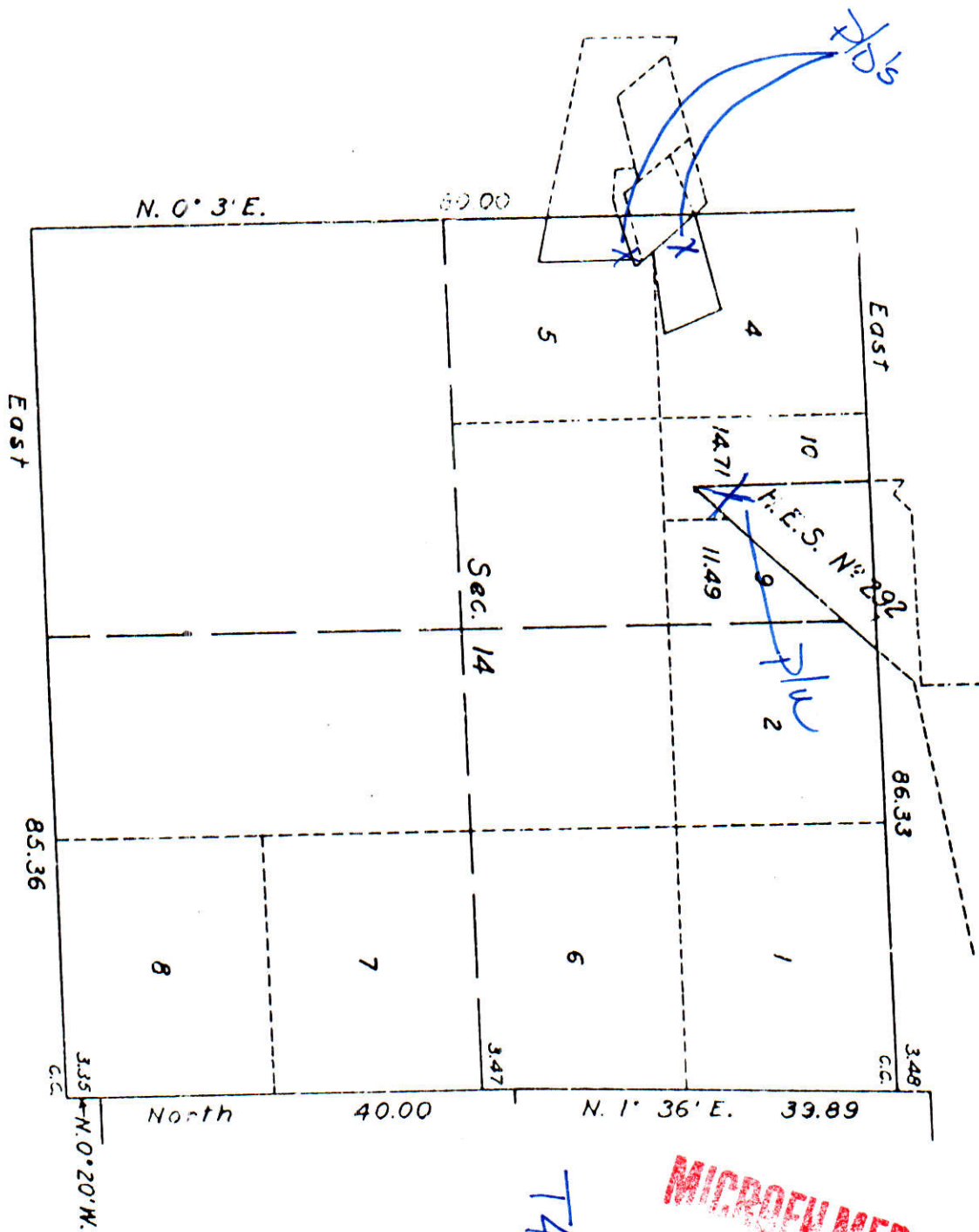


R17E



MICROFILMED
DEC 09 1992

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

NOV 20 1992

Department of Water Resources
Southern Region Office

On this 11th day of Nov., in the year 1992, 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 4 day of Nov., 1992, and the date of the last publication was on the 11 day of Nov., 1992.

