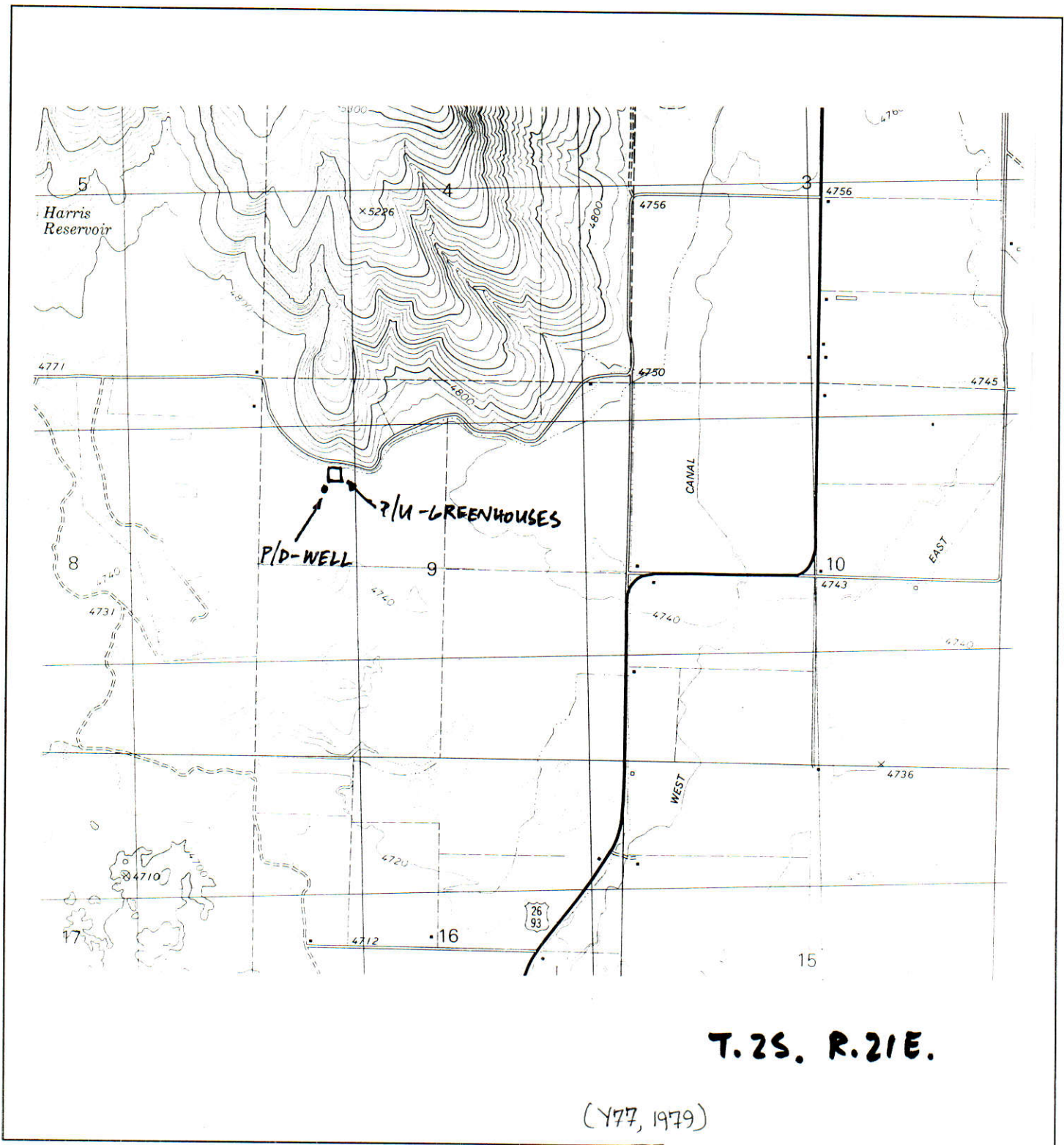


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED
APR 15 1978

(applicant)

37-08869

AFFIDAVIT of PUBLICATION

RECEIVED

MAR 17 1998

State of Idaho,
County of Blaine

} SS.

