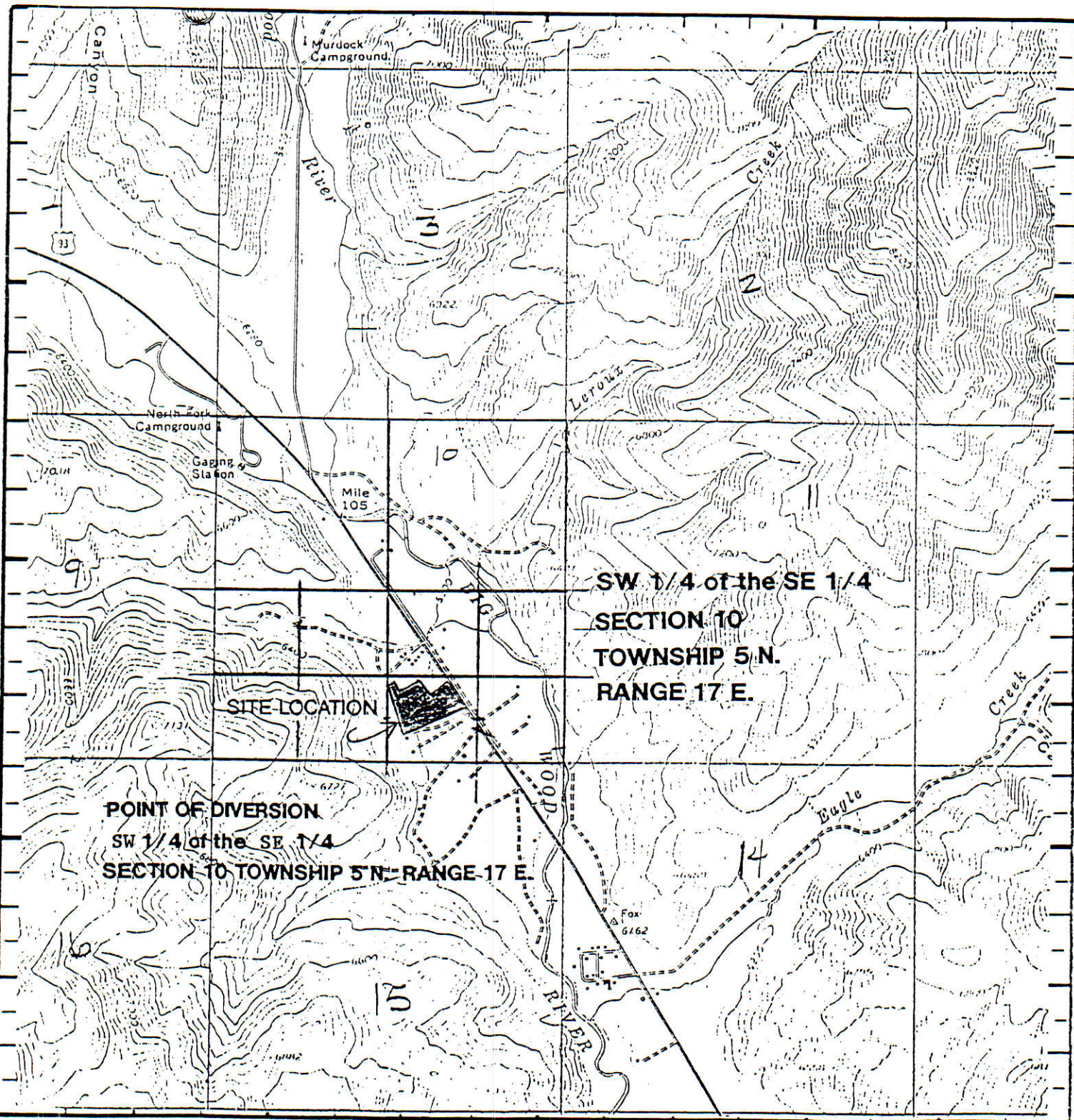


Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

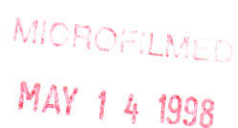


Application for Permit - Claire Bailey

MICROFILMED

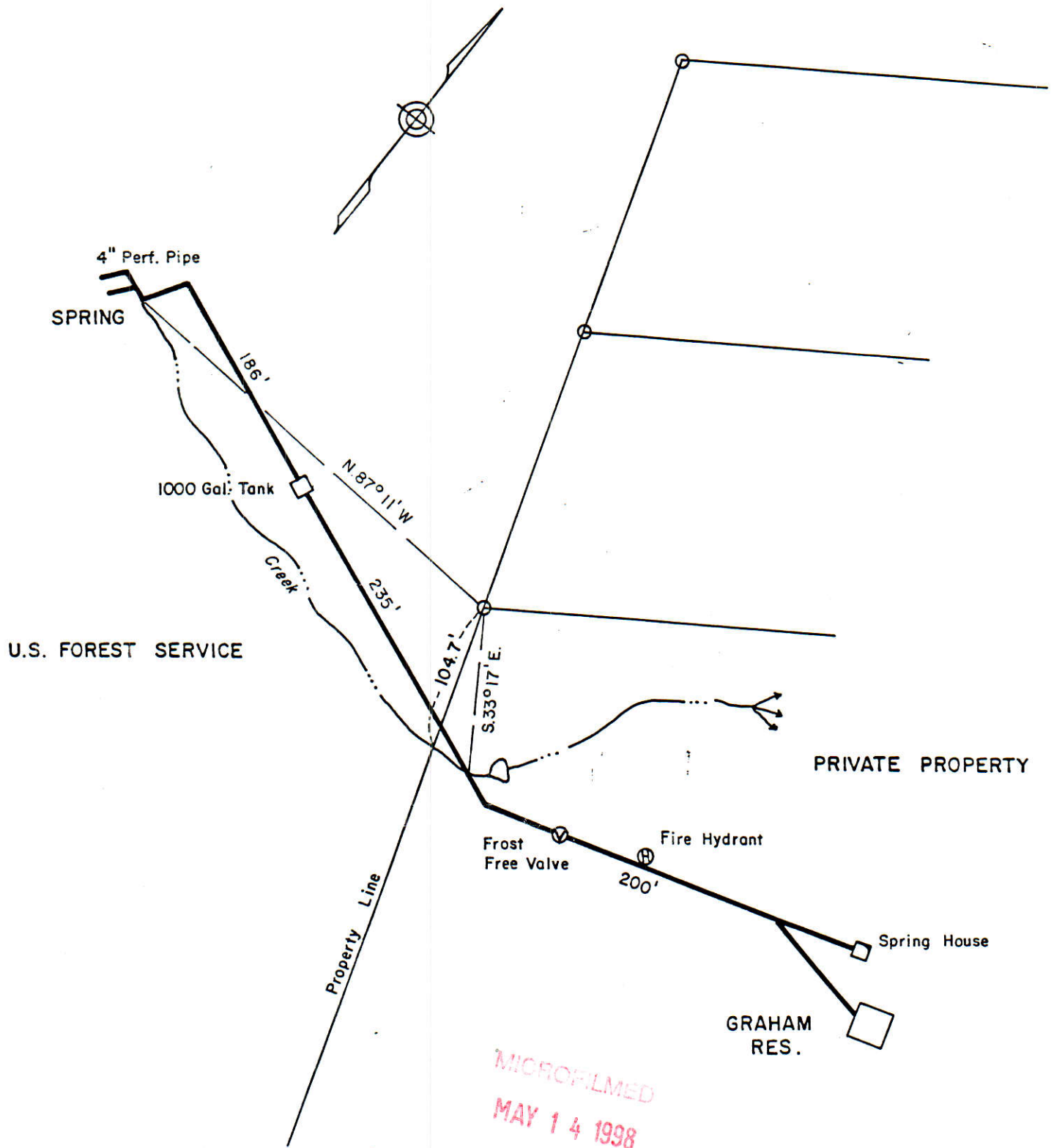
MAY 14 1998

37-08870

$$\begin{array}{r} 1011 \\ 1514 \end{array}$$


37.08870

EXHIBIT A

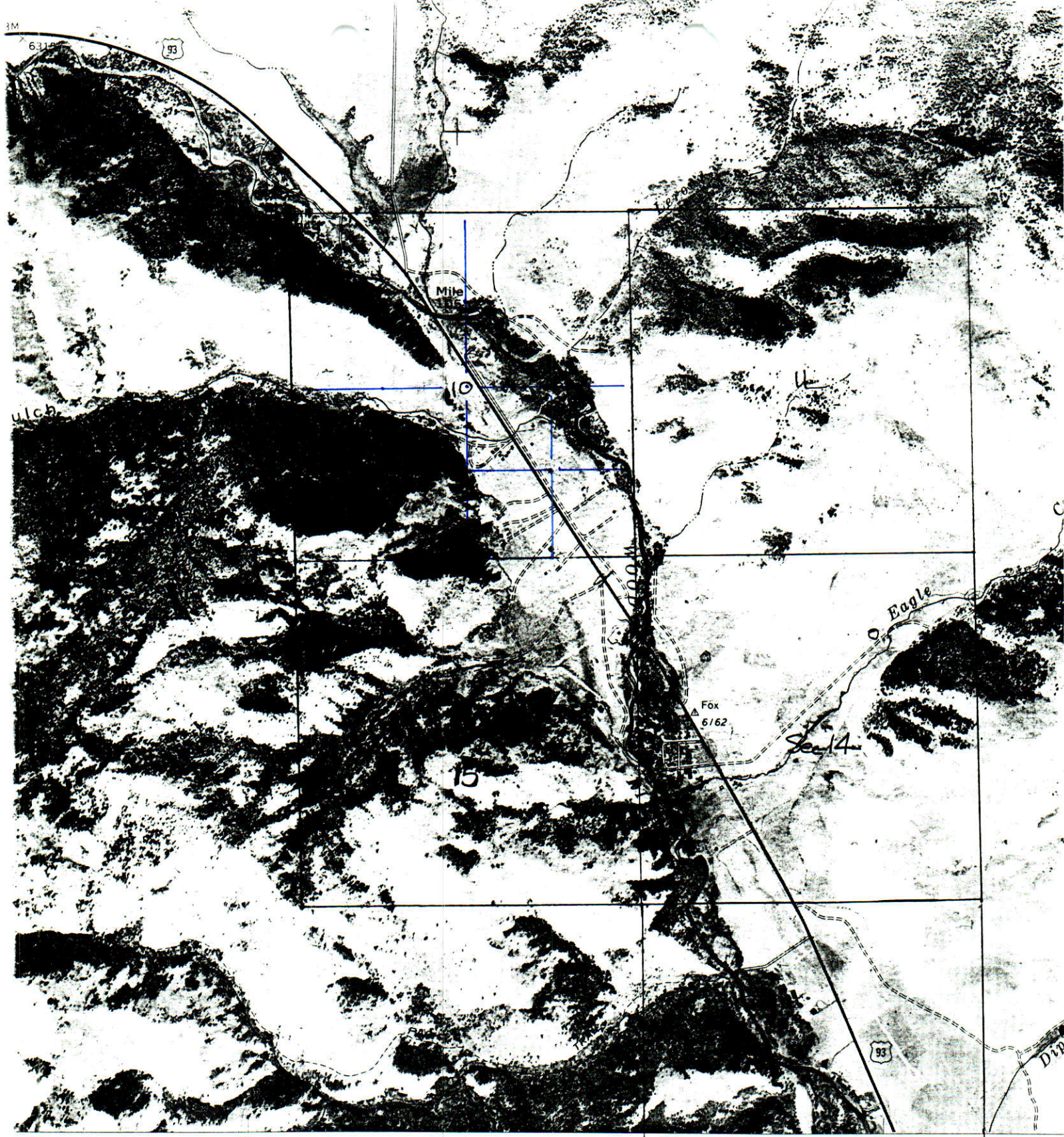


SW 1/4 Sec. 10, T.5 N.; R. 17 E., B.M.

