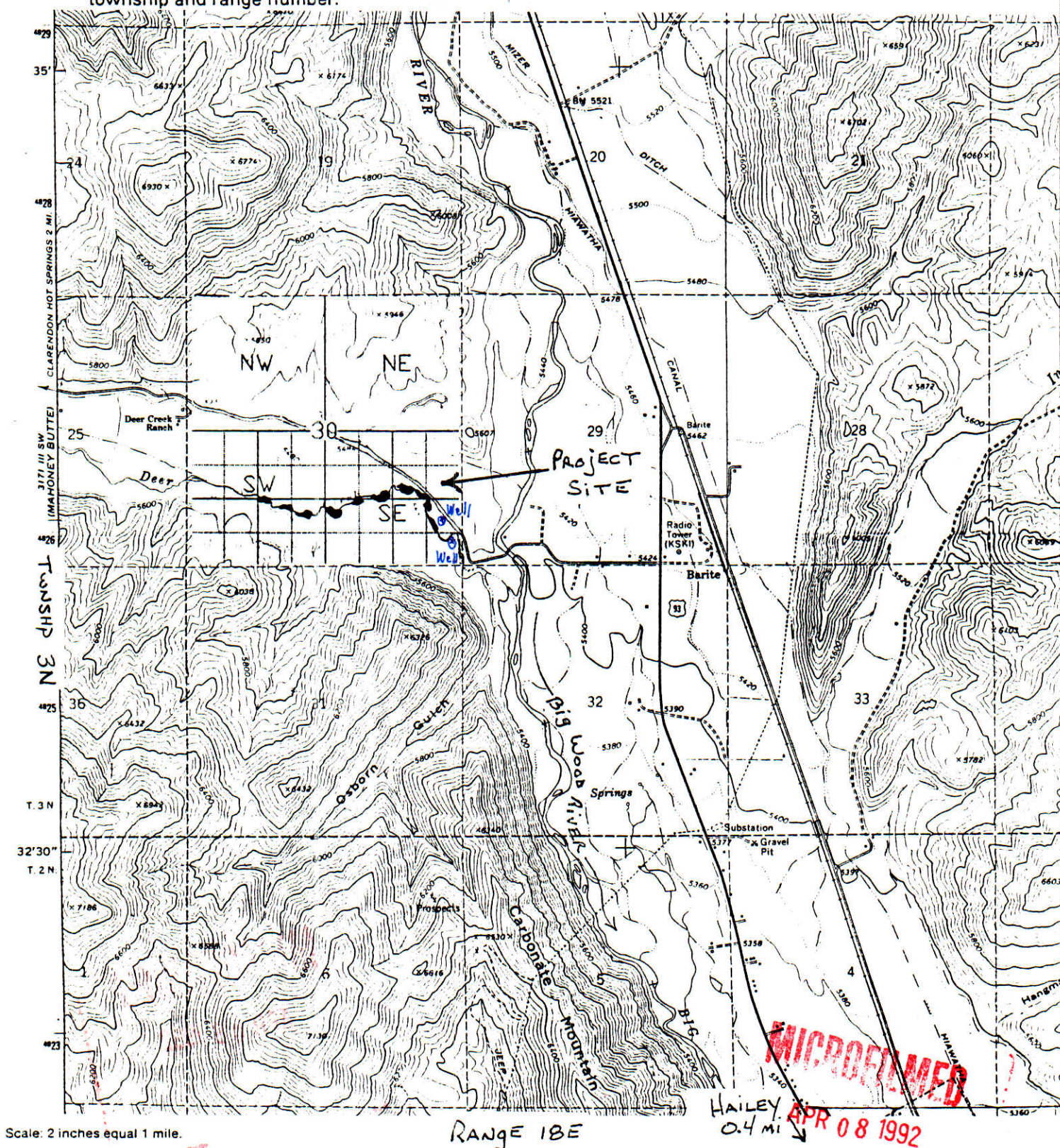


37-8748

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



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

New Deer Creek Ranch Inc. by
Jay L. Lundy president
 (Applicant)

37-08748

AFFIDAVIT of PUBLICATION

RECEIVED

OCT 24 1991

State of Idaho, }
County of Blaine } SS.

Department of Water Resources
Southern Region Office

DANIEL J. GORHAM

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement 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 2 day of oct, 1991, and

the date of the last publication was on the 9 day of oct, 1991.