Daniel J. Gorham

Subscribed and sworn to before me this 11th day of Nov., 1992.
(SEAL)

Rabuta McKen

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line	_____	
Number of Lines in Notice	_____	45
Number of Insertions	_____	
_____	Lines tabular at	6¢ / Pica
45	Lines straight at	22.50 5¢ / Pica
45	Subsequent lines at	20.25 4¢ / Pica
TOTAL COST		47.75 5.00

COPY OF NOTICE
(Paste Here)

Application for Water
right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

State of Idaho Dept. of
Water Resources - Boise
BILL TO

Application for water right

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08798

SINCLAIR OIL CORP.
DBA SUN VALLEY CO.
C/O DAVID LINCOLN
ELAM, BURKE & BOYD
PO BOX 1539
BOISE ID 83701

Source: SPRINGS tributary to:
WARM SPRINGS CREEK

Diversion Pt: NWSWNW, Sec. 14,
T4N, R17E, SWNWNW, Sec. 14,
T4N, R17E, Blaine County

Use: Heating (0.35 CFS)
Total diversion (0.35 CFS)

Date filed: 10/28/1992

In: Blaine County
T4N R17E S14 NENW

The permit will be subject to all prior water rights. Protests must be filed with the Idaho Department of Water Resources, 1301 N. Orchard Ave., Boise, ID 83706, on or before November 26, 1992.

R. KEITH HIGGINSON, Director
Publish: Wood River Journal-
November 4 & 11, 1992.

NOV 16 1992

Department of Water Resources

MAILED
DEC 09 1992

Publication Rates
As of Jan., 1990
(Idaho Code,
Reb. Statutes 1984)
7-8 pt./line straight: 5 pica
7-8 pt./line tabular: 6 pica
7-8 pt./line successive
insertion: 4 pica

8466

OFFICE USE ONLY
Amt. of Fee \$ 100.00
Date 12-1-94
Receipt No. 1031757
Receipt by gww

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 7 1994

PROOF OF BENEFICIAL USE

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

1. Permit No. 37-08798 Telephone No. (208) 343-5454
2. Name(s) of Permit Holder(s): Sinclair Oil Corp. dba Sun Valley Company
3. Mailing Address: c/o Scott Campbell, Elam & Burke, P.O. Box 1539, Boise, ID 83701
4. Source of Water: Springs

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

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

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
Irrigation _____ (No. of acres) Other Heating

6. Total rate and/or volume for which proof is submitted 0.35 cfs OR _____ 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: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)

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

Dr. Charles Brockway (208) 423-4691

Name Telephone No.

Kimberly Research & Extension Center, 3793 N. 3600 E., Kimberly, ID 83341
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.

12.2.94
Date

Wallace Huffman
Signature (and title, if on behalf of a company or organization)

Wallace Huffman, Vice President, Sinclair Oil Corp. dba Sun Valley Company

RECEIVED

NOV 24 1993

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFor Office Use Only
\$15 Fee Received by 15.00
Date 11-24-93
Receipt No. C 029059

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

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

Permit No. [REDACTED] & 37-02678

Name(s) of Permit Holder: Sinclair Oil Corp dba Sun Valley Company

Mailing Address: c/o David B. Lincoln, Elam & Burke, Box 1539, Boise, ID 83701

Date Proof is Due January 1, 1994

Telephone No. 343-5454

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

Temporary in-stream collection structure completed; water transportation lines and
deck heating system completed and water is being diverted. Final in-stream collection
structure not completed.

Costing

\$ 25,000

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

Freezing weather conditions at this time and spring run off conditions will prevent
in-stream construction until next fall. Brockway Engineering requests additional time
to design and install system to minimize effect on Warm Springs Creek.

Permit holder(s) request an extension to December 1, 1994.

FEE: \$15.00

(Signature) By: Wally Huffman

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

JAN 11 1994

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time in which to submit proof of beneficial use is extended to December 1, 1994.

Signed this

9th day December, 1993J. Blum Saptor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08798

Proposed Priority: October 28, 1992 Maximum Diversion Rate: 0.35 CFS
This is to certify, that **SINCLAIR OIL CORP**

DBA SUN VALLEY CO
C/O DAVID LINCOLN
ELAM BURKE & BOYD
PO BOX 1539
BOISE ID 83701

has applied for a permit to appropriate water from:

SPRINGS tributary of **WARM SPRINGS CREEK**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
HEATING	01/01 to 12/31	0.35 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNWNW , Sec. 14, Township 04N, Range 17E
NWSWNW , Sec. 14, Township 04N, Range 17E
BLAINE County

PLACE OF USE: HEATING
TWN RGE SEC

04N 17E 14 NENW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 3, 1994.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
4. 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. Use of water under this right shall be non-consumptive.
6. Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Quality Standards.
7. Water is used to heat outdoor decking of ski lodge and restaurant to prevent ice and snow buildup.