1" = 100'

Application for Permit - Claire Bailey

37-08870



706 707 25' 709 710

SCALE 1:24 000



Sec 23
T5N R17E

MICROFILMED
MAY 14 1998



QUADRANGLE LOCATION

AMBER LAKE

37-08870 N4345-W1142



PM
FEB 12
1999

BOISE, ID 837
PM
FEB 12
1999

BOISE, ID 837
PM
FEB 12
1999

RECEIVED
FEB 16 1999
Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

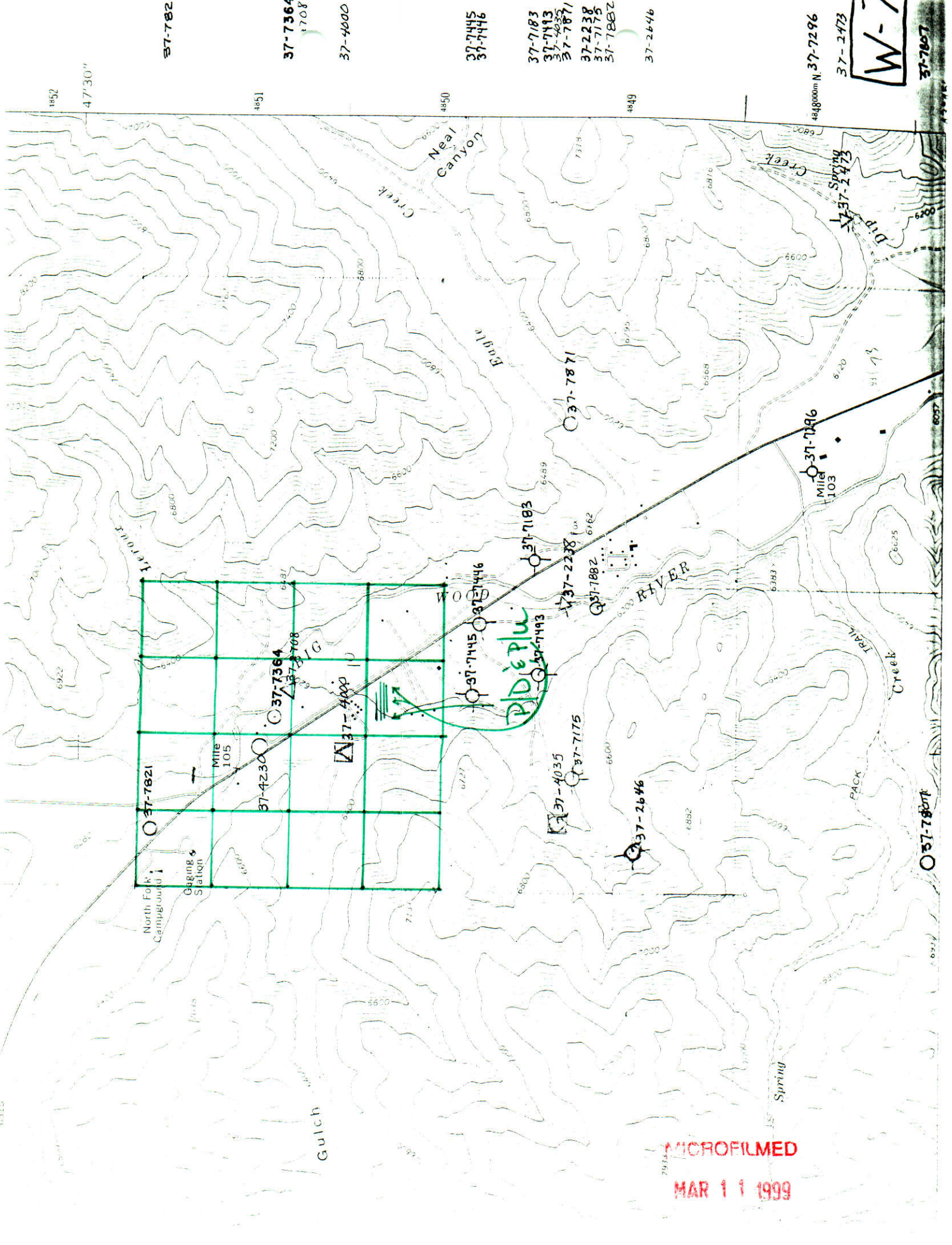
NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD
ID 83340

TO

L37-08870
CLAIRE BAILEY
PO BOX 619
KETCHUM

2-24-99 - Phone Mrs. Bailey.
Correct address is:
PO Box 6119
Ketchum ID
as shown on field report +
B/U form.
WR-2 updated - Klt
Mail resent.

MICROFILMED
MAR 11 1999



6315

1952

47'30"

37-7821

37-7364
1708

37-4000

37-7445
37-7446

37-7183
37-7443
37-4035
37-7171

37-2238
37-7175
37-7882

37-2646

4848000m N 37-7296

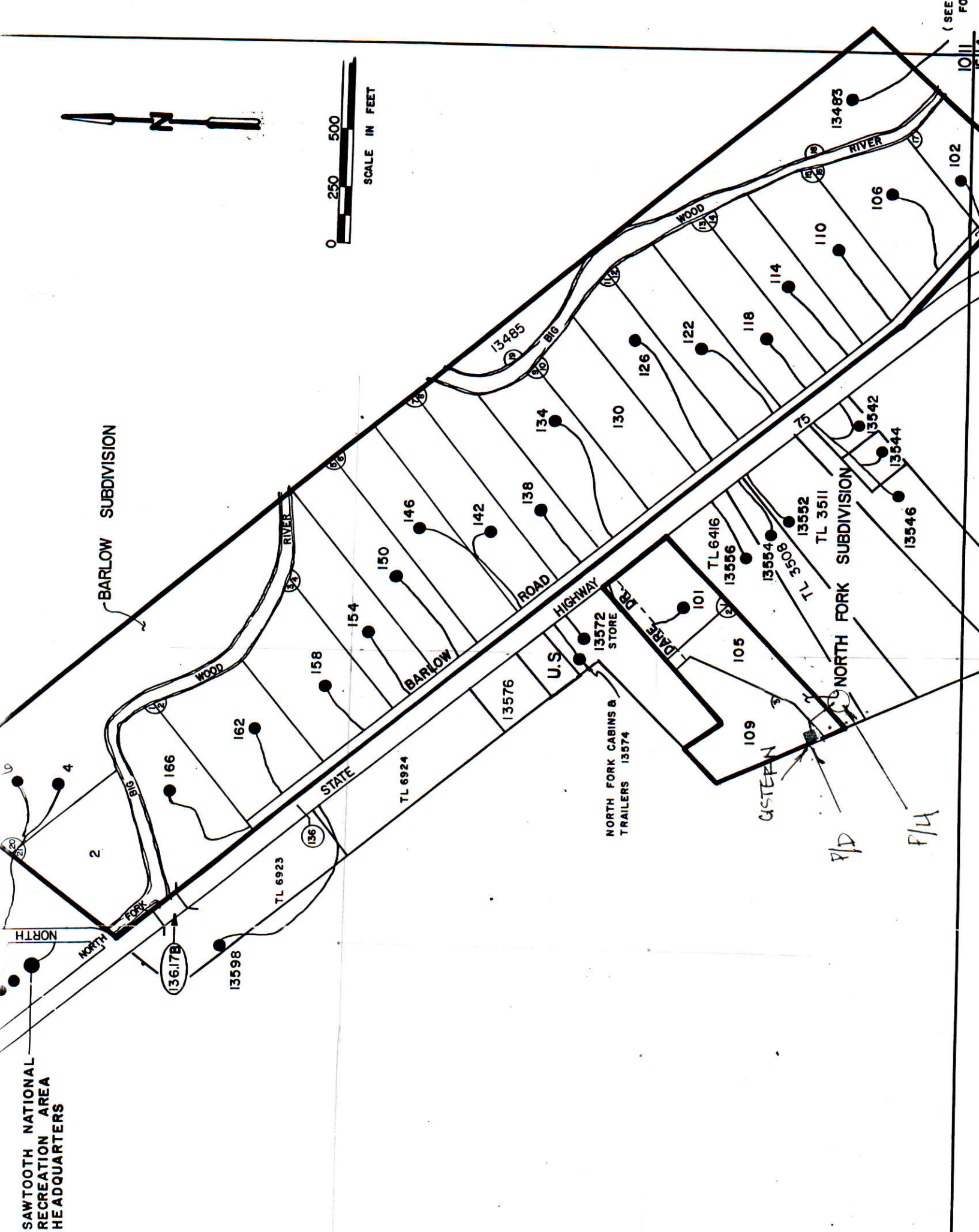
37-2473

W-1

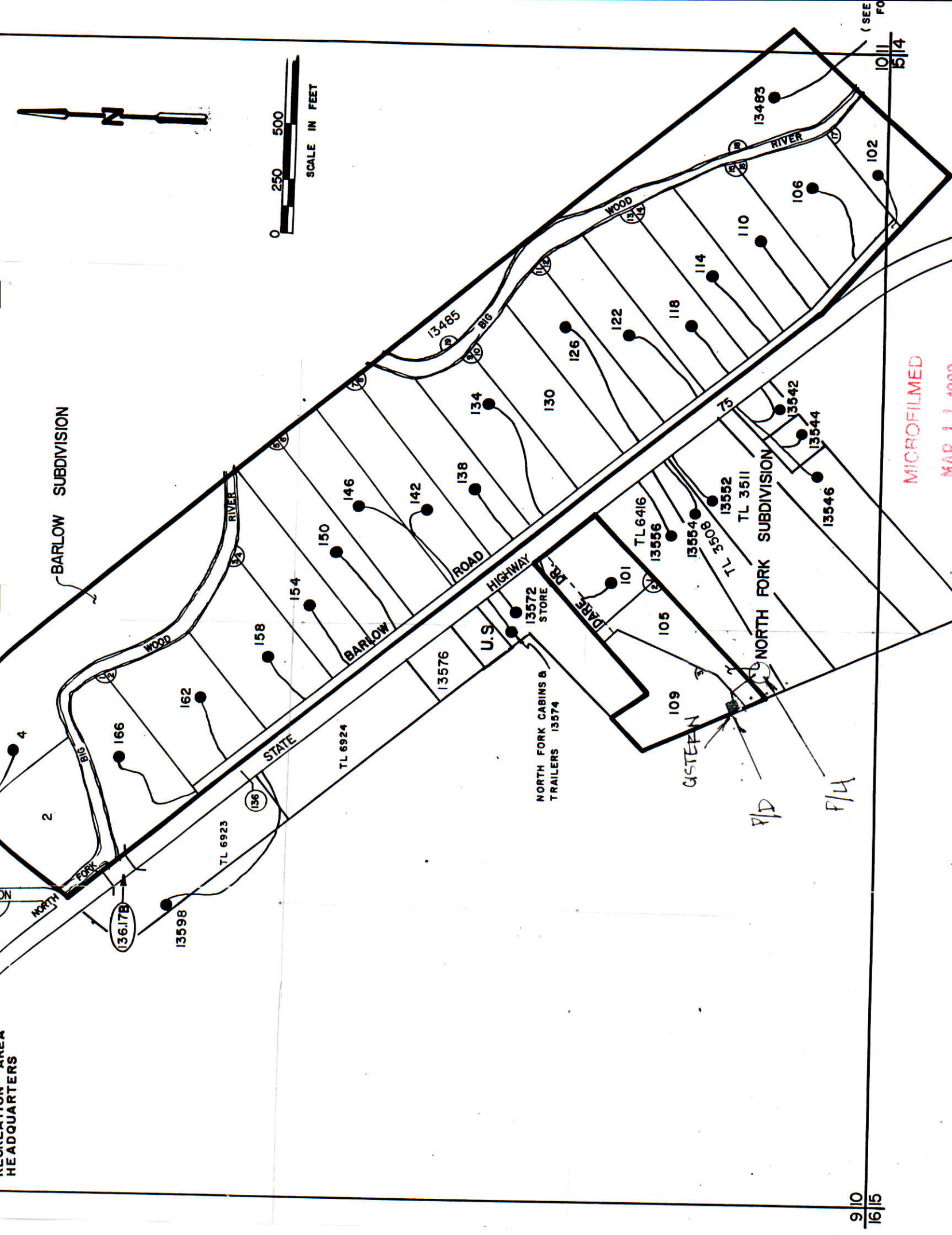
37-7807

MICROFILMED
MAR 11 1999

SAWTOOTH NATIONAL
RECREATION AREA
HEADQUARTERS



SECTION AREA
HEADQUARTERS



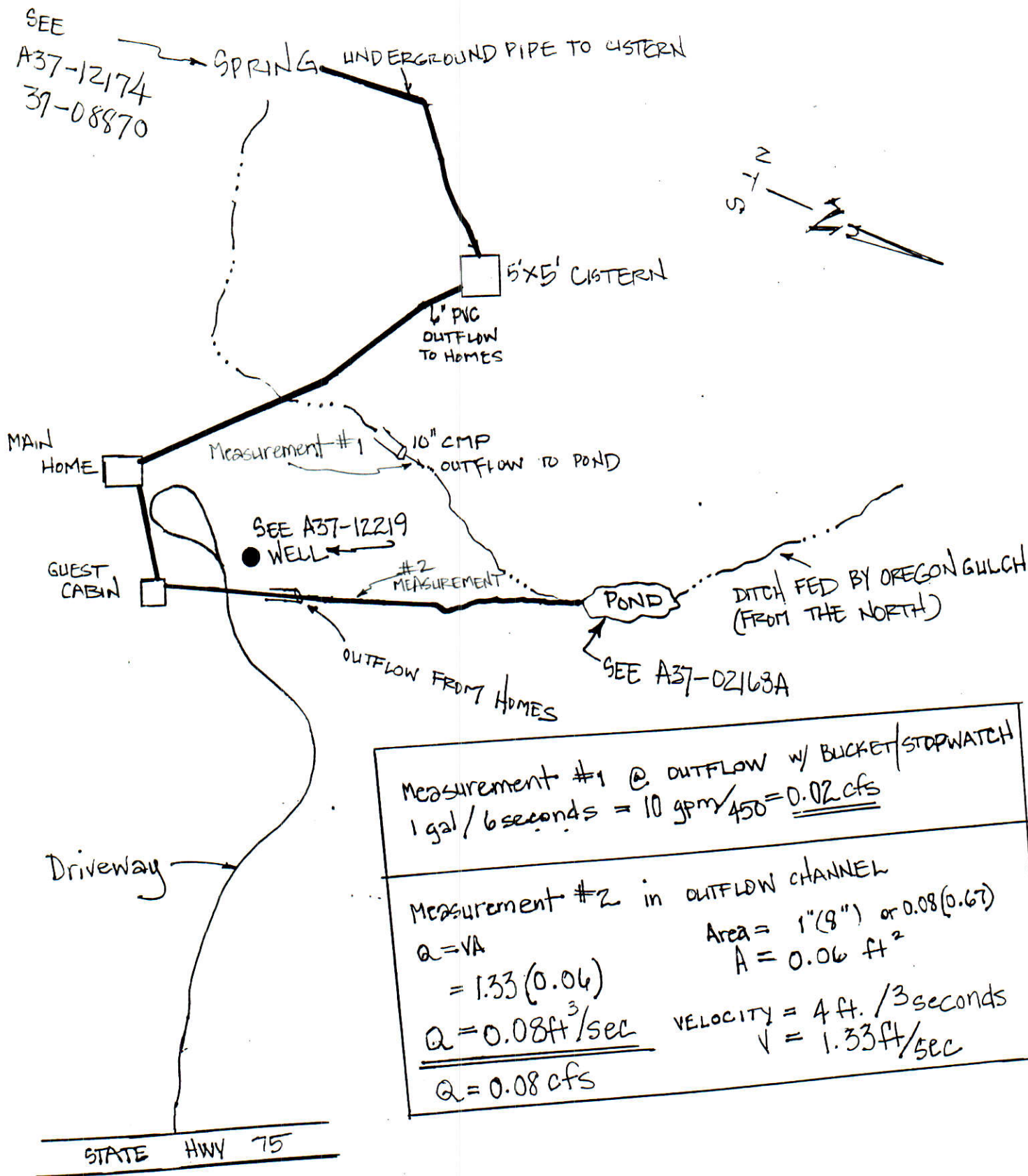
MICROFILMED

MAR 11 1999

BAILEY, CLAIPE
37-08870

SEC. 10, T. 5 N., R. 17 E.

