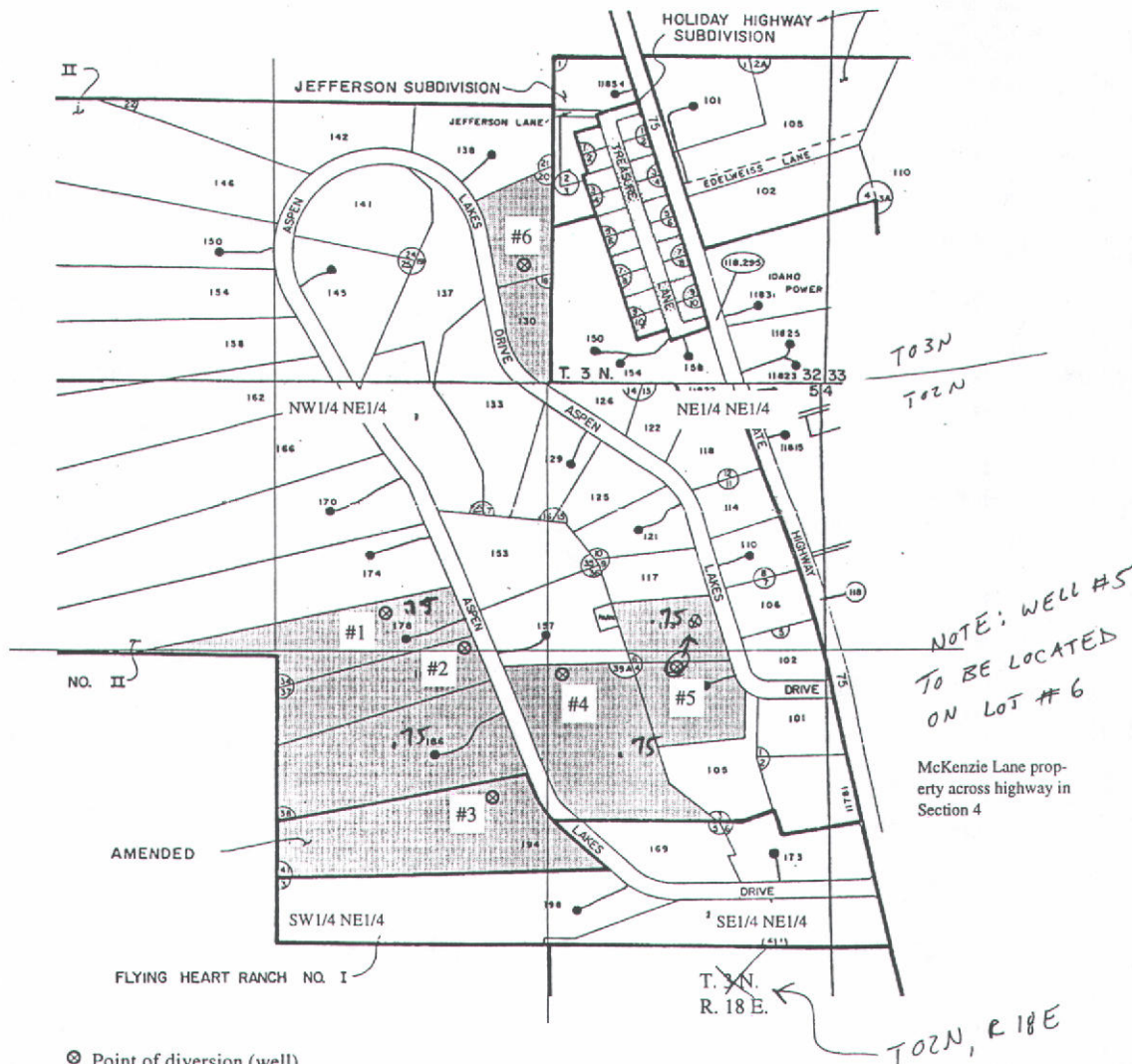


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

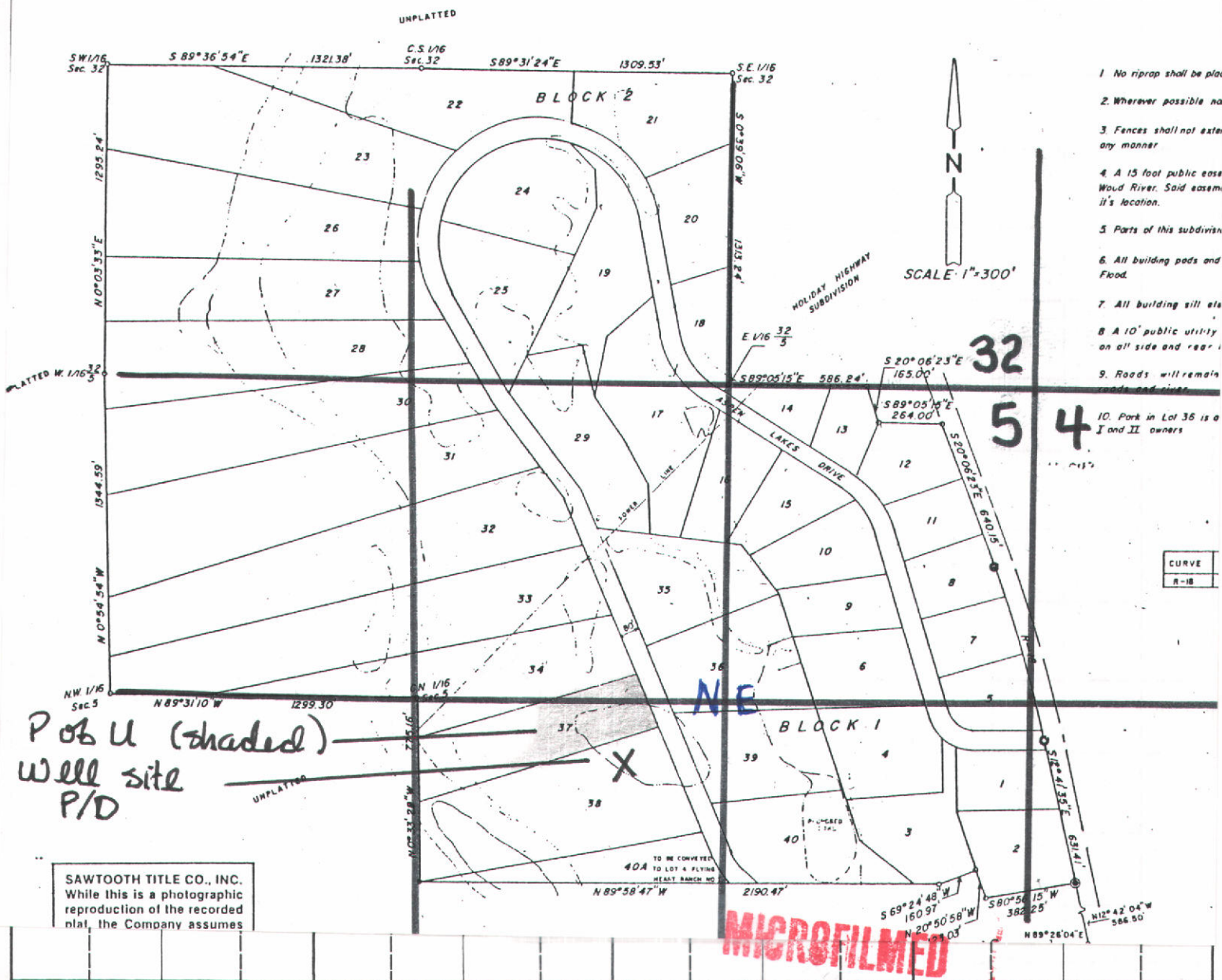


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

FLYING HEART RANCH NO. II

SECS. 4 & 5, T2N, R18E, & SEC. 32, T3N, R18E, B.M.

