

STARTING LEFT SIDE OF FILE

SCANNED
MAR 05 2008

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08593

Priority: July 19, 1991

Maximum Diversion Rate: 0.70 CFS

It is hereby certified that BLUE LAKES COUNTRY CLUB INC
PO BOX 582
TWIN FALLS ID 833030582 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 10, 1991; and has
submitted Proof of Beneficial Use on February 09, 1993. An examination indicates that the works have
a diversion capacity of 2.89 cfs of water from:

SOURCE

ALPHEUS CREEK

Tributary: SNAKE RIVER

and a water right has been established as follows:

BENEFICIAL USE
IRRIGATION

PERIOD OF USE
03/15 to 11/15

DIVERSION RATE
0.70 CFS

LOCATION OF POINTS OF DIVERSION:

ALPHEUS CREEK L6 NW¼NW¼NE¼ Sec. 33, Twp 09S, Rge 17E, B.M., JEROME County

ALPHEUS CREEK L6 NW¼NW¼NE¼ Sec. 33, Twp 09S, Rge 17E, B.M., JEROME County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 17E 28									2.0			3.0			9.0	9.0	23.0
09S 17E 33	15.0	25.0		23.0					L 12			L 14					63.0
09S 17E 34		L 6		L 7			7.0										7.0
							L 11										

Total Acres: 93

CONDITIONS OF APPROVAL

1. Right 36-02083A is also diverted through the one of the points of diversion described above.
2. Rights 36-02083A and 36-08593 when combined shall not exceed a total annual maximum diversion volume of 372.0 af at the field headgate, and the irrigation of 93 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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APP 03 2002

State of Idaho
Department of Water Resources
Water Right License

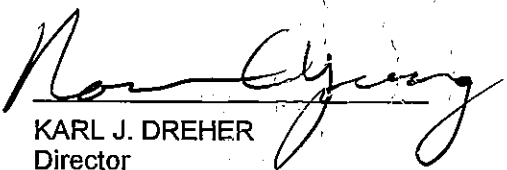
WATER RIGHT NO. 36-08593

4. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 22ND day of MARCH, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED

APR 03 2002

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-08593)
IN THE NAME OF BLUE LAKES COUNTRY CLUB) ORDER OF
REINSTATEMENT)

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 on or before December 1, 1992; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause 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 9, 1993;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 36-08593 be REINSTATED with an advance in priority to July 19, 1991.

Dated this 16th day of February, 1993.

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

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APR 09 1993

RECEIVED

FEB 00 1993

Department of Water Resources
Southern Region Office
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
* Amt. of Fee \$ 100
Date 2-9-93
* Receipt No. 5015375 = #86
Receipt by MTS
* 5015246 = #15
12-24-92

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36-08593 Telephone No. (208) 733-2330

2. Name(s) of Permit Holder(s): BLUE LAKES COUNTRY CLUB, INC.

3. Mailing Address: P.O. BOX 582, TWIN FALLS, IDAHO 83303-0582

4. Source of Water: ALPHEUS CREEK

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: 100 Pressure (psi): 120 Dynamic pumping level (ft.): 1,100 g/p/m

5. Extent of Use (as authorized by the permit):

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

Irrigation 93 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .7 cfs OR _____ acre/feet

.7 c/f/s additional to be diverted in conjunction with 36-0283A, at same point of diversion
7. Refer to the approval conditions on your permit and respond accordingly: within the allowed consumptive use of
279 a/f per year.

Measuring device: Required? _____ Yes _____ No Installed? X Yes _____ No

OR
Flow Measurement Port: Required? _____ Yes _____ No Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 100 (See License Fee Schedule on back of Instruction Sheet)

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

Jim Rasmussen (208) 733-2330 or (208) 733-0602
Name Telephone No.

1221 Spruce Ave., Twin Falls, Idaho 83301
Address

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

2/5/93
Date

Jim L. Rasmussen Grounds Superintendent
Signature (and title, if on behalf of a company or organization)

APR 09 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08593

Proposed Priority: June 10, 1991 Maximum Diversion Rate: 0.70 CFS
This is to certify, that BLUE LAKES COUNTRY CLUB INC

PO BOX 582

TWIN FALLS ID 833030582

has applied for a permit to appropriate water from:

ALPHEUS CREEK

tributary of SNAKE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.70 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 6(NWNE), Sec. 33, Township 09S, Range 17E
JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	17E	28	Lot 12(NESW) 2	Lot 14(SESW) 3	Lot 5(SWSE) 3	
			Lot 11(SWSE) 6	Lot 6(SESE) 7	Lot 10(SESE) 2	23
		33	NENE 15	Lot 6(NWNE) 25	Lot 7(ENE) 23	63
		34	Lot 11(SWNW) 7			7

Total number of acres irrigated: 93

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1993.
2. Subject to all prior water rights.
3. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
4. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
5. The Director retains jurisdiction of this right and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
6. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
7. Two points of diversion are located within NWNE, S33, T9S, R17E.

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JAN 21 1992

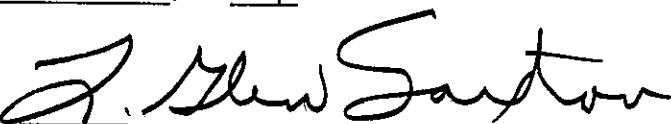
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08593

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

19th day of December, 1991.


for R. Keith Higginson, Director

RECEIVED

JAN 21 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant BLUE LAKES COUNTRY CLUB, INC. Phone 733-2330
Post office address P.O. BOX 582, TWIN FALLS ID 83303-0582

2. Source of water supply ALPHEUS CREEK which is a tributary of SNAKE RIVER

3. Location of point of diversion is 2 points ~~SW~~ ^{*} 1/4 of NW SW 1/4 of NE SE 1/4, Govt. Lot 46
Sec. 28 33 Township 9S Range 17E B.M. JEROME County; additional
points of diversion if any: ~~SW 1/4 SE, Section 28, T. 9 S., R. 17 EBM, Jerome County~~

4. Water will be used for the following purposes:

Amount .70 cfs for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) .70 and/or (b) ~~2.0~~
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 100 hp & 10 hp pumps
EXISTING PUMP AND BURIED SPRINKLER SYSTEM IN PLACE

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

c. Proposed well diameter is n/a inches; proposed depth of well is _____ 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
1 years (minimum 1 year).

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JAN 21 1992

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	17E	28												Lt 12			Lt 5.11	Lt 6.10	41.7
		33		Lt 6	Lt 7	Lt 7								2		1	28.7	10	123.6
		34		49	44.6	44.6	49												20
									Lt 11										
									20										
* 9S	17E	28									Lt 12			Lt 14			Lt 5.11	Lt 6.10	28
		33		✓ Lt 6		Lt 7					2			3		3	9	9	63
		34							Lt 11										7
									7										

* PD, P/U changed per Telecon w/John Rosholt 7-8-91

Total number of acres to be irrigated 185.3 98

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

36-02083 and A36-14746

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

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

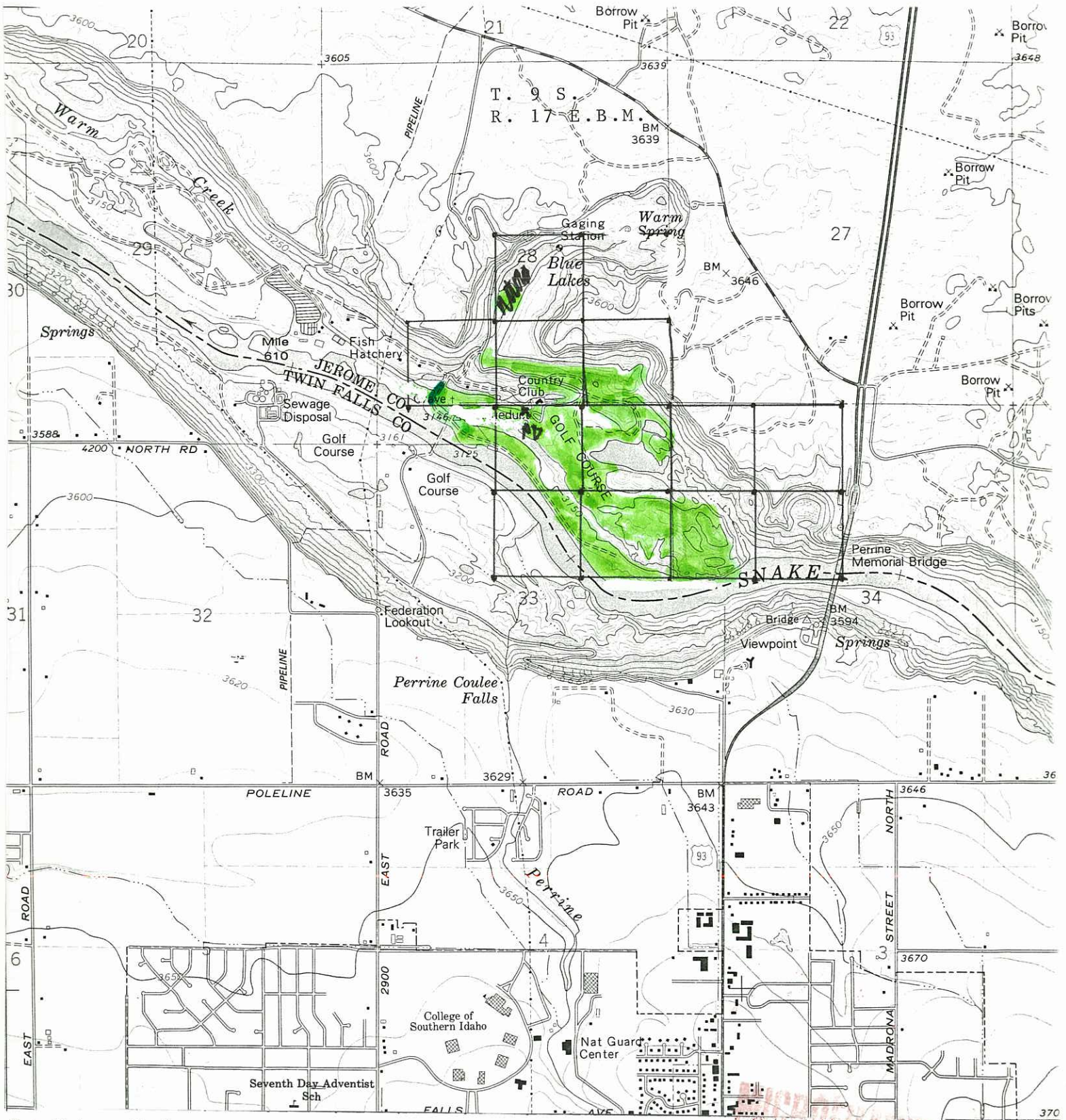
c. If the property is owned by a person other than the applicant, describe the arrangement enabling applicant to make this filing.

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JAN 21 1992

12. Remarks: CLAIMED LICENSED AND EXPANDED USE RIGHTS DESCRIBED IN PARAGRAPH 10 ABOVE WERE

BASED ON A LICENSED DIVERSION RATE AMOUNT OF 1.2 CFS TO 556 A/F/A. APPLICANT HAS

APPARENTLY DIVERTED AT 850 G/P/M SINCE 1979 RATHER THAN 537 G/P/M (1.2 CFS) THAT WAS LICENSED IN 1949 AND EXPANDED IN 1979. THIS APPLICATION FOR A DIVERSION OF .7 CFS (IN ADDITION TO THE LICENSED 1.2 CFS) WILL VALIDATE THE ACTUAL 1.9 CFS DIVERSION RATE. THE 556 TOTAL ANNUAL DIVERSION AND THE CONSUMPTIVE USE WILL NOT CHANGE.



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.

David M. DalSoglio
 DAVE DALSOGLIO (Applicant)
 PRESIDENT, BLUE LAKES COUNTRY CLUB, INC.

