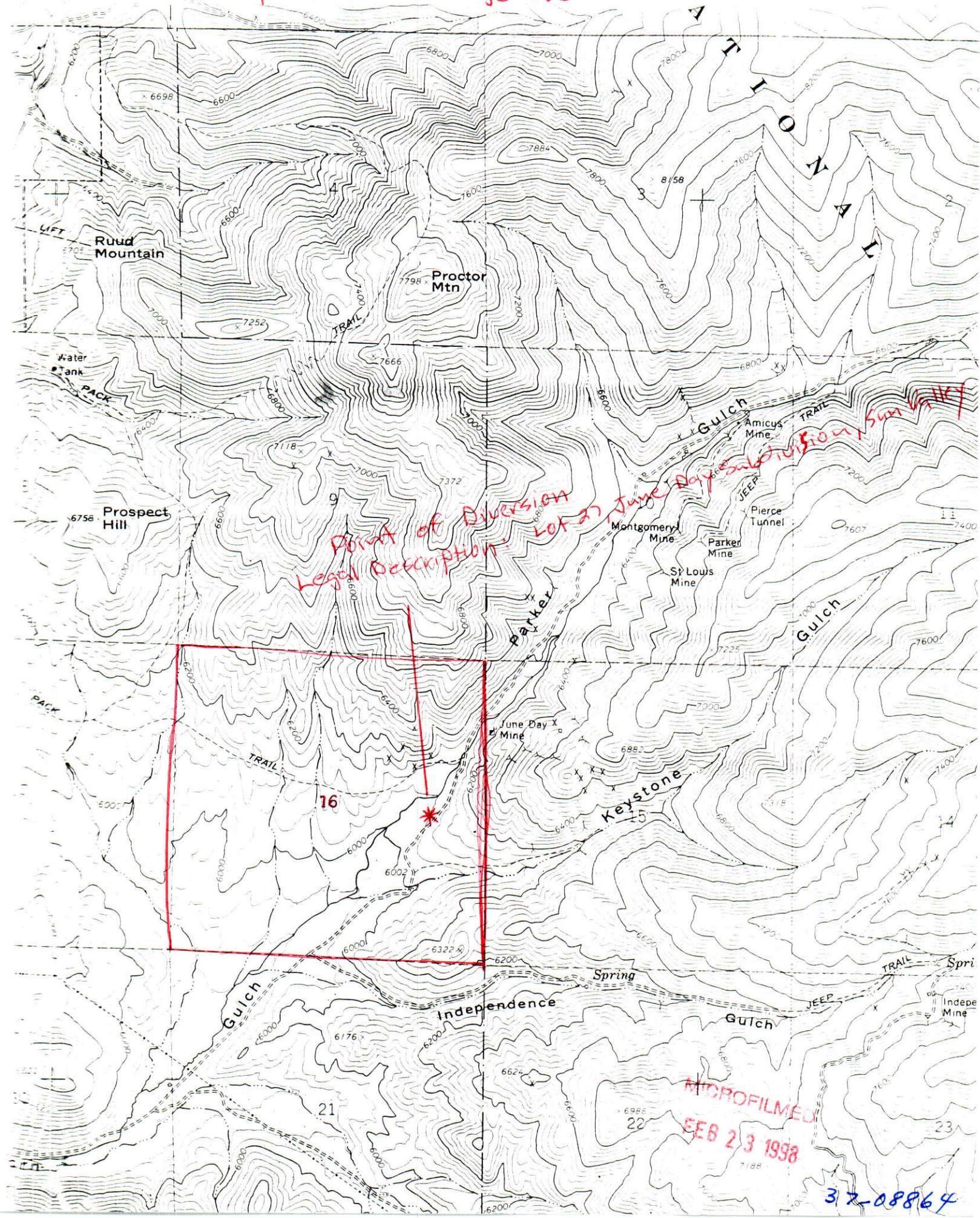
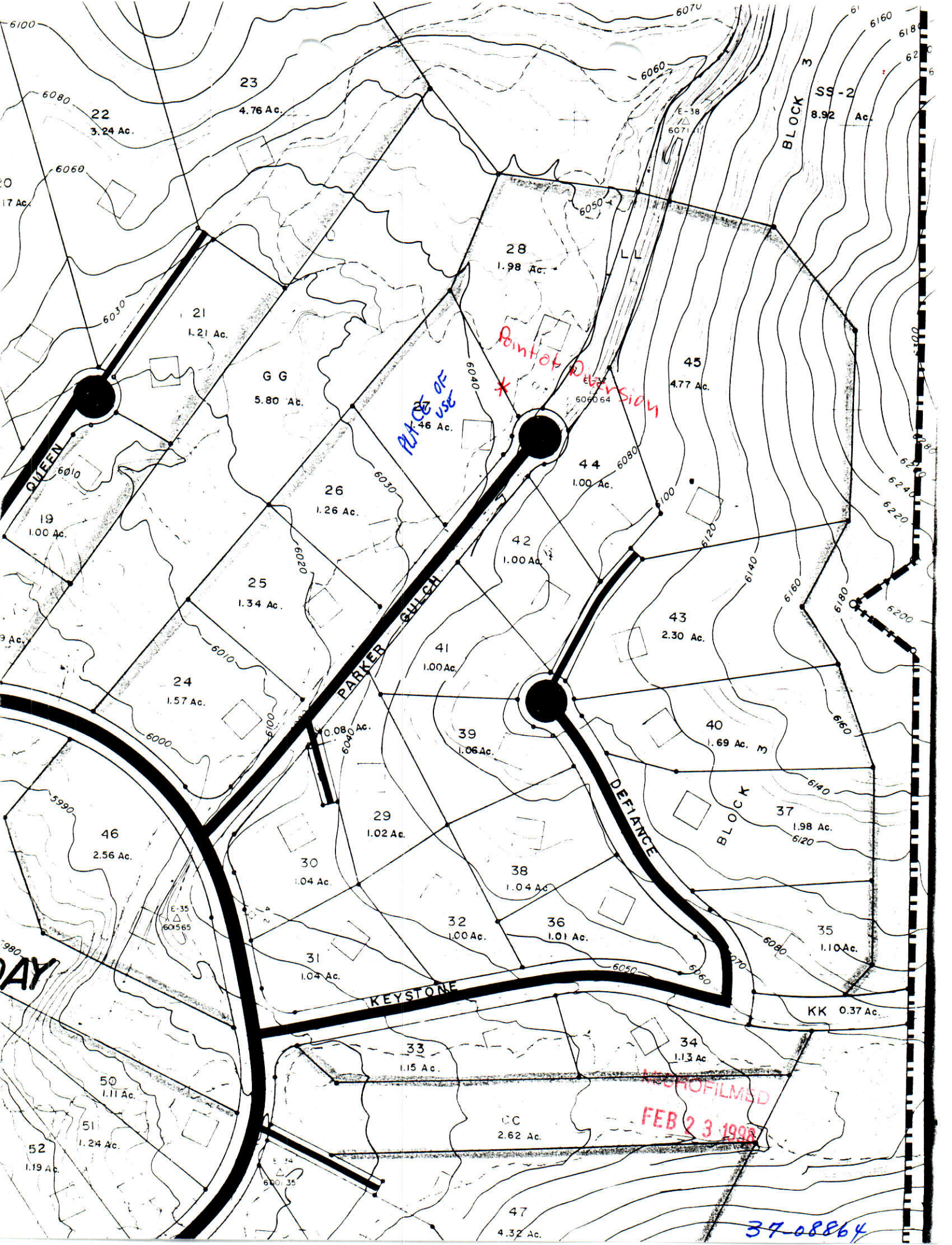


Sun Valley Quadrangle
Township - Range 18E





PLACE OF USE
Point of Diversion

REPROFILMED
FEB 23 1998

37-08864



Point of Decision

1993

FEB 23 1998

37-08864

10-25-88

1:3000

SUN VALL

Point of Interest

PLACE
OF USE

MICROFILM
FEB 23 1988

37-
08864

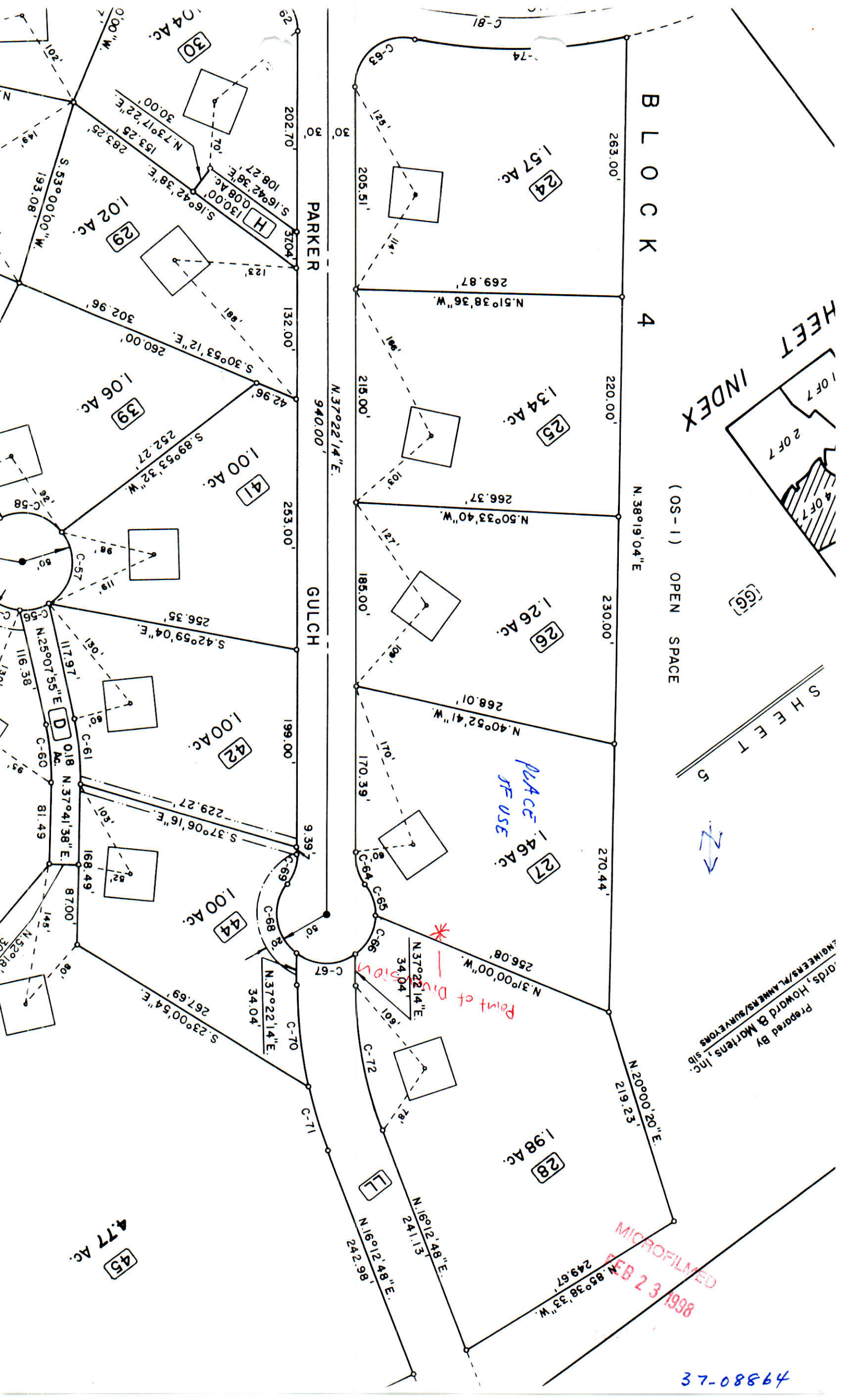
SHEET INDEX

(OS-1) OPEN SPACE

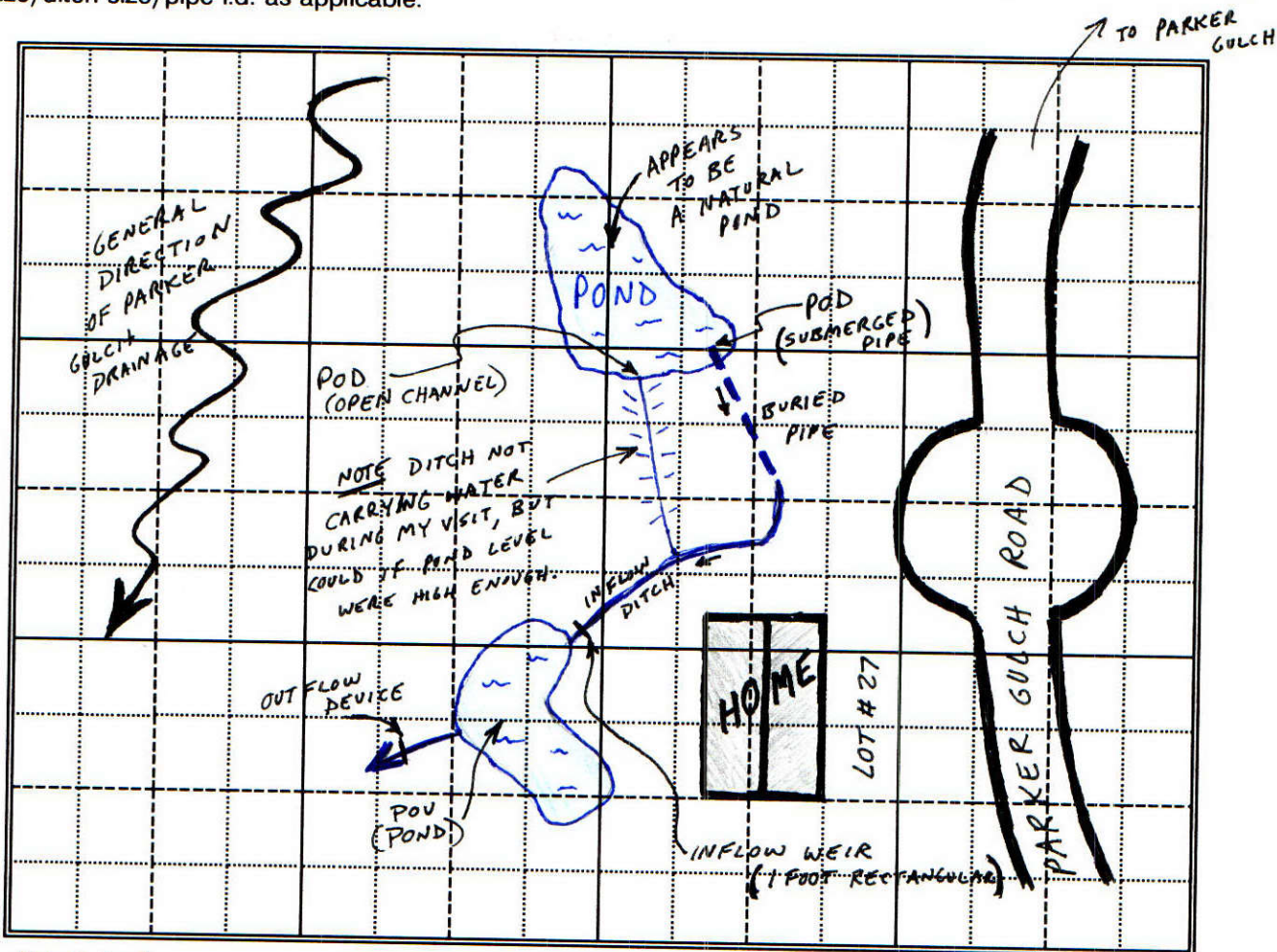
SHEET 5

Prepared By
ENGINEERS/PLANNERS/SURVEYORS
ORDS, HOWARD & MORTENS, INC.

B L O C K 4



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



Scale: 1" = NO SCALE

☐ 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.

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.

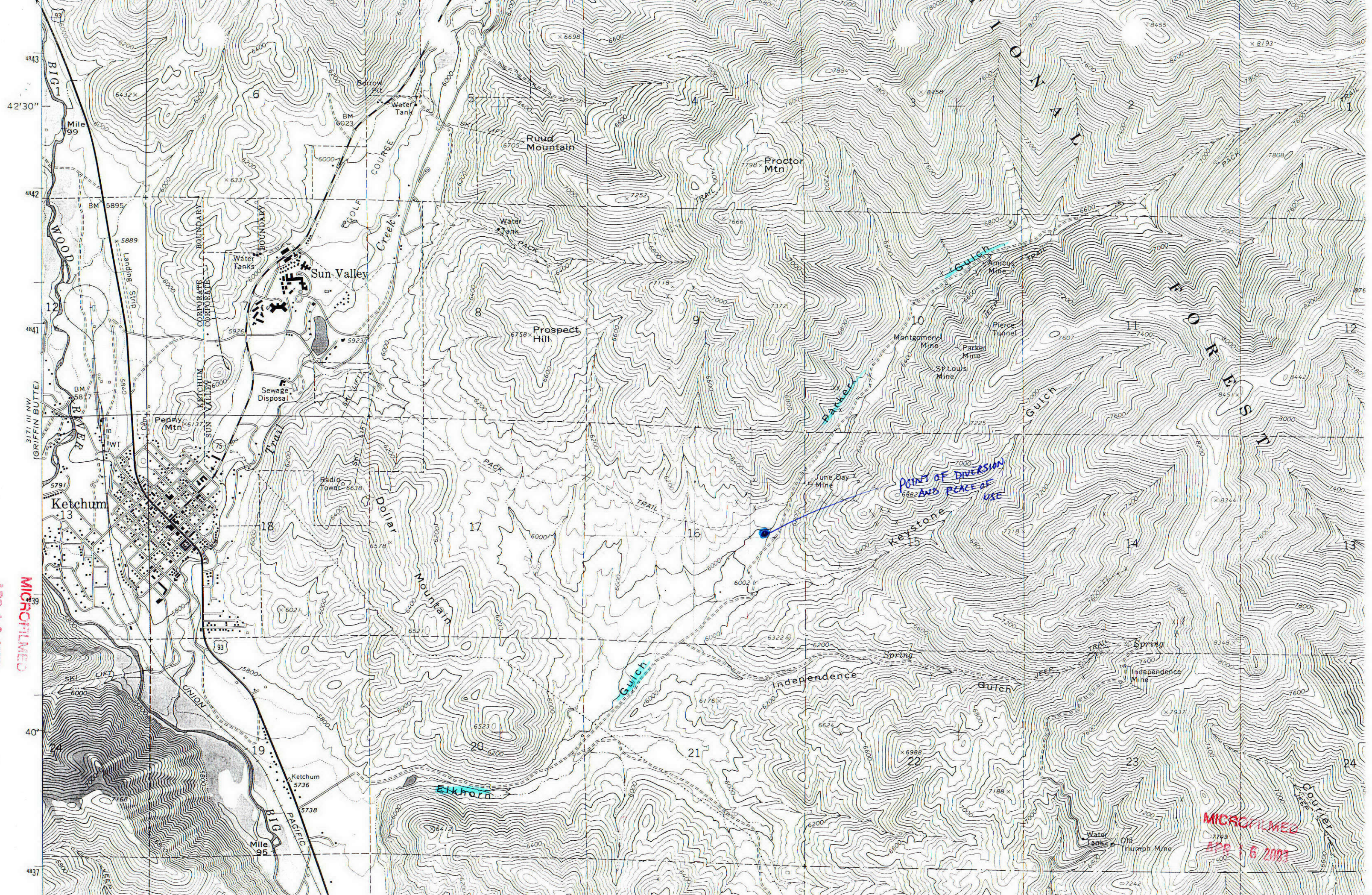
MICROFILMED

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Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
RECTANGULAR WEIR					1'	

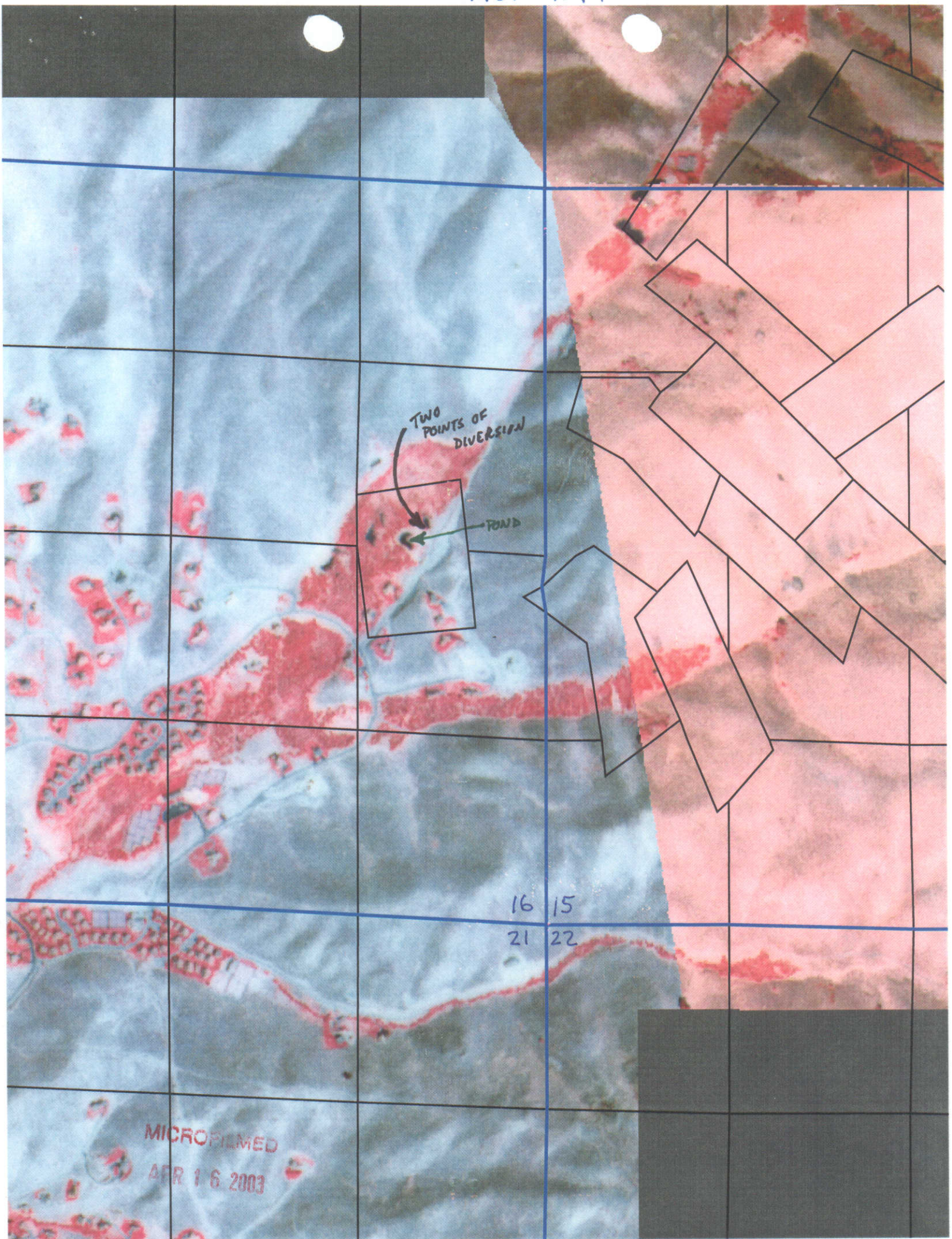
2. Measurements: 0.11 cfs, but flow was low. Judging by high water marks on weir plate permit amount of 0.50 cfs could be justified.

