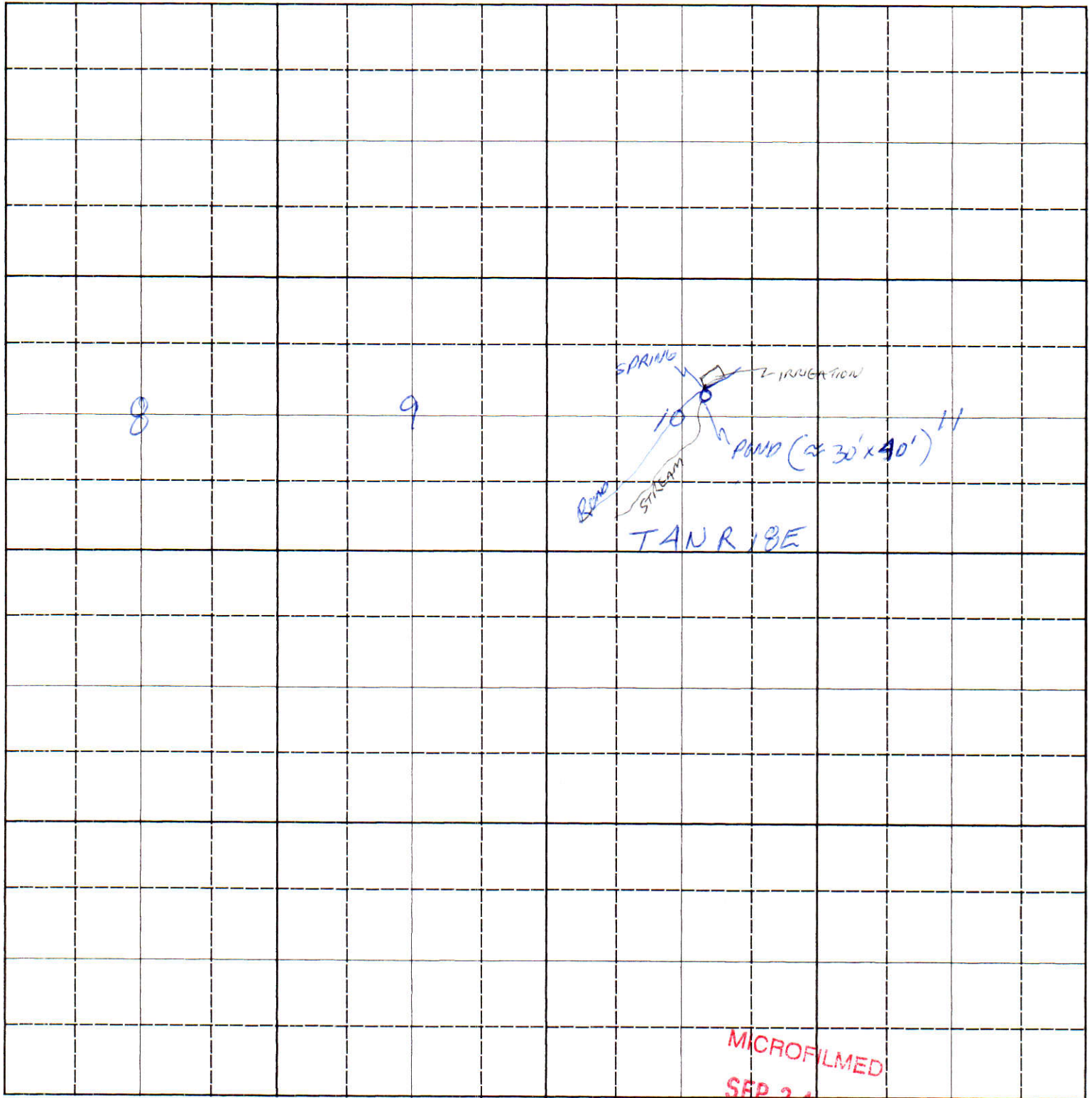


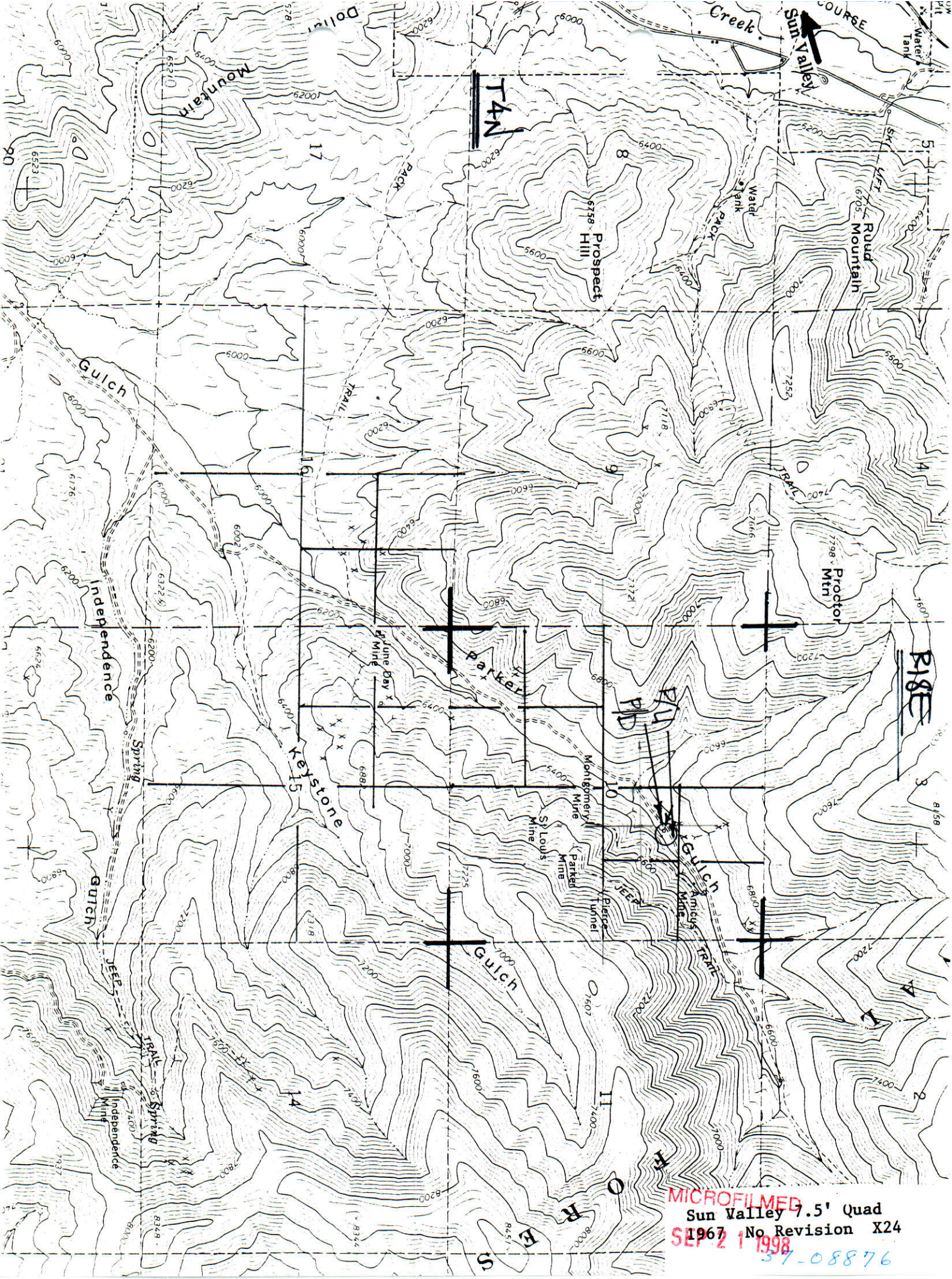
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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


(Applicant)



MICROFILMED
Sun Valley 7.5' Quad
1967 No Revision X24
SEP 21 1998
37-08876

AFFIDAVIT of PUBLICATION

RECEIVED

JUL 14 1998

State of Idaho, }
County of Blaine } SS.

Department of Water Resources
Southern Region

On this 8 day of July, 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 1 day of July, 1998, and the date of the last publication was on the 8 day of July, 1998.

Daniel J. Gorham
Subscribed and sworn to before me this 13 day of July, 1998.
(SEAL)

NOTARY PUBLIC

#11025
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 78.000
Number of Insertions 2
Lines tabular at 7 6c / Pica
78.000 Lines straight at 53.820 6 5c / Pica
78.000 Subsequent lines at 44.850 5 4c / Pica
TOTAL COST +5 \$103.67

No. 37-08876

COPY OF NOTICE
(Paste Here)

Application Water Permit
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Resources
BILL TO

Application for water permit

NOTICE OF APPLICATIONS FOR WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

BOB DREYER
PO BOX 4917

KETCHUM ID 83340
Application for Permit
No. 37-08876

Source: Spring tributary to Big Wood River

Diversion Pt(s):
NE1/4SW1/4NE1/4, S10, T04N, R18E; Blaine County (existing development).

Use:

Irrigation (0.01 cfs)

4/1-10/31

Irrigation Storage (0.2 afa)

1/1-12/31

Domestic (0.02 cfs)

1/1-12/31

Aesthetics (0.2 afa)

1/1-12/31

Total Diversion: 0.02 cfs

In: Irrigation of one-half acre & Irrigation storage, Domestic & Aesthetic uses within SW1/4NE1/4, S10, T04N, R18E; Blaine County.

Date Filed: 5/1/98

Publication Rates

As of Jan. 1990

(Idaho Code, Revis. Statutes 1984)

