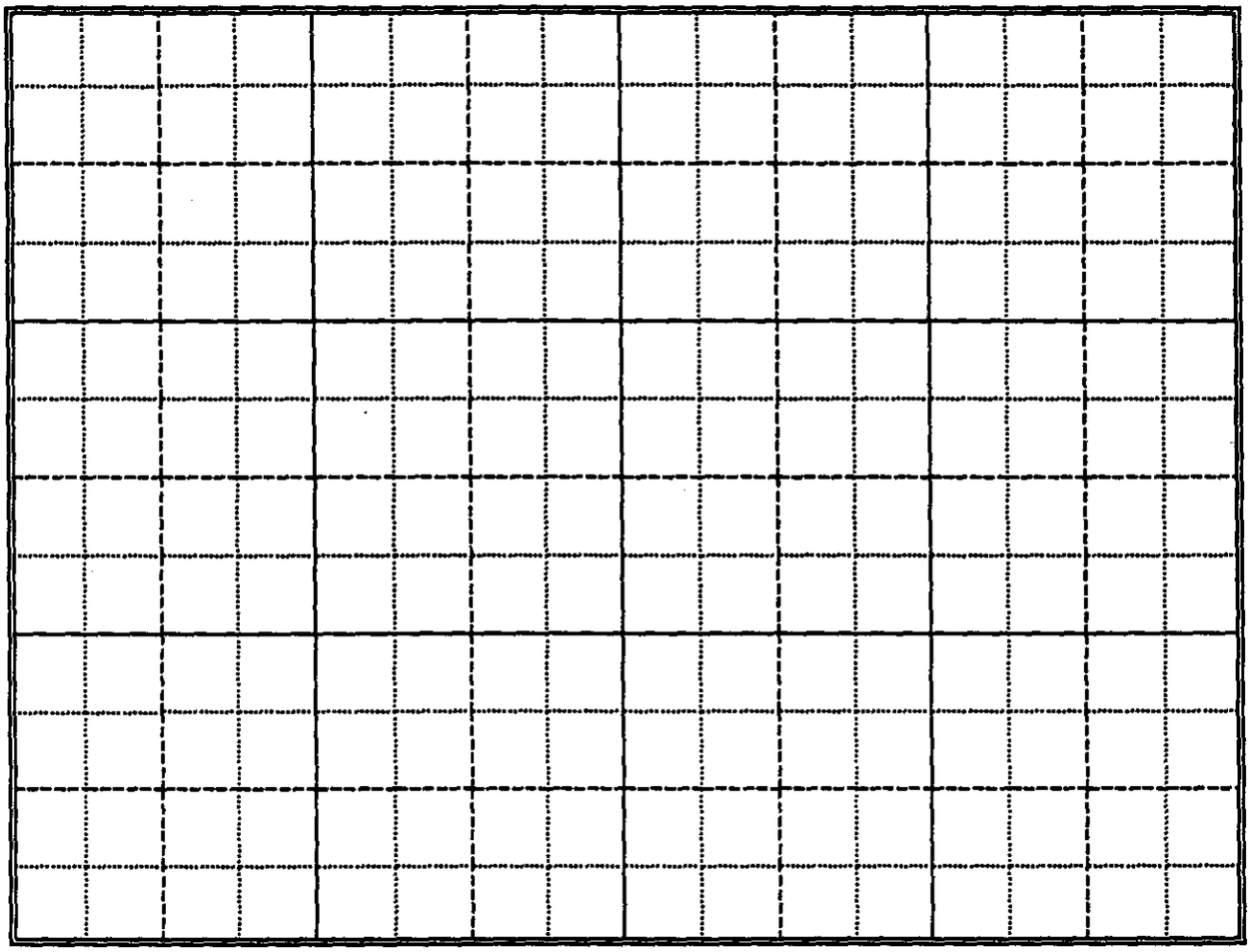
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

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APR 17 2000

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHMENT "B" and E-Narrative



Scale: 1" = _____.

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4. SEE ATTACHMENT "C" and "D"

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS N/A

1.

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

2. **Measurements:** Taken from pump curves; pump tests and inline meter readings.

Attachment "C"

RECEIVED

APR 27 2006

E. NARRATIVE/REMARKS/COMMENTS

The withdrawal and distribution system for the municipal supply of the City of Ketchum consists of seven (7) wells equipped with vertical turbine line shaft pumps and electric motors. All seven wells are interconnected and balanced so as to be able to provide water to any part of the water supply system. Normal, minimum operating pressure is 40 psi at the owners tap. The wells are interconnected with a series of mainlines, buried throughout the city with service taps to residences, commercial buildings and other units needing a water supply. Attachment "B" indicates the perimeter of the supply system and the location of the wells. System capacity was obtained using pumping level data, rated horsepower or pump curves and an operating pressure of 40 psi. The total system capacity is calculated at 26.25 cfs with existing water rights totaling 19.88 cfs. The data used is attached as Appendix 1. It is recommended that 37-08575B be licensed for .80 cfs/125.9 af as an addition to the city supply.

Have conditions of permit approval been met? _XX yes ___ no

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APR 27 2006

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

SEE ATTACHMENT "C"

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: N/A

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = _____

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Municipal	1/1	12/31	0.80	125.9
		Totals:		

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

REGISTERED PROFESSIONAL GEOLOGIST
SHERL LEE CHAPMAN
NO. 21
STATE OF IDAHO
SEAL

I. AUTHENTICATION

Field Examiner's Name Sherl L Chapman Date 2-11-2000

Reviewer _____ Date _____

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APR 27 2000

ATTACHMENT "A"
BENEFICIAL USE EXAM - #37-08575B
POINTS OF DIVERSION
ALL WELLS LOCATED IN THE FIELD

Well #1

T4N, R17E, Section 12, SESW
Date Drilled - 4/12/1978
Well Driller - Unknown
Drilling Permit # - Unknown

Well #2

T4N, R17E , Section 13, NWNE
Date Drilled - 1981
Well Driller - Andrews Well Drilling
Drilling Permit # - Unknown

Parkwood Well

T4N, R17E, Section 12, SWSE
Date Drilled - Unknown
Well Driller - Unknown
Drilling Permit # - Unknown

Northwood Well

T4N, R17E, Section 12, SWSE
Date Drilled - 7/30/1984
Well Driller - Walker Drilling
Drilling Permit # - Unknown

Bigwood Well

T4N, R17E, Section 12, SWNE
Date Drilled - 9/24/1986
Well Driller - Walker Drilling
Drilling Permit # - Unknown

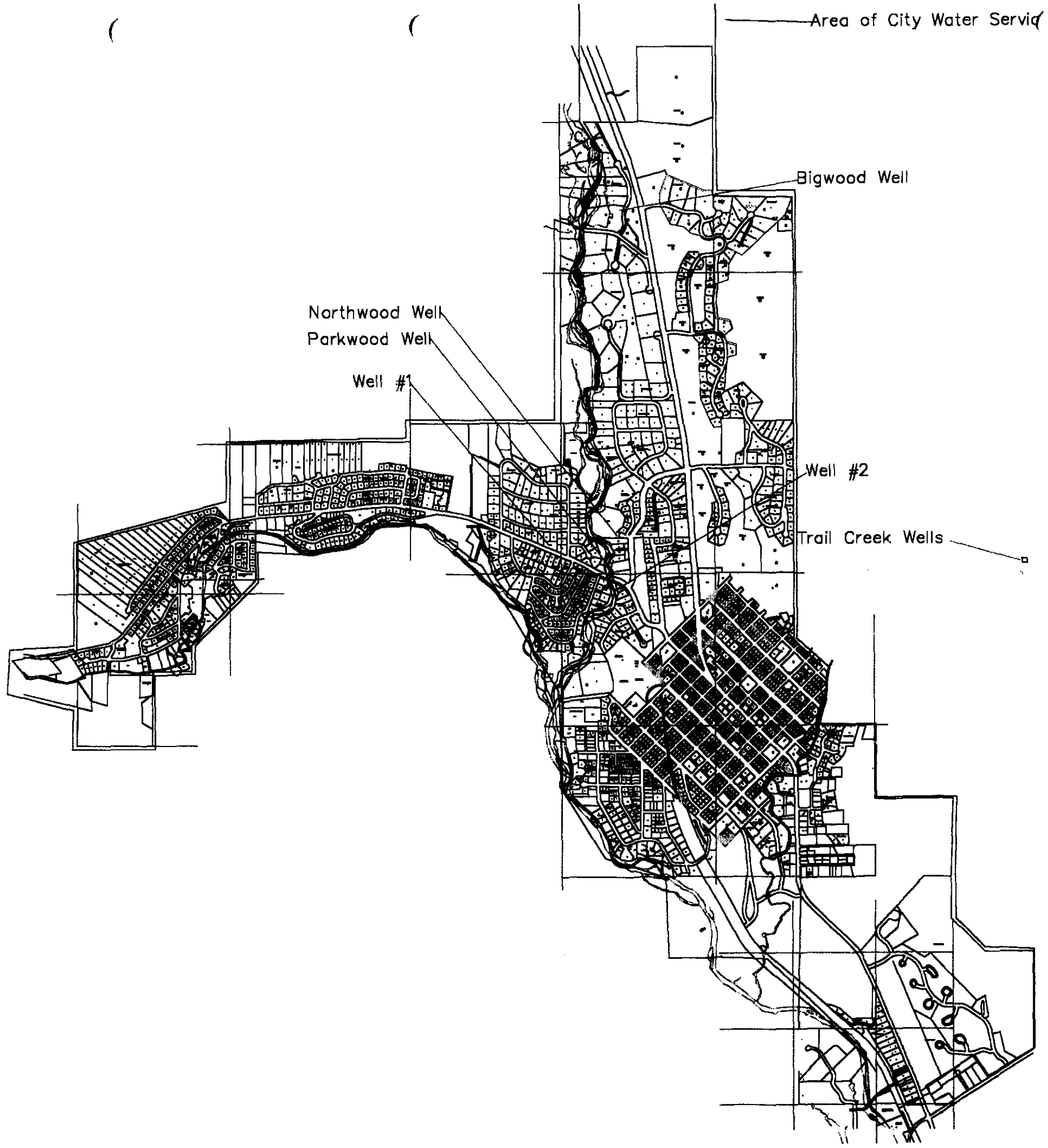
Trail Creek Well #1

T4N, R18E , Section 7, SESW
Date Drilled - 8/1954
Well Driller - Smith Well Drilling
Drilling Permit # - Unknown

Trail Creek Well #2

T4N, R18E , Section 7, SESW
Date Drilled - 7/1955
Well Driller - Smith Well Drilling
Drilling Permit # - Unknown

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ATTACHMENT "B"
Place of Use - Service area located in T4N, R17E, Sections 11, 12, 13, 14 and T4N, R18E, Sections 18 and 19

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APR 27 2000

ATTACHMENT "C"
BENEFICIAL USE EXAM - #37-08575B
WELL DATA AND FLOW DETERMINATIONS

WELL #1

Pump: Newman 40 HP motor, SN-S1314102
Peerless - 10" pump base
Discharge: McCrometer 10" meter #78-10-645
TDH = 101 feet
Flow = 1,188 gpm (2.65 cfs) (pump curve)

WELL #2

Pump: General Electric 60 HP motor, SN-GTJ722327
Peerless 8" pump base, mdl 8-16-L
Discharge: Eight (8) inch diameter
TDH = 110 feet
Flow = 1,782 gpm (3.97 cfs)

PARKWOOD WELL

Pump: US Electric 75 HP motor, SN-6326A
Pumptech 8" base
Discharge: Eight (8) inch diameter
TDH = 117 feet
Flow = 1,190 gpm (2.65) (pump curve)

NORTHWOOD WELL

Pump: US Electric 100 HP motor, SN-6350
Aurora 10" pump base
Discharge: Ten (10) inch diameter
TDH = 110 feet
Flow = 2,600 gpm (5.79) (pump curve)

BIGWOOD WELL

Pump: US Electric 125 HP motor, SN-illegible
Layne 10" pump base
Discharge: Ten (10) inch diameter, McCrometer meter 86-10-691
TDH = 130 feet
Flow = 2,884 gpm (6.42) (pump curve and calculated)

MICRO
APR 27 2009

ATTACHMENT "C"
PAGE 2

TRAIL CREEK WELL #1

Pump: General Electric 50 HP motor, SN-F9693
Johnson 8" pump base
Discharge: Eight (8) inch diameter into a ten (10) inch header
TDH = 112 feet
Flow = 1,339 gpm (2.98 cfs)

TRAIL CREEK WELL #2

Pump: Fairbanks-Morse 30 HP motor, SN-381222
Fairbanks-Morse 6" pump base
Discharge: Six (6) inch diameter pipe into a 10" header equipped with a 10" McCrometer meter #84-10-660
TDH = 112 feet
Flow = 803 gpm (1.79 cfs)

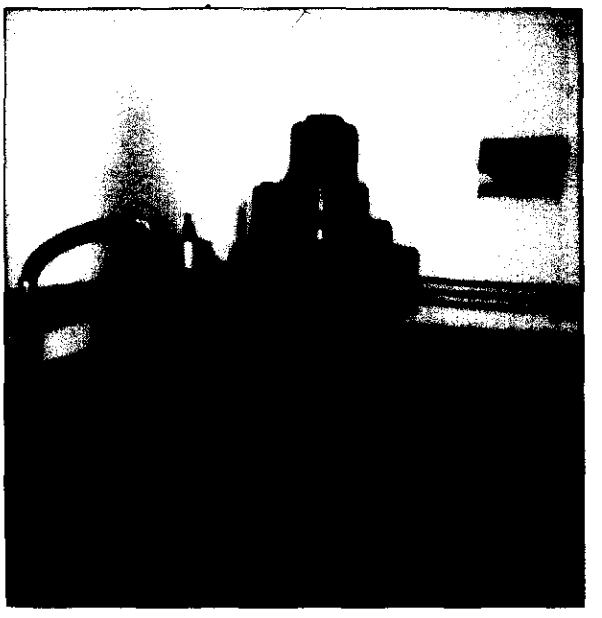
NOTE: Flow rates were taken from pump curves wherever possible at a minimum operating pressure of 40 psi. Where flows were calculated the formula $Q = \frac{HP \times E}{TDH}$ was used.

Where: Q = flow in gpm
HP = horsepower
E = efficiency (76%)
TDH = Total dynamic head in feet

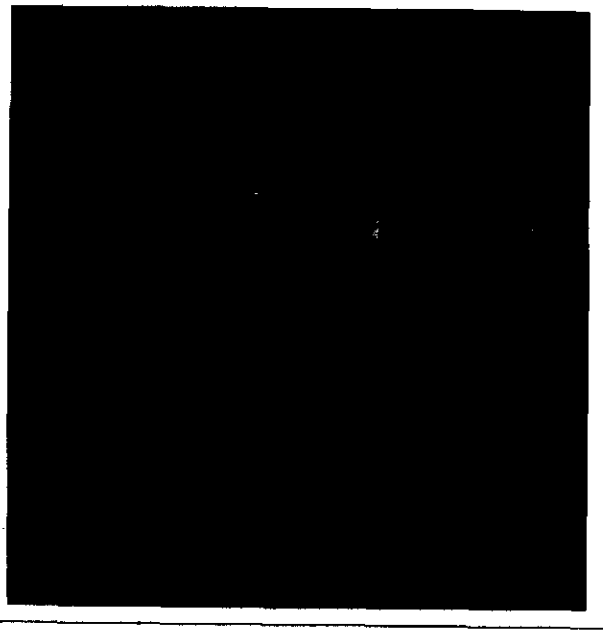
MICRO
APR 27 2009



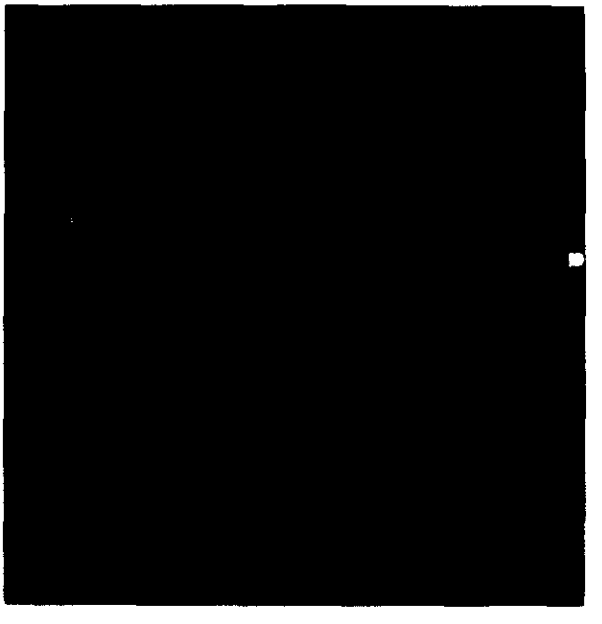
WELL #1



WELL #2



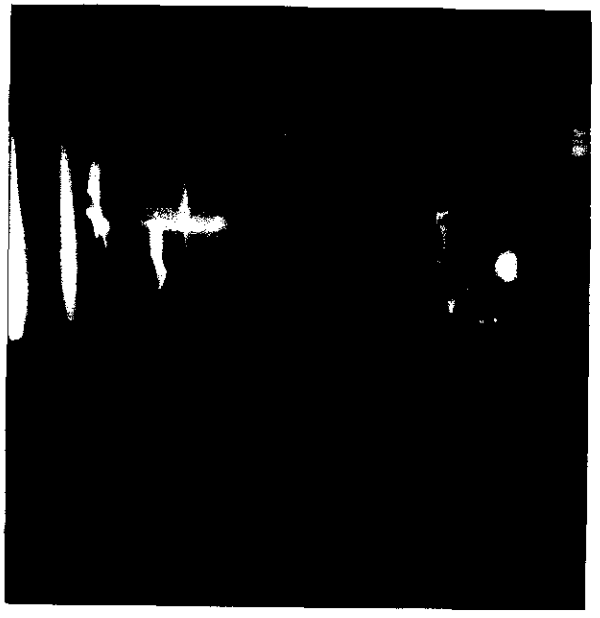
PARKWOOD WELL



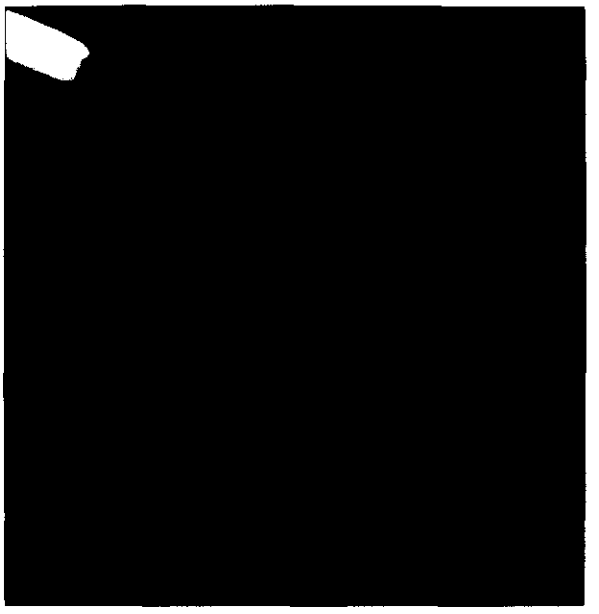
NORTHWOOD WELL

ATTACHMENT "D" - Beneficial Use Exam #37-08575B - PUMP SYSTEM PHOTOGRAPHS

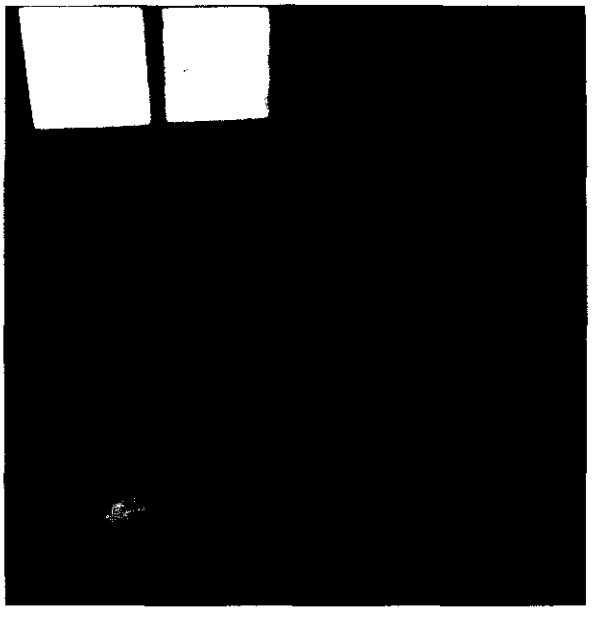
MOBGA
APR 27 2009



BIGWOOD WELL



TRAIL CREEK WELL #1



TRAIL CREEK WELL #2

ATTACHMENT "D" - Beneficial Use Exam #37-08575B - PUMP SYSTEM PHOTOGRAPHS

APR 2 7 2009

APPENDIX 1

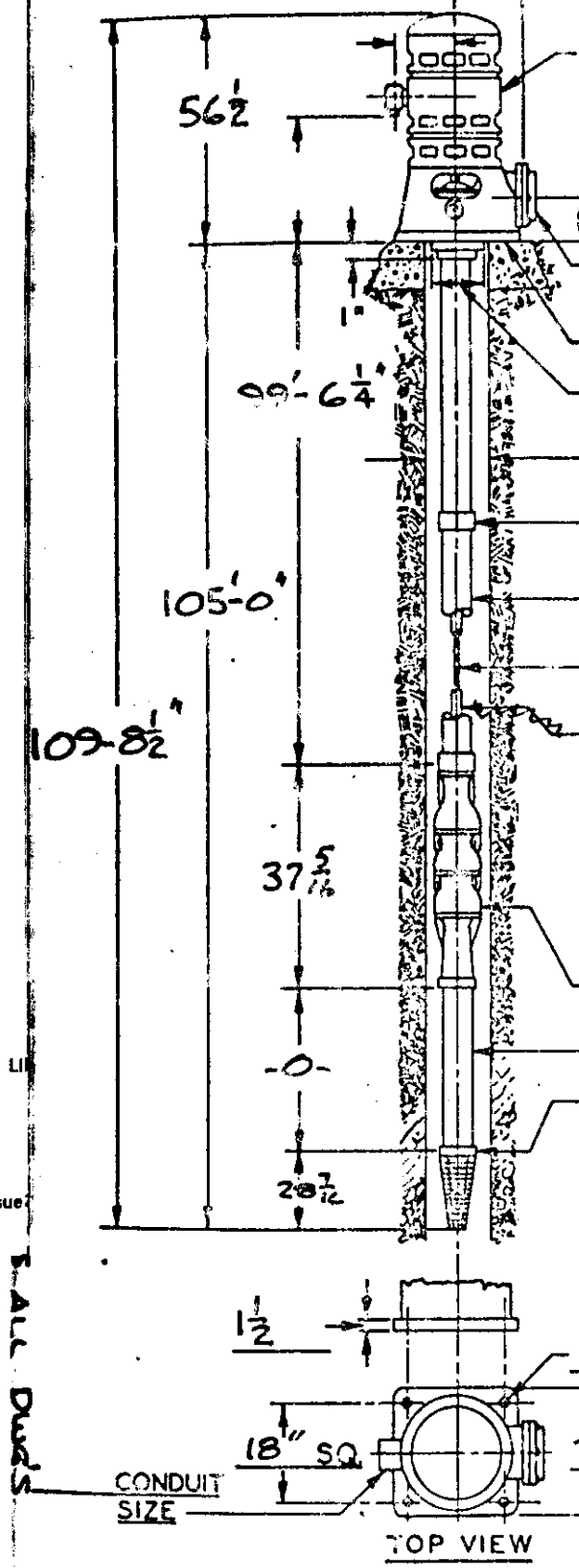
PUMP DATA FOR WELLS OWNED BY THE CITY OF KETCHUM

MICROFILMED
APR 2 7 2006

WELL #1

DRAWING NO. 2823002

SURFACE DISCHARGE



10¼" ℄ TO FACE OF FLANGE

MOTOR: NEWMAN MFR. VHS TYPE

40 H.P. 60 CY. 230/460 VOLTS

1800 R.P.M. 3 PH. 324TP FRAME

9" BASE TO ℄ OF DISCHARGE

DISCHARGE COMPANION FLANGE FOR:

10x10x6½" DISCHARGE HEAD

14" O.D. TOP COL. FLANGE

20" I.D. OF WELL

11⅞" O.D. OF COUPLING

10" COLUMN

1 3/16" SHAFT

[redacted]

BOWL UNIT:

12MB ASSEMBLY

2 STAGE

11¾ O.D. OF BOWLS

10" SUCTION

STRAINER:

10" SIZE 11¼" O.D.

CONE TYPE

1" DIA. 4 HOLES

PUMP RATING

G.P.M. 1200

FT. FIELD HD. 100

S.O. NO.

SOLD TO: CITY OF KETCHUM, IDAHO
WARMSPRINGS BOOSTER FACILITY

ORDER NO.

USER

ITEM NO.

PUMP IDENTIFICATION:

THIS CERTIFIED PRINT

☐ FOR APPROVAL

BY _____ DATE _____

☐ FOR CONSTRUCTION

BY _____ DATE _____

Peerless Pump
An Indian Head Company

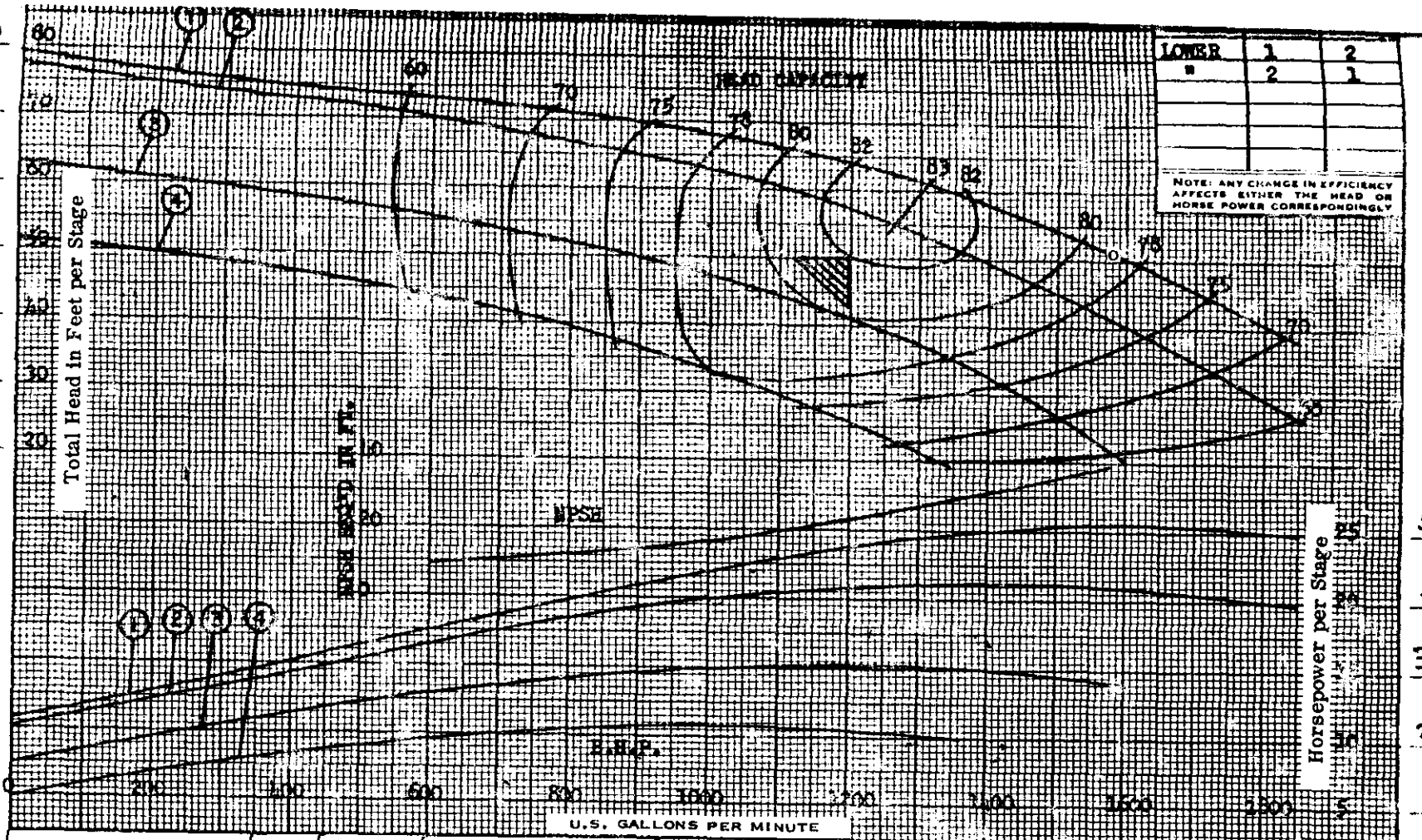
MICROFILMED
APR 2

DRN. BY: JEA CHK'D BY: DATE 9-5-73

PUMP NO.-WELL PUMP

A296-A

FACTURING) LI
mited Issue
ALL Dwgs



HYDRAULIC PERFORMANCE WARRANTY	CURVE NO.	IMPELLER NO.	IMPELLER DIA.	TAKEN FROM
Guaranteed at designated point only, and contingent on: Proper flow to pump suction, Proper submergence, Fluid free of gas, air & abrasives, Proper lateral setting of impeller	1	2624331	8 7/8"	40385
	2	2624331	8 11/16"	35492
	3	2624331	8 3/16"	
	4	2624331	7 11/16"	

Customer CITY OF KETCHUM, IDAHO
WARM SPRINGS BOOSTER FACILITY
Item WELL PUMP
Peerless Ref. No:

Laboratory Performance BOWL T84506-E
SIZE 12 MB RPM 1760 CURVE 2842437

PUMP DESCRIPTION: Driver NEWMAN-40HP-1760RPM-VHS-NRR; Head 10 X 10 X 16½; Column 1 3/16 X 10

GUARANTEED BOWL ☐ FIELD ☐ PERFORMANCE: Capacity 1200 gpm; Head 100 ft; Eff 80 %; BHP 38

SUPERSEDES ALL PWG'S DATED BEFORE 9-5-78

BY JCA 9-5-78

FMC Pump Division

VERTICAL TURBINE PUMPS A-300-A Section 140 10-74

Peerless Pumps

Total Head in Fee (2 Stages

160 140 120 100 80 60 40

50 40 30 20 10

Horsepower per Stage

Stages

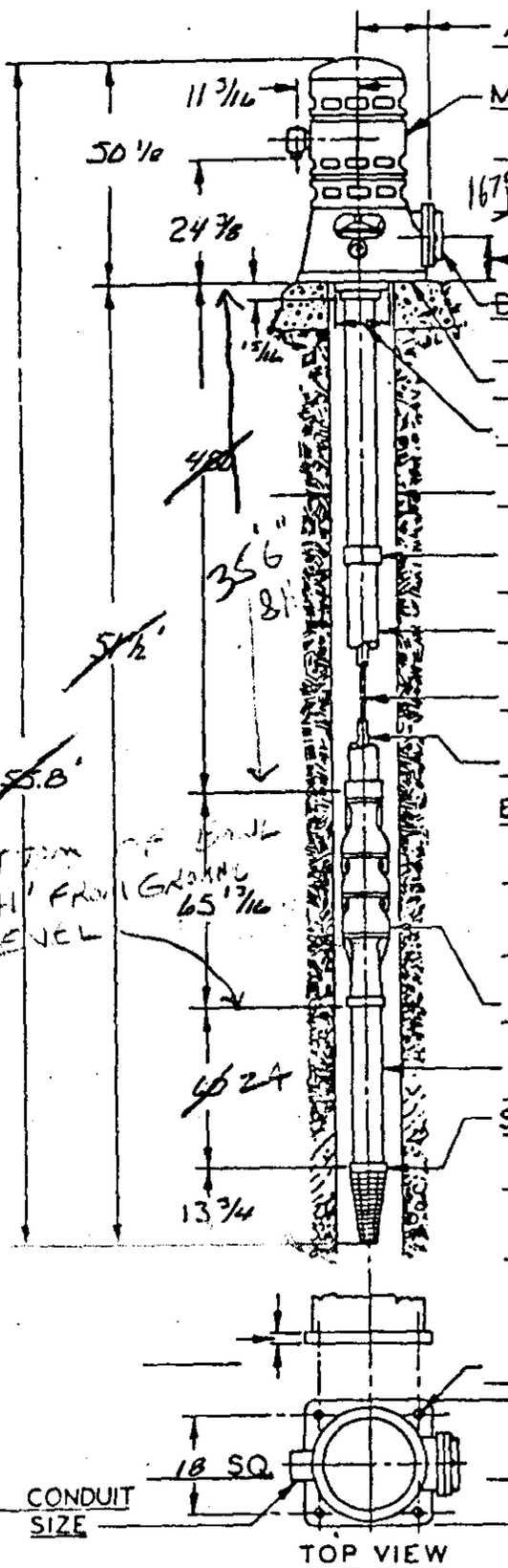
MICROFILMED

NO. 28,900

PEERLESS PUMP

WELL #2

SURFACE DISCHARGE



10 1/4 ℄ TO FACE OF FLANGE

MOTOR: GENERAL ELECTRIC MFR. K TYPE

60 H.P. 60 CY. 460 VOLTS

~~1675~~ 1800 R.P.M. 3 PH. 364 FRAME

7 3/4 BASE TO ℄ OF DISCHARGE

~~DISCHARGE COMPANION FLANGE FOR:~~

8 x 8 x 16 1/2 DISCHARGE HEAD

12 O.D. TOP COL. FLANGE

I.D. OF WELL

O.D. OF

9 7/16 COUPLING

8 STD COLUMN

1 3/16 SHAFT

~~TUBE~~

BOWL UNIT:

10 LB ASSEMBLY

6 STAGE

9 3/4 O.D. OF BOWLS

6" SUCTION PIPE

STRAINER:

6 SIZE 7 1/4 O.D.

CONE TYPE

1 DIA. 4 HOLES

PUMP RATING

G.P.M. 500

FT. FIELD HD. 254

SCREEN SET @ 40' - 50'

S.O. NO.

SOLD TO: WATER WORKS EQUIPMENT CO.

ORDER NO.

USER: CITY OF KETCHUM

ITEM NO.

PUMP IDENTIFICATION:

THIS CERTIFIED PRINT

☐ FOR APPROVAL

BY _____ DATE _____

☐ FOR CONSTRUCTION

BY _____ DATE _____

HYDRODYNAMICS DIVISION

PEERLESS PUMP

Los Angeles 31, Calif. • Indianapolis 8, Ind

MICROFILMED

APR 27 2000

DRN. BY: FERNHOLZ CHK'D BY: _____ DATE: 7-6-61

PUMP NO. _____

Peerless Pump

An Indian Head Company

1200 Sycamore Street
Montebello, CA 90640

2005 Northwestern Avenue
Box 7026
Indianapolis, IN 46206

HYDRAULIC PERFORMANCE WARRANTY

Guaranteed at designated point only and is contingent on:

1. Proper and adequate flow in pump suction.
2. Proper submergence and NPSH available.
3. Fluid free of gas, air and abrasive matter.
4. Impeller with proper lateral adjustment.

PUMP TYPE: 10LB-6

IMPELLER: 2625033 — RPM: 1765

BOWL: 2625039 — STAGES: 6

COLUMN:

CUSTOMER: PEERLESS PUMP.

ERESNO

254

CERTIFIED CORRECT AND APPROVED
BY Z. Chase
DATE 10-22-81

BROKE SECTION

HEAD CAPACITY

EFFICIENCY

BHP. SP. GR. 1.0

TOTAL DYNAMIC HEAD IN FEET

MECH. EFFICIENCY

BRAKE HORSEPOWER

400
300
200
100
90
80
70
60
50
40
30
20
10
0

0 100 200 300 400 500 600 700 800

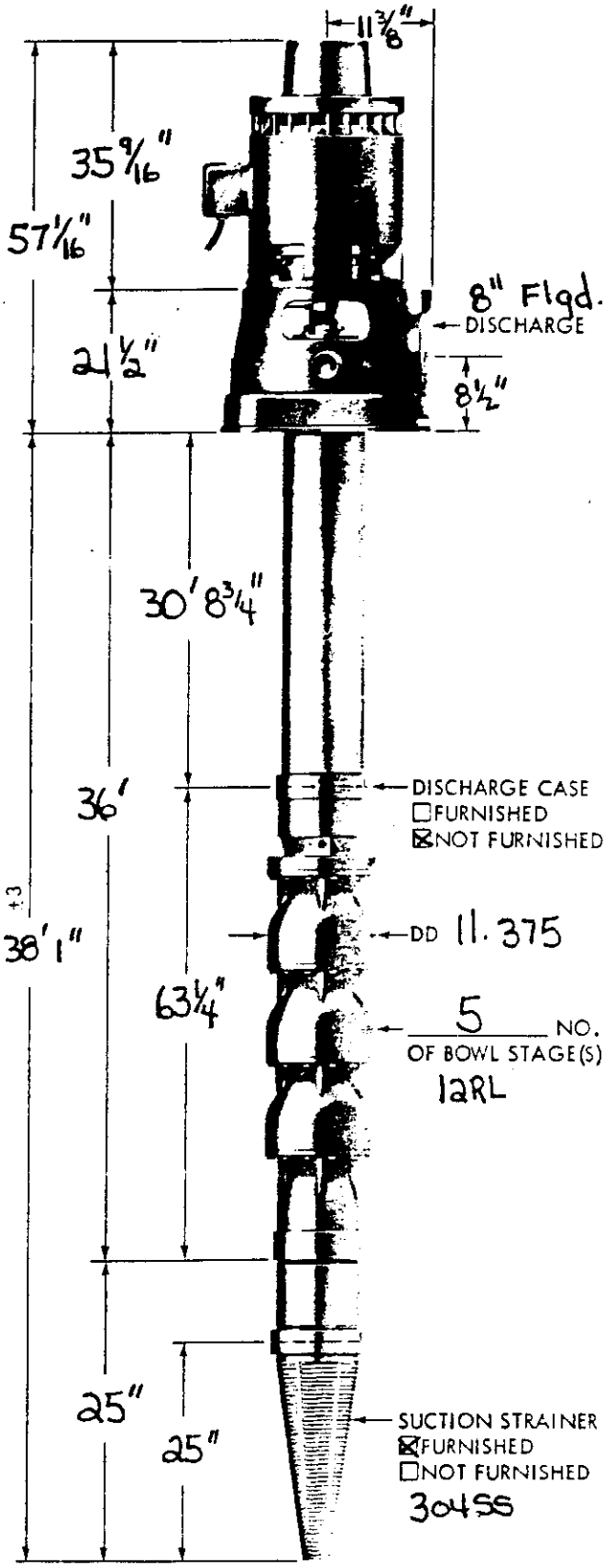
GALLONS PER MINUTE

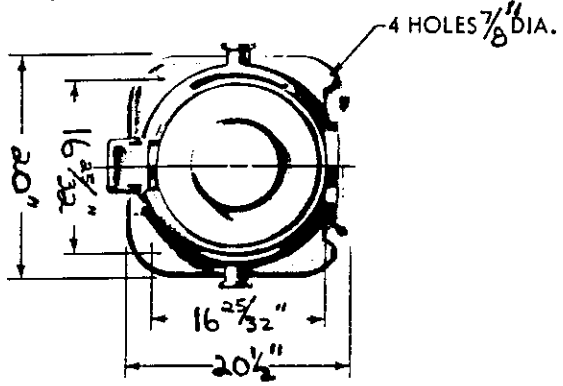
PLOTTED BY M. Sabo FROM TEST NO. 56322 DAT 10-22-81 S/O NO. 6-3008HB CURVE & PUMP NO. E-2903

(7-75)

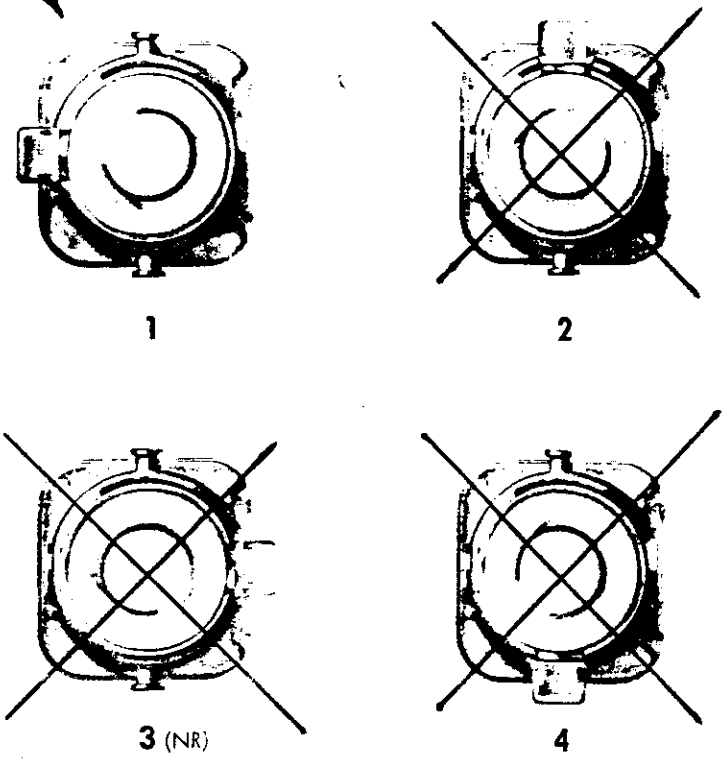
PARKWOOD WELL

1130 SERIES PUMPS
ELECTRIC MOTOR DRIVE
CAST ABOVE SURFACE "AC"
DISCHARGE HEAD — CONE STRAINER





ALTERNATE CONDUIT BOX POSITIONS



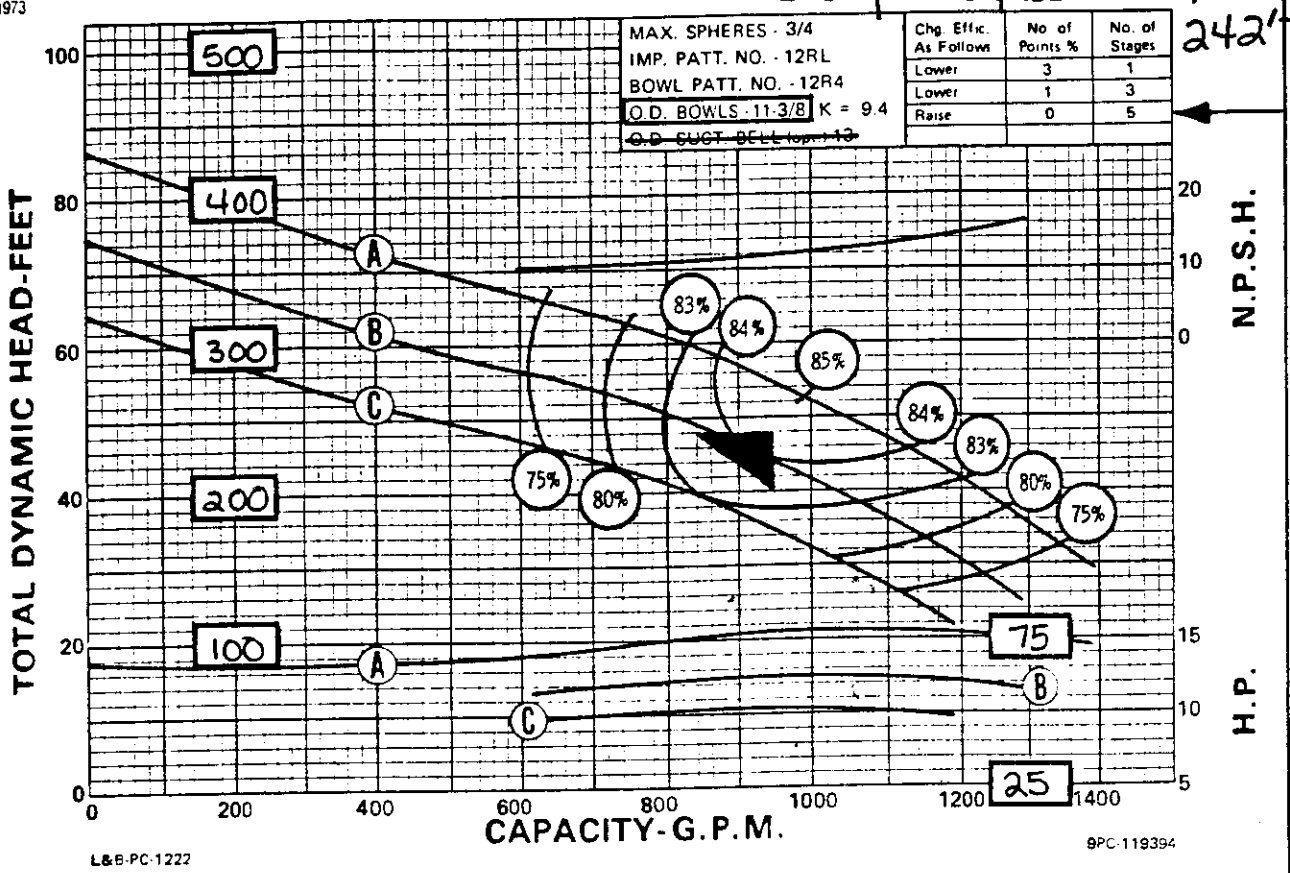
NOTES:
1. All dimensions in inches.
2. Component dimensions may vary ± 1/8.
3. Not for construction purposes unless certified.
4. Conduit box is shown in approximate location. Dimensions are not specified as they vary with each motor manufacturer.
5. Motor to be mounted by others.
6. Discharge flange is American Standard flat face 125# ANSI. Bolt holes - strad. vert. ℄.
7. NA - not applicable.
8. NR - not recommended

APR 27 2009

12RL SERIES 1110
Verti-Line PUMP

5 stg Designed for 950 GPM @ 242' TDH

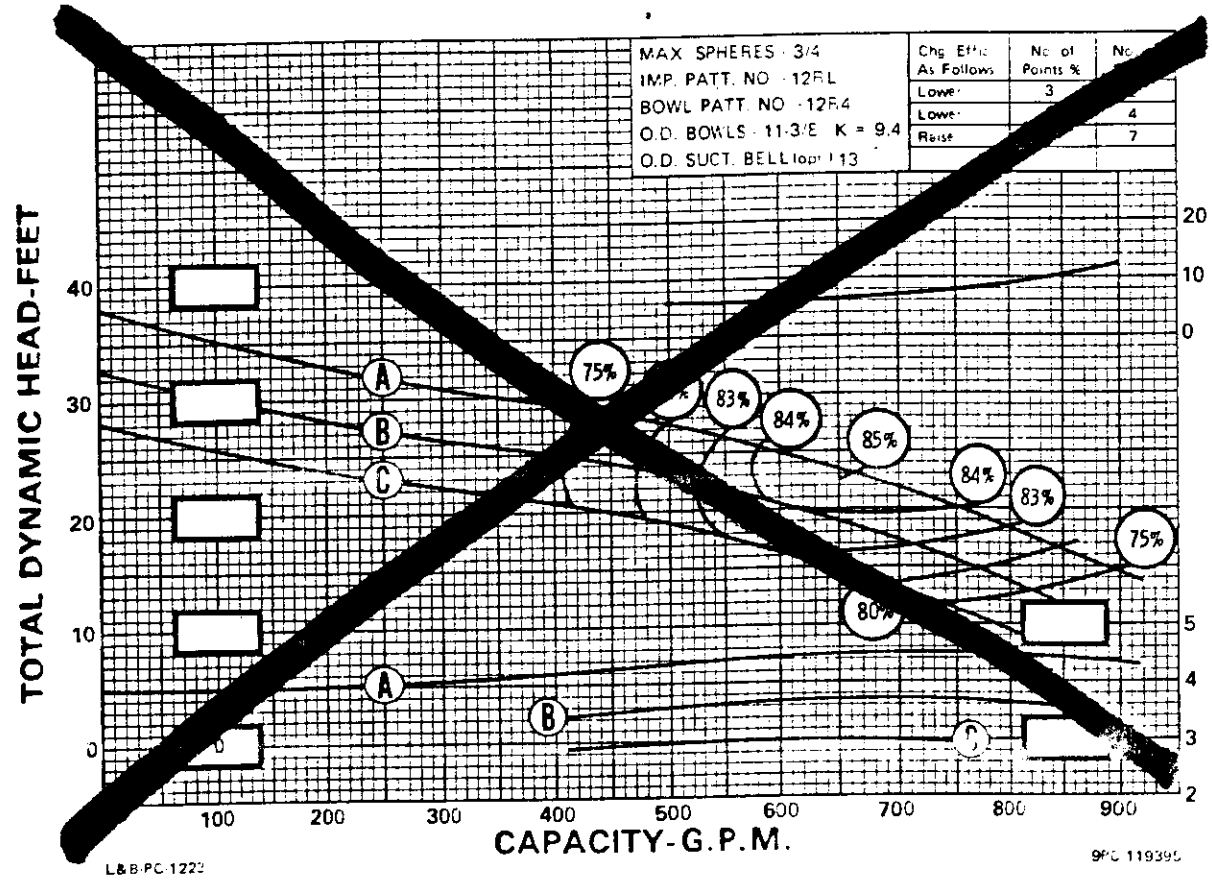
1770 R.P.M.



L&B-PC-1222

9PC-119394

1170 R.P.M.



L&B-PC-1223

9PC-119395

NUMBER OF STAGES REQUIRED FOR APPLICATION	STANDARD BOWL ASSEMBLY FURNISHED
	A - 9.188 B - 8.625 C - 8.125

AURORA PUMP

MICROFILMED
APR 27 2000

Northwood well

G.J. VERTI-LINE PUMPS, INC.
1970 Highland Ave. East
P.O. Box 892
Twin Falls, ID 83303
(208) 733-4278

INVOICE NO. 780

SOLD TO Smith Drilling and Pump
328 West Ave. A.
Jerome, Id 83338

Date 8-27-87

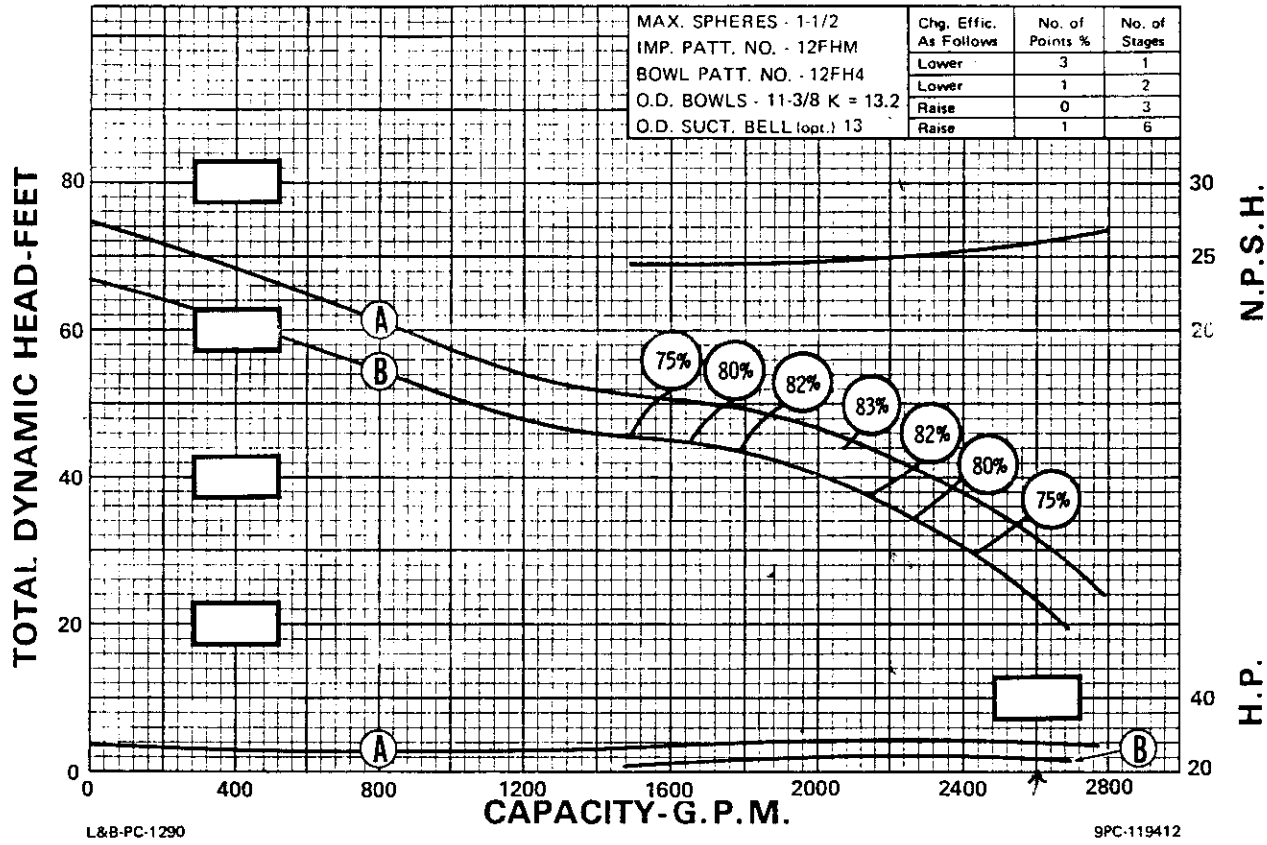
REMARKS

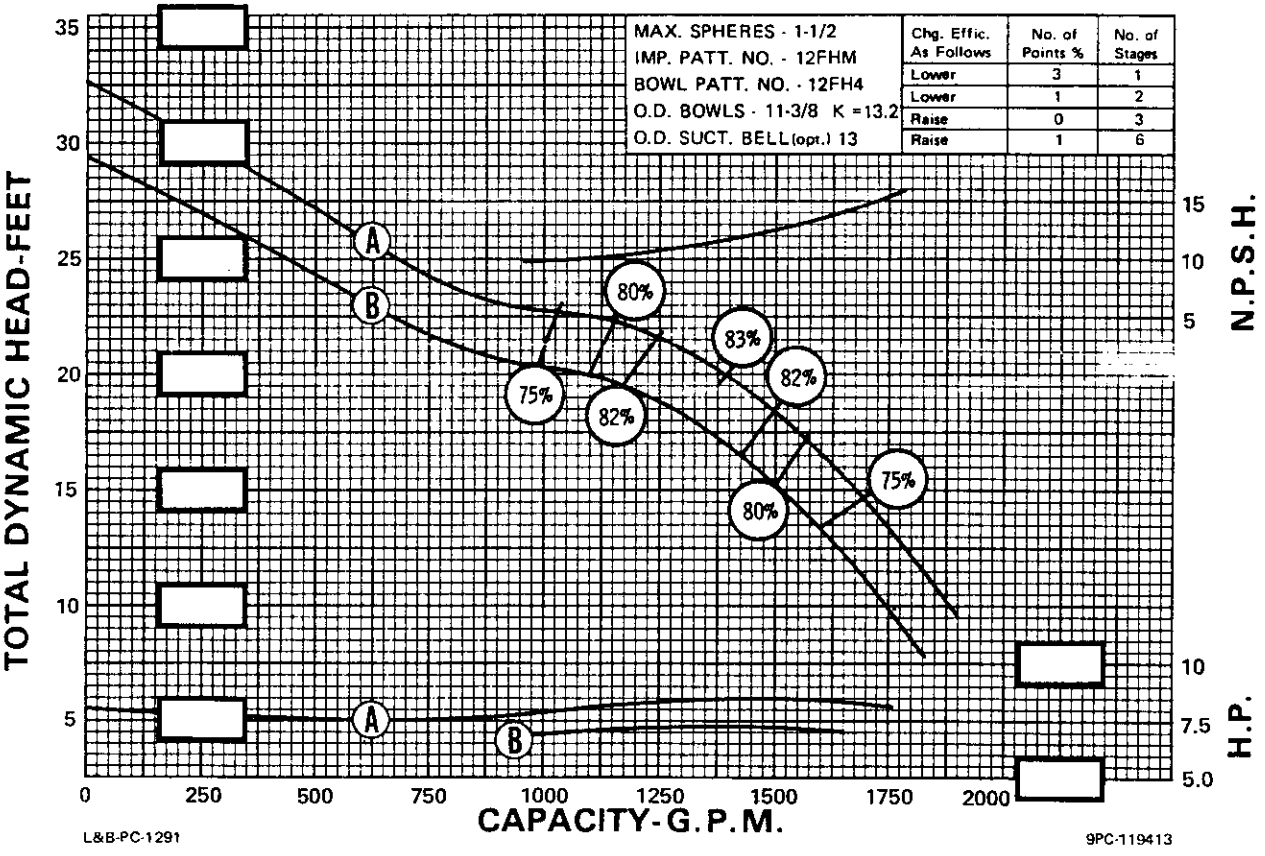
18100

71334

QTY.	NUMBER	DESCRIPTION			NET
		150 HP deepwell turbine pump 2000 GPM at 240 ft. head			
1		150 HP 1800 RPM 460 volt motor			
1		17 AC-10 head w/ 1 1/2" packing box assy. 30' of 10 x 1 1/2 W.L. column and shaft assy. 5 stages 12 FHM bowl assy. #10 cone strainer			11,298.00