BLAINE COUNTY, IDAHO



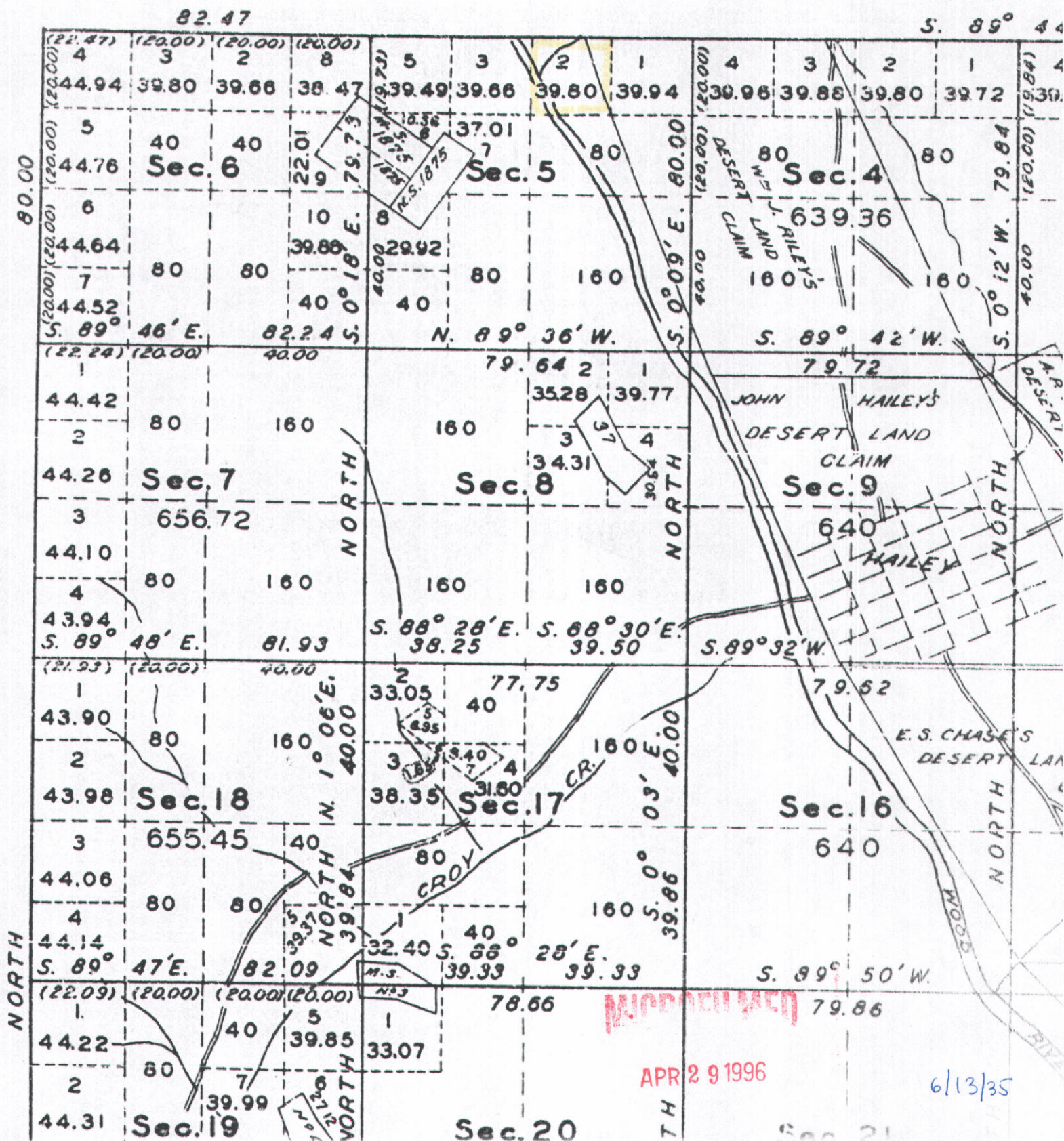
Scale: 2 inches equal 1 mile.

JAN 15 1991

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.

Bruce Miller
(Applicant)

COMPOSITE PL Nº 2 NORTH, RANGE Nº 18 EAST



APR 29 1996

6/13/35



37-08647

OCT 10 1996

Transfer No. 4990

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

Name of applicant W. Bruce Willis, c/o Edward Simon, Esq. Phone (208) 726-2200Post Office address 131 West 4th Street, P.O. Box 540, Ketchum, Idaho 83340

A. PURPOSE OF TRANSFER

1. Change point of diversion ☒ Add diversion point ☒ Change place of use
 Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes This transfer is requested to include other points of diversion and places of use to maximize the flexibility of the sprinkler irrigation system.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use C.S.
- | | | | | | |
|----------|-----------|----------------------|------------|---------------|--|
| 37-08647 | 6/27/1990 | 0.09 cfs
0.06 cfs | Irrigation | 4/15 to 10/15 | |
| | | 0.04 cfs
0.02 cfs | Domestic | 1/1 to 12/31 | |
| | | | | | |
| | | | | | |
2. Total amount of water being transferred 0.09 cubic feet per second and/or 0.06 acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NW	NE	5	02N	18E	Blaine	Well and pump - lot 34 (P/D #1)
		NW	NE	5	02N	18E	Blaine	Well and pump - lot 37 (P/D #2)
		SW	NE	5	02N	18E	Blaine	Well and pump - lot 41 (P/D #3)
		SE	NE	5	02N	18E	Blaine	Well and pump - lot 39A (P/D #4)
		NE	NE	5	02N	18E	Blaine	Well and pump - lots 36 (P/D #5)

5. Lands irrigated or place of use: SW SE 32 03N 18E Blaine Well and pump - lot 20 (P/D #6)

Twp.	Rge.	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	
02N	18E	5	0.75 0.5	0.75	0.75	0.15 1.0													3.0
02N	18E	5		D	D														

Total acres 3.0

PART 1

6. General Information:

- a. Description of diversion system ^{Six C&D 9/13/16} ~~two~~ wells with submersible pumps to underground sprinkler system, horse facility, two residences, and one outbuilding.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will remain irrigated.
- d. Remarks: ^{five}
This transfer requests the addition of ~~four~~ P/D and alteration of the P/U while keeping the same irrigated area.
This transfer is submitted in conjunction with transfers for rights 37-08461 and 37-02584.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 37-08647

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.09 CFS	10.5 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.09 CFS	11.1 AF

SOURCE

GROUNDWATER

Priority: 06/27/1990

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNE), Sec. 5, Township 02N, Range 18E
BLAINE 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>
02N	18E	5	Lot 2(NWNE) 0.5	SWNE 2.5		3
Total number of acres irrigated:						3

PLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

1. Irrigation use under this right is authorized only in connection with a domestic use.
2. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for the use of existing rights used for supplemental purposes.
3. Point of diversion is located within Lot 37, Flying Heart Subdivision #2.
4. Place of use is within Lots 34, 37, & 38, Flying Heart Subdivision #2.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual diversion volume of 10.5 af for irrigation use on the lands described above.
6. Domestic use is for 1 home.
7. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