SEE
A37-12174
37-08870



Measurement #1 @ OUTFLOW w/ BUCKET/STOPWATCH
 $1 \text{ gal} / 6 \text{ seconds} = 10 \text{ gpm} / 450 = \underline{\underline{0.02 \text{ cfs}}}$

Measurement #2 in OUTFLOW CHANNEL
 $Q = VA$
 $= 1.33 (0.06)$
 $Q = \underline{\underline{0.08 \text{ ft}^3/\text{sec}}}$
 $Q = \underline{\underline{0.08 \text{ cfs}}}$
Area = $1" (8")$ or $0.08 (0.67)$
 $A = 0.06 \text{ ft}^2$
VELOCITY = $4 \text{ ft.} / 3 \text{ seconds}$
 $V = 1.33 \text{ ft./sec}$

← KETCHUM
6 MI.

EXAMINER: SATERLEE, G.
18 NOV 1998

MICROFILMED BAILEY, CLAIRE
MAR 11 1999

37-08870



1/4



Photos Looking SW'ly from Hwy 75

POND ASSOCIATED
WITH A37-02168 A

MICROFILMED
MAR 11 1999

Bailey, Claire
Examiner: Satterlee 18Nov1998 1030 hrs

37-08870

2/4



main home



garage/barn

cistern up here

Bailey, Claire 37-08870
Examiner: Satterlee 18Nov1998 1030 hrs



cabin (red roof)

photos looking SW'ly

MICROFILMED
MAR 11 1999

3/4



location of spring
is 300'± from cistern

photo looking NW'ly



CISTERN

CABIN



main home

cistern

PHOTO LOOKING SE'ly

MICROFILMED
MAR 11 1999

Bailey, Claire
Satterlee 18Nov1998 1100 hrs

4/4



main home

creek from spring

photo looking SE'ly

FLOW

A37-12219
well is located here
just out of photo



red roof cabin

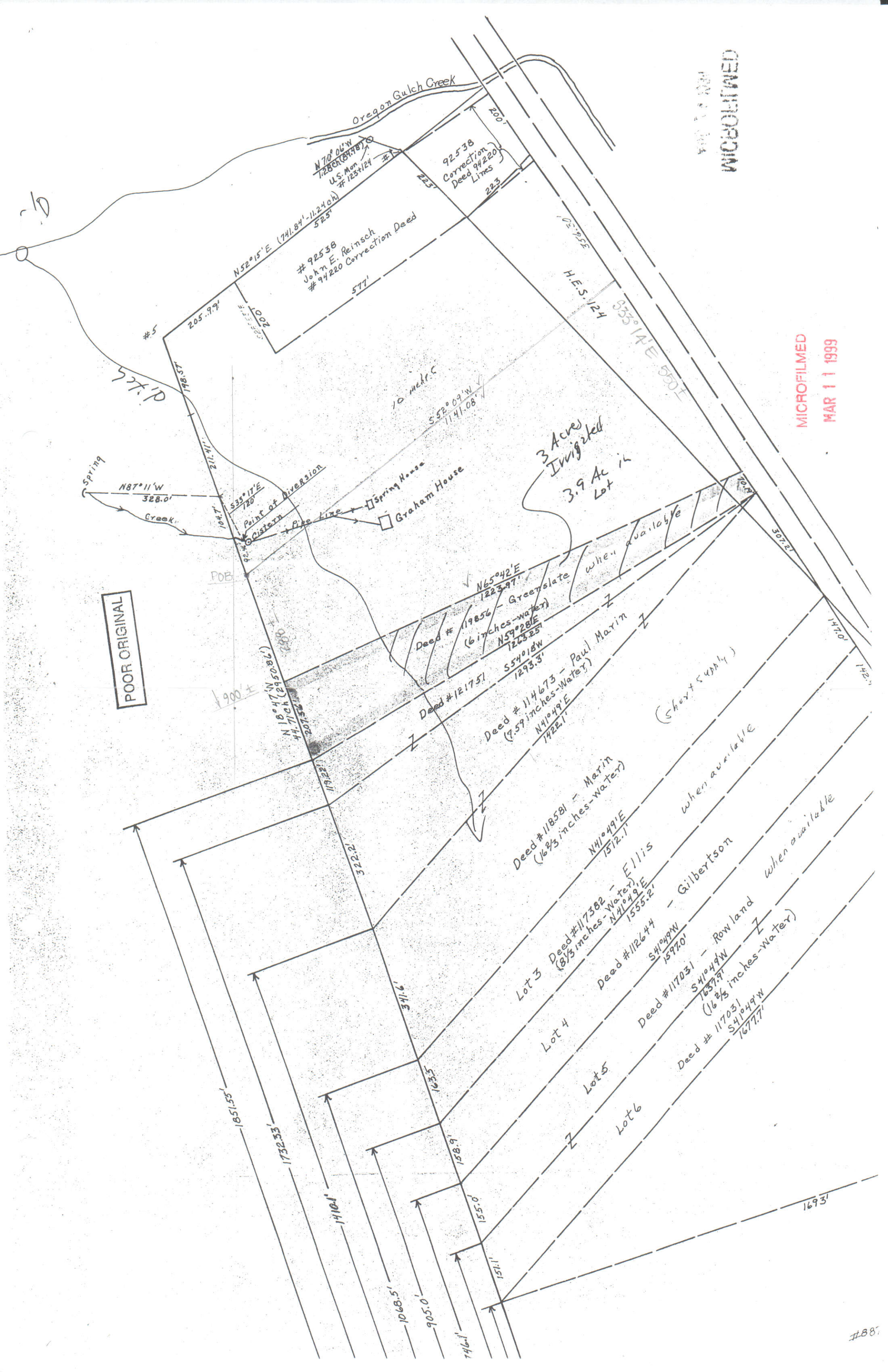
out buildings

photo looking NW'ly

MICROFILMED
MAR 11 1999

Bailey, Claire
Examiner: Satterlee 18Nov1998
1030 hrs.

37-08870



POOR ORIGINAL

MICROFILMED
MAR 1 1 1999

NOT TO SCALE
MICROFILMED

APPLICATION FOR PERMIT

Christensen 1987 Trust

BARLOW SUBDIVISION

OF H.E.S. 124
1955

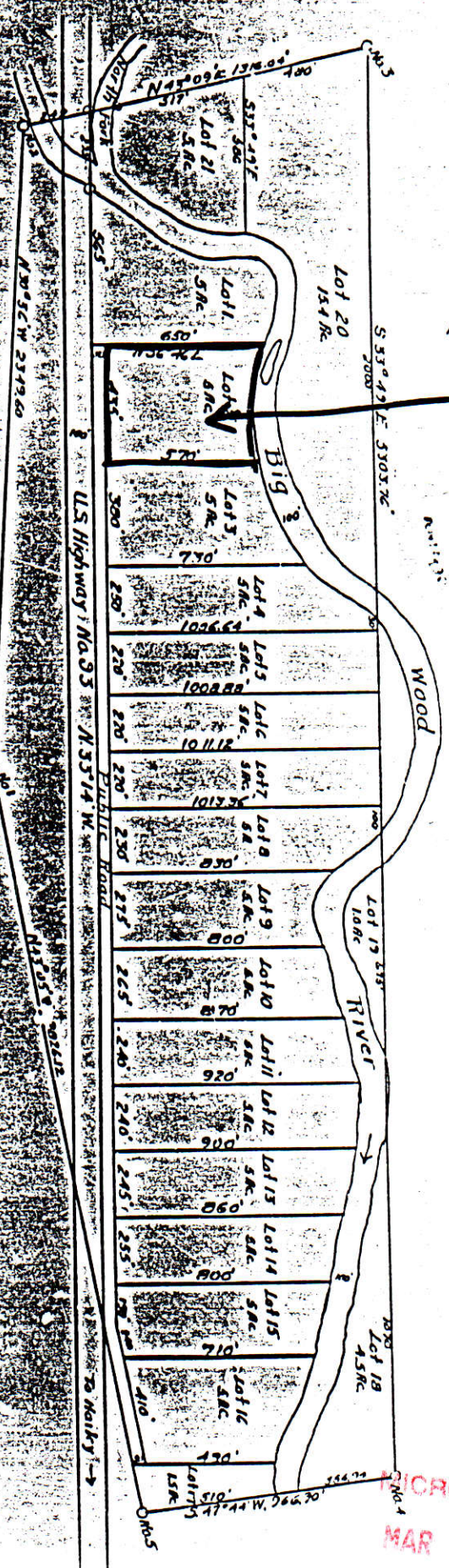
SCALE 1" = 300'

County Recorder's Certificate

This is to certify: That the accompanying, was filed for record in the office of the Recorder of Blaine County, Idaho this 11th day of March, 1955, at the request of a person and duly recorded in Book of page

George J. ...
County Recorder

MICROFILMED
MAR 11 1959



Surveyors Certificate

I, **EDWARD STROMG**, Registered Professional Civil Engineer, Certify that the following described land situated in Sections 10 and 15, T5N, R17E, E.M. in Blaine County, Idaho, more completely described as that portion of H.E.S. No. 124, lying North and East of US Highway No. 35, beginning at a point 243 feet N. 43° 09' E. of Corner No. 2 of said H.E.S. 124, thence N. 43° 09' E. 1067.04 to Corner No. 3, thence S 33° 43' E. 5306.76 to Corner No. 4, thence S 47° 44' W. 966.9 to Corner No. 5, thence N. 43° 05' W. 720 to the Right of Way of Highway No. 35, thence N 35° 14' W. 4450 along said Right of Way to the Point of Beginning. All of the above described property to be known as the **BARLOW SUBDIVISION**, was surveyed under my supervision, and that the accompanying plat is strictly conformable to the

Registered Professional Engineer
License No. 197
1957

Acknowledgement

On this 14th day of March, 1955, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared **R. D. Armstrong** known by me to be the person whose name is subscribed to the foregoing Surveyors Certificate and acknowledged to me that he executed the same; in witness whereof I have hereunto set my hand and affixed my official seal this 14th day of March, 1955.
(SEAL)
My commission expires June 3rd 1958
Notary Public

Dedication

This is to certify that the undersigned is the owner in fee Simple of the property hereinafter described as that portion of H.E.S. No. 124, lying North and East of US Highway No. 35, located in Sections 10 and 15, T5N, R17E, E.M. All of the above property to be known as **BARLOW SUBDIVISION**. That it is the intention to and hereby do, include said lands in the Plat. That the undersigned does, by these presents, grant, bargain, sell, convey, confirm and dedicate to the public use forever the **PUBLIC ROAD** shown on the plat.

John C. Barlow

Acknowledgement

On this 14th day of March, 1955, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared the said **John C. Barlow**, known by me to be the person whose name is subscribed to the foregoing Dedication Certificate and acknowledged to me that she executed the same; in witness whereof I have hereunto set my hand and affixed my official seal this 14th day of March, 1955.
(SEAL)
My commission expires June 3rd 1958
Notary Public

AFFIDAVIT of PUBLICATION

RECEIVED

APR 10 1998

State of Idaho, }
County of Blaine } SS.

Department of Water Resources
Southern Region

On this 9 day of April, 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 April, 1998, and the date of the last publication was on the 8 day of April, 1998.


Subscribed and sworn to before me this 9 day of April, 1998.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 45.933
Number of Insertions 2
Lines tabular at 7 6c / Pica
45.933 Lines straight at 31.694 6 5c / Pica
45.933 Subsequent lines at 26.4125 4c / Pica
TOTAL COST 15 \$63.11

No. 37-08870

COPY OF NOTICE
(Paste Here)

Ap. for Water Permit
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID 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:

CLAIRE BAILEY
C/O JAMES P SPECK ESQ
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340
Application for Permit
No. 37-08870

Source: Spring tributary to Sinks
Diversion Pt(s):
NW1/4SW1/4SE1/4, S10, T05N,
R17E; Blaine County.

Use: Domestic
(0.06 cfs) 1/1-12/31
In: SW1/4SE1/4, S10, T05N,
R17E; Blaine County.
Date Filed: 02/26/98

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 April 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 04/01 & 04/08/98.

MICROFILMED

MAY 14 1998

10909

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned

RECEIVED
 DEC 23 2002
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>37-8870</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>~~37-2168A~~</u>	<u>37-2168A</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>37-12219</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See Instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Claire Kendall Bailey fka Claire Kendall
PO Box 6119 - Ketchum, ID 83340
4. New Owner/Claimant(s) Chris and Jackie Flanigan, husband and wife
 Name Connector (Check one): ☐ and, ☐ or ☒ and/or
- New Mailing Address HC 64 Box 8028
- City, State and Zip Code Ketchum, ID 83340
- New Telephone Number (208) 725-5980
5. Date you acquired the property June 22, 1999

MICROFILMED

OCT 2 1999

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New owner(s) or Claimant(s)
(include title if applicable)

Chris Flanigan
Chris Flanigan
Jackie Flanigan
Jackie Flanigan

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use only

Received by H. G. Hunt Date 12/24/02 Fee 50.00
 Received by H. G. Hunt Date 12/24/02 Receipt No. 5025384
 Processed by _____ AJ Date _____ WR _____ Date _____

MICROFILMED
OCT 20 2003

Order No. 22138

WARRANTY DEED

For Value Received

Claire Kendall Bailey, who acquired title as Claire Kendall, as her sole and separate property

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Chris Flanigan and Jackie Flanigan, husband and wife

whose address is: 1504 Selkirk Rd., Sandpoint, ID 83864

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lots 2 and 3 of NORTH FORK SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 229263, records of Blaine County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantee will warrant and defend the same from all claims whatsoever.