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DEC 09 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

Page 2

NO. 37-08798

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

4th day of December, 1992

J. Glen Sator
for R. Keith Higginson, Director

RECEIVED

DEC 09 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: SINCLAIR OIL CORP 208-343-5454
Address: C/O DAVID LINCOLN
ELAM BURKE & BOYD
PO BOX 1539
BOISE ID 83701

Name: DBA SUN VALLEY CO 208-000-0000
Address: C/O DAVID LINCOLN
ELAM BURKE & BOYD
PO BOX 1539
BOISE ID 83701

2. Source: SPRINGS Trib. to: WARM SPRINGS CREEK
3. Location of Point of Diversion: SWNWNW Sec. 14, Township 04N, Range 17E
NWSWNW Sec. 14, Township 04N, Range 17E
BLAINE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
HEATING	01/01	12/31	0.350		

5. Total quantity to be appropriated is:
0.350 CFS (and/or) AF

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc.
SPRING COLLECTION BOX, PUMP & PIPELINE
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 inches; proposed depth of well is
feet.
d. Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.

8. Description of proposed uses:

MICROFILMED
DEC 09 1992

9. Place of Use: HEATING

TWN RGE SEC
04N 17E 14 NENW

10. Describe any other water rights used for the same purposes.
37-02678

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

APPLICANT

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

APPLICANT

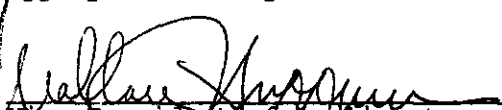
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

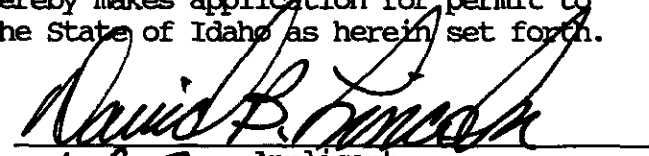
12. Remarks:

Water is used to heat outdoor decking of ski lodge and restaurant
to prevent ice and snow buildup.

13. Map of proposed point of diversion and place of use attached? []

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.


Vice President of Applicant


Applicant
Atty for Sun Valley Company

Received by SC Date 10/28/92 Time 1:35 Preliminary check by SC

Fee \$ 45⁰⁰ Receipted by SC # C025862 Date 10/28/92

Publication prepared by SC Date 10/28/92 Published in Wood River Journal

Publication approved SC Date 11/30/92

MICROFILMED

DEC 09 1992

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,
County of Blaine

SS.

NOV 20 1992

Department of Water Resources
Southern Region Office

On this 11th day of Nov., in the year 1992, before me a Notary Public of said State, personally appeared **DANIEL J. CORHAM**, 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 4 day of Nov., 1992, and the date of the last publication was on the 11 day of Nov., 1992.

Daniel J. Corham

Subscribed and sworn to before me this 11th day of Nov., 1992.
(SEAL)

Roberta McKee

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line		
Number of Lines in Notice	<u>45</u>	
Number of Insertions		
<u>45</u> Lines tabular at		6¢ / Pica
<u>45</u> Lines straight at	<u>22.50</u>	5¢ / Pica
<u>45</u> Subsequent lines at	<u>20.25</u>	4¢ / Pica
TOTAL COST	<u>47.75</u>	<u>5.00</u>

COPY OF NOTICE
(Paste Here)

Application for Water right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

State of Idaho Dept. of Water Resources - Boise
BILL TO

Application for water right

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08798

SINCLAIR OIL CORP.
DBA SUN VALLEY CO.
C/O DAVID LINCOLN
ELAM, BURKE & BOYD
PO BOX 1539
BOISE ID 83701

Source: SPRINGS tributary to:
WARM SPRINGS CREEK

Diversion Pt: NWSWNW, Sec. 14,
T4N, R17E, SWNWNW, Sec. 14,
T4N, R17E, Blaine County

Use: Heating (0.35 CFS)

Total diversion (0.35 CFS)

Date filed: 10/28/1992

In: Blaine County
T4N R17E S14 NENW

The permit will be subject to all prior water rights. Protests must be filed with the Idaho Department of Water Resources, 1301 N. Orchard Ave., Boise, ID 83706, on or before November 26, 1992.

