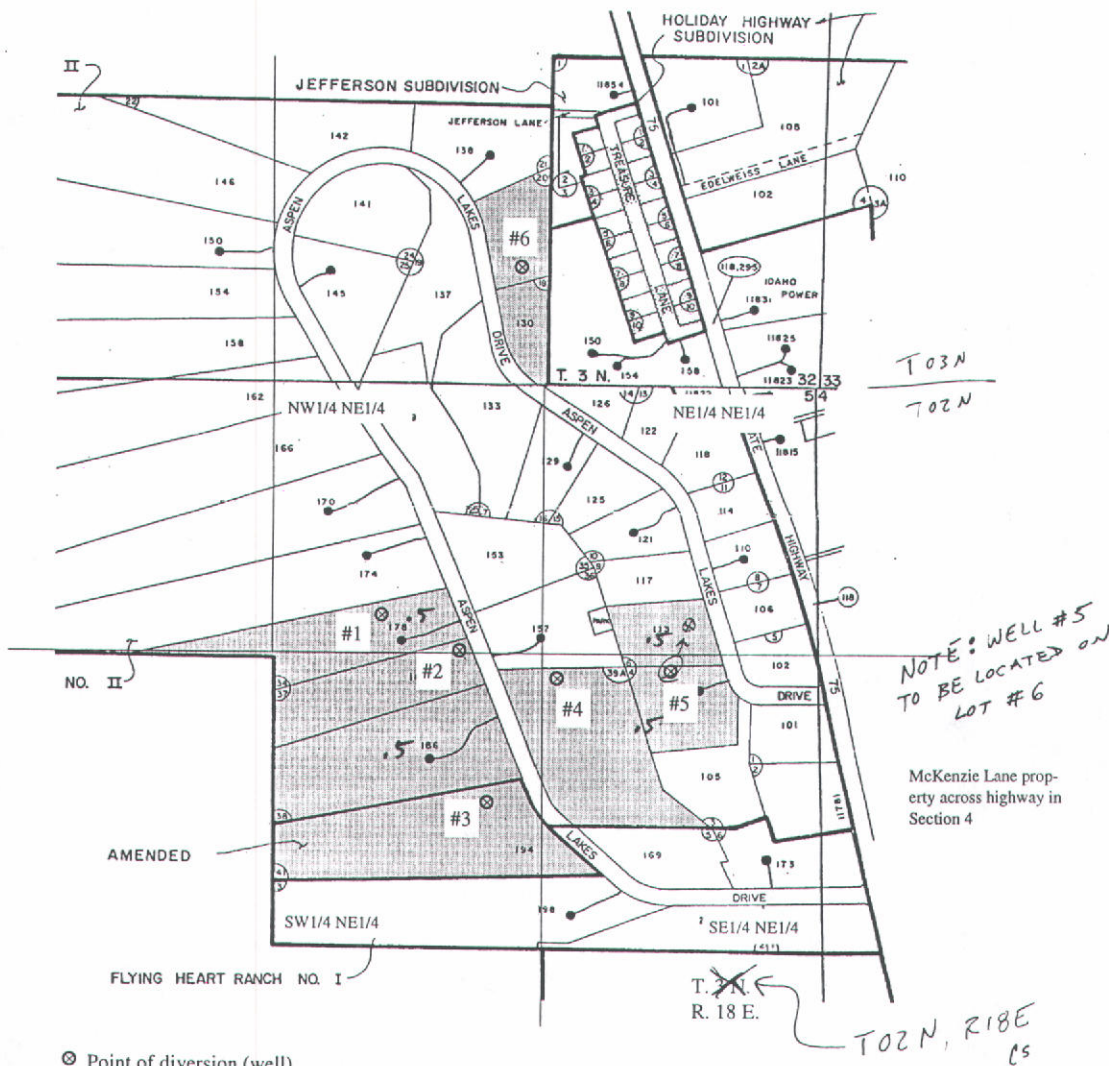


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3



⊙ Point of diversion (well)

Scale: 1" = 500' (approx.)

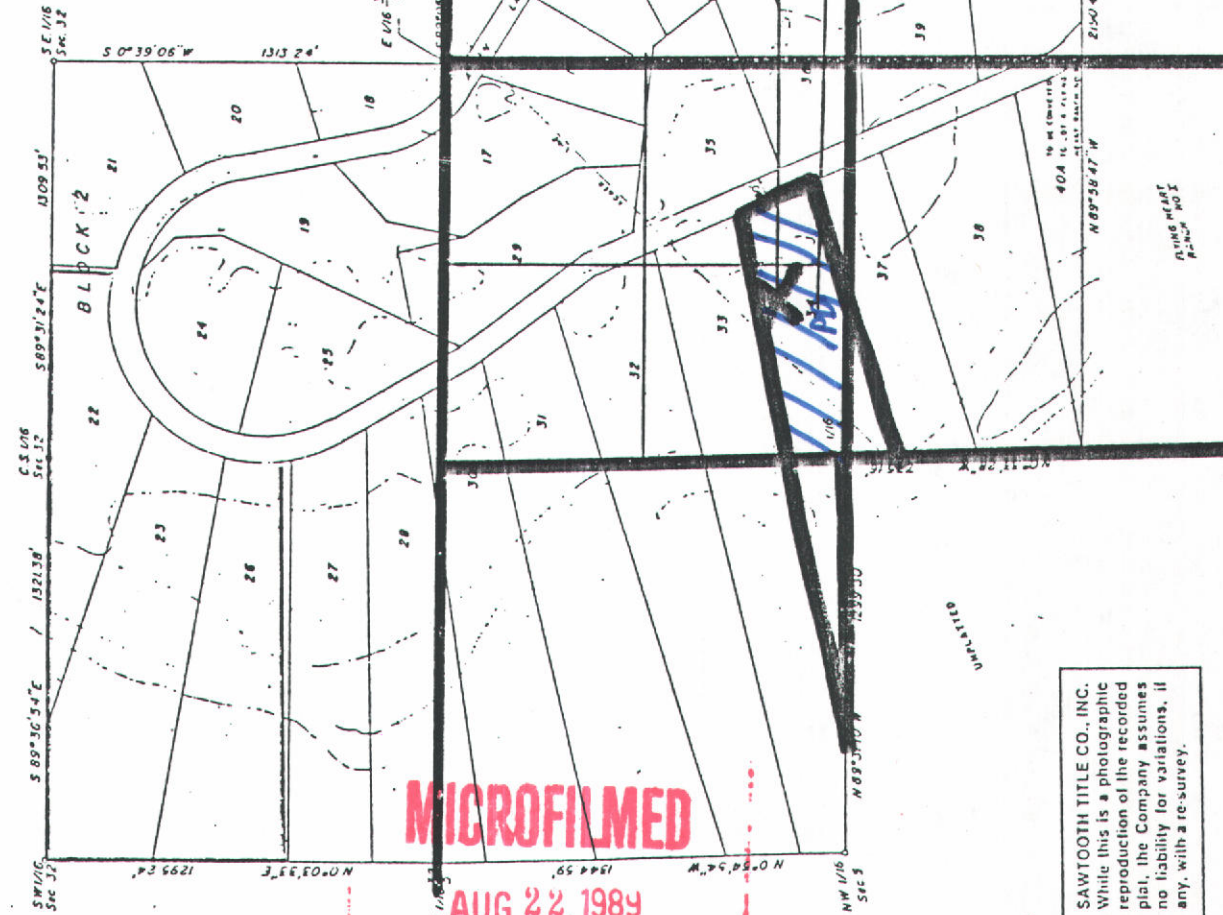
Willis property in Flying Heart Ranch - diagram for transfers of 37-08461, 37-08647, and 37-02584.
Property owned is shown shaded. P/U is within these lots as indicated on transfers.

FLYING HEART RANCH NO. II

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

BLAINE COUNTY, IDAHO

UNPLATTED



NOTES

1. No riprap shall be placed outside of building envelope.
2. Wherever possible natural drainage ways shall not be obstructed.
3. Fences shall not extend into floodway, nor shall the river be controlled in any manner.
4. A 15 foot public easement is dedicated along the eastern bank of the Big Wood River. Said easement shall exist with the river bank if the river changes its location.
5. Parts of this subdivision are subject to flood hazard.
6. All building pads and mound foundations will be above the Intermediate Regional Flood.
7. All building sill elevations shall be 20' minimum above I.R.F. level.
8. A 10' public utility easement (underground) is granted centered on all side and rear lot lines.
9. Roads will remain private, but the public shall have access to the

10. Park in Lot 36 is a permanent easement for all Flying Heart Ranch No. I and II owners

CURVE DATA

CURVE	A	R	L	C-CHORD	CHORD ANG.
1-10	372.448	569.24	736.34	738.03	5.422551

WELL
PLACE OF USE

LEGEND

- o Survey Iron Found
- o Brass Cap Found
- o Set
- o Lot Corner
- o Easement
- o F. of Flood

Prepared by
PHILIP F. PUCHNER
Consulting Engineer
Pocatello, Idaho
June, 1979

SAWTOOTH TITLE CO., INC.
While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

MICROFILMED
AUG 22, 1989

Date Sent to S.O.

JUL 07 1996

RECEIVED
JUL 11 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08461

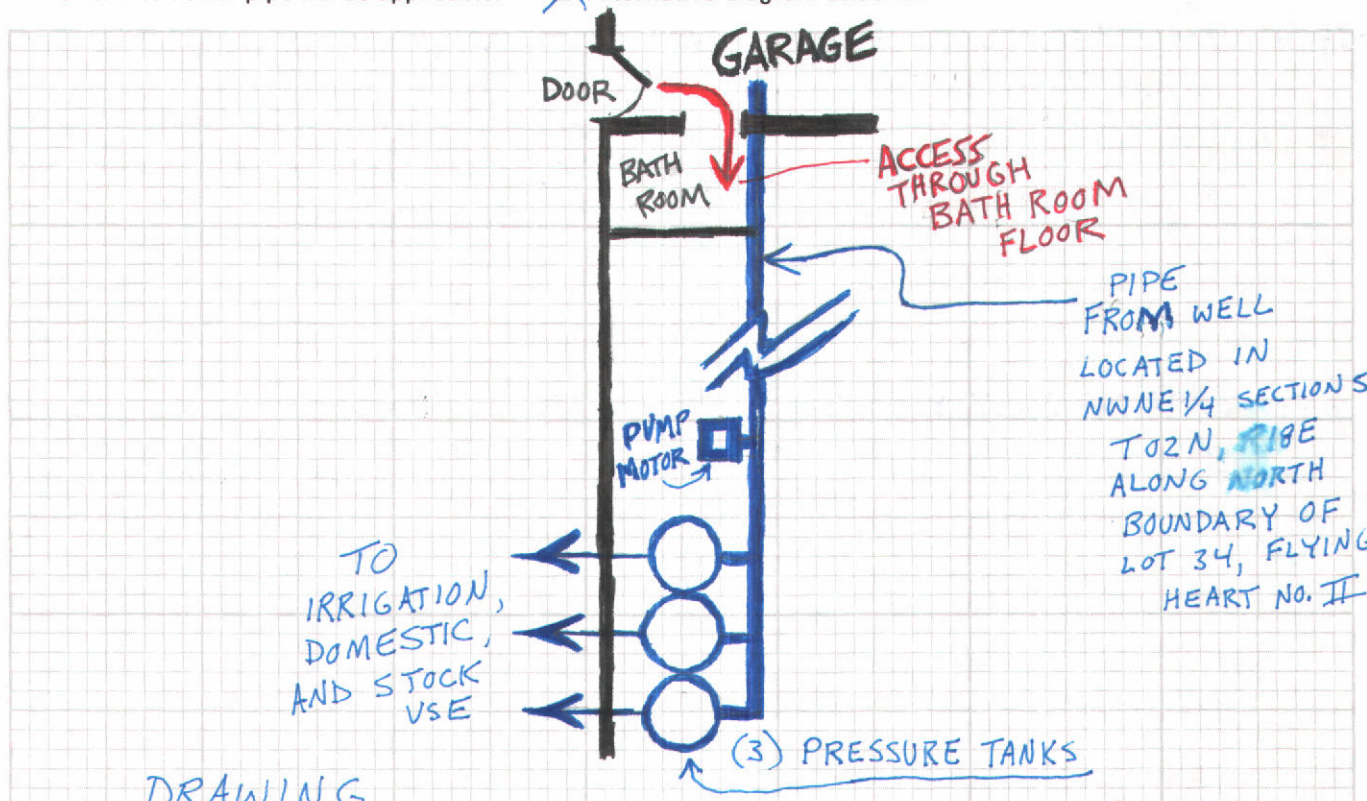
1. Owner: BRUCE WILLIS, DEMI MOORE Phone No. 208-726-2200
Current Address: 90 EDWARD SIMON, ESQ P.O. BOX 540 KETCHUM, ID 83340
2. Accompanied by: JOE MCALLISTER EXAM. DATE: 06/28/96
Address: P.O. BOX 3212 HAILEY, ID 83333 Phone No. 208-788-1051
Relationship to Permit Holder: ASSISTANT? (PRESIDENT VALLEY ENTERTAINMENT)
3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 37-08647 37-00557, 37-00558, 37-00559 (SEE REMARKS) ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



DRAWING

Scale: 1" = NOT TO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
- ☐ Aerial Photo Attached (required for irrigation of 10 acres or more)

RECEIVED
OCT 03 1996

FIELD EXAM FOR

37-08461

PHOTOS TAKEN 06/28/96 BY COREY SKINNER.