MICROFILMED
APR 27 2000





AURORA PUMP
A UNIT OF GENERAL SIGNAL
P.O. BOX 1300 • CITY OF INDUSTRY, CA. 91749

Ⓐ = 9.469
Ⓑ = 9.000
Ⓒ = REFER TO FACTORY

NUMBER OF STAGES REQUIRED FOR APPLICATION.
STANDARD CURVE ILLUSTRATES SINGLE STAGE PERFORMANCE ONLY

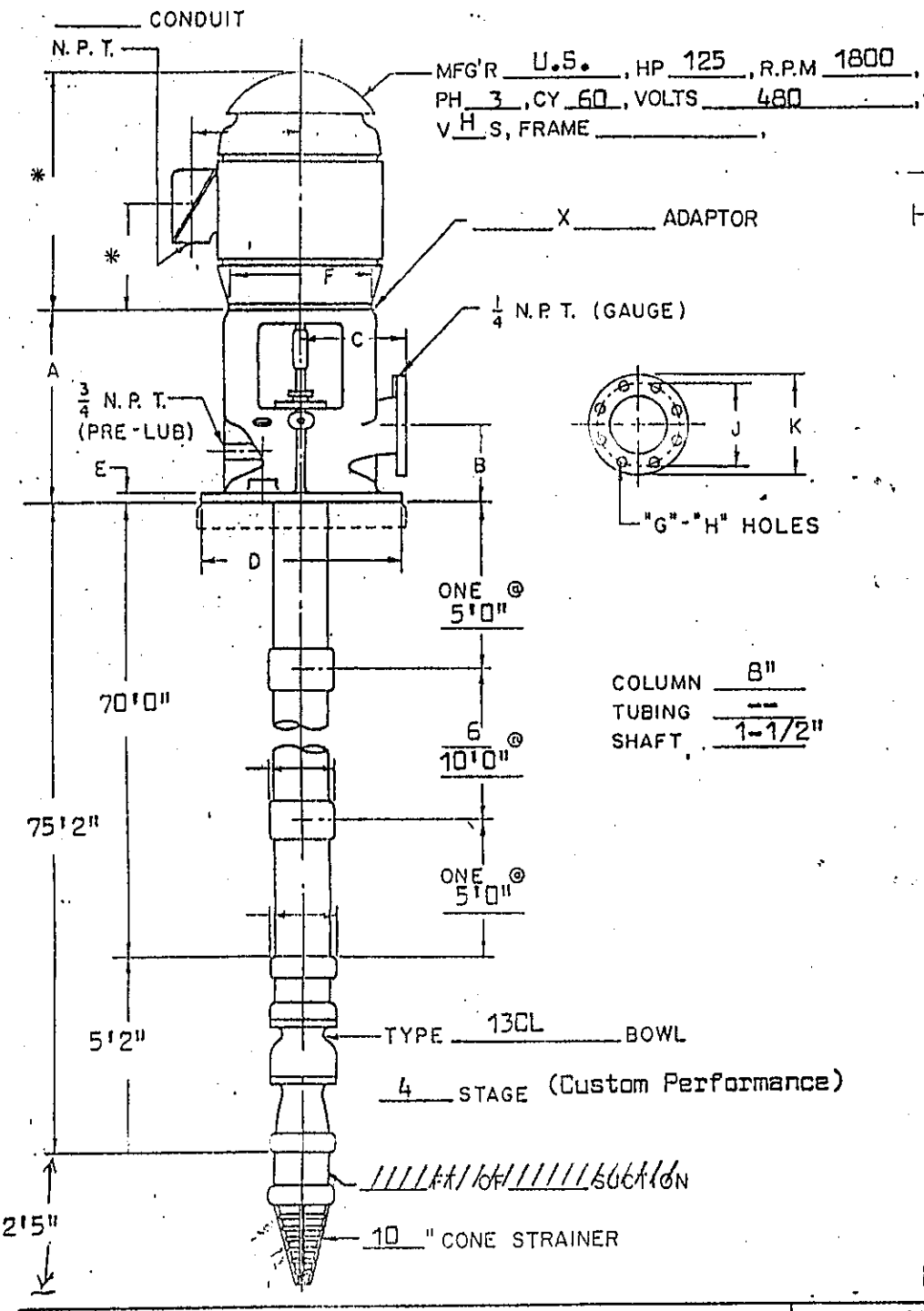
MICROFILM
APR 27 2009

INSTALLATION PLAN

TYPE RF 8DHV DISCHARGE HEAD

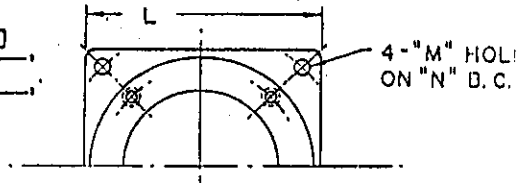
Bigwood Well

SECTION 3100
PAGE 3
DATE 6/1/77
SUPERSEDES

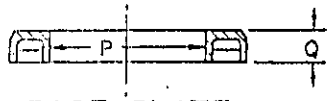


COLUMN 8"
TUBING —
SHAFT 1-1/2"

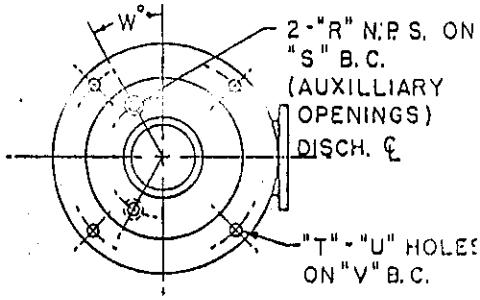
USE THESE DIMENSIONS ONLY WHEN CERTIFIED BY FACTORY



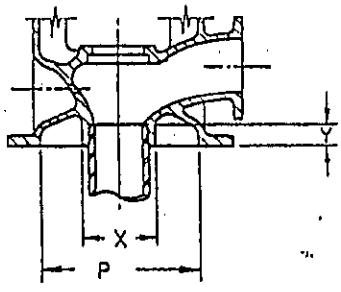
HOLES IN BASE PLATE



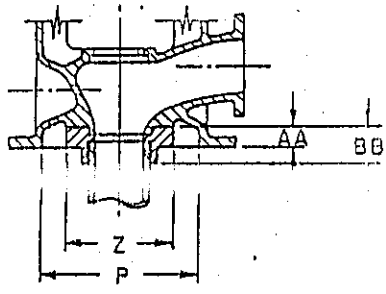
BASE PLATE



BASE OF HEAD



SCREW TYPE HEAD



FLANGE TYPE HEAD

CUSTOMER: Walker Water Systems	YOUR NO:	G. P. M: 1300
LOCATION: Ketchum, ID	OUR NO:	T. D. H: 272'
FOR APPROVAL:	PUMP NO:	R. P. M: 1770
CERTIFIED:	DATE: 9-30-86	B. H. P: 110

MICRO

APR 2 7 2000

3/15/81
Supersedes 7/1/79

SECTION 8100
CURVE NO. 18-133X

LAYNE & BOWLER, INC.
MEMPHIS, TENN. 38108

Layne
A Morley Company

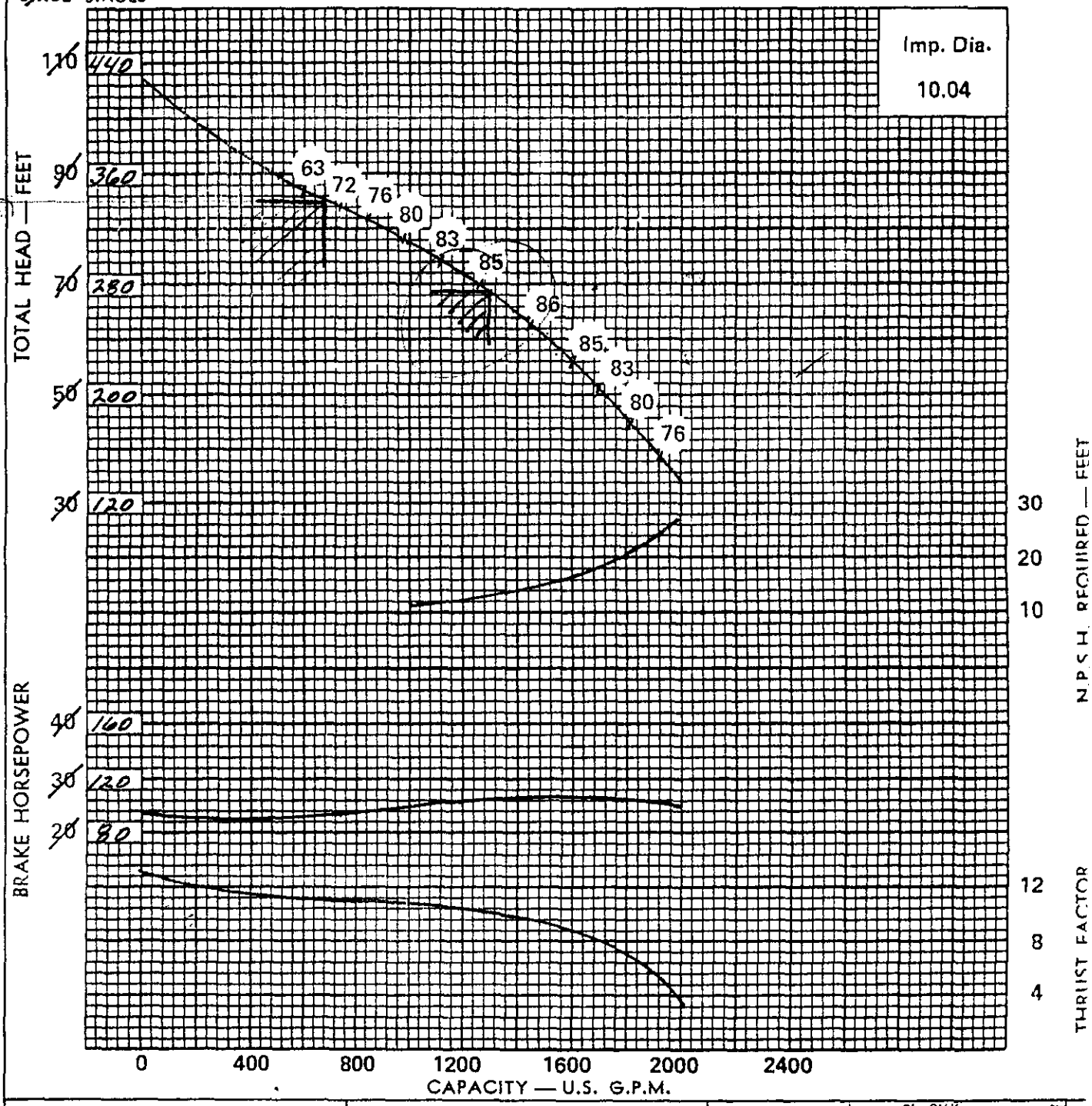
No. Stages	Eff. Change	MATERIAL	Eff. Change
1	−2	IMP.—C.I.	N/A
2	−1	IMP.—NI-RI	N/A
3	0	BOWL—BRZ.	−2
4		BOWL—NI-R.	−1

13C L — 1770 R.P.M.

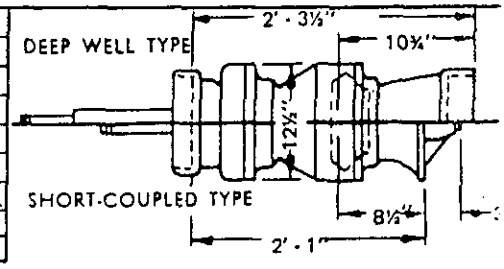
SINGLE STAGE LAB* PERFORMANCE WITH STANDARD MATERIALS. EFFICIENCY SHOWN FOR 3 OR MORE STAGES. HORSE POWER SHOWN FOR ONE STAGE BASED ON 3 STAGE EFFICIENCY. CORRECTIONS SHOULD BE MADE FOR STAGES AND MATERIAL.

ONE / (4) STAGES

CUSTOM PERFORMANCE



EYE AREA — SQ. IN.	=	25.5	IMPELLER WT.-LBS.	=	17.5
WR^2 PER IMPELLER	=	1.45 LB.-FT.^{2}	ONE STAGE WT.-LBS.	=	278
MAX. SPHERE SIZE	=	1.00 in.	ADD'L STAGE WT.-LBS.	=	116
MAX. NO. STD. STAGES	=	8	IMPELLER NUMBER	=	65C13
MAX. OPERATING P.S.I.	=	400	DISCH. SIZES	=	8,10
STD. LATERAL	=	.64 in.	SUCTION SIZES	=	10
STD. SHAFT DIA.	=	1.687 in.	MAX. LATERAL	=	1.00 in.
MAX. SHAFT DIA.	=	1.937 in.	BOWL CONN.	FLANGED – COLLET	
MIN. SUBMERGENCE	=	36 in.	ADD 11.38 " PER ADDITIONAL STAGE.		



December 16, 1999

CITY OF KETCHUM
PO BOX 2315
KETCHUM ID 83340

LAPSE NOTICE

RE: PERMIT NO. 37-08575B

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 September 30, 1999. 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

CERTIFICATION OF MAILING
I hereby certify that on 12-16-99
~~a copy~~ an original of this document was deposited in the United States mail, postage prepaid addressed to the individual(s) named above.

MICROFILMED
APR 27 2000

September 30, 1999

CITY OF KETCHUM
PO BOX 2315
KETCHUM ID 83340

PROOF DUE NOTICE

RE: PERMIT NO. 37-08575B

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 December 1, 1999. (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.

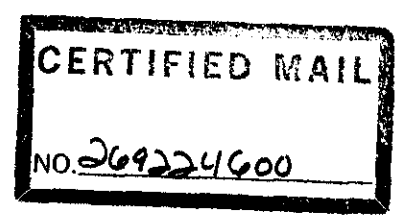
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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 27 2000

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

October 15, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF KETCHUM
PO BOX 2315
KETCHUM ID 83340

RE: Water Right 37-08575B

Dear Permit Holder(s):

The Department of Water Resources (IDWR) has issued the enclosed Amendment of Permit approving your application to amend the water right referenced above. Please be sure to review every element of the Amendment of Permit, including the conditions of approval and remarks.

The Amendment of Permit is a **preliminary order** issued by IDWR pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.**

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions regarding this matter, you may call me at 208-327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED
OCT 26 1998

CERTIFICATE OF MAILING

I hereby certify that on the **15th** day of **October, 1998,** I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Amendment of Permit)** to the person(s) listed below:

WATER RIGHT 37-08575B

CITY OF KETCHUM
PO BOX 2315
KETCHUM ID 83340

Kari Lynn Townsend
Secretary

MICROFILMED
OCT 26 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED
OCT 26 1998

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

(a) the petition for reconsideration is disposed of; or
(b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
OCT 26 1998

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF KETCHUM 480 E AVE N PO BOX 2315 KETCHUM ID 83340	10/26/1989	MUNICIPAL	01/01	12/31	0.800 CFS	125.90 AFA
				TOTAL DIVERSION:		0.800 CFS	125.90 AFA

Water Source: GROUNDWATER Tributary to: Stage: PERMIT

Point(s) of Diversion: T04N R17E S12 SWSE BLAINE County

Point of Diversion Name(s):

		Name	Rate	Number
T04N R17E S12	SW SE	NORTHWOOD WELL		

Pou County:

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
37-04316 37-04415 37-07397 37-08202

Conditions of Approval:
004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.
01M - 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.

Remarks: GEN Place of use is within the service area of the City of Ketchum.

Dates: App. Received: 05/21/1998 Priority Date: 10/26/1989
Proof Due Date: 12/31/1999 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 37 Field Exam Fee:

Comments: Date: 06/25/1993 User-ID: ZIMMERMA Subject: AMENDED PERMIT
This permit was amended 2/6/92 adding 2 points of diversion.
This permit has been amended again to add additional commercial/
domestic places of use and adding fire protection use without any
expansion to permit.

Date: 06/25/1993 User-ID: ZIMMERMA Subject: POU OWNERSHIP
The place of use is owned by the applicant and US Forest Service.
The applicant has submitted evidence of a special use permit from

MICROFILMED
OCT 26 1998

Comments: Date: 06/25/1993 User-ID: ZIMMERMA Subject: POU OWNERSHIP
the US Forest Service.

Date: 07/02/1996 User-ID: MBALDWIN Subject: APP. FOR AMENDMENT
App. for amendment filed on 5/23/96 to change place of use.
Four (4) wells are located witin Lot 1 (NENE), S24, T4N, R17E.

Date: 02/02/1998 User-ID: JJOHNSON Subject: Assignment of permit
An assignment of permit split this right into A and B

Date: 07/09/1998 User-ID: MBALDWIN Subject: APP. FOR AMENDMENT
An App. for Amendment was filed on 5/21/98 to change use to
Municipal, change the point of diversion & place of use.

Audit: 07/09/98 MBALDWIN 08/13/98 SCURTIS 10/01/98 SCURTIS

MICROFILMED
OCT 2 6 1998

1 WELL OWNER

Name Northwood Associates
% J. B. Milazzo P. O. Box 1440
Address Sun Valley, ID 83353

2 NATURE OF WORK

X New well ☐ Deepened ☐ Reconditioned
☐ Abandonment of existing well (describe procedures, such as material used, depth, etc. on Page 2 #9)

3 PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test X Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other (specify type)

4 METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
X Cable ☐ Dug ☐ Other

5 WELL CONSTRUCTION

Casing schedule: X Steel ☐ Concrete ☐ Other

Thickness	Diameter	From	To
.375 inches	16 inches	2 feet	26½ feet
.250 inches	14 inches	43 feet	50 feet
inches	inches	feet	feet
inches	inches	feet	feet

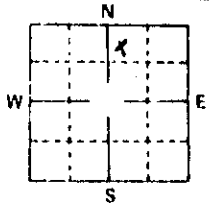
Was casing drive shoe used? X Yes ☐ No
Was a packer or seal used? X Yes ☐ No
Perforated? ☐ Yes X No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation inches by inches

Number	From	To
perforations	feet	feet
perforations	feet	feet
perforations	feet	feet

Well screen installed? X Yes ☐ No
Manufacturer's name Johnson
Type Telescoping Model No. 304SS
Diameter 16T Slot size 120 Set from 27 feet to 43 feet
Diameter Slot size Set from feet to feet
Gravel packed? ☐ Yes X No ☐ Size of gravel
Placed from feet to feet
Surface seal depth 20 Material used in seal: X Cement grout
☐ Bentonite ☐ Puddling clay ☐
Sealing procedure used: ☐ Slurry pit X Temp. surface casing
☐ Overbore to seal depth
Method of joining casing: ☐ Threaded X Welded ☐ Solvent Weld
☐ Cemented between strata
Describe access port

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name
Lot No. Block No.
County Blaine
SW ¼ SE ¼ Sec. 12 T. 4 N. R. 17 E.W.

7 WATER LEVEL

Static water level 5 feet below land surface
Artesian flow? Yes X No G.P.M. flow
Artesian pressure p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug
Temperature 46 °F Quality
Depth of water-bearing zones below

8 WELL TEST DATA

XX Pump ☐ Bailer ☐ Air ☐ Other

Discharge G.P.M.	Pumping Level	Hours Pumped
1408	15'	2 hr. 40 min.
1575	16'	1 hr. 20 min.
2023	18'6"	2 hr. 15 min.
2265	21'8"	17 min.

9 LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
20	0	6	Surface		
	6	8	Gravel & clay	X	
	8	13	Boulders & gravel		
	13	16	Clay & gravel		
	16	19	Gravel & sand	X	
16	19	27	Clay & gravel		
	27	29	Big gravel & sand	X	
	29	31	Gravel & clay Water level dropped	?	
	31	33	Gravel & sandy clay	?	
	33	38	Gravel & sand w/ some clay	X	
	38	41½	Gravel & sand Little more uniform in size	X	
	41½	43	Bigger gravel & sand, some clay	X	
	43	45	Gravel, sand & clay	?	
	45	50	Rock		X

RECEIVED
AUG 15 1985
Department of Water Resources

RECEIVED
AUG 8 1985
Department of Water Resources
Southern District Office

10. Drilling finished 6/13/85
Work started 6/6/85 finished 7/12/85

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Walker Water Systems, Inc. Firm No. 15
Address 624 Pierce Street Twin Falls, Idaho 83301 Date 7/15/85
Signed by (Firm Official) Fredrick B. Walker
and (Operator) Fredrick B. Walker

MICROFILMED
OCT 26 1998

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

AMENDMENT OF PERMIT REVIEW

Review Date 37-08575B 9/30/98

PERMIT NO. _____ **NAME** City of Ketchum

TYPE:
A = AMENDED
B = CHANGE P/D
C = ADD P/D
D = CHANGE P/U
E = CHANGE N/U
F = CHANGE Per/U
G = OTHER
H = CHANGE P/D & + P/D
I = CHANGE P/D & P/U
J = ADD P/D & CHANGE P/U

AREA OF CONCERN: ____ Mor ____ GWMA Trust/Non-trust

PROOF OF B/U RECEIVED? Yes No **Due <6 months?** Yes No

SWSE, S12 4N, 17E

GROUNDWATER:
Drilling Permit No. __-__-__-___-__;
Drilled _____

Swan Falls Flag ____

Conditions of Approval: 004, 01M,

Remarks/Comments _____

Max. Volume could have been allowed under dom/comm. use

Dom. 100 homes X 1.2 = 120.0 af

Comm. (Restaurant & 4 comm. bldgs)
100 patrons/day X 10 gpd/patron X 365 days = 365,000 gal / 325,850 = 1.12 ~ 1.1 af
4 comm. bldgs (assume landscape watering allow 1.2 af like dom. x4 = 4.8 af

120.0
1.1
4.8
125.9 af

MICROFILMED
OCT 26 1998

Form No. 211a
10/81

State of Idaho
Department of Water Resources
AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: GLS

Right Number 37-08575B Applicant City Ketchum

Purpose of Amendment: ☒ Change point of diversion. ~~☒ Add diversion point(s).~~ No GLS 28May98

☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☐ Ownership of point of diversion and place of use. City — See memo
- ☐ ~~Stream index~~ N/A information (reverse).
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee. $50 S021141
- ☒ Existing water rights from the same source, amended place of use. — see memo
- ☐ Right number(s) _____
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☒ Protests processed. — Now
- ☒ Approve.
- ☐ Deny.

Conditions P/U should be within service area of city of Ketchum.

* Other Standard conditions

By _____ Date 8/11/98

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
____	__	___	___	_	—	___.__

IDAHO STREAM CODE INDEX

___.___.___.___.___.___.___.___.___.___.___

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
____	__	___	___	__	—	___.__

IDAHO STREAM CODE INDEX

___.___.___.___.___.___.___.___.___.___.___

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
____	__	___	___	__	—	___.__

IDAHO STREAM CODE INDEX

___.___.___.___.___.___.___.___.___.___.___

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
____	__	___	___	__	—	___.__

IDAHO STREAM CODE INDEX

___.___.___.___.___.___.___.___.___.___.___

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
____	__	___	___	__	—	___.__

IDAHO STREAM CODE INDEX

___.___.___.___.___.___.___.___.___.___.___

AFFIDAVIT of PUBLICATION

RECEIVED

JUL 28 1998

Department of Water Resources
Southern Region

State of Idaho, } SS.
County of Blaine }

On this ____ day of _____, in the year 19___, before me a Notary Public of said State, personally appeared DANIEL J. GORMAN, known or identified to me to be the person whose name is subscribed to be 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. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 15 day of July, 1998, and the date of the last publication was on the 22 day of July, 1998.

Daniel J. Gorman

Subscribed and sworn to before me this 28 day of July, 1998.
(SEAL)

NOTARY PUBLIC

#11043

WOOD RIVER JOURNAL
Hailey, Idaho

OK MB 8/3/98

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 47.667
Number of Insertions 2

____	Lines tabular at ____	7 ¢ / Pica
47.667	Lines straight at 32.890 6	5 ¢ / Pica
47.667	Subsequent lines at 27.408 5	4 ¢ / Pica

TOTAL COST $65.30

No. 37-08575 B

COPY OF NOTICE
(Paste Here)

Amendment to water permit
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Resources
BILL TO

[redacted]

NOTICE OF AMENDMENT TO A WATER PERMIT

Notice is hereby given that the CITY OF KETCHUM, PO BOX 2315; KETCHUM ID 83340 has applied to the Department of Water Resources to make changes to a water right.

AMENDMENT; Permit No. 37-08575B with a priority date of 10/26/1989 is authorized to divert 0.89 cfs for domestic use and 750 GPM for commercial use within an enlarged place of use in and around the City of Ketchum from 1 well within NE1/4NE1/4, Sec. T4N, R17E. The Amendment proposes to divert 0.89 cfs from the existing [redacted] T4N, R17E, [redacted] of Section Water Supply, any person within the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of $25.00 on or before August 3, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director

Publish: Wood River Journal — July 15 & 22, 1998.

MICROFILMED 11043

OCT 28 1998

NOTICE OF AMENDMENT TO A WATER PERMIT

Notice is hereby given that the CITY OF KETCHUM, PO BOX 2315; KETCHUM ID 83340 has applied to the Department of Water Resources to make changes to a water right.

PRESENTLY, Permit No. 37-08575B with a priority date of 10/26/1989 is authorized to divert 0.80 cfs for domestic use and 0.20 cfs for commercial use within an extensive place of use in and around the City of Ketchum from a well within NE1/4NE1/4, S24, T04N, R17E. The Amendment proposes to divert 0.80 cfs from the existing Northwood Well within SW1/4SE1/4, S12, T04N, R17E for Municipal use within the service area of the City of Ketchum; Blaine County. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of $25.00 on or before August 3, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River Journal on 7/15 & 7/22/98.

MICROFILMED

OCT 2 6 1998

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

July 10, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTENTION-LEGALS
WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED
OCT 2 6 1998

NOTICE OF AMENDMENT TO A WATER PERMIT

Notice is hereby given that the CITY OF KETCHUM, PO BOX 2315; KETCHUM ID 83340 has applied to the Department of Water Resources to make changes to a water right.

PRESENTLY, Permit No. 37-08575B with a priority date of 10/26/1989 is authorized to divert 0.80 cfs for domestic use and 0.20 cfs for commercial use within an extensive place of use in and around the City of Ketchum from a well within NE1/4NE1/4, S24, T04N, R17E.

The Amendment proposes to divert 0.80 cfs from the existing Northwood Well within SW1/4SE1/4, S12, T04N, R17E for Municipal use within the service area of the City of Ketchum; Blaine County.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of $25.00 on or before August 3, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River Journal on 7/15 & 7/22/98.

MICROFILMED

OCT 2 6 1998

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

July 10, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Application for Amendment of Permit No. 37-08575B (City of Ketchum)

Dear Mr. Peterson:

Enclosed is a copy of an Amendment of Permit within your District for your comment.

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form and return to this office.

Processing of an application can be completed in 20 days, therefore, your prompt response to this request will be appreciated.

If you have any questions about an application, please contact this office or the applicant.

Very truly yours,

Georgia Satterlee
Water Resource Agent

GS:mb

Enclosures

MICROFILMED

OCT 26 1998

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

July 9, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SCOTT CAMPBELL ESQ
ANGELA D SCHAER
ELAM & BURKE PA
PO BOX 1539
BOISE ID 83701

Re: Application for Amendment of Permit No. 37-08575B (City of Ketchum)

Dear Mr. Campbell & Ms Schaer:

The Department of Water Resources acknowledges receipt of the Application for Amendment of Permit as referenced above.

This office will be advertising the application in the Wood River Journal on 7/15 & 7/22/98. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

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

Very truly yours,

Georgia Satterlee
Water Resource Agent

GS:mb

cc: CITY OF KETCHUM
PO BOX 2315
KETCHUM ID 83340

MICROFILMED
OCT 26 1998

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

ANGELA D. SCHAER

JUL 07 1998
Department of Water Resources
Southern Region

July 6, 1998

Ms. Trish Fawcett
Idaho Dept. of Water Resources
Southern Region
1341 Fillmore, Suite 2000
Twin Falls, ID 83301

Re: City of Ketchum Application for Amendment of Permit

Dear Trish:

The purpose of this letter is to confirm our conversation of July 1, 1998. During our telephone conference, you advised me that the City of Ketchum's Application for Amendment of Permit is in a file marked "To Be Advertised This Month." After the Application has been advertised, there will be a period during which someone may file a protest to the Application. After that time period has expired, the Application will then be sent to the state office.

Please inform me if my recollection is accurate or incorrect. Thank you very much for updating me regarding this matter. If you have any additional information or questions, please do not hesitate to contact me.

Very truly yours,

ELAM & BURKE
A Professional Association

Angela D. Schaer

Angela D. Schaer

ADS:thm G:\TMH\WPDATA\1000\66\00010.LTR.wpd

MICROFILMED
OCT 26 1998

M E M O T O F I L E

FROM: Georgia Satterlee
DATE: 10 June 1998
RE: Amendment of 37-08575B City of Ketchum

The amendment of permit is proposing to change the point of diversion, place of use, and nature of use.

The proposed point of diversion is existing (Northwood Well) and is located on the east side of the Big Wood River and is in the SESWSE¼ of Sec 12, T04N, R17E. When visiting the site on 03 June 1998, I noticed a GPS tag on one of the pipes. However, this pipe was in the south pumphouse which was locked.

In the north pumphouse, I found the well which has a 8" casing with a STA RITE Pump, 7.5 horsepower, Ser #F90T, Mod#CP6K02HG-04. I located the site by GPS, again, and I nailed the site tag above the exterior threshold of the north pumphouse.

On the attached map, the place of use is delineated by a boundary. I asked Scott Campbell (attorney for the city) the difference between the map and the Exhibit A. He said the Exhibit A is more detailed and that the map is showing approximation.

The permitted use is for year round domestic and commercial with a total diversion rate of 0.80 cfs. The proposed change in nature of use is for year round municipal with no increase in the total diversion rate.

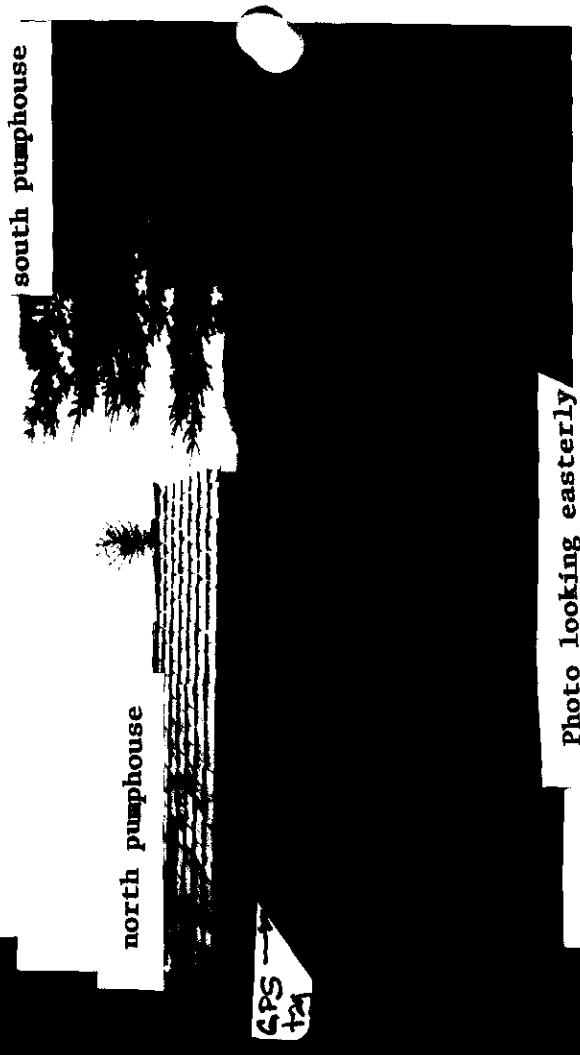
The existing rights for the City of Ketchum call for the same well, SESWSE¼ of Sec 12, T04N, R17E.