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APR 16 2003

1987 NAPP



TWO
POINTS OF
DIVERSION

POND

16 15
21 22

MICROFILMED
APR 16 2003

Microsoft TerraServer

Display Image

USGS Aerial Photograph

4 km E of Ketchum, Idaho, United States 26 Jul 1992



37-8864
pond

0 200M

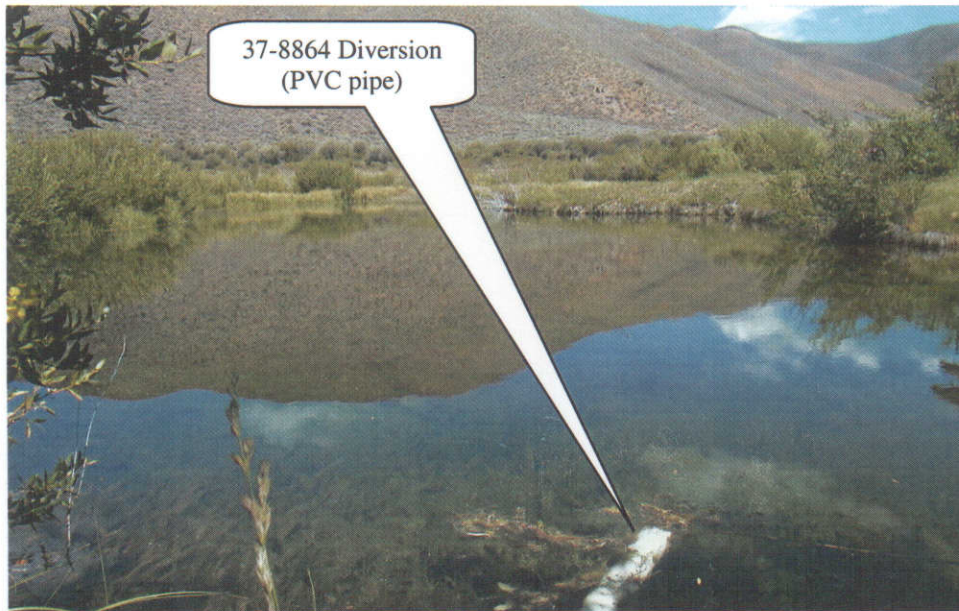
0 200yd

Image courtesy of the US Geological Survey.

MICROFILMED

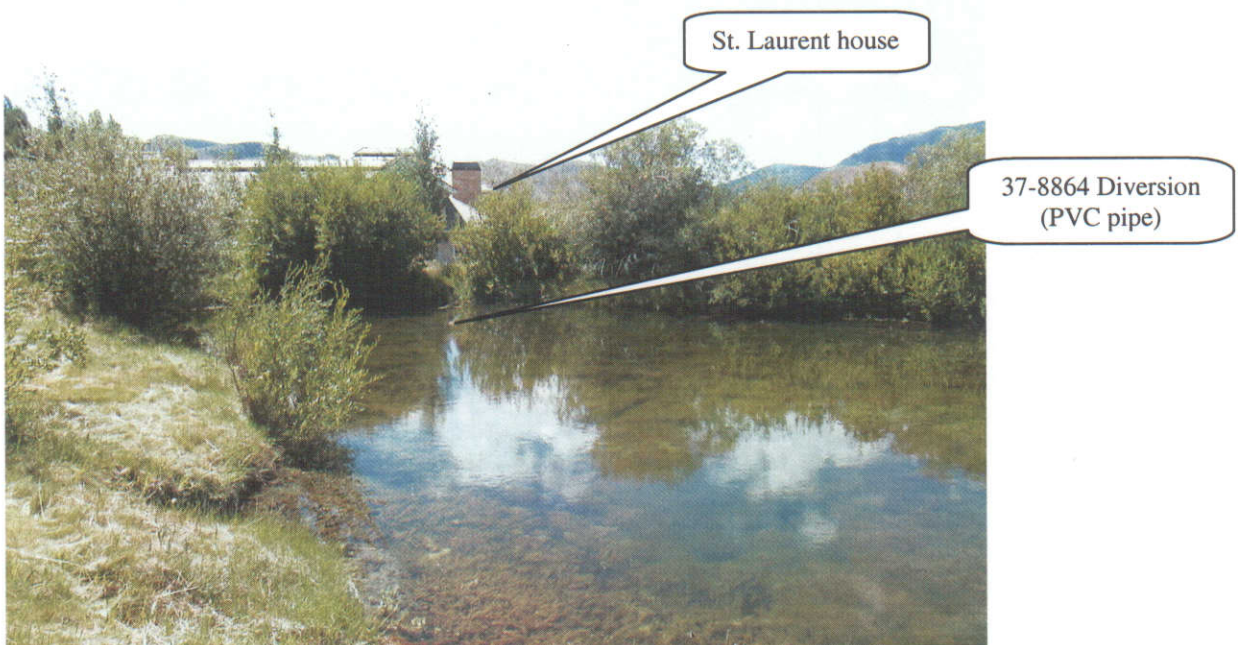
APR 16 2003

37-8864 Field Exam Photos taken 07/31/2001



ABOVE: View from south end of pond at the mouth of Parker Gulch that serves as source of water for permit 37-8864. The white PVC pipe in the foreground of this view is one of the diversions for permit 37-8864.

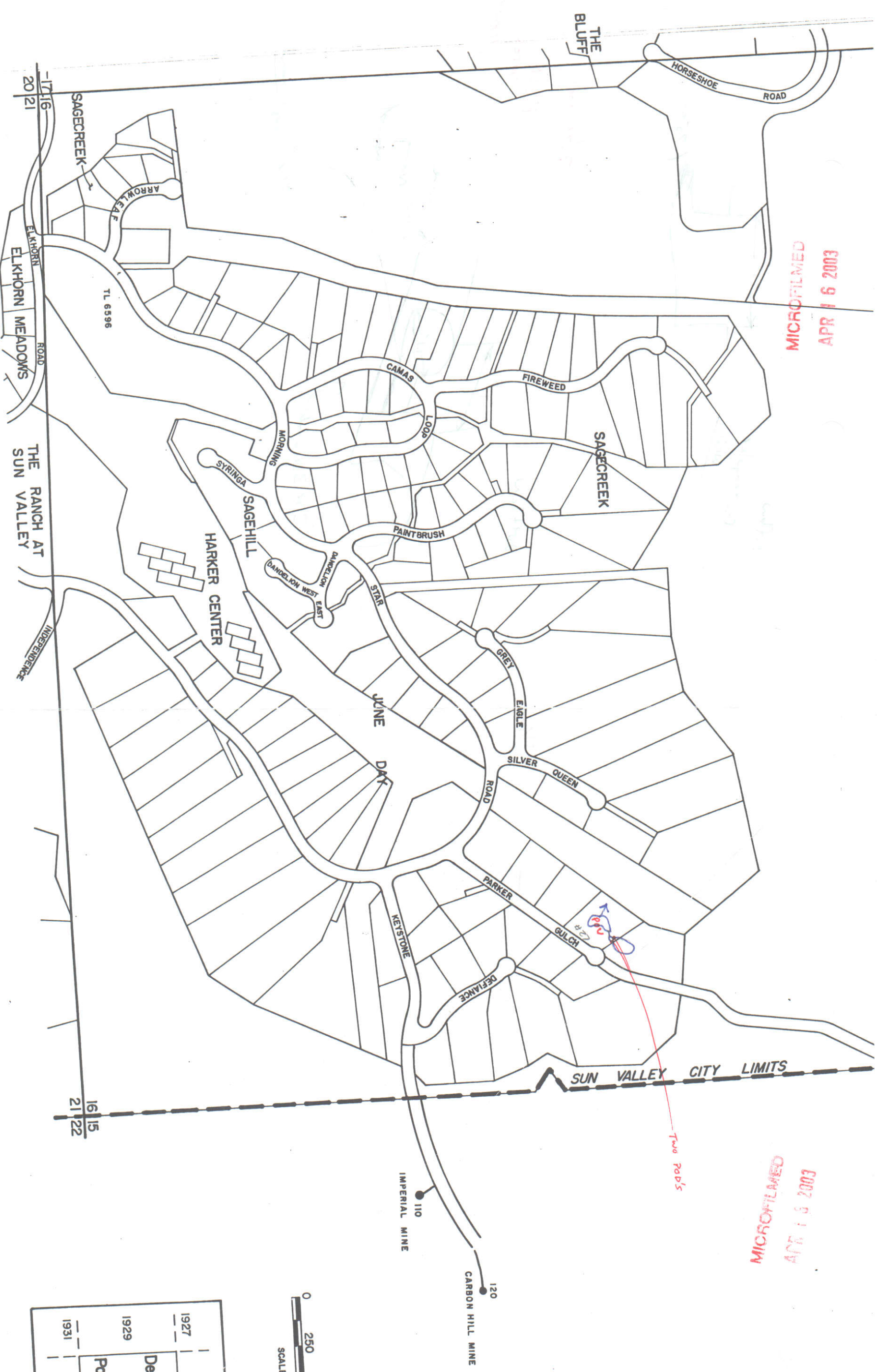
LEFT: View looking towards the south edge of the pond shown in photo above. The white PVC pipe is one of the diversions for permit 37-8864. The other diversion is a ditch that leads from this pond to the ditch to the pond on the St. Laurent property. However, the ditch only appears to convey water when the pond level shown in this view is high enough.



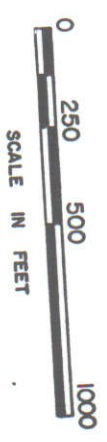
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1927	1900	1900
1929	Detail 1930	1900
1931	Page 1900	1900
1932		1900

Edwards, Howard & Martens, Inc.
ENGINEERS / PLANNERS / SURVEYORS

SEC. 16, T. 4 N., R. 18 E.

1930

WICHITA

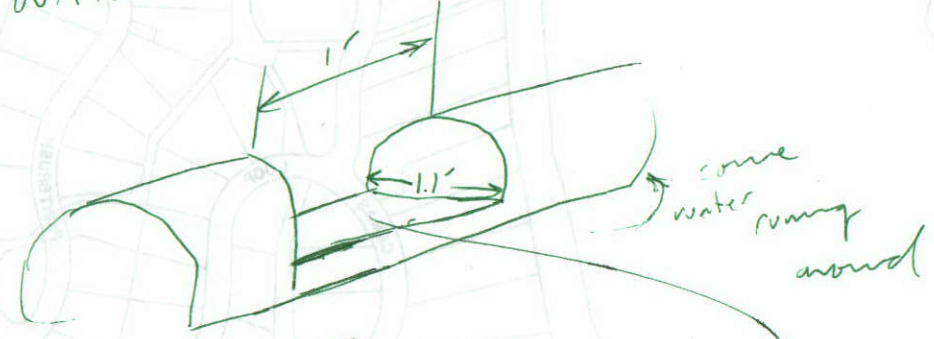
WICHITA

inflow
rectangular
weir



7/31/2001
FIELD
NOTES
P. SKINNER

outflow



2 or 3 seconds

3/4" deep max

$V = 1.1 / 3 \text{ seconds} = .37 \frac{\text{feet}}{\text{second}}$
 $V = 1.1 / 2 \text{ seconds} = .55 \frac{\text{feet}}{\text{second}}$
average = .46 ft/second
 $A = (1)(.0625) = .0625$

$Q = VA$
 $Q = .03 \text{ cfs}$

CARSON HILL MINE

WICHITA

HARKER CENTER

THE RANCH AT
SUN VALLEY

ELKHORN MEADOWS

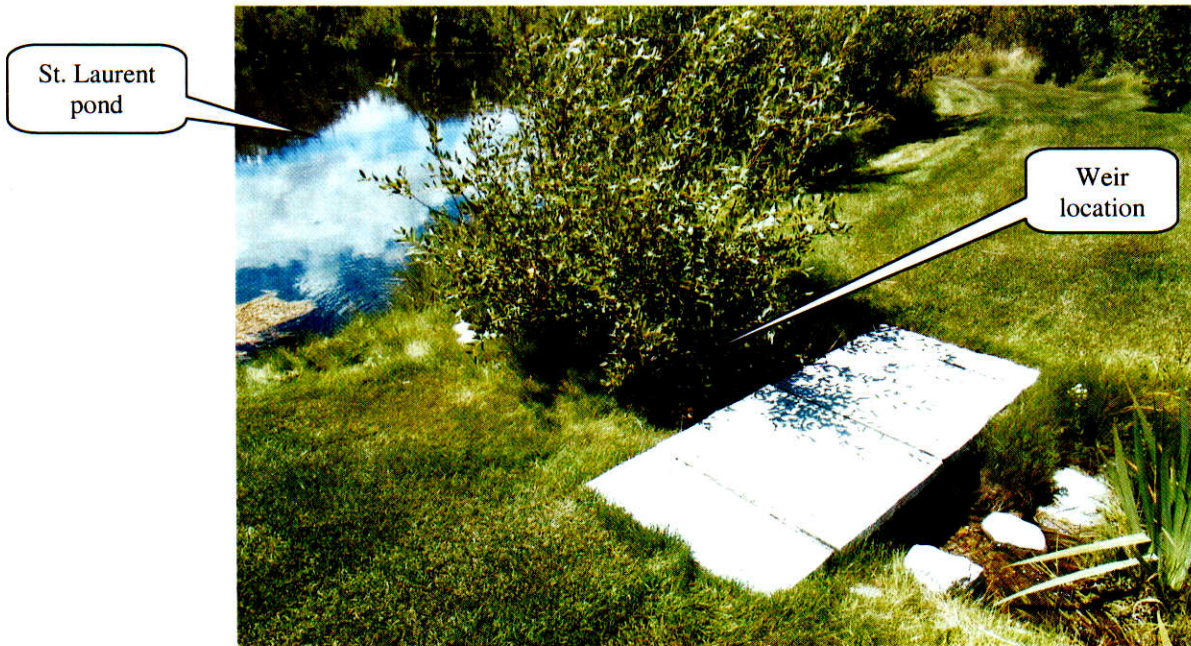
WICHITA

SEC. 16, T. 4 N., R. 18 E.

1930



1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940
1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940
1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940
1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940

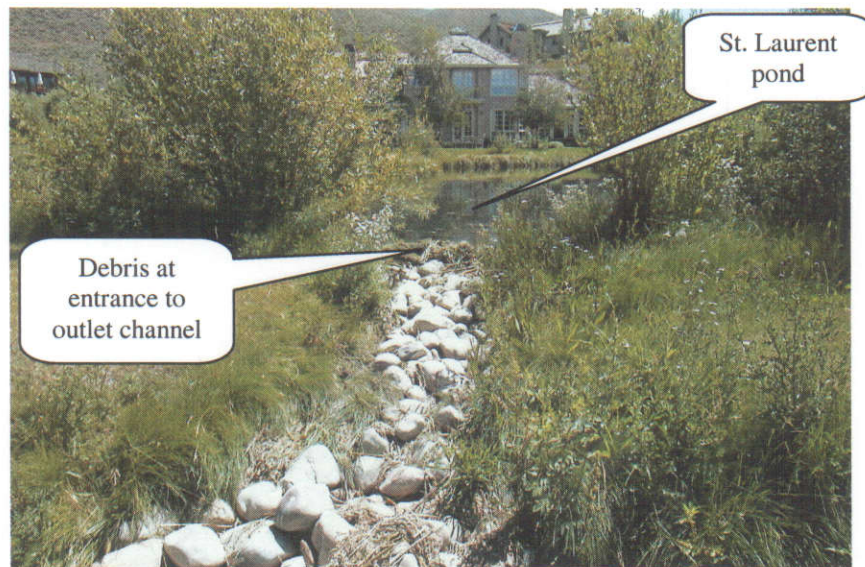


ABOVE: View of inlet channel to St. Laurent pond. A steel, rectangular weir is located under the willow bush, just downstream of the bridge.

BELOW: Close up view of steel, rectangular weir, indicated in photo above. Note growth and rocks in channel that may impact flow and measurement(s). The flow at the time this photo was taken was measured at 0.11 cfs. However, note higher watermarks on weir visible in this photo.

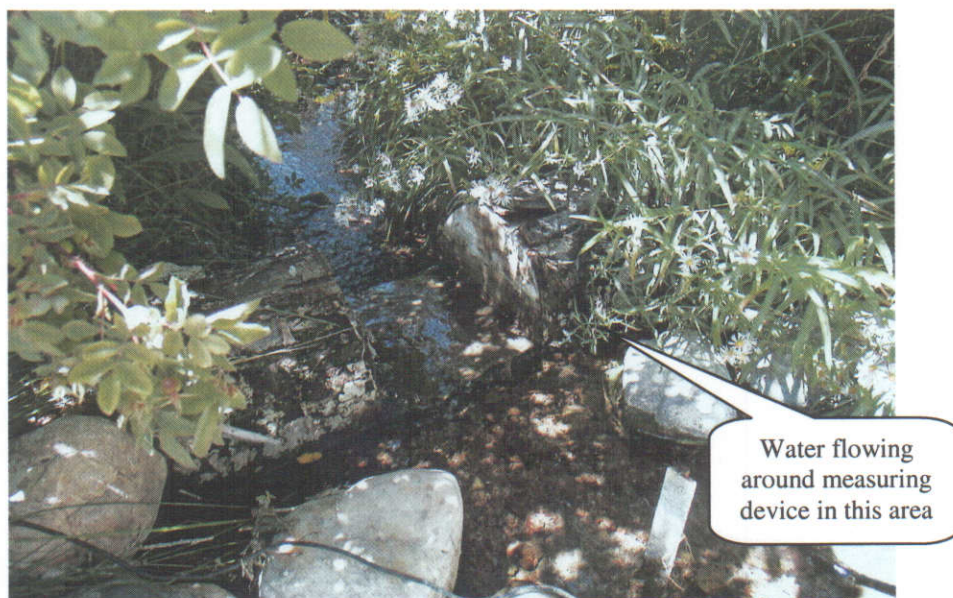


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APR 16 2003



ABOVE: View of outlet channel from St. Laurent pond. Debris at the top of this channel was reducing flows through the channel. Water appeared to be seeping over, or through, the south end of the pond, but water was flowing under the rocks in the channel shown in this view.

BELOW: View of measuring device at the bottom of the channel shown in photo above. Device is a log with a one-foot rectangular notch cut through it. Water flow through the notch was measured at 0.03 cfs, but water was flowing around the right (north) side of the log, which prevented the water to pass through the notch in the log. Total water flow in this area was comparable to what was flowing into the St. Laurent pond.



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APR 16 2003

AFFIDAVIT of PUBLICATION

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SEP 11 1997

State of Idaho,
County of Blaine

} ss.

Department of Water Resources
Southern Region

On this 10 day of Sept., in the year 1997, 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 3 day of Sept., 1997, and the date of the last publication was on the 10 day of Sept., 1997.

Daniel J. Gorham
Subscribed and sworn to before me this 10 day of Sept., 1997.
(SEAL)

[Signature]
NOTARY PUBLIC

#10688

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 52.000
Number of Insertions 2
Lines tabular at 7 6c / Pica
52.000 Lines straight at 35.880 6 5c / Pica
52.000 Subsequent lines at 29.900 5 4c / Pica
TOTAL COST 15 \$70.78

COPY OF NOTICE
(Paste Here)

Application for Water Permit
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID. Dept. of 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:

WILLIAM ST LAURENT &/OR
WENDY ST LAURENT
PO BOX 6202
SUN VALLEY ID 83353

Application for Permit
No. 37-08864

Source: Parker Gulch tributary to Elkhorn Gulch (existing development)

Diversion Pt(s):
NW1/4NE1/4SE1/4, S16, T04N, R18E; Blaine County.

