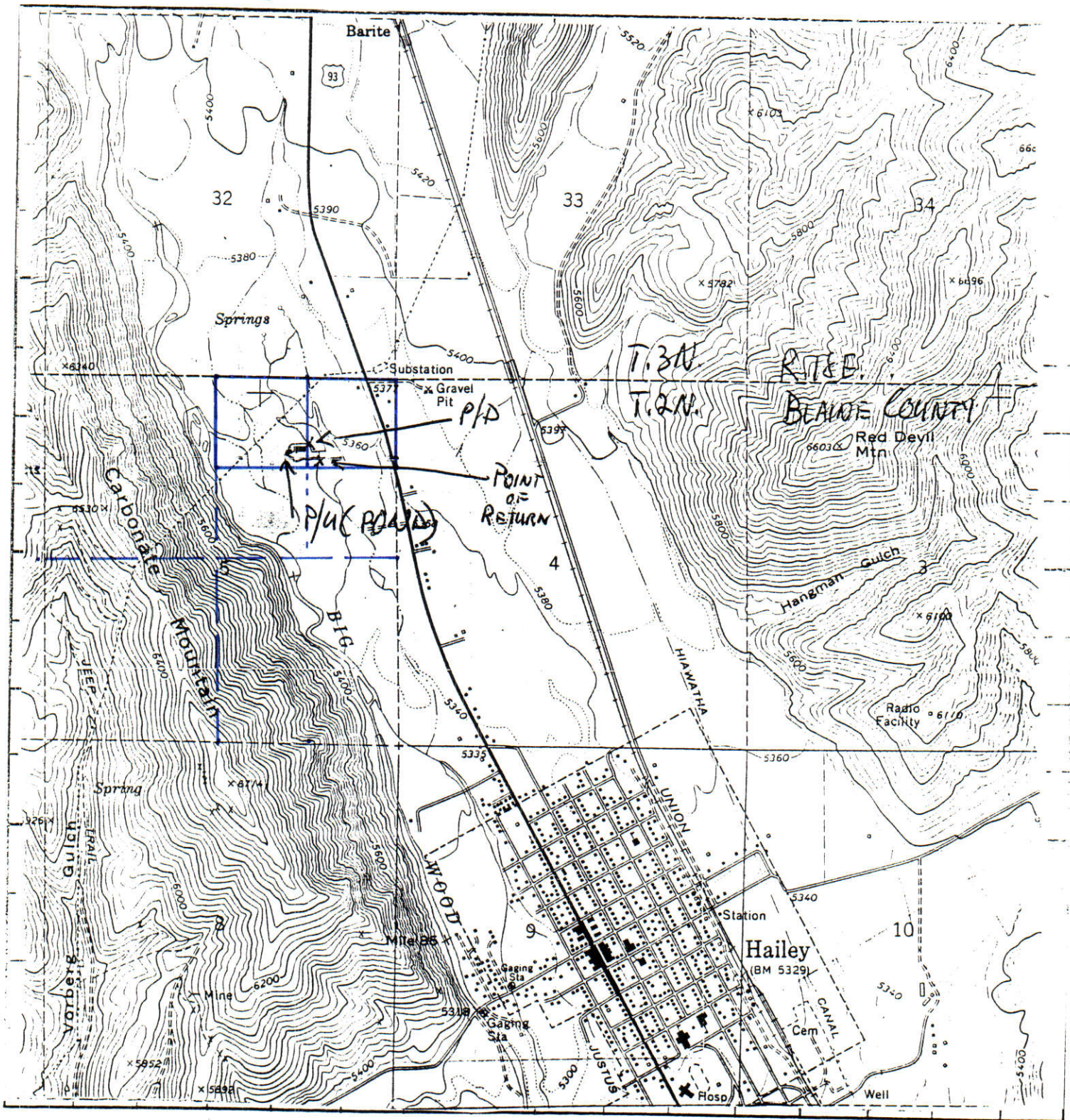


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

[Signature]
(Applicant)