1. (A)37-04415 Irrigation, Municipal, & Domestic 3.34cfs
2. 37-08202 Irrigation 0.18cfs
3. (A)37-07682 Irrigation, Municipal, & Domestic 7.00cfs
   Data record shows 37-07682 was field examined 7/5/1989, microfilm shows nothing of a field exam. Perhaps this aspect could be clarified prior to recommending the amendment.

MICROFILMED
OCT 2 6 1998



photo looking into north pumphouse



8" casing, 12" above ground
PSI gage not working



Sta-Rite Pump 7.5 HP
Ser#F90T
Mod#CP6K02HG-04

MICROFILMED
OCT 2 0 1998

City of Ketchum
23 June 1998 1030 hrs
Examiner: G. Satterlee

37-08575B

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
FACSIMILE
208-384-5844

ANGELA D. SCHAER

May 18, 1998

RECEIVED
MAY 19 1998
Department of Water Resources
Southern Region

Ms. Trish Fawcett
Idaho Dept. of Water Resources
Southern Region
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Re: Water Right No. 37-08575B
In the Name of City of Ketchum

Dear Ms. Fawcett:

I have enclosed herewith an original and one copy of an Application for Amendment of a Permit for the above- referenced water right. I have also enclosed a check for the filing fee in the amount of $50.00. Lastly, I have enclosed an additional copy to be date-stamped and returned to me in the enclosed self-addressed stamped envelope.

Please note that all orders, correspondence, etc. should be addressed to Scott Campbell and myself, Elam & Burke, P.A., PO Box 1539, Boise, ID 83701.

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

Very truly yours,

ELAM & BURKE
A Professional Association

Angela D. Schaer

Angela D. Schaer

ADS:tmh G:\TMH\WPDATA\1000\66\00005.LTR
encl.
cc: Wallace Huffman
Barbara Melendez, Esq.
Carl Burke, Esq.
Margaret Simms, Esq.

MICROFILMED
OCT 26 1998

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 17, 1998

RE: In the matter of Application for Permit No. 37-08575B in the name of The City of Ketchum

Dear Interested Parties:

The accompanying order is a "**preliminary order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of this order. The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The

MICROFILMED
FEB 23 1998

Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one(21) days.

MICROFILMED
FEB 2 3 1998

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED
FEB 2 3 1998

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OF FICE BOX 1539
BOISE, IDAHO 83701

RECEIVED
JAN 3 0 1997
Department of Water Resources

TELEPHONE
208-343-5454
FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

January 30, 1998

HAND DELIVERED

Mr. Norman C. Young, P.E.
Idaho Department of Water Resources
Water Management Division
1301 North Orchard Street
Boise, Idaho 83706-2237

Re: Request for Extension of Time to Submit Proof of Beneficial Use
Water Permit No. 37-08575 (Portion Owned by City of Ketchum)

Dear Norm:

I have enclosed a Request for Extension of Time to Submit Proof of Beneficial Use which has been signed by facsimile signature by the Mayor of the City of Ketchum.

As I discussed with you on Wednesday, the City of Ketchum has acquired a portion of Water Permit No. 37-08575 and requests that the original extension of time for proof of beneficial use be amended to allow a sufficient time period to permit the City to complete the permit amendment process which is necessary because of the change in place of use and potential change in point of diversion of this water right. Because of the unique circumstances of this request, I would be happy to answer any questions that you may have.

Thank you for your cooperation in this regard.

Very truly yours,

ELAM & BURKE
A Professional Association

Scott L. Campbell

SLC:kc G:\TMI\WPDATA\1000\00097.LTR
Enclosure
cc: Wally Huffman (w/encl.)
Barbara Melendez (w/encl.)
Carl Burke (w/encl.)
Margaret Simms (w/encl.)

MICROFILMED
FEB 2 3 1998

Form No. 204
7/94

For Office Use Only
$50 Fee Received by _____
Date _____
Receipt No. RECEIVED

JAN 3 0 1997

Department of Water Resources

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. 37-08575 (Partial)

Name(s) of Permit Holder: City of Ketchum

Mailing Address: 480 East Avenue North, P.O. Box 2315, Ketchum, Idaho 83340

Date Proof is Due: February 1, 1998 Telephone No. (208) 726-7801

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".)

Well has been constructed. City distribution lines are located in close proximity (within 200') of well but physical connection has not been made. City may pursue amendment of the water permit to change the point of diversion to an existing City well.

Costing $ In excess of 3,000.00

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

City acquired a portion of the permit from Sinclair Oil Corporation, d/b/a Sun Valley Company on January 14, 1998 and has not had time to prepare and process the permit amendment with the Department of Water Resources. The City requests that the original extension of time be amended to change the proof due date so the permit amendment process can be completed.

Permit holder(s) request an extension to December 31, 19 98.

FEE: $50.00

Terry P Cohen MAYOR
(Signature)*
*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

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

Signed this _____ day of _____, 19_____.

_____

MICROFILMED
FEB 2 3 1998

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OF FICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

RECEIVED
JAN 30 1997
Department of Water Resources

January 30, 1998

HAND DELIVERED

Mr. Norman C. Young, P.E.
Idaho Department of Water Resources
Water Management Division
1301 North Orchard Street
Boise, Idaho 83706-2237

Re: Partial Assignment of Water Permit No. 37-08575

Dear Norm:

I am providing an executed original of the partial Assignment of Permit No. 37-08575 for filing with the Department. I have also enclosed a copy of the Assignment of Permit. I request that this copy be stamped by the Department as conformed and returned to me for our records.

It is my understanding that this completes the required documentation of the Department, relating to the partial Assignment of Water Permit No. 37-08575 from the Sinclair Oil Corporation, d/b/a Sun Valley Company to the City of Ketchum. Please notify me in writing if this is not the case.

Thank you for your cooperation.

Very truly yours,

ELAM & BURKE
A Professional Association

Scott L. Campbell

SLC:kc G:\TMI\WPDATA\1000\00095.LTR
Enclosures

cc: Wally Huffman (w/encl.)
Barbara Melendez (w/encl.)
Carl Burke (w/encl.)
Margaret Sims (w/encl.)

MICROFILMED
FEB 2 3 1998

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

January 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Angela Schaer
ELAM & BURKE
702 W. Idaho
P.O. Box 1539
Boise, ID 83701

RE: PERMIT NO. 37-08575A - SINCLAIR OIL CORP

Dear Ms. Schaer:

This letter follows up our telephone conversation on December 17, 1999 concerning the lapse notice dated December 16, 1999, which the department sent you in connection with the above referenced permit.

The lapse notice was sent to you in error since proof was submitted in 1998 and a field exam to determine the extent of beneficial use has been conducted. Please disregard the lapse notice.

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

Sincerely,

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

MICROFILMED
APR 27 2000

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

December 16, 1999

SINCLAIR OIL CORP
DBA SUN VALLEY CO
C/O SCOTT L CAMPBELL ESQ
ELAM & BURKE
PO BOX 1539
BOISE ID 83701

LAPSE NOTICE

RE: PERMIT NO. 37-08575A

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 September 30, 1999. 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

APR 27 2006

CERTIFICATION OF MAILING

I hereby certify that on 12-16-99 ~~a copy~~ an original of this document was deposited in the United States mail, postage prepaid addressed to the individual(s) named above.

RECEIVED
JUN 0 7 1999
Department of Water Resources

Cindy Hodges
Senior Water Resource Agent
Water Distribution Section
State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

37-8575A

June 3, 1999

Dear Cindy:

I received your letter dated May 17th, 1999 in regard to the above mentioned permit. As per your request, I submit for your review information requested by your department as it pertains to the reporting of exchanged flows associated with our co-mingling of water.

Verification of location of both discharge and retrieval flow meters:

Doesn't match plan. May have changed?

The discharge flow meter is located in the buried junction vault. The water from the retrieval is pumped through the buried vault to a tank. It is then pumped through the retrieval meter as it is delivered for use throughout the snowmaking network.

Manufacturer name, model and serial numbers of both flow meters:

- Discharge flow meter
  Fisher Porter
  Model #10DX3111ADD18P1A2BA54321
  Serial #98W044313

- Retrieval flow meter
  Fisher Porter
  Model #10D14-65BE17ZD2-1AD11CA
  Serial #9103B2075/2/B2

Measurement units for rate of flow and volume totalizer displays are gallons per minute.

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AUG 0 6 1999

Frequency of meter readings:

Approximately every 10 minutes the readings are stored. Flow fluctuations follow ambient temperatures, therefore they are miniscule unless extreme ambient fluctuations are experienced.

The deep well is used only for the purpose of co-mingling water for snowmaking.

If I can be of any further assistance, please do not hesitate to give me a call at 208/622-6171.

Sincerely,

Peter Stearns
Director
Snowmaking

PS/ho

MICROFILMED
AUG 0 6 1999

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

KARL J. DREHER
DIRECTOR

May 18, 1999

LEE PETERSON, WATERMASTER
WATER DISTRICT 37
PO BOX T
SHOSHONE ID 83352

RE: Sun Valley Company Exchange of Flows (37-8575A)

Dear Lee:

Thank you for sending the exchange plan for the Sun Valley River Run project. Attached is a letter I recently sent to Peter Stearns, Director of Snowmaking at Sun Valley Resort. I have requested specific meter information from Mr. Stearns to add to our water right file and IDWR may pursue the calibration of these meters this coming winter to ensure accuracy of the reported volumes. Ongoing monitoring of this diversion, however, should be done by the Water District and it is our intent to instruct the Sun Valley Company to continue to report its annual discharge and rediversion volumes to you.

The exchange of ground and surface waters completed by the Sun Valley Company is authorized pursuant to §42-105(1) Idaho Code (copy attached) and is subject to a measurement and reporting requirement under the jurisdiction of a local Watermaster. The authorizing permit, no. 37-08575A, also carries a measurement requirement. Because the commingled source is the Big Wood River, it is appropriate for Water District 37 to monitor the exchange and to include a record of exchanged flows in its annual report.

Beginning with next year's annual report, please include an accounting of flows rediverted from the Big Wood River pursuant to permit 37-08575A by Sun Valley Company. Include both the discharged and reclaimed volumes. This entry might be separated from irrigation diversions under a "miscellaneous" category. Since the 1998/99 snowmaking season is within the 1999 Water Year beginning October 1, 1998, the volumes which Sun Valley submitted in February of this year should be placed in the 1999 District Report.

IDWR recommends that you implement a self-reporting program with Sun Valley similar to the one we use in the Water Measurement Districts, rather than requiring the Deputy Watermaster to read the flow meters periodically. I can assist you with this by working with Mr. Stearns until a satisfactory record keeping and reporting plan is established. Thereafter, a single spot check of both meters by the Water District during the summer months to verify totalizer readings should be sufficient to maintain quality control.

MICROFILMED
AUG 06 1999

I understand that the Sun Valley appropriations for snowmaking from Warm Springs Creek and other appropriations for non-consumptive uses are presently not charged a District assessment for winter diversions. Not all off-season uses require monitoring, and at this time we are not asking for you to assess and regulate any other existing non-irrigation season diversion. However, the River Run exchange with Big Wood River water must be treated as a new appropriation of surface water which has the potential to damage senior users of both surface and ground waters.

If you feel it is necessary to assess the River Run rediversion, you may consider modification of your District Resolution #7 or #8, assessment of non-consumptive uses, to authorize that charge. Non-consumptive uses which require monitoring during the off-season could be assessed in accordance with either of the existing resolutions, depending on the magnitude of the work involved. With Sun Valley Co. on a self-reporting basis, I would expect monitoring to be minimal and field visits limited to one per year.

I will keep you apprised of my correspondence with Mr. Stearns and would like you to be present during any field visits I might make in the future to calibrate meters. If you have any questions, please call me at 208-327-5406 or Tim Luke at 208-327-7864.

Sincerely,

Cindy Hodges
Sr. Water Resource Agent
Water Distribution Section

cc: IDWR Southern Region
1999 Water District File

MICROFILMED
AUG 0 6 1999

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

KARL J. DREHER
DIRECTOR

May 17, 1999

PETER D STEARNS
SUN VALLEY COMPANY
PO BOX 10
SUN VALLEY ID 83353-0010

RE: Report of Exchanged Flows Under Water Right Permit No. 37-08575A

Dear Mr. Steams:

We have received your report of exchanged flows under the above permit. I have reviewed the information and have placed the report in the water right file.

For the 1998/99 snowmaking season, the total volume discharged to the Big Wood River exceeded the amount diverted for snowmaking by 9 million gallons, or about 28 acre-feet. Is the deep well used for any other purpose than supplying co-mingled water for snowmaking?

Also for the file, I would like to request additional information on the flow meters which have been installed in this system. From the plan submitted with the joint application for stream channel permit in August 1998, I note that the flow meter for the river withdrawal line is located in the buried junction vault. The plan does not show the location of the deep well meter.

Could you please forward the following information to my attention:

1. Verification of location of both discharge and retrieval flowmeters
2. Manufacturer name, model and serial numbers of both flowmeters
3. Measurement units for rate of flow and volume totalizer displays
4. Frequency of meter readings

Thank you for your continued cooperation. If you have any questions, please don't hesitate to contact me at 208-327-5406 or at chodges@idwr.state.id.us.

Sincerely,

Cindy Hodges

Cindy Hodges
Sr. Water Resource Agent
Water Distribution Section

cc: Lee Peterson

MICROFILMED
AUG 0 6 1999

RECEIVED
MAR 0 3 1999
Department of Water Resources

Sun Valley

Tim Luke
State of Idaho
Department of Water Resources
Water Distribution Center
1301 N. Orchard Street
P.O. Box 83720
Boise, ID 83720-0098

February 25, 1999

Re: Permit No. 37-08575A - Sinclair Corporation dba Sun Valley Company

Dear Tim:

We were informed by L. Glen Saxton in a correspondence dated October 30, 1998 that the required water measurement records for permit No. 37-08575A were to be sent to your attention.

These figures represent a) the water withdrawn from the Big Wood following the co-mingling; b) the water discharged into the river for co-mingling as authorized under the above referenced permit. The figures are represented exponentially. The value for the discharge into the river is 39,949,179.9 million gallons. The value for the retrieved co-mingled water is 30,122,197.3 million gallons. These figures are for the entire period of Snowmaking operations this season beginning November 14, 1998 and ending January 28, 1999.

It is my understanding that this is the information we must report. If you need any additional information please feel free to contact me at 208/622-6171 or 208/720-1117.

Sincerely,

Peter D. Stearns
Director of Snowmaking

PS/ho

Encl.

cc: Wally Huffman

deleted transfer
57-7170, 7340
WDR 37 guidelines

MICROFILMED
AUG 0 6 1999

MICROFILMED
AUG 0 6 1999

B)	Water cons.well pump	Gallon	3.99491799E+7	119.7 AF
A)	Water cons. dep. 201	Gallon	3.01221973E+7	92.1 AF

27.6 AF
(+25%)

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 30, 1998

Scott L. Campbell
ELAM & BURKE
702 West Idaho
P.O. Box 1539
Boise, ID 83701

RE: PERMIT NO. 37-08575A - SINCLAIR OIL CORPORATION, DBA SUN VALLEY COMPANY

Dear Mr. Campbell:

Your letter dated October 27, 1998 to Karl Dreher in connection with the above referenced permit has been referred to me for response. You have asked the department to advise you where to send water measurement records taken in connection with planned mingling of groundwater with the Big Wood River.

Please send the water measurement records to Water Distribution Section c/o Tim Luke in the state office of the department in Boise and to watermaster Lee Peterson in Shoshone. After technical review of the measurement records to determine there is no loss or injury to other water rights, the department will file the information in water right file no. 37-08575A.

If you have questions, please feel free to contact Tim Luke.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - Tim Luke
Lee R. Peterson

MICROFILMED
AUG 0 6 1999

RECEIVED
OCT 2 8 1998
Department of Water Resources

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

RECEIVED
OCT 2 8 1998
Department of Water Resources

October 27, 1998

Karl E. Dreher, P.E.
Director
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706-2237

Re: Sinclair Oil Corporation, dba Sun Valley Company
Notice of Intent to Commingle Water Diverted Under
Water Permit No. 37-08575 (Idaho Code Section 42-105)

Dear Karl:

I am writing on behalf of our firm's client, Sinclair Oil Corporation, dba Sun Valley Company, to provide you with notice of intent to commingle water, authorized to be diverted under water permit no. 37-08575, pursuant to Idaho Code section 42-105. I have enclosed a copy of my correspondence of August 10, 1998 to James Stanton, of the Southern Region office of the Department which also addresses this matter.

After extensive work in pursuit of the various environmental and land use approval for this commingling project, the Sun Valley Company has now obtained waivers or permits from all the applicable governmental regulatory entities. Consequently, pursuant to the authority of Idaho Code section 42-105, the Sun Valley Company will soon pursue the commingling of water from the groundwater source under water permit 37-08575 with the waters of the Big Wood River, and reclaim the same quantity of water discharged into the Big Wood River further downstream. Both the discharge into the Big Wood River from the groundwater source and the diversion downstream from the Big Wood River will be measured with totalizing flow meter equipment. The Sun Valley Company will provide any necessary reports of these quantities of water to the required reporting entity, as determined by the Department and the watermaster. By copy of this correspondence to the Water District 37 watermaster, we are advising him of this arrangement.

MICROFILMED
NOV 06 1998

The Sun Valley Company will retain copies of its water measurement records for this project until it receives written notification from the Department concerning the appropriate individual to receive such reports. Please direct such written notification to me, at the above address, for handling.

Thank you for your cooperation with respect to this matter. Please contact me if you have any questions or concerns.

Very truly yours,

ELAM & BURKE
A Professional Association

Scott L. Campbell

SLC:thm G:\Thm\WPDATA\1000\66\River Run\00020-slc.wpd
encl.
cc: Wallace Huffman (w/encl.)
Scott Mayeda (w/encl.)
Carl Burke (w/encl.)
Lee R. Peterson, Watermaster (w/encl.)

MICROFILMED
AUG 0 6 1999

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

August 10, 1998

James E. Stanton
Sr. Water Resource Agent
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: Your Correspondence of August 5, 1998 Concerning "Exchange" of Groundwater for Surface Water, Sun Valley Company

Dear Jim:

I appreciate receiving your correspondence of August 5, 1998, with the enclosed application form for approval of an exchange of water right, pursuant to Idaho Code Section 42-240. Unfortunately, Idaho Code Section 42-240 does not apply to the proposal of the Sun Valley Company.

Instead, the provisions of Idaho Code Section 42-105(1) are applicable. The Sun Valley Company intends to take advantage of the 1998 Amendment to this code section, which allows the holder of a valid water right to place water in the channel of a natural waterway and mingle with that water and then reclaim the water so mingled at a different point of diversion.

The Sun Valley Company intends to comply with all of the requirements of Idaho Code Section 42-105(1), including providing written notice to the watermaster for Water District #37. I discussed this matter with Karl Dreher, prior to his presentation at the American Bar Association Water Resource seminar in Boise in the spring of this year. Mr. Dreher confirmed that the only approval process required by the amended statute would entail notification to the watermaster of the pertinent water district and measurement of the water as discharged into the natural waterway and as diverted from that waterway. The Sun Valley Company intends to provide such measurement devices on both its discharge and its diversion when the commingling project is implemented. Since many other environmental permits and authorizations will be required in order to bring this project to fruition, we will not notify the watermaster for Water District #37 until those approvals have been received.

MICROFILMED
AUG 0 6 1999

Please contact me if you have any further questions.

Very truly yours,

ELAM & BURKE
A Professional Association

Scott L. Campbell

SLC:thm G:\TMH\WPDATA\1000\66\River Run\00005-slc.wpd
cc: Karl Dreher
Terry Blau

MED
U 6 1999

Should questions arise during the processing of this application please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

Form 219
8/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 37-08575A

1. Owner: Sinclair Oil Corp., d/b/a Sun Valley Compar Phone No. 208-622-6171

Current Address: Sun Valley, ID 83353

2. Accompanied by: Peter Steams EXAM DATE : Dec. 1, 1997

Address: Sun Valley, ID 83353 Phone No. 208-622-6171

Relationship to Permit Holder: Snow making manager

3. Source: Groundwater tributary to N/A

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

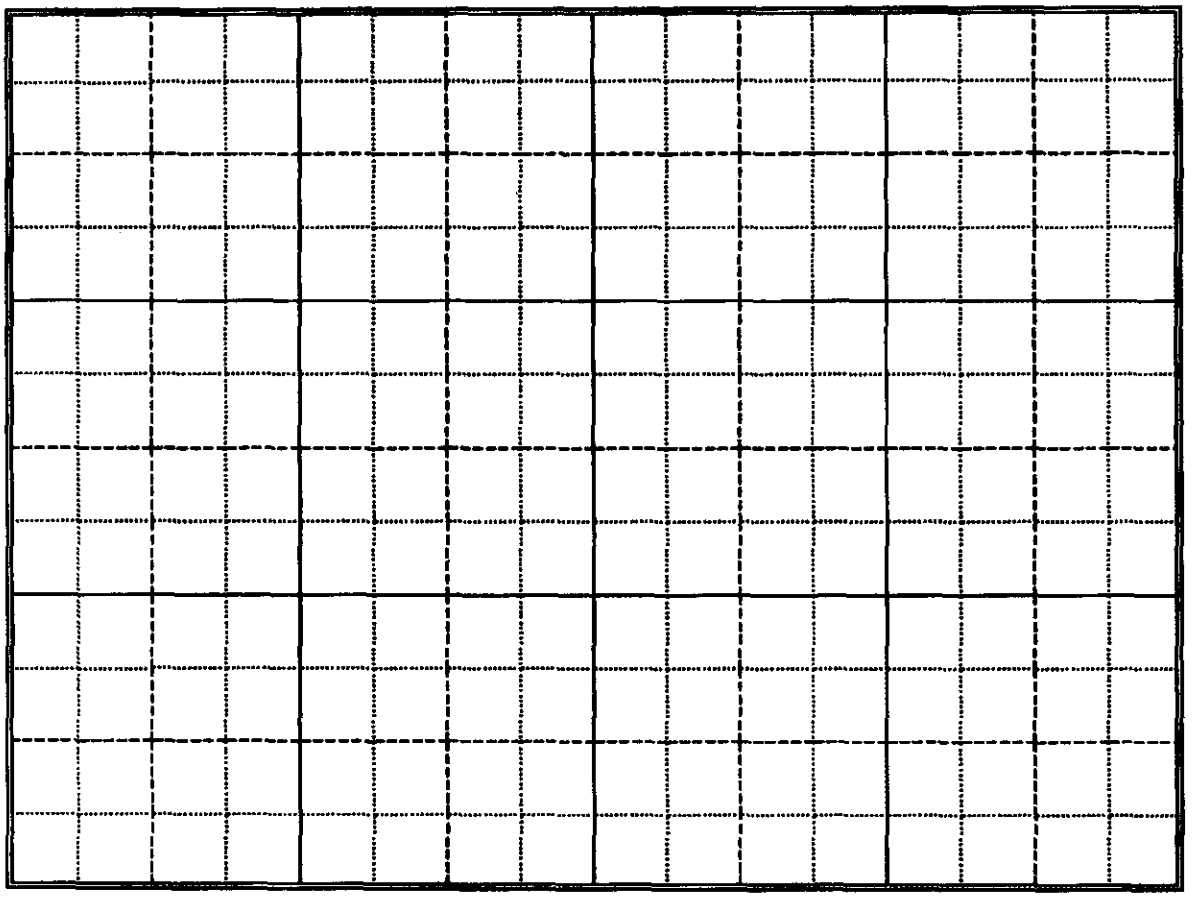
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
RR		NE	NE	NE	24	4N	17E	Blaine	Field/Aerial Photo

2. **Place(s) of Use:** Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	17E	24	C	C	C		C	C	C	C	C	C							
4N	17E	23	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
4N	17E	13											C						
4N	17E	26	C	C	C	C	C			C	C	C	C	C					

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FEB 23 1998

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

X Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

X Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Well #1 RR	US	50	U1290405	Johnston	12"

Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Fisher/Porter Magmeter	inline	Fisher	100146	9103B2075	8	N/A

2. **Measurements:** See Attachments

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FEB 23 1998

E. NARRATIVE/REMARKS/COMMENTS

System consists of drilled well equipped with a 100 HP pump discharging to the west underground into a concrete sump. The sump is equipped with five (5) 350 HP pumps which discharge to relift pump station #2. Relift pump station #2 is equipped with six (6) 350 HP pumps which distribute water by underground pipes to approximately 422 snow guns. Snow gun numbers and locations are shown on the attached map and Table 1. Water is pressurized to 980 psi for distribution. Snow is made from 10-15 to 4-1 when weather conditions permit.

The sump into which the well discharges is approximately 37' x 26 x 8 feet containing approximately 55,000 gallons. With a minimum intake submergence of 2 feet the sump could be totally emptied in about 21minutes with no inflow and a production rate of 2,000 gpm. It appears the storage effect of the sump is negligible.

The pumping level of the well was unable to be measured at maximum production. However, the pump curve is attached which demonstrates the capacity of the well, pump and motor. Additionally, representative print outs of the meter measurements are attached showing maximum production at several points.