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

MICROFILMED

SEP 21 1998

11025

SEABOARD CORPORATION
PO BOX 3510
KETCHUM ID 83340
Application for Permit
No. 37-08877

Source: groundwater
Diversion Pt(s): NE1/4NE1/4,
S20, T03N, R18; Blaine County.
Use: Domestic (25 homes with
irrigation of 1/2 acre per home)
(0.22 cfs) 1/1-12/31 within
SE 1/4 SE 1/4, S17 &
NE1/4NE1/4, S20 both T03N,
R18E; Blaine County.

Date Filed: 6/8/98

Any protest against the proposed
applications 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 July 20, 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 — July 1
& 8, 1998.

this is not a permanent home, no
inside plumbing



standing at the area where
house is suppose to be

photos looking SW'ly



Outlet



CS72

Inlet

PondSize=55'x50'x3'

MICROFILMED
SEP 21 1998

37-08876

16004RS,
13 MAY 1998
Bob Dreyer

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
37-08876 IN THE NAME OF) **ORDER OF**
THOMAS WILLIAMS, LLC) **REINSTATEMENT**
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use ("proof of beneficial use") be submitted to the Department on or before September 1, 2000; and,

WHEREAS, the Department notified the permit holder on June 30, 2000, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

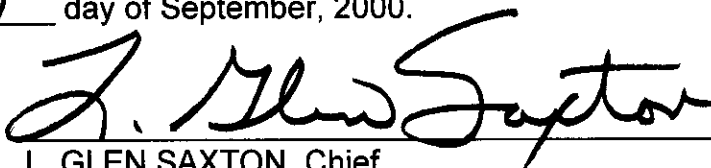
WHEREAS, since the permit holder had not submitted an acceptable proof of beneficial use or request for extension of time to the Department on or before the September 1, 2000 deadline, the permit lapsed; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on September 11, 2000;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-08876 is **REINSTATED** with an advance in priority to June 11, 1998.

DATED this 20th day of September, 2000.



