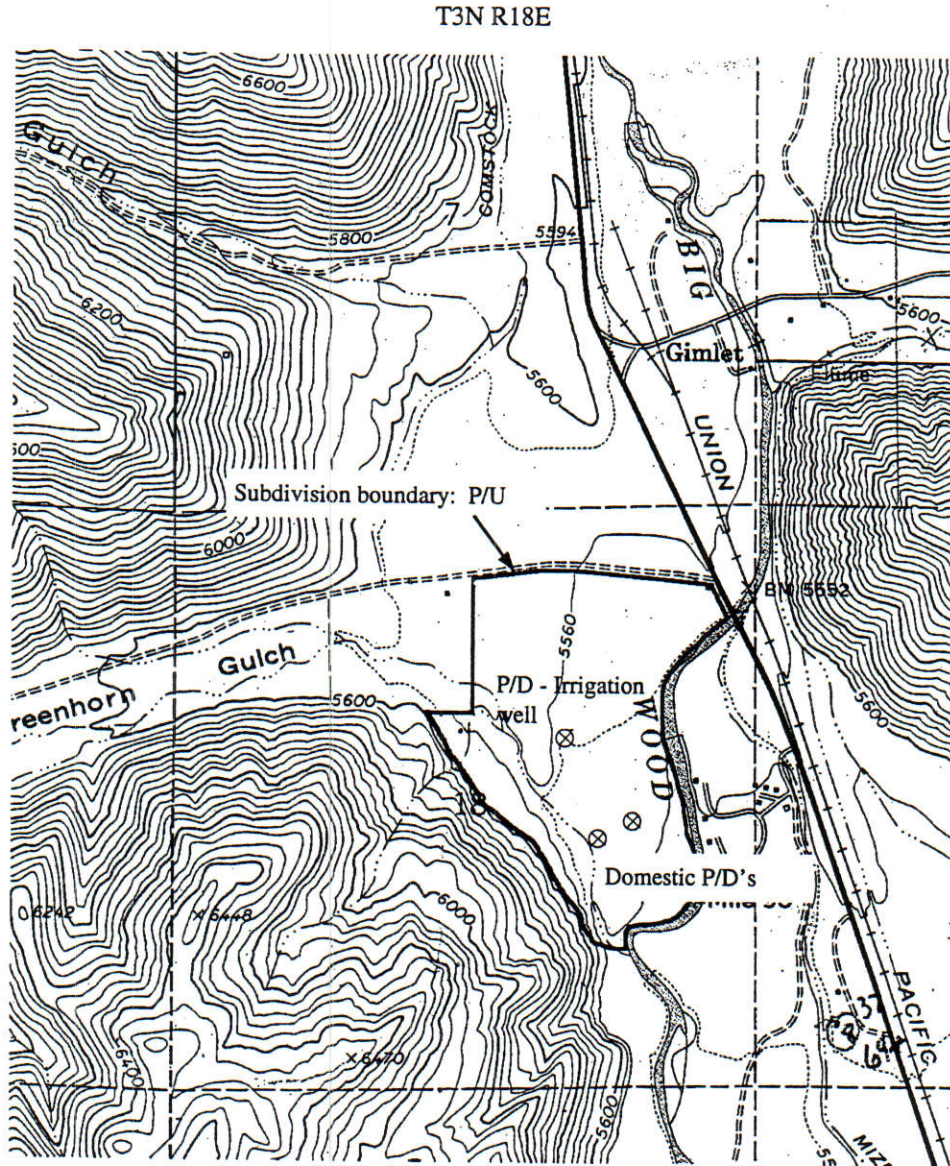


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



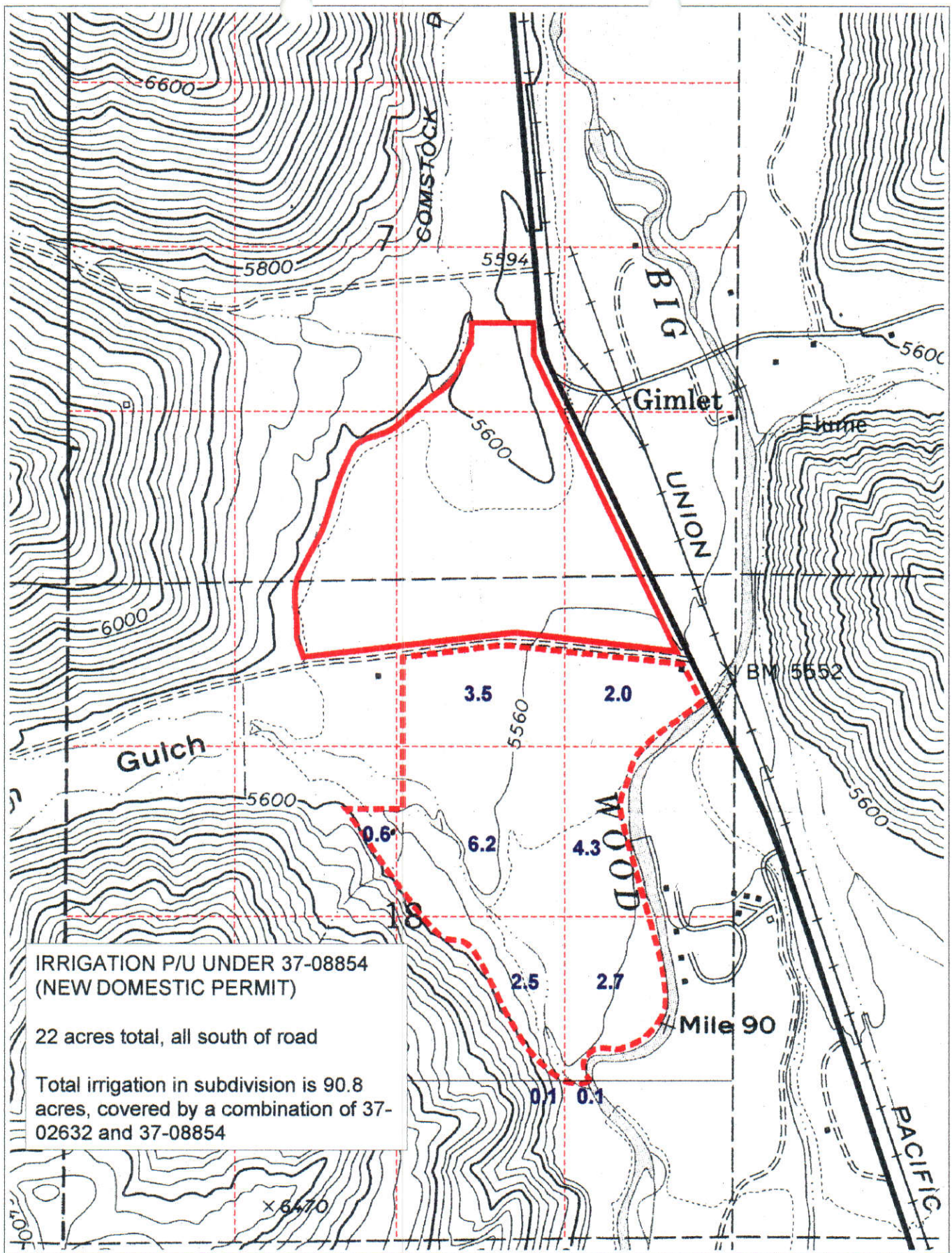
Application for Permit for Golden Eagle Ranch
Two domestic wells for 44 residential lots

MAY 07 1996

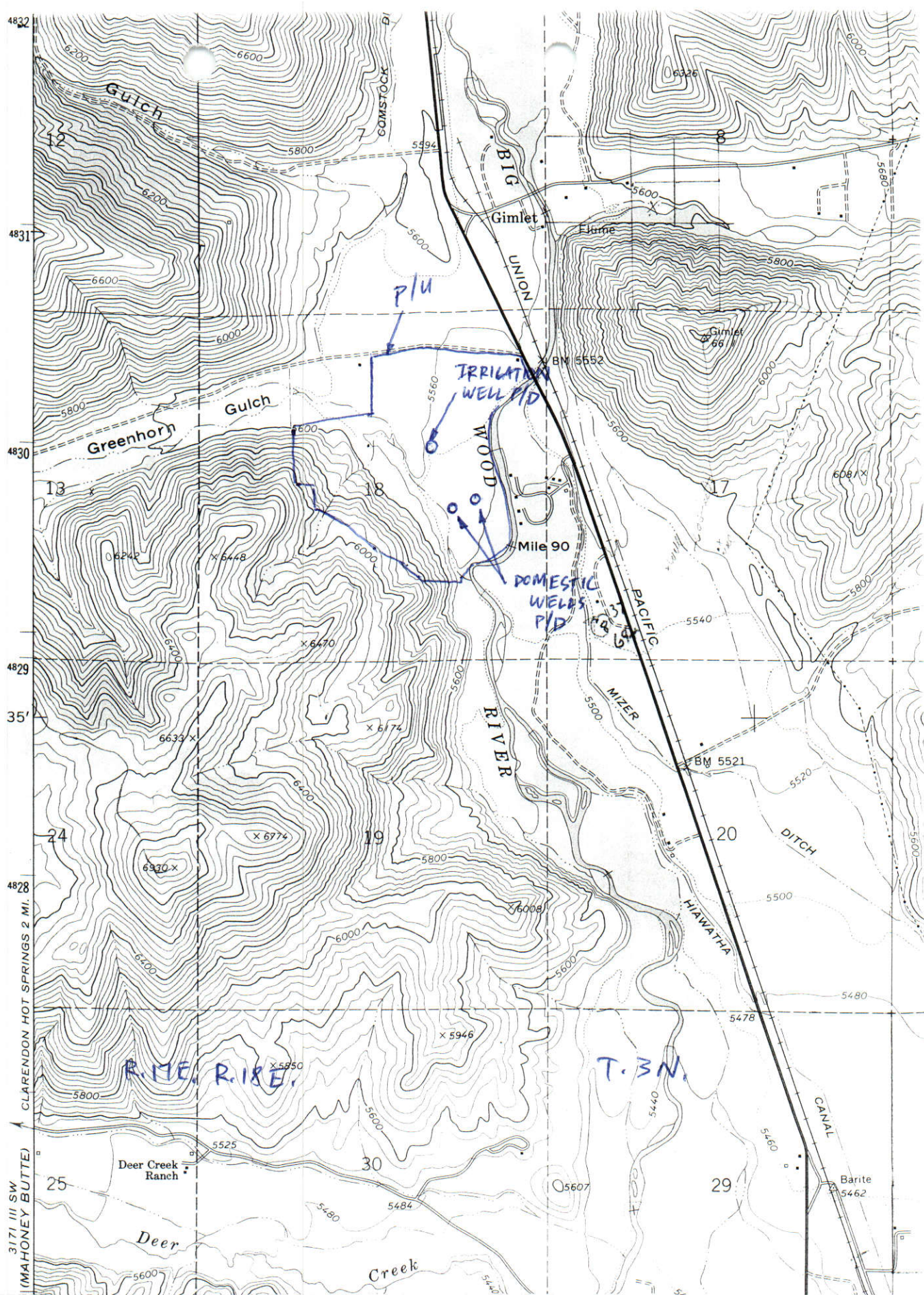
Scale: 2 inches equal 1 mile.

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

Chris E. Brubaker power of attorney
(applicant)



MICROFILMED
JAN 04 1999



GOLDEN EAGLE RANCH 37-08854
 BENEFICIAL USE FIELD EXAM
 Brockway Engineering PLLC 5/1/88

MICROFILMED
 JAN 04 1999

SE1/4SW1/4

SW1/4SE1/4

GOLDEN LITTLE RANCH 37-08854

Proposed Development

NE1/4NW1/4

Gulch

Rd.

NE1/4NE1/4

SECTION 18

SE1/4NW1/4

SE1/4NE1/4

NE1/2NE1/4

Big

Wood

NW1/4SW1/4

NE1/4SE1/4

NW1/4SE1/4

River

- Domestic wells
- ⊗ Irrigation well
- Pump house
- Irrigation and domestic lines.

SW1/4SE1/4

MICROFILMED
JAN 04 1999



GOLDEN EAGLE RANCH SUBDIVISION - OVERALL VIEW

37-08854

5/1/98

MICROFILMED
JAN 04 1999



GOLDEN EAGLE RANCH SUBDIVISION 37-08854
 WEST DOMESTIC WELL (TOP)
 EAST DOMESTIC WELL (BOTTOM)

MICROFILMED 1/98
 JAN 04 1999



GOLDEN EAGLE RANCH SUBDIVISION 37-08854

Hydrant used for flow measurement (TOP)

Pitot tube used for flow measurement (BOTTOM)

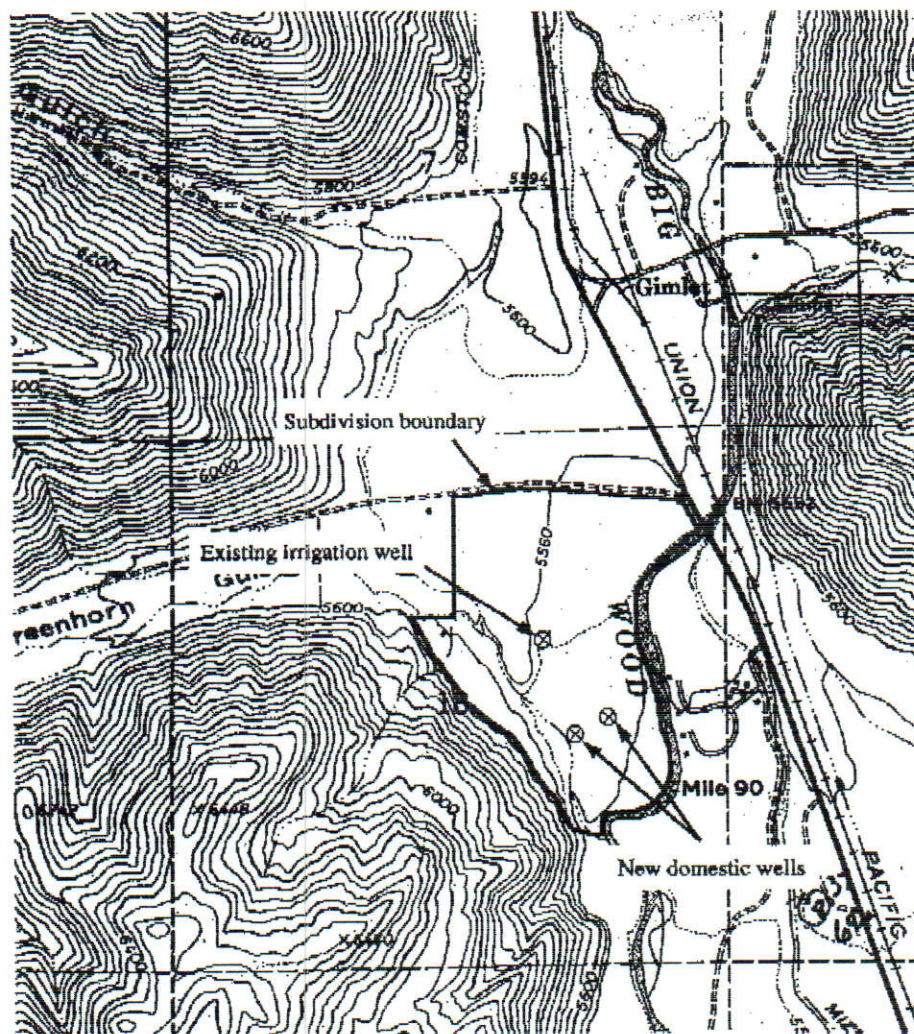
MICROFILMED

JAN 04 1999

5/1/98

T3N R18E

Ketchum 5 miles



**1996 GOLDEN EAGLE RANCH SUBDIVISION
DOMESTIC WATER WELL CONSTRUCTION
VICINITY MAP**

Brockway Engineering, P.L.L.C.
3-8-96

MAY 07 1996

Journal

ROUNDUP

Blaine County's
Newspaper
Since 1881

Two Sections

For the week of Wednesday, March 27, 1996

Moore acquires Lantern Cinema Willis declines comment on Ketchum property

Valley Entertainment went before the Ketchum City Council in 1992 with a proposal for a performing arts center, a bar and restaurant, and a skywalk to connect the proposed facilities on the east and west sides of Washington Avenue. That proposal met a strong thumbs down from Ketchum officials at the time. Willis' group was disappointed after the Ketchum decision and moved their development efforts to Hailey.

But that's water under the skywalk, said Ketchum Mayor Guy Coles Tuesday. He said he's excited to have the Willis group thinking about the Ketchum as a place to do business.

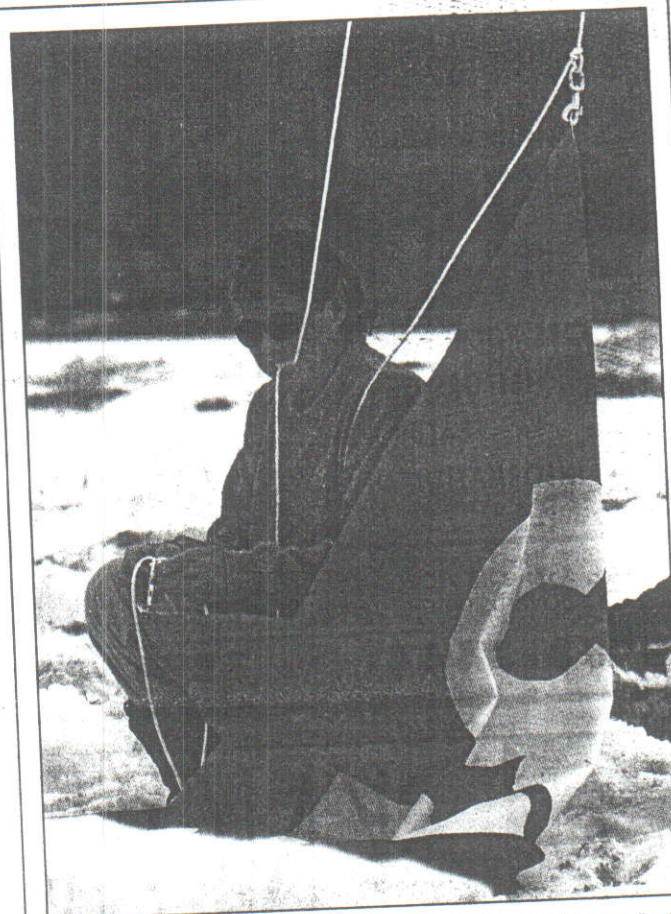
"That's great," said Coles of the recent purchase. "It's good we just happen to have a better sewer."

Coles said he's confident quality plans will be met with open minds, and the skywalk rejection is history.

"Now he won't need the skywalk, he can go ahead and use the property and the liquor license," said Coles. "And you must admit Bruce Willis does build first class projects. He's right in there with Earl Holding. He uses fine architects."

The Magic Lantern building was owned by the International Order of Odd Fellows, a brotherhood and social group. The building was originally used for meetings by the group, then the bottom floor was leased to Magic Lantern Cinema owner Rick Kessler.

Kessler said Tuesday he had no knowledge of the sale and that his lease runs out in three years.



HOISTING A RED FLAG - Chris Singleton prepares to raise a flag that, according to Singleton, represents the solidarity to stop uncontrolled growth in Greenhorn Gulch. He hoisted the banner to a height of 35 feet, he said, to show the visual impact if future homes are built that high. (Journal photo, Kirsten Shultz)

Big discusses issues, Blaine fundraiser

JournalLink

If the election were held today would you vote for Republican Larry Craig or Democrat Walt Minnick for U.S. Senate?

Dial 788-1200 and enter selection No. 1014.

Press 1 for Craig.

Press 2 for Minnick.

choice for criminals. They're too visible. Most of the crimes and killings in this country are committed with handguns," said Craig.

He also said he's confident he'll be re-elected come November, despite the personal wealth of his opponent, Walt Minnick.

"I'm taking Minnick seriously. He's a wealthy man," said Craig. "It doesn't cost him but one cent to write a personal

ment to Second to the gun is the National which he sits on

an emotional ne weapon of

check. I've broken all the records in individual contributions."

Craig said he's raised well over \$1 million for his campaign, with a goal of raising \$2 million. He said he's had

Please see page 20

Golden Eagle Ranch plans raise concerns Developer says fears are groundless

By KRISTAN KENNEDY
Wood River Journal

The proposed Golden Eagle Ranch Subdivision proposal, currently in the county procedural pipeline, is coming under fire by some Greenhorn Gulch homeowners who say the project represents irresponsible development and should not be approved.

The group, called Residents of the Big Wood River Valley, is calling for a moratorium on the project. Chris and Dana Singleton, former developers and residents in Greenhorn Gulch have formed the group to protest the plan for 44 homes on 190 acres on the southern side of the Golden Eagle Ranch.

Singleton drove a 35 foot post into the southern edge of the property with a bright flag last week, to drive home

the message that tall homes could be built along the back edge of the subdivision if current plans are approved.

The northern part of Golden Eagle has no plans in front of the county for development. Rinker proposed the entire ranch be developed into a golf course originally, but pulled out of the golf course plan last year.

The new plan makes another go before the Blaine County Planning and Zoning Commission during a special meeting April 8. The plan was tabled at the last meeting.

Meanwhile, Singleton and his group say the plan is flawed, and that it epitomizes poor development in the scenic corridor, noted for its open fields and close proximity to the Big

Please see page 20

Department of Water Resources
Southern Region

APR 02 1996

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Serving

• CANYON COUNTY
• SOUTHWEST IDAHO

Editor: Fredreka Schouten 377-6440

Local

RECEIVE

IN Business

Apple Computer reports
\$700 million loss. Page 5B

APR 02 1996

The Idaho Statesman

Southern Region

Thursday, March 28, 1996

Section B



Dan Popkey

Developer infringes on our Grove

The city of Boise has legalized vandalism in a sacred public space.

The developer of the new WestCoast Hotel just got permission to build 14 feet into the Boise Centre on The Grove — our most popular gathering place and the city's symbol of urban renewal.

They'll cut down trees, dig up bricks and sink four concrete columns onto our plaza. And there's a good chance they won't even have to pay for their encroachment. What will we get for this assault? Two 80-by-14 terraces sticking out from the hotel, one 12 feet above The Grove, the other 23 feet up. They'll provide private seating for a sports bar and restaurant.

Capital City Development Corp. is justifiably eager to get the hotel built after three earlier projects failed. But they're letting developers take liberties we all may regret.

Among the concessions: Sale of the site for \$250,000, one-sixth of its market value; a cut in parking requirements for the 250-room hotel and 5,000-seat events center; and allowing the 136-foot building

Loose definition of farm lets many claim exemption

By Marty Trillnase
The Idaho Statesman

By seeding land with alfalfa and raising a crop, owners of a 54-acre western Ada County parcel will save more than \$60,000 in property taxes this year.

That's because this prime commercial land — located on both sides of Emerald Street, west of Maple Grove and east of Mitchell — is considered a farm under Idaho's property-tax laws.

As a result, its owners paid about \$2,600 in property taxes last year.

The owners — Winston

Moore, Dale Stillwell and Harry Rinker — successfully blocked Ada County's attempt to tax the land as commercial property by producing proof that the land was being farmed.

"That's the problem," Ada County Commissioner Roger Simmons said. "It's perfectly legal."

The proof was a certificate showing the land was idled under the federal Conservation Reserve Program. The owners plan to plant a crop this year.

"The law is very clear and it was designed just for circumstances where development is encroaching on agricultural land," said the owners' lawyer, Ken McClure of Boise.

"I'm sure these clients would love to sell this ground, would love to develop it and would love to have it assessed at its

post-development use. But right now, that's still a farm and as long as it's a farm, it ought to be taxed like a farm."

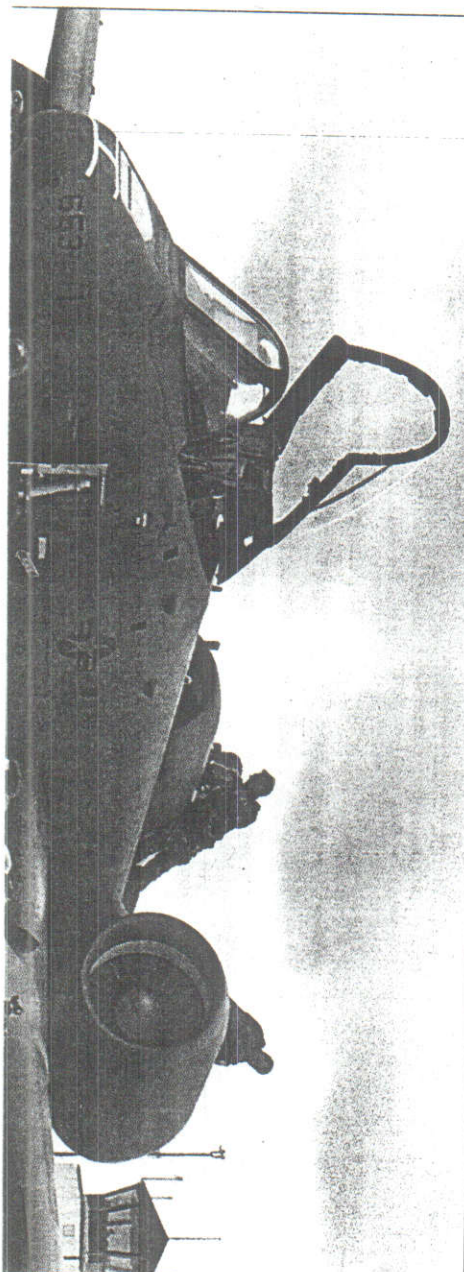
Critics say the state law that shields farms from high property-tax rates is so out of whack that residential property owners are paying more than their fair share.

"If this kind of abuse was stopped, your taxes would go down 30 percent," said Custer County Assessor Robert Savage of Challis. Savage is one of the most vocal opponents of the current tax break.

The number of people getting the tax break is four times higher than the number who claim farming as their primary occupation. In the 1990 census, 700 Ada County residents listed themselves as farm operators or

See Taxes/3B

CHANGING AT THE GUARD



This property north of Emerald and between the bridge and Mitchell receives an agricultural exemption that saved the owners more than \$60,000 in property taxes.

Katherine Jones/The Idaho Statesman

Summit to focus on drugs

Rising use of crank among top concerns

By Frank E. Lockwood
The Idaho Statesman

Law enforcement officials, educators and drug treatment experts will meet in Boise next week for a valleywide drug summit. The daylong gathering will fo-

Continued from page 3

We just want it done reasonably."

In their petition, the Singletons also call for a percentage of assessed value of land sales price be placed in a trust for low-cost housing, single-story construction for houses required on the upper banks (near their home) and a study on the effect of leach fields on the river, the aquifer, fish and wildlife.

Gray responded that the plan meets county zoning ordinances and a moratorium could not apply to a certified application such as Golden Eagle.

He noted too that he hopes to have preliminary plats completed by May 15 and the project finished by the end of October, adding that one building season would have less impact on the public than two.

At the close of the initial hearing, the P&Z requested additional information on traffic numbers as well as water uses.

The Golden Eagle Ranch proposed by the Rinker Trust involves subdividing 190 acres between the Big Wood River and Greenhorn Road into 44 lots.

In the center of the site, four artificial lakes with a waterfall and "wildlife islands," are planned.

Site plans also show "entry gates," which prompted an inquiry before the first hearing by Ketchum architect Dick Meyer as to whether Golden Eagle would be a gated community.

"It will not be gated," Gray told the KMVT camera crew, noting that the property would be open but the Golden Eagle Road and its spurs Elk and Lake View circles would be private.

At that first hearing, Gray sought to reassure concerned citizens, particularly those from Greenhorn Gulch, about the presence of heavy machinery operating at the site that Gray said were digging test pits.

Gray also advised that trees would start to be delivered to the Rinker property for use in the project.

At the press conference, Gray

pointed out that they were in the process of looking for 500 trees over 30 feet tall "so it can have a mature look."

A small forest is in fact being collected in a makeshift nursery at the property on the north side of Greenhorn Road.

Singleton's wife Dana, who comes from a family of Southern California developers herself, said she was concerned about liability issues surrounding ownership of the ponds.

According to site plans, the four man-made lakes are actually divided by the property line of surrounding sites, in effect as Chris Singleton said, offering partially flooded backyards.

Likewise, parcels that border the Big Wood have property lines that cross over the river with a 10-foot fisherman's easement included.

But also part of the plan is a rehabilitation of the riparian zone along the Big Wood River and in Greenhorn Creek.

Likewise Gray said the project includes paving the initial stretch of Greenhorn Road that eventually leads to National Forest land. "We are improving access to public lands as well at significant cost to the developer."

Gray said he has "absolutely no idea" of the potential price of the lots, noting market forces. He added that there are no plans currently to develop the north half of the property where a golf course had been proposed in the 1994 plan.

"Being a developer from the past, I said, 'Jesus this thing is wrong,'" said Singleton. He reported as of Tuesday morning that he had submitted 385 signatures to the county, and he had 100 more petitions in circulation and expected to gather 2,000. "This is really a noble cause."

He expected that the Monday hearing would be so well attended that the old county courthouse would not have enough room, and figured a gymnasium would be needed.

LANE RANCH #99 WATERFRONT SOUTHEAST

\$2,975,000

79 ACRES

Ronald J. Strain, Inc.

726-4521

(Realtor Owned)

AFFIDAVIT of PUBLICATION

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MAR 14 1996

State of Idaho, }
County of Blaine } SS.

Department of Water Resources
Southern Region

On this 13 day of March, in the year 1996, 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 6 day of March, 1996, and the date of the last publication was on the 13 day of March, 1996.

[Signature]
Subscribed and sworn to before me this 13th day of March, 1996.
(SEAL)

[Signature]
NOTARY PUBLIC

#9978

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 49,400
Number of Insertions 2
Lines tabular at 49,400 6¢ / Pica
Lines straight at 28,405 5¢ / Pica
Subsequent lines at 22,724 4¢ / Pica
TOTAL COST +5 \$56.13

COPY OF NOTICE
(Paste Here)

Water Permit 37-08854
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Resources
BILL TO

Application for water permit

NOTICE OF APPLICATION FOR WATER PERMIT

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

Rinker Company &/or
Harry S. Rinker, Trustee
PO Box 7250
Newport Beach, CA 92658-7250
37-08854

Source: groundwater
Diversi on P t :
SE 1/4 SW 1/4 NE 1/4,
NE 1/4 NW 1/4 SE 1/4,
NW 1/4 NE 1/4 SE 1/4, S18, T3N,
R18E; Blaine County.

Use:
irrigation (0.44 cfs) 4/15-10/15
Domestic (0.31 cfs) 1/1-12/31
Total Diversion: 0.44 cfs
Date Filed: 2/20/1996

In: Irrigation of 22.0 acres within 44 proposed domestic lots within NE 1/4, SE 1/4 NW 1/4, SE 1/4, S18, T3N, R18E; known as Golden Eagle Ranch Subdivision.

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before March 25, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published in Wood River Journal on 3/6 & 3/13/96.

MAY 07 1996

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08854

Priority: February 20, 1996

Maximum Diversion Rate:

0.44 CFS

This is to certify, that RINKER CO
PO BOX 7250

NEWPORT BEACH CA 92658-7250 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 20, 1996; and has submitted Proof of Beneficial Use on May 1, 1998. An examination indicates that the works have a diversion capacity of 6.870 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.44 CFS	
DOMESTIC	01/01 to 12/31	0.31 CFS	
	Totals	0.44 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 18, Township 03N, Range 18E
NESE , Sec. 18, Township 03N, Range 18E
NWSE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	18	NENE 2	NWNE 3.5	SWNE 6.2	
			SENE 4.3	SENE 0.6	NESE 2.7	
			NWSE 2.5	SWSE 0.1	SESE 0.1	22

Total number of acres irrigated: 22

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

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JAN 04 1999

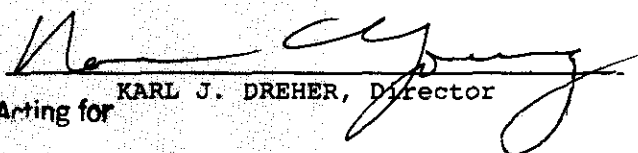
State of Idaho
Department of Water Resources**Water Right License**

WATER RIGHT NO. 37-08854

CONDITIONS OF APPROVAL AND REMARKS

4. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. This right is specifically limited to use of water in connection with the Golden Eagle Ranch Subdivision.
7. Place of use is located within Lots 1-44, Golden Eagle Ranch Subdivision.
8. Domestic use is for 44 homes and does not include lawn, garden, landscape, or other types of irrigation.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 77.0 af at the field headgate for irrigation of the lands above.
10. Domestic use under this right is limited to a maximum annual diversion volume of 26.4 af.
11. The irrigation under this right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.
12. Right 37-02632 is also diverted through the point(s) of diversion described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 30th day of NOVEMBER, 1998.


Acting for

KARL J. DREHER, Director

LMED

JAN 04 1999

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 01 1998

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 37-08854 Telephone No. (714) 979-8300
2. Name(s) of Permit Holder(s): Rinker Company
3. Mailing Address: P.O. Box 7250, Newport Beach, CA 92658-7250
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 6 / yr. 96
 - a. Well Driller: Eaton Drilling Drilling Permit Number: 37-96-S-0039
37-96-S-0040
 - b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 45 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 22.0 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.44 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 <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____ or No <u>X</u>
	Has the measurement port been installed?	Yes _____ or No <u>X</u>
8. Fee Enclosed: \$ _____ (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. N/A
Name: _____ Telephone Number: _____
Address: _____
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:

Chris E. Boring (owner of company)
(include your title, if on behalf of company or organization)

Date: 5/1/98

MICROFILMED

JAN 04 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

50⁰⁰ For Office Use Only
\$15 FEE Received by ADM
Date 4/21/97
Receipt # 5020047

RECEIVED

APR 21 1997

Department of Water Resources
Southern Region

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

RECEIVED

APR 24 1997

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

Permit No. 37-08854

Name(s) of Permit Holder: Rinker Company

Post Office Address: P.O. Box 7250 Newport Beach CA 92658-7250

Telephone No. 714-979-8300

Date Proof is Due: May 1, 1997

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Two wells drilled, pumps installed, pipelines installed
and all residential lots stubbed in

Costing \$ 300,000

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

Delays in acquisition of pipe for pump house and
chlorination chamber.

Permit holder(s) request an extension to May 1, 1998.
(1 yr. minimum)

Chas E Brookman
(Signature)*

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

FEE: \$15.00

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to May 1, 1998.

IT IS FURTHER ORDERED that the permit is REINSTATED with no advance in priority.

Signed this 23rd day of May, 19 97.

[Signature]
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08854

Proposed Priority: February 20, 1996 Maximum Diversion Rate: 0.44 CFS

This is to certify, that **RINKER CO**
PO BOX 7250
NEWPORT BEACH CA 92658-7250
has applied for a permit to appropriate water from: **GROUNDWATER**
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>
IRRIGATION	04/15 to 10/15	0.44 CFS
DOMESTIC	01/01 to 12/31	0.31 CFS
Totals		0.44 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 18, Township 03N, Range 18E
NESE , Sec. 18, Township 03N, Range 18E
NWSE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	18	NENE 2.0	NWNE 3.5	SWNE 6.2	
			SENE 4.3	SENE 0.6	NESE 2.7	
			NWSE 2.5	SWSE 0.1	SESE 0.1	22.0

Total number of acres irrigated: 22.0

PLACE OF USE: DOMESTIC, same as IRRIGATION 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 **May 1, 1997**.
2. Subject to all prior water rights.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.

MAY 07 1996

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

NO. 37-08854

CONDITIONS OF APPROVAL AND REMARKS

7. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
8. This permit shall not be assigned or sold without first securing the written approval of the Department of Water Resources.
9. The approval of this permit is specifically limited to use of water in connection with the proposed subdivision known as Golden Eagle Ranch Subdivision.
10. If the permit holder is unable to obtain approval from Blaine County for Golden Eagle Ranch Subdivision, this permit is null and void.
11. Licensed water right No. 37-02632 is presently appurtenant to most of the twenty-two (22) acres identified as irrigated land on this permit (37-08854). Authorization to develop the irrigation use identified on this permit exists only if the department approves a transfer which removes right No. 37-02632 from the lands identified as the irrigated place of use on this permit.
12. Place of use is located within Lots 1-44, Golden Eagle Ranch Subdivision.
13. Domestic use is for 44 homes.
14. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
15. The use authorized under this right shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
16. The irrigation use occurring under this right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.