Department of Water Resource
Southern Region

On this 11 day of March, 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 4 day of March, 1998, and the date of the last publication was on the 11 day of March, 1998.

Subscribed and sworn to before me this 11 day of March, 1998.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 39.867
Number of Insertions 2
Lines tabular at 76c / Pica
Lines straight at 65c / Pica
Subsequent lines at 54c / Pica
TOTAL COST \$55.43

No. 37-08869

COPY OF NOTICE
(Paste Here)

Application for water permit
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Resources
BILL TO

Application for water permit

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

EDGAR L. SINNOTT

PO BOX 848

SUN VALLEY ID 83353

Application for Permit

No. 37-08869

Source: groundwater

Diversion Pt(s): SW1/4NW1/4,

S09, T02S, R21E; Blaine County

Use: 1/1-12/31

Domestic (0.04 cfs)

In: W1/2NW1/4, S09, T02S,

R21E; Blaine County

Date Filed: 02/03/98

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 March 23, 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 — March 4 & 11, 1998.

(Idaho Code, Rev. Statutes 1984)
7-8 pt. / line straight: 5 / pica
7-8 pt. / line tabular: 6 / pica
7-8 pt. / line successive insertion: 4 / pica

10887

MAR-23-01 FRI 10:54 AM THOMAS C. PRAGGASTIS
Form No. 217
6/00

FAX NO. 208 726 5998

P. 04/10
FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 0052911
Receipt By: J. Burron
Date Received: 3/30/01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

MAR 30 2001

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. 37-08869 Telephone No. (208) 622-6666

2. Name of Permit Holder(s):
Edgar L. Sinnott

3. Mailing Address: P.O. 848
City Sun Valley State ID Zip 83353

4. Source of Water: gound water If GROUNDWATER (well), Date Drilled: mo. 10 / yr. 97
Well Driller: Wood River Drilling & Pump Drilling Permit Number: D0002188

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

Domestic (No. of households): 5 greenhouse Stockwater (No. and type of stock):

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

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR 2.80 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 _____

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: Dave Hennequin Telephone Number: (208) 788-5774

Address: 110 Honeysuckle St., Bellevue, ID 83313

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: [Signature]
(Indicate your title if on behalf of company or organization)

Date: 3-15-01

MICROFILMED

APR 11 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08869

Proposed Priority: February 3, 1998

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **EDGAR L SINNOTT**

PO BOX 848

SUN VALLEY ID 83353-0848

has applied for a permit to appropriate water from: **GROUNDWATER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 9, Township 02S, Range 21E

BLAINE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

02S 21E 9

NWNW

SWNW

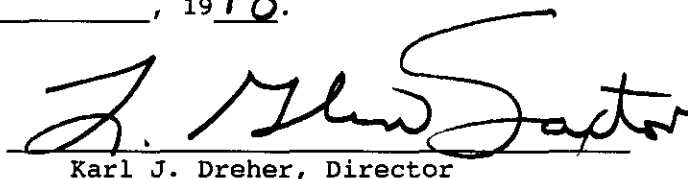
CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **April 1, 2001**.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The daily diversion volume for the domestic use authorized under this right shall not exceed 2,500 gallons per day.
6. Domestic use is for 5 greenhouses and an office restroom.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Witness the signature of the Director, affixed at Boise, this

27 day of March, 1998.


