

									MICROFILMED			
								FEB 2 8 1967				

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.

William Plant
Co-owner (Applicant)

1987
AUG 30

NEW RESERVATION
AREA

90

CAMAS PROPERTIES

14 13
23 24

624

14
16

ENCLOSURE

FEB 23 1998

however freeboard on dam does not meet min. standards. Due to concrete protection on upstream slope and paved crest and since the res. is off stream the freeboard provided may be adequate. Due to observed stability of embankment over last few years the piezometer requirements should be waived.

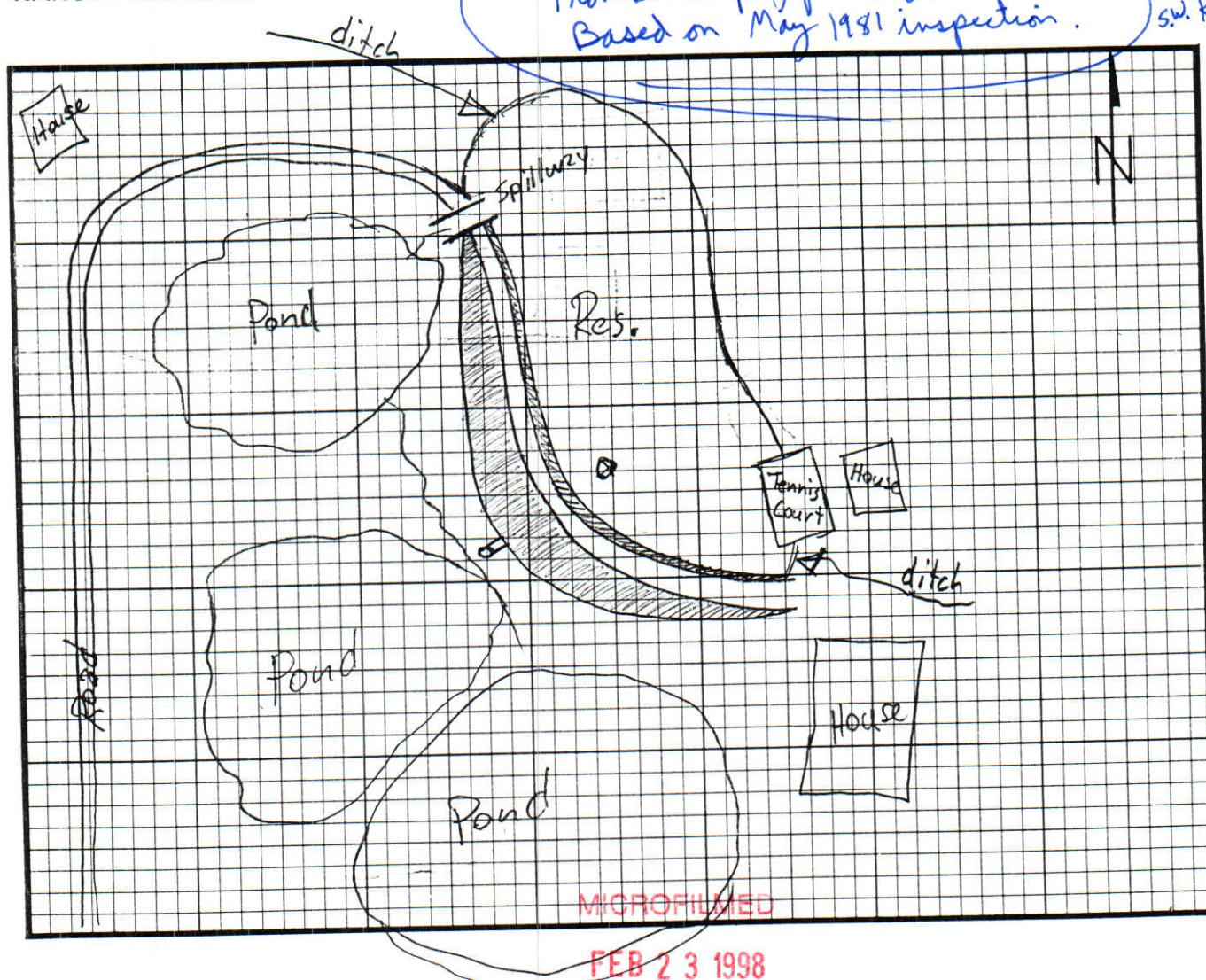
INSTRUMENTATION READINGS (Piezometer, Seepage measurement, Alignment, Elevation, etc.)

None.

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:

From Dam Safety file D37-7459.
Based on May 1981 inspection.

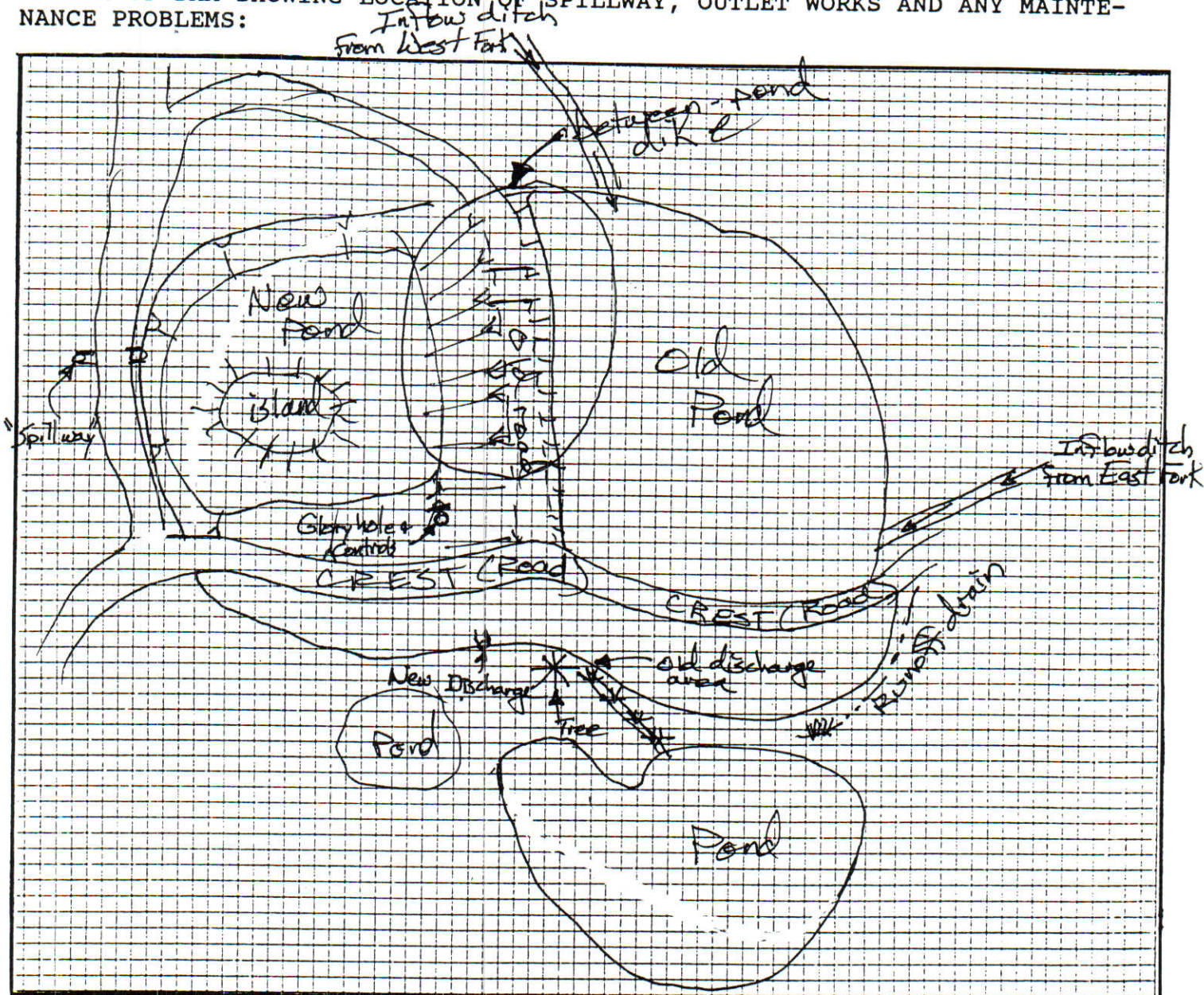
S.W. Kean



RECOMMENDATIONS: 1. Raise bridge which crosses spillway
2. Waive min. standard for freeboard 3. Waive requirement for installation of piezometers. 4. Routine maintenance including a. Rodent control b. cutting of grass
c. weeds must be present & t

None

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY, OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS: See attached letter regarding water rights, construction app, storage prohibition. See what owner reaction is & act accordingly.

From Dam Safety file D37-7459.

S.V. Kern

Date:

11, 4, 1994

MICROFILMED
FEB 23 1998

Inspected by:

T. Jones 12/27/94

JAN 13 1995

* For
D37-0745-9
Sketch
File

RESV VOLUME:

OLD VOLUME = 5 AC-FT FOR 1.2 ACRES RESV AREA

$$V = C H (A)$$

$$C = \frac{V}{H A} = \frac{5}{(1.2)(1.2)} = 0.278 \quad \text{USE } C = .25$$

FOR OLD POND: $V_1 = C H A = .25 (1.2)(1.2) = 0.36 \text{ AC-FT}$

FOR NEW POND: $V_2 = C H A = .25 (1.2)(1.2) = 0.36 \text{ AC-FT}$

SUBTRACT VOLUME OF COOK ISLAND:

$$\frac{\pi (R_1^2 - R_2^2)}{2} (H) = \frac{\pi (40^2 - 5^2)}{2} (1.5) = 38288 \text{ FT}^3 = 0.9 \text{ AC-FT}$$

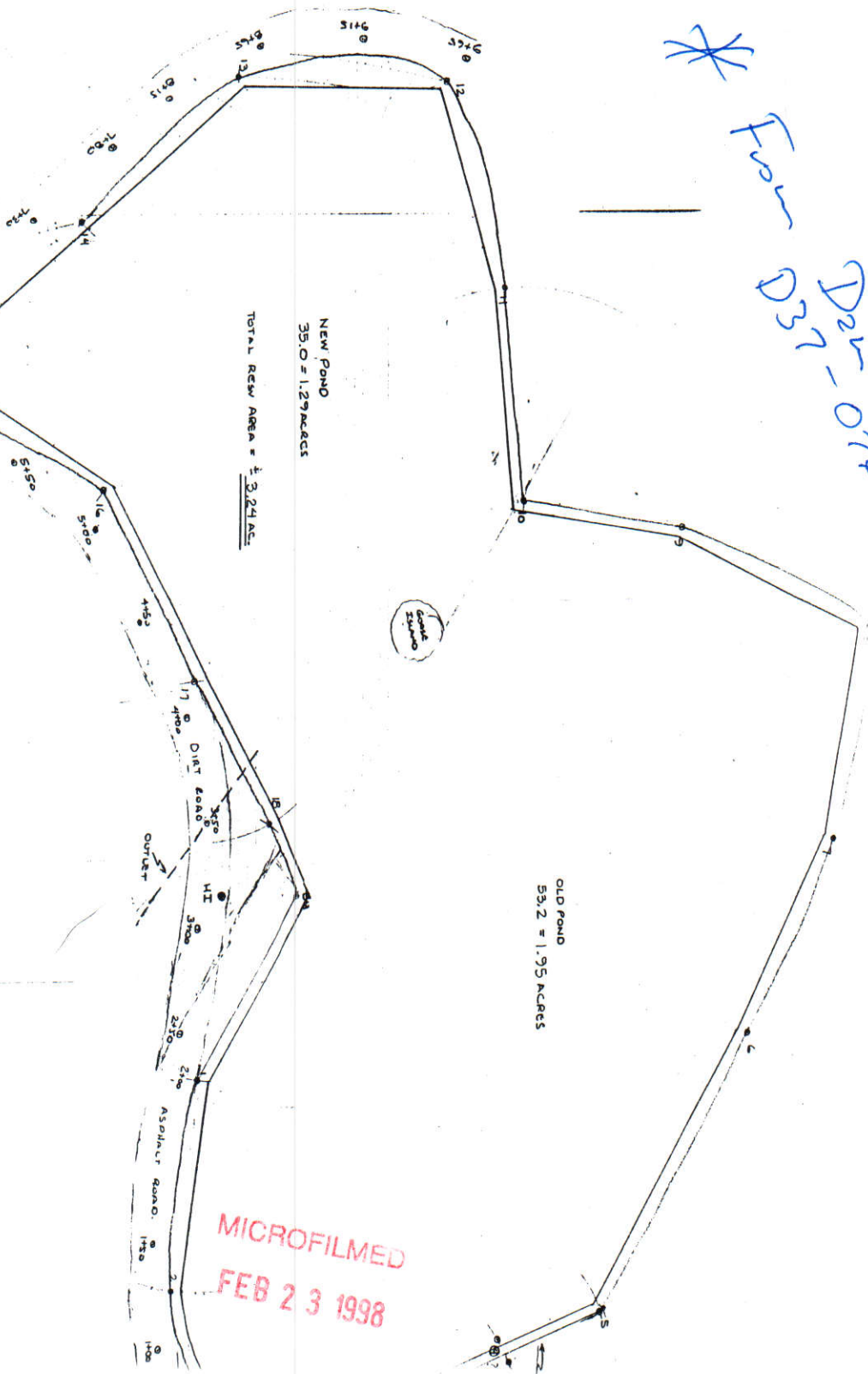
$$\text{RESV VOLUME} = 7.9 + 3.5 - 0.9 = 9.9 \text{ AC-FT}$$

Total
Use Pond.

