

AFFIDAVIT of PUBLICATION

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SEP 18 1998

State of Idaho, }
County of Blaine } SS.

Department of Water Resources
Southern Region

On this 16 day of Sept, in the year 1998, before me a Notary Public of said State, personally appeared DANIEL J. GORHAM, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 2 day of Sept, 1998, and the date of the last publication was on the 9 day of Sept, 1998.

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

NOTARY PUBLIC

#11098
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 58.067
Number of Insertions 2
Lines tabular at 7 6c / Pica
58.067 Lines straight at 40.07 6c / Pica
58.067 Subsequent lines at 33.38 5c / Pica
TOTAL COST \$78.45

COPY OF NOTICE
(Paste Here)

Water Permit Application #37-08879

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept Water Resources
BILL TO

Application for water permit

NOTICE OF APPLICATION FOR WATER PERMIT

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

ST LUKE'S MEDICAL CENTER/
WOOD RIVER, LTD.
190 EAST BANNOCK
BOISE ID 83712

Application for Permit
No. 37-08879

Source: Unnamed Stream
tributary to Sinks

Diversion Pt(s): NE1/4SE1/4,
S30, T04N, R18E; Blaine
County.

Use: 01/01-12/31

Wildlife (1.20 cfs)

Wildlife Storage (2.25 afa)

Total Diversion: 1.20 cfs

In: Wildlife use within
NE1/4SE1/4 and SE1/4SE1/4
with Wildlife Storage within
SE1/4SE1/4, all S30, T04N,
R18E; Blaine County.

Date Filed: 08/20/98

Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before September 21, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Publish: Wood River Journal — Sep-
tember 2 & 9, 1998.

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ST. LUKE'S APPLICATION FOR PERMIT PHOTOS



View looking down the existing channel at the site. Water flow is below the water cress in this view. Arrow indicates approximate location where the new man made channel will carry the water to the pond.



View looking across the existing wetland/pond. The existing channel shown in photo above is located in the background of this view, back in the trees.

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37-08879

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB 20 2001

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 37-08879 Telephone No. (208) 381-2023

2. Name of Permit Holder(s):

St. Luke's Medical Center, Wood River LTD

3. Mailing Address: 190 E. Bannock

City Boise State ID Zip 83712

4. Source of Water: Cold Springs Alluvium If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____

Well Driller: _____ Drilling Permit Number: _____

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

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

Irrigation (No. of acres): _____ Other: mitigation wetland, wildlife storage

6. Total rate of diversion and/or volume for which proof is submitted: 1.20 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

*Letter of non-necessity to be submitted to IDWR by District #37 Water Master.

8. Fee Enclosed: \$ 125.00 (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: Lynn Askew, POWER Engineers, Inc. Telephone Number: (208) 788-3456

Address: P.O. Box 1066; Hailey, ID 83333

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

Signature of permit holder:

L. Askew Project Mgr. as agent for St. Luke's
(include your title, if on behalf of company or organization)

Date:

2/16/01

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NOV - 1 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

REQUEST FOR EXTENSION OF TIME

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

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

Permit No. 37-08879Name(s) of Permit Holder: St. Luke's Medical Center, Wood River Ltd.Address: 190 E. Bannock City Boise State ID Zip 83712Telephone No. (208) 381-2023 Date Proof is Due: 10/1/00

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".)

A new wetlands has been established including a channel with emergent wetlands and a pond
with submergent and emergent wetlands. Wetlands vegetation has been established.

Costing \$ 150,000

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

Establishment of forrested area has not been completed because it is last in the sequence.
It will be completed next year, the final year of the Corps of Engineers permit.

Permit holder(s) request an extension to December 1, 20 01

(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

REINSTATED with the priority advanced to September 20, 1998. IT IS
FURTHER ORDERED that the time within which to submit proof of beneficial
use is extended to October 1, 2001.

Signed this 2nd day of November, 20 00

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MAR 05 2001

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
INSTRUCTIONS FOR EXTENSION OF TIME REQUEST
TO SUBMIT PROOF OF BENEFICIAL USE

If the water right development authorized by your permit is not complete and you need more time to submit proof of beneficial use of water under your permit, please read the following:

Under the provisions of Section 42-204, Idaho Code, the department can extend the proof due date of your permit only once, and then only if you can demonstrate that you have been pursuing development of the permit with due diligence.

The Request for Extension of Time form requires that you indicate the extent of development that has occurred, the cost, and the reason(s) the work has not been completed. This information must be provided in enough detail to show due diligence. Examples of work performed are: well drilled, pump installed, 10 acres now irrigated, fish propagation ponds constructed, sprinkler system purchased, etc.

If no work has been accomplished, the statutes provide that the Request for Extension of Time must be denied. **Lack of financial resources, the state of the economy or personal illness usually cannot be considered adequate reasons to approve a Request for Extension of Time.**

EXCEPTIONS TO ONLY ONE EXTENSION

The proof due date for a permit that has not been developed for one of the following reasons may be granted one or more extensions of time even though no work has been accomplished:

- When there is a lack of a required consent or final approval from a federal government agency (**evidence of delay must be submitted with the request**), i.e. right-of-way easement or land classification such as Desert Land Entry or Carey Act.
- When litigation related to title of the water has prevented development of the permit (**evidence must be submitted with the request**).
- When the water project is of a large scale -- storage of more than 10,000 acre-feet or diversion of more than 25,000 acre-feet in one irrigation season for an irrigation project of at least 5,000 acres.
- When the water right permit is held by the United States of America (**reason for request must be submitted**).

A non-refundable filing fee of \$50.00 must accompany the Request for Extension of Time form.

NOTE that in no case should a Proof of Beneficial Use form and a Request for Extension of Time form both be submitted. If your water development project is completed, then the proof of beneficial use form should be completed and returned. If the project is started but not completed, then the Request for Extension of Time form should be completed and returned in compliance with the guidelines above. If the project has not been initiated and does not fit into one of the exceptions listed above, then neither form should be returned and the permit will lapse and become of no further force nor effect.

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MAR 05 2001

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08879

Proposed Priority: August 20, 1998 Maximum Diversion Rate: 1.20 CFS

This is to certify, that **ST LUKES MEDICAL CENTER**
WOOD RIVER LTD
190 E BANNOCK
BOISE ID 83712

has applied for a permit to appropriate water from:
UNNAMED STREAM tributary of **SINKS**

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>	<u>ANNUAL VOLUME</u>
WILDLIFE	01/01 to 12/31	1.20 CFS	
WILDLIFE STORAGE	01/01 to 12/31		2.2 AF
	Totals	1.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 30, Township 04N, Range 18E
BLAINE County

PLACE OF USE: WILDLIFE

TWN RGE SEC

04N 18E 30 NESE SESE

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

04N 18E 30 SESE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 2000**.
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. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
5. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
6. The use of water under this right is non-consumptive to the basin to the extent that the manmade wildlife features are intended to mitigate for like natural features destroyed by construction of the hospital. The director retains jurisdiction to require further mitigation upon determination of injury.

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OCT 26 1998

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08879

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

15th day of October, 1998.

K. J. Dreher
for Karl J. Dreher, Director

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OCT 26 1998

Ident. No. 37-08879

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OCT 01 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

AUG 20 1998

Department of Water Resources
Southern Region

Department of Water Resources

1. Name of Applicant St. Luke's Medical Center/Wood River, Ltd. Phone (208) 381-2023
Post Office address 190 East Bannock, Boise, ID 83712

2. Source of water supply unnamed stream which is a tributary of sinks

3. Location of point of diversion is NE 1/4 of SE 1/4 of Blaine County
Sec. 30 Township 4 N Range 18 E B.M. Blaine County; additional points of
diversion if any: N/A

4. Water will be used for the following purposes:

Amount 1.2 cfs for wildlife purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 2.25 acre-feet for wildlife/storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 1.2 and/or (b) 2.25
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Stream/ditch from springs to restored wetlands pond.

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

c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? N/A; Drilling firm _____;
Well was drilled for (well owner) _____

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

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

a. Hydropower; show total feet of head and proposed capacity if KW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. Creation and preservation of substitute wetlands area on property for wildlife and wildlife/storage uses, as required by Army Corps of Engineers.

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OCT 26 1998

9. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4 N	18 E	30													W			W *	

* wildlife/storage

Total number of acres to be irrigated N/A

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

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

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

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: N/A

12. Remarks: See attached statement.

13. MAP OF PROPOSED PROJECT ATTACHED X Show clearly the proposed point of diversion, place of use, section number, township and range number.

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

ST. LUKE'S MEDICAL CENTER/WOOD RIVER, LTD.

By [Signature]
(Applicant)
Its: Assistant Secretary

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OCT 26 1998

Received by P. SKINNER Date 08/20/98 Time 1. M. Preliminary check by P. SKINNER
Fee \$ 120.00 Received by P. SKINNER # 0021442 Date 08/20/98
Publication prepared by MB Date 8/24/98 Published in Wood River Journal
Publication approved MB Date 9/29/98

NOTE: CHANGES (ADDITIONS) TO ~~APPLICANT'S~~ APPLICATION (IN BLUE INK) MADE BY
P. SKINNER PER 08/20/98 TELECOM WITH ROBERT BURNS.

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AUG 20 1998

Department of Water Resources
Southern Region

APPLICATION FOR PERMIT

St. Luke's Medical Center/Wood River, Ltd.