Dated: June 22, 1999

Claire Kendall Bailey
Claire Kendall Bailey

State of ID

County of BLAINE

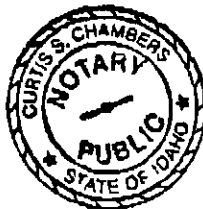
On JUNE 28, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Claire Kendall Bailey personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature [Signature]

Residing: FAIRBANKS

Commission Expires: 5-15-2004



MICROFILMED
OCT 20 2003

Returned at Blaine County Assessor's Office
T&N, R 17E, S 10, SWSE & SESE - Keri Lyne - 8-26-03

429028
BLAINE CO. REQUEST
FIRST ACKNOWLEDGMENT
JUN 30 10 10 29
FELS \$ 3.00

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 37-08870

Priority: February 26, 1998

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that CLAIRE BAILEY

PO BOX 619

KETCHUM ID 83340

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 26, 1998; and has submitted Proof of Beneficial Use on June 8, 1998. An examination indicates that the works have a diversion capacity of 0.060 cfs of water from:

SPRING

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.06 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSWE , Sec. 10, Township 05N, Range 17E
BLAINE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

05N 17E 10

SWSE

CONDITIONS OF APPROVAL AND REMARKS

1. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.
2. Place of use is located within Lots 2-3, Blk. 1, North Fork Subdivision.
3. Point of diversion is located within Lot 3, Blk. 1, North Fork Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 12th day of FEBRUARY, 1999.


KARL J. DREHER, Director

MICROFILMED

MAR 11 1999

FOR OFFICE USE ONLY
 Amt. of Fee \$: 50.00
 Receipt No: 04530
 Receipt By: [Signature]
 Date Received: 6/19/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 08 1998

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 who has been appointed by the department.

1. Permit No. 37-08870 Telephone No. 208-726-7371
2. Name(s) of Permit Holder(s): Claire Bailey
3. Mailing Address: P.O. Box 6119, Ketchum, ID 83340
4. Source of Water: Spring If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
- a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____
- b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 2 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.06 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

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

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

- 8. Fee Enclosed:** \$ 50.00 (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 Bailey Telephone Number: 208-726-7371

Address: P.O. Box 6119, Ketchum, ID 83340

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

Signature of permit holder: *John Butler* Date: 02-1-08
(include your title, if on behalf of company or organization)

AUG 03 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08870

Proposed Priority: February 26, 1998 Maximum Diversion Rate: 0.06 CFS

This is to certify, that **CLAIRE BAILEY**
C/O JAMES P SPECK ESQ
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

has applied for a permit to appropriate water from:
SPRING 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>
DOMESTIC	01/01 to 12/31	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSWSE , Sec. 10, Township 05N, Range 17E
BLAINE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

05N 17E 10

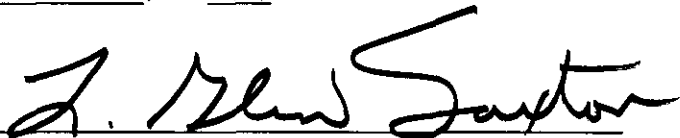
SWSE

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, 1998**.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Place of use is located within Lots 2-3, Blk. 1, North Fork Subdivision.
5. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

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

13th day of May, 1998


for Karl J. Dreher, Director

MICROFILMED

MAY 14 1998

RECEIVED
(Interpret)

FEB 26 1998

Department of Water Resources
Southern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 37-08870

RECEIVED

MAY 11 1998

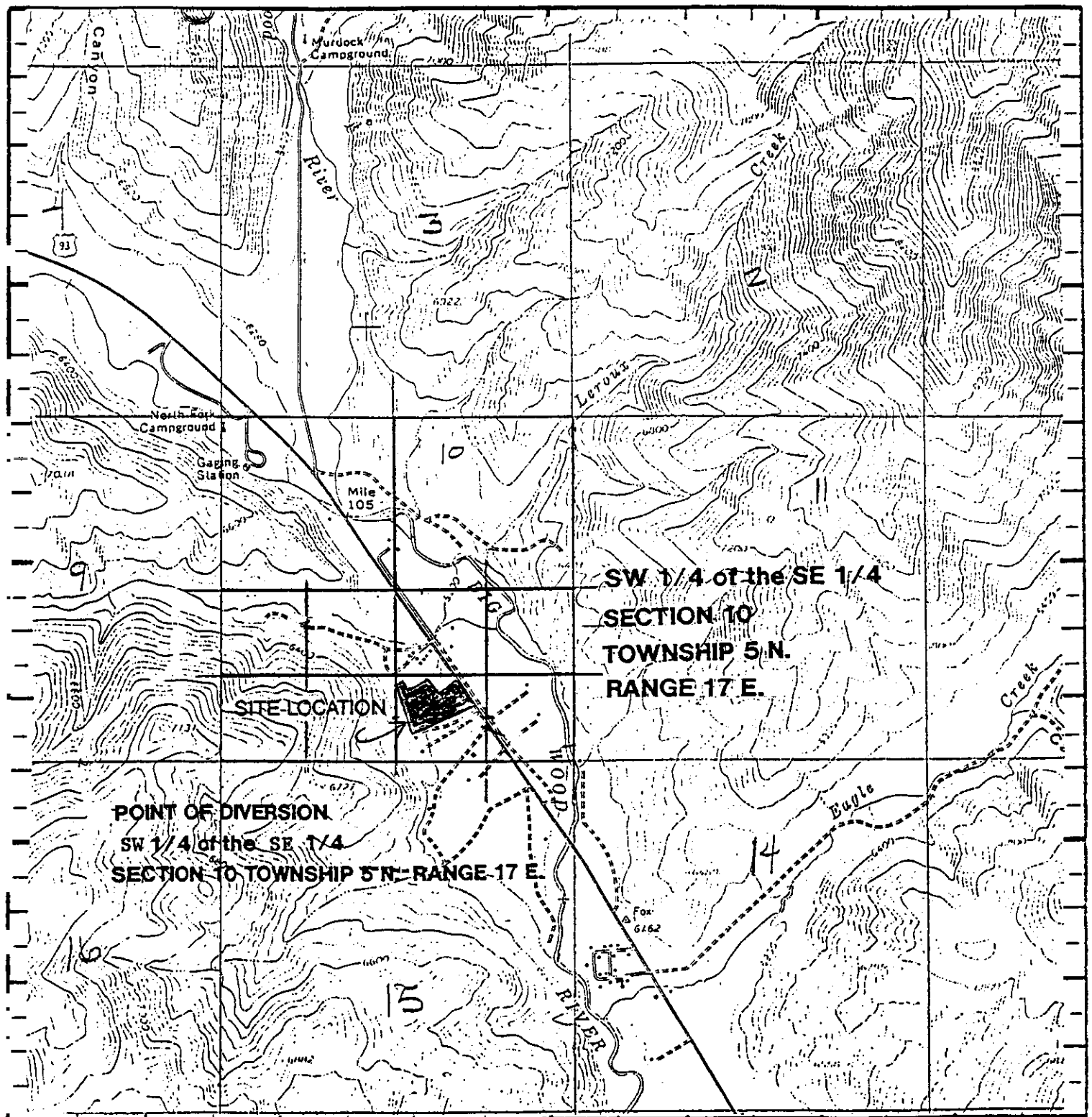
Department of Water Resources

1. Name of Applicant Claire Bailey Phone 208-726-7371
Mailing address c/o James P. Speck, Speck & Aanstad, Post Office Box 987, Ketchum, ID 83340
2. Source of water supply Spring which is a tributary of Sinks
3. Location of point of diversion is Township 5N Range 17E Sec. 10, in the * NW 1/4, SW 1/4, SE 1/4, Govt. Lot _____, B.M., _____ Blaine County;
additional points of diversion if any: * Added per telecon w/ Jim Speck 3-2-98
4. Water will be used for the following purposes:
Amount 0.06 cfs for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
~~(cfs or acre-feet per annum)~~
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.06 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source perforated pipe at springs, 1000 gallon underground storage tank, buried pipeline.
b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? N/A
e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 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 in KW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. two (2) House & guest house *
e. Other; describe fully. _____

