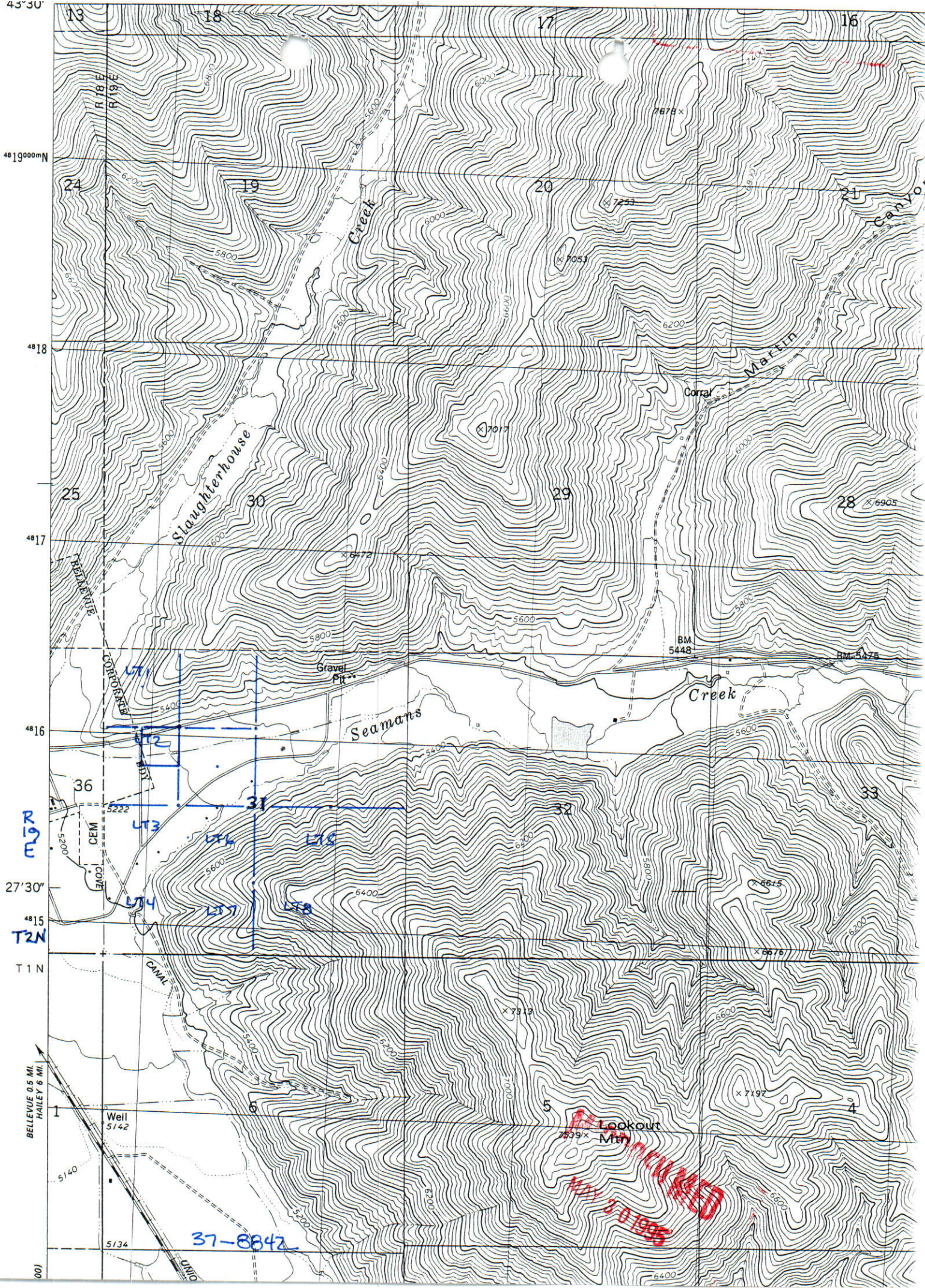
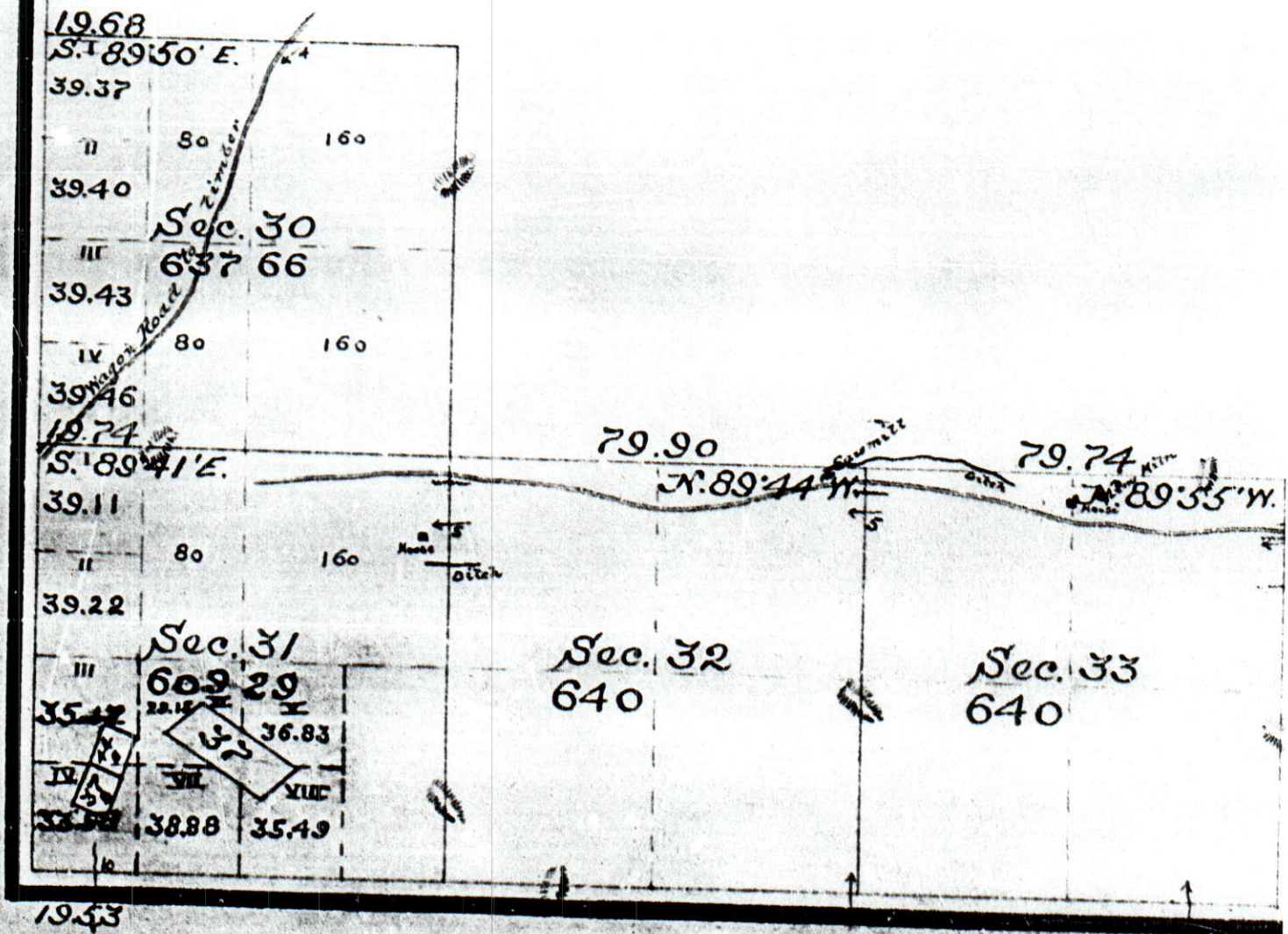