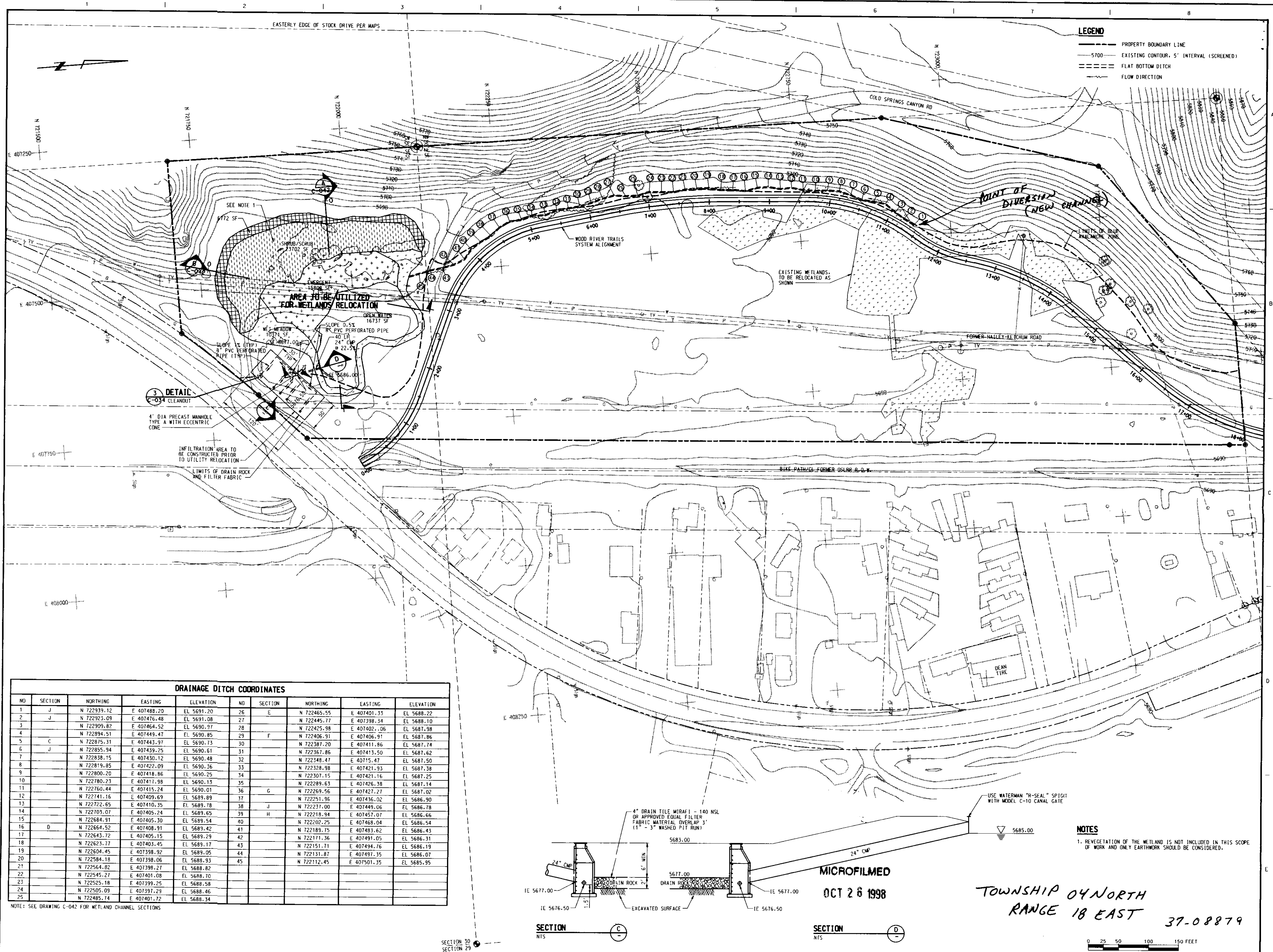
Statement Re: Purpose and Officers/Directors

1. Purpose of Application. This application, which is made to facilitate the construction of a hospital on the applicant's property, provides for the diversion of water currently flowing from Cold Springs in an unnamed stream to a pond on the applicant's property to a new pond/wetlands area to be created on the applicant's property. No consumptive use of the water being diverted will result from the planned diversion, as there will be no material alteration in water surface area or the ultimate use, flow or percolation of the diverted water.
2. Corporate Officers and Directors.
 - (a) The elected directors of the applicant are set forth in the attached Waiver of Notice of Organizational Meeting of Directors of St. Luke's Medical Center/Wood River, Ltd.; and
 - (b) The elected officers of the applicant are set forth in the attached Minutes of Organizational Meeting of the Board of Directors of St. Luke's Medical Center/Wood River, Ltd.

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OCT 26 1998

210141_1

37-08879



DRAINAGE DITCH COORDINATES									
NO	SECTION	NORTHING	EASTING	ELEVATION	NO	SECTION	NORTHING	EASTING	ELEVATION
1	J	N 722939.12	E 407488.20	EL 5691.20	26	E	N 722465.55	E 407401.33	EL 5688.22
2	N	722923.09	E 407476.48	EL 5691.08	27	N	722445.77	E 407398.34	EL 5688.10
3	N	722909.82	E 407464.52	EL 5690.97	28	N	722425.98	E 407402.06	EL 5687.98
4	N	72894.51	E 407449.47	EL 5690.85	29	F	N 722406.91	E 407406.91	EL 5687.86
5	C	N 722875.31	E 407443.97	EL 5690.73	30	N	722387.20	E 407411.86	EL 5687.74
6	J	N 722855.94	E 407439.25	EL 5690.61	31	N	722367.86	E 407413.50	EL 5687.62
7	N	722838.15	E 407430.12	EL 5690.48	32	N	722348.47	E 40715.47	EL 5687.50
8	N	722819.85	E 407422.09	EL 5690.36	33	N	722328.98	E 407421.93	EL 5687.38
9	N	722800.20	E 407418.86	EL 5690.25	34	N	722307.15	E 407421.16	EL 5687.25
10	N	722780.23	E 407411.98	EL 5690.13	35	N	722289.63	E 407426.38	EL 5687.14
11	N	722760.44	E 407415.24	EL 5690.01	36	G	N 722269.56	E 407427.27	EL 5687.02
12	N	722741.16	E 407409.69	EL 5689.89	37	N	722251.36	E 407436.02	EL 5686.90
13	N	722722.65	E 407410.35	EL 5689.78	38	J	N 722231.00	E 407449.06	EL 5686.78
14	N	722703.07	E 407405.24	EL 5689.65	39	H	N 722218.94	E 407457.07	EL 5686.66
15	N	722684.91	E 407405.30	EL 5689.54	40	N	722202.25	E 407468.04	EL 5686.54
16	D	N 722664.52	E 407408.91	EL 5689.42	41	N	722183.75	E 407483.62	EL 5686.43
17	N	722643.72	E 407405.15	EL 5689.29	42	N	722171.36	E 407491.05	EL 5686.31
18	N	722623.77	E 407403.45	EL 5689.17	43	N	722151.71	E 407494.76	EL 5686.19
19	N	722604.45	E 407398.92	EL 5689.05	44	N	722131.87	E 407497.35	EL 5686.07
20	N	722584.18	E 407398.06	EL 5688.93	45	N	722112.45	E 407501.35	EL 5685.95
21	N	722564.82	E 407398.27	EL 5688.82					
22	N	722545.27	E 407401.08	EL 5688.70					
23	N	722525.18	E 407399.25	EL 5688.58					
24	N	722505.09	E 407397.29	EL 5688.46					
25	N	722485.14	E 407401.72	EL 5688.34					

NOTE: SEE DRAWING C-042 FOR WETLAND CHANNEL SECTIONS

THIS DRAWING WAS PREPARED BY POWER ENGINEERS, INC. FOR A SPECIFIC PROJECT, TAKING INTO CONSIDERATION THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING OR ANY INFORMATION CONTAINED IN THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH POWER AND POWER'S CLIENT IS GRANTED.

[illegible]

DSGN	STO	06/10/98
DRN	WMT	04/15/98
CKD	JSR	06/14/98
SCALE: 1"=50'		
FOR 34x44 DWG ONLY		



St Luke's
WOOD RIVER MEDICAL CENTER

POWER
3940 GLENBROOK DRIVE
HAILEY, IDAHO 83333

ST. LUKE'S
ST. LUKE'S
WOOD RIVER MEDICAL CENTER
WETLANDS LAYOUT

JOB NUMBER	
527644-01	
DRAWING NO	REV
C-041	

SYTIME	fulconcr.tbl	35hwtb.tbl.dwg
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Gibson, Deborah

From: Gibson, Deborah
Sent: Friday, March 02, 2001 1:55 PM
To: Blau, Terry
Subject: RE: St. Lukes Medical Center, Wood River

Ok, thanks for that update. I cc this to the file and then if anyone is curious about the reveg status they can check with you. Thanks.

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

From: Blau, Terry
Sent: Friday, March 02, 2001 12:46 PM
To: Gibson, Deborah
Cc: 'CHARLES WARREN'; 'Greg Martinez'
Subject: RE: St. Lukes Medical Center, Wood River

Sorry ! I thought I got back to you. I have talked t to IDFG and the Corps both wanted to wait till the growing season got into swing to do a field review. They weren't comfortable with the reveg. as yet.

Sincerely Yours in the quest to protect and enhance the stream channels of the great state of Idaho,

Terry

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

From: Gibson, Deborah
Sent: Thursday, March 01, 2001 3:05 PM
To: Blau, Terry
Subject: St. Lukes Medical Center, Wood River

This is just a reminder, on January 31, 2001 I request a memo for the St. Lukes water right file no. 37-08879 to acknowledge work at fulfilling their requirements for wetlands replacement caused by building their facility in the Cold Springs Gulch area. I need something that says you have reviewed their mitigation in replacement of the wetlands and agree they have met the requirements set by the department. They have submitted their proof of beneficial use and I wish to send it to the region for a field exam. Your memo will be invaluable as closure of this matter for licensing purposes. Thank you.

*Darla -
Don't copy
this page -
this is a reminder
DG*



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

March 1, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ST LUKES MEDICAL CENTER
WOOD RIVER LTD
190 E BANNOCK
BOISE ID 83712

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08879

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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

If you have questions concerning the field examination, please contact the **Southern** Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.
c: IDWR - Regional Office

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MAR 05 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 37-8879

Reviewed By: dgibson

Date: March 1, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		S021442, C052338	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?	X	
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?	X	

Priority Calculation

Date proof received	02/20/2001
Date proof due	- 10/01/2001
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 09/20/1998
New priority date	= 09/20/1998

Deficiencies of Actions Items

Acknowledge permit. Wait for letter from watermaster to waive the measurement device.



