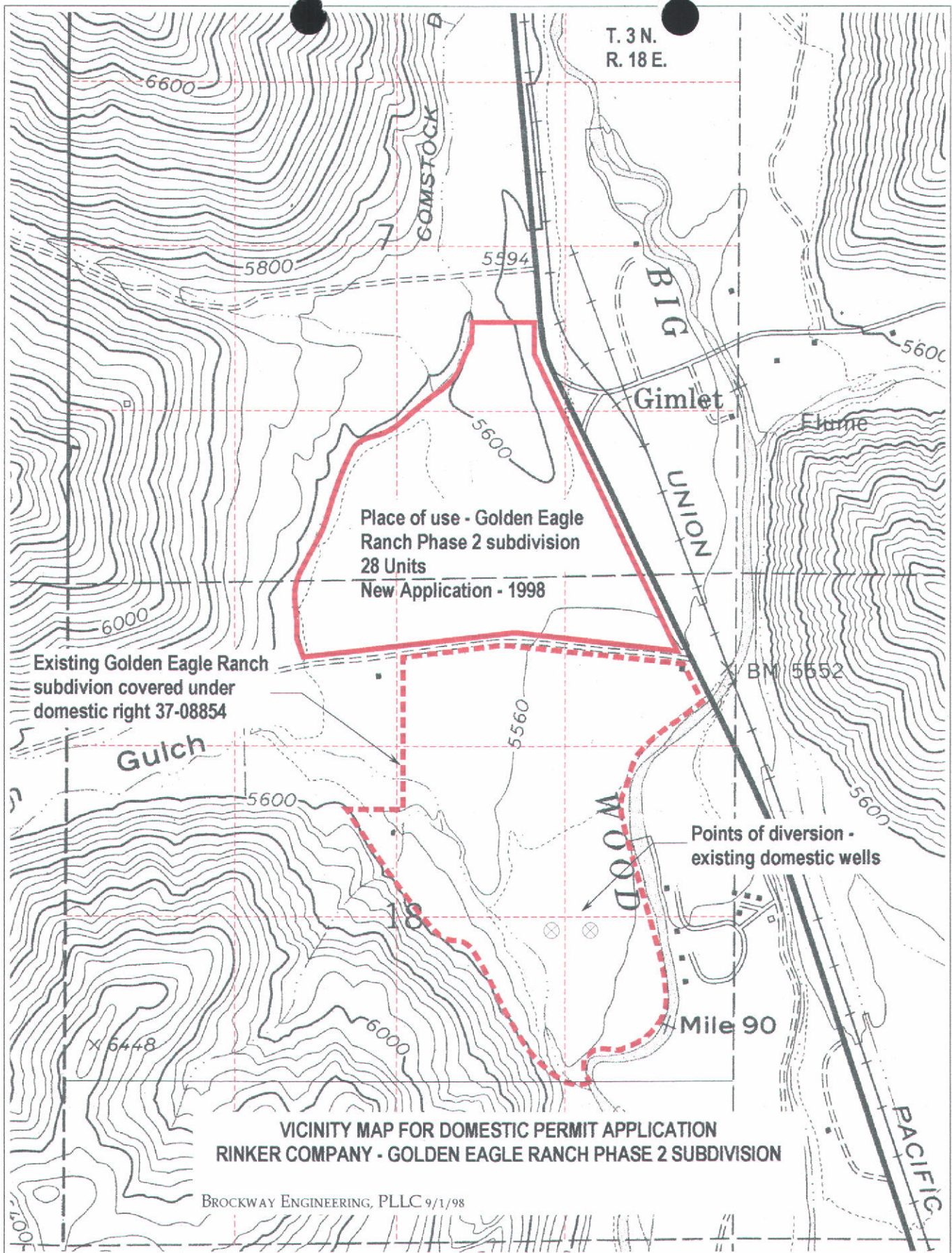


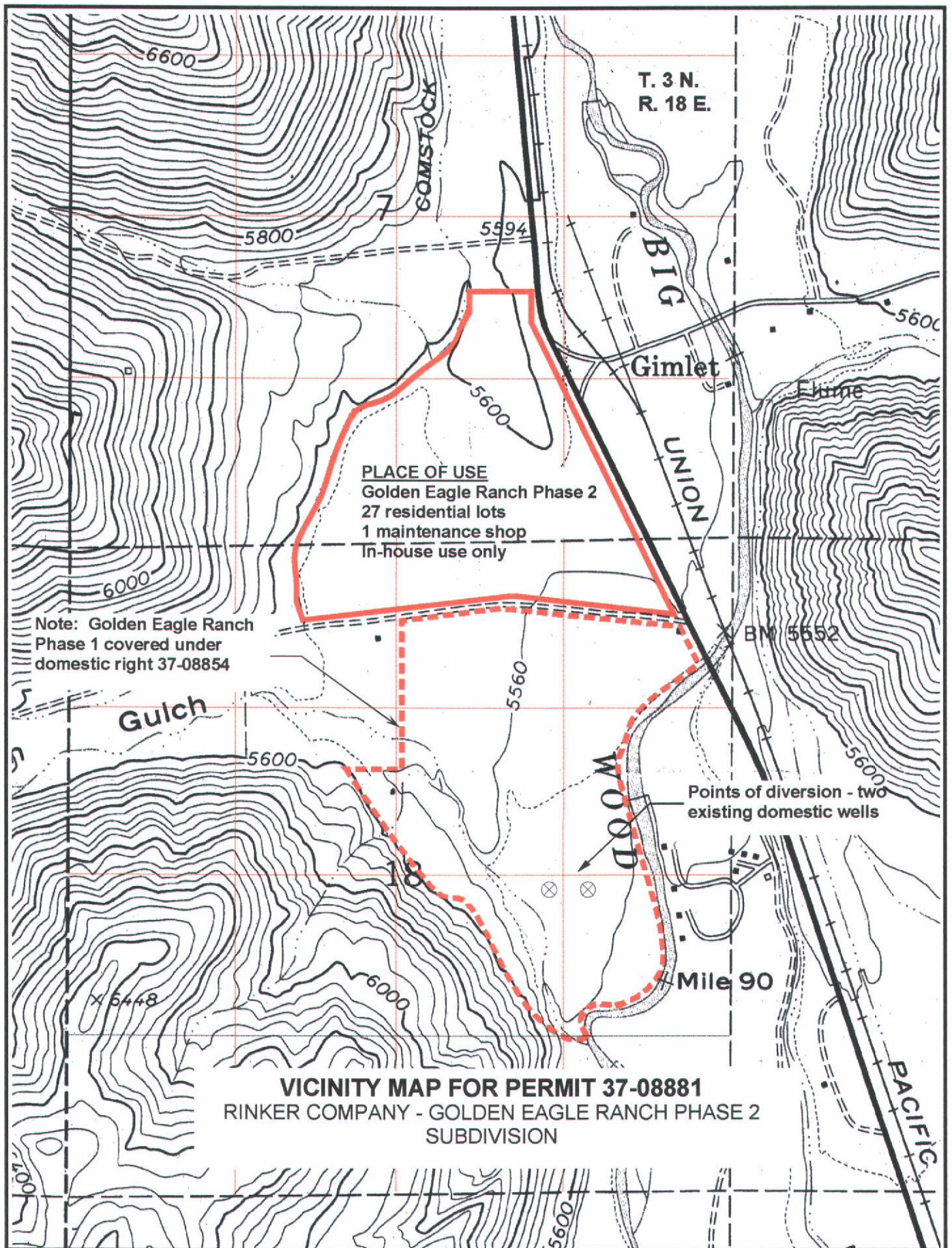


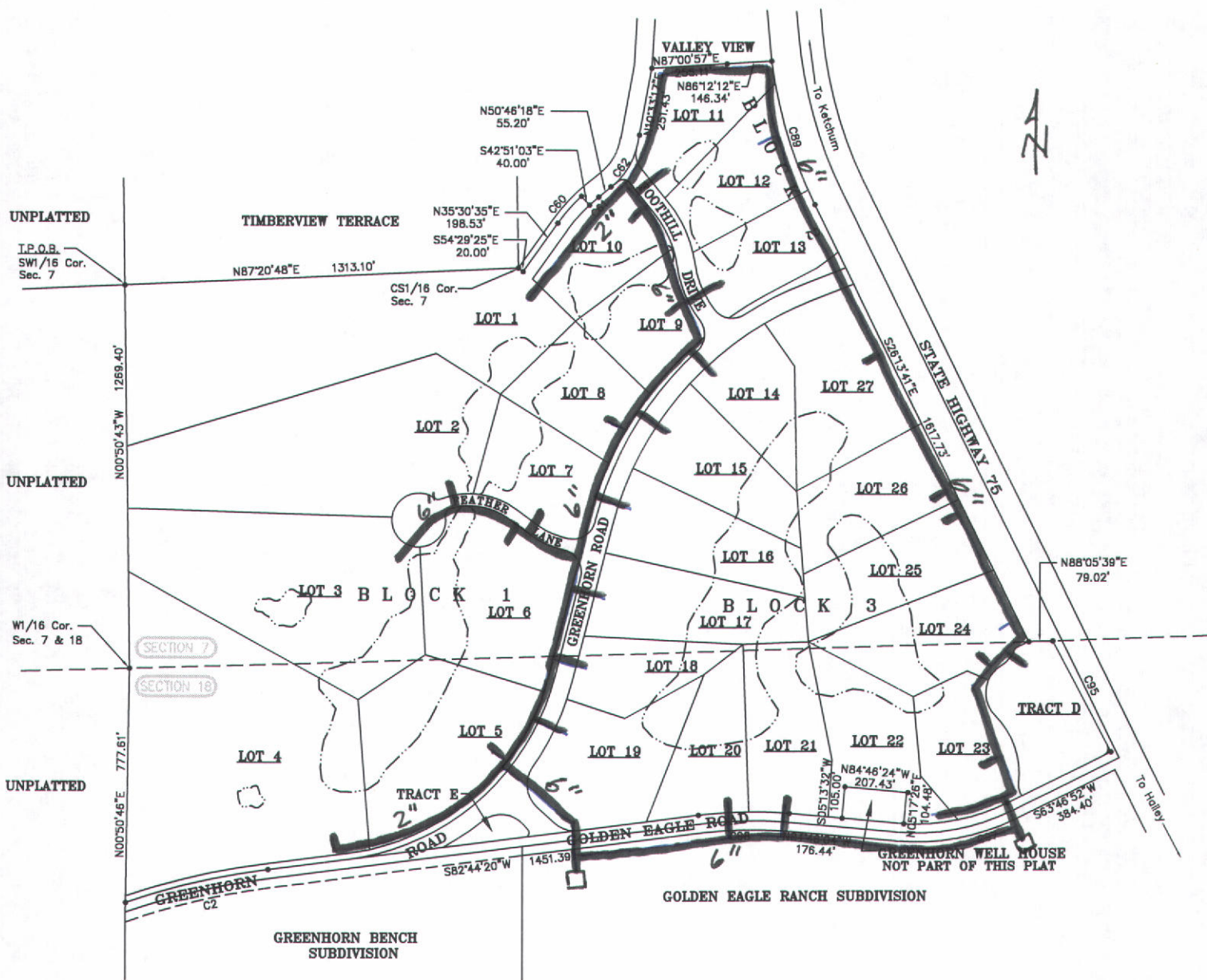
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Charles E. Bracken
(applicant) *Rosa J. Carter*