MAY 14 1998

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

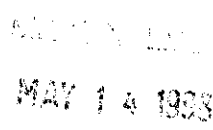
Scale: 2 inches equals 1 mile



Application for Permit - Claire Bailey

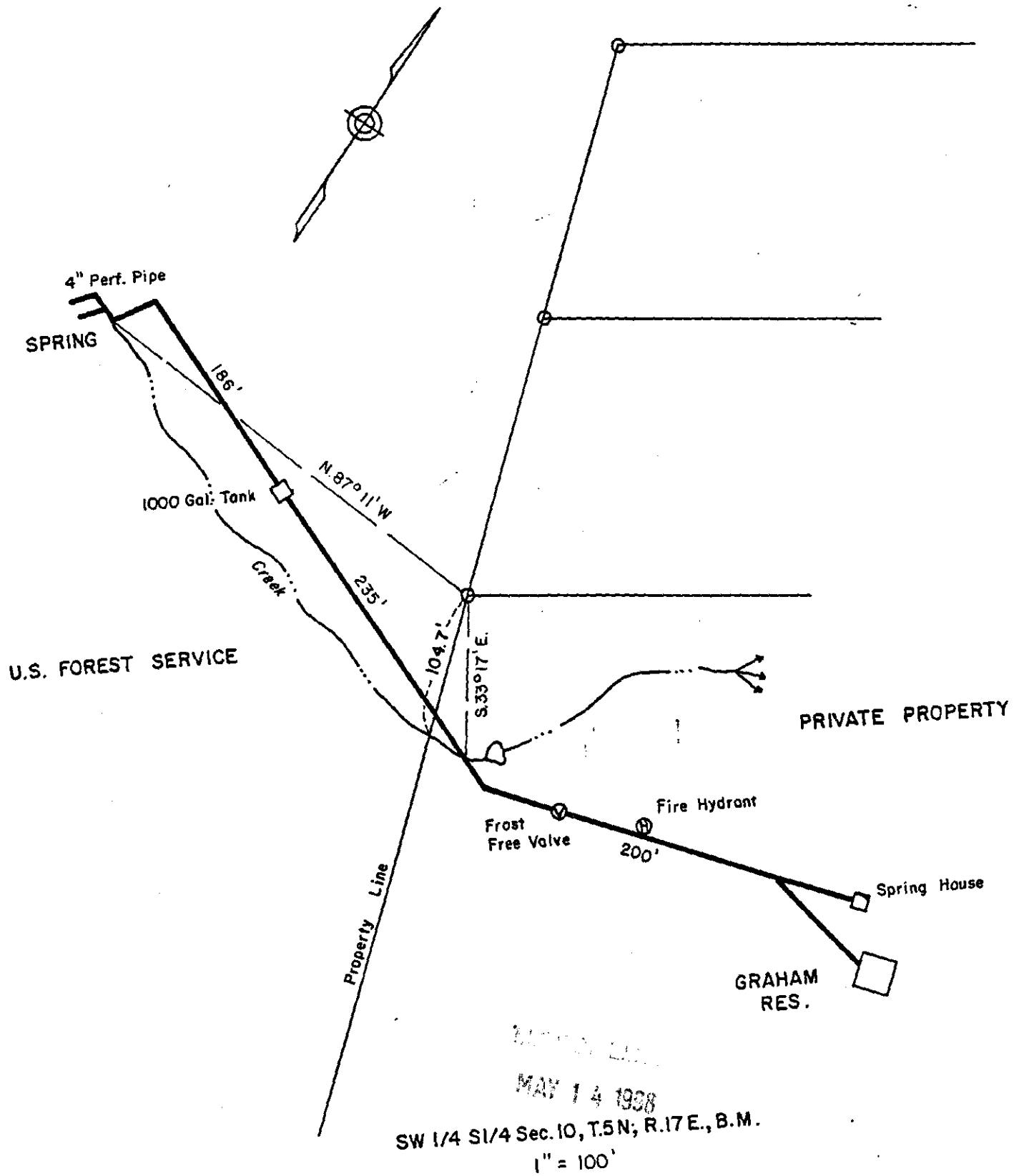
MAY 14 1938

37-08870

$$\frac{10}{15} = \frac{2}{3}$$


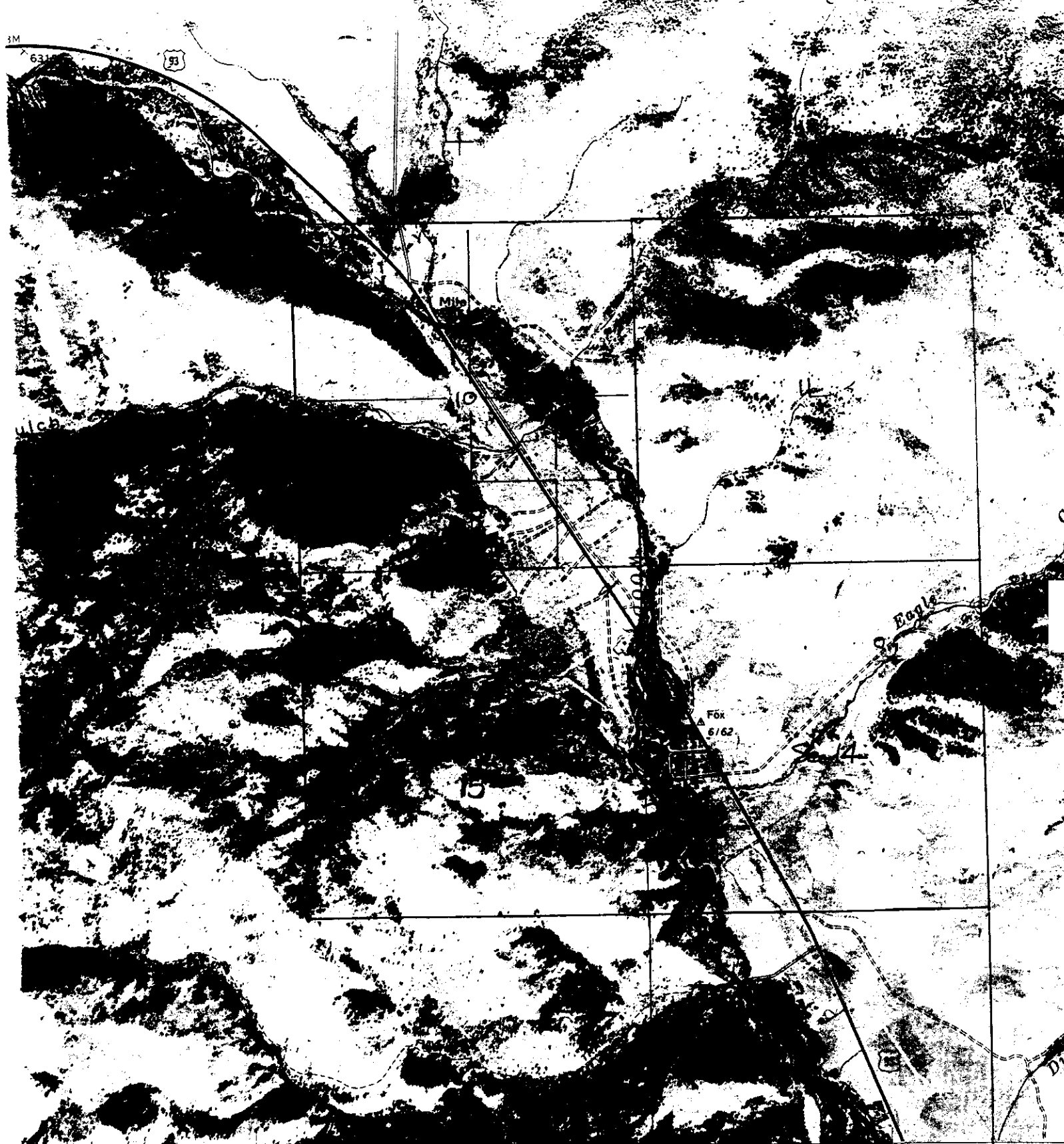
37.08870

EXHIBIT A

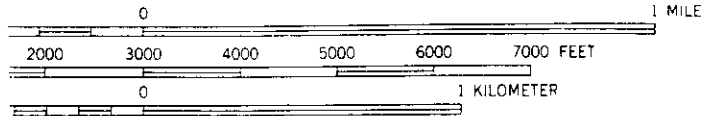


Application for Permit - Claire Bailey

37-08870



SCALE 1:24000



MAY 14 1933



QUADRANGLE LOCATION

AMBER LAKE

37-08870 N4345-W1142

8. 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	
5N	17E	10																D	-

Total number of acres to be irrigated -

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? U.S. Forest Service

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 enabling the applicant to make this filing: Special Use Permit No. 5677, issued May 21, 1985

12. Remarks: Diversion works and domestic use of springs have existed since 1980. Special use permit obtained from U.S. Forest Service in 1985. Applicant previously not aware a permit is required for domestic use of springs.

P/U is The North Fork Subdivision 80 3-2-98, LTB 243, BK.1 per atty. 5/12/98

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

Claire Kendall Bailey
Signature of Applicant (and title, if applicable)

Received by MB Date 2/26/98 Time 10:18 Preliminary check by [initials]
Fee \$ 50.00 Receipted by [initials] # 5020915 Date 2-27-98
Publication prepared by MB Date 2/19/98 Published in Wood River Journal
Publication approved MB Date 4/14/98

MAY 14 1998

37-08870



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 26, 2003

CHRIS FLANIGAN
JACKIE FLANIGAN
HC 64 BOX 8028
KETCHUM ID 83340

RE: Change of Ownership for Water Rights 37-8870 and 37-12219

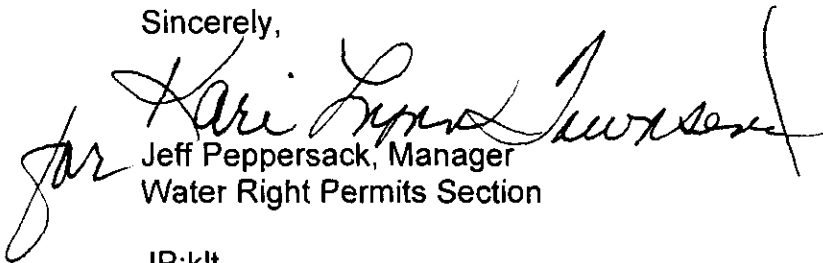
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports 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 this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED
AUG 26 2003

Claimants Name:

Chris Flanigan and Jackie Flanigan

Attorney Name & Address:

**James P. Speck
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 93340
(208) 726-4421
FAX: (208) 726-0752**

RECEIVED

DEC 26 2002

Department of Water Resources

RECEIVED

DEC 23 2002

Department of Water Resources
Southern Region

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

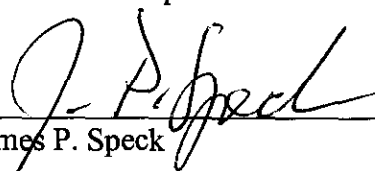
This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water right claims identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimants, Chris Flanigan and Jackie Flanigan, for the following claimed water rights which are not the subject of any subcase: 37-8870, 37-2168A and 37-12219.

DATED this 17 day of December, 2002.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of December, 2002, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

NOTICE OF APPEARANCE - MICHO...

OCT 20 2002

RECEIVED

DEC 28 2002

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

Department of Water Resources

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

December 18, 2002

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

RECEIVED
DEC 23 2002
Department of Water Resources
Southern Region

Re: Notice of Change of Water Right Ownership - Chris and Jackie Flanigan

Dear Allen:

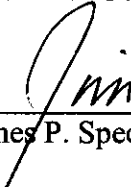
Enclosed you will find the original and one copy of a Notice of Change of Water Right Ownership and a Notice of Appearance by my firm for Chris and Jackie Flanigan. My clients recently purchased property north of Ketchum from Claire Bailey formerly known as Claire Kendall together with the water rights referenced in the Notice. Although they acquired the property in 1999, they did not become aware of the ownership change documentation requirement until recently.

Please have your secretary receipt date stamp the copy of the two notices and return them to me in the postage prepaid, self-addressed envelope included for that purpose. I have also included my firm's check for the \$50.00 filing fee relating to the ownership change for Water Rights 37-8870 and 37-12219.

Kindly call me if there are any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:sgg
Enclosures
cc: Client (w/enclosures)
U.S. Department of Justice (w/enclosures)
Environmental and Natural Resources (w/enclosures)
IDWR, Boise (w/enclosures)
Chief, Natural Resources Division (w/enclosures)
Office of the Attorney General (w/enclosures)

MILWAUKEE

DEC 28 2002

2-24-99

Cos

as
B/U
WR
MCS

RECEIVED
FEB 16 1999

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

1301 North Orchard St.

P.O. Box 83720

Boise, ID 83720-0098

(208) 327-7900

TO

L37-08870
CLAIRE BAILEY
PO BOX 619
KETCHUM

ID 83340

FEB 12
1999

FEB 12
1999

FEB 12
1999



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 www.idwr.state.id.us/idwr/idwrhome.htm

February 12, 1999

DIRK KEMPTHORNE

Governor

KARL J. DREHER

Director

CLAIRE BAILEY
PO BOX 619
KETCHUM ID 83340

RE: WATER RIGHT NO. 37-08870

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It 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 this 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 this 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, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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.

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FEB 11 1999

ORAL ARGUMENT

If the Department grants a petition to review the 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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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:

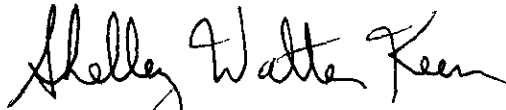
- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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MAR 11 1999

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 3, -5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

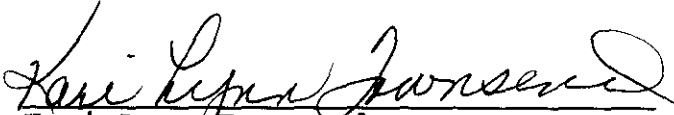
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 12th day of **February, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 37-08870

CLAIRE BAILEY
PO BOX 619
KETCHUM ID 83340


Kari Lynn Townsend
Secretary

MICROFILMED
MAR 11 1999

MEMORANDUM

TO: File 37-08870

FROM: Sharla

DATE: February 8, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 37-08870 are as follows:

C. DIVERSION AND DELIVERY SYSTEM

1. Point of Diversion:
T5N, R17E, S10 – NWSWSE
2. Place(s) of Use:
T5N, R17E, S10 – SWSE

After matching topographic features from a USGS topo map with the subdivision map and aerial photo, the point of diversion and place of use are in the SWSE of Section 10. With a spring source, the point of diversion is described to the 10-acre tract.

The permitted rate of diversion is the limiting factor; however, the capacity figure will match the maximum rate of the permit rather than the "measurements" made by the examiner. The measurements were not taken at the diversion structure but instead were made on the flow re-diverting out of the cistern and outflow after being used through the home and cabin on its way to the pond. Therefore, the measurements cannot be used as a valid means of determining the system capacity.

Examiner: Georgia Satterlee
Exam Date: November 18, 1998

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MAR 11 1999

LICENSE REVIEW CHECKLIST

PERMIT NO. 37-08870 DATE 2/1/99 REVIEWER: SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK Change (P39 /P47) Add (P45/P42) Feds - P40

W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc) 3, Bk 1, N FK Subd.

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PLACE OF USE OK Change (P41/P47) Add (P41/P42) Feds - P43

W60 (subd. desc) 2 E 3, Bk 1, N FK Subd.
 W27 (ppu acre limit)

Overlaps: Right(s): A37-12174
 File reviewed _____ Profile reports printed _____

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .06 cfs
 Fee limit .20 cfs \$5000
 Measured --- cfs
 Theoretical --- cfs

Recommended Total Div Rate .06 cfs

WATER USES	Change (P46)		
<u>Dom</u>	<u>.06</u> cfs	<u>21.6</u> af	Irrig - overlap (R58-R61, R62-R65, R66-R69)
	<u>---</u> cfs	<u>---</u> af	supp. gw (WB7/065/079)
	<u>---</u> cfs	<u>---</u> af	overlap spec. combined rts (W35)
	<u>---</u> cfs	<u>---</u> af	<1acre (W31)
	<u>---</u> cfs	<u>---</u> af	Domestic (W01/WB5/070/071/075)
TOTALS	<u>.06</u> cfs	<u>1.2</u> af	Power (W42 or W43/025/027/R22 or R23)
			Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate .06 cfs X 365 days X 1.98 = 43.5 af

REMARKS _____

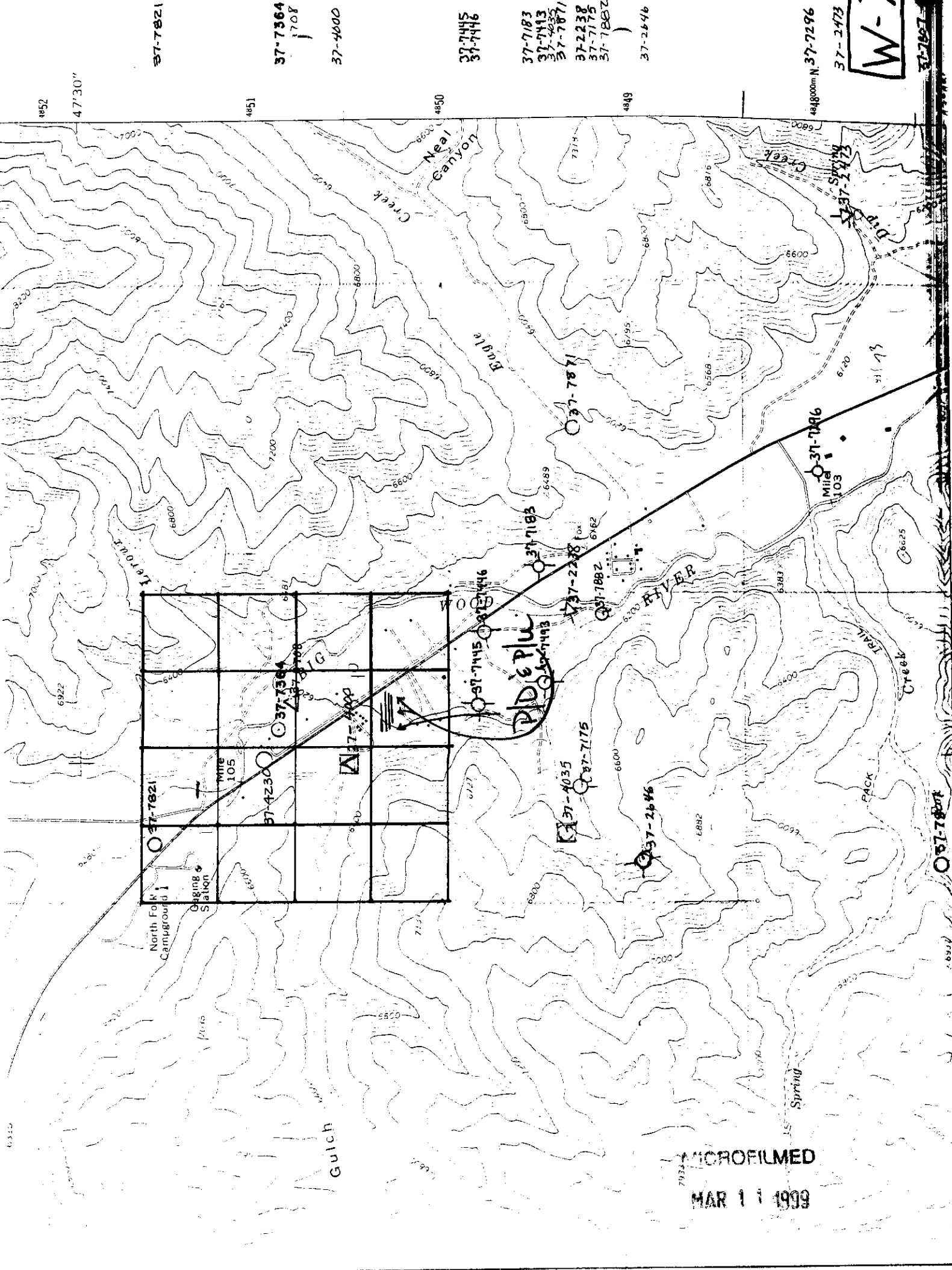
ADD'L CONDITIONS _____ Watermaster Control WD# _____
 _____ GW Measurement/Measuring Device
 _____ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes ✓ no

SRBA Claim N/A

Adjust Memo Ad & PU
 Amend letters ---

*meas. points (had)



4852
47'30"

37-7821

37-7364
1708

37-4000

37-7445
37-7446

37-7183
37-7493
37-7435
37-7871

37-2238
37-7175
37-7882

37-2646

37-7296

37-2473

W-1

37-7887

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MAR 11 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 05 1999
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 37-08870

1. Owner: CLAIRE BAILEY Phone No. (208) 726-7371

Current Address: PO BOX 6119, KETCHUM, ID. 83340

2. Accompanied by: LYNN BAILEY EXAM DATE: 18 NOV 1998

Address: SAME AS ABOVE Phone No. _____

Relationship to Permit Holder: HUSBAND

3. Source: SPRING tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A37-02168A, -12174, -12219

2. Other water rights with the same point of diversion: A37-12174

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SW	10	05N	17E	BLAINE	FIELD EXAM
									* PART OF H.E.S. 123
									ALSO PTN. LOTS 2-3 NORTH
									FORK SUBD.