Letter of Transmittal

February 16, 2001

To: Ms. Deborah Gibson
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED

FEB 20 2001

Subject: 527644-06 St. Luke's Wood River Medical Center
IDWR Permit #37-08879

Department of Water Resources

Enclosed are the following items:

Document Date	Copies	Description
N/A	1	Proof of Beneficial Use

These are transmitted:

☐ For your information ☐ For action specified below ☒ For review and comment ☐ For your use ☐ As requested

Debbie,

Enclosed is the completed IDWR Proof of Beneficial Use form for the St. Luke's Wood River Medical Center project. As we discussed, POWER is requesting a letter from the District #37 Water Master, Lee Peterson, stating that installation of a measuring device is not necessary. The letter will be sent directly to your office.

If you have any questions or comments, please contact us at (208) 788-3456.

Sincerely,
POWER Engineers, Inc.

Stephanie L. White

SW/lk
Enclosure(s)
Sent Via: US Mail
cc: Lynn Askew
File: 527644-06-24-01-04

MICROFILMED

MAR 05 2001

If enclosures are not as noted, please notify us at once.

HLV 24-126
POWER Engineers, Incorporated

3940 Glenbrook Dr. • P.O. Box 1066
Hailey, Idaho 83333

Phone (208) 788-3456
Fax (208) 788-2082

FROM D. GibsonDATE 4/31/01TO File No. 37-8879

SUBJECT

St. Lukes is ready to file proof & called to see what would be needed. I contacted Terry Blau to request memo for filing. Noting conditions were met according to his recommendation referring to creation of replacement wetlands.

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MAR 05 2001

To meDate 4/30 Time 9:00 ☐ AM ☒ PMD. Gibson
SIGNATURE

WHILE YOU WERE OUT

M Stephanie White
of Power Engineers

Phone Numbers

Office 208-788-0383Voicemail FAX Pager Mobile e-mail ☒ Telephoned☒ Please call☐ Returned your call☐ Called to see you☐ Wants to see you☐ Will call again☐ URGENT

Message

Re: St. Lukes W.R. #37-8879.
Wants to know when to
submit proof.
I'll talk to Terry Blau
4/31 to see if he'll examine
mitigation changes or not.

AMPAD
EFFICIENCY

Operator

Reorder
#23-000

If we'll need
Corp's ok before accepting
proof.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

November 2, 2000

KARL J. DREHER
DIRECTOR

ST LUKES MEDICAL CENTER
WOOD RIVER LTD
190 E BANNOCK
BOISE ID 83712

RE: PERMIT NO. 37-08879

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use of water to **October 1, 2001**.

Please note that the department 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 may not be able to grant additional extensions based on due diligence.

Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please feel free to contact the department if you have questions.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

MAR 05 2001

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 37-08879 Reviewed by D. Gibson Date 11-2-00

BASIC INFORMATION

11/1/00 Date stamp received
No Extension received timely
Yes Fee received and receipted
Yes Name and signature same as permit
No Address Change

BASIS FOR EXTENSION REQUEST

Yes Has adequate work been completed to demonstrate due diligence?
_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN *Reinstate permit, approve extension based on due diligence and set new proof due date of 10/1/01. Advance priority date due to late filing.*

PRIORITY CALCULATION

Date extension received	<u>11/1/00</u>	=	<u>305</u>
Proof due date	<u>10/1/00</u>	=	<u>274</u>
Number of days late		=	<u>31</u>
Priority date	<u>8/20/98</u>	=	<u>232</u>
New Priority Date	<u>9/20/98</u>	=	<u>263</u>

DATA ENTRY

New Address _____
Change Proof Due Date 10/1/01 ✓
Change Priority Date 9/20/98 ✓

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

0550989

Date:

Time: 11/17/2000

15:50:33

Received

From: POWER ENGINEERS

Type of Payment

Program A cct

Amount

EXTENSION PERMIT #37-08879

56109

229 21 1155

50.00

Total

\$

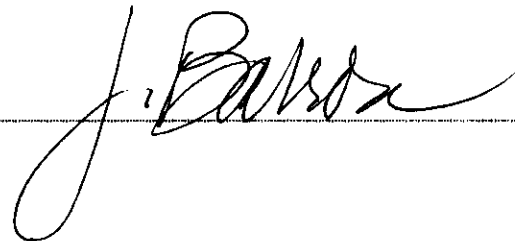
50.00

CHECK

51091

Region: STATE

Signature:



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MAR 05 2001



RECEIVED

NOV 01 2000

Department of Water Resources

Letter of Transmittal

October 25, 2000

To: Mr. Glen Saxton
Idaho Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, ID 83720

Subject: 527644-06 St. Luke's Wood River Medical Center
Permit to Appropriate Water #37-08879
Proof of Beneficial Use

Enclosed are the following items:

Document Date	Copies	Description
10/25/00	1	Request for Extension of Time
10/26/00	1	Filing Fee of \$50.00

These are transmitted:

☒ For your information ☐ For action specified below ☐ For review and comment ☐ For your use ☐ As requested

Dear Glen,

Please find enclosed a completed Form No. 204, "Request for Extension of Time to Submit Proof of Beneficial Use for a Water Right Permit." As we discussed in our conversation on October 12, 2000, the restored wetland pond has not been completed to the satisfaction of the Army Corps of Engineers. Please accept this request with my apologies for its late submittal.

Please contact me at (208) 788-0383 if I can provide any further information.

Sincerely,
POWER Engineers, Inc.

Stephanie White
Environmental Specialist

SW/lk
Enclosure(s)
Sent Via: US Mail
cc: Lynn Askew
Bruce Truxal

MICROFILMED

MAR 05 2001

HLY 24-697

If enclosures are not as noted, please notify us at once.

POWER Engineers, Incorporated

3940 Glenbrook Dr. • P.O. Box 1066
Hailey, Idaho 83333

Phone (208) 788-3456
Fax (208) 788-2082

October 19, 2000

ST LUKES MEDICAL CENTER
WOOD RIVER LTD
190 E BANNOCK
BOISE ID 83712

LAPSE NOTICE

RE: PERMIT NO. 37-08879

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated July 31, 2000. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

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MAR 05 2001

CERTIFICATION OF MAILING

I hereby certify that on 10/19/00
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

dg.

July 31, 2000

ST LUKES MEDICAL CENTER
WOOD RIVER LTD
190 E BANNOCK
BOISE ID 83712

PROOF DUE NOTICE

RE: PERMIT NO. 37-08879

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 October 1, 2000. (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.

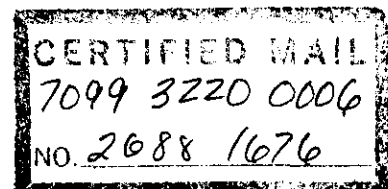
SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

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MAR 05 2001



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MAR 08 1999

Department of Water Resources

RECOMMENDATION FROM STREAM CHANNEL PROTECTION SPECIALIST

APPLICATION FOR PERMIT NO. 37-08879

I, TERRY G. BLAU, Stream Channel Protection Specialist for the State of Idaho, Idaho Department of Water Resources, 1341 Fillmore St., Twin Falls, Idaho have read the attached copy of the application for permit in the name of St. Luke's Medical Center/Wood River, Ltd..

I recommend the following conditions:

[1] All construction activities shall be conducted in such a manner so as to minimize turbidity and comply with Idaho water quality standards.

[2] Fuel, oil, and other hazardous materials shall be stored, and equipment refueled and serviced, away from the stream to insure that a spill cannot enter the waterway.

[3] No unprotected erodible material shall be left exposed to flowing water upon completion of the project.

[4] All construction shall be completed in accordance with descriptions and methods on the application and attachments submitted with the application unless otherwise specified. Any changes must be approved by this department prior to construction.

[5] Nothing shall be done to restrict or prohibit fish passage through this channel. No drops or waterfalls exceeding 1.0 ft. in height shall be allowed.

[6] A competent stream channel consultant shall be retained for the design of the new channel, placement of the new channel substrate, erosion and water loss control, and the design and placement of instream structures.

[7] The new channel must not exceed the width of the existing channel and shall be designed with a narrow, deep waterway in order to minimize evaporation loss and temperature fluctuation during low flow periods.

[8] Stream bank vegetation shall be protected to the extent practical during construction. Any exposed soil (sand size or smaller) on a slope in excess of 3:1 within 10 feet of the normal low water mark shall be planted and/or seeded with vegetation suited to the site and approved by the local NRCS office and protected with an approved erosion control fabric, adequately anchored, willow cuttings should be used as anchors in areas with

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MAR 08 1999

MAR 05 2001

Department of Water Resources
Southern Region

sufficient moisture. All disturbed areas sloping toward the stream shall be revegetated with perennial grasses, forbs and woody perennial vegetation suited to the site, to reduce erosion, restore bank cover, fish and wildlife habitat and inhibit the invasion of noxious weeds.

[9] In order to accelerate native vegetative establishment in the new channel, desirable native plants should be transplanted from the existing channel in a manner that will insure their survival.

[10] An on-site review will be made after the first growing season to determine if additional planting or replanting will be required. All plantings shall be monitored for a period of three years. At the end of this period, a minimum of 80 percent of the new stream banks between the top of bank and the low water elevation shall be covered with desirable grasses forbes and woody perennial vegetation. By Aug 1, 2001, a report documenting the success of the revegetation must be submitted to IDWR for approval. This vegetated area shall not be grazed by livestock, mowed, burned or other vegetation control except for the hand spot spraying of noxious weeds by chemicals approved for use near streams and the selective cutting of woody perennial vegetation to prevent undue channel blockage.