HIDDEN PARADISE RANCH DAM (D37-7459)

STADIA SURVEY OF RESERVOIR AREA

SURVEYED BY ARNO & JO - 5/11/95
DRAWN BY ARNO - 5/11/95



NOTICE OF APPLICATION FOR WATER PERMIT

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

**SOLDIER MOUNTAIN RANCH & RESORT
PO BOX 279**

FAIRFIELD ID 83327

37-08846

Source: Three Mile Creek, East Fork
tributary to Camas Creek

Diversion Pt: NW1/4NE1/4SE1/4, S14, T1N,
R13E; Camas County.

Use: 1/1-12/31

Stockwater (0.02 cfs)

Stockwater Storage (20.0 afa)

Recreation (0.10 cfs)

Recreation Storage (20.0 afa)

Aesthetic (0.10 cfs)

Aesthetic Storage (20.0 afa)

Diversion to Storage (0.10 cfs)

Total Diversion: 0.10 cfs

Date Filed: 2/3/95

In: SW1/4SE1/4, S14, T1N, R13E.

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 July 24, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director ✓

Published: ✓ The Camas Courier on 7/5 &
7/12/95. ✓

MICROFILMED

FEB 23 1998



MICROFILMED
FEB 23 1998

37-08846

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 042324
Receipt By: [Signature]
Date Received: 5-13-98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 37-08846 Telephone No. 208-764-2506

2. Name(s) of Permit Holder(s): Camas Properties Inc.

3. Mailing Address: PO Box 279, Fairfield Id. 83327

4. Source of Water: Camas Creek If **GROUNDWATER** (well), Date Drilled: mo. ____ / yr. ____

a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____

b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

Domestic (No. of households): _____ Stockwater (No. and type of stock): 12 horses

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

6. Total rate of diversion and/or volume for which proof is submitted: .10 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 ☐

Has the measuring device been installed? Yes ☐ or No ☒

Flow Measurement Port: Is a flow measurement port required? Yes ☐ or No ☐

Has the measurement port been installed? Yes ☐ or No ☐

** please waive ~~to~~ no requirement **

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Steve Salladay OR Telephone Number: 376-6346

Address: Bill Carter

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

Signature of permit holder: [Signature] Date: 5-11-98
(include your title, if on behalf of company or organization)

AUG 20 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 37-08846

Proposed Priority: February 3, 1995

Maximum Diversion Rate:

0.10 CFS

This is to certify, that **CAMAS PROPERTIES INC**
PO BOX 279

FAIRFIELD ID 83327-0279

has applied for a permit to appropriate water from:

THREEMILE CREEK, EAST FORK tributary of **CAMAS CREEK**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	
STOCKWATER STORAGE	01/01 to 12/31		20.0 AF
RECREATION	01/01 to 12/31	0.10 CFS	
RECREATION STORAGE	01/01 to 12/31		20.0 AF
AESTHETIC	01/01 to 12/31	0.10 CFS	
AESTHETIC STORAGE	01/01 to 12/31		20.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.10 CFS	
	Totals	0.10 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 14, Township 01N, Range 13E
CAMAS County

PLACE OF USE: STOCKWATER

TWN RGE SEC

01N 13E 14 SWSE

PLACE OF USE: RECREATION, same as STOCKWATER use

PLACE OF USE: AESTHETIC, same as STOCKWATER 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 July 1, 1998.
2. Subject to all prior water rights.
3. Use of water under this right may be affected by an agreement between the protestant and the right holder.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
5. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
6. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.

MICROFILMED

FEB 23 1998

State of Idaho
Department of Water Resources

Permit To Appropriate Water

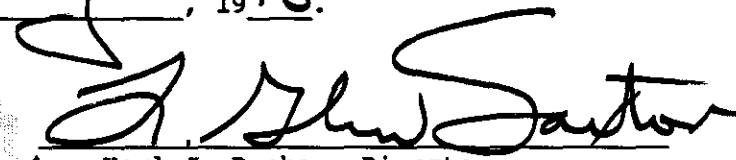
NO. 37-08846

CONDITIONS OF APPROVAL AND REMARKS

7. Stockwater use is for 6 horses.
8. Recreation use is for fishing.
9. Aesthetic use is for a wildlife habitat pond.
10. This right does not authorize the development of any new storage facility or any increase in volume or use of the existing facilities.

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

19 th day of February, 1998.


for Karl J. Dreher, Director

MICROFILMED

FEB 23 1998

State of Idaho
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
Amt. of Fee \$25.00
Date 4/5/96
Receipt No. SO18995
Receipt by TRB

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

BY WILLIAM N. CAMERON CO-OWNER

I, SOLOVER MOUNTAIN RANCH RESORT, hereby assign to CAMAS PROPERTIES INC.
(Applicant)
of P.O. Box 279 FAIRFIELD, IDAHO 83327
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 37-08846 to appropriate the public waters of the State of Idaho

RECEIVED
APR 30 1996

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Permit No. _____ to appropriate the public waters of the
State of Idaho. Department of Water Resources

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

RECEIVED

APR 05 1996

Department of Water Resources
Southern Region

Made this 5th day of APRIL, 19 96

SOLOVER MOUNTAIN RANCH & RESORT

By William Cameron pro. co-owner
co-owner Applicant(s)

State of Idaho)
County of Thiel Falls SS

On this 5th day of April, 199 6, personally appeared before me the
signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

[Signature]
Notary Public

SEAL

[Signature]
Signature

My commission expires: 6/30/2000

MICROFILMED
FEB 23 1998

RECEIVED

FEB 06 1995

Form 202
0.6/92
RECEIVEDWATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMITIdent. No. 37-08846

FEB 08 1995

Department of Water Resources To appropriate the public waters of the State of Idaho
Southern Region

1. Name of applicant Soldier Mountain Ranch & Resort ^{Formerly (Hidden Paradise)} Phone 208-764-2506
Post office address P.O. Box 279 Fairfield Id. 83327

2. Source of water supply EAST Fork 3mi Creek which is a tributary of Camas Creek ^{Do 2-15-95}

3. Location of point of diversion is * SE NW 1/4 of SW NE 1/4 of SE 1/4, Govt. Lot _____
Sec. 14 Township 1N Range 13E B.M. CAMAS County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Clarification of use per applicant. 2/3/95 cz.	Amount <u>0.02</u> for <u>Stockwater</u> purposes from <u>1/1</u> to <u>12/31</u>
	(cfs or acre-feet)
	Amount <u>20.0</u> for <u>Stockwater Storage</u> purposes from <u>1/1</u> to <u>12/31</u>
	(cfs or acre-feet)
	Amount <u>0.02</u> for <u>Recreation</u> purposes from <u>1/1</u> to <u>12/31</u>
	(cfs or acre-feet)
Amount <u>20.0</u> for <u>Recreation Storage</u> purposes from <u>1/1</u> to <u>12/31</u>	
(cfs or acre-feet)	
Amount <u>0.02</u> for <u>Aesthetic</u> purposes from <u>1/1</u> to <u>12/31</u>	
(cfs or acre-feet)	
Amount <u>20.0</u> for <u>Aesthetic Storage</u> purposes from <u>1/1</u> to <u>12/31</u>	
(cfs or acre-feet)	
Amount <u>0.02</u> for <u>Diversion to Storage</u> purposes from <u>1/1</u> to <u>12/31</u>	
(cfs or acre-feet)	

5. Total quantity to be appropriated is (a) 0.10 and/or (b) 20 AF
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing ditch from the
creek to an existing dam & pond.

b. Height of storage dam 15' feet; active reservoir capacity N/A acre-feet; total
reservoir capacity 20 acre-feet; period of year when water will be diverted to storage:
1-1 to 12-31 inclusive.

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

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____

MICROFILMED

FEB 23 1998

7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 years (minimum 1 year). * Changed per site visit 5-16-95

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

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. Horses 6 to 12 (seasonal)

c. **Municipal; show name of municipality.** _____

d. Domestic; show number of households. _____

e. Other; describe fully. Rec. fishing / Habitat improvement for

_____ 0 / water fowl

9. Description of place of use:

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

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

[illegible]

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? Hidden Paradise (SAR)

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

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

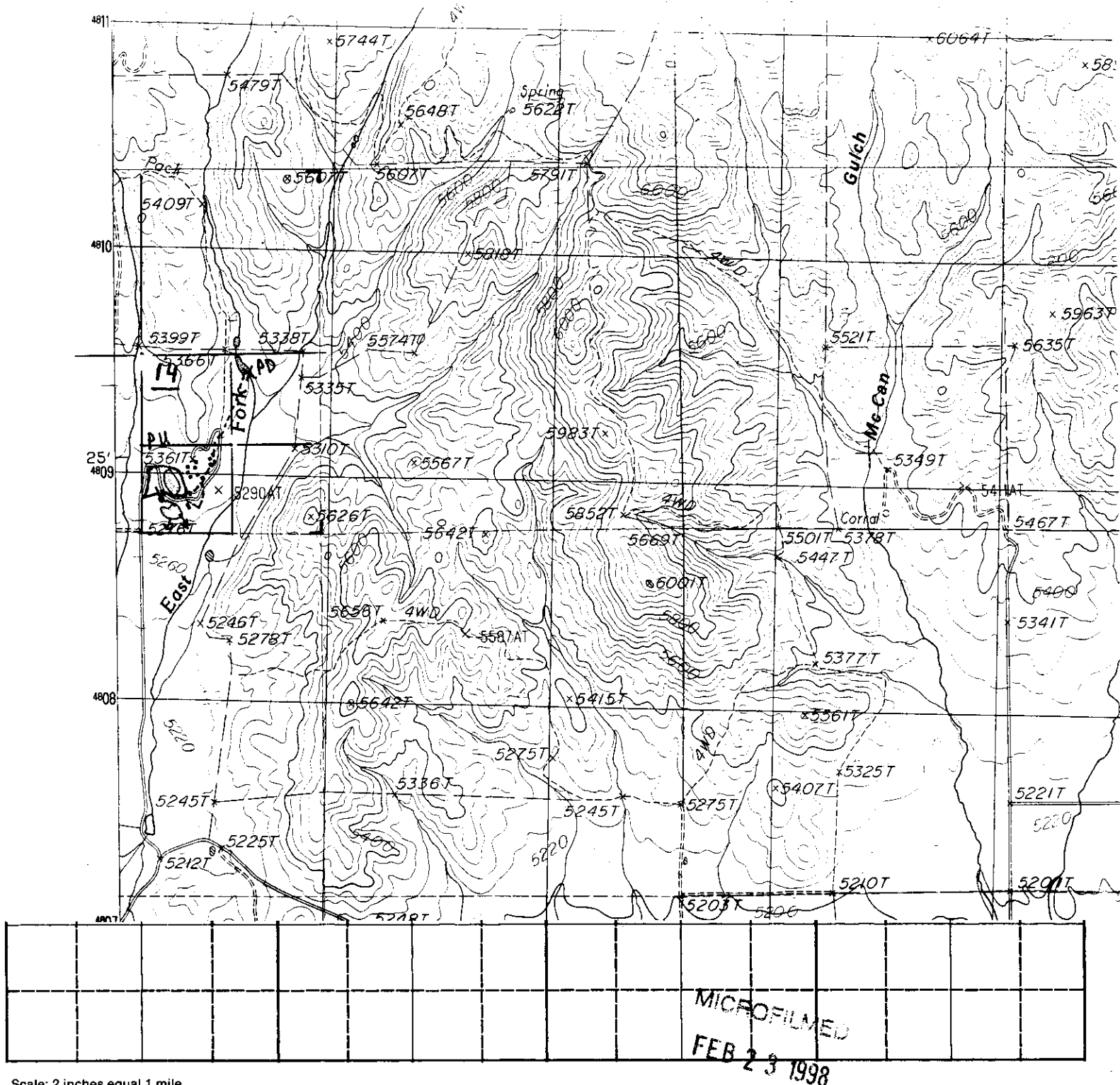
12. Remarks: Aesthetic & Recreational uses included

Prior lapsed permit No 37-7459 was associated with this storage facility

~~MICROFILMED~~

FEB 23 1998

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



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.

William Plante
Co-owner (Applicant)

Received by MB Date 2/8/95 Time 10:11 am Preliminary check by J. Stanton
Fee \$ 50⁰⁰ Receipted by RT # C032106 Date 2-3-95
Publication prepared by MB Date 6/9/95 Published in The Camas Courier
Publication approved MB Date 7/14/95

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

e. Other:

MICROFILMED
FEB 23 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 3708846 Reviewed by Jef Date 8-14-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

stock, storage

yes Address same as permit?

yes Proof timely received?