Daniel J. Gorham
Subscribed and sworn to before me this 9 day of oct, 1991.
(SEAL)

Roberta [Signature]
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 47.25
Number of Insertions _____
Lines tabular at _____ 6¢ / Pica
Lines straight at 25.99 5¢ / Pica
Subsequent lines at 11.44 4¢ / Pica
TOTAL COST \$42.43 5.00

COPY OF NOTICE

(Paste Here)

Deer Creek / App # 37-08748
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

T. J. Dept water
BILL TO

Ranch files on water right

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-08748

NEW DEER CREEK RANCH INC.
PO BOX 187
HAILEY, ID 83333

Source: DEER CREEK
Tributary: BIG WOOD RIVER
Source: GROUNDWATER
Tributary:

Diversion Pt: NESESW Sec 30 T
03N R 18E; NWSESW Sec 30 T
03N R 18E; SWNESE Sec 30 T
03N R 18E; SENWSE Sec 30 T
03N R 18E; NWSWSE Sec 30 T
03N R 18E; NESESE Sec 30 T 03N
R 18E; NWSESE Sec 30 T 03N R
18E; SESESE Sec 30 T 03N R 18E

Use: RECREATION STORAGE
(26.70 AF); DIVERSION TO
STORAGE (1.000 CFS)

Total Diversion: (26.70 AF)

Date Filed: 7/17/1991

In: T03N R18E S30 NESW SESW
NESE NWSE SWSE SESE

The permit(s) 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 Director, Dept. of Water Resources, 222 Shoshone St. East, Twin Falls, Idaho 83301, on or before OCTOBER 21, 1991.

R. Keith Higginson, Director

Publish: Wood River Journal-
October 2 & 9, 1991.

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

UNRECORDED

APR 08 1992

No 7865

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Application~~	~~37-08748~~	~~New Deer Creek Ranch~~	~~1.0~~
Full Assignment	37-08748	Deer Creek Ranch Inc	1.0

APR 29 1996

RECEIVED

APR 15 1996

RECEIVED

APR 09 1996

07/94

Department of Water Resources

Department of Water Resources

Southern Region
State of Idaho

DEPARTMENT OF WATER RESOURCES

For Office Use Only

\$25.00 Filing Fee

Receipt# 5019005

Date 4/11/96

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, NEW DEER CREEK RANCH, INC. hereby assign to DEER CREEK RANCH, INC.

(Permit Holder)

of P. O. BOX 187, HAILEY ID 83333

(Full address and phone number)

All my right, title, and interest in and to Permit No. 37-08748
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
Permit No. _____ to appropriate the public waters of the State of Idaho.

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

Made this 4th day of April 1996

NEW DEER CREEK RANCH, INC.

Jay Sevy

Permit Holder(s)

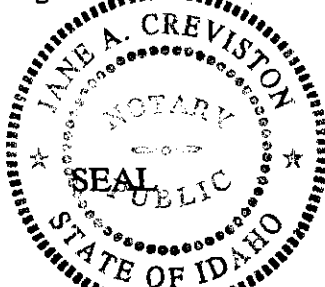
BY: Jay Sevy, President

State of Idaho)

ss

County of)

On this 4th day of April, 1996, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



Jane A. Creviston
Notary Public
Hailey, Idaho 83333

JANE A. CREVISTON
Signature

My Commission Expires: 3-22-99

APR 29 1996

RECEIVED

MAR 11 1994

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 37-08748 Telephone No. (208) 788-9813
2. Name(s) of Permit Holder(s): New Deer Creek Ranch, Inc.
3. Mailing Address: New Deer Creek Ranch, Inc. P.O. Box 187 Hailey, Idaho 83333
4. Source of Water: Surface (Deer Creek, tributary of Big Wood River and ground-water)
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 Recreation storage diversion to storage

6. Total rate and/or volume for which proof is submitted 1 cfs OR 26.7 acre/feet

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

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

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.

Jay Sevy, President, New Deer Creek Ranch, Inc. (208) 788-9813

Name Telephone No.

P. O. Box 187, Hailey, Idaho 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.

3/9/94
Date

Jay Sevy, President
Signature (and title, if on behalf of a company or organization)

RECEIVED

MAR 3 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 Fee Received by ju
Date 3-3-93
Receipt No. C626888

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. 37-08748

Name(s) of Permit Holder: New Deer Creek Ranch, Inc.