[11] Stream bank vegetation shall be protected to the extent practical during construction. Disturbed areas shall be revegetated and/or seeded with perennial vegetation as prescribed or approved by the local office of the Natural Resource Conservation Service to reduce erosion and the invasion of noxious weeds. Trees and shrubs shall be planted as soon as possible after construction in a manner that will provide maximum shading of the pond.

[12] All pond and new channel work shall be constructed in the dry.

[13] Spoil piles shall be removed or blended into natural contours and revegetated.

[14] The new channel to and from ponds shall be meandered to approximate natural conditions. Grade control constructed from natural materials shall be placed in the new channel as needed to prevent downcutting and excessive bank erosion.

[15] Ponds shall be irregularly shaped and designed to fit into the natural topography.

[16] A plan, approved by the Idaho Dept. of Fish and Game and this Department for installation of fish enhancement structures in the new channel, must be submitted for inclusion with this permit prior to construction.

MICROFILMED
MAR 05 2001

[17] Provisions shall be made to route overflows from the infiltration area under the highway in the existing culvert to avoid flooding across highway.

[18] This permit does not constitute a permit to appropriate water, and does not authorize the consumption of water or any reduction of the water supply to existing users.

[19] Construction methods must be reviewed and approved by this the conditions of approval reviewed with the contractor prior to the start of work by the contractor.

[20] This Department shall be notified when construction is complete and prior to the removal of all equipment from the site so a final inspection and approval can be made. If construction is completed in stages, we will, if notified, make inspections and approve completed stages rather than waiting for project completion.

Dated at Twin Falls, Idaho, March 8, 1999.

(signature)

MICROFILMED

MAR 05 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 16, 1998

ST LUKES MEDICAL CENTER
WOOD RIVER LTD
190 E BANNOCK
BOISE ID 83712

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08879

Dear Permit Holder:

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

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

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

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

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

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

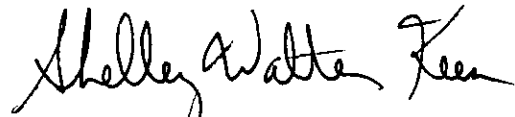
MICROFILMED

OCT 26 1998

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the printed name and title.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

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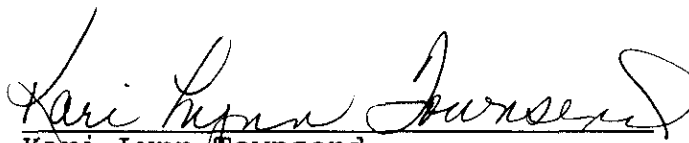
OCT 26 1998

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of October, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 37-08879

ST LUKES MEDICAL CENTER
WOOD RIVER LTD
190 E BANNOCK
BOISE ID 83712


Kari Lynn Townsend
Secretary

MICROFILMED

OCT 26 1998

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

MICROFILMED
OCT 26 1998

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
OCT 26 1998

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Lou*

No.: 37-8879 Name: St. Lukes Date: 10/9/98 Ad OK? ✓ Gvmt Lts:

AREA OF CONCERN:

- No/Yes: Big Wood R Mor / GWMA / Trust / Non-trust
- 020 (Protest Agreement) or *W19 (Order)

PROTESTED:**SYSTEM COMPLETED:**

- > 1 year
≤ 1 year/no proof

- 26A-P17
- P16

GROUNDWATER: (✓ FLO-CH)**WMD (✓ MAP)**

- > 0.24 cfs/5 acres
≤ 0.24 cfs/5 acres

WMD Supplemental use

- > 0.24 cfs/5 acres
≤ 0.24 cfs/5 acres

- North / East / West
- 067 or No MD (in-stream stock or power)
- No MD
- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)
- 01M (report when notified)
- No MD

~~DRILLING PERMIT:~~**All wells (✓ WDQ3)****In Basin 34?****Irr. within WD**

- 046-P23
- 085
- P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):**FISH & GAME CONTACTED:****IN/ABOVE MIN. STR. FLOW (✓ MAP)****WD (✓ MAP & LISTING)**

- > 0.10 cfs
≤ 0.10 cfs

WMD (✓ MAP)

- > 0.24 cfs/5 acres
≤ 0.24 cfs/5 acres

- Yes / No; RESPONSE:
- *WB9
- 04 (WQ # 37)
- 01J-P08 (MD & LD)
- 01H-P01 (LD), 01P or No MD (in-stream stock)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

- > 0.24 cfs/5 acres
≤ 0.24 cfs/5 acres

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

RIVER BASINS: (*Surface water):**Snake R (01)**

(02/03-irr)

Payette R(65)**Salmon R (70's)****Weiser R (67)**

- *W22 -P04, NA
- 007 (w/ remark *WB9 if above Weiser), NA
- *W22 (regulated uses), 047-P04 (Payette Lake), NA
- 029 (fish screens), NA
- 086, 087

USE:**Domestic surface**

>1 in rest. area

Fire Protection**Fish Propagation****Heating/Cooling****Irr ≤ 5 acres**

> 5 acres

Mining**Municipal****Power**

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- 071-070
- 077
- 029(70's only)-007-042(req)-081 (WQ)-P10
- R07 (injection well)
- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- 054(req) -081-P10
- 022, 075, 004 (+memo?), NA (not in restricted area)
- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18
- R37 (BLM/USFS); NA
- ~~087~~ (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

~~Stockwater~~**Storage (✓3 compo.)****LOCATION:****42-248 area****Boise Front LoGeo****In-stream dev.****Mitigation****SWAN FALLS FLAG (See Code Chart)****Trust****Non-Trust (1)**

- P84 in 20/30/40/50/60/70/80 (87) basin
- 058 (<85° GW temp only)
- P52 (stream channel alteration)
- 120

OWNERSHIP:**OTHER CONDITIONS:****STANDARD REMARKS:****BENEFICIAL USE DUE:****COMMENTS:**

- 051-052-053-P74 (Consumptive Uses), NA
- 048-049 (Consumptive Uses), NA
- 004 (PD/PU)

- Allen's remarks- 10/1/ 2000

STATE OF IDAHO
IDWR SOUTHERN REGION
APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED

OCT 1 1998

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY A. SKINNER DATE 8/20/98

REQUIRED INFORMATION (Ck if OK)

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.
- ☒ Address
- ☒ Source (see USGS quad for names of water sources)
- ☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.
- ☒ County
- ☒ Quantity (flow &/or volume)
- ☒ Period of use
- ☒ Nature of proposed use (include description of use)
- ☒ Description of diverting works.
- ☒ Time required for beneficial use of water.
- ☒ Place of use or acres irrigated.
- ☒ Map
- ☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ___ No* In form to receipt?

++++ PROPOSED PRIORITY DATE 8/20 1998

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back. NONE APPARENT
- ☒ Overlapping point of diversion. NONE APPARENT
- ☒ Yes ___ No Is Source Surface Water?
If Yes Send Copy to F&G.
If Yes Field check/memo required.
Field check/memo by A. SKINNER
- ☒ Yes ☒ No Field report attached? SEE SCA FILE 37-S-1036 (SOME PHOTOS ATTACHED IN THIS APPLICATION FILE).
- ☒ Yes ☒ No Critical Ground water area?
- ☒ Yes ___ No Groundwater management area?
- ☒ Yes ☒ No Measurement District or Groundwater District?
What District? _____
- ☒ Yes ☒ No Send Dam safety information?
- ☒ Yes ☒ No Send power requirement letter?
- ☒ Yes ☒ No Send fish farm requirement letter?
- ☒ Yes ☒ No Power residency affidavit attached?
- ☒ Yes ☒ No Power efficiency form?
- ☒ Yes ___ No Within trustwater boundary?(If yes, attach trustwater supplementary analysis sheet.
- ☒ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft? (If yes, attach large diversion supplementary analysis sheet.
- ☒ Yes ☒ No Is Application made to record Pre Nov 1987 Development?
If Yes then request clear evidence of when use started.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Date Requested _____

Date Sent Comments Received

SEND COPIES TO:

_____ Idaho Dept of Health & Welfare	_____	_____
_____ USDI BLM	_____	_____
☒ Idaho Dept of Fish & Game	8/24/98	8/28/98
_____ USFS	_____	_____
_____ Idaho Dept of Lands	_____	_____
☒ Water Dist. No. 37	8/24/98	9/3/98
_____ Adjudication Bureau Unit	_____	_____
_____	_____	_____
_____	_____	_____

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

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

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes _____ No Publication dates and paper recorded?

Final date for protest: _____

_____ Yes _____ No Protests received?

_____ Yes ☒ No Protested?

Describe Resolution: _____

☒ Yes _____ No Measuring device required?

_____ Yes ☒ No Access port required?

☒ Yes _____ No Will water be delivered by watermaster? If yes, what dist? 37

_____ Yes _____ No Special conditions codes:

☒ Yes _____ No Is Evaluation Memo Attached?

If yes; date of Memo 8/29/98
Date of priority recommended: 8/20/98

COMMENTS:

RECOMMEND ☒ Approval _____ Denial

By AD Date 9/29/98

FROM: Allen Merritt *AM*

DATE: September 29, 1998

TO: Application No. 37-08879

In the Name of: St. Luke's Medical Center

SUBJECT: Review and Recommendation

This application propose to develop a pond and wildlife area for mitigation of a similar area being destroyed by construction of the new hospital complex just south of Ketchum.

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

- The use is non-consumptive to the basin to the extent that the manmade wildlife features are intended to mitigate for like natural features destroyed by construction of the hospital. The director retains jurisdiction to determine future injury to other water rights and may require further mitigation.
- Under control of watermaster district 37.
- A measuring device be installed at the point of diversion.

MICROFILMED
OCT 26 1998

AFFIDAVIT of PUBLICATION

RECEIVED

SEP 18 1998

State of Idaho, } SS.
County of Blaine }

Department of Water Resources
Southern Region

On this 16 day of Sept, in the year 1998, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 2 day of Sept, 1998, and the date of the last publication was on the 9 day of Sept, 1998.