JAN 04 1999

37-08881





GOLDEN EAGLE RANCH PHASE 2 SUBDIVISION
FINAL PLAT

- Connection to south (Phase I) domestic system
- Potable water line



Photo 1. West domestic well (primary). 11/28/01

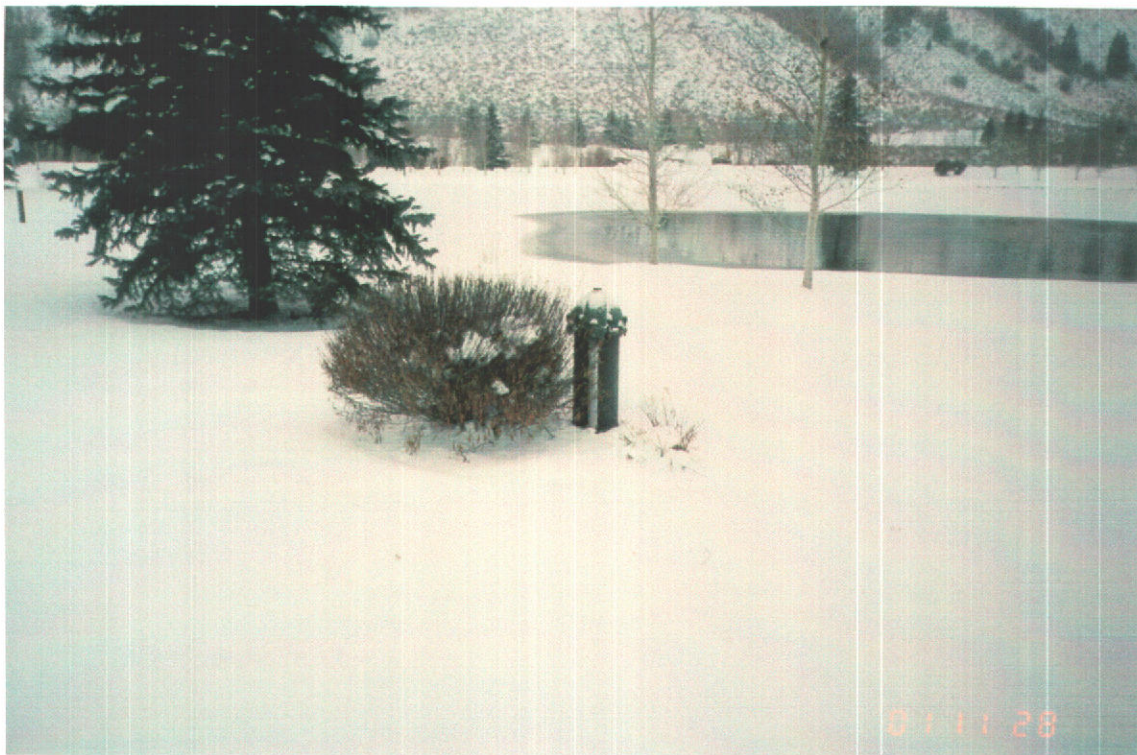


Photo 2. East domestic well (backup) 11/28/01

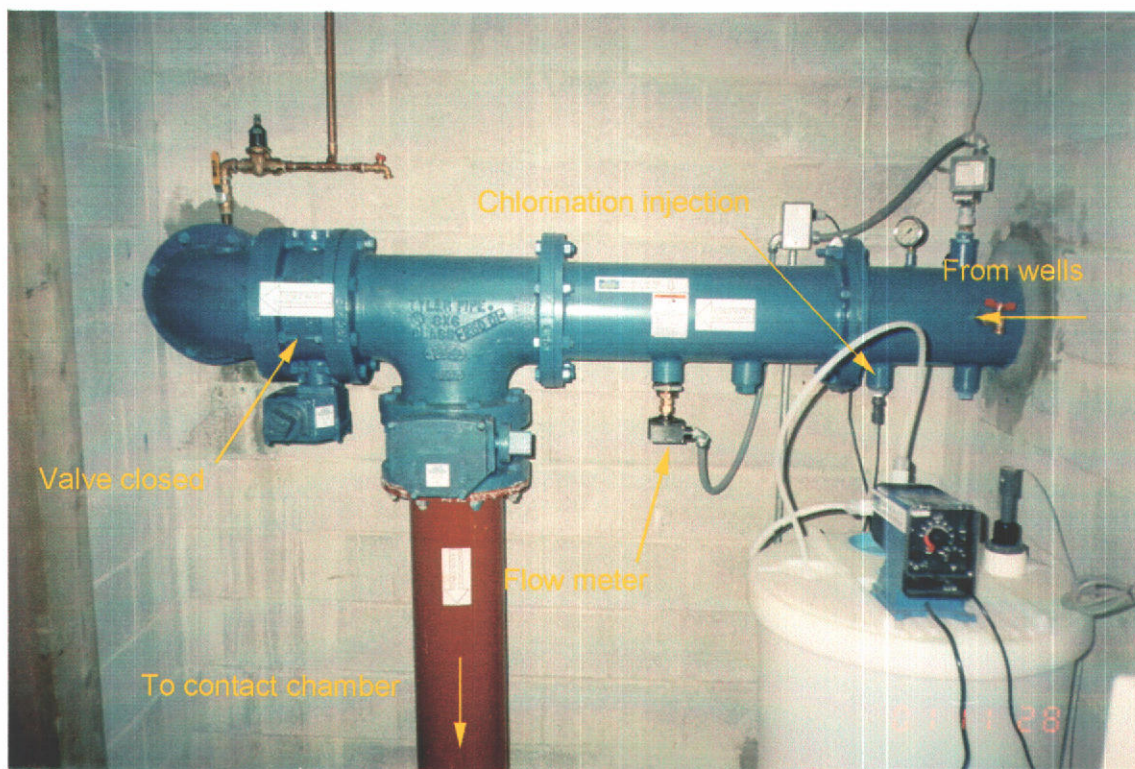


Photo 3. Manifold, chlorination setup, and flow meter. 11/28/01

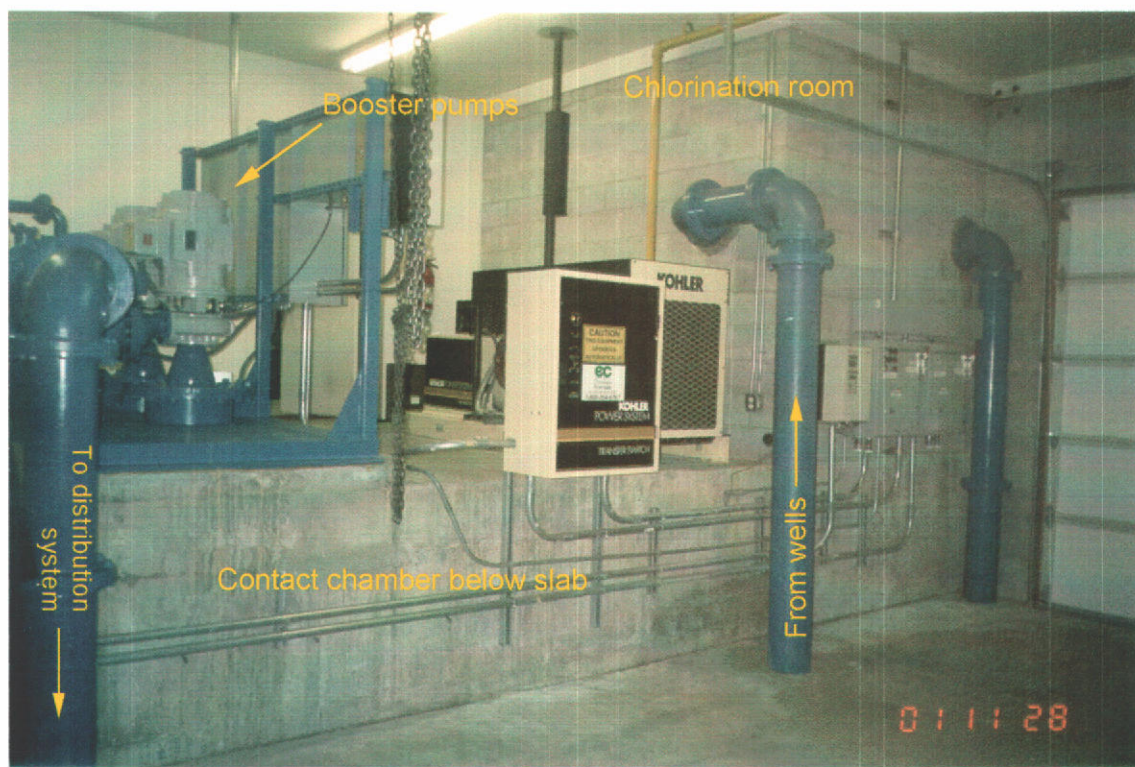


Photo 4. Domestic booster pumps and piping. 11/28/01

WR0749NP
No. P37-08881

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/14/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RINKER CO PO BOX 7250 NEWPORT BEACH CA 92658-7250 (714) 979-8300	09/01/1998	DOMESTIC	01/01 12/31	0.230 CFS	
TOTAL DIVERSION:					0.230 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T03N R18E S18 NESE NWSE BLAINE County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
T	R	S		T	R	S		T	R	S		T	R	S	
03N	18E	7	:				:				:				:
03N	18E	18	:	D	D	:	D				:	D	D	D	:

Pou County: BLAINE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

37-00153C 37-02632 37-07093 37-08854 37-08881

Other Water Rights Listing Overlapping Place(s) of use:

37-00153C 37-00154C 37-00364G 37-02627B 37-02632 37-02644C 37-02644D 37-02644E 37-07073 37-08445
37-08456 37-08551 37-08854 37-30012 37-30028 37-30030

Conditions of Approval:

3. 26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.
4. 046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
5. 071 - The domestic use authorized under this right shall not exceed
- 13,000 gallons per day per home.
6. 068 - This permit does not authorize the construction of any new well
- or the deepening or enlargement of any existing well.
7. 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.
8. 117 - Prior to diversion of water under this approval, the right holder
- shall provide a means of measurement acceptable to the Department
- from all authorized points of diversion which will allow
- determination of the total rate of diversion.

Remarks: GEN 9. The right holder shall annually report the amount of water
diverted to the department.

10. Place of use is located within Lots 1-10, Blk. 1; Lots 11-13,
Blk. 2; Lots 14-26, Blk. 3; and Tracts D & E; Golden Eagle

Note: Protested
Transfer #4827, on
37-00154C, is covers
in 8 ponds in subd.

* database updated 12/15/98 o.s.

AFFIDAVIT of PUBLICATION

RECEIVED

OCT 20 1998

Department of Water Resources
Southern Region

State of Idaho, }
County of Blaine } SS.

On this 16 day of October, in the year 1998, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 7 day of Oct, 1998, and the date of the last publication was on the 14 day of Oct, 1998.

Subscribed and sworn to before me this 16 day of Oct, 1998.
(SEAL)

VIRGINIA R. BALLOU
NOTARY PUBLIC
STATE OF IDAHO

Virginia R. Ballou
NOTARY PUBLIC
Commission expires 9-17-04

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 9.5
Number of Lines in Notice 49.400
Number of Insertions 2
Lines tabular at 49.400 7¢ / Pica
Lines straight at 28.158 6¢ / Pica
Subsequent lines at 23.465 5¢ / Pica
TOTAL COST \$56.62

COPY OF NOTICE (Paste Here)

Application: Water Permit #37-08881

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO

Application for water permit

NOTICE OF APPLICATION FOR WATER PERMIT

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

RINKER COMPANY
PO BOX 7250
NEWPORT CA 92658-7250
Application for Permit
No. 37-08881

Source: groundwater
(2 existing wells)

Diversion Pt(s): NE1/4SE1/4,
NW1/4SE1/4, S18, T03N, R18E;
Blaine County.

Use: 1/1-12/31

Domestic-28 homes (0.23 cfs)

In: Parts of S07 & S18, T03N,
R18E; Blaine County

Date Filed: 07/31/98

Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 26, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River Journal on 10/07 & 10/14/98.

REV. JUNE 1994
7.8 pt./line straight: .06 / pica
7.8 pt./line tabular: .07 / pica
7.8 pt./line successive
insertion: .05 / pica

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JAN 04 1999

11141



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

SEP 03 1998

Department of Water Resources
Southern Region

September 2, 1998

Mr. Jim Stanton
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

VIA FACSIMILE 736-3037

Re: Permit Application - Golden Eagle Ranch Phase 2 subdivision

Dear Jim:

I told you wrong on the phone earlier today. The annual volume for domestic use will not factor into the overall water balance for the irrigation transfer. Thus, please allow the maximum volume of 16.8 acre feet for domestic in-house use on the 28 units.

Sincerely,


Charles G. Brockway

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

MICROFILMED
JAN 04 1999

37-08881

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

NOV 30 2001

Department of Water Resources
Southern Region

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

1. Permit No. 37-8881 Telephone No. (714) 979-8300

2. Name(s) of Permit Holder(s) Rinker Company

3. Mailing Address: P.O. Bos 7250, Newport Beach, CA 92658

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. 6 / yr. 96

a. Well driller: Eaton Drilling Drilling Permit Number: 37 - 96 - S - 0039
37 - 96 - S - 0040

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

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

Domestic (No. of households): 27 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: Maintenance building

6. Total rate of diversion and/or volume for which proof is submitted: 0.23 cfs OR _____ acre-feet

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

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

Measuring Device: Is a measuring device required? ☐ Yes or ☐ No
Has the measuring device been installed? ☐ Yes or ☐ No

Flow Measurement Port: Is a flow measurement port required? ☐ Yes or ☐ No
Has the measurement port been installed? ☐ Yes or ☐ No

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

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

Name: N/A Telephone Number: _____

Address: _____

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

Signature of permit holder: *Chris E. Bruckner* Date: 11/20/01
(include your title, if on behalf of company or organization)
Proving attorney

RECEIVED

NOV 30 2001

Department of Water Resources
Southern Region

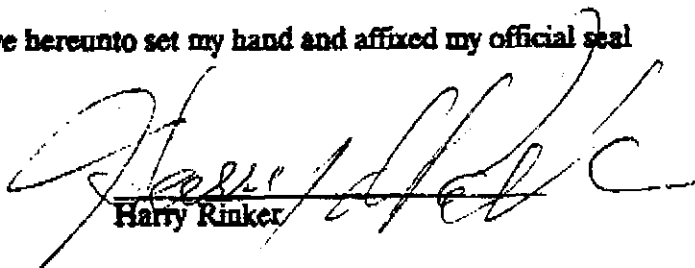
LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

I, Harry Rinker, dba Rinker Company, hereby nominate and appoint Charles E. Brockway, of Kimberly, Idaho, as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to any and all water rights I may own or seek to acquire in Blaine County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal, and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

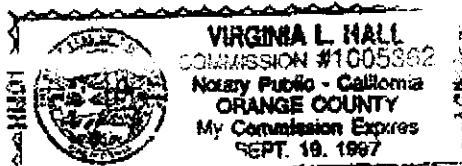
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 1st day of Sept., 1995.


Harry Rinker

CALIF
STATE OF ~~IDAHO~~)
ORANGE) ss.
County of Blaine)

On the 1st day of Sept., 1995, before me, a Notary Public, in and for said County and State, personally appeared HARRY RINKER, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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




NOTARY PUBLIC FOR ~~IDAHO~~ CALIF.
Residing at: LAGUNA NIGUEL
My commission expires: 9/19/97

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08881

Proposed Priority: September 1, 1998 Maximum Diversion Rate: 0.23 CFS

This is to certify, that RINKER CO
PO BOX 7250
NEWPORT BEACH CA 92658-7250
has applied for a permit to appropriate water from: GROUNDWATER
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>
DOMESTIC	01/01 to 12/31	0.23 CFS

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 18, Township 03N, Range 18E
NWSE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
03N	18E	7	SESW	NWSE	SWSE
			SESE		
	18		NENE	NWNE	NENW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 2001.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

MICROFILMED

JAN 04 1998

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08881

CONDITIONS OF APPROVAL AND REMARKS

7. Place of use is located within Lots 1-10, Blk. 1; Lots 11-13, Blk. 2; Lots 14-26, Blk. 3; and Tracts D & E; Golden Eagle Ranch II Subdivision.
8. Domestic use is for 26 homes, a maintenance building and recreation center.
9. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
10. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
11. The domestic use authorized under this right for the maintenance building and recreation center shall not exceed 2,500 gallons per day.
12. The right holder proposes to divert water under this right from two existing wells. Any replacement well or additional well proposed to be used as a point of diversion for this right must be authorized by the Department in accordance with Section 42-235 and/or Section 42-211, Idaho Code.