R. KEITH HIGGINSON, Director
Publish: Wood River Journal-
November 4 & 11, 1992.

NOV 16 1992

Department of Water Resources

RECEIVED
DEC 09 1992

Publication Rates
As of Jan., 1990
(Idaho Code,
Reb. Statutes 1984)
7-8 pt./line straight: 5/pica
7-8 pt./line tabular: 6/pica
7-8 pt./line successive
insertion: 4/pica

8466

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 37-08798 Reviewed by [Signature] Date 12-15-94

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

Heating

yes Address same as permit?

yes Proof timely received?

Correct Uses? yes

If not, complete calculation below.

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit _____ Correct?

☐ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?

yes Required?

100.00 Amount Submitted

no Installed?

yes Correct?

Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

advise of measuring device condition
Proof acceptable

DATA ENTRY

New Address [Signature]

Proof Made 12/1/94



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 16, 1994

SINCLAIR OIL CORP
C/O SCOTT CAMPBELL
ELAM & BURKE
P O BOX 1539
BOISE ID 83701

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 37-08798

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 one of the conditions of your water right permit requires that the permit holder install a measuring devise (refer to condition # 4 of your permit). This condition must be complied with before the license exam, or you can request in writing, a waiver of the condition.

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

c: IDWR - Region



DEC 29 1994

RECEIVED
DEC 7 1994
Department of Water Resources

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

December 6, 1994

Mr. Norman C. Young
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: Proof of Beneficial Use Form for Water Permit No. 37-08798

Dear Norm:

Enclosed for filing please find the original Proof of Beneficial Use form for Water Permit No. 37-08798. Please replace the facsimile of this document which was filed on December 1, 1994 with this original and return a conformed copy in the envelope provided.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:ma
Enclosure

DEC 29 1994

RECEIVED

DEC 01 1994

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

Department of Water Resources

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

December 1, 1994

VIA HAND DELIVERY

Mr. Norman C. Young
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: Proof of Beneficial Use Form for Water Permit No. 37-08798

Dear Norm:

Pursuant to our telephone conversation of November 30, 1994, I have enclosed a facsimile copy of the executed Proof of Beneficial Use form regarding Water Permit No. 37-08798. I have enclosed the filing fee in the amount of \$100.00 payable to the Idaho Department of Water Resources. As I indicated to you during our telephone conversation, I will provide the original executed version of the form as soon as we have received it from Sun Valley.

Thank you for your cooperation in this matter.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:ma

cc: Mr. Wallace Huffman
Lisa-Michele Church, Esq.
Carl Burke, Esq.

DEC 01 1994

September 30, 1994

SINCLAIR OIL CORP
DBA SUN VALLEY CO
C/O DAVID LINCOLN
ELAM BURKE & BOYD
PO BOX 1539
BOISE ID 83701

PROOF DUE NOTICE

RE: PERMIT NO. 37-08798

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 December 1, 1994. (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.

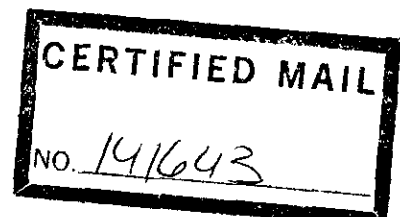
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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



RECEIVED
SEP 29 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 8, 1993

Elam & Burke
Attorneys and Counselors at Law
Key Financial Center
702 West Idaho
P.O. Box 1539
Boise, ID 83701

Re: Permit No. 37-08798

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to December 1, 1994. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR-Regional Office

RECEIVED

JAN 11 1994

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 37-8798 Reviewed by VJA Date 12-02

BASIC INFORMATION

yes Date stamp received
yes Extension received timely
yes Fee received and receipted
OK Name and signature same as permit
NO Address Change

BASIS FOR EXTENSION REQUEST

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

ACTION TAKEN

*Extend B/a date to Dec 1, 1994
based on due diligence*

PRIORITY CALCULATION

Date extension received	<u> </u>	=	<u> </u>
Proof due date	<u> </u>	=	<u> </u>
Number of days late	<u> </u>	=	<u> </u>
Priority date	<u> </u>	=	<u> </u>
New Priority Date	<u> </u>	=	<u> </u>

DATA ENTRY

New Address _____
Change Proof Due Date 12-1-94
Change Priority Date NO

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

DAVID B. LINCOLN

November 18, 1993

RECEIVED
NOV 24 1993
Department of Water Resources

Idaho Department
of Water Resources
Statehouse Mail
Boise, ID 83720-9000

Attn: Karen L. Gustafson
Secretary/Records Manager

Re: Sun Valley Company
Permit Nos. 37-08798 & 37-02678

Dear Karen:

Enclosed you will find a Request for Extension of Time, together with a filing fee of \$15.00, regarding the above mentioned permits.