David J. M.
Subscribed and sworn to before me this 16th day of September, 1998.
(SEAL)

Maureen J. Summers
NOTARY PUBLIC

#11098
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 58.067
Number of Insertions 2
Lines tabular at 7 6c / Pica
58.067 Lines straight at 40.07 6 6c / Pica
58.067 Subsequent lines at 33.38 5 4c / Pica
TOTAL COST \$78.45

COPY OF NOTICE
(Paste Here)

Water Permit Application #37-08879
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept Water Resources
BILL TO

Application for water permit

NOTICE OF APPLICATION FOR WATER PERMIT

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

ST. LUKE'S MEDICAL CENTER

WOOD RIVER, LTD.

190 EAST BAINOCK

BOISE ID 83712

Application for Permit No. 37-08879

Source: Unimproved Stream

Location: Boise, Idaho

Quantity: 1.36 cfs

Use: Water Storage

Wildlife: None

Wildlife Storage: 0.38 cfs

Total Diversion: 1.36 cfs

In: Wildlife use within

NE1/4SE1/4 and SE1/4SE1/4

with Wildlife Storage within

SE1/4SE1/4, all S30, T04N,

R18E, Blaine County.

Date Filed: 08/20/98

Any protest against the proposed

application(s) must be filed with

the Department of Water

Resources, Southern Region,

1341 Fillmore St., Suite 200;

Twin Falls, ID 83301 together

with a protest fee of \$25.00, on

or before September 21, 1998 to

be considered by the Department

in its decision to grant or deny

any part of the proposed

application(s). The protestant

must also send a copy of the

protest to the applicant.

Karl J. Dreher, Director

Published Wood River Journal - Sep-
tember 2 & 9, 1998.

MICROFIL-MED
OCT 26 1998

BOARD OF COUNTY COMMISSIONERS

BLAINE COUNTY
P.O. BOX 400 • HAILEY, IDAHO 83333
(208) 788-5500
FAX (208) 788-5576

RECEIVED

SEP 18 1998

Department of Water Resources
Southern Region

LEN HARLIG, Chair • MARY ANN MIX, Commissioner • DENNIS WRIGHT, Commissioner

September 15, 1998

Mr. Allen Merritt
Department of Water Resources, Southern Region
1341 Fillmore St. Suite 200
Twin Falls, ID 83301

RE: BLAINE COUNTY COMMENTS ON PROPOSED TRANSFER #17-08879

Dear Allen,

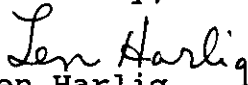
We would like to offer the following comments on the above referenced application by St. Luke's Medical Center.

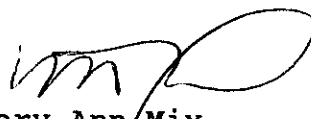
The request to divert water from existing springs and drainage ditches, that normally flow without control, to a definitive wetlands area appears to be a benefit to the resources in the area. There does not appear to be any enlargement of use and the Army Corps has approved the Wetland mitigation.

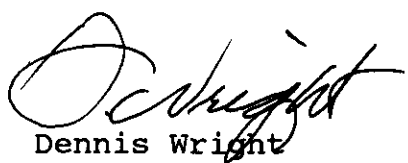
Additionally, the described use is consistent with Blaine County's Local Interest Water Policy in that it furthers public purposes.

We support the requested application.

Sincerely,


Len Harlig


Mary Ann Mix


Dennis Wright

cc: Linda Haavik

MICROFILMED
OCT 26 1998

RECEIVED

SEP 03 1998

Department of Water Resources
Southern Region

APPLICATION FOR PERMIT OF A WATER RIGHT
NO. 37-08879

RECOMMENDATION OF WATERMASTER

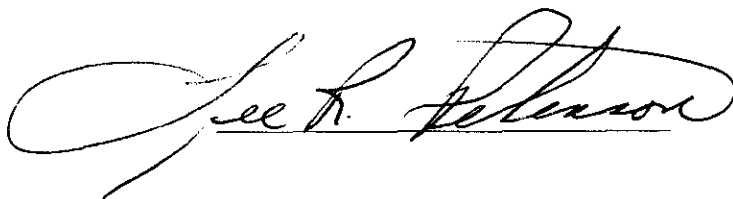
I, Lee R. Peterson, watermaster of Big Wood River,
of Water District No 37, County of Blaine, State of Idaho,
whose address is P O Box T, Shoshone, Idaho 83352,
have read the attached copy of the application for permit of water right
for St. Luke's Medical Center-Wood River, and to the best of my knowledge believe
the application to be true.

A. I hereby endorse the above numbered Application for Permit and recommend
that the director of the Department of Water Resources approve the permit subject to
the following conditions: None

Or

B. I do not endorse approval of the above numbered Application for Permit as
requested for the following reasons: _____

Dated at Shoshone, Idaho, this 2nd day of September 1998.



Please use reverse side if needed.

MICROFILMED

OCT 26 1998



IDAHO FISH & GAME

Magic Valley Region
868 East Main • P.O. Box 428
Jerome, Idaho 83338
(208) 324-4350
Fax (208) 324-1160

Philip E. Batt/Governor
Stephen P. Mealey/Director

August 26, 1998

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AUG 28 1998

Department of Water Resources
Southern Region

Mr. Corey Skinner
Idaho Dept. of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301-3380

RE: Application for Permit #37-08879 (St. Luke's Medical Center)

Dear Corey,

Thank you for the opportunity to review and comment on St. Luke's Medical Center application for permit to appropriate surface waters for wildlife and wildlife/storage. This application is part of St. Luke's wetland mitigation associated with construction of their new facility in Blaine County. We have been consulted by both the Corps of Engineers and St. Luke's contractor regarding the use of this water to benefit fish and wildlife and feel impacts from this permit will be positive in providing fish and wildlife habitat, and therefore, request no special conditions of approval.

Once again, we appreciate the opportunity to work with IDWR in review of new water right applications. If you have further questions please contact Dave Parrish, Natural Resource Biologist at this office.

Sincerely,

Carl H. Nellis
Magic Valley Regional Supervisor

cc: IDFG-NRPB (Robertson)
COE-Boise (Martinez)
S. Fisher

MICROFILMED

OCT 26 1998

**NOTICE OF APPLICATION
FOR WATER PERMIT**

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

**ST LUKE'S MEDICAL
CENTER/
WOOD RIVER, LTD.
190 EAST BANNOCK
BOISE ID 83712**

Application for Permit

No. 37-08879

**Source: Unnamed Stream
tributary to Sinks**

**Diversion Pt(s): NE1/4SE1/4,
S30, T04N, R18E; Blaine
County.**

Use: 01/01-12/31

Wildlife (1.20 cfs)

Wildlife Storage (2.25 afa)

Total Diversion: 1.20 cfs

**In: Wildlife use within
NE1/4SE1/4 and SE1/4SE1/4
with Wildlife Storage within
SE1/4SE1/4, all S30, T04N,
R18E; Blaine County.**

Date Filed: 08/20/98

Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before September 21, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River
Journal on 9/2 & 9/9/98.

MICROFILMED

OCT 26 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Gentlemen:

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

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

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

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

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OCT 26 1998

NOTICE OF APPLICATION FOR WATER PERMIT

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

ST LUKE'S MEDICAL CENTER/
WOOD RIVER, LTD.
190 EAST BANNOCK
BOISE ID 83712

Application for Permit No. 37-08879

Source: Unnamed Stream tributary to Sinks

Diversion Pt(s): NE1/4SE1/4, S30, T04N, R18E; Blaine County.

Use: 01/01-12/31

Wildlife (1.20 cfs)

Wildlife Storage (2.25 afa)

Total Diversion: 1.20 cfs

In: Wildlife use within NE1/4SE1/4 and SE1/4SE1/4 with Wildlife Storage within SE1/4SE1/4, all S30, T04N, R18E; Blaine County.

Date Filed: 08/20/98

Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before September 21, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Wood River Journal on 9/2 & 9/9/98.

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OCT 26 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 24, 1998

PHILIP E. BATT
GOVERNOR

ATTN ROBERT BURNS ESQ
MOFFATT THOMAS
PO BOX 829
BOISE ID 83701-0829

KARL J. DREHER
DIRECTOR

Re: Application for Permit No. 37-08879 (ST. LUKE'S MEDICAL CENTER/WOOD RIVER, LTD)

Dear Mr. Burns:

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

This office has scheduled advertising the application in the Wood River Journal for 9/2 & 9/9/98. A period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

cc: ATTN MICHAEL E THOMAS
ST LUKE'S MED CTR/WOOD RIVER LTD
190 EAST BANNOCK
BOISE ID 83712

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OCT 26 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Re: Application for Permit No. 37-08879 (St. Luke's
Medical Center/Wood River, Ltd.)

Dear Mr. Peterson:

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

We also have enclosed a Watermaster's Recommendation Form
for your comment and/or recommendation.

Regional review of an unprotested application can be
completed as soon as the final protest period is past;
therefore, your prompt response to this request is
appreciated.

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

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

Enclosures

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OCT 26 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTN DAVE PARRISH
ID DEPT OF FISH & GAME
PO BOX 428
JEROME ID 83338

Re: Application for Permit No. 37-08879 (St. Luke's
Medical Center/Wood River, Ltd.)

Dear Mr. Parrish:

The Department is seeking a written Comment &/or
Recommendation from your agency regarding the above
referenced application for surface water; a copy of the
application is enclosed for your information and
reference.

Regional review of an unprotested application can be
completed as soon as the final protest period is past;
therefore, your prompt response to this request is
appreciated.

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

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

Enclosure(s)

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OCT 26 1998

MEMORANDUM

TO: St. Luke's Medical Center/Wood River, Ltd. Application For Permit File

FROM: Corey Skinner *CS*

DATE: August 20, 1998

SUBJECT: Staff Review

The enclosed application for permit (filed in the name of St. Luke's Medical Center/Wood River, Ltd.) was filed by Robert Burns of Moffat Thomas, a law firm in Boise. The application is for a water right for wildlife and wildlife storage use(s) for a reconstructed wetland at the site of the new St. Luke's hospital in Blaine County.