Received by 16 Date 5/91 Time 2:10 Prelin ^{ok attached} check by J. P. Stanton
Fee \$ 45.00 Receipted by DRJ # 5013424 Date 6/10/91
Publication prepared by M. B. Date 7-15-91 Published in North Side News
Publication approved M. Baldwin Date 9-20-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

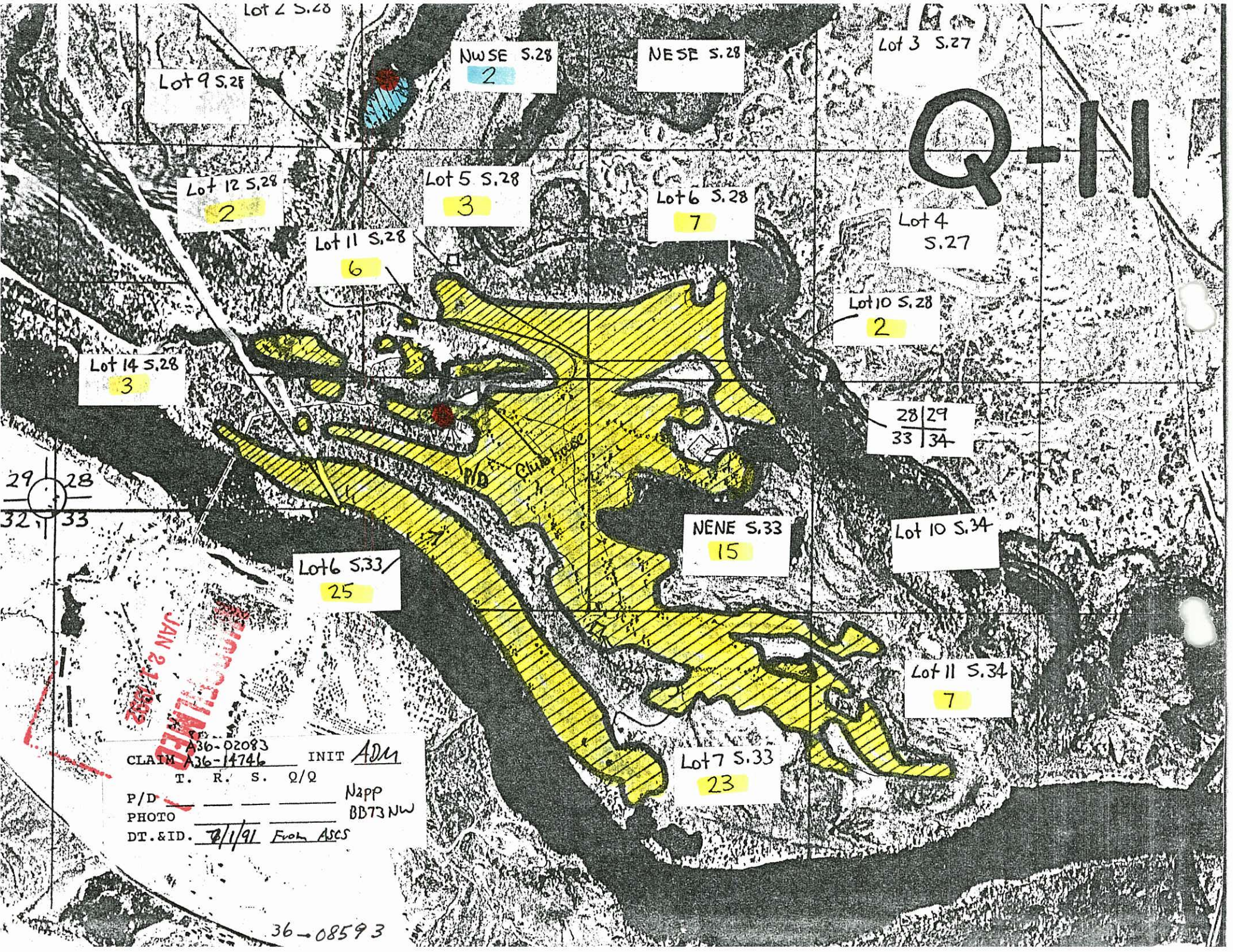
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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JAN 21 1992



29 28
32 33

JAN 21 1992
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CLAIM A36-02083 INIT ADM
A36-14746
T. R. S. Q/Q
P/D _____ Napp
PHOTO _____ BB73 NW
DT.&ID. 8/1/91 From ASCS

36-08593

CORPORATE OFFICERS OF BLUE LAKES COUNTRY CLUB, INC.

President

Dave Dalsoglio
c/o Longview Fibre Company
348 South Park Avenue West
Twin Falls ID 83301
PERSONAL

Vice President

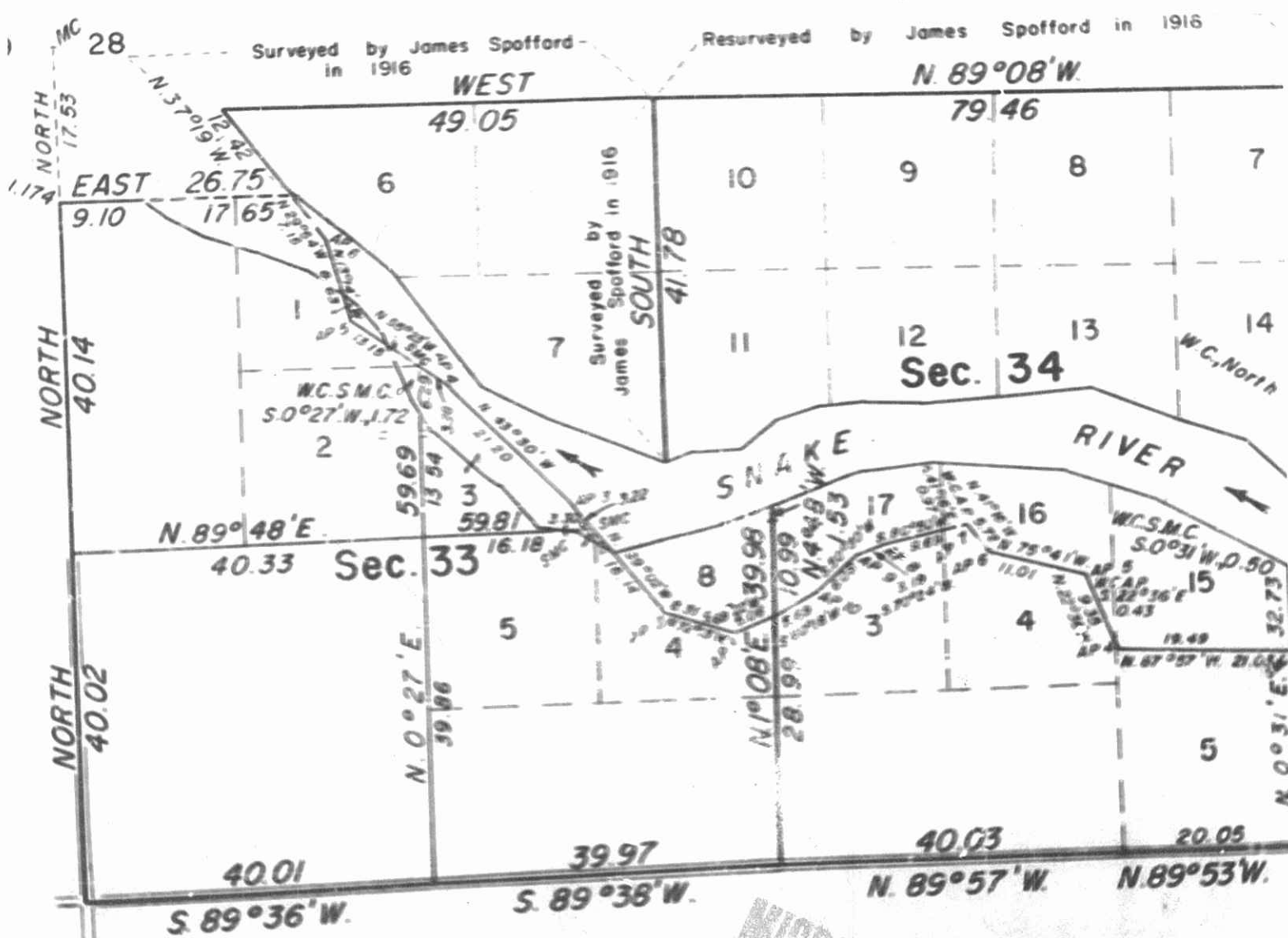
Jo Irwin
3358 Addison Avenue East
Kimberly ID 83341

Secretary

Robert Alexander
674 Mountain View Drive
Twin Falls ID 83301

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JAN 21 1992

36-08593



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 JAN 21 1982

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho } ss.
County of Jerome }

AUG 16 1991

Department of Water Resources
Southern Region Office

Patty Spance, being first duly sworn, deposes and says that she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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

7th day of Aug, 1991.

and the date of the last publication was on the 14th day of

Aug, 1991.

Patty Spance

Subscribed and sworn to before me this 14th day of

Aug, 1991.

(SEAL)

Vince J. Pandey
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions _____

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JAN 21 1992

Lines tabular at _____ 6¢/Pica

351.5 Lines straight at 17.58 5¢/Pica

Subsequent lines at 14.06 4¢/Pica

TOTAL COST 31.64

COPY OF NOTICE

(Paste Here)

Not. Appl. Tr. Wat. Rt.
Blue Lakes Country Club..
36-08593

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

J. D. W. R. T.F.
BILL TO

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

36-08593

BLUE LAKES COUNTRY CLUB INC.

P.O. BOX 582

TWIN FALLS, ID 83303-0582

Source: ALPHEUS CREEK Tributary:

SNAKE RIVER

Diversion Pt: LOT 6 (NWNE)

Sec 33 T 09S R 17E

Use: IRRIGATION (.700 CFS)

Total Diversion: (.700 CFS)

Date Filed: 6/10/1991

In: T09S R17E S28 Lot 5 () Lot 6 ()

Lot 10 () Lot 11 () Lot 12 ()

Lot 14 () S33 Lot 6 ()

Lot 7 () NENE S34 Lot 11 ()

93.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted 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, 222 Shoshone St. East, Twin Falls, Idaho 83301 on or before AUGUST 26, 1991.

-s- R. Keith Higginson, Director
Pub: 8-7, 14 N8051

7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

No 5127

8051

**STARTING
RIGHT
SIDE OF
FILE**

Keen, Shelley

To: cwv@idahowaters.com
Cc: Yenter, Cindy (Hodges)
Subject: RE: Blue Lakes Country Club

Crystal,

You are right. I meant to type 28 instead of 23. Thanks for checking.

Shelley Keen
Water Right Permits Section
Idaho Dept. of Water Resources
208-338-5412
skeen@idwr.state.id.us

-----Original Message-----

From: Crystal Vincent [mailto:cwv@idahowaters.com]
Sent: Wednesday, April 10, 2002 4:42 PM
To: skeen@idwr.state.id.us
Subject: FW: Blue Lakes Country Club

I have pulled the map and the copy of the right, and it seems I am wrong too. This is Section 28 isn't it?

-----Original Message-----

From: Crystal Vincent [mailto:cwv@idahowaters.com]
Sent: Wednesday, April 10, 2002 4:27 PM
To: skeen@idwr.state.id.us
Subject: Blue Lakes Country Club

Shelley,

I am looking at your letter to the Blue Lakes Country Club attached to newly issued license 36-8593. In the 3rd paragraph, you say that "The additional seven acres, located within the SE1/4 of Section 23, T9S, R17E....." My question is, shouldn't Section 23 be 33? I cannot put section 23 anywhere within the club's properties.

Thanks,
Crystal

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APR 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 25, 2002

BLUE LAKES COUNTRY CLUB INC
PO BOX 582
TWIN FALLS ID 833030582

RE: Issuance of License No. 36-8593

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or 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 forms and instructions.

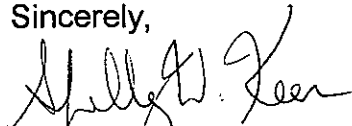
Also, our field examiner reported in 1998 that you were irrigating 100 acres from this irrigation system, while this water right and water right 36-2083A authorize a combined total of 93 acres. The additional seven acres, located within the SE¼ of Section 23, T9S, R17E, includes two newer fairways and the two acres covered by water right 36-2083B, which has a different point of diversion than rights 36-2083A and 36-8593. Our records indicate that the Department contacted your attorney, John Rosholt, about this matter in 1998, but that you have not yet applied to change the point of diversion for water right 36-2083B or acquired a water right for irrigation of the additional five acres. If you intend to irrigate the seven acres this irrigation season, please provide documentation showing the Department that you have a valid water right for the irrigation of the seven acres from Alpheus Creek. Starting this year, diversion and use of water within your area will be monitored and regulated by the watermaster of Water District 130.

MICROFILMED
APR 03 2002

Blue Lakes Country Club, Inc.
March 22, 2002
Page 2

If you have any questions, please contact me at 208-327-7946.

Sincerely,



Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

Cc: Tim Luke, IDWR Water Distribution Section
Allen Merrit, IDWR Souther Region

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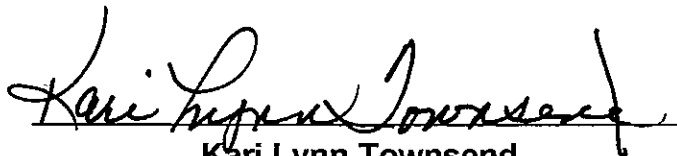
APR 03 2002

CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 36-8593

**BLUE LAKES COUNTRY CLUB INC
PO BOX 582
TWIN FALLS ID 833030582**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
APR 03 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 this 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

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 IDAPA Rules 37.01.01302 and 37.01.01303 (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.

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.