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

2nd day of May, 1996.

Karl J. Dreher
for Karl J. Dreher, Director

MAY 07 1996

RECEIVED

FEB 14 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMITIdent No. 37-08854Department of Water Resources To appropriate the public waters of the State of Idaho
Southern Region1. Name of applicant Rinker Company and/or Harry S. Rinker, Trustee Phone (714) 979-8300Post Office address P.O. Box 7250, Newport Beach, CA 92658-72502. Source of water supply Groundwater which is a tributary of _____3. Location of point of diversion is SE 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____Sec. 18 Township 03N Range 18E B.M. Blaine County; additionalpoints of diversion, if any: NE1/4 NW1/4 SE1/4 and NW1/4 NE1/4 SE1/4, Sec. 18 T3N R18E Blaine Co.

4. Water will be used for the following purposes:

Amount 0.31 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 0.44 cfs for Irrigation purposes from 4/15 to 10/15 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)5. Total quantity being appropriated is (a) 0.44 and/or (b) _____
cubic feet per second acre-feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Community water system utilizing two (2) groundwater wells and a looped system to serve 44 residential lots. The community system is an alternative to the individual wells permitted on the 44 residential lots.

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

c. Proposed well diameter is 12 inches; proposed depth of well is 100 feetd. Is groundwater with a temperature of greater than 85 degrees being sought? no

e. If well is already drilled, when? _____; Drilling firm _____;

Well was drilled for (well owner) _____

MAY 07 1996

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

1 year years (minimum 1 year).

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households 44 _____ ;
- Other; describe fully. _____

8. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
* 03N	18E	18	2.0 ~~1~~	3.5 ~~7~~	6.2 ~~2~~	4.3 ~~6~~				0.6 ~~2~~					2.7 ~~7~~	2.4 ~~6~~ 2.5	0.04 0.1	0.03 0.1	22.0

Total number of acres to be irrigated 22.0

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

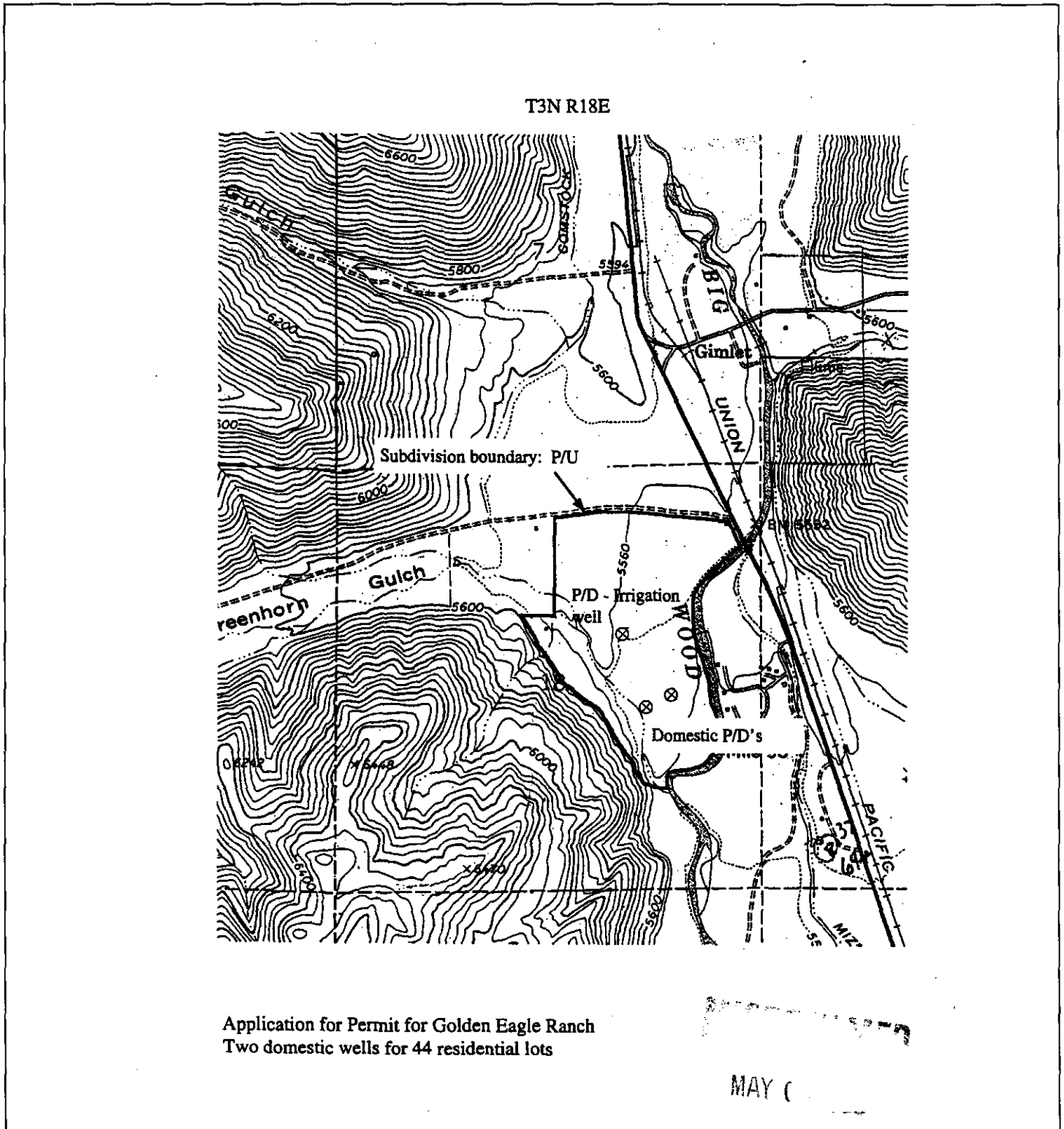
- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12.. Remarks: Application is submitted as an alternative to drilling 44 individual wells permitted IAW I. C. Sec. 42-111.
Irrigation on each residential lot is restricted to 0.5 acres maximum allowed for domestic use. All irrigation will be
provided via existing irrigation well in SESWNE Sec. 18. Domestic potable water via other two wells. This permit is
submitted in conjunction with transfer for irrigation well. See attached proposed lot plan. Proposed name for the
subdivision is Golden Eagle Ranch.

MAY 07 1996

* acres rounded per data entry standards. 4/15/96 csg.

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



Scale: 2 inches equal 1 mile.

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

Chris E. Brubaker
(applicant)

Received by CS Date 02/14/96 Time _____ Preliminary check by CS
Fee \$ 100.00 Received by CS # 5018863 Date 02/20/96
Publication prepared by MB Date 2/28/96 Published in Wood River Journal
Publication approved MBaldwin Date 3/15/96

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

Idaho No. _____ and said application is hereby _____.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS

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

_____, 19____.

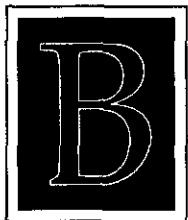
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

e. Other:

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BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

February 13, 1996

Mr. Allen Merritt
Idaho Dept. of Water Resources
222 Shoshone St East
Twin Falls, ID 83301

Subject: H. Rinker Water Right Transfers-Golden Eagle Ranch

Dear Allen:

The proposed water right transfers for the Golden Eagle Ranch Subdivision in Blaine County are enclosed. As we discussed, these transfers and an application for permit are to provide domestic and irrigation water rights for the proposed 44 residential lots, continued crop irrigation on the remainder of the ranch, and water for irrigation, and recreation/aesthetic pond storage.

As I requested in our telephone conference, after you have reviewed the attached narrative, permit and applications for transfer, I would like to schedule a meeting with you to discuss the overall plan and objectives and concept for achieving the objectives. We can then discuss the individual transfers or the permit for completeness as necessary. I believe this would speed up the overall processing procedure.

If we could schedule the meeting next week it would expedite our submittal to the Blaine County P & Z. I am enclosing check #245 from Brockway Engineering for \$600 in payment of fees for the permit application and applications for transfers as follows:

Application for Permit (domestic)	\$100
Transfer 37-0577BR	\$100
Transfer 37-0577BS	\$100
Transfer 37-0364G	\$100
Transfer 37-0154	\$100
Transfer 37-02632	\$100
Total	\$600

THIS IS A COPY
OF THE SUPPLEMENT
THAT WAS SUBMITTED
WITH THE APPLICATION
PACKAGE FOR WATER
DEVELOPMENT AT
GOLDEN EAGLE RANCH.
THE TRANSFER APPLICATIONS
ARE AWAITING RESUBMITTAL
SO SOME OF THE INFO.
IN THE SUPPLEMENT
RELATING TO THE
TRANSFERS MAY CHANGE.

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., E.I.T.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208•733•0938
208•734•2580

FAX: 736•1746

MAY 07 1996

Thank you for your help in processing these applications.

Sincerely,



C. E. Brockway, PE

cc Gary Slette w/ enclosures
Harry. Rinker w/o enclosures
Nick. Purdy w/o enclosures

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FEB 14 1996

Department of Water Resources
Southern Region

**WATER RIGHT TRANSFER AND PERMIT APPLICATIONS FOR THE
GOLDEN EAGLE RANCH SUBDIVISION**

BLAINE COUNTY, IDAHO

Brockway Engineering, P.L.L.C.

February 12, 1996

Introduction

This narrative will serve as supplementary information for two transfers and one permit application in connection with the Golden Eagle Ranch subdivision being developed by Mr. Harry Rinker. The land is located north of Hailey, Idaho near Gimlet on the west side of Highway 75. It is bordered on the south and west by Greenhorn Creek, on the north and west by Comstock Ditch, on the east by the Big Wood River and Highway 75, and is bisected by Greenhorn Road running east to west. Specifically, the land is located in sections 7 and 18, T3N R18E, Boise Meridian. Mr. Rinker is developing the land south of Greenhorn Road into a subdivision. The purpose of the enclosed transfer and permit applications is to enable this development.

MAY 07 1996

The land has been continuously irrigated with groundwater from a well located south of Greenhorn Road. The applicable license for this irrigation is 37-02632 for 2.30 cfs and 115 acres. A floodwater irrigation right for the Big Wood River is applicable to the parcel north of Greenhorn Road (37-00154). The parcel south of the road will be developed into 44 residential lots averaging approximately two acres each, plus landscaping and other greenspace. Four lined ponds with a total surface area of 15.6 acres and a volume of approximately 142 acre-feet will be constructed. The ponds will be filled with water from the well currently existing under 37-02632. They will serve an aesthetic and recreational purpose, and irrigation of the lots and greenspaces will also take place by pumping from the downstream pond. Irrigation can also be accomplished by pumping directly from the well. Domestic potable water for the subdivision will be supplied by two new wells within the subdivision. The transfers and permit will be discussed below.

Discussion of submittals

The permit application requests domestic water for 44 residential lots being served by two wells. The amount of water on the permit for domestic uses (0.31 cfs) was found from IDWR guidelines for multiple domestic units. The permit also requests, as per I.C. Sec. 42-111, that 0.5 acres of irrigation associated with the domestic use be allowed for each lot, for a total of 22 acres of irrigation. This permit is therefore an alternative to drilling 44 individual wells for each lot. Irrigation of the

MAY 07 1996

0.5 acre per lot under this permit would be accomplished via a common irrigation system that supplies water to all irrigable areas within the subdivision. This system would be fed from the well currently under 37-02632. The two new wells would supply the domestic potable water in a separate system.

A transfer application is being submitted for 37-02632. This application requests the addition of uses to include recreation, aesthetics, storage, and fire protection, while maintaining the irrigation use. Also requested is a consumptive use portion to compensate for evaporation losses from the ponds. The total consumptive use of the ponds is estimated at 0.14 cfs (see the consumptive use discussion below). Therefore, at a rate of 0.02 cfs/acre the number of acres irrigated under this right would be reduced by 7.0 acres and the flow rate available for irrigation would be $2.30 - 0.14 = 2.16$ cfs. The total irrigated area south of Greenhorn Road including lots and greenspaces is 90.8 acres (22 acres from the domestic permit and 68.8 acres from 37-02632). The remaining 39.2 acres will continue to be irrigated north of Greenhorn Road -- this result is obtained by subtracting 7.0 acres (0.14 cfs) for pond loss compensation and the 68.8 acres of subdivision irrigation from the 115 acres on the license.

Transfer applications are being submitted for rights 37-00577BR, 37-00577BS, and 37-00364G. These are decreed surface water irrigation rights for the Big Wood River. They have recently been used to irrigate land north of Greenhorn Road by pumping from the Big Wood River. This pumping plant has been removed. A new

MAY 07 1996

pumping station is planned which will divert river water into the head of the pond system. Water would then be pumped from the last pond into a pressurized irrigation system for land north of Greenhorn Road. Toward this end, the transfer applications request a change of P/D and changes of P/U as necessary to clarify the actual irrigated area north of the road. For 37-00577BR, the P/U would be changed to include 15 acres in Timberview Subdivision, which Mr. Rinker owns. For 37-00577BS, the P/U would be moved from a parcel north of Timber Gulch Road, thereby leaving this parcel with no irrigation water. For 37-00364G, the P/U would remain the same; only the P/D would be changed. Water uses for storage, recreation, and aesthetics are being added since the river water would now be diverted through the pond system first rather than directly into the irrigation system.

A transfer application is being submitted for right 37-00154. This right is a decreed irrigation right from the Big Wood River via the Comstock Ditch with a priority date of 12/13/1887. This is a very large right, but because of the late priority the water is often unavailable; hence this right is essentially a flood water right. Even so, it is desired to make this right applicable to all of the irrigated area which will normally be served by the well under 37-02632, so that if the well malfunctions and this right happens to be active, irrigation water will be available. Therefore, the application requests that the P/D be moved to the new Big Wood River pump station and that storage for recreation and aesthetics be added as a use. The P/U would be changed to all irrigated area within the subdivision (90.8 acres) and all irrigated area

MAY 07 1996

north of the road (except for Timber Gulch) which is not served by the other river rights (75.9 acres), for a total of 166.7 acres. The other river rights all have priorities earlier than 37-00154, so if 37-00154 is active, the others will be active as well.

Irrigation water would be transferred at a rate of 0.02 cfs/acre, even though the decree lists 9.56 cfs for 246 acre (0.039 cfs/acre). Thus, the 166.7 acres of irrigation require only 3.33 cfs. The remainder (6.23 cfs) would be converted to non-consumptive water and moved to Mr. Rinker's Riverview Ranch development near Hailey for use in lined ponds fed by the Purdum Slough. Thus, the application requests the addition of the Purdum Slough as a P/D and the Riverview Ranch ponds as a recreational and aesthetic P/U.

Consumptive use calculations

The consumptive use (CU) was evaluated for the Golden Eagle project. A comparison of the CU before and after the subdivision project was made. The procedure and data used for the analysis are given in Exhibit A. As a worst-case scenario, it is assumed that no recirculation of the pond water is taking place. This would maximize the depletion of the aquifer. Computations for pond evaporation are given in Exhibit B. The total pond CU due to evaporation is 7.0 miners inches or 0.14 cfs. This amount is specified on the transfer application for 37-02632. In Exhibit C, calculations are given to compare water use before and after the project.

MAY 07 1996

These calculations show that the project will not increase the depletion of the aquifer over the licensed irrigation.

MAY 07 1996

WATER REQUIREMENTS AND USE DATA

GOLDEN EAGLE RANCH SOUTH -- ASSUME NO RECIRCULATION OF POND WATER

ESTIMATED POND EVAPORATION AND SEEPAGE

C.E. BROCKWAY P.E. **1-30-96**

FOUR PONDS WITH INFLOW FROM IRRIGATION WELL

POND EVAPORATION DATA FROM J.L. WRIGHT AND MARVIN E. JENSEN 1975

1975 EVAPOTRANSPIRATION AND CLIMATIC DATA FOR THE SILVER CREEK-

CREEK TRIANGLE BLAINE COUNTY, IDAHO FEBRUARY 1976

LAKE OR POND EVAPORATION CALCULATED USING THE KOHLER-NORDENSON-FOX PROCEDURE

NUMBER OF LOTS=

MAX. IRRIG. DIV PER ACRE=

VERSION FROM WELL

RECIRCULATION

OTHER DIVERSION

TOTAL DIVERSION TO POND INFLOW=

ALL DITCHES & PONDS HAVE

ALL DITCHES AND PONDS LINED W/ MEMBRANE LINER OR CLAY LINER

SEEPAGE RATES ESTIMATED FROM LOSS MEASUREMENTS AND SOIL TYPES FOR COLLIERVILLE ENVIRONMENT

NUMBER OF PONDS =

AVG	AVG	TOTAL	PRECIP	PROJECT	LEVAP-	PROJECT
-----	-----	-------	--------	---------	--------	---------

	EVAP	MON.	Avg	Avg	I PRECIP	I EVAP-	EVAP-
EVAP	EVAP						

AVG	AVG	EVAP	HAILEY	EVAP	EVAP	IN	PRECIP	PRECIP
-----	-----	------	--------	------	------	----	--------	--------

	DAY	IN.	CFS	GPM	MIN./IN	DAY	CFS	GPM	MIN./IN
	DAY	IN.	CFS	GPM	MIN./IN	DAY	CFS	GPM	MIN./IN

MM IN

0.56	0.022	0.68	2.67	0.015	6.56	0.73	0.00	0.000	0.00	0.0
0.56	0.022	0.68	2.67	0.015	6.56	0.73	0.00	0.000	0.00	0.0

[illegible][illegible]

2.29	0.090	2.70	1.07	0.060	26.84	2.99	0.05	0.006	18.22	1.8
2.29	0.090	2.70	1.07	0.060	26.84	2.99	0.05	0.006	18.22	1.8

[illegible][illegible][illegible]

4.55	0.179	5.55	0.69	0.119	53.33	3.94	0.16	0.104	40.71	3.2
------	-------	------	------	-------	-------	------	------	-------	-------	-----

3.96	0.156	4.68	0.71	0.103	46.42	3.17	0.13	0.008	39.37	18
------	-------	------	------	-------	-------	------	------	-------	-------	----

2.07	0.081	2.53	0.76	0.054	24.26	2.70	0.06	0.000	0.00	10.30	0.0
2.07	0.081	2.53	0.76	0.054	24.26	2.70	0.06	0.000	0.00	10.30	0.0

[illegible]

Variable	Mean	SD	Min	Max	Skewness	Kurtosis
Age	38.5	12.5	18	65	-0.1	3.2
Gender	1.2	0.4	1	2	0.1	3.1
Education	12.5	2.5	9	16	-0.2	3.3
Income	45000	15000	20000	80000	0.3	3.4
Health	2.5	0.8	1	4	-0.1	3.2
Stress	3.5	1.2	1	5	0.2	3.3
Life Satisfaction	4.0	1.0	1	5	-0.1	3.2

	6.33	2.87	0.136	00.84	0.19	0.123	00.02	0.002
MAX MON.								
CUMULAT TEST	60.50							

ANNUAL TOT.	36.39
PER SEC TOT	20.67

APR-SEP 101. 30.0/

MAY 07 1996

ROUND AND IRRIGATION SYSTEM INFLOW AND OUTFLOW LOSS ESTIMATES(SUMMERTIME)

MAY 07 1996

EXHIBIT C

CONSUMPTIVE USE COMPARISON

ESTIMATED MAXIMUM NET GROUNDWATER USE FOR RESIDENCES

IRRIGATION				DOMESTIC C.U.	
NUMBER OF LOTS	44	IRRIG EFF=	60 %	USE/HOUSEHOLD	75 % OCCUPANCY
ACRES IRR/LOT=	0.5 ACRES			FOR	75 GPD
TOTAL ACRES IRRIG.	22.00 ACRES			44 LOTS	3300 GPD MAXIMUM
MAXIMUM DAILY ET=	0.25 INCHES			SEASONAL DOMESTIC USE	900375 GAL
MAX DAILY PRE-ET	0.231 CFS=	103.9 GPM		OR	2.77 ACRE FEET/YEAR
MAX DAILY DIV. REQT	0.386 CFS=	173.1 GPM			
ASONAL ET	47.52 ACRE FT/YEAR			MAX REF ET =	0.3028 INCHES/DAY=
				SEAS. REF ET=	49.84 INCHES/YEAR=
					7.69 MM/DAY (ALLEN & BROCKWAY, 1983)
					1266 MM/DAY (ALLEN & BROCKWAY, 1983)

PROJECT IRRIGATION NON-DOMESTIC

SYSTEM IRRIGATED ACREAGE AND ESTIMATED MAXIMUM ET					
VEGETATION	ACRES	CROP COEFF.	ET IN/DAY	MAX USE AF/DAY	MAX USE GPD
EST					
TURF	42.30	0.80	0.24	0.85	278183
SHRUBS	28.20	0.75	0.23	0.53	173865
TOTAL	70.50			1.39	452048
WEIGHTED MAX DAY CROP COEFF.		0.78			
SEASONAL AVG CROP COEFF		0.52 (ALLEN & BROCKWAY, 1983)			
SEASONAL REFERENCE ET		49.84 INCHES			
SEASONAL WEIGHTED ET=		25.92 INCHES			
JTAL SEASON ET		152.3 ACRE FEET			

CURRENT CROPPING

TOTAL IRRIGATED ACREAGE				ALFALFA	
CROP	SEASONAL ALFALFA CROP COEFF	SEASONAL ALFALFA ET	TOTAL SEASON ET (ALFALFA)	97 ACRES	0.6
				29.91 INCHES	
				241.74 ACRE FEET	
PRE PROJECT V PROJECT				PRE	PROJECT
IRRIGATION C.U. WATER BUDGET				PROJECT	PROJECT
CROP CONSUMPTIVE USE				40	242
POND CONSUMPTIVE USE				152	
LANDSCAPING CONSUMPTIVE USE				50	
RESIDENTIAL CONSUMPTIVE USE				243	
TOTAL				243	242 AF

MAY 07 1996

POWER OF ATTORNEY

SPECIAL

KNOW ALL MEN BY THESE PRESENTS: That HARRY S. RINKER, Trustee U/D/T dated 7/12/85, the undersigned (jointly and severally if more than one), hereby makes, constitutes and appoints CHARLES R. BROCKGAY his true and lawful attorney for him and in his name, place and stead and for his use and benefit:

To

Perform all acts necessary and proper and whatsoever known incident to and in connection with all water rights appurtenant to that certain real property in the County of Blaine, State of Idaho, more particularly described in Exhibit A attached hereto.

GIVING AND GRANTING unto his said attorney full power and authority to do and perform all and every act and thing whatsoever requisite, necessary, or appropriate to be done in and about the premises as fully to all intents and purposes as he might or could do if personally present, hereby ratifying all that his said attorney shall lawfully do or cause to be done by virtue of these presents.

Wherever the context so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

Witness his hand this first day of February, 1996.

Harry S. Rinker
Harry S. Rinker Trustee
U/D/T dated 7/12/85

State of <u>California</u> County of <u>Orange</u>		NAME (PRINT OR TYPE) _____ _____ _____	
On <u>Feb. 1, 1996</u> before me, <u>Virginia L. Hall</u> (Notary Public for the State of California)		CAPACITY CLAIMED BY SIGNER(S) ☐ INDIVIDUAL(S) ☐ CORPORATE OFFICER(S) _____ ☐ PARTNER(S) _____ ☐ ATTORNEY IN FACT ☒ TRUSTEE(S) ☐ GUARDIAN/CONSERVATOR ☐ OTHER: _____	
personally appeared <u>Harry S. Rinker</u> (Name of individual)		SIGNER IS REPRESENTATIVE: (Name of person or entity) _____ _____	
I personally know him - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature(s) on the instrument the person(s) acted, executed the instrument, and acknowledged the same.		_____ _____ _____	
VIRGINIA L. HALL Notary Public for the State of California My Commission Expires <u>SEP. 18, 1997</u>		_____ _____ _____	
ATTENTION: The information requested below is OPTIONAL. It could, however, prevent future acceptance of this certificate to any unperfected document.			
THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:		Title or Type of Document _____ Number of Pages _____ Date of Document _____ Signer(s) Other Than Named Above _____	

MAY 07 1996

37-08854



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 17, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES E BROCKWAY
2016 NORTH WASHINGTON ST, SUITE 4
TWIN FALLS ID 83301

RE: Water Right License 37-08854
Golden Eagle Subdivision

Dear Dr. Brockway:

Thank you for inquiring about the meaning of condition no. 11 on Water Right License 37-08854. As you know, a water right license is usually issued to reflect only the beneficial use of water that was developed within the permit's authorized development period. The Department acknowledges that subdivisions often require more than the authorized development period to be fully developed. Therefore, while a subdivision is still developing, the Department will issue a water right license for all the lots to which water lines have been stubbed in, just as if the homes had already been constructed on those lots. The Department issued Water Right License 37-08854 for 44 homes, which is consistent with your report that although only a handful of homes have been constructed, lines have been stubbed in to 44 lots.

Because the Golden Eagle Ranch development is occurring in a moratorium area, however, the Department does not want lots to be irrigated under this new groundwater right until homes have been constructed on those lots. Otherwise, the Department would find itself in the awkward position of having authorized irrigation of a large number of acres not yet "in connection with" homes while telling applicants proposing only irrigation that their applications will not be processed. Therefore, the Department has placed on permit 37-08854 and on other similar water rights the condition that is no. 11 on license 37-08854. The condition on the permit has been carried over to the license. To remain in compliance with condition no. 11, no lot in Golden Eagle Ranch subdivision should be irrigated until a home has been constructed upon it, and irrigation per lot shall not exceed half an acre. When homes exist on all 44 lots, a maximum of 22 acres may be irrigated under right 37-08854.

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

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

MICROFILMED

JAN 04 1999

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DEC 14 1998

Department of Water Resources



RINKER COMPANY

December 8, 1998

Shelley W. Keen, Water Rights Supervisor
State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
P. O. Box 83720
Boise, Idaho 83720-0098

Re: Water Right No. 37-08854

Dear Mr. Keen:

Thank you for your letter of December 1 regarding subject water right. I will file your letter and proceed as required.

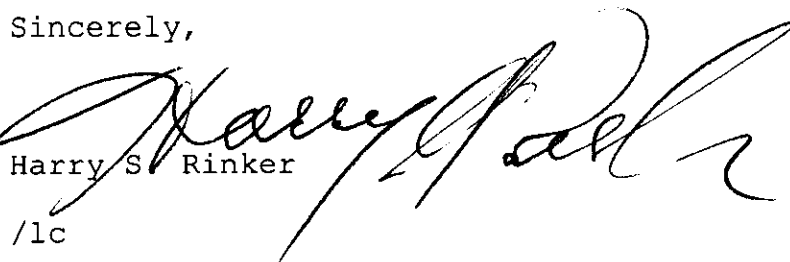
If it would be possible I would very much appreciate your department circulating a memo requesting that all water matters and correspondence pertaining to properties I own that a carbon copy automatically go to:

Charles E. Brockway Ph.D, P.E.
BROCKWAY ENGINEERING
2160 Washington Street North, #4
Twin Falls, Idaho 83301
208/736-8543

Dr. Brockway has a complete Power of Attorney pertaining to all my water matters and is entitled to sign any papers on my behalf.

Thank you for your cooperation.

Sincerely,

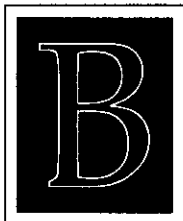


Harry S. Rinker
/lc

cc: Charles E. Brockway, Ph.D, P.E.

MICROFILMED

JAN 8 1999



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

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DEC 16 1998

Department of Water Resources

November 17, 1998

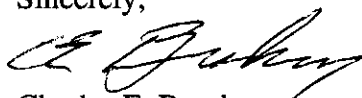
Mr. Shelley Walter Keen
Idaho Department of Water Resources
1301 North Orchard
P.O. Box 83720
Boise, ID 83720-0098

Re: Permit 37-08854
Golden Eagle Subdivision domestic

Dear Mr. Keen:

I have reviewed the preliminary order for the license for the domestic use on the Golden Eagle Ranch subdivision. The proposed license is essentially as recommended in the beneficial use exam and conditions of approval and remarks are acceptable. I do have a question relative to interpretation of condition 11 which states that "Irrigation under this right shall not exceed ½ acre within each platted subdivision lot *upon which a home has been built*". (italics added). I realize that this license is for a multi-household water system and that irrigation and domestic components of the license are separate (see Administrator's Memorandum, from Norman C. Young, June 4, 1980). However, Section 42-230d of the Idaho Code defines "Domestic purposes" as "---water for household use or livestock and water used for all other purposes including irrigation of up to one half (1/2) acre of land in connection with said household-----". I was of the opinion that if the subdivision was platted and constructed, the water system was installed, service stubbed in to each lot and irrigation of ½ acre was being performed that this would be interpreted as 'in connection with said household'. I would appreciate your response to this interpretation as it relates to this license.

Sincerely,



Charles E. Brockway

cc: Harry Rinker

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

CHARLES G.
BROCKWAY,
PH.D.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

MICROFILMED

JAN 04 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

December 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RINKER CO
PO BOX 7250
NEWPORT BEACH CA 92658-7250

RE: WATER RIGHT NO. 37-08854

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

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ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 37-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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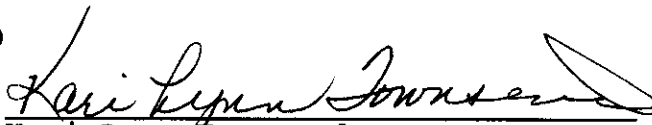
JAN 04 1999

CERTIFICATE OF MAILING

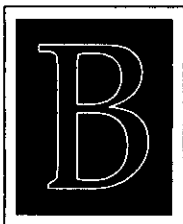
I hereby certify that on the 1st day of December, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 37-08854

RINKER CO
PO BOX 7250
NEWPORT BEACH CA 92658-7250


Kari Lynn Townsend
Secretary

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JAN 04 1999



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

NOV 18 1998

Department of Water Resources

November 17, 1998

Mr. Shelley Walter Keen
Idaho Department of Water Resources
1301 North Orchard
P.O. Box 83720
Boise, ID 83720-0098

Re: Permit 37-08854
Golden Eagle Subdivision domestic

Dear Mr. Keen:

I am writing to clarify issues you raised in your letter dated October 1, 1998 regarding the licensing of the above-mentioned permit.

The Golden Eagle property may be divided into two parcels, one north of Greenhorn Road and one south. The above domestic permit was approved in conjunction with a subdivision project on the south side. The permit authorized 44 lots and 22 acres of irrigation south of the road, divided among 40-acre tracts as shown on the enclosed map.

An existing irrigation license 37-02632 was originally applicable to 115 acres south of the road. A transfer of this right in conjunction with the subdivision was approved in December 1996 and amended March 1997. The transfer did two things: 1) it removed 18 acres from the license to account for evaporation losses from the recreation/aesthetic ponds constructed for the subdivision, leaving 97 acres of irrigation on the license; and 2) it moved 28.3 acres of the remaining irrigation north of the road. This left $97 - 28.3 = 68.7$ acres south of the road, which when combined with the 22 acres on the new domestic permit authorized 90.8 acres south of the road for the subdivision. The current place of use of 37-02632 is shown on the attached map.

Irrigation north of the road has continued to occur both under 37-02632 and under several surface rights from the Big Wood River which do not enter into the licensing picture for 37-08854. In short, your conclusion that "no irrigation was developed under 37-08854" is not correct, as shown by the above description.

The subdivision lots are in the process of being sold, and construction is occurring on many of them. Irrigation of 0.5 acre per lot has been accomplished under the domestic permit, while the remainder of the irrigation on the lots is covered by 37-02632.

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

CHARLES G.
BROCKWAY,
PH.D.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

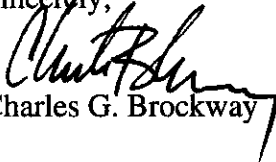
FAX: 736•8506

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Please do not hesitate to call if you need any further information.

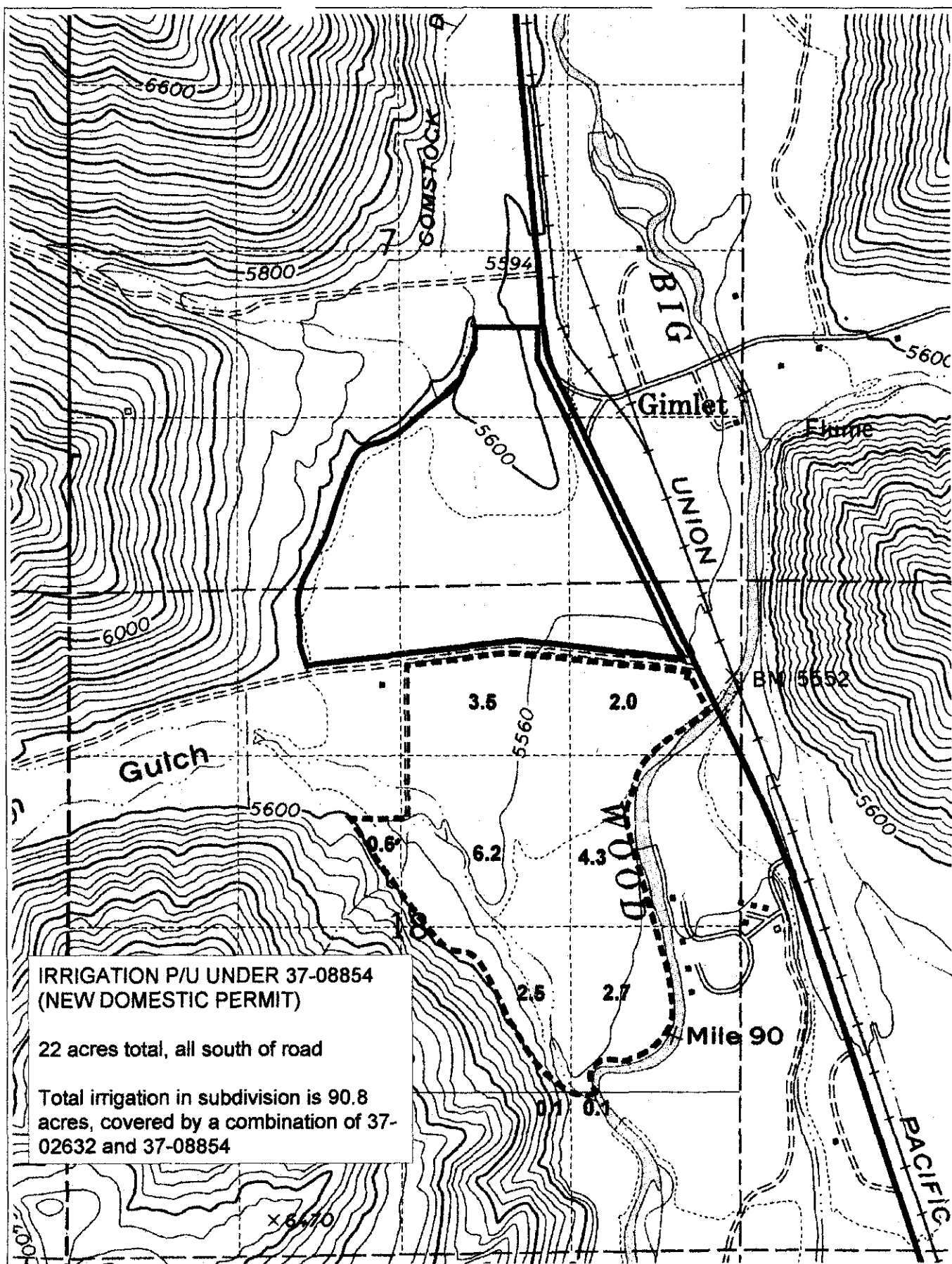
Sincerely,


Charles G. Brockway

cc: Harry Rinker

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JAN 04 1999



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JAN 04 1993



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

November 2, 1998

Mr. Shelley Walter Keen
Idaho Department of Water Resources
1501 North Orchard
P.O. Box 83720
Boise, ID 83720-0098

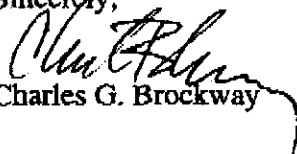
VIA FACSIMILE

Re: Permit No. 37-08854
Golden Eagle Domestic

Dear Mr. Keen:

I just wanted to drop you a quick note to let you know I am still working on a map and a letter to clarify the licensing issues you raised in your October 1, 1998 letter. I apologize for the delay; I should have something to you before the end of the week.