JAN 11 1994

O'GARA COMPANIES

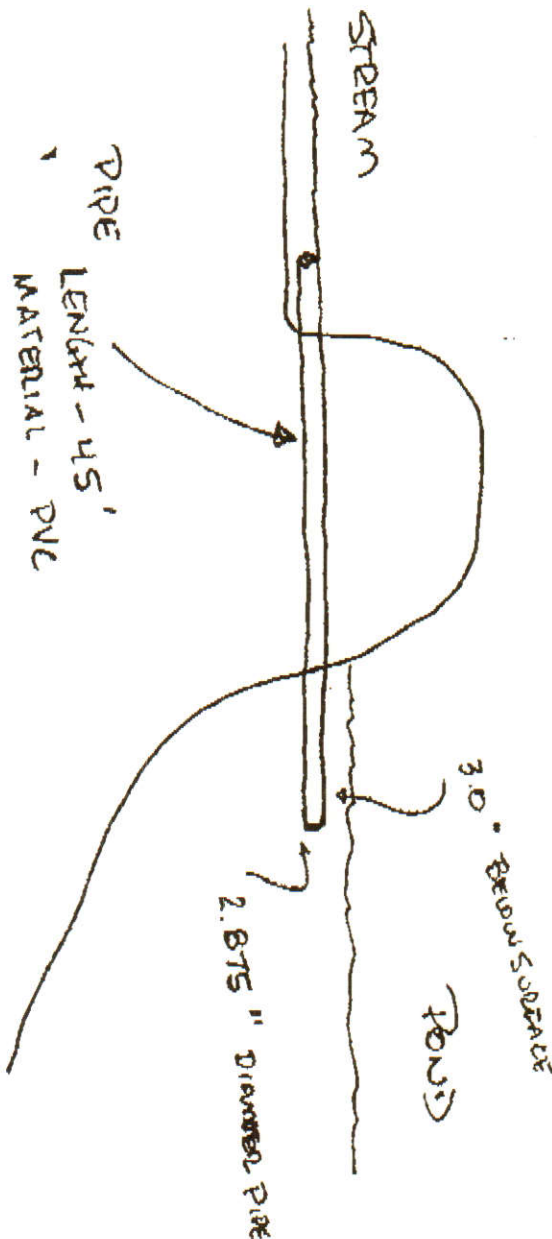
TEL No. 208-738-9849

Aug 16, 94 8:58 No.001 P.01

TO: SHERL L CHAPMAN
FM ED O'GARA

UPDATE TO INFO MY
FAX OF 8/3/94

SIDE VIEW OF DIVERSION



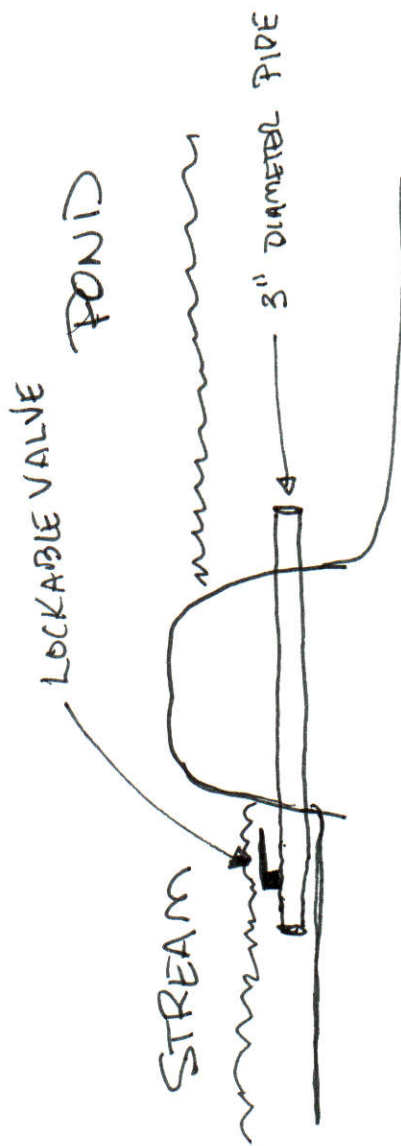
Flow calculation
 $Q = .072 \text{ cfs} = 32 \text{ gpm}$

Sherl Chapman

RECEIVED

SEP 09 1994

SIDE VIEW OF EXISTING DIVERSION



RECEIVED

SEP 09 1994

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } ss.

NOV 04 1993

Department of Water Resources
Southern Region Office

On this 2 day of Nov, in the year 1993, 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 20 day of Oct, 1993, and the date of the last publication was on the 27 day of Oct, 1993

Subscribed and sworn to before me this 2nd day of Nov, 1993.
(SEAL)

NOTARY PUBLIC

8907
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions _____

Lines tabular at _____ 6¢ / Pica
58.5 Lines straight at 29.25 5¢ / Pica
58.5 Subsequent lines at 26.33 4¢ / Pica
TOTAL COST + 5.00 \$60.58

COPY OF NOTICE
(Paste Here)

Application to appropriate water
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Application for trust water right

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

37-08822

EDWARD F O'GARA III
C/O JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

Source: Springs tributary to Big Wood River

Diversion Pt: Lot 1 (SWNE), S05, T02N, R18E: Blaine County.

Use:
Diversion to Aesthetics Storage (.1 cfs) from 01/01 to 12/31

Aesthetics Storage
(.2 afa) from 01/01 to 12/31

Total Diversion: .1 cfs

Date Filed: 9/1/93

In: Lot 1 (NENE), Lot 2 (NWNE), S05, T02N, R18E.

The permit will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before November 8, 1993.

R. Keith Higginson, Director

Publish: Wood River Journal-
October 20 & 27, 1993.

11/99

RECEIVED

AUG 29 2002

\$25 filing fee 80
Receipt # 5035178
Date 8-27-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

RECEIVED

AUG 27 2002

Department of Water Resources
Southern Region

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Edward F. O'Gara, hereby assign to W. Bruce Willis

of, P.O. Box 3212, Hailey, Idaho 83333
(Full Address)

(Phone)

All my right, title, and interest in and to Permit No. 37-8822 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

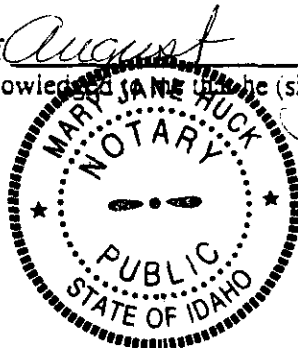
The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount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

Made this 20th day of AUGUST, 20 02

[Signature]
Permit Holder(s)

State of Idaho)
)ss
County of Blaine)

On this 20th day of August, 20 02, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged JANE HUCK (she) (they) executed the same.



Mary Jane Huck
Notary Public residing at Hailey

SEAL

MICROFILMED

My commission expires: 2-12-07

SEP 19 2002

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE
FLOW MEASUREMENT DEVICE AND
LOCKABLE CONTROLLING WORKS CONDITIONS
OF APPROVAL FOR PERMIT NO. 37-08822 IN
THE NAME OF EDWARD F. O'GARA III

ORDER

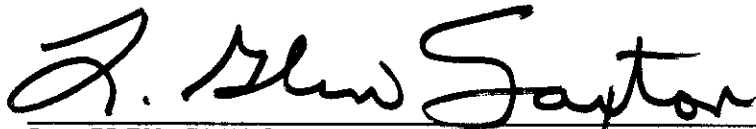
WHEREAS, the Department of Water Resources (department) has issued the above captioned water right permit with a condition of approval requiring the permit holder to install a measuring device and lockable controlling works to facilitate the measurement and determination of the rate of diversion by the department; and

WHEREAS, the department has determined that the rate of diversion for certain surface water uses can be estimated by the department without the use of a measuring device; and,

WHEREAS, the department has determined a lockable controlling works is not necessary at this time;

IT IS THEREFORE, HEREBY ORDERED that the condition of approval requiring the installation of a measuring device and lockable controlling works for the above captioned permit be WAIVED. The department retains jurisdiction to require the condition be reinstated in the future upon a finding of need by the department.

Dated this 30th day of August, 1994.