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

17 day of December, 1998.

Karl J. Dreher
Karl J. Dreher, Director

MICROFILMED
JAN 04 1999

JUL 31 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

NOV 27 1993

Department of Water Resources
Southern Region

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant Rinker Company Phone (714) 979-8300Post Office address P.O. Box 7250, Newport Beach, CA 92658-72502. Source of water supply Groundwater which is a tributary of _____3. Location of point of diversion is _____ 1/4 of NE 1/4 of SE 1/4, Govt. Lot _____Sec. 18 Township 03N Range 18E B.M. Blaine County; additionalpoints of diversion, if any: NW1/4 SE1/4 Sec. 18, T. 3 N., R. 18 E.

4. Water will be used for the following purposes:

Amount 0.23 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)5. Total quantity being appropriated is (a) 0.23 and/or (b) 7.1 *Removed per FAX From Brockway Engineering 9-2-98*
cubic feet per second acre-feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing domestic wells to
community potable water system for
Golden Eagle Ranch Phase 2 subdiv.b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.c. ~~Proposed well~~ diameter is _____ inches; ~~proposed~~ depth of well is _____ feetd. Is groundwater with a temperature of greater than 85 degrees being sought? No MICROFILMEDe. If well is already drilled, when? 6/96; Drilling firm Eaton Drilling 1996 8 4 1996Well was drilled for (well owner) Rinker Company

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

3 years (minimum 1 year).

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 28 residential lots ;
 - Other; describe fully. _____

8. 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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
03N	18E	7												D		D	D	D	
03N	18E	18	D	D			D												

Total number of acres to be irrigated _____

8. Describe any other water rights used for the same purposes as described above. None

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

12. Remarks: Applicant explicitly waives his right to develop 0.5 acres of irrig. per lot (I.C. 42-111), per agreement with Greenhorn Homeowners. Volume calc. based on 28 units, 3 persons/unit, 75% occ. and 100 gpcd. Rate from IDWR table. P/U is all N. of Greenhorn Rd.

MICROFILMED

JAN 9 4 1999

37-08881

Received by C. Cathu Date 07/31/98 Time 4:10 Preliminary check by J. P. Stanton
Fee \$ 100.00 ck 1281 Receipted by J # 5021391 Date 7-31-98
Publication prepared by MB Date 9/14/98 Published in Wood River Journal
Publication approved MB Date 10/22/98

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 _____.

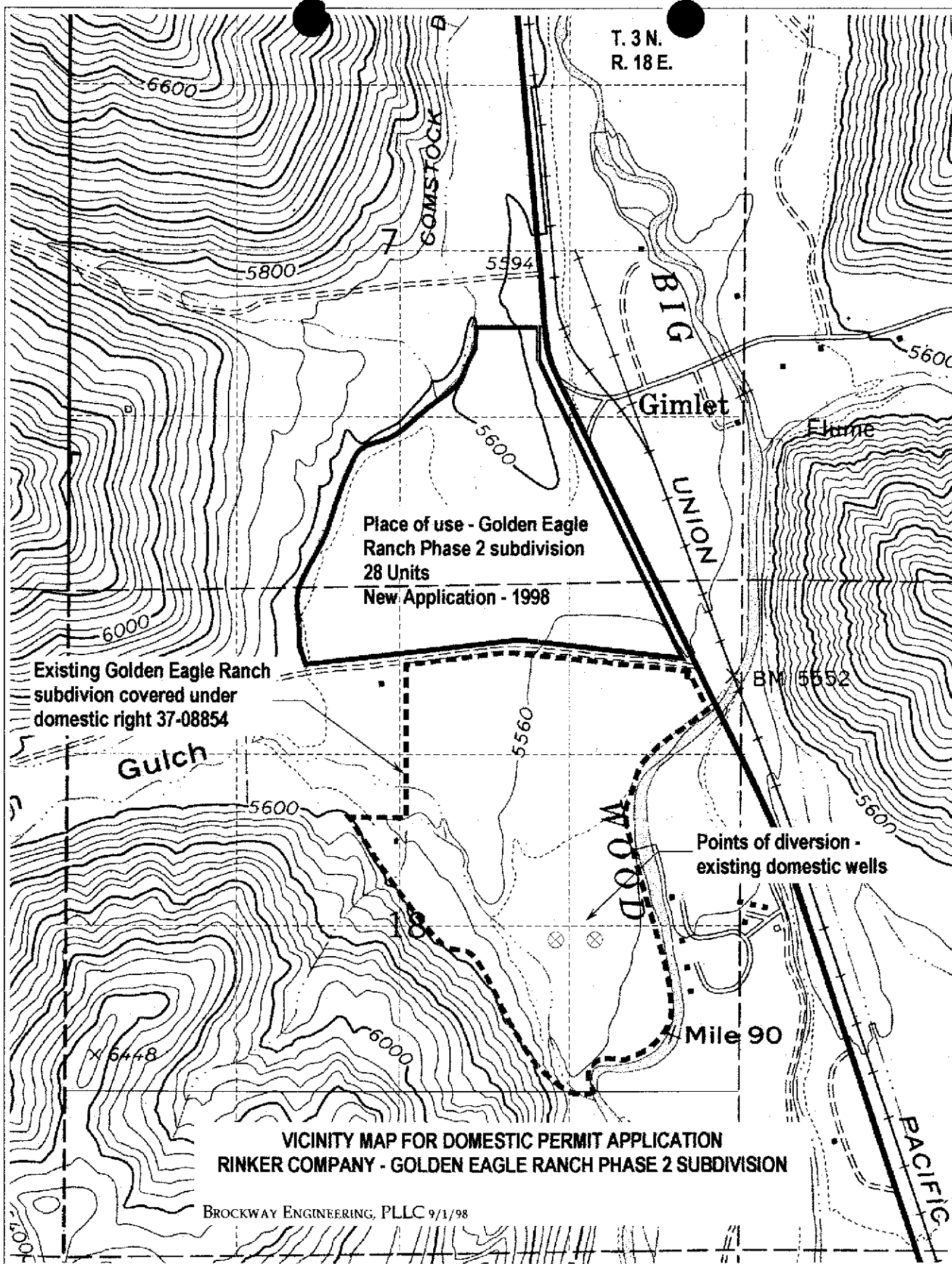
1. Approval of said application is subject to the following limitations and conditions:

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

MICROFILMED

JAN 04 1999

37-08881



**VICINITY MAP FOR DOMESTIC PERMIT APPLICATION
RINKER COMPANY - GOLDEN EAGLE RANCH PHASE 2 SUBDIVISION**

BROCKWAY ENGINEERING, PLLC 9/1/98

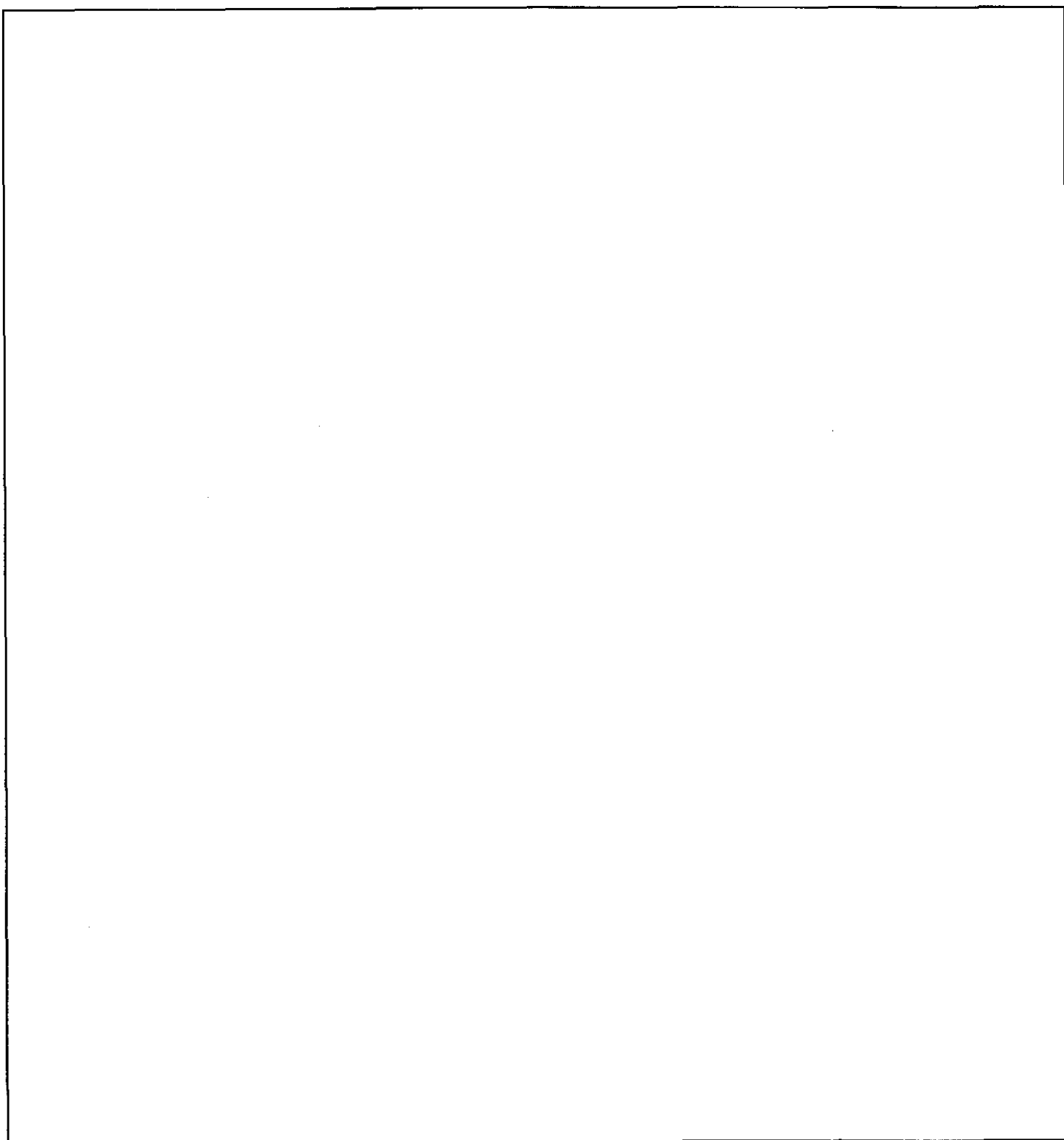
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Charles E. Granger
(applicant) *Power & Attorney*

1998 04 1999

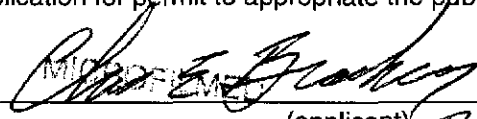
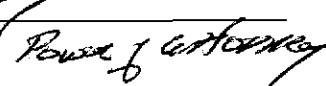
37-08881

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



Scale: 2 inches equal 1 mile.

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.


(applicant) 

JAN 14 1909

37-08881

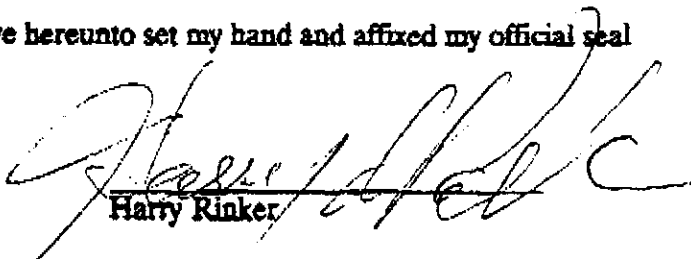
LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

I, Harry Rinker, dba Rinker Company, hereby nominate and appoint Charles E. Brockway, of Kimberly, Idaho, as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to any and all water rights I may own or seek to acquire in Blaine County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal, and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

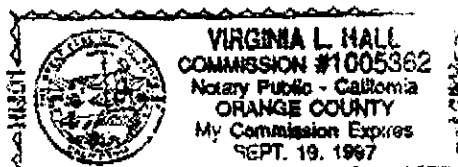
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 1st day of Sept., 1995.