The applicant is in the process of building a new hospital between Hailey and Ketchum, in the Cold Spring Gulch area. Because of the limited available building area on the property, the applicant had to "move" an existing wetland. As part of the mitigation plan for "moving" the wetland, the applicant has proposed building a channel and a water storage pond on another piece of the property. The enclosed application for permit was filed to cover this proposed new channel and water storage area. The proposed beneficial use is wildlife (1.2 cfs of flow) through the new channel to be located in the NESE $\frac{1}{4}$ and SESE $\frac{1}{4}$ of Section 29 (T04N, R18E) and wildlife storage (2.25 acre-feet) for the new pond to be located in the SESE $\frac{1}{4}$ of Section 29 (T04N, R18E).

The existing wetland that the applicant is "moving" is fed by an unnamed stream that is fed by Cold Springs. Water has historically ran into this wetland and sank into the ground without flowing into any other surface stream. The applicant proposes diverting the flow from the existing unnamed stream below the springs, into a man made channel that runs into a small man made pond, where the water will then sink into the ground. The enclosed application states that the water use will be non consumptive. The total water surface area before and after the modification will be basically the same, and the water will be sinking in the same general area (less than a $\frac{1}{4}$ mile away).

Terry Blau, IDWR stream channel specialist, has visited the site, so I did not feel that it was necessary for me to visit the site also. I spoke with Terry about the project and the site and I could find no concerns that the Department might have with the enclosed application. Terry gave me copies of the attached photographs showing the site.

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OCT 26 1998

37-08879

ST. LUKE'S APPLICATION FOR PERMIT PHOTOS



View looking down the existing channel at the site. Water flow is below the water cress in this view. Arrow indicates approximate location where the new man made channel will carry the water to the pond.



View looking across the existing wetland/pond. The existing channel shown in photo above is located in the background of this view, back in the trees.

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OCT 26 1998

37-08879

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Willis C. Moffatt,
1907-1980

Eugene C. Thomas

John W. Barrett

R. B. Rock

Richard C. Fields

Robert E. Bakes

John C. Ward

Paul S. Street

Larry C. Hunter

Glenna M. Christensen

Mark S. Prusynski

Morgan W. Richards

Michael G. McPeck

Stephen R. Thomas

Jon S. Gorski

Gary T. Dance

Gerald T. Husch

Kirk R. Helvie

Thomas C. Morris

Michael E. Thomas

James C. deGlee

Patricia M. Olsson

Mark A. Ellison

David S. Jensen

Bradley J. Williams

James L. Martin

Robert B. Burns

Stephen J. Olson

Lee Radford

Scott A. Tschirgi

C. Clayton Gill

David P. Gardner

Rob G. Dickinson

Anne Baker Wilde

Erik J. Bolinder

Stephen R. Drake

Jeremy C. Chou

Katrina T. Sather

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AUG 20 1998

Department of Water Resources
Southern Region

August 19, 1998

via Federal Express

208-736-3033

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

Corey Skinner
Idaho Department of Water Resources
1341 Filmore Street, Suite 200
Twin Falls, ID 83301

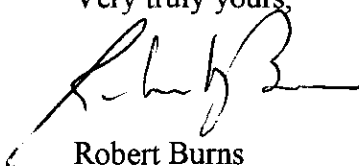
Re: St. Luke's - Sun Valley Project
MTBR&F File No. 4-263.111

Dear Corey:

Enclosed is the Application for Permit submitted on behalf of St. Luke's Medical Center/Wood River, Ltd. Also enclosed is our check in the sum of \$120.00 for the application fee.

If you should have any questions, please feel free to call. Thanks again for all your help.

Very truly yours,



Robert Burns

RBB/kdp

Enclosure

cc: Jeff Hull (w/enc.)
William L. Bodnar (w/enc.)
Lynn Askew (w/enc.)
Jon Gorski (w/enc.)

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OCT 26 1998

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37-08879

WAIVER OF NOTICE OF
ORGANIZATIONAL MEETING OF DIRECTORS OF
ST. LUKE'S MEDICAL CENTER/WOOD RIVER, LTD.

RECEIVED

AUG 20 1998

Department of Water Resources
Southern Region

The undersigned, being all of the Directors of St. Luke's Medical Center/Wood River, Ltd. ("Corporation"), do hereby severally waive notice of time, place and purpose of the Organizational Meeting of Board of Directors of the Corporation, and consent that the meeting be held at Boise, Idaho, at 11:00 a.m. on April 9, 1996, and we do further consent to the transaction of any and all business that may properly come before such meeting.



Jon Miller, Director



Edwin E. Dahlberg, Director



Eugene C. Thomas, Director

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OCT 26 1998

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37-08879

MINUTES OF ORGANIZATIONAL MEETING
OF THE BOARD OF DIRECTORS OF
ST. LUKE'S MEDICAL CENTER/WOOD RIVER, LTD.

RECEIVED

AUG 20 1998

Department of Water Resources
Southern Region

TIME AND PLACE OF MEETING

The organizational meeting of the Board of Directors of St. Luke's Medical Center/Wood River, Ltd. ("Corporation") was held at Boise, Idaho, at 11:00 a.m. on April 9, 1996, pursuant to a written waiver of notice signed by all Directors of the Corporation, a copy of which is attached to these minutes.

Present were Jon Miller, Edwin E. Dahlberg, and Eugene C. Thomas, being all of the Board of Directors of the Corporation as named in the Corporation's Articles of Incorporation.

TEMPORARY OFFICERS

Jon Miller was chosen temporary Chair of the meeting; Michael E. Thomas was chosen as temporary Secretary of the meeting.

ARTICLES OF INCORPORATION

The Chair reported that the Articles of Incorporation ("Articles") had been filed with the Secretary of State and that a Certificate of Incorporation ("Certificate") had been issued. The Secretary was instructed to cause the originals of the Articles and the Certificate to be filed in the Corporation's books and records.

ADOPTION OF BYLAWS

The Secretary presented a form of Bylaws for the Corporation for review by the Board of Directors. The Board reviewed the proposed Bylaws section by section, and upon motion made and seconded, the Bylaws were unanimously adopted. The Secretary was instructed to cause a copy of the Bylaws to be filed in the Corporation's books and records.

ELECTION OF OFFICERS

The following persons were nominated as officers of the Corporation to serve until their successors are elected and qualified:

Chairman	Jon Miller
President	Edwin E. Dahlberg
Vice President	Clarence Pomeroy

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OCT 26 1998

37-08879

Secretary
Treasurer
Assistant Secretary

Eugene C. Thomas
Clarence Pomeroy
Michael E. Thomas

Votes being duly cast by all the Directors present, the Chair announced that the above officers had been unanimously elected to the offices set next to their names. The President then assumed the position of the Chair of the meeting, and the Secretary assumed the responsibilities of the Secretary.

APPROVAL OF FILINGS WITH THE INTERNAL REVENUE SERVICE

The Chair then stated that the Corporation would be required to file certain documents with the Internal Revenue Service in order to obtain recognition of its tax-exempt status under section 501(c)(3) of the Internal Revenue Code. After discussion and upon motion duly made and seconded, the following resolution was unanimously adopted:

WHEREAS, the Board of Directors of the Corporation has determined that the Corporation will be required to file a Form 1023 and certain other documents with the Internal Revenue Service in order to obtain recognition of its tax-exempt status under section 501(c)(3) of the Internal Revenue Code;

NOW, THEREFORE, BE IT RESOLVED, that the President and Secretary of the Corporation, and each of them, are hereby authorized and directed to prepare, execute and file a Form 1023 with the Internal Revenue Service and take such further action and prepare and execute such additional documents as may be necessary or appropriate to carry out the purposes of this resolution.

AUTHORIZATION OF PAYMENT

The Chair stated that the Secretary should be authorized to procure the necessary books for the Corporation and that the Treasurer, with the approval of the President, should be authorized to pay all of the expenses incurred and reimburse all persons for expenditures made in connection with the organization of the Corporation. Upon motion made and seconded, the following resolutions were then unanimously adopted:

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Secretary of the Corporation is authorized and directed to procure all corporate books, books of account and membership books required by statute or necessary or appropriate in connection with the business of the Corporation;

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OCT 26 1998

FURTHER RESOLVED, that the Treasurer is authorized, with the approval of the President, to pay all charges and expenses incident to or arising out of the organization of the Corporation and to reimburse any person who has made any disbursements therefore.

ADMISSION OF MEMBER

After discussion and motion made and seconded, the following resolution concerning the admission of a member was unanimously adopted:

NOW, THEREFORE, BE IT HEREBY RESOLVED, that St. Luke's Regional Medical Center, Ltd. be approved and admitted as a member of the Corporation entitled to the full benefits and privileges of membership in the Corporation and subject to the duties and obligations set forth in the Corporation's Articles of Incorporation and Bylaws.

CORPORATE SEAL

The Secretary next proposed that a corporate seal be procured for the corporation. Upon motion made and seconded, the following resolution was then unanimously adopted:

NOW, THEREFORE, BE IT HEREBY RESOLVED, that a corporate seal, an impression of which is affixed hereto, be adopted as the corporate seal of the Corporation.

BANK ACCOUNTS

After discussion and motion made and seconded, the following resolutions concerning bank deposits and disbursements were unanimously adopted:

NOW, THEREFORE, BE IT HEREBY RESOLVED, that First Security Bank ("Bank") is designated as the bank in which the funds of the Corporation shall be deposited, and that the Treasurer is authorized to open and keep a deposit account with the Bank in the name of the Corporation, and to cause all moneys, checks, notes, drafts, acceptances, or other evidences of indebtedness belonging to the Corporation deposited with the Bank;

FURTHER RESOLVED, that the Bank is authorized to make payments from the funds of the Corporation according to check or draft signed by the President and Treasurer of the Corporation, who are hereby authorized to sign, endorse, accept, make and execute such bank resolutions as are necessary for the activities identified

MICROFILMED

OCT 26 1998

herein, and that a copy of all such resolutions shall be attached to these minutes;

FURTHER RESOLVED, that the President and the Secretary, and each of them, are hereby authorized to take such further action and execute such additional documents as may be necessary or appropriate to carry out the purposes of these resolutions.