L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

OCT 06 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 11 2000

PROOF OF BENEFICIAL USE

AUG - 3 2000

Department of Water Resources

Department of Water Resources

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. 37-08876 Telephone No. 801. 407-3236
2. Name of Permit Holder(s): THOMAS WILLIAMS, LLC
3. Mailing Address: 2037 PHEASANT CIRCLE
City SALT LAKE CITY State UT Zip 84121
4. Source of Water: SPRING If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
 - a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 1/2 ACRE Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .02 cfs OR 0.20 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
8. Fee Enclosed: \$ - 0 - (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: SAM WILLIAMS Telephone Number: 801. 407-3236
Address: 2037 PHEASANT CIR., SLC, UT 84121
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: Sam Williams, Managing Member Date: 7-31-00
(include your title, if on behalf of an organization)

OCT 06 2000

11/99

For Office Use Only
\$25 filing fee 25.00
Receipt # 0049074
Date 5-9-00

MAY 8 - 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES RECEIVED

ASSIGNMENT OF PERMIT

To change the ownership of a permit

MAY 8 - 2000

Department of Water Resources

I, ROBERT P. DREYER, hereby assign to THOMAS WILLIAMS, LLC
of, 2037 PHEASANT Circle, Salt Lake City, UT 84121 801. 277-3808
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 37-08876 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

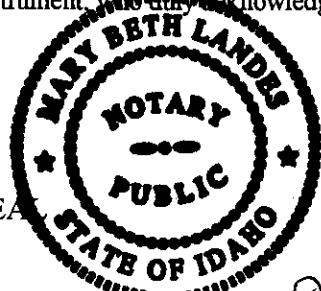
Made this 5th day of MAY, 2000.

Permit Holder(s)

State of Idaho)

County of Blaine)ss

On this 5th day of May, 2000, personally appeared before me the signer(s) of the above
instrument, who they acknowledged to me that he (she) (they) executed the same.



Ketchum, ID
Notary Public residing at

SEA

My commission expires: 10/07/04

MICROFILMED

MAY 24 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08876

Proposed Priority: June 1, 1998

Maximum Diversion Rate:

0.02 CFS

This is to certify, that **BOB DREYER**

PO BOX 4917

KETCHUM ID 83340-4917

has applied for a permit to appropriate water from:

SPRING

tributary of **BIG WOOD RIVER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	
DOMESTIC STORAGE	01/01 to 12/31		0.2 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		0.2 AF
AESTHETIC	01/01 to 12/31		0.2 AF
	Totals	0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NESWNE , Sec. 10, Township 04N, Range 18E
BLAINE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

04N 18E 10 SWNE

PLACE OF USE: DOMESTIC FROM STORAGE, same as DOMESTIC use

PLACE OF USE: AESTHETIC, same as DOMESTIC use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 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. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

MICROFILMED
SEP 21 1998

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08876

CONDITIONS OF APPROVAL AND REMARKS

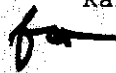
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
7. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
8. Domestic use is for 1 home.
9. Use of water for storage purposes under this right shall be non-consumptive.
10. The Director retains jurisdiction of this right for five (5) years to require mitigation to compensate for injury to senior water rights.
11. The Director retains jurisdiction to require a bypass flow for maintenance of fish, wildlife, riparian and aquatic habitat.

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

14th day of September, 1998.



Karl J. Dreher, Director

MICROFILMED
SEP 21 1998

RECEIVED

STATE OF IDAHO

Ident. No. 37-08876

APR 29 1998

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUL 22 1998

Department of

Southern

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant BOB DREYER Phone 208-726-2874
Post office address P.O. # 4917 Ketchum, ID 83340
2. Source of water supply SPRING which is a tributary of PARKER GULCH
BIG LODE RIVER
3. Location of point of diversion is NE 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____
Sec. 10 Township 4N Range 18E B.M. BLAINE County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
- | |
|---|
| Amount <u>.02 CFS</u> for <u>DOMESTIC</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) <u>DOM. FROM STORAGE</u> |
| Amount <u>.2 AF</u> for <u>IRRIGATION</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) <u>IRRIG. MA. AREA</u> |
| Amount <u>.2 AF</u> for <u>DOMESTIC STORAGE</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) <u>DOMESTIC STORAGE</u> |
| Amount <u>.2 AF</u> for <u>AESTHETIC</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) <u>AESTHETIC</u> |
5. Total quantity to be appropriated is (a) .02 CFS and/or (b) .2 AF
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. EXISTING SPRING INTO
EXISTING POND
- b. Height of storage dam _____ feet; active reservoir capacity .2 acre-feet; total
reservoir capacity .2 acre-feet; period of year when water will be diverted to storage:
1/1 to 12/31 inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? _____; Drilling firm MICROFILMED;
Well was drilled for (well owner) SEP 21 1998
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
DOMESTIC -
2 years (minimum 1 year).

*see Allen Merritt's memo dated 7/21/98. cz.

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1
- e. Other; describe fully. FIRE PROTECTION, AESTHETIC, IRRIGATION

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	18E	10			.5														.5 ACRE