View showing irrigated area between horse barn and tennis courts. Bridge visible at right edge of photo is over waterway fed by Big Wood River.



View showing irrigated ground at the back of Lot 34 of Flying Heart Ranch Number II Subdivision. Photo was taken from North Boundary of Lot 34 at Big Wood River's edge looking south to south easterly.

OCT 03 1996



view showing irrigated area between residence (left edge of view) and horse barn. Domestic uses include residence and a sink in the barn. Horses were not present at time of exam. Mr. McAllister said they were grazing on some different property. Facilities are definitely intended for horses and horses have been present. Mr. McAllister said that five horses are the most that have ever been housed at the facility. Pond in center of view is fed by water from Big Wood River, apparently rights 37-00557, 37-00558, and 37-00559. Transfer applications have been filed to show the pond use(s) and add supplemental (to groundwater) irrigation use.

FIELD EXAM FOR 37-08461

PHOTOS TAKEN 06/28/96 BY COREY SKINNER.

OCT 03 1996



View showing point of diversion (well indicated by arrow). Fence in background is north boundary of Lot 34 Flying Heart Ranch Number II subdivision. Residence in background is on Lot 33 and owned by someone else.



View showing residence (guest house) and irrigated ground around residence. Arrow indicates location of garage doorway shown on system diagram on page one of Field Report.



View from under residence, near garage, showing pump, motor & pressure tanks.

STA-RITE VIP III:
2 horsepower
pump model 40P4G02S-34
motor model M4G02S-20
3 Well Mate Pressure Tanks.



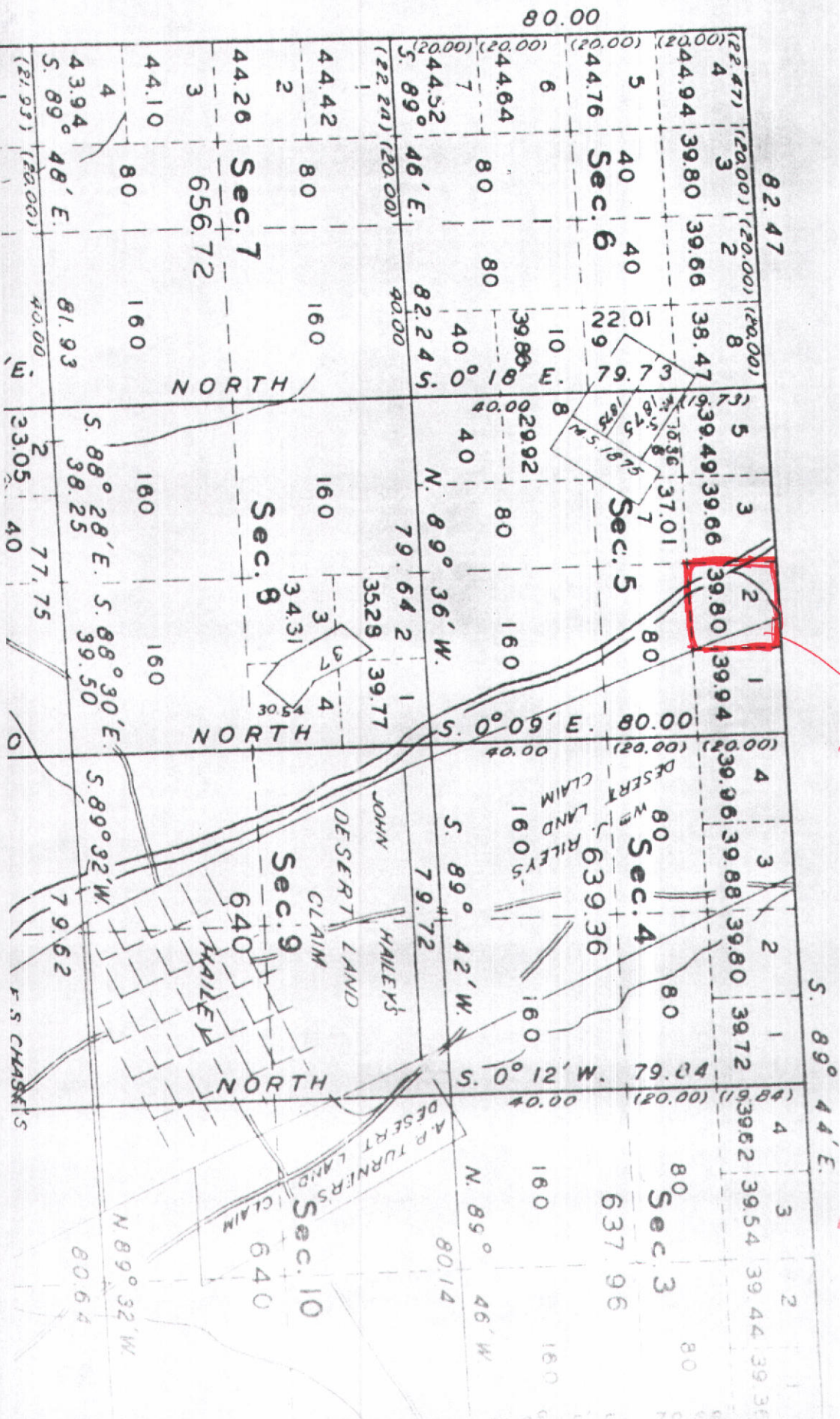
OCT 03 1996

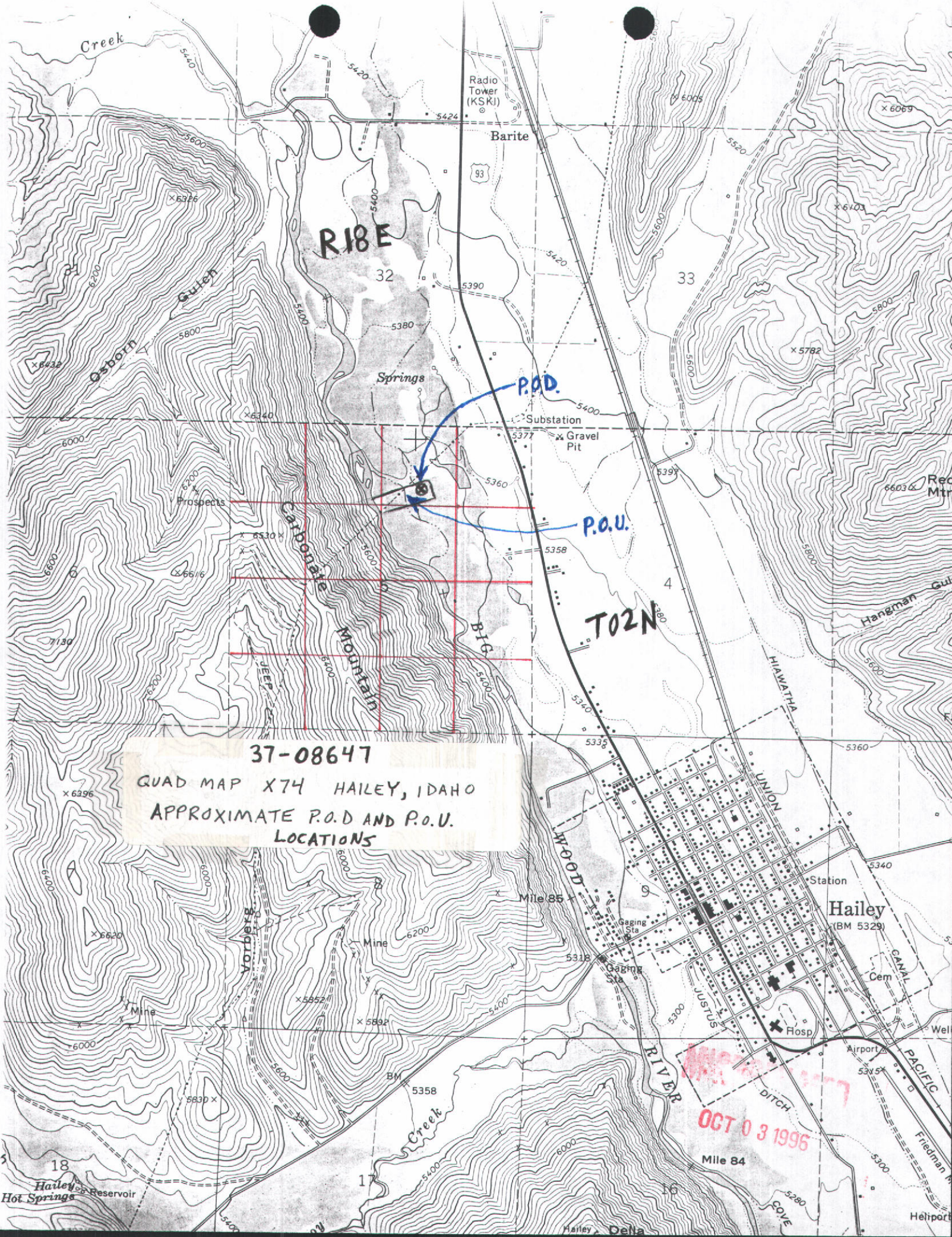
FIELD EXAM FOR
37-08461
PHOTOS TAKEN 06/28/96 BY
COREY SKINNER

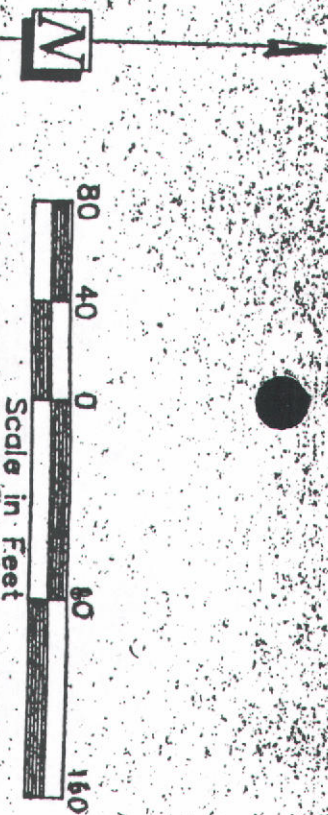
COMPOSITE PLAT OF
NO. 18 EAST, OF T

LOT 2
(NUNE 1/4)