The relift pumps at relift/cooling station #1 are as follows: (1) 350 HP, U08U1300360R01, (2) 350 HP, U08U1300360R-2, (3) 350 HP, U08U1300360R-3, (4) 350 HP, U08u1300360R-4, (5) 350 HP, VO3U3530026R-1

Have conditions of permit approval been met? XXyes ___ no

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FEB 2 3 1998

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = _____

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Commercial	10/15	4/1	4.46	
		Totals:	4.46	

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None

XX Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

REGISTERED PROFESSIONAL GEOLOGIST SHERYL L. CHAPMAN 1/30/98 NO. 21 STATE OF IDAHO

SEAL

I. AUTHENTICATION

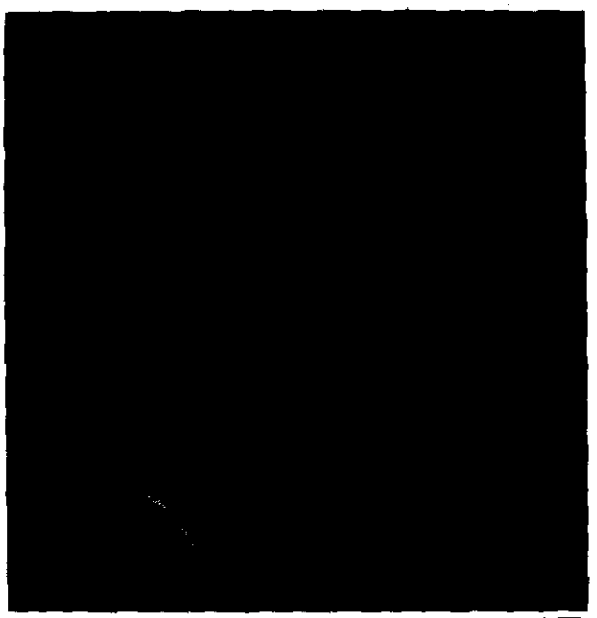
Field Examiner's Name Sheri L. Chapman Date 1/30/98

Reviewer _____ Date _____

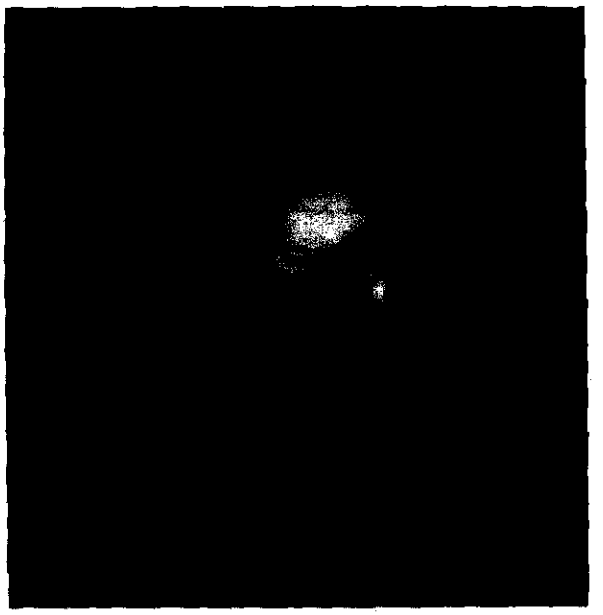
MICROFILMED

FEB 2 3 1998

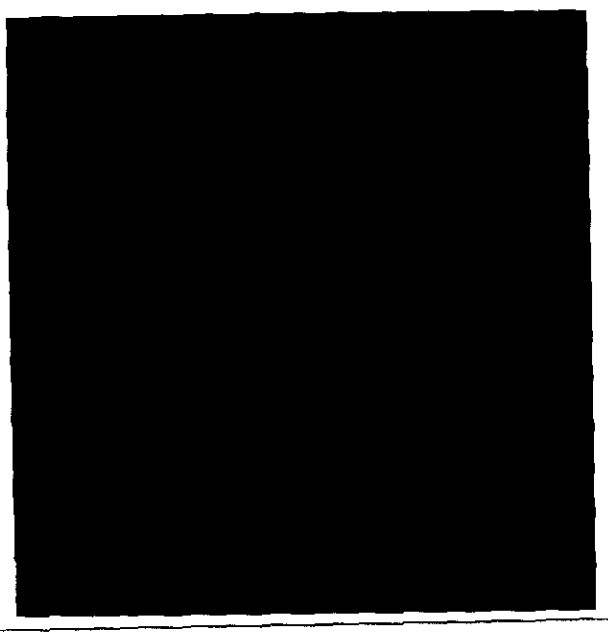
EXHIBI[illegible]FOR SUN VALLEY PROOF OF BENEFIC[illegible] USE



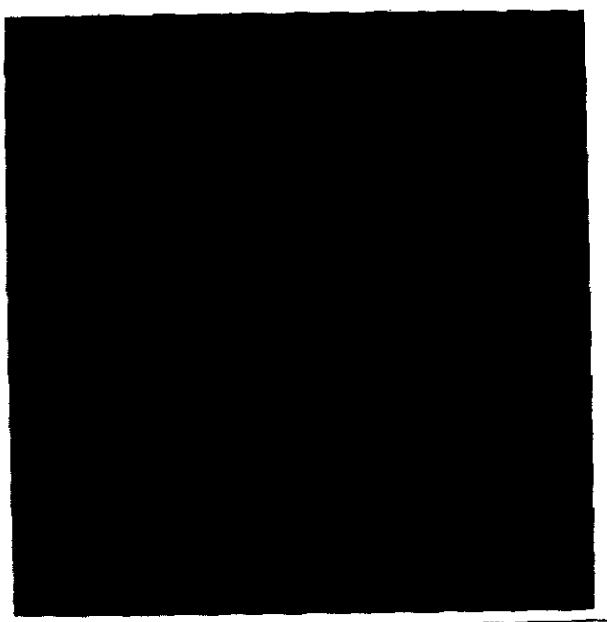
WELL



PUMP STATION #1



SNOW GUN

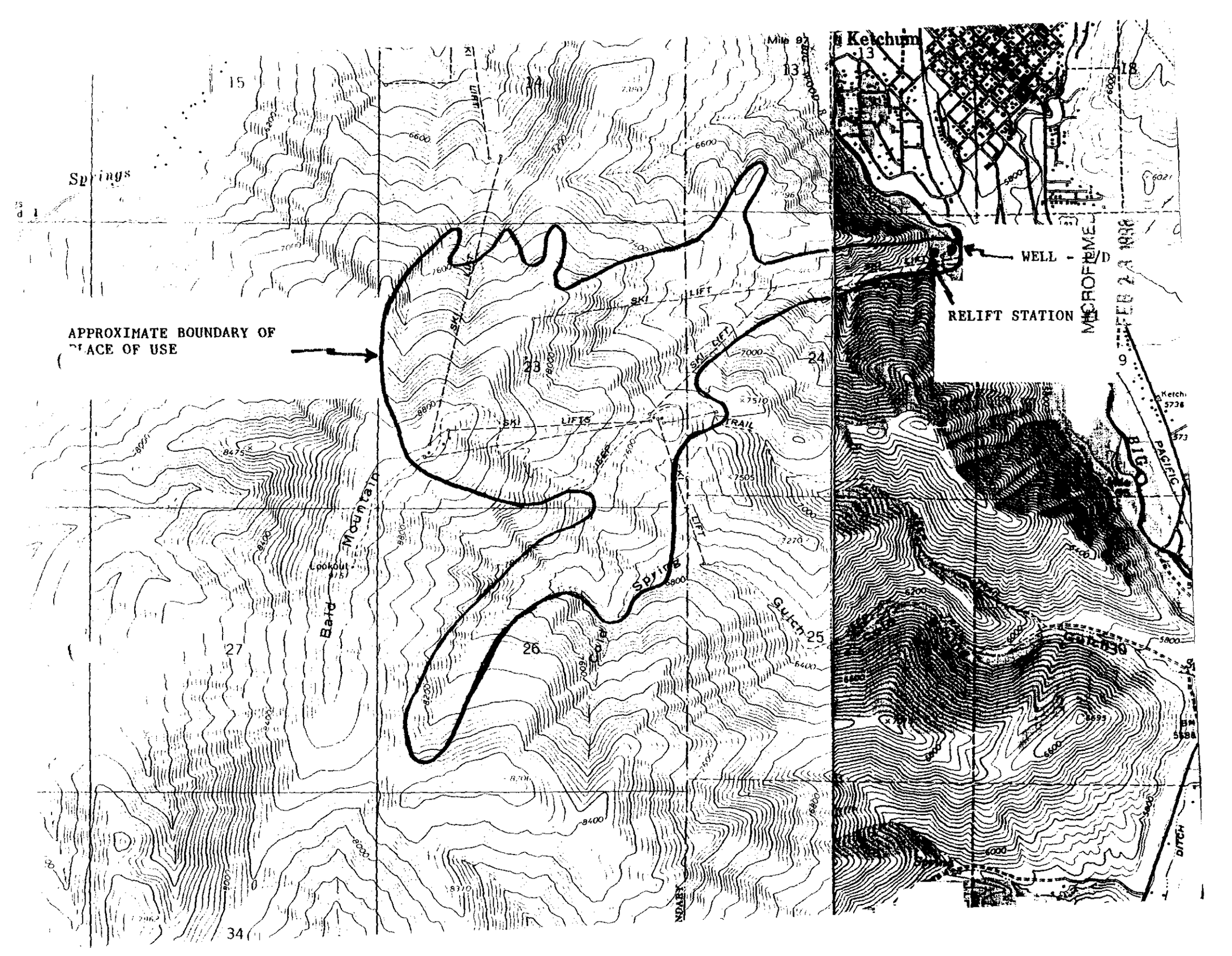


PUMP STATION #2

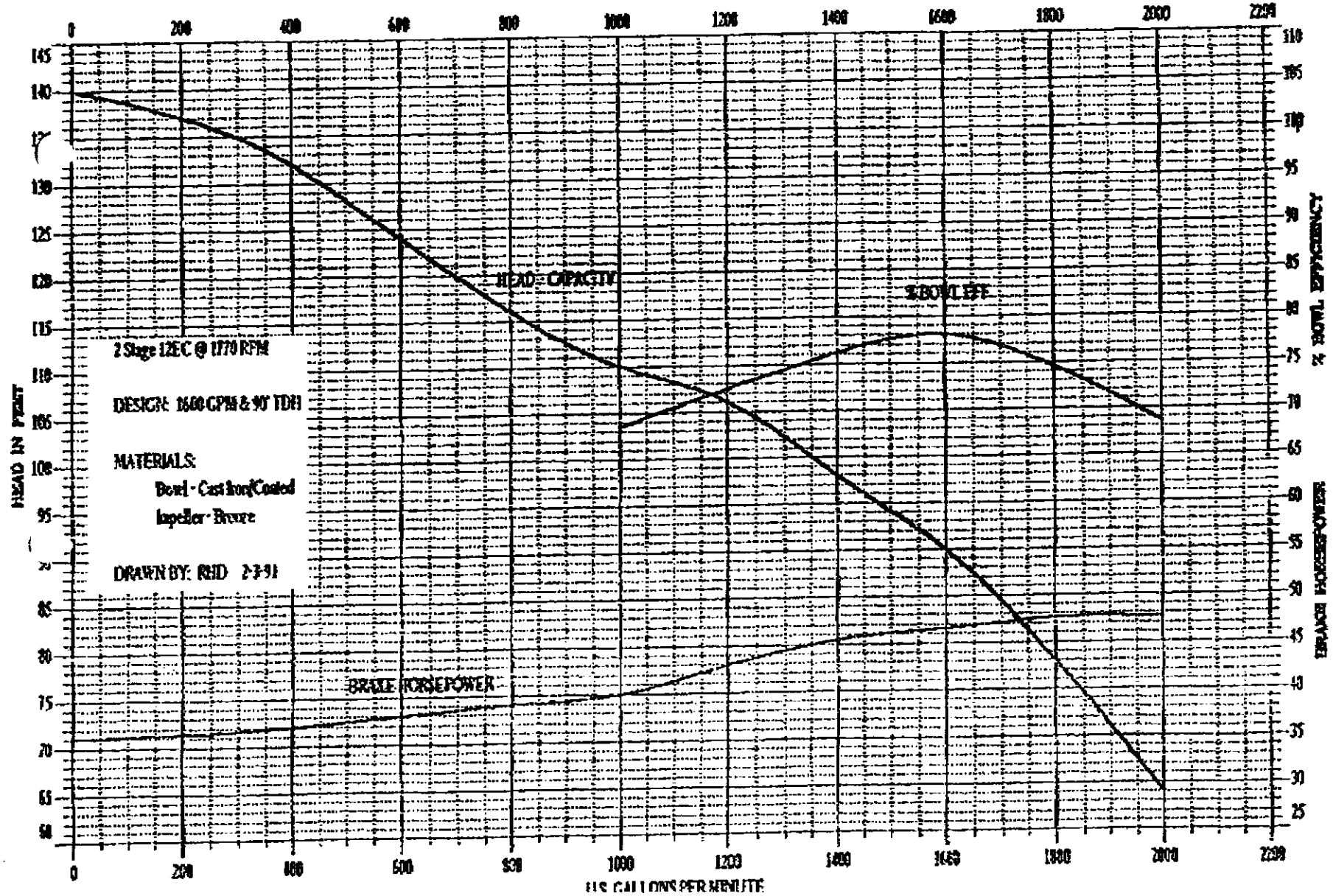
MICROF[illegible]

FEB 2[illegible]96

PHOTOGRAPHS OF FACILITIES FOR WATER RIGHT PERMIT #37-08575


APPROXIMATE BOUNDARY OF PLACE OF USE
WELL - RELIFT STATION #1
Ketchum
Baldy Mountain
Lookout
Spring Gulch
Cold
SKI LIFTS
SKI LIFT
TRAIL
JEEP
Big Wood R.
PACIFIC
Gulch
13
18
24
23
25
26
27
34
15
9

JOHNSTON PUMP COMPANY
Brookshire, Texas
PREDICTED PERFORMANCE CURVE Job # TC-1921
Customer: Sun Valley well house



MICROFILMED
FEB 23 1996

YORK AUTOMATIC SNOW, INC.

MOTOR DATA SHEET FOR PUMPS
(one sheet per pump model)

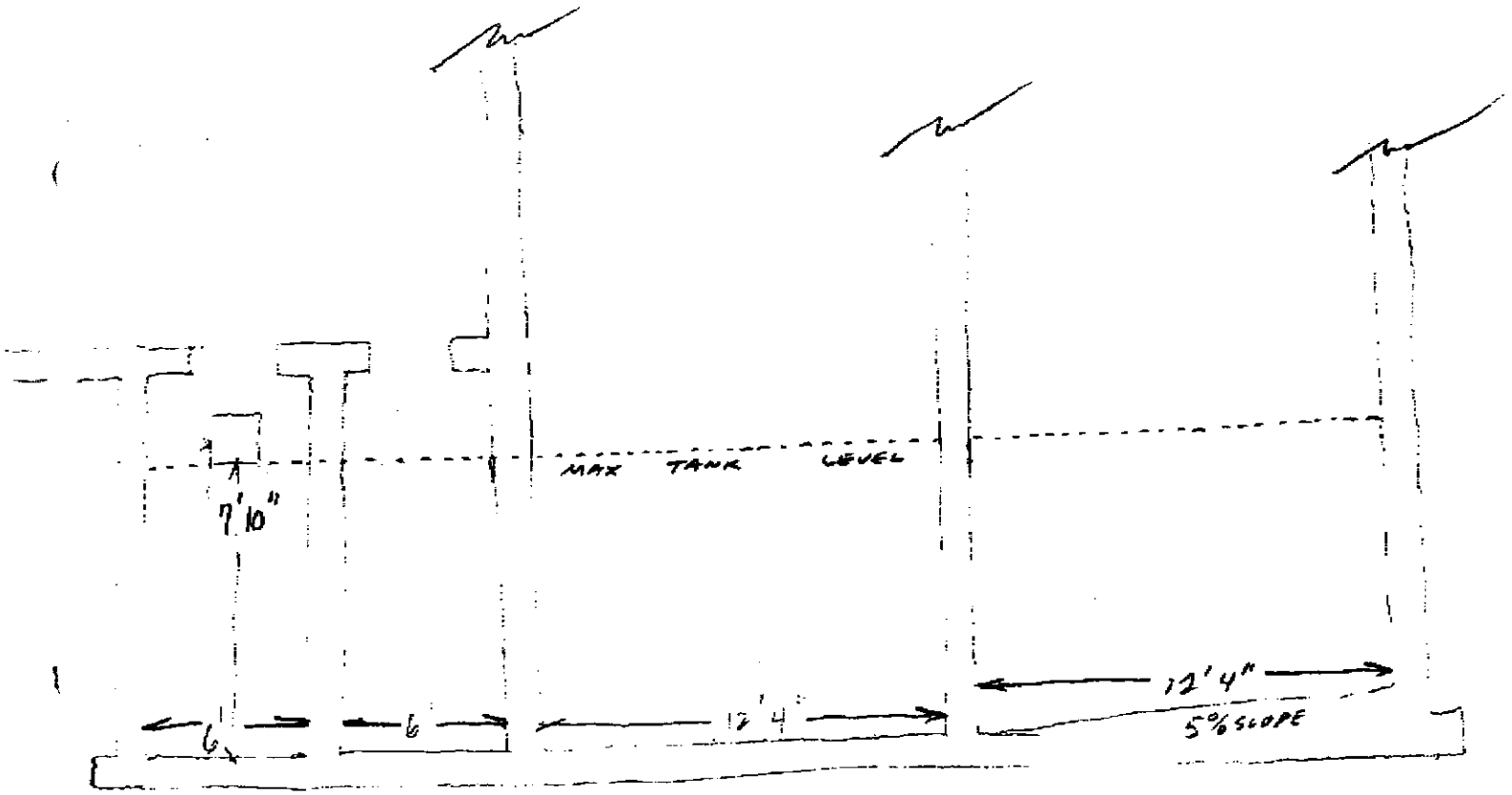
Project:	SUN VALLEY -'91
Associated Pump	TC1921 - 12EC-25 rage
Serial Number	USEM # U1890405
HorsePower	50
Volts	460
Phase	3
Hertz	60
Frame	326TP
R.P.M.	1800 - WP-I
% Efficiency:	
Full Load	93.7
3/4	94.1
1/2	93.4
% Power Factor:	
Full Load	85.0
3/4	82.9
1/2	76.3
Full Load Amps	60
Service Factor	1.15
Space Heater:	
Volts	N/A
Watts	N/A
Weight	motor 520 # pump 1875 #
Thrust	motor 5500 # pump 1230 #

ID# 6232 / T12T257R012R-10 90.2 Nom. Eff

MICROFILMED
FEB 23 1998

DRAWING IS NOT TO SCALE.

ELEVATION
RIVER RUN COOLING TOWER

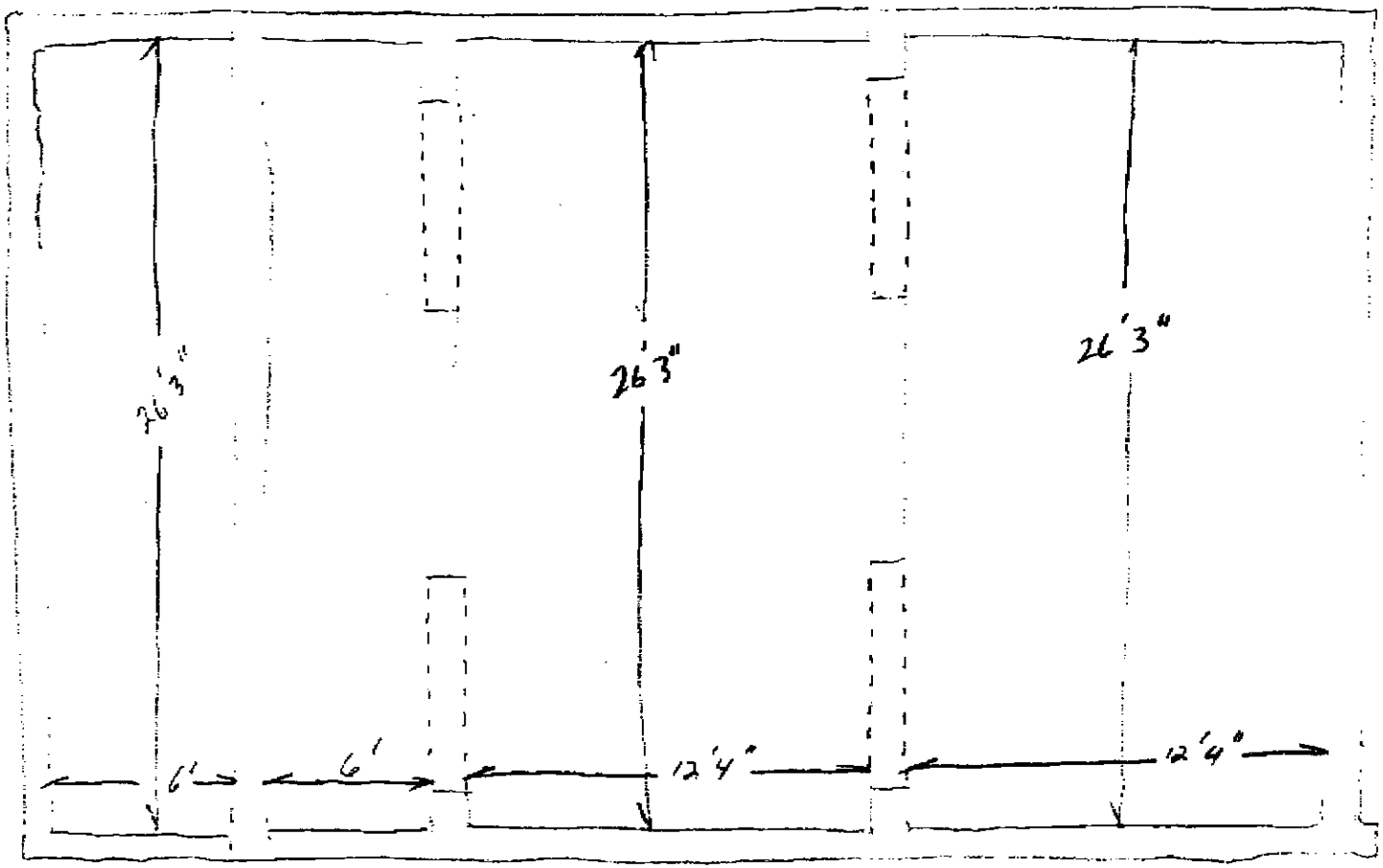


MICROFILMED
FEB 23 1996

DRAWING IS
NOT TO SCALE

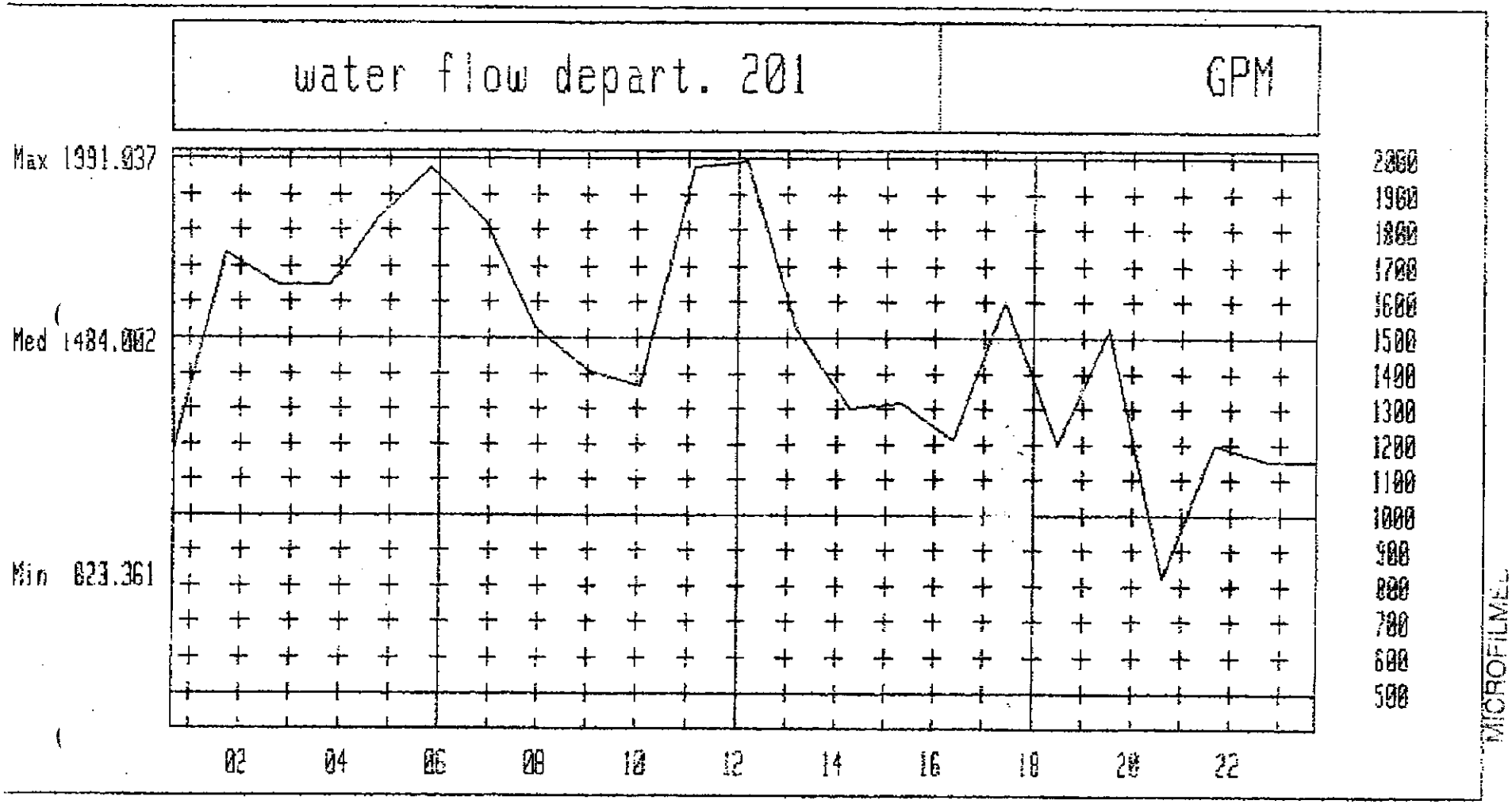
DOTTED LINE INDICATES 10' LONG X 3' HIGH
COMMUNICATION BETWEEN THE TANKS.

RIVER RUN COOLING TOWER -



MICROFILM
FEB 2 3 1993

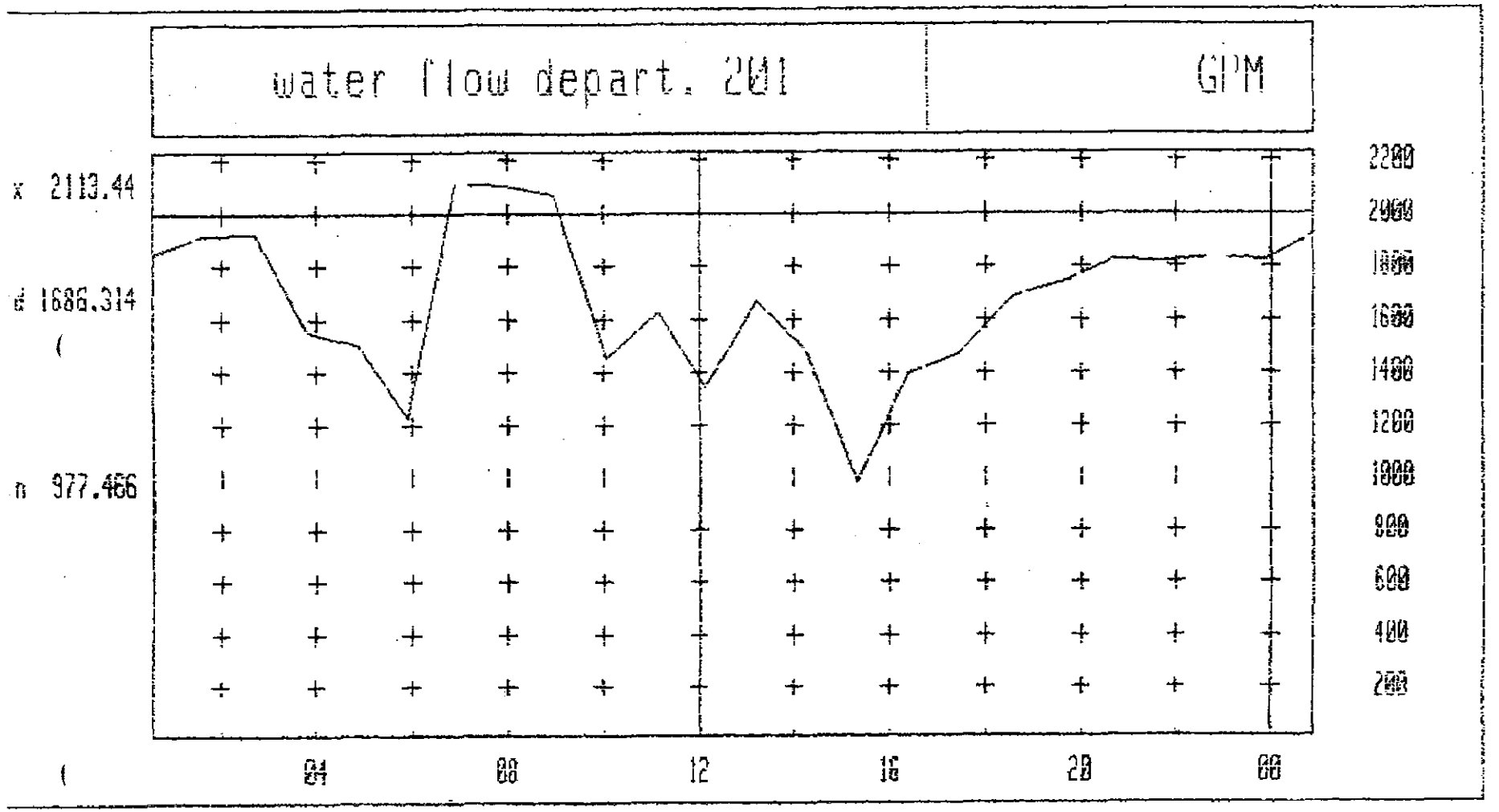
********** Installation analysis ********** SUN VALLEY 21/01/98 - 13:24:00



1:00 a.m. November 23, 1996 to 11:30 p.m. November 23, 1996

MICROFILMED FEB 2 3 1998

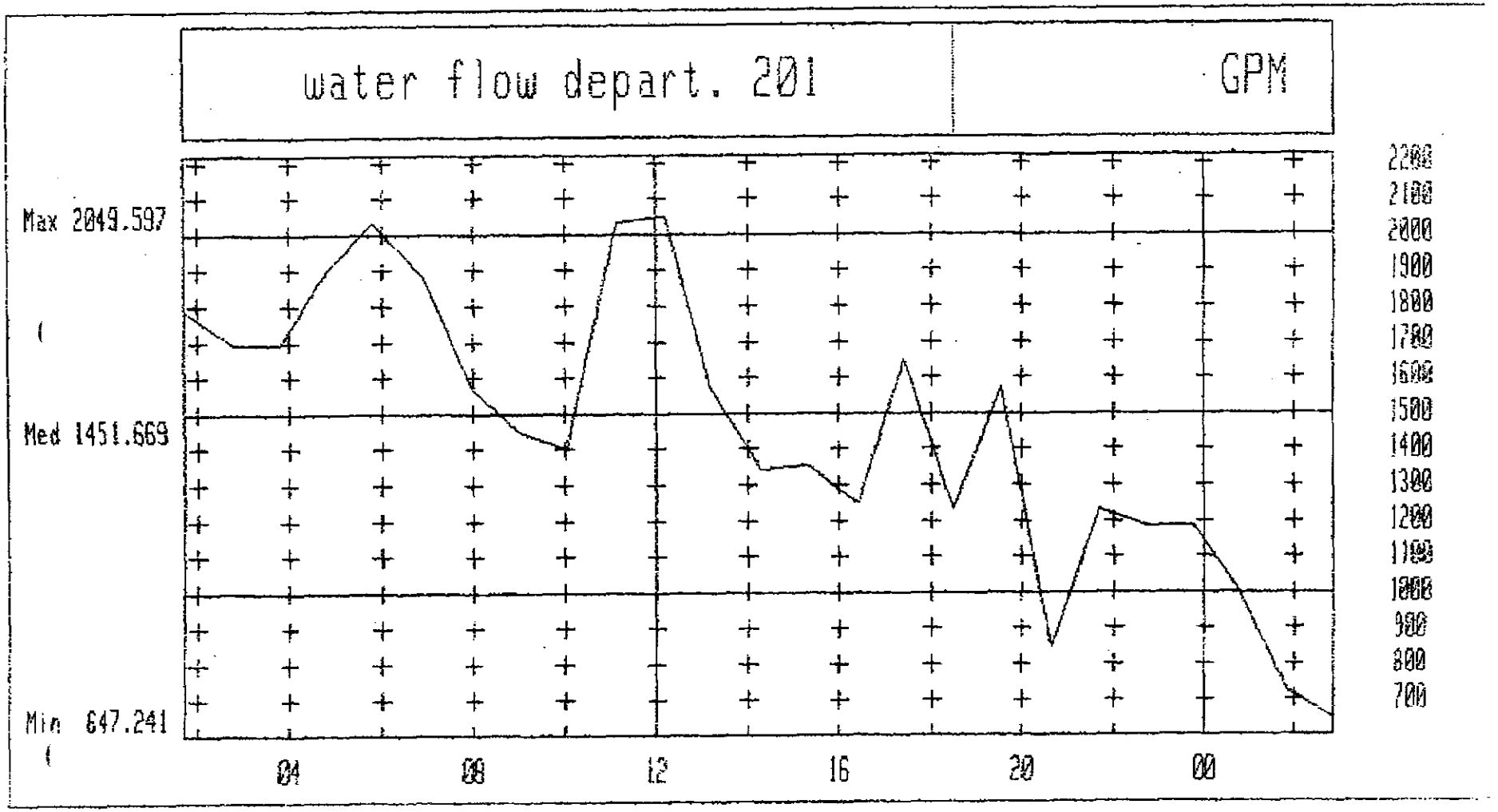
********** Installation analysis ********** SUN VALLEY 21/01/98 - 13:10:35