Area of Public Land

SURVEYS DESIGNATED.	By Whom Surveyed.	Date of Contract.	Amount of Surveys.
Township Lines.			ML. CL. LA.
Subdivisions.	Allen M. Thompson	July 1 st , 1881.	12 - 77 28

RECORDED
MAY 30 1995

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

See proposed final plat map

R. 19E

T. 2N

PD, PU

31

Scale: 2 inches equal 1 mile.

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

RECORDED
MAY 30 1985

Stuart D. Hufford

(Applicant)

AFFIDAVIT of PUBLICATION

RECEIVED

APR 18 1995

State of Idaho,
County of Blaine

SS. Department of Water Resources
Southern Region

On this 12 day of April, in the year 1995, before me a Notary Public of said State, personally appeared DANIEL J. GORHAM, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 5 day of April, 1995, and the date of the last publication was on the 12 day of April, 1995.

Subscribed and sworn to before me this 12th day of April, 1995.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 40.733
Number of Insertions 2
40.733 Lines tabular at 23.422 6¢ / Pica
40.733 Lines straight at 18.737 5¢ / Pica
Subsequent lines at 18.737 4¢ / Pica
TOTAL COST +5 \$47.16

COPY OF NOTICE

(Paste Here) 37-08842

Ap. for Water Permit

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Res. So. Reg.
BILL TO

Application for water permit

NOTICE OF APPLICATION FOR WATER PERMIT

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

GLENN L. LIFFICK
PO BOX 1719
HAILEY ID 83333
37-08842

Source: groundwater

Diversion Pt:
NW1/4SW1/4NW1/4, S31, T2N, R19E; Blaine County.

Use: domestic (.05 cfs) 1/1-12/31
irrigation (.08 cfs) 4/15-10/15

Total Diversion: 0.13 cfs

Date Filed: 3/3/1995

In: 2.5 acres within Lot 2
(SW1/4NW1/4), S31, T2N, R19E.

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

R. Keith Higginson, Director

Published in Wood River
Journal on 4/5 & 4/12/95.

MICROFILMED

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

MAY 30 1995

9532

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 20 1997

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 37-08842 Telephone No. (208) 788-3456
2. Name(s) of Permit Holder(s): Glenn L Liffick
3. Mailing Address: PO Box 1719 Hailey ID 83333
4. Source of Water: Well If GROUNDWATER (well), Date Drilled: mo. 7 / yr. 94
- a. Well Driller: Scott Drilling Co Drilling Permit Number: 37-94-5-0059-000
- b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

Domestic (No. of households): 1 to 5 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 5 1/2 acre / household Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 15 gpm 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 ☐

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

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

Name: Glenn L. Liffick Telephone Number: (208) 788 3456

Address: PO Box 1719 Hailey, ID 83333

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: Glenn L. Liffick Date: 5/18/97
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08842

Proposed Priority: March 3, 1995

Maximum Diversion Rate:

0.13 CFS

This is to certify, that **GLENN L LIFFICK**

PO BOX 1719

HAILEY ID 83333-1719

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

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.13 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWSWNW), Sec. 31, Township 02N, Range 19E
BLAINE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

02N 19E 31 Lot 2(SWNW)

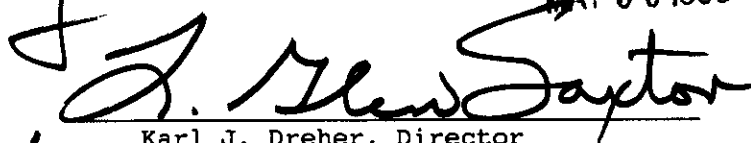
CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **June 1, 1997**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Place of use is located within Lots 1-5, Quarterhorse Crossing Subdivision.
5. Domestic use is for 5 homes.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
7. The irrigation use occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.

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

19th day of May, 1995.

MAY 30 1995


for Karl J. Dreher, Director

RECEIVED

RECEIVED
MAY 03 1995Form 202
10/92

MAR 03 1995

Department of Water Resources

STATE OF IDAHO

Ident. No. 37-08842Department of Water Resources
Southern RegionDEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Glenn L. Liffick Phone 208-726-7110Post office address P.O. Box 1719, Hailey, ID 833332. Source of water supply Groundwater which is a tributary of N/A3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot 2Sec. 31 Township 2N Range 19E B.M. Blaine County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.05 ~~4.0~~ for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 0.08 for irrigation purposes from 4-15 to 10-15 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)5. Total quantity to be appropriated is (a) 0.0513 and/or (b) 4.0 ~~(1,300,000 gal/annum)~~
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. None Well, pump, pipelines to tank
3000-gallon storage
five-lot subdivision (Quarterhorse Crossing Sub.). Well is on Subdivision
lot 5. Will serve all lots until Bellevue water system is upgraded (maybe 5 years),
then will just serve lot 5.b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.c. Proposed well diameter is 8" inches; proposed depth of well is 300 feet.d. Is ground water with a temperature of greater than 85°F being sought? Noe. If well is already drilled, when? 7/14/94; Drilling firm Scott Drilling Co. (sec #12)
Well was drilled for (well owner) Glenn L. Liffick7. Time required for the completion of the works and application of the water to be proposed beneficial use is
2 years (minimum 1 year).RECEIVED
MAY 30 1995

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

- a. Hydropower; show total feet of head and proposed capacity in KW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. 5 (five) households
- e. Other; describe fully. _____

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.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	19E	31						2.5											2.5
								D											
								142											