Karl J. Dreher, Director

for

MICROFILMED

APR 15 1998

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

MAR 25 1998

To appropriate the public waters of the State of Idaho

FEB 03 1998

Department of Water Resources

Department of Water Resources

1. Name of applicant Sinnott, Edgar L. Phone (208) 622-8886

Southern Region

Post Office address P.O. Box 848, Sun Valley, ID 83353

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NE ^{*} 1/4 of SW 1/4 of NW 1/4, Govt. Lot _____

Sec. 9 Township 02S Range 21E B.M. BLAINE Ada 6/5 Feb 98 County; additional

points of diversion, if any: _____

4. Water will be used for the following purposes:

Amount 0.04 ^{*} ~~2.80~~ for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity being appropriated is (a) 0.04 and/or (b) 2.80 ^{*}
cubic feet per second acre-feet per annum

6. Proposed diverting works: ^{*} per dept standards. 3/26/98 cz.

a. Description of ditches, flumes, pumps, headgates, etc. Existing 8-inch well and
submersible pump to 5 greenhouses

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

c. Proposed well diameter is 8 inches; proposed depth of well is _____ feet

d. Is groundwater with a temperature of greater than 85 degrees being sought? No

e. If well is already drilled, when? 10/97; Drilling firm Smith Drilling

Well was drilled for (well owner) Ed Sinnott

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

3 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 _____;
- e. Other; describe fully. 5 greenhouses (each 30' x 100'), hand-watering of
plants and flowers. Office with one toilet and sink.

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	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02S	21E	9						D	D										

Total number of acres to be irrigated _____

8. 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? Applicant

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

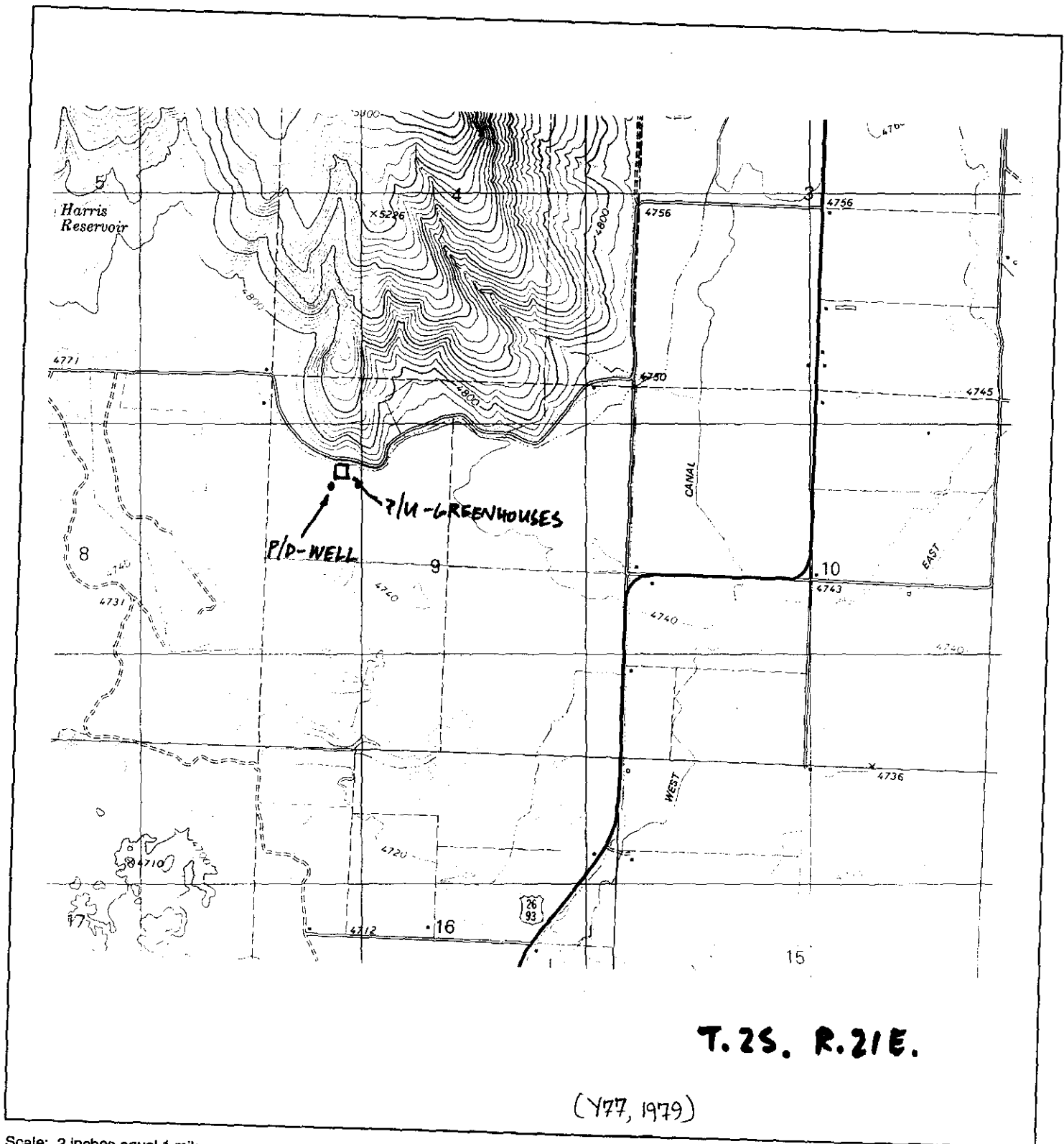
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: This permit is sought under Part B of the domestic exemption
(I.C. 42-111b), which allows 2500 gpd and 0.04 cfs for any use.
2.80 acre-feet/year represents 2500 gpd continuously. See attached
water usage calculations.