1:00 a.m. December 2, 1996 to 1:00 a.m. December 3, 1996

MICROFILMED
FEB 2 3 1998

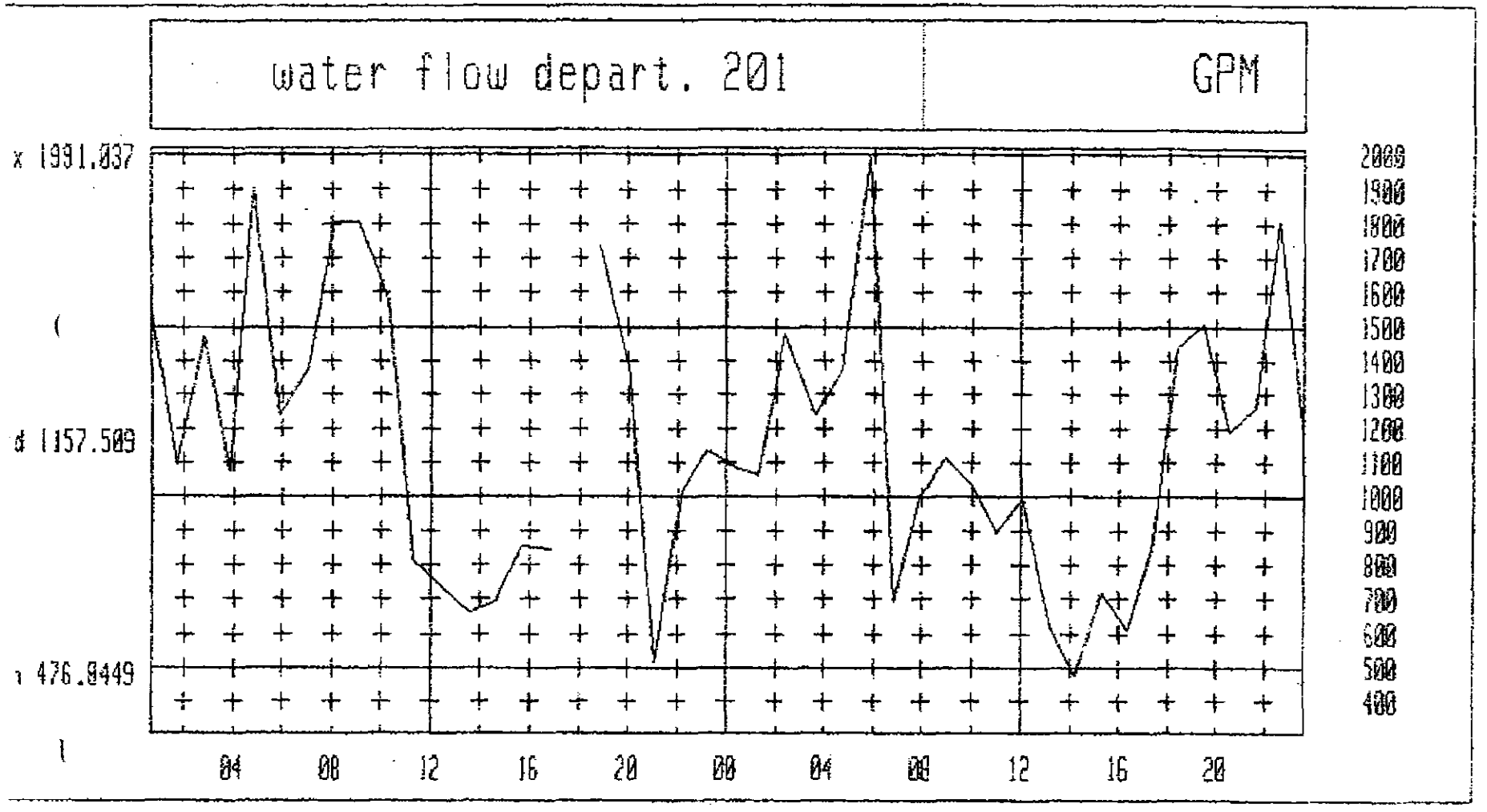
********** Installation analysis ********** SUN VALLEY 21/01/98 - 13:18:31



2:00 a.m. December 17,1996 to 1:30 a.m. December 18, 1996

MICROFILM

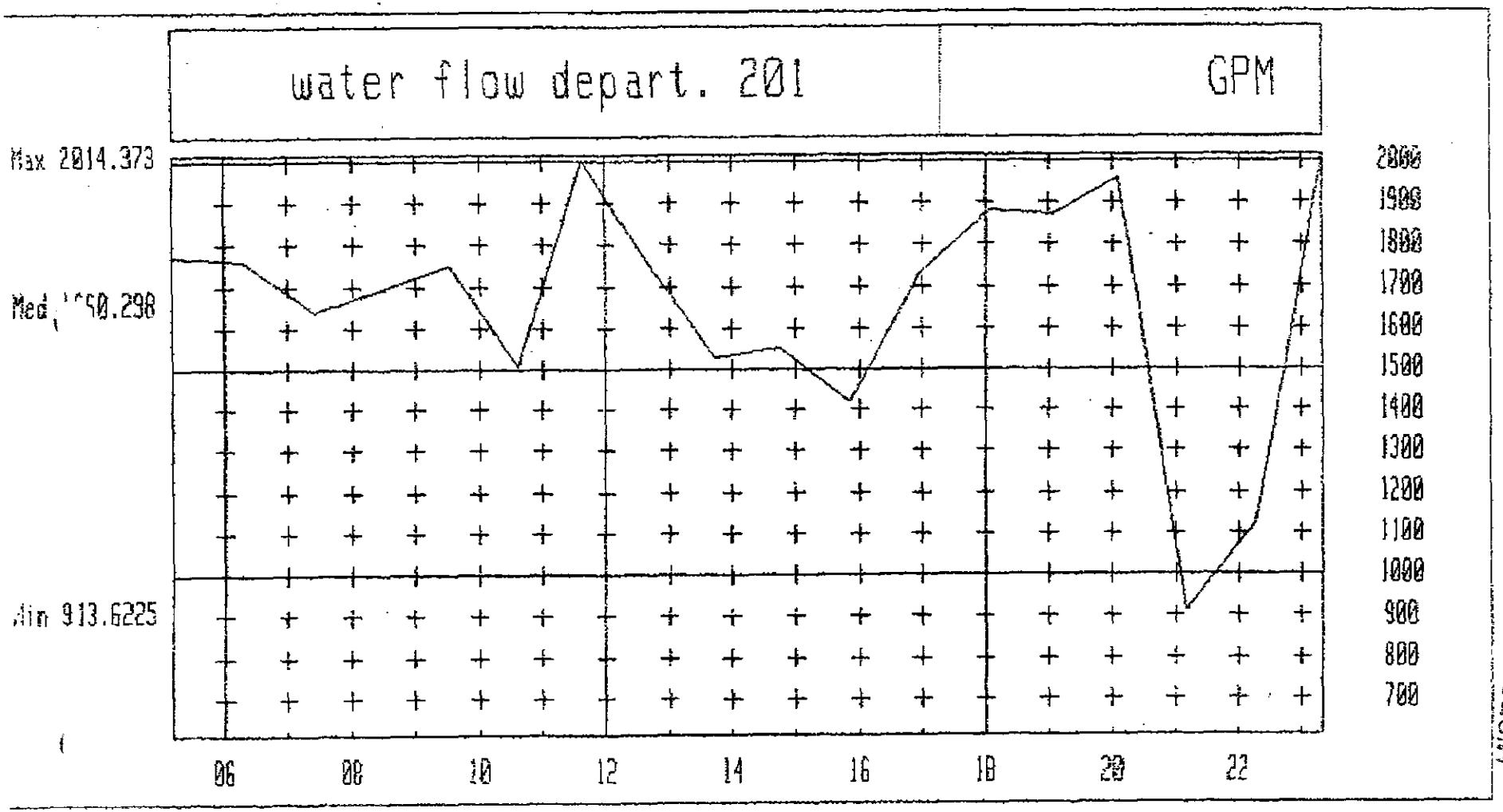
********** Installation analysis ********** SUN VALLEY 21/01/98 - 15:08:04



1:00 a.m. December 20,1995 to 10:00 p.m. December 21, 1995

MICROFILM...
FEB 2 3 1998

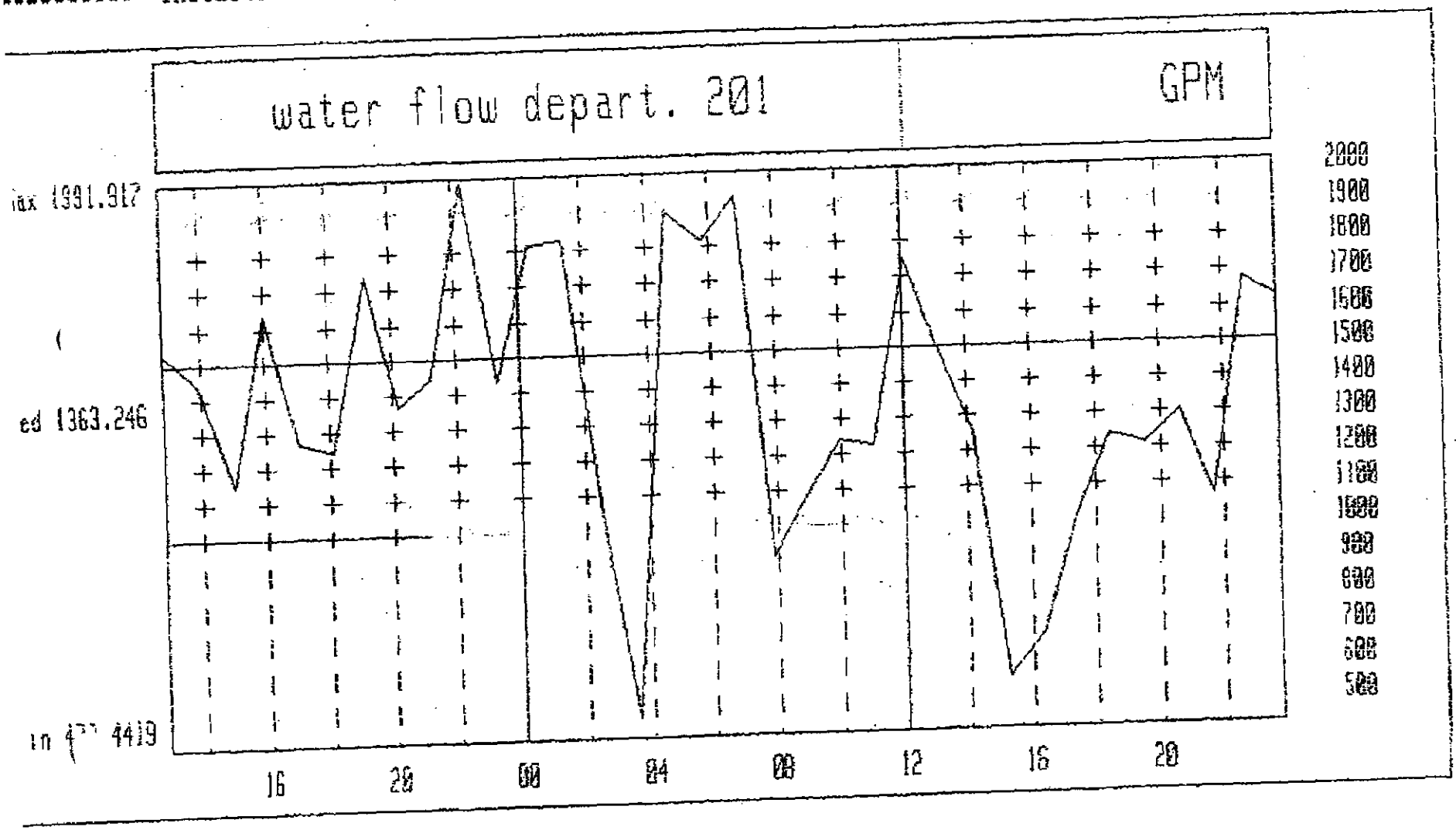
********** Installation analysis ********** SUN VALLEY 21/01/98 - 15:17:22



5:00 a.m. December 24, 1995 to 11:30 p.m. December 24,1995

MICROFILMED
FEB 2 3 1998

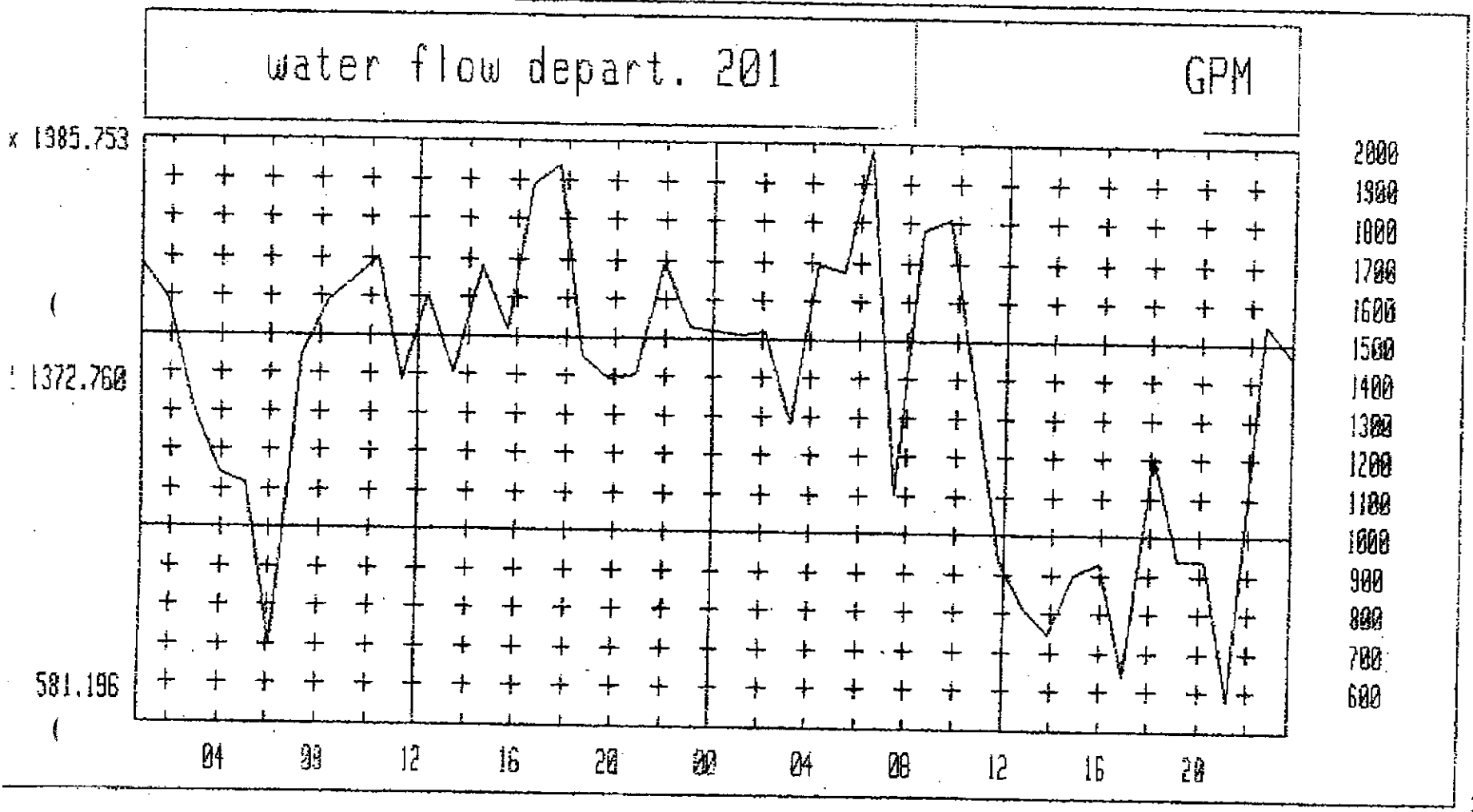
********** Installation analysis ********** SUN VALLEY 21/01/98 - 14:08:31



1:00 p.m. January 2, 1996 to 10:00 p.m. January 3, 1996

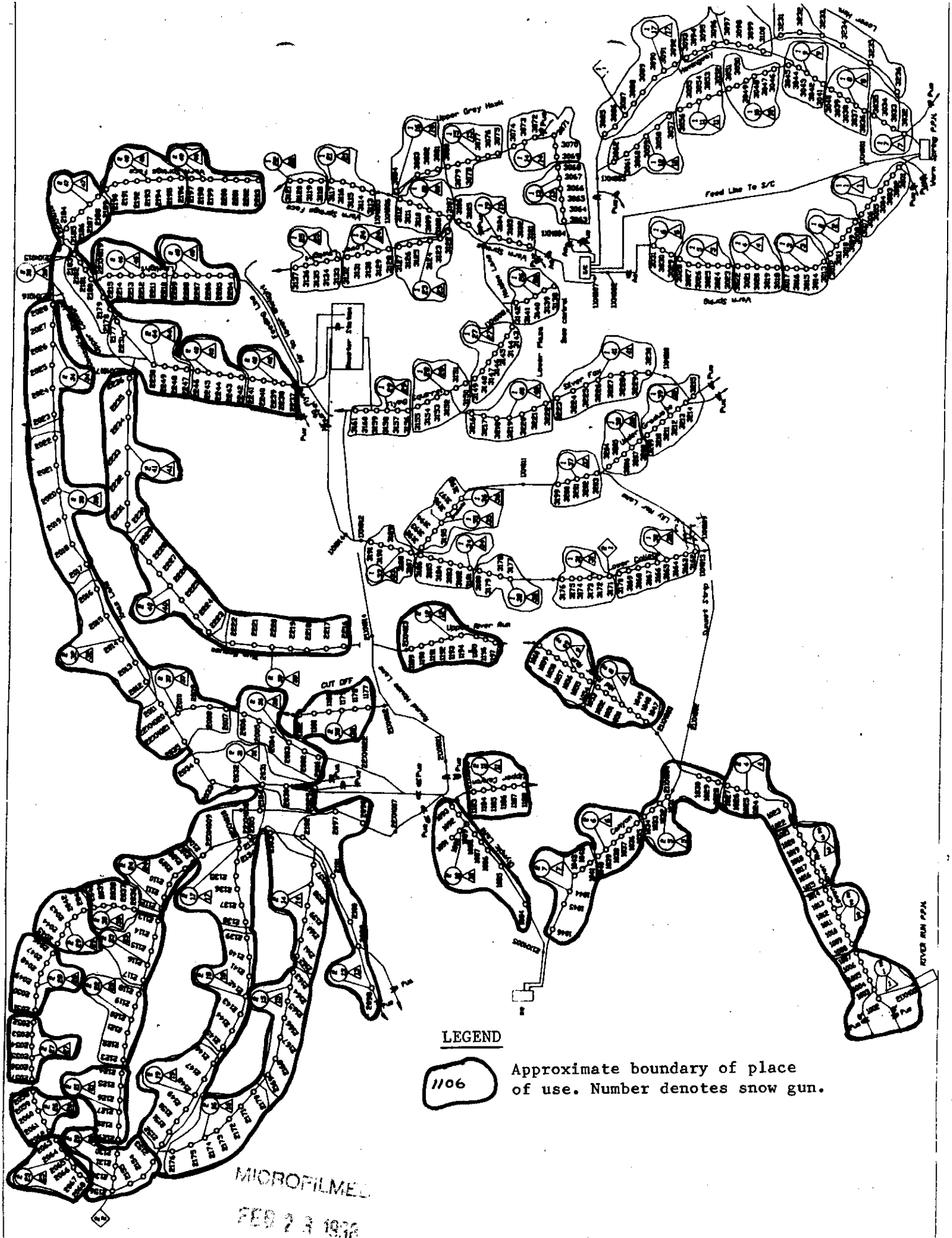
MICROFILMED

********** Installation analysis ********** SUN VALLEY 21/01/98 - 14:02:18



2:00a.m February 5, 1996 to 10:00 p.m. February 6, 1996

MICROFILMED
FEB 2 3 1998



MICROFILMED
FEB 2 3 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 28, 1996

SINCLAIR OIL CORP
DBA SUN VALLEY CO
C/O SCOTT L CAMPBELL ESQ
ELAM & BURKE
PO BOX 1539
BOISE ID 83701

RE: Permit No. 37-08575

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please contact me at (208) 327-7946.

Also, 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 to the department. If you have acquired a water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a $100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:ph

Enclosure

MICROFILMED
NOV 0 5 1996

AMENDMENT OF PERMIT REVIEW

Review Date 8/26/96

PERMIT NO. 37-08575 **NAME** Sinclair Oil Corp.

TYPE:

A = AMENDED	**E** = CHANGE N/U	**I** = CHANGE P/D & P/U
B = CHANGE P/D	**F** = CHANGE Per/U	**J** = ADD P/D & CHANGE P/U
C = ADD P/D	**G** = OTHER	
(D) = CHANGE P/U	**H** = CHANGE P/D & + P/D	

AREA OF CONCERN: ____ Mor ____ GWMA (Trust)/Non-trust

PROOF OF B/U RECEIVED? Yes (No) **Due <6 months?** Yes (No)

GROUNDWATER:

Drilling Permit No. __-__-__-____-__;
Drilled _____

✓ 37-91-C-0006-000 comp. 6/91
✓ 0007-000 comp 9/91
✓ S-0084-001 " 6/91
S-0189-001 " 12/94
-200 " 12/94
0073-000 " 6/95
0074-000 " 6/95

Swan Falls Flag C

Conditions of Approval: OIM, 046, 004

Remarks/Comments 3 p/d in Lot 1 (NENE) S24, T4N, R17E.

Form No. 211a
10/81

State of Idaho

Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: JF Stanton

Right Number 37-08575 Applicant Sun Valley Co

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☐ Stream index information (reverse).
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) N/A
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☒ Protests processed. —None
- ☒ Approve.
- ☐ Deny.

Conditions See Memo 8/15/96

By JFS Date 8/15/96

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☒ Approved copy sent to applicant and to Region. By pah Date 10/29/96

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
____	__	___	___	__	__	___.__

IDAHO STREAM CODE INDEX

____.____.____.____.____.____.____.__.__.__

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
____	__	___	___	__	__	___.__

IDAHO STREAM CODE INDEX

____.____.____.____.____.____.____.__.__.__

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
____	__	___	___	__	__	___.__

IDAHO STREAM CODE INDEX

____.____.____.____.____.____.____.__.__.__

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
____	__	___	___	__	__	___.__

IDAHO STREAM CODE INDEX

____.____.____.____.____.____.____.__.__.__

FROM: Allen Merritt DATE: August 15, 1996

TO: Transfer File No. 4865 of Lic 37-07170 & 37-07340
Amendment of Permit 37-08575
In the Name of: Sinclair Oil Co. dba Sun Valley Co.

SUBJECT: Review and Recommendation

Both the transfer & the amendment deal with modifying the described place of use for authorized uses. Specifically they deal with more correctly describing the place of use of the snow making equipment on the Bald Mountain complex of ski runs. The place of use of the transfer and the amendment do not overlap but fit or meld together to provide coverage of the ski complex. For this reason these actions should be reviewed together.

Based on staff review it appears there is no expansion. The capacity of the system is the limiting factor with regards to these rights.

Recommendation:

I recommend that the transfer and amendment be approved subject to the following conditions:

Transfer 4865:

-Subject to SRBA. (May remove P/U in N½NW¼ Sec.14)
-Under control of watermaster district 37.
-Measuring device and control works on all pumps from creek.

Amendment of 37-08575:

-Subject to same conditions as original permit.

MICROFILMED
NOV 0 5 1996

RECEIVED

JUL 29 1996

AFFIDAVIT of PUBLICATION

Department of Water Resources
Southern Region

State of Idaho, } SS.
County of Blaine

On this 24 day of July, in the year 1996, before me a Notary Public of said State, personally appeared DANIEL J. GORHAM, known or identified to me to be the person whose name is subscribed to be 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. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 17 day of July, 1996, and the date of the last publication was on the 24 day of July 1996.

Daniel J. Gorham

Subscribed and swom to before me this 24 day of July, 1996.
(SEAL)

Kelli L. Young
NOTARY PUBLIC

#10162

OK MB 7/31/96

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 68.467
Number of Insertions 2

	Lines tabular at	6¢ / Pica
68.467	Lines straight at 39.368	5¢ / Pica
68.467	Subsequent lines at 31.495	4¢ / Pica
TOTAL COST +5	$75.86	

xfer No. 4865
Permit No. 37-08575

COPY OF NOTICE
(Paste Here)

Notice Proposed Changes
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Resources, TF
BILL TO

Notice of Proposed Changes

Notice is hereby given that SINCLAIR OIL CORPORATION, dba SUN VALLEY COMPANY, C/O SCOTT L. CAMPBELL, ESQ., PO BOX 1539; BOISE ID 83701 have applied to the Department of Water Resources to change the place of use for several water rights.

Proposed Amendment of Permit No. 37-08575 with a priority date of 10/26/1989 will be diverted from four (4) wells within Lot 1 (NE1/4NE1/4), S24, T4N, R17E; Blaine County and used for commercial (0.20 cfs), fire protection (4.46 cfs) and domestic (0.80 cfs) from 1/1 to 12/31 as well as for commercial snow making (4.46 cfs) from 10/15 to 4/1. Commercial snow making will be within portions of S13, S22, S23, S24, S25, S26, S27, all T4N, R17E. Commercial building use and domestic use will be within portions of S18, and within S19, T4N, R18E and S24, T4N, R17E.

Proposed Transfer No. 4865 for Licensed Water Right No. 37-07170 (2.0 cfs) with a priority date of 10/31/1972 and Licensed Water Right No. 37-07340 (0.23 cfs) with a priority date of 2/8/1974 will be diverted from Warm Springs Creek within Lot 3 (NE1/4NW1/4), S14, T4N, R17E; Blaine County to be used from 11/1 to 4/10 for commercial snowmaking within portions of S13, S14, S23, and S24, T4N, R17E.

Any protest against approval of the proposed changes must be filed with the Director, Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of $25.00 on or before August 5, 1996. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director

Published in the Wood River Journal on 7/17 & 7/24/96.

MICROFILMED
NOV 05 1996

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Karl J. Dreher, Director

Published in the Wood River Journal on 7/17 & 7/24/96.

MICROFILMED
NOV 0 5 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 11, 1996

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED

NOV 05 1996

NOTICE OF PROPOSED CHANGES

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Karl J. Dreher, Director

Published in the Wood River Journal on 7/17 & 7/24/96.

MICROFILMED
NOV 0 5 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 9, 1996

SCOTT L CAMPBELL ESQ
ELAM & BURKE
PO BOX 1539
BOISE ID 83701

Re: Application for Transfer No. 4865 (37-07170, 37-07340
Application for Amendment 37-08575)

Dear Mr. Campbell:

The Department of Water Resources acknowledges receipt of the above referended applications filed on behalf of Sinclair Oil Corporation, dba Sun Valley Co.

This office has scheduled advertising the applications in The Wood River Journal for 7/17 and 7/24/96.

The advertisement(s) will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

MICROFILMED
NOV 0 5 1996

TO: File DATE: July 1, 1996

FROM: Jim Stanton

SUBJECT: App. for Amendment, 37-08575

I have discussed this amendment with Scott Campbell, attorney for Sun Valley Co. As part of staffing this amendment, I prepared my own Exhibit A based directly on the map accompanying the amendment. I then faxed a copy of my Ex. A to Scott, who agreed with my data. So the Exhibit A in the file was created by me and approved by Scott. It simply clarifies the new p/u that they want for snow making and other purposes, as the original application was unclear on what commercial uses went where. Although the amendment did not mention fire protection usage, I added it after check with Scott.

The permit shows 46 tracts for snow making, while the amendment shows 43; no expansion here. The p/u for the other uses remains the same, so also no expansion. The other uses have not yet been developed, but there are still 20 months before proof is due. I see no reason to deny the amendment.

MICROFILMED
NOV 05 1996

Amendment
37-8575

MEMORANDUM

TO: File 37-08575, Sun Valley Co.

FROM: Douglas Jones

DATE: 5/29/96

RE: Telephone conversation

Scott Campbell (with Elam & Burke), atty for Sinclair Oil, dba Sun Valley Co., called to visit ~~over~~ about intent of amendment. I recapped what I understood was in form. He concurred that this app. would not provide to Warm Springs side runs but would cover other previously unidentified tracts. The other uses remain the same.

Campbell expressed interest in visiting with staffing agent over the phone if there are questions or problems. He also indicated that they intend to file a transfer for other snowmaking rights in near future. I told him it would be ideal to staff this amendment in concert with the transfer. He agreed.