Mailing Address: PO Box 187, Hailey, Idaho 83333

Date Proof is Due April 1, 1993

Telephone No. 788-9813

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".)

Ponds are constructed, well is drilled, measuring device referred to in
item 7 of conditions/remarks section of permit is installed and sprinkler
system design is complete.

to date 350,000
Costing \$

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

Measurement device required under ^{item 9} ~~diversion of right~~ 37-00466 is not
installed because have deferred final design and construction of
irrigation system pending approval of 2 water right purchases (water right
#37-00005 and 37-008335)

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

FEE: \$15.00

New Deer Creek Ranch, Inc. Jay Sevy, President
(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

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

Signed this 5th day March, 19 93

J. Glen Saxton
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08748

Proposed Priority: July 17, 1991 Maximum Diversion Rate: 1.00 CFS

This is to certify, that **NEW DEER CREEK RANCH INC**
PO BOX 187
HAILEY ID 83333

has applied for a permit to appropriate water from:

**DEER CREEK
GROUNDWATER**

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>
RECREATION STORAGE	01/01 to 12/31		26.7 AF
DIVERSION TO STORAGE	01/01 to 12/31	1.00 CFS	
	Totals	1.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NESESW , Sec. 30, Township 03N, Range 18E
NWSESW , Sec. 30, Township 03N, Range 18E
SWNESE , Sec. 30, Township 03N, Range 18E
SENWSE , Sec. 30, Township 03N, Range 18E
NWSWSE , Sec. 30, Township 03N, Range 18E
NESESE , Sec. 30, Township 03N, Range 18E
NWSESE , Sec. 30, Township 03N, Range 18E
SESESE , Sec. 30, Township 03N, Range 18E
BLAINE County

PLACE OF USE: RECREATION STORAGE

TWN RGE SEC

03N 18E 30

NESW
NWSE

SESW
SWSE

NESE
SESE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1993.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Use of water under this right is subject to control by the watermaster of State Water District No. 37.
5. Use of water under this right shall be non-consumptive.

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APR 08 1992

Permit To Appropriate Water

NO. 37-08748

CONDITIONS/REMARKS:

6. Diversion to storage from wells pumping groundwater shall not exceed 9.77 cfs when combined with Right 37-00466.
7. No diversion of groundwater shall occur in excess of flow of Deer Creek at the measuring device located within SESW, S26, T03N, R18E.
8. No more than 26.7 acre feet may be diverted per year under this right.
9. In addition to measuring devices required under diversion of Right 37-00466, the Department retains jurisdiction to require measuring devices, acceptable to the Department, on each of the ten storage facilities listed.
10. Groundwater diversions located within NESESE, S30, T03N, R18E and SESESE, S30, T03N, R18E.
11. Two points of diversion located within NWSESW, S30, T03N, R18E.
Three points of diversion located within NWSWSE, S30, T03N, R18E.
Two points of diversion located within SENWSE, S30, T03N, R18E.
Two points of diversion located within SWNESE, S30, T03N, R18E.
Three points of diversion located within NESESE, S30, T03N, R18E.

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

26 day of March, 1992

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

APR 08 1992

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

JUL 15 1991

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern Region Office

1. Name of applicant NEW DEER CREEK RANCH, INC. Phone (208) 788 9813
Post office address P.O. Box 187; HAILEY, ID 83333
2. Source of water supply ^{* Groundwater} DEER CREEK which is a tributary of Big Wood River
3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot (DAM)
Sec. 30 Township 3N Range 18E B.M. BLAINE County; additional
points of diversion if any: DESCRIPTION ABOVE IS LOCATION OF DAM ON FIRST POND. SEE ATTACHED SHEET FOR DESCRIPTIONS OF SUCCESSIVE DAMS.
4. Water will be used for the following purposes: * Added per request of Jay Sevy 7-23-91 44
* 26.7
Amount 10 cfs for RECREATIONAL STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) Div. To Storage
Amount 1.0 for Domestic purposes from 1/1 to 12/31 (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) * 10 and/or (b) 26.7
cubic feet per second acre feet per annum
6. Proposed diverting works: * Per telecon w/Steve Fisher 7-15-91 90
- a. Description of ditches, flumes, pumps, headgates, etc. A SERIES OF 10 (TEN) IN-CHANNEL Ponds. Groundwater from 2 nearby wells may be used to maintain cool water temperature in ponds for trout habitat if needed.
- b. Height of storage dam (s) 6 ft. feet; active reservoir capacity _____ acre-feet; total reservoir capacity 26.7 acre-feet; period of year when water will be diverted to storage: 1/1 to 12/31 inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is ONE years (minimum 1 year).