Correct Uses? yes

If not, complete calculation below.

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit

_____ Correct?

☐ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?

yes Required?

50- Amount Submitted

no Installed?

yes Correct?

yes Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

_____	_____
_____	-
_____	=
_____	+
_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X

Proof Made 5-13-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 14, 1998

Camas Properties Inc
PO Box 279
Fairfield ID 83327

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08846

Dear Permit Holder:

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

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

If you have questions concerning the field examination, please contact the department's SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

AUG 20 1998

April 30, 1998

CAMAS PROPERTIES INC
PO BOX 279
FAIRFIELD ID 833270279

PROOF DUE NOTICE

RE: PERMIT NO. 37-08846

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 July 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.

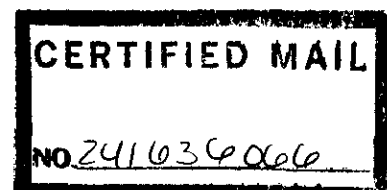
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

AUG 20 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 19, 1998

CAMAS PROPERTIES INC
PO BOX 279
FAIRFIELD ID 83327-0279

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08846

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

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

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

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

If the diversion dam is 10 feet or more in height, or has an impounding capacity of 50 acre-feet or more, certain dam safety requirements must be met. Please contact the regional office nearest you for details.

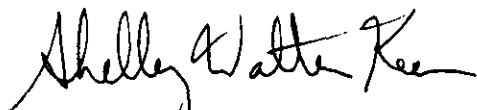
Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure

RECORDED
FEB 23 1998

to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED
FEB 23 1995

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of February, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 37-08846

CAMAS PROPERTIES INC
PO BOX 279
FAIRFIELD ID 83327-0279


Kari Lynn Townsend
Secretary

MICROFILMED

FEB 23 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

RECEIVED
Page 2
FEB 23 1998

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lee
 No.: 37-8846 Name: James Properties Inc. Soldier Mtn Resort Date: 2/17/98 Ad OK? ☒ / Gvmt Lts: ☒
AREA OF CONCERN:- No/Yes: ESRP Mor / _____ GWMA / Trust / Non-trust**PROTESTED:**

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

SYSTEM COMPLETED:~~1 year~~- ~~26A-P17~~

≤ 1 year/no proof

- P16**GROUNDWATER: (✓ FLO-CH)**

WMD (✓ MAP)

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- 01M (report when notified)

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

Included w/permit

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

irr. in WD

- P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD # 37)

> 0.10 cfs

- 04(P08)MD & LD) per region request

≤ 0.10 cfs

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

WMD (✓ MAP)

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

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

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 -P04, NA

(02/03-irr)

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

Payette R(65)

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

Salmon R (70's)

- 029 (fish screens), NA

USE:

Domestic surface

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

>1 in rest. area

- 071-070

Fish Propagation

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

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

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

> 5 acres

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

Mining

- 054(req) -081-P10

Municipal

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

Power

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

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

Stockwater

- R37 (BLM/USFS); NA

Storage (✓ 3 compo.)

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

LOCATION:

42-248 area

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

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

SWAN FALLS FLAG (See Code Chart)

Trust

- M

Non-Trust (1)

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

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU)

OWNERSHIP:**OTHER CONDITIONS:****STANDARD REMARKS:**

① Modify 074 modify rule from 02-01472

② W02 ③ Rec / fish ④ Res / use Pond.

7/1/1998

BENEFICIAL USE DUE:**COMMENTS:**

MEMORANDUM

To: Water Right File 37-08846

From: Shelley W. Keen *SWK*

Date: February 18, 1998

Re: Insignificant consumption of proposed use

Water Appropriation Application 37-08846 proposes the establishment of a new right to divert and store twenty acre feet of water in one main reservoir and several small ponds for recreation, aesthetic, and stockwater purposes. Evidence in IDWR's dam safety file no. D37-7459 shows that part of the main reservoir and some small ponds existed prior to November 19, 1987, and can, therefore, be exempted from the Eastern Snake River Plain Area moratorium under the provisions of application processing memorandum no. 54. Also documented in the dam safety file is the fact that the main reservoir was enlarged by five acre feet of storage capacity and about two acres of surface area. Under the moratorium provisions, evaporative losses from the two acres of additional surface area would usually require mitigation. In this case, however, the enlarged reservoir results in an insignificant consumption of water that need not be mitigated. Much of the area covered by the reservoir enlargement was already covered by a pond situated below the old dam. The land around the pond contained grass and phreatophytes that, although probably dry by midsummer, would have transpired some water for a few months each year. Because this area was already subject to evaporation and transpiration losses prior to 1987 and prior to enlargement of the reservoir, mitigation is not required for enlargement of the main reservoir into this area. The remaining area, about half an acre of new surface area, is small enough for the evaporative losses to be considered insignificant.

MICROFILMED

FEB 23 1998



however freeboard on dam does not meet min. standards. Due to concrete protection on upstream slope and paved crest and since the res. is off stream the freeboard provided may be adequate. Due to observed stability of embankment over last few years the piezometer requirements should be waived.

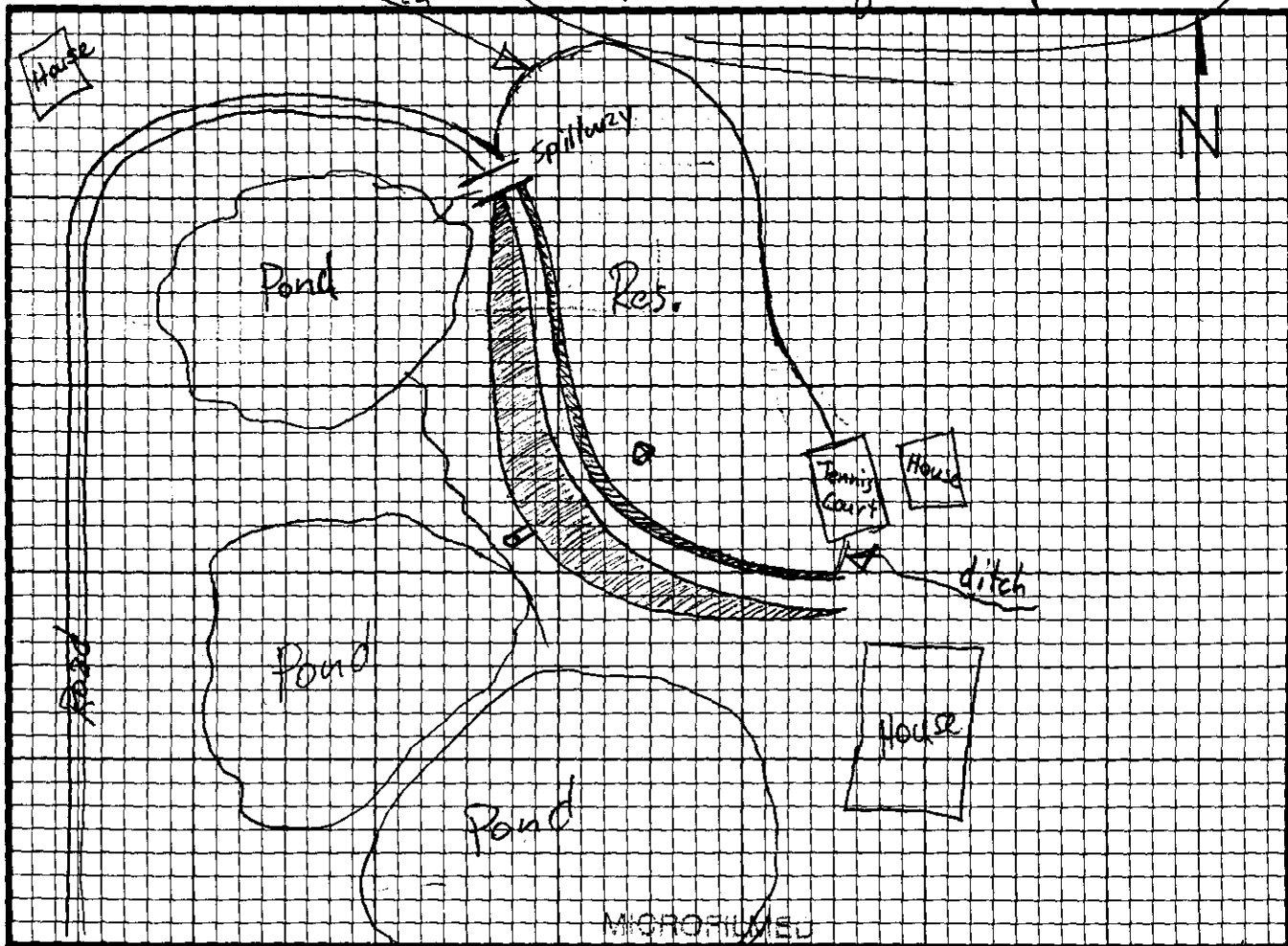
INSTRUMENTATION READINGS (Piezometer, Seepage measurement, Alignment, Elevation, etc.)

None.

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:

From Dam Safety file D 37-7459.
Based on May 1981 inspection.

S.W. Kean



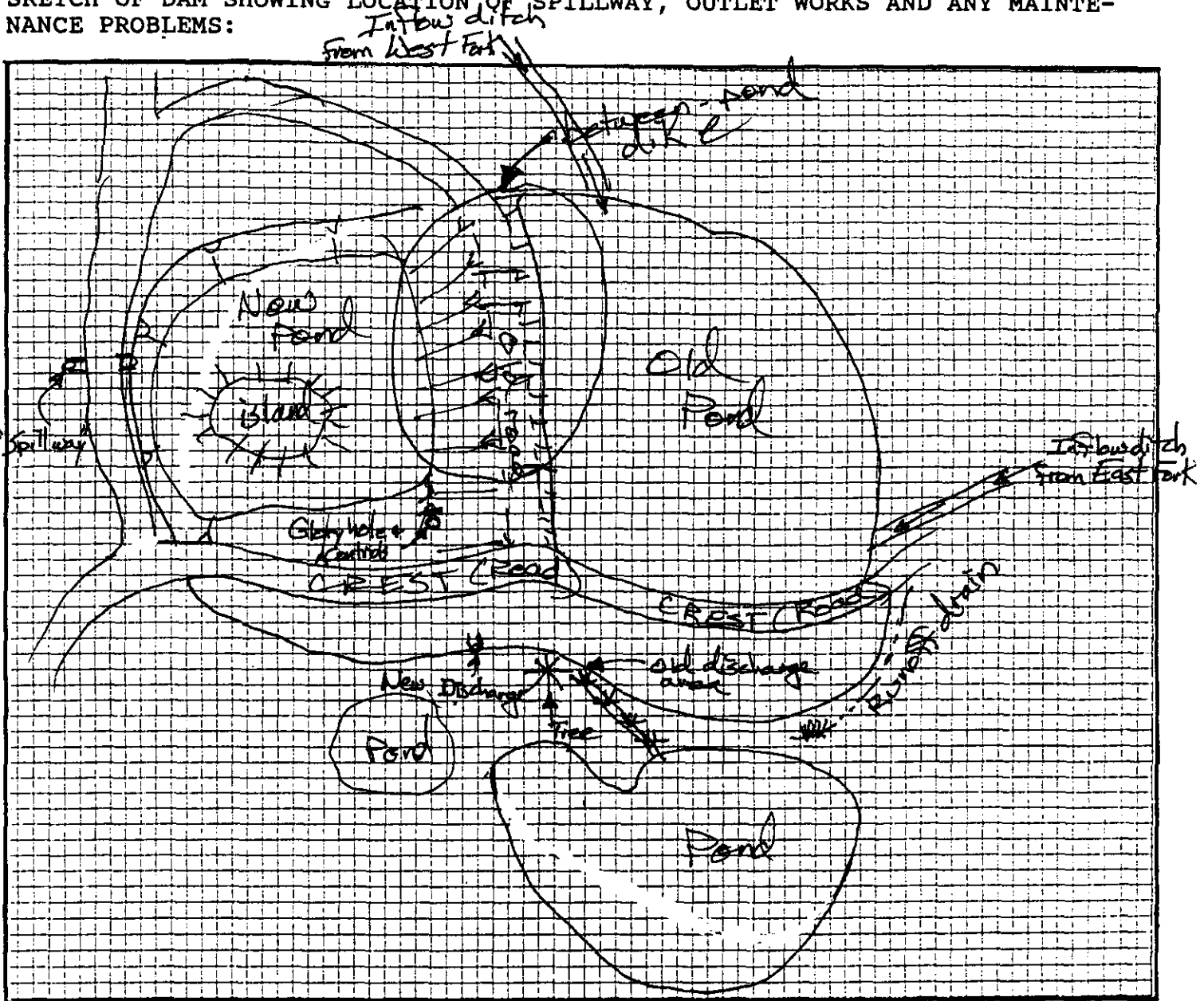
FEB 23 1998

RECOMMENDATIONS: 1. Raise bridge which crosses spillway
2. Waive min. standard for freeboard 3. Waive requirement for installation of piezometers. 4. Routine maintenance including 2. Rodent control 6. cutting of grass

all maintenance must be present & 2

None

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY, OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS: See attached letter regarding water rights, construction app, storage prohibition. See what owner reaction is & act accordingly.