OCT 03 1996







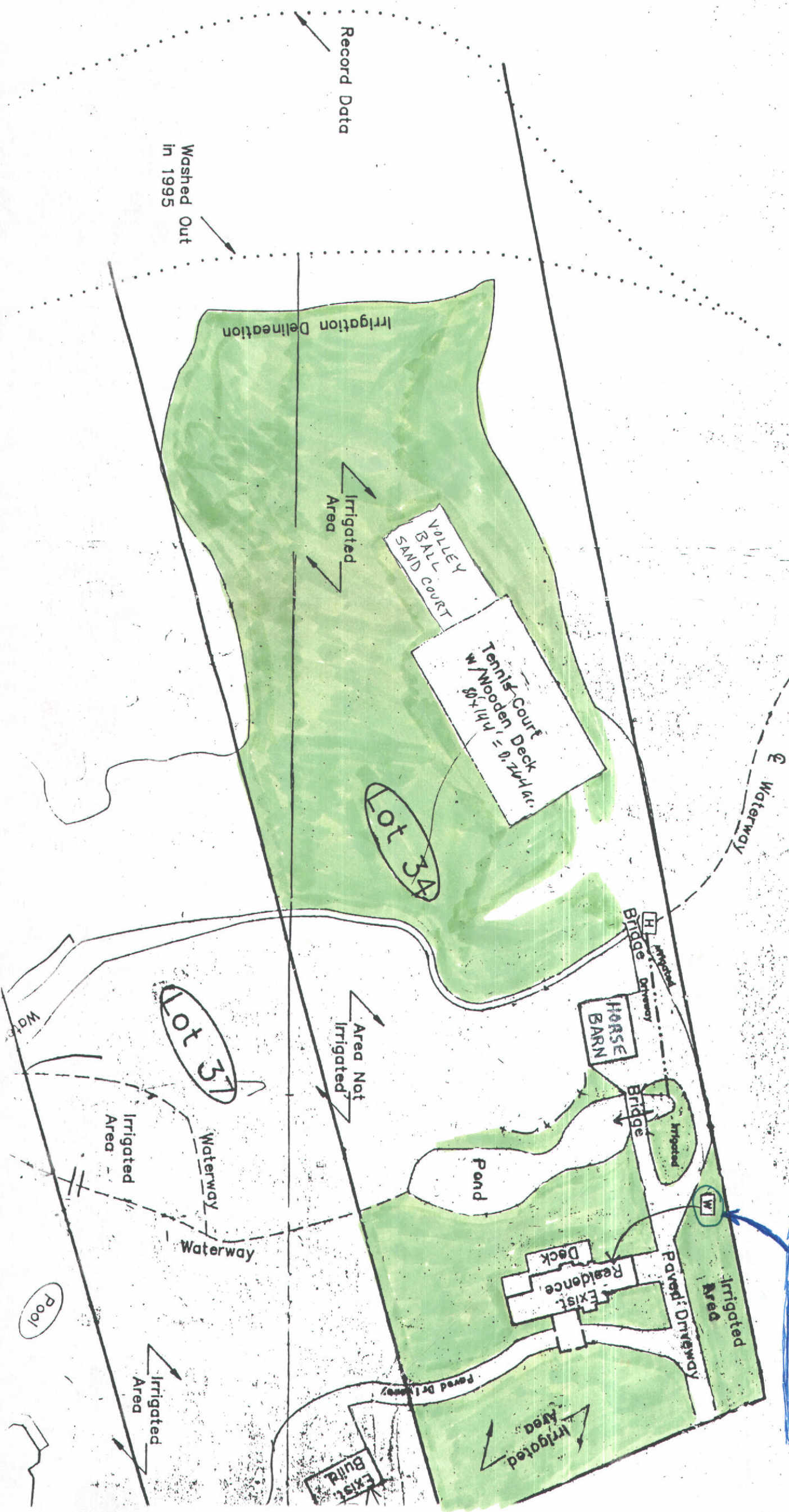
$1'' = 80'$
 $1\frac{1}{4}'' = 6400\text{ ft} = 0.14612\text{ ac.}$
 $1\text{ unit} = 0.0023668\text{ ac.}$

Division
Plates 1, 2, 3

LAYOUT FOR LOT 34 FLYING HEART RANCH NO. II

IRRIGATED AREAS

37-08461
POINT OF DIVERSION



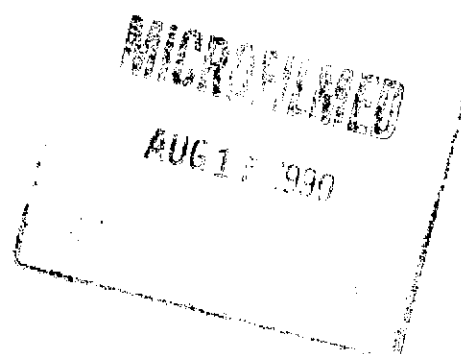


POINT OF
DIVERSION AND
PLACE OF USE
NW NE 1/4
SECTION
5
TOWNSHIP 02 NORTH
RANGE 18 EAST
(LOT 34, FLYING HEART RANCH NO. II)



WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	37-8461	Lawson, Edward A. Mrs. Edward A.	.11 total
Full Assignment	37-8461	Willis, Bruce Moore, Demi	.11 total



Page 1 of 6

OCT 16 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4989APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant W. Bruce Willis, c/o Edward Simon, Esq. JAN 17 1997 Phone (208) 726-2200Post Office address 131 West 4th Street, P.O. Box 540, Ketchum, Idaho 83340 Department of Water Resources

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
<u>37-08461</u>	<u>10/11/1988</u>	<u>0.04 cfs</u> <u>0.06 cfs</u>	<u>Irrigation</u>	<u>4/15</u> to <u>10/15</u>
<u>37-08461</u>	<u>10/11/1988</u>	<u>0.02 cfs</u> <u>0.04 cfs</u>	<u>Domestic</u>	<u>1/1</u> to <u>12/31</u>
<u>37-08461</u>	<u>10/11/1988</u>	<u>0.01 cfs</u> <u>0.02 cfs</u>	<u>Stock</u>	<u>1/1</u> to <u>12/31</u>
<u>37-08461</u>	<u>10/11/1988</u>	<u>0.07 cfs</u> <u>0.11 cfs</u>	<u>Fire Protection</u>	<u>1/1</u> to <u>12/31</u>

2. Total amount of water being transferred 0.11 cubic feet per second and/or 0.07 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
<u>C6B</u>	<u>SW</u>	<u>NW</u>	<u>NE</u>	<u>5</u>	<u>02N</u>	<u>18E</u>	<u>Blaine</u>	<u>Well and pump - lot 34 (P/D #1)</u>
<u>9/13/86</u>	<u>SW</u>	<u>NW</u>	<u>NE</u>	<u>5</u>	<u>02N</u>	<u>18E</u>	<u>Blaine</u>	<u>Well and pump - lot 37 (P/D #2)</u>
		<u>SW</u>	<u>NE</u>	<u>5</u>	<u>02N</u>	<u>18E</u>	<u>Blaine</u>	<u>Well and pump - lot 41 (P/D #3)</u>
		<u>SE</u>	<u>NE</u>	<u>5</u>	<u>02N</u>	<u>18E</u>	<u>Blaine</u>	<u>Well and pump - lot 39A (P/D #4)</u>
		<u>NE</u>	<u>NE</u>	<u>5</u>	<u>02N</u>	<u>18E</u>	<u>Blaine</u>	<u>Well and pump - lots 46 (P/D #5)</u>

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	
<u>02N</u>	<u>18E</u>	<u>5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>	<u>0.5</u>													<u>3.0</u>
<u>02N</u>	<u>18E</u>	<u>5</u>		<u>D</u>															<u>C6B</u>
<u>02N</u>	<u>18E</u>	<u>5</u>		<u>S</u>															
<u>02N</u>	<u>18E</u>	<u>5</u>		<u>F</u>															

Total acres 3.0
2.0 C6B

PART 1

6. General Information:

- a. Description of diversion system ^{Six CWS 4/12/14} ~~Five~~ 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 ~~five~~ P/D and alteration of the P/U while keeping the same irrigated area.
This transfer is submitted in conjunction with transfers for rights 37-08647 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 _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 37-08461

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	0.04 CFS	7.0 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
FIRE PROTECTION	01/01 to 12/31	0.07 CFS	
	Totals	0.07 CFS	7.7 AF

SOURCE

GROUNDWATER

Priority: 10/11/1988

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)	2		2
Total number of acres irrigated:						2

PLACE OF USE: STOCKWATER, same as IRRIGATION usePLACE OF USE: DOMESTIC, same as IRRIGATION usePLACE OF USE: FIRE PROTECTION, same as IRRIGATION useCONDITIONS/REMARKS:

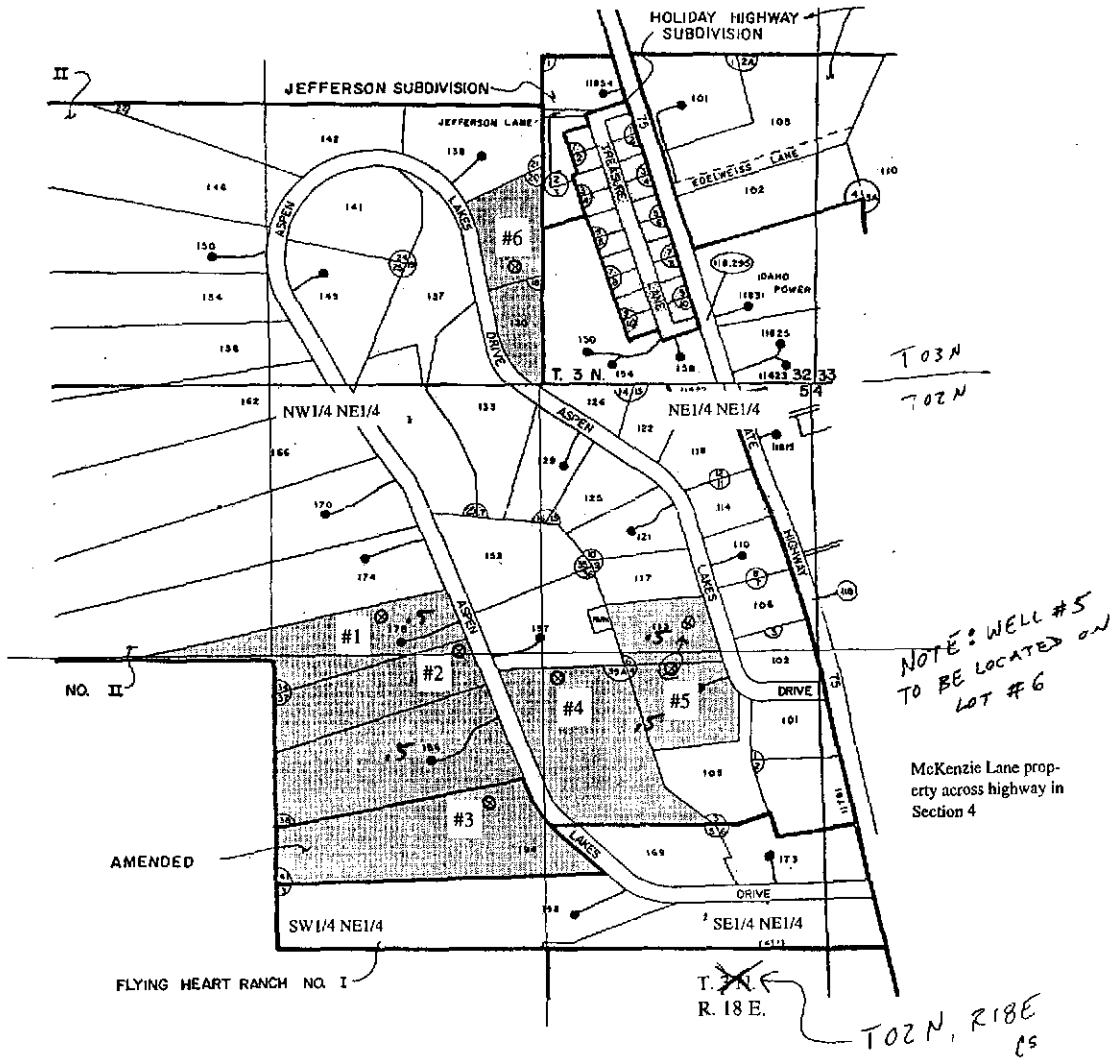
1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
2. Irrigation use under this right is authorized only in connection with a domestic use.
3. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for the use of existing rights used for supplemental purposes.
4. Domestic use is for 1 home and a barn.
5. Point of diversion and place of use known as Lot 34, Flying Heart

Water Right No. 37-08461

Ranch No. 2.

6. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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.

<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
<u>N/A</u>			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.



Subscribed and sworn to before me this

30th day of September, 19 96
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires 6/17/1998

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by C SKINNER Date 10/16/96 Protest filed by _____

Prelim. check by C SKINNER Fee 100.00 5018864 * _____

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. 37-08461

Priority: October 11, 1988

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

7.7 AF

This is to certify, that BRUCE WILLIS
DEMI MOORE

C/O EDWARD SIMON ESQ

PO BOX 540

KETCHUM ID 83340

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 11, 1988; and has submitted Proof of Beneficial Use on April 17, 1990. An examination indicates that the works have a diversion capacity of 0.070 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	0.04 CFS	7.0 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
FIRE PROTECTION	01/01 to 12/31	0.07 CFS	
	Totals	0.07 CFS	7.7 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)	2		2

Total number of acres irrigated: 2

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

PLACE OF USE:

FIRE PROTECTION, 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 that 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.

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

WATER RIGHT NO. 37-08461

CONDITIONS OF APPROVAL AND REMARKS

2. This 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Irrigation use under this right is authorized only in connection with a domestic use.
7. 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.
8. Domestic use is for 1 home and a barn.
9. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
10. Point of diversion and place of use known as Lot 34, Flying Heart Ranch No. 2.

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 19TH
day of September, 1996.


Acting for KARL J. DREHER, Director

OUT 081996

03/89

RECEIVED

APR 17 1990

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received 50.00Date 4-17-90Receipt # CG16344Receipt by G. J. [Signature]Reviewed by [Signature]Sent to region [Signature]

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. ~~5002855~~ 378461Name(s) of Permit Holder: Bruce Willis, c/o Edward Simon, Esq.Post Office Address: P.O. Box 540Ketchum, ID 83340 Telephone No. 726-2200Source of Water: groundwaterExtent of Use: prior to 6/87
per Ken Smith [Signature]Domestic 1 (number of households) Stockwater 5 horses (number and type of stock)Irrigation 3 (acres) Other/Remark fire protectionTotal rate and/or volume for which proof is submitted .11 cfs acre-footShow the date water was first diverted and beneficially used under this permit: existing -- 10/87Measuring Device: Required? Yes No Fee enclosed \$
Installed? Yes No (See License Examination Fee Schedule)Flow Measurement Port: Required? Yes No
Installed? Yes No

Person to contact to accompany the Department representative during the field examination:

Edward Simon 726-2200
(Name) (Telephone Number)P.O. Box 540 Ketchum, ID 83340
(Address)

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

4-16-90
Date Signature of Permit Holder (and title, if appropriate)

RECEIVED

AUG 15 1990

State of Idaho
Department of Water Resources

RECEIVED
JUN 25 1990

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Edward A. Lawson, hereby assign to Bruce Willis and Demi Moore
of c/o Edward Simon, Esq., P.O. Box 540, Ketchum, Idaho 83340
Address

All my right, title, and interest in and to Permit No. 37-8461
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. N/A to appropriate the public waters of the
State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

All

Made this 18th day of June, 1990.

Edward A. Lawson
Permit Holder

Julie Lawson
Spouse of Permit Holder

State of Idaho)
County of Blaine) ss

On this 18th day of June, 1990, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

s e a l

Bertina Trend
Notary Public residing at
Ketchum, Idaho

My commission expires:

2-23-93

MICROFILMED

AUG 15 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Edward A. Lawson Et. Ux. Phone (208) 788-4859
Post office address P.O. Box 2312, Ketchum, ID 83340
2. Source of water supply Ground water which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot 2
Sec. 5 Township 2N Range 18E B.M. Blaine County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .06 for IRRIGATION purposes from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs ~~acres-foot-per-annum~~)
Amount .04 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs ~~acres-foot-per-annum~~)
Amount .02 for Stockwater purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs ~~acres-foot-per-annum~~)
Amount .11 for FIRE PROTECTION purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs ~~acres-foot-per-annum~~)
5. Total quantity to be appropriated is (a) .11 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Existing well & pump
 - 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 _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
Existing years (minimum 1 year).
Allow 1 year

RECORDED

AUG 22 1985

~~UNCLASSIFIED~~

3.0

[illegible]

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

FLYING HEART RANCH NO. II

SECS. 48, 5, 2N, R18E, & SEC. 32, T3N, R18E, B.M.

BLAINE COUNTY, IDAHO

NOTES

1. The riprap shall be placed outside of building envelope.
2. Wherever possible natural drainage ways shall not be disturbed.
3. Fences shall not extend into roadway, nor shall the river be controlled in any manner.
4. A 15 foot public easement is dedicated along the eastward bank of the Big Wood River. Said easement shall abut with the river bank if the river changes its location.
5. Parts of this subdivision are subject to flood hazard.
6. All building foots and mound drainfields will be above the Intermediate Regional Flood.
7. All building with elevations shall be 20' minimum above L.R.F. level.
8. A 10' public utility easement (underground) is granted centered on all side and rear lot lines.
9. Roads will remain private, but the public shall have access to the

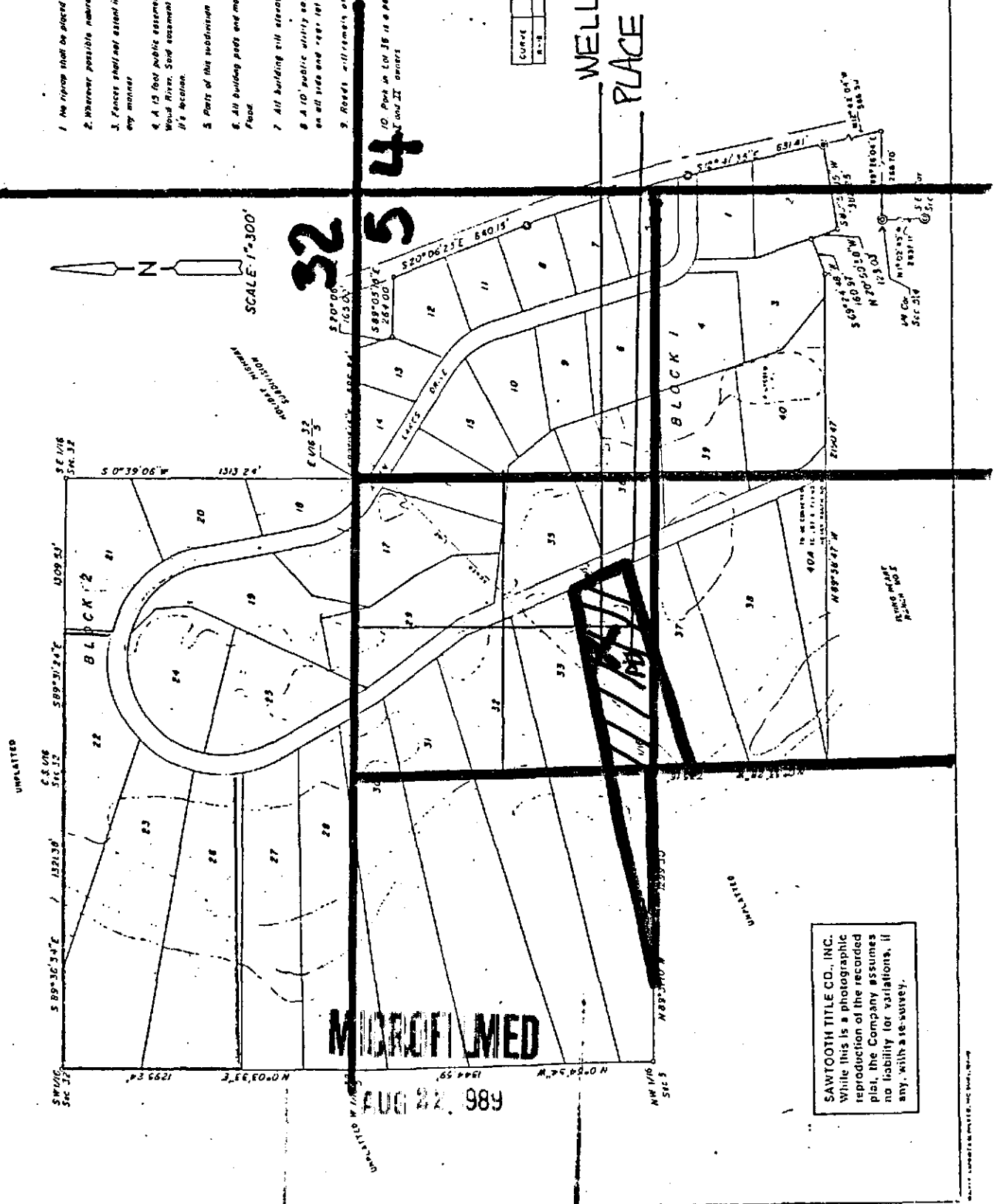
10. Part in Lot 35 is a permanent easement for all Flying Heart Ranch No. II and II owners.

CURVE DATA

CURVE	A	L	CHORD	CHORD BEARING
1-2	122.43'	302.24'	338.03'	S. 47° 13' 51"

LEGEND

- Survey Point Found
 - ⊙ House Cor. Found
 - ⊙ Set
 - L.R.F. Center
 - Flood Boundary
 - L.R.F. Flood Zone
- Prepared by
Philip F. PUCHNER
Contracting Engineer
Blaine, Idaho
June, 1979



MICROFILMED

AUG 22, 1989

SAWTOOTH TITLE CO., INC.
While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

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

[illegible]

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.

Application for permit to appropriate the public water

Edward A. Lawson
by B. L. Fuller
(Applicant)

Proposed Priority 10/11/88

Received by SCC

Fee \$ 30.00

Received by M. Baldwin

Publication approved

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. 37-8461, and said application is hereby APPROVED

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

July 1, 1990.

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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code. Irrigation use under this permit is authorized only in connection with a domestic use.

Witness my hand this 6th day of June, 1989.

J. Allen Saylor

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS that we EDWARD A. LAWSON and JULIE C. LAWSON of Blaine County, Idaho, appoint BRIAN L. BALLARD our true and lawful attorney for us and in our name to do anything and everything that we could do if personally present, giving our said attorney full power and authority to do everything whatsoever necessary to be done in the premises as fully as we could do if personally present, specifically limited to all matters dealing with water rights, including notice of claims and applications, with full power of substitution and revocation, hereby ratifying and confirming all that our said attorney or his substitute or substitutes shall lawfully do or cause to be done by virtue hereof.

IN WITNESS WHEREOF, we have hereunto set our hands this 1st day of October, 1988.



Edward A. Lawson

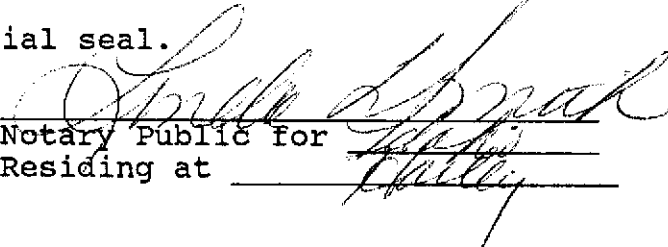


Julie C. Lawson

STATE OF IDAHO)
) ss.
County of Blaine)

On this 1st day of October, 1988, before me, the undersigned, a Notary Public in and for said county and state, personally appeared EDWARD A. LAWSON and JULIE C. LAWSON, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official seal.