APR 15 1986

37-08869

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.

APR 13 1968

[Handwritten signature]

(applicant)

37-08869

Received by GLS Date 3 Feb 98 Time 1345 hrs Preliminary check by GLS
Fee \$ \$50.00 Receipted by GLS # 5020862 Date 3 Feb 1998
Publication prepared by MB Date 2/13/98 Published in The Wood River Journal
Publication approved mb Date 3/18/98

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 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:

APR 15 1998

37-08869



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

April 4, 2001

EDGAR L SINNOTT
PO BOX 848
SUN VALLEY ID 83353-0848

PROOF ACKNOWLEDGMENT LETTER

RE: Permit No. 37-08869

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and a \$50.00 license examination fee submitted for the above referenced permit. A license exam fee is not required for a ground water source with a rate of diversion of 0.04 cfs or less. Therefore, I will initiate the process to refund the license examination fee you submitted. You should receive a State of Idaho check for \$50.00 within seven (7) to ten (10) business days under separate cover.

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,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

c: IDWR - Region
Fiscal

MICROFILMED

APR 11 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 37-8869

Reviewed By: dgibson

Date: April 4, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?		X	Drilling permit No.:		
Appropriate fee submitted?		X	Drilling permit upgrade needed?		
Receipt No.:		C052971	Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	03/30/2001
Date proof due	- 04/01/2001
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 02/03/1998
New priority date	= 02/03/1998

Deficiencies of Actions Items

Acknowledge proof. Refund exam. fee of \$50.

January 31, 2001

EDGAR L SINNOTT
PO BOX 848
SUN VALLEY, ID 833530848

PROOF DUE NOTICE

RE: PERMIT NO. 37-8869

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 April 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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.

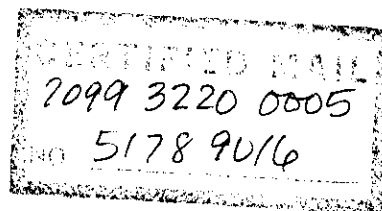
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
APR 11 2001





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 30, 1998

EDGAR L SINNOTT
PO BOX 848
SUN VALLEY ID 83353-0848

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08869

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.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

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,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

ENCLOSURE

APR 15 1998

ENCLOSURE

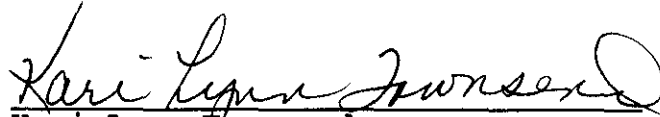
APR 15 1998

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of March, 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. 37-08869

EDGAR L SINNOTT
PO BOX 848
SUN VALLEY ID 83353-0848


Kari Lynn Townsend
Secretary

APR 15 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.