Very truly yours,

ELAM, BURKE AND BOYD, Chartered

David B. Lincoln

David B. Lincoln *DL*

DBL/at
cc: Wally Huffman

JAN 11 1994

October 31, 1993

SINCLAIR OIL CORP
DBA SUN VALLEY CO
C/O DAVID LINCOLN
ELAM BURKE & BOYD
PO BOX 1539
BOISE ID 83701

PROOF DUE NOTICE

RE: PERMIT NO. 37-08798

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1994. (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.

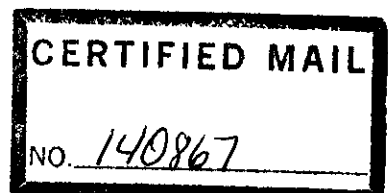
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

DEC 29 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 7, 1992

SINCLAIR OIL CORP
DBA SUN VALLEY CO
C/O DAVID LINCOLN
ELAM BURKE & BOYD
PO BOX 1539
BOISE ID 83701

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08798

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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.

Please be advised that water quality is subject to regulations of the Idaho Department of Health and Welfare. We suggest that you check with them before starting construction.

Sincerely,

Brenda L. Miller

BRENDA L. MILLER
Water Resource Agent

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BLM:cz

Enclosure

APPLICATION FOR PERMIT REVIEW

BLM

Application #: 37-8798 Date: 12-01-92 Reviewer: Brenda Miller

SYSTEM COMPLETED:

No - 26A-P17
 Complete in 1 year - P16
 Yes
 Proof not submitted - P16
 Proof submitted - N/A

GROUNDWATER:

GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
 - NMR <fl ch>, A of C BIG WOOD GLWMA
 LT. 0.2 cfs - No measurement required <flow chart>

Drilling Permit:

Approved w/permit - P99
 Not included - 046-46A-46B-P23 (after 7/1/87), N/A

SURFACE WATER: not in w/d - 01C-P03 (=GT.2 w/pump), NMR <flow chart>

LOCATION:

Water Districts - WD No. 37
 Surface water - R04, R04-01H-P01 (LT.2 w/pump)
 - R04-01J-P08 (GT.2), NMR <flow chart>
 Groundwater - P05
 Irrigation Districts - 023
 Canal Co. Areas - 023
 Drainage Districts - 024
 Boise Front (63) - 058 (Groundwater)
 Swan Falls Flag - H (1, Blank or Other)
 Trust - 051-052-053-P74 (Consumptive Uses)
 Non Trust <1> - 048-049

RIVER BASINS:

(Surface Water) Water District Control Condition &....
 Boise (63) - 05A & 11E
 Payette (65) - 047-P04, 059-P71
 Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

USE:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
 042(req.), 002-P06(MD), 07A(Spec.),
 044(Policy 5G)
 Power - Use Power Review
 Mining - 06A, 010, or 09E-P10 & 054(req.)
 Storage - 18A-for multiple measuring devices(In WD),
 18B-P09(Size)
 Rec/Wildlf/Aes - 027(Non-Consumptive)
 Domestic - 021 (Boise River - upstream from L Peak)
 (restricted areas) 27A (Payette River & main tributaries)

OWNERSHIP:

Non land owner - 004

PROTESTED:

Agreement - 020

Beneficial Use Due Date: -

Other Conditions/Remarks: - 01-03-1994

APPLICATION FOR PERMIT ANALYSIS SHEET

Initial Review by S. Curtis Date 11/30/92

Application No. 37-8798

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, etc.)
- ☒ Address
- ☒ Source
- ☒ Point of Diversion (10-acre description for springs)
- ☒ County
- ☒ Quantity (flow &/or volume)
- ☒ Period of use
- ☒ Nature of proposed use
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is a corporation, title of signator is required)
- ☒ Fee

ADDITIONAL INFORMATION

- ☒ Overlapping place of use
- ☒ Overlapping point of diversion (SEE NEXT PG.)
- ☐ Yes ☒ No CGWA
- ☐ Yes ☒ No GWMA
- ☐ Yes ☒ No Send Dam Safety Info
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit required
- ☒ Yes ☐ No Within trustwater boundary
- ☐ Yes ☒ No Diversion greater than 5 cfs (statewide advertising required)

FINAL PROCESSING REVIEW

- ☒ Yes ☐ No Affidavit of publication received
- ☒ Yes ☐ No Application published correctly
- ☒ Yes ☐ No Protests received WITHDRAWN 11/13
- ☐ Yes ☐ No Final date for protest 11/25/92
- ☒ Yes ☐ No Delivered by watermaster? If yes, what district 37

Date of priority recommended 10/28/92

ADDITIONAL INFORMATION This application was filed as a result of a transfer approved for Right 37-02678. Field investigations conducted for the transfer revealed that most of the right as licensed had been forfeited due to non-use. The transfer applicant (Sinclair Oil Corp.) wanted the capability to divert water at the rate originally licensed. A new filing for the additional rate was required and is reflected in this application.