Total number of acres to be irrigated .5 ACRE

10. Describe any other water rights used for the same purposes as described above. NONE

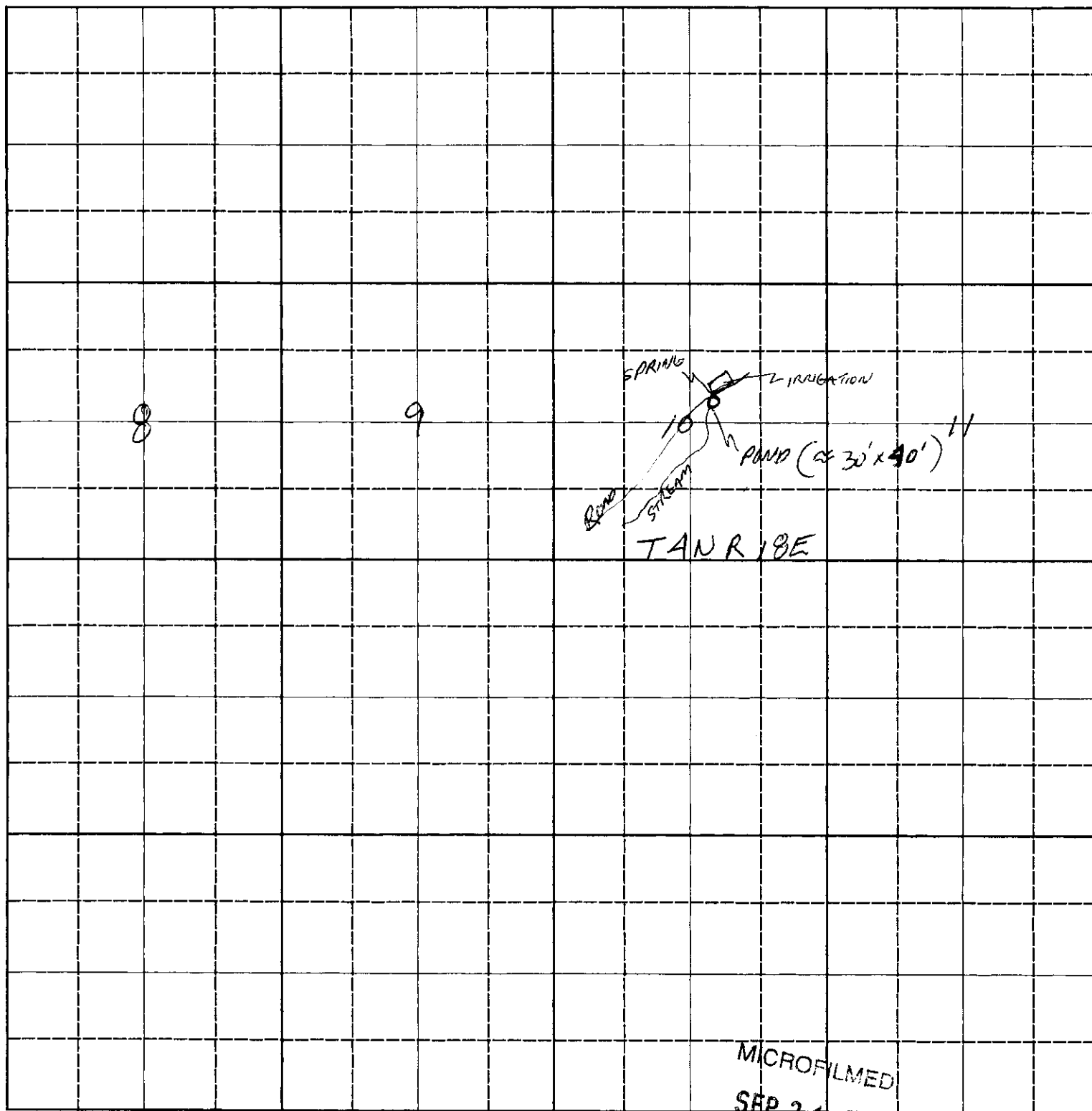
11. a. Who owns the property at the point of diversion? BOB DREYER
- b. Who owns the land to be irrigated or place of use? " "
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: THERE WAS A PREVIOUS PERMIT #37-08827 FOR THE SAME POND. I DIDN'T COMPLETE YET THE NECESSARY PIPING FOR THE FIRE PROTECTION, THOUGH THE POND COULD STILL BE DRAFTED OUT OF AS IS. I WOULD LIKE TO HAVE THE PERMIT BE MORE INCLUSIVE.

MICROFILMED

SEP 21 1986

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



Scale: 2 inches equal 1 mile.

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


(Applicant)

Received by GLS Date 29Apr98 Time 1145 Preliminary check by GLS
Fee \$ 50.00 Receipted by GLS # 5021053 Date 01 May 98
Publication prepared by MB Date 6/15/98 Published in Wood River Journal
Publication approved MB Date 7/14/98

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

e. Other:

MICROFILMED
SEP 21 1998



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

September 19, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

THOMAS WILLIAMS LLC
2037 PHEASANT CIRCLE
SALT LAKE CITY UT 84121

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 37-08876

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date.

Please 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.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, please contact the **Southern** Regional Office of the department in Twin Falls at (208) 736-3033.

Sincerely,

Deborah Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED

OCT 06 2000

— ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 37-08876 Reviewed by D. Gibson Date 9/19/00

GENERAL CONSIDERATIONS

Yes Name same as permit? — ^(See) (Assignment) Domestic
Yes Address same as permit? — "
No Proof timely received? Correct Uses? Yes
If not, complete calculation below.

TYPES OF USE

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

Yes Required?
\$50 Amount Submitted
Yes Correct?

MEASURING DEVICE

Yes Required? — Lockable device
No Installed? for watermaster
_____ Waiver requested?

PRIORITY CALCULATION

Date proof received 9/11/00
Date proof due 9/1/00 - _____
No. of days late _____ = 10
Priority Date 6/1/98 + _____
New Priority Date 6/11/98

DEFICIENCIES OR ACTION ITEMS

Reinstates permit with Order and Acknowledge
Proof - Advance priority date to 6/11/98.