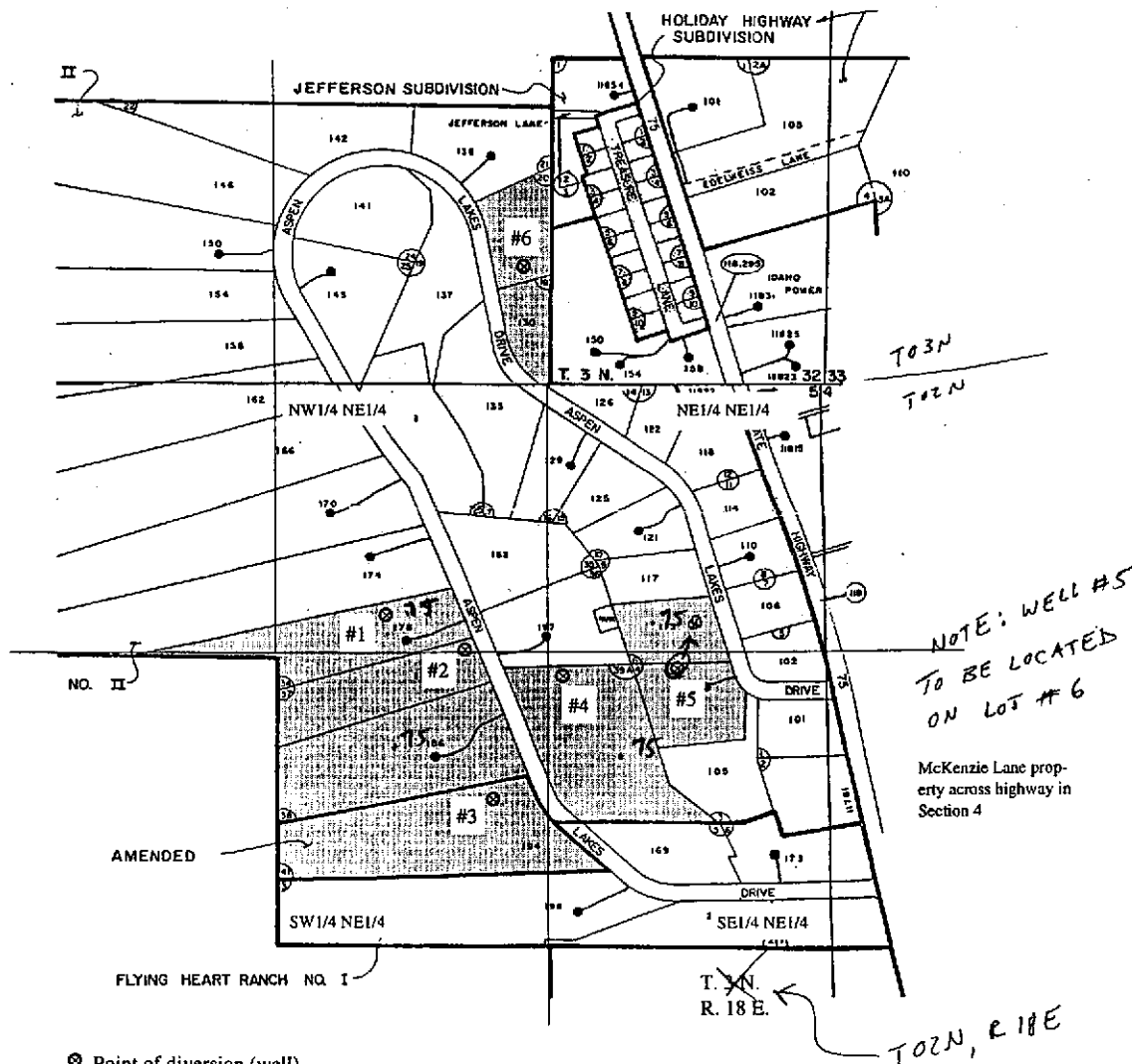
Water Right No. 37-08647

8. This right when combined with all other rights shall not exceed a combined annual diversion volume of 0.6 af for domestic use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3



⊙ Point of diversion (well)

Scale: 1" = 500' (approx.)

Willis property in Flying Heart Ranch - diagram for transfers of 37-08461, 37-08647, and 37-02584.
Property owned is shown shaded. P/U is within these lots as indicated on transfers.

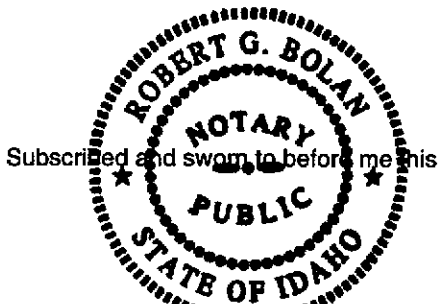
PART 3**B. CHANGES IN NATURE OF USE**

1. New Nature of Use Amount Hours/days/year Period of Use
 (cfs/ac-ft)
- N/A _____ to _____
 _____ to _____
2. Quantity and quality of return flows and location of discharge:
N/A
3. Describe the effects on other water uses resulting from the proposed change:
N/A

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

JOE McALLISTER



Subscribed and sworn to before me this

30th

day of

(Signature of Applicant)

(Notary Public)

My commission expires

6/17/99

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by C SKINNER Date 10/16/96

Protest filed by _____

Prelim. check by C SKINNER Fee 100.00 SO18864*

Receipted by C SKINNER Date 2/20/96 *

Published in Wood River Journal

Copies of protest forwarded by _____

Pub. dates 1/22 + 1/29/97

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

* APPLICATION SUPERSEDES
 PREVIOUSLY FILED AND
 PAID FOR APPLICATION

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08647

Priority: June 27, 1990

Maximum Diversion Rate:

0.09 CFS

Maximum Diversion Volume:

11.1 AF

This is to certify, that W BRUCE WILLIS
C/O EDWARD SIMON ESQ
PO BOX 540
KETCHUM ID 83340-0540

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 27, 1990; and has submitted Proof of Beneficial Use on December 29, 1995. An examination indicates that the works have a diversion capacity of 0.160 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.09 CFS	10.5 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.09 CFS	11.1 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (NWNE), Sec. 5, Township 02N, Range 18E
BLAINE 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>
02N	18E	5	Lot 2 (NWNE) 0.5	SWNE 2.5		3

Total number of acres irrigated: 3

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Irrigation use under this right is authorized only in connection with a domestic use.

APR 29 1996

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 37-08647

CONDITIONS OF APPROVAL AND REMARKS

6. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for the use of existing rights used for supplemental purposes.
7. Point of diversion is located within Lot 37, Flying Heart Subdivision #2.
8. Place of use is within Lots 34, 37, & 38, Flying Heart Subdivision #2.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual diversion volume of 10.5 af for irrigation use on the lands described above.
10. Domestic use is for 1 home.
11. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
12. This right when combined with all other rights shall not exceed a combined annual diversion volume of 0.6 af for domestic use.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 24TH
day of APRIL, 1996

Acting for

KARL J. DREHER, Director

APR 29 1996

State of Idaho
Department of Water Resources

RECEIVED

APR 19 1996

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08647

Department of Water Resources

Date of Priority: June 27, 1990

Maximum Diversion Rate: 0.09 CFS

Maximum Diversion Volume: 11.1 AF

Comes now
C/O EDWARD SIMON ESQ
PO BOX 540
KETCHUM ID 83340-0540

W BRUCE WILLIS

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 37-08647, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.09 CFS	10.5 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
Totals		0.09 CFS	11.1 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNE), Sec. 5, Township 02N, Range 18E
BLAINE 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>
02N	18E	5	Lot 2(NWNE)	0.5	SWNE	2.5
						3

Total number of acres irrigated: 3

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

RECORDED

APR 29 1996

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

Signed at Hamden, this 15th day of Apr., 1996.

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08647

FOR DEPARTMENT USE ONLY

Preliminary check by ____ Fee = 50.00 Receipted by JW # C035360 Date 4-19-96

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-08647 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Irrigation use under this right is authorized only in connection with a domestic use.
6. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for the use of existing rights used for supplemental purposes.
7. Point of diversion is located within Lot 37, Flying Heart Subdivision #2.
8. Place of use is within Lots 34, 37, & 38, Flying Heart Subdivision #2.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual diversion volume of 10.5 af for irrigation use on the lands described above.
10. Domestic use is for 1 home.
11. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
12. This right when combined with all other rights shall not exceed a combined annual diversion volume of 0.6 af for domestic use.