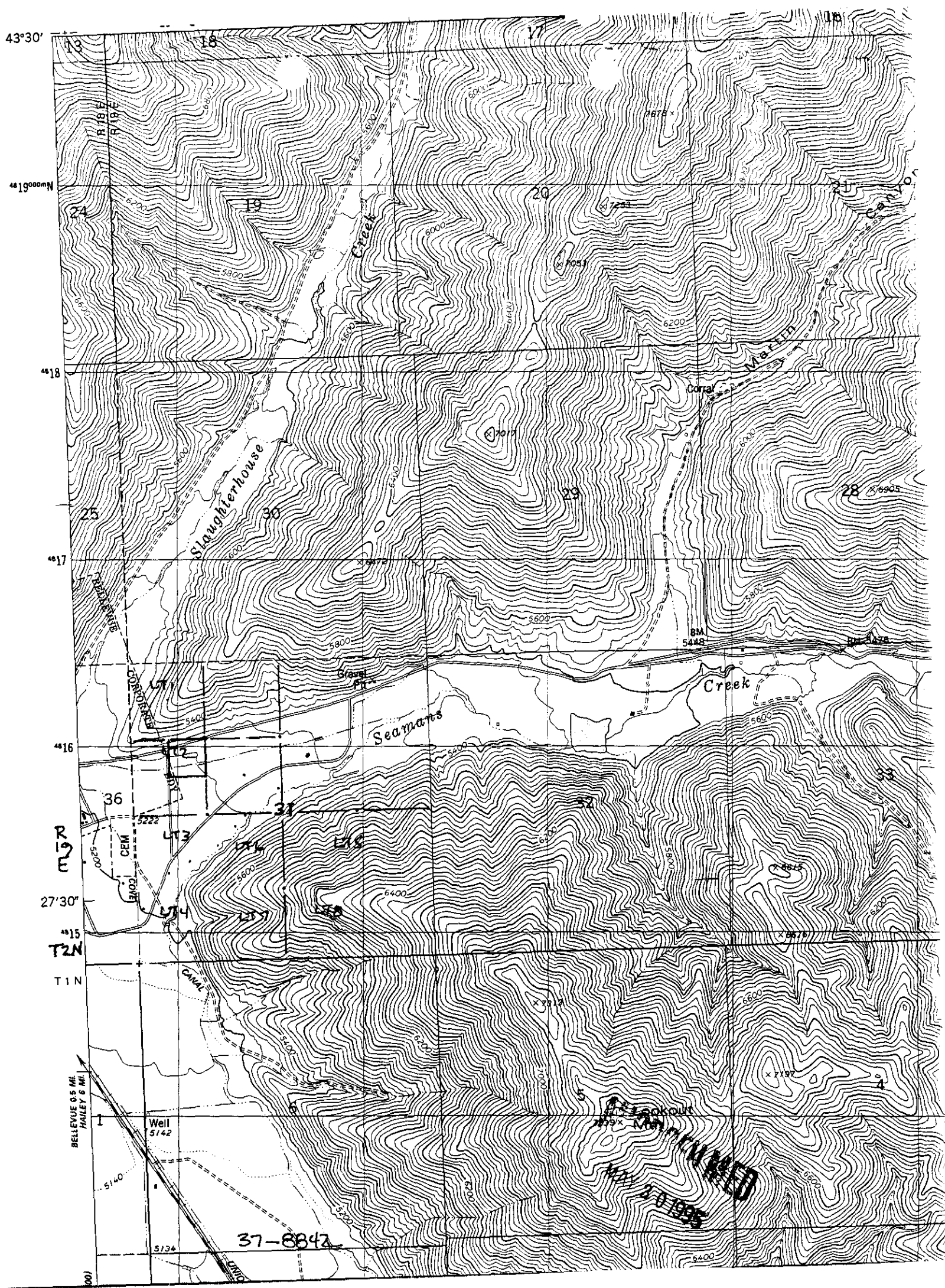
Total number of acres to be irrigated _____

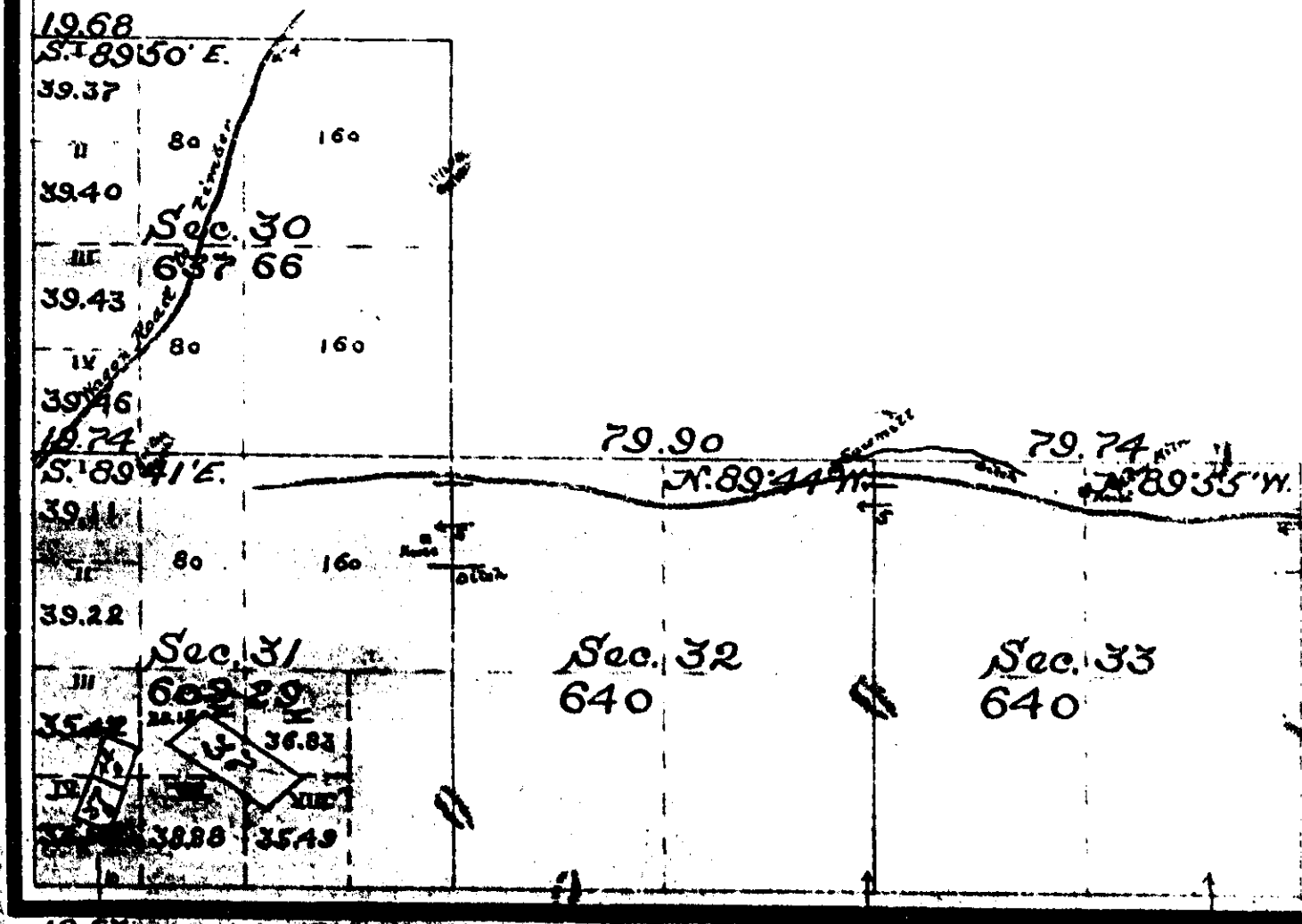
10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? Glenn L. Liffick
- b. Who owns the land to be irrigated or place of use? Glenn L. Liffick
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A