BLAINE COUNTY MEDICAL TRANSACTION

After discussion and motion made and seconded, the Board unanimously adopted the following resolutions concerning construction and operation of a medical center in Blaine County, Idaho pursuant to an agreement among the Corporation, St. Luke's Regional Medical Center, Ltd., The City of Sun Valley, County of Blaine, and Healthcare Partnership (the "Agreement"), a draft of which agreement was submitted to and read by the Directors:

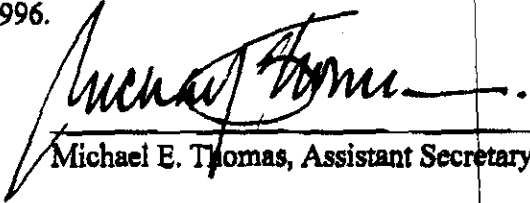
NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Corporation is authorized to execute, deliver, and perform the Agreement;

FURTHER RESOLVED, that the President of the Corporation is authorized and directed on behalf of the Corporation to execute and deliver the Agreement and all other documents and instruments as may be required, necessary, desirable, or appropriate and to take all such and further actions as he shall deem necessary, desirable, appropriate, or expedient in connection therewith.

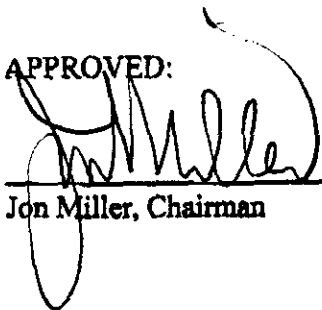
ADJOURNMENT

There being no further business to come before the meeting, upon motion made, seconded and unanimously adopted, the meeting was adjourned.

DATED this 4th day of April, 1996.


Michael E. Thomas, Assistant Secretary

APPROVED:


Jon Miller, Chairman

MINUTES - 4
040896 0930

MICROFILMED
OCT 26 1998

94732_1



D. Lynn A. New
Project Engineer

FROM SCA
37-S-1036
FILE

File:
Not send

POWER Engineers, Inc.
3940 Glenbrook Dr., Box 1066
Hailey, Idaho 83333

Phone (208) 788-3456
Fax (208) 788-2082
Direct Dial (208) 788-0438
e-mail: laskew@ram.powereng.com

Mr. Terry Blau
Idaho Department of
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

Subject: 527644-01-24-01-01

St. Luke's Regional Medical Center Wood River
Hospital

Dear Mr. Blau:

Enclosed herewith is an application for a Nationwide Permit No. 26, Headwaters and Isolated Water Discharges. Also enclosed is a \$20.00 permit application fee. This application is filed by POWER Engineers, on behalf of the applicant, St. Luke's Regional Medical Center. The applicant proposes to construct a new 30 bed, full service, hospital on the project site located in the SE ¼ of Section 30 T. N. R. 4E, BM in Blaine County Idaho. A full project description is included as Exhibit 1.

Project History and Project Justification

Historically there have been two separate, individual hospitals in the Wood River Valley. One was owned by Blaine County and is located in Hailey, the other is the Moritz Hospital located in Sun Valley and owned by the City of Sun Valley. On Feb. 1, 1992 the City and the County agreed to form a partnership (Wood River Medical Center Board) to jointly operate the two hospitals with the understanding that one individual hospital facility would be constructed and operated by the joint County/City entity. The partnership was consummated in response to the changing economic situation in the health care industry. Given reduced in-patient stays and the demand for high technology health care services, small individual entities in rural communities are finding it harder to come up with the resources needed to survive.

The consolidation was undertaken to combine resources and insure continued high quality health care in the Wood River Valley. To further insure that quality health care resources continued to be available in the Wood River Valley, the City of Sun Valley, Blaine County and Wood River Medical Center Board entered into a definitive agreement with St. Luke's Regional Medical Center to construct, own and operate a new single hospital facility on April 9, 1996. The definitive agreement called for a voter referendum and approval of the Court to validate the agreement. It also specified the proposed site included in this Nationwide No. 26 application as the location for the new hospital. The vote on the referendum was held on May 28, 1996. The proposed site and the definitive agreement were approved by nearly 90% of the electorate in a clear mandate approving the project. The Court also validated the definitive agreement.

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HL Y 24-099

St. Luke's had to meet several conditions in order to perform their part of the agreement. One condition was that significant funding (\$12 million) be raised through donations in the local community. As of the fall of 1997 the funding requirement was met, showing strong community support for the hospital. As a result, development plans for the proposed hospital site are now underway. This application is made in support of the development.

Agency Involvement in the Project

We have attempted to keep the Idaho Department of Water Resources, the Army Corps of Engineers (Corps) and other cooperating agencies informed about the project and the proposed site conditions. You conducted a site visit during the fall of 1997. Mr. Greg Martinez of the Corps conducted a wetlands delineation verification inspection on April 30, 1998. Mr. Dave Parrish of the Idaho Department of Fish and Game and Mr. John Olson of the EPA conducted site visits on May 13, 1998.

Site Limitations

As you know, the site is long and narrow with limited space for the hospital building, its associated facilities, site access, and parking area. Blaine County ordinances and sound engineering practice dictate that no part of the building or access be constructed in avalanche areas. Portions of the site are in avalanche areas. Exhibit 2 is a copy of an avalanche study conducted for the project. It effectively states that the southern portion of the site is included in the "red" avalanche zone. No access or building construction is allowed in this area. As you will note from reviewing the application, this area has been proposed as part of the wetlands mitigation area. This use is consistent with the avalanche zone.

Currently, all water discharged from the Cold Spring percolates into the ground on-site and does not flow to the Wood River or any of its tributaries. Our mitigation plan calls for this situation to continue. All flow from the spring will be directed to the south to a new wetlands mitigation area in a newly created channel. Directing flow to the north toward the Wood River is not possible because it would require directing the flow uphill. A significant cut would be required to accomplish this. St. Luke's does not own the land to the north of the site and has no ability to build an incised channel on land it does not own. Because the river is uphill from the site, such a channel would invite the river to back flow up the channel creating flooding problems for the hospital site and surrounding landowners.

The building footprint, access and circulation features and parking areas are currently being finalized. In order to make the site buildable for all the facilities required by

St. Luke's definitive agreement with the City/County/Medical Center Board, it is necessary for Blaine County to acquire the abandoned Oregon Shortline Railroad right of way now occupied by the Wood River Trails system. Even with this acquisition, buildable space is very limited and it is difficult to place the facilities on the site. The Wood River Trail system will be relocated to the west side of the property adjacent to the proposed wetlands channel. Effort will be made to place the facilities on the site so that as much room as possible is left for the wetlands and the trail. However, we anticipate that site constraints will dictate our actions in this regard.

Cultural Resources

A cultural resource survey was prepared as part of the pre-development study of the site. This cultural resource report was sent to the Idaho SHPO on May 4, 1998. To date we have not received a response from the SHPO, but will forward comment to you when we receive it. The project will have no impact upon cultural resources. A copy of this report is included with this application as Exhibit 3.

Threatened and Endangered Species

POWER Engineers is aware of the Section 7 Guidelines in regards to the Ute Ladies' tresses (*Spiranthes diluvialis*), an endangered plant found in some western states, including Idaho. Pursuant to these guidelines the project area falls under Category 2, low to mid elevation areas ranging from 3,000 to 7,000 feet elevation within the eastern half of Idaho other than the South Fork of the Snake River and its tributaries. According to the Guidelines, surveys are recommended, but not required, when large areas of potential habitat will be impacted or when planning schedules permit surveys to be conducted prior to project commencement. This project does not affect large habitat areas (approximately 1.05 acres). In addition, the project will need to break ground no later than mid-July in order to keep to the contractual schedule between St. Luke's, the City of Sun Valley, Blaine County, and the Wood River Medical Center Board.

Nonetheless, POWER conducted a Habitat Evaluation of the site in keeping with the spirit of the Guidelines. It is our conclusion that the existing habitat does not support a population of *S. diluvialis*. The study was conducted by our botanist, T.R. Bowlin. This study is included in this application as Exhibit 4.

POWER Engineers as Authorized Agent

Exhibit 5 shows that St. Luke's has designated my firm as authorized agent for this permit application.

United States Army Corps of Engineers
May 22, 1998
Page 4

Questions Concerning the Application

During the course of your review we are available to answer any questions you may have. Please do not hesitate to contact me as your office and other cooperating agencies review the application so that the review process may be expedited as much as possible. My phone number is (208) 788-3456.

Thank you for your prompt attention in visiting the site and in reviewing this application. We stand ready to provide you further information as required.

Sincerely,
POWER Engineers, Inc.