DATA ENTRY

New Address N/A Proof Made 9/11/00

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

00000000

Date:

Time:

9/11/2000
14:43:46

Received

From:

THOMAS WILLIAMS LLC

Type of Payment

Program A cct

Amount

PROOF OF BENEFICIAL USE #37-08876	56104	229 21 1185	50.00
-----------------------------------	-------	-------------	-------

Total

\$

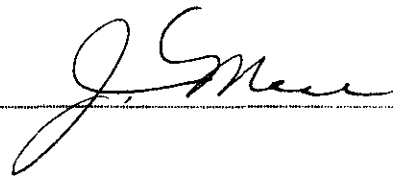
50.00

CHECK

1072

Region: STATE

Signature:



MICROFILMED

OCT 06 2000



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

August 23, 2000

KARL J. DREHER
DIRECTOR

Thomas Williams, LLC
2037 Pheasant Circle
Salt Lake City, UT 84121

RE: PERMIT NO. 37-08876

Dear Permit Holder:

Enclosed is a copy of the Proof of Beneficial Use statement you submitted in connection with the above referenced water right permit, received by the department on August 3, 2000. Before the department can accept the proof, it must be accompanied by the appropriate license examination fee of \$50.00. The proof you submitted is for surface water which is not except from the licensing fee requirement. Only groundwater such as from a domestic well is exempt.

The proof of beneficial use deadline for this permit is September 1, 2000. Therefore, please return the copy of the proof statement along with the license examination fee to my attention, immediately.

If you have any questions regarding this matter, please contact me.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure
c: IDWR- Region

MICROFILMED

OCT 05 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

AUG - 3 2000

Department of Water Resources

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. 37-08876 Telephone No. 801. 487-3236

2. Name of Permit Holder(s): THOMAS WILLIAMS, LLC

3. Mailing Address: 2037 PHEASANT CIRCLE

City SALT LAKE CITY State UT Zip 84121

4. Source of Water: SPRING If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

a. Well Driller: _____ Drilling Permit Number: _____

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

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

Irrigation (No. of acres): 1/2 ACRE Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .02 cfs OR 0.20 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

8. Fee Enclosed: \$ -0- (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: SAM WILLIAMS Telephone Number: 801. 487-3236

Address: 2037 PHEASANT CIR., SLC, UT 84121

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: Sam Williams, Managing Member Date: 7-31-00
(include your title, if on behalf of company or organization)

MICROFILMED

OCT 9 5 2000

June 30, 2000

THOMAS WILLIAMS LLC
2037 PHEASANT CIRCLE
SALT LAKE CITY UT 84121

PROOF DUE NOTICE

RE: PERMIT NO. 37-08876

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 September 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.

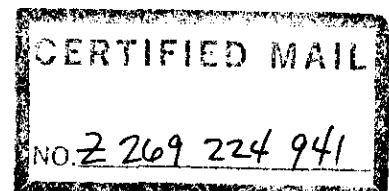
SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED

AUG 06 2000





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

May 9, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

THOMAS WILLIAMS LLC
2037 PHEASANT CIRCLE
SALT LAKE CITY UT 84121

RE: Assignment of Permit 37-08876

Dear Permit Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced permit to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
MAY 24 2000



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

April 25, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

THOMAS WILLIAMS LLC
2037 PHEASANT CIRCLE
SALT LAKE CITY UT 84121

RE: Change of Ownership for Permit 37-08876

Dear Mr. Williams:

The paperwork that you submitted for change of ownership on the above referenced permit has been forwarded to me for processing.

Because this water right is still in the **permit** stage, an Assignment of Permit will be required to complete the ownership change. I have enclosed an assignment form for your convenience. Please note that there is a \$25.00 filing fee required.

I am returning the paperwork that you sent as we only require the completed assignment form and filing fee to process your request.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

Enclosures

MICROFILMED

MAY 24 2000



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

September 16, 1998

PHILIP E. BATT
GOVERNOR

BOB DREYER
PO BOX 4917
KETCHUM ID 83340-4917

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08876

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.

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

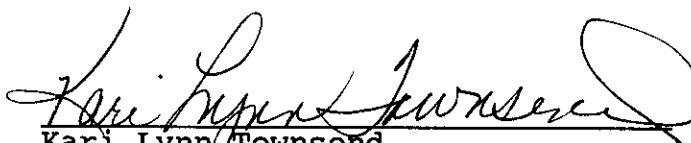
MICROFILMED
SEP 21 1998

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of **September, 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. 37-08876

**BOB DREYER
PO BOX 4917
KETCHUM ID 83340-4917**


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 21 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
SEP 21 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.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Lou*
 No.: 37-8876 Name: Dwyer Date: 9/11/98 Ad OK? ☒ / Gvmt Lts: ☒
AREA OF CONCERN:- No/Yes: ESRP Mor / Boise R. GWMA / Trust / Non-trust**PROTESTED:**

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

SYSTEM COMPLETED:

> 1 year

- 26AP17

≤ 1 year/no proof

- P16

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- North / East / West

≤ 0.24 cfs/5 acres

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

WMD Supplemental use

> 0.24 cfs/5 acres

- No MD

≤ 0.24 cfs/5 acres

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

- 01M (report when notified)

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

In Basin 34?

- 085

Irr. within WD

- P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

> 0.10 cfs

- R04 (WD # 37)

≤ 0.10 cfs

- 01J-P08 (MD & LD)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- ~~WB9~~ (LD), 01P or No MD (in-stream stock)

≤ 0.24 cfs/5 acres

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

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 -P04, NA

(02/03-irr)

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

Payette R(65)

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

Salmon R(70's)

- 029 (fish screens), NA

USE:

Domestic surface

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

>1 in rest. area

- 071-070

Fire Protection

- 077

Fish Propagation

- 029-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ~~≤ 5 acres~~- ~~R66/R67/R68/R69~~ (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

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

Mining

- 054(req)-081-P10

Municipal

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

Power

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

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

Stockwater

- R37 (BLM/USFS); NA

Storage (✓ 3 compo.)