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.

RECEIVED
APR 15 1998

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Cindy Lee*

No.: 37-8869 Name: Singnott Date: 3/26/98 Ad OK? ☒ / Gvmt Lts: ☒

AREA OF CONCERN:**PROTESTED:****SYSTEM COMPLETED:**

> 1 year

≤ 1 year/no proof

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

West

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

WMD Supplemental use

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

DRILLING PERMIT:

All wells (✓ WDQ3)

Included w/permit

irr. in WD

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

WD (✓ MAP & LISTING)

> 0.10 cfs

≤ 0.10 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

USE:

Domestic surface

>1 in rest. area

Fire Protection

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stockwater

Storage (✓3 compo.)

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev.

Irr Dist/Canal Co.

SWAN FALLS FLAG (See Code Chart)

Trust

Non-Trust (1)

OWNERSHIP:**OTHER CONDITIONS:****STANDARD REMARKS:****BENEFICIAL USE DUE:****COMMENTS:**- No/Yes: ESRP Mor / _____ GWMA / Trust / Non-trust

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

- ~~06A~~ P17

- P16

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

- No MD

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

- 01M (report when notified)

- No MD

- ~~06A~~ P23

- Permit No. _____ - _____ - _____ - _____ - _____ P99

- P05 (new well location)

- *WB9

- R04 (WD # _____)

- 01J-P08 (MD & LD)

- 01H-P01 (LD) or No MD (in-stream stock)

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

- No MD

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

- No MD

- *W22 -P04, NA

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

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

- 029 (fish screens), NA

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

- ~~071-070~~ NA

- 077

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

- R07 (injection well)

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

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

- 054(req)-081-P10

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

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

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

- R37 (BLM/USFS); NA

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

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

- 058 (<85° GW temp only)

- P52 (stream channel alteration)

- 023 (Twin Falls area)

- C

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

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU) _____

- 10 w 3/4 dom. (2) w 1/5 gh & off.

- 4/1/ 2001

Edgar L. S. Smith

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 25 1998

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY *ESatterlee*
APPLICATION NO. *31-28869*

DATE *5 Feb*, 19*98*
10

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
03 February 19, 98

ADDITIONAL INFORMATION

A37-00097B
SEE MEMO TO
FILE

- ☒ 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
SEE MEMO TO FILE ☒ 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 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.
☐ Yes ☒ No Special conditions of approval or cover letter below.

See memo 3/24/98

See below for additional information

Date of priority recommended 2/3, 19 98
By AD Date 3/24, 19 98

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19 ____

ADDITIONAL INFORMATION:

FROM: Allen Merritt 

DATE: March 24, 1998

TO: Application No. 37-08869
In the Name of: Sinnott

SUBJECT: Review and Recommendation

This application is located in the "Eastern Snake Plain Moratorium" area. The application is a domestic (Part B Definition) and qualifies to be processed. The application was advertised without protest.

The application was filed to allow a commercial domestic use to be established for development of 5 greenhouses with office. See Satterlee 2/10/98 memo.

RECOMMENDATION

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

-Domestic use is for 5 greenhouses with office. Use is limited to 0.04 cfs and 2500 gpd.

MICROFILMED
APR 15 1998

AFFIDAVIT of PUBLICATION

RECEIVED

MAR 17 1998

State of Idaho,
County of Blaine

} SS.

Department of Water Resource
Southern Region

On this 11 day of March 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 4 day of March, 1998, and the date of the last publication was on the 11 day of March, 1998.