Harry Rinker

CALIF
STATE OF ~~IDAHO~~)
ORANGE) ss.
County of ~~Blaine~~)

On the 1st day of Sept., 1995, before me, a Notary Public, in and for said County and State, personally appeared HARRY RINKER, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



00378501.gds


NOTARY PUBLIC FOR ~~IDAHO~~ CALIF.
Residing at: LAGUNA NIGUEL
My commission expires: 9/19/97

MICROFILMED

JAN 6 4 1996

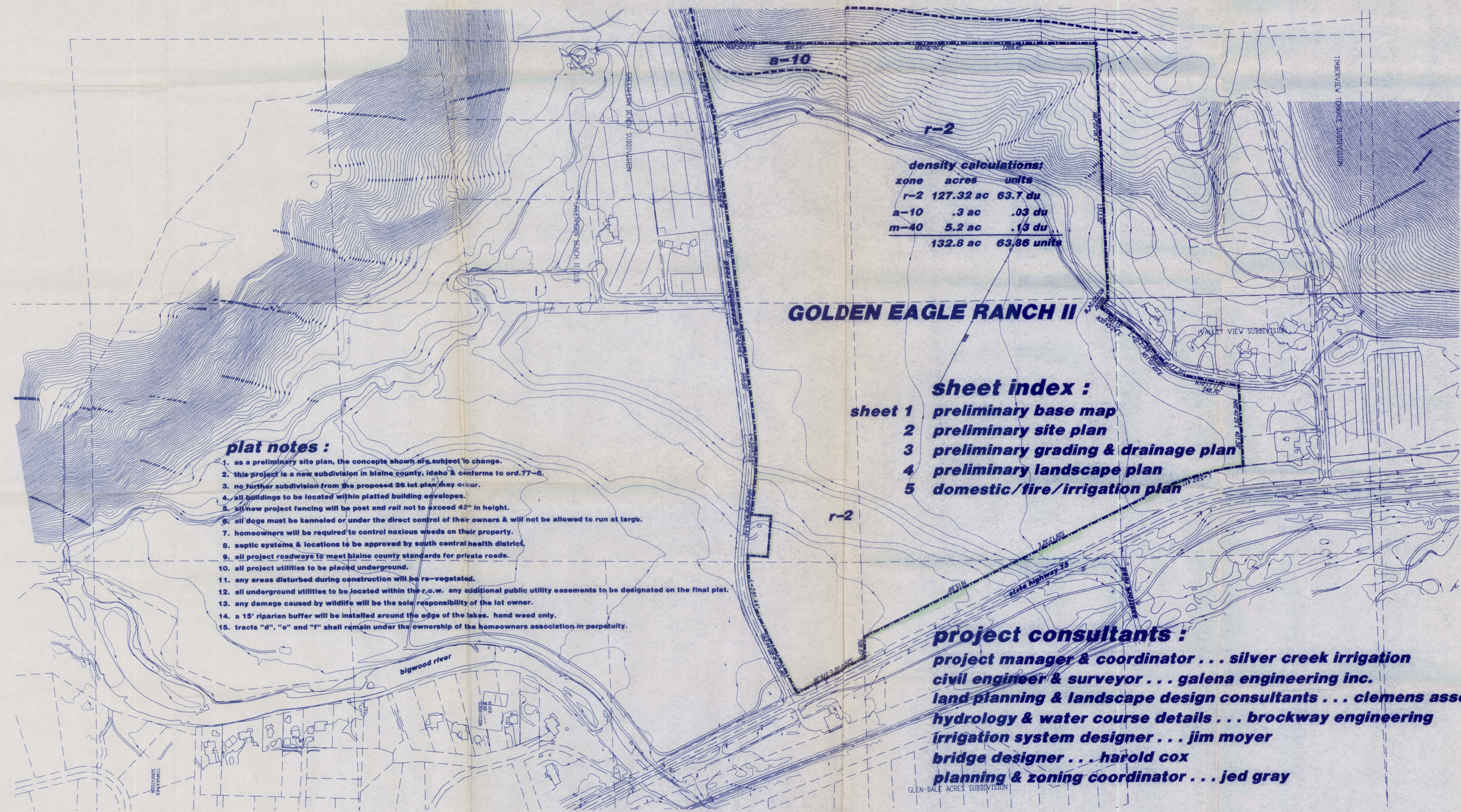
37-08881

GOLDEN EAGLE RANCH II

owner : harry s. rinker investment trust

located in blaine county
december 1997

north  scale : 1" = 200'



density calculations:

zone	acres	units
r-2	127.32 ac	63.7 du
a-10	.3 ac	.03 du
m-40	5.2 ac	.13 du
	132.8 ac	63.86 units

GOLDEN EAGLE RANCH II

plat notes :

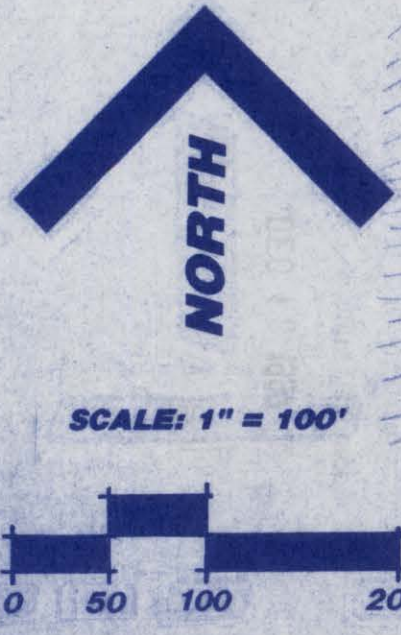
1. as a preliminary site plan, the concepts shown are subject to change.
2. this project is a new subdivision in blaine county, idaho & conforms to ord.77-6.
3. no further subdivision from the proposed 26 lot plan may occur.
4. all buildings to be located within platted building envelopes.
5. all new project fencing will be post and rail not to exceed 42" in height.
6. all dogs must be kenneled or under the direct control of their owners & will not be allowed to run at large.
7. homeowners will be required to control noxious weeds on their property.
8. septic systems & locations to be approved by south central health district.
9. all project roadways to meet blaine county standards for private roads.
10. all project utilities to be placed underground.
11. any areas disturbed during construction will be re-vegetated.
12. all underground utilities to be located within the r.o.w. any additional public utility easements to be designated on the final plat.
13. any damage caused by wildlife will be the sole responsibility of the lot owner.
14. a 15' riparian buffer will be installed around the edge of the lakes. hand weed only.
15. tracts "d", "e" and "f" shall remain under the ownership of the homeowners association in perpetuity.

sheet index :

- | | |
|---------|-------------------------------------|
| sheet 1 | preliminary base map |
| 2 | preliminary site plan |
| 3 | preliminary grading & drainage plan |
| 4 | preliminary landscape plan |
| 5 | domestic/fire/irrigation plan |

project consultants :

project manager & coordinator . . . silver creek irrigation
civil engineer & surveyor . . . galena engineering inc.
land planning & landscape design consultants . . . clemens associates
hydrology & water course details . . . brockway engineering
irrigation system designer . . . jim moyer
bridge designer . . . harold cox
planning & zoning coordinator . . . jed gray



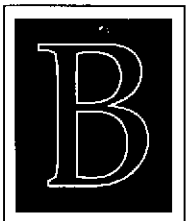
GOLDEN EAGLE RANCH II
BLAINE COUNTY, IDAHO

PRELIMINARY PLAT

SHEET 2

PROJECT CONSULTANTS:
PROJECT COORDINATOR / JED GRAY 208.622.4100
CIVIL ENGINEERS / SURVEYORS / GALENA ENGINEERING 208.726.4729
HYDROLOGY / DR. BROCKWAY 208.423.9601
PLANNING & DESIGN CONSULTANTS / CLEMENS ASSOCIATES 208.726.5331

REVISIONS: _____
DATE: _____
DRAWN BY: _____
CHECKED BY: _____
APPROVED BY: _____
DECEMBER 15, 1997
PRINTED: _____



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

DEC - 6, 2001

RECEIVED

NOV 30 2001

Department of Water Resources
Southern Region

*Hand delivered
4:53pm*

November 30, 2001

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Permit No. 37-8881 / Rinker

Dear Allen:

Enclosed is a proof of beneficial use and beneficial use field report for the above-referenced permit. Included documents are as follows:

Proof of Beneficial Use form
Power of Attorney – Rinker to Brockway
Beneficial Use Field Report form
Field report narrative including system map
Photos of wells and system
Correspondence from IDEQ regarding domestic wells
Performance curves for domestic well and booster pumps

Please call if you have any questions.

Sincerely,

Charles E. Brockway
Charles E. Brockway, P.E.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

Enc.
cc: Harry Rinker

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

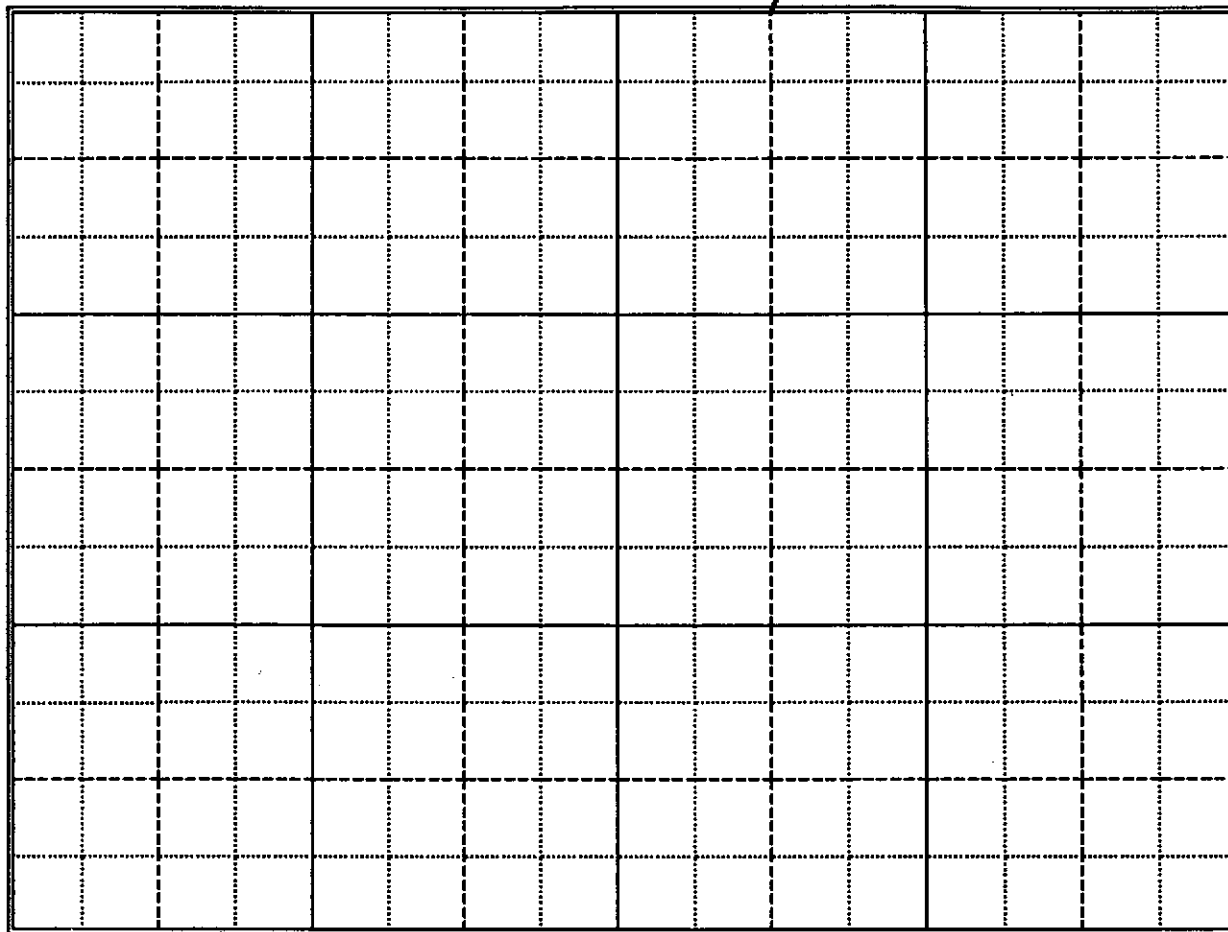
FAX: 736•8506

*Rebbie - NO claim in
SRBA 9/21/04
Exam looks great.
Go ahead & do your
acknowledgement then
route file to me
for license review.
Thanks!
Kay 12-5-01
Done 12/21/01*

[illegible]

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

See attached maps.



Scale: 1" = _____

☒ 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. *See narrative*

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

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

See narrative

1.

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

2. Measurements: *See narrative*

E. NARRATIVE/REMARKS/COMMENTS

See attached narrative

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

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

Pitot tube at hydrant

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{N/A}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

Domestic use (luxury high-end homes) = 150 gpcd

Assume average 3.0 persons/unit

** = 150 gpcd (3.0 persons/unit) (27 units) = 12150 gpd = 13.6 af/yr*

Maintenance shop 500 gpd or 0.6 af/yr Total 14.2 af/yr

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Domestic</i>	<i>1/1</i>	<i>12/31</i>	<i>0.23</i>	<i>14.2</i>
Totals:			<i>0.23</i>	<i>14.2</i>

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

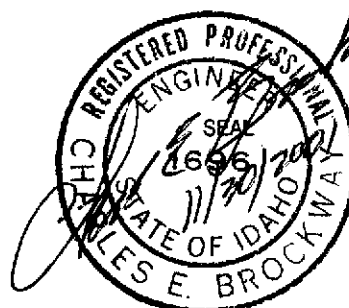
☒ Other

*Modify conditions —
see narrative.*

I. AUTHENTICATION

Field Examiner's Name Charles E. Brockway Date 11/30/01

Reviewer _____ Date _____



BENEFICIAL USE FIELD REPORT NARRATIVE PERMIT NO. 37-8881 – RINKER COMPANY

C. E. Brockway, P.E., Certified Water Rights Examiner
Brockway Engineering, PLLC
November 29, 2001

Permit No. 37-8881 was granted under I.C. 42-111 as a domestic exemption to the Snake River basin groundwater moratorium. It is appurtenant to the Golden Eagle Ranch Phase 2 subdivision in Blaine County, approximately six miles north of Hailey in T. 3 N., R. 18 E., Sections 7 and 18 (see the attached vicinity map). The applicant specifically waived his right to the 0.5 acre per lot allowance under the Part (a) exemption, so this right covers only in-house use (condition #9 on the permit).

A site inspection was made on November 28, 2001, accompanied by Perry Hestness. Mr. Hestness is the caretaker for the subdivision and is familiar with the water system layout and operation. The subdivision was constructed during the spring and summer of 2001, and is complete except for a roadway tie-in at the new East Fork Road highway intersection, which is currently under construction by the Idaho Transportation Department. The subdivision consists of 27 residential lots and one maintenance shop. Several lots have been sold, but no residential construction was underway during the site inspection. The original plan called for 26 lots, a maintenance shop, and a recreation center. The recreation center was subsequently converted to a residential lot, making 27 lots total. The maintenance shop has no living quarters, but contains a restroom and kitchen space.

The location of the subdivision is in agreement with the legal description of the place of use on the permit.