Notary Public for
Residing at _____

blb\ls\lawson.not

MICROFILMED

AUG 22 1988

37-08461

13 water right applications filed

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08459

MC MAHAN, KATHRYN
P.O. BOX 595
BELLEVUE, ID 83313
Source: GROUNDWATER
Diversions Pt: LOT 2 (SWNWNE)
Sec 1 T 01N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.100 CFS)
Date Filed: 9/22/1988
In: T01N R18E S01 NWNE
5.06 ACRES TOTAL

37-08460

SAWTOOTH I
CONDOMINIUM ASSOC.
P.O. BOX 1931
KETCHUM, ID 83340
Source: GROUNDWATER
Diversions Pt: NWNENW Sec 14 T
04N R 17E
Use: DOMESTIC (.200 CFS)
Date Filed: 10/03/1988
In: T04N R17E S14 NENW

37-08461

LAWSON, EDWARD A., ET. UX.
P.O. BOX 2312
KETCHUM, ID 83340
Source: GROUNDWATER
Diversions Pt: LOT 2 (SWNWNE)
Sec 5 T 02N R 18E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)
STOCKWATER (.020 CFS)
FIRE PROTECTION (.110 CFS)
Date Filed: 10/11/1988
In: T02N R18E S05 NWNE
3.0 ACRES TOTAL

37-08462

THOMPSON TRIUMPH TRUST
GENE N. THOMPSON, TRUSTEE
6860 SW WINDING WAY
CORVALLIS, OR 97333
Source: GROUNDWATER
Diversions Pt: SWNE Sec 35 T 04N
R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.030 CFS)
Date Filed: 10/17/1988
In: T04N R18E S35 SWNE
1.0 ACRES TOTAL

37-08463

GARDNER, ROBERT
GARDNER, KATHRYN
P.O. BOX 470
BELLEVUE, ID 83313
Source: SPRINGS
Tributary: LOVING CREEK
Diversions Pt: SENENE Sec 14 T
01S R 19E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)
Date Filed: 10/19/1988
In: T01S R19E S13 NWNW
2.0 ACRES TOTAL

The permittee must file a protest of prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before APRIL 3, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal-March 15 & 22, 1989.

PRODUCT 504-3 NEAS Inc., Groton, Mass. 01471

MEMORANDUM

TO: FILE 37-08461

FROM: PAM SKAGGS

RE: TRANSFER # 4989

DATE: 1-17-77

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 37-08461)
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 37-08461. The place of use is being redistributed to encompass a portion of a larger overall place of use. Water right 37-08461 was just recently licensed, 09/19/96, 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 #4989

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

September 20, 1996

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

RE: WATER RIGHT NO. 37-08461

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

OCT 6 1996

MEMORANDUM

DATE: September 17, 1996

TO: File 37-08461

FROM: Shelley W. Keen *SWK*

RE: Beneficial Use Field Report

In April of 1996 Brockway Engineering submitted to IDWR a report detailing the beneficial use of water developed under permit 37-08461. The report lacked maps and photographs, which are useful as supporting documentation for any Beneficial Use Field Report. In July of 1996 Corey Skinner of IDWR submitted a field report based on an examination he conducted in June. The information in his report is supported by maps and photographs.

The two reports differ slightly in some of the details, especially in the size of the irrigated place of use. Because the Skinner report is supported by a map that supports his conclusion regarding the size of the place of use, we have relied on the Skinner report for the licensing of this right.

SEP 19 1996
3708461

MEMORANDUM

TO: File 37-08461

FROM: Sharla

DATE: September 3, 1996

RE: Recommendation Adjustment(s)

The final license recommendations for Right 37-08461 are based on the following:

H. RECOMMENDATIONS

1. Recommended Amounts

Irrigation	4/15 - 10/15	0.04 cfs	7.0 afa
Stockwater	1/1 - 12/31	0.01 cfs	0.1 afa
Domestic	1/1 - 12/31	0.02 cfs	0.6 afa
Fire Prot.	1/1 - 12/31	0.07 cfs	

The rate of diversion for domestic use has been reduced to 0.02 cfs for in-house use only.

Examiner: Corey Skinner
Exam date: June 28, 1996

OCT 0 8 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 37-08461

DATE 9/3/96

REVIEWER: S H A R L A

NAME Change OK

Address Change No

SOURCE Change OK

Is change clarification of originally intended source? Yes

If not, prepare Notice of Intent to Void Yes

POINT OF DIV Change OK

Amendment required No

PLACE OF USE Change OK

Amendment required No

Does map agree with written description? Yes No

OVERLAPS Yes P/D No P/U

RATE OF DIV

Permitted Rate .11 cfs

Fee limit .20 cfs \$5000

Measured — cfs

Theoretical .07 cfs

Recommended Total Div Rate .07 cfs

ANNUAL VOLUME/ NATURE OF USES

Yes

Use
Dom. .04
Stock .02
Dom. .02
Fire .07

Volume Calculation
2 x 3.5 = 7.0 af
.1 af
.6 in house af
NA af
SUBTOTAL 7.7 af

Flow rate .07 cfs X 365 days X 1.98 ~~af~~ = 50.6 af

Total volume recommended 7.7 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

1 home - orig. not incl.
WB, 7.7

CONDITIONS Yes Watermaster Control WD# —

Yes GW Measurement/Measuring Device

Yes Overlap R30, 065

Yes Use-specific conditions 041

Advancement of Priority Date Required Yes No

SRBA Claim Filed N/A

Adjustment Memo .02 dom.

1st Amend Letter N/A

2nd Amend Letter N/A

Slipner/Brockway
exams
pld same
plu same
.07 cap
2 af.

Date Sent to S.O.

JUL 07 1996

RECEIVED
JUL 11 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08461

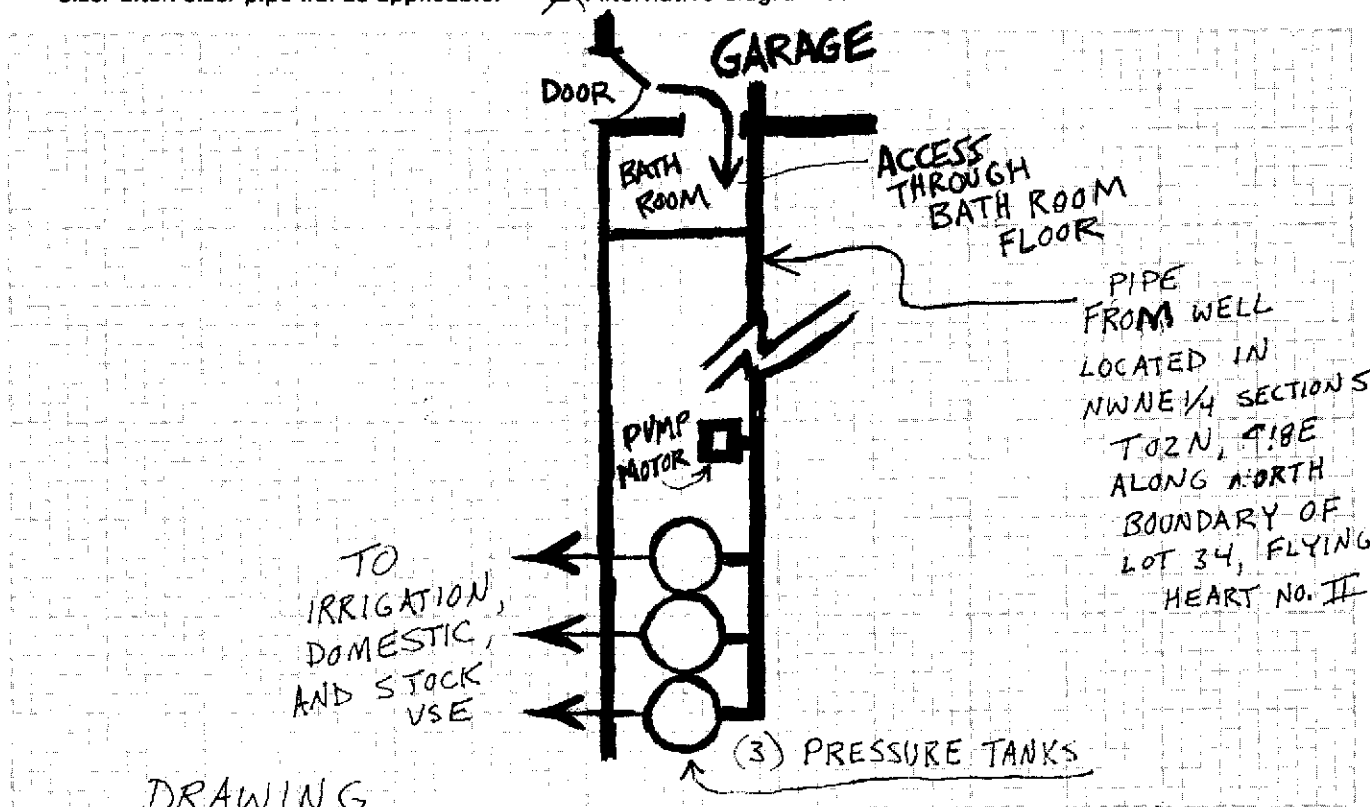
1. Owner: BRUCE WILLIS, DEMI MOORE Phone No. 208-726-2200
Current Address: C/O EDWARD SIMON, ESQ P.O. BOX 540 KETCHUM, ID 83340
2. Accompanied by: JOE MCALLISTER EXAM. DATE: 06/28/96
Address: P.O. BOX 3212 HAILEY, ID 83333 Phone No. 208-788-1051
Relationship to Permit Holder: ASSISTANT? (PRESIDENT VALLEY ENTERTAINMENT)
3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 37-08647 37-00557, 37-00558, 37-00559 (SEE REMARKS) ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



DRAWING

Scale: 1" = NOT TO SCALE

2. ☒ Copy of U.S.G.S. 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 or more) 3 1996
- ☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	STA-RITE	2	Motor Serial No.	STA-RITE	40P4G02S-34
Motor Make					
Hp					

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

5. Point(s) of Diversion: LOT 34 FLYING HEART No. II

[illegible]

6. Place(s) of Use: LOT 34, FLYING HEART # II

[illegible]

TOTAL 2.0 ACRES

(PART OF 37-08647 OVERLAPS ONTO LOT 34 OF FLYING HEART. PROBABLY ABOUT 0.5 ACRES IN SIZE). RECOMMEND

Do not use this space

2 ACRES OF IRRIGATION
WELL IN NW NE 1/4

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

$$Q = \frac{(8.8)(H_p)(E)}{H}$$

$$H = 5' + (80 \text{ psi})(2.31) = 189.8$$

$$Q = \frac{(8.8)(2 H_p)(70\%)}{189.8} = 0.065 \text{ cfs}$$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.0 \times 3.5 = 7.00 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.065 \times 184 \times 1.9835 = 23.7 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 7.00 \text{ AFA}$$

2. Volume Calculations for Other Uses:

$$\text{DOMESTIC} = 0.6 \text{ AFA}$$

$$\text{STOCKWATER} = 5 \text{ horses} @ 12 \text{ gpd} = 0.067 \text{ AFA} \Rightarrow 0.1 \text{ AFA}$$

CT 03 1996

H. REMARKS AND OVERLAP REVIEW ANALYSIS

37-08647 OVERLAPS ON PART OF THIS PLACE OF USE.
LICENSING FOR 2 ACRES ON LOT 34 UNDER THIS PARTICULAR
PERMIT (37-08461) WOULD BE APPROPRIATE. 37-00557, 37-00558,
AND 37-00559 ALSO OVERLAP. HOWEVER, ALL THREE RIGHTS
ARE USED IN AN AESTHETIC POND SYSTEM. TRANSFERS
HAVE BEEN SUBMITTED AND ARE PENDING TO REFLECT THE
CURRENT USE OF THESE THREE RIGHTS.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (af/yr)
	From	To		
DOMESTIC	01/01	12/31	0.04 cfs	0.6 AFA
IRRIGATION	04/15	10/15	0.04 cfs	7.0 AFA
STOCKWATER	01/01	12/31	0.01 cfs	0.1 AFA
FIRE PROTECTION	01/01	12/31	0.065	7.7 AFA
Totals:			0.065	

2. Recommended Amendments

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

J. AUTHENTICATION

Field Examiner's Name GOREY SKINNER
Signature [Signature]
Certification Date 07/05/96
Field Report Preparation Date 07/05/96

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

REMARKS -
POD AND POW IS LOT 34
FLYING HEART RANCH NO. II
SUBDIVISION

OCT 03 1996

FIELD EXAM FOR

37-08461

PHOTOS TAKE 06/28/96 BY COREY
SKINNER.