APR 29 1996

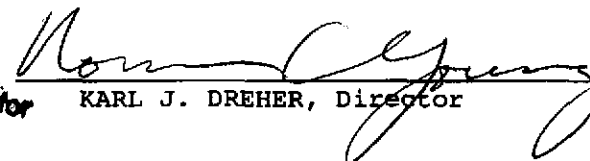
State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 37-08647

Witness my hand this 24TH day of April, 1996.


Acting for KARL J. DREHER, Director

RECORDED
APR 29 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE DEC 29 1995

The Idaho Department of Water Resources considers this form a statement that the permit holder has developed 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. 37-08647 Telephone No. (208) 726-2200

2. Name(s) of Permit Holder(s): W. Bruce Willis

3. Mailing Address: c/o Edward Simon, P.O. Box 540, Ketchum, Idaho 83340

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. 7 / yr. 90

a. Well Driller: Wood River Drilling Drilling Permit Number: 37 - 90 - S - 099

b. **OPTIONAL:**

Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 3.0 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.09 cfs OR _____ acre feet

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

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

Measuring Device: Is a measuring device required?

Yes _____ or No X

Has the measuring device been installed?

Yes _____ or No X

Flow Measurement Port: Is a flow measurement port required?

Yes _____ or No X

Has the measurement port been installed?

Yes _____ or No X

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: _____ Telephone Number: JAN 28 1996

Address: _____

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

Signature of permit holder: [Signature]
(include your title, if on behalf of company or organization)

Date: 12/28/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

RECEIVED

DEC 13 1993

Department of Water Resources

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

Permit No. 37-08647Name(s) of Permit Holder: W. BRUCE WILLISMailing Address: c/o Edward Simon, Esq., P.O. BOX 540, KETCHUM, ID 83340Date Proof is Due JANUARY 1, 1994 Telephone No. 726-2200

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".)

Pump and well; 2 HP x 6" x 50' for domestic purposesCosting 3

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

Remaining irrigation system has yet to be completedPermit holder(s) request an extension to JANUARY 1, 1996

FEE: \$15.00

(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to January 1, 1996.

Signed this

16th day December, 1993L. Glen Saxton
L. GLEN SAXTON, CHIEF
WATER ALLOCATION BUREAU

MICROFILMED

FEB 22 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08647

Proposed Priority: June 27, 1990 Maximum Diversion Rate: 0.09 CFS
This is to certify, that W. BRUCE WILLIS

C/O F. ALTMAN & CO.
9255 SUNSET BLVD. #901
LOS ANGELES, CA 90069

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>
IRRIGATION	04/01 to 11/01	0.09 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.09 CFS

LOCATION OF POINT(S) OF DIVERSION: NESWNE Sec. 5, Township 02N, Range 18E
BLAINE 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>
02N	18E	5	NWNE 0.5	SWNE 2.5		3

Total number of acres irrigated: 3

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 1994**.
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. Irrigation use under this permit is authorized only in connection with a domestic use.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
6. Domestic use is for 1 home.
7. Place of use is within Lot 37 and point of diversion is within Lot 38 of Flying Heart Subdivision #2.

MICROFILMED

JAN 15 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08647

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

11th day of January, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

JAN 15 1991

RECEIVED

Form 203 JUN 27 1990
6/85

STATE OF IDAHO

Ident. No. 37-08647

Department of Water Resources
Southern Region Office

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant W. Bruce Willis Phone 213-278-4201
Post office address c/o F. Altman & Co. 9255 Sunset Blvd., Suite 901, Los Angeles, CA 90069
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 5 Township 2N Range 18 B.M. Blaine County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .09 for irrigation purposes from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 for domestic purposes from Jan. 1 to Dec. 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)
5. Total quantity to be appropriated is (a) .09 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump and well; 2HP x 6" x 50'

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 6 inches; proposed depth of well is 50 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 proposed beneficial use is
5 years (minimum 1 year).

MICROFILMED

JAN 15 1991

DECLASSIFIED

12. Remarks: We'll will be on ~~Lot~~ Lot 38 of Flying Heart Subdiv. #2. Use will be in Lot

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

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

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

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

Total number of acres to be irrigated

[illegible]

ponding place of use below. See instructions for standard symbols.

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

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

9. Description of place of use:

e. Other; describe fully.

d. Domestic; show number of households.

c. Municipal; show name of municipality.

b. Stockwatering; list number and kind of livestock.

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

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

Bruce Williams
(Applicant)

MICROFILMED

JAN 15 1991

e. Other:

permit.

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.

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.

19

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. _____, and said application is hereby _____.

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Publication approved _____

Publication prepared by M.B. Ballman Date 7/17/90

Published in Wood River Journal

Fee \$ 30.00

Received by J.F. Blanton # 5012446 Date 6-27-90

Date 6-27-90

Received by M.B. Date 6/27/90 Time 10:00 am Preliminary check by J.F. Blanton

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

SEP 13 1990

Department of Water Resources
Southeast Region Office

DANIEL J. GORHAM

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

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

publication of said advertisement was on the 1 day of Aug, 1990, and

the date of the last publication was on the 8 day of Aug, 1990.

Subscribed and sworn to before me this 8th day of Aug, 1990.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 51.75
Number of Insertions 2
Lines tabular at 51.75 6c / Pica
Lines straight at 28.46 5c / Pica
Subsequent lines at 22.77 4c / Pica
TOTAL COST \$55.93 \$5.00 See

COPY OF NOTICE
(Paste Here)

Notice of app. of water Right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

J. A. Water Dept.
BILL TO

DuShane, Willis file on water rights

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08646

DU SHANE, JR., KIRK L.
P.O. BOX 2399
KETCHUM, ID 83340

Source: GROUNDWATER
Diversion Pt: SWSNE Sec 3 T
03N R 18E

Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Total Diversion: (.100 CFS)

Date Filed: 7/12/1990
In: T03N R18E S03 SENE
2.0 ACRES TOTAL

37-08647

WILLIS, W. BRUCE
C/O F. ALTMAN & CO.
9255 SUNSET BLVD.

SUITE 901
LOS ANGELES, CA 90069
Source: GROUNDWATER
Diversion Pt: NESWNE Sec 5 T
02N R 18E

Use: IRRIGATION (.090 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.090 CFS)

Date Filed: 6/27/1990
In: T02N R18E S05 NWNE SWNE
3.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone Street East, Twin Falls, Idaho 83301, on or before AUGUST 20, 1990.

R. Keith Higginson, Director
Publish: Wood River Journal-
August 1 & 8, 1990.

7-8 pt./line straight: 5/pica
7-8 pt./line tabular: 6/pica
7-8 pt./line successive
insertion: 4/pica

No 7177

MEMORANDUM

TO: FILE 37-08647

FROM: PAM SKAGGS

RE: TRANSFER # 4990

DATE: 7-17-97

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 37-2584.

MEMORANDUM

TO: Bruce Willis Transfer File (water right 37-08647)

FROM: Corey Skinner /CS

DATE: October 22, 1996

SUBJECT: Staff Review

The enclosed transfer application, filed by Brockway Engineering for Bruce Willis, seeks to add diversion points and redistribute the place of use of water right 37-08647. The place of use is being redistributed to encompass a portion of a larger overall place of use. Water right 37-08647 was just recently licensed, 04/24/96, so possible forfeiture should not be an issue.

Companion transfers have been filed to try and "clean up" and properly record Mr. Willis' water rights in the area just north of Hailey. The methodology behind the filings of the transfer applications is discussed in Brockway Engineering's narrative enclosed with the transfer application. A summary would be as follows:

Currently, Mr. Willis owns two groundwater rights (37-08461 and 37-08647) for the irrigation of 5 acres within the area just north of Hailey. In addition, Mr. Willis owns portions of surface rights 37-00557, 37-00558, 37-00559, and 37-00577 that are appurtenant to the same place of use. Mr. Willis is currently irrigating approximately 18.5 acres with groundwater and is running all his surface water through a series of aesthetic ponds and ditches. In addition, Mr. Willis desires to irrigate approximately 12 additional acres that are not currently irrigated.