From Dam Safety file D37-7459.

S. W. Kern

Date: 11, 4, 1994

MICROFILMED
FEB 7 1996

Inspected by:

T. Jones 12/27/94

RECEIVED

JAN 1 1995

MEMORANDUM

DATE: February 17, 1998
TO: File No. 37-08864
FROM: Cindy Lou Zimmerman *CLZ*
SUBJECT: Application Review

This application identifies 20.0 AF storage and up to 0.10 cfs (non-consumptive use) flow. The application describes diverting works as existing ditch, dam, and pond developed under lapsed permit 37-07459. The application was filed as a result from contact with IDWR Dam Safety personnel.

I looked at the dam safety file D37-07459. The report on their field inspection of 6/20/78 identifies an earthen 16.7' dam spilling into three ponds. Storage was estimated at 5.0 acre feet. These same structures were also inspected on 5/1/81, 6/21/82, 7/23/84, 10/23/84, and 4/30/87. Due to statutory changes, these structures were not again inspected until 11/4/94 at which time photos were taken. The photos show new construction on extending the dam to encompass one of the ponds and resulting in expanding storage. The expanded storage was estimated at that time at 11.0 acre feet. Correspondence in D37-07459 dated 12/27/94 advises the owners that this structure is not covered by a valid water right.

On February 8, 1995, southern region received this application. This application appears to propose an expansion in addition to the first expansion documented in 1994.

Considering this information, I do not recommend this application be approved as submitted. Storage volume beyond the 5.0 acre feet documented between 1978 and 1984 would represent post-1987 development. Any post-1987 storage would require mitigation. Storage volume above the 11.0 acre feet found in 1994 represents proposed future expansion and would also require mitigation. Mitigation is not addressed in this application.

MICROFILMED

FEB 23 1998



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

January 15, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BILL CARTER
7878 USTICK RD
BOISE ID 83704

RE: SMR Water Rights

Dear Bill:

I am sending you two more items for you to complete and return. The last time you stopped by, I forgot to give them to you.

Both items relate to your adjudication claim on right 37-02227, which was the 16-acre right originally issued to Bessie Smith. First, as I mentioned to you previously, claim A37-02227 is still in the name of Hidden Paradise Ranch Owners Association. You need to complete the enclosed ownership change form and submit it with the required supporting documentation to put the claim in the name of SMR, which would be consistent with your other recent filing on the same property (beneficial use claim A37-19832).

Second, you need to sign the enclosed amended claim to make the place of use on A37-02227 consistent with the right 37-08609 and claim A37-19832. The amended claim form shows SMR as the owner in anticipation of your completion of the ownership change form. Please note that your signature on the amended claim form must be notarized. If you want to stop by here, I will be happy to notarize it for you.

No fee is required for either the ownership change or the amended claim. Once you submit the ownership change form and the amended claim form, the Department will be able to act on the following items.

- Issuing the license for water right 37-08609, the ground water use on the golf course.
- Data entry of adjudication claim A37-19832, which is the beneficial use claim you recently brought to me.
- Processing of application 37-08846 to cover 20 acre feet of storage on the East Fork of Threemile Creek.

RECEIVED
FEB 23 1997

Bill Carter
January 15, 1997
Page 2

Please complete the ownership change form and the amended claim as soon as possible. If you have any questions, please contact me at 208-327-7946.

Respectfully,

A handwritten signature in black ink that reads "Shelley Walter Keen". The signature is written in a cursive style with a large, stylized 'S' and 'K'.

Shelley Walter Keen
Water Rights Supervisor

MICROFILMED

FEB 23 1998



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 28, 1996

BILL CARTER
7878 USTICK RD
BOISE ID 83704

RE: Camas Properties Inc. Water Rights

Dear Bill:

I have prepared the following summary and recommendations after reviewing the water right records for the lands associated with Camas Properties Inc. As you read, please note that there are some areas where establishing a clear picture of your water rights will probably require you to collect some additional information. Also, in some cases you will need to make choices based on your plans.

Ownerships

You told me that Hidden Paradise Ranch Owners Association is defunct. If so, all HPPOA claims filed in the SRBA need ownership change notifications. The claims are:

1. A37-13367
2. A37-13365
3. A37-13364
4. A37-13366
5. A37-02227

You also indicated to me that 1-3 above are appurtenant to land now owned by VM Diamond Ranch LLC. Numbers 4 and 5 should apparently be changed to Camas Properties Inc.

Also, based on the May 3, 1994, Warranty Deed conveying property in Section 23 from VM Diamond Ranch LLC to SMR Development, it appears that SMR Development should file ownership change notifications for portions of the SRBA claims on rights appurtenant to that land. The claims are:

1. A37-00368
2. A37-00409
3. A37-02076

RECEIVED

FEB 28 1996

I have enclosed some ownership change forms for you to complete and return to IDWR.

In addition, permit 37-08609 in the name of HPPOA should be assigned to Camas Properties Inc. I have enclosed an assignment form for you.

Irrigation of the Golf Course

It is not clear to me how much surface water is actually being used to irrigate the golf course. In order to ascertain whether your actual use is covered by existing water rights, you will need to find out how much surface water is actually being used.

According to our records, right 37-02227 has been claimed in the SRBA as appurtenant to the golf course, but it is good for only 16 acres of irrigation. When he reviewed groundwater permit 37-08609, IDWR examiner Jim Stanton found 45.4 acres of irrigation on the golf course. He said that right 37-08609 has been used to irrigate the golf course when the surface water becomes unavailable every summer. It appears then, that surface water is being used to irrigate more of the golf course than right 37-02227 allows.

Department records show that the decreed place of use for irrigation right 37-00409 includes the West½ of the NE¼ and the NW¼SW¼ of Section 23. The golf course is now located on some of these lands. However, SRBA claim A37-00409 does not include the West½ of the NE¼ and the NW¼SW¼ of Section 23. You need to investigate the history of the ownership and use of right 37-00409 to determine if it would be appropriate for you to claim in the SRBA that a portion of 37-00409 is appurtenant to the golf course lands.

If it becomes apparent that your current use of surface water on golf course lands exceeds your water rights, you may be able to cover your use by transferring the rights appurtenant to those lands in Section 23 recently repurchased from VM Diamond Ranch LLC.

Reservoirs

There are a number of small reservoirs associated with the golf course and resort. I am not sure whether all the reservoirs are filled from the East Fork of Threemile Creek or if some are associated with other sources. Application for permit 37-08846 was filed to establish a right to store **additional** water from the East Fork of Threemile Creek by enlarging existing storage facilities. However, permit 37-07459, which was the initial filing for storage on the property, lapsed in 1981. The existing storage needs to be covered by a water right, either by interpreting application 37-08846 as covering all East Fork storage, by seeking the reinstatement of lapsed permit 37-07459, or by filing a new application for permit. It looks like you applied for sufficient volume on 37-08846 to cover all of your ponds. Moreover, you would gain no priority advantage by seeking to have 37-07459 reinstated. Therefore, I recommend using permit 37-08846 to cover the storage in all your East Fork reservoirs. If you have reservoirs filled from sources other than the East Fork, you should probably file a new application for permit.

Additional golf course development

You indicated to me that you are considering expanding the golf course onto those lands in Section 23 recently repurchased from VM Diamond Ranch LLC. The water rights on those lands are apparently not being used now. If those rights are not transferred to the existing golf course, they will face forfeiture after five years of non-use. If you intend to maintain the rights for use on the future golf course expansion, you should file an application for extension of time to avoid forfeiture a few months before the five-year non-use period has ended. In this way, you may be able to avoid forfeiture for over nine years. Maintaining the existing rights is critical because of the current moratorium on approvals of new consumptive use rights.

Please complete the ownership change notifications as soon as possible. As for the other issues, I will be expecting you to call when you have had time to collect the additional information you need to decide how to proceed. Meanwhile, I will hold application 37-08846. If you have any questions, please contact me at 208-327-7946.

Respectfully,



Shelley Walter Keen
Water Rights Supervisor

SWK

c: Allen Merritt



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

RECEIVED
APR 30 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

April 26, 1996

Department of Water Resources

Camas Properties, Inc.
PO Box 279
Fairfield, ID 83327

RE: Application for Permit #37-08846 and related water rights for
Soldier Mountain Ranch & Resort (Camas Properties, Inc.)

Dear Mr. Carter &/or Mr. Newhouse:

Thank you for your participation in the recent pre-hearing
conference held in our office April 5th. I have forwarded your
application #37-08846 to our state office for final review.

Although the protest by Mr. Mobley was resolved at the conference
there remain issues that need clarified before final dispensation
of your application by the department.

At the conference I understood you desired to research your other
water rights at our state office in Boise. The matter of these
other water right records is specifically what needs to be resolved
before final action is taken on this application by the department.
In forwarding your application to our state office, I have directed
it to Shelley Keen. I have alerted Shelley of the need for you to
meet with him for resolution of the water right questions and
Shelly awaits your contact. He can be reached at 208-327-7946 to
setup an appointment.

If you have questions, please feel free to contact me at my office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

CC: Shelley Keen - IDWR State Office



MAILED

FEB 28 1996

RECEIVED
APR 30 1996

FROM: Allen Merritt *Adm*
TO: Application File #37-08846

DATE: April 26, 1996 Department of Water Resources

SUBJECT: Pre-hearing Conference, Review and Recommendation

On April 5, 1996, I conducted a pre-hearing conference for the matter of protest by Jerry Mobley (V M Diamond Ranch) against approval of the application. The applicant was represented by William Carter and M. Neal Newhouse. The protestant represented himself. At the conference the protestant expressed his concern that the storage would be used for irrigation regulation and storage and could interfere with his irrigation rights diverted below. He expressed that he had no problem with the storage as recreation and in fact desired that type of storage use continue.

Early in the discussion it became apparent that the application should properly be in the name of Camas Properties, Inc. (CPI) instead of Soldier Mountain Ranch & Resort (SMR). An assignment was affected to make the change in name.

From the discussion I gathered that CPI has decreed rights which they use for the irrigation of the golf course and Mobley has decreed rights he uses for pasture below. Both parties got there rights from a split of a larger ranch (Hidden Paradise Ranch Owners Assn). CPI has several ponds around the golf course which were developed pursuant to 37-07459. This application (37-08846) is for a recent enlargement of one of these ponds. Note that 37-07459 has lapsed and the water rights and SRBA claims for the decreed water do not agree with what I understand exists on the CPI development. Note that CPI SRBA claims still reflect "Hidden Paradise Ranch Owners Assn" as owner. Mobley's interest is in the name of "VM Diamond Ranch LLC". The attached indexes are for the rights involved. I suspect that some of the rights now in "VM Diamond Ranch LLC" should have been split. CPI should get their ownership of the "Hidden Paradise Ranch Owners Assn" squared away and that rights for irrigation of the golf course reviewed.

After much discussion Mr. Mobley was compelled to withdraw his protest. One item of clarification that seemed to matter was that the application itself has an attachment describing item #4 but the manner in which it is attached covers up item #5. It was agreed that the items in #4 are not additive and when combined are limited to a total of no more than 0.10 cfs diversion rate and 20 af storage capacity.

Review of the water rights and associated SRBA claims raises more questions than answers. Since the application is for the recent increase in storage it should be limited to present development. However, since the underlying right has lapsed but development occurred when the permit was valid, the matter of the underlying right needs to be resolved. As I understand the present ponds on the property, their total volume could be covered by the 20 af

MICROFILMED
FEB 23 1998

requested by this application but that does not appear to be the intent of the application. However, I believe this option should be considered depending on resolution of 37-07459. The other issues that need to be resolved are the irrigation rights associated with irrigation of the golf course.

Since the applicant's representatives live in Boise they have expressed a desire to look at their water rights filings in the state office. I have discussed this matter with Shelly Keen and have sent the attached letter directing the applicant to make an appointment with Shelly.

I recommend the application be approved but that the file be held and reviewed by Shelly Keen after he meets with the applicant to resolve the issue of lapsed permit 37-07459 review of the other related irrigation rights for the golf course, and review of splitting of and ownership of SRBA claims.

Conditions of approval should include:

- Under control of watermaster in district 37.
- Limit permit to existing constructed impoundment(s).
- Allow filling impoundment(s) during spring runoff subject to prior water rights and not to be allowed to be used as regulating pond for irrigation.
- Measuring device and control works at point of diversion.
- Storage dam creating impoundment(s) subject to Dam Safety review and certification.