View showing irrigated area between horse barn and tennis courts. Bridge visible at right edge of photo is over waterway fed by Big Wood River.



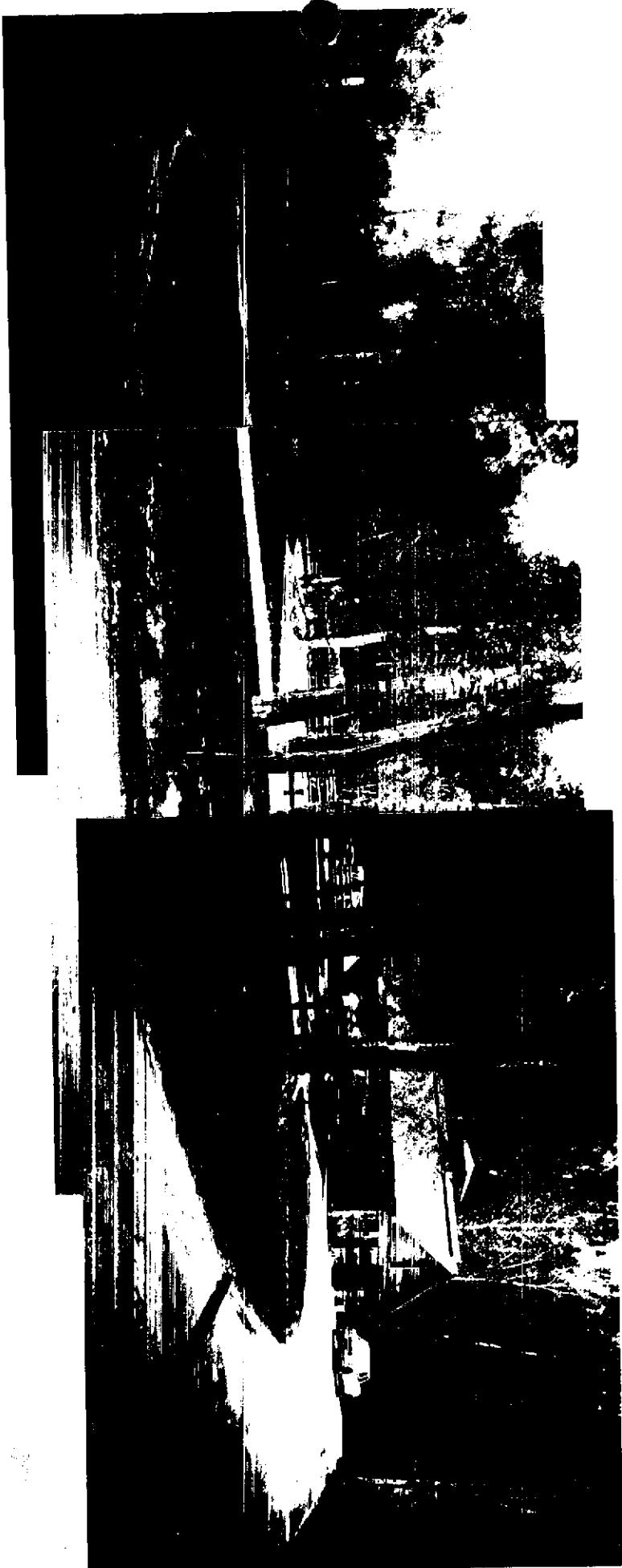
View showing irrigated ground at the back of Lot 34 of Flying Heart Ranch Number II Subdivision. Photo was taken from North Boundary of Lot 34 at Big Wood River's edge looking south to south easterly.

OCT 03 1996

View showing irrigated area between residence (left edge of view) and horse barn. Domestic uses include residence and a sink in the barn. Horses were not present at time of exam. Mr. McAllister said they were grazing on some different property. Facilities are definitely intended for horses and horses have been present. Mr. McAllister said that five horses are the most that have ever been housed at the facility. Pond in center of view is fed by water from Big Wood River, apparently rights 37-00557, 37-00558, and 37-00559. Transfer applications have been filed to show the pond use(s) and add supplemental (to groundwater) irrigation use.

FIELD EXAM FOR 37-08461

PHOTOS TAKEN 06/28/96 BY COREY SKINNER.



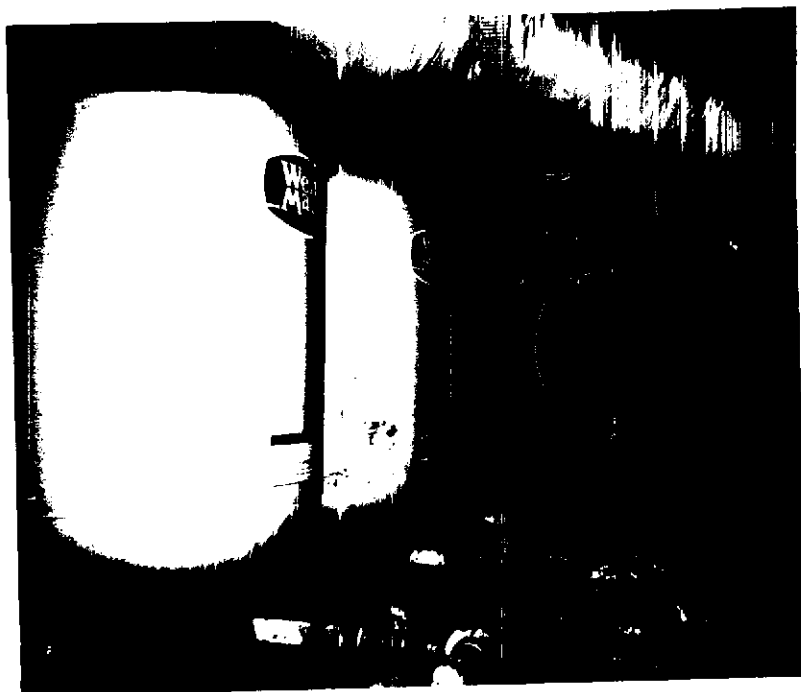
06/28/1996



View showing point of diversion (well indicated by arrow). Fence in background is north boundary of Lot 34 Flying Heart Ranch Number II subdivision. Residence in background is on Lot 33 and owned by someone else.



View showing residence (guest house) and irrigated ground around residence. Arrow indicates location of garage doorway shown on system diagram on page one of Field Report.



View from under residence, near garage, showing pump, motor & pressure tanks.

STA-RITE VIP III:
2 horsepower
pump model 40P4G02S-34
motor model M4G02S-20
3 Well Mate Pressure
Tanks.