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

LOCATION:

42-248 area

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

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

~~Mitigation~~

- 120

SWAN FALLS FLAG (See Code Chart)

- M

Trust

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

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:**STANDARD REMARKS:**- ~~001~~ (2) ~~W01~~ (3) 011 (4) 070 (5) W38 (6) W13**BENEFICIAL USE DUE:**- 9/1/2000**COMMENTS:**- irr use combined into domestic

RECEIVED

SEP 11 1998

Department of Water Resources

BOB DREYER
P.O. #4917
KETCHUM, ID 83310

TO: CINDY ZIMMERMAN
IDaho DEPT. OF WATER RESOURCES

RE: APPLICATION FOR PERMIT # 37-08876

DEAR CINDY,

I READ THE COMMENTS FROM THE IDAHO DEPT. OF FISH & GAME. I WOULD SAY THAT THIS LETTER CONFUSED ME. MY SPRING IS THE HEADWATER FOR YEAR-ROUND FLOW TO PARKER GULCH CREEK. THERE IS NO UPSTREAM OR DOWNSTREAM MOVEMENT OF FISH. THE SPRING IS STERILE, I.E, THERE IS NO DISSOLVED OXYGEN IN IT TO SUPPORT FISH. IT IS NOT UNTIL THE WATER HAS HAD A CHANCE TO OXYGENATE ITSELF DOWNSTREAM OF MY PROPERTY THAT IT CAN SUPPORT FISH LIFE.

SECONDLY, CONCERNING THE ISSUE OF #1 ON THE IDFG LETTER, I AM CONFUSED AS TO WHAT THIS MEANS. MY SPRING FLOWS DIRECTLY INTO THE POND, WHICH IS MY DIVERSION STRUCTURE, I GUESS. THE TOTAL VOLUME OF WATER OUT OF THE SPRING IS SUBSTANTIALLY HIGHER THAN MY USE. I HAVE NEVER SEEN THIS SPRING GO DOWN IN VOLUME. MICROFILMED

SEP 21 1998

THANK YOU
Bob Dreyer



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

August 31, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Bob Dreyer
PO Box 4917
Ketchum ID 83340-4917

Re: Application No. 37-08876

Dear Mr. Dreyer,

I am reviewing your application for a permit to divert water from a spring tributary to Parker Gulch for domestic and storage uses. As you are probably aware, under the provisions of Section 42-203A(5), Idaho Code, the Department of Water Resources must address issues of impact on existing water rights, water availability, and public interest when processing an application to appropriate water. While your application was not formally protested during the protest period, we have received a letter from Idaho Department of Fish & Game (IDFG) expressing concern that your proposal may negatively impact the fishery habitat in Parker Gulch Creek by depleting the stream flow. I have enclosed a copy of IDFG's letter for you to review. I have also enclosed a printout of your application.

If you have any comments on the IDFG letter, please respond to me within 21 days from the date of this letter. If I do not hear from you within the 21-day period, I will assume you agree with IDFG's recommendations, and I will proceed with issuing a permit including those recommendations.

If you have any questions, you may contact me directly at (208) 327-7944 or by electronic mail at czimmerm@idwr.state.id.us.

Respectfully,

A handwritten signature in black ink, appearing to read 'Cindy Zimmerman', is written over a horizontal line.

Cindy Zimmerman
Water Resource Agent

Enclosures

MICROFILMED

SEP 21 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 27, 1998

RECEIVED

AUG 28 1998

Department of Water Resources

Ms. Cindy Zimmerman
Idaho Dept. of Water Resources
1301 North Orchard St.
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Application for Permit No. 37-08876 - Dreyer - Parker Gulch Creek

Dear Cindy,

We have been on-site and reviewed the above referenced application to appropriate water from Parker Gulch Creek. Because this system has self-sustaining populations of rainbow and brook trout we would request that approval of the permit contain provisions to address the following issues:

1. To maintain flow in Parker Gulch Creek during low water periods, we would request that this permit be conditioned to require an amount of water equal to the applicant's permit volume be passed around the diversion structure to support downstream fish and wildlife. We don't have flow records from Parker Gulch Creek to allow us to project how often this condition may come into effect, however, our casual observations of the flows in Parker Gulch Creek would lead us to believe this would not be an issue, most years.
2. The diversion structure used for this permit should not be a passage barrier or impede upstream or downstream movement of fish. Designs for fish passage structures can be obtained either by contacting our office here in Jerome or our Engineering Bureau located at our Boise Office.

Thank you for the opportunity to review and provide comment on new water right applications. If you have further questions please contact Dave Parrish, Natural Resource Biologist at this office.

Sincerely,

Carl H. Nellis
MICROFILMED Magic Valley Regional Supervisor

cc: IDFG-NRPB (Robertson)

SEP 21 1998



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

August 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Idaho Dept. of Fish & Game
Magic Valley Region
PO Box 428
Jerome ID 83338-0428

RE: Application for Permit No. 37-08876

To Whom It May Concern:

The Department of Water Resources (IDWR) is preparing to issue a water appropriation permit for the above application. Before proceeding, IDWR would appreciate receiving your comments, if any, on the proposed diversion and use of surface water. I have enclosed copies of the application for your review. Please respond with your comments by September 2. If I have not heard from you by then, I will assume you have no comment and will proceed with issuing the permit.

If you have any questions, you may contact me directly at (208) 327-7944 or by electronic mail at czimmerm@idwr.state.id.us.