MICROFILMED
FEB 23 1982

SD-0601-2 Last Name: HIDDEN

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
HIDDEN PARADISE RANCH OWNERS ASSN							
		C	A37-02227	02/21/1912	UNNAMED STR THREEMILE C	0.320	01 IRR
		C	A37-13364	10/25/1984	GROUNDWATER	0.040	43 DOMEST
		C	A37-13365	06/20/1894	SPRING	0.140	04 STOCK
		C	A37-13366	06/20/1894	SPRINGS	0.140	04 STOCK
		C	A37-13367	06/20/1894	GROUNDWATER	0.140	04 STOCK
		C	R37-13364	10/25/1984	GROUNDWATER	0.040	43 DOMEST
		C	R37-13365	06/20/1894	SPRING	0.140	04 STOCK
		C	R37-13367	06/20/1894	GROUNDWATER	0.140	04 STOCK
		O	A37-00368	06/15/1884	THREEMILE C	3.200	01 IRR
		O	A37-00409	04/01/1907	THREEMILE C	3.200	01 IRR
							04 STOCK
		O	A37-02076	05/17/1907	THREEMILE C	6.200	01 IRR
					THREEMILE C		04 STOCK
					MC MAHAN CR		

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
FEB 23 1998

SD-0601-2 Last Name: HILLEN

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc

	HIDDEN PARADISE	RANCH OWNERS ASSN					
		O	A37-02157	10/14/1909	UNNAMED STR	0.800	01 IRR
							04 STOCK
		O	A37-02455	03/12/1940	MC MAHON CR	3.000	01 IRR
							04 STOCK
		O	A37-07779	07/20/1979	GROUNDWATER	1.560	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
FEB 23 1996

SD-0601-2 Last Name: V

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Desc

VM DIAMOND RANCH LLC								
		C	A37-00368	06/15/1884	THREEMILE C	3.200	01	IRR
		C	A37-00409	04/01/1907	THREEMILE C	3.200	01	IRR
							04	STOCK
		C	A37-02076	05/17/1907	THREEMILE C	6.200	01	IRR
					THREEMILE C		04	STOCK
					MC MAHAN CR			
		C	A37-02157	10/14/1909	UNNAMED STR	0.800	01	IRR
							04	STOCK
		C	A37-02455	03/12/1940	MC MAHON CR	3.000	01	IRR
							04	STOCK
		C	A37-07779	07/20/1979	GROUNDWATER	1.560	01	IRR
VAWSER								
	DANIEL L	O	A37-12930	05/08/1979	GROUNDWATER	0.050	43	DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

FEB 23 1978

For
D37-07459
Sketch
File

RESV VOLUME:

OLD VOLUME = 5 AC-FT FOR 1.2 ACRES RESV AREA

$$V = C H (A)$$

$$C = \frac{V}{H(A)} = \frac{5}{(1.2)(1.2)} = 0.278 \quad \text{USE } C = .25$$

FOR OLD POND: $V_1 = C H_1 A_1 = .25 (1.2) (1.95) = 7.3 \text{ AC-FT}$

FOR NEW POND: $V_2 = C H_2 A_2 = .25 (1.1) (1.29) = 3.5 \text{ AC-FT}$

SUBTRACT VOLUME OF COOK'S ISLAND:

$$\frac{\pi (R_1^2 - R_2^2)}{2} (H) = \frac{\pi (40^2 - 5^2)}{2} (15) = 38288 \text{ ft}^3 = 0.7 \text{ AC-FT}$$

NEW POND
35.0 = 1.29 ACRES
TOTAL RESV AREA = 3.24 AC

OLD POND
59.2 = 1.95 ACRES

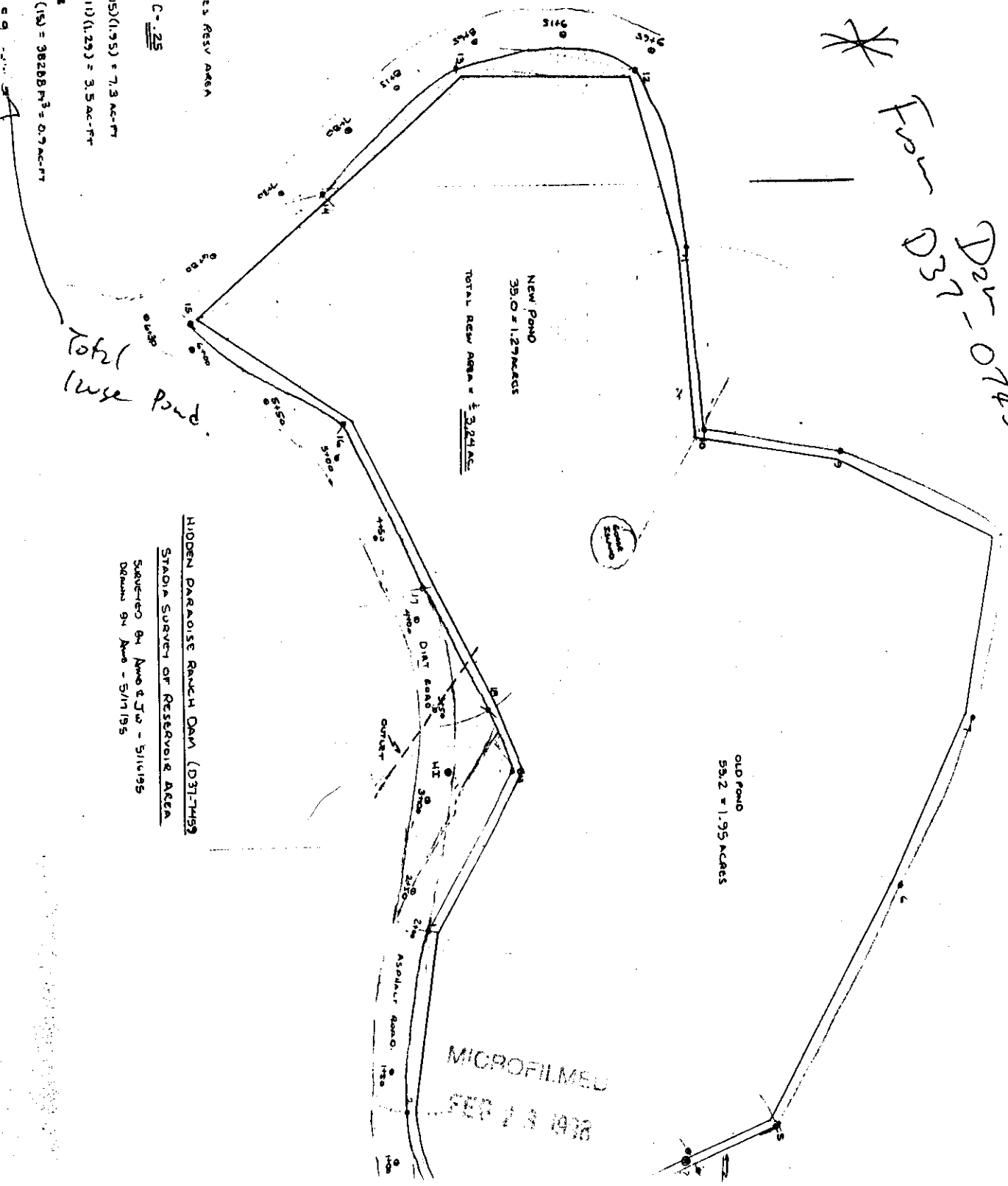
Total
Use Pond

HIDDEN PARADISE RANCH DAM (D37-7459)

STADIUM SURVEY OF RESERVOIR AREA

SURVEYED BY ARNO & JOE - 5/11/195
DRAWN BY ARNO - 5/11/195

MICROFILMED
SEP 13 1978



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED
APR 30 1996

INITIAL REVIEW BY J. E. Stanton DATE 2-15, 1995
APPLICATION NO. 37-08846

Department of Water Resources

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block 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
2-3 1995

ADDITIONAL INFORMATION

- ☒ No Overlapping place of use(Describe source & relationship to present application on the back. *Advertise - May be*
☒ No Overlapping point of diversion. *non-consumptive*
☒ Yes ☐ No Field check required
☒ Yes ☐ No Field check by _____
☒ Yes ☐ No Field report attached
☒ Yes ☒ No Critical Ground water area
☒ Yes ☐ No Groundwater management area
☒ Yes ☐ No Send Dam safety information
☒ Yes ☒ No Send power requirement letter
☒ Yes ☒ No Send fish farm requirement letter
☒ Yes ☒ No Power residency affidavit.
☒ Yes ☒ No Power efficiency form
☒ Yes ☒ No Within trustwater boundary(If yes, attach trustwater supplementary analysis sheet.
☒ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.

See reverse side for additional information.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

names & addresses of owners

4/5/96

Date Requested _____, 19____

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 _____

☒ 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 7/24/1995
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on app.
☒ Yes ☐ No Recommendations attached
☒ Yes ☐ No Measuring device required *Withdrawn*
☐ Yes ☒ No Access port required *4/5/96*
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what dist. 27
☐ Yes ☒ No Special conditions of approval or cover letter below. (See 4/26/96 Mem.)

Date of priority recommended 2/3, 1995
By AD Date 2/26, 1996

See below for additional information

By _____ Date _____, 19 _____

ADDITIONAL INFORMATION:

LOCAL PUBLIC INTEREST

Comments recieved from:

___ City	___ Idaho Fish & Game	___ Irrigation Dist.
___ County	___ Idaho Health & welfare	___ Canal Company
___ Reservations	___ Div. of Enviromental Quality	___ Other_____

PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE _____, 19____



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 26, 1996

Camas Properties, Inc.
PO Box 279
Fairfield, ID 83327

RE: Application for Permit #37-08846 and related water rights for
Soldier Mountain Ranch & Resort (Camas Properties, Inc.)

Dear Mr. Carter &/or Mr. Newhouse:

Thank you for your participation in the recent pre-hearing
conference held in our office April 5th. I have forwarded your
application #37-08846 to our state office for final review.

Although the protest by Mr. Mobley was resolved at the conference
there remain issues that need clarified before final dispensation
of your application by the department.

At the conference I understood you desired to research your other
water rights at our state office in Boise. The matter of these
other water right records is specifically what needs to be resolved
before final action is taken on this application by the department.
In forwarding your application to our state office, I have directed
it to Shelley Keen. I have alerted Shelley of the need for you to
meet with him for resolution of the water right questions and
Shelly awaits your contact. He can be reached at 208-327-7946 to
setup an appointment.

If you have questions, please feel free to contact me at my office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

CC: Shelley Keen - IDWR State Office

MICROFILMED
FEB 22 1997



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

April 8, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

WILLIAM N CARTER PRESIDENT
CAMAS PROPERTIES INC
PO BOX 279
FAIRFIELD ID 83327

RE: Application for Permit No. 37-08846

Dear Mr. Carter:

This office acknowledges receipt of the executed Assignment of Application for Permit as referenced above.

The change has been made to our computer database. Enclosed please find a printout for your information and records. Please check the accuracy on these documents.

As you know, the withdrawal of Mr. Mobley's protest against approval of the above referenced application at the pre-hearing conference on 4/5/96 has resolved that issue.

The Department is now prepared to proceed with the normal processing of the application which includes regional review prior to being forwarded to our State Office.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

UNRECORDED

FEB 23 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

April 8, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JERRY MOBLEY
VM DIAMOND RANCH
PO BOX 190690
BOISE ID 83719

RE: Application for Permit No. 37-08846 (Camas Properties,
Inc/Soldier Mountain Ranch & Resort)

Dear Mr. Mobley:

This office acknowledges receipt of the withdrawal of your protest against the above referenced application.

Since you were the only protestant, the issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the application which includes regional review prior to being forwarded to our State Office.

The Department will continue review of the application without further contact with you unless information is requested.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

RECORDED

FEB 23 1996

Agreement

4/5/96

The Applicant and Protestant agree that Applicant's use of the water right application will not affect Protestant's senior water right downstream in any respect. Accordingly, Protestant withdraws its protest, ^{to Application No. 08846} on the basis of the foregoing.

Common Properties Inc.
UM Diamond Ranch

- William H. H. H. H.
Jerry Malley

RECEIVED

APR 05 1996

Department of Water Resources
Southern Region

MICROFILMED

FEB 23 1998

Officers in Comm. Prop. Inc
William Klatter pres.
Carl Augenbroad Sec/Treasurer
William ~~Vick~~ Hall - vice/pres.

} NEED
ADDRESSES
WILL
FAX

Box ~~279~~ ~~279~~ 279,

Fairfield ID

83727

(208) 764-2501

THE ABOVE ARE DIRECTORS PLUS WILLIAM J.
MARTIN, AT THE SAME ADDRESS. THERE ARE A TOTAL
OF FOUR DIRECTORS

MICROFILMED
FEB 23 1997

[illegible]

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 37-08846

Soldier Mountain Ranch & Resort,
Applicant

Jerry Mobley,
Protestant

NOTICE OF
PRE-HEARING CONFERENCE

SOURCE: Three Mile Creek,
East Fork

Tributary to Camas Creek
COUNTY: Camas

On February 3, 1995, Soldier Mountain Ranch & Resort (applicant), filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. The Department received two protests against the approval of said application. The above captioned protestant wishes to continue his protest.

The Department has set the matter of protest for conference on Friday, April 5, 1996 at 1:00 p.m. in the Idaho Department of Water Resources Conference Room, 222 Shoshone Street East-Twin Falls, Idaho.

The purpose of the conference is to formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

The conference will be held in accordance with Chapter 2, Title 42, of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources.

The conference will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the department within (10) days prior to the conference.