Use: 1/1-12/31

aesthetic (0.5 cfs)

recreation (0.5 cfs)

wildlife (0.5 cfs)

fish propagation (0.5 cfs)

Total Diversion: 0.5 cfs

In: NE1/4SE1/4, S16, T04N, R18E; Blaine County

Date Filed: 8/13/1997

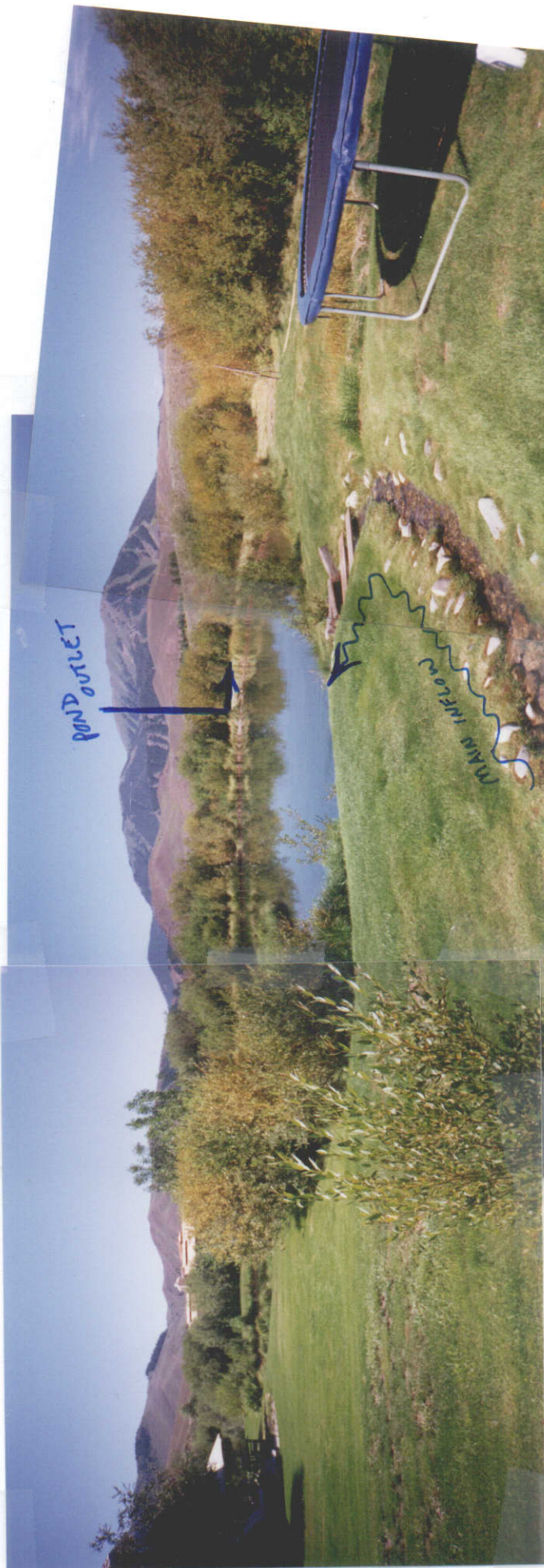
Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before September 22, 1997 to be considered by the Department in its decision to grant 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 —
September 3 & 10, 1997.

OK MB
9/12/97

MICROFILMED
FEB 23 1998



ABOVE: VIEW OF POND ON LOT #27 JUNE DAY SUBDIVISION (APPLICANT'S PROPERTY). MAIN INFLOW (DITCH ALONG
 SANGLEY ARROW) IS FED BY POND INLET SHOWN BELOW. NOTE SECONDARY INFLOW (SMALL DITCH IN GRASS) BEHIND
 TRAMPOLINE. APPROXIMATE LOCATION OF POND OUTLET SHOWN BELOW IS INDICATED.

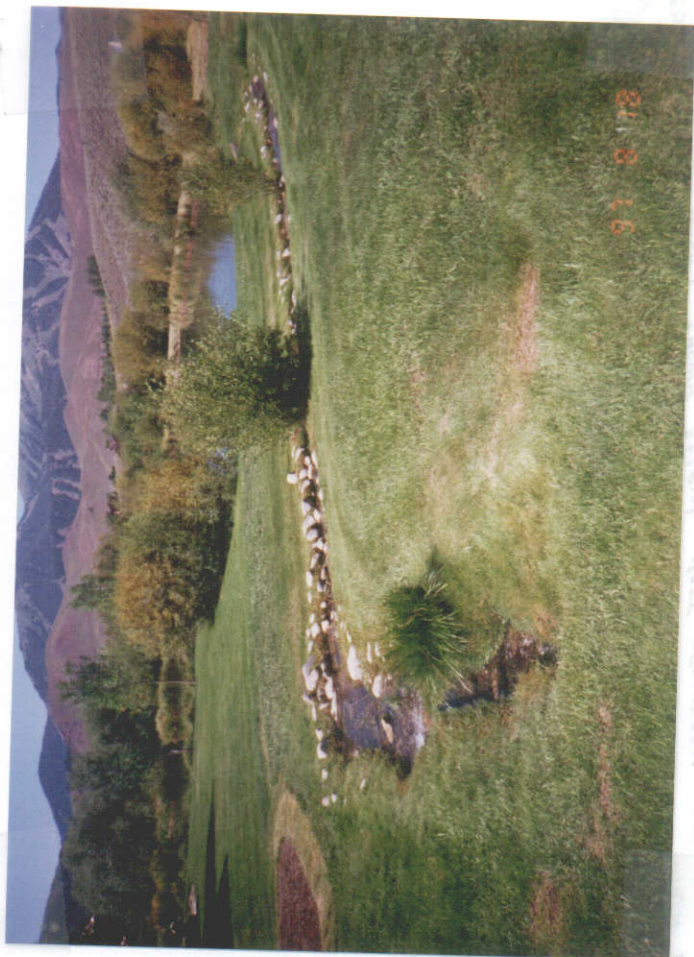
BELOW: VIEW LOOKING UP PARKER GULCH FROM S. NORTH
 BOUNDARY OF LOT #27. POND INLET, 4" PVC PIPE
 WITH NO CONTROL WORKS, IS INDICATED IN FOREGROUND.



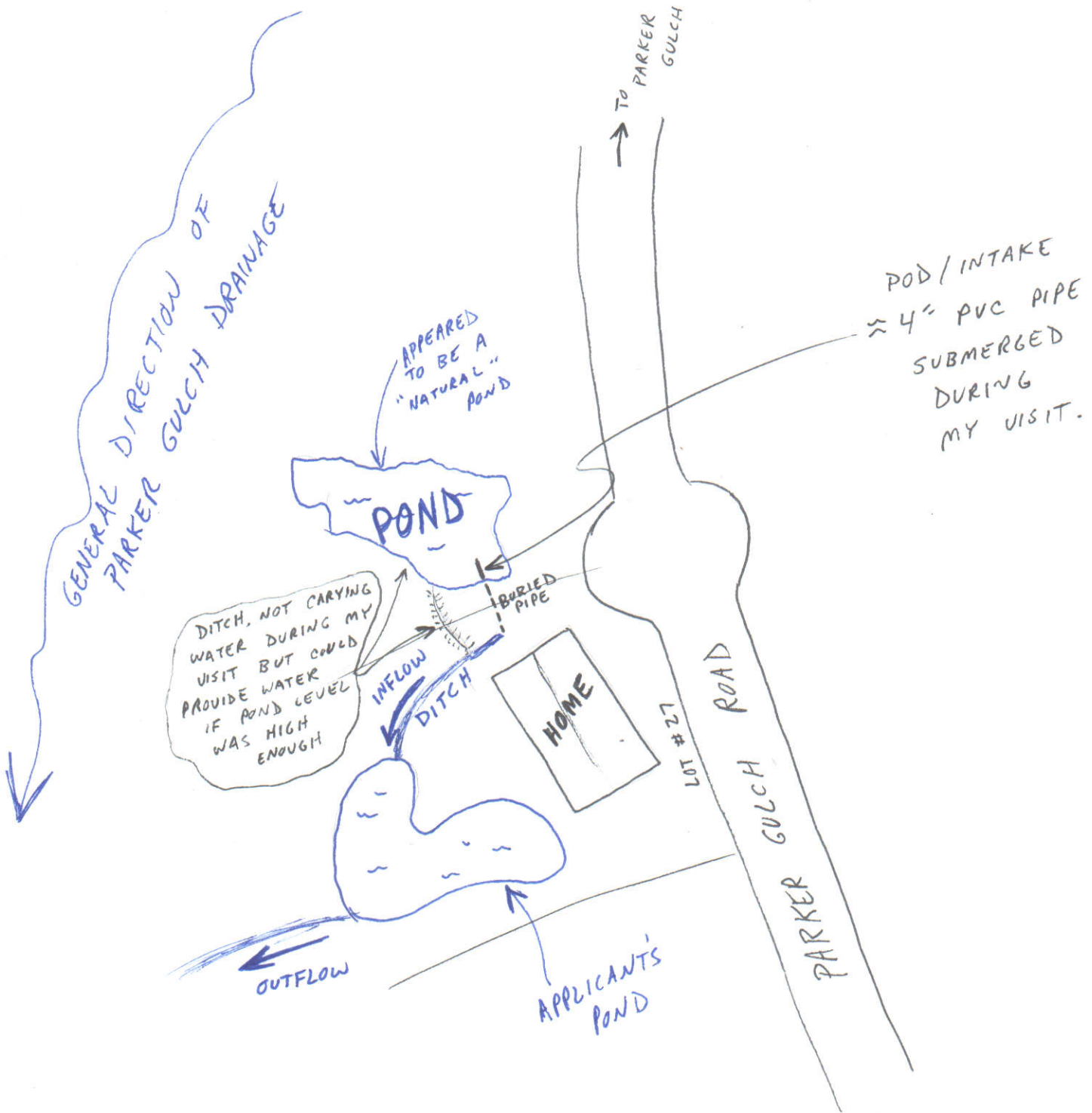
BELOW: VIEW OF OUTLET AND OUTFLOW FROM
 APPLICANT'S POND.

Extra photo of
inflow to St. Laurent
pond.

MICROFILMED
FEB 23 1998



91 2 173



SKETCH (NOT TO SCALE)

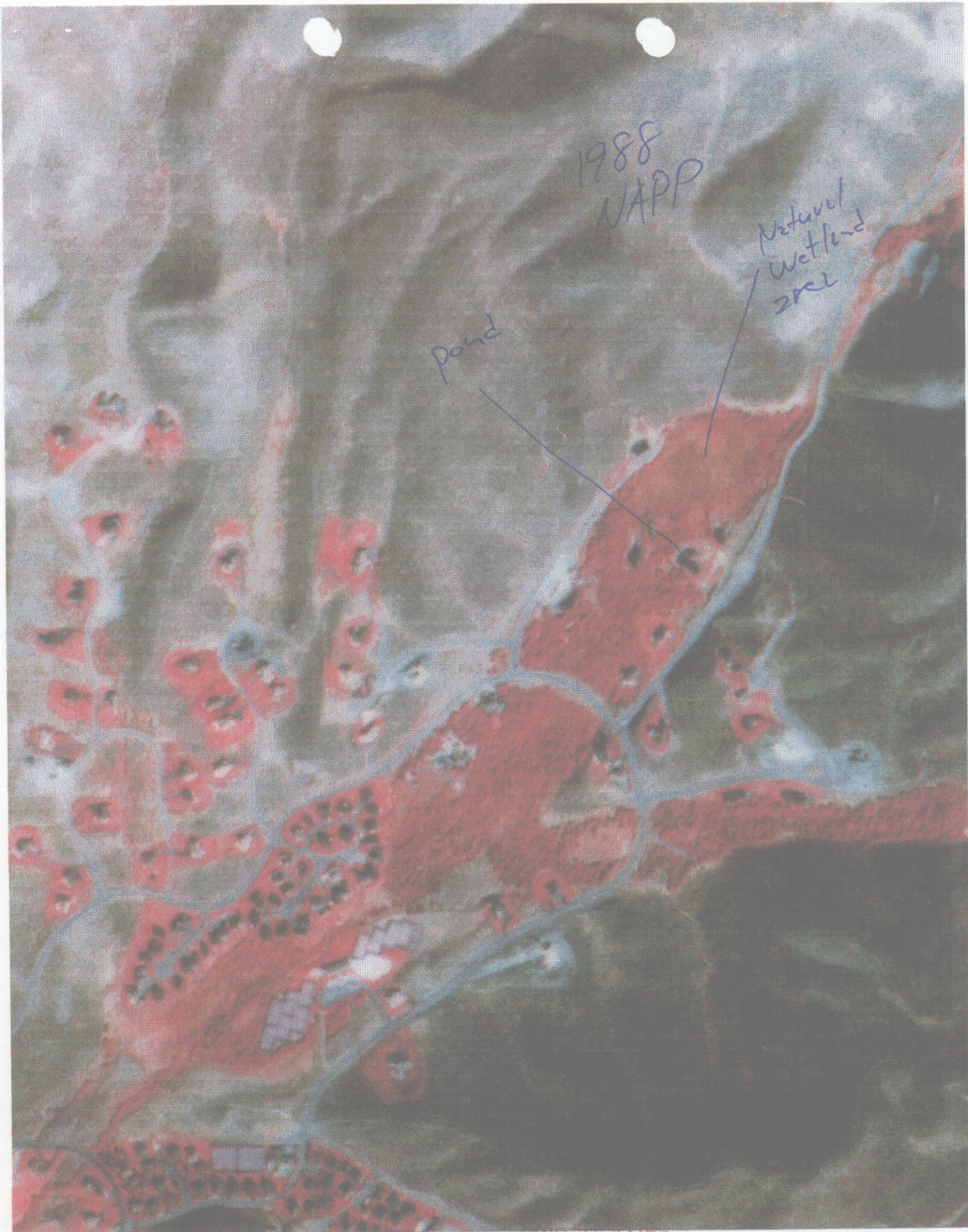
BASED ON OBSERVATIONS FROM MICROFILMED

08/18/97 FIELD VISIT.

FEB 23 1998

BY C. SKINNER

37-08864



MICROFILMED

FEB 23 1998

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08864

Priority: August 13, 1997

Maximum Diversion Rate: 0.50 CFS
Maximum Diversion Volume: 362.0 AF

It is hereby certified that CARLO CANNELL And JENNIFER CANNELL
107 PARKER GULCH RD
SUN VALLEY ID 83353 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 13, 1997; and have
submitted Proof of Beneficial Use on December 11, 1998. An examination indicates that the works have
a diversion capacity of 0.5 cfs of water from:

SOURCE

PARKER GULCH CREEK

Tributary: ELKHORN GULCH CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DIVERSION TO STORAGE	01/01 to 12/31	0.50 CFS	
WILDLIFE STORAGE	01/01 to 12/31		0.8 AF
AESTHETIC STORAGE	01/01 to 12/31		0.8 AF
RECREATION STORAGE	01/01 to 12/31		0.8 AF
AESTHETIC	01/01 to 12/31	0.50 CFS	362.0 AF
RECREATION	01/01 to 12/31	0.50 CFS	362.0 AF
WILDLIFE	01/01 to 12/31	0.50 CFS	362.0 AF

LOCATION OF POINTS OF DIVERSION:

PARKER GULCH CREEK SE¼NE¼ Sec. 16, Twp 04N, Rge 18E, B.M., BLAINE County

PARKER GULCH CREEK SE¼NE¼ Sec. 16, Twp 04N, Rge 18E, B.M., BLAINE County

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 18E 16				X									X				

PLACE OF USE: DIVERSION TO STORAGE – Same as Wildlife Storage

PLACE OF USE: AESTHETIC STORAGE – Same as Wildlife Storage

PLACE OF USE: RECREATION STORAGE – Same as Wildlife Storage

PLACE OF USE: AESTHETIC – Same as Wildlife Storage

PLACE OF USE: RECREATION – Same as Wildlife Storage

PLACE OF USE: WILDLIFE – Same as Wildlife Storage

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APR 16 2003

State of Idaho
Department of Water Resources
Water Right License

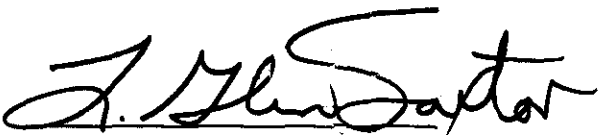
WATER RIGHT NO. 37-08864

CONDITIONS OF APPROVAL

1. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
3. Water shall not be diverted under this right when flows in the Big Wood River are below established minimum stream flows.
4. Use of water under this right is for a private pond that does not exceed 0.8 af.
5. Aesthetic and recreation uses are for a pond.
6. Point of diversion and place of use are located within Lot 27, June Day 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 used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 27th day of March, 2003.

for 
KARL J. DREHER
Director

MICROFILMED

APR 16 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08864

Date of Priority: August 13, 1997

Maximum Diversion Rate:

0.50 CFS

Maximum Diversion Volume:

382.0 AF

Comes now Carlo & Jennifer Cannell, 107 Parker Gulch Road, Sun Valley ID 83353

and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08864, and requests that the permit be changed as follows:

Source: PARKER GULCH

Tributary: ELKHORN GULCH

<u>GENERAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DIVERSION TO STORAGE	01/01 to 12/31	0.50 CFS	
WILDLIFE STORAGE	01/01 to 12/31		0.8 AF
AESTHETIC STORAGE	01/01 to 12/31		0.8 AF
RECREATION STORAGE	01/01 to 12/31		0.8 AF
AESTHETIC	01/01 to 12/31	0.50 CFS	382.0 AF
RECREATION	01/01 to 12/31	0.50 CFS	382.0 AF
WILDLIFE	01/01 to 12/31	0.50 CFS	382.0 AF

LOCATION OF POINTS OF DIVERSION:

PARKER GULCH SEXNEK Sec. 16, Twp 04N, Rge 18E, S.M., BLAINE County

PARKER GULCH SEXNEK Sec. 16, Twp 04N, Rge 18E, S.M., BLAINE County

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 18E 16				X													

PLACE OF USE: DIVERSION TO STORAGE - Same as Wildlife StoragePLACE OF USE: AESTHETIC STORAGE - Same as Wildlife StoragePLACE OF USE: RECREATION STORAGE - Same as Wildlife StoragePLACE OF USE: AESTHETIC - Same as Wildlife StoragePLACE OF USE: RECREATION - Same as Wildlife StoragePLACE OF USE: WILDLIFE - Same as Wildlife Storage

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 18 day of March, 2003.

Carlo Cannell
(Signature)

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APR 16 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08864

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = 50.00 Received by jm # C068163 Date 3/24/03

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-08864 with the following:

CONDITIONS OF APPROVAL

1. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
3. Water shall not be diverted under this right when flows in the Big Wood River are below established minimum stream flows.
4. Use of water under this right is for a private pond that does not exceed 0.8 af.
5. Aesthetic and recreation uses are for a pond.
6. Point of diversion and place of use are located within Lot 27, June Day Subdivision.

Witness my hand this 27th day of March, 2003.



for KARL J. DREHER
Director

MICROFILMED

APR 16 2003

11/99

For Office Use Only
\$25 filing fee
Receipt # 200308162
Date 3-24-03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 24 2003

ASSIGNMENT OF PERMIT
To change the ownership of a permit

Department of Water Resources

I, William & Wendy St Laurent, hereby assign to Carlo and Jennifer Cannell
of, 107 Parker Gulch Road, Sun Valley Idaho 83353 (208) 622-3297
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 37-08864 to
appropriate the public waters of the State of Idaho.

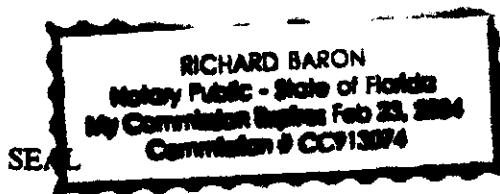
OR (for partial assignments)

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

Made this 8th day of March, 2003.
Wendy St Laurent
Permit Holder(s)

State of Idaho)
County of _____)ss

On this 8th day of March, 2003, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.



Richard Baron
Notary Public residing at
2524 Lake Ave Miami Beach FL
33146

My commission expires: _____

MICROFILMED

APR 15 2003

RECEIVED

DEC 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 37-08864 Telephone No. 305-716-7721 (office)
208-622-3297 or 726-3774

2. Name(s) of Permit Holder(s): WILLIAM A WENDY ST LAURENT

3. Mailing Address: P.O. BOX 3200, SUN VALLEY, ID 83353

4. Source of Water: PARKER GULCH CREEK
OF ELKHORN CREEK 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): _____ Stockwater (No. and type of stock): _____

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

6. Total rate of diversion and/or volume for which proof is submitted: .83 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 <u>X</u>
	Has the measuring device been installed?	Yes _____ or No _____
Flow Measurement Port:	Is a flow measurement port required?	Yes _____ or No <u>X</u>
	Has the measurement port been installed?	Yes _____ or No _____

8. Fee Enclosed: \$ 100.00 (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: WILLIAM OR WENDY Telephone Number: 305-608-9119
305-716-7721

Address: 8807 NW 23rd St., MIAMI, FL 33172

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: [Signature] Date: 11/25/98
(include your title, if on behalf of company or organization)

MICROFILMED

FEB 17 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08864

Proposed Priority: August 13, 1997

Maximum Diversion Rate:

0.50 CFS

This is to certify, that **WENDY ST LAURENT**
WILLIAM ST LAURENT
PO BOX 6202
SUN VALLEY ID 83353-6202

has applied for a permit to appropriate water from:

PARKER GULCH

tributary of **ELKHORN GULCH**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
WILDLIFE	01/01 to 12/31	0.50 CFS	
WILDLIFE STORAGE	01/01 to 12/31		0.8 AF
RECREATION	01/01 to 12/31	0.50 CFS	
RECREATION STORAGE	01/01 to 12/31		0.8 AF
AESTHETIC	01/01 to 12/31	0.50 CFS	
AESTHETIC STORAGE	01/01 to 12/31		0.8 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.50 CFS	
	Totals	0.50 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 16, Township 04N, Range 18E
BLAINE County

PLACE OF USE: WILDLIFE

TWN RGE SEC

04N 18E 16

NESE

PLACE OF USE: RECREATION, same as WILDLIFE use

PLACE OF USE: AESTHETIC, same as WILDLIFE use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1999.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
4. The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
5. The Director retains jurisdiction of this right to require streamflow augmentation or other action determined to be appropriate to protect prior surface water or ground water rights. Such stream flow augmentation or other action will be required only upon a determination of need and applicability by the Director.