Sincerely,


Charles G. Brockway

CHARLES E.
BROCKWAY,
P.L.L.C.

CHARLES G.
BROCKWAY,
P.L.L.C.

2016 NORTH
WATERGATE
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

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JAN 04 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

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

October 1, 1998

Charles E. Brockway, P.E.
Brockway Engineering
2016 N. Washington St., Suite 4
Twin Falls, ID 83301

RE: Permit No. 37-08854

Dear Mr. Brockway:

We are reviewing your field report for Permit 37-08854. Before we can issue a water right license, a few pieces of information need clarification.

One of the conditions of the permit says:

Licensed water right No. 37-02632 is presently appurtenant to most of the twenty-two (22) acres identified as irrigated land on this permit (37-08854). Authorization to develop the irrigation use identified on this permit exists only if the department approves a transfer which removes right No. 37-02632 from the lands identified as the irrigated place of use on this permit.

A transfer was approved on License 37-02632 in December of 1996 and was amended in March of this year. However, the transfer removed only 18 acres from irrigation to compensate for a change in the nature of use under that right to include recreation storage, aesthetic storage and fire protection storage. The transferred right is still appurtenant to 97 acres within the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 18. Your report says that 90.8 acres are irrigated. It appears, then, that the irrigation of the 90.8 acres is covered by right 37-02632 and no irrigation was developed under 37-08854. Do you concur with this conclusion?

Another condition of the permit says, "The irrigation use occurring under this right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed."

You stated in your narrative that you observed irrigation on the "unbuilt lots and common areas". If your client is complying with the permit condition, then the unbuilt lots and common areas are apparently still irrigated under right 37-02632.

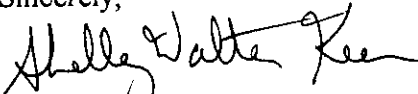
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Chuck Brockway
October 1, 1998
Page 2

If we are correct in concluding that all the irrigation from groundwater in this subdivision occurs under right 37-02632, the department will license 37-08854 for domestic (in -house) use of 44 homes for a volume of 0.6 af per home. If you believe our conclusion is incorrect, please explain your conclusion in writing within 30 days. If you have questions or wish to discuss the matter by phone, my number is (208)327-7946.

Sincerely,

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

Shelley Keen
Water Rights Supervisor

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JAN 04 1999

MEMORANDUM

TO: File 37-08854

FROM: Sharla

DATE: September 16, 1998

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for the above referenced permits are as follows:

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of Use:

T3N, R18E, S18 - NENE (2 ac), NWNE (3 ac), SWNE (6 ac),
SENE (4 ac), SENW (0.6 ac), NESE (2 ac),
NWSE (2 ac), SWSE (0.1 ac), SESE (0.1 ac)

H. RECOMMENDATIONS

Irrigation	4/15 - 10/15	0.44 cfs	*af
Domestic	1/1 - 12/31	0.31 cfs	*af
	TOTAL	0.44 cfs	

There is no decrease in acres from what was permitted, therefore, an additional home cannot be added under the domestic use without an expansion of the right. Thus the domestic use noted by the examiner for the NWSW has not been added.

*The total volume parameters for this right are noted in the remarks field since there are overlapping surface water rights. The total annual volume for the domestic component has been standardly calculated as 44 homes X 0.6 af/home = 26.4 af.

Exam Date: April 29, 1998
Examiner: Chuck Brockway

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LICENSE REVIEW CHECKLIST

PERMIT NO. 37-08854 DATE 9/16/98 REVIEWER: SHARLA

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

W32 (multiple in 1/4)
~~W36 (overlap)~~
 W59 (subd. desc)

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

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

W60 (subd. desc)
 W27 (ppu acre limit)

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

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate 44 cfs
 Fee limit NA cfs - Certified examiners
 Measured 1.9 + 2.3 (boosters) DOM = 12.22
 Theoretical 2.67 + 5.35 (boosters) IRL
 Recommended Total Div Rate _____ cfs

WATER USES

OK Change (P46)
44 cfs 22 X 3.5 af 77 Irrig -
31 cfs 44 X 1.6 = 70.4 af
 _____ cfs _____ af
 _____ cfs _____ af
 _____ cfs _____ af
 _____ cfs _____ af Domestic
 _____ cfs _____ af Power
 _____ cfs _____ af Fish (042)
 _____ cfs _____ af Fire (077) Wtr Quality (081/R07)

Flow rate _____ cfs X _____ days X 1.98 = _____ af

REMARKS W36 (37-02632 SWNE, S18)

ADD'L CONDITIONS

Watermaster Control WD# 070,071

Dim GW Measurement/Measuring Device

Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes no

SRBA Claim NA

Adjust Memo dom vol
 Amend letters can't add 1 dom.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAY 01 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08854

1. Owner: Rinker Company Phone No. (714) 979-8300

Current Address: P.O. Box 7250, Newport Beach, CA 92658-7250

2. Accompanied by: Perry Hestness and Randy Purdy EXAM DATE: 4/29/98

Address: _____ Phone No. _____

Relationship to Permit Holder: Hestness - caretaker; Purdy - construction manager

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 37-02632, 37-00154C

2. Other water rights with the same point of diversion: 37-02632

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
			NW	SE	18	3N	18E	Blaine	USGS quadrangle
			NE	SE	18	3N	18E	Blaine	USGS quadrangle
			SW	NE	18	3N	18E	Blaine	USGS quadrangle

2. Place(s) of Use:

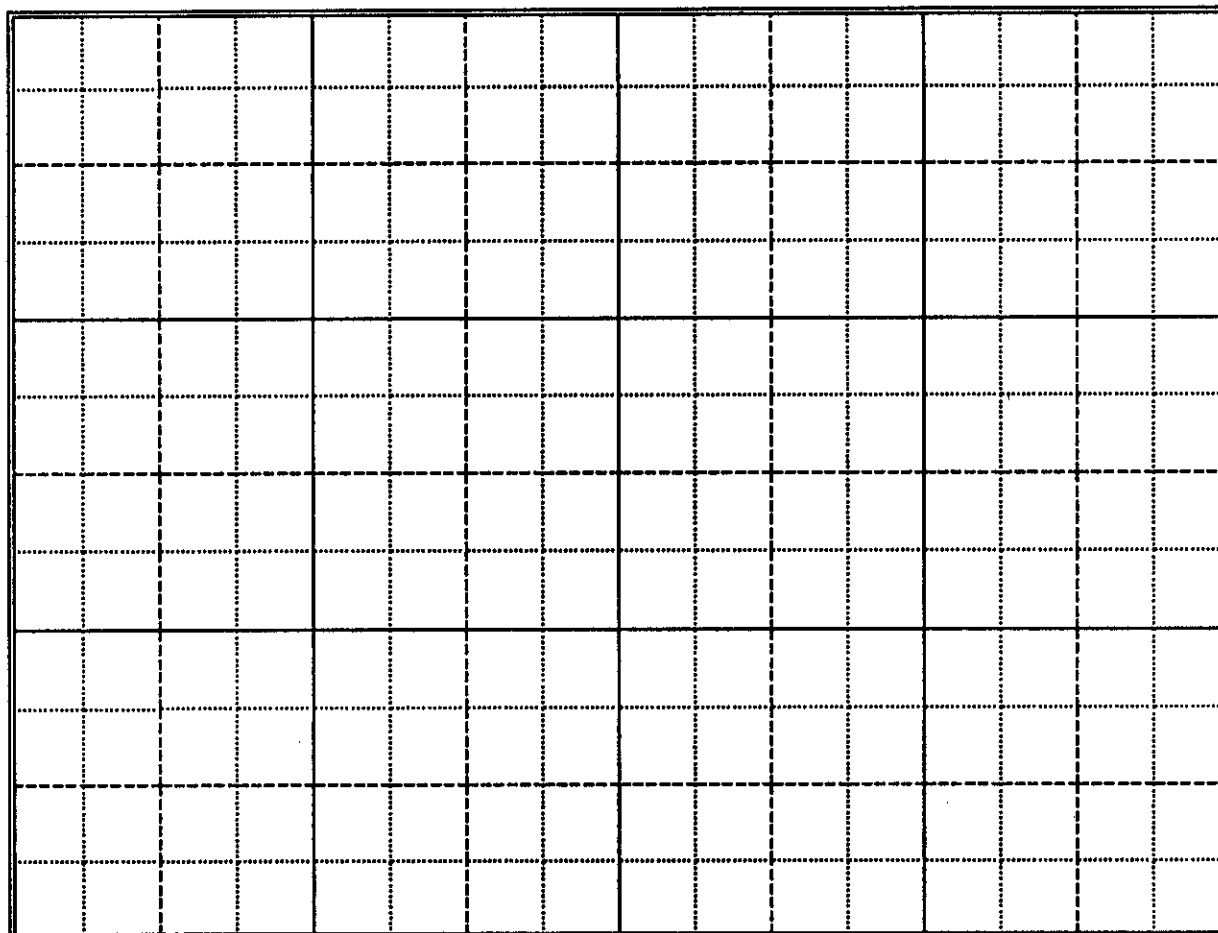
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	18	2.0	3.5	6.2	4.3				0.6					2.7	2.5	0.1	0.1	22.0
3N	18E	18	D	D	D	D				D		D			D	D	D	D	

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4. *See narrative*

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** *See narrative*

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** *See narrative*

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E. NARRATIVE/REMARKS/COMMENTS

See attached narrative

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

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F. FLOW CALCULATIONS

X Additional Computation Sheets Attached

Measured Method:

West domestic well: Pitot tube $P=15.0$ psi in $2\frac{1}{2}$ " hydrant nozzle.
 $Q=650$ gpm from smooth-bore orifice tables
 East domestic well: 5-gallon bucket fills from hydrant in 1.5 sec.
 $Q=200$ gpm

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 22.0 (3.5) = 77.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.44 (180) (1.9835) = 157.1$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 77.0$$

2. Volume Calculations for Other Uses:

Domestic usage:
 Assume 100 gpd, 45 units, 3.0 persons/unit
 $V = 100 (3.0) (45) = 13500$ gpd
 $V = 13500$ gpd $(365 \frac{\text{days}}{\text{yr}}) / 325829 \text{ gal/acre-ft} = 15.1 \text{ ac-ft/year}$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Irrigation	4/15	10/15	0.44	77.0
Domestic	1/1	12/31	0.31	15.1
Totals:				

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 See narrative

I. AUTHENTICATION

Field Examiner's Name C.E. Brockway Date 5/1/98

Reviewer _____ Date _____

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JAN 04 1999

C.E. Brockway
 5/1/98

BENEIFICAL USE FIELD REPORT NARRATIVE
PERMIT NO. 37-08854 IN THE NAME OF RINKER COMPANY

Prepared by C. E. Brockway, P.E.
May 1, 1998

General information

Permit No. 37-08854 was granted under I.C. 42-111 as a domestic exemption to the Snake River basin groundwater moratorium. It is appurtenant to the Golden Eagle Ranch subdivision in Blaine County, approximately six miles north of Hailey. The subdivision is located south of Greenhorn Road in Section 18, T. 3 N., R. 18 E.

A site visit was made on April 29, 1998, accompanied by Perry Hestness and Randy Purdy. Mr. Hestness is the caretaker for the subdivision and Mr. Purdy was the project manager during the subdivision construction. The project consists of 44 residential lots, approximately 2.5 to 3.5 acres in size, and one parcel for a caretaker's residence. The subdivision construction was completed in the Spring of 1997. Two private homes are currently under construction, and the caretaker's residence is complete. The remainder of the subdivision is currently unbuilt, but is being fully irrigated as described below. It is anticipated that construction of approximately 5 new homes will commence in the summer of 1998.

Each lot is supplied via separate irrigation and domestic systems. The domestic potable water is drawn from two wells located in the south portion of the property in the NW1/4 SE1/4 Sec. 18 (west well) and the NE1/4 SE1/4 Sec. 18 (east well). Both wells have a 12-inch steel casing, and are approximately 110 feet in depth. The water below ground was measured in an approximate static condition with an electric probe. The depth to water from the ground surface was 18.2 feet in the west well and 12.1 feet in the east well. Both wells are equipped with the same submersible pump. However, the west well is a 20HP 2-stage pump with a variable-speed drive, designed to deliver a maximum of 500 gpm at a system operating pressure of 40 psi. The variable speed drive is programmed to maintain the system pressure at 40 psi. The east well is a 10HP single-stage fixed-speed pump designed to deliver 500 gpm at atmospheric pressure. The pumps are set at 100 feet depth in both wells.

The west well is the primary well and the east well is now used only as a backup. The west well delivers directly into the system. Future operation will include delivery to a chlorination chamber from both wells, and supplying the domestic system directly with two centrifugal booster pumps in parallel, which are installed on a concrete slab over the chamber. The domestic system is a looped pipeline encircling the four aesthetic ponds. All stub-outs to the lots are complete, and consisting of individual water meters and 1-1/2 inch feed lines.

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The irrigation system is separate from the domestic system, and consists of one pre-existing well located in the SW1/4 NE1/4 Section 18. This well delivers either directly to the system or to the aesthetic ponds. The aesthetic pond system consists of four ponds oriented from north to south. Water is pumped from the south pond (pond 4) into the irrigation system.

Total irrigation on the subdivision is 90.8 acres. The irrigation component of the domestic permit lists 0.44 cfs for 22.0 acres, which corresponds to the 0.5 acres per lot allowed under the domestic exemption. The remainder of the irrigation throughout the subdivision, including the lots and the common areas, is covered under a pre-existing groundwater irrigation license, 37-02632, which is applicable to the irrigation well. This well was developed in the late 1950s, and has been used continuously for irrigation of pasture and alfalfa both south and north of Greenhorn road. All irrigation, including that under 37-02632 and the domestic permit 37-08854 is supplied from this well.

Like the domestic system, the irrigation system is also looped throughout the subdivision, with each lot having a separate stub-out. During the site visit, irrigation with fixed underground sprinklers was observed throughout the subdivision, including on the unbuilt lots and the common areas. At least 0.5 acres on all 44 lots is being irrigated. The total irrigation is consistent with the anticipated irrigation prior to subdivision construction, or 90.8 acres.

Capacity of the domestic system

Discharge measurements were made on the two domestic wells using a flushing hydrant connected to the domestic system, located just south of the pump house. This is the only hydrant connected to the domestic system. Isolation valves were closed so that no water could flow into the distribution system. The hydrant is a Waterous 11G6 with a 2-1/2 inch nozzle. Discharge from the west well was measured using a pitot tube and discharge tables obtained from the Wood River Fire District for smooth-bore hydrant nozzles. The impact pressure at the centerline of the jet issuing from the hydrant was 15 psi, which corresponds to a discharge of 650 gpm on the table. The tables provided by the Wood River Fire District were verified with the theoretical Bernoulli equation. The theoretical value is within 10% of the value given by the table.

Discharge from the east well was lower, and did not result in a sufficient velocity to register on the pitot tube. Thus, the flow was estimated using a 5 gallon bucket and a stopwatch at 200 gpm. Since it is not anticipated that the two wells will be used simultaneously, the capacity of the domestic system should be only the capacity of the primary well, or 650 gpm (1.45 cfs). This is greater than the 0.31 cfs listed on the permit.

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The booster pumps are Berkeley B3ZPLS with 7.75" impellers and 30 HP motors (see the attached pump curves). Capacity of the Berkeley B3ZPL booster pumps was estimated theoretically using the pump curves. At a delivery pressure of 87 psi (201 feet), the two pumps in parallel can deliver 1030 gpm (2.30 cfs).

Capacity of the irrigation system

No direct capacity measurement of the irrigation well or the booster pumps was feasible. However, the well pump is a submersible American Turbine 8-XH-60 with a 30 HP motor and a variable speed drive (see attached pump curves). This well has historically delivered at least the original licensed amount of 2.3 cfs for 115 acres prior to the subdivision construction, at a pumping depth of approximately 60 feet. The pump curve for the new submersible pump indicates a capacity at 75 feet TDH of 1200 gpm (2.67 cfs), which is greater than the 0.44 cfs authorized under the domestic permit.

Three centrifugal booster pumps draw water from the southernmost lake for the irrigation system. These pumps are Cornell 4HH with 50 HP motors (see pump curves). Capacity of the booster pumps was estimated theoretically using the pump curves. At a design delivery pressure of 95 psi (220 feet), the three pumps in parallel can deliver 2400 gpm (5.35 cfs).

Permit conditions

Since 37-02632 was, prior to the subdivision development, appurtenant to most of the lands under the irrigation component of the domestic permit, this domestic permit requires that development of the irrigation component be allowed only if a transfer is approved which removes license 37-02632 from the lands identified as the irrigated place of use on the permit. Transfer No. 4825 was approved by the Department which satisfies this condition.

The domestic permit also requires that the drilling permit requirements of I.D. 42-235 be satisfied, and that the domestic wells be constructed according to Idaho well construction standards. Brockway Engineering designed and oversaw the construction of the wells, and these requirements and standards were met. The well construction design and location was approved by IDHW-DEQ, as evidenced by the enclosed correspondence from Greg Misbach and David Anderson.

Other rights

The only other right appurtenant to the Golden Eagle Ranch subdivision is 37-00154C which is a floodwater irrigation right from the Big Wood River. This right is delivered to the northernmost pond by a pump station on the river. Water from

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JAN 04 1999

this right can then be delivered to the irrigation system by pumping from the south pond. This right is utilized whenever active, but generally is subject to a priority cut in July or early August.

Recommended licensing amendments:

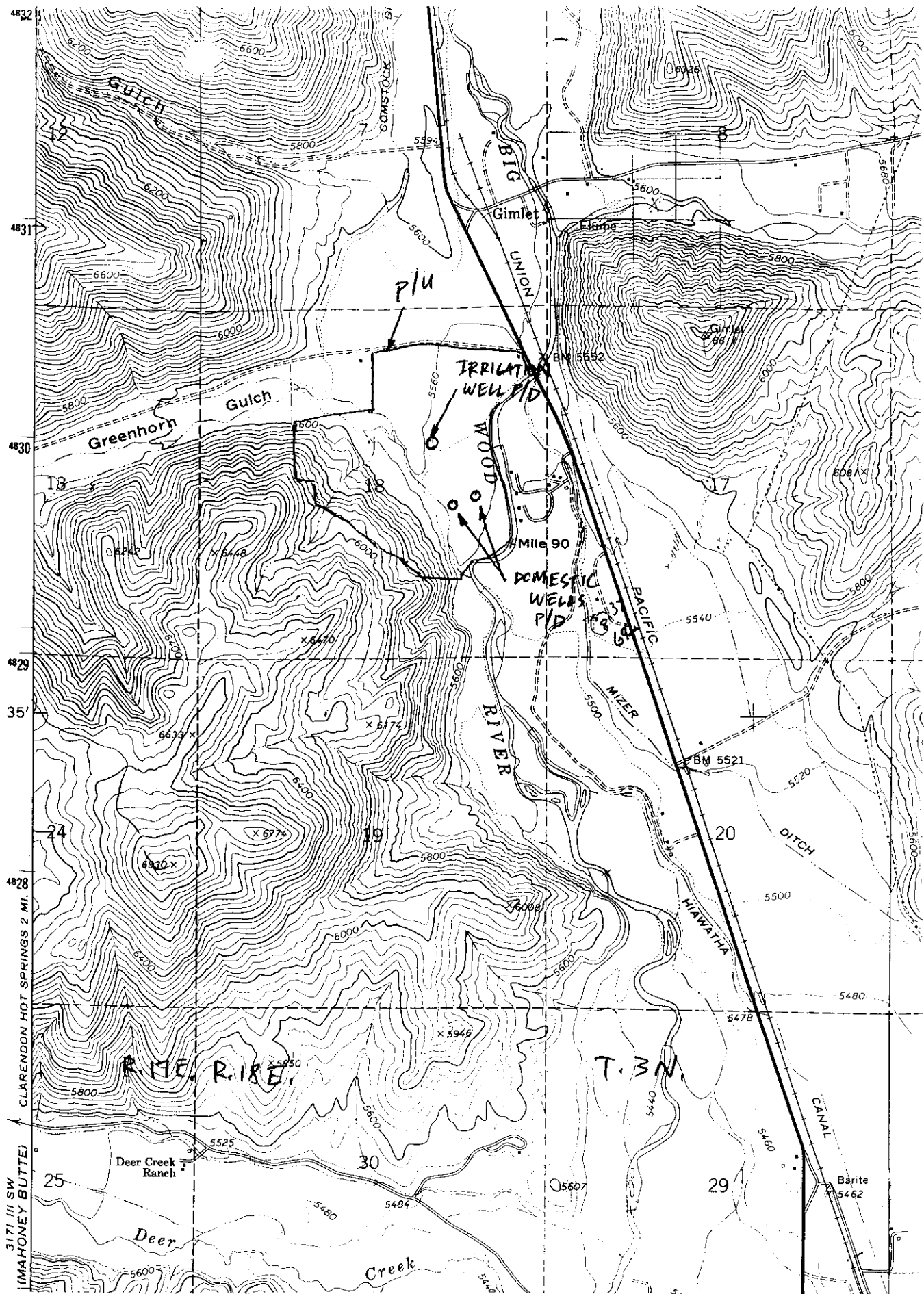
1. Change 44 residences to 45, to include the caretaker's residence
2. Note that the irrigation component of the right can be delivered either directly to the system or to pond #4 and boosted from there.

Volume recommendations:

1. Irrigation diversion volume should be $3.5 \text{ ac-ft/acre/year} \times 22.0 \text{ acres} = 77.0 \text{ ac-ft/year}$.
2. Domestic diversion volume should be $100 \text{ gpd} \times 3.0 \text{ persons/unit} \times 45 \text{ units} = 15.1 \text{ ac-ft/year}$

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JAN 04 1999



GOLDEN EAGLE RANCH 37-08854 MICROFILM
 BENEFICIAL USE FIELD EXAM
 Brockway Engineering PLLC 5/1/88
 JAN 04 1997

SE1/4SW1/4

SW1/4SE1/4

GOLDEN L. GLE RANCH 37-08854

Proposed Development

NE1/4NW1/4

Greenhorn

Gulch

Rd.

NE1/4NE1/4

SECTION 18

SE1/4NW1/4

NE1/2NE1/4

SE1/4NE1/4

Big

WOOD

NW1/4SW1/4

NW1/4SE1/4

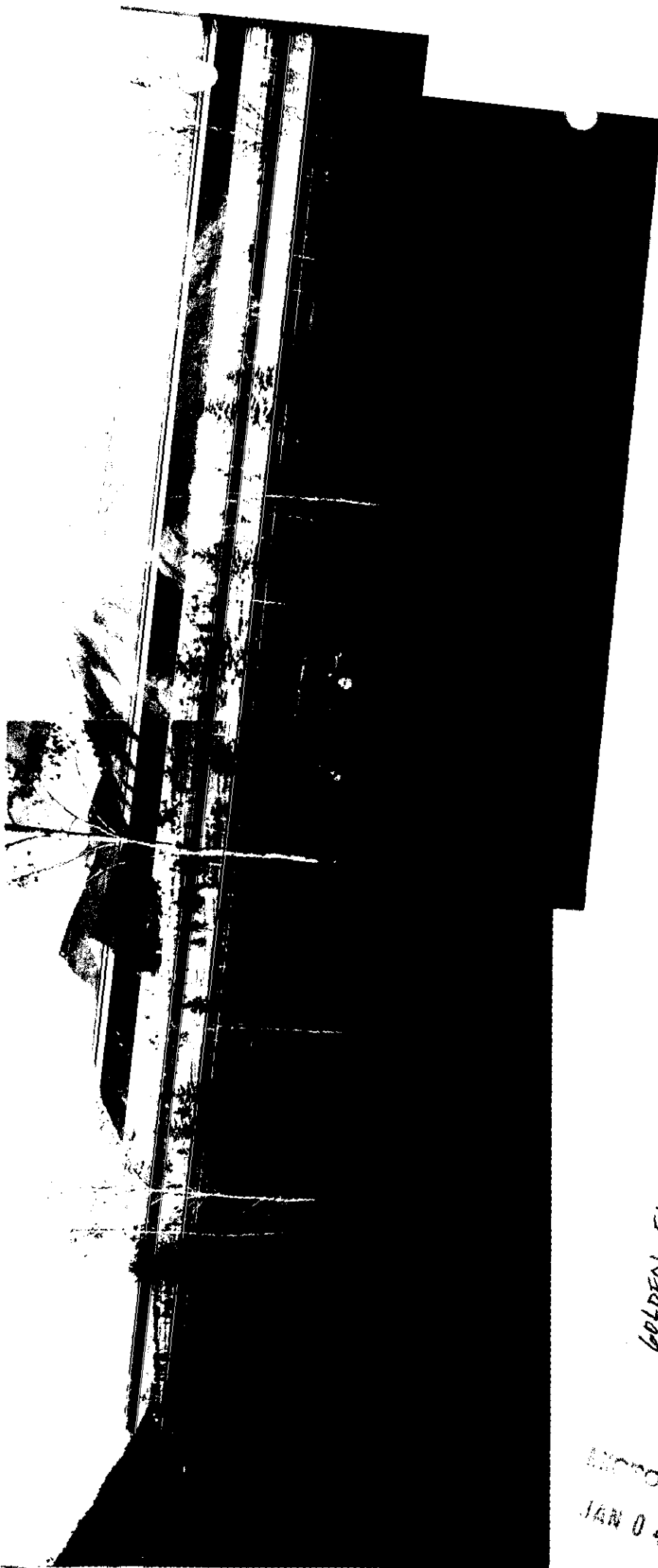
NE1/4SE1/4

River

- Domestic wells
- ⊗ Irrigation well
- Pump house

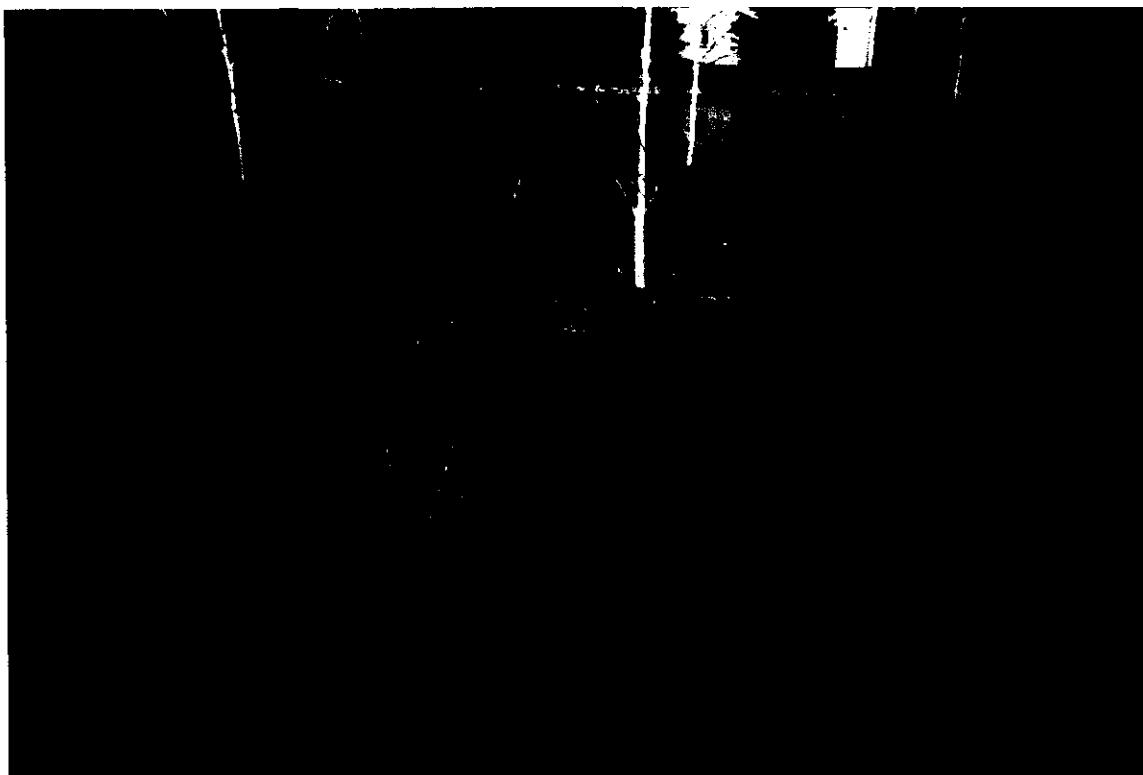
--- Irrigation and domestic lines.

MICROFILM
JAN 04 1977

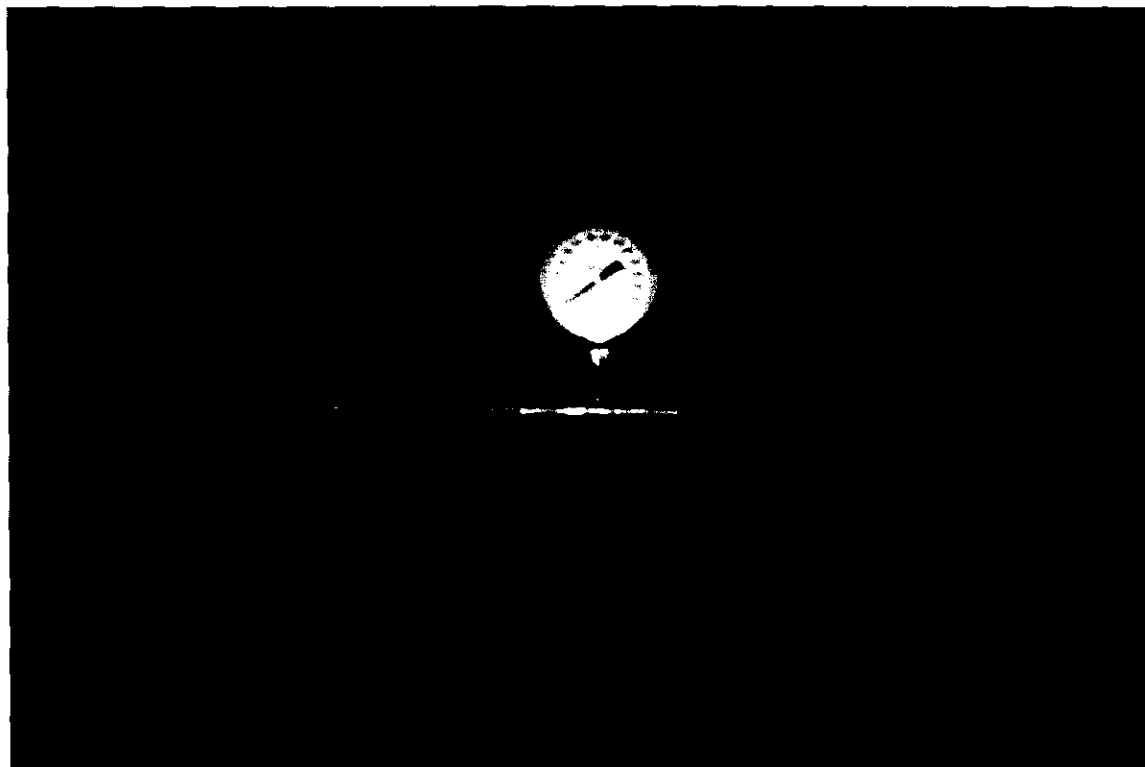


GOLDEN EAGLE RANCH SUBDIVISION - OVERALL VIEW
37-08854
5/1/98

MICROFILMED
JAN 04 1999



GOLDEN EAGLE RANCH SUBDIVISION 37-08854 MICROFILM 15/1/98
WEST DOMESTIC WELL (TOP)
EAST DOMESTIC WELL (BOTTOM)
JAN 04 1999



GOLDEN EAGLE RANCH SUBDIVISION 37-08854
 Hydrant used for flow measurement (TOP)
 Pitot tube used for flow measurement (BOTTOM)
 5/1/48
 MICROFILMED
 JAN 04 1993

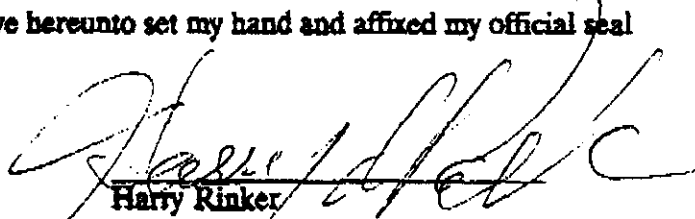
LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

I, Harry Rinker, dba Rinker Company, hereby nominate and appoint Charles E. Brockway, of Kimberly, Idaho, as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to any and all water rights I may own or seek to acquire in Blaine County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal, and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

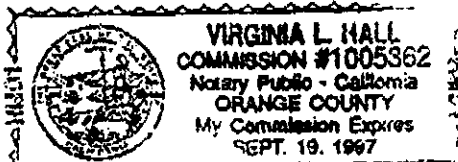
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 1st day of Sept., 1995.


Harry Rinker

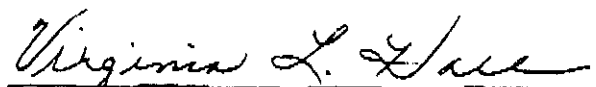
CALIF
STATE OF ~~IDAHO~~)
ORANGE) ss.
County of ~~Blaine~~

On the 1st day of Sept., 1995, before me, a Notary Public, in and for said County and State, personally appeared HARRY RINKER, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



08310501.gds


NOTARY PUBLIC FOR ~~IDAHO~~ CALIF.
Residing at: LAGUNA NIGUEL
My commission expires: 9/19/97

MICROFILMED

JAN 04 1999



COPY

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

Philip E. Batt, Governor

May 9, 1996

Chuck Brockway
Brockway Engineering, P.L.L.C.
706 Sunrise Boulevard North
Twin Falls, ID 83301

Re: Plan & Specification Review, Golden Eagle Ranch Domestic
Wells, Blaine County, Idaho

Dear Chuck:

The plans and specifications for the referenced facilities appear to meet State standards and are therefore approved. Our approval is for design of the domestic wells only.

Plans and specifications for the distribution system, stamped by a licensed professional engineer, will need to be submitted to this office for review and approval prior to construction.

Any major changes, or changes that might result in violations of Idaho regulations, must be reviewed by this office prior to field installations. This office must also be kept informed of the scheduling of all construction phases so that spot inspections can be made as necessary.

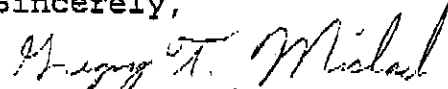
The Idaho Department of Health and Welfare's approval of the plans and specifications for the design of the referenced facility does not imply approval by other State or Federal agencies for construction or operation of the water supply.

This approval will expire June 1, 1997. If construction is not completed at this time, plans will need to be resubmitted for approval before further construction proceeds.

Within 30 days after construction, a professional engineer registered in the State of Idaho must provide this office with as-built plans, or a letter of certification stating that the project was installed substantially according to the approved plans.

If you have any questions, please do not hesitate to contact this office at 736-2190.

Sincerely,


Gregory T. Misbach, P.E.
Senior Water Quality Engineer

GTM/ml

MICROFILMED

cc: Mr. Harry Rinker, Wood River Properties, c/o Silver Creek
Irrigation, P.O. Box 1000, Picabo, Idaho 83348



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

April 29, 1996

Charles Brockway
U of I Research and Extension Center
3793 N 3600 E
Kimberly, ID 83341

RE: Golden Eagle Subdivision, Blaine County, Well lot

Dear Chuck:

The location of the new well is approved.

Please be reminded proper setbacks to the sewer/septic systems, property lines, and potential sources of contamination will need to be maintained as the project is developed.

Monitoring for chemical, radiological and biological contaminants, as well as sand production during the test pump, will need to be conducted before the well is to supply water to the public.

If you have any questions or comments, feel free to contact us at this office.