Dated this 18th day of March, 1996

Allen D. Merritt, P.E.
Regional Manager

FEB 23 1996

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of March, 1996 a true and correct copy of the Notice of Conference was forwarded with all required charges prepared, by the method(s) indicated below, to the parties listed:

Mary Baldwin
Secretary

WILLIAM CARTER
SOLDIER MTN RANCH & RESORT
PO BOX 279
FAIRFIELD ID 83327

Hand delivered _____
U.S. Mail-Regular x
U.S. Mail-Certified _____
Fax _____

JERRY MOBLEY
V M DIAMOND RANCH
PO BOX 190690
BOISE ID 83719

Hand delivered _____
U.S. Mail-Regular x
U.S. Mail-Certified _____
Fax _____

RECORDED
FEB 23 1996

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT ISSUES

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

1. Will the proposed appropriation injure other water rights?
2. Is the water supply sufficient for the purpose for which it is sought to be appropriated?
3. Was the application made in good faith or for delay or speculative purposes?
4. Does the applicant have sufficient financial resources with which to complete the proposed project?
5. Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
6. Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, 3, 4, and 6 above and must provide evidence for the department to evaluate these criteria. The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a pre-hearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement or make settlement offers, schedule hearings, establish procedure at hearing and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement. The department may issue a "pre-conference statement order" which requires response to the inquiries.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape. The hearing likely will be conducted by a hearing officer appointed by the Director rather than by the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director. Parties may by written stipulation waive the right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer. As part of the conference a date may be set by which exchange of exhibits and witness lists must occur.

EFFECT OF FAILURE TO APPEAR AT A CONFERENCE OR HEARING

Failure to appear at the time and place set for a conference or hearing by the applicant or protestant(s) may allow the department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing party.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within (10) days prior to the hearing.

RECORDED

FEB 23 1976

IMPORTANT MESSAGE

FOR Allen
DATE 3-14 TIME 8:55 A.M.
M. Bill Carter
OF _____
PHONE 208-376-6346
AREA CODE NUMBER EXTENSION

TELEPHONED	☒	PLEASE CALL	☒
CAME TO SEE YOU	☐	WILL CALL AGAIN	☐
WANTS TO SEE YOU	☐	RUSH	☐
RETURNED YOUR CALL	☐	SPECIAL ATTENTION	☐

MESSAGE would like to set
up a mtg for protested
app on April 5, Fri
1:05

SIGNED [Signature]
LITHO IN U.S.A.

LET'S
GET
TO
BASICS™

71100



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

March 7, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

WILLIAM CARTER
SOLDIER MOUNTAIN RANCH & RESORT
PO BOX 279
FAIRFIELD ID 83327

Re: Application for Permit 37-08846

Dear Mr. Carter:

We have received recent correspondence from the protestant informing this office that they wish to continue the matter of protest against the above referenced application. Therefore, it appears that action by the Department is necessary to resolve the matter.

The purpose of this letter is to inquire if you are still interested in continuing with the processing of the application. If that is the case, please provide this office with a list of proposed dates for a conference &/or hearing.

A Withdrawal of Application form is also enclosed to be returned to the Department as an additional action option.

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

Very truly yours,

Allen D. Merritt, P.E.
Regional Manager

AM:MB

cc: Jerry Mobley
V M Diamond Ranch
PO Box 190690
Boise ID 83719

MICROFILMED
FEB 23 1998

P.O. BOX 190690
BOISE, IDAHO 83719

TELEPHONE 208.887.6028
FACSIMILE 208.887.5356

VM DIAMOND
◆ RANCH ◆

March 1, 1996

Mr. Allen D. Merritt, P.E.
Southern Regional Manager
Department of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301-6105

RECEIVED

MAR 04 1996

Department of Water Resources
Southern Region

RE: Application for Permit No. 37-08846

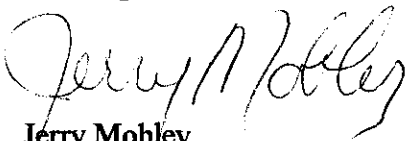
Dear Mr. Merritt:

This letter is to response to your letter dated February 23, 1996 in regards to our protest regarding the above-referenced permit application.

We have received no comments from the Applicant - Soldier Mountain Ranch and Resort regarding our concerns other than to request that we remove our protest. Our initials concerns identified in our formal protest still exist. Therefore, we do not wish to remove our protest.

Thank you for your consideration in this matter.

With regards,



Jerry Mobley
Member

MICROFILMED

FEB 23 1998

February 23, 1996

JERRY MOBLEY
VM DIAMOND RANCH
PO BOX 190690
BOISE ID 83719

RE: APPLICATION FOR PERMIT NO. 37-08846

Dear Mr. Mobley:

The Department has recently reviewed a number of applications which are pending in Department files to determine what further action is appropriate in connection with the applications.

It has been noted that you filed a protest was filed against the above referenced application. As of this date, it is the only remaining protest.

The purpose of this letter is to inquire if you are still interested in pursuing the protest or if you wish to withdraw your protest. **Please notify this office in writing of your decision.**

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:mb

MICROFILMED

FEB 23 1998



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 16, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

GERALD W METZLER
1125 E 9TH N
MOUNTAIN HOME ID 83647

RE: Application for Permit No. 37-08846 (Soldier Mtn. Ranch & Resort)

Dear Mr. Metzler:

This office acknowledges receipt of the withdrawal of your protest against the above referenced application.

Since there were multiple protestants, the concerns of the other protestants will need to be addressed by the Department before final processing of the application can be completed.

The Department will continue review of the application without further contact with you unless information is requested.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
cc: William Carter
Soldier Mountain Ranch & Resort
PO Box 279
Fairfield ID 83327

MICROFILMED

FEB 29 1996

RECEIVED

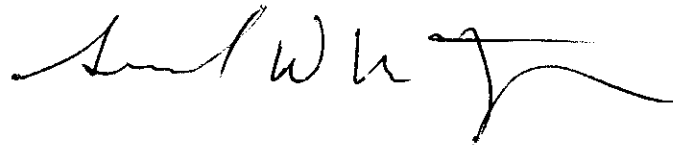
OCT 13 1995

13 OCT 95

Department of Water Resources
Southern Region

TO WHOM IT MAY CONCERN

REFERENCE IS MADE TO THE
ATTACHED STATE OF IDAHO DEPARTMENT
OF WATER RESOURCES NOTICE OF PROTEST
REGARDING THE STATE OF IDAHO DEPT OF
WATER RESOURCES PERMIT NO. 37-08846.
I HEREBY DROP MY PROTEST.



GERALD W. METZLER

1125 E 9 N

MTN HOME, ID 83647

1-(208)-587 8957

MICROFILMED

FEB 23 1998



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

August 7, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

WILLIAM CARTER
SOLDIER MOUNTAIN RANCH & RESORT
PO BOX 279
FAIRFIELD ID 83327

RE: APPLICATION FOR PERMIT NO. 37-08846

Dear Mr. Carter:

Enclosed are copies of protests filed against the above referenced application.

The Department suggests you contact the protestant(s) directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
Enclosure(s)

MICROFILM

FEB 23 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

August 7, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

GERALD W METZLER
1125 E 9TH N
MOUNTAIN HOME ID 83647

RE: APPLICATION FOR PERMIT 37-08846 (Soldier Mtn. Ranch & Resort)

Dear Mr. Metzler:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
Enclosure(s)

ENCLOSURE

FEB 23 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

August 7, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JERRY MOBLEY
VM DIAMOND RANCH
PO BOX 190690
BOISE ID 83719

RE: APPLICATION FOR PERMIT 37-08846 (Soldier Mtn. Ranch & Resort)

Dear Mr. Mobley:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

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

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB
Enclosure(s)

MEMORANDUM

FEB 23 1996

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~

P.O. BOX 190690
BOISE, IDAHO 83719

TELEPHONE 208.887.6028
FACSIMILE 208.887.5356

VM DIAMOND ◆ RANCH ◆

July 20, 1995

Director
Dept. of Water Resources - Southern Region
222 Shoshone Street East
Twin Falls, ID 83301

RECEIVED

JUL 21 1995

Department of Water Resources
Southern Region

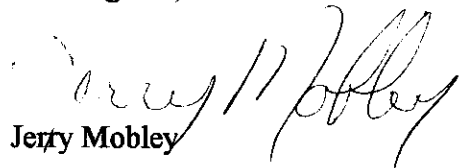
RE: Soldier Mountain Ranch & Resort
Water Permit Request 37-08846

Dear Director:

This letter serves as a formal protest concern regarding the above-referenced water permit request. If the permit is issued, we need assurance and controls to ensure that it does not adversely affect our Water Right 37-00409, 37-02048, and 37-02076. We request that they not be allowed to take water during the irrigation season. In addition, we request that Soldier Mountain Ranch & Resort be required to install a measuring system for water usage and volume.

The \$25 fee is enclosed. If you have any question, please call me at 384-7055. Thank you.

With regards,



Jerry Mobley

cc: Soldier Mountain Ranch & Resort
P.O. Box 279
Fairfield, ID 83327

RECEIVED
FEB 23 1996

Receipt # 5018317
7/21/95
MB



RECIPIENT'S COPY

QUESTIONS? CALL 800-238-5355 TOLL FREE.

ALL
PACKAGE
TRACKING NUMBER

4238855320

4354

4238855320



Date

7/20/95

From (Your Name) Please Print

VIRGINIA VANDERPOOL

Your Phone Number (Very Important)

(208) 887-6028

To (Recipient's Name) Please Print

DIRECTOR

Recipient's Phone Number (Very Important)

()

Company

V L VANDERPOOL COMPANY

Department/Floor No.

Company

DEPT. OF LAND REVENUE

Department/Floor No.

Street Address

3000 E LAKE HAZEL RD

Exact Street Address (We Cannot Deliver to P.O. Boxes or P.O. Zip Codes.)

222 SHOSHONE ST EAST

City

PERMAN

State

ID

ZIP Required

83642

City

TWIN FALLS

State

ID

ZIP Required

83301

YOUR INTERNAL BILLING REFERENCE INFORMATION (optional) (First 28 characters will appear on invoice.)

VM DIAMOND RANCH

IF HOLD AT FEDEX LOCATION, Print FEDEX Address Here

Street Address

PAYMENT 1 ☒ Bill Sender 2 ☐ Bill Recipient's FedEx Acct. No. 3 ☐ Bill 3rd Party FedEx Acct. No. 4 ☐ Bill Credit Card

5 ☐ Cash
6 ☐ Check

City

State

ZIP Required

SERVICES

(Check only one box)

Priority Overnight
(Delivery by next business morning)

11 ☐ OTHER PACKAGING

16 ☐ FEDEX LETTER*

12 ☐ FEDEX PAK*

13 ☐ FEDEX BOX

14 ☐ FEDEX TUBE

Economy Two-Day
(Delivery by second business day†)

30 ☐ ECONOMY*

† Economy Letter Rate not available. Minimum charge. One pound Economy rate.

Standard Overnight
(Delivery by next business afternoon. No Saturday delivery)

51 ☐ OTHER PACKAGING

56 ☒ FEDEX LETTER*

52 ☐ FEDEX PAK*

53 ☐ FEDEX BOX

54 ☐ FEDEX TUBE

Government Overnight
(Restrict for unattended users only)

46 ☐ GOVT LETTER

41 ☐ GOVT PACKAGE

DELIVERY AND SPECIAL HANDLING

(Check services required)

1 ☐ Weekday Service

☒ HOLD AT FEDEX LOCATION WEEKDAY (Fill in Section H)

☒ DELIVER WEEKDAY

Saturday Service

31 ☐ HOLD AT FEDEX LOCATION SATURDAY (Fill in Section H)

☒ DELIVER SATURDAY (Restrict for unattended users only. Not available to all locations)

9 ☐ SATURDAY PICK-UP (Extra charge)

Special Handling

4 ☐ DANGEROUS GOODS (Extra charge)

6 ☐ DRY ICE (Dangerous Goods Shipper's Declaration not required)

12 ☐ HOLIDAY DELIVERY (If offered) (Extra charge)

Weight in Pounds Only

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Weight in Kilograms Only

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Total

Emp. No.

Date

Federal Express Use

☐ Cash Received

☐ Return Shipment

☐ Third Party

Street Address

City

State

Zip

Received By:

X

Date/Time Received

FedEx Employee Number

REVISION DATE 4/94

PART #145912 FXEM 11/94

FORMAT #160

160

© 1992-94 FEDEX

PRINTED IN U.S.A.

MICROFILMED
FEB 23 1998

Release Signature:

MULTIPLE PACKAGE SERVICE

**IF YOU ARE
MAKING AN MPS
SHIPMENT, APPLY
THE SELF ADHESIVE
MPS COPY HERE**

TERMS AND CONDITIONS

DEFINITIONS

On this Airbill, we, our and us refer to Federal Express Corporation, its employees and agents. You and your return to sender, its employees and agents.

AGREEMENT TO TERMS

By giving us your package to deliver, you agree to all the terms on this Airbill and in our current Service Guide, which is available on request. If there is a conflict between the current Service Guide and this Airbill, the Service Guide will control. No one is authorized to alter or modify the terms of our Agreement.