Respectfully,

Cindy Zimmerman
Water Resource Agent

Enclosure

MICROFILMED

SEP 21 1998

JUL 22 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY G. Satterlee DATE 12 May, 1998
APPLICATION NO. 37-08827

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block description, subdivisions, local name, flow &/or volume.)
☒ County
☒ Quantity (flow &/or volume) 1/1 - 10/31
☒ Period of use
☒ Nature of proposed use (include description of use)
☒ Description of diverting works.
☒ Time required for beneficial use of water. Need Clarification of how much/where
☒ Place of use or acres irrigated.
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

-----PROPOSED PRIORITY DATE
01 MAY 1998

DREYER'S 1994 PERMIT 37-08827 WILL RELINQUISH

ADDITIONAL INFORMATION

- 37-07707 Curtis Sr. Right holder stream
☒ Overlapping place of use (Describe source & relationship to previous application on the back.)
☒ Overlapping point of diversion.
☒ Yes ☐ No Field check required
Field check by G. Satterlee 13 MAY 1998
☒ Yes ☐ No Field report attached
☐ Yes ☒ No Critical Ground water area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send Dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit.
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trustwater supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

Date Requested _____, 19____

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

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

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes ☐ No Publication dates and paper, recorded on App.
☐ Yes ☒ No Protests received
Final date for Protest _____

☒ Yes ☐ No Protests, dates, resolution of protest, recorded on app.
☒ Yes ☐ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what dist. 37
☐ Yes ☒ No Special conditions of approval or cover letter below. _____

See memo 7/21/98

See below for additional information

Date of priority recommended 5/1, 1998
By ADK Date 7/21, 1998

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19 ____

ADDITIONAL INFORMATION:

FROM: Allen Merritt

DATE: July 21, 1998

TO: Application No. 37-08876
In the Name of: DREYER

SUBJECT: Review and Recommendation

This application records existing small pond and future domestic use from a spring tributary to Parker Gulch. The application does not propose to enlarge or alter the existing pond.

The application was processed as non-consumptive/domestic. The application was advertised without protest but the Blaine County Commissioners had some questions/comments.

As proposed the size of the pond and impact appears insignificant and fits within domestic definition.

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

- The permit be allowed as:
 - 0.02 cfs Domestic Use (Including irrigation of no more than 1/2 acre.)
 - 0.2 af for storage for domestic & aesthetics.
- The storage portion is non-consumptive.
- The pond is limited in size to existing dimensions.
- Domestic use is limited to 13,000 gpd and irrigation of no more than 1/2 acres associated with development of dwelling.
- The director retains jurisdiction over the permit to require mitigation of use if it is determines injury to senior rights below exist.
- The use is under control of the watermaster of district 37.
- Subject to other state, federal or local requirements as may apply.

MICROFILMED

SEP 21 1998

AFFIDAVIT of PUBLICATION

RECEIVED

JUL 14 1998

State of Idaho,

County of Blaine

} SS.

Department of Water Resources
Southern Region

On this 8 day of July, 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 1 day of July, 1998, and the date of the last publication was on the 8 day of July, 1998.

Subscribed and sworn to before me this 13 day of July, 1998.
(SEAL)

NOTARY PUBLIC

#11025
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 78,000
Number of Insertions 2
Lines tabular at 7¢ / Pica
78,000 Lines straight at 53,820 6¢ / Pica
78,000 Subsequent lines at 44,850 5¢ / Pica
TOTAL COST ±5 \$103,67

No. 37-08876

COPY OF NOTICE

(Paste Here)

Application Water Permit
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Resources
BILL TO

Application for water permit

NOTICE OF APPLICATIONS FOR WATER PERMIT

The following applications have been filed in appropriate the public waters of the State of Idaho:

DON BREWER

PO BOX 497

RECHUM ID 83340

Application for Permit

No. 37-08876

Source: Spring tributary to Big Wood River

Diversion P(1)s:

RECHUM ID 83340, 512, 7001,

Big Wood River, Blaine County (including

development).

Flow:

Exemption 15.00 cfs

Storage:

Exemption Storage 10.2 acft

1/1-1/1/1

Storage:

Exemption 10.20 acft

1/1-1/1/1

Exemption:

Exemption 10.20 acft

1/1-1/1/1

For information of interested parties:

Exemption Storage, Exemption &

Exemption: none, within

Exemption: none, within

Exemption: none

Exemption: none

1111 Rates

Publication Rates

As of Jan, 1990

(Idaho Code,

Reb. Statutes 1984)

7-8 pt. line straight: 5/pica

7-8 pt. line tabular: 6/pica

7-8 pt. line successive

insertion: 4/pica

MICROFILMED

SEP 21 1998

11025

**SEARO-2000 CORPORATION
PO BOX 800
KEITHLEY, ID 83340**

**Division of Water Resources
Department of Water Resources
2000 West Main Street, Suite 200**

**Use: Domestic (25 homes with
irrigation of 1/2 acre per home)
(0.23 cfs) 1/1-12/31 within
SE 1/4 SE 1/4, S17 &
NE 1/4 NE 1/4, S30 both T63N,
R18E; Malheur County.**

Date Filed: 6/8/98

**Any protest against the proposed
applications 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 July 20, 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 — July 1
& 8, 1998.**

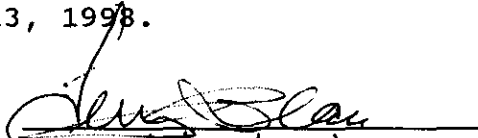
RECOMMENDATION FROM STREAM CHANNEL PROTECTION SPECIALIST

APPLICATION FOR PERMIT NO.37-08876

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 37-08876 in the name of Bob Dreyer.

After speaking with agent Satterlee and reviewing the file it appears that no new construction is proposed. I met with Mr. Dreyer several years ago immediately after construction and gave him some recommendations regarding revegetation and stabilizing the overflow as well as the need to file for a water right. Given the evidence that no further changes are proposed, I have no further comments at this time,

Dated at Twin Falls, Idaho, July 13, 1998.


(signature)

MICROFILMED

SEP 21 1998

BOARD OF COUNTY COMMISSIONERS

BLAINE COUNTY

P.O. BOX 400 • HAILEY, IDAHO 83333

(208) 788-5500

FAX (208) 788-5576

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

RECEIVED

JUL 09 1998

July 6, 1998

Department of Water Resources
Southern Region

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

RE: BLAINE COUNTY COMMENTS ON PROPOSED APPLICATION FOR PERMIT #37-08876

Dear Allen,

We would like to offer the following comments on the above referenced application by Bob Dryer:

It appears that the totals in item number 5 of the Application are less than the combined totals from the four uses listed under number 4 above it. Are applicants required to provide accurate totals?