Sincerely,

David Anderson
Water Quality Science Officer

DA/ph

cc: Mike McMasters, Prevention & Certification Supervisor, DEQ
Tom John, DEQ-CO, Community Programs

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JAN 04 1999

Golden Eagle 37-08854
Irrigation Well Pump

TOTAL P.02



Performance Curves

8-NH-60

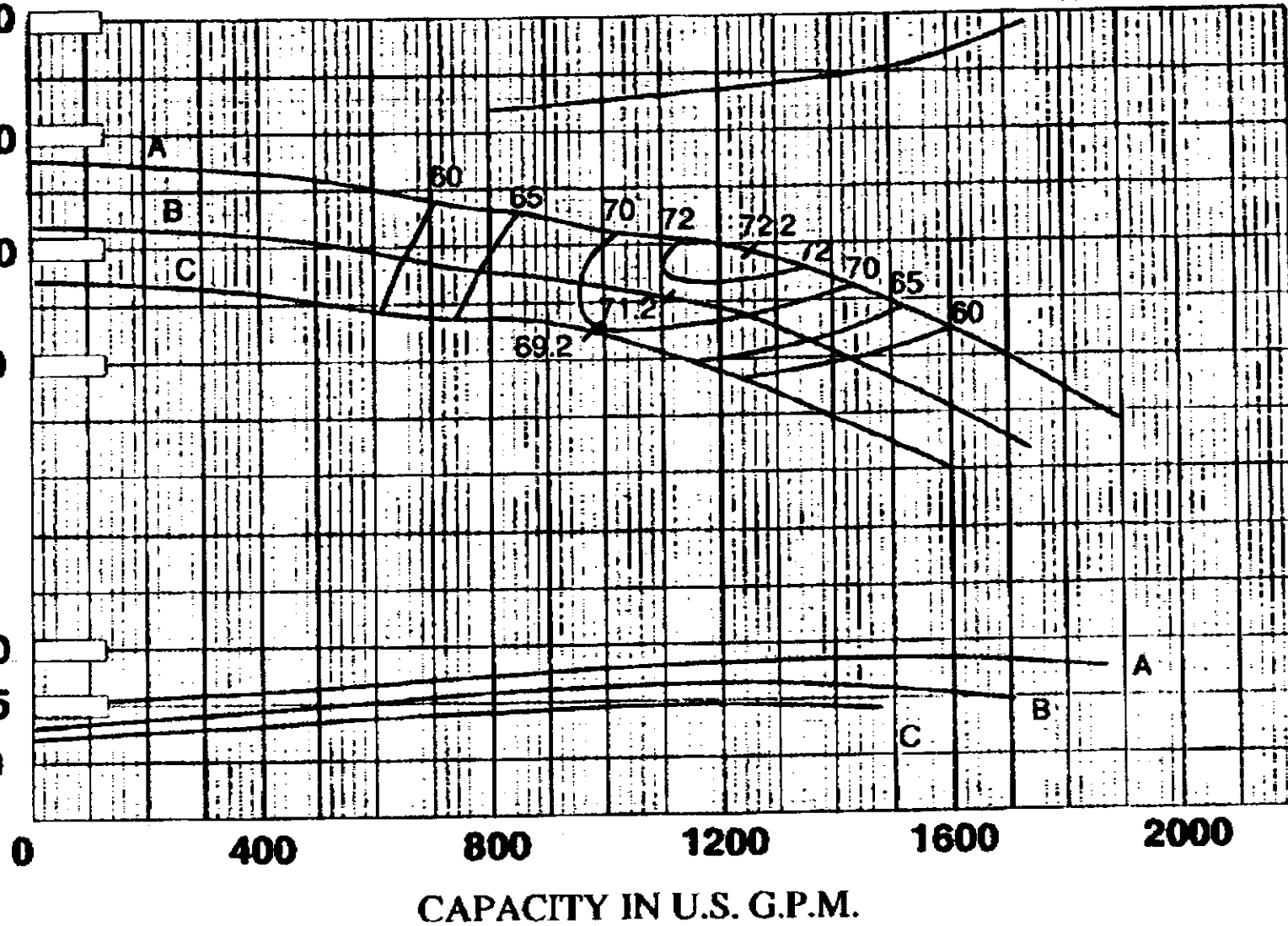
3520 RPM

Number of Stages Required

HEAD IN FEET

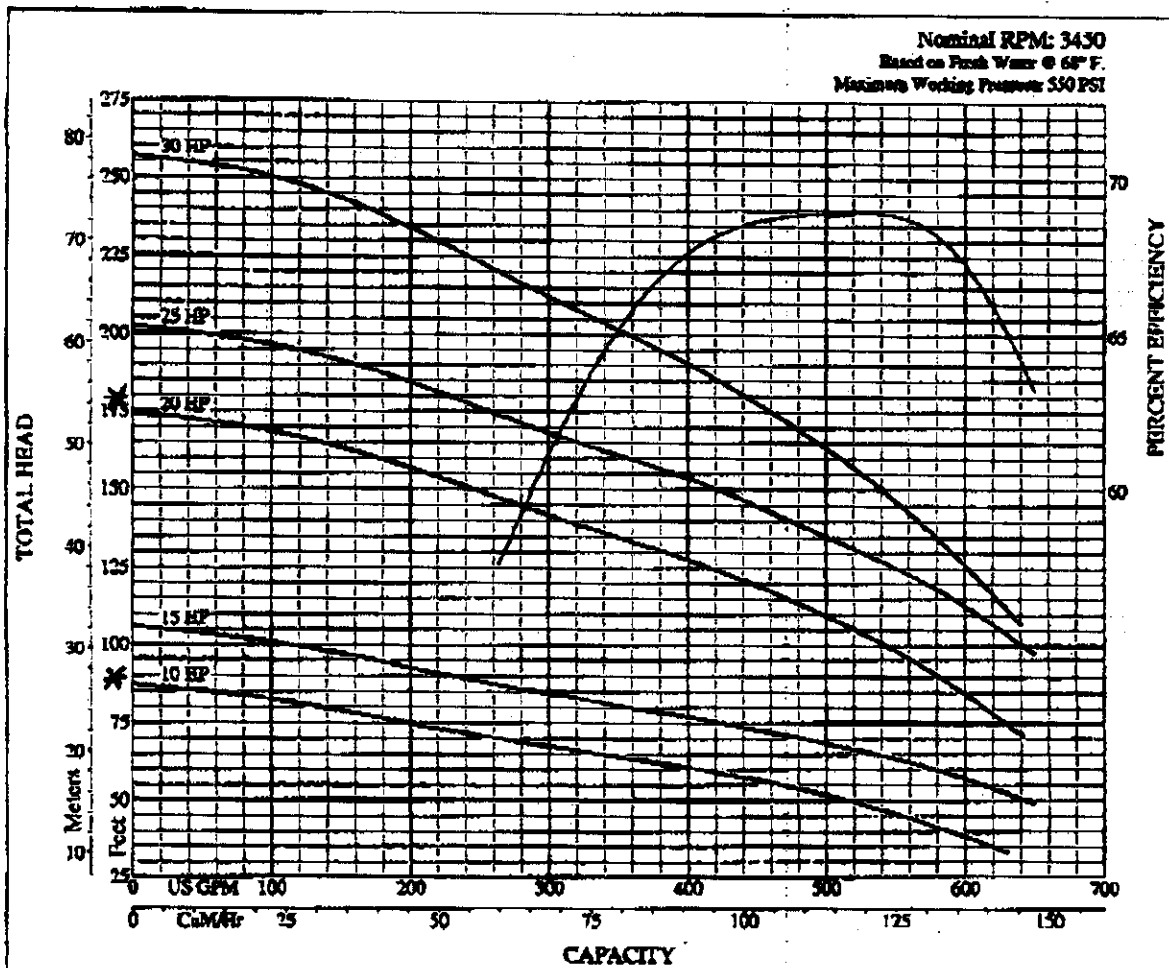
HORSEPOWER

N.P.S.H.





SUBMERSIBLE TURBINE

7T-500


OUTLINE DIMENSIONS / WEIGHTS

HP	stages	Motor size	P length	M* length	MD* dia.	Mr. wt.	Pump wt.
10	1	6"	19.94	30.56	5.38	135	60
15	1	6"	19.94	33.13	5.38	146	60
20	2	6"	26.44	30.56	5.38	135	86
25	2	6"	26.44	33.13	5.38	148	86
30	3	6"	32.94	35.69	5.38	162	112

Note: dimensions in inches; weight = U.S. lbs.

M* Maximum length (Franklin Electric Motor)

MD* Motor diameter (Franklin Electric Motor)

SPECIFICATIONS

Minimum Well LD.	8.0 Inches
Minimum Submergence @ BEP (above inlet)	10.0 Feet
Capacity Range	211 - 650 GPM
Discharge	5" F x 6" M NPT

See manufacturer's data for motor cooling requirements

SUPERSEDES

All Previous

Date 04/15/96

Section **ST**

Page 21.01

Golden Eagle 37-08854
Domestic Well Pumps
West well: 20HP
East well: 10 HP

MICROFILMED

JAN 04 1999

CORNELL PUMP COMPANY

2323 S.E. Harvester Drive
Portland, Oregon 97222

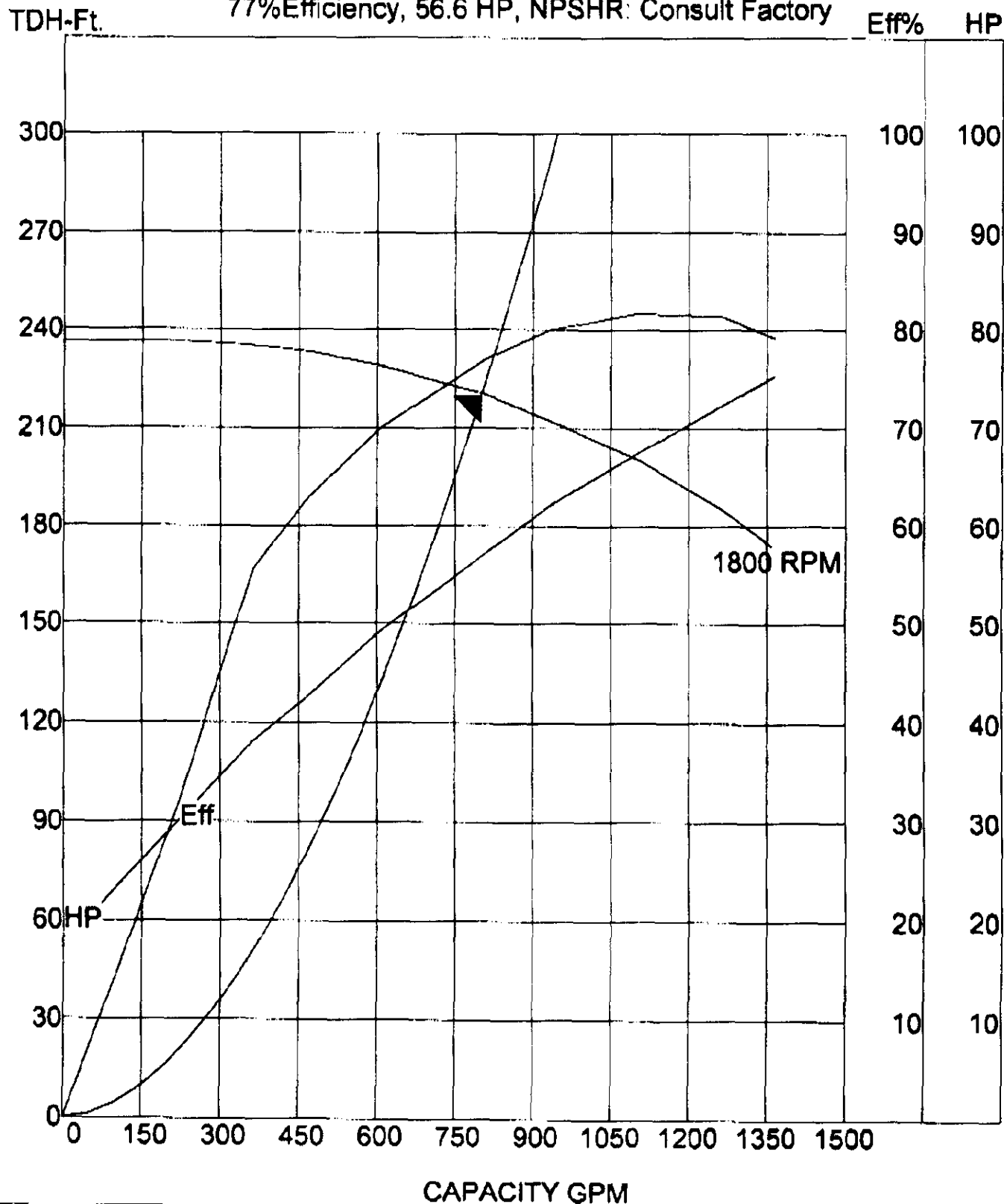
Phone (503)653-0330

GOLDEN EAGLE - IRRIGATION

FAX (503)653-0338

4HH 800 GPM @220' TDH, 1800 RPM 14.56" Impeller

77% Efficiency, 56.6 HP, NPSHR: Consult Factory

Internet: <http://www.cpcusa/~cornell>E-Mail: cornell@cpcusa.com

MICROFILMED

JAN 04 1999

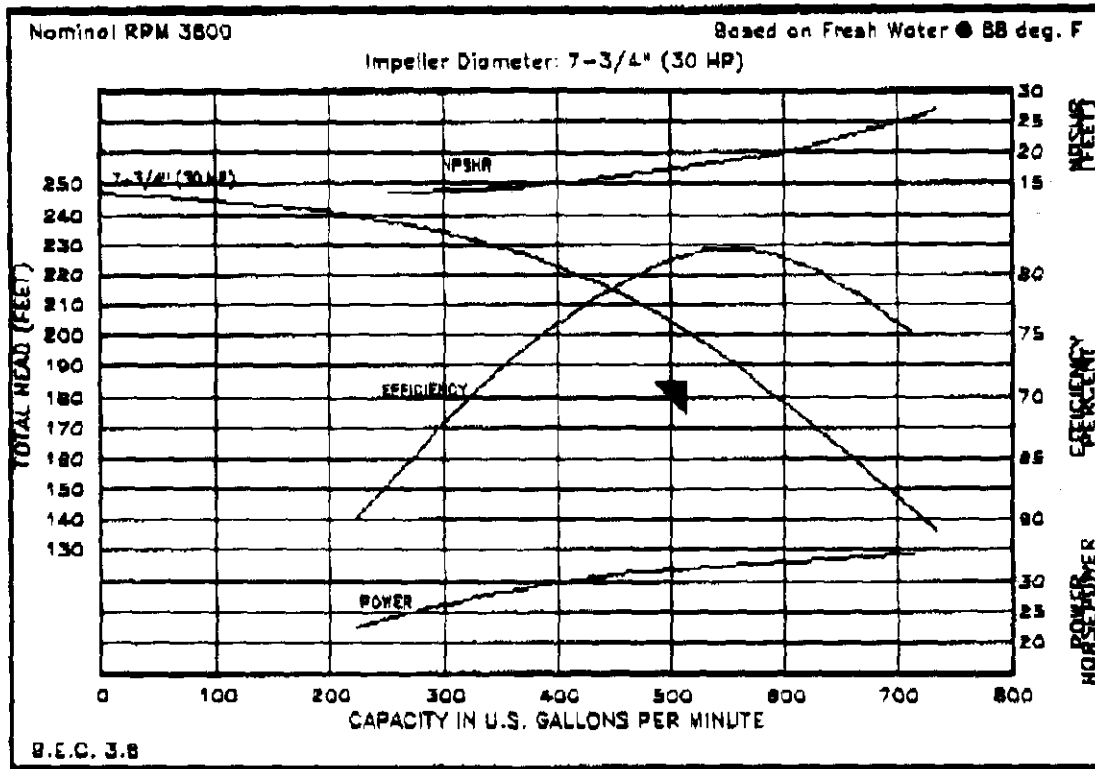
Golden Eagle 37-08854

Irrigation booster pumps from Pond 4



MOTOR DRIVE

B3ZPL



SELECTION CONDITIONS

Flow:	515.0 GPM	Priming Type:	Standard
Total Dynamic Head:	185.0 feet	Motor Loading:	Standard

PUMP DESCRIPTION

Pump Model:	B3ZPL	Priming Type:	Standard
Impeller Diameter:	7.750 in.	Impeller Material:	Iron
Suction:	4"NPT	Discharge:	3"NPT
Shaft Seal:	Packing		

PUMP PERFORMANCE

Flow:	515.0 GPM	Power:	32.0 BHP
Total Dynamic Head:	200.7 feet	Efficiency:	81.6 %
Nominal Speed:	3600 RPM	NPSHR:	17.7 feet
Shut-Off Head:	246.8 feet	Max Power:	34.3 BHP
Best Eff:	82.2 @ 515.8 GPM		

MOTOR

Size:	30 HP	Enclosure:	ODP
Voltage: Consult Catalog/Factory		Hz/Phase:	60/3

PRICE/ORDER INFORMATION

Catalog No.:	B53818
Weight:	475 lbs.

QUOTED BY:

SILVER CREEK IRRIGATION
ROB ALDINGER

QUOTED TO:

★ GOLDEN EAGLE POTTABLE STATION

Golden Eagle 37-088541
Domestic booster pumps

MICROFILMED
JAN 04 1999

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 37-08854 Reviewed by [Signature] Date 6-12-98

GENERAL CONSIDERATIONS

yes Name same as permit?

yes Address same as permit?

yes Proof timely received?

If not, complete calculation below.

TYPES OF USE

dom., irr.

Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

no Copy in the file? Drilling Permit No. 37-96-S-0039

200- Amount paid for permit yes Correct? 37-96-S-0040

yes Well log in the file?

LICENSE EXAMINATION FEE

no Required? Exam Submitted

/ Amount Submitted

/ Correct?

MEASURING DEVICE

no Required?

/ Installed?

/ Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X Proof Made 5-1-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

June 12, 1998

KARL J. DREHER
DIRECTOR

Rinker Company
PO Box 7250
Newport Beach CA 92658-7250

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08854

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and field examination submitted for the above referenced permit. The next step in the process of developing a water right is for the department to review the field examination for licensing.

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

If you have questions concerning the review of the field examination, please contact Cindy Zimmerman at (208)327-7944.

Sincerely,

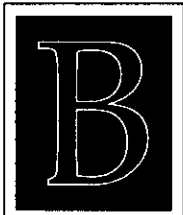
JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

JAN 04 1999



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAY 07 1998

Department of Water Resources

May 1, 1998

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

Re: Permit 37-08854 beneficial use report
Golden Eagle Ranch subdivision – domestic permit

Dear Allen:

Enclosed is a proof of beneficial use and beneficial use field report for the above-referenced permit. Included documents are as follows:

Proof of Beneficial Use form
Beneficial Use Field Report form
Field report narrative including system diagram
Photos of wells, measurement device, and subdivision
Limited Power of Attorney – Rinker to Charles E. Brockway
Correspondence from IDHW-DEQ regarding domestic wells
Curves for domestic and irrigation well pumps
Curves for domestic and irrigation booster pumps

Please call if you have any questions.

Sincerely,

Charles E. Brockway, P.E.

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

CHARLES G.
BROCKWAY,
PH.D.

enclosure

cc: Harry Rinker

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

RECEIVED

MAY 01 1998

MICROFILMED

JAN 04 1999

Department of Water Resource
Southern Region

February 28, 1998

RINKER CO
PO BOX 7250
NEWPORT BEACH CA 926587250

PROOF DUE NOTICE

RE: PERMIT NO. 37-08854

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 May 1, 1998.

(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.

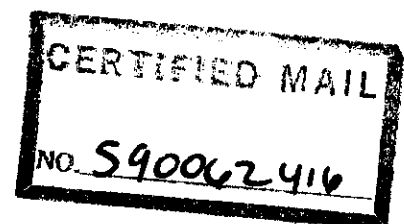
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
JAN 04 1999



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 37-08854 Reviewed by Jy Date 5-23-97

BASIC INFORMATION

4-21-97 Date stamp received
Yes Extension received timely
Yes Fee received and receipted
Yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

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

ACTION TAKEN *Recommend extend to May 1, 1998, on basis of due diligence. Permit lapsed in error. Reinstate w/no advance in priority.*

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X
Change Proof Due Date 5-1-98
Change Priority Date X



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 23, 1997

Rinker Company
P.O. Box 7250
Newport Beach, CA 92658-7250

RE: Permit No. 37-08854

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to **May 1, 1998**. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department **will not** be able to grant additional requests based on due diligence.

Please note that since the department lapsed the permit in error, it has been reinstated with no advance in priority.

Please be advised that Section 42-248, Idaho Code, which became affective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

Please contact me at (208)327-7953, if you have any questions regarding this matter.

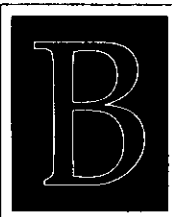
Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

RECEIVED
JUN 10 1997



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

APR 21 1997

Department of Water Resources
Southern Region

April 20, 1997

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

Subject Extension of Time Request-37-08854 Rinker Company

Dear Allen

Enclosed is an application for an extension of time to prove beneficial use on this permit. The permit is for the domestic wells on the Golden Eagle Subdivision in Blaine County. The wells were drilled in July 1996 and the distribution system to all 44 lots was completed in October 1996. All lots are stubbed in and submersible pumps installed in both wells.

As you may recall, this subdivision has separate domestic and irrigation distribution systems; both of which are installed and operable. There has been a delay in construction of the chlorinating chamber and booster pump piping system due to pipe acquisition. This delay will necessitate an extension in time for proof of beneficial use.

To date, it is estimated that expenditures for development of the water supply and distribution systems have exceeded \$300,000.

I am therefore requesting an extension of time for proof of beneficial use for one year to May 31, 1998.

If you have additional questions regarding the procedures or progress on development please call at 208 734 2580 or Nick Purdy at Silver Creek Irrigation, 2089 788 3539.

Sincerely,

C E Brockway
C. E. Brockway, PE

enclosure Form 204 Request for Extension of Time
Power of Attorney-Charles E. Brockway
Check for filing fee

cc: N. Purdy
H. Rinker
G. Slette

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., E.I.T.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208•733•0938
208•734•2580

FAX: 736•1746

MAIL ROOM

JUN 16 1997

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

May 12, 1997

RINKER CO
PO BOX 7250
NEWPORT BEACH CA 926587250

LAPSE NOTICE

RE: PERMIT NO. 37-08854

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated February 28, 1997. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 5/12/97
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

RECEIVED
JUN 18 1997

[Signature]

February 28, 1997

RINKER CO
PO BOX 7250
NEWPORT BEACH CA 926587250

PROOF DUE NOTICE

RE: PERMIT NO. 37-08854

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 May 1, 1997.

(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.

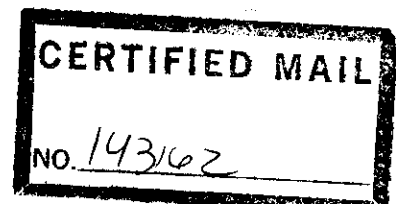
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

Office Use Only

Inspected by _____

Twp _____ Rge _____ Sec _____

1/4 _____ 1/4 _____ 1/4 _____

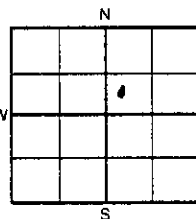
Lat: _____ Long: _____

1. DRILLING PERMIT NO. 37-96-S-0040-000
Other IDWR No. 37-08854

2. OWNER:

Name Rinker Company
Address P.O. Box 7250
City Newport Beach State CA Zip 92658-7250

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.Twp. 3 North ☒ or South ☐
Rge. 18 East ☒ or West ☐
Sec. 18 1/4 NE 1/4 SE 1/4
Gov't Lot _____ County STAN 10 acres 40 acres 160 acres
Lat: _____ Long: _____

Address of Well Site _____

(Give at least name of road + Distance to Road or Landmark)

City Hailey
Lt. RANCH Blk. _____ Sub. Name Golden Eagle

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT		METHOD
Material	From	To	Sacks or Pounds		
<u>Bentonite</u>	<u>0</u>	<u>50</u>	<u>2750</u>	<u>lb</u>	

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>14</u>	<u>1</u>	<u>50</u>	<u>25</u>	<u>Steel</u>	☒	☐	☒	☐
<u>10</u>	<u>2</u>	<u>101</u>	<u>38</u>	<u>Steel</u>	☒	☐	☒	☐
					☐	☐	☐	☐

Length of Headpipe 2' Length of Tailpipe 101

9. PERFORATIONS/SCREENS

☒ Perforations Method _____
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
<u>6.5</u>	<u>9.5</u>	<u>1"</u>	<u>1800</u>	<u>1/4"</u>	<u>Steel</u>	☒	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

11 ft. below ground Artesian pressure _____ lb.Depth flow encountered _____ ft. Describe access port or control devices: Well Cap

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. -85° Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encountered _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water	Y	N
<u>14</u>	<u>0</u>	<u>4</u>	<u>Top Soil</u>			
<u>14</u>	<u>4</u>	<u>11</u>	<u>Gravel</u>			
<u>14</u>	<u>11</u>	<u>21</u>	<u>Boulders + Gravel</u>		☒	
<u>14</u>	<u>21</u>	<u>40</u>	<u>Sand + Gravel</u>		☒	
<u>14</u>	<u>40</u>	<u>56</u>	<u>Heavy Sand + Gravel</u>			
<u>10</u>	<u>56</u>	<u>76</u>	<u>Cemented Gravel</u>			
<u>10</u>	<u>76</u>	<u>83</u>	<u>Large Gravel + Sand</u>		☒	
<u>10</u>	<u>83</u>	<u>101</u>	<u>Boulders + Gravel</u>		☒	
<u>8</u>	<u>101</u>	<u>103</u>	<u>Boulders</u>		☒	

RECEIVED

JUL 17 1996

Department of Water Resources
Southern RegionNOTE: 14" casing
retrieved

RECEIVED

AUG 14 1996

Department of Water Resources

Completed Depth 103 (Measurable)Date: Started 6-3-96 Completed 6-10-96

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Eaton Drilling Firm No. 26Firm Official Lang Hulse Date 6-11-96and _____
Supervisor or Operator Lang Hulse Date 6-10-96

(Sign once - Firm Official & Operator)

Use Typewriter or Ballpoint Pen

Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: : : Long: : :

2. OWNER:

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

Lt. Ranches Blk. _____ Sub. Name Golden Eagle

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☒ Other Casing
Ham

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	50	6650 ^{lbs}	

Was drive shoe used? ~~Y~~ ☐ N Shoe Depth(s) _____
Was drive shoe seal tested? ~~Y~~ ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
14	C	50	.25	Steel	☒	☐	☒	☐
10	B	102	.38	Steel	☒	☐	☒	☐
					☐	☐	☐	☐

Length of Headpipe 3' Length of Tailpipe 102

9. PERFORATIONS/SCREENS

☒ Perforations Method _____

☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
60	90	1"	1800	1/4"	Steel	☒	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

Depth flow encountered, 10 ft. below ground. Artesian pressure lb.
Describe access port or control devices:

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. -8.5° Bottom hole temp.

Water Quality test or comments: _____

Depth first Water Encountered _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
14	0	10	Top Soil		
14	10	19	Hard boulders + Gravel		
14	19	31	Gravel + Sand		
10	31	81	Gravel + Sand		X
10	81	105	Boulders + Gravel + Some Br Clay		X
RECEIVED					
AUG 14 1996					
Department of Water Resources					
RECEIVED					
JUL 17 1996					
Department of Water Resources Southern Region					
with 14" casing retrieved					

Completed Depth 105 (Measurable)

Date: Started 5-22-96 Completed 6-2-96

13. DRILLER'S CERTIFICATION

[We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Eaton Drilling Firm No. 26

Firm Official John H. H. H. Date 6-11-96

Supervisor or Operator David Lusk Date 6-10-96

Sign Your Firm Officially & Digitally



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 2, 1996

RINKER CO
PO BOX 7250
NEWPORT BEACH CA 92658-7250

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08854

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl
Enclosures

RECEIVED

MAY 07 1996

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

\$5/1/96

No.: 37-8854 Name: Rinker Co Date: 4/15/96 Ad OK? ☒
Correct Fee? ☒ Receipt #: 5018863 Priority: 2/20/96 ☒ Gvmt Lts: ☒

AREA OF CONCERN? 42-227#(1)(2) empt - No/Yes ESRP Mor Wood Big GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

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

Water District (~~dom~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J(meas dev)-P08
=/- 0.2 cfs - 01H(lock dev)-P01 or No MD
In-WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-↑ Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R ↑ Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - 7 <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner**OTHER CONDITIONS:****STANDARD REMARKS:**

① PU = L1-44, Golden Eagle Ranch Subd. ② WBS/44
③ Woy ④ Woy ⑤ ~~Woy~~ + Skelly's remarks

BENEFICIAL USE DUE:**COMMENTS:**

5-1-1997
Corp of



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

April 30, 1996

Mr. Allen Merritt
Idaho Dept. of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301

Subject Expedited Well Drilling Permit-Golden Eagle Ranch

Dear Allen

Enclosed is an application for an Expedited Well Drilling Permit prior to issuance of the water permit for the two proposed wells for the domestic water system on the Golden Eagle Ranch in Blaine County. I understand the application for the water permit for these wells is in the last stages of processing and will be issued pending determination of specific conditions for the permit.

The reason for this request for an expedited drilling permit is to assure that the wells will be completed prior to the commencement of road and earthwork on the project and the fact that the driller, Eaton Drilling, has indicated that he is ready to proceed but may have to go on another job if this one is delayed. The necessary information including well design and siting has been furnished to and discussed with the Division of Environmental Quality and they are processing the approval for the wells.

I understand that there may be reluctance on the part of the Department to grant this expedited permit since this project has received considerable interest in Blaine County; however, I see no difference in circumstances between this request and others which have been granted in the past. Unless the Department intends not to grant the water permit, which I understand is not the case, it would seem reasonable to allow the expedited drilling permit for the few days more which it will require to issue the water permit.

Please respond as soon as possible if there are specific reasons why this request cannot be approved so that we can plan accordingly.

Sincerely,

C. E. Brockway, PE

cc: N. Purdy
H. Rinker
G. Slette

Post-It® Fax Note	7671	Date	# of pages 9
To	Shelley Keen	From	Allen Merritt
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., E.I.T.

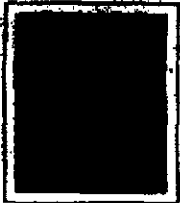
706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208•733•0938
208•734•2580

FAX 736•1746

RECEIVED
MAY 07 1996



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

April 30, 1996

Mr. Greg Misbach
IDHW, Division of Environmental Quality
601 Pole Line Road
Twin Falls, ID 83301

Re: Domestic wells - Harry Rinker, Golden Eagle Ranch

Dear Greg:

Thank you for the productive meeting last Monday regarding the two domestic wells for the Golden Eagle subdivision. Enclosed are bid specs, a schematic of the proposed well construction, pertinent driller's logs, and a subdivision plan. I met with Dave Anderson at the project site yesterday. I understand from Mr. Anderson's letter of April 29, 1996 that the locations of the wells have been approved, subject to proper setbacks from the septic systems, property lines, and lakes. These setbacks will be maintained.

By this letter, I am requesting that you review the information provided, and give formal approval of the wells alone. As we discussed in our meeting last Monday, Brockway Engineering has designed the wells but not the water distribution system. In your approval, please indicate what types of monitoring will be required, particularly relative to the GWUDI criteria. The wells are at least 500 feet from the mean high water line of the Big Wood River, but I understand that the proximity to the artificial lakes may necessitate monitoring. The wells are 50 feet from the lake edge. The lakes will be lined with a 30 mil PVC liner.

If you need any additional information to approve these wells, please do not hesitate to call me.

Sincerely,


Charles G. Brockway

enclosures

cc: Gary Funderberg, IDWR
Nick Purdy

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

CHARLES G.
BROCKWAY,
PH.D., E.I.T.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208•733•0938
208•734•2580

FAX: 736•1746

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MAY 07 1996

Prospectus for the Golden Eagle Ranch domestic wells

Prepared for

Idaho Department of Water Resources

By

Brockway Engineering
April 30, 1996

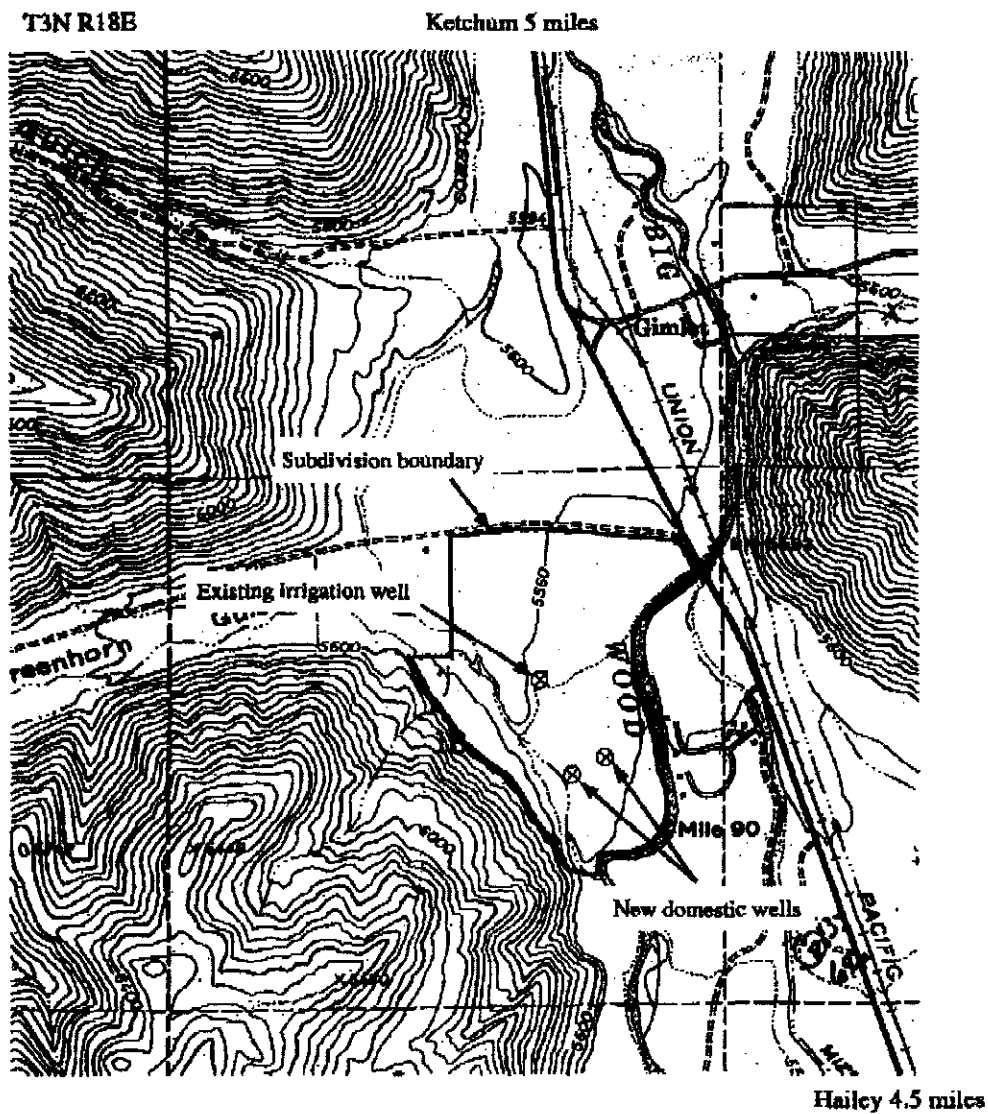
The proposed Golden Eagle Ranch subdivision is located in Blaine County Idaho in Sec. 18, T3N, R18E. It is proposed to drill two domestic wells to serve a common potable water system for 44 lots and a caretaker's residence.

Well logs in the vicinity indicate an aquifer comprised mostly of gravel and sand, with some possible clay or gravel and clay layers. The existing irrigation well was drilled in 1955, and should be indicative of the aquifer composition at the new well sites.

The wells will be 10 inches in diameter. Sealing of the wells will be accomplished with bentonite with no polymer content. A temporary well casing of 14 inches diameter will be installed to a depth of 20 feet. After the permanent 10 inch casing is installed, the annulus between the temporary and permanent casing will be filled with bentonite. The temporary casing will then be removed.