MICROFILMED
FEB 23 1998

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

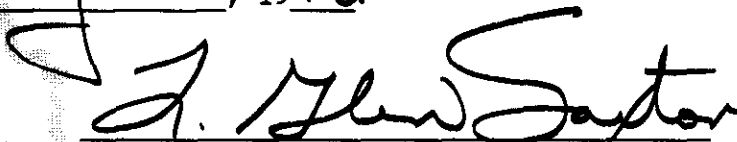
NO. 37-08864

CONDITIONS OF APPROVAL AND REMARKS

6. Water shall not be diverted under this right when flows in the Big Wood River are below established minimum stream flows.
7. This permit does not authorize the construction of any new pond or the deepening or enlargement of the existing pond.
8. Point of diversion and place of use are located within Lot 27, June Day Subdivision.
9. Use of water under this right is for a private pond.

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

27th day of January, 1998.


for Karl J. Dreher, Director

MICROFILMED

FEB 23 1998

RECEIVED

DEC 05 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

AUG 13 1997

Department of Water Resources

Wendy St Laurent
William St Laurent

E/or

per 08/25/97

Telecom with
Wendy St. Laurent

Department of Water Resources

C.S. Southern Region
Phone (208) 622-3297

1. Name of Applicant William St Laurent Phone (208) 622-3297
- Post Office address PO Box 6202, Sun Valley, Idaho 83353
2. Source of water supply Parker Gulch which is a tributary of Elkhorn Gulch
3. Location of point of diversion is NW 1/4 of NE 1/4 of SE 1/4, Govt. Lot 16
Sec. 4N Township 18E Range B.M. Blaine County; additional points of diversion if any: _____
4. Water will be used for the following purposes: *NOTE: Aesthetic, Recreation, and wildlife listed elsewhere on application*
- | | |
|--|--|
| Amount <u>.5</u> cfs for <u>Fish Propagation</u> | purposes from <u>Jan. 1</u> to <u>Dec. 31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>.5</u> cfs for <u>Aesthetic</u> | purposes from <u>01/01</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>.5</u> cfs for <u>WILDLIFE</u> | purposes from <u>01/01</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>.5</u> cfs for <u>RECREATION</u> | purposes from <u>01/01</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
5. Total quantity to be appropriated is (a) .5 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. At the point of diversion a 4 inch perforated schedule 40 PVC pipe supplies water by gravity to the pond.
- b. Height of storage dam 8 feet; active reservoir capacity 1.08 acre-feet; total reservoir capacity 1.26 acre-feet; period of year when water will be diverted to storage: Jan. 1 to Dec. 31 inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for completion of works and application of water to proposed beneficial use is 0 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity if KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. The proposed use of the water is to maintain a "Wild Pond" for esthetics and wildlife conservation. In addition, the natural production of fish for home consumption, recreational fishing and aquatic education are secondary purposes for the proposed water use.

MICROFILMED

FEB 21 1998

MICROFILMED

Wendy J. Laurent
(Applicant)

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

12. Remarks: The St Laurent's pond is a "Wild Pond" that was established before July 1986 as made evident by Vern Fraser's letter to the Elkhorn Master Association for proposed

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make

b. Who owns the land to be irrigated or place of use? William St. Laurent

11. a. Who owns the property at the point of diversion?
William St Laurent

~~Non-consumptive use for wildlife conservation & recreational fishing.~~

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

Total number of acres to be irrigated

TWP	RGE	SEC
4N	18E	16
N E	NE NW SW SE	
N W	NE NW SW SE	
S W	NE NW SW SE	
S E	H ^s J R ^s M	
TOTALS		

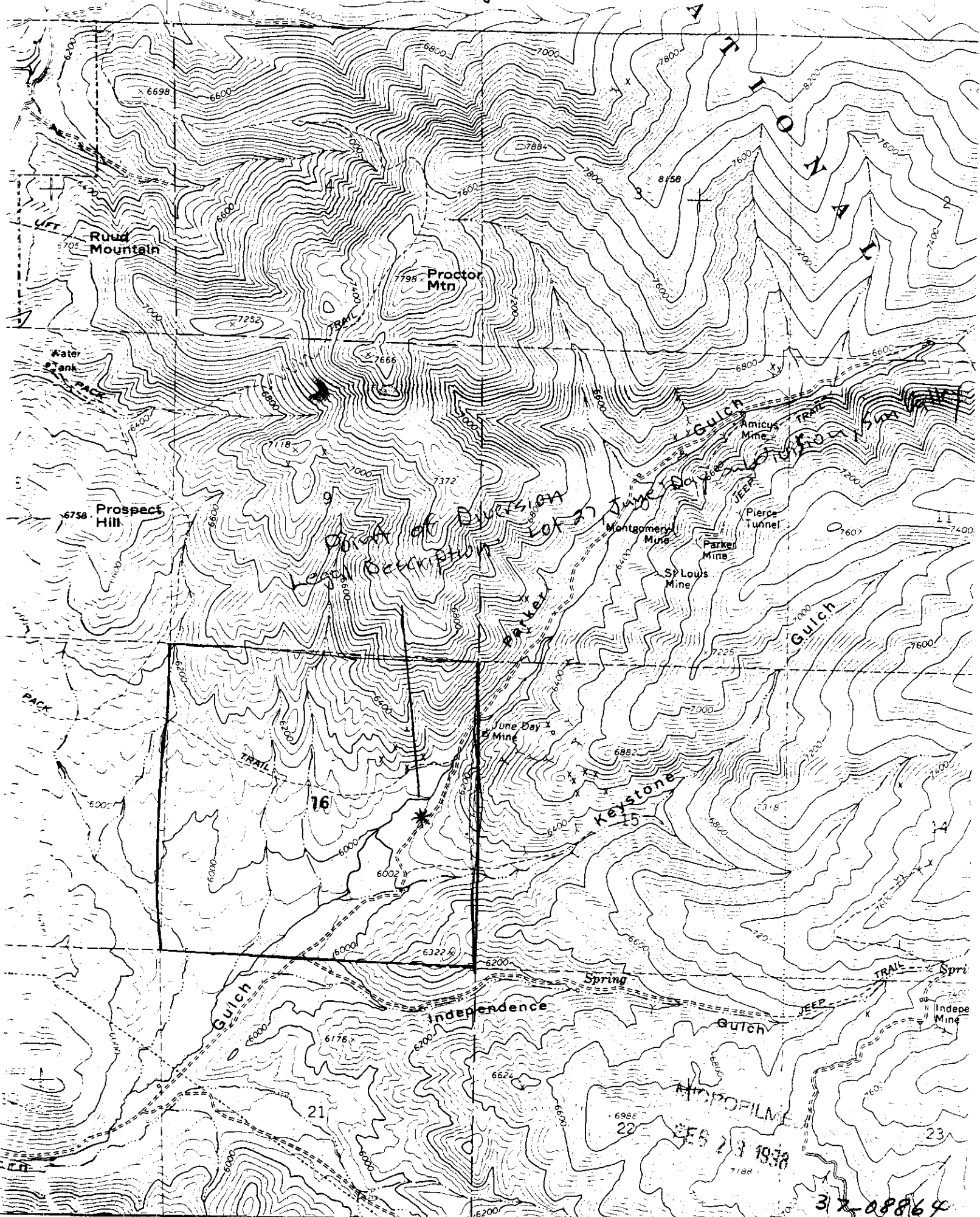
use below. See instructions for standard symbols.

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

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

9. Description of place of use:

Sun Valley Quadrangle
Township - Range 18E



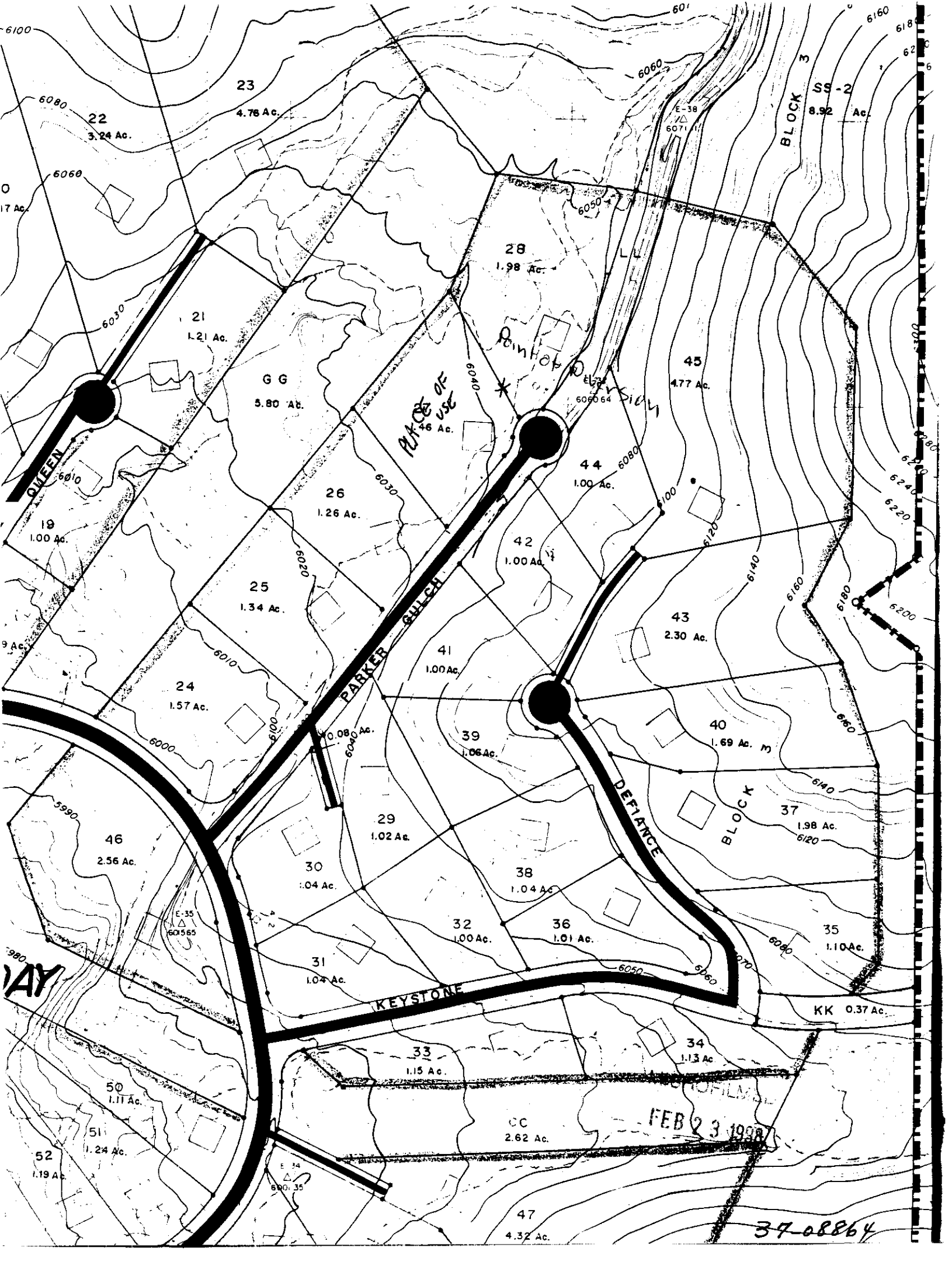
Point of Division
Local Description

Keystone

MINIOPOLINE

SEP 23 1938

312-08864





10-25-88

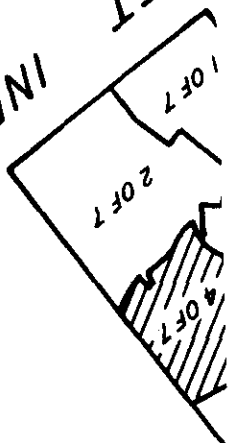
1:3000 SUN VALL



MICROFILM
FEB 23 1989

37 -
08864

SHEET INDEX



[66]

SHEET INDEX

(OS-1) OPEN SPACE

BLOCK 4

N. 38° 19' 04" E

263.00'

220.00'

230.00'

270.44'

N. 20° 00' 20" E
216.23'

1.57 AC. [24]

1.34 AC. [25]

1.26 AC. [26]

PLACE 1.46 AC. [27]
IF USE

1.98 AC. [28]

PARKER

GULCH

N. 37° 22' 14" E
940.00'

9.39'

34.04'

242.99'

242.99'

242.99'

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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

March 28, 2003

CARLO CANNELL
JENNIFER CANNELL
107 PARKER GULCH RD
SUN VALLEY ID 83353

RE: License No. 37-8864 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or 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 forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
APR 16 2003

CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

37-8864

**CARLO CANNELL
JENNIFER CANNELL
107 PARKER GULCH RD
SUN VALLEY ID 83353**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
APR 16 2003**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.

MINOR REVISIONS
APR 16 2003

Walker, Kay

From: Walker, Kay
Sent: Friday, January 03, 2003 1:14 PM
To: Skinner, Corey
Cc: Walker, Kay
Subject: Permit 37-08864 - William St. Laurent

Hi, Corey! I just found this file buried in my office on Tuesday, and am trying to get it licensed for you. I tried to call but seems my long distance code is not working any longer... The question on this permit is: If the water was not diverted through the 2 points of diversion, or the watermaster shut off the headgate to the pond, where would the water go? I wrote up the license thinking it was an off-stream storage pond but Shelley thinks it should be licensed as an on-stream storage pond as you had prepared it. I don't care - just want to get it licensed the right way. Let me know when you get time. Thanks! Kay

per Corey: thinks it is off-stream
storage -

if diversions were blocked -
water would drain to W or SW -
back to gulch - no channel,
swampy area

once pond is full they
still divert - flow thru water to
refresh pond (need live
flow rates?)

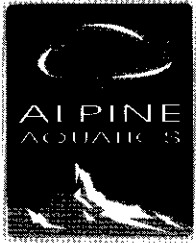
MICROFILMED

APR 16 2003

$$0.5 \times 1.9835 \times 365 = 361.98$$

≈ 362.0 AF

1
POU ID 494175



RECEIVED

MAR 24 2003

Department of Water Resources

(208) 788-1803

Fax: (208) 788-2416

Post Office Box 6370

Ketchum, Idaho 83340

www.alpineaquatics.com

waterfeature@alpineaquatics.com

February 5, 2003

Kay Walker
Idaho Department of Water Resources
PO Box 83720
Boise ID 83720-0098

Dear Kay Walker:

Enclosed are permits and fees for the assignment and amendment of water right number 37-08867.

The new permit holder's mailing address is as follows

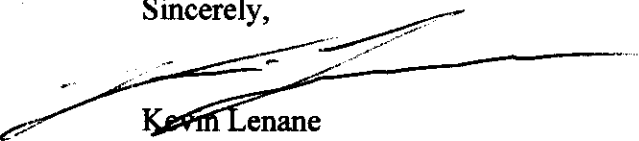
Carlo and Jennifer Cannell

46 Kittredge Terris

San Francisco CA 94118

Thank you for your assistance.

Sincerely,


Kevin Lenane
President
Alpine Aquatics, Inc.
Enclosures (2)
KL

J. CARLO CANNELL
46 Kittredge Terrace
San Francisco, CA 94118

MICROFILMED

APR 16 2003



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

January 27, 2003

WILLIAM ST LAURENT
WENDY ST LAURENT
1525 W 27TH ST
MIAMI BEACH FL 33140

RE: Water Right Permit 37-08864

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed. I have not yet received the amendment. If I do not receive it within **10 days**, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Please note that there is a **\$50.00** filing fee for this amendment. A copy of the Application for Amendment is enclosed for your convenience.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED

APR 16 2003

2/3/03
Kevin Tanane (208-788-1803)
called- he has been
hired by new owners (Mrs. Cannell)
to get paperwork done.
Will submit an assignment
of permit & the
licensing amendment.
3/5/03
assignment coming
KW

wife → 415-577-0496

2/3

Rec'd voice msg.
from Mr.

Cannell - said
he had sent in
owner change &
check in 7/02 -
said check never
Cashed - (checked
receipts & Ø)
Sounded upset
we had not
acknowledged
his paperwork -

MICROFILMED *EW*

APR 16 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0058
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 27, 2003

WILLIAM ST LAURENT
WENDY ST LAURENT
1525 W 27TH ST
MIAMI BEACH FL 33140

RE: Water Right Permit 37-08864

Dear Permit Holder(s):

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If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED

APR 16 2003



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

January 7, 2003

WILLIAM ST LAURENT
WENDY ST LAURENT
1525 W 27TH ST
MIAMI BEACH FL 33140

RE: Water Right Permit No. 37-08864

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

✓ Points of Diversion

✓ Place of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED

APR 16 2003

Comment Report

37-8864

1. cskinner 8/31/2001 draft license

Comment: draft license created 08/31/2001

2. kwalker 12/31/2002 Use of Water

Comment: I found the pond to be located in the SENE and NESE when I created the GIS shape. Have changed the recommended place of use to reflect GIS findings.

3. MBALDWIN 8/26/1997 Pre-1986 development

Comment: Applicant has provided supporting evidence of pre-1986 development of the "Wild Pond". Existing pond is 62' x 126' x 4'7".

4. VAULT 12/16/1998 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

MICROFILMED

APR 16 2003

LICENSE REVIEW CHECKLIST

Permit No. 37-8864

Date: 12-31-02

Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: change
2 add

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use add

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): _____

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.50 cfs

Fee Limit 1.0 cfs

Measured 0.50 cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 0.50

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af

Stockwater _____ cfs _____ af

Domestic _____ cfs _____ af

Stop _____ cfs 0.8 af

Div to Stop 0.5 cfs _____ af

Total 0.5 cfs 0.8 af

off stream
storage

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.5 cfs x 1.9835 x 365 days = 361.98 af (vs) _____ acres x _____ (FHR) = _____ af

2/362.0 AF

Remarks: _____

Additional Conditions _____ Watermaster Control

_____ GW Measurement/Measuring Device

_____ Other

Trust R55 - remove 051)

Non-trust (048)

GW Dist? _____

Water Msmt. Dist? _____

Crit. GWMA? _____

GWMA? _____

Government Lots? _____

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim? NO - not req'd

Adjust memo see comment report

Amend Letters _____

P87, S06

Second Amendment Notice P49

S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 26 2001
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 37-8864

1. Owner: WILLIAM & WENDY ST LAURENT Phone No. (305) 608-9119
(305) 532-6475

Current Address: 1525 W 27TH STREET MIAMI BEACH, FL 33140

2. Accompanied by: NONE (SEE 8/15/2001 LETTER) EXAM DATE: 7/31/2001

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: PARKER GULCH tributary to ELKHORN GULCH

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

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	NE	16	04N	18E	BLAINE	GIS
			SE	NE	16	04N	18E	BLAINE	GIS

2. Place(s) of Use:

Indicate Method of Determination GIS

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	16				W													
						R													
						J													

William or
Wendy

(305) 608-9119

(305) 716-7721

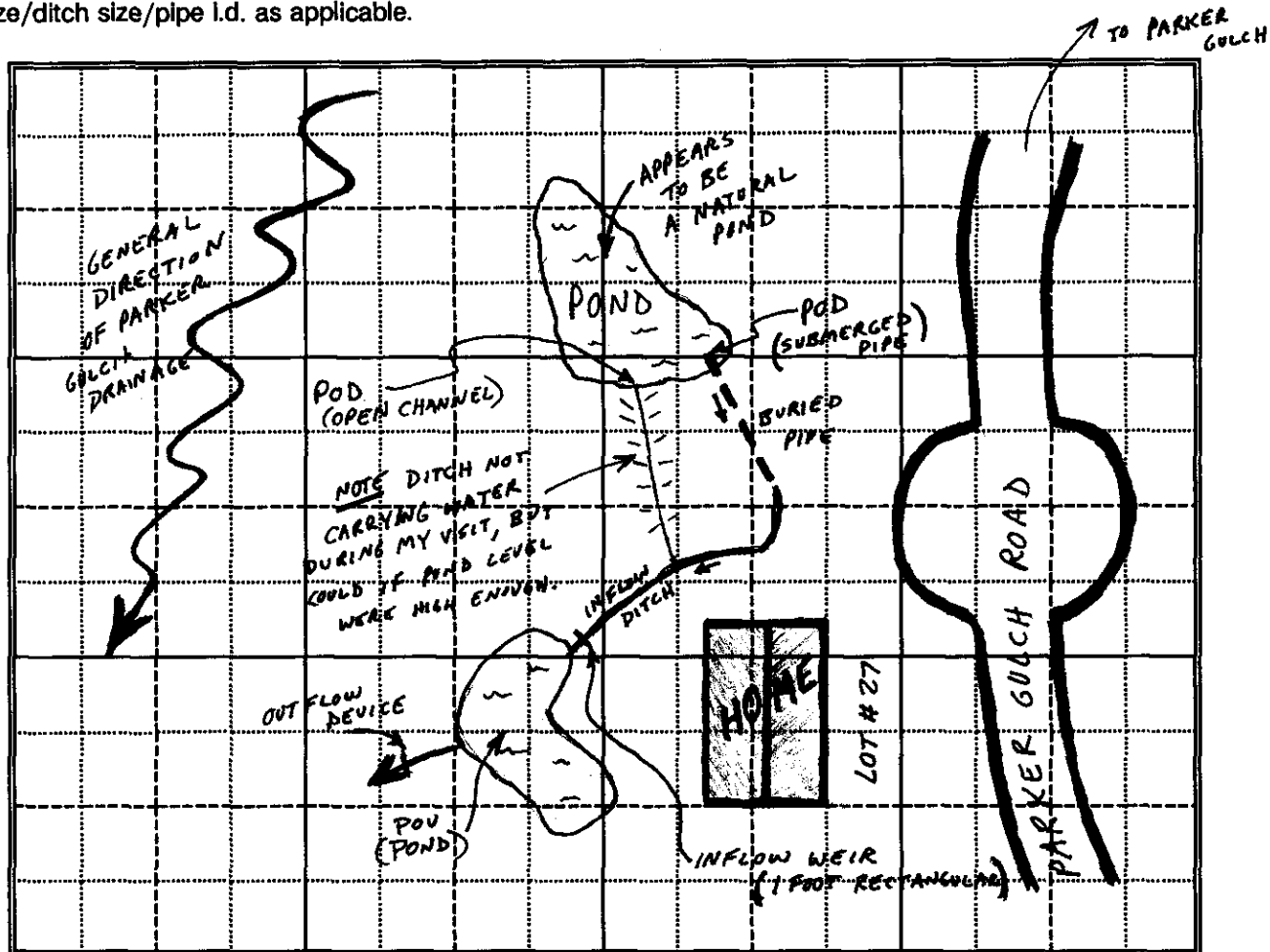
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APR 16 2003

APR 16 2003

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



Scale: F = NO SCALE

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.