System description

Each lot is supplied via common irrigation and domestic water systems. Each system is completely independent as required by the Idaho Department of Environmental Quality. The domestic potable water is drawn from two wells located in the south portion of the Phase 1 subdivision in the NW1/4 SE1/4 Sec. 18 (west well) and the NE1/4 SE1/4 Sec. 18 (east well) – see photos 1 and 2. The point of diversion legal description on the permit is correct. These are the same wells that supply potable water for Golden Eagle Phase 1 subdivision under permit 37-8854; no new wells have been drilled pursuant to permit 37-8881. Both wells have a 12-inch steel casing and are approximately 110 feet in depth. Brockway Engineering oversaw construction of these wells during the spring of 1996.

Both wells are equipped with a submersible pump of the same make and model. However, the west well has a 20HP 2-stage pump with a variable-speed drive, designed to deliver a maximum of 500 gpm at a system operating pressure of at least 40 psi. The

east well has a 10HP single-stage fixed-speed pump designed to deliver 500 gpm at atmospheric pressure. The pumps are set at approximately 100 feet in both wells. Performance curves for the well pumps are included with this report.

The west well is the primary well and the east well is used only as a backup. Both wells deliver to a common 10" steel manifold where the chlorine injection system is located (photo 3). A totalizing flow meter is also located on this pipe. After chlorine injection, water is held in a 10,000-gallon contact chamber. It is then pumped into the potable water system by centrifugal booster pumps. These pumps are Berkeley B3ZPLS with 7.75" impellers and 30 HP motors (see the attached pump curves and photo 4). One pump is a fixed-speed unit, and the other is a variable-frequency unit. The VFD pump is able to meet typical water demands, with the fixed-speed unit programmed to operate at high demands.

The north (phase 2) domestic system connects to the south domestic loop at two locations (see attached map). The north system is also a looped system, with lines extending to cul-de-sac lots as shown. Stub-outs are 1-1/2 lines and all stub-outs are in place. The maintenance shop was verified to be in place and operational.

No irrigation or fire flow is supplied from the domestic system.

Capacity of the domestic system

Since the wells, pumps, and piping systems have not changed since the beneficial use examination was performed for 37-8854 on April 29, 1998, the flow measurements conducted then are valid. Discharge measurements were made using a flushing hydrant connected to the domestic system and isolated. West well discharge was measured using a pitot tube and discharge tables for the Waterous 11G6 2-1/2" hydrant supplied by the Wood River Fire District. The discharge was 650 gpm (1.45 cfs). This agrees with the performance curves, considering a lift from the well of 20 feet and losses through the hydrant.

East well discharge was too low to be measured by the pitot tube, but was estimated using a 5 gallon bucket and stopwatch to be 200 gpm (0.45 cfs). Since it is not anticipated that the two wells will be used simultaneously, the capacity of the domestic system should be only the capacity of the primary well, or 1.45 cfs. This is greater than the combined permit flow rate of 0.54 cfs (0.31 cfs on 37-8854 and 0.23 cfs on 37-8881).

Capacity of the booster pumps was estimated theoretically using the pump curves. At a delivery pressure of 87 psi (201 feet), the two pumps in parallel can deliver a maximum of 1030 gpm (2.30 cfs).

Permit conditions

The permit requires that the drilling permit requirements of I.C. 42-235 be satisfied, and that the domestic wells be constructed according to Idaho well construction standards. Brockway Engineering designed and oversaw the construction of the wells, and verified that these requirements and standards were met. The well design and location was

approved by the Idaho Department of Environmental Quality, as evidenced by the enclosed correspondence from Greg Misbach and David Anderson.

The permit requires that a suitable measuring device be installed (or that the power-consumption method be pursued with IDWR). A flow meter with a totalizing function is installed in the manifold in the chlorination building (photo 3). The meter is an insertion type impeller meter, and appears to be installed correctly. Records have been kept by Golden Eagle staff since November 2000.

Other rights

There are no other domestic water rights or claims on the Golden Eagle Ranch Phase 2 land. Several irrigation rights are applicable, but are not related to 37-8881.

Recommended licensing amendments

The following conditions should be modified to reflect the change of the original recreation area to a residential lot.

1. Modify condition #7 to read:
"Place of use is located within Lots 1-10, Blk. 1; Lots 11-13, Blk. 2; Lots 14-27, Blk. 3; and Tract D, Golden Eagle Ranch II Subdivision.
2. Modify condition #8 to read:
"Domestic use is for 27 homes and one maintenance building.
3. Modify condition #11 to read:
"The domestic use authorized under this right for the maintenance building shall not exceed 2,500 gallons per day."

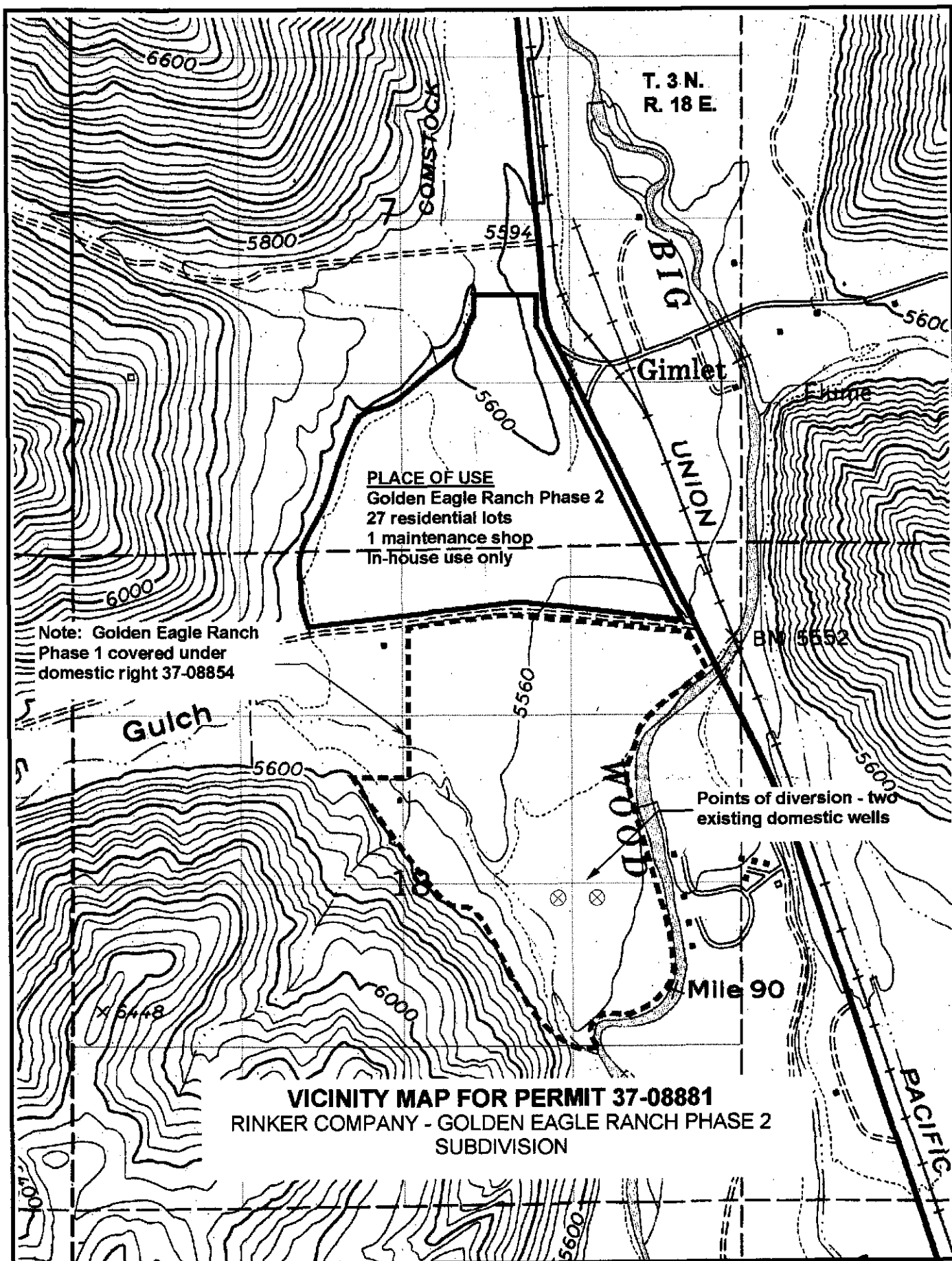
Volume recommendation

The volume on the right should reflect in-house use only. Based on homes built on Phase 1 of the subdivision, residences to be built on Phase 2 will be very up-scale luxury units, typically of greater than 6,000 square feet. It is reasonable to assume that per-capita water usage will fall on the high-end of the typical range for luxury dwellings, or 150 gpcd (IDWR Planning Guide for Water Use).

$150 \text{ gpcd} \times 3 \text{ persons per unit} \times 27 \text{ units} = 12,150 \text{ gpd} = 13.6 \text{ ac-ft per year}$

The maintenance shop will require a maximum of 500 gpd, or 0.6 ac-ft per year.

Total domestic volume = $13.6 + 0.6 = 14.2 \text{ ac-ft per year}$.