L. GLEN SAXTON
Chief, Water Allocation Bureau

SEP 09 1994

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 37-08822 Telephone No. 208 788 98282. Name(s) of Permit Holder(s): EDWARD F. O'GARA III3. Post Office Address: P.O. Box 580 HAILEY ID 833334. Source of Water: SPRING TRIBUTARY OF BIG WOOD RIVER

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic _____ (No. of households) Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

AESTHETIC STORAGE / DIVERSION TO STORAGE6. Total rate and/or volume for which proof is submitted 0.10 cfs 0.2 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

EDWARD F. O'GARA III208 788 9828

Name

Telephone No.

157 ASPEN LAKES DR. HAILEY ID 83333

Address

10. The above information 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.

8/23/94
Date
Signature (and title if on behalf of a company or organization)

SEP 09 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08822

Proposed Priority: September 1, 1993 Maximum Diversion Rate: 0.10 CFS
Maximum Diversion Volume: 0.2 AF

This is to certify, that **EDWARD F O GARA III**
C/O JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340-0987

has applied for a permit to appropriate water from:

SPRING tributary of **BIG WOOD RIVER**

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>
AESTHETIC STORAGE	01/01 to 12/31		0.2 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.10 CFS	
	Totals	0.10 CFS	0.2 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(SWNE), Sec. 5, Township 02N, Range 18E
BLAINE County

PLACE OF USE: AESTHETIC STORAGE
TWN RGE SEC

02N 18E 5 Lot 1(NENE) Lot 2(NWNE)

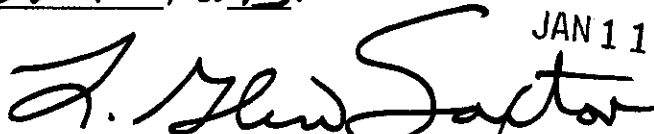
CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1994**.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 37.
4. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.
5. Place of use is located within Lot 36, Flying Heart Ranch No. II Subdivision.

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

6th day of December, 1993.

for


R. Keith Higginson, Director

Microfilm

JAN 11 1994

RECEIVED

NOV 24 1993

Form 202
8/85

SEP 01 1993

STATE OF IDAHO
Department of Water Resources

Ident. No. 37-08822

Department of Water Resources
Southern Region Office

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Edward F. O'Gara, III Phone (208) 726-4421
Post office address c/o James P. Speck, Hogue, Speck & Aarnestad, P. O. Box 987, Ketchum, ID 83340
2. Source of water supply unnamed springs which is a tributary of Big Wood River
3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot 1
Sec. 5 Township 2N Range 18E B.M. Blaine County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
diversion to aesthetics
Amount 0.1 for storage purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum) aesthetics
Amount 0.2 for storage purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.1 and/or (b) 0.2
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. underground pipe with control valve diverts water from lake (fed by springs) into open, lined stream bed which flows into lined pond, then out of pond through open, lined stream bed back to stream below lake.
 - b. Height of storage dam 0 feet; active reservoir capacity 0.2 acre-feet; total reservoir capacity 0.2 acre-feet; period of year when water will be diverted to storage:
Jan. 1 to Dec. 31 inclusive.
 - c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? N/A
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
one (1) year (minimum 1 year).

JAN 11 1994

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	18E	5	RJ	RJ															--
			LT1	LT2															

Total number of acres to be irrigated --

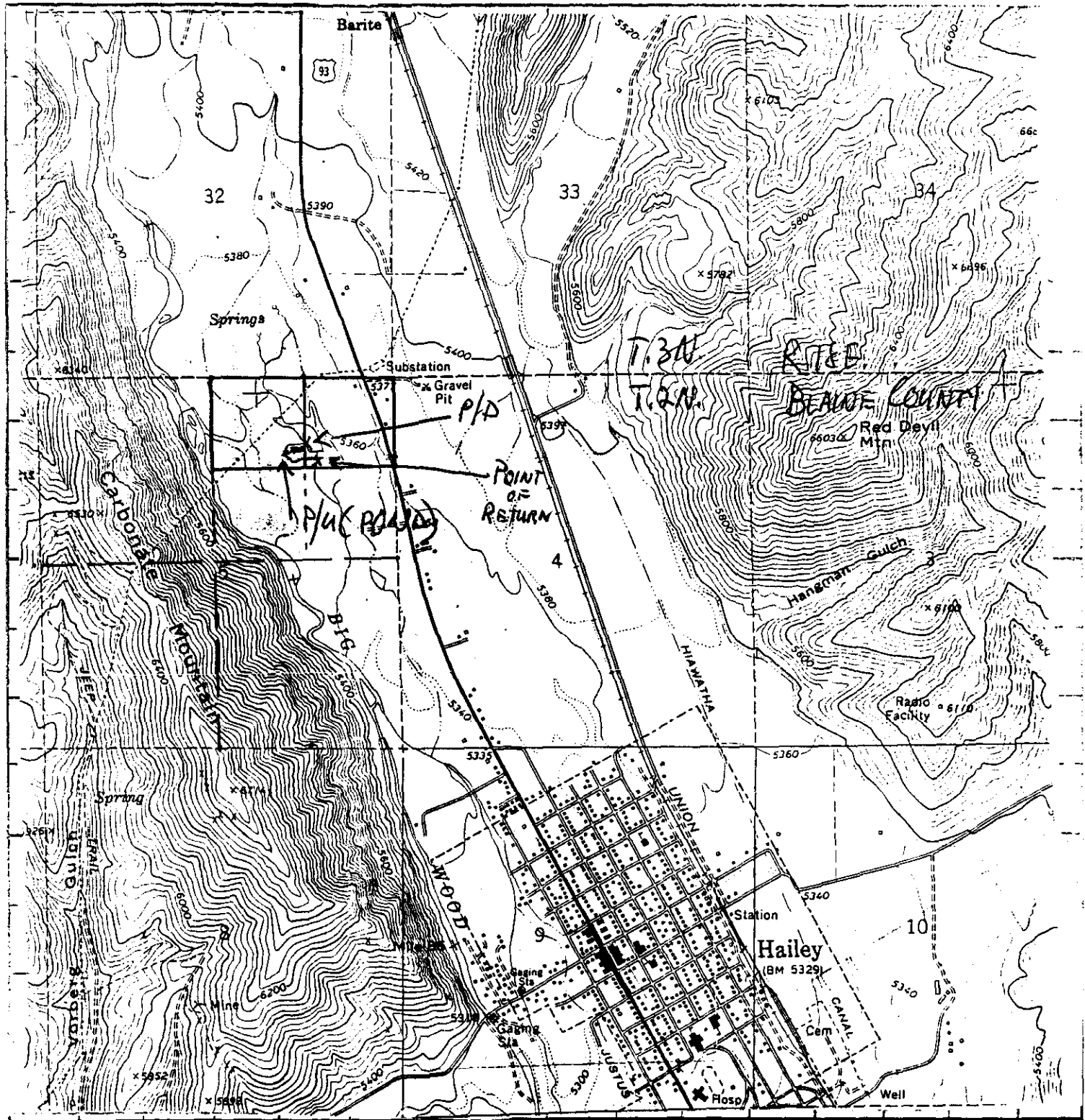
10. Describe any other water rights used for the same purposes as described above. None