Four transfer applications have been filed to attempt to cover the total current and desired future irrigation. The total irrigated acreage consists of 3 acres east of Highway 75 and approximately 27.3 acres within Flying Heart Subdivision, west of Highway 75. The basic idea behind this transfer, and the companion transfers, is that any of the total acreage not capable of being covered by the currently licensed 5 acre total (37-08461 and 37-08647) will be covered by transferring a portion of groundwater right 37-02584. A transfer application has been filed to transfer a portion of water right 37-02584 to the three acres east of Highway 75.

Mr. Willis' total proposed irrigated area within Flying Heart Subdivision (27.3 acres west of Highway 75) was treated as one common system/area. This Flying Heart area will be covered by six wells located on various lots that Mr. Willis owns within the subdivision. A transfer application has been filed to spread the 2.0 acres of licensed ground under 37-08461 over the Flying Heart

T # 4990

area and to add five additional points of diversion (six total) to this particular right. Similarly, a transfer application has been filed to spread the 3.0 acres of licensed ground under 37-08647 over the Flying Heart area and to add five additional points of diversion (six total) to this particular right. In addition, a transfer application has been filed to transfer a portion of water right 37-02584 to the six wells in the Flying Heart area to cover the remaining irrigated ground not covered by 37-08461 and 37-08647.

Transfer applications have been filed to properly record the current use of Mr. Willis' surface water rights. However, legal issues concerning the ownership of some of these surface rights currently prevent the processing of all but one of these additional applications. From what I observed during a visit to the Flying Heart area earlier this summer, and what the water master has told me, Mr. Willis uses his surface water for aesthetic purposes in his pond and ditch system and has for quite some time. Therefore, the surface water rights that overlap the place of use involved with the groundwater right transfers should not cause any overlap problems.

Water right 37-08429, domestic and irrigation use in the name of Flying Heart Ranch II subdivision, is appurtenant to a portion of Mr. Willis' Flying Heart property (lots 4 and 6). Water right 37-08429 was licensed for 20 acres of irrigation for 16 lots within the subdivision. Mr. Willis' "groundwater transfer package" was prepared to cover the irrigation of a portion of land covered by the subdivision right (37-08429). This was done because Mr. Willis apparently does not want to use the subdivision's system if he can transfer his own water rights to his property and have his own independent system. If Mr. Willis' transfers are approved, the subdivision could possibly file a transfer application to redistribute Mr. Willis' portion of the acres and water to other lots currently covered by the license. This would benefit the individual lot owners by allowing them to obtain a small amount of additional water for possible additional irrigated acres not currently covered by 37-08429.

Brockway Engineering prepared and submitted Mr. Willis' applications as a package, and the applications should probably be either approved or denied as a package. There should be no problems with overlapping surface rights since they are no longer used for irrigation, and the only other possible overlap involves the subdivision's right (37-08429). In addition, there appears to be no expansion involved with Mr. Willis' "groundwater transfer package". However, the most crucial components of the transfer package are the transfer applications involving water right 37-02584.

Page 3
Willis Transfer Memo
10/22/96

Water right 37-02584 is the base right that is proposed to provide the water, and therefore the irrigated acres, to make up the discrepancy between the currently licensed 5.0 acres and the proposed 30.5 acres of irrigation. Water right 37-02584 is diverted from and appurtenant to land in the Camas Prairie, near the Camas County and Blaine County line (Sections 3, 4, and 9, Township 01S, Range 16 East). The transfer package proposes to divert and use portions of this right from and on land in the Wood River Valley (Sections 4 and 5, T02N, R18E and Section 32, T03N, R18E). These two areas are both in the Big Wood River Groundwater Management area, but both areas are quite a few miles apart and on opposite sides of the Big Wood River. Therefore, the department may want to carefully consider possible effects on the local aquifers, and possible precedence when considering the proposed transfers for approval.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 25, 1996

W BRUCE WILLIS
C/O EDWARD SIMON ESQ
PO BOX 540
KETCHUM ID 833400540

RE: WATER RIGHT NO. 37-08647

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

APR 25 1996

APR 25 1996

SIMON & DONOHOE

ATTORNEYS AT LAW
FIRST STREET BUILDING
180 FIRST STREET WEST
SUITE 201
P.O. BOX 540
KETCHUM, IDAHO 83340

RECEIVED

APR 19 1996

Department of Water Resources

EDWARD SIMON
KEVIN E. DONOHOE

April 18, 1996

TELEPHONE: (208) 726-2200
FACSIMILE: (208) 726-5025

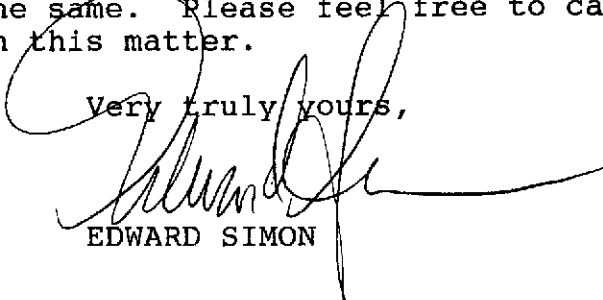
State of Idaho
Department of Water Resources
ATTN: Shelley W. Keen
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720-9000
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Re: Water Right No. 37-08647

Dear Ms. Keen:

Please find enclosed an executed Application for Amendment of the above referenced Water Right Permit, along with the filing fee for the same. Please feel free to call me if you have any questions in this matter.

Very truly yours,


EDWARD SIMON

ES/lp
cc: J. McAllister

APR 20 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 8, 1996

W BRUCE WILLIS
C/O EDWARD SIMON ESQ
PO BOX 540
KETCHUM ID 833400540

RE: WATER RIGHT NO. 37-08647

Dear Water Right Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed.

As of this date, I have not received the amendment. If I do not receive it within fourteen (14) days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced. Please note that the filing fee for this amendment is \$50.00.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

APR 8 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 18, 1996

W BRUCE WILLIS
C/O EDWARD SIMON ESQ
PO BOX 540
KETCHUM ID 833400540

RE: WATER RIGHT NO. 37-08647

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

MAR 23 1996

MEMORANDUM

DATE: March 19, 1996
TO: File No. 37-08647
FROM: Cindy Zimmerman
SUBJECT: Clarification of B/U exam

=====

Per telecon today with Chuck Brockway, the location of the 3 acres of irrigation recommended for licensing is the same as described on the permit.

RECEIVED

APR 2 8 1996

B/U FIELD EXAM REVIEW
Cindy Zimmerman

01/96

Permit #: 37-8647 Name: Willis Date: 3/14/96 ⁰⁰⁰✓ Lots ✓

NAME Chng Same ✓ Or Address Change? % Edward Simon, Box 540, Kelchum 83340

SOURCE Chng Same ✓ Clarify source _____
Prelim. Order to Void - Source change. _____

P/D ✓ _____ Amendment Needed? LT2 NWNE P39
Overlap(s) _____

P/U Chng Same ✓ Amendment Needed? 0.5 2.5 SWNE & SWNE / Dom SWNE P41
Overlap(s) 37-8647 (diff lands)
(Gov't special #'s) _____ *P/D & P/U Amend? P37

RATE Chng Same ✓ Permit/fee limits: 0.09 / 0.09
Chng Same ✓ Measured Q = None cfs/Theoretical Q = 0.06 cfs
(irr: $3.0 \text{ ac} \times 0.03 \text{ cfs/ac} = 0.09$) + (dom: 1 in house = 0.02) = 0.11 cfs limited by permit = 0.09 cfs
(HP) $\frac{8.8 \times 0.70 \times 5}{3' + 10' + (2.31 \times 80)} = \frac{30.8}{197.8} = 0.16 \text{ cfs}$
Chng Same ✓ Recommended capacity 0.16 cfs
Chng Same ✓ Recommended rate 0.09 cfs