RESPONSIBILITY FOR PACKAGING AND COMPLETING AIRBILL

You are responsible for adequately packaging your goods and for properly filling out this Airbill. Omission of the number of packages and weight per package from this Airbill will result in a billing based on our best estimate of the number of packages received from you and an estimated "default" weight per package, as determined and periodically adjusted by us.

AIR TRANSPORTATION TAX INCLUDED

Our basic rate includes a federal tax required by Internal Revenue Code Section 4271 on the air transportation portion of this service.

LIMITATIONS ON OUR LIABILITY AND LIABILITIES NOT ASSUMED

Our liability for loss or damage to your package is limited to your actual damages or \$100, whichever is less, unless you pay for and declare a higher authorized value. We do not provide cargo liability insurance, but you may pay an additional charge for each additional \$100 of declared value. If you declare a higher value and pay the additional charge, our liability will be the lesser of your declared value or the actual value of your package.

In any event we will not be liable for any damages, whether direct, incidental, special or consequential in excess of the declared value of a shipment, whether or not Federal Express had knowledge that such damages might be incurred including, but not limited to, loss of income or profits.

We won't be liable for your acts or omissions, including but not limited to improper or insufficient packing, securing, marking or addressing, or for the acts or omissions of the recipient or anyone else with an interest in the package. Also, we won't be liable, if you or the recipient violates any of the terms of our agreement. We won't be liable for loss of or damage to shipments of prohibited items.

We won't be liable for loss, damage or delay caused by events we cannot control, including but not limited to acts of God, perils of the air, weather conditions, acts of public enemies, war, strikes, civil commotions, or acts or omissions of public authorities (including customs and quarantine officials) with actual or apparent authority.

DECLARED VALUE LIMITS

The highest declared value we allow for FedEx Letter and FedEx Pak shipments is \$500. For other shipments, the highest declared value we allow is \$50,000 unless your package contains items of "extraordinary value," in which case the highest declared value we allow is \$500. Items of "extraordinary value," include artwork,

precious metals, negotiable instruments, and other items listed in our current Service Guide.

If you send more than one package on this Airbill, you may fill in the self declared value for all packages, not to exceed the \$100, \$500 or \$50,000 per package limit described above. (Example: 5 packages can have a total declared value of up to \$250,000.)

If more than one package is shipped on this airbill, our liability for loss or damage will be limited to the actual value of the packages lost or damaged (not to exceed the lesser of the total declared value or the per package limits described above). You have the responsibility of proving the actual loss or damage.

FILING A CLAIM

ALL CLAIMS MUST BE MADE BY YOU IN WRITING. You must notify us of your claim within strict time limits. See current Service Guide.

We'll consider your claim filed if you call and notify our Customer Service Department at 800-238-5355 and notify us in writing as soon as possible.

Within 90 days after you notify us of your claim, you must send us all relevant information about it. We are not obligated to act on any claim until you have paid all transportation charges, and you may not deduct the amount of your claim from those charges.

If the recipient accepts your package without noting any damage on the delivery record, we will assume that the package was delivered in good condition. In order for us to process your claim, you must, to the extent possible, make the original shipping cartons and packing available for inspection.

RIGHT TO INSPECT

We may, at our option, open and inspect your packages prior to or after you give them to us to deliver.

NO C.O.D. SERVICES

NO C.O.D. SERVICES ON THIS AIRBILL. If C.O.D. Service is required, please use a Federal Express C.O.D. airbill for this purpose.

RESPONSIBILITY FOR PAYMENT

Even if you give us different payment instructions, you will always be primarily responsible for all delivery costs, as well as any cost we may incur in either returning your package to you or warehousing it pending disposition.

RIGHT OF REJECTION

We reserve the right to reject a shipment at any time, when such shipment would be likely to cause damage or delay to other shipments, equipment or personnel, or if the transportation of which is prohibited by law or is in violation of any rules contained in this Airbill or our current Service Guide.

MONEY-BACK GUARANTEE

In the event of untimely delivery, Federal Express will at your request and with some limitations, refund or credit all transportation charges. See current Service Guide for further information.

RECEIVED

JUL 20 1995

6/95

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST**

Department of Water Resources
Southern Region

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** Proposed use of 3 mi creek: State of Idaho Dept of Water Resources Permit No. 37-08846 in the name of Soldier Mountain Ranch and Resort
2. **Name of protestant** Gerald W. Metzler
3. **Protestant's representative for service (If different than protestant)**
N/A
4. **Service mailing address** 1125 E 9th N, Mtn Home ID 83647
5. **Service telephone no.** (208) 587-8957
6. **Basis of protest (including statement of facts and law upon which the protest is based)** _____

Except for rain and water from spring thaw, 3 mile creek is the only source of water for farming purposes on lot (SE1/4 S 14) (T 1S) (R 13E BM), Camas County. Reduction of this supply of water would limit use of this land for agriculture.

(additional pages may be attached to describe the nature of the protest)

7. **What would resolve your protest?** Denial of application or compensation for loss of productivity commensurate with the reduction of the stream flow.

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.

RECEIVED
JUL 22 1995
MONTANA

Signed this 19th day of JULY, 19 95.

[Signature]
PROTESTANT

PROTESTANT'S REPRESENTATIVE

NOTE:

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application in order for the protest to be considered 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. _____ on/in the name of _____" or "Application for Transfer No. _____ in the name of _____."
2. Show the name of the protestant. Not more than two (2) representatives for service of documents may be designated on a protest. If this protest is signed by more than one person without identifying the two representative(s) for service of documents, the hearing officer may select the person(s) upon whom documents will be served.
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.

MICROFILMED
FEB 23 1998

FOR DEPARTMENT USE ONLY

Received by MBaldwin Date 7/20/95 Time 10:00 am

\$25.00 fee Received by MB # 5018312 Date 7/21/95

IMPORTANT MESSAGE

FOR Mary

DATE 7/14/95 TIME 12:00 A.M.
P.M.

M. Berry Metzler

OF _____

PHONE 587-8957

AREA CODE

NUMBER

EXTENSION

TELEPHONED		PLEASE CALL	
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		SPECIAL ATTENTION	

MESSAGE Gerald Metzler

1125 E 9th N

mtu Home -

Id.

83647

MICROFILMED

SIGNED

LITHO IN U.S.A.

FEB 23 1998

LEAD
BASICs™

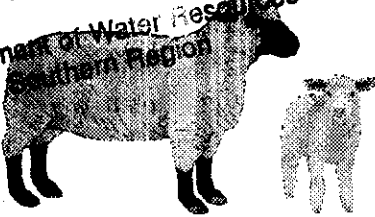
71100

RECEIVED

Page 4 JUL 14 1995

THE CAMAS COURIER

Department of Water Resources
Southern Region



1995 Gooding Chamber of Commerce Summerfest Gooding Basque Association's Annual Basque Picnic July 15th & 16th, 1995

The Gooding Chamber of Commerce starts its 1995 Summerfest activities on Saturday July 15, in the cool of the morning with its popular home-style pancake breakfast. The weekend activities are planned to offer an enjoyable, but affordable weekend of fun for all ages. Recreational events take place throughout the day, beginning with the 5K and 10K Fun Run & Walk and including a sand volleyball tournament, 3 on 3 basketball games, kids' games, etc. Prizes given for all events.

A variety of booths are already scheduled for Saturday and Sunday, Summerfest Arts on Main. Some of last years' booths included crafters offering beautiful photographs, jewelry, ornaments, hand made clothing, wind chimes, leather creations, etc.; food stands with ice cold Coke, hot dogs, hamburgers, ice cream, corn dogs, and much more. This year there are no less than seven live bands and numerous entertainers performing Saturday for your entertainment from 10:00 a.m. to 10:00 p.m.

The Gooding Chamber of Commerce will be using proceeds from this event to help fund its Gooding, Parks Rest Rooms Project.

On Sunday, July 16th, the Gooding Basque Association holds its annual Picnic. This event is a summer highlight for many Basques and non-Basques alike. People from all over come to enjoy the flavor of the Basque culture in the delicious food, the music, the dancing, and the games. For a modest price (\$8.00 - adults, \$4.00 - 12 and under) one can eat a full dinner of tender lamb roasted over open grills, rice, beans, salad, etc., or wait until later in the afternoon and buy a juicy chorizo (\$1.75). Gooding's West Park fills with people eating; visiting; watching and participating in the games, the dancing, and other activities. Young and old spend an afternoon of pleasure in the friendly environment of a small town picnic.

In July of 1996 the Gooding Basque

Association will host the North American Basque Organizations' Annual Convention expanding the July Picnic into a three day Gooding Basque Festival.

Schedule of Events

Saturday

8:00 a.m. - 10:00 a.m. - Breakfast cooked and served by the Gooding Chamber of Commerce Directors; adults - \$3.00; Kids 12 & under & Senior Citizens - \$2.00.
8:00 a.m. - 10:00 p.m. - Arts on Main! Booths by a variety of local artists and crafters will be open for viewing and purchasing. Booths open on Sunday also.
9:00 a.m. - 5K 10K Fun Run & Walk. All ages are invited. \$10 entry includes a free T-shirt.

10:30 a.m. - Men's and Women's 3 on 3 Basketball. \$10 team entry fee. Children & adult age division.

12:00 p.m. - Kids' games.
2:00 p.m. - 6 person coed sand volleyball tournament. \$60 team entry fee includes T-shirts.

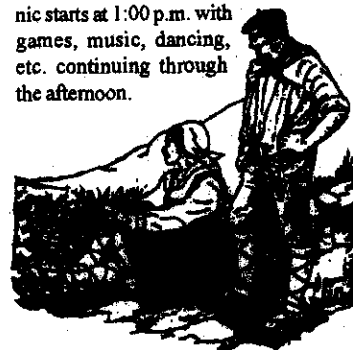
Prizes to be awarded in all events.

Music by various artists from 10:00 a.m. - 10:00 p.m. Saturday - all day - Sidewalk sales by Gooding Merchants

Summerfest proceeds will benefit the PARK REST ROOMS PROJECT!

Sunday

The Annual Gooding Basque Picnic. Basque Mass is at 11:00 a.m. and the Picnic starts at 1:00 p.m. with games, music, dancing, etc. continuing through the afternoon.



In 1639, the General Court of Massachusetts designated Richard Fairbanks' tavern in Boston the official repository for mail brought to colonial America or sent overseas. On July 26, 1775, members of the Continental Congress met in Philadelphia to create the Post Office Department. Benjamin Franklin was appointed the first Postmaster General, receiving an annual salary of \$1,000.

Following the adoption of the Constitution in 1789, the Office of the Postmaster General was created and George Washington appointed Samuel Osgood as the first Postmaster General under the Constitution. At that time there were 75 post offices and about 2,000 miles of post roads.

From those early days to the present, the Postal Service has helped develop and subsidize every new mode of transportation in the United States. The postal role was a natural one. Apart from postal employees themselves, transportation was the single most important element in mail delivery, literally, the legs of communication. As mail delivery evolved from foot to horseback, stagecoach, steamboat, railroad, automobile and airplane, with intermediate and overlapping use of balloons, helicopters and pneumatic tubes, mail contracts provided the money to build our transportation infrastructure as we now know it. The highways, rail roads and air travel system that would eventually span the continent were made possible by the postal system.

Much like the changes made in mail transportation and distribution, mail sorting operations have evolved over time. A vast network of high technology, automated mail processing facilities have sprung up in all major metropolitan areas. What began as a manual operation where all mail was sorted by hand, changed first to a partially mechanized operation where manual sorting was combined with employee-operated mechanized sorting, to today's fully automated operation where virtually all mail is sorted by ZIP Code using optical character readers.

The Postal Service's organizational structure has undergone ma-

continued on page 8...

FOR SALE: Foggy Bottom

1.67 acre mini-farm on Camas Prairie, Fairfield, Idaho. Beautiful, quiet location near Bennetts and Johnson Hill; all electric home, 1800 sq. ft., fully carpeted, LR, DR, kitchen with DW and built-in pantry, three BR, two baths, master with dressing room, large closets, much storage space, laundry room with cupboards; FA heat and new pellet burner; back yard decking, new shady redwood front porch; young aspen and quaky trees, flower beds and vegetable gardening space; new roof, deep well for lots of good water; rail-fenced acreage includes animal pasture with rights for irrigation; outbuilding for livestock shelter and hay storage has separate garden tool room and pump room; sale includes several small pieces of ag equipment and utility Chevy half-ton truck. Contact owner for realtor information. 764-2617.



NOTICE OF APPLICATION FOR WATER PERMIT

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

SOLDIER MOUNTAIN RANCH & RESORT
PO BOX 279
FAIRFIELD ID 83327
37-08846

Source: Three Mile Creek, East Fork tributary to Camas Creek
Diversion Pt: NW1/4NE1/4SE1/4, S14, T1N, R13E; Camas County.
Use: 1/1/-12/31

Stockwater	(0.02 cfs)
Stockwater Storage	(20.0 afa)
Recreation	(0.10 cfs)
Recreation Storage	(20.0 afa)
Aesthetic	(0.10 cfs)
Aesthetic Storage	(20.0 afa)
Diversion to Storage	(0.10 cfs)

Total Diversion: 0.10 cfs

Date Filed: 2/3/95

In: SW1/4SE1/4, S14, T1N, R13E.