D. Lynn Askew
Project Manager

LA/la
cc: RM/REF 527644-01-24-01-01
J. Gaeddert
B. Truxal
Steve Fisher, Fisher & Associates

HLY 24-099

MICROFILMED

OCT 26 1998



WRAY 07/21/98

SD-0604-2 Township: 04N		Range: 18E		Section: 30		Tract: SE		Lot:	
S	L	STATE		O	S	Max # Records		29	
E	O	Water		W	T	Priority		Use	
L	Tract T	Right No.	Last, First	N	AC	G	Date	Code	Desc
~~NESE~~	~~37-02677~~	~~MC HAN, E. V.~~	~~6W~~	~~C~~	~~L~~	~~01/08/1962~~	~~01~~	~~IRR~~	
NESE	37-04150	FASSETT, HELEN MURDOCH	C	S	01/01/1939	16	WILDLF		
~~NESE~~	~~37-04265~~	~~FASSETT, HELEN M.~~	~~C~~	~~S~~	~~01/01/1939~~	~~16~~	~~WILDLF~~		
NESE	37-04375	DRASHNER, MARY ELLEN	C	15	S	04/01/1912	01	IRR	
		GARDNER, KATHRYN	C						
~~NESE~~	~~37-08278~~	~~FASSETT, HELEN M.~~	~~C~~	~~S~~	~~09/25/1986~~	~~16~~	~~WILDLF~~		
~~NESE~~	~~37-08437~~	~~CAPIK, EMIL J.~~	~~C~~	~~P~~	~~10/25/1988~~	~~10~~	~~COMMER~~		
		COLD SPRINGS PROPERTY	C						
SWSE	37-04375	DRASHNER, MARY ELLEN	C	8	S	04/01/1912	01	IRR	
		GARDNER, KATHRYN	C						
SESE	37-04375	DRASHNER, MARY ELLEN	C	32	S	04/01/1912	01	IRR	
		GARDNER, KATHRYN	C						
~~SESE~~	~~37-30035~~	~~RILEY, W T~~	~~C~~	~~6~~	~~D~~	~~03/24/1883~~	~~01~~	~~IRR~~	
		GRAYSTONE INC	C						

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

37-04375 - COLD SPRINGS

37-04150 - SPRING along Highway

SD-0604-2 Township: 04N Range: 18E Section: 30 Tract: SE Lot:

S	L	STATE	O	S	Max #	Records	29	
E	O	Water	Name	W	T	Priority	Use	
L	Tract T	Right No.	Last, First	N	AC	G	Date	Code Desc
SESE	37-08538	GRAYSTONE INC	GW	C	6	L	07/11/1989	01 IRR
SESE	37-30000F	RILEY, W T	Big Wood River	O	3	D	03/24/1883	01 IRR
SESE	37-08535	GRAYSTONE INC	Big Wood River	C		L	07/11/1989	52 AES
SESE	37-08584	GRAY, ELIZABETH K	GW	C	1	L	12/11/1989	43 DOMEST
								01 IRR

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(GOLD 7=This Query)

(Menu _____)

AJQ4 07/21/98

SD-0604-2 Township: 04N		Range: 18E		Section: 30		Tract: SE		Lot:	
S	L	STATE	O	S	Max # Records	55			
E	O	Water	Name	W	T	Priority	Use		
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code Desc
NESE	A37-11640	MEYER, JUDY L	6W	C	J	03/31/1954	43	DOMEST	
NESE	A37-04375	GARDNER, KATHRYN		C	15	S	04/01/1912	01	IRR
NESE	A37-12757	DRASHNER, MARY ELLEN		C				10	COMMER
NESE	A37-12757	DONALDSON, ROBERT	6W	C	J	12/31/1950	10	COMMER	
NESE	A37-12757	DONALDSON, GENEVIEVE		C				43	DOMEST
NESE	A37-12757	DONALDSON, ROBERT	6W	C	1	J	12/31/1950	10	COMMER
NESE	A37-12757	DONALDSON, GENEVIEVE		C				43	DOMEST
NESE	A37-12757	DONALDSON, ROBERT	6W	C	J	12/31/1950	10	COMMER	
NESE	A37-12757	DONALDSON, GENEVIEVE		C				43	DOMEST
NESE	A37-04150	SHERWOOD, ROBERT H		C	J	01/01/1939	16	WILDLF	
NESE	A37-04150	SHERWOOD, ROBERT H		C	J	01/01/1939	16	WILDLF	
NESE	A37-04150	SHERWOOD, ROBERT H		C	J	01/01/1939	16	WILDLF	
NESE	A37-04150	SHERWOOD, ROBERT H		C	J	01/01/1939	16	WILDLF	

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A37- 04150 - UNNAMED SPRING along Highway

A37- 04375 - GOLD SPRINGS

SD-0604-2 Township: 04N Range: 18E Section: 30 Tract: SE Lot:

S	L	STATE	O	S	Max #	Records	55	
E	O	Water	Name	W	T	Priority	Use	
L	Tract T	Right No.	Last, First	N	AC	G	Date	Code Desc
NESE	A37-04265	SHERWOOD, ROBERT H	C	J	01/01/1939	16	WILDLF	
NESE	R37-11640	MEYER, JUDY L	C	J	03/31/1954	43	DOMEST	
SWSE	A37-11768	GARDNER, KATHRYN	C	J	09/09/1962	10	COMMER	
SWSE	A37-04375	DRASHNER, MARY ELLEN	C	8	S	04/01/1912	01 IRR	
SWSE	A37-04375	GARDNER, KATHRYN	C	S	04/01/1912	01 IRR	10 COMMER	
SESE	A37-04375	DRASHNER, MARY ELLEN	C	32	S	04/01/1912	01 IRR	
SESE	A37-10913	ROSEBERRY, THOMAS	O	6	D	03/24/1883	01 IRR	
		GRAYSTONE INC	C					
		ROSEBERRY, THOMAS	O					
		SORENSEN, MARGUERITE	O					
		SPECK, JAMES R	A					

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(GOLD7=This Query)

(Menu _____)

SD-0604-2 Township: 04N		Range: 18E		Section: 30		Tract: SE		Lot:	
S	L	STATE		O	S	Max # Records		55	
E	O	Water		W	T	Priority		Use	
L	Tract T	Right No.	Name	N	AC	G	Date	Code	Desc
-----		-----		-----		-----		-----	
SESE	R37-00419B	ROSEBERRY, EUGENE	O	6	D	08/02/1889	01	IRR	
	BIG WOOD RIVER	GRAYSTONE INC	C						
		SORENSEN, MARGUERITE	O						
		SPECK, JAMES P	A						
		ROSEBERRY, THOMAS	O						
SESE	R37-10913	ROSEBERRY, THOMAS	O	6	D	03/24/1883	01	IRR	
	BIG WOOD RIVER	GRAYSTONE INC	C						
		ROSEBERRY, EUGENE	O						
		SPECK, JAMES P	A						
		SORENSEN, MARGUERITE	O						
SESE	A37-00703E	SPECK, JAMES P	A	6	D	06/15/1891	01	IRR	
	BIG WOOD RIVER	SORENSEN, MARGUERITE	O						
		GRAYSTONE INC	C						
		ROSEBERRY, EUGENE	O						
		ROSEBERRY, THOMAS	C						
SESE	A37-00419B	ROSEBERRY, EUGENE	O	6	D	08/02/1889	01	IRR	
	BIG WOOD RIVER								

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SD-0604-2 Township: 04N Range: 18E Section: 30 Tract: SE Lot:

S	L	STATE	O	S	Max #	Records	55			
E	O	Water	Name	W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
~~SESE~~	~~A37-00419B~~	~~SORENSEN, MARGUERITE~~	~~O~~	~~6~~	~~D~~	~~08/02/1889~~				
	<i>Big Wood River</i>	GRAYSTONE INC	C							
		SPECK, JAMES P	A							
		ROSEBERRY, THOMAS	C							
~~SESE~~	~~R37-00703E~~	~~ROSEBERRY, EUGENE~~	~~O~~	~~6~~	~~D~~	~~06/15/1891~~	~~01 FRR~~			
	<i>Big Wood River</i>	SORENSEN, MARGUERITE	O							
		ROSEBERRY, THOMAS	O							
		GRAYSTONE INC	C							
		SPECK, JAMES P	A							

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AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

07/21/98 13:07:45
Page 1

Water Right Number - A37-04375

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

*** C - CURRENT OWNER ***

GARDNER

KATHRYN

1 - BOX 470
2 -
3 -

City- BELLEVUE
Phone - 208-788-2568

State- ID Zip- 83313

DRASHER

MARY ELLEN

1 -
2 -
3 -
City- BOISE
Phone - 208-000-0000

State- ID Zip- 83702

Priority Date - 04/01/1912 Region - 17 SOUTHERN S - STATUTORY CLAIM Status -

Source - COLD SPRINGS Tributary - SINKS

Town Rng Sec Tract Lot Rflg County Point of Diversion - (13) BLAINE

04N 18E 30 NW NE SE

Code Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION
10 - COMMERCIAL

04/01 11/01
01/01 12/31

1,200
0.150

Total Div. Rate - 1,200 Total Div. Volume - 1,200 Total Consumptive Use - 0.0 KW Usage -

Town Rng Sec Tract Lot Acres Place of Use Code Description County

04N 18E 30 SE NE 01 IRRIGATION (13) BLAINE
04N 18E 30 NE SE 01 IRRIGATION (13) BLAINE
04N 18E 30 SW SE 01 IRRIGATION (13) BLAINE
04N 18E 30 SE SE 01 IRRIGATION (13) BLAINE
04N 18E 30 SW SE 10 COMMERCIAL (13) BLAINE

Total Acres: 60.0

- - - Diversion Means - DITCH

- - - Non-Irrigation Use - C/ 10 UNIT TRAILER COURT

- - - Other Rights for Same Use - A37-011768

* ORIGINAL USE NOT LISTED ON

ORIGINAL STATUTORY CLAIM.

Water right number - A37-04375

Prefix Translation: ADJUDICATION CLAIM

GEN USE ON TRAILER CT. BEGAN BEFORE PERMITS WERE NEEDED.
SPRINGS LISTED INCLUDE SEVERAL DIFFERENT SOURCES IN THE AREA.

No Old Water Right Numbers Found

Old Water Right Numbers

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date
00/00/0000

Comments
No Comments found

Audit Fields
00/00/00

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Last Amended Date	- 04/11/1986	Old Judicial District	-
Claim Received Date	- 10/19/1988	Receipt Number	- S003063	Temporary Right	- P
		POU Ownership Flag	- Y	Water District	- 37
		Name Connector	- OR	Federal/State Indicator	- S
				Presumption Flag	- E
				Notice of Error Flag	-