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

12. Remarks: Lined pond has 0.2 AF storage capacity. Water right will be non-consumptive.
Place of use is Lot 36, Flying Heart Ranch No. II Subdivision.

JAN 11 1994

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



Scale: 2 inches equal 1 mile.

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

[Signature]
(Applicant)

JAN 11 1994

Received by R. S. Johnston Date 9-1-93 Time 10:50 Preliminary check by J. E. Johnston
Fee \$ 30 Received by MTS # 5016158 Date 9-1-93
Publication prepared by MTS Date 10/8/93 Published in Wood River Journal
Publication approved MTS Date 11-5-93

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:

RECORDED

JAN 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 30, 2002

W BRUCE WILLIS
PO BOX 3212
HAILEY ID 83333

RE: Change of Ownership for Water Right Permit 37-8822

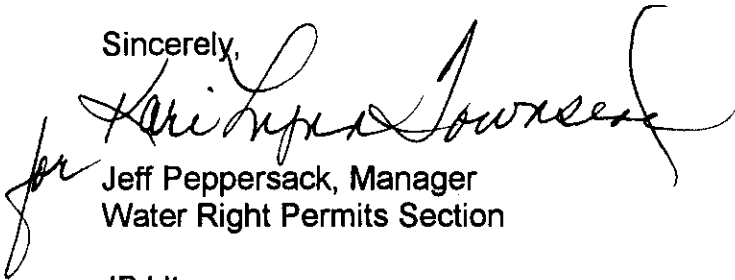
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right permit to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

cc: Ned C. Williamson, Attorney at Law (with enclosure of receipt # S025178)
115 Second Ave S
Hailey, ID 83333

MICROFILMED
SEP 19 2002

NED C. WILLIAMSON
ATTORNEY AT LAW
115 SECOND AVENUE SOUTH
HAILEY, IDAHO 83333
(208) 788-6688
FAX (208) 788-7901

RECEIVED

AUG 29 2002

Department of Water Resources

RECEIVED

AUG 27 2002

Department of Water Resources
Southern Region

August 22, 2002

Mr. James E. Stanton
Senior Water Resource Agent
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

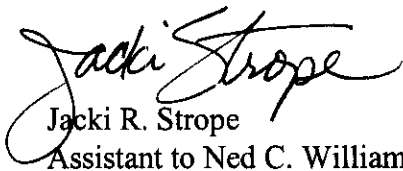
Re: Water Permit 37-8822
Edward F. O'Gara, III/W. Bruce Willis

Dear Mr. Stanton:

Enclosed please find an executed Assignment of Permit and our check no. 382 in the sum of \$25.00 in payment of your processing fee. Please record this Assignment and send a conformed copy to us in the envelope provided.

Thank you for your assistance.

Sincerely,


Jacki R. Strobe
Assistant to Ned C. Williamson

encl.

MICROFILMED
SEP 19 2002

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 37-8822

Reviewed by JH

Date 8/29/94

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

aesthetic storage

Correct Uses? yes

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

yes Required?
50.00 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
yes Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	/	_____	
Date proof due	_____		-	_____
No. of days late	_____		=	_____
Priority Date	_____		+	_____
New Priority Date	_____			_____

DEFICIENCIES OR ACTION ITEMS

Recommend waive the measuring device condition
Proof acceptable

DATA ENTRY

New Address _____

Proof Made 8/25/94

August 30, 1994

EDWARD F O GARA
P O BOX 580
HAILEY ID 83333

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 37-08822

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.

Additionally, enclosed is an Order waiving the measuring devise condition from your water right permit.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls, at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

SEP 09 1994

Edward F. O'Gara III
P.O. Box 580
Hailey, ID 83333
208-788-9828

June 13, 1994

Mr. Glenn Saxton
State of Idaho
Dept. of Water Resources
1301 North Orchard St.
Boise, ID 83720-9000

Dear Mr. Saxton:

I have received from the Dept. of Water Resources a Permit to Appropriate Water number 37-0822, a copy of which is enclosed. As a condition of that permit under item # 4, it requires that I install a measuring device and lockable controlling works of a type acceptable to the Department. Presently there is installed a 3" diameter pipe with a lockable valve at the point of diversion that I have sketched on the enclosed page. The amount of water diverted through this pipe is believed to be less than less than the 0.10 CFS approved under my permit. I am requesting your permission to use the existing mechanism, the flow of which I will have calculated by a hydrologist to ensure my compliance with the Permit. I have discussed this situation with Jim Stanton, Department of Water Resources in Twin Falls and Lee Peterson, the Watermaster of District 37, both of whom suggested that I request your permission for this deviation. My alternative would be a the installation of weir that would be relatively expensive and not very aesthetically pleasing on a residential lot. I hope that you will find the above solution acceptable and will grant this deviation to my permit. Thank you for your consideration of this matter.