12. Remarks: Drilling Permit 37-94-0-0059-000 (copy attached)
Water system will be designed by an Idaho
professional engineer. With the storage tank, & 20-gpm pump in
the will be adequate for the intended use.

MAY 30 1995





Area of Public Land

SURVEYS DESIGNATED.	By Whom Surveyed.	Date of Contract.	Amount of Surveys.
Township Lines.			M ² C ² L ²
Subdivisions.	Allen M. Thompson	July 1 st , 1881	12 - 77 - 28
			MAY 30 1895

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

See proposed final plat map

R. 19E

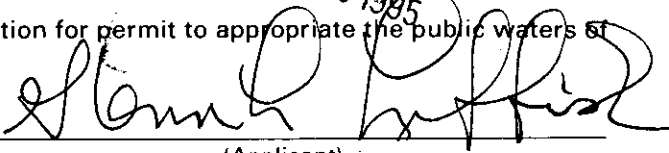
T. 2N

PD, PU

31

Scale: 2 inches equal 1 mile.

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

MAY 30 1985

(Applicant)

Received by MB Date 3/3/95 Time 1000 Preliminary check by MTS
2784
Fee \$ 50.00 Received by JA # 5017815 Date 3-3-95
Publication prepared by MB Date 3/15/95 Published in Wood River Journal
Publication approved MB Date 4/19/95

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:

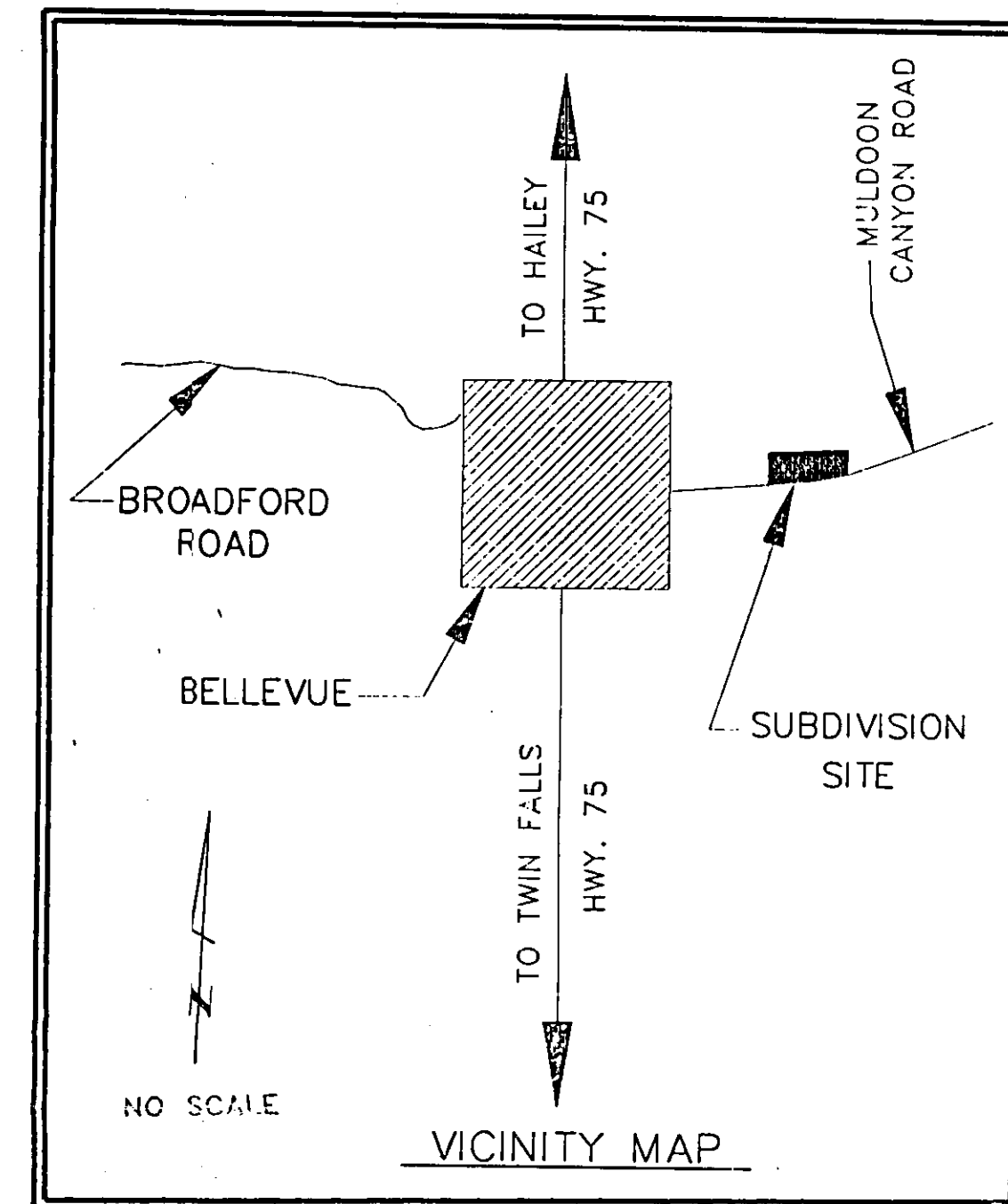
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the 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:

MAY 30 1995

FINAL PLAT
of
**QUARTERHORSE CROSSING
SUBDIVISION**

IN THE
SW1/4 NW4, SECTION 31, T.2N., R.19E., B.M.
CITY OF BELLEVUE AND
BLAINE COUNTY, IDAHO
1994

CURVE	ARC	DELTA	RADIUS	CHORD LENGTH	CHORD BEARING	TAN. LENGTH
C1	37.15'	00°35'12"	3628.29'	37.15'	S81°07'11"W	18.57'
C2	140.00'	02°12'39"	3628.29'	139.99'	S79°43'15"W	70.01'
C3	140.00'	02°12'39"	3628.29'	139.99'	S77°30'36"W	70.01'
C4	87.00'	01°22'26"	3628.29'	87.00'	S75°43'04"W	43.50'
C5	407.49'	06°22'55"	3658.29'	407.28'	S78°13'19"W	203.95'



LINE	BEARING	DISTANCE
L1	S75°01'51"W	36.51'
L2	S18°15'24"E	30.05'
L3	N00°07'22"E	30.35'

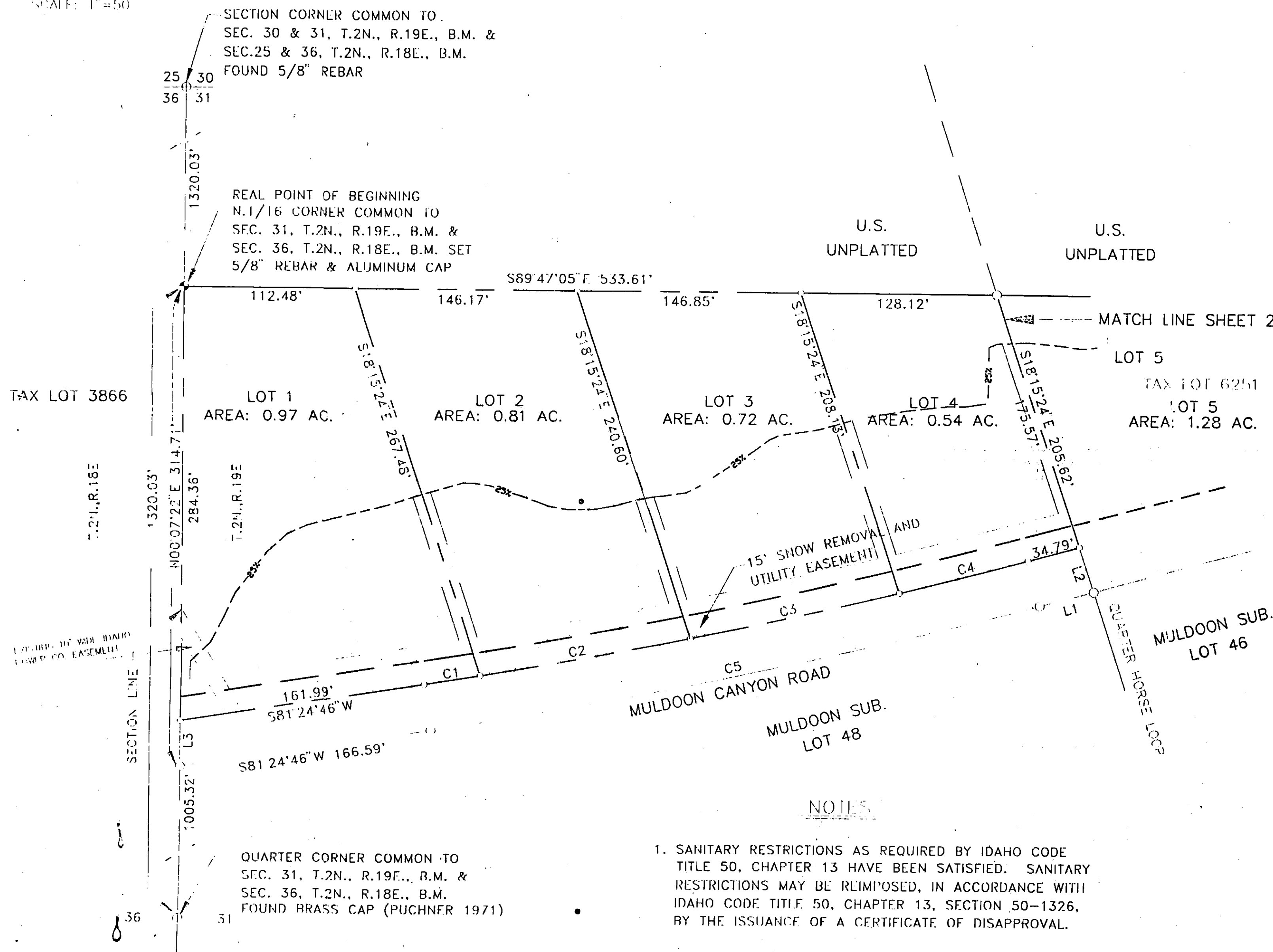
LEGEND

- REAL POINT OF BEGINNING
- SET 1/2" BAR
- SET 5/8" BAR
- ⊙ SECTION CORNER
- PROPERTY LINE
- 25% SLOPE CONTOUR LINE
- 15% SLOPE CONTOUR LINE
- SETBACK LINE (SEE NOTE 4)

ENGINEERED BY:

POWER ENGINEERS, INC.
3940 Glenbrook Drive
Box 1066
Hailey, Idaho 83333
SHEET 1 OF 2

SCALE: 1"=50'



NOTES

- SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED. SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH IDAHO CODE TITLE 50, CHAPTER 13, SECTION 50-1326, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