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

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D. FLOW MEASUREMENTS

APR 16 2003

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
RECTANGULAR WEIR					1'	

2. **Measurements:** 0.11 cfs, but flow was low. Judging by high water marks on weir plate permitted amount of 0.50 cfs could be justified.

E. NARRATIVE/REMARKS/COMMENTS

Field exam based on observations made during a 07/31/2001 visit to the property to investigate a complaint. I contacted Mr. St. Laurent, in Florida, and asked if I could write up the licensing field exam based on my observations, which would save him a trip to Idaho. I explained the process, and discussed the possibility of licensing amendments, and he said this would be fine. He sent a letter (dated 08/15/2001) giving permission to write up the field exam, on my own.

Water for this permit is diverted from a pond in the midst of a marshy area at the mouth of Parker Gulch. The USGS quadrangle maps show a creek running through the Parker Gulch Drainage, but I did not observe an actual channel in the area where the water is diverted from in the Parker Gulch drainage. Recommend source as "Parker Gulch tributary to Elkhorn Gulch" as shown on the USGS quadrangle.

During my 07/31/2001 visit to the property only 0.11 cfs was measured (depth of 1.25 inches over a one-foot rectangular weir) through the weir leading to the permit holder's pond. However, the water from the source appeared to be low this year, due to the drought. The high water marks on the weir leading to the pond indicated that water had flowed through the weir at a depth of between three and four inches. At a depth of three inches the flow through the weir would be approximately 0.45 cfs and at a depth of four inches the flow through the weir would be approximately 0.68 cfs. Therefore, it appears that the permitted amount of 0.50 cfs could be licensed.

The 24 hour diversion volume for a rate of 0.50 cfs is 1.0 acre-feet, and since the volume of the pond is only 0.80 acre-feet, the pond could be considered as a "wide spot in the ditch", which would not need to be described as storage. However, the permit was originally granted based on pre 1987 development, which included a pond with a volume of 0.80 acre-feet. Recommend describing volume for license as 0.80 acre-feet of storage, or perhaps implementing a license condition that limits the volume of the pond to 0.80 acre-feet.

Change in POD and POU amendments based on GIS imagery showing the pond and diversion point just north of the $\frac{1}{4}$ - $\frac{1}{4}$ line. The license should indicate two points of diversion (pipe and ditch from pond), which would also require an amendment.

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

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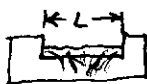
APR 16 2003

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: USE RECTANGULAR WEIR EQUATION $Q = K \sqrt{2g} L H^{3/2}$

where $K = 0.40 + 0.05 \frac{H}{P}$



$g = \text{gravity}$

~~WEIR~~ WITH $H = 1.25''$ or $0.1'$ (measured) $Q = 0.11 \text{ cfs}$

$H = 3''$ or $.25'$ $Q = 0.45 \text{ cfs}$

$H = 4''$ or $.33'$ $Q = 0.68 \text{ cfs}$

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:

STORAGE VOLUME = $62' \times 126' (4.6') = 0.8 \text{ Acre-feet}$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
WILDLIFE (W)	01/01	12/31	0.50 cfs	
RECREATION (R)	01/01	12/31	0.50 cfs	
AESTHETIC (J)	01/01	12/31	0.50 cfs	
~~W, R, J~~ DIVERSION TO STORAGE	01/01	12/31	0.50 cfs	
W, R, J STORAGE	01/01	12/31	~~0.50 cfs~~	0.80 AC-FT
Totals:			0.50 cfs	0.80 AC-FT

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

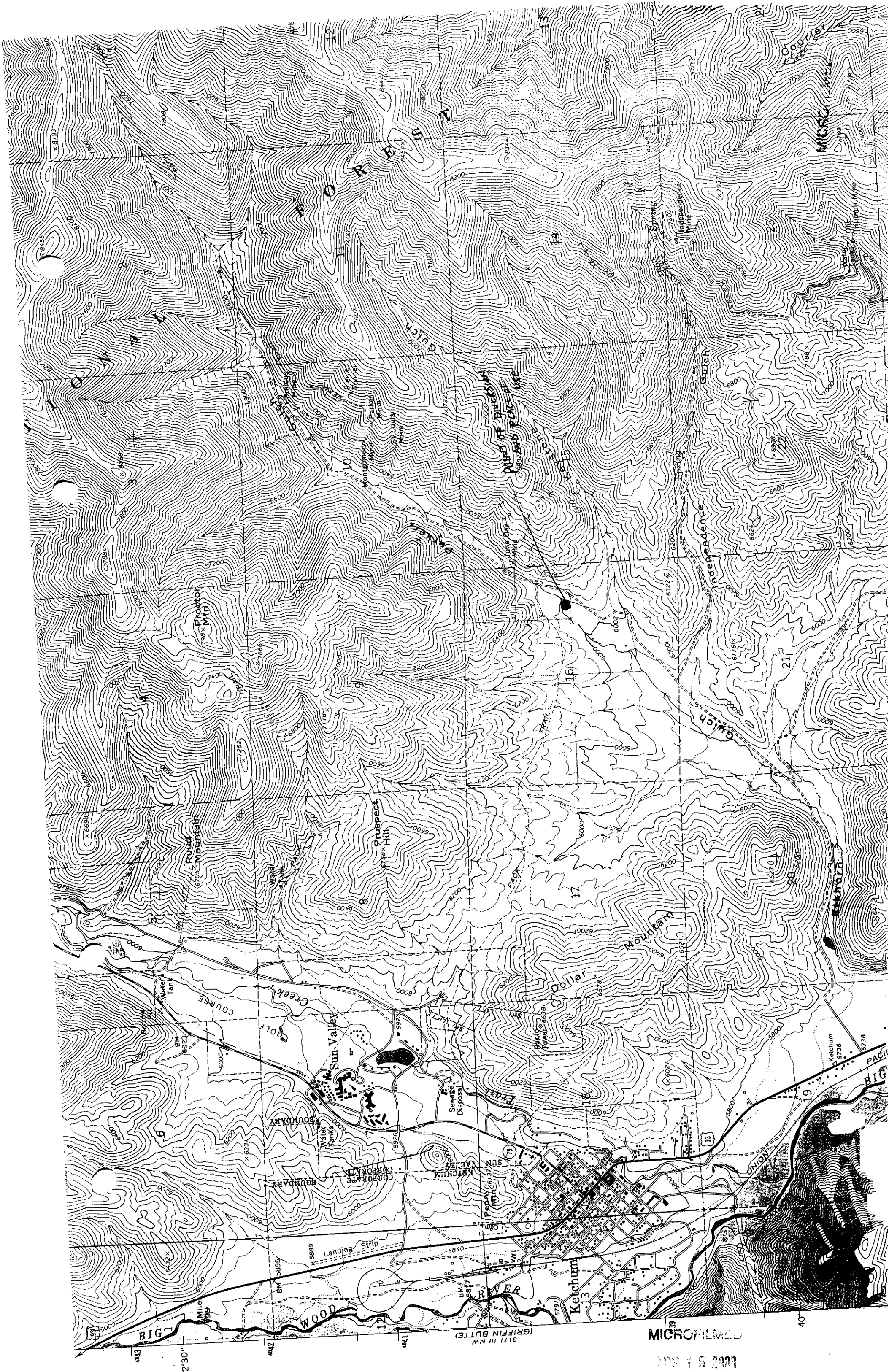
(TWO POINTS OF DIVERSION)

I. AUTHENTICATION

Field Examiner's Name *Paul Phin* Date 8/31/2001

Reviewer _____ Date _____

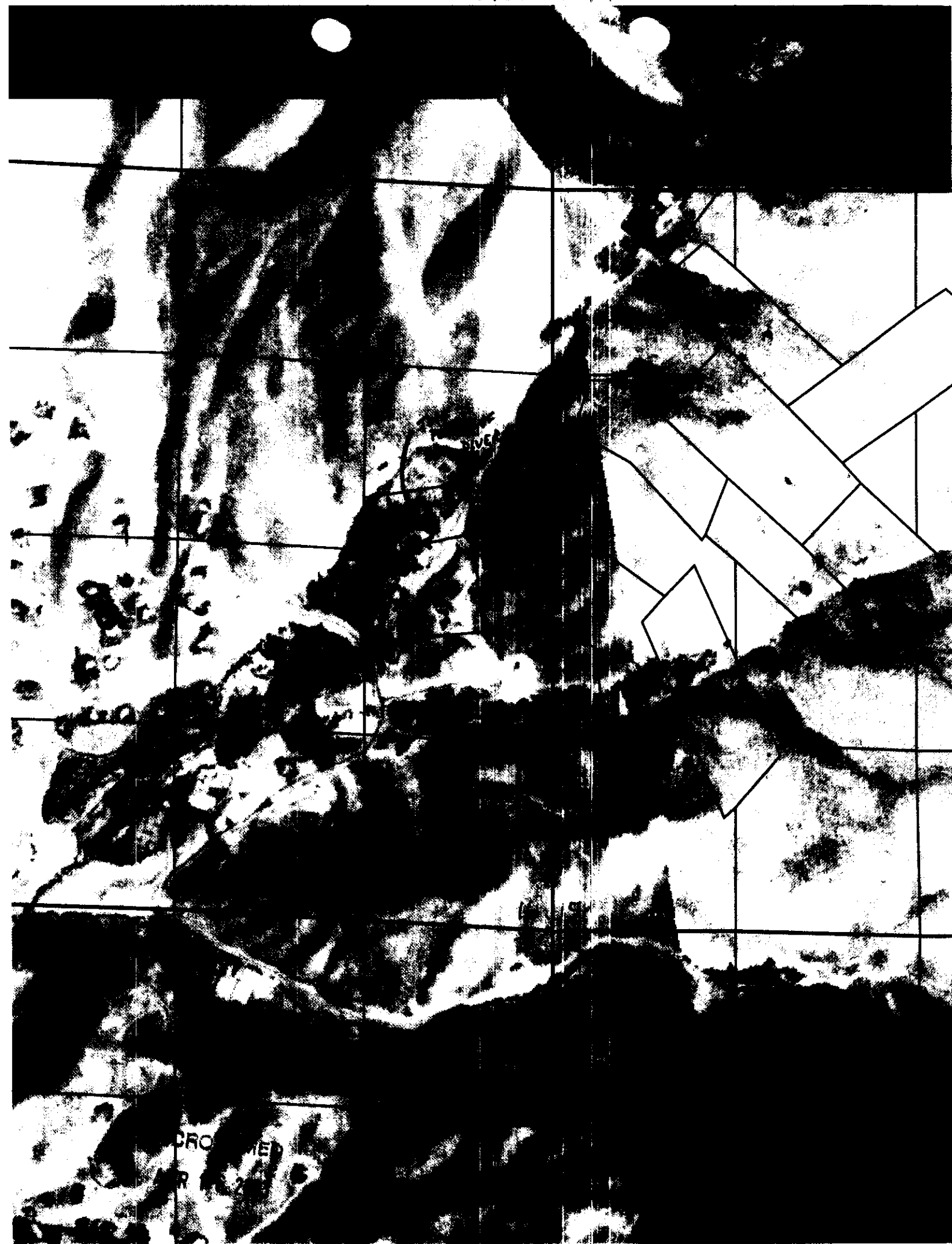
MICROFILMED
SEAL
APR 15 2003



MICROFILMED

APR 16 2001

1987 NAPP



CHRONICLED

APR 1987

Microsoft TerraServer

Display Image

USGS Aerial Photograph

4 km E of Ketchum, Idaho, United States 26 Jul 1992



37-8864
pand

0 200M

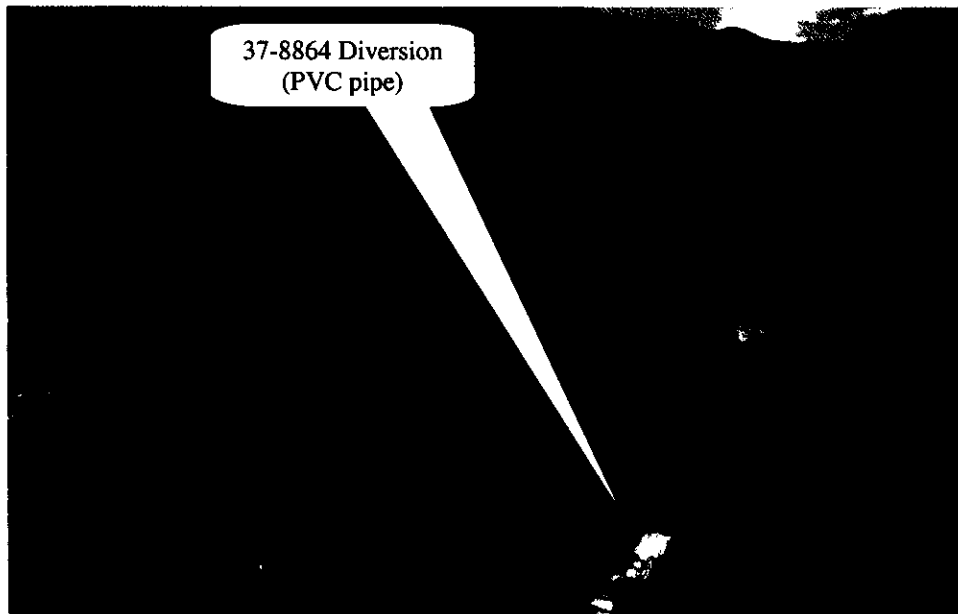
0 200yd

Image courtesy of the US Geological Survey.

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APR 16 2000

37-8864 Field Exam Photos taken 07/31/2001



ABOVE: View from south end of pond at the mouth of Parker Gulch that serves as source of water for permit 37-8864. The white PVC pipe in the foreground of this view is one of the diversions for permit 37-8864.

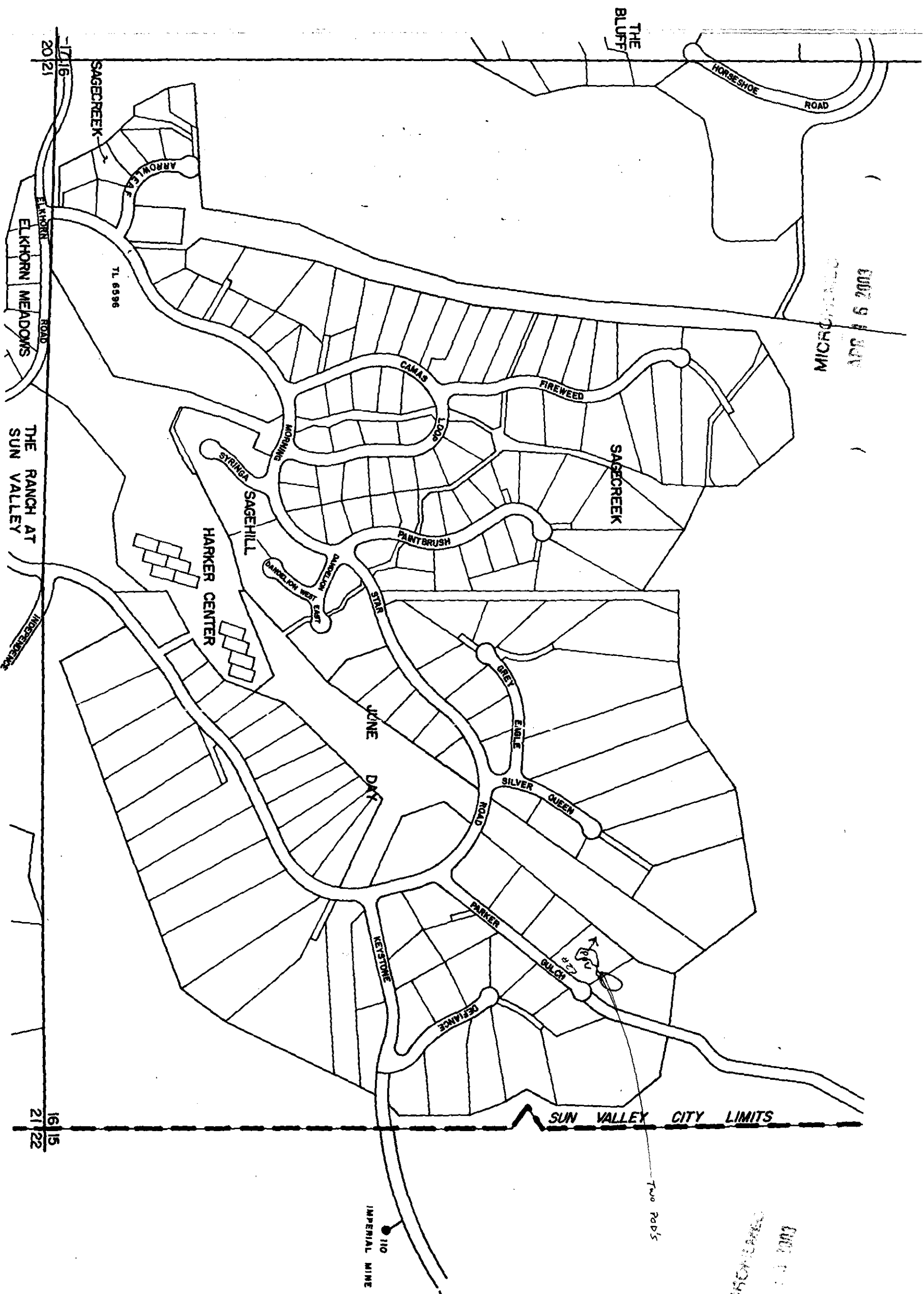
LEFT: View looking towards the south edge of the pond shown in photo above. The white PVC pipe is one of the diversions for permit 37-8864. The other diversion is a ditch that leads from this pond to the ditch to the pond on the St. Laurent property. However, the ditch only appears to convey water when the pond level shown in this view is high enough.



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APR 16 2001

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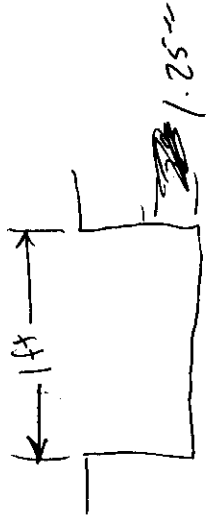
1927	1900	1900
1929	Page 1900	1900
1931	1932	1900

Edwards, Howard & Martens, Inc.
ENGINEERS / PLANNERS / SURVEYORS

SEC. 16, T. 4 N., R. 18 E.

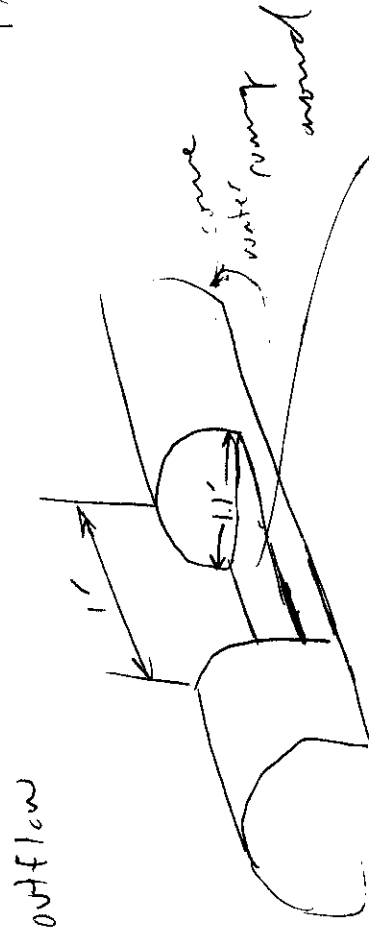
1930

inflow
rectangular
weir



7/31/2001

FIELD
NOTES
PISKINNER



2 or 3 seconds
3/4" deep max

$$V = 1.1/3 \text{ seconds} = .37 \frac{\text{ft}}{\text{second}} \quad \text{velocity} = .46 \frac{\text{ft}}{\text{second}}$$

$$V = 1.1/2 \text{ seconds} = .55 \frac{\text{ft}}{\text{second}} \quad A = 1 \times .0665 = .0665$$

$$Q = 44$$

$$C = .03 \text{ ft}$$



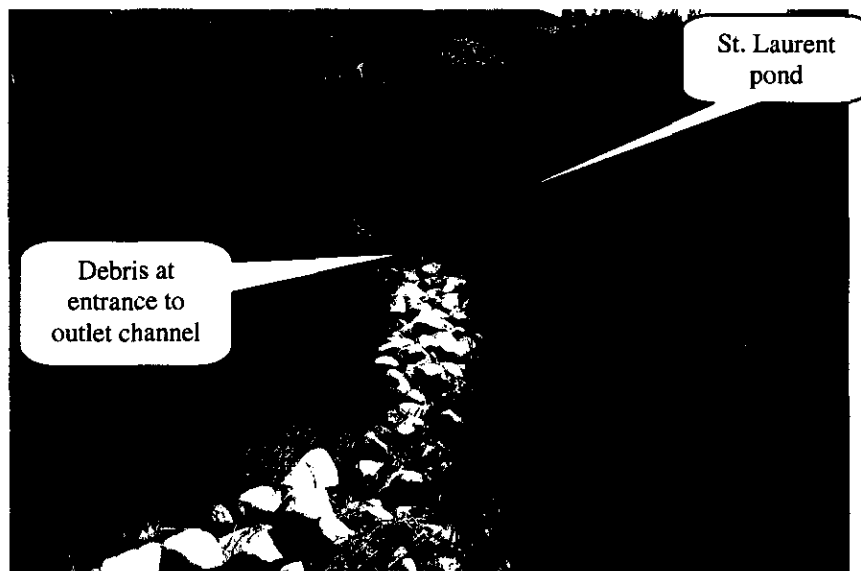
ABOVE: View of inlet channel to St. Laurent pond. A steel, rectangular weir is located under the willow bush, just downstream of the bridge.