VOLUME Chng Same ✓ Season: (B / 3.5) 4/15 - 10/15 = 184 days
Calculations: _____
(irr: $3.0 \text{ ac} \times 3.5 \text{ AF/ac} = 10.5$) + (dom: 1 in house = 0.6) = 11.1
Chng Same ✓ Flow limit: 0.09 x 184 x 1.9835 = 32.8 AF
Recommended volume 11.1 AF

USES Chng Same ✓ Same Nature of Use? _____ P46
Amendment Needed? _____

REMARKS Chng Same ✓ Multiple p/d's in 1/4? W32
Chng Same ✓ ① PD = LT37, Flying Heart Sub #2 ② PU = LT 34, 37, 38, Flying Heart Sub #2.
Chng Same ✓ ③ W07/0.5 ④ W08 ⑤ W01 mod. dom/0.6 ⑥ W05/A

CONDITIONS Chng Same ✓ Measuring (R01)/Locking (R02) Devices _____
Watermaster Control (R04) - WD # _____
Irrigation rate/volume overlap (in remarks) _____
050 GW irrigation replaces surface water (050)
065 GW irrigation supplements surface water (065)
Chng Same ✓ Water Quality/Other 041

PRIORITY App Rcd 6/27/90 Due 4/1/94 Rc'd 12/29/95
Receipt# None Fee OK? (Yes)/No
Order to Reinstate Needed? Yes/No Done? N/A
If Yes, Advanced? Yes/No to:
Priority 6/27/90 Examined 8/18/95 - Sheryl Chapman
add G.L.

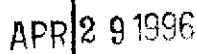
COMMENTS: reduce domestic rate; amend P/D

USE	CFS	DIV VOL
<u>Irr</u>	<u>0.09</u>	<u>10.5</u>
<u>Dom</u>	<u>0.02</u>	<u>0.6</u>
<u>TOTAL</u>	<u>0.09</u>	<u>11.1</u>

SRBA Overlap A37-8647
Adjustment Memo ✓
LICENSE LTR: P49
#1 AMEND LTR: P39/P38
#2 AMEND LTR: P42/P47

Irrigation overlap
A37-00557,
A37-00558,
A37-00559,

COMPOSITE P



6/13/35

MEMORANDUM

DATE: March 14, 1996
TO: File No. 37-08647
FROM: Cindy Zimmerman
SUBJECT: Review of Beneficial Use Field Report

=====

The following adjustments were made on the field report:

1. Season of Use.
 - a. Irrigation = 4/15 - 10/15 (184 days)
 - b. Domestic = 1/1 - 12/31 (365 days)
2. Rate of diversion.
 - a. Irrigation = acres x cfs/acre
= 3.0 x 0.03
= 0.09 cfs.
 - b. Domestic, 1 home, in-house use = 0.02 cfs.
 - c. Maximum rate of diversion, limited by permit = 0.09 cfs.
3. Annual Volume.
 - a. Irrigation = acres x AF/acre
= 3.0 x 3.5
= 10.5 AF.
 - b. Domestic, 1 home, in-house use = 0.6 AF.
 - c. Maximum annual volume = a + b
= 10.5 + 0.6
= 11.1 AF.

RECEIVED

APR 29 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 02 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08647

1. Owner: W. Bruce Willis Phone No. (208) 726-2200

Current Address: c/o Edward Simon, P.O. Box 540, Ketchum, ID 83340

2. Accompanied by: Bill Perreira EXAM DATE: 8/18/95

Address: P.O. Box 3212, Hailey, ID 83333 Phone No. (208) 788-1051

Relationship to Permit Holder: Grounds Manager

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 37-08461

2. Other water rights with the same point of diversion: none

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NE	5	02N	18E	Blaine	Site visit, comparison w/ subd. plat

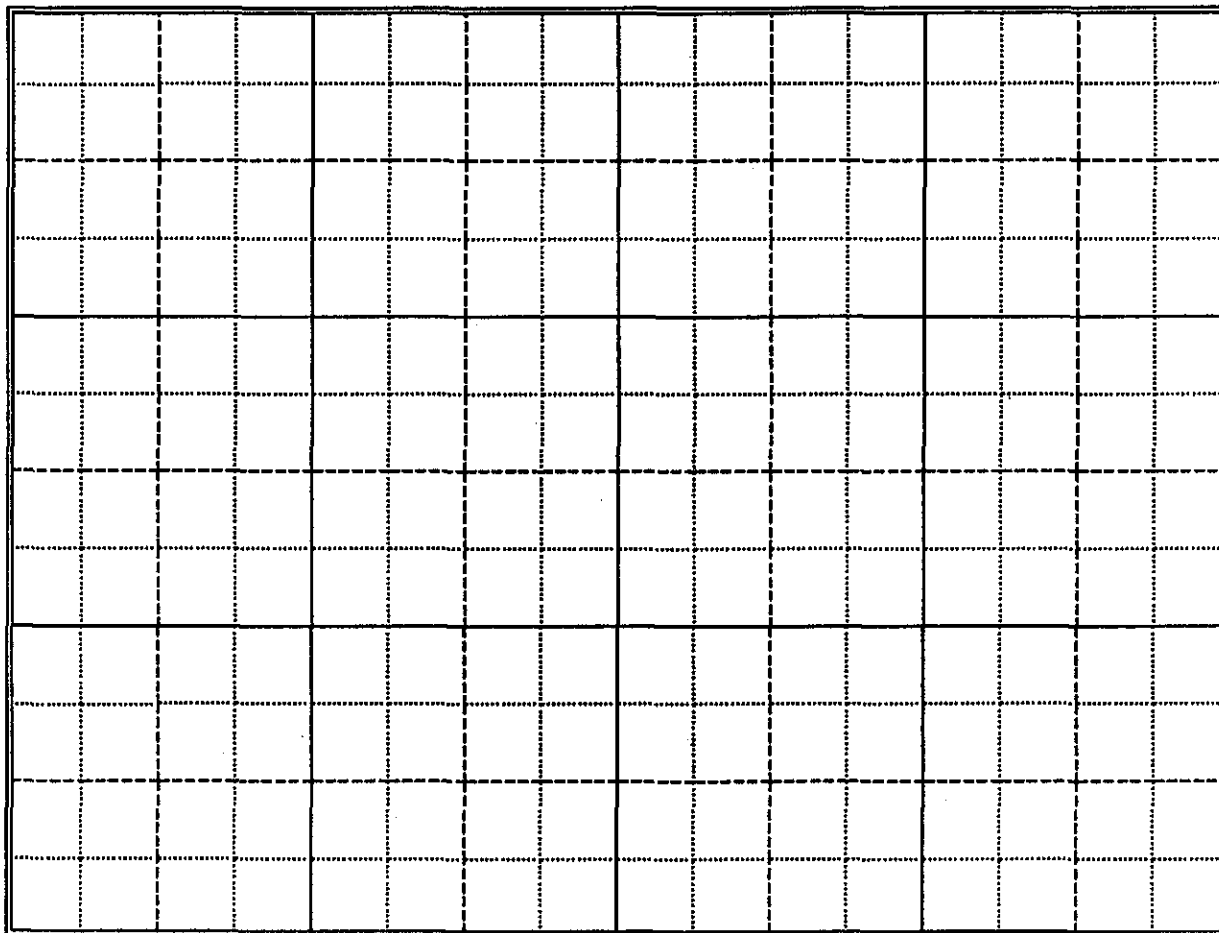
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	5		2.3	7.8														10.1
02N	18E	5			D														

APR 29 1996

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



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.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Sta-Rite	5	15-1745-A91	Franklin	L70J4-03190, 2-inch

*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

2. Measurements: _____

9 1996

E. NARRATIVE/REMARKS/COMMENTS

System is a well with submersible pump supplying water to one residence and to an underground sprinkler system. The residence is located in lot 38 of Flying Heart Subdivision. The irrigated area is in lots 34, 37, and 38 of the subdivision.