LICENSE REVIEW CHECKLIST

Permit No. 36-8593

Date: 1-10-2002 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): 36-2083A / 36-2083B

File reviewed 1 Profile reports printed 1

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.70 cfs

Fee Limit 1.89 cfs

Measured 2.89 cfs

Theoretical 2.89 cfs

Recommended Total Diversion Rate 0.70

Water Uses OK

Change (P46)

Season of Use per new Standards

3-15 11-15

Irrigation 0.70 cfs 372 af

Stockwater 0.70 cfs 372 af

Domestic 0.70 cfs 372 af

0.70 cfs 372 af

0.70 cfs 372 af

Total 0.70 cfs 372 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

93 x 0.02 = 1.86
decad - 1.15
2083A 0.71

Volume Determination

0.7 cfs x 1.9835 x 246 days = 341.6 af (vs) 93 acres x 4.0 (FHR) = 372.0 af
3.0 (con)

Remarks:

Additional Conditions yes Watermaster Control -130
GW Measurement/Measuring Device
Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist?
Water Msmt. Dist?
Crit. GWMA?
GWMA?
Government Lots?

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? No - not req'd

Adjust memo

Amend Letters P87, S06

Second Amendment Notice S06

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	36 8593	BLUE LAKES COUNTRY CLUB INC,	ALPHEUS CREEK	09S17E28									2			3			6	7	18
Rec	36 2083A	BLUE LAKES COUNTRY CLUB INC,	ALPHEUS CREEK	09S17E28																	0
Rec	36 2083B	BLUE LAKES COUNTRY CLUB INC,	ALPHEUS CREEK	09S17E28														2			2
Right	36 2083A	BLUE LAKES COUNTRY CLUB INC,	ALPHEUS CREEK	09S17E28									2			3			2	4	2
Right	36 2083B	BLUE LAKES COUNTRY CLUB INC,	ALPHEUS CREEK	09S17E28														2			2
Right	36 8593	BLUE LAKES COUNTRY CLUB INC,	ALPHEUS CREEK	09S17E28									2			3		6	10	9	30
Permit	47 7758	J D MC COLLUM,	GROUND WATER	09S17E28			4														4
Right	1 212	TWIN FALLS NORTH SIDE LAND & WATER, NORTH SIDE CANAL CO,	SNAKE RIVER	09S17E28																	0
Right	1 213	NORTH SIDE CANAL CO, TWIN FALLS NORTH SIDE LAND & WATER CO,	SNAKE RIVER	09S17E28																	0
Right	1 215	TWIN FALLS NORTH SIDE LAND & WATER CO, NORTH SIDE CANAL CO,	SNAKE RIVER	09S17E28																	0
Right	1 220	TWIN FALLS NORTH SIDE LAND & WATER CO, NORTH SIDE CANAL CO,	SNAKE RIVER	09S17E28																	0
Rec	36 15455	SIMPLOT MC COLLUM DEVELOPMENT CO, SIMPLOT MC COLLUM DEVELOPMENT CO,	SPRINGS	09S17E28											2						2
Rec	36 7239	SIMPLOT MC COLLUM DEVELOPMENT CO, SIMPLOT MC COLLUM DEVELOPMENT CO,	SPRINGS	09S17E28											2						2

OK w/ 36-2083A (23 ac) ¹ OK w/ 36-2083B (2 ac) NO

[Handwritten signature]

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	36 8593	BLUE LAKES COUNTRY CLUB INC,	ALPHEUS CREEK	09S17E33	15	25		23													63
Rec	36 2083A	BLUE LAKES COUNTRY CLUB INC,	ALPHEUS CREEK	09S17E33	15																15
Right	36 2083A	BLUE LAKES COUNTRY CLUB INC,	ALPHEUS CREEK	09S17E33	15	25		23													15
Right	36 7239	J D MC COLLUM,	ALPHEUS CREEK	09S17E33					15	25	10	10									60
Right	36 8593	BLUE LAKES COUNTRY CLUB INC,	ALPHEUS CREEK	09S17E33	15	25		23													63
Permit	47 7758	J D MC COLLUM,	GROUND WATER	09S17E33					18	37	40	30	25				28	30			208
Right	1 10	TWIN FALLS CANAL CO,	SNAKE RIVER	09S17E33																	0
Right	1 209	TWIN FALLS CANAL CO,	SNAKE RIVER	09S17E33																	0
Right	1 212	TWIN FALLS NORTH SIDE LAND & WATER, NORTH SIDE CANAL CO,	SNAKE RIVER	09S17E33																	0
Right	1 213	NORTH SIDE CANAL CO, TWIN FALLS NORTH SIDE LAND & WATER CO,	SNAKE RIVER	09S17E33																	0
Right	1 215	TWIN FALLS NORTH SIDE LAND & WATER CO, NORTH SIDE CANAL CO,	SNAKE RIVER	09S17E33																	0
Right	1 220	TWIN FALLS NORTH SIDE LAND & WATER CO, NORTH SIDE CANAL CO,	SNAKE RIVER	09S17E33																	0
Right	1 4	TWIN FALLS CANAL CO,	SNAKE RIVER	09S17E33																	0
Rec	36 15455	SIMPLOT MC COLLUM DEVELOPMENT CO, SIMPLOT MC COLLUM DEVELOPMENT CO,	SPRINGS	09S17E33					9	19	21	15	3								67
Rec	36 7239	SIMPLOT MC COLLUM DEVELOPMENT CO, SIMPLOT MC COLLUM DEVELOPMENT CO,	SPRINGS	09S17E33					9	19	21	15	3								67

↑ ↑ ↑

OL w/ 36-2083A
only
(no new acres)

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	36 8593	BLUE LAKES COUNTRY CLUB INC,	ALPHEUS CREEK	09S17E34							7										7
Rec	36 2083A	BLUE LAKES COUNTRY CLUB INC,	ALPHEUS CREEK	09S17E34																	0
Right	36 2083A	BLUE LAKES COUNTRY CLUB INC,	ALPHEUS CREEK	09S17E34							7										0
Right	36 8593	BLUE LAKES COUNTRY CLUB INC,	ALPHEUS CREEK	09S17E34							7										7
Right	1 10	TWIN FALLS CANAL CO,	SNAKE RIVER	09S17E34																	0
Right	1 209	TWIN FALLS CANAL CO,	SNAKE RIVER	09S17E34																	0
Right	1 212	TWIN FALLS NORTH SIDE LAND & WATER, NORTH SIDE CANAL CO,	SNAKE RIVER	09S17E34																	0
Right	1 213	NORTH SIDE CANAL CO, TWIN FALLS NORTH SIDE LAND & WATER CO,	SNAKE RIVER	09S17E34																	0
Right	1 215	TWIN FALLS NORTH SIDE LAND & WATER CO, NORTH SIDE CANAL CO,	SNAKE RIVER	09S17E34																	0
Right	1 220	TWIN FALLS NORTH SIDE LAND & WATER CO, NORTH SIDE CANAL CO,	SNAKE RIVER	09S17E34																	0
Right	1 4	TWIN FALLS CANAL CO,	SNAKE RIVER	09S17E34																	0
Rec	47 4295	ORVEL L NELSON,	UNNAMED STREAM	09S17E34														0.7	5.5		6.2
Right	47 4295	IDA L KEMPER, WILLIAM DORAL KEMPER,	UNNAMED STREAM	09S17E34														1	6		7
Right	47 4319	T R STAPLES,	UNNAMED STREAM	09S17E34															3		3
Right	47 7678		UNNAMED STREAM	09S17E34																0.2	0.2
Right	47 4292	DEE NEWMAN,	WASTE WATER	09S17E34															3		3

↑
OL W/ 36-2083A
only

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

In Re SRBA

Case No. 39576

) Subcase No. 36-02083A
)
)
)
)

CERTIFICATION

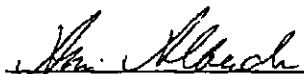
State of Idaho

County of Twin Falls ss.

I hereby certify the attached Partial Decree to be a full, true and correct copy of the original on file with the Snake River Basin Adjudication District Court.

DATED July 16, 1998.




Deputy Clerk of the Court
Snake River Basin Adjudication

CERTIFICATION
G:\PARTIALS\CERTIFY.DOC

MICROFILMED

APR 03 2002

2001 DEC -3 PM 4: 28

SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA	)	Water Right 36-02083A
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on July 16, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 to 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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

MICROFILMED
G:\DIANA\Partials\Basin 36\2083A.amend.doc
SRBA Partial Decree Pursuant to J.R.C.P. 54(b)
JAN 3 2002

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated December 3, 2001.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED

APR 03 2002

1998 JUL 16 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 36-02083A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-02083A was mailed
on July 16, 1998, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BLUE LAKES COUNTRY CLUB INC
Represented by:
NORMAN M. SEMANKO
PO BOX 1906
TWIN FALLS, ID 83303
Phone: 208-734-0700

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

* ORIGINAL COPY *

PAGE 1
07/16/98

MICROFILMED

APR 03 2002

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 36-02083A

1998 JUN 15 AM 10:40

FILED
TWIN FALLS, IDAHO

NAME & ADDRESS: BLUE LAKES COUNTRY CLUB INC
PO BOX 582
TWIN FALLS ID 83301

SOURCE: ALPHEUS CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.15 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-14746 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.15 CFS.

PRIORITY DATE: 05/26/1949

POINT OF DIVERSION: T09S R17E S33 LOT 6 (NWNE)

Within JEROME County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

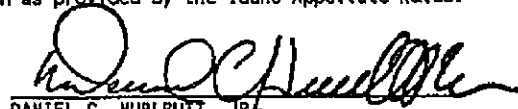
QUANTITY
1.15 CFS

PLACE OF USE: IRRIGATION Within JEROME County

T09S R17E S28	Lot 5	3	Lot 6	7	Lot 10	2	Lot 11	6
	Lot 12	2	Lot 14	3				
S33	Lot 6	25	Lot 7	23				
S34	Lot 11	7						
93 ACRES TOTAL								

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED

APR 03 2002

03/21/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-14746

WATER RIGHT NUMBER: 36-14746

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JOHN A ROSHOLT BARKER ROSHOLT & SIMPSON LLC 233 2ND ST N STE D TWIN FALLS, ID 83301
Current Owner	BLUE LAKES COUNTRY CLUB INC PO BOX 582 TWIN FALLS, ID 83301 (208)733-2330

Priority Date: 06/01/1979

Basis:

Status: Disallowed

Source

ALPHEUS CREEK

Tributary

SNAKE RIVER

Beneficial Use

FIRE PROTECTION

From To

1/01 to 12/31

Diversion Rate

1.150 CFS

Annual VolumeTotal Diversion:

1.150 CFS

Location of Point(s) of Diversion

ALPHEUS CREEK

L6 NW1/4NE1/4

Sec. 33, Twp 09S, Rge 17E, B.M.

JEROME County

Place of Use

FIRE PROTECTION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
09S	17E	28	X				
09S	17E	33					

Conditions of Approval:

- C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

Remarks:

- Quantity USE OF THIS RIGHT WITH RIGHT NO. 36-02083A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.15 CFS.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-8439

WATER RIGHT NUMBER: 36-8439

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BLUE LAKES COUNTRY CLUB INC PO BOX 582 TWIN FALLS, ID 83303 (208)733-2330

Priority Date: 08/17/1989

Basis: Decreed

Status: Active

No OK

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.180 CFS	5.60 AF
	<u>Total Diversion:</u>	0.180 CFS	5.60 AF

Location of Point(s) of Diversion

GROUND WATER	L11 SW1/4SE1/4	Sec. 28, Twp 09S, Rge 17E, B.M.
JEROME County		

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	28																X	
																		L 11	

Conditions of Approval:Remarks:

1. Purpose of Use COMMERCIAL USE IN CLUBHOUSE

Comments:

1. CLELLAND 2/11/1992 CONSUMPTIVE USE
Comment: SINCE USE IS FOR A CLUBHOUSE, CONSUMPTIVE USE IS DE MINIMUS.
2. KCHRISTE 12/22/1997 REFORMAT
Comment: FOR PARTIAL DECREE

Dates and Other Information:

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

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-02083B

1993 JAN 15 AM 10:40

[Handwritten signature]
JAN 15, 1993

NAME & ADDRESS: BLUE LAKES COUNTRY CLUB INC
PO BOX 582
TWIN FALLS ID 83301

SOURCE: ALPHEUS CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.05 CFS

PRIORITY DATE: 05/26/1949

POINT OF DIVERSION: T09S R17E S2B

SWNWSE

Within JEROME County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
0.05 CFS

PLACE OF USE: IRRIGATION
T09S R17E S2B
2 ACRES TOTAL

Within JEROME County
NWSE 2

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

[Handwritten signature]

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED
APR 03 2002

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

In Re SRBA)

Water Right 36-02083B

Case No. 39576)

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on January 15, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated August 27, 2001

Roger Burdick
ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED

APR 03 2002

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

August 27, 2001

BLUE LAKES COUNTRY CLUB INC
PO BOX 582
TWIN FALLS, ID 83301

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-02083B. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order* in combination with the *Partial Decree* that was issued for this water right on January 15, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of the water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney
Case Administrator

MICROFILMED

APR 03 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-14746

WATER RIGHT NUMBER: 36-14746

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JOHN A ROSHOLT BARKER ROSHOLT & SIMPSON LLC 233 2ND ST N STE D TWIN FALLS, ID 83301
Current Owner	BLUE LAKES COUNTRY CLUB INC PO BOX 582 TWIN FALLS, ID 83301 (208)733-2330

Priority Date: 06/01/1979

Basis:

Status: Disallowed

<u>Source</u>	<u>Tributary</u>
ALPHEUS CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
FIRE PROTECTION	1/01 to 12/31	1.150 CFS	
	<u>Total Diversion:</u>	1.150 CFS	

Location of Point(s) of Diversion

ALPHEUS CREEK	L6 NW1/4NE1/4	Sec. 33, Twp 09S, Rge 17E, B.M.
JEROME County		

Place of Use

FIRE PROTECTION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	28																	
09S	17E	33	X																

Conditions of Approval:

- C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

Remarks:

- Quantity USE OF THIS RIGHT WITH RIGHT NO. 36-02083A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.15 CFS.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-14746

2. Purpose of Use CLUBHOUSE AND OTHER FACILITIES AT COUNTRY CLUB.
3. Explanatory RIGHT NO. 36-02083A IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.
4. General THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 36-14618 PURSUANT TO SECTION 42-1426, IDAHO CODE.