BELOW: Close up view of steel, rectangular weir, indicated in photo above. Note growth and rocks in channel that may impact flow and measurement(s). The flow at the time this photo was taken was measured at 0.11 cfs. However, note higher watermarks on weir visible in this photo.



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APR 16 2003



ABOVE: View of outlet channel from St. Laurent pond. Debris at the top of this channel was reducing flows through the channel. Water appeared to be seeping over, or through, the south end of the pond, but water was flowing under the rocks in the channel shown in this view.

BELOW: View of measuring device at the bottom of the channel shown in photo above. Device is a log with a one-foot rectangular notch cut through it. Water flow through the notch was measured at 0.03 cfs, but water was flowing around the right (north) side of the log, which prevented the water to pass through the notch in the log. Total water flow in this area was comparable to what was flowing into the St. Laurent pond.



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APR 16 2003

RECEIVED

AUG 27 2001

Department of Water Resources
Southern Region

William & Wendy St. Laurent
1525 W. 27th Street
Miami Beach, FL 33140

August 15, 2001

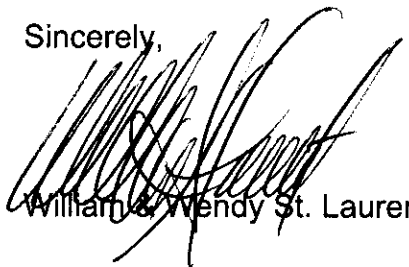
Mr. Corey Skinner
Idaho Department of Water Resources
1341 Fillmore Street Suite 200
Twin Falls, ID 83301

Dear Mr. Skinner,

Please let this letter serve as authorization for you or your designee to enter our property for the purposes of observing, measuring and other necessary activities in order to carry out your requirements for field examination at our property. We need not accompany you for your visits at this time.

If you have any other needs or questions, please call me at 305-608-9119, or 305-532-6475.

Sincerely,



William & Wendy St. Laurent

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APR 16 2003

STAFF ANALYSIS SHEET FOR BENEFICIAL USE FIELD EXAMS:

PERMIT NO. 37-08864A. Items To Be Placed In Exam File (Items A & B to be Completed by **RECEIVED**

- OCT 26 2001**
- (☒) Blank Field Report & Notice of Completed Exam
- (☒) Copy of App. for Permit, Approved Permit, Amendments, Original ~~DEPARTMENT OF WATER RESOURCES~~
Proof of Beneficial Use, SRBA Claim (Claim Filed? _____ Required? _____)
- (☒) Well Inspection Form, Dairy Water-Use Worksheet (if applicable)
- (☐) Well Log(s) & Groundwater Measurement Analysis Form (if applicable)
- (☐) Copy of Orthophotoquad Map
- (☐) 660-Scale Aerial Photo (Examiner Will Obtain If Applicable)
- (☐) Government Lot Plats (If Applicable)

B.1. P/D Overlap - Yes or No? If Yes, Include Copy of Overlapping Rights & Claims

- If Yes, Type of Overlap: (☐) Add Acres or Uses to Existing System
(☐) Increase Rate of Flow or Volume

B.2. P/U Overlap - Yes or No? If Yes, Include Copies of Overlapping Rights & Claims

- If Yes, Type of Overlap: (☐) Increase Rate of Flow or Volume
(☐) Add Supplemental Water Source
(☐) Increase Acres Within Tracts

C. Field Exam Appointment Made:

Date _____ Time _____ Place _____

Contact Person & Phone _____

D. Post-Exam Review & Processing

Exam Completed 7/31/01 Notice of Completion Turned In _____

Field Report Completed 8/31/01 [Signature] 8/31/01
Signature of Examiner & Date

Field Report Reviewed by Sr. Agent _____ (Initial & Date)

Field Report Reviewed by Region Mgr. [Signature] 10/23/01 (Initial & Date)

Field Report Sent to S.O. _____ Region Card File Updated _____



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

January 12, 1999

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Wendy and William St Laurent
PO Box 3200
Sun Valley ID 83353

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08864

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and license examination fee submitted for the above referenced permit.

Condition No. 4 of your water right permit requires that you install and maintain a permanent measuring device to facilitate measurement of the inflow and outflow from the reservoir. Your proof submittal shows that you have not installed this device. Please be aware that your failure to have this device installed and operable at the time the department conducts the field examination may jeopardize the validity of the permit.

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

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination or the measurement device condition, please contact the **SOUTHERN** Regional Office of the department in Twin Falls at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Region

MICROFILMED

FEB 11 1999

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 37-68864 Reviewed by JY Date 12-30-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

Storage

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?

yes Required?

100- Amount Submitted

no Installed?

yes Correct?

no Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

	-
	=
	+

DEFICIENCIES OR ACTION ITEMS

Advise of permanent measure device condition
Proof Acceptable

DATA ENTRY

New Address P.O. Box 3200

Proof Made 12-11-98

October 31, 1998

WENDY ST LAURENT
WILLIAM ST LAURENT
PO BOX 6202
SUN VALLEY ID 833536202

PROOF DUE NOTICE

RE: PERMIT NO. 37-08864

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 January 1, 1999.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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

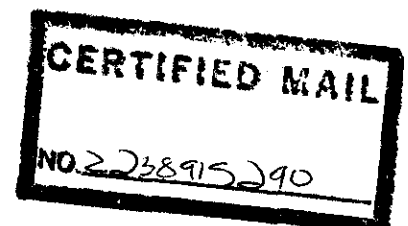
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

FEB 11 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

January 27, 1998

PHILIP E. BATT
GOVERNOR

WENDY ST LAURENT
WILLIAM ST LAURENT
PO BOX 6202
SUN VALLEY ID 83353-6202

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08864

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.

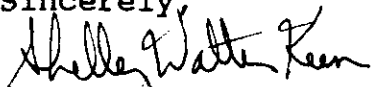
The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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

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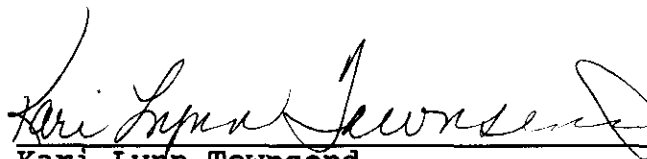
FEB 23 1998

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of **January, 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. 37-08864

**WENDY ST LAURENT
WILLIAM ST LAURENT
PO BOX 6202
SUN VALLEY ID 83353-6202**


Kari Lynn Townsend
Secretary

MICROFILMED
FEB 23 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.

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FEB 29 1998

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

RECEIVED
FEB 23 1998

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Clady Lou*

No.: 37-8864 Name: St. Laurent Date: 12/15/97 Ad OK? ☒ Gvmt Lts: ☒

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

1 year/~~no proof~~
>1 year

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

>0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

WMD

>0.24 cfs/5 acres

Supplemental use

≤ 0.24 cfs/5 acres

DRILLING PERMIT:

Existing well

Included w/permit

No drilling 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)

Pumped >0.20 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

~~Fish Propagation (✓)~~

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stock

Storage (✓3 compo.)

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev. *existing*

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 / BWR GWR / Trust / Non-trust
- 020 (Protest Agreement) or *W19 (Order)

P16
- 26A-P17

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

- NA (pre 7/1/87; ✓ WDQ3)
- Permit No. _____ P99
- 046-46B-P23 (post 7/1/87)
- P05 (new well location)

- *WB9 Big Wood R.
- ~~R04~~ (WD # 37) ~~(MD)~~
- 01H-P01 (LD & MD) 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
- ~~029-031-032-081 (WB-P16)~~
- 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-025-01N-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)
- ~~P89~~ (stream channel alteration)
- 023 (Twin Falls area)

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

~~027~~ 11E
- ① WB9/BWR ② WOI/FP/private pond. ③ 0060/L27 June Day

- 12/1/1998



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

December 22, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Lee Peterson
PO Box T
Shoshone ID 83352

RE: Application for Permit No. 37-08864

Dear Mr. Peterson,

Enclosed is a copy of an application for a water right within your water district. This application represents an existing development. A standard condition put on approved permits for storage located within water districts is:

The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.

The purpose of this condition is to give you the ability to regulate the diversions. It is possible, however, that measuring devices may not be necessary for the regulation of some small reservoirs.

The purpose of this letter is to seek your comment on including this condition on the permits. Please review the applications and the condition. I will hold processing on the applications for 14 days pending your response. For your convenience, I have provided a self-addressed pre-posted envelope.

If I do not receive a response from you within the 14 day period, I will assume that you agree with including the condition on the permits. If you have questions or need additional information, you may contact me directly at (208) 327-7944.

Respectfully,

A handwritten signature in cursive script, appearing to read 'Cindy Zimmerman'.

Cindy Zimmerman
Water Resource Agent

Enclosure

MICROFILMED

FEB 23 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 05 1997

DEPT. OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY
APPLICATION NO.

P. SKINNER
37-08864

DATE AUGUST 21, 1997

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners. *6/08 PER 08/25/97 TELECOM WITH APPLICANT C.S.*)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block descriptions subdivisions, local name, flow &/or volume.)
☒ County
☒ Quantity (flow &/or volume)
☒ Period of use
☒ Nature of proposed use (include description of use) *FISH PROPAGATION, AESTHETIC, RECREATION, AND WILDLIFE*
☒ Description of diverting works.
☒ Time required for beneficial use of water. *ONE YEAR MINIMUM*
☒ 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
AUGUST 13 19, 97

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to press application on the back. *NONE (37-07707 IS DIFFERENT PROPERTY)*)
☒ Overlapping point of diversion. *NONE*
☒ Yes ☐ No Field check required
☒ Yes ☐ No Field check by P. SKINNER 08/10/97
☒ Yes ☐ No Field report attached
☒ Yes ☒ No Critical Ground water area
☒ Yes ☐ No Groundwater management area *N/A*
☐ Yes ☒ No Send Dam safety information
☐ Yes ☒ No Send power requirement letter
☒ Yes ☐ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit.
☐ Yes ☒ No Power efficiency form
☐ Yes ☐ No Within trustwater boundary(If yes, attach trustwater supplementary analysis sheet.
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If ye 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 ~~Statewide~~ Statewide Advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on app.

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

FINAL REGIONAL PROCESSING REVIEW

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

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

☒ Yes ☐ No Protests, dates, resolution of protest, recorded on app.

☒ Yes ☐ No Recommendations attached

☐ Yes ☒ No Measuring device required

☐ Yes ☒ No Access port required

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

☐ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information

Date of priority recommended 8/13, 19 97
By AM Date 12/4, 19 97

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19 ____

ADDITIONAL INFORMATION:



RECEIVED

NOV 17 1997

Department of Land Resources
Southern RegionMayor
Thomas C. PraggastisCity Council
David F. Wilson
Council President
Kevin E. Laird
Linda O'Shea
James A. DowenCity Administrator
Robert L. Van Nort

November 4, 1997

Wendy St Laurent &/ or
William St Laurent
P.O. Box 6002
Sun Valley, ID 83353

RE: Application for Permit No. 37-08864

Dear Applicants:

The City of Sun Valley, Idaho has reviewed the referenced application and has no adverse comment on the proposed project regarding wildlife conservation, or the natural production of fish for home consumption, recreational fishing and aquatic education.

Please be advised that the City of Sun Valley recommends you have a registered professional engineer certify your project against any increase in flood levels.

Sincerely,

Jack Cloud
Jack Cloud, AICP
Community Development Director

Post-It® Fax Note	7671	Date	# of pages
To	Kevin / Alpine	From	Jack Cloud
Co./Dept.	Quantier	Co.	City of Sun Valley
Phone #		Phone #	622. 4438
Fax #	please review call w/ g	Fax #	622. 3401

STATE OF IDAHO
DEPARTMENT OF FISH AND GAME
REGION 4
868 E MAIN, JEROME, ID 83338

RECEIVED

NOV 17 1997

INSPECTION CHECK LIST FOR FISH PONDS

Department of Water Resources
Southern RegionWilliam St. Laurent
Name of Pond Owner8/11/97
Date of Inspection

Signature of Owner

Joe Hunt
Signature of Inspecting Officer

1. Inlet screen adequate to prohibit fish movement? ☒ YES ☐ NO
2. Outlet screen adequate to prohibit fish movement? ☒ YES ☐ NO
3. Are any new fish species contained in pond? YES ☒ NO
4. List number and source of supply for any additional fish put in pond during year, if any.

NumberKindSource of SupplyNA

5. For commercial pond operations, are appropriate records being kept as required by Idaho Code 36-702? NA YES ☐ NO ☐
6. Should permit renewal be granted based on this inspection? ☒ YES ☐ NO

REMARKS: This pond was constructed in 1986 by a former
landowner. I don't think it has had fish or been
licensed before.

MICROFILMED

FEB 23 1998

**STATE OF IDAHO
DEPARTMENT OF FISH AND GAME**

APPLICATION FOR PRIVATE POND PERMIT (free)

Date	10/27	# of pages	3
From	ALPINE AQUATICS	Co.	IDAHO
Phone #	334-4359	Fax #	1160
Post-4 th Fax Note	7671		

in conformance with Chapter 7, Idaho Code and Idaho Fish and Game Regulations, application is hereby made to possess and/or propagate specified species of fish at an approved facility:

NAME: _____ **COMPANY:** _____

Name: William St Laurent **Phone:** (208) 622-3297
Address: PO Box 6202, 107 Parker Gulch Road, Sun Valley ID 83353
 Street, R.R., Box City State zip

FISH: ☐ APPLICANT ☐ OTHER
Name: William St Laurent **Phone:** (208) 622-3297
Address: PO Box 6202, 107 Parker Gulch Road, Sun Valley ID 83353
 Street, R.R., Box City State zip

OWNER OF PROPERTY: ☐ APPLICANT ☐ OTHER
Name: William St Laurent **Phone:** (208) 622-3297
Address: PO Box 6202, 107 Parker Gulch Road, Sun Valley ID 83353
 Street, R.R., Box City State zip

LOCATION OF FACILITY: (DISTANCE AND DIRECTION FROM A TOWN OR LANDMARK)
 Located on the left side of the road where Parker Gulch Road changes from pavement

to dirt while heading North. NW 1/4 of NE 1/4 of SE1/4, Legal

Description: June Day Subdivision, Lot 27, Sun Valley Idaho.

County: Blaine Township 4N Range 18E Sec. 16

PA
Dept. Use

TAGS
Dept. Use

SPECIES TO BE HELD AT FACILITY:

SPECIES: Oncorhynchus Mykiss
DATE OBTAINED: _____
SOURCE:
Name: Babington, Lynn, Fisheries
Address: 2849 S 850 East
 Street, R.R., Box
 Hagerman ID 83332
 City State zip
 (208) 837-4860
 Area Telephone No.

SPECIES: _____
DATE OBTAINED: _____
SOURCE:
Name: _____
Address: _____
 Street, R.R., Box
 City State zip
 () _____
 Area Telephone No.

MICRO
FEB 23 1998

page 2

DESCRIPTION OF FISH PRODUCTION FACILITIES:**Number and Dimensions of Concrete Raceways:** _____**Number and Dimensions of Earthen Ponds:** (1) 126.5 ft. x 62 ft. = 7843 sq ft**Water Source:** Parker Gulch Creek of Elkhorn Creek, stream diversion.

Spring, Stream Diversion, Well, Etc.

Stream or Watershed where located: Parker Gulch Creek of Elkhorn Creek
Sun Valley, Idaho**Maximum Discharge Flow:** .50 **Into:** Parker Gulch Creek of Elkhorn Creek

(CFS)

Receiving Water

Watershed.

APPLICANT CERTIFICATION

I hereby certify that the information submitted in this application is complete and accurate to the best of my belief. I understand that any false statement herein may subject me to criminal prosecution.

Signature (in ink)

Date

7/30/97

■ PRIVATE POND

PERMIT-No. R4-96-98-060

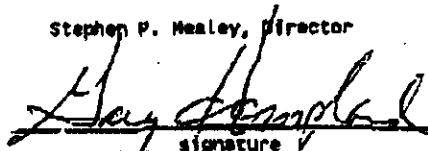
Expires JUNE 30 1998

Date issued: 8/15/97

DEPARTMENT OF FISH AND GAME

Stephen P. Healey, Director

By:


signature

MICROFILM

FEB 23 1998

William & Wendy St Laurent
Application No. 37-08864
Plans and Specifications

Specifications

Number of Ponds: 1
Length: 126 ft
Width: 62 ft
Depth:
 Average Depth: 4' 7"
 Maximum Depth 7' 2"
Surface Area: 7,843 sqft
Volume: 35947 cuft or 268,884 Gal

RECEIVED

NOV 17 1997

Department of Water Resources
Southern Region

Plans

William and Wendy St Laurent intend to preserve the pond as a "Wild Pond" for esthetics and wildlife conservation. The goal is to maintain a natural habitat for the natural propagation of rainbow and brook trout. Occasionally, the pond will be stocked with hatchery rainbow trout at natural carrying capacities to make-up for losses due to predation and the avid sportsman.

A stream alteration permit has been submitted to the US Corps of Engineers and the Idaho Department of Water Resources to improve the screening of the effluent channel as recommended by the Idaho Department of Fish and Game's Conservation Officer, Lee Frost. Mr. Frost suggested, due to the increased beaver activity in the area, install an emergency spillway pipe in addition to the all ready proposed river rock screen. Consequently, gaining better management control over the effluent spillway and creating a certain fish barrier.

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FEB 23 1998



IDAHO DEPARTMENT
OF HEALTH AND WELFARE

DIVISION OF
ENVIRONMENTAL QUALITY

601 Pole Line Road, Suite 2, Twin Falls, ID 83301-3035, (208) 736-2190

Philip E. Batt, Governor

November 3, 1997

RECEIVED

NOV 17 1997

Department of Water Resources
Southern Region

Wendy or William St. Laurent
PO Box 6002
Sun Valley, ID 83353

RE: Application for Permit No. 37-08864 Fish Propagation

Dear Mr. & Mrs. St. Laurent:

We have reviewed the above referenced application to divert .5 CFS of water from Parker Gulch, a tributary of Elkhorn Gulch, Blaine County, Idaho.

The .5 CFS diversion to be used to enhance a fish propagation pond does not appear to have detrimental water quality effects on the stream and may improve water quality by creating a settling basin for sediment to accumulate.

DEQ is in support of aquatic projects that have the potential to improve water quality.

Sincerely,

Nick A. Cizmich
Water Quality Science Officer

NAC/ml

cc: Doug Howard, Regional Administrator, DEQ, TFRO
Mike McMasters, Regional Manager-Engineering, DEQ, TFRO
Dave Parrish, Idaho Department of Fish & Game, Jerome
Greg Martinez, US Army Corps of Engineers, Boise
Kevin Lenane, Alpine Aquatics, PO Box 6370, Ketchum
Linda Havick, Blaine County Planning & Zoning

MICROFILMED
FEB 23 1998

Order No. 18844

WARRANTY DEED

For Value Received Winifred T. Proctor, as Trustee under the Winifred T. Proctor Family Trust U/A/D 10-13-92.

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto William St. Laurent and Wendy St. Laurent, husband and wife whose address is: 8807 NW 23rd Street, Miami, FL 33172

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

Lot 27 of JUNE DAY SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 203843, 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 years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: April 11, 1996

Winifred T. Proctor, Trustee
Winifred T. Proctor, Trustee

STATE OF Idaho)

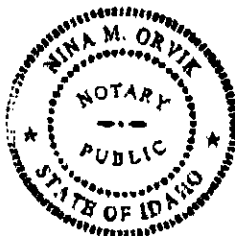
) ss:

COUNTY OF Blaine)

On this day of , in the year of 1996, before me, the undersigned Notary Public in and for said state, personally appeared Winifred T. Proctor, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Trustee of the Winifred T. Proctor Family Trust U/A/D 10-13-92, and acknowledged to me she executed the same as such Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Nina M. Orvik
Notary Public for
Residing at: Idaho
My Commission Expires: 2-21-97



MICROFILMED
FEB 23 1998

Order No. 18844

WARRANTY DEED

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Dated: April 11, 1996

Winifred T. Proctor, Trustee

STATE OF Idaho)

) ss:

COUNTY OF Blaine)

On this _____ day of _____, in the year of 1996, before me, the undersigned Notary Public in and for said state, personally appeared Winifred T. Proctor, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Trustee of the Winifred T. Proctor Family Trust U/A/D 10-13-92, and acknowledged to me she executed the same as such Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for _____
Residing at: _____
My Commission Expires: _____

ACCEPTED & APPROVED BY: 

ACCEPTED & APPROVED BY: 

MICROFILMED
FEB 23 1998

18844

Submitted for Re-
By and Return

Loan Number 0000083701

Office Address City State Zip
 BANK OF AMERICA
 CENTRALIZED SHIPPING UNIT#4001
 8200 GATEWAY
 ATTN: SHIPPING DEPARTMENT
 DYPRESS, CA 90630 0013

(Space Above This Line for Recording Date)

DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is made on APRIL 09 19 96. The grantor is WILLIAM ST LAURENT AND WENDY ST LAURENT, WHO ARE MARRIED TO EACH OTHER.