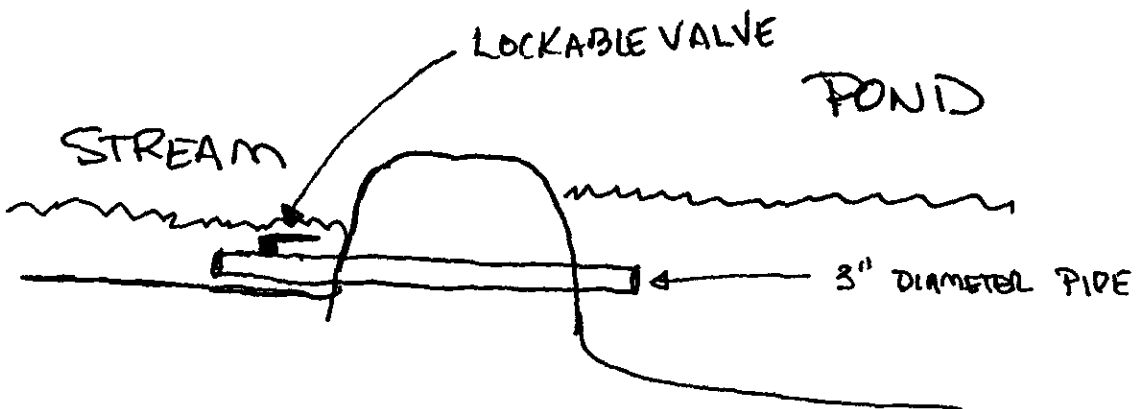
Very Truly Yours,



Edward F. O'Gara III

cc: Lee Peterson, Jim Stanton

SEP 09 1994



SEP 09 1994



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 14, 1994

Edward F. O'Gara III
P.O. Box 580
Hailey, ID 83333

RE: PERMIT NO. 37-08822

Dear Mr. O'Gara:

I have reviewed your letter dated June 13, 1994 in connection with the above referenced permit.

The purpose of Condition of Approval No. 4. on your permit is to insure that the rate of diversion does not exceed 0.10 cfs (45 gallons per minute) and that the watermaster has a mechanism by which he can regulate or shut off the diversion of water if the priority of the right can not be filled.

The lockable valve which you describe at the point of diversion likely will suffice for the lockable controlling works. The submittal of evidence to show that the 3 inch diameter pipe will not divert more than 0.10 cfs will satisfy the measuring requirement. A constructed weir on your lot is not specifically required if the condition can otherwise be met.

If you have additional questions, please feel free to contact the department.

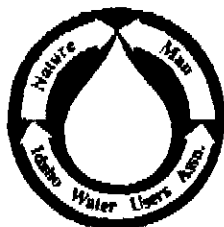
Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region

SEP 09 1994

Idaho Water Users Association, Inc.



PRESIDENT
1ST VICE PRESIDENT
2ND VICE PRESIDENT
EXECUTIVE DIRECTOR

Vernon E. Case
James Bright
Terrell Sorensen
Sherl L. Chapman

410 SOUTH ORCHARD, SUITE 144
BOISE, IDAHO 83705
208-344-6690 - OFFICE
208-344-2744 - FAX

LYNN TOMINAGA
Water Policy Analyst
DEWITT MOSS
NWRA Director

DIRECTORS

LELAND E. CLARK
Ashton - District 1
RONALD CARLSON
Firth - District 2
TERRELL SORESENSEN
American Falls - District 3
GAYLE RICHINS
Burley - District 4
DAN SHEWMAKER
Kimberly - District 5
DICK MARSHALL
Jerome - District 6
CLYDE HUTTON
Homedale - District 7
GOLDEN KEETCH
Montpelier - District 8
MITCHELL SORESENSEN
Moore - District 9
RICHARD ONEIDA
Shoshone - District 10
VERNON E. CASE
Wilder - District 11
HENRY WEICK
Boise - District 12
DENNIS LAMMEY
Caldwell - District 13
HELEN BIVINS
Payette - District 14
DON SATCHWELL
Post Falls - District 15
HAROLD MOHLMAN
Rupert - District 16
HOWARD CONRAD
Martaugh - District 17
BILL TAYLOR
Idaho Falls - District 18

DIRECTORS-AT-LARGE

JAMES BRIGHT
Martaugh
BRUCE McAFFEE
Rupert

ASSOCIATE DIRECTORS

SHIRLEY LINDSTROM
Boise
JIM WILHITE
Boise

COMMITTEE CHAIRMEN

TED DIEHL
Legislative
JAMES BRIGHT
Resolutions
VIRGIL TEMPLE
Education
CHARLES COINER, JR.
Water Quality
ROY ORR
Nominating & Awards
CHARLENE ORR
Rural/Urban Affairs
DON SATCHWELL
Municipal

FAX COVER SHEET

FAX TO:

O'Garra Companies

OFFICE:

PHONE:

FAX NUMBER:

208 788 9849

DATE:

Aug 19 1994 TIME: 11 25 AM

PAGE 1 OF

2

SUBJECT:

Flow calculation - PVC pipe

FROM:

Sherl Chapman

NOTE:

Ed - I've made the flow calculation as you requested. As you can see the flow is rather low. If you had 6" of head you still would only get .10 cfs or about 45 gpm. The pipe diameter is just too small for the low head and long run.