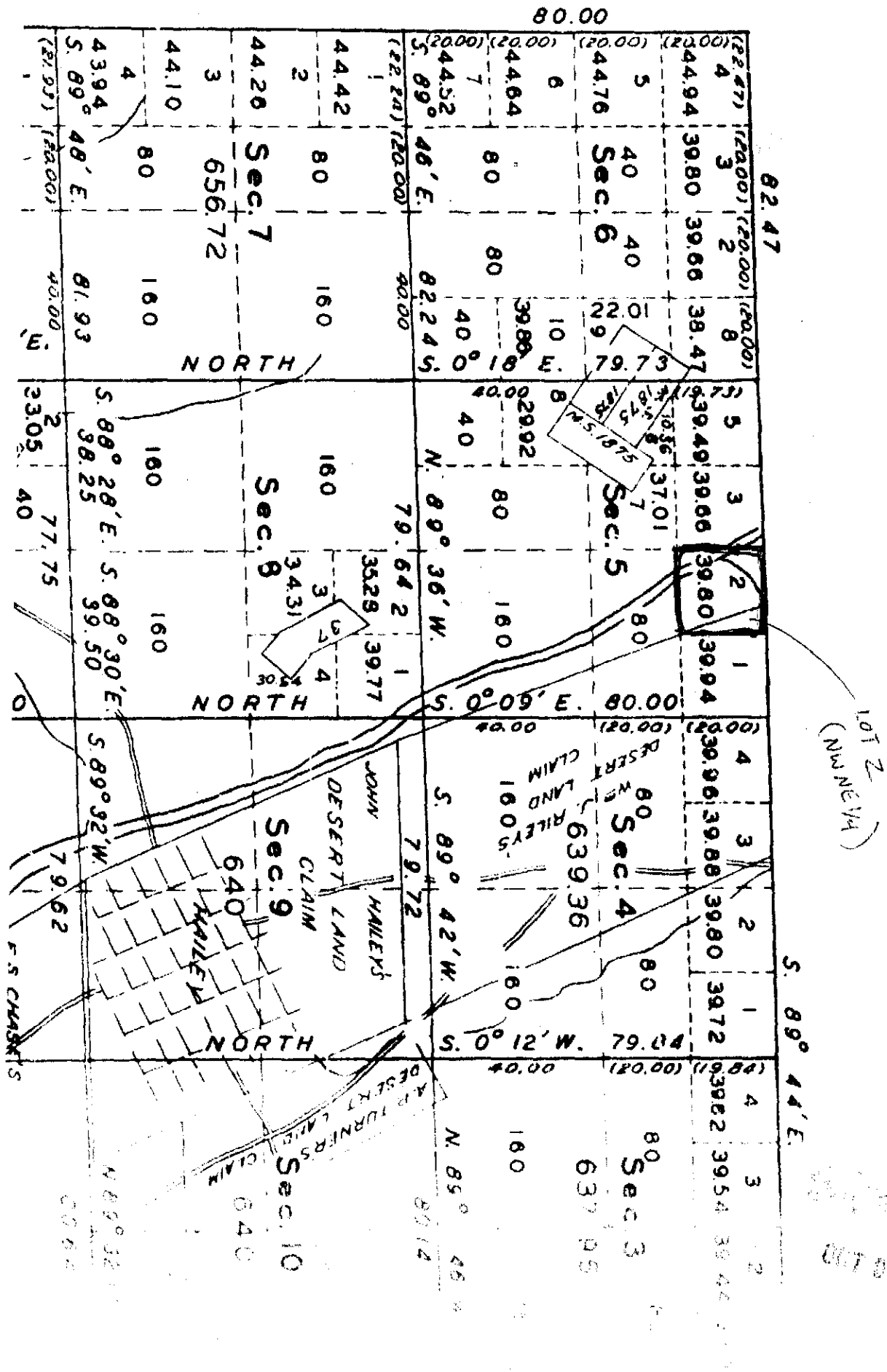


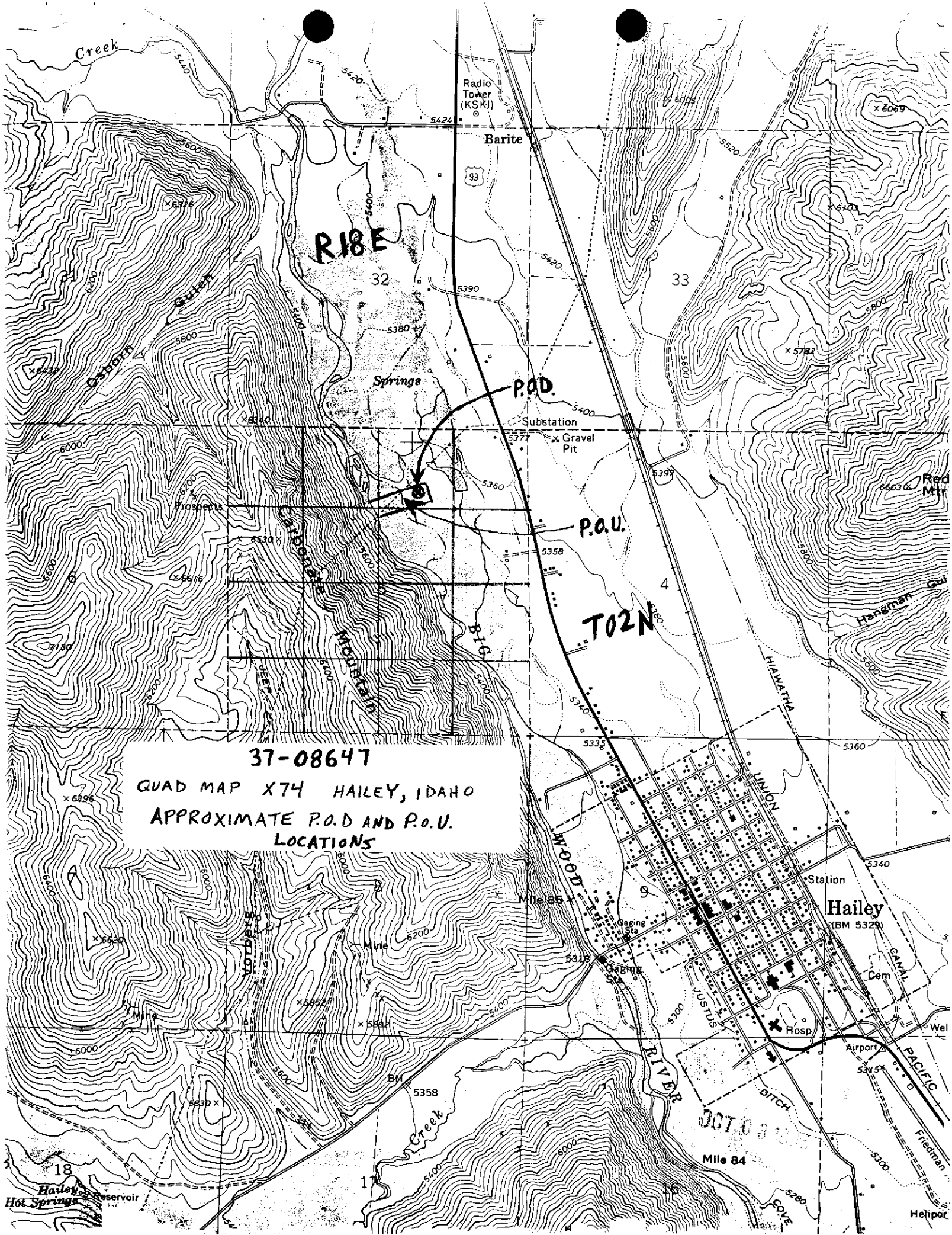
OCT 08 1986

FIELD EXAM FOR
37-08461

PHOTOS TAKEN 06/28/96 BY
COREY SKINNER

COMPOSITE PLAT OF TIP N^o 2 NORTH, RANGE N^o 18 EAST, OF





R18E

Barite

Springs

P.O.D.

P.O.U.

T02N

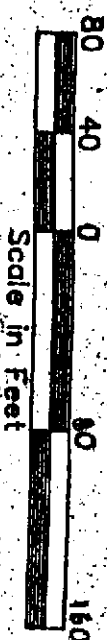
37-08647

QUAD MAP X74 HAILEY, IDAHO
APPROXIMATE P.O.D AND P.O.U.
LOCATIONS

Hailey
(BM 5329)

Hailey Hot Springs Reservoir

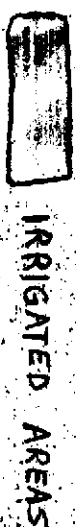
Helipad



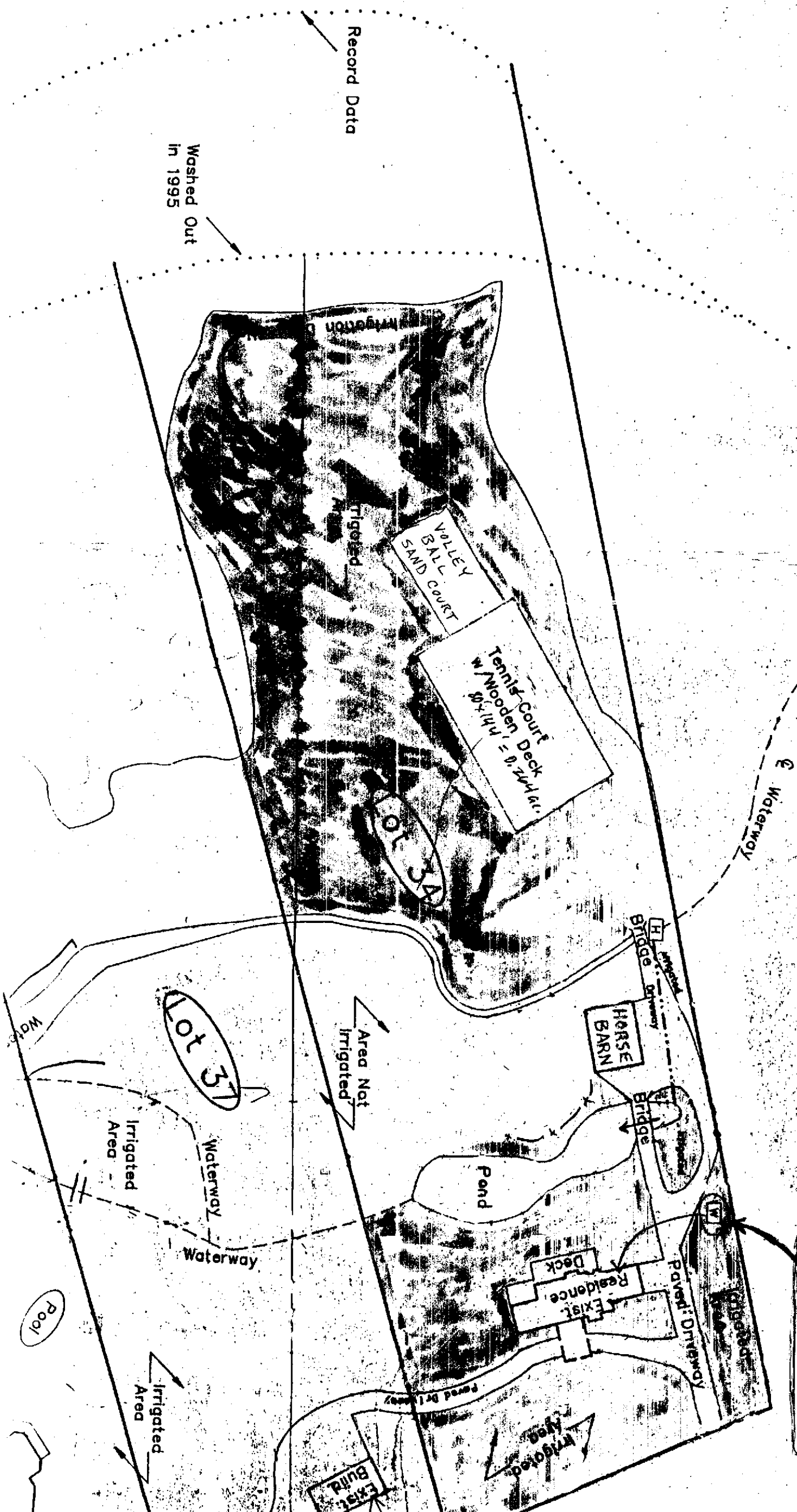
$1'' = 80'$
 $1 \frac{1}{4}'' = 6400 \text{ ft}^2 = 0.1462 \text{ ac.}$
 $1 \text{ unit} = 0.0023668 \text{ ac.}$

Division
Plates 1, 2, 3

LAYOUT FOR LOT 34 FLYING HEART RANCH NO. II

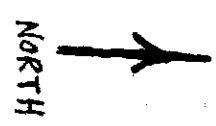


37-08461
POINT OF DIVERSION

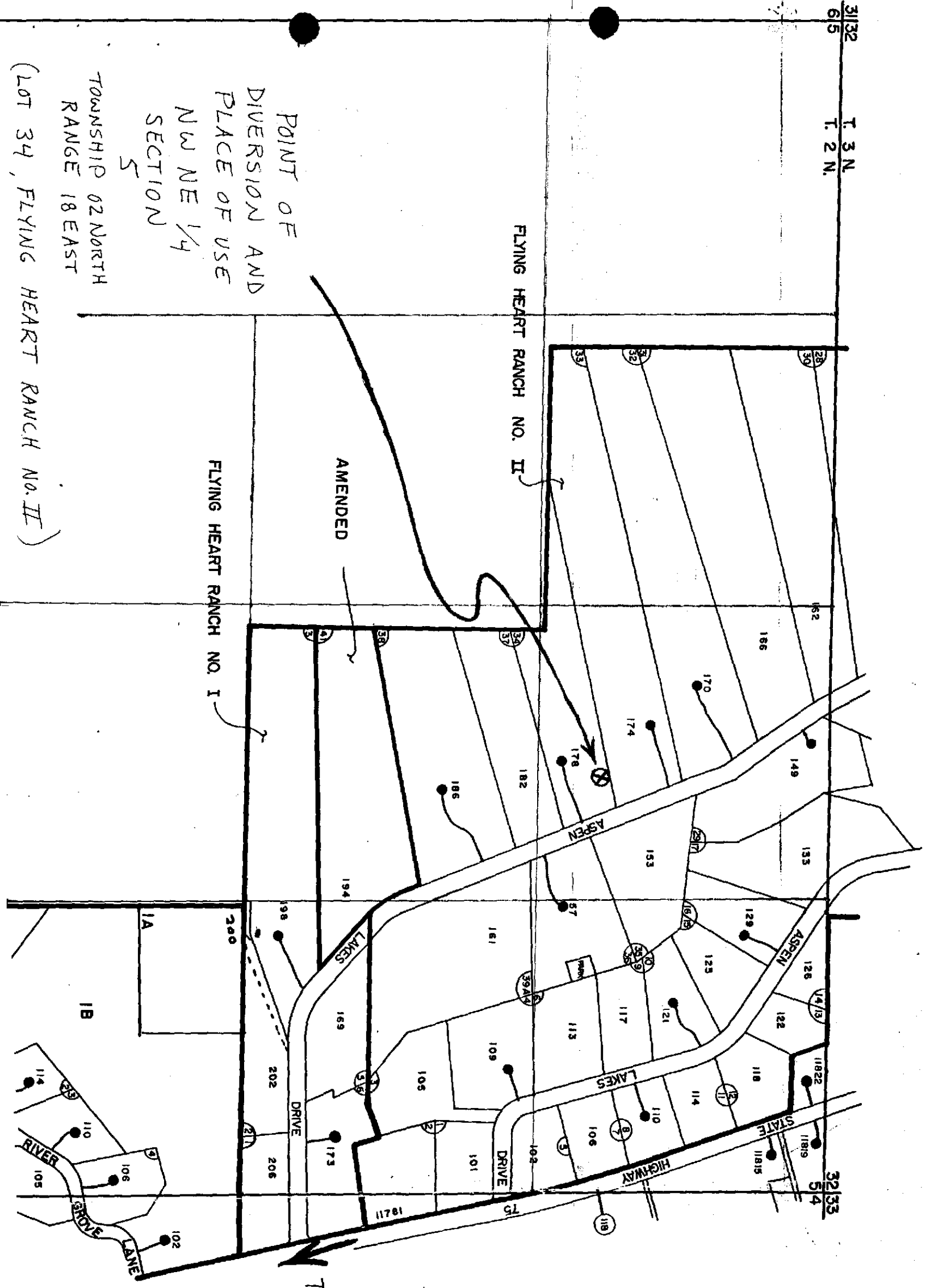


31/32
65 T. 3 N.
T. 2 N.