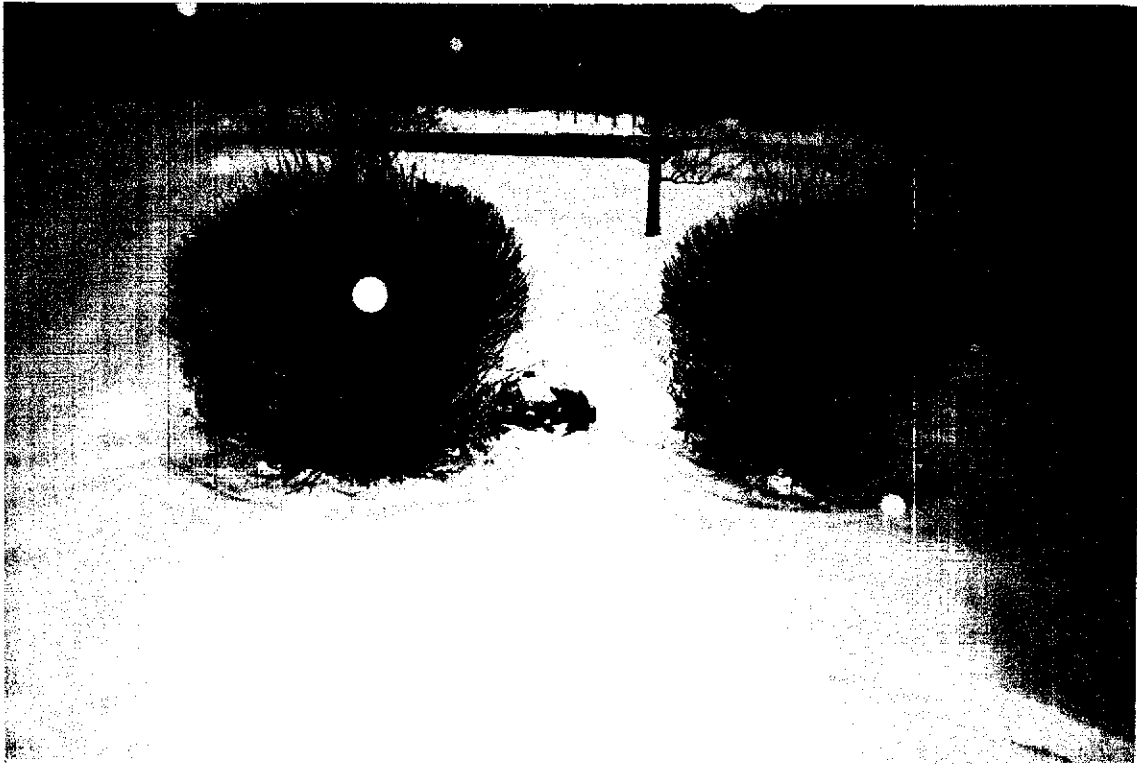


Photo 1. West domestic well (primary). 11/28/01



Photo 2. East domestic well (backup) 11/28/01

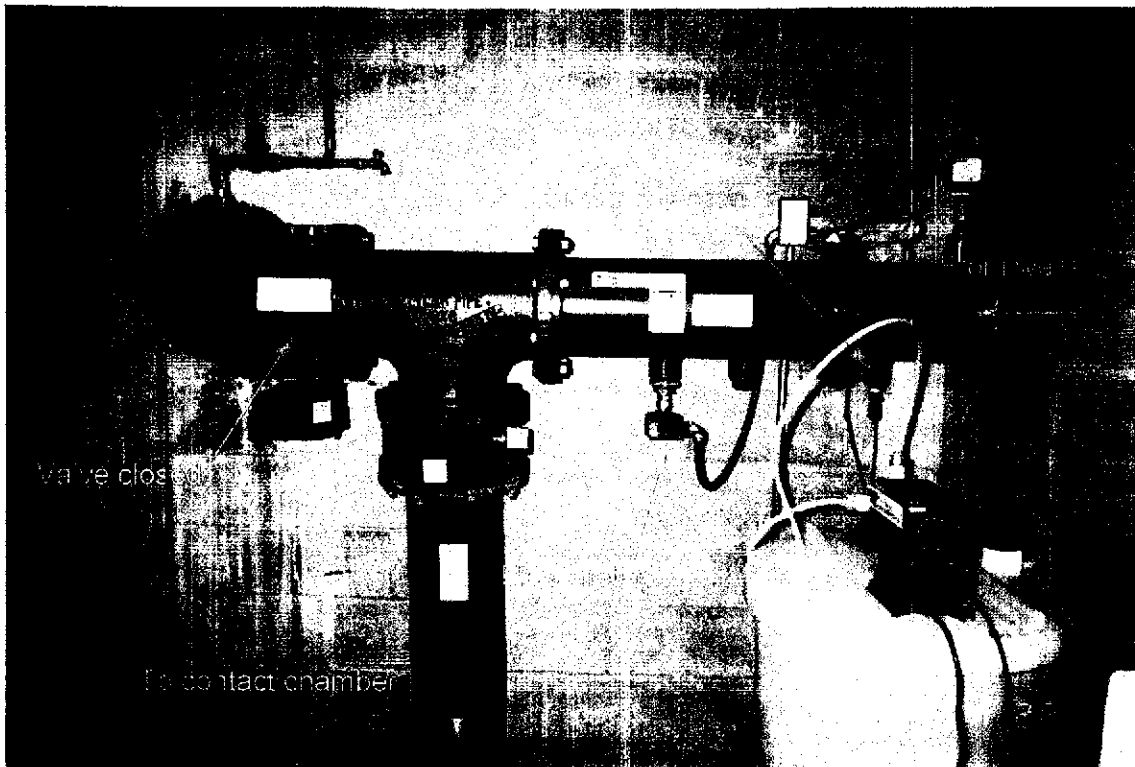


Photo 3. Manifold, chlorination setup, and flow meter. 11/28/01

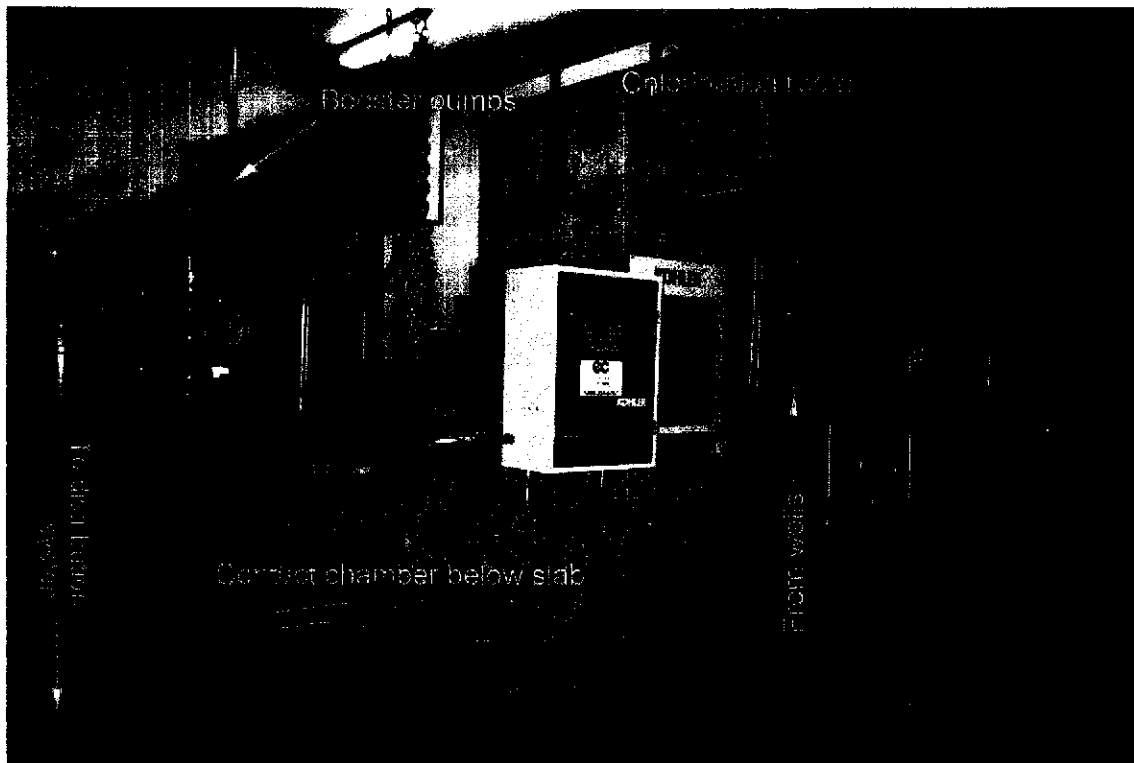


Photo 4. Domestic booster pumps and piping. 11/28/01



DIVISION OF
ENVIRONMENTAL QUALITY

COPY

801 Pole Line Road, Suite 2, Twin Falls, ID 83301-3035, (208) 736-2190

Philip E. Batt, Governor

May 9, 1996

Chuck Brockway
Brockway Engineering, P.L.L.C.
706 Sunrise Boulevard North
Twin Falls, ID 83301

Re: Plan & Specification Review, Golden Eagle Ranch Domestic
Wells, Blaine County, Idaho

Dear Chuck:

The plans and specifications for the referenced facilities appear to meet State standards and are therefore approved. Our approval is for design of the domestic wells only.

Plans and specifications for the distribution system, stamped by a licensed professional engineer, will need to be submitted to this office for review and approval prior to construction.

Any major changes, or changes that might result in violations of Idaho regulations, must be reviewed by this office prior to field installations. This office must also be kept informed of the scheduling of all construction phases so that spot inspections can be made as necessary.

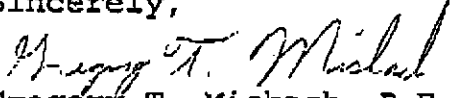
The Idaho Department of Health and Welfare's approval of the plans and specifications for the design of the referenced facility does not imply approval by other State or Federal agencies for construction or operation of the water supply.

This approval will expire June 1, 1997. If construction is not completed at this time, plans will need to be resubmitted for approval before further construction proceeds.

Within 30 days after construction, a professional engineer registered in the State of Idaho must provide this office with as-built plans, or a letter of certification stating that the project was installed substantially according to the approved plans.

If you have any questions, please do not hesitate to contact this office at 736-2190.

Sincerely,


Gregory T. Misbach, P.E.
Senior Water Quality Engineer

GTM/ml

cc: Mr. Harry Rinker, Wood River Properties, c/o Silver Creek
Irrigation, P.O. Box 748, Picabo, Idaho 83348



IDAHO DEPARTMENT
OF HEALTH AND WELFARE

DIVISION OF
ENVIRONMENTAL QUALITY

601 Pole Line Road, Suite 2, Twin Falls, ID 83301-3035, (208) 736-2190

Philip E. Batt, Governor

April 29, 1996

Charles Brockway
U of I Research and Extension Center
3793 N 3600 E
Kimberly, ID 83341

RE: Golden Eagle Subdivision, Blaine County, Well lot

Dear Chuck:

The location of the new well is approved.

Please be reminded proper setbacks to the sewer/septic systems, property lines, and potential sources of contamination will need to be maintained as the project is developed.

Monitoring for chemical, radiological and biological contaminants, as well as sand production during the test pump, will need to be conducted before the well is to supply water to the public.

If you have any questions or comments, feel free to contact us at this office.

Sincerely,

David Anderson
Water Quality Science Officer

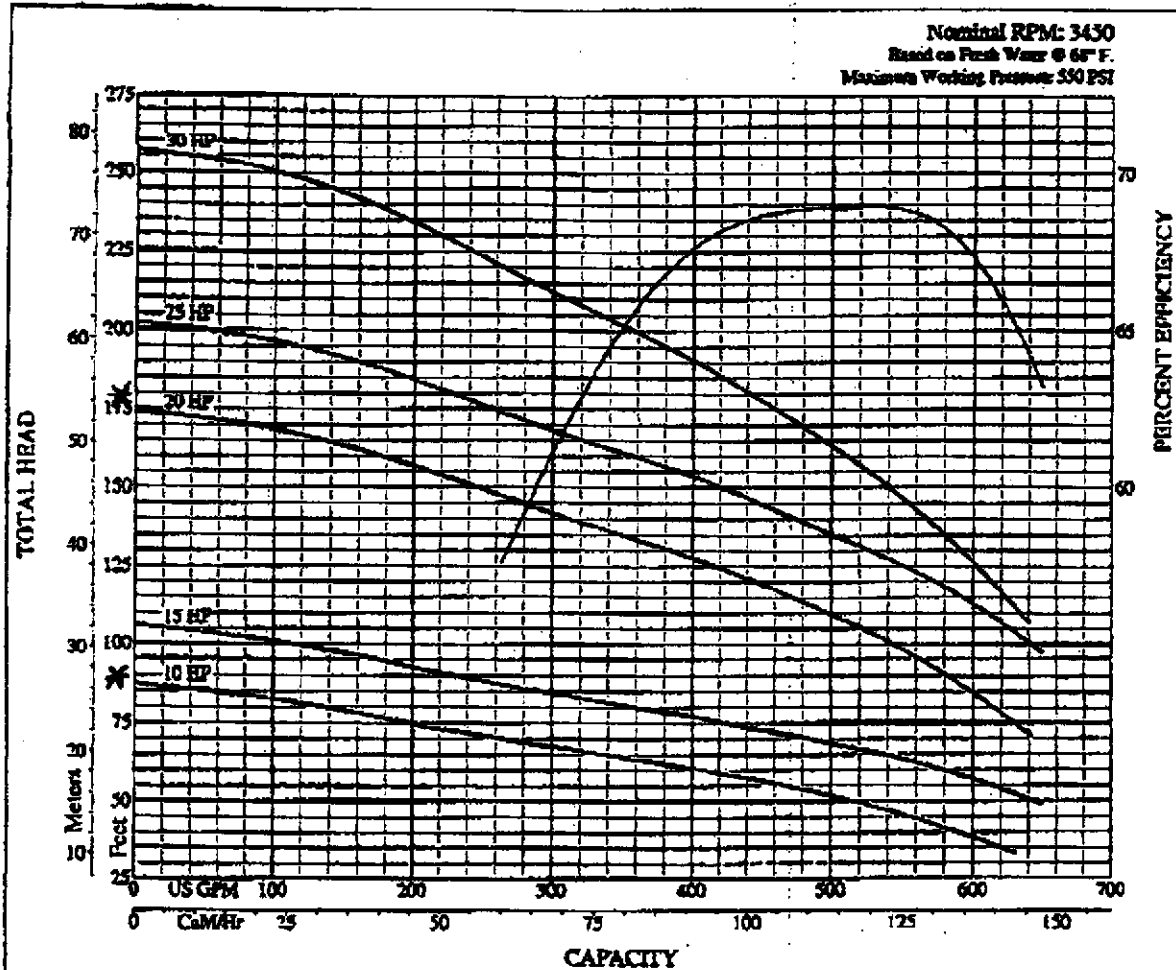
DA/ph

cc: Mike McMasters, Prevention & Certification Supervisor, DEQ
Tom John, DEQ-CO, Community Programs



SUBMERSIBLE TURBINE

7T-500



OUTLINE DIMENSIONS / WEIGHTS

HP	stages	Motor size	P length	M* length	MD* dia.	Mt. wt.	Pump wt.
10	1	6"	19.94	30.56	5.38	135	60
15	1	6"	19.94	33.13	5.38	146	60
20	2	6"	26.44	30.56	5.38	135	86
25	2	6"	26.44	33.13	5.38	148	86
30	3	6"	32.94	33.69	5.38	162	112

Note: dimensions in inches; weight = U.S. lbs.

M* Maximum length (Franklin Electric Motor)

MD* Motor diameter (Franklin Electric Motor)

SPECIFICATIONS

Minimum Well I.D.	8.0 Inches
Minimum Submergence @ BEP (above inlet)	10.0 Feet
Capacity Range	211 - 650 GPM
Discharge	5" F x 6" M NPT

See manufacturer's data for motor cooling requirements

SUPERSEDES

All Previous

Date 04/15/96

Section **ST**

Page 21.01

Golden Eagle 37-08854/37-08881
Domestic Well Pumps
West well: 20HP
East well: 10 HP



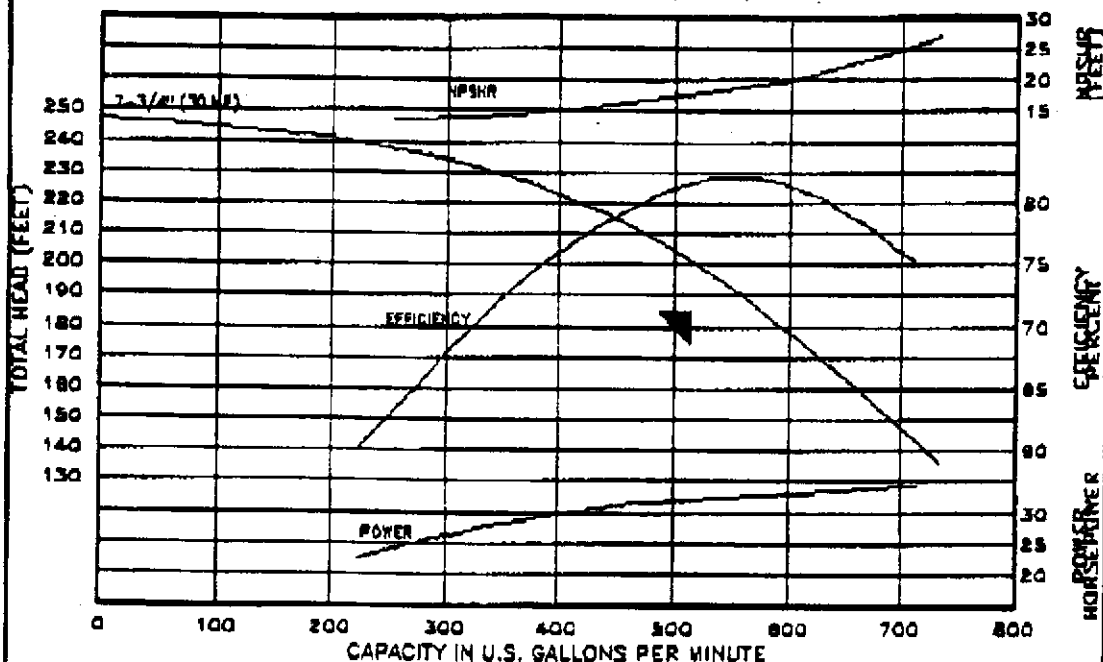
MOTOR DRIVE

B3ZPL

Nominal RPM 3600

Based on Fresh Water @ 88 deg. F

Impeller Diameter: 7-3/4" (30 HP)



B.E.C. 3.8

SELECTION CONDITIONS

Flow:	515.0 GPM	Priming Type:	Standard
Total Dynamic Head:	185.0 feet	Motor Loading:	Standard

PUMP DESCRIPTION

Pump Model:	B3ZPL	Priming Type:	Standard
Impeller Diameter:	7.750 in.	Impeller Material:	Iron
Suction:	4"NPT	Discharge:	3"NPT
Shaft Seal:	Packing		

PUMP PERFORMANCE

Flow:	515.0 GPM	Power:	32.0 BHP
Total Dynamic Head:	200.7 feet	Efficiency:	81.6 %
Nominal Speed:	3600 RPM	NPSHR:	17.7 feet
Shut-Off Head:	246.8 feet	Max Power:	34.3 BHP
Best Eff:	82.2 @ 515.8 GPM		

MOTOR

Size:	30 HP	Enclosure:	ODP
Voltage: Consult Catalog/Factory		Hz/Phase:	60/3

PRICE/ORDER INFORMATION

Catalog No.:	B53818
Weight:	475 lbs.