The wells are situated within 50 feet of a pond used for aesthetics, recreation, and irrigation storage. The pond will be lined with a 30 mil PVC liner to eliminate all seepage from the pond.

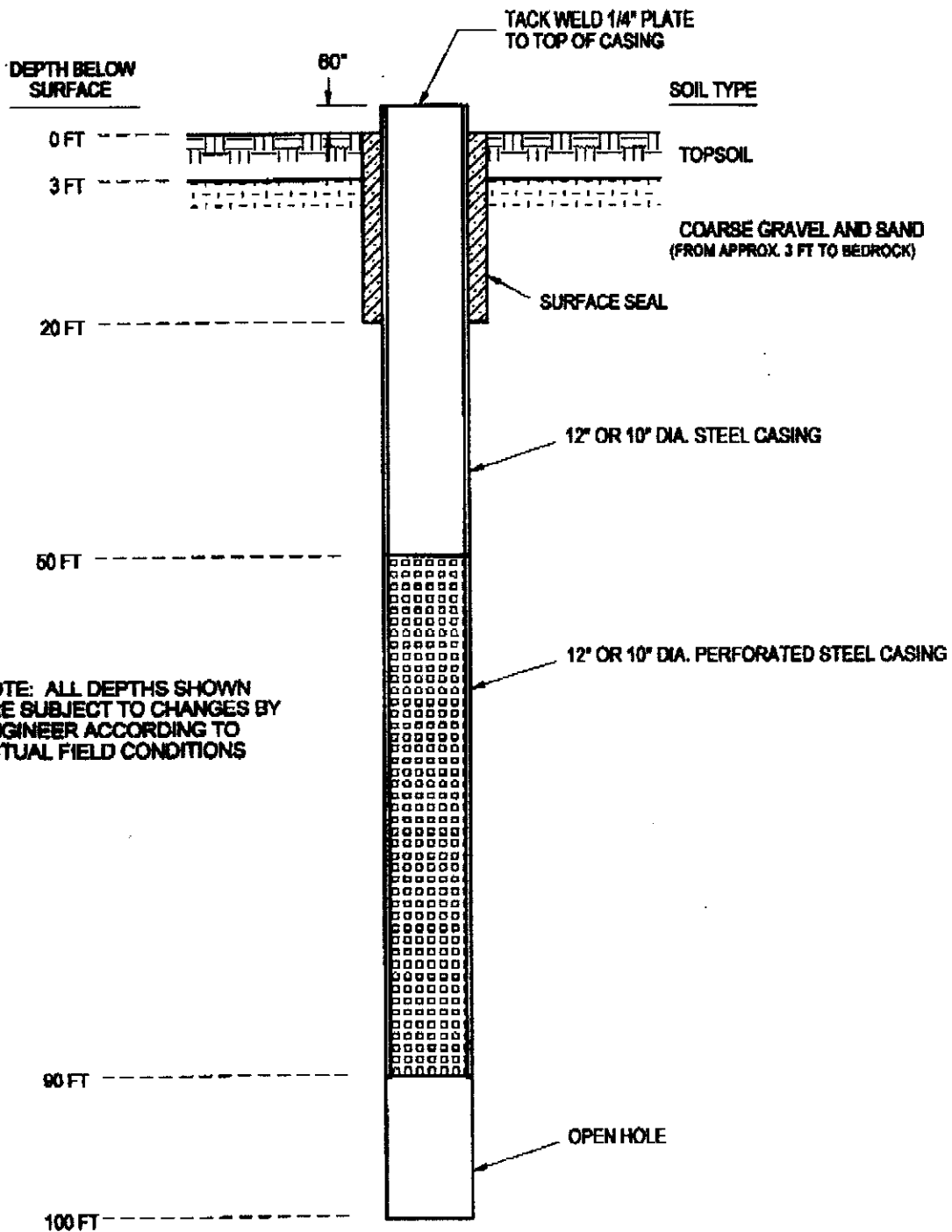
RECEIVED
MAY 07 1996



**1996 GOLDEN EAGLE RANCH SUBDIVISION
DOMESTIC WATER WELL CONSTRUCTION
VICINITY MAP**

Brockway Engineering, P.L.L.C.
3-8-96

MAY 07 1996



**PROPOSED WELL SCHEMATIC
DOMESTIC WELLS**

1996 GOLDEN EAGLE RANCH SUBDIVISION, BLAINE COUNTY, IDAHO

Brockway Engineering, P.L.L.C.
1-17-96

MAY 07 1996

TO: STATE OFFICE

MAY-01-'96 WED 09:45

IDWR SOUTHERN

TEL NO:1-202

3-3037

#506 P06

Drilling permit No. _____

Water right No. 37-09854

Well #1

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Rinker Co., Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

Driller will not be available if a delay occurs. Drilling must be completed prior to road and earthwork commencing.

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date 5/1/96Signature Chris E. BurkhayApplicant for Harry S. Rinker
Power of Attorney

MAY 07 1996

TO: STATE OFFICE

MAY-01-'96 WED 09:45

IDWR SOUTHERN

TEL NO: 1-202 3-3037

H506 P07

Drilling permit No. _____

Water right No. 37-07854

Well #2

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Pinker Co., Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

Driller will not be available if a delay occurs. Drilling must be completed prior to road and earthwork commencing.

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date 5/1/96

Signature

Chas E. Bradley

Applicant

for Henry S. Pinker
Power of attorney

MAY 07 1996

Form 235-1 (2/94)

Drilling Permit No. _____

Water Right Permit No. _____

Injection Permit No. _____

WELL DRILLER: PLEASE COMPLETE FOR VERBALS

IDWR Employee Issuing Verbal: _____

Verbal Issued Date: _____ Time: _____

State of Idaho
Department of Water Resources**APPLICATION FOR DRILLING PERMIT**
(FOR THE CONSTRUCTION OF A WELL)

1. Applicant (please print): Ricker Company
2. Mailing Address: P.O. Box 7250
- City & State Meridian, ID Zip Code 83459-7250 Telephone 714-972-8300
- ☒ Well Owner ☐ Well Operator ☐ Contractor or Other, specify _____
3. Proposed Well Location: Twp. 3N, Rge. 18E, Sec. 18, NE 1/4 SE 1/4
- Gov't Lot No. _____ County Blaine
- Street Address of Well Site Greenhorn Road City _____
Give at least name of road + Distance to Road or Landmark
- Lot, block and subdivision _____
4. Proposed Use of Well:
- ☐ DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.
- Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.
- NON-DOMESTIC: ☐ Irrigation ☒ Municipal ☐ Industrial
☐ Stock ☐ Test ☐ Other _____
(Over 1,000 Head) (Describe)
- ☐ INJECTION
- ☐ MONITORING: A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____
5. Well Construction Information:
- A. ☒ New well ☐ Modify ☐ Replace
- B. Proposed Casing Diameter 10 Proposed Maximum Depth 110 ft
- C. Anticipated bottom hole temperature:
☒ 85°F or less (Cold Water Well) ☐ 85°F to 212°F (Low Temp. Geo. Well) ☐ 212°F or more (Geothermal Well)
6. Construction Start Date: May 4, 1996
7. Anticipated Well Driller: Eaton Driller's Lic. No. _____
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's Signature Chris E. Brochman MAY 04 1996
Title Owner of a Home - Ricker Co
(Owner, Firm Representative, Other)

Form 235-1 (2/94)

Drilling Permit No. _____

Water Right Permit No. _____

Injection Permit No. _____

WELL DRILLER: PLEASE COMPLETE FOR VERBALS

IDWR Employee Issuing Verbal: _____

Verbal Issued Date: _____ Time: _____

State of Idaho
Department of Water Resources**APPLICATION FOR DRILLING PERMIT**
(FOR THE CONSTRUCTION OF A WELL)

Well #1

1. Applicant (please print): Rinker Company
2. Mailing Address: P.O. Box 7250
City & State Newport Beach CA Zip Code 92658-7250 Telephone 714-972-8300
- ☒ Well Owner ☐ Well Operator ☐ Contractor or Other, specify _____
3. Proposed Well Location: Twp. 3N, Rge. 18E, Sec. 18, SW 1/4 NE 1/4
Gov't Lot No. _____ County Blaine
Street Address of Well Site Greenhorn Road City _____
Give at least name of road + Distance to Road or Landmark
Lot, block and subdivision _____
4. Proposed Use of Well:
- ☐ DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) or for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume 2500 gpd.
- Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.
- NON-DOMESTIC: ☐ Irrigation ☒ Municipal ☐ Industrial
☐ Stock ☐ Test ☐ Other _____
(Over 1,000 Head) (Describe)
- ☐ INJECTION
- ☐ MONITORING: A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____
5. Well Construction Information:
- A. ☒ New well ☐ Modify ☐ Replace
- B. Proposed Casing Diameter 10" Proposed Maximum Depth 110 feet
- C. Anticipated bottom hole temperature:
☒ 85°F or less (Cold Water Well) ☐ 85°F to 212°F (Low Temp. Geo. Well) ☐ 212°F or more (Geothermal Well)
6. Construction Start Date: May 4, 1996
7. Anticipated Well Driller: Eaton Driller's Lic. No. _____
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's Signature Chris E. Erickson Date 5/1/96
Title Owner of attorney - Rinker Co.
(Owner, Firm Representative, Other)

From: DWR03::DWR60::AMERRITT
To: DWR03::NYOUNG,DWR03::GSAXTON
CC: AMERRITT
Subj: FYI

4-APR-1996 21:03

Draft letter I intend to send this Friday
per conversation with Norm

April 5, 1996

Christopher Singleton
PO Box 2803
Sun Valley, ID 83353-2803

RE: Application for Permit No. 37-08854 in the name of Rinker Co.

Dear Mr. Singleton:

Our office received your protest of the "Rinker" application for permit yesterday and as you were advised in our phone conversation last Tuesday, April 2, it is considered late. Since the protest period ended March 25th, 1996, I must reject your protest and return your fee submitted pursuant to I42-203A, IDAHO CODE and IDAPA 37.03.08040.03.a.ii. Please find enclosed your check #1285. (Please find enclosed a copy of the "Water Appropriation Rules" IDAPA 37.03.08 and copy of I42-203A, IDAHO CODE, for your reference.) Please note that no timely protest of the "Rinker" application was received by our office so there is not opportunity to intervene into a "contested case". The department does not consider application 37-08854 a "contested case" as defined in the "Rules of Procedure" IDAPA 37.01.01. (A copy of the "Rules of Procedure" were provided to you with the copies sent you April 3rd.)

Please note that regardless of whether the application was protested or not, I42-203A, IDAHO CODE, and IDAPA 37.03.08045 sets forth the criteria which the department must consider for approving or denying applications for permit. The information and petition you have provided has been sent along with the application file for final consideration by the director as part of the review criteria.

Yesterday the applicant's attorney, Gary Slette, was informed of the information you have submitted and has voiced concern that the information provided may be prejudicial. Since I did not keep a complete copy of all your information I have requested our state office return a complete copy. In fairness the applicant should have an opportunity to review what you submitted and offer a rebuttal to any information he feels is prejudicial. Once I receive copies I will provide them to Mr. Slette.

MAY 07 1996

If you have further comment for the department's consideration, please submit same within 10 days of the date of this letter. Please limit comment to the issues or criteria referenced above and provide copies to Gary Slette, PO Box 1906, Twin Falls, ID 83303-1906. This procedure is provided to secure a just and expedient decision by the department. By copy of this letter Mr. Slette is

being informed of the foregoing.

If you have questions please contact our office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

CC: IDWR - Norm Young, Glen Saxton
Gary Slette, PO Box 1906, Twin Falls, ID, 83303-1906

INTER-DEPARTMENT MEMO

TO: Shelly Keen
FROM: Allen Mervitt

SUBJECT: Applic. 37-08854
DATE: 4/19/96

Here is the recent response to my 4/5/96 letter to Mr. Singleton. Please include same in file & consider in review. At this point I do not know if Sktte will respond.

Thanks!!

RECEIVED

APR 22 1996

Department of Water Resources

MAY 07 1996

- () For your information
() Response required


signature

- April 19, 1996

Allen Merritt, PE
Southern Region Manager
I DWR Fax 208-736-3037

RECEIVED

APR 19 1996

Department of Water Resources
Southern Region

Re: Permit # 37-08854 Rinker Co.

Dear Sir,

Per your letter of 4-5, 96, I would like you to consider the following circumstances which may ultimately decide the number of lots which will be created at the Golden Eagle Ranch site.

- 1.) Letter from B.C. Young dated 4-15, 96, which may effect the ultimate number of lots created.
- 2.) Please read the Woodriver Journal article dated 4-17, 96. Specifically note Tom Bowman's ordinance requirements regarding a potential 19 acre park.

MAY 07 1996

We feel issuance of a 44 home well permit due to these and other concerns

yet to be resolved regarding the ultimate lots allowed on this property is premature. If you issue the permit for 44 homes and the developer does not get that many lots from P&Z then would the Pinker Co. be able to use these permits on other properties or even sell any extra water permit rites?

If you must issue a permit at this time maybe you could include a clause that states that the permit is only good for this particular property and shall be for only the number of units ultimately approved by the Blaine Co. Planning and Zoning Dept.

Very Truly Yours,

Residents of the Big Wood River Valley (561)

Chris Singleton

CC IDWR - Norm Young
Gary Slette

MAY 07 1996

Wood River Valley NEWS Wednesday, April 17, 1996

Golden Eagle Ranch issue still undecided

By KRISTAN KENNEDY
Wood River Journal

The issue of how much park space should be built by developers of the controversial Golden Eagle Ranch, slated for construction on the southern portion of Greenhorn Gulch, is still undecided following another session with county officials last week.

Last Thursday, April 12, the Blaine County planning and zoning commission talked at length with developers regarding the issue of recreational space within the proposed 44-home, 190-acre subdivision. At that meeting, commissioners decided that a \$55,000 offer to build a park in the Heatherlands was not adequate to meet the ordinance requirements for county subdivisions.

"A subdivision this large ought to have a playground area that would attract the children," said Blaine County planning and zoning commissioner Tom Bowman. He added that the offer to build a park across the highway from Golden Eagle Ranch at the Heatherlands was not adequate and could create problems if parents had to drive their kids to a park or if kids had to ride their bikes to play across a congested highway.

Developers argued that the plan adequately meets the requirements under chapter 12 of the ordinance.

That chapter states: "A developer of a large scale subdivision may be required to reserve up to ten percent of the total acreage for playgrounds and recreation space." Planners have decided that developers must meet a 19 acre request for recreation request.

Initial plans by developers were criticized by Blaine County Recreation director Mary Austin Crofts in a letter entered into the public file. After a heated public meeting on April 9, developers met with Crofts and offered to donate \$55,000 towards a park in the neighboring Heatherlands subdivision. If those plans fell through, they offered to kick in the money to the rec-district or another project in the community.

What's in question for the proposed 190-acre subdivision is a precedent regarding trading recreation requirements for money, said commission member Cindy Mann.

"If we are going to allow an off-site cash donation, have we decided what kind of cash value is enough?" asked Mann.

Consultant to developer Harry Rinker told the commission the offer "meets or exceeds all the needs in the comprehensive plan

'Initial plans by developers were criticized by Blaine County Recreation director Mary Austin Crofts in a letter entered into the public file.'

and the ordinance."

Another pitch was made by consultant Dick Fosbury that the cash plus the river frontage at the site should be figured into the requirement equation.

"We do have frontage on the river," said Fosbury. "That space is appropriate to include as public recreation area."

Developers want portions of Big Wood River frontage adjacent to private waterfront lots figured into the overall scheme of recreational space requirements.

Not good enough, decided commissioners. The board tabled the discussion regarding the park space until its next meeting on Thursday, April 25 at the Blaine County Courthouse beginning at 6:30 p.m.

Controversy started brewing surrounding the Golden Eagle plan last month when an adjacent homeowner started a petition drive protesting the scope of the development.

Opposition orchestrator Chris Singleton gathered over 560 signatures which he presented to the commission on April 9th during a public hearing that drew over 100 people for and against the proposal.

He called for stopping the proposal via a moratorium. All the public comment was taken at that meeting. No further public comment is being allowed.

Besides concerns that park space is inadequate, Singleton is arguing other issues that are slated for future discussion by the commission.

Those include the impact on what some say is already a dangerous stretch of Highway-75, water consumption on the property and impacts on wildlife.

Last week the commission decided that the wildlife concerns as outlined out by the Idaho Dept. of Fish and Game had been met.

Developers diffused earlier statements made by Idaho Fish and Game conservation officer Lee Frost who said the scale of development in question at the mouth of Greenhorn Gulch would reek havoc on the area's wildlife.

FOLLOW
ME TO

Startevants

is

**SLASH
BACK**

THANKS FOR AN AWESOME WINTER

For the first time in 12 years... She is closing for two weeks, Sunday, 21" through Friday, May 3rd for
ry, restocking and all around spring
(and not to mention the slowest time of

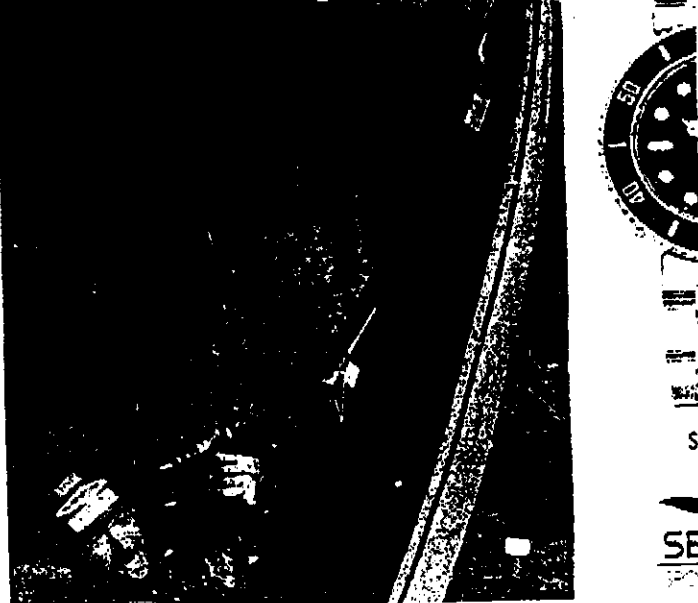
But before we close, stop in and check out all the new spring equipment and sports 'cuz it's time to... **hike, bike, shoe, rollerblade, hit the couch, sun, swim and more!**

Enjoy!

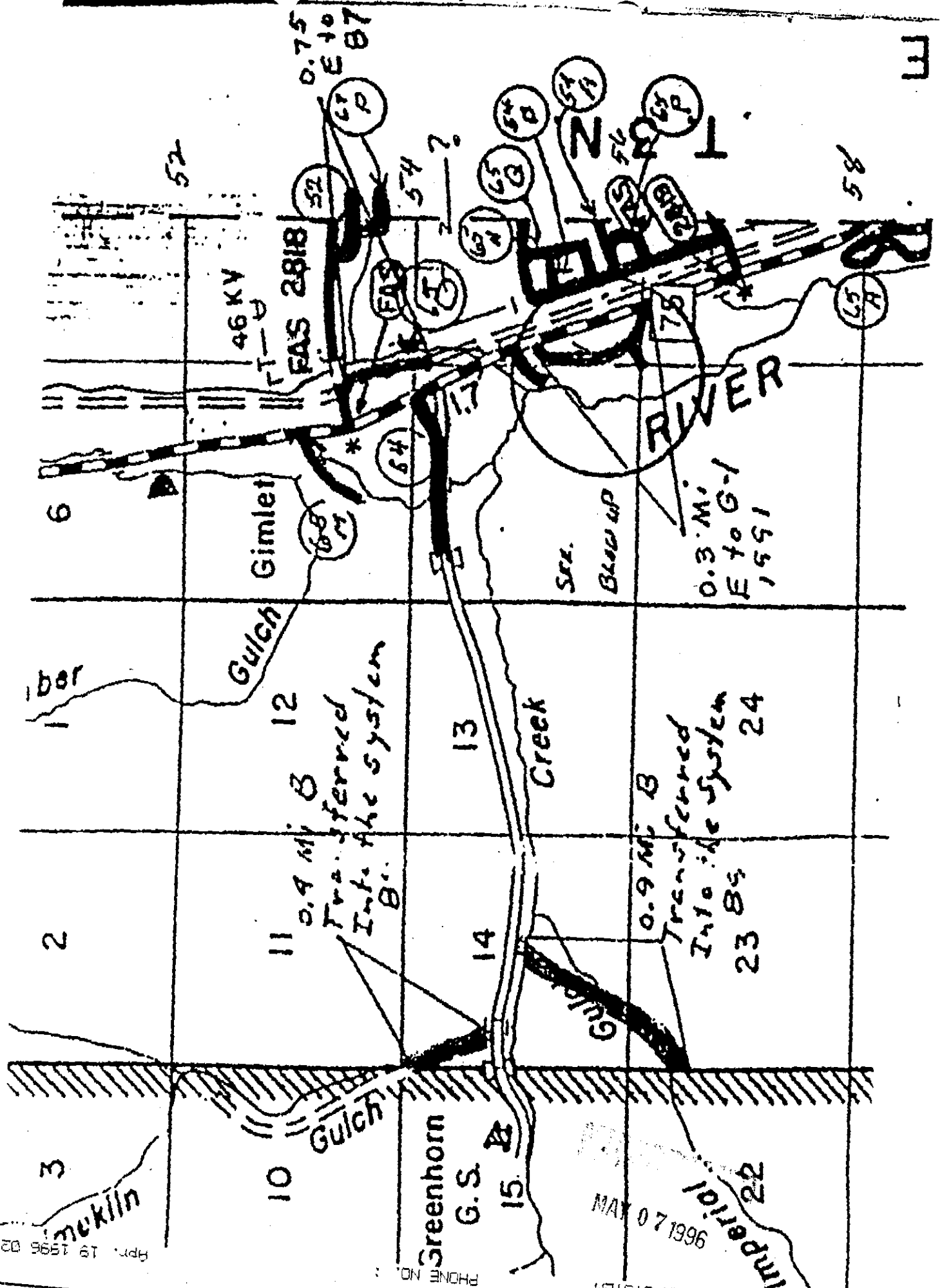
MAY 07 1996

Rob, Alex, Terry and staff

**Sean Baker:
Extreme Kayaker.**



Grade Drain Plan



Apr. 19 1996 02:08PM P1

PHONE NO. :

FROM : Panasonic FAX SYSTEM
MAY 07 1996
966120 AM
Imperial 22



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

April 19, 1996

Dee Rassmussen, President
Sublett Irrigation Co
HC 61 Box 1128
Malta, ID 83342

Dear Dee:

As we discussed in my office last Wednesday, 4/17/96, the idea that shareholders can move water around or change the place of use without first filing a transfer with the department is not correct. The Sublett Irrigation Company presently has water rights with an identified place of use and the water must be used on the lands identified under these rights. Please reference §42-219 (Issuance of license), §42-220 (Effect of License) and §42-108 and §42-222 (Transfer statutes).

As we discussed there is basis in law to allow certain entities such as large irrigation companies or districts which supply water to more than 25,000 acres or which are Carey Act developments to move water around internally without filing a transfer with the department. Please reference §42-219 and §42-2501 which discusses this matter. It does not appear that the Sublett Irrigation Company qualifies unless the company's rights are transferred into a permissible place of use.

Please find enclosed copies of the statutes referenced above. If you have further questions let me know.

Sincerely,

Allen Merritt, PE
Southern Region Manager

MAY 07 1996

File with AT (12/12)

MEMORANDUM

DATE: April 17, 1996

TO: File 37-08854

FROM: Shelley W. Keen *SWK*

RE: Phone call from Jim Speck

Jim Speck called this morning to request that we send him a photocopy of permit 37-08854 when/if it is issued.

James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

RECEIVED
MAY 07 1996

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADRIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-0034

DATE: 4-8-96
FAX TO: Norm Young FAX NO. 327-7866
FROM: Gary Slette
RE: Application No. 37-08854

NUMBER OF PAGES INCLUDING THIS ONE: 2

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL US BACK AS
SOON AS POSSIBLE AT (208) 734-0700.

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PRIVILEGED AND/OR CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE
INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS COVER PAGE IS NOT THE
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INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION
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CALL AT (208) 734-0700, AND RETURN THIS FACSIMILE TO US BY MAIL AT THE ABOVE ADDRESS.
WE APPRECIATE YOUR COOPERATION.

ADDITIONAL MESSAGE:

cc: Allen Merritt (via facsimile 736-3037)
Harry Rinker (via facsimile w/encs.)
Chuck Brockway (via facsimile w/encs.)

MAY 07 1996

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P.O. BOX 2139
BOISE, IDAHO 83708-2139
TELEPHONE (208) 386-0700
FAX (208) 344-0224

April 8, 1996

VIA FACSIMILE

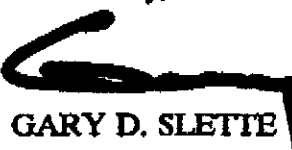
Mr. Norm Young
Idaho Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720

Re: Application for Permit No. 37-08854

Dear Norm:

I just received a copy of Allen Merritt's April 5 letter to Christopher Singleton regarding the above-numbered permit. In my original correspondence to you concerning this permit, I voiced my objection to the submission of any extraneous documents that were not submitted to the IDWR in a manner consistent with the Idaho Administrative Rules and the Idaho Code. I now find that Mr. Singleton has been afforded fourteen (14) additional days in which to offer "further comment for the department's consideration." If Mr. Rinker is to receive a "just and expedient decision by the department," then this idea of allowing someone to make further comments to those comments which were originally procedurally deficient must cease. The application has been transferred to the state office for action consistent with the Administrative Rules, and I object to any additional time period for the allowance of "further comment" regarding this application. I respectfully reiterate that the Administrative Rules were adopted to provide uniformity and clarity on the subject. Just as those rules have been applied to my clients and me in the past, I would expect them to be even-handedly applied to everyone. I would appreciate hearing from you at your earliest convenience concerning this matter.

Yours truly,


GARY D. SLETTE

GDS:jc

cc: Allen Merritt (via facsimile w/encs.)
Harry Rinker (via facsimile w/encs.)
Chuck Brockway (via facsimile w/encs.)

04089402.gds

*Responded by telephone
4/8/96 in accordance
with previous letter
response.*
MAY 07 1996

** TOTAL PAGE.002 **

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
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ROSHOLT, ROBERTSON & TUCKER
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Vault
File
Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

April 8, 1996

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APR 09 1996

Department of Water Resources

VIA FACSIMILE

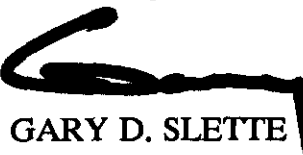
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Statehouse Mail
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Yours truly,


GARY D. SLETTE

MAY 02 1996

GDS:jc

cc: Allen Merritt (via facsimile w/o encs.)
Harry Rinker (via facsimile w/encs.)
Chuck Brockway (via facsimile w/encs.)

04089602.gds

From: DWR60::AMERRITT 4-APR-1996 21:05:09.81
To: DWR03::NYOUNG,DWR03::GSAXTON
CC: AMERRITT
Subj: FYI

Draft letter I intend to send this Friday
per conversation with Norm

April 5, 1996

Christopher Singleton
PO Box 2803
Sun Valley, ID 83353-2803

RE: Application for Permit No. 37-08854 in the name of Rinker Co.

Dear Mr. Singleton:

Our office received your protest of the "Rinker" application for permit yesterday and as you were advised in our phone conversation last Tuesday, April 2, it is considered late. Since the protest period ended March 25th, 1996, I must reject your protest and return your fee submitted pursuant to 242-203A, IDAHO CODE and IDAPA 37.03.08040.03.a.ii. Please find enclosed your check #1285. (Please find enclosed a copy of the "Water Appropriation Rules" IDAPA 37.03.08 and copy of 242-203A, IDAHO CODE, for your reference.) Please note that no timely protest of the "Rinker" application was received by our office so there is not opportunity to intervene into a "contested case". The department does not consider application 37-08854 a "contested case" as defined in the "Rules of Procedure" IDAPA 37.01.01. (A copy of the "Rules of Procedure" were provided to you with the copies sent you April 3rd.)

Please note that regardless of whether the application was protested or not, 242-203A, IDAHO CODE, and IDAPA 37.03.08045 sets forth the criteria which the department must consider for approving or denying applications for permit. The information and petition you have provided has been sent along with the application file for final consideration by the director as part of the review criteria.

Yesterday the applicant's attorney, Gary Slette, was informed of the information you have submitted and has voiced concern that the information provided may be prejudicial. Since I did not keep a complete copy of all your information, I have requested our state office return a complete copy. In fairness the applicant should have an opportunity to review what you submitted and offer a rebuttal to any information he feels is prejudicial. Once I receive copies I will provide them to Mr. Slette.

If you have further comment for the department's consideration, please submit same within 10 days of the date of this letter. Please limit comment to the issues or criteria referenced above and provide copies to Gary Slette, PO Box 1906, Twin Falls, ID 83303-1906. This procedure is provided to secure a just and expedient decision by the department. By copy of this letter Mr. Slette is

being informed of the foregoing.

If you have questions please contact our office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

CC: IDWR - Norm Young, Glen Saxton
Gary Slette, PO Box 1906, Twin Falls, ID, 83303-1906

MAY 07 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 5, 1996

Gary Slette
Rosholt, Robertson & Tucker
PO Box 1906
Twin Falls, Idaho 83303-1906

Re: File No. 37-08854 (Rinker)

Dear Gary:

This is a response to your April 4, 1996 letter asking that a petition submitted by Mr. Chris Singleton not be included in the file for application for permit No. 37-08854. It is my understanding this petition was filed as a protest against approval of the application, but it was received after the final date for protest. Allen Merritt advises me he has rejected the protest and returned the protest fee to Mr. Singleton.

In accordance with the rules that you have cited, IDWR is not creating a contested case that will require a hearing for this matter. However, Section 42-203A, Idaho Code, does require the Director of IDWR to consider all the listed decision criteria whether protested or unprotested. IDWR routinely considers information from available sources as unprotested applications are considered. To the extent the petition provides information relevant to the director's decision on this application, the petition will be considered. You will be given an opportunity to review and comment on the information before a decision is made on the application.

In any case, it is necessary to retain a date-stamped copy of any correspondence to establish the timeliness of the documents. In this regard, retention of the petition works to the benefit of your client to establish that the filing was not timely.

Sincerely,

NORMAN C. YOUNG
Administrator
Water Management Division

MAY 07 1996

ROSHOLT, ROBERTSON & TUCKER

Chartered

ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
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BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

April 4, 1996

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APR 05 1996

VIA FACSIMILE

Department of Water Resources

Mr. Norm Young
Idaho Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720

Re: File No. 37-08854 (Rinker)

Dear Norm:

Chuck Brockway phoned me today regarding our mutual client, Mr. Harry Rinker. On Mr. Rinker's behalf, Chuck and I filed the above-numbered application in pursuit of his development of the Golden Eagle Ranch near the mouth of Greenhorn Gulch south of Ketchum. The protest period for the application passed without any protests being filed. However, we learned today that a petition opposing the development, in general, was submitted by Chris Singleton. At his request, the petition was included with Allen Merritt's review and recommendation concerning this water right which was sent to the state office. It is also my understanding that Mr. Singleton contacted Allen to pursue a late protest, and in furtherance of that protest, has sent a formal paper protest and his check for the fee. Since the rules as contained in IDAPA 37 (Idaho Administrative Bulletin--Idaho Department of Water Resources) have been frequently applied to my clients and me, I would expect that they would also apply to others.

With regard to the petition that was submitted, it in no way complies with IDAPA 37.03.08.03(a)(i) which requires protests to the approval an application to mandatorily conform to the requirements for pleadings as prescribed in the department's adopted Rules of Procedure. With regard to the late protest, that submittal obviously does not comply with IDAPA 37.03.08.03(a)(ii) which specifically states that protests against the approval of an application can be considered only if received by the IDWR prior to the expiration of the protest period. Both of these requirements set forth in the rules are mandatory, and I see no basis for the inclusion of either document in the official record concerning this application.

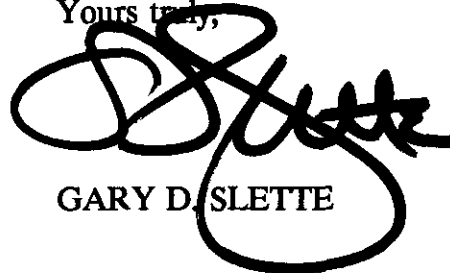
RECEIVED

MAY 07 1996

Mr. Norm Young
April 4, 1996
Page 2

While I certainly respect Allen and his abilities to manage the office in Twin Falls, I must respectfully request that the IDWR enforce its rules in an even-handed manner, and in so doing, it must not allow the inclusion of any extraneous documents that do not comply with the Administrative Rules. I therefore request that the petition that was included with the packet, and any late protests concerning this application, be discarded from the file, and not made a part of the matter for consideration. Please advise me at your earliest convenience concerning your disposition of that request.

Yours truly,

A handwritten signature in black ink, appearing to read "G. Slette", written over the typed name.

GARY D. SLETTE

GDS:jc

cc: Harry Rinker (via facsimile)
Chuck Brockway (via facsimile)

04049601.gds

RECEIVED
MAY 07 1996

From: DWR60::AMERRITT 3-APR-1996 11:12:26.51
To: DWR03::NYOUNG,CSKINNER
CC: AMERRITT
Subj: fyi

FROM: Allen Merritt DATE: April 3, 1996
TO: Norm Young, File 37-08854, Related Rinker transfer files
SUBJECT: Chris Singleton public petition issues

Our office has advertised, without protest, application for permit 37-08854 in the name of Rinker. The application proposes the development of wells for domestic & irrigation purposes for a subdivision. On 4/1/96 I prepared a memo recommending the application be approved. Prior to mailing the file to the state office on 4/2/96 we received a packet of documents with a petition from numerous residents in Blaine county expressing a public interest against the development as well as copies of letters including one to the governor. The packet was sent with a letter from Chris Singleton. On 4/2/96 I phoned Mr. Singleton and discussed the application as well as other transfers pending processing. Mr. Singleton requested that I fax him a copy of the protest form and send him copies of the applications by Rinker and copies of moratorium orders, etc. He wanted me to hold the application and allow public involvement into the matter. I told I did not know of a provision that allowed me to do that. In discussing filing a protest on application 37-08854 I told him the protest period was over. He indicated that he wanted to protest anyway. I told him if he sent one in I would be required to reject it. He asked who he could talk to at the state office and I suggested Norm Young. He requested I contact Mr. Young to inform him of the situation and that he would contact him later in the day. After I faxed him the protest form I talked with Mr. Singleton again late in the afternoon. He requested that the packet be forwarded to the state office for Norm to review. He indicated that he had not yet contacted Mr. Young but would in a few days after the packet gets to Boise. He indicated that he would fax back a protest with a copy of a check payable to the department. He would follow up with the original document and the check in the mail.

On this day I am forwarding the application file to the state office with the packet enclosed. A copy of this memo will be included. As of this writing no faxed protest has been received. On this day I have mailed the requested copies of files to Mr. Singleton.

RECEIVED

MAY 07 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

April 3, 1996

Chris Singleton
PO Box 2803
Sun Valley, ID 83353

RE: Rinker Development at Golden Eagle Site

Dear Mr. Singleton:

Please find enclosed the copies of documents you requested in our phone conversation yesterday. Please note that Permit 37-08854 has been processed by our office and forwarded to our state office for final review and approval. The enclosed transfer applications are presently being staff reviewed and will be publicized soon. You will have the opportunity file protests pursuant to §42-222, IDAHO CODE.

Please remit \$6.00 for the cost of copies and postage.