32/33
54



TO HAILEY



POINT OF
DIVERSION AND
PLACE OF USE
NW NE 1/4
SECTION
5
TOWNSHIP 02 NORTH
RANGE 18 EAST
(LOT 34, FLYING HEART RANCH NO. II)

ENGINEER'S REPORT FOR WATER RIGHT 37-08461

Brockway Engineering, PLLC

April 8, 1996

The purpose of this report is to document water usage under permit 37-08461, owned by Mr. Bruce Willis of Hailey, Idaho. A proof of beneficial use for the permit was made on April 17, 1990. Since then, IDWR has not been able to conduct the necessary field exam to enable licensing of this right. It is desired to expedite the licensing so that transfers may be filed on the right. The report is intended for use by IDWR personnel in making the beneficial use report as soon as possible.

A site inspection was made on August 18, 1995, accompanied by Mr. Bill Perreira, the grounds manager for Mr. Willis. The following findings were made. The water source is groundwater from one well located in lot 34 of Flying Heart II subdivision approximately one mile north of Hailey. The well is used for domestic purposes in one residence in lot 34 and to irrigated 1.1 acres in lot 34. The well also serves a horse barn facility. The permitted place of use is consistent with the actual place of use. No other water rights pertain to this point of diversion. A portion of the place of use on water right 37-08647 coincides with the place of use on 37-08461. More specifically, one 40-acre tract is in common, but the physical places of use do not overlap.

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OCT 8 1996

The point of diversion was found to be in the NW ¼ NE ¼ Sec. 5 T2N R18E, Blaine County. This was determined during the site visit by comparison with the subdivision plat. The place of use consists of 1.07 acres of irrigation, one residence, and a horse barn, all in NW ¼ NE ¼ Sec. 5 T2N R18E. All places of use are within lot 34 of Flying Heart II.

The diversion system is a well with a 6-inch casing and a 2 HP pump. Supply lines run to the residence, the horse barn, and to an underground sprinkler irrigation system. The static water level in the immediate vicinity is approximately 5 feet. Assume a delivery pressure of 80 psi and a pump efficiency of 80%. There will be very little drawdown since the aquifer consists of river gravel and is extremely permeable. Therefore, the total head during pumping is $5 \text{ ft} + 80 \text{ psi} \times 2.31 = 189.8 \text{ ft}$. The flow rate capable of being delivered is

$$Q = \frac{550 \cdot HP \cdot \eta}{\gamma \cdot H} = \frac{550(2)(0.8)}{62.4(189.8)} = 0.074 \text{ cfs}$$

The volumetric requirement for the irrigation is $1.1 \text{ acres} \times 3.5 \text{ ac-ft} / \text{acre} = 3.85 \text{ ac-ft}$.

Based on a constant diversion rate using $0.02 \text{ cfs} / \text{acre}$, the volume withdrawn would be $0.022 \text{ cfs} \times 210 \text{ days} \times 1.9835 = 9.16 \text{ ac-ft}$. The smaller volume is 3.85 ac-ft .

For domestic purposes, assume an average diversion of 150 gpcd and an average of 3 people in the house. The daily diversion is then 450 gpd or 0.50 ac-ft per year. The horse barn appears to have a capacity of about 5 head. At an average of 12 gpd per head (as per IDWR guidelines), this equates to 0.07 ac-ft per year.

Based on the site visit and diversion calculations, the recommended licensing amounts are as follows:

OCT 05 1995

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	4/1 - 11/1	0.022 cfs	3.9 ac-ft
Stock	1/1 - 12/31	0.02 cfs	0.1 ac-ft
Domestic	1/1 - 12/31	0.04 cfs	
Fire	1/1 - 12/31	0.11 cfs	

OCT 03 1996

August 10, 1990

Edward Simon, Esq.
P. O. Box 540
Ketchum, ID 83340

Dear Mr. Simon:

Re: Permit No. 37-8461 -- Bruce Willis, Demi Moore

This office acknowledges receipt of the assignment conveying the above referenced permit to your clients. The assignment has been entered into the department's records.

The department received the proof of beneficial use form. The next step is for the department to conduct the field inspection to confirm and determine the extent of beneficial use. I cannot tell just when the representative from our Southern Regional office will conduct the exam, but he will try to contact you prior to being in the area.

If you have questions concerning the field inspection, please contact the Southern Regional office at 734-3578.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

c: S. Region

RECEIVED

AUG 15 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

USE TYPEWRITING OR
HANDWRITTEN INK

RECEIVED
JUN 15 1988
Department of Water Resources
Southern Idaho Office

1. WELL OWNER Name <u>Kim Seegmiller</u> Address <u>Bellevue Idaho</u> <u>Well located at Flying Heart Ranch</u> Owner's Permit No. _____	7. WATER LEVEL Static water level <u>5</u> feet below ground surface Flooding? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed in _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ OF. Quality _____																																								
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☒ Bailor ☐ Air ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> <tr> <td style="text-align: center;">60</td> <td style="text-align: center;">7</td> <td style="text-align: center;">2</td> </tr> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped	60	7	2																																		
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E



Blaine

N. W. N. E. Sec. 5 T. 2 N. N. S. R. 18 E. W.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

USE IN WRITING FOR
REGISTRATION

RECEIVED
JUN 15 1982
Department of Water Resources
Southern District Office

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SIMON & DONOHUE

ATTORNEYS AT LAW

131 W. 4TH ST.

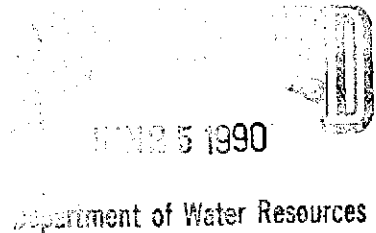
P.O. BOX 540

KETCHUM, IDAHO 83340

(208) 726-2200

EDWARD SIMON
KEVIN E. DONOHUE

June 20, 1990



State of Idaho
Department of Water Resources
Attn: Rita Flak
1301 North Orchard
Boise, ID 83706

RE: Permit No. 37-8461

Dear Ms. Flak:

Please find enclosed a substituted Assignment of Permit as requested by the Department of Water Resources in regard to the above-referenced permit. This letter will also confirm our conversation of June 4, 1990, in which you advised me that the July 1, 1990, proof of beneficial use date is not in jeopardy. If there is a problem or if my understanding is incorrect, I would appreciate an immediate response.

Thank you for your assistance and cooperation in this matter.

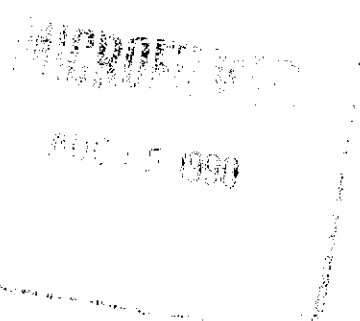
Yours very truly,

A handwritten signature in dark ink, appearing to read "Edward Simon", is written over the typed name.

EDWARD SIMON

ED/jf

encl.



SIMON & DONOHUE
ATTORNEYS AT LAW
131 W. 4TH ST.
P.O. BOX 540
KETCHUM, IDAHO 83340
(208) 726-2200

RECEIVED
APR 17 1990

Department of Water Resources

EDWARD SIMON
KEVIN E. DONOHUE

April 16, 1990

State of Idaho
Department of Water Resources
1301 North Orchard
Boise, ID 83706

RE: Request for Examination

Dear Sir:

Please find enclosed a Proof of Beneficial Use form, along with a filing fee for an examination. Please advise this office of a convenient time for your inspection and examination. Thank you for your assistance in this matter.

Yours very truly,

EDWARD SIMON

ED/jf

encl.

RECEIVED

AUG 18 1990

FROM

*Beta Fleck*DATE *6-4-90*

TO

File 37-8461

SUBJECT

Ed Simon called regarding the status of this permit. The assignment isn't correct. I sent him a form. He'll complete and return it.

MICROFILMED

AUG 15 1990


SIGNATURE

RECEIVED
MAY 10 1990

Department of Water Resources

NOTICE OF ASSIGNMENT OF WATER RIGHTS

NOTICE IS HEREBY GIVEN that the undersigned has assigned all right, title and interest to all water rights to Lot Number 34, Flying Heart Ranch Subdivision #2, Blaine County, Idaho, as further set forth in Permit Number 37-8461.

DATED this 24 day of April, 1990.

Edward A. Lawson
EDWARD A. LAWSON

Julie C. Lawson
JULIE C. LAWSON

STATE OF IDAHO)

County of Blaine)

ss.

On this 24 day of April, 1990, before me, a notary public in and for the State of Idaho, personally appeared EDWARD A. LAWSON and JULIE C. LAWSON, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Dana M. Adams
Notary Public for Idaho
Residing at Boise, ID
Commission expires: 1991

RECORDED
AUG 15 1990

assign to who?

sc 6/6/90

SIMON & DONOHUE

ATTORNEYS AT LAW

131 W. 4TH ST.

P.O. BOX 540

KETCHUM, IDAHO 83340

(208) 726-2200

EDWARD SIMON
KEVIN E. DONOHUE

May 8, 1990

State of Idaho
Department of Water Resources
Attn: Rita Flak
1301 North Orchard
Boise, ID 83706

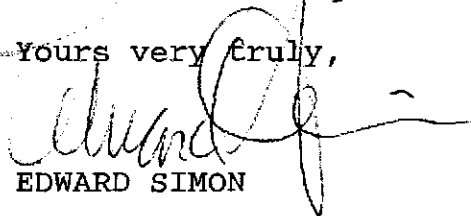
RE: Permit No. 37-8461

Dear Ms. Flak:

I have enclosed an original Notice of Assignment of Water Rights in regard to the above-referenced permit in accordance with our telephone conversation of April 23, 1990. The driller was Ken Smith, and the work on the well was completed on June 22, 1987. As no permit was required at this time, Mr. Smith indicated that a copy of his well log should be on file in your office.

Please advise me when a convenient time for your inspection examination will be. I look forward to hearing from you. Thank you for your assistance and cooperation in this matter.

Yours very truly,


EDWARD SIMON

ED/jf

encl.

MICROFILMED

AUG 15 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 7, 1989

EDWARD A. LAWSON, ET UX
P.O. BOX 2312
KETCHUM, ID 83340

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 37-08461

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

MICROFILMED

AUG 22 1989

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED
MAY 19 1968

6110 12 038

08-Mar-1989

Edward A. Lawson, Et. Ux.
P.O. Box 2312
Ketchum, ID 83340

Re: Application for Permit No. 37-08461

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 3/15 & 3/22/89. A period of ten days following the second publication will be allowed for the submittal of protests.

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

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

MICROFILMED

AUG 22 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

MARCH 7, 1989

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

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before APRIL 3, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

AUG 22 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

AUG 22 1989

37-08461

LAWSON, EDWARD A. , ET. UX.
P.O. BOX 2312
KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: LOT 2 (SNNWNE) Sec 5 T 02N R 18E

Use: IRRIGATION	(.060 CFS)
DOMESTIC	(.040 CFS)
STOCKWATER	(.020 CFS)
FIRE PROTECTION	(.110 CFS)

Date Filed: 10/11/1988

In: T02N R18E S05 NWNE

3.0 ACRES TOTAL

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The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before APRIL 3, 1989.

R. Keith Higginson, Director

Published 3/15/1989 & 3/22/1989

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LAWSON & PEEBLES

ATTORNEYS AT LAW
POST OFFICE BOX 297
319 WALNUT AVE. N.
KETCHUM, IDAHO 83340

To: Mr. Jim Stanton
Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

Re: Lawson & Peebles/Water

Date: 1/12/89

Enclosed please find X original and/or _____ copies of:
Power of Attorney

- ☐ File
- ☐ Return Copies
- ☐ Return Original
- ☐ Record
- ☐ Review
- ☐ Sign
- ☐ Notarize
- ☐ Consent
- ☐ Approve
- ☐ Reply
- ☐ Phone
- ☐ Other _____

RECEIVED

JAN 13 1989

Department of Water Resources
Southern Region Office

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AUG 24 1989