("Borrower"). The trustee is FIRST AMERICAN TITLE INSURANCE CO ("Trustee"). The beneficiary is BANK OF AMERICA OREGON, A STATE CHARTERED BANK under the laws of THE STATE OF OREGON, which is organized and existing under the laws of THE STATE OF OREGON, and whose address is 21000 N.W. EVERGREEN PARKWAY HILLSBORO, OR 97124 ("Lender").

Borrower owes Lender the principal sum of SEVEN HUNDRED FORTY EIGHT THOUSAND AND 00/100 Dollars (U.S. \$ 748,000.00). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, is not paid earlier, due and payable on MAY 01, 2026. This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in BLAINE County, Idaho:

LOT 27 OF JUNE DAY SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AS INSTRUMENT NO. 203843, RECORDS OF BLAINE COUNTY, IDAHO.

ASSESSORS PARCEL NUMBER: S04320000770

which has the address of 107 PARKER GULCH, ELKHORN AT SUN VALLEY, Idaho 83354 ("Property Address");

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

BORROWER COVENANTS that Borrower is lawfully seized of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record, Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

IDAHO - Single Family - Fannie Mae/Freddie Mac UNIFORM INSTRUMENT

RE-900-10 06/94

1001 04/09/96 8:30 AM

Page 1 of 5

Form 3010 9/90

R0001010

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 FEB 2 3 1998

UNIFORM COVENANT. Borrower and Lender covenant and agree as follows:

1. **Payment of Principal and Interest; Prepayment and Late Charges.** Borrower shall promptly pay when due the principal of and interest on the debt evidenced by the Note and any prepayment and late charges due under the Note.

2. **Funds for Taxes and Insurance.** Subject to applicable law or to a written waiver by Lender, Borrower shall pay to Lender on the day monthly payments are due under the Note, until the Note is paid in full, a sum ("Funds") for: (a) yearly taxes and assessments which may attain priority over this Security Instrument as a lien on the Property; (b) yearly leasehold payments or ground rents on the Property, if any; (c) yearly hazard or property insurance premiums; (d) yearly flood insurance premiums, if any; (e) yearly mortgage insurance premiums, if any; and (f) any sums payable by Borrower to Lender, in accordance with the provisions of paragraph 8, in lieu of the payment of mortgage insurance premiums. These items are called "Escrow Items." Lender may, at any time, collect and hold Funds in an amount not to exceed the maximum amount a lender for a federally related mortgage loan may require for Borrower's escrow account under the federal Real Estate Settlement Procedures Act of 1974 as amended from time to time, 12 U.S.C. §§ 2601 et. seq. ("RESPA"), unless another law that applies to the Funds sets a lesser amount. If so, Lender may, at any time, collect and hold Funds in an amount not to exceed the lesser amount. Lender may estimate the amount of Funds due on the basis of current data and reasonable estimates of expenditures of future Escrow Items or otherwise in accordance with applicable law.

The Funds shall be held in an institution whose deposits are insured by a federal agency, instrumentality, or entity (including Lender, if Lender is such an institution) or in any Federal Home Loan Bank. Lender shall apply the Funds to pay the Escrow Items. Lender may not charge Borrower for holding and applying the Funds, annually analyzing the escrow account, or verifying the Escrow Items, unless Lender pays Borrower interest on the Funds and applicable law permits Lender to make such a charge. However, Lender may require Borrower to pay a one time charge for an independent real estate tax reporting service used by Lender in connection with this loan, unless applicable law provides otherwise. Unless an agreement is made or applicable law requires interest to be paid, Lender shall not be required to pay Borrower any interest or earnings on the Funds. Borrower and Lender may agree in writing, however, that interest shall be paid on the Funds. Lender shall give to Borrower, without charge, an annual accounting of the Funds, showing credits and debits to the Funds and the purpose for which each debit to the Funds was made. The Funds are pledged as additional security for all sums secured by this Security Instrument.

If the Funds held by Lender exceed the amounts permitted to be held by applicable law, Lender shall account to Borrower for the excess Funds in accordance with the requirements of applicable law. If the amount of the Funds held by Lender at any time is not sufficient to pay the Escrow Items when due, Lender may so notify Borrower in writing, and, in such case Borrower shall pay to Lender the amount necessary to make up the deficiency. Borrower shall make up the deficiency in no more than twelve monthly payments, at Lender's sole discretion.

Upon payment in full of all sums secured by this Security Instrument, Lender shall promptly refund to Borrower any Funds held by Lender. If, under paragraph 21, Lender shall acquire or sell the Property, Lender, prior to the acquisition or sale of the Property, shall apply any Funds held by Lender at the time of acquisition or sale as a credit against the sums secured by this Security Instrument.

3. **Application of Payments.** Unless applicable law provides otherwise, all payments received by Lender under paragraphs 1 and 2 shall be applied: first, to any prepayment charges due under the Note; second, to amounts payable under paragraph 2; third, to interest due; fourth, to principal due; and last, to any late charges under the Note.

4. **Charges; Liens.** Borrower shall pay all taxes, assessments, charges, fines and impositions attributable to the Property which may attain priority over this Security Instrument, and leasehold payments or ground rents, if any. Borrower shall pay these obligations in the manner provided in paragraph 2, or if not paid in that manner, Borrower shall pay them on time directly to the person owed payment. Borrower shall promptly furnish to Lender all notices of amounts to be paid under this paragraph. If Borrower makes these payments directly, Borrower shall promptly furnish to Lender receipts evidencing the payments.

Borrower shall promptly discharge any lien which has priority over this Security Instrument unless Borrower: (a) agrees in writing to the payment of the obligation secured by the lien in a manner acceptable to Lender; (b) contests in good faith the lien by, or defends against enforcement of the lien in, legal proceedings which in the Lender's opinion operate to prevent the enforcement of the lien; or (c) secures from the holder of the lien an agreement satisfactory to Lender subordinating the lien to this Security Instrument. If Lender determines that any part of the Property is subject to a lien which may attain priority over this Security Instrument, Lender may give Borrower a notice identifying the lien. Borrower shall satisfy the lien or take one or more of the actions set forth above within 10 days of the giving of notice.

5. **Hazard of Property Insurance.** Borrower shall keep the improvements now existing or hereafter erected on the Property insured against loss by fire, hazards included within the term "extended coverage" and any other hazards, including floods or flooding, for which Lender requires insurance. This insurance shall be maintained in the amounts and for the periods that Lender requires. The insurance carrier providing the insurance shall be chosen by Borrower subject to Lender's approval which shall not be unreasonably withheld. If Borrower fails to maintain coverage described above, Lender may, at Lender's option, obtain coverage to protect Lender's rights in the Property in accordance with paragraph 7.

All insurance policies and renewals shall be acceptable to Lender and shall include a standard mortgage clause. Lender shall have the right to hold the policies and renewals. If Lender requires, Borrower shall promptly give to Lender all receipts of paid premiums and renewal notices. In the event of loss, Borrower shall give prompt notice to the insurance carrier and Lender. Lender may make proof of loss if not made promptly to Borrower.

Unless Lender and Borrower otherwise agree in writing, insurance proceeds shall be applied to restoration or repair of the Property damaged, if the restoration or repair is economically feasible and Lender's security is not lessened. If the restoration or repair is not economically feasible or Lender's security would be lessened, the insurance proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with any excess paid to Borrower. If Borrower abandons the Property, or does not answer within 30 days a notice from Lender that the insurance carrier has offered to settle a claim, then Lender may collect the insurance proceeds. Lender may use the proceeds to repair or restore the Property or to pay sums secured by this Security Instrument, whether or not then due. The 30-day period will begin when the notice is given.

Unless Lender and Borrower otherwise agree in writing, any application of proceeds to principal shall not extend or postpone the due date of the monthly payments referred to in paragraphs 1 and 2 or change the amount of the payments. If under paragraph 21 the Property is acquired by Lender, Borrower's right to any insurance policies and proceeds resulting from damage to the Property prior to the acquisition shall pass to Lender to the extent of the sums secured by this Security Instrument immediately prior to the acquisition.

MICHAEL L. WELLS
FEB 23 1998

6. **Occupancy, Preservation, Maintenance and Protection of the Property; Borrower's Loan Application; Leaseholds.** Borrower shall occupy, establish, and use the Property as Borrower's principal residence within sixty days after the execution of this Security Instrument and shall continue to occupy the Property as Borrower's principal residence for at least one year after the date of occupancy, unless Lender otherwise agrees in writing, which consent shall not be unreasonably withheld, or unless extenuating circumstances exist which are beyond Borrower's control. Borrower shall not destroy, damage or impair the Property, allow the Property to deteriorate, or commit waste on the Property. Borrower shall be in default if any forfeiture action or proceeding, whether civil or criminal, is begun that in Lender's good faith judgment could result in forfeiture of the Property or otherwise materially impair the lien created by this Security Instrument or Lender's security interest. Borrower may cure such a default and reinstate, as provided in paragraph 18, by causing the action or proceeding to be discontinued with a ruling that, in Lender's good faith determination, precludes forfeiture of the Borrower's interest in the Property or other material impairment of the lien created by this Security Instrument or Lender's security interest. Borrower shall also be in default if Borrower, during the loan application process, gave materially false or inaccurate information or statements to Lender (or failed to provide Lender with any material information) in connection with the loan evidenced by the Note, including, but not limited to, representations concerning Borrower's occupancy of the Property as a principal residence. If this Security Instrument is on a leasehold, Borrower shall comply with all the provisions of the lease. If Borrower acquires fee title to the Property, the leasehold and the fee title shall not merge unless Lender agrees to the merger in writing.

7. **Protection of Lender's Rights in the Property.** If Borrower fails to perform the covenants and agreements contained in this Security Instrument, or there is a legal proceeding that may significantly affect Lender's rights in the Property (such as a proceeding in bankruptcy, probate, for condemnation or forfeiture or to enforce laws or regulations), then Lender may do and pay for whatever is necessary to protect the value of the Property and Lender's rights in the Property. Lender's actions may include paying any sums secured by a lien which has priority over this Security Instrument, appearing in court, paying reasonable attorneys' fees and entering on the Property to make repairs. Although Lender may take action under this paragraph 7, Lender does not have to do so.

Any amounts disbursed by Lender under this paragraph 7 shall become additional debt of Borrower secured by this Security Instrument. Unless Borrower and Lender agree to other terms of payment, these amounts shall bear interest from the date of disbursement at the Note rate and shall be payable, with interest, upon notice from Lender to Borrower requesting payment.

8. **Mortgage Insurance.** If Lender required mortgage insurance as a condition of making the loan secured by this Security Instrument, Borrower shall pay the premiums required to maintain the mortgage insurance in effect. If, for any reason, the mortgage insurance coverage required by Lender lapses or ceases to be in effect, Borrower shall pay the premiums required to obtain coverage substantially equivalent to the mortgage insurance previously in effect, at a cost substantially equivalent to the cost to Borrower of the mortgage insurance previously in effect, from an alternate mortgage insurer approved by Lender. If substantially equivalent mortgage insurance coverage is not available, Borrower shall pay to Lender each month a sum equal to one-twelfth of the yearly mortgage insurance premium being paid by Borrower when the insurance coverage lapsed or ceased to be in effect. Lender will accept, use and retain these payments as a loss reserve in lieu of mortgage insurance. Loss reserve payments may no longer be required, at the option of Lender, if mortgage insurance coverage (in the amount and for the period that Lender requires) provided by an insurer approved by Lender again become available and is obtained. Borrower shall pay the premiums required to maintain mortgage insurance in effect, or to provide a loss reserve, until the requirement for mortgage insurance ends in accordance with any written agreement between Borrower and Lender or applicable law.

9. **Inspection.** Lender or its agent may make reasonable entries upon and inspections of the Property. Lender shall give Borrower notice at the time of or prior to an inspection specifying reasonable cause for the inspection.

10. **Condemnation.** The proceeds of any award or claim for damages, direct or consequential, in connection with any condemnation or other taking of any part of the Property, or for conveyance in lieu of condemnation, are hereby assigned and shall be paid to Lender.

In the event of a total taking of the Property, the proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with any excess paid to Borrower. In the event of a partial taking of the Property in which the fair market value of the Property immediately before the taking is equal to or greater than the amount of the sums secured by this Security Instrument immediately before the taking, unless Borrower and Lender otherwise agree in writing, the sums secured by this Security Instrument shall be reduced by the amount of the proceeds multiplied by the following fraction: (a) the total amount of the sums secured immediately before the taking, divided by (b) the fair market value of the Property immediately before the taking. Any balance shall be paid to Borrower. In the event of a partial taking of the Property in which the fair market value of the Property immediately before the taking is less than the amount of the sums secured immediately before the taking, unless Borrower and Lender otherwise agree in writing or unless applicable law otherwise provides, the proceeds shall be applied to the sums secured by this Security Instrument whether or not the sums are then due.

If the Property is abandoned by Borrower, or if, after notice by Lender to Borrower that the condemnor offers to make an award or settle a claim for damages, Borrower fails to respond to Lender within 30 days after the date the notice is given, Lender is authorized to collect and apply the proceeds, at its option, either to restoration or repair of the Property or to the sums secured by this Security Instrument, whether or not then due.

Unless Lender and Borrower otherwise agree in writing, any application of proceeds to principal shall not extend or postpone the due date of the monthly payments referred to in paragraphs 1 and 2 or change the amount of such payments.

11. **Borrower Not Released; Forbearance By Lender Not a Waiver.** Extension of the time for payment or modification of amortization of the sums secured by this Security Instrument granted by Lender to any successor in interest of Borrower shall not operate to release the liability of the original Borrower or Borrower's successors in interest. Lender shall not be required to commence proceedings against any successor in interest or refuse to extend time for payment or otherwise modify amortization of the sums secured by this Security Instrument by reason of any demand made by the original Borrower or Borrower's successors in interest. Any forbearance by Lender in exercising any right or remedy shall not be a waiver of or preclude the exercise of any right or remedy.

12. **Successors and Assigns Bound; Joint and Several Liability; Co-signers.** The covenants and agreements of this Security Instrument shall bind and benefit the successors and assigns of Lender and Borrower, subject to the provisions of paragraph 17. Borrower's covenants and agreements shall be joint and several. Any Borrower who co-signs this Security Instrument but does not execute the Note: (a) is co-signing this Security Instrument only to mortgage, grant and convey that Borrower's interest in the Property under the terms of this Security Instrument; (b) is not personally obligated to pay the sums secured by this Security Instrument; and (c) agrees that Lender and any other Borrower may agree to extend, modify, forbear or make any accommodations with regard to the terms of this Security Instrument or the Note without that Borrower's consent.

NOTARIAL

FEB 23 1998

13. **Loan Charges.** If the [redacted] secured by this Security Instrument is subject to a law which [redacted] maximum loan charges, and that law is finally interpreted so that the interest or other loan charges collected or to be collected in connection with the loan exceed the permitted limits, then: (a) any such loan charge shall be reduced by the amount necessary to reduce the charge to the permitted limit; and (b) any sums already collected from Borrower which exceeded permitted limits will be refunded to Borrower. Lender may choose to make this refund by reducing the principal owed under the Note or by making a direct payment to Borrower. If a refund reduces principal, the reduction will be treated as a partial prepayment without any prepayment charge under the Note.

14. **Notices.** Any notice to Borrower provided for in this Security Instrument shall be given by delivering it or by mailing it by first class mail unless applicable law requires use of another method. The notice shall be directed to the Property Address or any other address Borrower designates by notice to Lender. Any notice to Lender shall be given by first class mail to Lender's address stated herein or any other address Lender designates by notice to Borrower. Any notice provided for in this Security Instrument shall be deemed to have been given to Borrower or Lender when given as provided in this paragraph.

15. **Governing Law; Severability.** This Security Instrument shall be governed by federal law and the law of the jurisdiction in which the Property is located. In the event that any provision or clause of this Security Instrument or the Note conflicts with applicable law, such conflict shall not affect other provisions of this Security Instrument or the Note which can be given effect without the conflicting provision. To this end the provisions of this Security Instrument and the Note are declared to be severable.

16. **Borrower's Copy.** Borrower shall be given one conformed copy of the Note and of this Security Instrument.

17. **Transfer of the Property or a Beneficial Interest in Borrower.** If all or any part of the Property or any interest in it is sold or transferred (or if a beneficial interest in Borrower is sold or transferred and Borrower is not a natural person) without Lender's prior written consent, Lender may, at its option, require immediate payment in full of all sums secured by this Security Instrument. However, this option shall not be exercised by Lender if exercise is prohibited by federal law as of the date of this Security Instrument.

If Lender exercises this option, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than 30 days from the date the notice is delivered or mailed within which Borrower must pay all sums secured by this Security Instrument. If Borrower fails to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Security Instrument without further notice or demand on Borrower.

18. **Borrower's Right to Reinstate.** If Borrower meets certain conditions, Borrower shall have the right to have enforcement of this Security Instrument discontinued at any time prior to the earlier of: (a) 5 days (or such other period as applicable law may specify for reinstatement) before sale of the Property pursuant to any power of sale contained in this Security Instrument; or (b) entry of a judgment enforcing this Security Instrument. Those conditions are that Borrower: (a) pays Lender all sums which then would be due under this Security Instrument and the Note as if no acceleration had occurred; (b) cures any default or any other covenants or agreements; (c) pays all expenses incurred in enforcing this Security Instrument, including, but not limited to, reasonable attorney's fees; and (d) takes such action as Lender may reasonably require to ensure that the lien of this Security Instrument, Lender's rights in the Property and Borrower's obligation to pay the sums secured by this Security Instrument shall continue unchanged. Upon reinstatement by Borrower, this Security Instrument and the obligations secured hereby shall remain fully effective as if no acceleration had occurred. However, this right to reinstate shall not apply in the case of acceleration under paragraph 17.

19. **Sale of Note; Change of Loan Servicer.** The Note or a partial interest in the Note (together with this Security Instrument) may be sold one or more times without prior notice to Borrower. A sale may result in a change in the entity (known as the "Loan Servicer") that collects monthly payments due under the Note and this Security Instrument. There also may be one or more changes of the Loan Servicer unrelated to a sale of the Note. If there is a change of the Loan Servicer, Borrower will be given written notice of the change in accordance with paragraph 14 above and applicable law. The notice will state the name and address of the new Loan Servicer and the address to which payments should be made. The notice will also contain any other information required by applicable law.

20. **Hazardous Substances.** Borrower shall not cause or permit the presence, use, disposal, storage, or release of any Hazardous Substances on or in the Property. Borrower shall not do, nor allow anyone else to do, anything affecting the Property that is in violation of any Environmental Law. The preceding two sentences shall not apply to the presence, use, or storage on the Property of small quantities of Hazardous Substances that are generally recognized to be appropriate to normal residential use and to maintenance of the Property.

Borrower shall promptly give Lender written notice of any investigation, claim, demand, lawsuit or other action by any governmental or regulatory agency or private party involving the Property and any Hazardous Substance or Environmental Law of which Borrower has actual knowledge. If Borrower learns, or is notified by any governmental or regulatory authority, that any removal or other remediation of any Hazardous Substance affecting the Property is necessary, Borrower shall promptly take all necessary remedial actions in accordance with Environmental Law.

As used in this paragraph 20, "Hazardous Substances" are those substances defined as toxic or hazardous substances by Environmental Law and the following substances: gasoline, kerosene, other flammable or toxic petroleum products, toxic pesticides and herbicides, volatile solvents, materials containing asbestos or formaldehyde, and radioactive materials. As used in this paragraph 20, "Environmental Law" means federal laws and laws of the jurisdiction where the Property is located that relate to health, safety or environmental protection.

NON-UNIFORM COVENANTS. Borrower and Lender further covenant and agree as follows:

21. **Acceleration; Remedies.** Lender shall give notice to Borrower prior to acceleration following Borrower's breach of any covenant or agreement in this Security Instrument (but not prior to acceleration under paragraph 17 unless applicable law provides otherwise). The notice shall specify: (a) the default; (b) the action required to cure the default; (c) a date, not less than 30 days from the date the notice is given to Borrower, by which the default must be cured; and (d) that failure to cure the default on or before the date specified in the notice may result in acceleration of the sums secured by this Security Instrument and sale of the Property. The notice shall further inform Borrower of the right to reinstate after acceleration and the right to bring a court action to assert the non-existence of a default or any other defense of Borrower to acceleration and sale. If the default is not cured on or before the date specified in the notice, Lender at its option may require immediate payment in full of all sums secured by this Security Instrument without further demand and may invoke the power of sale and any other remedies permitted by applicable law. Lender shall be entitled to collect all expenses incurred in pursuing the remedies provided in this paragraph 21, including, but not limited to, reasonable attorneys' fees and costs of title evidence.

IDAHO - Single Family - Fannie Mae/Freddie Mac UNIFORM INSTRUMENT

Form 2010 8/99

RE-999-ID 08/94

Page 4 of 6

MS001046

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FEB 23 2006

If Lender invokes the power of sale, Lender shall execute or cause Trustee to execute written notice of the occurrence of an event of default and of Lender's election to cause the Property to be sold, and shall cause such notice to be recorded in each county in which any part of the Property is located. Lender or Trustee shall mail copies of the notice as prescribed by applicable law to Borrower and to other persons prescribed by applicable law. Trustee shall give public notice of sale to the persons and in the manner prescribed by applicable law. After the time required by applicable law, Trustee, without demand on Borrower, shall sell the Property at public auction to the highest bidder at the time and place and under the terms designated in the notice of sale in one or more parcels and in any order Trustee determines. Trustee may postpone sale of all or any parcel of the Property by public announcement at the time and place of any previously scheduled sale. Lender or its designee may purchase the Property at any sale.