QUOTED BY:

SILVER CREEK IRRIGATION
ROB ALDINGER

QUOTED TO:

★ GOLDEN EAGLE POTTABLE STATION

Golden Eagle 37-08854/37-08881
Domestic booster pumps

F. FLOW CALCULATIONS

X Additional Computation Sheets Attached

Measured Method:

Pitot tube at hydrant

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{N/A}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

2. Volume Calculations for Other Uses:

Domestic use (luxury high-end homes) = 150 gpcd

Assume average 3.0 persons/unit

$\# = 150 \text{ gpcd (3.0 persons/unit) (27 units)} = 12150 \text{ gpd} = \underline{13.6 \text{ af/yr}}$

Maintenance shop 500 gpd or 0.6 af/yr Total 14.2 af/yr

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic</u>	<u>1/1</u>	<u>12/31</u>	<u>0.23</u>	<u>14.2</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Totals:			<u>0.23</u>	<u>14.2</u>

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

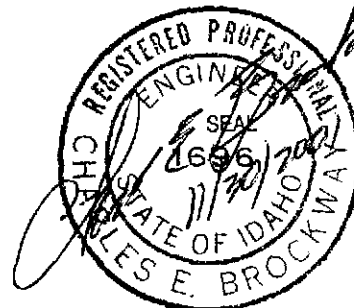
X Other

Modify conditions -
see narrative.

I. AUTHENTICATION

Field Examiner's Name Charles E. Brockway Date 11/30/01

Reviewer Date



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

See attached maps.

See NARRATIVE

Scale: 1" = _____

☒ 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. *See narrative*

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

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

See narrative

1.

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

2. Measurements: *See narrative*



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

December 21, 2001

RINKER COMPANY
PO BOX 7250
NEWPORT BEACH CA 92658

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08881

Dear Permit Holder:

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

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 37-8881

Reviewed By: dgibson

Date: December 5, 2001

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

Priority Calculation

Date proof received	11/30/2001
Date proof due	- 12/01/2001
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 09/01/1998
New priority date	= 09/01/1998

Deficiencies of Actions Items

Kay has reviewed and said exam is ok. Forward copy to well construction for their review of fees paid to be sure they are ok. If everything is ok, then acknowledge proof with field report.

12/5 sent to Well Const. for review.
12/21 - W.C. ok'd.

September 30, 2001

RINKER CO
PO BOX 7250
NEWPORT BEACH, CA 926587250

PROOF DUE NOTICE

RE: PERMIT NO. 37-8881

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

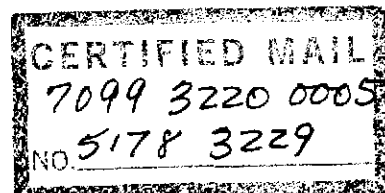
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

cc: Charles E. Brockway





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 18, 1998

RINKER CO
PO BOX 7250
NEWPORT BEACH CA 92658-7250

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08881

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

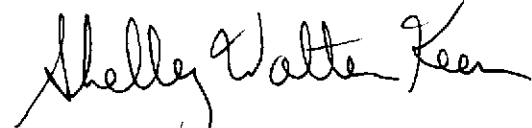
MICROFILMED

JAN 14 1999

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

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

cc: C. Brackway
12.18.98
Ket

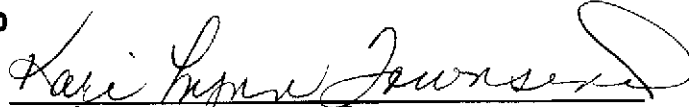
MICROFILMED
JAN 04 1999

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of December, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 37-08881

RINKER CO
PO BOX 7250
NEWPORT BEACH CA 92658-7250


Kari Lynn Townsend
Secretary

MICROFILMED
JAN 14 1999

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

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CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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JAN 0 4 1999

WR0749NP
No. P37-08881

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/14/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RINKER CO PO BOX 7250 NEWPORT BEACH CA 92658-7250 (714) 979-8300	09/01/1998	DOMESTIC	01/01 12/31	0.230 CFS	
TOTAL DIVERSION:					0.230 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T03N R18E S18 NESE NWSE BLAINE County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
T	R	S	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
03N	18E	7	:	:	:	:	:	:	:	:	:	:	:	:	:
03N	18E	18	:	D	D	:	D	:	:	:	:	:	:	:	:

Pou County: BLAINE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

37-00153C 37-02632 37-07093 37-08854 37-08881

Other Water Rights Listing Overlapping Place(s) of use:

37-00153C 37-00154C 37-00364G 37-02627B 37-02632 37-02644C 37-02644D 37-02644E 37-07073 37-08445
37-08456 37-08551 37-08854 37-30012 37-30028 37-30030

Conditions of Approval:

- 26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.
- 046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
- ~~071~~ - The domestic use authorized under this right shall not exceed
- 13,000 gallons per day per home.
- ~~068~~ - This permit does not authorize the construction of any new well
- or the deepening or enlargement of any existing well.
- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.
- 117 - Prior to diversion of water under this approval, the right-holder
- shall provide a means of measurement acceptable to the Department
- from all authorized points of diversion which will allow
- determination of the total rate of diversion.

Note: Protested
Transfer #4827, on
37-00154C, is correct
in & ponds in subd.

Remarks: GEN 7 The right holder shall annually report the amount of water
diverted to the department.

- 10 Place of use is located within Lots 1-10, Blk. 1; Lots 11-13,
Blk. 2; Lots 14-26, Blk. 3; and Tracts D & E; Golden Eagle

* Database updated 12/15/98

Remarks: Ranch II Subdivision.

1. Domestic use is for 26 homes, a maintenance building and recreation center.
2. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
3. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
4. The domestic use authorized under this right for the maintenance building and recreation center shall not exceed 2,500 gallons per day.
5. ~~Prior to the diversion and use of water under this right, the right holder shall comply with all requirements of appropriate governmental entities.~~

Dates: App. Received: 09/01/1998 Priority Date: 09/01/1998
Proof Due Date: 12/01/2001 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 09/14/1998 User-ID: SCURTIS Subject: EXISTING P/D
The two wells listed under this application are existing.

Audit: 12/14/98 CZIMMERM

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindylon*No.: 7-08881 Name: Renker Date: 12/14/98 Ad OK? ✓ / Gvmt Lts: ✓

AREA OF CONCERN:

- No/Yes: ESRP Mor / Big Wood R GWMA / Trust / Non-trustPROTESTED: 00/0

- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

- 26A/P17

≤ 1 year/no proof

- P16

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

- North / East / West

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5 acres

- 01M (report when notified)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046/P23

In Basin 34?

- 085

Irr. within WD

- P05 (new well location)

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

FISH & GAME CONTACTED:

- Yes / No; RESPONSE: _____

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9 _____

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

- 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22-P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

Weiser R (67)

- 086, 087

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area

- 071-072

Fire Protection

- 077

Fish Propagation

- 029(70's only)-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining

- 054(req)-081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

Power

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Stockwater

- R37 (BLM/USFS); NA

Storage (✓ 3 compo.)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

- P84 (in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Mitigation

- 120

SWAN FALLS FLAG (See Code Chart)

- C

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

- 068

STANDARD REMARKS:

- 1) 065 2) 063 3) 071 4) 060 5) 068 6) govt

BENEFICIAL USE DUE:

- 12/1/2001

COMMENTS:

-

STATE OF IDAHO
IDWR SOUTHERN REGION
APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED

NOV 27 1998

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY J. P. Stanton DATE 8-24-98

REQUIRED INFORMATION (Ck if OK)

- ☒ 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 9-1 1998

ADDITIONAL INFORMATION

- ☐ Overlapping place of use(Describe source & relationship to present application on the back.
- ☒ Overlapping point of diversion.
- ☐ Yes ☒ No Is Source Surface Water?
If Yes Send Copy to F&G.
If Yes Field check/memo required.
Field check/memo by _____
- ☐ Yes ☒ No Field report attached?
- ☐ Yes ☒ No Critical Ground water area?
- ☒ Yes ☐ No Groundwater management area?
- ☐ Yes ☒ No Measurement District or Groundwater District?
What District? _____
- ☐ Yes ☒ No Send Dam safety information?
- ☐ Yes ☒ No Send power requirement letter?
- ☐ Yes ☒ No Send fish farm requirement letter?
- ☐ Yes ☒ No Power residency affidavit attached?
- ☐ 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.
- ☐ Yes ☒ No Is Application made to record Pre Nov 1987 Development?
If Yes then request clear evidence of when use started.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Date Requested _____

Date Sent Comments Received

SEND COPIES TO:

☒ Idaho Dept of Health & Welfare	_____	_____
☐ USDI BLM	_____	_____
☐ Idaho Dept of Fish & Game	_____	_____
☐ USFS	_____	_____
☐ Idaho Dept of Lands	_____	_____
☐ Water Dist. No. _____	_____	_____
☐ Adjudication Bureau Unit	_____	_____
_____	_____	_____
_____	_____	_____

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

☒ Yes ☐ No Has all requested additional information been received?
If not, describe action taken: _____

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?

Final date for protest: _____

☐ Yes ☒ No Protests received?

☐ Yes ☒ No Protested?

Describe Resolution: _____

☒ 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 codes: _____

☒ Yes ☐ No Is Evaluation Memo Attached?

If yes, date of Memo 11/29/98

Date of priority recommended: 11/29/98

7/31/98

COMMENTS:

RECOMMEND ☒ Approval ☐ Denial

By AD Date 11/29/98

FROM: Allen Merritt

DATE: November 24, 1998

RECEIVED

TO: File: Application for Permit 37-08881

NOV 27 1998

SUBJECT: Review & Recommendation

Department of Water Resources

The application proposes to expand an existing domestic well system covered under 37-08854 for develop of phase two portion of the development between Hailey and Ketchum known as the Golden Eagle Ranch. The site is located in an area presently covered by the "Eastern Snake Plain Moratorium" as well as the "Big Wood River Groundwater Management area". Pursuant to the moratorium and the management order such subdivision wells have been allowed for "domestic, irrigation & fire protection" purposes as long as the individual units or lots in the subdivision satisfies the definition of 42-111. Review of existing rights at the site of the subdivision finds that the land is presently irrigated from water from an existing irrigation well &/or from Big Wood River decrees. It is the understood intention of the applicant that these other rights are to be reconfigured in a pending transfer to provide irrigation and other water features within the subdivision. This application is for in-house use only.

The application was advertised with no protests. (One protest was received but it was determined that it incorrectly referenced this permit and more correctly was for the pending transfer associated with the subdivision and associated movement of water up to Ohio Gulch for irrigation of a soccer field.)

Review of the application indicates that the domestic use is for 28 residential lots. Review of the plat finds there are 26 residential lots, 1 lot for a recreation hall and 1 lot for a maintenance shed. This day I phoned Brockway Engineering for a clarification and they indicated it was the intent to serve 26 building sites and water for the recreation hall and maintenance shed as shown on the plat.

RECOMMENDATION:

I recommend that the application be approved subject to the following conditions:

1. A measuring device with totalizing meter be installed at the wells and water use reported annually.
2. Use of water for domestic purposes under this permit shall be limited to in-house use for 26 residential lots (limited to 13,000 gpd per lot) and minimal facility use in the recreation hall and maintenance shed (limited to 2500 gpd in total).
3. Use of water for irrigation under this right is not

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JAN 04 1999

authorized.

4. No new wells are authorized to be drilled under this permit.

5. The water system utilized must meet public water supply system requirements and standards of DEQ.

6. Subject to all county, state & federal permits that may be required.

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JAN 04 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

November 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES G BROCKWAY
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

RE: Application for Permit No. 37-08881

Dear Mr. Brockway:

We have received a clarification of the protest filed by Richard G. Hesselbacher against approval of the above referenced application. The reference to Application for Permit 37-08881 was a mistake.

Please be advised that per instructions received on this date from Mr. Hesselbacher, his protest has been associated with the pending transfer on Water Right No. 37-00154D filed in the name of Rinker Company which is currently being staffed by Water Agent James Stanton. A copy of the request by Mr. Hesselbacher is enclosed for your information.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

Enclosure

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JAN 04 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

November 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RICHARD G HESSELBACHER
PO BOX 2850
KETCHUM ID 83340

RE: Protest

Dear Mr. Hesselbacher:

This office acknowledges receipt of the clarification of your protest.

Per your instructions received on this date, your protest on file has been associated with the pending transfer on Water Right No. 37-00154D filed in the name of Rinker Company which is currently being staffed by Water Agent James Stanton.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

MICROFILMED

JAN 04 1999

Alan Merritt
Dept. of Water Resources

November 23, 1998
Rick Hesselbacher
P.O. Box 2850
Ketchum, Id. 83340
(208)788-4025

RECEIVED
NOV 23 1998
Department of Water Resources
Southern Region

Dear Mr. Merritt,

Thank you for your phone call today regarding my protest of the Golden Eagle 2 domestic water use permit. I am not protesting water use for domestic purposes. I am however protesting the proposed transfer of water rights to Ohio Gulch road. Could you please leave my protest on file regarding this transfer? Sorry for the confusion.