Daniel J. Gorham
Subscribed and sworn to before me this 11 day of March, 1998.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 39.867
Number of Insertions 2
Lines tabular at 76c / Pica
Lines straight at 27.508 65c / Pica
Subsequent lines at 22.923 54c / Pica
TOTAL COST 15 \$55.43

No. 37-08869

COPY OF NOTICE

(Paste Here)

Application for water permit
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Resources
BILL TO

Application for water permit

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

EDGAR L. SINNOTT

PO BOX 848

SUN VALLEY ID 83363

Application for Permit

No. 37-08869

Source: groundwater

Diversion Pt(s): SW1/4NW1/4,

S02, T02S, R21E; Blaine County

Use: 1/1-12/31

Domestic: 0.04 cfs

In: W1/2NW1/4, S09, T02S,

R21E; Blaine County

Date Filed: 02/03/98

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 March 23, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published: Wood River Journal — March 4 & 11, 1998.

(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

10887

NOTICE OF APPLICATION
FOR WATER PERMIT

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

EDGAR L. SINNOTT

PO BOX 848

SUN VALLEY ID 83353

Application for Permit

No. 37-08869

Source: groundwater

Diversion Pt(s): SW1/4NW1/4,
S09, T02S, R21E; Blaine County

Use: 1/1-12/31

Domestic (0.04 cfs)

In: W1/2NW1/4, S09, T02S,
R21E; Blaine County

Date Filed: 02/03/98

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 March 23, 1998 to be
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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 03/04 & 03/11/98.

RECORDED

APR 13 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

February 18, 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

APR 15 1998

NOTICE OF APPLICATION FOR WATER PERMIT

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

EDGAR L. SINNOTT
PO BOX 848
SUN VALLEY ID 83353

Application for Permit No. 37-08869

Source: groundwater

Diversion Pt(s): SW1/4NW1/4, S09, T02S, R21E; Blaine County

Use: 1/1-12/31 Domestic (0.04 cfs)

In: W1/2NW1/4, S09, T02S, R21E; Blaine County

Date Filed: 02/03/98

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 March 23, 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 03/04 & 03/11/98.

APR 13 1998

APR 13 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

February 13, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

EDGAR L SINNOTT
PO BOX 848
SUN VALLEY ID 83353

Re: Application for Permit No. 37-08869

Dear Mr. Sinnott:

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 3/4 & 3/11/98. 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

CC: CHARLES G BROCKWAY
706 SUNRISE BLVD NORTH
TWIN FALLS ID 83301

100-1111

APR 1 1998

M E M O T O F I L E

FROM: Georgia Satterlee
DATE: 10 February 1998
RE: Application for Permit Basin 37

The application for permit, filed by Brockway Engineering, is in the name of Edgar L. Sinnott. The application is proposing domestic use to supply groundwater to 5 greenhouses, and 1 office with a sink and toilet. The point of diversion and place of use is south of Carey. Although this location is near the Big Wood River Ground Water Management Area, the p/d and p/u is out of the boundary area on the south eastern edge.

The applicant is seeking this use under the domestic exemption, per §42-111(b), which allows a diversion volume of 2500 gallons per day.

There is a decreed (priority date 04/01/1886) surface right, A37-00097B, irrigating 118 acres in the W½ of Section 9. Nine acres are irrigated in the NWNW¼ and 40 acres irrigated in the SWNW¼ in Section 9, T02S, R21E.

The applicant applied for a drilling permit for a domestic well in the Fall of 1997. I called Ken Smith at Wood River Drilling to find out the size of pump. According to an employee of Ken's, he said the pump, when it is installed (Spring 1998?), will be a 3 horsepower pump.

Estimating a rate using 3HP pump in a theoretical calculation:
 $Q = 8.8 \text{ (3 HP)} \cdot 0.70 / 280 + 50\text{psi}(\text{estimate}) \times 2.31 = 0.05 \text{ cfs}$

Comments:

1. Although the application states domestic, the slant seems to be commercial, i.e. office and greenhouses. The applicant seeks the permit to be under Part B. of the domestic exemption. The theoretical calculation of the pump shows a rate more than 0.04 cfs. Is there a contradiction here? Or am I missing something?