Trustee shall deliver to the purchaser Trustee's deed conveying the Property without any covenant or warranty, expressed or implied. The recitals in the Trustee's deed shall be prima facie evidence of the truth of the statements made therein. Trustee shall apply the proceeds of the sale in the following order: (a) to all expenses of the sale, including, but not limited to, reasonable Trustee's and attorneys' fees; (b) to all sums secured by this Security Instrument; and (c) any excess to the person or persons legally entitled to it.

22. Reconveyance. Upon payment of all sums secured by this Security Instrument, Lender shall request Trustee to reconvey the Property and shall surrender this Security Instrument and all notes evidencing debt secured by this Security Instrument to Trustee. Trustee shall reconvey this Property without warranty and without charge to the person or persons legally entitled to it. Such person or persons shall pay any recordation costs.

23. Substitute Trustee. Lender may, for any reason or cause, from time to time remove Trustee and appoint a successor trustee to any Trustee appointed hereunder. Without conveyance of the Property, the successor shall succeed to all the title, power and duties conferred upon Trustee herein and by applicable law.

24. Area and Location of Property. Either the Property is not more than twenty acres in area or the Property is located within an incorporated city or village.

25. Riders to this Security Instrument. If one or more riders are executed by Borrower and recorded together with this Security Instrument, the covenants and agreements of each such rider shall be incorporated into and shall amend and supplement the covenants and agreements of this Security Instrument as if the rider(s) were a part of this Security Instrument. (Check applicable box(es))

- | | | |
|--|--|---|
| ☐ Adjustable Rate Rider | ☐ Condominium Rider | ☐ 1-4 Family Rider |
| ☐ Graduated Payment Rider | ☒ Planned Unit Development Rider | ☐ Biweekly Payment Rider |
| ☐ Balloon Rider | ☐ Rate Improvement Rider | ☐ Second Home Rider |
| ☐ Other(s) (specify) | | |

BY SIGNING HERETO, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any rider(s) executed by Borrower and recorded with it.

Witnesses:

William St. Laurent _____ -Borrower

Wendy St. Laurent _____ -Borrower

Borrower:

-Borrower

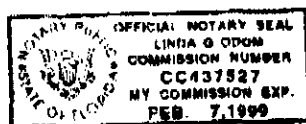
[Space Below This Line For Acknowledgment]

STATE OF FLORIDA)
COUNTY OF DADE) SS

On this 22nd day of APRIL, 1996, before me, a Notary Public in and for the State of Florida duly commissioned and sworn, personally appeared

William St. Laurent and Wendy St. Laurent, to me personally known (or proven on the basis of satisfactory evidence) to be the individual(s) who executed the within and foregoing instrument, and acknowledged the said instrument to be his/her/their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN UNDER my hand and official seal hereto affixed this day and year in this certificate above written.



Linda G. Odum
Notary Public in and for the State of FL, residing at
Commission Expires: 2/7/99

My commission expires 2/7/99

MICROFILMED
FEB 28 1997

FILE PROGRESS SUMMARY

APPLICANT

WATER RIGHT NO. 37-08864

INIT.	DATE	COMMENT
act	8/14/97	Staffed to Carey
P.S.	8/13/97	SPOKE WITH KEVIN O MAINE (APPLICANT'S CONSULTANT) REGARDING APPLICATION. ~~APPLICANT~~ CLARIFIED THAT APPLICATION IS FOR EXISTING DEVELOPMENT (PRE 1987) AND THAT NO NEW DEVELOPMENT IS PROPOSED. TOLD HIM I HAD TRIED CONTACTING APPLICANT'S (NOONE WAS HOME) AND THAT I WOULD STOP BY ON 08/18/97 TO VERIFY DEVELOPMENT.
P.S.	08/18/97	STOPPED BY PROPERTY INVOLVED WITH APPLICATION (PHOTOS ENCLOSED)
P.S.	08/21/97	LEFT MESSAGE ON MACHINE TO CALL ME ABOUT APPLICATION
P.S.	08/25/97	RETURN CALL TO MRS. ST. LAURENT CONFIRMED THAT ~~APPLICANTS~~ APPLICANT'S DO INDEED ~~THE~~ DESIRE TO RAISE FISH (IE. FISH PROPOGATION) AND ASKED MRS. ST. LAURENT WHAT KIND OF NAME CONNECTOR SHE WANTED ON THE APPLICATION. SHE SAID F/OR SO EITHER HER OR HER HUSBAND COULD SIGN THE APPLICATION.
MB	8/26/97	Data entry
MB	9/11/97	Pub. aff. rec.
MB	9/16/97	WM Recd. rec'd.
MB	9/24/97	Put in Hold - waiting for Agency comments re: Fish Prop. rec.
AM	10/22/97	2nd request - Fish info.
	10/24/97	Ken Lohm called RE: letter He will submit info.
	11/7/97	Info received.
AM		Staff review

MICROFILMED

~~MICROFILMED~~

SEP 23 1998

S. Region
3/96

Application No. 37-08864

ADDITIONAL INFORMATION REQUIREMENTS
FOR FISH PROPAGATION APPLICATIONS
FIVE (5) CFS AND LESS

RECEIVED
NOV 17 1997

Division of Water Resources
Southern Region

The following additional information is required to be made part of the application file pursuant to IDAHO CODE section 42-203A and the Rules and Regulations for Water Appropriation:

- 1) Copies of deeds, leases, easements, or other information documenting that you have a possessory interest in the place of use. (Rule 40.05, e, i)
- 2) Copies of plans and specifications for the project works. The plans must be definite enough to allow for determination of project impacts and implications. For fish propagation facilities the plans must show the number of ponds proposed and give the length, width and depth dimensions of all ponds. (Rule 40.05, f, ii)
- 3) You must seek comment on the effects of the construction and operation of the proposed project from the city and/or county within which the project is to be located, the Idaho Department of Fish and Game, the Idaho Department of Health and Welfare, Division of Environment, and any irrigation district or canal company within which the project is to be located. (Rule 40.05, g) A copy of your application is enclosed for your use in seeking comments.

MICROFILMED

FEB 23 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

October 22, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WENDY ST LAURENT &/OR
WILLIAM ST LAURENT
PO BOX 6002
SUN VALLEY ID 83353

RE: APPLICATION FOR PERMIT NO. 37-08864

SECOND REQUEST

Dear Applicants:

Legal advertising has been completed on the above referenced application with no protests filed against the application.

As requested in our correspondence dated 08/27/97, additional information is required to be made part of the application file pursuant to Idaho Code provisions and the department's Rules and Regulations for Water Appropriation. The attached sheet(s) give details regarding the information which is requested.

Failure to supply the requested information within 30 days from the date of this letter could result in a regional recommendation that the application be declared void.

If you have any questions or if this office can be of further assistance, please feel free to contact this office.

Very truly yours,

Allen D. Merritt, P.E.
Regional Manager

AM:MB

Enclosure

MICROFILMED

FEB 23 1998

APPLICATION FOR PERMIT NO. 37-08864

RECOMMENDATION OF WATERMASTER

I, Lee R. Peterson, watermaster of
Big Wood River, of Water District No. 37, County of
Blaine, State of Idaho, whose address is
P O Box T, Shoshone, Idaho 83352 have read the
attached copy of the application for permit in the name of
Wendy & William St Laurent, and to the best of my knowledge believe
the application to be true.

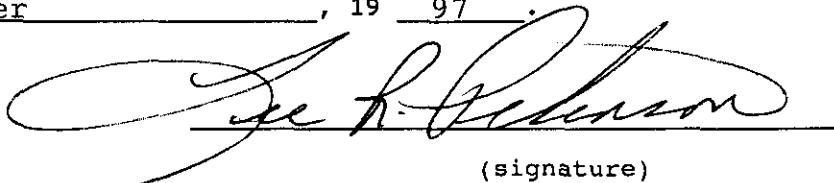
A. I hereby endorse the above numbered Application for Permit and
recommend that the Director of the Department of Water Resources approve the
application subject to the following conditions:

NONE

OR

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

Dated at Shoshone, Idaho, this 10th day of
September, 19 97.


(signature)

Please use reverse side if needed.

MICROFILMED
FEB 23 1998

RECEIVED
SEP 16 1997

Department of Water Resources
Southern Region

AFFIDAVIT of PUBLICATION

RECEIVED

SEP 11 1997

State of Idaho,
County of Blaine

} SS.

Department of Water Resources
Southern Region

On this 10 day of Sept., in the year 1997, 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 3 day of Sept., 1997, and the date of the last publication was on the 10 day of Sept., 1997.

Subscribed and sworn to before me this 10 day of Sept., 1997.
(SEAL)

NOTARY PUBLIC

#10688
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 52.000
Number of Insertions 2
Lines tabular at 7 pc / Pica
52.000 Lines straight at 35.880 6 pc / Pica
52.000 Subsequent lines at 29.900 5 pc / Pica
TOTAL COST 15 \$ 70.78 FEB 23 1998

COPY OF NOTICE
(Paste Here)

Application for Water Permit
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID. Dept. of 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:

**WILLIAM ST LAURENT &/OR
WENDY ST LAURENT
PO BOX 6383
SUN VALLEY ID 83353**
Application for Permit
No. 37-08864

Source: Parker Gulch tributary to Elkhorn Gulch (existing development)

Diversion Pt(s):
NW1/4NE1/4SE1/4, S16, T84N,
R18E; Blaine County.
Use: 1/1-12/31

aesthetic (0.5 cfs)
recreation (0.5 cfs)
wildlife (0.5 cfs)
fish propagation (0.5 cfs)

Total Diversion: 0.5 cfs

Is: NE1/4SE1/4, S16, T84N,
R18E; Blaine County
Date Filed: 8/13/1997

Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before September 22, 1997 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 -
September 3 & 10, 1997.

**NOTICE OF APPLICATION
FOR WATER PERMIT**

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

**WILLIAM ST LAURENT &/OR
WENDY ST LAURENT**

PO BOX 6202

SUN VALLEY ID 83353

Application for Permit

No. 37-08864

**Source: Parker Gulch tributary
to Elkhorn Gulch (existing
development)**

**Diversion Pt(s):
NW1/4NE1/4SE1/4, S16, T04N,
R18E; Blaine County.**

Use: 1/1-12/31

aesthetic (0.5 cfs)

recreation (0.5 cfs)

wildlife (0.5 cfs)

fish propagation (0.5 cfs)

Total Diversion: 0.5 cfs

**In: NE1/4SE1/4, S16, T04N,
R18E; Blaine County**

Date Filed: 8/13/1997

Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before September 22, 1997 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

**Published in the Wood River
Journal on 9/3 & 9/10/97.**

MICROFILM

FEB 23 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 28, 1997

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

NOTED

FEB 23 1998

NOTICE OF APPLICATION FOR WATER PERMIT

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

WILLIAM ST LAURENT &/OR
WENDY ST LAURENT
PO BOX 6202
SUN VALLEY ID 83353

Application for Permit No. 37-08864

Source: Parker Gulch tributary to Elkhorn Gulch (existing development)

Diversion Pt(s): NW1/4NE1/4SE1/4, S16, T04N, R18E; Blaine County.

Use: 1/1-12/31

aesthetic	(0.5 cfs)
recreation	(0.5 cfs)
wildlife	(0.5 cfs)
fish propagation	(0.5 cfs)

Total Diversion: 0.5 cfs

In: NE1/4SE1/4, S16, T04N, R18E; Blaine County

Date Filed: 8/13/1997

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Karl J. Dreher, Director

Published in the Wood River Journal on 9/3 & 9/10/97.

FOR ALL

FEB 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

August 27, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM ST LAURENT &/OR
WENDY ST LAURENT
PO BOX 6202
SUN VALLEY ID 83353

Re: Application for Permit No. 37-08864

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your application for a water right permit. The application has been assigned identification No. 37-08864. Please refer to this number in all further correspondence.

A legal notice of the application has been scheduled for publication in the Wood River Journal on 9/3 & 9/10/97. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be notified and sent a copy of all protests filed.

Review of your application indicates that additional information is required to be made part of the application file pursuant to Idaho Code provisions and the department's Rules and Regulations for Water Appropriation. The attached sheet(s) give details regarding the information which is required.

The required additional information must be submitted within 30 days after the final date for receiving protests September 22, 1997. The time may be extended upon request and showing of good cause that additional time is required to submit the information.

Sincerely yours,

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

cs:mb
Enclosure

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3/96

Application No. 37-08864

ADDITIONAL INFORMATION REQUIREMENTS
FOR FISH PROPAGATION APPLICATIONS
FIVE (5) CFS AND LESS

The following additional information is required to be made part of the application file pursuant to IDAHO CODE section 42-203A and the Rules and Regulations for Water Appropriation:

- 1) Copies of deeds, leases, easments, or other information documenting that you have a possessory interest in the place of use. (Rule 40.05, e, i)
- 2) Copies of plans and specifications for the project works. The plans must be definite enough to allow for determination of project impacts and implications. For fish propagation facilities the plans must show the number of ponds proposed and give the length, width and depth dimensions of all ponds. (Rule 40.05, f, ii)
- 3) You must seek comment on the effects of the construction and operation of the proposed project from the city and/or county within which the project is to be located, the Idaho Department of Fish and Game, the Idaho Department of Health and Welfare, Division of Environment, and any irrigation district or canal company within which the project is to be located. (Rule 40.05, g) A copy of your application is enclosed for your use in seeking comments.

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FEB 23 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 27, 1997

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. 37-08864 (William St. Laurent)

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.

Sincerely yours,

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

cs:mb

Enclosures

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FEB 23 1998

MEMORANDUM

TO: Wendy &/or William St. Laurent application for permit file
FROM: Corey Skinner *CS*
DATE: August 26, 1997
SUBJECT: Staff Review

The enclosed application for permit, filed by Wendy &/or William St. Laurent, seeks to obtain a water right for an existing pond located on their property (Lot #27, June Day Subdivision). I spoke with the applicant's consultant and he verified that the applicant's propose to use the existing pond. However, the applicants wish to plant fish in the pond in the future (verified via telecom with applicant). Therefore, fish propagation will be a proposed use in addition to recreation, aesthetics, and wildlife.

The application should be pretty straightforward and should not be subject to the Snake River Basin Moratorium. The applicant's claim the pond was in place prior to November 1987 and have included a copy of a 1986 letter discussing work that would be performed on the existing pond. In addition, a copy of a 1988 aerial photo included with the application shows the pond in place and the Department's 1988 NAPP photos show the pond in place. The application could probably be exempt from the moratorium based on the proposed use possibly being considered non consumptive or the fact that the pond surface area is less than $\frac{1}{2}$ acre in size.

There should be no problems with overlapping water rights, but there may be certain stream channel issues or possibly concerns from other agencies. However, these concerns (if any) should be addressed in the public notice and protest period and from the comments required in the fish farm requirement letter.

The attached photos, and the basis for the attached sketch, were from a 08/18/97 visit to the property.

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37-08864



ABOVE: VIEW OF POND ON LOT #27 JUNE DAY SUBDIVISION (APPLICANT'S PROPERTY). MAIN INFLOW (DITCH ALONG
 SANDGULLY ARROW) IS FED BY POND INLET SHOWN BELOW. NOTE SECONDARY INFLOW (SMALL DITCH IN GRASS) BEHIND
 BOUNDARY LINE. APPROXIMATE LOCATION OF POND OUTLET SHOWN BELOW IS INDICATED.

BELOW: VIEW LOOKING UP PARKER GULCH FROM S. NORTH
 BOUNDARY OF LOT #27. POND INLET, 5" 4" PVC PIPE
 WITH NO CONTROL WORKS, IS INDICATED IN FOREGROUND.

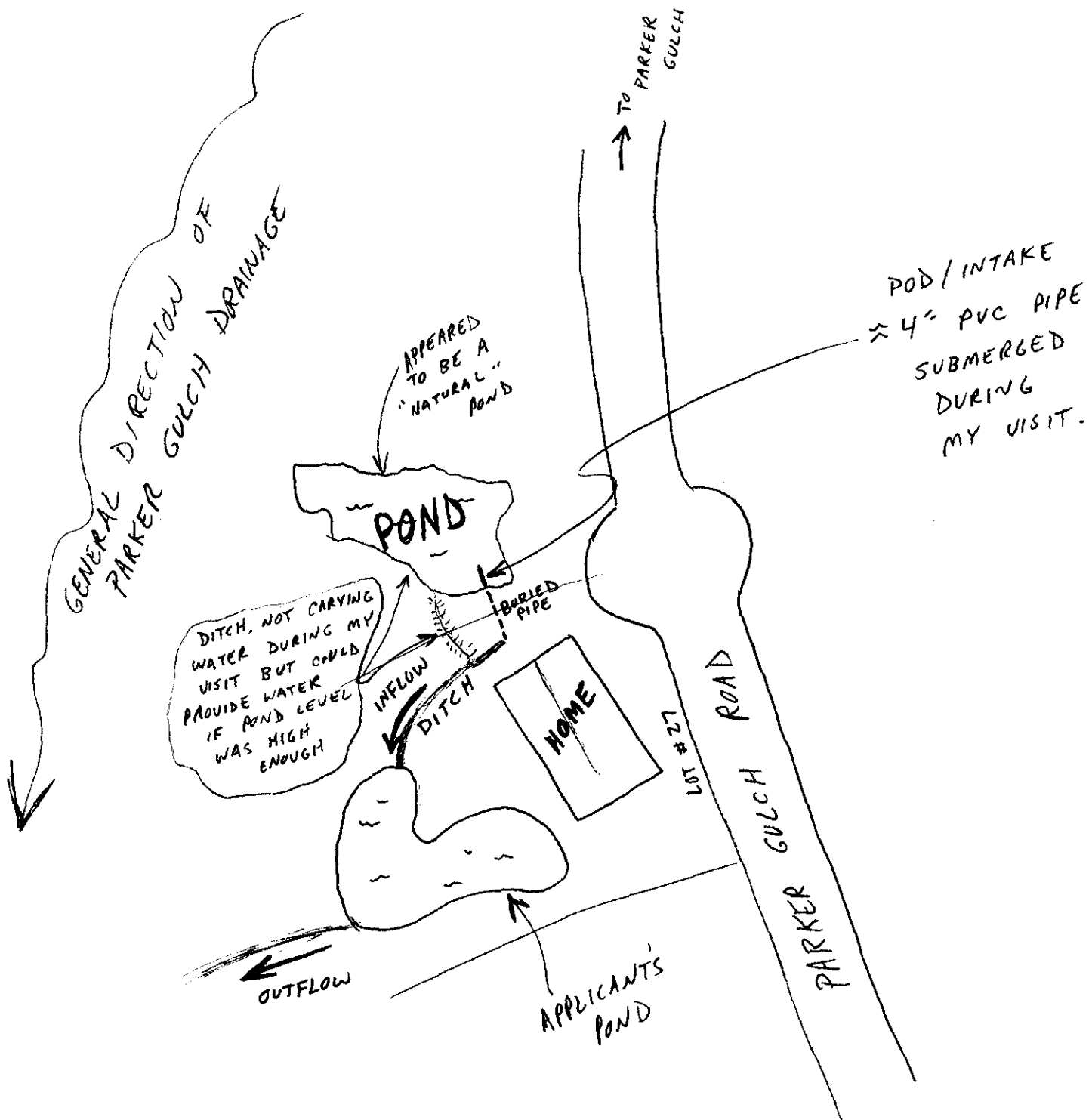


BELOW: VIEW OF OUTLET AND OUTFLOW FROM
 APPLICANT'S POND.



Extra photo of
inflow to St. Laurent
pond.

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SKETCH (NOT TO SCALE)
BASED ON OBSERVATIONS FROM MICROFILMED
08/18/97 FIELD VISIT.

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BY C. SKINNER

37-08864

FROM: Allen Merritt

DATE: August 5, 1997

TO: Application No. 37-08864
In the Name of: Laurent

SUBJECT: Review and Recommendation

This application records the construction of a small pond prior to 1987 on Parker Gulch. The use has been for enhancement of a subdivision lot for aesthetic, recreation, wildlife & non-commercial fish propagation purposes. The application does not propose to enlarge or alter the existing pond.

The application was processed as non-consumptive. The area the pond is located is a natural braided marshy area as evidenced by the 1988 NAPP. The application was advertised without protest. As proposed the size of the pond and impact appears insignificant.

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

- The permit be allowed as:
 - 0.5 cfs Diversion to storage
 - 0.5 cfs Fish Propagation
 - 0.8 af Storage for Aesthetics, Recreation, Wildlife and Fish Propagation
- Total 0.5 cfs & 0.8 af storage.

- This right is non-consumptive.
- The pond is limited in size to existing dimensions 62' wide x 126' long x 4'7" average depth (0.8 af).
- The director retains jurisdiction over the permit to require mitigation of use if it is determines injury to senior rights below exist.
- The use is under control of the watermaster of district 37.
- Subject to DEQ discharge requirements or any other local, county, state or federal requirements.

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The Club at Morningside

July 14, 1986

I, Vern Fraser, the owner of Lot 27, June Day Subdivision, would like the Elkhorn Master Association to be aware and to obtain their permission for the following improvements to my property:

1. Minor pond dredging to improve depth.
2. Minor grading and sloping of pond banks and property.
3. Add fill dirt - South East corner.
4. To prevent erosion, as the water enters and exits the pond, the addition of rocks to frame areas.
5. Also a possible french drain in the North West corner to help dry land.

You can be assured the changes will only enhance the property and June Day Subdivision.

Sincerely,

A handwritten signature in dark ink, appearing to read "Vern Fraser", is written over a horizontal line.

Vern Fraser

622-8161

VF:ne

cc: Mr. Doug Clemens
Mr. Oliver Dibble
Planning and Zoning Administrator

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FEB 23 1998

Morningside Drive • Rancho Mirage, California 92270 • (619) 324-1234

37-08864