Sincerely,



Richard G. Hesselbacher

MICROFILMED
JAN 04 1999

INTER-DEPARTMENT MEMO

TO: Rinker Files - Transfer
- Appl# 37-08881

Phone conv. with
Richard Hesselbacher
SUBJECT: _____

FROM: Allen Merritt

DATE: 11/23/98

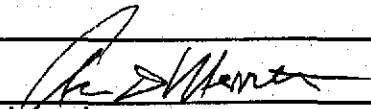
This day I contacted Mr. Hesselbacher (208-788-4025) and discussed with him
his recent protest. I confirmed he was not interested in protesting
37-08881. He is interested in protesting the pending transfer of water up
Ohio Gulch. I told him I would apply the protest to that matter.
He will fax me a letter to document his desire. I told him
I would notify Brockway Engineering.

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() For your information

JAN 04 1999

() Response required


signature

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST

RECEIVED

OCT 26 1998

Department of Water Resources
Southern Region

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

Matter being protested IDENT NO. 37-08881 Pending TR⁴⁸²⁷ on WR# 37-001546
Water Transfer From Greenhorn II Subdivision to Ohio Gulch Rd. - Attachment #1
SEE

1. Name of protestant RICHARD G. HESSELBACHER

2. Protestant's representative for service (If different than protestant)

3. Service mailing address P.O. Box 2850 KETCHUM, ID 83340

4. Service telephone no. 208-788-4025

5. Basis of protest (including statement of facts and law upon which the protest is based)

I AM PROTESTING THE TRANSFER OF WATER RIGHTS FROM THE GREENHORN II SUBDIVISION TO THE REC DISTRICT
ON OHIO GULCH RD. SPECIFICALLY, I AM CONCERNED ABOUT WATER RIGHTS BEING TRANSFERRED TO DRY CANYONS IN IDAHO
AND SEE THIS AS A BAD PRECEDENT FOR THE FUTURE, ADVERSELY EFFECTING THE WATER RIGHTS
OF OTHERS DOWN STREAM. I ALSO BELIEVE THAT THERE IS INSUFFICIENT WATER FOR A TRANSFER.

(additional pages may be attached to describe the nature of the protest)

6. What would resolve your protest? SEE ATTACHED FORM # II

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 22ND day of OCTOBER, 19 98.

RICHARD G. HESSELBACHER Richard G. Hesselbacher
PROTESTANT

PROTESTANT'S REPRESENTATIVE

MICROFILMED

JAN 04 1999

Q. WHAT WOULD RESOLVE YOUR PROTEST

ATTACHMENT #II

A. MY PROTEST CAN BE RESOLVED BY:

1) ENSURING THAT IF A WELL WERE TO BE DRILLED IN THE Ohio GULCH DRAINAGE THAT IT WOULD BE REQUIRED TO BE DRILLED ON THE RECREATIONAL SITE. THAT IS, WHERE THE WATER IS ACTUALLY TO BE USED. (NEAR THE FIELDS) THIS WOULD ENSURE THAT DRY CANYONS DO NOT BECOME OVERDEVELOPED THEREBY SAVING WATERS FOR THE BIG WOOD AQUIFER AND FUTURE GENERATIONS TO ENJOY.

2) THAT STRONG WORDING BE ADOPTED IN THE FINAL DRAFT OF THE APPROVAL OF WATER RIGHT TRANSFER STATING THAT "WATER RIGHTS TRANSFERRED FOR REC DISTRICT USE BE USED ONLY FOR THE RECREATIONAL PURPOSE THAT IT WAS INTENDED..." NOT FOR ANY OTHER PROJECTS OR SUBDIVISIONS IN CLOSE PROXIMITY TO THE PLAYING FIELDS. FURTHER, THAT THIS TRANSFER OF WATER BE CONSIDERED A SPECIAL USE PROJECT FOR THE GENERAL BENEFIT OF THE COMMUNITY AND THAT IN THE FUTURE IT BE DEEMED UNBENEFICIAL TO TRANSFER WATER RIGHTS TO DRY CANYONS.

3) PROVING THAT THERE IS SUFFICIENT WATER TO SATISFY ^{THE} WATER RIGHT THAT IS BEING ~~TRANSFER~~ TRANSFERRED.

MICROFILMED
JAN 14 1999

fedEx USA AirbillFedEx
Tracking
Number

809261331552

Form
I.D. No.

0200

Recipient's Copy

1 From
Date OCT 23Sender's Name RICHARD HESSELBACHER Phone (208) 788-0956Company NWA 087582Address 425 SWEETBRIER RD.City HAILEY State ID ZIP 83333**2 Your Internal Billing Reference Information****3 To**
Recipient's Name JIM STANTON Phone (208) 736-3033Company IDAHO DEPT. OF WATER RESOURCESAddress 1341 FILLMORE ST. STE 200
(To "HOLD" at FedEx location, print FedEx address here) Dept./Room/Suite/RoomCity TWIN FALLS State ID ZIP 83301-3380

For HOLD at FedEx Location check here

☐ Hold Weekday (Not available with FedEx First Overnight)
☐ Hold Saturday (Available for FedEx Priority Overnight and FedEx 2Day only) (Not available at all locations)

For WEEKEND Delivery check here

☐ Saturday Delivery (Available for FedEx Priority Overnight and FedEx 2Day only)
☐ NEW Sunday Delivery (Available for FedEx Priority Overnight only)☐ Check here if residence (Extra charge applies for FedEx Express Saver)**4a Express Package Service Packages under 150 lbs.** Delivery commitment may be later in some areas.☒ FedEx Priority Overnight (Next business morning)
☐ FedEx Standard Overnight (Next business afternoon)
☐ FedEx First Overnight (Earliest next business morning delivery to select locations) (Higher rates apply)
☐ FedEx 2Day (Second business day)
☐ FedEx Express Saver (Third business day)
FedEx Letter: Rate not available. Minimum charge: One pound rate.**4b Express Freight Service Packages over 150 lbs.** Delivery commitment may be later in some areas.☐ FedEx Overnight Freight (Next business day)
☐ FedEx 2Day Freight (Second business day)
☐ FedEx Express Saver Freight (Up to 3 business days)
(Call for delivery schedule. See back for detailed descriptions of freight services.)**5 Packaging**
☒ Fed Let ☐ Fed Pak ☐ Fed Box ☐ Fed Tube ☐ Other Pkg.
Declared value limit \$500.**6 Special Handling** (One box must be checked)
Does this shipment contain dangerous goods? ☐ No ☐ Yes (Shipper's Declaration not required)
☐ Dry Ice (Dry ice, 9, UN 1845) ☐ Cargo Aircraft Only
*Dangerous Goods cannot be shipped in FedEx packaging.**7 Payment**
Bill to: ☐ Sender (Account No. in Section 1 will be billed) ☐ Recipient ☐ Third Party ☐ Credit Card ☒ Cash/Check
(Enter FedEx Account No. or Credit Card No. below)

Total Packages	Total Weight	Total Declared Value*	Total Charges
1		\$.00	\$ 5.00

*When declaring a value higher than \$100 per shipment, you pay an additional charge. See SERVICE CONDITIONS, DECLARED VALUE, AND LIMIT OF LIABILITY section for further information.

8 Release Signature

Your signature authorizes Federal Express to deliver this shipment without obtaining a signature and agrees to indemnify and hold harmless Federal Express from any resulting claims.

Questions?

Call 1-800-Go FedEx® (800)463-3339

322

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JAN 8 4 1999
MICROFILMED

AFFIDAVIT of PUBLICATION

RECEIVED

OCT 20 1998

Department of Water Resources
Southern Region

State of Idaho, }
County of Blaine } SS.

On this 16 day of October, in the year 1998, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 7 day of Oct, 1998 and the date of the last publication was on the 14 day of Oct, 1998.

Subscribed and sworn to before me this 16 day of Oct, 1998.
(SEAL)

VIRGINIA R. BALLOU
NOTARY PUBLIC
STATE OF IDAHO

Virginia R. Ballou
NOTARY PUBLIC
Commission expires 9-17-04

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 9.5
Number of Lines in Notice 49.400
Number of Insertions 2
Lines tabular at 49.400 7¢ / Pica
Lines straight at 28.158 6¢ / Pica
Subsequent lines at 23.465 5¢ / Pica
TOTAL COST \$56.62

COPY OF NOTICE
(Paste Here)

Application: Water Permit #37-08881
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO

Application for water permit

NOTICE OF APPLICATION FOR WATER PERMIT

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

RINKER COMPANY
PO BOX 7250
NEWPORT CA 92658-7250
Application for Permit
No. 37-08881

Source: groundwater
(2 existing wells)

Diversion Pt(s): NE1/4SE1/4,
NW1/4SE1/4, S18, T03N, R18E;
Blaine County.

Use: 1/1-12/31

Domestic-28 homes (0.23 cfs)

In: Parts of S07 & S18, T03N,
R18E; Blaine County

Date Filed: 07/31/98

Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 26, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River
Journal on 10/07 & 10/14/98.

REV. JUNE 1994
7-8 pt./line straight: .06 / pica
7-8 pt./line tabular: .07 / pica
7-8 pt./line successive
insertion: .05 / pica

MICROFILMED

JAN 04 1999

11141

AFFIDAVIT of PUBLICATION

RECEIVED

OCT 20 1998

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Southern Region

State of Idaho,

County of Blaine

} ss.

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TOTAL COST \$56.62

This summer the museum was visited by more than 1,075 guests from 42 states and 11 foreign countries.

37-08881

Museum
Season

West. She can be reached at Box 1090, Paonia, CO 81428 or bet-sym@hcn.org.

Def

Applica

Publication Rates
As of 1997
(Idaho code, Rev. Statutes 1984)
7-8 pt./line straight: .06 / pica
7-8 pt./line tabular: .07 / pica
7-8 pt./line successive insertion: .05 / pica

MICROFILMED

AN 8 4 1998

11141

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PO BOX 7250

NEWPORT CA 92658-7250

Application for Permit

No. 37-08881

Source: groundwater

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Blaine County.

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Domestic-28 homes (0.23 cfs)

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R18E; Blaine County

Date Filed: 07/31/98

Any protest against the proposed
application(s) must be filed with
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Resources, Southern Region,
1341 Fillmore St., Suite 200;
Twin Falls, ID 83301 together
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or before October 26, 1998 to be
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application(s). The protestant
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protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River
Journal on 10/07 & 10/14/98.

MICROFILMED

JAN 04 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

September 24, 1998 PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Gentlemen:

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

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

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

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED

JAN 04 1999

NOTICE OF APPLICATION FOR WATER PERMIT

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

RINKER COMPANY
PO BOX 7250
NEWPORT CA 92658-7250

Application for Permit No. 37-08881

Source: groundwater (2 existing wells)

Diversion Pt(s): NE1/4SE1/4, NW1/4SE1/4, S18, T03N, R18E; Blaine County.

Use: 1/1-12/31 Domestic-28 homes (0.23 cfs)

In: Parts of S07 & S18, T03N, R18E; Blaine County

Date Filed: 07/31/98

Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 26, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River Journal on 10/07 & 10/14/98.

MICROFILMED

JAN 9 4 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

September 18, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RINKER COMPANY
PO BOX 7250
NEWPORT CA 92658-7250

Application for Permit No. 37-08881

Dear Mr. Rinker:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office has scheduled advertising the application in the Wood River Journal for 10/7 & 10/14/98. A period of ten days following the second publication will be allowed for the submittal of protests.

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

If an 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. If a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks. <of>

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

cc: CHARLES G BROCKWAY
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

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JAN 04 1999



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

SEP 03 1998

Department of Water Resources
Southern Region

September 2, 1998

Mr. Jim Stanton
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

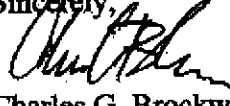
VIA FACSIMILE 736-3037

Re: Permit Application - Golden Eagle Ranch Phase 2 subdivision

Dear Jim:

I told you wrong on the phone earlier today. The annual volume for domestic use will not factor into the overall water balance for the irrigation transfer. Thus, please allow the maximum volume of 16.8 acre feet for domestic in-house use on the 28 units.

Sincerely,


Charles G. Brockway

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

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JAN 2 1999

37-08881



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 1, 1998

FAXED THIS DATE

Brockway Engineering
2016 N Washington Suite 4
Twin Falls, ID
83301

RE: App. for Permit, Rinker Co. (Golden Eagle Sub. Phase 2)

Dear Dr. Brockway;

As my two previous verbal requests for a map of the proposed points of diversion and place of use have not brought a response, I am writing to you in a final attempt to secure the required map. The application is not complete without a map, and will be returned to you if the map is not received by the end of September.

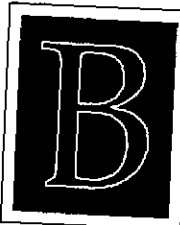
Regards,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

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JAN 04 1999

37-08881



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

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JUL 31 1998

Department of Water Resource
Southern Region

July 21, 1998

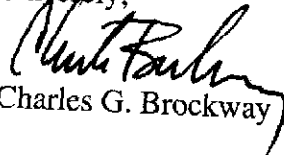
Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Golden Eagle Ranch subdivision Phase 2

Dear Allen:

Enclosed is an application for permit for multiple domestic usage in conjunction with the Golden Eagle Ranch Phase 2 subdivision. Note that the applicant is not applying for the statutory 0.5-acre per lot irrigation allotment, as per an agreement with the Greenhorn Homeowners Association. Thus, the new permit will be for in-house use only.

Sincerely,


Charles G. Brockway

cc: Harry Rinker
Gary Slette
Jed Gray

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

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JAN 04 1999

37-0888J