The claimed source for these requests is a "spring". Does the "spring" water belong to Mr. Dryer or to the State?

The four water items and amounts requested appear to be far in excess of what is allowed for a domestic exemption. The request appears to be an expansion of water use that is not for any public purpose. This appears to be contrary to IDWR policy as well as our "local interest policy."

Please call us as soon as possible with answers to the above questions. We may want to protest this Application.

Thank you for the opportunity to comment.

Sincerely,

Len Harlig
Len Harlig

MAM
Mary Ann Mix
Approved, but not
available for signature

Dennis Wright
Dennis Wright

cc: Linda Haavik

7/10/98
I talked with Len Harlig
by phone and went over his
questions. I told him we
would limit the use to domestic
13,000 gpp. PD

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SEP 21 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

June 16, 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. 37-08876 (DREYER, Bob)

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.

Processing of an application can be completed in 20 days, therefore, your prompt response to this request will be appreciated.

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

Very truly yours,

Georgia Satterlee
Water Resource Agent

GS:mb

Enclosures

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SEP 21 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

June 16, 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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NOTICE OF APPLICATIONS FOR WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

BOB DREYER
PO BOX 4917
KETCHUM ID 83340

Application for Permit No. 37-08876

Source: Spring tributary to Big Wood River

Diversion Pt(s): NE1/4SW1/4NE1/4, S10, T04N, R18E; Blaine County (existing development).

Use:		
Irrigation	(0.01 cfs)	4/1-10/31
Irrigation Storage	(0.2 afa)	1/1-12/31
Domestic	(0.02 cfs)	1/1-12/31
Aesthetics	(0.2 afa)	1/1-12/31

Total Diversion: 0.02 cfs

In: Irrigation of one-half acre & Irrigation storage, Domestic & Aesthetic uses within SW1/4NE1/4, S10, T04N, R18E; Blaine County.

Date Filed: 5/1/98

SEABOARD CORPORATION
PO BOX 3510
KETCHUM ID 83340

Application for Permit No. 37-08877

Source: groundwater

Diversion Pt(s): NE1/4NE1/4, S20, T03N, R18; Blaine County.

Use: Domestic (25 homes with irrigation of 1/2 acre per home) (0.22 cfs)
1/1-12/31 within SE1/4SE1/4, S17 & NE1/4NE1/4, S20 both T03N, R18E; Blaine County.

Date Filed: 6/8/98

Any protest against the proposed applications 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 July 20, 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 7/1 & 7/8/98.

SEP 21 1998



State of Ida.

DEPARTMENT OF WATER RESOURCES

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

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

June 15, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BOB DREYER
PO BOX 4917
KETCHUM ID 83340

Application for Permit No. 37-08876

Dear Applicant:

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

This office has scheduled advertising the application in the Wood River Journal for 7/1 & 7/8/98. 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. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

Georgia Satterlee
Water Resource Agent

GS:mb

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SEP 21 1998

APPLICATION FOR PERMIT OF A WATER RIGHT
NO. 37-08876

RECEIVED

JUN 23 1998

RECOMMENDATION OF WATERMASTER

Department of Water Resources
Southern Region

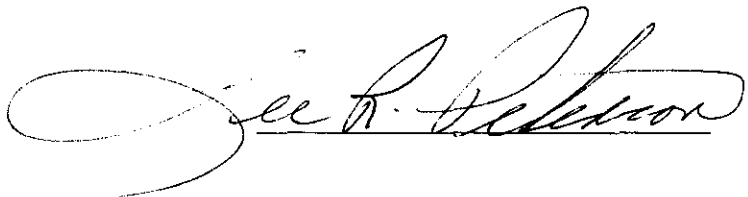
I, Lee R. Peterson, watermaster of Big Wood River,
of Water District No 37, County of Blaine, State of Idaho,
whose address is P O Box T, Shoshone, Idaho 83352,
have read the attached copy of the application for transfer of water right
for Bob Dreyer, and to the best of my knowledge believe the
application to be true.

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

Or

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

Dated at Shoshone, Idaho, this 18th day of June 1998



Please use reverse side if needed

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SEP 21 1998

this is not a permanent home, no
inside plumbing

photos looking SW'ly

Outlet

standing at the area where
house is suppose to be

PondSize=55'x50'x3'

Inlet

25m

1600 HRS.
13 MAY 1998
Bob Dreyer

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SEP 21 1998

37-08876

M E M O T O F I L E

FROM: Georgia Satterlee
DATE: 15 May 1998
RE: Application for Permit - Dreyer

At 1600 hrs. I met with Bob Dreyer on 13 May 1998 at the property. The application for permit is for a spring fed pond with the uses of domestic, irrigation, irrigation from storage, and aesthetic. The area is located in Section 10, T04N, R18E, NESWNE $\frac{1}{4}$.

Mr. Dreyer bought the land from Dusty Young. Mr. Young had a permit, 37-08815, which lapsed 11 October 1994. Mr. Dreyer applied for a permit, 37-08827, for Fire Protection Storage. His proof was extended to 10/01/1996, which he never completed. Mr. Dreyer said he is **not interested** in resurrecting the permit for Fire Protection Storage.

The pond measures 55'x50'x3' (0.19 acre feet). The point of diversion is on the north side of pond and the south side of the dirt road. The pond discharges on the south-west side of pond into Parker Gulch.

The proposed home site is across dirt road, north-east of pond approximately 200 feet. The $\frac{1}{2}$ acre of irrigation is for the yard, i.e. trees, shrubs, etc.

It appears the application for permit is appropriate according to what I examined in the field on 13 May 1998.

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SEP 21 1998

37-08876