ADDITIONAL NOTES ARE FOUND ON PAGE 2 OF 3

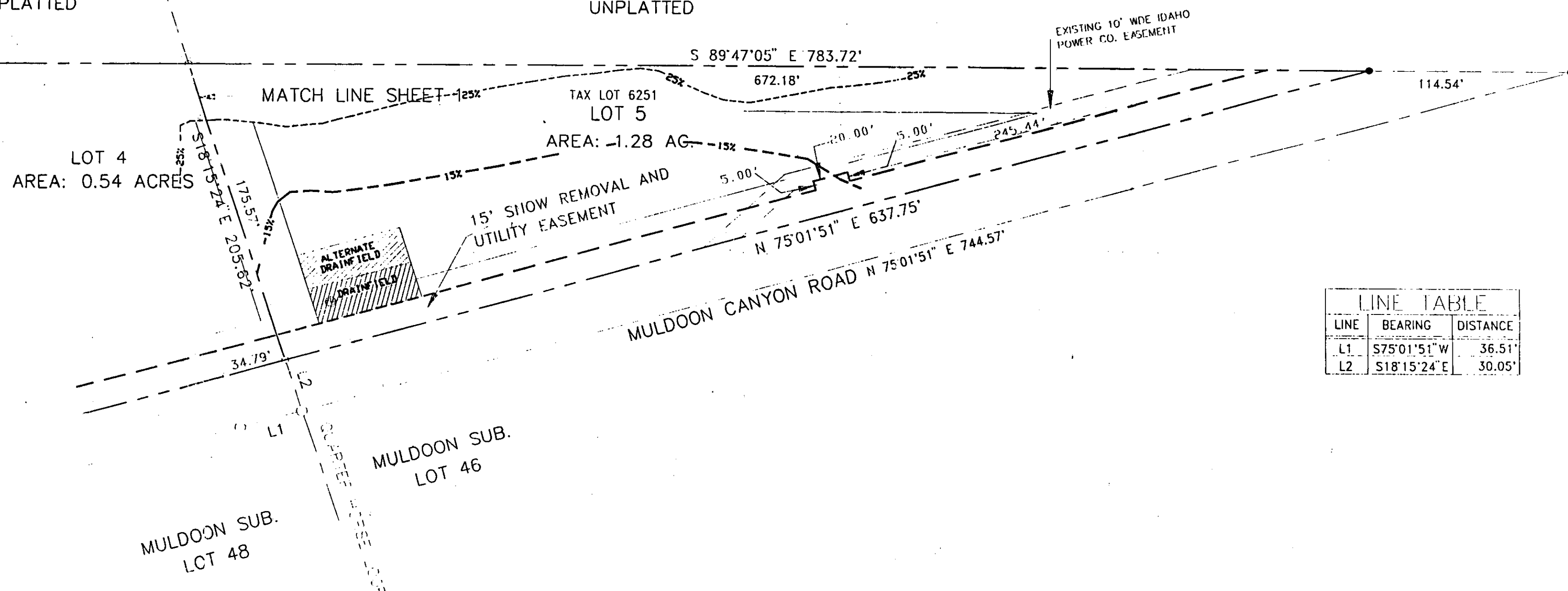
FINAL PLAT
of
QUARTERHORSE CROSSING
SUBDIVISION

IN THE
SW1 NW4, SECTION 31, T2N., R19E., B.M.
CITY OF BELLEVUE AND
BLAINE COUNTY, IDAHO
1994

SCALE: 1"=50'

U.S.
UNPLATTED

U.S.
UNPLATTED



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S75°01'51"W	36.51'
L2	S18°15'24"E	30.05'

NOTES

1. Lots 1 thru 4 are within and under the jurisdiction of the City of Bellevue, Idaho. Lot 5 is entirely within and under the jurisdiction of Blaine County, Idaho.
2. The interim water supply for Lots 1 through 4 (until the City of Bellevue upgrades its water system) is a community well on Lot 5. This well will also be the permanent water system for Lot 5. Lots 1 through 4 shall have the right to access and maintain the community well according to the terms of the Quarterhorse Crossing Subdivision Water Agreement as recorded in the Office of the County Recorder for Blaine County as Instrument Number _____ dated _____.
3. Building Setbacks:
Frontyard all Lots--25 feet;
Sideyard Setback Lots 1 thru 4--6 feet;
Rearyard Setback Lots 1 thru 4--25% slope contour line;
Rearyard Setback Lot 5--15% slope contour line;
Side Setback Lot 5--25 feet;
4. Lots 1 thru 4 will connect to City of Bellevue Sanitary Sewerage System. Lot 5 will utilize an Individual subsurface Sewage Disposal System.
5. Lots 1 and 5 are subject to an existing power line easement of record.
6. Maintenance and weed control pursuant to State regulations for all lots are the responsibility of the developer until the lots are sold and thereafter are the responsibility of the individual lot owners.
7. Driveway access and fire protection for Lot 5 shall be approved by the Wood River Rural Fire District prior to issuance of a building permit by Blaine County.
8. Covenants, conditions and restrictions are recorded in the Office of the recorder of Blaine County as Instrument Number _____ dated _____.

ENGINEERED BY:
POWER ENGINEERS, INC.
3940 Glenbrook Drive
Box 1066
Hailey, Idaho 83333
SHEET 2 OF 3

37-08042

DEPARTMENT OF WATER RESOURCES
1301 N. ORCHARD ST.
BOISE, ID 83706-2237

DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST. EAST
TWIN FALLS, ID 83301-6105

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 37-08842 Reviewed by Jy Date 6-12-97

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
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
yes Drilling permit required?
no Copy in the file? Drilling Permit No. 37-94-S-0059-000
35.00 Amount paid for permit yes Correct?
no Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

no Required?
/ Amount Submitted
/ Correct?
no Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X Proof Made 5-20-97



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
June 17, 1997

GLENN LIFFICK
PO BOX 1719
HAILEY ID 83333

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08842

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.

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

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

C: IDWR - Region

17600-1000

June 23, 1997

March 31, 1997

GLENN L LIFFICK
PO BOX 1719
HAILEY ID 833331719

PROOF DUE NOTICE

RE: PERMIT NO. 37-08842

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 June 1, 1997.

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

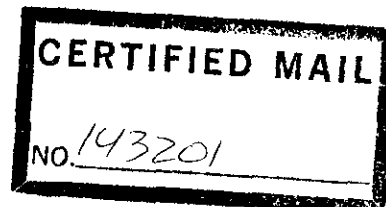
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





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

March 3, 1997

Benchmark Associates
c/o Keith A. O'Connell
P.O. Box 733
100 Bell Drive
Ketchum, ID 83340

RE: PERMIT NO. 37-08842 IN THE NAME OF GLENN L. LIFFICK

Dear Mr. O'Connell:

Your letter dated February 27, 1997 to Karl J. Dreher in connection with the above referenced water right permit has been referred to me for response. Enclosed for your information is a copy of the permit.

The extension of time question you have asked needs to be answered in two parts. The Idaho Code requires the start of construction of diversion works within one (1) year of the date of permit issuance. The department can not waive this Code requirement but also does not intend to cancel the permit if the start of construction requirement is not met. The potential problem with not meeting the start of construction requirement is with competing water users who may raise the question resulting with the permit holder having to deal with not meeting the requirement.

Section 42-204, Idaho Code, provides that the department can grant additional time to a permit holder to file the proof of beneficial use of water (proof) with the department. The department, however, will require a showing of due diligence, most commonly demonstrated by partial construction of the diversion and use works, before granting an extension of time in which to file the proof. The department can also grant extensions for certain delays caused by litigation over which the permit holder had no control.