MICROFILMED
NOV 05 1996

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

June 12, 1996

RECEIVED
JUN 14 1996
Department of Water Resources
Southern Region

Mr. Doug Jones
Water Rights Allocation Supervisor
Idaho Department of Water Resources
Southern Regional Office
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

Re: Application for Transfer of Water Right Nos. 37-07170 and 37-07340
Application for Amendment of Water Permit No. 37-08575

Dear Doug:

Pursuant to our telephone conversation of approximately two weeks ago, I have enclosed an executed original Application for Transfer of Water Right Nos. 37-07170 and 37-07340. This Application refers to and should be processed with the Application to Amend Water Permit No. 37-08575. As I indicated during our telephone conversation, both Applications deal with the snowmaking system on Mt. Baldy for the Sun Valley Company.

I will be traveling to Twin Falls on June 18, 1996, to attend the Snake River Basin Adjudication status conference at 1:30 p.m. If it would be possible to meet that morning with the agent who has been assigned these matters, I believe it would be helpful. I would be able to meet with that individual at 10:00 a.m. in Twin Falls at your office. If this suggested time is convenient, please contact me or my assistant, KC Colvin, to confirm this appointment. If we do not receive confirmation from you, or the agent assigned to these matters, I will not make arrangements to arrive early in Twin Falls for the meeting.

I have also enclosed the required filing fee for the Applications for Transfer of Water Rights No. 37-07170 and 37-07340 in the amount of $100.00.

MICROFILMED
NOV 05 1996

Thank you for your assistance in these matters.

Very truly yours,

ELAM & BURKE
A Professional Association

Scott L. Campbell

SLC:kc g:\kcc\wpdata\1000\00076.ltr
Enclosures

cc: Mr. Wallace Huffman (w/o enclosures)
Mr. Peter Stearns (w/o enclosures)
Lisa-Michele Church, Esq. (w/o enclosures)
Carl Burke, Esq. (w/o enclosures)

MICROFILMED
NOV 0 5 1996

RECEIVED
MAY 23 1996
Department of Water Resources
Southern Region

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

May 20, 1996

Mr. Doug Jones
Water Rights Allocation Supervisor
Idaho Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

Re: Application for Amendment of Permit No. 37-08575

Dear Doug:

I have enclosed an Application for Amendment of Water Permit No. 37-08575 in the name of Sinclair Oil Company, dba Sun Valley Company. I have also enclosed a check in the amount of $50.00 as the filing fee for this Application.

I would like to discuss the intent of the Application with you at your convenience. I will be in contact with you in the near future to discuss this matter.

Very truly yours,

ELAM & BURKE
A Professional Association

Scott L. Campbell

SLC:kc g:\kcc\wpdata\1000\00074.ltr
Enclosure

cc: Lisa-Michele Church, Esq. (w/o encl.)
Wally Huffman (w/o encl.)
Carl Burke, Esq. (w/o encl.)

MICROFILMED
NOV 05 1996

TRANSMITTAL COVER SHEET

OMNIFAX G66

TO: Scott Campbell

384-5844

TOTAL PAGES SENT: 2

DOCUMENT DESCRIPTION: My Proposed Exhibit A for 37-8575 amendment & your map

FROM: IDAHO DEPARTMENT OF WATER RESOURCES
222 SHOSHONE AVE E
TWIN FALLS ID 83301
PHONE: 736-3033
FAX: 736-3037

SENDER: Jim Stanton

CHARGES:

One (1) free copy per request, cover sheet not counted. Two (2) or more copies per request will cost $0.25 per page. ($0.50 minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: —
Please remit to the above address.

COMMENTS: My Exhibit A & your Ex. A don't agree. I based mine directly on your map. Please review & then get back to me.

MICROFILMED
NOV 05 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 27, 1995

Sinclair Oil Corporation
dba Sun Valley Company
c/o Scott Campbell
ELAM & BURKE
P.O. Box 1539
Boise, ID 83701

RE: Permit No. 37-08575

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 **February 1, 1998** . Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Please note that since the extension request was received after the proof due date, your priority date has been advanced to October 26, 1989.

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

Sincerely,

Julie L. Yarbrough

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

MAR 2 3 1995

RECEIVED
FEB 2 2 1995
Department of Water Resources

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

February 22, 1995

VIA HAND DELIVERY

Mr. L. Glen Saxton, Chief
Water Allocation Bureau
State of Idaho
Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: Water Permit No. 37-08575

Dear Glen:

Pursuant to our conversation last week, I have enclosed an executed Request for Extension of Time regarding Water Permit No. 37-08575. I have also enclosed a check in the amount of $50.00.

I would appreciate receiving a copy of the Request for Extension of Time reflecting the Department's action on this matter if it is favorable. I have enclosed a pre-addressed, stamped envelope for your convenience. Please contact me if you have any questions.

Very truly yours,

ELAM & BURKE
A Professional Association

Scott L. Campbell

SLC:ma
cc: Mr. Wallace Huffman
Lisa-Michele Church, Esq.
Carl Burke, Esq.

FEB 2 3 1995

February 7, 1995

SINCLAIR OIL CORP
DBA SUN VALLEY CO.
C/O DAVID B LINCOLN ESQ
PO BOX 1539
BOISE ID 83701

LAPSE NOTICE

RE: PERMIT NO. 37-08575

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 November 30, 1994. 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

Enclosures

RECEIVED
MAR 23 1995

CERTIFICATION OF MAILING

I hereby certify that on 2-7-95
~~a copy/an~~ original of this document was deposited in the United States mail, postage prepaid addressed to the individual(s) named above.

November 30, 1994

SINCLAIR OIL CORP
DBA SUN VALLEY CO.
C/O DAVID B LINCOLN ESQ
PO BOX 1539
BOISE ID 83701

PROOF DUE NOTICE

RE: PERMIT NO. 37-08575

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 February 1, 1995. (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

MAR 23 1995

CERTIFIED MAIL
NO. 141829

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 7, 1994

SINCLAIR OIL CORPORATION
D/B/A SUN VALLEY COMPANY
C/O DAVID B LINCOLN
ELAM BURKE AND BOYD
PO BOX 1539
BOISE ID 83701

RE: Permit No. 37-08575

Dear Water Right Holder:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

JAN 11 1994

AMENDMENT OF PERMIT NO. 37-08575 REVIEW

TYPE OF CHANGE: P/D P/U ADD P/D (NATURE OF USE)

AREA OF CONCERN: ESRP Mor.

PROOF OF BENEFICIAL DUE DATE 2/1/95 Under 6 months? No

GROUNDWATER:

GT. 0.2 cfs	-	01G
LT. 0.2 cfs	-	NMR <flow chart>
Drilling Permit No.	-	N/A
Not included	-	046, 46B

SURFACE WATER: not in w/d - 01C (=/GT.2 w/pump), NMR <flow chart>

LOCATION:

Water Districts	-	WD No. 37
Surface water	-	005, R04-01H (LT.2 w/pump) R04-01J (GT.2)
Swan Falls Flag	-	c (1, Blank or Other)
Trust	-	~~051-052-053~~ (Consumptive Uses) N/A
Non Trust <1>	-	048-049

RIVER BASINS (Surface Water)

Boise (63)	-	05A & 11E
Payette (65)	-	047, 059
Snake (01, 02 & 03)	-	11A (01), 061 (02/03 No W.D.Cond.)

USE:

Fish Propagation	-	06A, 09E, or 010 (WQ/Choose One), 042 (req.), 002 (MD), 07A (Spec.), 044 (Policy 5G)
Power	-	_____ Use Power Review
Mining	-	06A, 010, or 09E & 054(req.)
Storage	-	18A-for multiple m/devices(In WD), 18B (Size)
Rec/Wildlf/Aes	-	027 (Non-Consumptive)
Domestic	-	021 (restricted areas & Boise River upstream from Lucky Peak) 27A (Payette River & main tributaries)

NON LAND OWNER	-	004
PROTEST AGREEMENT	-	020

Recommended conditions same as on the permit or subsequent amendment(s) to the permit? Yes ✓ No ____

Conditions of Approval Standard, _____

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	SINCLAIR OIL CORP	10/05/1989	COMMERCIAL	10-15	04-01	4.46 CFS	
	C/O DAVID B LINCOLN ESQ		COMMERCIAL	01-01	12-31	0.20 CFS	
	PO BOX 1539		DOMESTIC	01-01	12-31	0.80 CFS	
	BOISE ID 83701		FIRE PROTECTION	01-01	12-31	4.46 CFS	
	(208) 622-4111					---	
					TOTAL DIVERSION:	4.46 CFS	
C	DBA SUN VALLEY CO.						

Water Source: GROUNDWATER Tributary to: Stage: PERMIT

Point(s) of Diversion: T04N R17E S24 NE NE

Place of use Legal Description for: COMMERCIAL

			NE				NW				SW				SE			
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
04N	17E	13											C					
04N	17E	14						C		C	C	C	C	C			C	C
04N	17E	23	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
04N	17E	24	C	C	C		C	C	C	C	C	C				C		
04N	17E	25						C										
04N	17E	26	C	C	C	C				C	C	C	C	C		C	C	
04N	18E	19						C										

Place of use Legal Description for: COMMERCIAL

			NE				NW				SW				SE			
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
04N	17E	13											C					
04N	17E	14						C		C	C	C	C	C			C	C
04N	17E	23	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
04N	17E	24	C	C	C		C	C	C	C	C	C				C		
04N	17E	25						C										
04N	17E	26	C	C	C	C				C	C	C	C	C		C	C	
04N	18E	19						C										

Place of use Legal Description for: DOMESTIC

			NE				NW				SW				SE			
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
04N	18E	18											D					
04N	18E	19						D		D								

Place of use Legal Description for: FIRE PROTECTION

			NE					NW					SW					SE				
			NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
04N	17E	24			F																													

Pou County: BLAINE

Other Rights: 37-7170, 37-7340, 37-2722

Other Water Rights Listing Overlapping Place(s) of use:
37-04108

Conditions of Approval:
046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
026 - Permit holder shall commence the excavation or construction of
- diverting works within one year of the date this permit is issued
- and shall proceed diligently until the project is complete.
004 - The issuance of this right in no way grants any right-of-way
- or easement across the land of another.
01G - Prior to the diversion of water under this right a flow
- measurement port or other device as specified by the Department
- shall be installed to provide for the installation of measuring
- equipment and the determination of the rate of diversion by the
- Department.
016 - See remarks for additional conditions of approval.

Remarks: Use of water under this permit for snow-making purposes shall be non-consumptive.
Commercial use is for a restaurant and four commercial buildings.
Domestic use is for 100 homes.
Three points of diversion are located within NENE, S24, T04N, R17E.

Dates: App. Received: 02/11/1993 Priority Date: 10/05/1989
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 37 Field Exam Fee:

Comments: Date: 06/25/1993 User-ID: ZIMMERMA Subject: AMENDED PERMIT
This permit was amended 2/6/92 adding 2 points of diversion.
This permit has been amended again to add additional commercial/

Comments: Date: 06/25/1993 User-ID: ZIMMERMA Subject: AMENDED PERMIT
domestic places of use and adding fire protection use.

Date: 06/25/1993 User-ID: ZIMMERMA Subject: POU OWNERSHIP
The place of use is owned by the applicant and US Forest Service.
The applicant has submitted evidence of a special use permit from
the US Forest Service.

Audit: 06/25/93 ZIMMERMA

Form No. 211a
10/81

State of Idaho

Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: MTS

Right Number 37-8575 Applicant Sinclair Oil Co - Syn Valley Co.

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☒ Other Add fire protection to commercial component with no expansion

CHECK:

- ☒ Description of amended point(s) of diversion. NA
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☐ Stream index information (reverse). NA
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) None
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☑ Affidavit of publication received.
- ☑ Amendment published correctly.
- ☑ Protests processed. None
- ☑ Approve.
- ☐ Deny.

RECEIVED
MAY 12 1993
Department of Water Resources

Conditions _____

By Karen D. Hudson Date 5/12/93

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By CJ Date 1/4/94
- ☒ Approved copy sent to applicant and to Region. By _____ Date 1/10/94

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_ _ _ _	_ _	_ _ _	_ _ _	_ _	_	_ _ _.-

IDAHO STREAM CODE INDEX

_ _ _ _.- _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ . _ _ _ . _ _ . _ _ . _ _

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_ _ _ _	_ _	_ _ _	_ _ _	_ _	_	_ _ _.-

IDAHO STREAM CODE INDEX

_ _ _ _.- _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ . _ _ _ . _ _ . _ _ . _ _

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_ _ _ _	_ _	_ _ _	_ _ _	_ _	_	_ _ _.-

IDAHO STREAM CODE INDEX

_ _ _ _.- _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ . _ _ _ . _ _ . _ _ . _ _

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_ _ _ _	_ _	_ _ _	_ _ _	_ _	_	_ _ _.-

IDAHO STREAM CODE INDEX

_ _ _ _.- _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ . _ _ _ . _ _ . _ _ . _ _

AFFIDAVIT of PUBLICATION

RECEIVED

APR 09 1993

Department of Water Resources
Southern Region Office

State of Idaho, } ss.
County of Blaine }

On this 7th day of April in the year 1993, before me a Notary Public of said State, personally appeared DANIEL J. GORHAM, known or identified to me to be the person whose name is subscribed to be 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. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 31 day of March, 1993 and the date of the last publication was on the 7 day of April, 1993.

Daniel J. Gorham

Subscribed and sworn to before me this 7th day of Apr., 1993.
(SEAL)

Roberta Kay Faucher
NOTARY PUBLIC

#8644

OK NB 4-14-93

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 63
Number of Insertions _____

_____	Lines tabular at	_____	6¢ / Pica
63	Lines straight at	31.50	5¢ / Pica
63	Subsequent lines at	28.35	4¢ / Pica
TOTAL COST	64.85	5.00	

JAN 11 1994

COPY OF NOTICE
(Paste Here)

Amendment to a water permit
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
State of Idaho - Dept. of Water Resources T.F
BILL TO

[redacted]

NOTICE OF AMENDMENT TO A WATER RIGHT

NO. 37-[illegible]

Notice is hereby given that SINCLAIR OIL CORPORATION dba SUN VALLEY COMPANY, 400 Sun Valley Road, Sun Valley, Idaho 83353, holder of Approved Permit No. 37-[illegible] with a priority date of [illegible] authorizing the diversion of 4.46 cubic feet per second of water from groundwater in the NE1/4NE1/4, S24, T04N, R17E; County of Blaine, to be used for Commercial & Domestic use within Sections 13, 14, 23, 24, 25, & 26, T04N, R17E; Sections 18 & 19, T04N, R18E.

This Application for Amendment proposes to add the use of fire protection.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Amount: 4.46 cfs

Period of Use: 01/01 to 12/31

Point of Diversion: No change.

Place of Use: No change.

Any protest against the approval of this Amendment to Permit No. 37-[illegible] must be filed with the Department of Water Resources, Southern Region, Main [illegible] Idaho 83[illegible] on or before April [illegible], 1993. Protests must conform to Rules and Procedures of the Department of Water Resources.

R. Keith Higginson, Administrator

Publish: March [illegible], 1993
Mail to: [illegible]

ELAM, BURKE AND BOYD
CHARTERED
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

DAVID B. LINCOLN

March 25, 1993

RECEIVED
MAR 26 1993
Department of Water Resources
Southern Region Office

Mel Schulte
Water Right Agent
Idaho Dept. of Water Resources
Southern Region
222 Shoshone St. E.
Twin Falls, ID 83301

Re: Application for Amendment No. 37-08575 (Sinclair Oil Corp.)

Dear Mr. Schulte:

Confirming our telephone conversation of this date relating to your letter to me of March 17, 1993 I advised you that your existing file for this permit, together with the Amendment dated June 17, 1991 should contain a complete copy of the Warranty Deed vesting title in our client to the fee portion of the River Run properties, together with a copy of the U.S. Forest Service Special Use Permit establishing our client's right to use the remainder of the real property (Bald Mountain) constituting the place of use. You advised that you will confirm that your file contains copies of these documents and, if not, will let me know and I will provide you additional copies.

Please also be advised that the current officers for Sinclair Oil Corp., dba Sun Valley Company are R. E. Holding, President, P.O. Box 1529, Cheyenne, Wyoming 82003 and L. S. Richards, Secretary/Treasurer, 3333 E. 400 S., Salt Lake City, Utah 84111.

Should you require any additional information to complete regional review, please advise.

Very truly yours,

ELAM, BURKE AND BOYD, Chartered

David B. Lincoln

DBL/at

cc: Wally Huffman

JAN 11 1994

NOTICE OF AMENDMENT TO A WATER PERMIT
NO. 37-08575

Notice is hereby given that SINCLAIR OIL CORPORATION dba SUN VALLEY COMPANY, c/o David B. Lincoln, Esquire is the holder of Approved Permit No. 37-08575 with a priority date of 10/05/1989 authorizing the diversion of 4.46 cubic feet per second of water from groundwater in the NE1/4NE1/4, S24, T04N, R17E; County of Blaine, to be used for Commercial & Domestic use within Sections 13, 14, 23, 24, 25, & 26, T04N, R17E; Sections 18 & 19, T04N, R18E.

This Application for Amendment proposes to add the use of fire protection.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to be changed as follows:

Amount: 4.46 cfs

Period of Use: 01/01 to 12/31

Point of Diversion: No change.

Place of Use: No change.

Any protest against approval of the amending of Permit No. 37-08575 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before April 19, 1993.

R. Keith Higginson, Director

Published in the Wood River Journal on 03/31 & 04/07/93.

JAN 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Mar-1993

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

JAN 11 1994

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 37-08575

Notice is hereby given that SINCLAIR OIL CORPORATION dba SUN VALLEY COMPANY, c/o David B. Lincoln, Esquire is the holder of Approved Permit No. 37-08575 with a priority date of 10/05/1989 authorizing the diversion of 4.46 cubic feet per second of water from groundwater in the NE1/4NE1/4, S24, T04N, R17E; County of Blaine, to be used for Commercial & Domestic use within Sections 13, 14, 23, 24, 25, & 26, T04N, R17E; Sections 18 & 19, T04N, R18E.

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R. Keith Higginson, Director

Published in the Wood River Journal on 03/31 & 04/07/93.

JAN 1 1 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

17-Mar-1993

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

DAVID B LINCOLN ESQUIRE
ELAM BURKE & BOYD
ATTORNEYS AT LAW
PO BOX 1539
BOISE ID 83701

Re: Application for Amendment, 37-08575 (Sinclair Oil Corp.)

Dear Mr. Lincoln:

The Department of Water Resources acknowledges receipt of the application for amendment of a permit filed on behalf of Sinclair Oil Corporation dba Sun Valley Company.

This office will be advertising the application in the Wood River Journal on 3/31 & 4/7/93. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

Final regional review cannot be completed until we receive a list of company officers, including the title of your position and evidence of ownership of the place of use.

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

Very truly yours,

Mel Schulte
Water Right Agent

JAN 1 1

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

David B. Lincoln
Elam, Burke & Boyd
Attorneys At Law
PO Box 1539
Boise, ID
83701

February 5, 1993

RE: Application for Amendment of Permit 37-08575, Sun Valley Co.

Dear Dave;

We are returning your Check #7416 in the amount of $50. The correct fee for amendments is $20. Your amendment is being held pending receipt of the correct fee.

Sincerely,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

JAN 11 1993

ELAM, BURKE AND BOYD
CHARTERED
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

DAVID B. LINCOLN

February 3, 1993

RECEIVED
FEB 05 1993
Department of Water Resources
Southern Region Office

Jim Stanton
Idaho Department
of Water Resources
2148 Fourth Avenue East
Twin Falls, ID 83301

Re: Sun Valley Company Water Right No. 37-08575

Dear Mr. Stanton:

During our telephone conversation yesterday regarding the Application for Amendment of a Permit dated January 23, 1993 for the above referenced permit, you inquired as to the additional commercial uses proposed by the amendment other than for fire protection purposes. You also inquired as to the estimated quantity of commercial uses proposed under the amendment for the commercial buildings to be constructed on the west side of the Wood River.

Based on discussions with our client's architect for this project, Ruscitto/Latham/Blanton, I can advise you that the commercial structures on the west side of the Wood River including the restaurant facility will be supplied water for necessary operations from the Sun Valley Water and Sewer District from its well No. 9 located on the east side of the Wood River. Therefore, the amendment does not propose a commercial use in excess of the existing permitted amounts and the expanded use area is intended to encompass the provision of water for emergency fire protection facilities.

Please append this letter to the amendment application to clarify the intent of the application. Thank you for your continuing courtesies and if I can provide any additional information, please advise.

Very truly yours,

ELAM, BURKE AND BOYD, Chartered

David B. Lincoln

DBL/at

JAN 11 1994

ELAM, BURKE AND BOYD
CHARTERED
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

DAVID B. LINCOLN

RECEIVED
JAN 29 1993
Department of Water Resources
Southern Region Office

January 27, 1993

Idaho Department
of Water Resources
2148 Fourth Avenue East
Twin Falls, ID 83301

Re: Sun Valley Company Water Right No. 37-08575

Gentlemen:

In connection with this water right, enclosed is an Application for Amendment of a Permit, together with our check in the amount of $50.00 for the application fee. As your file indicates, this water right was amended to permit the drilling of a new well on the west side of the Wood River and the place of use map attached to such amendment application indicated the areas of Bald Mountain on the west side of the Wood River that would be the places of use for the snow making uses permitted under such water right. However, such map did not indicate any commercial or domestic use of such water right on the west side of the Wood River.

Current development plans of our client include the construction of four commercial buildings on the west side of the Wood River and the enclosed application includes a copy of the map filed with the prior amendment with the additional commercial/ domestic place of use sought by the enclosed application indicated thereon.

As indicated in the application, the primary requested use is for emergency fire protection purposes through an intertie with the existing well connecting fire hydrants adjacent to the proposed structures.

Should you have any questions concerning the enclosed application, please feel free to contact me at your convenience.

Very truly yours,

ELAM, BURKE AND BOYD, Chartered

David B. Lincoln

DBL/at
cc: Wally Huffman

JAN 1 1 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 12, 1993

Greg Weatherby
12047 S. 5th West
Shelley, ID 83274

Dear Mr. Weatherby:

I have reviewed your letter dated March 31, 1993 on which you raise questions concerning the use of water for snowmaking in Sun Valley, Idaho.

The Department of Water Resources issued the water right approvals associated with the snow making activity. The following water rights are of record with the department:

License no. 37-7170
Priority: October 31, 1972
Source of water: Warm Springs Creek
Rate of diversion: 2.0 cfs
Season of use: November 1 to April 10

License no. 37-07340
Priority: February 8, 1974
Source of water: Warm Springs Creek
Rate of diversion: 0.23 cfs
Season of use: November 1 to April 10

Permit no. 37-08575
Priority: October 5, 1989
Source of water: Groundwater (wells)
Rate of diversion: 4.46 cfs
Season of use: October 15 to April 1

There is a minimum stream flow which has been established on the Big Wood River. The minimum flow is more particularly described as follows:

Permit no. 37-08307
Priority: October 16, 1987
Source of Water: Big Wood River - Beginning at the confluence of Warm Spring Creek and the Big Wood River extending downstream approximately 18 miles to the Bellevue diversion.
Min. flow rate: 119 cfs for the entire year

RECEIVED
JAN 11 1994

To obtain information on NEPA considerations, the lead Federal Agency in connection with environmental or other studies, I would refer you to either the U.S. Forest Service or the Sun Valley Company.

Please feel free to contact the department if I can provide any additional information or be of further assistance.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region

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JAN 11 1994

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APR - 7 1993
Department of Water Resources

March 31, 1993

Mr. Kieth Higginson
State of Idaho
Department of Water Resources
1301 N. Orchard
Boise, Idaho 83706

Mr. Higginson,

After a recent skiing trip to Sun Valley, I noticed a large amount of new snowmaking equipment that had been added to the resort. As an avid fisherman, I am concerned that the amount of water necessary to run the snowmaking machinery may have an adverse impact on the riparian habitat and fish populations of both the Wood River and the Warm Springs Creek.

I would appreciate any information you have on the following topics:

a. What involvement did the Department of Water Resources have in decision making for the new snowmaking system,

b. Has a minimum stream flow been established for either the Wood River or the Warm Springs Creek,

c.What Environmental/Biological studies were done to determine impacts on the streams due to the snowmaking (including withdrawal/runoff),

d. Who was the lead Federal Agency that reviewed the Sun Valley Company application for the snowmaking, and what NEPA considerations were addressed?

You can write to me at the following address, or call me at (208) 357-5744. I appreciate your assistance in this matter.

Sincerely,

Greg Weatherby
12047 S. 5th West
Shelley, Idaho 83274

JAN 1 1 1994

February 7, 1992

RE: Permit No. 37-08575

Sinclair Oil Corporation
DBA Sun Valley Co
c/o Scott Campbell
PO Box 1539
Boise, ID 83701

Dear Water Right Holder:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:clh

Enclosure

JAN 1 1 19

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

DAVID B. LINCOLN

RECEIVED
JAN 21 1992
Department of Water Resources
Southern Region Office

January 16, 1992

Loren O. Holmes, P.E.
Southern Region Manager
State of Idaho, Department of
Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Amendment No. 37-08575 (Sinclair Oil Corp., dba Sun Valley Co.)

Dear Mr. Holmes:

Thank you for your letter of January 14, 1992, regarding the above-referenced amendment. Scott Campbell is no longer associated with our firm, and I will be the attorney now responsible for the Sun Valley Company water rights files. I appreciate your prompt attention to this amendment, and I look forward to working with you on future Sun Valley Company water matters.

Yours truly,

ELAM, BURKE AND BOYD

David B. Lincoln

DBL:ljl

JAN 21

Form No. 211a
10/81

State of Idaho

Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: J F Stanton

Right Number 37-08575 Applicant Sun Valley Co.

Purpose of Amendment: ☐ Change point of diversion. ☒ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☐ Stream index information (reverse).
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) N/A
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

RECEIVED
JAN 21 1992
Department of Water Resources

FINAL REGIONAL PROCESSING REVIEW:

- ☑ Affidavit of publication received.
- ☑ Amendment published correctly.
- ☑ Protests processed. None
- ☑ Approve.
- ☐ Deny.

Conditions 46 (Standard Permits Reqd)

By Jalene D Kahler Date 4/15/92

NOTE: Big Wood River GWMA

STATE OFFICE PROCESSING:

- ☑ Amendment correct and complete. By CS Date 01-27-92
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

JAN 11 1994

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_ _ _ _	_ _	_ _ _	_ _ _	_ _	_	_ _ _.-

IDAHO STREAM CODE INDEX

_ _ _ _.- _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ . _ _ _ . _ _ . _ _ . _ _

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_ _ _ _	_ _	_ _ _	_ _ _	_ _	_	_ _ _.-

IDAHO STREAM CODE INDEX

_ _ _ _.- _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ . _ _ _ . _ _ . _ _ . _ _

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_ _ _ _	_ _	_ _ _	_ _ _	_ _	_	_ _ _.-

IDAHO STREAM CODE INDEX

_ _ _ _.- _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ . _ _ _ . _ _ . _ _ . _ _

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_ _ _ _	_ _	_ _ _	_ _ _	_ _	_	_ _ _.-

IDAHO STREAM CODE INDEX

_ _ _ _.- _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ _ . _ _ _ . _ _ _ . _ _ . _ _ . _ _

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

14-Jan-1992

SCOTT CAMPBELL ESQUIRE
ELAM BURKE & BOYD
PO BOX 1539
BOISE ID 83701

Re: Amendment No. 37-08575 (Sinclair Oil Corp, dba Sun Valley Co.)

Dear Mr. Campbell:

Per your telephone request of 12/31/91, this letter will serve as notice concerning the status of the application for amendment.

Legal advertising has been concluded on the above referenced application with no protests filed against the application.

Regional review has been completed and the application is being forwarded to our State Office for either approval or denial.

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

Very truly yours,

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

LH:MB

RECEIVED
JAN 11 1994

Disk: Patty-16/H20Amd

Sinclair Oil files on amended permit

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 37-08575

Notice is hereby given that SINCLAIR OIL CORPORATION, DBA SUN VALLEY CO., c/o Scott Campbell of Boise, ID, is the holder of Approved Permit No. 37-08575 authorizing the diversion of 4.46 cubic feet per second of water from groundwater in the NE1/4NE1/4, S24, T4N, R17E; County of Blaine, to be used for Commercial & Domestic use within SW1/4SW1/4, S13, T4N, R17E; NE1/4NW1/4, SW1/4-NW1/4, SE1/4NW1/4, SW1/4, S1/2SE1/4, S14, T4N, R17E; all quarter section tracts of S23, T4N, R17E; NE1/4NE1/4, NW1/4NE1/4, SW1/4NE1/4; NW1/4, N1/2SW1/4, NW1/4SE1/4, S24, T4N, R17E; NW1/4NW1/4, S25, T4N, R17E; NE1/4, SE1/4NW1/4, SW1/4, W1/2SE1/4, S26, T4N, R17E; SW1/4SW1/4, S18, T4N, R18E; W1/2NW1/4, S19, T4N, R18E; Blaine County.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to add two Points of Diversion as follows:

Amount: 4.46 (Commercial) Period of Use: 10/15 to 4/1; 0.20 (Commercial) 01/01 to 12/31; 0.80 (Domestic) 01/01 to 12/31

Points of Diversion: Three (3) wells located within NE1/4NE1/4, S24, T4N, R17E; Blaine County.

Place of Use: No changes.

Any protest against approval of the amending of Permit No. 37-08575 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301, on or before December 30, 1991.

R. Keith Higginson, Director

Publish: Wood River Journal--December 11 & 18, 1991.