2.
85 7 18E
518-512

Comments:

1. MERRITT 7/3/1991 COPIED FROM REMARKS

Comment: THIS IS A BENEFICIAL USE CLAIM, PART 2 OF THE PARENT RIGHT A36-02083 CITING AN ACREAGE EXPANSION UNDER THE ORIGINAL LICENSED USAGE OF IRRIGATION. FIRE PROTECTION HAS BEEN ADDITIONALLY IDENTIFIED. FILED PER I.C. 42-1416 AND -1416A, 1989 LEGISLATIVE SESSION.

***** AMENDED CLAIM 1/7/1991: REDUCED AND CHANGED ACRES TO REFLECT ACTUAL EXPANSION ON LICENSE A36-02083. THIS CLAIM AND CLAIM A36-02083 LIMITED TO THE ORIGINAL 1.2 LICENSED CFS.

2. ENORQUES 9/5/1997 REFORMAT

Comment: REFORMATTED TO CURRENT STANDARDS.

Dates and Other Information:

Licensed Date:

Decreed Date: 1/30/1998

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

SubCase:

SubCase Number: 36-14746

Class: 2

SF5 Filed Date: 12/11/1997

Special Master Recom Signed Date: 12/16/1997

Attorney Assigned: NICHOLAS B SPENCER

Adjudication Agent:

Basis of Claim:

Date Filed: 10/17/1997 Objection Status: Decreed/Disallowed

Date Filed: 10/31/1997 Objection Status: Decreed/Disallowed

SEP 29 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08593

1. Owner: BLUE LAKES COUNTRY CLUB INC Phone No. 733-2330

Phone No. 733-2330

Current Address: PD BOX 582, TWIN FALLS, ID. 83301

2. Accompanied by: JIM RASMUSSEN EXAM DATE 22 APRIL 1998

EXAM DATE: 22 APRIL 1998

Address: SAME AS ABOVE Phone No. 733-9544

Phone No. 733-9544

Relationship to Permit Holder: MAINTENANCE SUPERVISOR

3. Source: ALPHEUS CREEK tributary to SNAKE RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 36-02083A, -08439

2. Other water rights with the same point of diversion: 36-02083A.

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

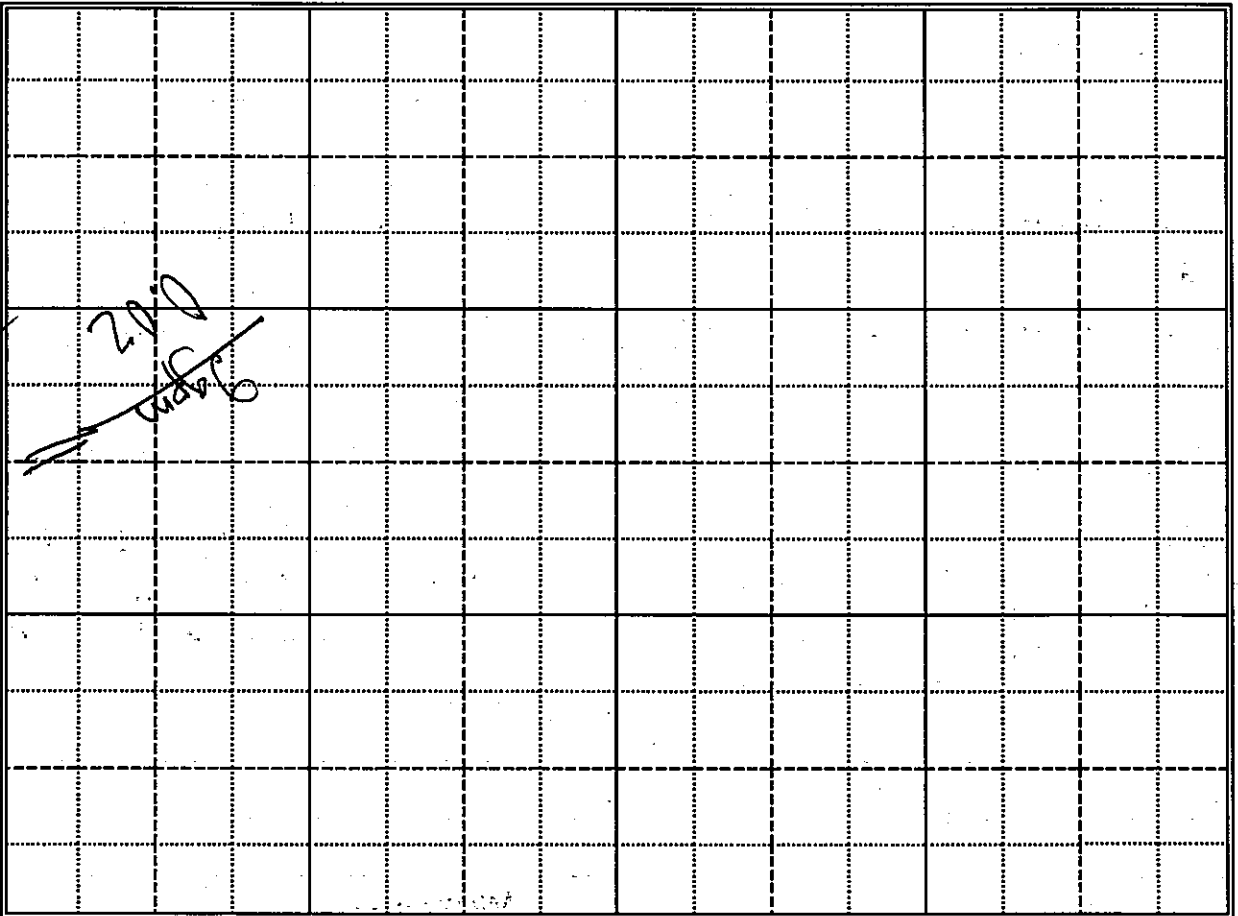
2. Place(s) of Use:

Indicate Method of Determination Same as above

[illegible]

APR 03 2002

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



Scale: 1" = 100'
☒ Copy of USGS Quadrangle 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.

Well or Diversion Identification No. *	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	US ELEC	125	#9982A		X06X098R038R-9
#2	GE Motors	10	#5KJ12254		5K6226X13A

*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
MICROMETER			92.10.769			DEC. 1997
FLOWMETER						

2. Measurements: READINGS 1993-1997 included in field report

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E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 06 May 1998
RE: 36-08593

On April 22, 1998 I met with Jim Rasmussen, groundskeeper for the Blue Lakes Golf Course to conduct field examination for the above permit. This permit is augmenting the rate (+0.70 cfs) per the decreed right 36-02083A for the use of irrigation of 93 acres.

The examination verified the irrigation system. The 100 HP pump was replaced in 1994 with a 125 HP variable speed motor. The 125 HP pump is used during the off-hours, twilight until sunrise, therefore the system rate was calculated by a theoretical (please see attached theoretical). The 10 HP pump is used on demand during the day.

Chronological chain of events:

- (1.) July 02, 1991=Allen Merritt's field review of A36-02083,-14746 revealed there were two acres irrigated from a 1.5 HP and the remaining 93 acres were irrigated from a 2 pump (100 HP & 10 HP) system west of the clubhouse.
- (2.) July 08, 1991=Application for permit (36-08593), which was for increased rate of 0.70 cfs only for the existing system associated with 36-02083,-14746.
- (3.) December 24, 1992=Applicant submits Request for Extension of Time for the permit per the existing system.
- (4.) December 28, 1992=Department questions the Request for Extension of Time because of the existing system.
- (5.) February 05, 1993=Applicant submits Proof of Beneficial Use.
- (6.) Sometime in 1995=Two new fairways added, approximately 5 acres.
- (7.) January 15, 1998= Rights 36-02083A and 36-02083B decreed.

According to Jim Rasmussen, the decreed right 36-02083B is no longer in use because the 2 acres and the new fairways (5 acres) are now irrigated from the same system that irrigates the other 93 acres.

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E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 06 May 1998
RE: 36-08593

System Capacity 125 HP pump(theoretical) = 3.70 cfs**
System Capacity 125 HP pump(per pump guy)= 2.89 cfs**
pump measurement by installer 1300 gpm

License Amount	36-02083A	1.15 cfs	
Permit Rate	36-08593	0.70 cfs	
License Amount	36-02083B	0.05 cfs	ADD BY TRANSFER ONLY
<u>TOTAL</u>		<u>1.85 cfs</u>	

The license and permit amounts are less than system capacity** therefore the recommendation will be 1.85 cfs to irrigate 93 acres.

The applicant needs to be accountable concerning the addition of the two fairways, in addition to the combining the decreed rights 36-02083A,-02083B without an approved transfer.

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E. NARRATIVE/REMARKS/COMMENTS

Have conditions of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

ATTACHED TOTALIZER READINGS 1997-1993
MAX. = 299 afa MIN. = 246 afa MEAN = 270 afa

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{93(4) = 372 \text{ afa}}$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{0.7(246)1.9835 = 341}$$
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{111.0}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3/15	11/15	0.70	111.0
Totals:			0.70	111.0

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

I. AUTHENTICATION

Field Examiner's Name Benjamin L. Satterlee Date 28 April 1998

Reviewer _____ Date MICP

SEAL

APP 13 1002

FROM: Allen Merritt

DATE: May 6, 1998

TO: BLUE LAKES COUNTRY CLUB FILE

SUBJECT: POTENTIAL NEED TO FILE TRANSFERS

AFTER REVIEWING GEORGIA'S RECENT FIELD EXAM FOR LICENSING OF PERMIT 36-08593 IT APPEARS THAT THE RECENT MODIFICATIONS TO THE IRRIGATION SYSTEM NEED TO BE RECORDED BY FILING A TRANSFER. ADDITIONALLY THE IRRIGATION OF APPROXIMATELY 5 NEW ACRES BEYOND THAT WHICH IS ALLOWED UNDER 36-02083A & B RAISES THE QUESTION OF WHAT WATER RIGHT ALLOWS FOR THIS INCREASE SINCE THE PERMIT ONLY APPEARS TO ALLOW INCREASE IN RATE OF FLOW. DURING GEORGIA'S FIELD EXAM SHE INDICATED THE MANAGER MADE REFERENCE TO USING CITY WATER.

SINCE ROSHOLT'S OFFICE HAS BEEN INVOLVED WITH THE WATER RIGHTS FOR THE COUNTRY CLUB I CALLED AND TALKED TO JOHN ROSHOLT TO SEE IF HE COULD SHED SOME LIGHT ON THE SITUATION. JOHN AGREED THAT YES INDEED THEY NEEDED TO DO SOMETHING AND WERE AWARE OF THE SITUATION. HE INDICATED THAT WE COULD EXPECT A TRANSFER TO BE FILED SOMETIME WITHIN THE NEXT 30 TO 60 DAYS. HE INDICATED THAT DUE TO THE PROBLEMS WITH THE LAKE LEVEL THAT ORIGINAL AGREEMENT TO SOMEHOW UTILIZE THE CITY OF TWIN FALLS'S WATER RIGH^hT WAS BEING RE-NEGOTIATED AND THUS A TRANSFER HAS NOT BEEN FINALIZED. HE ALSO HAD QUESTIONS ABOUT THE APPLICATION OF MEMO #44 FOR AJ (APPLICATION PROCESSING MEMO #60). HE ~~WAS~~ UNDERSTOOD WE WERE NO LONGER FOLLOWING IT. HE INDICATED THAT THE PRESENT SYSTEM INSTALLED HAD A CAPACITY OF 1300 GPM OR THERE ABOUTS. HE INDICATED THIS RATE IS NECESSARY SINCE THEY IRRIGATE DURING THE NIGHT. I TOLD HIM THAT I THOUGHT WE STILL FOLLOWED THE MEMO. HE INDICATED THAT HE MAY CONTACT NORM YOUNG ABOUT THIS MEMO AND THE SITUATION THEY ARE IN.