The permit authorizes the use of water for five (5) domestic homes or households. A permit can be amended to change the point of diversion, place of use, nature of use or season of use provided the permit is not enlarged over the amount permitted. The maximum number of domestic uses authorized by the permit is five (5) and can not be enlarged to nine (9) as stated in your letter. A different permit or a different water right would have to be

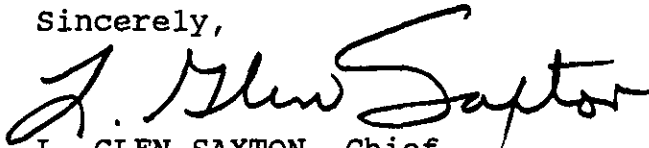
obtained to provide water to the additional four (4) planned domestic units.

When proof is due, the permit holder can file proof for all five (5) domestic hookups provided the delivery system has provided water to each domestic site, even if the domestic service line is only stubbed off to a domestic site on which a home has not yet been constructed.

Applications for amendment may be filed with the department on forms provided by the department. Forms are available from the department's Twin Falls office.

If you have questions or wish to file an amendment to the permit, please feel free to contact the department's regional office in Twin Falls. You may wish to make an appointment by calling 736-3033 to make sure appropriate staff is available to answer your questions or to assist you.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." being small and the last name "Saxton" being larger and more prominent.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - S. Region

RECEIVED
JUL 12 1977

TO: IDWR

FEB-27-'97 THU 15:45

ID

TER RESOURCES ID

TEL NO: 208 736

7

#040 P01

TRANSMITTAL COVER SHEET

OMNIFAX G66

TO:

Norm Young
Earl Shroder

Glen
Please
respond.
Ney

TOTAL PAGES SENT: 4

DOCUMENT DESCRIPTION:

Fax from Benchmark Associates -
Sent to Southern

FROM: IDAHO DEPARTMENT OF WATER RESOURCES

1341 FILLMORE-SUITE 200
TWIN FALLS ID 83301-3380

PHONE: 736-3033

FAX: 736-3037

SENDER:

Mary

CHARGES:

One (1) free copy per request, cover sheet not counted. Two (2) or more copies per request will cost \$0.25 per page. (\$0.50 minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: _____

Please remit to the above address.

COMMENTS:

MICROFILMED

JUN 24 1997

TO: IDWR

FEB-27-1997 THU 15:47 ID

TER RESOURCES ID

TEL NO: 208 736 7

H041 P01

FEB-27-1997 15:39

BENCHMARK ASSOCIATES

208 726 9514 P.01

Benchmark Associates

ENGINEERING, PLANNING, SURVEYING & MAPPING

P.O. Box 733 : 100 Bell Drive

Ketchum, Idaho 83340

208/726-9512 : Fax 208/726-9514

RECEIVED

FEB 27 1997

Department of Water Resources
Caldwell Region

FACSIMILE COVER SHEET

Date: 2/27/97 Time: 3:25 pm

FAX NUMBER: 736-3037

ATTENTION: Karl J. Dreher

COMPANY NAME: IDWR

Number of Pages: 3 (Including cover sheet)

PROJECT: QUARTERHORSE CROSSING LOTS 1-4

SENT BY: KATH O'CONNELL

Original ~~will~~ will not follow via mail.

Comments: _____

If you have any questions, comments or any pages are missing, please contact us.

This transmission is intended only for the addressee(s) listed above and may contain information which is confidential and privileged. If you are not the addressee, any use, disclosure, copying or communication of the contents of this transmission is prohibited. If this transmission was received in error, please notify the sender immediately and arrangements will be made for the return of this document at no cost to you.

TO: IDWR

FEB-27-1997 THU 15:48 IL

TER RESOURCES ID TEL NO: 208 736 17
BENCHMARK ASSOCIATES

H041 P02

208 726 9514 P.02

Benchmark Associates

ENGINEERING, PLANNING, SURVEYING & MAPPING
P.O. Box 733 : 100 Ball Drive
Ketchum, Idaho 83340
208/726-9512 : Fax 208/726-9514

RECEIVED

FEB 27 1997

Department of Water Resources
Southern Region

February 27, 1997

Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380

Attention: Karl J. Dreher, Director

Subject: Permit to Appropriate Water, No. 37-08842
Quarterhorse Crossing Subdivision, Lots 1 - 4
Bellevue, Idaho

Dear Mr. Dreher:

Benchmark Associates has been retained by Adam Koffler to evaluate water supply for the subject property. Mr. Koffler has the subject property under contract and is in the process of completing his due-diligence study. We understand that the water appropriation permit number relates to a well located on lot 5 of the subdivision and that the well is to serve five homes. We have several questions regarding the appropriation of water and amendment of the appropriation as follows:

1. Will it be possible to extend the time period in which construction and application of water must begin, in order to show beneficial use?
2. Can the appropriation permit be amended to allow for duplex/townhouse units on Lots 1, 2, 3, & 4 (i.e., a total of nine homes including eight homes on Lots 1 - 4 and one home on Lot 5)?
3. What are the procedures for amendment of the appropriation permit?
4. If the permit is not amended, does the permit allow for two hook-ups per lot or only one per lot? The result would be the same number of users/hook-ups as described in the permit. The owner may elect, with the City of Bellevue's approval, to use city services on two of the four lots.
5. If build-out of the site occurs over a two to three year period, can the application of water be phased without amendment? The developer intends to construct one duplex unit in 1997. Further development will be dependent on market demand.

We have attached a copy of the Permit to Appropriate Water for your reference.

Your timely response will be greatly appreciated.

Respectfully submitted,
Benchmark Associates


Keith A. O'Connell, P.E.
Civil Engineer

TO: IDWR

FEB-27-'97 THU 15:48

IL TER RESOURCES ID

TEL NO: 208 736

#041 P.03

FEB-27-1997 15:40

BENCHMARK ASSOCIATES

208 726 9514 P.03

FEB-27-87 THU 09:18

WINDERMERE REAL ESTATE

FAX NO. 2087883758

P.10

EXHIBIT A

REAL ESTATE PURCHASE + SALE AGREEMENT WRBZ-117

RECEIVED

FEB 27 1997

Department of Water Resources
Southern Region

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08842

Proposed Priority: March 3, 1995

Maximum Diversion Rate:

0.13 CFS

This is to certify, that GLENN L. LIPPICK
PO BOX 1719

RAILLEY ID 83333-1719

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

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.13 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (SWSW), Sec. 31, Township 02N, Range 19E
BLAINE County

PLACE OF USE: DOMESTIC

THE USE IS:

02N 19E 31 Lot 2 (SWSW)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1997.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Place of use is located within Lots 1-5, Quarterhorse Crossing subdivision.
5. Domestic use is for 5 homes.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
7. The irrigation use occurring under this domestic use shall not exceed 1/3 acre within each platted subdivision lot upon which a home has been constructed.