The P/u for permit 37-08461 has one 40-acre tract in common with this permit (37-08647), but the physical places of use do not overlap.

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

APR 29 1996

____ Additional Computation Sheets Attached

Delivery pressure = 80 psi. Static w.L. = 3 ft. Pump Hp = 5. Assume pump efficiency is 70%. Total Head = 3 ft + 80 psi $\times$ 2.31 = 187.8 ft.

$$Q = \frac{550 \cdot H_p \cdot \eta}{rH} = \frac{550 (5) (1.7)}{62.4 (187.8)} = 0.164 \text{ cfs}$$

1. Volume Calculations for Irrigation:

$$V_{I.R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{3.0 \times 3.5 = 10.5}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.09 \times 210 \times 1.9835 = 37.5$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 10.5$$

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/1	12/31	.04 *	*
Irrigation	4/1	11/1 *	.09	10.5
		Totals:	.09	10.5 *

☒ 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

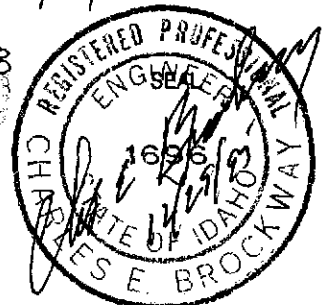
Change remarks section to reflect true locations of P/O, P/U, and house within Flying Heart Subdivision

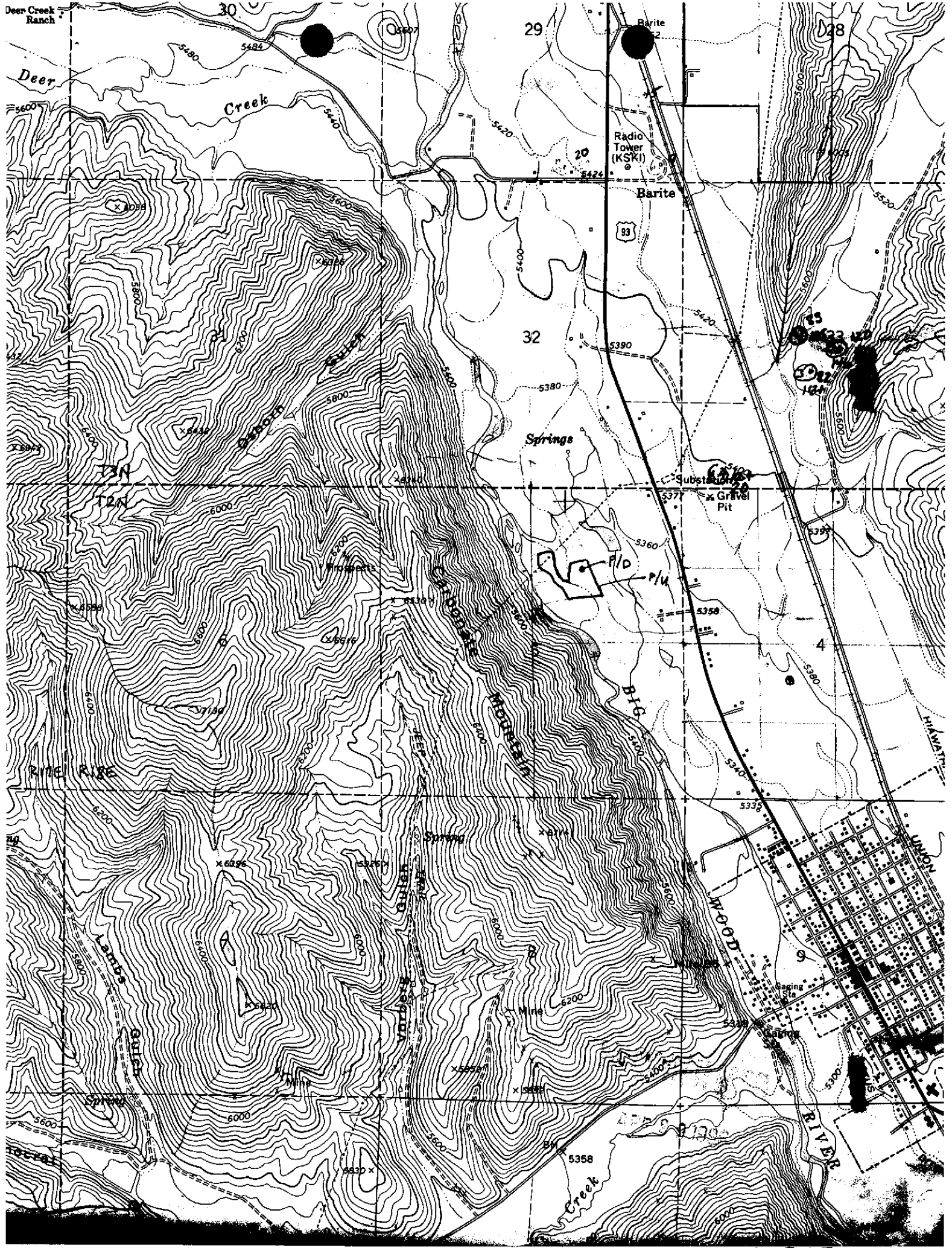
Field Examiner's Name Charles E. Brockway Date 12/28/95

Reviewer _____ Date _____

(208) 733-0938

* Adjustments made during the review of this right for license approval.
See memo for additional information. 3/14/96 C7X.







27-158647



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 11, 1996

W BRUCE WILLIS
C/O EDWARD SIMON
PO BOX 540
KETCHUM ID 83340

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 37-08647

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact Brenda Chapman at (208) 327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

C: IDWR - Region

RECORDED

JAN 23 1996



CHARLES
BROCKWAY
ENGINEERING

December 29, 1995

Mr. Allen Merritt
Idaho Dept. of Water Resources
222 Shoshone St East
Twin Falls, ID 83301

RECEIVED

DEC 29 1995

Department of Water Resources
Southern Region

Subject: Beneficial Use Field Report -Permit 37-08647 Bruce Willis

Dear Allen:

Enclosed is the Proof of Beneficial Use form and Beneficial Use Field Report for Permit 37-08647 for domestic and irrigation use.

I have not included a recommendation for volume of use for domestic purposes. Is there a standard volume for this use? If so, the field report will have to be modified.

Sincerely,

C. E. Brockway, P.E.

cc: Ed Simon

RECEIVED

JAN 02 1996

Department of Water Resources

CHARLES E.
BROCKWAY,
PHD, P.E.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208 • 733 • 0938
FAX: 733 • 1746

JAN 23 1996

October 31, 1995

W BRUCE WILLIS
C/O EDWARD SIMON ESQ
PO BOX 540
KETCHUM ID 83340

PROOF DUE NOTICE

RE: PERMIT NO. 37-08647

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, 1996.