DISCLOSED

DEC 09 1992

ELAM, BURKE AND BOYD
CHARTERED
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

DAVID B. LINCOLN

RECEIVED

August 25, 1992

AUG 25 1992

Department of Water Resources
Southern Region Office

James E. Stanton
Sr. Water Resource Agent
Department of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301

Re: Application for ~~Transfer~~ *Permit*
~~No. 37-02078, T#3982~~ (Sinclair Oil Corp)

Dear Mr. Stanton:

As requested by your letter of August 21, 1992 regarding this transfer, please be advised that the officers of Sinclair Oil Corporation are R. E. Holding, President, and L. S. Richards, Secretary/Treasurer and their mailing address is P.O. Box 30825, Salt Lake City, Utah 84130-0825.

Very truly yours,

ELAM, BURKE AND BOYD

David B. Lincoln
David B. Lincoln

DBL/at

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DEC 09 1992

Big Wood Canal Company

112 S. Apple P.O. Box C
Shoshone, Idaho 83352
886-2331

RECEIVED

NOV 16 1992

Department of Water Resources

November 13, 1992

IDAHO DEPARTMENT OF WATER RESOURCES
1301 N. Orchard Ave.
Boise, Idaho 83706

RE: Applications for Permit No.
37-08798 Sinclair Oil Corp
DBA Sun Valley Co.

After speaking with Mr. Hoffman of the Sun Valley Co.,
the Big Wood Canal Company would like to withdraw the
protest on the application filed by Sinclair Oil Corp.

Sincerely,



Richard M. Oneida
Manager

RMO/mae

RECEIVED

DEC 09 1992

Big Wood Canal Company

112 S. Apple P.O. Box C
Shoshone, Idaho 83352
886-2331

RECEIVED

NOV 12 1992

Department of Water Resources

November 9, 1992

IDAHO DEPARTMENT OF WATER RESOURCES
1301 N. Orchard Ave.
Boise, Idaho 83706

RE: Applications for Permit No.
37-08798 Sinclair Oil Corp.
DBA Sun Valley Co.

The Board of Directors of Big Wood Canal Company would like to protest the application filed by Sinclair Oil Corp. on grounds the use of this water could be detrimental to the storage of irrigation water at Magic Reservoir.

Sincerely,


Richard M. Oneida
Manager

RMO/mae



DEC 09 1992

*** ACTIVITY REPORT ***

TRANSMISSION OK

TX/RX NO.	4940
CONNECTION TEL	6p917880083
CONNECTION ID	
START TIME	10/28 16:21
USAGE TIME	01'12
PAGES	2
RESULT	OK

MICROFILMED

DEC 09 1992



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

October 28, 1992

Wood River Journal
Box 988
Hailey, ID 83333

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on **November 5 and 12, 1992** (once a week for **two** consecutive weekly issues) in your newspaper.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before November 26, 1992.

Sincerely,

A handwritten signature in cursive script that reads 'Sharla Curtis'.

SHARLA CURTIS
Sr. Water Resource Agent

Enclosure

SENT BY FAX ON 10/28

RECEIVED

DEC 09 1992

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08798

SINCLAIR OIL CORP.
DBA SUN VALLEY CO.
C/O DAVID LINCOLN
ELAM, BURKE & BOYD
PO BOX 1539
BOISE ID 83701

Source: SPRINGS tributary to: WARM SPRINGS CREEK

Diversion Pt: NWSWNW, Sec. 14, T4N, R17E,
SWNWNW, Sec. 14, T4N, R17E,
Blaine County

Use: Heating (0.35 CFS)
Total diversion: (0.35 CFS)

Date filed: 10/28/1992

In: Blaine County
T4N R17E S14 NENW

The permit will be subject to all prior water rights. Protests must be filed with the Idaho Department of Water Resources, 1301 N. Orchard Ave., Boise, ID 83706 on or before November 26, 1992.

R. KEITH HIGGINSON
Director

DEC 08 1992