I MENTIONED THAT THEY NEED TO ADDRESS THE WATER RIGHTS SITUATION AND IF THEY DO NOT THEY WILL BE SUBJECT TO A POSSIBLE NOV.

LATER IN THE DAY I TALKED WITH NORM AND MENTIONED MY CONVERSATION. HE INDICATED THAT ROSHOLT HAD CALLED. HE INDICATED THAT WE SHOULD GIVE THEM SOME TIME TO WORK THINGS OUT BUT IF THEY DO NOT THAT WE WOULD GO THE NEXT LEVEL.

THIS DAY I CREATED A REMINDER NOTE TO REVIEW THIS SITUATION AGAIN IN 60 DAYS.

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AUG 20 1996

ADMINISTRATOR'S MEMORANDUM

Department of Water Resources
Southern Region

Application Processing Memo # 60
Adjudication Memo # 44

To: Water Management Division
Adjudication Bureau

From: Norman C. Young *NCF*

Re: Irrigation Diversion Rate for Turf Grass in Public Areas

Date: August 15, 1996

Irrigation of turf grass in public areas such as golf courses, parks, schools, and cemeteries often requires that the irrigation occur during the night or early morning hours. Since water cannot be applied continuously over a 24-hour period, the irrigation diversion rate is often higher than the statutory standard of 0.02 cfs per acre.

In some cases, a holding pond or regulation pond may eliminate the necessity of diverting a higher rate from the source. A holding pond is used to store the daily requirements of the irrigation system. The diversion rate from the source to the holding pond is based on the continuous-use irrigation requirement and the diversion rate from the pond to the irrigation system is based on the actual hours of operation of the system.

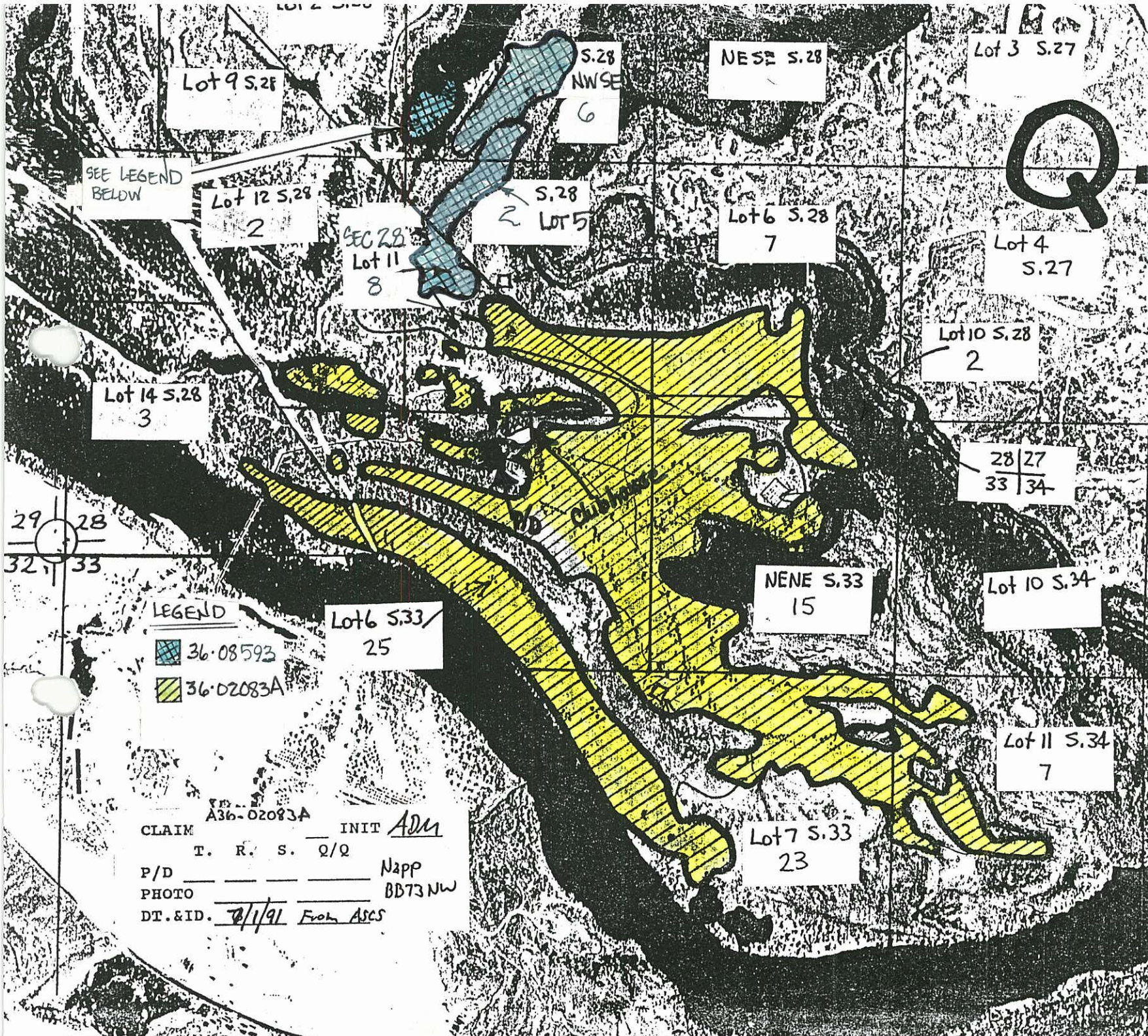
In situations where a holding pond is not practical, a higher rate is considered reasonable and necessary. The diversion rate for a new water right should be based on the requirements of a modern irrigation system with proper management. In an adjudication of water rights, the diversion rate recommended cannot exceed the historical diversion rate nor the amount determined to be reasonably necessary using acceptable irrigation practices. In both cases, a condition is required that limits the daily volume of water diverted.

To calculate the irrigation diversion rate for turf grass for irrigation systems that can not apply water continuously, divide the diversion rate based on continuous operation by the ratio of actual hours of operation per day to 24 hours per day.

Example: A golf course irrigates every day from 10 p.m. to 6 a.m. (eight hours per day). Based on an analysis of the irrigation diversion requirements, the irrigation diversion rate is calculated to be 0.02 cfs per acre under continuous operation. The diversion rate based on the reduced operation time would be 0.06 cfs per acre ($0.02 \div 8/24$). The diversion rate of 0.06 cfs per acre is considered reasonable and necessary due to the operation time limitations of the system. This water right must include a condition which limits the daily volume of water diverted.

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Lot 9 S.28

S.28

NWSE

6

NES S.28

Lot 3 S.27

Q

SEE LEGEND
BELOW

Lot 12 S.28

2

S.28

LOT 5

Lot 6 S.28

7

SEC 28

Lot 11

8

Lot 4

S.27

Lot 10 S.28

2

Lot 14 S.28

3

28 | 27
33 | 34

LEGEND

36-08593

36-02083A

Lot 6 S.33/

25

NENE S.33

15

Lot 10 S.34

Lot 11 S.34

7

Lot 7 S.33

23

CLAIM

A36-02083A

INIT

ADU

T. R. S. Q/Q

P/D

PHOTO

DT.&ID.

8/1/91 From ASes

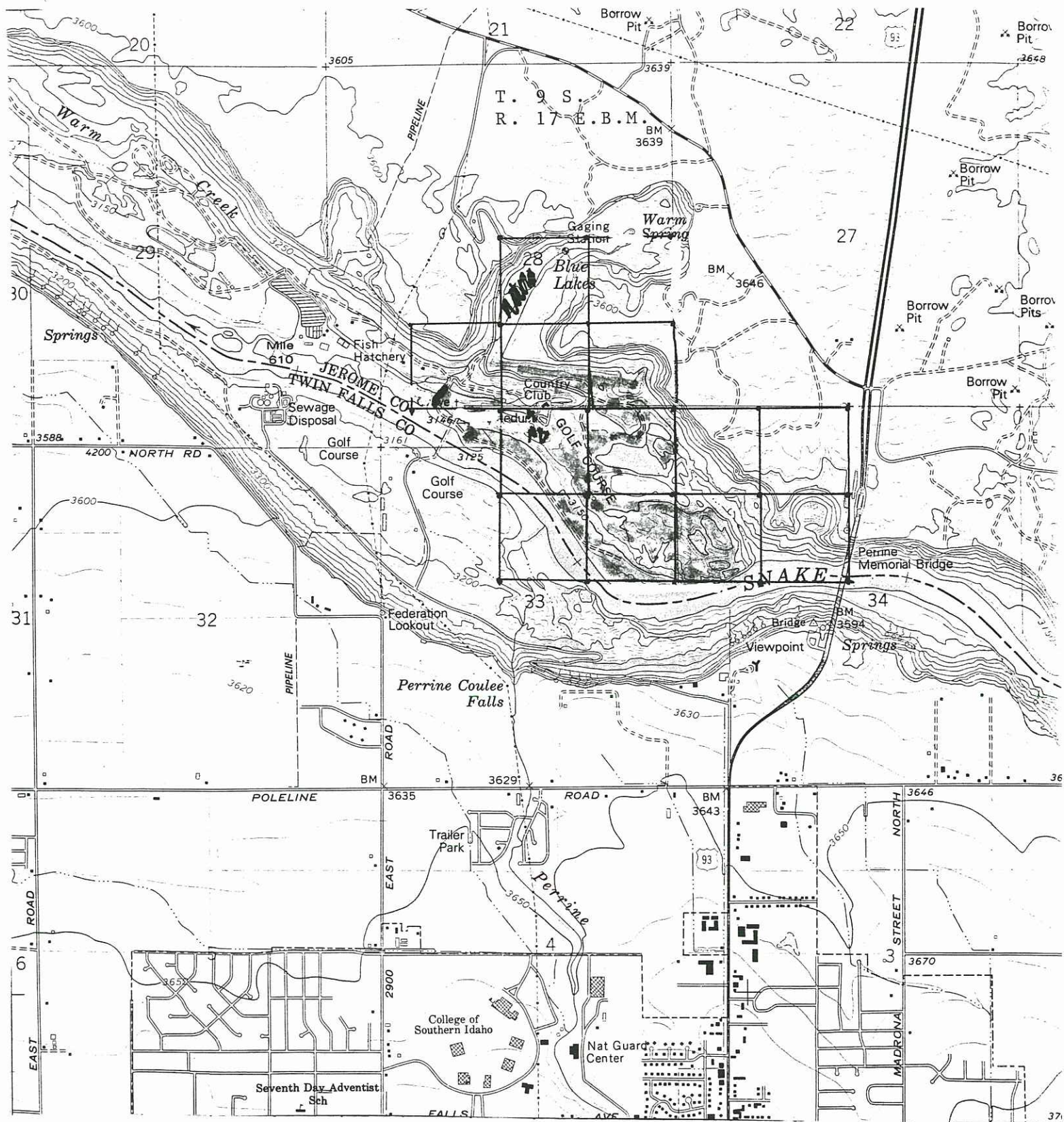
Napp

BB73NW

Augmentation of 1991 Field
Review by A. Merritt

Blue Lakes Country Club
22 April 1998
1430 hrs. Satterlee, G

36-08593



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.

APR 03 2002

Dave Dalsoglio
 DAVE DALSOGLIO (Applicant)
 PRESIDENT, BLUE LAKES COUNTRY CLUB, INC.

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 36-08593
 DATE: 28 APR 11 98
 BY: SATTERLEE

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
 H.P. = Total Brake Horsepower of pumping plant (including booster)
 EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
 TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
 LIFT = depth to water in FEET from land surface to pumping water level
 PSI = pumping pressure measured in psi near pump
 (if open discharge assume zero [0])

$$Q = \frac{(8.8) \left(\dots \frac{125}{\dots} \dots \right) (0.70)}{\left[\left(\dots \frac{0}{\dots} \dots \right) + \left(\dots \frac{90}{\dots} \dots \times 2.31 \right) \right]} = \frac{770}{208} = 3.70 \text{ cfs}$$

Average of 80-100 PSI

LIFT FROM:
 measurement ()
 owner ()
 area estimate ()
 well logs ()
 Booster (Y) (N)

PSI FROM:
 measurement ()
 owner ()
 estimate ()
 owner gage ☒

NOTES ON PUMP:
 Motor Make, Serial or ID
SEE FIELD REPORT
 Pump Make, Serial or ID, rating

REMARKS

→ VISUAL, ALPHEUS CRK. FEEDS INTO PIPE TO PUMP
 SEE PHOTO BELOW ↓

ANNUAL VOL

POTENTIAL

(season)

3/15 - 11/
 4/1 - 11/
 4/15 - 10/
 3/1 - 12/

REQUIRED A
 (AF/Ann/AC
 ***NOTE t

IF POTENTIAL

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY

(1.98) X (Q)
 IRRIGATED)

(.....)

T NECESSARY ()

()



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SECTION II. Rate of flow and volume pumped from well

Note: Reading of the meter totalizer, flow rate and discharge pressure should be taken and recorded each month on or near the same day.