2. Place(s) of Use: *

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	17E	10												D					
"	"	"												D					

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MAR 1 1999

D = MAIN HOME
D = CABIN

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

Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

✓ Aerial Photo Attached
(required for irrigation of 10+ acres)

✓ Photo of Diversion and System Attached

4.

✓ SUBD PLAT MAP

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

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
BUCKET/STOPWATCH						

2. Measurements: SEE SCHEMATIC w/ MEASUREMENT #1 & #2

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JAN 11 1999

E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 08 December 1998
RE: 37-08870

I met with Lynn Bailey on 18 November 1998 to conduct field examination for the above permit. The permit is year round domestic use from a spring.

Lynn Bailey is the current spouse of Claire Bailey, she use to go by the name of Claire Kendall (she is the ex-wife of Charles B. Kendall).

There are three adjudication claims in the name of Claire Kendall (she and/or her lawyer have been notified on two occasions regarding the Change of Ownership per claims).

Claim #	Priority Date	Rate	Use	Source
A37-02168A	01/22/1910	0.31 cfs	Irr/Stock	Oregon Gulch
*A37-12174	01/31/1980	0.04 cfs	Domestic	Spring
A37-12219	09/30/1987	0.02 cfs	Dom/Stock	Groundwater
**37-08870	02/26/1998	0.06 cfs	Domestic	Spring

*Recommended to be disallowed per C.Fritschle on 05/13/1998
** Permit in the name of Bailey, Claire

The spring diverts to underground pipe which then dumps into the cistern. From the cistern, the water is fed, via a 6" pvc pipe, into the main home then onto the cabin. From the cabin, the water not used is then diverted into a small ditch. This ditch eventually dumps into a pond. Other sources dump into the pond and according to Mr. Bailey, the pasture is flood irrigated per the claim A37-02168A.

Another domestic use claim, A37-12174, from the same spring, is proposed to be disallowed. My recommendation for the permit is based on the assumption that A37-12174 will be disallowed. Also, I am basing the permit recommendation in addition to the groundwater claim, A37-12219, that calls to domestic and stockwater out of the existing well.

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

MICROFILMED
MAR 11 1999

F. FLOW CALCULATIONS

✓ Additional Computation Sheets Attached

Measured Method:

* SEE SCHEMATIC FOR MEASUREMENTS

G. VOLUME CALCULATIONS**1. Volume Calculations for Irrigation:**

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses:

EXAM FEE LIMIT 0.20
PERMIT RATE 0.06
MEASURED * 0.02 ~~0.08~~
RECOMMEND as Permitted 0.06 → Please Note

A37-12219 (WELL)
CALLS TO DOMESTIC, ALSO

H. RECOMMENDATIONS**1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
DOMESTIC (2 homes)	1/1	12/31	0.06 cfs	1.2 af
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			0.06 cfs	1.2 af

2. Recommended Amendments

✓ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None

✓ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

Unsurveyed Area difficult to determine P/D & P/U

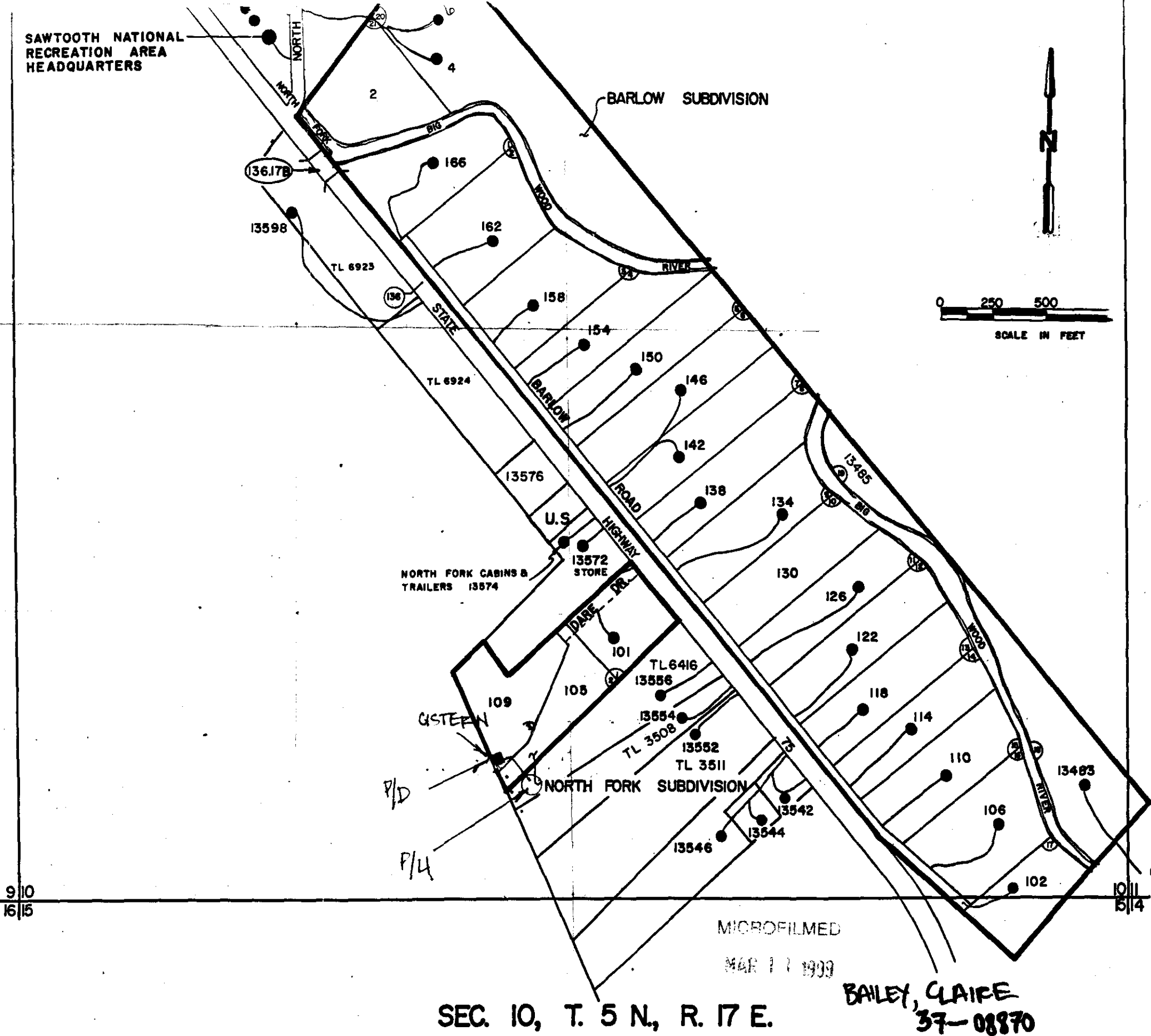
I. AUTHENTICATION

Field Examiner's Name Georgia Satterlee Date 08 Dec 98

Reviewer _____ Date _____

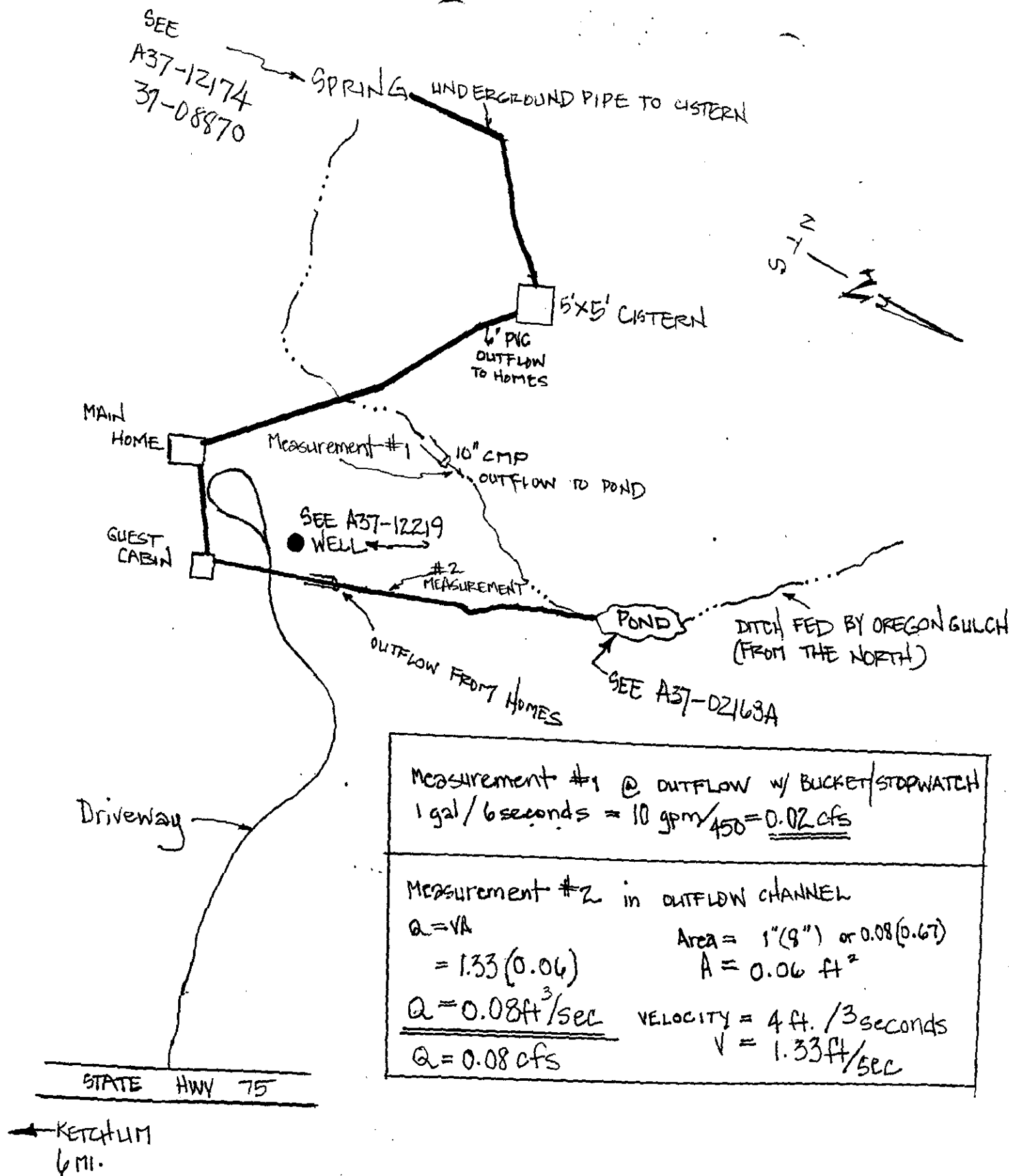
MICROFILMED
SEAL
MAR 11 1999

SAWTOOTH NATIONAL
RECREATION AREA
HEADQUARTERS



SEC. 10, T. 5 N., R. 17 E.