RECEIVED
DEC 0 2 1991
Department of Water Resources
Southern Region Office

OK MB 12-2-91

JAN 1 1 1994

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 37-08575

Notice is hereby given that SINCLAIR OIL CORPORATION, DBA SUN VALLEY CO., c/o Scott Campbell of Boise, ID is the holder of Approved Permit No. 37-08575 authorizing the diversion of 4.46 cubic feet per second of water from groundwater in the NE1/4NE1/4, S24, T4N, R17E; County of Blaine, to be used for Commercial & Domestic use within SW1/4SW1/4, S13, T4N, R17E; NE1/4NW1/4,SW1/4NW1/4, SE1/4NW1/4, SW1/4, S1/2SE1/4, S14, T4N, R17E; all quarter section tracts of S23, T4N, R17E; NE1/4NE1/4, NW1/4NE1/4, SW1/4NE1/4; NW1/4, N1/2SW1/4, NW1/4SE1/4, S24, T4N, R17E; NW1/4NW1/4, S25, T4N, R17E; NE1/4, SE1/4NW1/4, SW1/4, W1/2SE1/4, S26, T4N, R17E; SW1/4SW1/4, S18, T4N, R18E; W1/2NW1/4, S19, T4N, R18E; Blaine County.

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	0.20	(Commercial)		01/01 to 12/31
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Any protest against approval of the amending of Permit No. 37-08575 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before December 30, 1991.

R. Keith Higginson, Director

Published in the Wood River Journal on 12/11 & 12/18/91.

RECEIVED

JAN 1 1 1994

26-Nov-1991

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

JAN 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

26-Nov-1991

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

SUN VALLEY CO
C/O SCOTT CAMPBELL ESQUIRE
PO BOX 1539
BOISE ID 83701-L539

Re: Application for Amendment, 37-08575

Dear Mr. Campbell:

The Department of Water Resources acknowledges receipt of your application for amendment of a permit.

This office will be advertising the application in the Wood River Journal on 12/11 & 12/18/91. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

JAN 1 1 1994

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

SCOTT L. CAMPBELL

November 8, 1991

RECEIVED
NOV 12 1991
Department of Water Resources
Southern Region Office

Mr. Loren Holmes
Southern Region Manager
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RE: Application to Amend Water Permit No. 37-08575

Dear Loren:

I am writing to inquire concerning the status of the above-referenced application. For your information, I have also enclosed a copy of a letter agreement dated October 2, 1991, between the Sun Valley Company and the Big Wood Canal Company.

Please notify me as soon as possible regarding the projected processing time for this application. I am particularly interested in knowing when the publication of notice will occur so that I can advise my clients concerning the existence or likelihood of protest.

If you require additional information prior to publishing the required notice, please contact me as soon as possible and I will provide it to you.

Thank you for your attention to this matter.

Very truly yours,

ELAM, BURKE AND BOYD

Scott L. Campbell

SLC:ct
Enclosure
cc: Wally Huffman
Denzel Rowland

JAN 11 1994

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

SCOTT L. CAMPBELL

October 2, 1991

Craig D. Hobdey, Esquire
HOBDEY & HOBDEY
P. O. Box 176
Gooding, Idaho 83330-0176

RE: Understanding between the Big Wood Canal Company and the Sun Valley Company Regarding Water Flow Measurements for Snow Making Under Water Permit No. 37-08575

Dear Craig:

This correspondence is in response to our telephone conference of September 10, 1991, concerning the above referenced matter. As I indicated at that time, I needed to confirm with the Sun Valley Company representatives some of the procedural details with respect to the proposed understanding. Those communications have been completed and I believe the procedural difficulties have been resolved.

As I recall our discussion, the understanding between the Big Wood Canal Company and the Sun Valley Company would basically be as follows:

1. The Sun Valley Company will provide to the Big Wood Canal Company, Attention Richard Oneida, Manager, a monthly computer printout report listing the volumes of water utilized for that time period in the snow making system of the Sun Valley Company under the above referenced water permit. The period of this report would be from the 25th day of one month to the 25th day of the following month. The report would be mailed out so that it will reach the Big Wood Canal Company prior to the first business day of the following month.

2. In exchange for this understanding and agreement, the Big Wood Canal Company would agree not to protest the Application to Amend Water Permit No. 37-08575.

RECEIVED
JAN 11 1994

I believe that this sets forth the basics of the understandings as we discussed the terms during our telephone conference of September 10, 1991. If this is does not properly reflect that understanding, please notify me as soon as possible.

If the Big Wood Canal Company Board of Directors accept this arrangement, please indicate their approval and acceptance by having the President execute on the line below and send a copy of the executed original to me for my files.

Thank you for your assistance in this matter.

Very truly yours,

ELAM, BURKE AND BOYD

Scott L. Campbell

SLC:jm
Enclosure

cc: Wally Huffman
Denzel Rowland

ACCEPTANCE OF THE ABOVE STATED UNDERSTANDING IS HEREBY GIVEN THIS 1st DAY OF November, 1991.

President
Big Wood Canal Company
Board of Directors

JAN 1 1 1994

Form 238-7
8/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name Sun Valley Company

Address Sun Valley, Idaho 83353

Drilling Permit No. 37-91[illegible]-006-001

Water Right Permit No. [illegible]-8575

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☒ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☒ Other Monitoring (specify type)

4. METHOD DRILLED

☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other

Thickness	Diameter	From	To
.250 inches	6 inches +	1½ feet	43½ feet
inches	inches	feet	feet
inches	inches	feet	feet
inches	inches	feet	feet

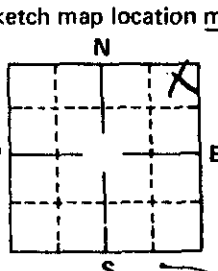
Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☒ Knife ☐ Torch ☐ Gun
Size of perforation ¼" inches by 2" inches

Number	From	To
120 perforations	30 feet	40 feet
perforations	feet	feet
perforations	feet	feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name
Type Model No.
Diameter Slot size Set from feet to feet
Diameter Slot size Set from feet to feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel
Placed from feet to feet
Surface seal depth 20 Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☐
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name
Lot No. Block No.
County BLAINE
NE ¼ NE ¼ Sec. 24, T. 4 N ☒ S ☐ R. 17 E ☒ W ☐

7. WATER LEVEL

Static water level 4 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow
Artesian closed-in pressure p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature °F. Quality good
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☒ Air ☐ Other

Discharge G.P.M.	Pumping Level	Hours Pumped
30	38	1

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
8	0	4	Topsoil		x
8	4	10	Gravel	x	
8	10	28	Sand and gravel		x
6	28	37	Gravel	x	
6	37	38	Granite		x
6	38	45	Limestone	x	

RECEIVED JUL 1 2 1991 Department of Water Resources

RECEIVED JAN 1 1 1994

RECEIVED DEC 1 2 1991

10.

Work started 6/7/91 finished 6/7/91

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Wood River Drilling & Pump Inc. Firm No. 365
Address P.O. Box 420 Bellevue, Id. 83313 Date 6/19/91
Signed by (Firm Official) Ron Smith
and
(Operator) [illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

SCOTT L. CAMPBELL

June 24, 1991

RECEIVED
JUN 24 1991
Department of Water Resources

VIA HAND DELIVERY

Mr. Jim Johnson
Senior Water Rights Analyst
IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard
Boise, Idaho 83720

Re: Application for Amendment of a Permit
Identification No. 37-08575

Dear Jim:

On June 21, 1991, I met with Mr. Norman Young, Assistant Director, Department of Water Resources, concerning the above-referenced application for amendment of permit. Based upon my discussions with Mr. Young, I am enclosing a completed application for amendment of permit no. 37-08575, together with attachments. I have also enclosed a check in the amount of $20.00 which represents the filing fee for the application.

Additionally, pending Department review and approval of this application, I would also like to notify you on behalf of the owner of the permit, that the applicant is prepared to abandon the use of the existing well identified in the application for the original permit for purposes of diversion under Water Permit No. 34-08575. Instead, the applicant will proceed to develop a new diversion point in the NE 1/4 of NE 1/4 of Section 24, Township 4N, Range 17E, B.M., in County of Blaine. This diversion point will be located west of the Big Wood River as compared to the existing well identified in the original application for permit which was located in the same legal description but on the east side of the Big Wood River.

In my conversations with Mr. Young, he indicated that this notification would be sufficient for purposes of issuance of a drilling permit for a production well for development of the water right identified under Permit No. 37-08575. Mr. Scott Benowitz of James M. Montgomery Engineers will submit the required application for a drilling permit after you have received this correspondence.

JAN 11 1994

He will deliver the application to Mr. Mark Slifka to facilitate processing.

Additionally, we wish to proceed with the application for amendment of the permit. Please notify me if you need any additional information, and please keep me informed regarding further developments with respect to processing this application. Thank you for your cooperation.

Very truly yours,

ELAM, BURKE AND BOYD

Scott L. Campbell

SCL:ljl
Enclosure

cc: Norman Young
Mark Slifka
Scott Benowitz
Wally Huffman

1 1 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Wallace Huffman
Vice President, General Manager
Sun Valley Company
Sun Valley, ID 83353

29-May-1991

RE: Drilling Permit for 37-8575

Dear Mr. Huffman,

The enclosed drilling permit has been approved; however, please note the conditions on the back of the permit. These conditions will allow Wood River Drilling to drill another test hole under the same permit with case by case permission from Loren Holmes, Southern Region Manager, providing that the initial well is abandoned according to IDWR standards. Also note that each production well must be developed under its own well drilling permit. The effect of this is that there will only be one open hole at any time - either a 6" test hole or a full size production well.

Water right 37-8575 specifies that the point of diversion (well) will be located within the NE NE of Sec 24. No test hole or production well may be drilled outside of that tract without amending the approved water right permit. Upon filing an acceptable amendment form (enclosed) we may approve well drilling on an expedited approval basis wherein the applicant assumes the risk that use of the wells in the new area may not be authorized. Expedited approval is obtained by submitting a completed request form (enclosed).

If you have any questions please contact us.

Sincerely,

Douglas Jones, EIT
Water Resources Engineering Specialist

enc.

cc Wood River Drilling

JAN 1 1 1994

Form 235-1
7/90

Drilling Permit No. 37-91-2-007
Water Right Permit No. 37-08525 (Amendment Pending)
Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. **Applicant (please print)** Sun Valley Company

2. **Mailing Address** Sun Valley, Idaho 83353

ATTN: Wally Huffman **Telephone** (208) 622-2041

(X) Well Owner ( ) Well Operator ( ) Other, specify _____

3. **Proposed well location** NE 1/4 NE 1/4, or Gov't Lot No. _____

Sec. 24, Twp. 4N, Rge. 17E, County Blaine

Street Address of Well Site N/A

Lot, block and subdivision N/A

4. **Proposed use of well:**

( ) Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpos in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or busines establishments, unless the use does not exceed a diverstion rate of 0.04 cfs and a diversion volume of 2500 gpd.

(X) Non-Domestic: Any beneficial use not included within the definition of domestic.

( ) Injection

( ) Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

5. **Well construction information:**

A. (X) New well ( ) Deepen ( ) Replace - See Condition 9

B. Proposed Surface Diameter 18 inches **Proposed Maximum Depth** 45 feet

C. Anticipated bottom hole temperature:

(X) 85°F or less (Cold water well)
( ) 85°F to 212°F (Low temp. geothermal well)
( ) 212° or more (Geothermal well)

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JAN 1 1 1991

6. **Construction Start Date** July 1, 1991

7. **Anticipated Well Driller** Requested bids from: Wood River Drilling & Pump, Hiddleston Drilling, Walker Water, and Stevens and Son
NOTE: The actual well driller must be identified prior to drilling.

8. **Applicant's signature** _____ Date 6-25-91

Title V.P. Sun Valley Company
(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is APPROVED. Date 6-27-91.

If approved, this permit authorizes the constuction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

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

SPECIFIC CONDITIONS:

Idaho A. Rose
Signature of Authorized Department Representative

MANAGER
GROUNDWATER PROTECTION SECTION
Title

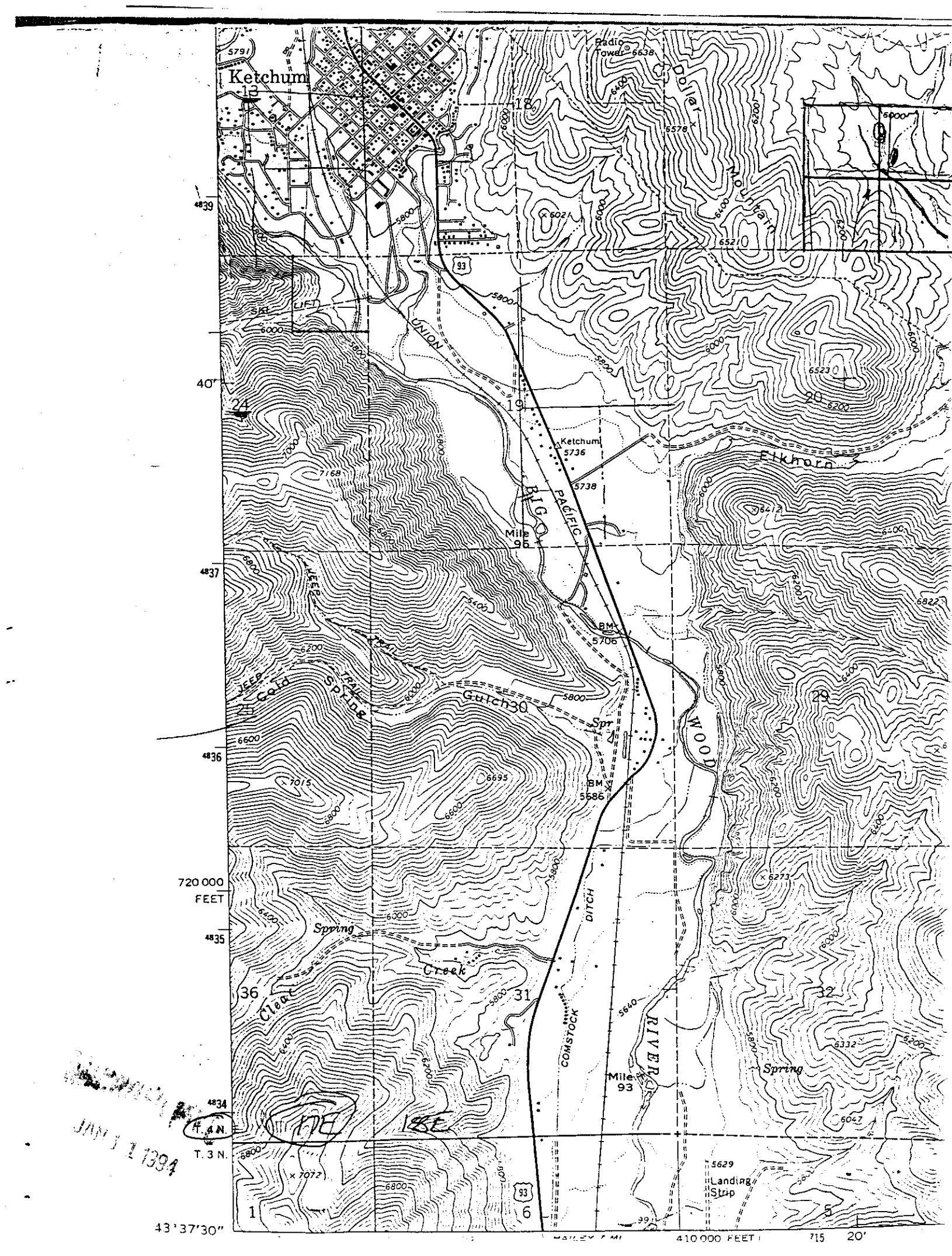
Receipt No. C020869 Receipted by MD/J. Morrison Fee 200.00 Date 6-27-91

RECEIVED
JAN 11 1994

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

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


Ketchum
Radio Tower 6638
Dollar Mountain
Elkhorn
SKI LIFT
UNION PACIFIC
BIG WOOD
Ketchum 5736
Mile 96
BM 5706
Gulch
Spr
BM 5586
DITCH
Spring
Creek
Clear
COMSTOCK
RIVER
Mile 93
Spring
Landing Strip
93
720 000 FEET
4839
4837
4836
4835
4834
T. 4 N.
T. 3 N.
43°37'30"
410 000 FEET
715
20'

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

SCOTT L. CAMPBELL

May 24, 1991

RECEIVED
MAY 28 1991
Department of Water Resources
Southern Region Office

Mr. Terry Blaugh
Southern Region Office
IDAHO DEPARTMENT OF WATER RESOURCES
222 Shoshone Street East
Twin Falls, Idaho 83301

RE: Application for Well Drilling Permit

Dear Terry:

Pursuant to our telephone conversation of May 23, 1991, I am providing this cover letter with the Application for Well Drilling Permit submitted by the Sun Valley Company. In order to avoid additional time delays, a telefax copy of this letter is being submitted by the Sun Valley Company in the correspondence containing the Application for Drilling Permit. I will forward the original of this correspondence to you under separate cover.

This correspondence is to confirm our discussions by telephone wherein you indicated that the Application for Drilling Permit could be submitted in either of two forms. First, you indicated that the proposed test wells could be designated as domestic wells as long as each well is abandoned before the next test well is drilled. Second, as indicated by your conversations with the supervisor of the well drilling section of the state office of the Department of Water Resources, the proposed use of the well could be designated as non-domestic with several test wells drilled but with abandonment of each well, except for the last. I confirmed with you that these wells will be drilled for the purposes of testing to determine whether sufficient quantities of water are available prior to the construction of the actual production wells. Additionally, I confirmed that the purpose of drilling these wells is to eventually add two additional points of diversion to the existing Water Permit No. 37-08575. Based upon my prior telephone conversations with Mr. Jim Johnson of the Water Rights Section of the state office of the Department, I have been informed that it will be unnecessary at this juncture to proceed with an application to amend the existing permit to add the additional points of diversion prior to ascertaining the existence of water supplies at the test hole

37-85 75

JAN 11 1994

sites. You confirmed that this arrangement was acceptable. It is the intention of the Sun Valley Company to proceed to file an application for amendment of the existing Permit No. 37-08575 to reflect the additional points of diversion if the test drilling indicates that sufficient quantities of water are available.

Based upon the assumption that the above description of our conversations is accurate, I request that this Application for Drilling Permit be processed as quickly as possible so that drilling can commence during the first week of June. If this Application for Drilling Permit can be approved, please return a copy of the approved Application to Mr. Wallace Huffman, Vice President and General Manager, Sun Valley Company, Sun Valley, Idaho 83353. Please also provide me with a copy of the approved Application for Drilling Permit, together with a copy of your correspondence to Mr. Huffman.

Please contact me if you have any questions involving this matter.

Very truly yours,

ELAM, BURKE AND BOYD

Scott L. Campbell

SLC:jm

cc: Wallace Huffman, Sun Valley Company
Jim Johnson, Department of Water Resources

Via FAX Delivery

JAN 11

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
February 13, 1990

DBA SUN VALLEY CO.
SINCLAIR OIL CORP.
C/O SCOTT CAMPBELL, ESQ.
P.O. BOX 1559
BOISE, ID 83701

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P37-08575

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

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FEB 21 1990

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

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILM

FEB 21 1990

Sinclair Oil Co DBA Sun Valley C

DJ

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY DRJ DATE 11/24/89 APPLICATION NUMBER 37-08575

REQUIRED INFORMATION

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

ADDITIONAL INFORMATION

- ✓ Overlapping place of use (Describe source & relationship to present application on the back.)
- ✓ Overlapping point of diversion
- ___ Yes ✓ No Field check required
  Field check by _____
- ___ Yes ✓ No Field report attached
- ___ Yes ✓ No Critical groundwater area
- ___ Yes ✓ No Groundwater management area
- ___ Yes ✓ No Send dam safety information
- ___ Yes ✓ No Send power requirement letter
- ___ Yes ✓ No Send fish farm requirement letter
- ___ Yes ✓ No Power residency affidavit
- ___ Yes ✓ No Power efficiency form
- ✓ Yes ___ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ___ Yes ✓ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ✓ See reverse side for additional information

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JAN 29 1990
Department of Water Resources

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: Names and addresses of Officers of Sinclair Oil Co.

Date Requested 11/30

recd 12/5

PROCESSING ✓ Yes ___ No In form for advertising
___ Yes ✓ No Statewide advertising
✓ Yes ___ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ___ Idaho Dept. of Health & Welfare ___ U.S. BLM
___ Idaho Dept. of Fish & Game ✓ U.S. Forest Service
___ Idaho Dept. of Lands ___ Water District
___ Adjudication Bureau Unit ___ Other ___

FINAL REGIONAL PR(

✓ Yes ___ No A: ed
✓ Yes ___ No A . If not, record action taken.

✓ Yes ___ No P rded on application
___ Yes ✓ No P
F

___ Yes ✓ No P 0 protest, recorded on application
___ Yes ✓ No R
___ Yes ✓ No M
✓ Yes ___ No A
0 Yes ✓ No W rmaster? If yes, what Dist. 37
✓ Yes ___ No S or cover letter below. ___
26

___ See below for additional information

Date of priority recommended 10/5/89 ✓
By ___ Date ___

** Use of water under this permit for snow-making purposes shall be NON-consumptive.

P05

STATE OFFICE REVIEW P05, P23, P03, P17 46 26 04 01G ** (attached)

___ See below for additional information

By Karen O'Hatun Date 1/24/90

OK to allow 5 yrs. to develop
kw 1-29-90

ADDITIONAL INFORMATION

Possibly not non-consumptive use in snowmaking. Previous observed irrigation use between 4/1 & 10/15 w/o a recorded water right. How many acres of runs would receive water (snow), how much (depth) snow is made from an inch of water, i.e. is applied for volume rational?

P/D overlap w/ 37-2722, [redacted], [redacted] possible

P/D overlap w/ 37-7170, 37-7340, 37-2722, -8297, -8298

37-2722: 363 cfs (not 0.04 as in app) though it may be a different system.

App. in TRUST area - Exempt - see memo of 1-29-90 & DCMI

MEMORANDUM

TO: FILE/APPLICATION NO. 37-8575

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 1-29-90

==========

The commercial snowmaking use under this application is non consumptive. The remaining domestic and commercial uses described under the application together with the snowmaking use would meet the DCMI definition.

The application can be processed without regard to the requirements of Section 42-203C, Idaho Code, i.e.; the application is exempt from Swan Falls processing.

MICROFILMED
FEB 21 1990

30-Nov-1989

U.S.D.A.-Forest Service
2647 Kimberly Rd.
TWIN FALLS ID 83301

Re: Application for Permit No. 37-08575

Gentlemen:

Please find enclosed a copy of an Application for Permit for your information and files.

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

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

Enclosure

MICROFILMED
FEB 21 1990

30-Nov-1989

Sinclair Oil Corporation
c/o Scott Campbell, Esquire
P.O. Box 1559
BOISE ID 83701

Re: Application for Permit No. 37-08575

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Wood River Journal on 12/20 & 12/27/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks. Please see attached list for additional information requirement.

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

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

MICROFILMED
FEB 21 1990

S. Region
5/89

Application No. 37-08575

ADDITIONAL INFORMATION REQUIREMENTS
FOR APPLICATIONS IN THE NAME OF A CORPORATION,
COMPANY, OR PARTNERSHIP

In reviewing the application for compliance with the requirements of the Department's Rules and Regulations for Water Appropriations, we have determined that the following information is required to make the Application complete for processing.

1) If the Application is filed in the name of a corporation, the names and addresses of its directors and officers shall be provided. If the application is filed by or in behalf of a partnership or joint venture, the application shall provide the names and addresses of all partners and shall designate the managing partner, if any. (Rule 3,3,2,1)

Because the required information does not appear in the legal notice, we are proceeding with advertising of your Application. If the required information is received within ten days of the second publication date, no additional delay should be incurred in processing.

MICROFILMED

FEB 21 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

NOVEMBER 29, 1989

WOOD RIVER JOURNAL
P.O. BOX 988
HAILEY, ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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 JANUARY 8, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED
FEB 21 1990

NOTICE OF APPLICATION FOR WATER RIGHT

The Following app. ication(s) have been filed .o appropriate the public waters of the State of Idaho:

MICROFILMED

FEB 21 1990

37-08575

SINCLAIR OIL CORP.
DBA SUN VALLEY COMPANY
C/O SCOTT CAMPBELL, ESQ.
P.O. BOX 1559
BOISE, ID 83701

Source: GROUNDWATER

Diversion Pt: NENE Sec 24 T 04N R 17E

Use: COMMERCIAL=Snowmaking (4.460 CFS)
DOMESTIC (.800 CFS)
COMMERCIAL (.200 CFS)
Total Diversion: (4.460 CFS)

Date Filed: 10/05/1989

In: T04N R17E	S13	SWSW			
	S14	NENW	SWNW	SENW	NESW
		NWSW	SWSW	SESW	SWSE
		SESE			
	S23	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENW
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S24	NENE	NWNE	SWNE	NENW
		NWNW	SWNW	SENW	NESW
		NWSW	NWSE		
	S25	NWNW			
	S26	NENE	NWNE	SWNE	SENE
		SENW	NESW	NWSW	SWSW
		SESW	NWSE	SWSE	
R18E	S18	SWSW			
	S19	NWNW	SWNW		

MICROFILMED
FEB 21 1990

RECEIVED

DEC 7 1989

Department of Water Resources
Southern Region Office

Three file on water rights

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08574

DAWSON, CATHERINE S.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER
Diversion Pt.: NWSWNW Sec 14 T 05N R 17E
Use: DOMESTIC (.060 CFS)
IRRIGATION (.120 CFS)
Total Diversion: (.180 CFS)
Date Filed: 3/13/1989
In: T05N R17E S14 SWNW
6.0 ACRES TOTAL

OK
TQ
12-7-89

37-08575

SINCLAIR OIL CORP.
DBA SUN VALLEY COMPANY
C/O SCOTT CAMPBELL, ESQ.
P.O. BOX 1559
BOISE, ID 83701

Source: GROUNDWATER
Diversion Pt: NENE Sec 24 T 04N R 17E
Use: COMMERCIAL = (Snowmaking) (4.460 CFS)
DOMESTIC (.800 CFS)
COMMERCIAL (.200 CFS)
Total Diversion: (4.460 CFS)
Date Filed: 10/05/1989
In: T04N R17E S13 SWSW; S14 NENW SWNW SENW NESW NWSW SWSW SESW SWSE SESE; S23 NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE; S24 NENE NWNE SWNE NENW NWNW SWNW SENW NESW NWSW NWSE; S25 NWNW; S26 NENE NWNE SWNE SENE SENW NESW NWSW SWSW SESW NWSE SWSE; R18E S18 SWSW; S19 NWNW SWNW

37-08576

CLARK, GARY
P.O. BOX 210
BELLEVUE, ID 83313

Source: GROUNDWATER
Diversion Pt: NENW Sec 35 T 02N R 18E
Use: IRRIGATION (.090 CFS)
Total Diversion: (.090 CFS)
Date Filed: 11/27/1989
In: T02N R18E S35 NENW
3.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before JANUARY 8, 1990.

R. Keith Higginson, Director

Publish: Wood River Journal–December 20 & 27, 1989.

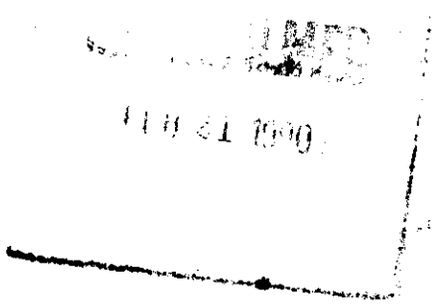
MICROFILMED

FEB 21 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted bas. on the criteria of Sec. 4 -203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JANUARY 8, 1990.

R. Keith Higginson, Director

Published 12/20/1989 & 12/27/1989



RECEIVED
OCT 23 1989
Department of Water Resources
Southern Region Office

MEMORANDUM

To: Loren Holmes, Southern Region
From: Gary Spackman Gary
Re: Advertising for Sinclair Oil Company Application
Date: October 20, 1989

Attached is an application to appropriate water filed by the Sinclair Oil Corporation.

The application will need some special treatment in advertising. Paragragh no. 4 shows two components of commercial use. When the application is advertised, the snowmaking component of commercial use should be specifically identified. Please call if you have questions.

Please begin the advertising for this application the first week of November. Thank you.

Loren

Person who signed application is Wallace Huffman. Vice President, Sinclair Oil Corporation.

MICROFILMED
FEB 21 1990

37-08575

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

700 IDAHO TOWER, TENTH FLOOR
POST OFFICE BOX 1559
BOISE, IDAHO 83701
TELEPHONE 208-343-5454
TELECOPIER 208-384-5844

SCOTT L. CAMPBELL

CANYON COUNTY OFFICE
1120 SIXTH STREET SOUTH
POST OFFICE DRAWER E
NAMPA, IDAHO 83653
TELEPHONE 208-466-9222

RECEIVED
OCT 23 1989
Department of Water Resources
Southern Region Office

October 5, 1989

Mr. Gary Spackman
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83720

HAND DELIVERED

Re: Application for Permit for Sinclair Oil Corporation dba Sun Valley Company

Dear Gary:

I have enclosed an original Application for Permit to be filed with the Department of Water Resources for processing on behalf of the Sinclair Oil Corporation dba Sun Valley Company. I have also enclosed a check in the amount of $125 for the filing fees.

If you will recall, this Application was the subject of our discussion several months ago during which I explained the history and factual background of the Application. Please note that this Application is submitted to the Department in conjunction with the pending Applications 37-8297 and 37-8298. These latter Applications will be withdrawn by the Sun Valley Company upon approval of this Application for Permit. (See "Remarks" section of Application.)

Please forward this Application to Mr. Loren Holmes of the Southern Region office with an explanation to him of the conversations we have had concerning this matter. If you or Mr. Holmes have any questions concerning this Application, please do not hesitate to contact me.

Very truly yours,

ELAM, BURKE & BOYD

Scott L. Campbell

Scott L. Campbell

SLC:jc
Enclosure
cc Wallace Huffman
Carl Burke

FEB 21 1990

37-08575