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 July 24, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in The Camas Courier on 7/5 & 7/12/95.

OLD P.O. DEPARTMENT EVOLVES INTO THE MODERN, SELF-SUPPORTED POSTAL SERVICE

Practically every newspaper story written about the U.S. Postal Service includes these 21 words: "Neither snow nor rain nor heat nor gloom of night stays these couriers from the swift completion of their appointed rounds."

Although Grecian author Herodotus was actually writing about a group of hearty souls from ancient times, his words have come to personify the spirit of dedication which has been the driving force behind the Postal Service and its employees for more than 200 years.

MICROFILMED

FEB 23 1995

5"=30
lines
30 X .40
12.00
30 X .35
10.50

OK
MB
7/14/95

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

ss.

County of Camas)

Edward Reagan, being first duly sworn, deposes and says that he/she is the designated agent for the publisher of The Camas Courier, a newspaper published every week in Fairfield, County of Camas, State of Idaho, that said newspaper has been continuously 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, a copy of which is hereto attached, 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 5th day of July, 1995, and the date of the last publication was on the 12th day of July, 1995.

Edward Reagan

Subscribed and Sworn to before me this 13 day of July, 1995.

[Signature]
Notary Public in and for
The State of Idaho.
Residing in Fairfield.

THE CAMAS COURIER
Fairfield, Idaho
Cost of Publication

Number of lines in notice	<u>30</u>	
Number of insertions	<u>2</u>	
Cost for advertisement	First insertion	\$ <u>12.00</u>
	Second insertion	\$ <u>10.50</u>
	Total cost	\$ <u>22.50</u>

OK
NB
7/14/95

MICROFILMED
FEB 23 1998

**NOTICE OF APPLICATION FOR WATER
PERMIT**

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

**SOLDIER MOUNTAIN RANCH & RESORT
PO BOX 279**

FAIRFIELD ID 83327

37-08846

**Source: Three Mile Creek, East Fork
tributary to Camas Creek**

**Diversion Pt: NW1/4NE1/4SE1/4, S14, T1N,
R13E; Camas County.**

Use: 1/1/-12/31

Stockwater (0.02 cfs)

Stockwater Storage (20.0 afa)

Recreation (0.10 cfs)

Recreation Storage (20.0 afa)

Aesthetic (0.10 cfs)

Aesthetic Storage (20.0 afa)

Diversion to Storage (0.10 cfs)

Total Diversion: 0.10 cfs

Date Filed: 2/3/95

In: SW1/4SE1/4, S14, T1N, R13E.

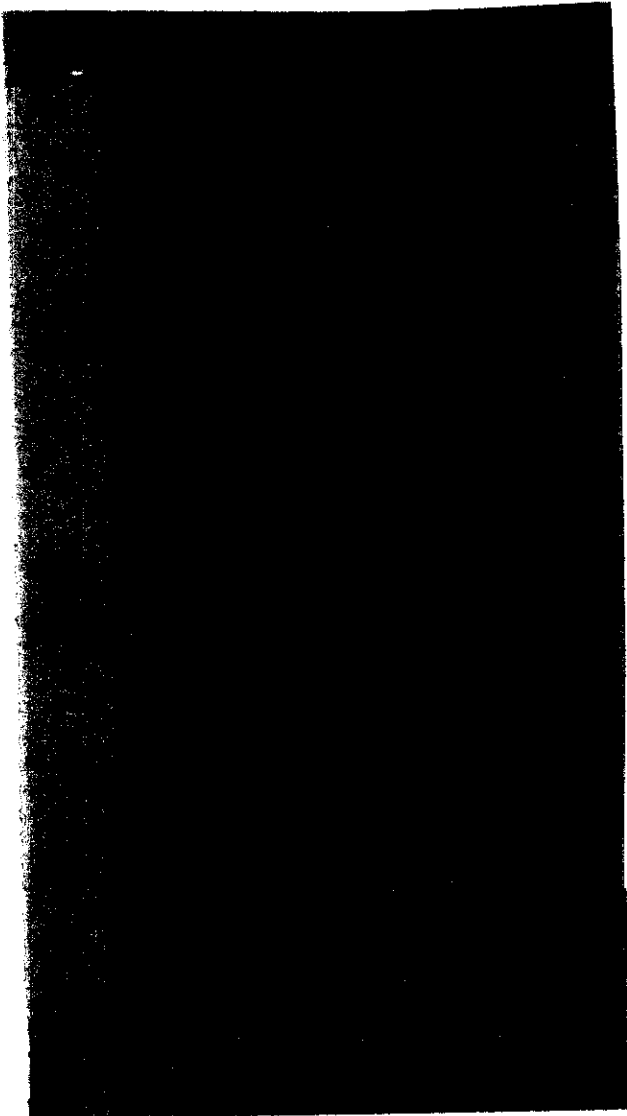
The permit will be subject to all prior water
rights. Any protest must be filed with the
Director, Dept. of Water Resources, Southern
Region, 222 Shoshone Street East, Twin Falls,
ID 83301 together with a protest fee of \$25.00
on or before July 24, 1995. The protestant
must also send a copy of the protest to the
applicant.

Kari J. Dreher, Director

**Published in The Camas Courier on 7/5 &
7/12/95.**

MICROFILMED

FEB 23 1998



MICROFILMED

FEB 23 1998





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

June 22, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

EDWARD REAGAN
THE CAMAS COURIER
PO BOX 339
FAIRFIELD ID 83327

RE: Publication of Application for Water Permit No. 37-08846
(Soldier Mountain Ranch & Resort)

Dear Edward:

I received your phone message of 6/20/95 about the loss of the legal ad. I tried unsuccessfully at intervals all day to reach you by phone in the event that I might be able to have faxed you another copy. Would you please supply me with a fax number for future use?

I have modified the legal and wish it published on 7/5 & 7/12/95. As you may be aware, the purpose of the legals submitted by Department of Water Resources is to inform the public of a pending application concerning water rights. The Idaho Code states that the public must have a reasonable time period in which to submit an objection to an application.

For that reason it is extremely important that the legals be printed as submitted unless changes are authorized by the Department because the final date for the submitting of timely protests must be correctly printed within the legal.

I appreciate your cooperation and sincere efforts to minimize the number of publication errors.

If you have any questions or if the procedures of this office can be modified to help decrease the problems, please feel free to contact me.

Very truly yours,

Mary Baldwin
Senior Secretary
MICROFILMED

FEB 23 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

June 22, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

WILLIAM CARTER
SOLDIER MOUNTAIN RANCH & RESORT
PO BOX 279
FAIRFIELD ID 83327

Re: Application for Permit No. 37-08846

Dear Mr. Carter:

We regret to inform you that the legal advertising of your application in the Camas Courier was not published as anticipated due to an error by the newspaper.

Publication has been re-scheduled for 7/5 & 7/12/95 with the last date for the timely submittal of protest on July 24, 1995.

We apologize for any inconvenience this delay may have caused you. If you have any questions or if this office can be of further assistance, please feel free to contact us.

Sincerely,

Mary A. Baldwin
Senior Secretary

MB

MICROFILMED

FEB 23 1998

IMPORTANT MESSAGE

FOR

Mary

DATE

10-20

TIME 11:10

AM
P.M.

M.

Edward

OF

Camas County Courier

PHONE

764-2472

764-2546

AREA CODE

NUMBER

TELEPHONED	☒	PLEASE CALL	☒
CAME TO SEE YOU	☐	WILL CALL AGAIN	☐
WANTS TO SEE YOU	☐	RUSH	☐
RETURNED YOUR CALL	☐	SPECIAL ATTENTION	☐

MESSAGE

lost the last ad
you sent him.

School

764-2472

1218 235

1245 257

1:00 3:00

2:05

SIGNED

LITHO IN U.S.A.

Couldn't reach by

BASICS

phone so late to
303 Printing - Gooding.

71100

MESSAGE CONF
TRANSMISSION

MICROFILMED
FEB 23 1998

NO.	DATE
679	06-20

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 1	
To	Ed Reagan	From	MARY Baldwin
Co.	303 Printing	Co.	IDWR
Dept.	934-5677	Phone #	
Fax #		Fax #	

JUN-20-'95 TUE 13:01

P-9999

DEPT CODE	#PGS
	OK- 1 NG- 0

MESSAGE CONF
TRANSMISSION

MICROFIL
FEB 23 1998

JUN-20-'95 TUE 13:01

TERM ID: IDWR SOUTHERN

P-9999

TEL NO.: 1-208-736-3037

NO.	DATE	ST. TIME	TOTAL TIME	ABBR/SBD	ID	DEPT CODE	#PGS
679	06-20	13:00	00°00'43		208 934 5677		OK- 1 NG- 0

NOTICE OF APPLICATION FOR WATER PERMIT

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

**SOLDIER MOUNTAIN RANCH & RESORT
PO BOX 279**

FAIRFIELD ID 83327

37-08846

**Source: Three Mile Creek, East Fork
tributary to Camas Creek**

**Diversion Pt: NW1/4NE1/4SE1/4, S14, T1N,
R13E; Camas County.**

Use: 1/1-12/31

Stockwater (0.02 cfs)

Stockwater Storage (20.0 afa)

Recreation (0.10 cfs)

Recreation Storage (20.0 afa)

Aesthetic (0.10 cfs)

Aesthetic Storage (20.0 afa)

Diversion to Storage (0.10 cfs)

Total Diversion: 0.10 cfs

Date Filed: 2/3/95

In: SW1/4SE1/4, S14, T1N, R13E.

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 July 10, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

**Published in The Camas Courier on 6/21 &
6/28/95.**

**MICROFILMED
FEB 23 1998**



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

June 13, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

THE CAMAS COURIER
PO BOX 339
FAIRFIELD ID 83327

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

MICROFILMED

FEB 23 1998

NOTICE OF APPLICATION FOR WATER PERMIT

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

SOLDIER MOUNTAIN RANCH & RESORT
PO BOX 279
FAIRFIELD ID 83327

37-08846

Source: Three Mile Creek, East Fork tributary to Camas Creek
Diversion Pt: NW1/4NE1/4SE1/4, S14, T1N, R13E; Camas County.

Use: 1/1/-12/31

Stockwater	(0.02 cfs)
Stockwater Storage	(20.0 afa)
Recreation	(0.10 cfs)
Recreation Storage	(20.0 afa)
Aesthetic	(0.10 cfs)
Aesthetic Storage	(20.0 afa)
Diversion to Storage	(0.10 cfs)

Total Diversion: 0.10 cfs

Date Filed: 2/3/95

In: SW1/4SE1/4, S14, T1N, R13E.

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 July 10, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in The Camas Courier on 6/21 & 6/28/95.

MICROFILMED

FEB 23 1998



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

June 9, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

WILLIAM CARTER
SOLDIER MOUNTAIN RANCH & RESORT
PO BOX 279
FAIRFIELD ID 83327

Re: Application for Permit No. 37-08846

Dear Mr. Carter:

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 Camas Courier for 6/21 & 6/28/95. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be 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 the 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.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

MICROFILMED
FEB 23 1998

S. Region
5/89

Application No. 37-08846

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.

MICROFILMED
FEB 23 1998

TO: File

DATE: May 17, 1995

FROM: Jim Stanton

SUBJECT: App. for Permit, Soldier Mtn. Ranch

Yesterday I conducted a pre-permit exam on this property. Mike Stubblefield of the Boise office was there to survey the large pond that is covered by this application. Although there are half a dozen man-made ponds on this property without water rights, the application purports to cover only the largest pond on the west side of the property. This pond has been there a long time as two separate ponds with a road between them, but the dam has now been raised so that there is now only one larger pond on the north side of the access road. The pond looks nice and is stocked with catchable trout for patrons of the resort. There does not appear to be any significant stockwater use, as this is mainly a resort and golf course, so I don't know why the application shows stockwater as a use.

A small dam on the East Fork 3-Mile Creek creates a pond and head for a concrete ditch that feeds the big pond. While there was no water in the ditch yesterday, the 90 gpm applied for appears reasonable for the size of the ditch. Mike will send me the results of his survey on the storage capacity of the pond. While a short concrete ditch also runs into this pond from the West Fork of 3-Mile Creek, the resort manager said that this ditch is not deliberately used; he did not know why the ditch had been built. Even without any water flowing into it from the ditches, the pond is full now, so it may get some seepage inflow. A small amount of water was flowing out of the big pond to the smaller ponds below.

As a result of my inspection, I changed the point of diversion on the application. The listed point was the location of the dam, not the head of the diversion ditch.

While the pond apparently holds water all year, I would expect the diversion ditch to be used only during the warmer months. The ditch would probably freeze shut in the winter, and would probably not be needed anyway. The main use of this resort is during the summer, although there is some use around Christmas and for winter sports.

MICROFILMED
FEB 23 1998

37-08846



MICROFILMED
FEB 23 1998

37-08846