BAILEY, CLAIRE
37-08870



Measurement #1 @ OUTFLOW w/ BUCKET/STOPWATCH
 $1 \text{ gal} / 6 \text{ seconds} = 10 \text{ gpm} / 450 = \underline{0.02 \text{ cfs}}$

Measurement #2 in OUTFLOW CHANNEL

$Q = VA$

$= 1.33 (0.06)$

$Q = 0.08 \text{ ft}^3 / \text{sec}$

$Q = 0.08 \text{ cfs}$

Area = $1" (8")$ or $0.08 (0.67)$

$A = 0.06 \text{ ft}^2$

VELOCITY = $4 \text{ ft.} / 3 \text{ seconds}$

$V = 1.33 \text{ ft} / \text{sec}$

EXAMINER: SATTERLEE, G.
 18 NOV 1998

MICROFILMED BAILEY, CLAIRE
 MAR 11 1999

37-08870



MICROFILMED

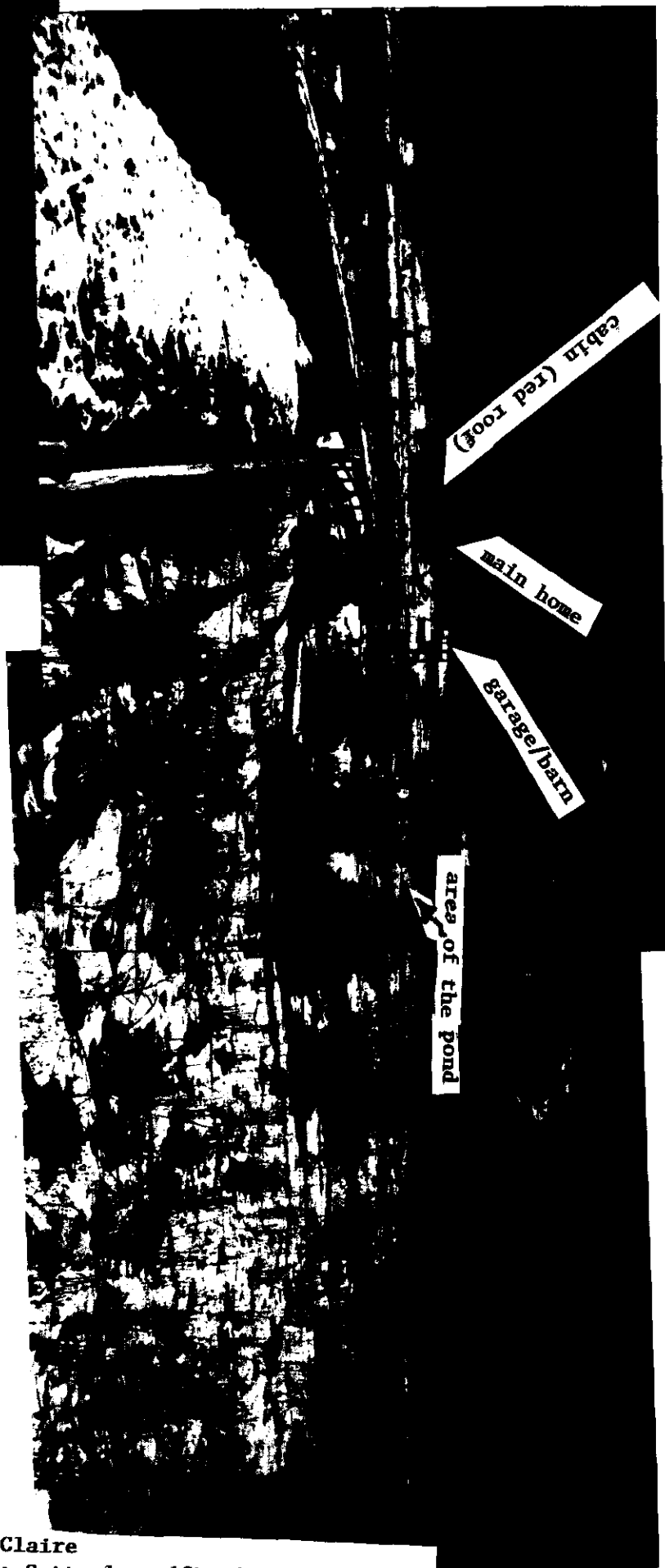
MAR 11 1989

W73 SW 1988 Flight
Scale (approx.) 1"=600'

Bailey, Claire

37-08870

V4



Photos Looking SW'y from Hwy 75

POND ASSOCIATED
WITH A37-02168A

MICROFILMED

MAR 11 1989

Bailey, Claire
Examiner: Satterlee 18Nov1998 1030 hrs

37-08870



Cabin (red roof)

photos looking SW'ly

MICROFILMED

MAR 11 1991



Bath home

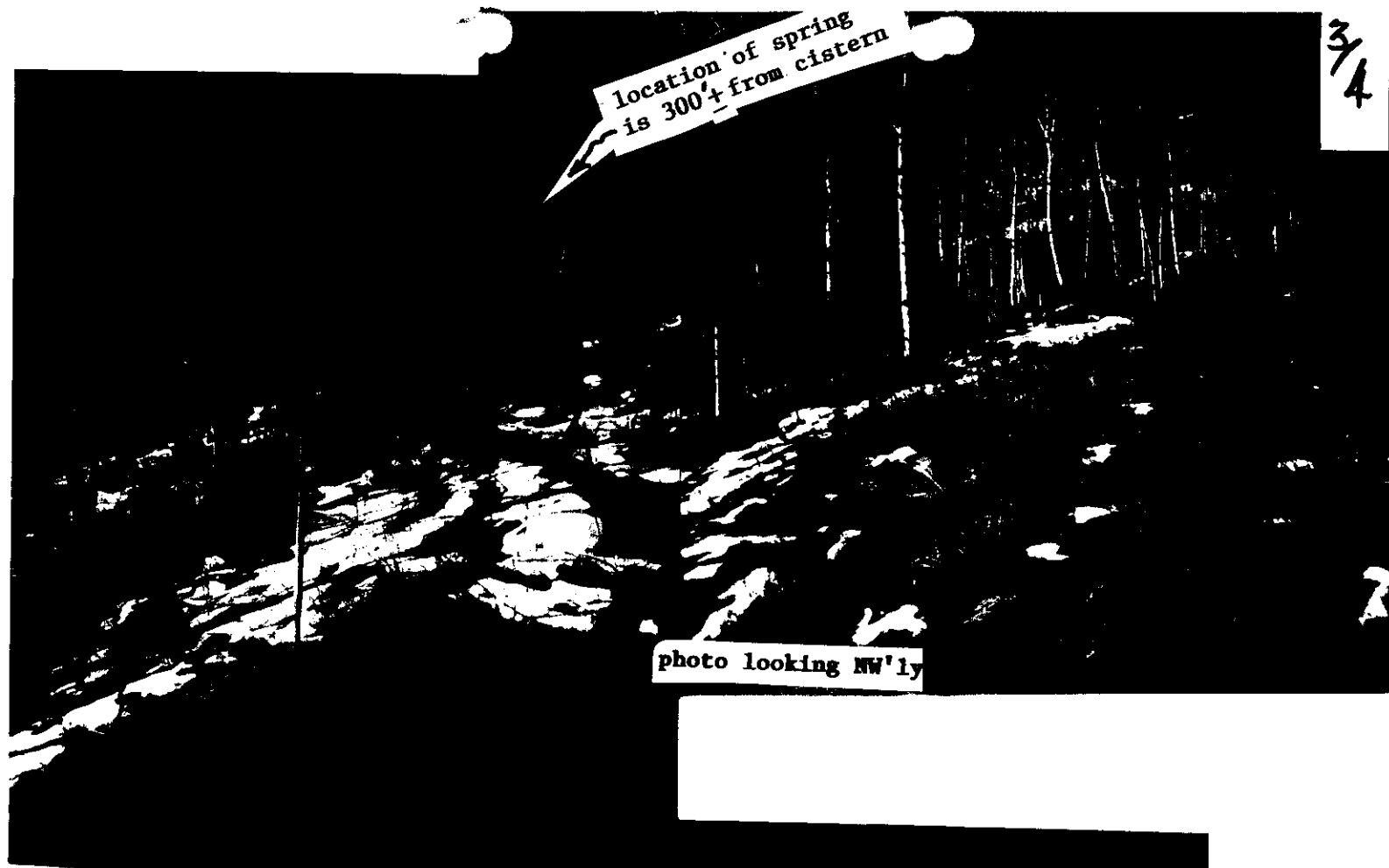
Garage/barn

cistern up here

2/4

Bailey, Claire 37-08870

Examiner: Satterlee 18Nov1998 1030 hrs



CISTERN →

CABIN →

main home

PHOTO LOOKING SE'LY

cistern

MICROFILM

MAR 11 1993

Bailey, Claire
Satterlee 18Nov1998 1100 hrs

37-08870

4/4



A37-12219
well is located here
just out of photo



MICROFILMED
MAR 11 1999

Bailey, Claire
Examiner: Satterlee 18Nov1998
1030 hrs.

37-08870



FEB - 4 1994

ORIGINAL

This form furnished by
Blaine County Title, Inc.

Hogue, Speck & Aarstad

QUITCLAIM DEED

THIS INDENTURE, Made this

21st

day of

~~September~~

October

in the year of our Lord one thousand nine hundred and

ninety-one

between

CHARLES KENDALL, JR.

POC ORIGINAL

as Grantor and

CLAIRE KENDALL

as Grantee

whose current address is 738 BERKSHIRE AVE., FLINTRIDGE, CA 91011

WITNESSETH That said Grantor for and in consideration in lawful money of the United States of America, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever QUITCLAIM, unto the said Grantee and to its heirs and assigns all that certain lot, piece or parcel of land, situate, lying and being in, County of Blaine, State of Idaho, bounded and particularly described as follows, to-wit:

PARCEL 1: Lots 2 and 3 of the North Fork Subdivision.

PARCEL 2: Lot 1, Block 2 of the Bigwood Subdivision #2-3.

PARCEL 3: SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A
WHICH IS INCORPORATED HEREIN.

BLAINE CO. REQUEST

BLAINE COUNTY TITLE

1991 NOV -5 P 3:25

MARY GREEN, CLERK

FEES \$6.00

THIS INSTRUMENT WAS FILED FOR
RECORD BY BLAINE COUNTY TITLE, INC.
AS AN ACCOMODATION ONLY. IT HAS
NOT BEEN EXAMINED AS TO IT'S EXECU-
TION OR AS TO IT'S EFFECT UPON THE
TITLE.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in
anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantee
and to its heirs and assigns forever.

IN WITNESS WHEREOF, The said Grantor has hereunto set its hand and seal the day and year first above written.

MAR 11 1993

DEED KENDALL DIVORCE
PLUS H.E.S. 123/12A

MICROFILMED

TOWNSHIP 5 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Portion of H.E.S. 123, more particularly described as follows:

BEGINNING at Corner No. 5 of said H.E.S. 123; thence
S. 18° 47' East, 610.00 feet to the TRUE POINT OF BEGINNING; thence
N. 52° 09' East, 1141.08 feet to the West boundary of U.S. Highway 93 (75);
thence
S. 33° 14' East, 550.00 feet along the Westerly boundary of U.S. Highway 93
(75); thence
S. 65° 42' West, 1223.37 feet; thence
N. 18° 47' West, 288.00 feet to the TRUE POINT OF BEGINNING.

TL# 6416

cancel TL# 4002

POOR ORIGINAL

Exhibit "A"