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

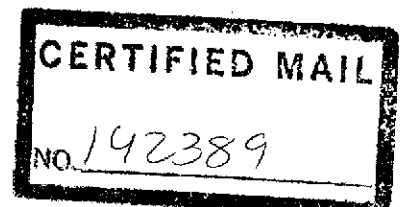
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





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 17, 1993

W. Bruce Willis
C/O Edward Simon Esq.
P.O. Box 540
Ketchum, ID 83340

RE: Permit No. 37-08647

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to January 1, 1996. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR-Regional Office

FEB 22 1994

SIMON & DONOHOE
ATTORNEYS AT LAW
FIRST STREET BUILDING
180 FIRST STREET WEST
SUITE 201
P.O. BOX 540
KETCHUM, IDAHO 83340

RECEIVED
DEC 13 1993
Department of Water Resources

EDWARD SIMON
KEVIN E. DONOHOE

TELEPHONE: (208) 726-2200
FACSIMILE: (208) 726-5025

December 10, 1993

State of Idaho
Department of Water Resources
ATTN: Karen L. Gustafson
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720-9000

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
P 765 745 639

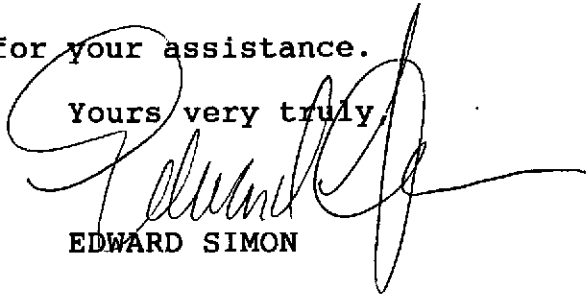
Re: Permit No. 37-08647
Request for Extension

Dear Ms. Gustafson:

Please find enclosed a Request for Extension of Time along with the filing fee for the same, in regard to the above-referenced Permit. Please feel free to contact me should you have any questions on this matter.

Thank you for your assistance.

Yours very truly,


EDWARD SIMON

ES/eb
encl.
cc: client
Lawrence Greaves, Esq.
Fred Altman, CPA


FEB 22 1994

October 31, 1993

W. BRUCE WILLIS
C/O F. ALTMAN & CO.
9255 SUNSET BLVD. #901
LOS ANGELES CA 90069

PROOF DUE NOTICE

RE: PERMIT NO. 37-08647

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, 1994. (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.

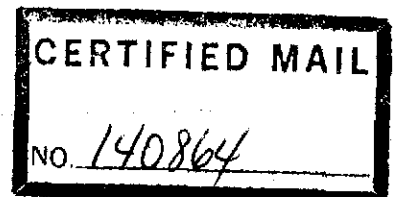
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED
OCT 31 1993





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 14, 1991

W. BRUCE WILLIS
C/O F. ALTMAN & CO.
9255 SUNSET BLVD. #901
LOS ANGELES, CA 90069

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08647

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.

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. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

MICROFILMED

JAN 15 1991

37-08647

WILLIS, W. BRUCE
C/O F. ALTMAN & CO.
9255 SUNSET BLVD.
SUITE 901
LOS ANGELES, CA 90069

Source: GROUNDWATER

Diversion Pt: NESWNE Sec 5 T 02N R 18E

Use: IRRIGATION	(.090 CFS)
DOMESTIC	(.040 CFS)
Total Diversion:	(.090 CFS)

Date Filed: 6/27/ 1990

In: T02N R18E S05 NWNE SWNE

3.0 ACRES TOTAL

MICROFILMED

JAN 15 1991

**DuShane, Willis
file on water rights**

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

37-08646

DU SHANE, JR., KIRK L.
P.O. BOX 2399
KETCHUM, ID 83340

Source: GROUNDWATER
Diversion Pt: SWSENE Sec 3 T
03N R 18E

Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)

Total Diversion: (.100 CFS)

Date Filed: 7/12/1990

In: T03N R18E S03 SENE

2.0 ACRES TOTAL

37-08647

WILLIS, W. BRUCE
C/O F. ALTMAN & CO.
9255 SUNSET BLVD.

SUITE 901
LOS ANGELES, CA 90069

Source: GROUNDWATER
Diversion Pt: NESWNE Sec 5 T
02N R 18E

Use: IRRIGATION (.090 CFS)
DOMESTIC (.040 CFS)

Total Diversion: (.090 CFS)

Date Filed: 6/27/1990

In: T02N R18E S05 NWNE SWNE

3.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone Street East, Twin Falls, Idaho 83301, on or before AUGUST 20, 1990.

R. Keith Higginson, Director

Publish: Wood River Journal-
August 1 & 8, 1990.

RECEIVED

JUL 25 1990

Department of Water Resources
Southern Region Office

MICROFILMED

JAN 15 1991

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 20, 1990.

R. Keith Higginson, Director

Published 8/ 1/1990 & 8/ 8/1990

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JAN 15 1991

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

JULY 17, 1990

WOOD RIVER JOURNAL
P.O. BOX 988
HAILEY, ID 83333

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before AUGUST 20, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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JAN 15 1991

17-Jul-1990

W BRUCE WILLIS
C/O F ALTMAN & CO
9255 SUNSET BLVD SUITE 901
LOS ANGELES CA 90069

Re: Application for Permit No. 37-08647

Dear Applicant (s):

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

This office will be advertising the application in the Wood River Journal on 8/1 & 8/8/90. 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
cc: Brian Ballard, Attorney

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JAN 15 1991

LAWSON & PEEBLES

ATTORNEYS AT LAW
POST OFFICE BOX 297
319 WALNUT AVE. N.
KETCHUM, IDAHO 83340
208-726-1700
FAX 208-726-9743

RECEIVED

JUN 27 1990

Department of Water Resources
Southern Region Office

To:

Idaho Dept of Water

From:

Dir. J. Bell

Re:

Bruce Willis

Date:

6/26/90

Enclosed please find _____ original and/or _____ copies of:

attn: Loren Holmes

MICROFILMED

JAN 15 1991

☐ File

☐ Return Copies

☐ Return Original

☐ Record

☐ Review

☐ Sign

☐ Notarize

☐ Reply

37-08647

9/89

Drilling Permit No. 37-90-5-099Water Right Permit 37-08647

Injection Permit No. _____

State of Idaho
Department of Water Resources
D R I L L I N G P E R M I T

RECEIVED

JUN 27 1990

Department of Water Resources
Southern Region Office

1. Applicant W. Bruce Willis2. Mailing Address c/o F. Altman & Company, 9255 Sunset Boulevard, Suite 901Los Angeles, California 90069Telephone 213-278-4201

(X) Well Owner () Well Operator () Other, specify _____

3. Proposed well location SW 1/4 NE 1/4, or Gov't lot No. _____,Sec. 5, Twp. 2N, Rge. 18, County Blaine,Street Address of Well Site 186 Aspen Lakes Drive,Lot, block and subdivision Lot 38, Flying Heart Ranch No. 2

4. Proposed use of well:

(X) Single family or stockwater use (less than 13,000 gallons per day)

(X) Irrigation (more than 1/2 acre)

() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

() Other (describe fully) _____

5. Well construction information:

A. (X) New well () Deepen () Replace - See Condition 9.

B. Proposed surface diameter 6" Maximum depth 50'

C. Anticipated bottom hole temperature:

(X) 85°F or less (Cold water well)

() 85°F to 212°F (Low temp. geothermal well)

() 212°F or more (Geothermal well)

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JAN 15 1991

6. Construction Start Date as soon as possible -- June 29, 19907. Anticipated Well Driller Wood River Drilling and PumpNOTE: The actual well driller must be identified prior to drilling.8. Applicant's signature W. Bruce Willis Date _____Title owner

(Owner, Firm Representative, Other)

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is

APPROVED

Date

6/28/90

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

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JAN 15 1991

MANAGER, SOUTHERN REGION

Signature of Authorized Department Representative

Title

Receipt No. 5012447 Received by Q Fee \$100. Date 6-27-90EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

RECEIVED

Drilling Permit No. 37-90-S-099

Water Right No. 37-08647

JUN 27 1990

Department of Water Resources
Southern Region Office

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

W. Bruce Willis, Applicant,
requests issuance of a drilling permit prior to approval of a
water right to withdraw water from the well.

The request is made for the following reason(s):

To allow well to be drilled this building season.

Applicant understands that the drilling permit does not
constitute a water right and does not authorize diversion or use
of water from the well.

Applicant acknowledges that by accepting a drilling permit and
commencing construction he accepts all risk that the well may not
ultimately be approved for use.

Date: June 25, 1990

Signature: *W. Bruce Willis*

Applicant: W. Bruce Willis

By: Brian L. Ballard, Esq.
Attorney for Mr. Willis

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JAN 15 1991