Sherl L Chapman

SEP 09 1994

O'GARA COMPANIES

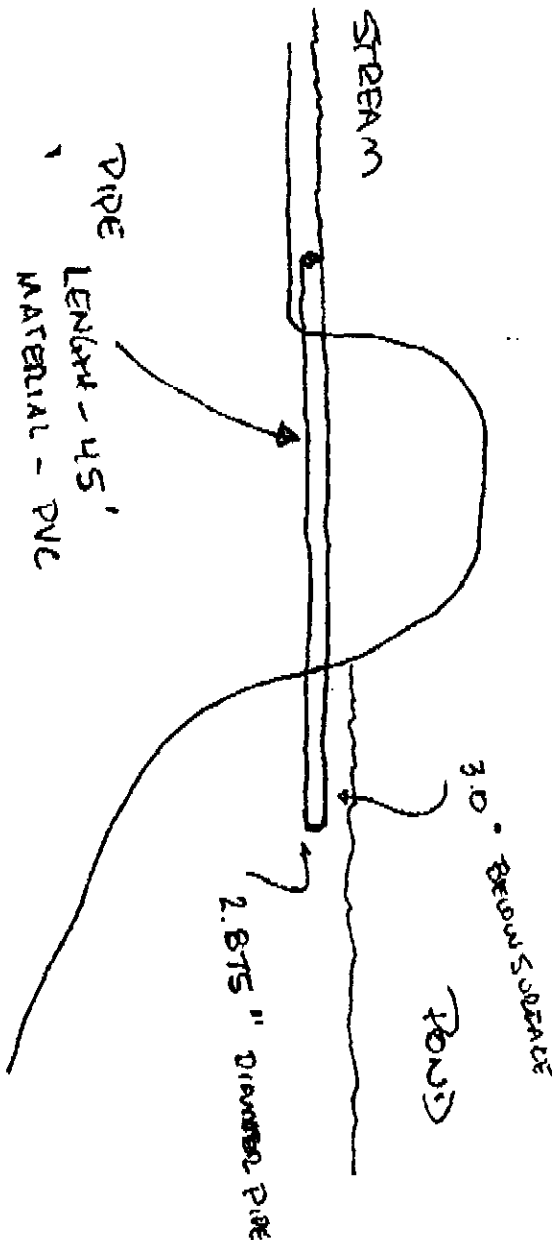
TEL NO. 208-788-9849

Aug. 16, 94 8:58 No. 001 P. 01

TO: SHERL L CHAPMAN
 FM ED O'GARA

UPDATE TO INFO MY
 FAX OF 8/3/94

SIDE VIEW OF DIVERSION



Flow calculation
 $Q = .072 \text{ cfs} = 32 \text{ gpm}$

Sherl Chapman

SEP 09 1994

Edward F. O'Gara III
P.O. Box 580
Hailey, ID 83333
208-788-9828

August 23, 1994

Mr. Jim Johnson
Water Rights Supervisor
Dept. of Water Resources
1301 No. Orchard St.
Boise, ID 83720

Dear Jim:

Enclosed is my submittal for the approved application for permit. This submittal includes correspondence and calculations required in the conditions in the "Conditions/Remarks" section of the permit. Also you will find a check in the amount of \$50.00 for the processing fee.

Sincerely,



Edward F. O'Gara III

RECEIVED

SEP 09 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37 M

P.O. Box T
Shoshone, Idaho 83352
(208) 886-2451

RECEIVED
JUN 22 1994
Department of Water Resources



LEE R. PETERSON
Watermaster

37-08822

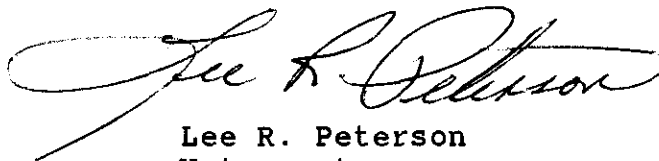
Glen Saxton
State of Idaho
Department of Water Resources
1301 North Orchard
Boise, Idaho 83720-9000

June 20, 1994

Glen:

In regards to Mr. Edward F. O'Gara III's letter to you dated June 13, 1994, water right 37-08822 which he requested deviation from item No. 4 on the permit. Following consideration of Mr. O'Gara's request, I have no problem with the deviation if he will provide a written report from a Hydrologist that during high water season, this being maximum head pressure, the 3" pipe would not deliver more water than his permit entitles him, and if it would deliver more he would be required to close the valve and secure it, so he would not use more than his permit entitles him to use.

Sincerely,



Lee R. Peterson
Watermaster

CC: Jim Stanton

SEP 09 1994



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 14, 1994

Edward F. O'Gara III
P.O. Box 580
Hailey, ID 83333

RE: PERMIT NO. 37-08822

Dear Mr. O'Gara:

I have reviewed your letter dated June 13, 1994 in connection with the above referenced permit.

The purpose of Condition of Approval No. 4. on your permit is to insure that the rate of diversion does not exceed 0.10 cfs (45 gallons per minute) and that the watermaster has a mechanism by which he can regulate or shut off the diversion of water if the priority of the right can not be filled.

The lockable valve which you describe at the point of diversion likely will suffice for the lockable controlling works. The submittal of evidence to show that the 3 inch diameter pipe will not divert more than 0.10 cfs will satisfy the measuring requirement. A constructed weir on your lot is not specifically required if the condition can otherwise be met.

If you have additional questions, please feel free to contact the department.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region

8/1/94

8/1/94

RECEIVED

JUN 14 1994

Department of Water Resources

Edward F. O'Gara III
P.O. Box 580
Hailey, ID 83333
208-788-9828

June 13, 1994

Mr. Glenn Saxton
State of Idaho
Dept. of Water Resources
1301 North Orchard St.
Boise, ID 83720-9000

Dear Mr. Saxton:

37-8822
I have received from the Dept. of Water Resources a Permit to Appropriate Water number 37-0822, a copy of which is enclosed. As a condition of that permit under item # 4, it requires that I install a measuring device and lockable controlling works of a type acceptable to the Department. Presently there is installed a 3" diameter pipe with a lockable valve at the point of diversion that I have sketched on the enclosed page. The amount of water diverted through this pipe is believed to be less than less than the 0.10 CFS approved under my permit. I am requesting your permission to use the existing mechanism, the flow of which I will have calculated by a hydrologist to ensure my compliance with the Permit. I have discussed this situation with Jim Stanton, Department of Water Resources in Twin Falls and Lee Peterson, the Watermaster of District 37, both of whom suggested that I request your permission for this deviation. My alternative would be a the installation of weir that would be relatively expensive and not very aesthetically pleasing on a residential lot. I hope that you will find the above solution acceptable and will grant this deviation to my permit. Thank you for your consideration of this matter.