If you have questions please feel free to contact our office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

MAY 07 1996

FROM: Allen Merritt *AM*

DATE: April 3, 1996

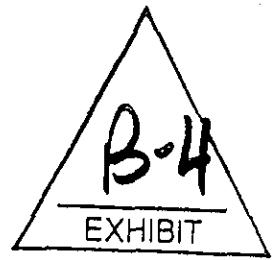
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MAY 07 1996



October 30, 1995

Jed Gray
P.O. Box 326
Sun Valley, ID 83353

RECEIVED
NOV 06 1995
BLAINE COUNTY
PLANNING & ZONING/BUILDING
RECEIVED

RE: GOLDEN EAGLE RANCH SOUTH PRELIMINARY PLAT

APR 02 1996

Department of Water Resources
Southern Region

Dear Jed:

I reviewed the preliminary plat of the Golden Eagle Ranch planned for the area south of Greenhorn Gulch Road with the District Board of Directors and have the following comments:

1. Public bike trail
The preliminary plat shows an 8' public bike trail along Greenhorn Road. We applaud and support the proposed bike trail, but feel the proposal is insufficient to adequately meet the needs of such a large subdivision. Notes follow:

- Blaine County and AASHTO minimum standards require 10' of paved surface for a separated pathway.
- It would be extremely dangerous to construct a pathway to Highway 75 without constructing a crossing. We recommend a separated grade crossing anywhere along Highway 75 and support a connection to the Wood River Trails in this area under the highway.

We do not have copies of the trail design, grade or alignment, but, recommend AASHTO and Blaine County standards be met.

2. Internal pathway system
A 10' private trail easement is indicated on the preliminary plat. Will this be developed or will the trail simply be an easement?
3. Access to the Big Wood River
A 75' riparian setback line is indicated on the plat. We applaud the efforts to restore the habitat along the River where it has been altered. However, a passable fisherman's (public) access easement should be dedicated along the Big Wood River.

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Promoting a healthy, active way of life in Blaine County!

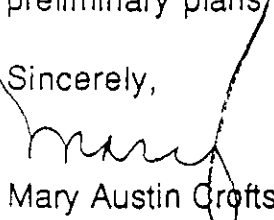
4. Large scale subdivisions
Blaine County's ordinance defines large scale subdivisions as one with 30 or more lots. It states "a developer of a large scale subdivision may be required to reserve up to 10% of the total acreage for playgrounds and recreation space."

Using estimates from the work completed during Sun Valley Company's proposal show that the land was valued at \$1.00 per square foot. A 10% dedication would encompass 18.85 acres or contribute just over \$821,000 towards playgrounds and recreation space in lieu of a land dedication.

Because of the dramatic growth and the lack of open play space in the central Wood River Valley, we hope you will consider a contribution or land dedication towards this effort.

Although the proposed Golden Eagle south subdivision has many desirable features, overall we are disappointed in the density and lack of public benefit delineated in the preliminary plans.

Sincerely,


Mary Austin Crofts, Director
Blaine County Recreation District

cc: Linda Haavik, Blaine County Planning & Zoning Commission
Blaine County Recreation District Board of Directors

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BLAINE COUNTY SHERIFF'S DEPARTMENT

Hailey, Idaho



J. WALT FEMLING, Sheriff

P.O. Box 98
Hailey, Idaho 83333

B-2
EXHIBIT

(208) 788-5555
FAX (208) 788-5559

Jed Gray
P.O. Box 326
Sun Valley, ID 83353

Dear Jed;

This letter is an response to your request for input on the proposed Golden Eagle Ranch subdivision.

From the preliminary subdivision map, it is difficult to tell if there are any proposed improvements to highway 75. This intersection is my greatest concern because of the traffic flows that currently exist. It is my recommendation that we have turn lanes into Greenhorn Gulch Road. Because of the passing lanes, we see speeds greater then normal in this area, and traffic must be able to get off highway 75 to turn left or right safely.

Also, is this subdivision private and are the roads private and closed to the public? This does make a difference on enforcement from my office, Private vs. Public.

What is your definition on the fisherman's access? We get many calls in Gimlet and Silver Creek with fisherman and property owner conflicts.

If I can answer any additional questions, please do not hesitate to give me a call at 788-5555.

Sincerely,

J. Walt Femling

cc/ Blaine County Planning and Zoning

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BLAINE COUNTY
PLANNING & ZONING/BUILDING

MAY 07 1996

For Pick up call Chris Singleton by April 6th 788-6161

or

mail to Linda Haavik P.O. Box 14
April 4th

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83333 by

APR 02 1996

Department of Water Resources
Southern Region

MAY 07 1996

or

Bring to county meeting
Court House in Hailey

April 8th 6:30pm Blaine County
- this is a special meeting

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APR 02 1996

Department of Water Resources
Southern Region

3-20-96

To: Blaine County Commissioners and Planning Department

From: Residents of the Big Wood River Valley

Re: Golden Eagle Ranch Subdivision next hearing April 8, 96
at 6:30pm in the county court house in Hailey

We the people of the Wood River Valley have entrusted you to be the guardians and stewards of our most precious resources in the valley. As per section V. Chapter 17 of the zoning ordinance Section (E); we commission you to do the following:

1. We demand that you place a complete building and zoning moratorium on the Golden Eagle Ranch property. This moratorium shall stay in effect until the following items are completed and/or completely reviewed in a public forum and a general consensus of the community concerns are addressed.

A) No subdivision permit be issued until the ITD completes construction of a new four to five lane bridge at the Greenhorn crossing of the Big Wood River. ITD is currently planning to build this new bridge by the year 2,000.

B) The county must request the ITD to do a completely independent traffic study of the Greenhorn Road intersection with Hwy 75. This shall determine the future design of the proposed new bridge to accommodate the needs of the fire/ambulance station for emergency ingress and egress. This study shall include a feasible location for the possible combining of the East Fork Road and the Greenhorn Road intersection in the future.

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MAY 07 1996

C) We demand that the planning commission re-examine the current zoning and appoint an independent firm to study this area and make recommendations to the county for a new master plan.

D) Review and stop developers from creating lots which span the entire width of the Big Wood River on both sides of the banks. Instead make developers dedicate any area below the 100 year flood plain to the county. Furthermore, not to allow the area under the water in the Big Wood River to be calculated into the lot size, so as to meet the minimum lot size area as is currently being proposed all the way down the Big Wood River. See lots 1-8 on the preliminary plot plan of the Golden Eagle Ranch Subdivision.

E) Create a park dedication requirement along Hwy 75 and the Big Wood River. This park area should be no smaller than five acres. It shall include public restrooms for men and women, park benches, picnic tables and parking for fifty cars. The landscaping and improvements shall be paid by the developer and dedicated to the county.

F) Require that any development of this area have a bike path and an equestrian trail that will connect Greenhorn to the county bike path system. Blaine County Recreation District has requested these improvements. The suggested route is under the new bridge to be built or by a tunnel under Hwy 75. These costs should be paid for by the developer.

G) Require that the county begin a study and implement a program whereby any new development in Blaine County will be required to give to the county a percentage of accessed value of the land sales price. These funds shall be placed in a trust fund to be used for low cost housing in the county. (Currently a bill is on the governor's desk to give the counties these powers.)

H) Require that the developers create lots that have at least one hundred fifty feet of distance between building envelopes.

I) Require a review of the hillside ordinance provisions on any lots which are thirty feet above Hwy 75 elevation at the Wood River bridge.

J) Require that all houses placed on the upper banks of the Golden Eagle Ranch Subdivision be single story construction (current building height is thirty-five feet).

K) Allow Fish and Game the time needed to do a complete wildlife report on the impact of the proposed development. Create a wildlife corridor for the elk and deer to be able to come out of the hills and get water out of the Greenhorn

MAY 05 1996

Creek, and the Big Wood River. This area is currently slated for six homes on the south west side of Greenhorn Creek. These six home's boundary lines are over four hundred feet above Hwy 75 elevation (lots 14-19). None of this area has ever been used in the hay fields and is a wildlife habitat area for elk and deer

L) Commission a county wide comprehensive water table study to determine the impact of currently zoned and approved building sites in the county which have yet been built upon and will draw on our precious water resources.

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If you do not agree with any of these positions please add your ideas at the next meeting April 8, 96 at 6:30pm at the county court house in Hailey. Whatever you do be sure that your comments are heard. Contact Linda Haavik, commissioner, at P.O.Box 149, Hailey, ID 83333 phone 788-5570 or Fax 788-5576. For more information or petitions contact Chris or Dana Singleton 788-6161.

The following residents and community groups support the above position:

NAME	ADDRESS	GROUP AFFILIATION
1.		
2.		
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APR 02 1996

Department of Water Resources
Southern Region

3-20-96

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RECEIVED

MAY 07 1996

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MAY 07 1996

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L) Commission a county wide comprehensive water table study to determine the impact of currently zoned and approved building sites in the county which have yet been built upon and will draw on our precious water resources.

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The following residents and community groups support the above position:

NAME	ADDRESS	GROUP AFFILIATION
1. GRIG DATES	Sun valley	
2. Elizabeth Fortune	Sun Valley	
3. Alicia Lowe	Hailey	
4. Kathy Butler	Ketchum	
5. Steve Hargrave	Ketchum	726-3428
6. Tracy O'Connor	Ketchum	
7. Patty Mable	Sun Valley	
8. Gary Jackson	Hailey	Sun Assoc.
9. B. B. Starn	RD - 220 Crystal Ct	Ketchum
10. Bill Riddle	SUN VALLEY	

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11. Joseph Pearson
12. Zen-Ber
13. Pat Carter
14. David M Price resident
15. Jesse Inshaw
16. Victoria Buckle
17. Dina Katterman
18. DuThibet BOX 814 S.V.
19. Thomas I Kulis
20. Elsa McCombs
21. Breck Bergdall box 7393 K
22. Shirley Williams POB# 6065 K
23. Jackie Farris BOX 6366 K
24. Cliff Asahin Box 2013 S.V
25. Pierce Millman Box 2284 K

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26. Dale Jarboe
27. Dan Jarboe
28. Donatella Baker Otletu 1051
29. Ginger Bailey
30. ~~David Zick~~
31. J. O. Johnson Box 1993 Ketchikan
32. Amy Gardum Box 5565 Ketchikan
33. Walter Large Box 3448 Hailey
34. Myhrulap Box 3637 Ketchikan
35. ~~Thy~~ ~~Thy~~ PO Box 486, Ketchikan
36. ~~Jane~~ + David Wyler 105 Boiler Lane, Ketchikan
37. Jane Wyler 105 Boiler Lane Ketchikan
38. Mickey Garcia Box 3517 Ketchikan
39. Gayle Mills Box 1035 SV
40. Mary's Lazen Box 1409 Hailey
41. Kim Palmer Box 1808. Ketchikan
42. Melanie Holmes Box 1808 Ketchikan
43. Noddy Hinner Box 1142 S.V. MAY 07 1996
44. Walde Hinner Box 1142 S.V.

45. Jack Gawford PO 1173 Sun Valley
46. Mike Bonin Box 251 Ketchikan
47. Bob Reeves Box 4468 KETCHUM
48. Dale E. Chaney Box 1847 Hailey
49. Mark Phelps Box 842 Bellevue
50. David T. Betty PO Box 391 Hailey
51. Ron J. Potter 1785 Hailey
52. Calvin Smith 206 Hailey
53. Erik Rolf 585 Hailey
54. Wendy Ellis 2360 Hailey
55. Trete Urban 520 Aspen Dr 0822 Hailey
56. Jennifer Conrad 3432 Hailey
57. Nancy Gurney Box 249 Hailey
58. Ronde DeSmette Box 2374 Hailey
59. Larry D. McCall Box 22 KETCHUM, ID 83340
60. Abby Shabine 200 Baseline Rd. Bellevue ID 83313
61. Sharon Preissman 41 Croesus Creek Hailey
62. Brandy Preissman 41 Croesus Creek Hailey

63. ~~Langely~~ MaRae
64. Gifford Wilcox
65. Dusty Blair
66. GARY C. HARSMAN
67. ~~Barry W. Plummer~~
68. Pat Beattie - Limekiln - Greenhorn
69. Art D. Padua
70. ~~Angus Lyons~~
71. Jim Stephen Moffet - Harley
72. ~~David L. L.~~
73. Kent Ward - Harley
74. Tom Kohler - Bellvue
75. J. Billette - Harley! Nothing near lives!
76. J. Soderstrom - Harley
77. Louie Barnes & Jaze
78. ~~to Bart~~
79. Gloria Manto
80. Frances Y. Nagashima
81. Louise Nagashima

MAY 07 1996

82. Tom Roper Hailey, ID.
83. Stacy Kulhanek Hailey, ID
84. BONNIE LAZZARINI Hailey, ID
85. Helen Howard Sun Valley, ID
86. Tom Edging Hailey, ID.
87. Michelle Ginnick Hailey, ID
88. Paul Smart Hailey, ID
89. Keli Beck Bellevue ID
90. Stefan Hild Bellevue ID.
91. E. E. McLaughlin ~~Bellevue~~ ID
92. Iwi Wapikoutai Hailey ID
93. P VanZessel Hailey ID
94. M. Van Zepel Hailey ID.
95. Jorle S. Bell Hailey ID,
96. Ada D. Bell " "
97. ~~John~~ Hailey, ID
98. Jenny Dutton Bellevue, ID
99. JD Tarnell Bellevue ID
100. May Gordon Hailey, ID.

MAY 07 1996

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The following residents and community groups support the above position:

NAME	ADDRESS	GROUP AFFILIATION
1. DAVID BINGHAM	412 S. River St. Hailey ID.	—
2. GREN CARP	126 Green Hailey, ID.	
3. GARY HAND	Box 44 Ketchum	
4. Dorothy A. Donnell	P.O. 1878 Hailey ID	
5. Romano	Box 1233 Hailey, ID	
6. Anita Young	Box 23 Bellevue, Id.	83315
7. Lella L. Young	Box 1561 Hailey, Id.	83333
8. Philip H. Smith	Box 57 Hailey	
9. Hunter Nelson	" 974 Hailey	
10. Allan Jomara	Box 2203 Hailey ID	83333

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11. Karina Formosa, P.O. Box 2203, Hailey
12. Harold Muba P.O.B 1033 Hailey
13. Bire Ewing P.O. Box 1161 Hailey
14. Abigail Grassetti P.O. BOX 6674 Ketchum
15. Audra Grassetti P.O. Box 6674 Ketchum
16. Amelia Grassetti P.O. Box 6674 Ketchum
17. Adam Smith P.O. Box 1444 Hailey
18. Anna B. B. P.O. Box 1126 Hailey
19. ~~John H. H.~~ 8009 N. Nevada Road Paratello
20. ~~Sam L. B. B.~~ P.O. Box 1780 Hailey
21. ~~Shane J. B. B.~~ P.O. Box 3310 Ketchum
22. ~~J. L. H.~~ P.O. Box 1075 Ketchum
23. Devin Russet P.O. Box 98 Ketchum
24. Mike Bluebird Box 554 Ketchum
25. W. Werschel Box 3737 Hailey

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MAY 07 1996

26. Craig E. Meyers 788-3090
27. Guy Slike ~~788~~
28. Carol Green
29. ~~Bob~~ Bush
30. L.A. "Lally" Dale
31. Ann Prescott
32. Deborah Gilet 110 Chestnut Bellevue 788-3788
33. Rosalind Kipping 206 E. Gulch Indian Grk Church 788-0071
34. David Kipping " 788-0071
35. Elaine Soren 788-6401
36. Wayne Wilson 788-2350
37. ~~Ken~~ ~~Chy~~ 788-9345
38. ~~Conrad~~ ~~Angelo~~ 788-1264
39. Kay M. Laughlin 788-6115
40. Y. Sam Filanth 788-4468
41. Christina Johnson ~~788-0960~~ 788-0960
42. Heidi Bynum MAY 07 1996 788-1212
43. Stephen Bynum 788-1212
44. Victor B. Baker 788-6222

45. Tom Jones P.O. Box 2345 Hailey, Id 83333
46. Bill Grier Box 1820 Hailey Id 83333
47. Barbara Berg Box 302 Carey, ID 83320
48. Madora Jeff P.O. Box 5822 Ketchum, Id
49. Nana Jones Box 81 Ketchum Id 83340
50. Claire Casey Box 1605 Hailey Id. 83333
51. Cynthia Schneider 860 SV
52. Mark Thoreson 942 SV
53. Donna R Murphy Box 99 Hailey, ID 83333
54. Mary Diane Gutierrez Box 953 Ketchum Id 83340
55. Charles R. Hall Box 3593 Hailey 83333
56. Paul Todd Box 1054 "
57. Linda Olson Box 1652 Hailey Id 83333
58. Steven J. Bates 105 Audubon Pl, Hailey, Id 83333
59. Earl Kypri Box 9781 Ketchum 83340
60. Todd Kant Box 6153 Ketchum 83340
61. Greg Smith Box 986 McCall, ID 83638
APR 7 1996
62. Fidel Hernandez P.O. Box 3786 Hailey 83333

63. Sunny Farinacci

64. Phil Smith

65. Patty McLaughlin

66. Meggan E. Ryan

67. Liz Levitan

68. Helena P. Hansen

69. Cindy Kelley

70. Doug Fisk

71. Norma Jean Prehara

72. Gretchen Stinner

73. Christina Bengels

74. Ursula P. McLean

75. ~~W. McLean~~

76. Solomei Taylor (Hailey)

77. Heidi von Polcar

78. ~~John B. B.~~

79. Lindsay Rush

80. Hadley Rush

81. William K. Kretz

MAY 07 1996

82. Helen M. Ray
83. Rob Santa
84. Jussi Savola
85. Judy G. Eich
86. Kelly O'Donnell
87. Judy M. J.
88. Mike Lepel
89. Carlie Lynch
90. Ch. B. Quinn
91. Muriel Gough
92. Chelsea Leigh
93. ~~Margaret Quinn~~
94. Keri Kelly Mountain View Sub - County
95. Gwynn August, 25 Central Park W., #11M,
96. Mitchell August " " NY 1002
97. Shirley Voorhees
98. Richard Z. Voorhees
99. Carolyn S. Halperoff P.O. Box 3567 Ketchikan
100. J. B. L. Johnson Same as above

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NAME	ADDRESS	GROUP AFFILIATION
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- | | | |
|-----------------------|------------------------------------|--|
| 1. KATHI WAGNER | 182 BELLEVUE | |
| 2. BRADLEY KIMB | SILVERSTAR, Hailey | |
| 3. SHANNON LUMP | 103 SILVERSTAR, Hailey | |
| 4. RICHARD P. HALL | 170 HARDWOOD, Bellevue | |
| 5. JEFFREY | 1535 BAINWOOD Hailey | |
| 6. MICHELLE NELSON | | |
| 7. JEFFREY | POB 6082 Bickham, | |
| 8. Phil Whitby | " " | |
| 9. Maggie Shaughnessy | 3346 Hailey, Id 83333 | |
| 10. Mary Roberson | 1580 Baldy View Dr Hailey Id 83333 | |

MAY 07 1996

11. Kristina Roberson 1580 Baldy View dr. Hailey
12. David Roberson 1580 Baldy View dr. Hailey
13. Mike Roberson 1580 Baldy View Dr Hailey Id 83333
14. Mary Murr Bx601 - Hailey, Id 83333
15. J. Anderson Box 1215 Hailey Id 83333
16. Billy Benth Box 1811 Hailey 83333
17. Annie Jochums Box 3782 Hailey 83333
18. JEFF KAISER Box 3782 HAILEY 83333
19. JOHN C. FOX PO BOX 116 HAILEY 83333
20. Bob Black P.O. Box 8955 - Sun Valley, Idaho
21. Lloyd E. Schult P.O. Box 2873 Sun Valley, ID 83353
22. Kathy Murphy Sun Valley
23. MICHAEL QUICK P.O. 4801 KETCHUM
24. Tina Dwyer P.O. Box 3206 Hailey
25. Donna P.O. Box 443 Ketchum.

MAY 11 1986

26. SEAN TURCO. P.O. Box 2391 SULLY, ID. 83353
27. Robert Fink P.O. Box 2647 Hailey ID. 83333
28. Scott Crocker Box 1326 Hailey, ID 83333
29. Steven Fink P.O. Box 2647 Hailey ID 83333
30. Jim Dixon P.O. Box 615 Hailey, ID 83333
31. Robert Bridges P.O. Box 2323 Hailey, ID 83333
32. ~~Laura Dilworth~~ P.O. Box 314 Carey Id 83320
33. Teresa Dilworth P.O. Box 314 Carey Id. 83320
34. Bryce Gates P.O. Box 314 Carey Id. 83320
35. Lisa Dilworth 1900 Normal Burley, Id 83318
36. Nicole Gates P.O. Box 314 Carey, Id 83320
37. Alison Hammerbeck 102 Friedman Ln Bellevue
Id 83313
38. Tracy Lee Box 4733 K
39. Julie Heneghan Box 2355 SV, ID 83353
40. Betty Tomke Box 2096 Hailey Id 83333
41. Kathleen Stetson box 1621 Hailey Id. 83353
42. Olivia CHAUSSERAY Box 6640 Ketchum ID 83340
1996
43. Brinda Spackman 101 Aspen Dr. 83340
44. MARIA DIAZ-LAN Box 1917 Hailey, Id. 83333 -

45. Linda McInch Box 955 SV
46. Mark Kaho Box 557 B
47. Ellen C Keshio Box 557 Bekeue
48. Peter & Venetashae Box 2329 Harley
49. Thomas M. Degg Box 176 Ketchum
50. Chadwick Brasm Ketchum
51. Carolyn Aessa Box 6002 Sun Valley
52. Cissie & John Urban 100 S. Niawatha Dr. Hailey
53. Mary & Pat Wain Box 1663 SV
54. M. D. Degg Box 3609 HAILEY
55. Heather Horton Box 72 Hailey
56. Ch Black 572 SV. ID 83353
57. Mia Harley Box 2667 Hailey
58. Amber DeWood Box 1402 Hailey
59. Lina Gray PO Box 2162 Hailey
60. Mary Morley Box 1784 Ketchum
61. Paterson Box 708, SV
62. M. D. Degg Box 102 KETCHUM

MAY 07 1996

INDIAN CREEK

63. Rick Gariepy Lot 180
64. ~~Arthur J. Stenhouse~~
65. ~~John M. E. Stenhouse~~
66. ~~Frank J. Teitz~~
67. ~~Fred Lee Eyer~~
68. Alvin Theurer - Lepp, md
69. Donna Sparrell - Woodside
70. Patricia L. Dainelli
71. Ray Jones
72. Jan Jensen
73. Scott May
74. Robert Mandy
75. Tom Aravillo
76. ~~Jeffrey M. Aravillo~~
77. ~~John D. Aravillo~~
78. ~~John K. Ketchum~~ Ketchum FO
79. Allen H. Rose
80. Pamela Plummer MAY 07 1996
81. ~~Rob G. G. G. G.~~

name

address

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82.

Mont Gosh

83.

J. Sch

84.

Carl J. Sch

85.

Shirley

86.

~~Shirley~~

87.

Melissa Moore P.O. Box 2800 Hailey

88.

Jana Wright - 221 Westelm P.O. Box 1235

89.

Byron Walcher 2392 Ketchum

90.

~~Bob~~ Lynn AS po Box 093 Hailey 184 Glen
aspens

91.

Cheryl Link Box 853 Bellevue include

92.

Erin Cullen Box 1506 Ketchum ID 83340

93.

Bob Paul Box 1358 Hailey, 83333

94.

Gary Black 4423 Fairway Nine Elk Horn

95.

Jane Black 4423 Fairway Nine Elk Horn

96.

Erin Black 4423 Fairway Nine Elk Horn

97.

Kurt Black P.O. Box 2755 SV ID 83352

98.

Betty White General Delivery Hailey ID

99.

Fred Crook MAY 07 1996 General Delivery Hailey ID

100.

Dori Lucero Po Box 6218 SV

Creek, and the Big Wood River. This area is currently slated for six homes on the south west side of Greenhorn Creek. These six home's boundary lines are over four hundred feet above Hwy 75 elevation (lots 14-19). None of this area has ever been used in the hay fields and is a wildlife habitat area for elk and deer

L) Commission a county wide comprehensive water table study to determine the impact of currently zoned and approved building sites in the county which have yet been built upon and will draw on our precious water resources.

M) Study the effect of forty-six leach fields (potentially ninety with guest houses) on the Big Wood River aquifer, fish and wildlife.

If you do not agree with any of these positions please add your ideas at the next meeting April 8, 96 at 6:30pm at the county court house in Hailey. Whatever you do be sure that your comments are heard. Contact Linda Haavik, commissioner, at P.O.Box 149, Hailey, ID 83333 phone 788-5570 or Fax 788-5576. For more information or petitions contact Chris or Dana Singleton 788-6161.

The following residents and community groups support the above position:

NAME	ADDRESS	GROUP AFFILIATION
1. General Thompson	P.O. Box 1075 Ketchum	
2. Sharon Parker	Box 1972 Hailey ID 83333	
3. Candace Herman	4316 Candace Dr 3605 Hailey, ID 83333	
4. Steve Reed		
5. Stan Busch		
6. Tyler Clausen		
7. Bob Torgerson	Box 607 Hailey, ID 83333	
8. Toni Adams	Box 4377 Ketchum	
9. George White	Box 3422 Hailey ID 83333	
10. Sharon Parker	Box 418 Bellevue ID 83313	

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11. Debbie Lacy Box 304 Hailey ID 83333
12. Mindy Smith Box 1232 Hailey ID 83333
13. Jimmy Langmore 3691 Hailey ID 83333
14. ~~Donald~~ Donald Box 2762 Sun Valley ID 83333
15. ~~Frank~~ Frank Box 1929 Ketchum, ID 83340
16. Sheri Letourneau Box 2016 Hailey ID 83333
17. Kara Spencer
18. ~~Al~~ Al Box 6218 Sun Valley
19. James Funk Box 1644 Ketchum
20. Wayne M. Gifford 1851 Northridge Dr. Hailey 83333
21. Jeremy Lester Ketchum
22. Aubrey S. Palumbo ^{POB} 24113 Ketchum ID 83340
23. Hollie Madsen PO Box 3305 Hailey ID 83333
24. Mavis Stanislaw 3011 Warm Springs Rd. Ketchum
25. Donald C. Hawley 145 S. Hiawatha Dr. Hailey ID 83333

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The following residents and community groups support the above position:

NAME	ADDRESS	GROUP AFFILIATION
1. Dana Singleton	P.O. Box 2803 S.V.	
2. Judy Harrison	East Fork Hailey	
3. Dave Harrison	East Fork Hailey	
4. BETH BRYAN		HAILEY
5. Malcolm Beard	Ketchum ID	
6. Roy T. Watness	Heatherlands Hailey	
7. Ch. Haver	PO BOX 6577 Ketchum, ID 83340	
8. Chris Singleton	22 old Sage Rd.	
9. Choko Haver	BOX 1148 Hailey	
10. E. Beverly Everett	NC 64 #9/24 Ketchum, ID 83340	

MAY 07 1996

11. Frank & Marjorie Byrne HC 64 #124 Ketchum
12. Priscilla Woods po Box 964 Harley
13. Hemingway Mary Box 2249 Ketchum
14. ~~Ketchum~~ Box 2249 Ketchum
15. Golding Ross P.O. Box 454 Ketchum.
16. Mr John Ross " " " "
17. Karen Presman P.O. Box 729 Ketchum
18. Cary Singleton ^{at home} 1015 S.V.
19. Dave Bohahn. Box 2334 S.V.
20. Craig Simpson Box 3362 Harley
21. Pat Gotten Box 416 Ketchum
22. Dan H. Warner P.O. Box 177 Bellvue
23. Ann & Bates Box 6322 Ketchum
24. Tom Williams Box 414 S.V.
25. Elizabeth Kelly Box 1485, S.V.

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The following residents and community groups support the above position:

NAME	ADDRESS	GROUP AFFILIATION
1. Virginia Anne Lowe	Box 785 Hailey	
2. Jason Wright	Box 1239 Hailey	
3. Al Schwartz	BOX 2508	Juniors
4. Dan Trachar	Box 524 Hailey	
5. Joe McLeana	Box 3478 Ketchikan	
6. Todd Christiansen	Box 2062	
7. Gene Abel	Vashon Island WA.	
8. Sandy Orand	Box 333 Hailey	
9. [Signature]	Box 164 Hailey	
10. Patrick Singh	Box 141 Hailey	

MAY 07 1996

11. Sharon Suggs Box 141 Hailey
12. Beth M. Duke (BETH M. DUKE) Box 964, Sun Valley, ID 83353
13. Justin Z. Clay (Christopher Clay) 1715 N. 11th Boise 83702
14. Cynthia Shortell 1906 NW. 12th Meridian ID 83642
15. Karyn Webb Smith 413 1st Ave No., Hailey, Id 83340

16. _____
17. _____
18. _____
19. _____
20. _____
21. _____
22. _____
23. _____
24. _____
25. _____

RECORDED

MAY 07 1996

RECEIVED

APR 02 1996

Department of Water Resources
Southern Region

April 1, 1996.

Governor Phil Batt
Office of the Governor
P.O. Box 83720
Boise, Id. 83720-0034

Re: Golden Eagle Sub.
application. Meeting
April 8, 1996 - 6:30 P.M.
Blaine County Court House.

Sir:

As you are well aware our state is growing rapidly, and it doesn't have to be a bad thing as long as developers consider the needs of the community and the environment and the Wild life.

This Sub. application does not consider any of the above. As you review this material you will see my point. I am circulating the enclosed petition to the people of Blaine County. My Petition has almost 400 names already on it and ~~it and~~ have passed out 160 map and petition which ~~everyone~~ says they will get at least 25 signatures each. Please send a representative from your office up here on April 8, to meet with me before the meeting at 6:30 to view the problem. KMTV channel 11 will be there maybe channel 7

and definitely all of the local papers and
radio stations. I believe that it would be
a great opportunity for your office to gain
support from Blain County residents. I spoke
with Jason at your office about this matter.
Please give me a call at 208-788-6161

Thank you for your time.

Chris Singleton

RECEIVED

MAY 07 1996

(Cont) pvenor Phil Bott

- april 1, 1996

We the people feel that Jim Koonce who is advising Blaine County on The Golden Eagle Sub has a definite conflict of interest seeing how his Private firm Galena Engineering Inc. is Working for the Developer Harry Park. We ask that your office review this matter and send a letter to Linda Harris at Blaine County Planning Dept. asking for a new completely independent Engineer for this Project.

Thank You.

Chris Singleton

80 ELECTRONICS - Engraving

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GALENA ENGINEERING INC.



- Civil Engineering • Land Surveying
- Construction Materials Testing
- Planning Services

- Richard Fosbury, PE/PLS
- Jim Koonce, PE/PLS
- Michael Choat, PE
- Bruce Smith, PLS
- John Gaedert, AICP

680 2nd Ave N, Ketchum, ID 726-4729

FAX: 208-726-4783

ELECTRONICS-RESEARCH & DEVELOPMENT

Electro Science Technologies PO Box 272 Ketchum 726-2636

EMBROIDERY

CONTRACT MARKETING

PO Box 1257 Ketchum

10th St Industrial Center Suite A16 Ketchum 726-4911

DAVIS EMBROIDERY

davis embroidery

In House Embroidery

ENGINEERS-CONSULTING

ACS-Assessment & Compliance Services

PO Box 3271 Hailey 726-4729

Bouiss & Associates PA 713 Leadville Ave S Ketchum 726-4729

EBH Engineering 408 S Main Hailey 726-4729

Engineering Associates Inc 1007 Warm Springs Rd #6 Ketchum 726-4729

Gundy W E & Associates Inc PO Box 2900 Hailey 101 Sweetbriar Rd Hailey 726-4729

Humphrey Joseph Engr PO Box 5 Sun Valley 726-4729

James Frank PE PO Box 451 Ketchum 726-4729

POWER ENGINEERS INCORPORATED

PO Box 1068 Hailey 3940 E Glenbrook Dr Hailey 726-4729

Purdy & Associates-Structural Engineers 110 W 5th St Ketchum 726-4729

Stoops Paul D PE 120 Rivers St W Ketchum 726-4729

ENGINEERS-ELECTRICAL

Humphrey Joseph K

PO Box 5 Sun Valley 110 5th St West Sun Valley 726-4729

Stoops Paul D PO Box 4869 Ketchum 726-4729

ENGINEERS-ENVIRONMENTAL

ACS-ASSESSMENT & COMPLIANCE SERVICES

PO Box 3271 Hailey 726-4729

ENGINEERS-STRUCTURAL

Bouiss & Associates PA 713 S Leadville Suite 4 Ketchum 726-4729

Engineering Associates Inc 1007 Warm Springs Rd #6 Ketchum 726-4729

Purdy & Associates-Structural Engineers 110 W 5th St Ketchum 726-4729

ENTERTAINERS

BIO ART PRODUCTIONS-LARA

PO Box 386 Ketchum 726-4729

One One Brad Mackenzie-Rowe Band Ketchum 726-4729

Roe Entertainment 2731 Sunburst Blvd Tor Sun Valley 726-4729

LEACH PIANO VOICE GUITAR PO Box 2768 Ketchum 726-4729

Suzy Band Stanley 726-4729

Murphy (The Funny Guy) The Ram Bar Sun Valley 726-4729

Mooney Ketchum 726-4729

John Guitarist PO Box 1447 Hailey 920 Fox Acre Rd Hailey 726-4729

CITY PARSONS

Ice & Keyboard-Single Trio Or Sun Valley 726-4729

Wood County Band Bellevue 726-4729

Brush Reunion Musical Entertainment Hammer-Dulcimer-Blues-Folk-Band PO Box 1054 Hailey 726-4729

Mark 3011 Butterly Dr Hailey 726-4729

Valley Children's Choir Available For Weddings & Special Occasions Valley Trio PO Box 274 Hailey 726-4729

ates The Ketchum 726-4729

Water Bellevue 726-4729

ENTERTAINMENT BUREAU

ON INTERNATIONAL SPECIAL PO Box 2103 Ketchum 726-4729

FAX TRANSMITTAL COVER SHEET

Date: February 23, 1996
JOB # 346B Golden Eagle Ranch
TO: Ms. Linda Haavik
Pl. Co. Planning Director
Hailey, Id

FAX NUMBER: 788-5576Number of Pages (including this cover sheet): 1

FAX only _____ Original to follow in mail _____

If this transmission is illegible or incomplete, please call our office at (208) 726-4729. Our fax number is (208) 726-4783.

We have measured and calculated the
zoned areas within the proposed Golden
Eagle Ranch Subdivision as follows: A-10
zone = 56.5 acres (all above 25%); R-2
zone = 123.7 acres; FP zone = 10.1
acres.

FROM: Dick Forsberg, P.E.DISTRIBUTION: Jed [signature] Richard Emik

MAY 07 1996

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FEB 16 1996

BLAINE COUNTY
PLANNING & ZONING/BUILDING

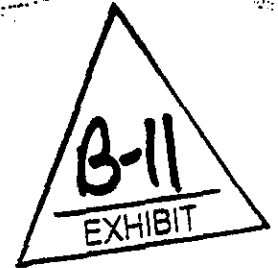
MEMORANDUM

TO: Linda Haavik, Blaine County Planning & Zoning Director

FROM: Jim Koonce, Blaine County Engineer

SUBJECT: Golden Eagle Ranch Subdivision

DATE: February 14, 1996



At your request, I have reviewed the preliminary plat, water design, water supply report, traffic impact study, road design and grading plan on the above referenced project. I would like to offer the following:

1. TRAFFIC STUDY

Paragraph 4 on page 3 under executive summary outlines the highway improvements recommended by Bell-Walker Engineers, the authors of the study. These improvements appear to be logical and will help on all scenarios except Greenhorn residents trying to turn left (towards Ketchum) from Greenhorn Road. This situation is horrible now and will become worse as development occurs. You will note on page 20, top paragraph, the authors recommend a safe haven for left turners coming from Greenhorn. I now see these residents utilizing the un-occupied South bound Highway 75 as the "safe haven" in hopes they can mesh into the North bound Lane before they get hit by South bound traffic.

I would have Bell-Walker explain why no stop light is justified and discuss the level of service F for North bound Greenhorn residents. Why does the development not make the matter worse?

You will note that Bell-Walker recommends a new Greenhorn Road connection to the East Fork/Highway 75 intersection as more development occurs. This would then be viewed as a better signal location.

I have no feelings on this one way or the other but you must be reminded that was the intent of previous county planners.

I.T.D. should be consulted on anything pertinent to Highway 75.