This permit is issued pursuant to the provisions of Section 42-304, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

19th day of May 1995


for Karl J. Draher, Director



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 19, 1995

GLENN L LIFFICK
PO BOX 1719
HAILEY ID 83333-1719

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08842

Dear Permit Holder:

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED
MAY 30 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 37-08842 Name: Riffick Date: 5/16/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: _____ Priority: _____ / Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes ESRP Mor Big Wood GWMA Trust Non-trust
PROTESTED: - 020 (Prehearing agreement) or W19 (See Order)

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

GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
- 0.2 cfs - No MD
+ 5 a. (POU cmp) - 01M, 803 (if GW use SW 1st)

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

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink):
Water District (~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J-P08 or 01M
- 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp)
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (POU cmp)

RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064 (consump. use), 047-P04 (Payette Lake), NA

USE:
Domestic (surface) - 021 (Boise R ↑ L Peak); 064 (Payette R); NA
Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - P10; 044 (N 1000 Spr)
Irr - 5 acres - 057 (0.03 cfs/A)
+ 5 acres - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F (P19) - 09E (P10);
+25 cfs-P18; 17G (FERC) or 17M (FERE); 18B-P09
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA

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

OWNERSHIP: Non-land owner - 004 (PD/PU)

OTHER CONDITIONS: _____

STANDARD REMARKS: - ① Plu within Lts 1-5, Quarter horse Crossing Subd.

BENEFICIAL USE DUE: - ② w05/5 ③ w01/5 ④ w04 ⑤ w05

COMMENTS: - 8-1-1997
in allowable only with mitigation. ∴ remove in. use

in Big Wood R GWMA
No irr w/out mitigation, no mitigation plan
delete in
dom use standard for 5 homes (chart) = 0.11 cfs.
cond. 5 homes (w01)
13000 gpd/hm (w04)
? in 1/2 acre/hm (w05)

Ann L. Lippick
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED
MAY 08 1995
Department of Water Resources

INITIAL REVIEW BY MTS DATE 3-4, 1995
APPLICATION NO. 37-08842

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
3-3 1995

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back.
- ☒ Overlapping point of diversion.
- ☐ 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: _____

_____ Date Requested _____, 19____

PROCESSING ☒ Yes ☐ No In form for Advertising
☐ Yes ☒ No No Statewide Advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on app.

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

FINAL REGIONAL PROCESSING REVIEW

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

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

N/A Yes ☐ No Protests, dates, resolution of protest, recorded on app.

☐ Yes ☒ No Recommendations attached

☐ Yes ☒ No Measuring device required

☐ Yes ☒ No Access port required

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

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

046, 041, 021

See below for additional information ☒

Date of priority recommended 3/3, 19 95

By AD Date 5/3, 19 95

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19 _____

ADDITIONAL INFORMATION:

Each household is allowed irrigation of 1/2 acre.

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____

No overlaps

AFFIDAVIT of PUBLICATION

RECEIVED

APR 12 1995

State of Idaho,

County of Blaine

} ss. Department of Water Resources
Southern Region

On this 12 day of April, in the year 1995, before me a Notary Public of said State, personally appeared DANIEL J. GORHAM, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 5 day of April, 1995, and the date of the last publication was on the 12 day of April, 1995.

Subscribed and sworn to before me this 12th day of April, 1995.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 40.733
Number of Insertions 2
Lines tabular at 40.733 6¢/ Pica
Lines straight at 23.422 5¢/ Pica
Subsequent lines at 18.737 4¢/ Pica
TOTAL COST +5 \$47.16

COPY OF NOTICE

(Paste Here) 37-08842

Ap. for Water Permit

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Res., So. Reg.
BILL TO

Application for water permit

NOTICE OF APPLICATION FOR WATER PERMIT

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

GLENN L. LEFFICK
PO BOX 1719
HAILEY ID 83333
37-08842

Source: groundwater

Diversion Pt:
NW1/4SW1/4NW1/4, S31, T2N,
R19E; Blaine County.

Use: domestic (.05 cfs) 1/1-12/31

Irrigation (.05 cfs) 4/15-10/15

Total Diversion: 0.13 cfs

Date Filed: 3/3/1995

In: 2.5 acres within Lot 2
(SW1/4NW1/4), S31, T2N, R19E.

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

R. Keith Higginson, Director

Published in Wood River
Journal on 4/5 & 12/95.

MICROFILMED

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

MAY 30 1995

9532

**NOTICE OF APPLICATION
FOR WATER PERMIT**

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been filed to appropriate the
public waters of the State of
Idaho:

GLENN L. LIFFICK

PO BOX 1719

HAILEY ID 83333

37-08842

Source: groundwater

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

**NW1/4SW1/4NW1/4, S31, T2N,
R19E; Blaine County.**

Use:domestic(.05 cfs) 1/1-12/31

irrigation (.08 cfs) 4/15-10/15

Total Diversion: 0.13 cfs

Date Filed: 3/3/1995

In:2.5 acres within Lot 2

(SW1/4NW1/4), S31, T2N, R19E.

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

R. Keith Higginson, Director

**Published in Wood River
Journal on 4/5 & 4/12/95.**

RECORDED

MAY 30 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor
PHIL BATT

March 17, 1995

R. KEITH HIGGINSON
Director

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin

Mary Baldwin
Sr. Secretary

Enclosure

RECEIVED

MAY 30 1995

NOTICE OF APPLICATION FOR WATER PERMIT

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GLENN L. LIFFICK
PO BOX 1719
HAILEY ID 83333

37-08842

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R. Keith Higginson, Director

Published in Wood River Journal on 4/5 & 4/12/95.

RECORDED

MAY 30 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor PHIL BATT

March 15, 1995

R. KEITH HIGGINSON
Director

GLENN L LIFFICK
PO BOX 1719
HAILEY ID 83333

Re: Application for Permit No. 37-08842

Dear Mr. Liffick:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office has scheduled advertising the application in the Wood River Journal for 4/5 & 4/12/95. 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 feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Mel Schulte
Sr. Water Resource Agent

MS:MB

RECEIVED

MAY 30 1995

P. O. Box 1719
Hailey, ID 83333
March 1, 1995

Idaho Department of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301

RECEIVED

MAR 03 1995

Department of Water Resources
Southern Region

To Whom It May Concern:

We have recently become aware of an error in the legal description provided by Scott Drilling on our Drilling Permit No. 37-94-5-0059-000.

The Legal Description should be the SW1/4 of the NW1/4 of Twp. 2N, Range 19E, Section 31, not the NW1/4 of the NW1/4.

Please change your records to reflect the correct legal description.

Thank you.

Sincerely,



Glenn L. Liffick

MISSOURI

MAY 8 01995

37-08842