Very Truly Yours,

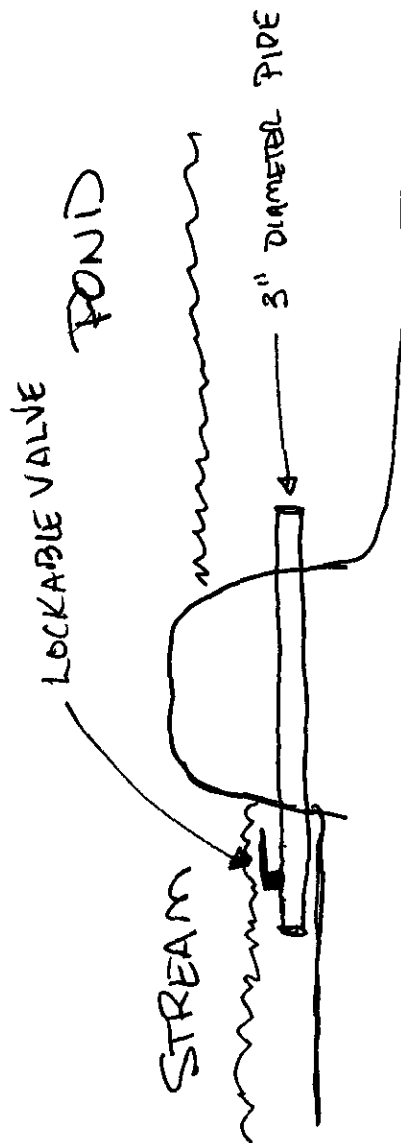


Edward F. O'Gara III

cc: Lee Peterson, Jim Stanton

SEP 09 1994

SIDE VIEW OF EXISTING DIVERSION



SEP 09 1994



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 6, 1993

EDWARD F O GARA III
C/O JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 833400987

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08822

Dear Permit Holder:

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. 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.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a circular stamp.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED

JAN 11 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW

Application #: 37-8822 Date: 11/29/93 Reviewer: Cindy Zimmerman

AREA OF CONCERN? - No/Yes E.S.R.P. Mor + Big Wood GWMA + TW
SYSTEM COMPLETED:
No - 26A-P17
Complete in 1 year - P16
Yes
Proof not submitted - P16
Proof submitted - NA
GROUNDWATER:
+ 0.2 cfs <flo-ch> - 01G-P03 (new), 01C-P03 (existing), NMR
- 0.2 cfs - NMR <flow chart>
Drilling Permit:
Included w/permit - Permit No. - - - - -, P99
Existing well - N/A (if drilled before 7/1/87)
No WD permit? - 046-46A<Irr>-46B-P23 (if drilled after 7/1/87)
SURFACE WATER: not in WD - 01C-P03 (+.2 w/pump), NMR <flow chart>
LOCATION:
Water District - WD No. 37
Surface water - 005 (req) 01J-P08 <flow chart>
(doesn't sink) or 01H-P01 <flow chart>; NMR
Groundwater - P05 (if well has not been drilled)
In stream channel - 030 (stream channel alteration)
Irrigation Dist. - 023
Canal Co. Areas - 023
Drainage Districts - 024
Flood Control Dist. - 063
Boise Front (63) - 058 (Groundwater temperature)
Swan Falls Flag - A <See condition code chart>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non Trust <1> - 048-049 (Consumptive Uses), NA
RIVER BASINS (Surface): Water District Control Condition (005) &....
Boise (63) - 05A (req), 11E (non-domestic use), NA
Payette (65) - 064 (consump. use), 047-P04 (Payette Lake), NA
Snake (01, 02 & 03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.), NA
USE:
Fish Propagation - 010/06A/09E-P10(WQ) & 07A-042 (req)
044 (N 1000 Spr)
Irrigation - 803 (if GW use SW 1st) (+5A do POU comp.), NA
Power - 08A-17K-025-027 (req); 01F-P19; 09E-P10;
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Mining - 06A/010/09E-P10 & 054 (req)
Storage(✓ 3 compo.) - 18A-for multi MD in WD, 18B-P09 (+10' dam), NA
Domestic (surface) - 021(Boise R + L Peak), 27A(Payette R), NA
OWNERSHIP:
Non land owner - 004 (P/D or P/U)
PROTESTED:
Prehearing agreement- 020
OTHER CONDITIONS: -
REMARKS: - ① P/U is located within Lt 36, Flying Heart Ranch No 2 Sub.

BENEFICIAL USE DUE: - 12-1-1994
COMMENTS: - ① Mor, B.W.G.W.M.A + TW Exempt ③ Rev Desc.

WR0749NP
No. P37-08822

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 11/29/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDWARD F O GARA III C/O JAMES P SPECK ESQUIRE PO BOX 987 KETCHUM ID 833400987 (208) 726-4421	09/01/1993	AESTHETIC STORAGE DIVERSION TO STORAGE	01-01 12-31 01-01 12-31	0.10 CFS	0.2 AFA
TOTAL DIVERSION:					0.10 CFS	0.2 AFA

Water Source: SPRING

Tributary to: BIG WOOD RIVER

Stage: PERMIT

Point(s) of Diversion: T02N R18E S05 Lot 01(SW NE NE)

Place of use Legal Description for: AESTHETIC STORAGE

NE				NW				SW				SE							
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
02N	18E	5	: 01-A 02-A	:					:					:					:

Pou County: BLAINE

Other Water Rights Listing Overlapping Place(s) of use:
37-00908 37-08423 P34-08423

Conditions of Approval:

- 005 - Use of water under this right is subject to control by the watermaster of State Water District No. 37.
- 01J - A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.

Remarks: Place of use is located within Lot 36, Flying Heart Ranch No. II Subdivision.

Dates: App. Received: 09/01/1993 Priority Date: 09/01/1993
Proof Due Date: 12/01/1994 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 37 Field Exam Fee:

Comments: Date: 11/29/1993 User-ID: ZIMMERMA Subject: MORATORIUM, BIG WOOD GWMA, & TRUSTWATER EXEMPTION
This permit is located within the Eastern Snake River Plain
Moratorium, Big Wood River GWMA, and trustwater boundary; however

WR0749NP
No. P37-08822

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 11/29/93
PAGE: 2

=====
Comments: Date: 11/29/1993 User-ID: ZIMMERMA Subject: MORATORIUM, BIG WOOD GWMA, & TRUSTWATER EXEMPTION
its aesthetic storage use is within the acceptable parameters of
all guidelines.