MICROFILMED

MAR 11 1999

MICROFILMED

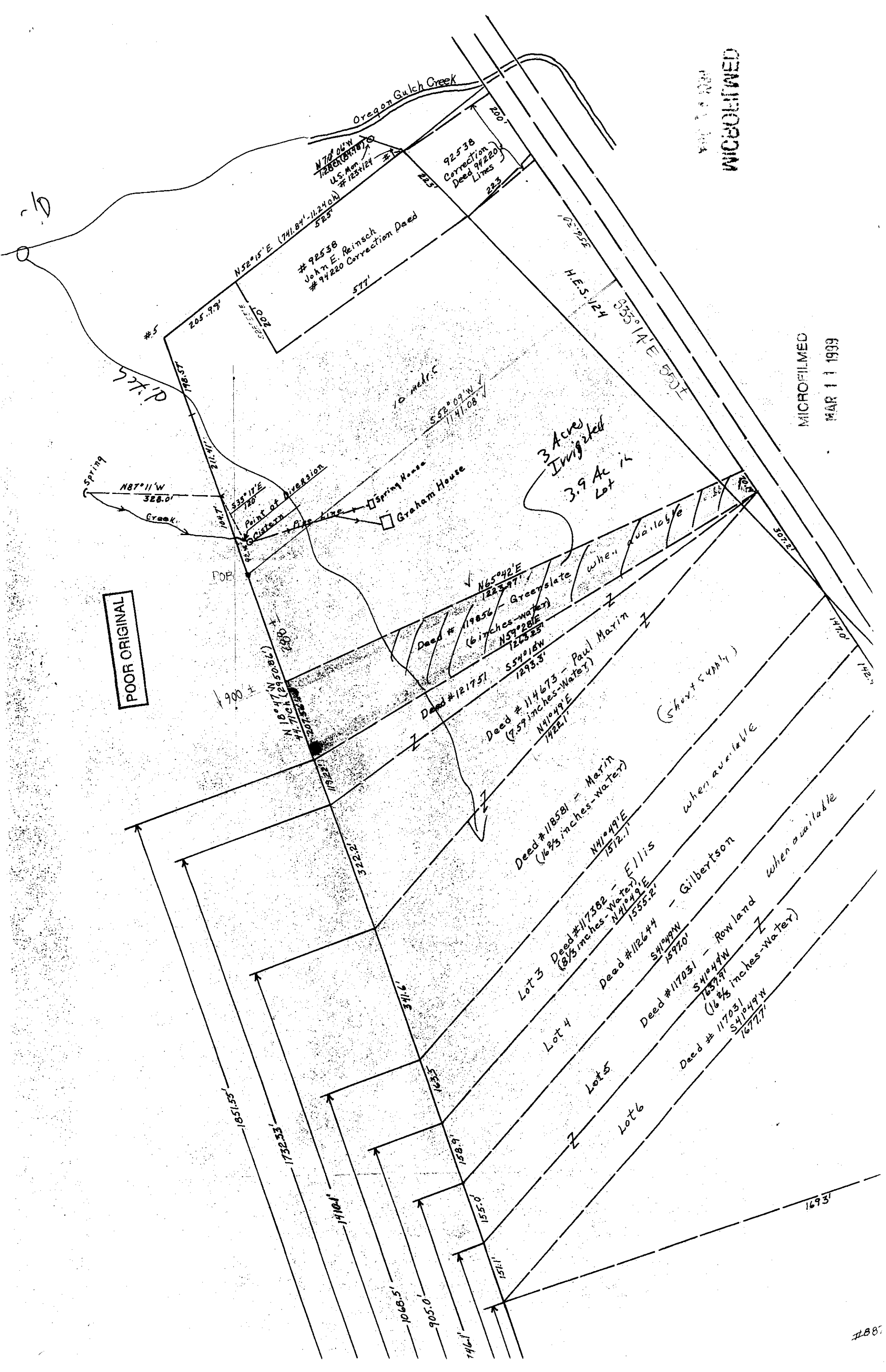
AUG 24 1994

POOR ORIGINAL

MICROFILMED

MAR 11 1999

NOT TO SCALE
MICROFILMED



APPLICATION FOR PERMIT

Christensen 1987 Trust

BARLOW SUBDIVISION

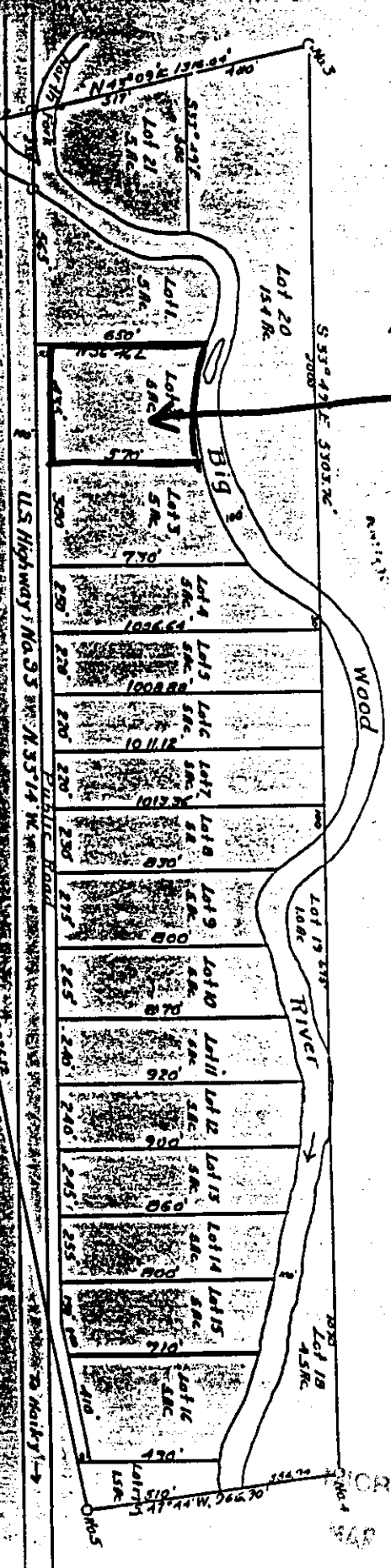
OF H.E.S. 124
1955

SCALE is 300'

County Recorder's Certificate

This is to Certify: That the accompanying, was filed for record in the office of the Rec. of Blaine County, Idaho this 11th day of March, 1955, at the request of the undersigned, and duly recorded in Book of page

George J. Mc Coy
Co-Office Recorder



Surveyor's Certificate

I, **EDWARD STROMA**, Registered Professional Civil Engineer, Certify that the following described land, situated in Sections 10 and 15, T3N, R17E, E1N, in Blaine County, Idaho, more completely described as that portion of H.E.S. No. 124, lying North and East of U.S. Highway No. 25, beginning at a point 243 feet N. 45° 05' E. of Corner No. 2 of said H.E.S. 124, thence N. 45° 05' E. 102.70' to Corner No. 3, thence S. 33° 43' E. 330.76' to Corner No. 4, thence S. 77° 44' W. 96.69' to Corner No. 5, thence N. 45° 05' W. 220' to the Right of Way of Highway No. 25, thence N. 35° 14' W. 4.450' along said Right of Way to the Point of Beginning. All of the above described property to be known as the **BARLOW SUBDIVISION**. was surveyed under my supervision, and that the accompanying plat is strictly conformable to the Registered Professional Engineer License No. 137.

Acknowledgment

On this 14th day of March, 1955, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared **Ed Stroma**, known to me to be the person whose name is subscribed to the foregoing Surveyor's Certificate and acknowledged to me that he executed the same; In witness whereof I have hereunto set my hand and affixed my official seal this 14th day of March, 1955.

My commission expires June 3, 1958

Ed Stroma
Notary Public



Dedication

This is to Certify: that the undersigned is the owner in fee Simple of the property hereunder described as that portion of H.E.S. No. 124 lying North and East of U.S. Highway No. 25, located in Sections 10 and 15, T3N, R17E, E1N. All of the above property to be known as **BARLOW SUBDIVISION**. That it is the intention to and hereby do, include said lands in the Plat. That the undersigned does, by these presents, grant bargain, sell, convey, confirm and dedicate to the public use forever the **PUBLIC ROAD** shown on the plat.

Ed Stroma

Acknowledgment

On this 14th day of March, 1955, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared the person whose name is subscribed to the Barlow, known to me to be the person whose name is subscribed to the foregoing Dedication Certificate and acknowledged to me that she executed the same; In witness whereof I have hereunto set my hand and affixed my official seal this 14th day of March, 1955.

My Commission expires June 3, 1958

Ed Stroma
Notary Public

MICROFILMED
MAR 11 1973

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

*Recommend to be
Disallowed May 1998*

DATE
December 3, 1998 1:50pm

CUSTOMER
Bailey, Claire

SUBJECT: 37-08870, A37-02168A, -12174, -12219
phone call (.) walk-in (.)

Claire Kendall remarried and is now Claire Bailey. The permit (to be licensed) is the correct name, however the AJ claims are still in Kendall. I sent Bailey's a C/O for AJ claims.

MICROFILMED
MAR 11 1999

RECEIVED

JCT 01 1998

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

Department of Water Resources

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

September 29, 1998

Mr. Shelly Keen
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise ID 83720-9000

RE: Permit No. 37-08870/Claire Bailey

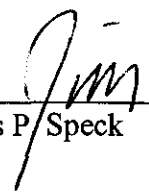
Dear Shelly:

I represent Claire Bailey, the holder of Permit No. 37-08870. The permit was obtained to document an existing domestic use of the spring and Proof of Beneficial Use was filed earlier this summer. My client is anxious to get this right perfected so there are no lingering issues should the property be placed on the market. Would you please make arrangements for the beneficial use field examination at the earliest possible date. Please call me if you have any questions about this request.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd

MICROFILMED

MAR 11 1999

Copy Forwarded to Southern Region

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 37-68870 Reviewed by [Signature] Date 7-9-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
NO Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
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

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
NO Required?
✓ Installed?
✓ Waiver requested?

PRIORITY CALCULATION

Date proof received _____
Date proof due _____
No. of days late _____
Priority Date _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address P.O. Box 6119 Proof Made 6-8-98



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

July 10, 1998

Claire Bailey
PO Box 6119
Ketchum ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08870

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 conduct a field examination to determine and confirm the use being made of the water.

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 department's **SOUTHERN** Regional Office in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

AUG 03 1998

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

RECEIVED

JUN 08 1998

Department of Water Resources
TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

June 4, 1998

Mr. Shelly Keen
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise ID 83720-9000

Re: Permit No. 37-08870

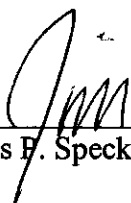
Dear Shelly:

Enclosed you will find the Proof of Beneficial Use for the above-referenced permit together with my firm's check payable to IDWR for the \$50 fee. The Proof is being submitted immediately since the permit is for a system which has been in place and operational for quite some time. It would also be appropriate to schedule the field exam late this summer if that will fit into your schedule.

Please contact me immediately if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
enclosures
cc: client

AUG 03 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

May 13, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CLAIRE BAILEY
C/O JAMES P SPECK ESQ
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08870

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.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

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

RECEIVED

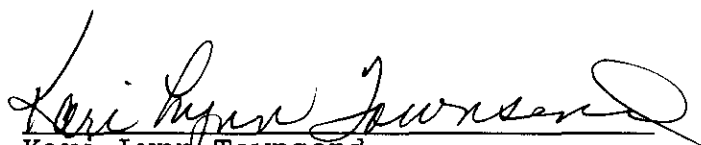
MAY 14 1998

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of May, 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. 37-08870

CLAIRE BAILEY
C/O JAMES P SPECK ESQ
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340


Kari Lynn Townsend
Secretary

MAY 14 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.

MAY 14 1997

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.

Bulley, Claire

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 11 1998

APPLICATION FOR PERMIT ANALYSIS SHEET

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY
APPLICATION NO.

J. E. Stanton
137-08870

DATE *3-2*, 19*98*

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)
- ☒ 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, of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

-----PROPOSED PRIORITY DATE
2-26 19*98*

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to pres application on the back.
- ☒ Overlapping point of diversion.
- ☒ Yes ☐ No Field check required
Field check by _____
- ☐ 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 trustwa
supplementary analysis sheet.
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If y
attach large diversion supplementary analysis shee

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. 37
☐ 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
N/A ☐ 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.
004 WBS WOI - 2 homes

See below for additional information

Date of priority recommended 2/26, 19 98
By AD Date 5/7, 19 98

STATE OFFICE REVIEW

See below for additional information

By Date , 19

ADDITIONAL INFORMATION:

AFFIDAVIT of PUBLICATION

RECEIVED

APR 10 1998

State of Idaho,

County of Blaine

SS.

Department of Water Resources
Southern Region

On this 9 day of April, 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 April, 1998, and the date of the last publication was on the 8 day of April, 1998.

Subscribed and sworn to before me this 9 day of April, 1998.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 45.933
Number of Insertions 2
Lines tabular at 7 6c / Pica
Lines straight at 31.694 6c / Pica
Subsequent lines at 26.4125 6c / Pica
TOTAL COST \$63.11

No. 37-08870

COPY OF NOTICE

(Paste Here)

Ap. for Water Permit
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Resources
BILL TO

water permit

NOTICE OF APPLICATION FOR WATER PERMIT

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

CLAIRE BAILEY
C/O JAMES P SPECK ESQ
SPECK & AARSTAD
PO BOX 907
KETCHUM ID 83340

Application for Permit
No. 37-08870

Source: Spring tributary to Snake
Diversion Pt(s):
NW1/4SW1/4SE1/4, S10, T05N,
R17E; Blaine County.

Use: Domestic
(6.06 cfs) 1/1-12/31

In: SW1/4SE1/4, S10, T05N,
R17E; Blaine County.

Date Filed: 02/16/98

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 April 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 04/10/98.

MAY 14 1998

10999

APPLICATION FOR TRANSFER OF A WATER RIGHT
NO. 37-08870

RECEIVED

MAR 30 1998

RECOMMENDATION OF WATERMASTER

Department of Water Resources
Southern Region

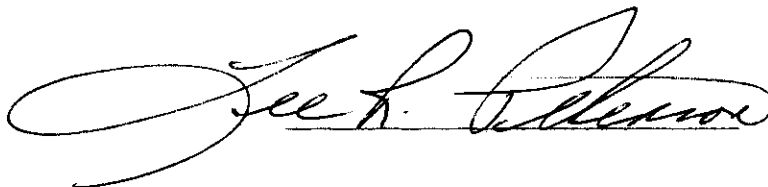
I, Lee R. Peterson, watermaster of Big Wood River,
of Water District No 37, County of Blaine, State of Idaho,
whose address is P O Box T, Shoshone, Idaho 83352,
have read the attached copy of the application for transfer of water right
for Claire Bailey, and to the best of my knowledge believe the
application 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 25th day of March 1998



Please use reverse side if needed

MAY 14 1998

MAY 14 1998

**NOTICE OF APPLICATION
FOR WATER PERMIT**

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

CLAIRE BAILEY

C/O JAMES P SPECK ESQ

SPECK & AANESTAD

PO BOX 987

KETCHUM ID 83340

Application for Permit

No. 37-08870

Source: Spring tributary to Sinks

D i v e r s i o n P t (s) :

NW1/4SW1/4SE1/4, S10, T05N,

R17E; Blaine County.

Use: Domestic

(0.06 cfs) 1/1-12/31

In: SW1/4SE1/4, S10, T05N,

R17E; Blaine County.

Date Filed: 02/26/98

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 April 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 04/01 & 04/08/98.

MAY 14 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

March 23, 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

MAY 14 1998

NOTICE OF APPLICATION FOR WATER PERMIT

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

CLAIRE BAILEY
C/O JAMES P SPECK ESQ
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

Application for Permit No. 37-08870

Source: Spring tributary to Sinks

Diversion Pt(s): NW1/4SW1/4SE1/4, S10, T05N, R17E; Blaine County.

Use: Domestic (0.06 cfs) 1/1-12/31

In: SW1/4SE1/4, S10, T05N, R17E; Blaine County.

Date Filed: 02/26/98

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 April 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 04/01 & 04/08/98.

MAY 14 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

March 19, 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. 37-08870

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,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosures

MAY 14 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

March 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES P SPECK ESQ
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

Re: Application for Permit No. 37-08870 (Claire Bailey)

Dear Mr. Speck:

The Department of Water Resources acknowledges receipt of the water right application for permit in behalf of your client, Ms. Bailey. 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 04/01 & 04/08/98. 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,

James E. Stanton
Sr. Water Resource Agent

JS:MB

MAY 14 1998

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

February 24, 1998

RECEIVED

FEB 26 1998

Department of Water Resources
Southern Region

Mr. Alan Merritt
Idaho Department of Water Resources
222 Shoshone East
Twin Falls ID 83301

Re: Applications for Permit - Claire Bailey

Dear Alan:

Enclosed you will find an Application for Permit and our check payable to IDWR in the amount of \$50 as the required filing fee. This application seeks the right to divert water from a spring on a year-round basis for domestic purposes. As noted in the application, this use has actually existed since 1980 but, due to an oversight, a permit was not previously obtained.

Please call me if you have any questions about the application. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation



James P. Speck

JPS:rsd
cc: Claire Bailey

37-08870