2. If the above is changed to a use other than domestic, an additional fee is required.

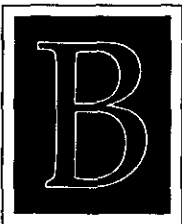
3. Will the surface irrigation right, A37-00097B, no longer be used? If so, a transfer or amendment of claim is necessary.

4. The well, when construction is completed, must have a measuring device approved by the department.

OK 7-11-98

APR 16 1998

37-08869



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

February 3, 1998

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

RECEIVED
FEB 03 1998
Department of Water Resources
Southern Region

Re: Groundwater permit application - Ed Sinnott

Dear Allen:

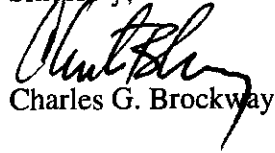
Enclosed is an application for permit for groundwater allowed under Part B of the domestic exemption (I.C. 42-111b). The applicant contemplates no more than 5 greenhouses and one sink and toilet facility. Watering of plants and flowers within the greenhouses would be accomplished by hand methods. Subtracting the non-irrigated aisles of the greenhouses, the total irrigated area is 0.254 acres.

Compared to typical cropping, it might be expected that the magnitude of evapotranspiration within a greenhouse would be less due to the generally higher humidity within the greenhouse. However, more controlled water application conditions may have the opposite effect. Thus, it is not clear whether greenhouse ET will be higher or lower than the same crop outside the greenhouse.

No applicable field data was immediately available, so greenhouse ET was estimated by the Penman method with assumed environmental conditions conducive to peak crop demand (see attached analysis). This method suggests a peak ET of 0.315 inches/day. For comparison, the FAO-Blainey Criddle method outlined by Allen and Brockway (1983) predicts a peak ET of 0.277 inches/day using climate data from the Picabo station for a crop of pasture.

As a conservative estimate, the Penman result of 0.315 inches/day was used as the peak water demand. The attached water usage analysis shows that a total of five greenhouses and the sink/toilet facility will require about 2388 gpd, which is less than the allowable 2500 gpd under the Part B exemption.

Sincerely,



Charles G. Brockway

enclosure

cc: Ed Sinnott

ENCLOSURE

ASF - 1111

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208•733•0938
208•734•2580

FAX: 736•1746

37-08869

SINNOTT PROPERTY
WATER USE CALCULATIONS FOR GREENHOUSES

Brockway Engineering, PLLC 1/21/98

Greenhouses are associated with nursery facility near Silver Creek
 Hand watering of plants and flowers on year-round basis
 Permit is desired under Part B domestic exemption (I.C. 42-111b)

PHYSICAL CONFIGURATION

No. of greenhouses 5
 Gross area 3000 sq. ft. each
 Net area 2214 sq. ft. (assuming one 100' x 3' aisle and 6 cross-aisles)
 Total irrigated area 0.254 acres

CROP USAGE UNDER NON-GREENHOUSE CONDITIONS

Crop: Pasture

Source: Allen and Brockway (1983), Picabo station

Month	Mean daily ET (mm)	Std. dev. (mm)	80% ET (mm)	80% ET (inches)	Annual usage calcs:	
					Mean monthly ET	
					(mm)	(inches)
April	1.43	0.18	1.58	0.062	43	1.69
May	4.37	0.38	4.69	0.185	135	5.33
June	6.00	0.41	6.34	0.250	180	7.09
July	6.17	0.26	6.39	0.252	191	7.53
August	5.22	0.35	5.51	0.217	162	6.37
September	3.88	0.43	4.24	0.167	116	4.58
October	2.35	0.32	2.62	0.103	73	2.87
Total:					901	35.46

80% ET for peak month (July) 0.252 inches
 Peak day ratio 1.1
 Peak daily ET for design 0.277 inches
 Maximum ET from Penman method 0.315 inches

Use Penman analysis ET:
 Required peak daily application 0.006671 acre-feet
 or 2174 gallons

Greenhouse irrigation efficiency 0.95
 Total maximum diversion volume 2288 gallons/day