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APR 08 1992

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. RECREATIONAL STORAGE AND FISH & WILDLIFE ENHANCEMENT.

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 (Ac. ft.)
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	18E	30									RS			RS					2.28
"	"	"											RS						2.00
"	"	"											RS						2.68
"	"	"														RS			4.00
"	"	"													RS	RS			2.32
"	"	"													RS	RS			4.40
"	"	"												RS					3.48
"	"	"												RS					1.90
"	"	"															RS		1.78
"	"	"															RS		1.86

ACRE FEET STORED
Total number of acres to be irrigated 26.7 ac. ft.

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

11. a. Who owns the property at the point of diversion? NEW DEER CREEK RANCH, INC.
- b. Who owns the land to be irrigated or place of use? NEW DEER CREEK RANCH, INC.
- 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: SEE ATTACHED SHEET FOR LEGAL DESCRIPTIONS OF EACH SUCCESSIVE DAM AND EACH POND'S COVERAGE.

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APR 18 1992

LEGAL DESCRIPTIONS OF DAMS AND PONDS
(DAM = Location of impoundment structure)

Pond #	Surface Area (acres)	Storage Capacity (ac.ft.)	1/4	1/4	1/4	Section	
1	0.57	2.28	NW SW	SE NE	SW 1/4 SW 1/4	30 30	DAM
2	0.50	2.00	NW	SE	SW 1/4	30	DAM
3	0.67	2.68	NE	SE	SW 3/4	30	DAM
4	1.00	4.00	NW	SW	SE 1/4	30	DAM
5	0.58	2.32	SE NW SW NW	NW SW NW SW	SE 5/8 SE 1/4 SE 1/4 SE 1/4	30 30 30 30	DAM
6	1.10	4.40	SE NE	NW SW	SE 5/8 SE 1/4	30 30	DAM
7	0.87	3.48	SW	NE	SE 1/4	30	DAM
8	0.48	1.90	SW	NE	SE 1/4	30	DAM
9	0.45	1.78	NW NE	SE SE	SE 1/4 SE 1/4	30 30	DAM
10	0.47	1.86	NE	SE	SE 1/4	30	DAM