Meter information:

Make _____ Model No. _____ Serial No. _____

Does the meter totalizer measure in acre-feet or gallons? What is the multiplier? x1000
(circle one)

Does the meter rate of flow indicator show gpm or cfs? What is the multiplier? _____
(circle one)
(see back page for meter information)

Date (enter date of reading)	Totalizer reading	Flow rate cfs or gpm	Discharge pressure
January ()			
February ()			
March (12)	368907		
April (1)	371444		
May (1)	378627		
June (1)	392655		
July (1)	402976		
August (1)	423107		
September (1)	439700		
October (1)	448881		
November (1)	452381		
NOV ~~December~~ (15)	453387		

Does totalizer reading above include meter multiplier? _____ Yes X No

Total Acre-feet 259.00 ✓ OR Total Gallons 84,480,000
(there are 325,850 gallons per acre feet)

Calculations or Comments:

1997

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1997 Measurements
Blue Lakes C.C.

1997 McCrometer - Blue Lakes Country Club
(x 1000)

March 12	368907
April 1	371444
May 1	378627
June 1	392655
July 1	402976
August 1	423107
September 1	439700
October 1	448881
November 1	452381
November 15	453387

1997 McCollum Water Reading

February	0165434
March	0165434
April	0165434
May	0165434
June	0165440
July	0165440
August	0165440
September	0167759
October	0175841
November	0185490
December	0193035
January	0204106

1997 Measurements
Blue Lakes C.C.

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McCrometer Readings for 1996		
Date	Reading	Monthly Usage
March 15	275979	335,000 Gallons
April 1	276314	8,477,000 Gallons
May 1	284791	8,022,000 Gallons
June 1	292813	17,537,000 Gallons
July 1	310350	22,019,000 Gallons
August 2	332369	16,907,000 Gallons
September 2	349276	14,012,000 Gallons
October 1	363288	5,457,000 Gallons
November 1	368745	162,000 Gallons
November 15	368907	
	Years Total	92,928,000 Gallons

285 acre feet

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1996 Measurements

Blue Lakes C.C.

McCrometer Readings for 1995		
Date	Reading	Monthly Usage
March 15	190394	1,367,000 Gallons
April 1	191761	6,176,000 Gallons
May 1	197937	7,263,000 Gallons
June 1	205200	10,452,000 Gallons
July 1	215652	20,206,000 Gallons
August 2	235858	19,147,000 Gallons
September 2	255005	15,223,000 Gallons
October 1	270228	5,627,000 Gallons
November 1	275855	124,000 Gallons
November 15	275979	
	Years Total	85,585,000 Gallons

263 acre feet

MICRONIA

APR 03 2002

1995 Measurements

Blue Lakes C.C.

McCrometer Readings for 1994

DATE	READING	MONTHLY USAGE
March 15	93091000	March - 6424000 Gal
April 1	99515000	April - 8119000 Gal
May 1	107634000	May - 7073000 Gal
June 1	114707000	June - 19236000 Gal
July 1	133943000	July - 21599000 Gal
August 1	155542000	Aug - 17479000 Gal
September 1	173021000	Sept - 15223000 Gal
October 1	188244000	Oct - 1871000 Gal
November 1	190115000	Nov - 279000 Gal
November 15	190394000	

1994 TOTAL 97303000 Gallons
299 acre feet

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1994 Measurements
Blue Lakes C.C.

McCrometer Readings for 1993

DATE	READING	MONTHLY USAGE IN GALLONS
MARCH 15	12905000	MARCH - 2,042,000 GAL.
APRIL 1	14947000	APRIL - 5,900,000 GAL.
MAY 1	20847000	MAY - 12,157,000 GAL.
JUNE 1	33004000	JUNE - 11,487,000 GAL.
JULY 1	44491000	JULY - 17,952,000 GAL.
AUGUST 1	62443000	AUGUST - 16,070,000 GAL.
SEPTEMBER 1	78513000	SEPTEMBER - 12,374,000 GAL.
OCTOBER 1	90887000	OCTOBER - 1,539,000 GAL.
NOVEMBER 1	92426000	NOVEMBER - 665,000 GAL.
NOVEMBER 15	93091000	

YEARS TOTAL 80,186,000 GALLONS

246 acre feet

1993 Measurements

Blue Lakes C.C.

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APR 03 2002

09S 17E

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APR 03 2002

36-08593

(1998) 1/2

125 HP pump



10 HP pump

PUMP INFO IN BENEFICIAL
USE REPORT



photo looking N

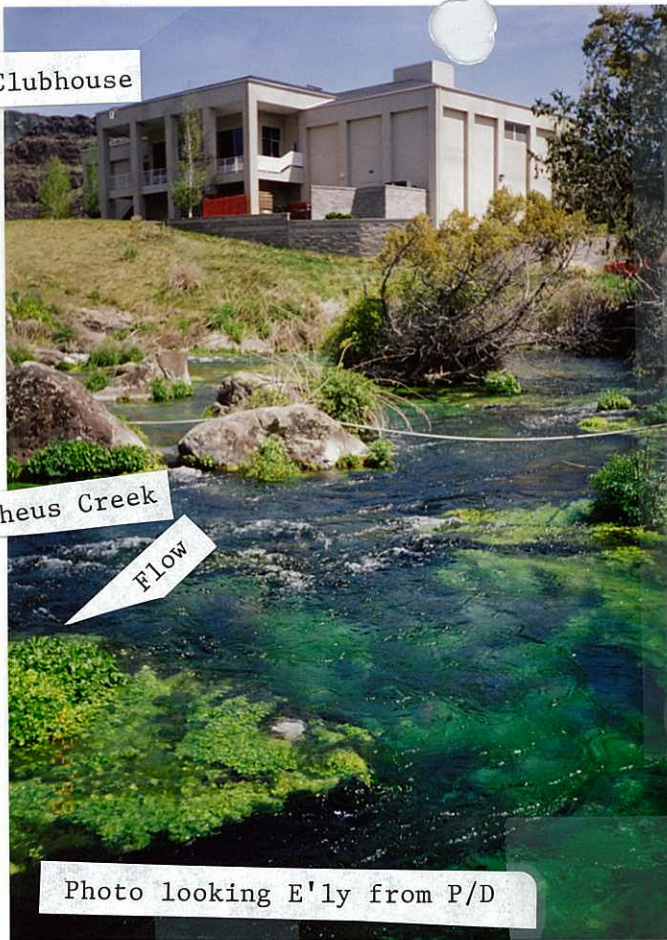
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APR 03 2002

Blue Lakes Cntry Club Inc.
22 Ap 1998 1400 Hrs.
Examiner: G. Satterlee

36-08593

(1998) 2/2

Clubhouse



Alpheus Creek

Flow

Photo looking E'ly from P/D

P/D's inside fence



LOOKING N'LY

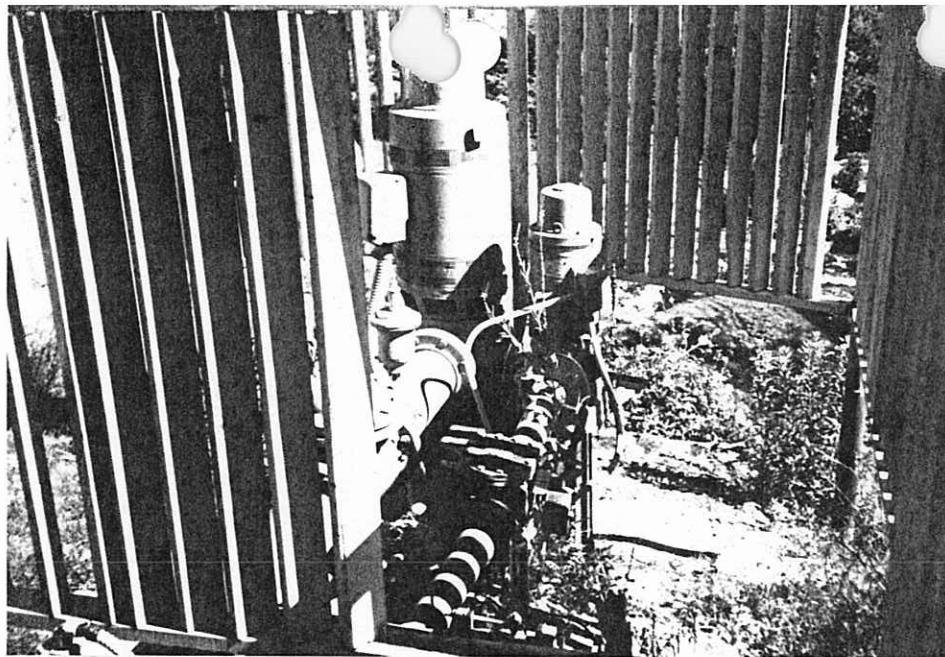


Flowmeter, works only at night for irr.

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APR 03 2002

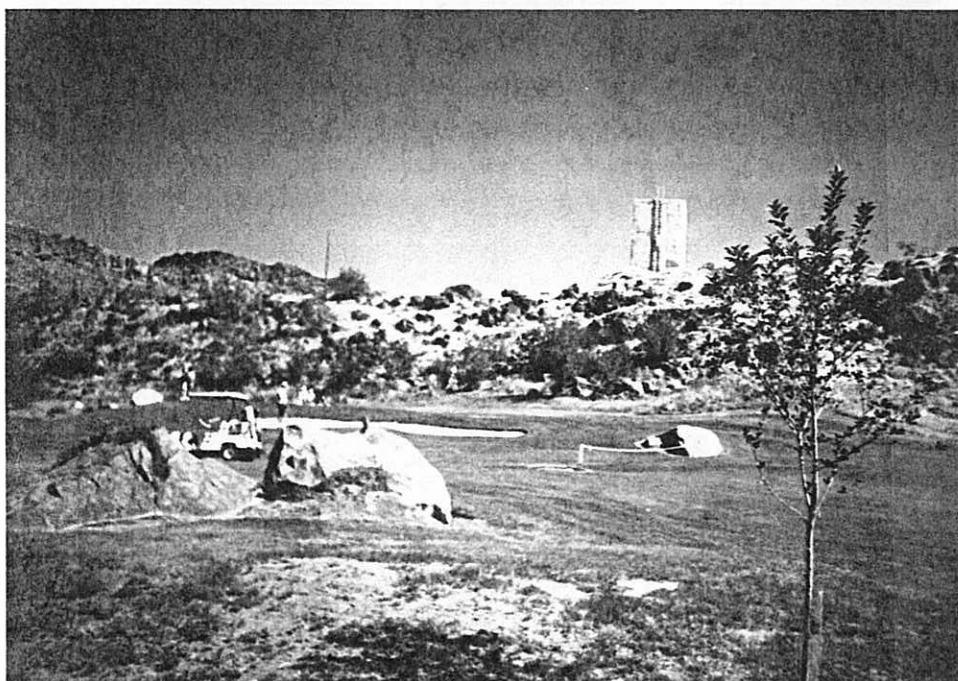
Blue Lakes Cntry Club Inc
22 Ap 1998 1400 Hrs.
Examiner: G. Satterlee

36-08593



→ = 100 HP (1994)
 LEFT = 125 HP (1998)
 RIGHT = 10 "
 PUMPS IRR.

(1991 1/3)



IRRIGATION
 LOOKING ELY



CLUBHOUSE

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APR 03 2002

MICROFILMED

1991

JAN 25 1993

PHOTOS FIELD REVIEW



(1991
2/3)

IRRIGATED *



*



CLUBHOUSE

LOOKING W'LY
MICROFILMED

APR 03 2002
MICROFILMED

JAN 25 1993

1991 PHOTOS FIELD REVIEW

View from north canyon rim.

(1991
3/3)



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APR 03 2002

1991 PHOTOS
FIELD REVIEW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
THOMAS J. RYAN
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN K. SIMPSON
VINCE T. GULLETTE
PATRICK D. MADIGAN
PAUL W. SAMUELSON

EO Lake (Alpheus Cr.) 36-2356
-7210
7427
7720

KER

RECEIVED
JUN 03 1993
Department of Water Resources

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

McCollum 36-7329
(Alpheus Cr.)

Blue Lakes Co. Club. 36-8593
(Alpheus Cr.) -2083
-7895

36-2356

June 2, 1993

David McCollum
P.O. Box 112
Twin Falls, ID 83303

Re: Alpheus Creek Diversions

Dear David:

This letter is a follow-up to my April 21, 1993 letter on behalf of our client Blue Lakes Trout Farm, Inc. to Gary Young, a copy of which I enclose for your convenience.

Although I received no response to that letter, I was advised by Mr. Young that the City is emaciated in their project which will close the system from the Upper Blue Lake to the City's storage tank on Falls Avenue, thus eliminating your water from their pipeline.

Unfortunately, the problem is now critical. A recent check and measurement of the flows shows that Blue Lakes Trout Farm is not getting their full 145 c/f/s which is a prior water right to your right and must be delivered before you get any water. See Exhibit A attached.

Because of this development and to avoid some inconvenience to you, we ask that you and the City coordinate in discontinuing your diversion as soon as possible, but no later than June 10, 1993, and that you not divert water in their pipeline under your right until adequate flows return to Alpheus Creek so that all rights prior to yours are being filled.