2. WATER STUDY AND DESIGN

I concur with Broackway that the area is suitable for individual sewage disposal systems. Laboratory analysis clearly indicates good ground water quality which should not be adversely impacted by the proposed 44 lots.

Blaine County

MAY 07 1996

The community domestic and irrigation systems appear to have merit. I assume they are so separate and distinct that no co-mingling of water can ever occur. How do you keep children from inadvertently drinking irrigation water pumped from the ponds? If there exists significant pond losses into the aquifer it could jeopardize the domestic wells.

Lot number 26 owner probably would prefer the domestic water service to lot 25 does not cross his or her lot as shown.

3. ROAD DESIGN

The road design appears consistent with Bell-Walkers report and good engineering standards.

If the roads are to be dedicated to Blaine County they are supposed to be paved to a width of twenty-six (26) feet. (Probably not, I notice entry gates)

I would recommend culverts where roads cross Greenhorn Creek be capable of carrying the 100-year flood (those proposed probably will).

Drainage should be provided on the inside of cul-de-sacs, to get surface water away from the road bed.

4. PRELIMINARY PLAT

I still feel that the banks of the Big Wood River on lots 2 thru 6 or so should be evaluated for stability since they are on the outside of a meander.

How do bike riders get to the bike path?

Landscape concept is impressive. Drought tolerant plants is a great idea.

Is there a balance on excavation and backfill for ponds and berms, etc.

Slope, avalanche and riparian set-back lines appear to be respected. The floodplain line shown is from Power Engineers and is a compromise between the FEMA 1981 and 1995 studies.

Greenhorn Road is proposed to be paved and overhead power lines will be buried.

The riparian restoration plan is also nice. River front lots appear to have 1 acre or more out of the floodplain

The entire package is impressive!

JWK:kka

Minneapolis
MAY 07 1997

Journal

ROUNDUP

Blaine County's
Newspaper
Since 1881

For the week of Wednesday, March 27, 1996

Two Sections

Moore acquires Magic Lantern Cinema Willis declines comment on Ketchum property

Valley Entertainment went before the Ketchum City Council in 1992 with a proposal for a performing arts center, a bar and restaurant, and a skywalk to connect the proposed facilities on the east and west sides of Washington Avenue. That proposal met a strong thumbs down from Ketchum officials at the time. Willis' group was disappointed after the Ketchum decision and moved their development efforts to Hailey. But that's water under the skywalk, said Ketchum Mayor Guy Coles Tuesday. He said he's excited to have the Willis group thinking about the Ketchum as a place to do business.

Person Joe said that the accurate, but plans for the properties. at the current with a build-akes develop-rtainment's ore practical

located within ley Entertain-state liquor after the clo-ounge earlier

not be moved um, and was ley Entertain-nt for an esti-

mated \$450,000 in 1992.

That's great," said Coles of the recent purchase. "It's good we just happen to have a better sewer."

Coles said he's confident quality plans will be met with open minds, and the skywalk rejection is history.

"Now he won't need the skywalk, he can go ahead and use the property and the liquor license," said Coles. "And you must admit Bruce Willis does build first class projects. He's right in there with Earl Holding. He uses fine architects."

The Magic Lantern building was owned by the International Order of Odd Fellows, a brotherhood and social group. The building was originally used for meetings by the group, then the bottom floor was leased to Magic Lantern Cinema owner Rick Kessler.

Kessler said Tuesday he had no knowledge of the sale and that his lease runs out in three years.

choice for criminals. They're too visible. Most of the crimes and killings in this country are committed with handguns," said Craig.

He also said he's confident he'll be re-elected come November, despite the personal wealth of his opponent, Walt Minnick.

"I'm taking Minnick seriously. He's a wealthy man," said Craig. "It doesn't cost him but one cent to write a personal

ig discusses issues, Blaine fundraiser

If the election were held today would you vote for Republican Larry Craig or Democrat Walt Minnick for U.S. Senate?

Dial 788-1200 and enter selection No. 1014.

Press 1 for Craig.

Press 2 for Minnick.

tment to Sec-nd to the gun is the National ich he sits on

an emotional he weapon of

check. I've broken all the records in individual contributions."

Craig said he's raised well over \$1 million for his campaign, with a goal of raising \$2 million. He said he's had

Please see page 20



HOISTING A RED FLAG - Chris Singleton prepares to raise a flag that, according to Singleton, represents the solidarity to stop uncontrolled growth in Greenhorn Gulch. He hoisted the banner to a height of 35 feet, he said, to show the visual impact if future homes are built that high. (Journal photo, Kristen Shultz)

Golden Eagle Ranch plans raise concerns Developer says fears are groundless

By KRISTAN KENNEDY
Wood River Journal

The proposed Golden Eagle Ranch Subdivision proposal, currently in the county procedural pipeline, is coming under fire by some Greenhorn Gulch homeowners who say the project represents irresponsible development and should not be approved.

The group, called Residents of the Big Wood River Valley, is calling for a moratorium on the project. Chris and Dana Singleton, former developers and residents in Greenhorn Gulch have formed the group to protest the plan for 44 homes on 190 acres on the southern side of the Golden Eagle Ranch.

Singleton drove a 35 foot post into the southern edge of the property with a bright flag last week, to drive home

the message that tall homes could be built along the back edge of the subdivision if current plans are approved.

The northern part of Golden Eagle has no plans in front of the county for development. Rinker proposed the entire ranch be developed into a golf course originally, but pulled out of the golf course plan last year.

The new plan makes another go before the Blaine County Planning and Zoning Commission during a special meeting April 8. The plan was tabled at the last meeting.

Meanwhile, Singleton and his group say the plan is flawed, and that it epitomizes poor development in the scenic corridor, noted for its open fields and close proximity to the Big

Please see page 20

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APR 02 1996

Department of Water Resources
Southern Region

MAY 07 1996

Pocatello	Sun Valley
Port Angeles	Twin Falls
Portland	Vancouver
Pullman	Victoria
Redding	Walla Walla
Redmond/Bend	Wenatchee
Sacramento	Yakima
San Jose	

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purchased at least seven days than April 3. All travel must be Seats are limited and a few other

ne, call your travel agent or 3.



ickets must be purchased seven days in advance or one day after funds cost \$35. Airport fees up to \$12 roundtrip are extra. Some ul notice. Other restrictions apply.

fe changed, our taxes.

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e can help. We will work to u're entitled to. We do it for very year.

ney. **H&R BLOCK**

• Hailey • 788-3805

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RANDAL SACCOMANNO

V. Sprague Avenue • Spokane, WA 99204

Cleanup, estimated at \$600 million, should not just be the responsibility of the mining company, but the federal government as well, he said.

"I'm not taking the mining companies off the hook," he said. "But they cannot (cleanup efforts) be handled solely by the company. It will break them."

-He said a recent citation of the Idaho National Engineering Laboratory for 61 violations by state regulators doesn't mean a

There's been no relation and misunderstanding surrounding the governor's agreement," said Craig. "Batt negoti as tough a deal as he could."

He said the DOE would not have signed such an agreement if it were on the table today.

"It's too tough on them," he said. "It's not the fines. The money isn't the issue. It's the tough timelines they have to meet."

Craig said he thinks most Ida-

Let's begin to move the waste out of Idaho by the year 2000," said Craig. "While Idahoans don't want nuclear waste, they also don't want it to become a permanent nuclear repository." -Regarding a bill by fellow Senator Dirk Kempthorne that would redefine the Endangered Species Act, Craig said he supports the effort to put more power in the hands of the states, versus federal agencies.

Concerns

Continued from page 1

Wood River.

"This is private ponds built behind gated communities with no public access to the river," said Singleton. "And eight-foot berms to hide them."

Singleton said his group was happier with the former golf course proposal.

"At least with a golf course we wouldn't be barred and locked out forever," he said.

A look through the county file on the project shows that Singleton isn't the only one with concerns. A 70-page file entered into the county planning and zoning public records show concerns on the following issues:

-A letter from the Blaine County Recreation District written by director Mary Austin Crofts says recreation corridor plans including the bike path, are inadequate. It criticizes the proposed bike path improvements as not meeting county standards, and that adequate playground and recreation space is not provided for.

Developers say their plan provides for adequate recreational space in the private ponds planned for construction within the subdivision.

-A letter from the South Central District Health Department has concerns regarding the proposed ponds in the proposal. Environmental Health Specialist for the district Bob Erickson writes: "All river front lots would of course be required to maintain a 300' minimum setback between sewage drain fields and the Big Wood River...and homeowners should not be allowed to con-

struct berms on top of a working drain field or replacement area."

Developers say those setbacks and berm restrictions will be met.

-Blaine County Sheriff Walt Femling wrote a letter to project consultant Jed Gray saying that slated highway improvements are inadequate and expressed concerns about public access through the subdivision. Wrote Femling: "Is this subdivision private and are the roads private and closed to the public? What is your definition on the fisherman's access? We get many calls in Gimlet and Silver Creek with fisherman and property owner conflicts."

Developers answered Femling saying the roads within Golden Eagle will be private, and "that there is a proposed 10 foot fisherman's access along all reaches of the Big Wood River owned by the developer on the subject property."

-A letter from the U.S. Dept. of Agriculture states concerns regarding the revegetation in the project, especially near the pond areas. They call for maintaining the integrity of Greenhorn Creek as a functioning watercourse and that the riparian zone needs to be protected.

-The Idaho Transportation Department writes that "any additional development along Greenhorn Gulch Road will generate more traffic than can be adequately served by the proposed improvement."

-The Idaho Department of Water Resources writes that the agency is concerned with the proposed ponds and water rights. "Because Golden Eagle Ranch is within the Big Wood

River Ground Water Management Area affected by the Snake River Basin Moratorium, no new applications for a water right permit allowing storage can be processed unless the use is proven to be non-consumptive or any consumptive use is mitigated."

Developers say no water systems shall be constructed until the proper permits are in place.

Finally, the Idaho Fish and Game wrote to the planning commission that it had concerns over wildlife mitigation and called for measures to lessen impacts on elk and other game in regards to fencing, feeding, and controlling domestic pets.

Developers disagree that recreation space is an issue. In their rebuttal letter in the file, they state: "The proposed subdivision has approximately 14 acres of open pond as well as an internal pedestrian path, a public bike path along Greenhorn Road, and a public fisherman's easement along the Big Wood River. The developer believes this is more than adequate recreational space for a project of this size."

But Singleton also contends that developers are juggling the numbers. He argues that of the 190 acres, some of that land includes unbuildable acreage under the county's hillside ordinance. Hence, the density figures are skewed.

Singleton said this is not just a case of NIMBY (not in my backyard.)

"You can call me a nimby if you want, but I am for responsible development," said Singleton. "This development is not responsible to the community."

MAY 07 1996

RECEIVED April 1, 1996

APR 02 1996

Department of Water Resources
Southern Region

Re: NPW No.

940203640

James Smith
Dept. of the Army
201 North Third Ave.
Walla Walla Washington
99362-1876

Mr. Smith:

Enclosed is a petition from the people of Blaine County with almost 400 signatures on it, I have put out another 160 petition and map packages and expect to have well over 2000 signatures by the April 8 P+Z meeting at 6:30 at the Blaine County court house. Please note on the Plat map that the lots span the Big Wood river, Greenhorn river and the plan calls for all each federal Septic, and the Private Lake lots have over $\frac{1}{2}$ acre of water coverage already on each private lot, Not to mention the Big Wood river lots with almost 1 acre of surface water coverage. Please hold up this application until the items in our petition are reviewed. Please call me at 208-788-6164.

Thank you

MAY 07 1996

Chris Singleton



Reply To
Attention Of:

DEPARTMENT OF THE ARMY
WALLA WALLA DISTRICT, CORPS OF ENGINEERS
201 NORTH THIRD AVENUE
WALLA WALLA, WASHINGTON 99362-1876

November 15, 1995

Operations Division

SUBJECT: NPW No. 940203640

RECEIVED

RECEIVED
NOV 27 1995
BLAINE COUNTY
PLANNING & ZONING/BLM

Mr. Jed Gray
P.O. Box 326
Sun Valley, Idaho 83353

APR 02 1996
Department of Water Resources
Southern Region

Dear Mr. Gray:

This is in regard to your request for comments regarding the proposed Golden Eagle Ranch subdivision located in Sec. 18, T.3N., R.18E., B.M., near Gimlet, Blaine County, Idaho, which was the subject of your letter, dated September 8, 1995. The proposed activity has been assigned the above-referenced number. All future correspondence regarding this project should reference this number.

Section 404 of the Clean Water Act (33 U.S.C. 1344), requires that a Department of the Army permit be issued for the discharge of dredged or fill material in waters of the United States, including wetlands. This includes excavation activities which result in the discharge of dredged material and destroy or degrade waters of the United States.

Based on our initial review of your proposal, we have determined the site does contain waters of the United States. However, we cannot determine from the available information if the project will result in a discharge of dredged or fill material into a water of the United States.

In order for us to determine if a Department of the Army permit is required, you must submit a Joint Application for Permit, Form NPW 304 Feb. 94 (Rev), in accordance with the instructions contained in the enclosed pamphlet entitled "General Information and Instructions for Completion of Joint Application for Permit". Your application should include your final plans and drawings. The application should be submitted as early as possible, but not later than 90 days prior to your anticipated construction start date, to allow opportunity for a timely permit decision. Our evaluation of the proposed activity will include consideration of alternatives which have the least adverse impacts on the aquatic environment, measures proposed to compensate for unavoidable impacts to aquatic resources, impacts upon Historic Properties, impacts upon threatened and endangered species, and any other information deemed essential to make a public interest determination.

MAY 07 1996

Due to our heavy workload and limited workforce, we are unable to conduct wetland delineations for this type of project at this time. We recommend that you contact a private consultant to conduct a determination of wetlands and submit the results with your application. Wetland delineations must be conducted in accordance with the Corps of Engineers Wetland Delineation Manual, Technical Report y-87-1, dated January 1987 and must be verified by Corps of Engineers personnel. I have enclosed a list of consultants that may be able to assist you in this work. Provision of this list does not constitute an endorsement or recommendation as to the competence, qualifications, or experience of any of those listed.

A separate permit decision may also be required from the Idaho Department of Water Resources. You should contact them to obtain any necessary permits prior to the start of construction.

You are advised that the discharge of material into waters of the United States, including wetlands, prior to obtaining the required Department of the Army permit is in violation of the provisions of the Clean Water Act.

If you have any questions, please write or call me at 509-527-7156.

Sincerely,

Donna D. Hansen

for James S. Smith
Environmental Resource Specialist

Enclosure

Copy Furnished:

MAY 07 1996

Serving

• CANYON COUNTY
• SOUTHWEST IDAHO

Local

RECEIVED

Business

Apple Computer reports
\$700 million loss. Page 5B

APR 02 1996

Section

B

Editor: Fredreka Schouten 377-6440

The Idaho Statesman

Southern Region
Thursday, March 28, 1996



Dan Popkey

Developer infringes on our Grove

The city of Boise has legalized vandalism in a sacred public space.

The developer of the new WestCoast Hotel just got permission to build 14 feet into the Boise Centre on The Grove — our most popular gathering place and the city's symbol of urban renewal.

They'll cut down trees, dig up bricks and sink four concrete columns onto our pavement. And there's a good chance they won't even have to pay for their encroachment.

What will we get for this assault? Two 80-by-14 terraces sticking out from the hotel, one 12 feet above The Grove, the other 23 feet up. They'll provide private seating for a sports bar and restaurant.

Capital City Development Corp. is justifiably eager to get the hotel built after three earlier projects failed. But they're letting developers take liberties we all may regret.

Among the concessions: Sale of the site for \$250,000, one-sixth of its market value; a cut in parking requirements for the 250-room hotel and 5,000-seat events center; and allowing the 196-foot building

Farm tax break abused, critics say

Loose definition of farm lets many claim exemption

By Marty Trillhaase
The Idaho Statesman

By seeding land with alfalfa and raising a crop, owners of a 54-acre western Ada County parcel will save more than \$60,000 in property taxes this year.

That's because this prime commercial land — located on both sides of Emerald Street, west of Maple Grove and east of Mitchell — is considered a farm under Idaho's property-tax laws.

As a result, its owners paid about \$2,600 in property taxes last year.

The owners — Winston

Moore, Dale Stillwell and Harry Rinker — successfully blocked Ada County's attempt to tax the land as commercial property by producing proof that the land was being farmed.

"That's the problem," Ada County Commissioner Roger Simmons said. "It's perfectly legal."

The proof was a certificate showing the land was idled under the federal Conservation Reserve Program. The owners plan to plant a crop this year.

"The law is very clear and it was designed just for circumstances where development is encroaching on agricultural land," said the owners' lawyer, Ken McClure of Boise.

"I'm sure these clients would love to sell this ground, would love to develop it and would love to have it assessed at its

post-development use. But right now, that's still a farm and as long as it's a farm, it ought to be taxed like a farm."

Critics say the state law that shields farms from high property-tax rates is so out of whack that residential property owners are paying more than their fair share.

"If this kind of abuse was stopped, your taxes would go down 30 percent," said Custer County Assessor Robert Savage of Challis. Savage is one of the most vocal opponents of the current tax break.

The number of people getting the tax break is four times higher than the number who claim farming as their primary occupation. In the 1990 census, 700 Ada County residents listed themselves as farm operators or

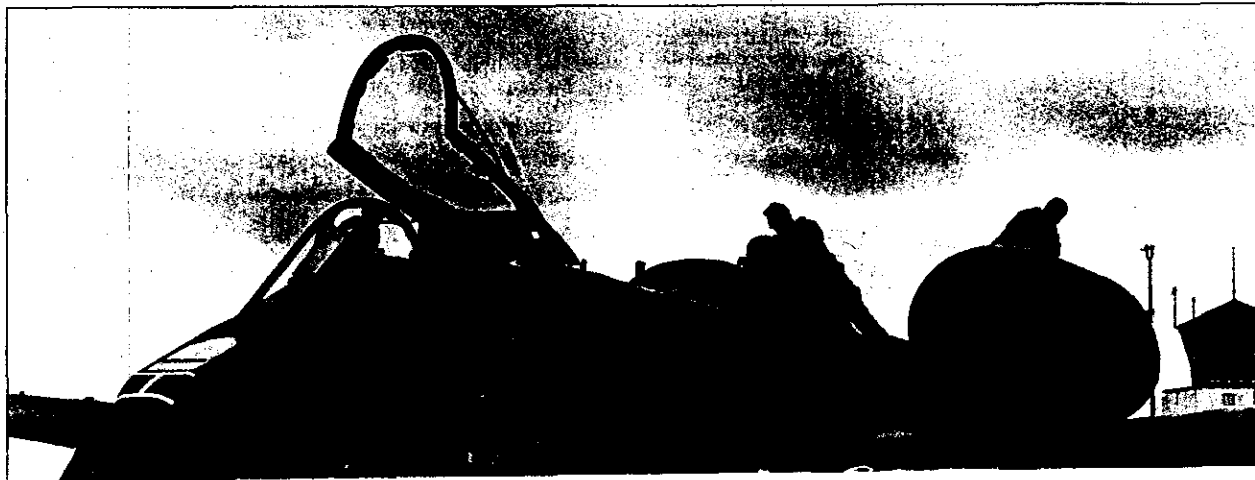
See Taxes/3B



Katherine Jones/The Idaho Statesman

This property north of Emerald and between the bridge and Mitchell receives an agricultural exemption that saved the owners more than \$60,000 in property taxes.

CHANGING AT THE GUARD



Summit to focus on drugs

Rising use of crack among top concerns

By Frank E. Lockwood
The Idaho Statesman

Law enforcement officials, educators and drug treatment experts will meet in Boise next week for a valleywide drug summit.

The daylong gathering will fo-

"They are the basic standards and are the minimum," she said. "Districts are expected to well beyond them." Some Meridian School Board

academic expectations — had higher scores in math. Trustee Larry Andrews said Wednesday he would want to look at the state's guidelines be-

everyone can jump over the bar, but that's not an excuse for putting the bar on the ground," he said. "You want to actually raise the bar and not lower it."

Taxes/From 1B

magazines.

By comparison, close to 3,000 property owners claimed the agricultural exemption in Ada County last year.

Few argue with the basic premise that farm land should not be taxed on its speculative value. In other words, a farmer should not pay higher taxes just because someone thinks his land would be worth much more as a housing development.

Farm qualifications

But Idaho's tax law is liberal in what it defines as a farm. Besides the conventional 160-acre unit, Idaho law also says a parcel can be considered a farm for taxing purposes if it is more than five acres and is used to produce field crops, as pasture for livestock or is part of a crop-land retirement or rotation program. If the parcel is less than five acres, the owner can still get an exemption if he proves the land produces 15 percent of his annual gross income or produced at least \$1,000 in income.

An agricultural exemption can make an enormous difference in a tax bill. That's because the taxable value of farm land is calculated based on its ability to produce income. So farm land might be valued at \$500 to \$1,000 an acre for tax purposes, but may be worth many times that amount as residential land.

For instance, the owner of a 12-acre parcel in Meridian would pay \$188,000 in taxes if it were classified as residential land. With the farm exemption, the owner pays about \$5,100.

Dwindling share

The agricultural exemption is one reason farmers pay a smaller share of the property taxes now than they did 10 years ago. Last year, farmers paid about 7.3 percent of all property taxes, compared to 12 percent in 1985.

By comparison, residential property owners saw their share of property-tax payments rise to 54 percent last year, up from 49 percent a decade ago.

Some of that shift stems from the state's growth boom, Nelson said. The number of homes in the state increased while the number of farms dropped.

But that depends on who is counting.

For instance, Terry Porter's five-acre residence at Meridian's Winward Heights development has an agricultural exemption.

Porter runs an advertising agency, but he makes about \$1,000 a year growing hay or alfalfa.

"If I'm raising hay and I make \$1,000 off that hay, the rule of the law says I'm entitled to the exemption, even though I may have paid \$900 to raise the hay," Porter said. "They're screwing us out of enough money as it is. We're just taking a beating on our taxes."

Down the road, Michael McGrath, a Boise accountant, doesn't get an agricultural exemption, even though he also grows an alfalfa crop on his 5.5 acre parcel. That's because he

available until he looked into why his property-tax assessment had increased last year.

"An agricultural exemption does and should apply to anybody who is actively in the farming business," McGrath said. "I don't know if there is abuse. Clearly, there is inequity."

No agreement on reform

County assessors have tried to change the law, but they've been unable to reach an agreement. The Idaho Association of Counties plans to submit a bill in 1997 to tighten the definition of a farm. Options include requiring farms to be larger or to make

more money in order to qualify for the exemption.

But they will have to get past the state's powerful agricultural lobby.

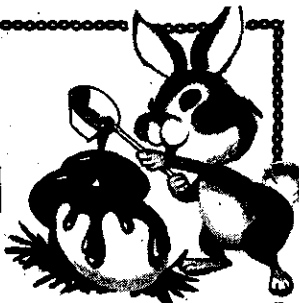
Idaho Farm Bureau spokesman Greg Nelson said he has no sympathy for developers who abuse an exemption meant to protect family farmers. And while he's willing to discuss changing the law with county officials, Nelson said he doesn't want to increase the costs on small farmers.

"You can only push so much expense onto a small operation."

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Stanton E. Samenow, Ph.D.
Boise Centre on the Grove
April 29 & 30

Author of internationally acclaimed publications including: *Inside the Criminal Mind*, *The Criminal Personality*, and *Before It's Too Late: Why Some Kids Get Into Trouble and What Parents Can Do About It*.

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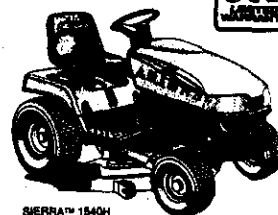
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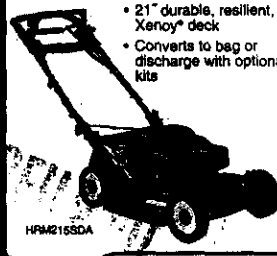
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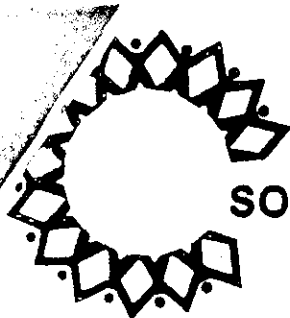
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HF942155DA

MAY 1996



**SOUTH CENTRAL DISTRICT HEALTH DEPARTMENT
PUBLIC HEALTH DISTRICT V**

AN EQUAL OPPORTUNITY EMPLOYER

BOX 162

HAILEY, IDAHO 83333-0162

October 24, 1995

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APR 02 1996

Blaine County Planning and Zoning
Linda Haavik, Administrator
P.O. Box 149
Hailey, ID 83333

Department of Water Resources
Southern Region

RECEIVED

OCT 26 1995

BLAINE COUNTY
PLANNING & ZONING BUILDING

RE: Golden Eagle Ranch

Dear Linda:

Our office has reviewed the new proposed plat, and we offer the following comments.

Since the original Golden Eagle Ranch proposal last winter, further testholes have been dug on the upper bench - where lots 14-18 have been proposed - revealing mostly silty clay loam soils. Although considered suitable for on-site sewage treatment and disposal, it would require large (1,000 sq. ft. for a four bedroom home) drainfields and replacement areas. We do not feel confident that all of these lots have sufficient room to provide for this, given the topography and setback requirements from intermittently flowing Greenhorn Gulch Creek. Additionally, pressurized systems would be necessary and, as you are well aware, the County at present has no mechanism in place to ensure that these would be properly maintained.

All river front lots would of course be required to maintain a 300' minimum setback between sewage drainfields and the Big Wood River. This means that the drainfields would have to be located to the front (near the road) side of the lots, and homeowners should not be allowed to construct berms on top of a working drainfield or replacement area.

It is our understanding that the proposed lakeway system will be lined, and we would therefore require only a 50' setback between the waterway and sewage drainfields. However, since the building envelopes (on those lots surrounding the waterway) are generally within 50' of the waterway, it appears that the drainfields and replacement areas will have to be located near the road as well. Again, homeowners should not be allowed to build berms over them.

MAY 07 1996

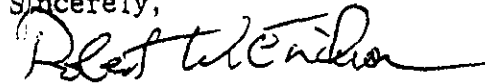
per fed 2/15/96
New letter from
SCHD soon

Additionally, it appears that lots 31-34, which are sandwiched between Greenhorn Gulch Creek and the constructed waterway, will have problems attaining required setbacks from surface water.

Our engineer's report indicates an adequate domestic water supply exists, and that a public water system will be designed once preliminary plat approval has been granted. Final approval of that system lies with the Department of Environmental Quality (DEQ), in Twin Falls.

No known environmental hazards exist on the site, according to our engineer's report. If you have further questions, please do not hesitate to contact our office.

Sincerely,



Robert W. Erickson
Environmental Health Specialist

cc: Galena Engineering
Jed Gray

MAY 07 1996

ENDP,

1/4/96

RE: FLAT TOP SUB/PLD

BOB ERICKSON WAS OUT ON-SITE
TO EVALUATE THIS PLAN BUT
W/O ANY STAKES INDICATING
LOTS HE COULD DO VERY
LITTLE. NO TEST HOLES
HAVE BEEN DUG AND SOME
SITES WOULD BE PROBLEMS
DEPENDING ON THEIR LOCATION.

RE: GOLDEN EAGLE

BOB
ERICKSON

APPARENTLY REVIEWED THIS
FURTHER SINCE HE WROTE
HIS ORIGINAL LETTER, AND
HAVE ADDITIONAL CONCERNS
WHICH HE HAS EXPRESSED
TO THEIR ENGINEERS. GIVEN
THE AMOUNT OF RECONTOURING
INVOLVED THE PROPOSED
DRAIN FIELDS WILL NOT BE
THE RESULTING LOCATIONS
IN MOST CASES. HE IS
THINKING ABOUT ^{MAY 07 1996} REQUIRING
A CENTRALIZED SYSTEM.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

October 30, 1995

Jed Gray
P.O. Box 326
Sun Valley, ID 83353

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APR 02 1996

Department of Water Resources
Southern Region



PHILIP E. BATT
Governor

KARL J. BREHER
Director

RECEIVED

NOV 14 1995

BLAINE COUNTY
PLANNING & ZONING/BUILDING

Dear Mr. Gray:

In your September 8th letter, you requested that IDWR review the preliminary plat for Golden Eagle Ranch and comment on any impacts resulting from the proposed development. Upon review, IDWR would like to make the following comments for your consideration.

The preliminary plat for Golden Eagle Ranch indicated that two domestic wells are planned for the subdivision. Assuming that a common well type system is planned for the subdivision, a water right would need to be developed by permit process. The appropriation of a new water right would be through Title 42, Chapter 2, IDAHO CODE, and would be subject to the department's water appropriation rules (IDAPA 37, Title 03, Chapter 08). If a water right is granted, the individual uses for each lot will have to fall under the §42-111, IDAHO CODE, "domestic use" definition. This would enable each lot owner to irrigate up to one-half acre of land in connection with a household, if the total use is not in excess of thirteen thousand gallons per day.

If any lots are to have their own individual well to supply water for household use, the use of each well would be limited to the domestic use definition found in §42-111, IDAHO CODE.

It should also be noted that any new wells drilled must comply with the drilling permit requirements of §42-235, IDAHO CODE, and are subject to the department's well construction standards (IDAPA 37, Title 03, Chapter 09).

Another IDWR concern, relates to the lakeway system shown on the preliminary plat. A search through our water right records revealed that there are no water rights authorizing storage in the proposed location of the subdivision. Because Golden Eagle Ranch is within the Big Wood River Ground Water Management Area and the area affected by the Snake River Basin Moratorium, no new applications for a water right permit allowing storage can be processed, unless the use is non-consumptive or any consumptive use is mitigated. If an acceptable mitigation plan can not be developed, an application for a water right permit allowing storage may not be processed. However,

MAY 07 1996

October 30, 1995
PAGE 2

an existing water right could be modified by transfer pursuant to §42-222, IDAHO CODE, to provide water for the lakeway system. In the transfer process, the department can not allow an expansion in use of either the rate of diversion, annual diversion volume, or consumptive use volume of the existing right.

Due to the close proximity of Golden Eagle Ranch to the Big Wood River and Greenhorn Creek, great care should be taken during construction of the subdivision. Before making any possible alteration(s) below the mean high water mark of any perennial stream, or any stream that would be perennial if not for upstream diversions, stream channel alteration permit(s), subject to review, are required to be filed with the department.

In summary, there are options for the development of water at Golden Eagle Ranch. However, some of these options involve approval of applications for permit or applications for transfer that are subject to public notice and protest. At this juncture, the department can not guarantee that these avenues will be successful, but they are available for your exploration. .

If you have any questions feel free to contact our office.

Sincerely,



Corey Skinner, EPT
Dam Safety Section

RECEIVED
MAY 07 1996

April 8th (Monday) 6:30pm Special Meeting in
Hailey County Court House ^{MAY 07 1996} upstairs

Bring to county meeting April 8th 6:20 pm Blaine County
Court House in Hailey - this is a special meeting
or

For Pick up call Chris Singleton by April 6th 788-6161
or

mail to Linda Haavik P.O. Box 149 Hailey, ID 83333 by
April 4th

MAY 07 1996

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APR 02 1996

Department of Water Resources
Southern Region

3-20-96

To: Blaine County Commissioners and Planning Department

From: Residents of the Big Wood River Valley

Re: Golden Eagle Ranch Subdivision next hearing April 8, 96
at 6:30pm in the county court house in Hailey

We the people of the Wood River Valley have entrusted you to be the guardians and stewards of our most precious resources in the valley. As per section V. Chapter 17 of the zoning ordinance Section (E); we commission you to do the following:

1. We demand that you place a complete building and zoning moratorium on the Golden Eagle Ranch property. This moratorium shall stay in effect until the following items are completed and/or completely reviewed in a public forum and a general consensus of the community concerns are addressed.

A) No subdivision permit be issued until the ITD completes construction of a new four to five lane bridge at the Greenhorn crossing of the Big Wood River. ITD is currently planning to build this new bridge by the year 2,000.

B) The county must request the ITD to do a completely independent traffic study of the Greenhorn Road intersection with Hwy 75. This shall determine the future design of the proposed new bridge to accommodate the needs of the fire/ambulance station for emergency ingress and egress. This study shall include a feasible location for the possible combining of the East Fork Road and the Greenhorn Road intersection in the future.

RECEIVED

MAY 07 1996

C) We demand that the planning commission re-examine the current zoning and appoint an independent firm to study this area and make recommendations to the county for a new master plan.

D) Review and stop developers from creating lots which span the entire width of the Big Wood River on both sides of the banks. Instead make developers dedicate any area below the 100 year flood plain to the county. Furthermore, not to allow the area under the water in the Big Wood River to be calculated into the lot size, so as to meet the minimum lot size area as is currently being proposed all the way down the Big Wood River. See lots 1-8 on the preliminary plot plan of the Golden Eagle Ranch Subdivision.

E) Create a park dedication requirement along Hwy 75 and the Big Wood River. This park area should be no smaller than five acres. It shall include public restrooms for men and women, park benches, picnic tables and parking for fifty cars. The landscaping and improvements shall be paid by the developer and dedicated to the county.

F) Require that any development of this area have a bike path and an equestrian trail that will connect Greenhorn to the county bike path system. Blaine County Recreation District has requested these improvements. The suggested route is under the new bridge to be built or by a tunnel under Hwy 75. These costs should be paid for by the developer.

G) Require that the county begin a study and implement a program whereby any new development in Blaine County will be required to give to the county a percentage of accessed value of the land sales price. These funds shall be placed in a trust fund to be used for low cost housing in the county. (Currently a bill is on the governor's desk to give the counties these powers.)

H) Require that the developers create lots that have at least one hundred fifty feet of distance between building envelopes.

I) Require a review of the hillside ordinance provisions on any lots which are thirty feet above Hwy 75 elevation at the Wood River bridge.

J) Require that all houses placed on the upper banks of the Golden Eagle Ranch Subdivision be single story construction (current building height is thirty-five feet).

K) Allow Fish and Game the time needed to do a complete wildlife report on the impact of the proposed development. Create a wildlife corridor for the elk and deer to be able to come out of the hills and get water out of the Greenhorn
MAY 0 2 1999

Creek, and the Big Wood River. This area is currently slated for six homes on the south west side of Greenhorn Creek. These six home's boundary lines are over four hundred feet above Hwy 75 elevation (lots 14-19). None of this area has ever been used in the hay fields and is a wildlife habitat area for elk and deer

L) Commission a county wide comprehensive water table study to determine the impact of currently zoned and approved building sites in the county which have yet been built upon and will draw on our precious water resources.

M) Study the effect of forty-six leach fields (potentially ninety with guest houses) on the Big Wood River aquifer, fish and wildlife.

If you do not agree with any of these positions please add your ideas at the next meeting April 8, 96 at 6:30pm at the county court house in Hailey. Whatever you do be sure that your comments are heard. Contact Linda Haavik, commissioner, at P.O.Box 149, Hailey, ID 83333 phone 788-5570 or Fax 788-5576. For more information or petitions contact Chris or Dana Singleton 788-6161.

The following residents and community groups support the above position:

NAME	ADDRESS	GROUP AFFILIATION
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MAY 07 1996

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MAY 07 1996

MAY 07 1996

April 2, 1996

Norm Young - Administrator
Carl Drayer - Director
Dept. of Water State of Idaho.
for 208-736-3037

Re: Permit # 37-08854
Rinker Co. / Harry Rinker
Domestic Water Well Permit
for 44 Units at Golden Eagle
Ranch.

Sir:

The Golden Eagle ranch Subdivision Permit application was for the first time exposed to the public on March 14, 1996 at the first public hearing at the P & Z meeting at the Blaine Co Building. That was just 18 days ago. Since that first Public hearing the People have spoken. No one that I have spoken to is even aware that your agency even advertised the Well permit for 44 homes in green horn. I'm sure that when I bring this to the attention of the local press and T.V. stations that a huge public outcry will follow. The questions which

MAY 07 1996

©
I am already getting is "How can they get
a well permit for all of these houses when
the subdivision is not even approved
yet.

And the second question I get is "Well
aren't they (Water Dept.) going to stop the
permit, now that they know how we feel."