Date: 11/29/1993 User-ID: ZIMMERMA Subject: DIVERSION DESCRIPTION
Underground pipe with control valve diverts water from lake (fed
by springs) into open, lined stream bed which flows inot lined
pond, then out of pond through open, lined stream bed back to
stream below lake.
Height of storage dam 0'; active reservoir capacity 0.2 AF; total
reservoir capacity 0.2 AF.

Audit: 11/29/93 ZIMMERMA

STATE OF IDAHO O'Gara, Edward F. III
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J. E. Stanton DATE 9-1, 1993
APPLICATION NO. 37-08822

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
9-1 1993

ADDITIONAL INFORMATION

- ☐ Overlapping place of use(Describe source & relationship to present application on the back.
☐ Overlapping point of diversion.
☒ Yes ☐ No Field check required
Field check by _____
☐ Yes ☐ No Field report attached
☐ Yes ☒ No Critical Ground water area
☒ 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.

RECEIVED
NOV 24 1993

Department of Water Resources

* 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 11/8/93
Yes ✓ No Protests, dates, resolution of protest, recorded on app.
Yes ✓ No Recommendations attached
✓ Yes No Measuring device required
Yes ✓ No Access port required
✓ Yes No Will water be delivered by watermaster? If yes, what dist. 37
✓ Yes No Special conditions of approval or cover letter below. OLD, 05437 Big Wood R

See below for additional information

Date of priority recommended 9/11/1993
By [Signature] Date _____, 19__

STATE OFFICE REVIEW

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____

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } ss.

NOV 04 1993

Department of Water Resources
Southern Region Office

On this 2 day of Nov, in the year 1993, 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 20 day of Oct, 1993, and the date of the last publication was on the 27 day of Oct, 1993

Daniel J. Gorham
Subscribed and sworn to before me this 2nd day of Nov, 1993.
(SEAL)

Roberta McFarlane
NOTARY PUBLIC

8907
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions _____
Lines tabular at _____ 6c / Pica
58.5 Lines straight at 29.25 5c / Pica
58.5 Subsequent lines at 26.33 4c / Pica
TOTAL COST + \$5.00 \$60.58

JAN 11 1994

COPY OF NOTICE
(Paste Here)

Application to appropriate water
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources

BILL TO

**Application for
trust easement**

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

37-08822

EDWARD F O'GARA III
C/O JAMES P SPECK ESQUIRE
PO BOX 987
METCHUM ID 83340

Source: Springs tributary to Big Wood River

Divergence to (NAME),
SOS, IDEN, RIDE.
County of Blaine

Uses:
Divergence to Aesthetics Storage
(.1 cfs) from 01/01 to 12/31

Aesthetics Storage
(.2 cfs) from 01/01 to 12/31

Total Diversion: .1 cfs

Date Filed: 9/1/93

In: Lot 1 (NAME), Lot 2 (NAME), SOS, IDEN, RIDE.

The permit will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before November 8, 1993.

R. Keith Higginson, Director

Publish: Wood River Journal
October 20 & 27, 1993.

NOTICE OF APPLICATION FOR TRUST
WATER RIGHT

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

37-08822

EDWARD F O'GARA III
C/O JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

Source: Springs tributary to
Big Wood River

Diversion Pt: Lot 1 (SWNE),
S05, T02N, R18E; Blaine
County.

Use:
Diversion to Aesthetics Storage
(.1 cfs) from 01/01 to 12/31

Aesthetics Storage
(.2 afa) from 01/01 to 12/31

Total Diversion: .1 cfs

Date Filed: 9/1/93

In: Lot 1 (NENE), Lot 2
(NWNE), S05, T02N, R18E.

The permit will be subject to
all prior water rights.
Protests may be submitted based
on the criteria of Sec.
42-203A, Idaho Code and/or the
new public interest criteria of
Sec. 42-203C, Idaho Code.
Protests must be filed with the
applicant and with the
Director, Dept. of Water
Resources, Southern Region, 222
Shoshone Street East, Twin
Falls, ID 83301 on or before
November 8, 1993.

R. Keith Higginson, Director

Published in Wood River Journal
on 10/20 & 10/27/93.

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JAN 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

08-Oct-1993

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
Sr. Secretary

Enclosure

RECEIVED

JAN 11 1994

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

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

37-08822

EDWARD F O'GARA III
C/O JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

Source: Springs tributary to Big Wood River

Diversion Pt: Lot 1 (SWNE), S05, T02N, R18E; Blaine County.

Use:

Diversion to Aesthetics Storage (.1 cfs) from 01/01 to 12/31
Aesthetics Storage (.2 afa) from 01/01 to 12/31

Total Diversion: .1 cfs

Date Filed: 9/1/93

In: Lot 1 (NENE), Lot 2 (NWNE), S05, T02N, R18E.

The permit will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before November 8, 1993.

R. Keith Higginson, Director

Published in Wood River Journal on 10/20 & 10/27/93.

RECEIVED
JAN 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

08-Oct-1993

R. KEITH HIGGINSON
Director

JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

Re: Application for Permit No. 37-08822 (O'GARA)

Dear Mr. Speck:

The Department of Water Resources acknowledges receipt of the water right application for permit filed on the behalf of Edward F. O'Gara, III. 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 10/20 & 10/27/93. 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,

James E. Stanton
Sr. Water Resource Agent

JS:MB

MAILED 11/2/93
JAN 11 1994

RECEIVED

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
JOHN A. SEILLER

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

August 31, 1993

SEP 01 1993
Department of Water Resources
Southern Region Office
HAILEY, IDAHO 83333
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
(208) 788-3567
FAX (208) 788-4230

Mr. Loren Holmes
Department of Water Resources
Southern Region
222 Shoshone Street
Twin Falls, Idaho 83301

Re: Edward F. O'Gara, III - Application for Permit

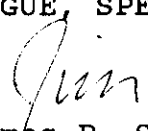
Dear Loren:

Enclosed you will find an Application for Permit which I have prepared on behalf of Mr. Edward F. O'Gara, III for a non-consumptive water right from a certain unnamed springs to be carried to the Big Wood River. I am also enclosing our check payable to the Department for \$30.00 as the filing fee. Please call me if you have any questions concerning this Application.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/v1

Enclosures

MAILED
JAN 11 1994

37-08822