MICROFILMED
APR 03 2002

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
THOMAS J. RYAN
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN K. SIMPSON
VINCE T. GULLETTE
PATRICK D. MADIGAN
PAUL W. SAMUELSON

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

RECEIVED

JUN 03 1993

Department of Water Resources

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

36-2356

June 2, 1993

David McCollum
P.O. Box 112
Twin Falls, ID 83303

Re: Alpheus Creek Diversions

Dear David:

This letter is a follow-up to my April 21, 1993 letter on behalf of our client Blue Lakes Trout Farm, Inc. to Gary Young, a copy of which I enclose for your convenience.

Although I received no response to that letter, I was advised by Mr. Young that the City is emaciated in their project which will close the system from the Upper Blue Lake to the City's storage tank on Falls Avenue, thus eliminating your water from their pipeline.

Unfortunately, the problem is now critical. A recent check and measurement of the flows shows that Blue Lakes Trout Farm is not getting their full 145 c/f/s which is a prior water right to your right and must be delivered before you get any water. See Exhibit A attached.

Because of this development and to avoid some inconvenience to you, we ask that you and the City coordinate in discontinuing your diversion as soon as possible, but no later than June 10, 1993, and that you not divert water in their pipeline under your right until adequate flows return to Alpheus Creek so that all rights prior to yours are being filled.

MICROFILMED
APR 03 2002

David McCollum
June 2, 1993
Page 2

Please advise when you have discontinued the diversion so that further legal action will not be necessary.

Respectfully submitted,


JOHN A. ROSHOLT

JAR:le
06029301.JAR

Enclosures

cc: Glen Saxton, Idaho Dept. of Water Resources
Loren Holmes, Idaho Dept. of Water Resources
Dick Boyd, Blue Lakes Country Club
Rick Eggelston, Pristine Springs
Gary Young
Fritz Wonderlich

MICROFILMED
APR 03 2002

EXHIBIT A

Alpheus Creek - Blue Lakes Area Water Rights/Actual Flows - May 10-23,93

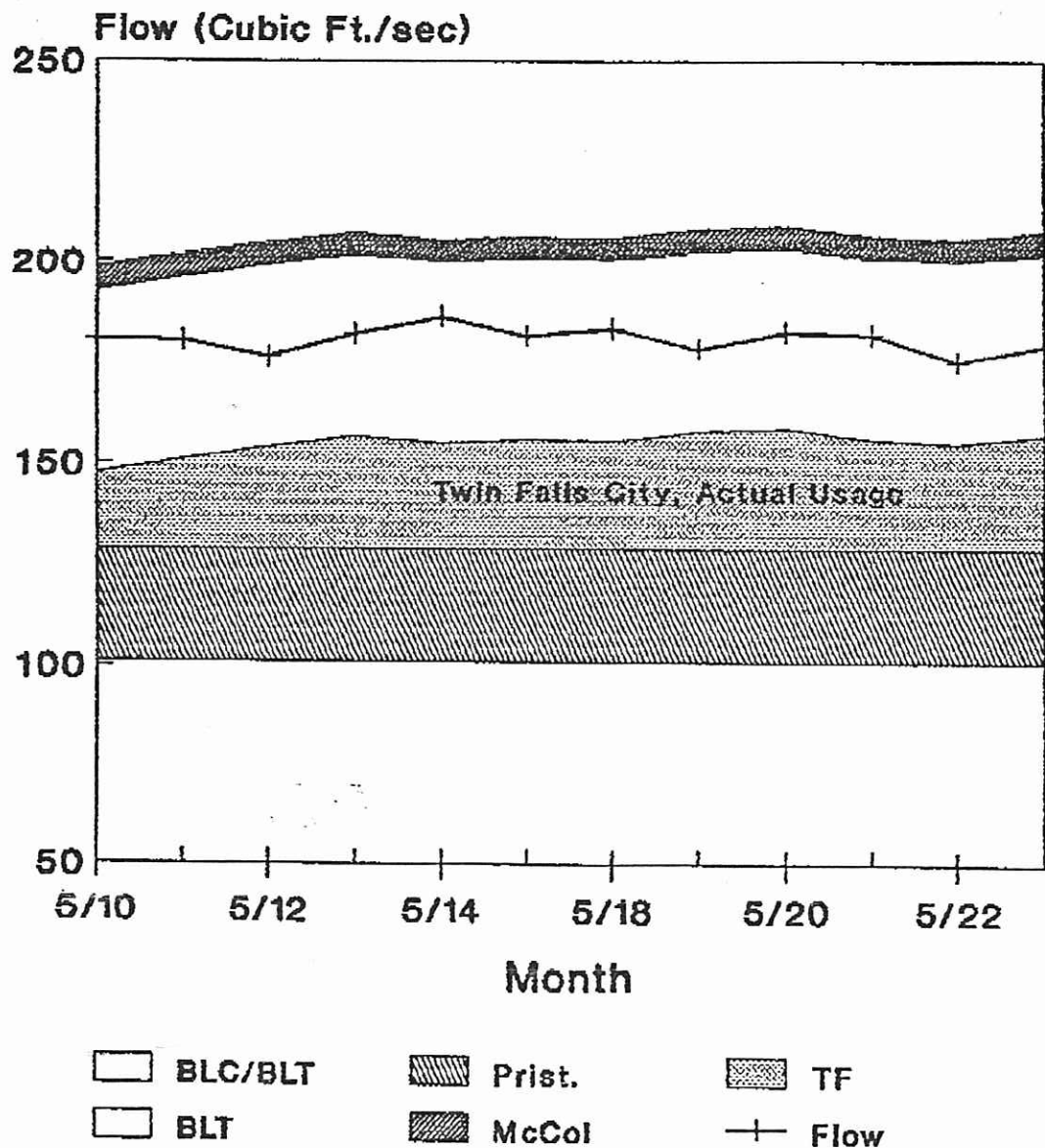


EXHIBIT A

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
THOMAS J. RYAN
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN K. SIMPSON
VINCE T. GULLETTE
PATRICK D. MADIGAN
PAUL W. SAMUELSON

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Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

April 21, 1993

Mr. Gary Young, City Engineer
City of Twin Falls
P.O. Box 1907
Twin Falls, ID 83303-1907

Re: Alpheus Creek Diversions

Dear Gary:

As we talked on the phone, the enclosure shows the diversions pursuant to water rights to divert from Alpheus Creek on the basis of the priority system.

In short, a City is entitled to protect its water right without using it, which is contra to the "use it or lose it" rule for all other uses. However, the next senior priority is entitled to the water when the City is not using it.

The enclosed shows that McCollum's junior right is being filled at times when Blue Lakes Trout's 45 c/f/s right is not being totally filled.

A system needs to be developed immediately so that the junior water right can be cutoff when there isn't water available to fill it.

What is needed is a totalizing meter on the City's pipe at the Catch Basin on Blue Lake Country Club's property. We also need a similar meter on the Canyon Springs property to verify that the City is pumping their total diversion. Beyond that, you need verification that Blue Lakes Trout is receiving their full 145 c/f/s before any water is diverted by the City for McCollum.

Hopefully, recharge efforts will cause the flows to return to former levels, but it doesn't look promising for the next few years. Let me know of your ideas as to how Blue

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APR 30 3 2002

Mr. Gary Young, City Engineer
April 21, 1993
Page 2

Lakes Trout can be assured that McCollum isn't taking any water unless Blue Lakes Trout is obtaining its 145 c/f/s.

Respectfully submitted,


JOHN A. ROSHOLT

JAR:le
04219301.JAR

Enclosures

cc: Glen Saxton, Idaho Dept. of Water Resources
Loren Holmes, Idaho Dept. of Water Resources
Dick Boyd, Blue Lakes Country Club
Rick Eggelston, Pristine Springs
David McCollum, Canyon Springs

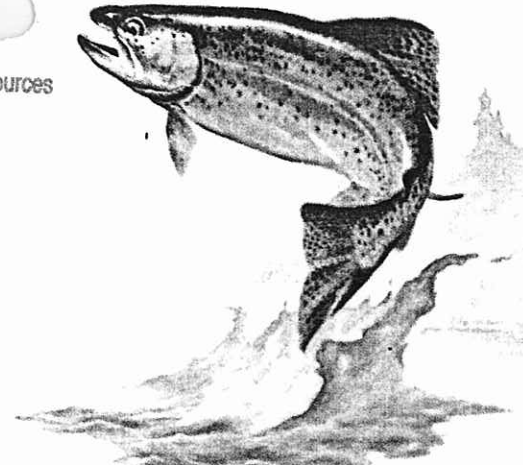
bcc Fritz Wonderlich 5-6-93

MICROFILMED

APR 03 2003

RECEIVED
MAY 10 1993

Department of Water Resources



BLUE LAKE TROUT FARM, Inc.

P.O. BOX 1237 (208) 733-4631
TWIN FALLS, IDAHO 83303-1237
TELEFAX: 208-733-0325

May 7, 1993

Mr. Dick Boyd, President
Blue Lakes Country Club
P.O. Box 582
Twin Falls, ID 83303-0582

Re: Water Diversions on Blue Lakes Country Club (BLCC) Property

Dear Dick:

We have been advised that as a part of its new domestic system construction project on the BLCC property, that the City will eliminate their present diversion at the catch basin on BLCC property. Apparently, they will divert from wells near upper Blue Lake, pipe to the present catch basin, and connect to the existing pipe. They will also chlorinate at the site of the wells. This will eliminate Mr. McCollum's diversion from Alpheus Creek.

Our lawyers wrote to the City Engineer by letter dated April 21, 1993, explaining that the present decline in Alpheus flows causes shortages to Blue Lakes Trout Farm at times when Mr. McCollum, as the junior right holder, is able to divert his 6 c/f/s/. While it may be that the spring flows will be replenished, it's possible they might not return to former levels. In fact, the City's pumping could cause a major decline in the Alpheus Creek flows. It's possible that the declines would be substantial enough that some diversions will be cut down or eliminated under the priority system. If the Alpheus Creek flows were reduced below 101.2 c/f/s, the City would either have to turn off, or buy part of Blue Lake Trout Farm's water right. If the flows are over 101.2 c/f/s, but are then below 129.4 c/f/s, the City will have to take a proportionate reduction with Pristine Springs, or buy part of their right which is of equal priority with the City's earliest right.

It's our legal position that the City cannot give Mr. McCollum permission to locate another pipe on their easement across BLCC property. Only BLCC can grant a needed easement for Mr. McCollum, although there is some possibility he could condemn an easement, if you decline.

PRODUCERS AND PACKERS OF

Blue®
Lakes

BRAND IDAHO RAINBOW TROUT

MICROFILMED

APR 03 2002

In view of the unknowns about the supply of water in Alpheus Creek in the future and specifically following construction of the City's project, and the fact that the now-flows may not supply water under Mr. McCollum's priority, I would ask that we first be consulted before BLCC would consider granting an easement to Mr. McCollum.

Thank you,

BLUE LAKES TROUT FARM, INC.

By:



Michael G. Greene, General Manager

cc: Glen Saxton, IDWR
Loren Holmes, IDWR
Gary Young, City Engineer
Fritz Wonderlich, Attorney
Rick Eggleston, Pristine Springs, Inc.
David McCollum, Canyon Springs, Inc.

MICROFILMED

APR 03 2002

BLUE LAKES COUNTRY CLUB INC
PO BOX 582
TWIN FALLS ID 833030582

February 19, 1993

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08593

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

MICROFILMED
APR 09 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 36-08593 Reviewed by Klg Date 2/12/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? irrigate -93
yes Address same as permit?
no Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

yes Required?
100 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received 2/9/93 40
Date proof due 1/1/93 - 1
No. of days late = 39
Priority Date 6/10/91 + 161
New Priority Date 7/19/91 200

DEFICIENCIES OR ACTION ITEMS

Return the Extension

proof acceptable

needs an order

DATA ENTRY

New Address _____

Proof Made 2/9/93
2/19/93 Klg

*** ERROR TX REPORT ***

TX FUNCTION WAS NOT COMPLETED

TX/RX NO. 9491
CONNECTION TEL 6p917360041
CONNECTION ID
START TIME 01/22 08:07
USAGE TIME 02'01
PAGES 3
RESULT NG 3 ##755

Cover sheet
2pg letter
proof form
instructions
fee schedule

2/9/93 - Per conversation Between Glen & John
Rasholt - Proof is in the mail w/ \$100
license exam fee. Return the
extension & \$15 filing fee when it
is received

RECEIVED

APR 09 1993

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
THOMAS J. RYAN
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN K. SIMPSON
VINCE T. GULLETTE
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PAUL W. SAMUELSON

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

FACSIMILE COVER SHEET

Facsimile Number: (208) 736-0041

DATE: January 21, 1993
FROM: ~~TO:~~ L. Glen Austin 327-7866
TO: ~~FROM:~~ Vince
RE: Laparoscopic 76-08593
NUMBER OF PAGES INCLUDING THIS ONE: 6

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL US BACK AS
SOON AS POSSIBLE AT (208) 734-0700.