So I now ask you due to the extenuating
circumstances please make an exception this one time
to the public notice period on this Permit application
and accept our Notice of Protest to Permit #3708854
and allow a public hearing in Bailey on this
matter so that the community concerns may be
heard and addressed.

I Submit this to you on this 2 day of April
1996 on Behalf of the Residents of the Big Wood River
Valley.

cc: Phil Batt
Local TV
Newspapers

Thank You
Cathy Singleton
APR 10 1996

THE FRONTLINE

for Hospital Takeover in Final Draft

and non-profit St. Luke's Regional Medical Center of Boise plan to accomplish the deal.

In an announcement released today by the city of Sun Valley, Blaine County, the Wood River Medical Center, and St. Luke's, the parties stated they had completed negotiations and that "the document is undergoing final legal changes and proofreading in preparation for printing and distribution." That document lays out how the

Boise-based St. Luke's would take over hospital responsibilities in the Wood River Valley currently being handled by the Wood River Medical Center, a combination of the former Sun Valley Moritz Community Hospital and Blaine County's Medical Center in Hailey.

Terms of the agreement will not be made public until an unspecified date after St. Luke's board of directors reviews it at an April 9 meeting, according to the announcement.

The definitive agreement will address how assets of the medical center will be turned over to St. Luke's in preparation for construction of a new, single-site hospital. Previous estimates put the cost of the new hospital at \$20 million, with \$3 million paid by St. Luke's and the other \$17 million made up by WRMC assets and philanthropic donations. But that figure is no longer accurate, according to Bill Bodnar, vice president of corporate relations at St. Luke's.

He said that updated estimates would be contained in the agreement.

With negotiations nearing an end, the parties to the agreement must still find a site for the proposed hospital and hold public votes in Sun Valley and Blaine County on the question of whether or not the two governments should sign on to the agreement.

A preferred site has been selected and negotiations are currently under way. See **HOSPITAL** on page 4

Golden Eagle Hearing Set for Monday

by Andrew M. Scutro
Express Staff

It was his first television press conference for a subdivision, and project coordinator Jed Gray was not terribly stoked.

"I'm not interested in debating the merits of this project in the media," said Gray afterwards, preferring to let the public hearing process do the job.

But last week, a camera crew had arrived from Twin Falls to do a story on the plans for the new Golden Eagle subdivision as significant public attention has been generated since it was first presented to the Blaine County Planning and Zoning Commission in mid-March.

A second special hearing is planned for this Monday evening, and from the reaction the project has been getting, discussion promises to be lively.

Since the first presentation, a former Hawaii developer who lives

Greenhorn bench abutting the road proposed for development has initiated a publicity campaign.

"We object to it because it's an irresponsibly planned development that's not going to benefit the community at all," said Chris Singleton. He stood in front of Atkinson's in town last week.

After hoisting a red flag on a 35-



The proposed site for the Golden Eagle Ranch Subdivision is in the foreground of this photo, bordered on the right side by Highway 75 and to the north by Greenhorn Road. (Photo courtesy Sun Valley Company)

foot pole in front of his own house to show how tall the proposed homes could be, Singleton and his wife Dana have been gathering signa-

tures. Their petition demands the project be halted until improvements to the State Highway 75 bridge at Greenhorn can be completed.

"We're going to make a big issue out of this," said Singleton. "We're not against the development."

See **HEARING** on page 5

Continued from page 3

"We just want it done reasonably."

In their petition, the Singletons also call for a percentage of assessed value of land sales price be placed in a trust for low-cost housing, single-story construction for houses required on the upper banks (near their home) and a study on the effect of leach fields on the river, the aquifer, fish and wildlife.

Gray responded that the plan meets county zoning ordinances and a rezoning application could not apply to a certified application such as Golden Eagle.

He noted too that he hopes to have preliminary plats completed by May 15 and the project finished by the end of October, adding that one building season would have less impact on the public than two.

At the close of the initial hearing, the P&Z requested additional information on traffic numbers as well as water uses.

The Golden Eagle Ranch proposed by the Rinker Trust involves subdividing 190 acres between the Big Wood River and Greenhorn Road into 44 lots.

In the center of the site, four artificial lakes with a waterfall and "wildlife islands," are planned.

Site plans also show "entry gates," which prompted an inquiry before the first hearing by Kelchum architect Dick Meyer as to whether Golden Eagle would be a gated community.

"It will not be gated," Gray told the KMYT camera crew, noting that the property would be open but the Golden Eagle Road and its spur Elk and Lake View circles would be private.

At that first hearing, Gray sought to reassure concerned citizens, particularly those from Greenhorn Gulch, about the presence of heavy machinery operating at the site that Gray said were digging test pits.

Gray also advised that trees would start to be delivered to the Rinker property for use in the project.

At the press conference, Gray

pointed out that they were in the process of looking for 500 trees over 30 feet tall "so it can have a mature look."

A small forest is in fact being collected in a makeshift nursery at the property on the north side of Greenhorn Road.

Singleton's wife Dana, who comes from a family of Southern California developers herself, said she was concerned about liability issues surrounding ownership of the ponds.

According to site plans, the four man-made lakes are actually divided by the property line of surrounding sites, in effect as Chris Singleton said, offering partially flooded backyards.

Likewise, parcels that border the Big Wood have property lines that cross over the river with a 10-foot fisherman's easement included.

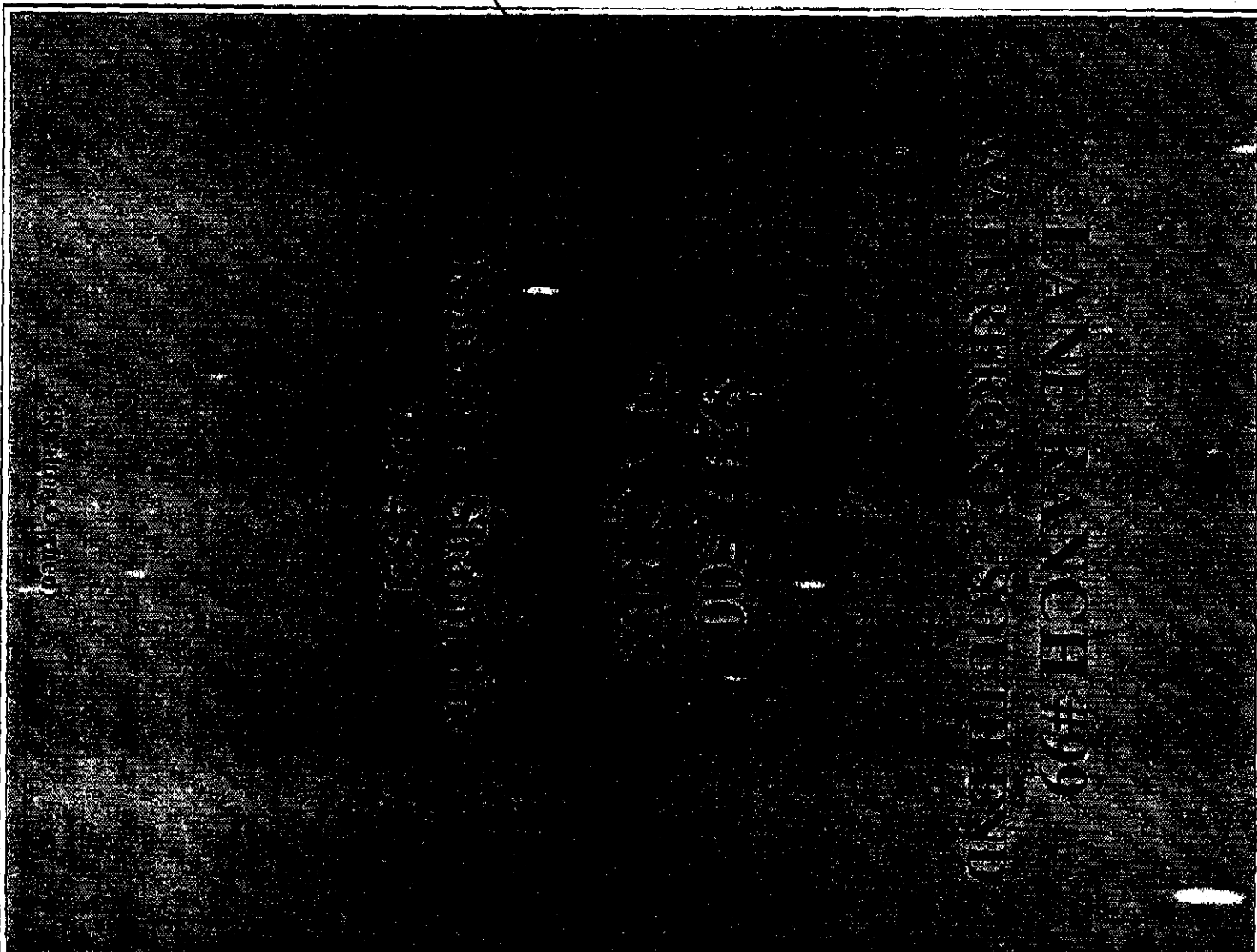
But also part of the plan is a rehabilitation of the riparian zone along the Big Wood River and in Greenhorn Creek.

Likewise Gray said the project includes paving the initial stretch of Greenhorn Road that eventually leads to National Forest land. "We are improving access to public lands as well as significant cost to the developer."

Gray said he has "absolutely no idea" of the potential price of the lots, noting market forces. He added that there are no plans currently to develop the north half of the property where a golf course had been proposed in the 1994 plan.

"Being a developer from the past, I said, 'Jesus this thing is wrong,'" said Singleton. He reported as of Tuesday morning that he had submitted 385 signatures to the county, and he had 100 more petitions in circulation and expected to gather 2,000. "This is really a noble cause."

He expected that the Monday hearing would be so well attended that the old county courthouse would not have enough room, and figured a gymnasium would be needed.



April 3, 1996
Page 26 in Wood River Journal

Printed at (208) 338-2400
or 1 (800) 533-2450 Outside Idaho
3200 Gowen Road Boise, Idaho 83705

A huge THANKS

to all of the residents of the
Wood River Valley who are helping to preserve
our way of life by signing the Greenhorn petition.

Have a happy Easter and may God bless you all.

Signed,

Chris Singleton and
The Elk, Deer, Coyotes Rabbits, Fish, Birds, Foxes
and all of the other animals of the
Greenhorn Valley and Big Wood River



LAWNCARE

LANDSCAPING

COUPES & SNOW

Jeff Coupe
208-788-4378

P.O. Box 3518
Ketchum, ID 83340

"We can't keep this up," said Idaho Fish and Game conservation officer Lee Frost. "Development in this valley, all of it, in the Big Wood drainage, is killing our wildlife...This development is just another nail in the coffin."

Meanwhile, Jed Gray, consultant to project developer Harry Rinker, held another press conference last Thursday saying the project adhered to county ordinance standards and process, and will be a first rate development. He also reminded the press about the public process and that plans on the table could change with compromise and procedure.

"This project is good," said Gray. "It conforms with county ordinances and serves the people well."

Gray said that he did not want the subdivision proposal debated in the media, referring to an article in the Wood River Journal last week.

Twin Falls TV station KMTV reporters asked Gray what the reaction had been to the development. Gray said initial response had been favorable. He declined to comment on the pricing of the homes.

The Golden Eagle subdivision is a proposed 44-home 190-acre subdivision currently in the county procedural pipeline. The county planning commission meets Monday, April 8 at 6:30 p.m. at the Blaine County Courthouse to take another look at plans.

Opposition orchestrators, Chris and Dana Singleton, who live on the property's edge, held a press conference last week with Fish and Game officer Frost who made bold comments against subdivision development in the valley.

But it wasn't just the impact of Golden Eagle Ranch that Frost took to task. Rather, he made umbrella statements about development run amok in the Wood River Valley.

"It's not just this development," said Frost, pointing out Si-

that, it was covered with native sagebrush, said Bruce Smith of Galena Engineering. That firm is also a project consultant.

Frost said the time has come for the valley and its officials to take a tough stance against development and to do an about-face on dealing with mitigation.

"We've got to quit looking at mitigation regarding wildlife," he said. "You cannot mitigate damage so you always lose."

Frost said radical changes in attitudes on the part of the residents and county officials must take place if fish and wildlife populations are going to survive in the valley.

"Quit squeezing the developers for mitigation fees," said Frost. "They're useless and they don't work. Instead, start saying no. Not only no, but hell no, and if you don't like it we'll go to court. I think we're coming to that point, especially when it comes to our wildlife."

When asked if that was an unrealistic view, given the fact that more people want to live here, Frost replied:

"The old way of doing it, concentrating on mitigation ... is absolutely the wrong approach," said Frost. "I say if people can't co-exist with the animals here, then they should leave."

Frost said that human animals need to learn how to be part of the food chain.

Frost was also asked if his comments could be construed as a stab against private land rights, and if it was constitutionally fair to impose strong restrictions on Rinker, given the fact he owns the land in question.

"My argument to that is what about the taking of the public's wildlife," said Frost.

The Singletons, former Hawaii



Lee Frost

Gulch residents say this isn't a case of NIMBY (not in my backyard). Instead, Chris Singleton said he has heard positive feedback regarding his efforts to tame the proposal. He points to the 400 signatures opposing the development so far as evidence this is not just a group of angry homeowners trying to keep their front yard a meadow.

"This is bad development, I know because I've been a developer," said Singleton.

Two weeks ago he drove a 35 foot post into the southern edge of the property with a bright red flag with the number 35 on it. He hopes to drive home the message that tall homes could be built along the back edge of the subdivision if current plans are approved.

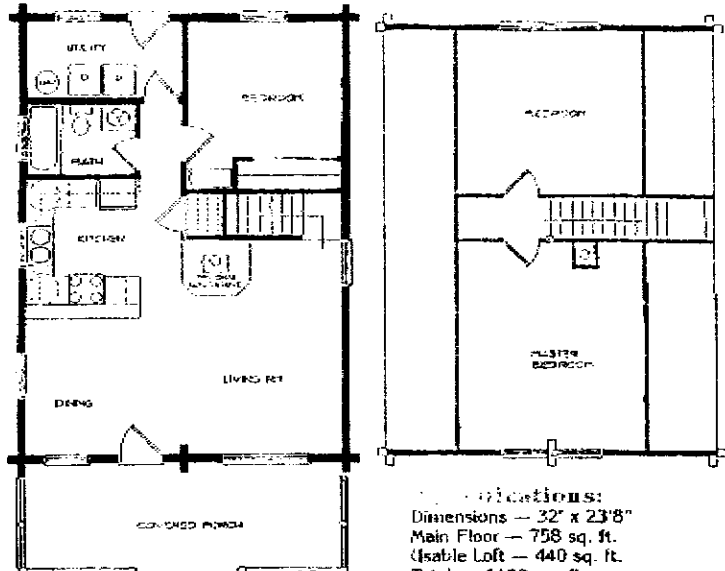
Gray said developers will make every effort to insure the quality of the development. He said developers are going to enhance the county infrastructure by paving Greenhorn Gulch Road. Also in the plans he said, is to clean up Greenhorn Creek and provide recreational access, including a fisherman's access and pedestrian path.

He pointed out that zoning on the property is in sync with the proposal. Most of the land is zoned R-2, allowing for one home to be built on 2 acre lots. Other portions of the land is zoned A-10. Those lots have other restrictions due to the fact they include some hillside land.

MAY 07 1996

Kabin Kits
by Lodge Logs

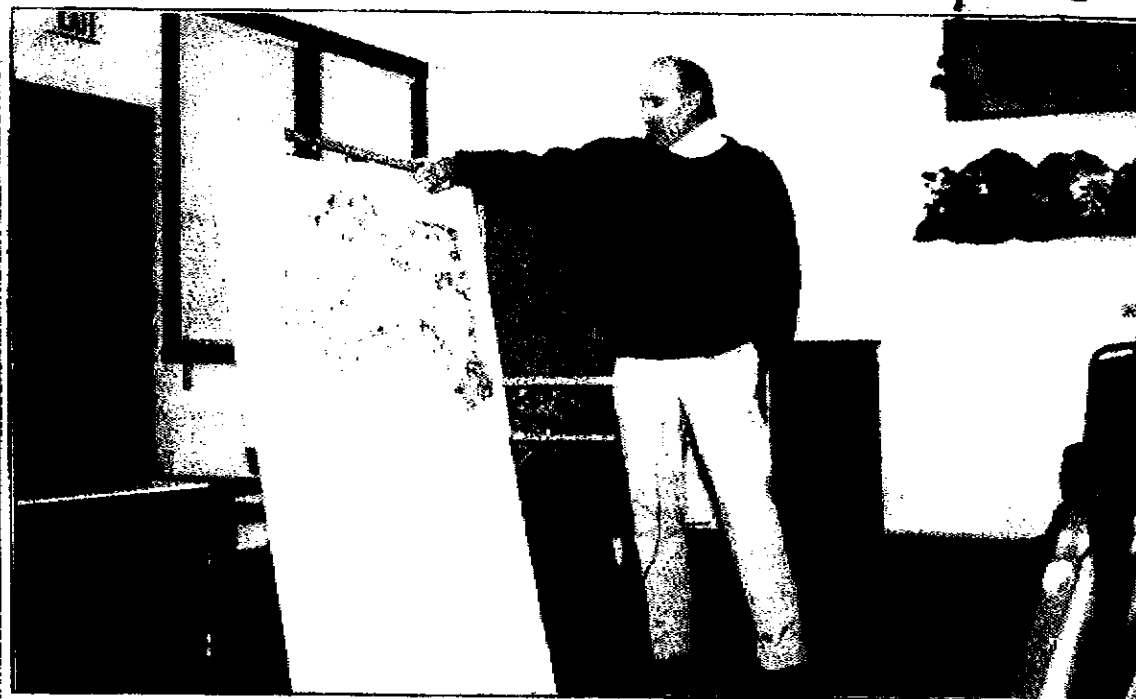
SPRING SPECIAL
\$12,999.00
6" Logs • TEA FOR BOISE, IDAHO.
Includes all the materials, plans & labor to build a log home.

Specifications:
Dimensions — 32' x 23'8"
Main Floor — 758 sq. ft.
Usable Loft — 440 sq. ft.
Total — 1198 sq. ft.

LODGE LOG HOMES, a leader in the log home industry since 1975, is proud to introduce a new product line for 1996 — "The Frontiersman". The Frontiersman is made of top quality dead-standing wood in either Lodgepole Pine, Spruce or Douglas Fir. These homes will feature the same pre-cut, pre-drilled system as our other lines.

For more information on ordering this home or any of our standard plans, or to customize your own please contact



RANCH DISCUSSION - Developer Jed Gray points out various features of the proposed Golden Eagle Ranch subdivision at a press conference his office Friday. (Journal photo, Kristen Kennedy)

Supporters and critics discuss Golden Eagle Ranch subdivision

By KRISTAN KENNEDY
Wood River Journal

An Idaho Fish and Game officer said last week the proposed Golden Eagle Ranch subdivision is just another example of the area's wildlife being traumatized by rapid residential growth the Wood River Valley.

The press conference was hosted by opponents of the subdivision who have gathered 400 signatures protesting plans for development at the mouth of Greenhorn Gulch.

"We can't keep this up," said

ton's window toward Rinker's property. "It's all the development, it's killing our wildlife."

Specifically, Frost said that a resident herd of 150 elk and other populations of geese, beaver and deer will be hurt should the 44 homes be built on the land currently planted with alfalfa. Rinker planted the alfalfa when he acquired the land in the late 1980's. Prior to



3/96

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST**

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Permit # 37-08854 Rinker Co. Harry Rinker
 2. Name of protestant Residents of the Big Wood River Valley
 3. Protestant's representative for service (If different than protestant)
Chris Singleton
 4. Service mailing address P.O. Box 2803 SUK Valley Id 83353
 5. Service telephone no. 208-788-6161
 6. Basis of protest (Including statement of facts and law upon which the protest is based)
Please see attached Petition to:
B. Louis Co. Commissioners and Planning Dept
- (additional pages may be attached to describe the nature of the protest)
7. What would resolve your protest? Please see petition

I hereby acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 2 day of April, 19 96

Residents of the Big Wood River Valley
PROTESTANT

Chris Singleton
PROTESTANT'S REPRESENTATIVE

RECEIVED

MAY 07 1996

NOTE:

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
6. Specifically describe the nature of the protest.
7. Describe the relief being sought by the protestant.

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Time _____

\$25.00 fee Received by _____ # _____ Date _____

Christopher B. or Dana S. Singleton
P.O. Box 2803 Ph. 726-7570
Sun Valley, Id 83355-2803

THE FUNDING

1285

4-3-96

92-6/1241

Pay To The
Order Of

Sept 24 State of Idaho \$25.00
Twenty-five and 00/100 Dollars

First
Security
Bank

First Security Bank of Idaho
600 Sun Valley Road
Ketchum, Idaho 83340
FirstLine 1-800-574-4200

RECORDED

Memo Rinker Well Protest

Christopher B. Singleton
May 10 1996

12124100064:029 10160 95 1285

TRANSMITTAL COVER SHEET

OMNIFAX 666

RECEIVED

APR 03 1996

Department of Water Resources
Southern RegionFrom: Chris SingletonTOTAL PAGES SENT: 2DOCUMENT DESCRIPTION: Protest formFROM: IDAHO DEPARTMENT OF WATER RESOURCES
222 SHOSHONE AVE E
TWIN FALLS ID 83301

PHONE: 736-3033

FAX: 736-3037

TO: Allen Nevitt

CHARGES:

One (1) free copy per request, cover sheet not counted. Two (2) or more copies per request will cost \$0.25 per page. (\$0.50 minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: _____
Please remit to the above address.

COMMENTS:

Original Check and Protest form
will be mailed today April 2, 1996 to
you. Thanks Chris Singleton

MICROFILMED

MAY 07 1996

RECEIVED

APR 02 1996

Department of Water Resources
Southern Region

April 1, 1996

Corey Skinner
Dept. of Water
Southern Region
272 Shoshone St. East
Twin Falls, 83301-6105

Re: Golden Eagle
ranch sub.

Sir:

Enclosed is a petition from the people of Blaine County with almost 400 signatures on it, I have put out another 160 petition and map packages and expect to have well over 2000 signatures by the April 8 P&Z meeting at 6:30 Blaine County court house. Please note on the plat map the lots spanning the Big Wood river greenhorn river, the plan for all leach field septic, and how the private lake lots have over $\frac{1}{2}$ ^{acre} of water already on the lots by virtue of the Pond coverage on each private lot. Not to mention the Big wood river lots with almost 1 acre of surface water coverage. Please holdup this application until the items in our petition are reviewed. Please call me at 788-6161.

MAY 07 1996

Chris Singleton

FROM: Allen Merritt *AM*

DATE: April 1, 1996

TO: File: Application for Permit 37-08854

SUBJECT: Review & Recommendation

The application proposes to develop a new well for domestic and irrigation use for a subdivision between Hailey and Ketchum. The well is to be located in an area presently covered by the "Eastern Snake Plain Moratorium" as well as the "Big Wood River Groundwater Management area". Pursuant to the moratorium and the management order such subdivision wells have been allowed for "domestic, irrigation & fire protection" purposes as long as the individual units or lots in the subdivision satisfies the definition of 42-111. Review of existing rights at the site of the subdivision finds that the land is presently irrigated from water from an existing irrigation well &/or from Big Wood River decrees. (See 2/27/96 memo from Corey Skinner) It is the understood intention of the applicant that these other rights are to be reconfigured by transfer such that the irrigated acres under this permit will not overlap with existing rights.

The application was advertised with no protests.

Recommendation:

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

1. A measuring device with totalizing meter be installed at the new well and water use reported annually. It is recommended that the well when drilled have an air line installed as part of the construction to report water levels.
2. Use of water for domestic purposes under this right shall be limited to in-house use and watering of household stock.
3. Use of water for irrigation purposes under this right shall be in connection with a developed household only. Irrigation use authorized under this permit must for lots in the subdivision where the uses individually at each lot meet the definition for domestic use provided in 42-111, Idaho Code.
4. The new well authorized under this permit must comply with the drilling permit requirement and meet IDWR well construction standards and DEQ health requirements.

MAY 07 1996

Page 2

4/1/96 Memo 37-08854

5. Subject to all county, state & federal permits that may be required.

RECEIVED

MAY 07 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY C. KINER DATE 02/27, 1996
APPLICATION NO. 37-28854

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners. *Rec'd 3/12/96*)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.
☒ County
☒ Quantity (flow &/or volume)
☒ Period of use
☒ Nature of proposed use (include description of use)
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
☒ Fee
 Yes _____ No* In form to receipt
- +++PROPOSED PRIORITY DATE
 FEB. 20 19, 96

ADDITIONAL INFORMATION

- | | |
|-----------------|---|
| <u>X</u> | Overlapping place of use(Describe source & relationship to present application on the back. SEE ATTACHED MEMO |
| <u>X</u> | Overlapping point of diversion. SEE ATTACHED MEMO |
| Yes <u>X</u> No | Field check required |
| | Field check by _____ |
| Yes <u>X</u> No | Field report attached |
| Yes <u>X</u> No | Critical Ground water area |
| Yes <u>X</u> No | Groundwater management area |
| Yes <u>X</u> No | Send Dam safety information |
| Yes <u>X</u> No | Send power requirement letter |
| Yes <u>X</u> No | Send fish farm requirement letter |
| Yes <u>X</u> No | Power residency affidavit. |
| Yes <u>X</u> No | Power efficiency form |
| Yes _____ No | Within trustwater boundary(If yes, <u>attach trustwater supplementary analysis sheet.</u> |
| Yes <u>X</u> No | Diversion greater than 5 cfs or 500 acre ft. (If yes, <u>attach large diversion supplementary analysis sheet.</u> |

See reverse side for additional information.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Date Requested _____, 19____

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

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

FINAL REGIONAL PROCESSING REVIEW

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

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

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

☒ Yes ☐ No Recommendations attached

☒ Yes ☐ No Measuring device required

☐ Yes ☒ No Access port required

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

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

See below for additional information

Date of priority recommended 2/14/96, 19

By AM Date 4/1, 1996 (See memo 4/1/96)

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19 _____

ADDITIONAL INFORMATION:

AFFIDAVIT of PUBLICATION

RECEIVED

MAR 14 1996

State of Idaho, }
County of Blaine } SS.

Department of Water Resources
Southern Region

On this 13 day of March, in the year 1996, 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 6 day of March, 1996, and the date of the last publication was on the 13 day of March, 1996.

Daniel J. Gorham
Subscribed and sworn to before me this 13th day of March, 1996.
(SEAL)

Roberta McFarlane
NOTARY PUBLIC

#9978

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 49,400
Number of Insertions 2
Lines tabular at 49,400 6c / Pica
Lines straight at 28,405 5c / Pica
Subsequent lines at 22,724 4c / Pica
TOTAL COST +5 \$56.13

COPY OF NOTICE
(Paste Here)

Water Permit 37-08854
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Resources
BILL TO

Application for water permit

NOTICE OF APPLICATION FOR WATER PERMIT

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

Riparian Company &/or
Harry S. Riparian, Trustee
PO Box 7250
Newport Beach, CA 92658-7250
37-08854

Source: groundwater
Diversion Pt.:
SE1/4SW1/4NE1/4,
NE1/4NW1/4SE1/4,
NW1/4NE1/4SE1/4, S12, T3N,
R12E, Blaine County.

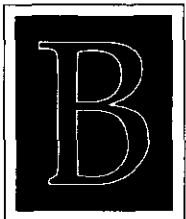
Use:
Irrigation (0.44 cfs) 4/15-10/15
Domestic (0.31 cfs) 1/1-12/31
Total Diversion: 0.44 cfs
Date Filed: 2/10/1996

In: Irrigation of 22.0 acres
within 44 proposed domestic lots
within NE1/4, SE1/4NW1/4,
SE1/4, S12, T3N, R12E, known
as Golden Eagle Ranch
Subdivision.

The permit will be subject to all
prior water rights. Any protest
must be filed with the Director,
Dept. of Water Resources,
Southern Region, 222 Shoshone
Street East, Twin Falls, ID
83401 together with a protest fee
of \$25.00 on or before March
25, 1996. The protestant must
also send a copy of the protest to
the applicant.

Karl J. Dreher, Director
Furnished to Wood River
Journal on 3/6 & 3/13/96.

MAY 07 1996



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAR 12 1996

Department of Water Resources
Southern Region

March 9, 1996

Mr. Allen Merritt
Idaho Dept. of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301

Subject: Application for Permit- Rinker Company-37-08854

Dear Allen:

The additional information on the applicant requested in the letter of February 28, 1996 from Corey Skinner is as follows:

Application for permit 37-08854 is in the name of Rinker Company which is a sole proprietorship. The sole proprietor is Harry S. Rinker.

Sincerely,


C. E. Brockway, P.E.

cc: H. Rinker

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., E.I.T.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208•733•0938
208•734•2580

FAX: 736•1746

RECEIVED

MAR 12 1996

Department of Water Resources
Southern Region

RECEIVED

MAY 07 1996

**NOTICE OF APPLICATION
FOR WATER PERMIT**

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

Rinker Company &/or
Harry S. Rinker, Trustee
PO Box 7250
Newport Beach, CA 92658-7250
37-08854

Source: groundwater
D i v e r s i o n P t :
SE 1/4 SW 1/4 NE 1/4,
NE 1/4 NW 1/4 SE 1/4,
NW 1/4 NE 1/4 SE 1/4, S18, T3N,
R18E; Blaine County.

Use:
irrigation (0.44 cfs) 4/15-10/15
Domestic (0.31 cfs) 1/1-12/31
Total Diversion: 0.44 cfs
Date Filed: 2/20/1996

In: Irrigation of 22.0 acres
within 44 proposed domestic lots
within NE 1/4, SE 1/4 NW 1/4,
SE 1/4, S18, T3N, R18E; known
as Golden Eagle Ranch
Subdivision.

The permit will be subject to all
prior water rights. Any protest
must be filed with the Director,
Dept. of Water Resources,
Southern Region, 222 Shoshone
Street East, Twin Falls, ID
83301 together with a protest fee
of \$25.00 on or before March
25, 1996. The protestant must
also send a copy of the protest to
the applicant.

Karl J. Dreher, Director

Published in Wood River
Journal on 3/6 & 3/13/96.

RECEIVED
MAY 07 1996

MAY 07 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

February 29, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

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. If time allows, please submit a galley proof for review before publication.

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.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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



FEB 29 1996

NOTICE OF APPLICATION FOR WATER PERMIT

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

Rinker Company &/or
Harry S. Rinker, Trustee
PO Box 7250
Newport Beach, CA 92658-7250

37-08854

Source: groundwater

Diversion Pt: SE1/4SW1/4NE1/4, NE1/4NW1/4SE1/4, NW1/4NE1/4SE1/4, S18, T3N, R18E; Blaine County.

Use: irrigation (0.44 cfs) 4/15-10/15
Domestic (0.31 cfs) 1/1-12/31
Total Diversion: 0.44 cfs

Date Filed: 2/20/1996

In: Irrigation of 22.0 acres within 44 proposed domestic lots within NE1/4, SE1/4NW1/4, SE1/4, S18, T3N, R18E; known as Golden Eagle Ranch Subdivision.

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before March 25, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in Wood River Journal on 3/6 & 3/13/96.

RECEIVED

MAY 07 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

February 28, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

CHARLES E BROCKWAY P E
706 SUNRISE BLVD N
TWIN FALLS ID 83301

Re: Application for Permit No. 37-08854 (Rinker Co.)

Dear Mr. Brockway:

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

This office has scheduled advertising the application in the Wood River Journal for 3/6 & 3/13/96. A period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely yours,

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

cs:mb

cc: Rinker Co

MAILED
FEB 29 1996

MAY 07 1996

S. Region
5/89

Application No. 37-08854

ADDITIONAL INFORMATION REQUIREMENTS
FOR APPLICATIONS IN THE NAME OF A CORPORATION,
COMPANY, OR PARTNERSHIP

In reviewing the application for compliance with the requirements of the Department's Rules and Regulations for Water Appropriations, we have determined that the following information is required to make the Application complete for processing.

- 1) If the Application is filed in the name of a corporation, the names and addresses of its directors and officers shall be provided. If the application is filed by or in behalf of a partnership or joint venture, the application shall provide the names and addresses of all partners and shall designate the managing partner, if any. (Rule 3,3,2,1)

Because the required information does not appear in the legal notice, we are proceeding with advertising of your Application. If the required information is received within ten days of the second publication date, no additional delay should be incurred in processing.

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S. REGION

MEMORANDUM

TO: Rinker Application for Permit File (Golden Eagle Ranch)
FROM: Corey Skinner *CS*
DATE: February 27, 1996
SUBJECT: Staff Review

The enclosed application for permit, filed by Harry Rinker, is for a domestic water supply for the proposed Golden Eagle Ranch subdivision located at the bottom of Greenhorn Gulch in the Wood River Valley (Section 18, Township 03N, Range 18E). A brief summary of the proposed development would be as follows...

The site of the proposed subdivision is currently a field that is irrigated primarily by a well licensed under water right 37-02632. In addition to this licensed right, application 37-08268 (protested and held up due to the moratorium), SRBA claims A37-14257 and A37-14258 (possible expansions of 37-02632), and pending transfer 4242 (an attempt at transferring a questionable portion of the W.T. Riley right to a groundwater diversion) all claim, or hope, to be diverted from the same irrigation well. These groundwater rights, claims, and applications all list portions of the site of the proposed subdivision as their place of use.

In addition, portion(s) of surface rights 37-00153 and 37-00154, and SRBA claims based on these two rights, are, or claimed to be, appurtenant to portions of the site of the proposed subdivision. Water right 37-00154C, and its corresponding adjudication claim in Rinker Company's name, are appurtenant to portions of the site of the proposed subdivision. A transfer application for right 37-00154C is also being developed to modify its use as part of the water development of Golden Eagle Ranch.

However, Water right 37-00153, which has been split into portions B,C, and D, lists its source as Greenhorn Creek. The original decreed place of use and the place of use of the remaining untransferred portion, part C (5.5 cfs), list portions of the site of the proposed subdivision. A search through the adjudication claims revealed only one claim based on 37-00153 that has an overlapping place of use with the site of the proposed subdivision. This claim, A37-00153A (4.74 cfs), was filed by Glenn B. Gould Family Partnership, apparently the original owner of the land that Mr. Rinker plans to develop. A37-00153A claims that water is diverted out of Greenhorn Creek and delivered via ditches to the place of use, the present site of the proposed subdivision. However, Greenhorn Creek water is not part of the proposed water development for Golden Eagle Ranch. It appears that the actual use

MAY 07 1996

37-08854

of Greenhorn Creek water, especially claim A37-00153A, will have to be determined through field verification and additional information from the claimants.

It should be noted that the enclosed application for domestic use proposes the development of two separate systems. The "in house" use will be provided to the 44 lots via the two proposed domestic wells in the SE $\frac{1}{4}$ of section 18 through an independent delivery system. The domestic irrigation water (44 lots at $\frac{1}{2}$ acre per lot = 22 acres) will be diverted from the existing irrigation well, currently licensed under 37-02632, and routed through a common irrigation system, separate from the "in house" system. This proposed common irrigation system includes a series of four connected ponds with water being diverted into the first (upstream) pond, routed downstream through the four ponds, and then pumped from the fourth (downstream) pond to provide irrigation water for the individual lots and various "greenspaces". In addition, irrigation can also be accomplished by pumping directly from the irrigation well. Water from the enclosed application for permit, groundwater right 37-02632, and surface rights 37-00577BR, 37-00577BS, 37-00364G, and 37-00154C will all be supplied to this common irrigation system. Transfer applications are being submitted that will modify (change POD, POU, nature of use, etc.) these other water rights so they will be allowed to be used in this same common irrigation system.

The enclosed application is basically a first in a series of applications that will develop water at Golden Eagle Ranches. Hopefully, any questions with overlapping water rights that may affect this application will be clearly answered as the review of Golden Eagle Ranches water development continues.

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PLEASE NOTE:

Per written request of Harry Rinker - All water matters and correspondence pertaining to properties owned by Harry Rinker be *carbon copied* to:

CHARLES E BROCKWAY Ph.d,P.E.
BROCKWAY ENGINEERING
2160 WASHINGTON STREET NORTH #4
TWIN FALLS ID 83301
208-736-8543