Office use: one toilet and sink 100 gallons/day

TOTAL USAGE 2388 gallons/day

MICROFILMED

APR 15 1998

PENMAN METHOD FOR EVAPOTRANSPIRATION CALCULATION

Brockway Engineering, PLLC 1/20/98

Project: Sinott - Carey property greenhouses

<- = Enter value

Mean air temp (deg. F)	80 <-
Mean air temp (deg. C)	26.67
Saturation vapor pressure (mm Hg)	26.17
Relative humidity	0.80 <-
Vapor pressure	20.94
Delta (mm Hg / deg C)	1.54
Delta (mm Hg / deg F)	0.86
R (mm H2O/day)	16.70 (July) <-
B (mm H2O/day)	16.25 <-
% reflecting surface	0.00 <-
Duration sunshine / max duration	1.00 <-
Wind speed at 2 ft (mi/day)	0.00 <-

Calculated:

H (mm/day)	9.93
------------	------

E (mm/day)	1.83
------------	------

Computed evapotranspiration	7.99 mm/day
	0.315 inches/day

MICROFILM

APR 13 1998

WD0731NP
(00-0731)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

DATE: 02/05/98
PAGE: 1

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY	ACC FLG
37-97-S-0130-000 D0002188	0	ED SINNOTT PO BOX 848 SUN VALLEY, ID 83353 (208) 726-8412	02S	21E	09	SM NW		BLAINE	S

Subdivision Well Site Location and Description:

Subdivision Name:
Well Site Address: TAX LOT 7324
City, State: CAREY, ID

Lot(s):
Block(s):

Geographic Location:
GPS Site ID:
Lat: : :
Long: : :
Accuracy Code: N M

Proposed Use of Well: Domestic
Anticipated Bottom Hole Temperature: 85F or Less

Proposed Casing Diameter: 1in.

Proposed Depth:

Ft.

Well Use Comments:

Driller License No: 0265

Firm Name: WOOD RIVER DRILLING & PUMP INC
Official: KENNETH R SMITH

Permit Status: Start Card

Verbal Issue Date:	Receipt No.	Receipt Date
Date Approved: 10/14/1997	S020586	09/23/1997
Proposed Start Date: 10/14/1997		NOT ON FILE
Extension Date: 10/22/1997		NOT ON FILE
Extension Expiration: 11/03/1997		NOT ON FILE

Fee \$ 525.00

Permit Remarks:
Permit Remarks:

Conditions of Approval: This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.

The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.

Approval of this drilling permit does not authorize trespass on the land of another party.

7 tags @ \$75/tag =

RECORDED
APR 15 1998

WD0731NP
(OD-0731)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

DATE: 02/05/98
PAGE: 2

WELL DRILLING PERMIT NUMBER INDEX: Permit No. 37-97-S-0130-000 (cont'd)

Conditions of Approval: This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

This drilling permit does not represent a right to divert and use the water of the State of Idaho.

If a bottom hole temperature of 85 Degrees F (29.44 C) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (Digline is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line" Number for your area is 1- - - - -

WELL DRILLER'S LOG REPORT

Drilling Permit No: 37-97-S-0130-000 Water Right No:
Log Status: Pending Data Review Injection Permit No:

Nature of Work: Construction Method: AIR ROTARY Number of Monitor Wells:

Casing Diameter:	6	In.	Static Water Level:	210	Ft.	Actual Start Date:	10/30/1997
Depth of Casing:	300	Ft.	Temperature:		F.	Well Finish Date:	11/03/1997
Total Depth:	300	Ft.	Production Rate:	40.00	GPM	Log Received Date:	11/17/1997
Screen Installed?	No					Certification Date:	11/13/1997

Violation Flag:

Inspector:

Well Log Remarks: 10S BENTONITE OVERBORE TO SEAL DEPTH FROM 0 TO 20 FT
DRIVE SHOE WAS USED.
.250 6" WELDED STEEL CASING FROM 1.5 TO 300 FT.

APR 15 1998