THE INFORMATION CONTAINED IN THIS FACSIMILE COMMUNICATION IS ATTORNEY/CLIENT
PRIVILEGED AND/OR CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE
INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS COVER PAGE IS NOT THE
INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE
INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION
OR COPYING OF THIS COMMUNICATION OR THE INFORMATION CONTAINED HEREIN IS STRICTLY
PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY
CALL AT (208) 734-0700, AND RETURN THIS FACSIMILE TO US BY MAIL AT THE ABOVE ADDRESS.
WE APPRECIATE YOUR COOPERATION.

ADDITIONAL MESSAGE:

On behalf of our client, Blue Lakes Country Club,
we filed a Request for Extension in the
office on December 24, 1992. APR 09 1993
THE EXTENSION IS UNACCEPTABLE AS FILED AND
THEREFORE LAPSED. PLEASE SEE ATTACHED DOCUMENTS.



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 19, 1993

Blue Lakes Country Club
PO Box 582
Twin Falls, ID 83303-0582

Dear Permit Holder:

Re: Permit No. 36-08593

LAPSE NOTICE

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permit has lapsed. The department provided the proper forms to you in our proof due notice dated October 31, 1992. 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 showing reasonable cause for the delay. Either the completed Proof of Beneficial Use Submittal including the examination fee, or a completed field examination report; or the extension request form together with the \$15 fee, must be received by this department within sixty (60) days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. 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 governmental agency or by litigation which brings title to the water in question.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 1/20/93
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

RECORDED

APR 09 1993
FEB 09 1993



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 19, 1993

Blue Lakes Country Club
PO Box 582
Twin Falls, ID 83303-0582

Dear Permit Holder:

Re: Permit No. 36-08593

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Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 1/20/93
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Klg

REPRODUCTION

APR 09 1993



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

December 28, 1992

Blue Lakes Country Club Inc
PO Box 582
Twin Falls, ID 83303-0582

Re: Permit No. 36-08593

Dear Permit Holder:

The Department is in receipt of the request for extension of time (copy enclosed) submitted in connection with the above referenced permit. There seems to be considerable confusion on exactly what needs to be done in order to make "proof". Therefore, before the Department can proceed with the analysis of this permit, some clarification is needed.

First of all, one question needs to be answered. Are you or are you not diverting and beneficially using water from Alpheus Creek for the irrigation of 93 acres? If you have placed a diversion structure and are beneficially using the water, then complete the proof of beneficial use form, submit it and any applicable fee to the Department. The Department will then conduct a field examination. If you have not placed a diversion structure and are not beneficially using the water, then the extension of time is sufficient.

However, you state that no work has been completed, and yet you are diverting and using the water. How can you be diverting and using the water if no work has been done? You also state that "... permittee neglected to do beneficial use proof ..." All you need to do to make "proof" is to submit the proof of beneficial use form and applicable fee.

The Department will allow an additional 20 days for you to clarify this situation. I have enclosed another proof of beneficial use form and instructions should you decide to submit that form instead of the extension request. If you submit the proof of beneficial use, you may deduct \$15 from the applicable fee, and the Department will apply the \$15 extension fee to the proof of beneficial use.

RECEIVED

APR 09 1993

I hope I have cleared up any confusion you may have had. If you have any questions or if I can be of any further assistance, please feel free to contact the Department.

Sincerely,



Karen L. Gustafson
Secretary/Records Manager

Enclosures

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APR 09 1993

Form 20
11-91

RECEIVED

DEC 24 1992

STATE OF IDAHO

Department of Water Resources
Southern Region Office

DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 Fee Received by drf
Date 12-24-92
Receipt No. 5815346

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 in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 36-08593Name(s) of Permit Holder: BLUE LAKES COUNTRY CLUB INC.Mailing Address: PO BOX 582 TWIN FALLS ID 83303-0582Date Proof is Due JANUARY 1, 1993Telephone No. 208/733-2330

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".)

NONECosting \$

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

WATER IS BEING DIVERTED AND USED BUT PERMITTEE NEGLECTED TO DO BENEFICIAL USE PROOFDURING THE 1992 IRRIGATION SEASON, SO PERMITTEE CANNOT NOW MAKE PROOF UNTIL LATER DATEPermit holder(s) request an extension to JANUARY 1, 19 98

FEE: \$15.00

(Signature)* J. ROBERT ALEXANDER, PRESIDENT

*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

MICROFILMED

APR 09 1993

BLUE LAKES COUNTRY CLUB INC
PO BOX 582
TWIN FALLS ID 833030582

October 31, 1992

RE: PERMIT NO. 36-08593 PROOF DUE NOTICE

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 January 1, 1993. (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.

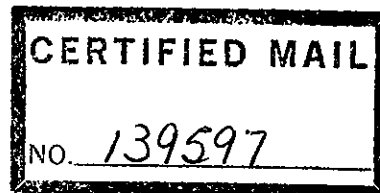
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

Karen L. Gustafson
Secretary/Records Manager

Enclosures



MICROFILMED

APR 09 1993

June 12, 1992

BLUE LAKES COUNTRY CLUB INC
PO BOX 582
TWIN FALLS ID 83303-0582

RE: Water Right No. 36-08593

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

RECORDED

APR 09 1993

June 8, 1992

BLUE LAKES COUNTRY CLUB INC
PO BOX 582
TWIN FALLS ID 83303-0582

RE: Water Right No. 36-08593

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

RECEIVED
JUN 11 1992

APR 09 1993

May 19, 1992

BLUE LAKES COUNTRY CLUB INC
PO BOX 582
TWIN FALLS ID 83303-0582

RE: Water Right No. 36-08593

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

UNRECORDED

APR 09 1993

existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

RECEIVED

APR 09 1993



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

December 31, 1991

BLUE LAKES COUNTRY CLUB INC
PO BOX 582
TWIN FALLS ID 833030582

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08593

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.

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

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

MICROFILMED

JAN 21 1992

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 36-8593/Trust Water Processing

DATE: 12-18-91

The above application is a trust water filing which has been forwarded to the state office for final review and processing.

Review of the application indicates that the development was accomplished prior to 1984. The development here apparently is an expansion of a licensed right with the expansion having occurred in 1979. Due to the prior development, acreage under the filing shall not be counted as trust acreage.

Continued processing of the application is recommend. Trust conditons are applicable due to the late priority/filing date.

RECEIVED

JAN 21 1992

Reviewer: Pam Skaggs *CS*

No

Complete in 1 year - P16

✓Proof not submitted - (P16)

Proof submitted - N/A

GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)
LT. 0.2 cfs - N/A

Approved w/permit - P99

Approved w/permit 199
Not included - 046-P23(All GW, even existing wells)

✓ Water Districts - WD No. _____

Surface water - 005, 005-01H-P01 (LT.2 w/pump)
005-01J-P08 (GT.2)

Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

✓ Swan Falls Flag - 7 (1, Blank or Other)

Swan Falls Trust - 051-052-053-P74 (Consumptive Uses)

✓ Trust - 048-049
Non Trust

(Surface Water)

Water District Control Condition &....

Boise (63) - 05A & 11E

Pavette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.)

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)

Power

Mining

Storage

Rec. & Aesthetic - 027 (Non-Consumptive)

Domestic - 021(restricted areas)

Non land owner - 004

protested: 1/20/68

Agreement 020

✓ Beneficial Use Due Date: - 01-01-1993

Other Conditions Recommended Route to T. Luke for Trust Review

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J. E. Stanton DATE 7-8, 1991
APPLICATION NO. 36- 08593

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 &/or volume.)
☒ County
☒ Quantity (flow &/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 municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt
- ++++PROPOSED PRIORITY DATE
6-10 1991

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back. *decrease flow rate*)
☒ Overlapping point of diversion.
Yes ☐ No ☐ Field check required
Field check by _____
Yes ☐ No ☐ Field report attached
Yes ☒ No ☐ Critical Ground water 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 trustwater 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.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

names & addresses of corporate officers OK

Date Requested _____, 19____

RECEIVED
DEC 03 1991

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for Advertising
☐ Yes ☒ No No Statewide Advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on app.

SEND COPIES TO: ☐ Idaho Dept of Health & Welfare ☐ USDI BLM
☒ Idaho Dept of Fish & Game ☐ USFS
☐ Idaho Dept of Lands ☐ Water Dist.
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received.
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates and paper, recorded on App.
☐ Yes ☒ No Protests received
Final date for Protest 8/26/91
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on app.
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☒ Yes ☐ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist. _____
☒ Yes ☐ No Special conditions of approval or cover letter below. _____

DIG
See below for additional information

Date of priority recommended 6/10/91, 19____
By Loren D. [Signature] Date 12/2, 1991

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19____

ADDITIONAL INFORMATION:

LOCAL PUBLIC INTEREST

Comments recieved from:

☐ City	☐ Idaho Fish & Game	☐ Irrigation Dist.
☐ County	☐ Idaho Health & welfare	☐ Canal Company
☐ Reservations	☐ Div. of Enviromental Quality	☐ Other _____

PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE _____, 19____

17-Jul-1991

JOHN ROSHOLT ESQUIRE
ROSHOLT & ASSOCIATES
PO BOX 1906
TWIN FALLS ID 83303-1906

Re: Application for Permit No. 36-08593

Dear Mr. Rosholt:

The Department of Water Resources acknowledges receipt of the water right application for permit on behalf of Blue Lakes Country Club, Inc. 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 North Side News on 8/7 & 8/14/91. 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. When a permit is issued, you will be sent a copy. 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

MICROFILMED

JAN 21 1992

ROSHOLT, ROBERTSON & TUCKER
ATTORNEYS AT LAW

142 3RD AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
(208) 734-0700

DATE:

7/16/91

TO:

IDWR

TWF

RE:

BLCC - Appl for Permit

Thanks for Your Ltr of 7/8/91

Thanks for Modification of
the Average to reflect the
Actual irrigation. So as to
not exceed the output of the
Right, we can keep below 850 gpm.
Please Process.

ROSHOLT, ROBERTSON & TUCKER

JAN 21 1992

Thanks,

BY:

Tom Rosholt

CC: Warrington

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208) 734-3578

JULY 15, 1991

NORTH SIDE NEWS
P.O. BOX 468
JEROME, ID 83338

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 AUGUST 26, 1991.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

JAN 21 1992

36-08593

BLUE LAKES COUNTRY CLUB INC.
P.O. BOX 582
TWIN FALLS, ID 83303-0582

Source: ALPHEUS CREEK

Tributary: SNAKE RIVER

Diversion Pt: LOT 6 (NWNE) Sec 33 T 09S R 17E

Use: IRRIGATION (.700 CFS)
Total Diversion: (.700 CFS)

Date Filed: 6/10/ 1991

In: T09S R17E S28	Lot 5 ()	Lot 6 ()	Lot 10 ()	Lot 11 ()
	Lot 12 ()	Lot 14 ()		
S33	Lot 6 ()	Lot 7 ()		NENE
S34	Lot 11 ()			

93.0 ACRES TOTAL

MICROFILMED

JAN 21 1992

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, 222 Shoshone St. East, Twin Falls, Idaho 83301 on or before AUGUST 26, 1991.

R. Keith Higginson, Director

Published 8/ 7/1991 & 8/14/1991

RECORDED
JAN 21 1992
1992



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

John Rosholt
Rosholt, Robertson & Tucker
P. O. Box 1906
Twin Falls, ID
83303-1906

July 8, 1991

RE: Application for Permit In The Name Of Blue Lakes Country Club

Dear John;

Per our previous conversation, the above-referenced application has been modified to reflect the existing water system. A copy of the modified application is enclosed for your information. If this is not satisfactory, please contact this office at your earliest convenience.

Allen's inspection of the system showed that the combined output of the two lower pumps may not be fully covered by the license and the new application. He felt that together they would pump about 900 gpm. The flow rate on the application remains as filed.

Sincerely,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

RECEIVED

JAN 21 1992

36-8593

ROSHOLT, ROBERTSON & TUCKER
Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
TERRY R. McDANIEL
GARY D. SLETTE
JERRY V. JENSEN
F. BRUCE COVINGTON
BRUCE M. SMITH
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN O. FITZGERALD

Boise Office
1020 MAIN ST., SUITE 400
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

June 10, 1991

RECEIVED

JUN 10 1991

Idaho Department of Water Resources
Twin Falls Office -- Southern Region
222 Shoshone Street E.
Twin Falls ID 83301

Department of Water Resources
Southern Region Office

Dear Sir or Madam:

Enclosed for filing please find the signed original of an Application for Permit on behalf of Blue Lakes Country Club, Inc., together with our firm check in the amount of \$45.00 to cover the cost of the filing fees.

Please commence the processing of this application, and should you have any questions, don't hesitate to contact the undersigned.

Thank you.

Respectfully submitted,

John A. Rosholt

JOHN A. ROSHOLT

JAR:dcB

Enclosures

cc: Dave Dalsoglio
Warren Thorne

RECEIVED

JAN 21 1992

36-08593