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43 P. 100

GROUNDWATER DIVERSIONS

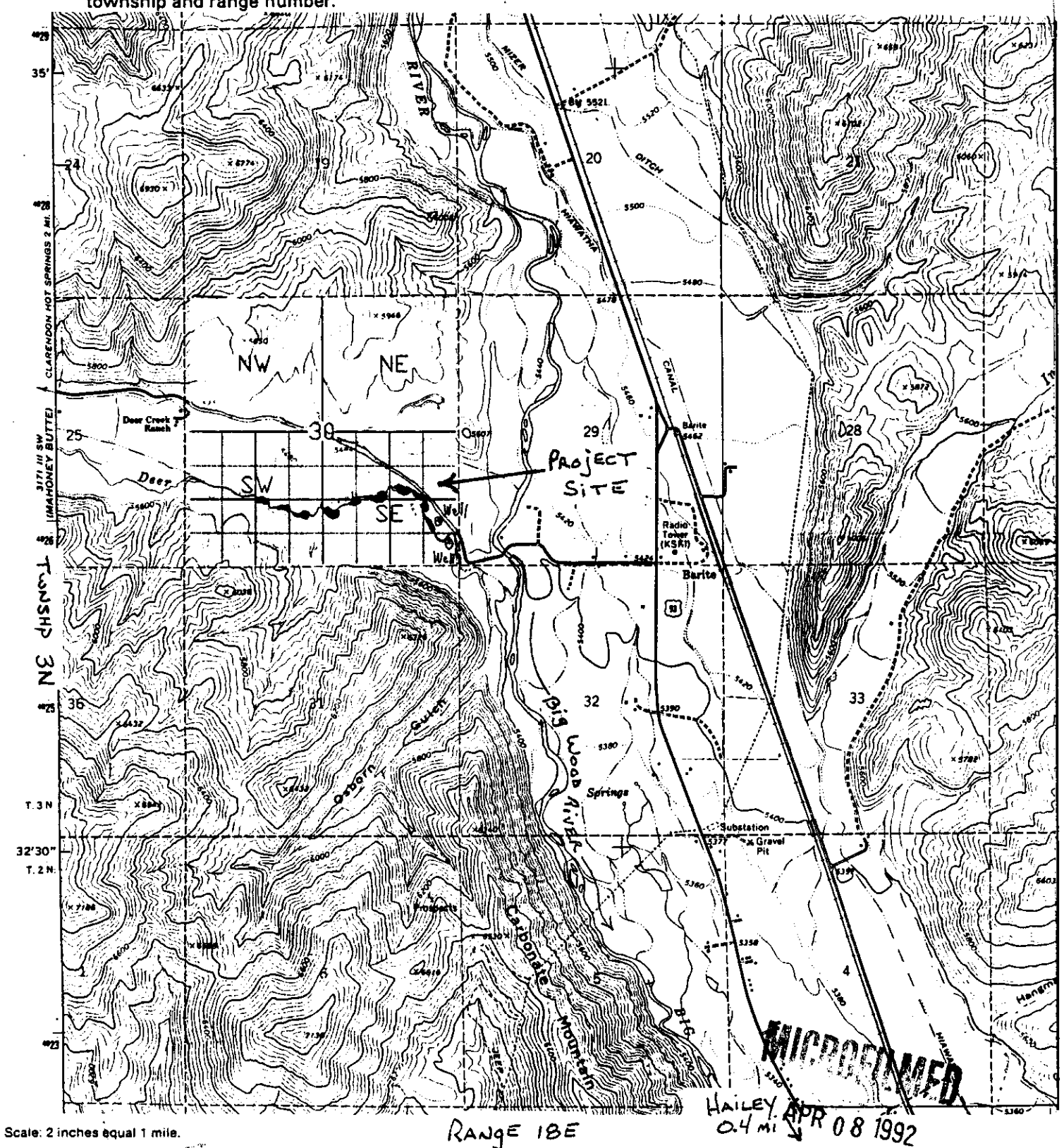
NE 1/4 SE 1/4 SE 1/4 Sec. 30 T. 3N R. 18E (existing well) 9

SE 1/4 SE 1/4 SE 1/4 Sec. 30 " " (new well to be drilled) 10

MICROFILMED
APR 08 1992

37-8748

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



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

New Deer Creek Ranch Inc. by
Jay L. Liden president
 (Applicant)

37-08748

Received by J. F. Stenton Date -12-91 Time 10:00 am Prelim. check by JS
Fee \$ 45⁰⁰ Received by JS # 5013546 Date 7-17-91
Publication prepared by Th B Date 9-24-91 Published in Wood River Journal
Publication approved M Baldwin Date 10-29-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

e. Other:

MICROFILMED
APR 08 1992

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } ss.

OCT 24 1991

Department of Water Resources
Southern Region Office

DANIEL J. GORHAM, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement 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 2 day of Oct. 1991, and

the date of the last publication was on the 9 day of Oct. 1991.

Daniel J. Gorham
Subscribed and sworn to before me this 9 day of Oct. 1991.
(SEAL)

Roberta [Signature]
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 47.25
Number of Insertions _____
Lines tabular at _____ 6c / Pica
47.25 Lines straight at 25.99 5c / Pica
47.25 Subsequent lines at 11.44 4c / Pica
TOTAL COST 12.43 5.00

COPY OF NOTICE

(Paste Here)

Deer Creek / App # 37-08748
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

T. & Deft water
BILL TO

Ranch on water right

NOTICE OF DIVERSION
(a) have been filed to appropriate the public waters of the State of Idaho:

37-08748
NEW DEER CREEK RANCH INC.
PO BOX 187
HAILEY, ID 83333
Source: DEER CREEK
Tributary: BIG WOOD RIVER
Source: GROUNDWATER
Tributary:

Diversion Pt: NESESW Sec 30 T
03N R 18E; NWSESW Sec 30 T
03N R 18E; SWNESE Sec 30 T
03N R 18E; SENWSE Sec 30 T
03N R 18E; NWSWSE Sec 30 T
03N R 18E; NESESE Sec 30 T 03N R
18E; NWSESE Sec 30 T 03N R
18E; SESESE Sec 30 T 03N R 18E

Use: RECREATION STORAGE
(26.70 AF); DIVERSION TO
STORAGE (1.000 CFS)

Total Diversion: (26.70 AF)

Date Filed: 7/17/1991

In: T03N R18E S30 NESW SESW
NESE NWSE SWSE SESE

The permit(s) 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 Director, Dept. of Water Resources, 222 Shoshone St. East, Twin Falls, Idaho 83301, on or before OCTOBER 21, 1991.

R. Keith [Signature] Director
Publish: Wood River Journal
October 28, 1991

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

No 7865

APR 08 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 19, 1996

Deer Creek Ranch Inc
PO Box 187
Hailey ID 83333-0187

RE: Permit Nos. 37-08836 and 37-08748

Dear Permit Holder(s):

We acknowledge receipt of the correspondence changing ownership of the above referenced water rights to you. We have modified our computer records to reflect these changes in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over the typed name and title.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

RECORDED

APR 29 1996

March 18, 1994

NEW DEER CREEK RANCH INC
PO BOX 187
HAILEY ID 83333

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08748

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.

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

RECEIVED

APR 29 1996

RECEIVED

DEER CREEK RANCH, Inc.

MAR 11 1994

Quality Cattle

Department of Water Resources

128 Deer Creek Road • P.O. Box 187 • Hailey, Idaho 83333
(208) 788-9813 • FAX (208) 788-9763



March 4, 1994

Julie L. Yarbrough
State of Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail,
Boise, Idaho 83720-9000

Attention: Julie L. Yarbrough

Dear Ms. Yarbrough:

Reference your January 31, 1994 letter which is a Proof Due Notice for New Deer Creek Ranch Inc. permit number 37-08748. Our project is essentially complete with the exception of the one item which I called you about. We have 2-3 weeks of work to complete the project this spring after we can get back on the ground after snow melt. Part of the work is the completion of the IDWR permit requirement that we install measuring devices on our pumps. These will be installed first thing. As I told you on the telephone, I do not wish to request an extension because our project is so close to completion.

As per the instructions, I have enclosed the appropriate examination fee of \$100.00. If you wish, I will contact your office when the measuring devices have been installed so that the examination can be scheduled after the work is complete.

Sincerely


Jay Sevy

President, New Deer Creek Ranch Inc.

RECEIVED

APR 29 1996

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 37-08748

Reviewed by [Signature]

Date 3-17-94

GENERAL CONSIDERATIONS

TYPES OF USE

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

Rec. 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?
100.00 Amount Submitted
yes Correct?

MEASURING DEVICE

☐ Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____

Proof Made 3-11-94

January 31, 1994

NEW DEER CREEK RANCH INC
PO BOX 187
HAILEY ID 83333

PROOF DUE NOTICE

RE: PERMIT NO. 37-08748

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 April 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

APR 29 1996

CERTIFIED MAIL

NO. 141078



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

March 5, 1993

New Deer Creek Ranch Inc
PO Box 187
Hailey, ID 83330

Re: Permit No. 37-08748

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 April 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

RECEIVED
APR 12 1993

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 37-08748 Reviewed by Klg Date 3/3/93

BASIC INFORMATION

3/3/93 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

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

ACTION TAKEN

Recommend for
approve Based on due diligence
Extend to 4/1/94

PRIORITY CALCULATION

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

DATA ENTRY

New Address _____
Change Proof Due Date 3/5/93 Klg
Change Priority Date _____

DEER CREEK RANCH, Inc.

Quality Cattle

128 Deer Creek Road • P.O. Box 187 • Hailey, Idaho 83333
(208) 788-9813 • FAX (208) 788-9763



RECEIVED

MAR 3 1993

Department of Water Resources

February 25, 1993

Karen L. Gustafson
State of Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail,
Boise, Idaho 83720-9000

Attention: Karen L. Gustafson

Dear Ms. Gustafson:

Reference your January 31, 1993 letter, which I have enclosed a copy of. As per the instructions, I have also enclosed a completed Request Extension of Time form along with the \$15.00 fee.

Sincerely

A handwritten signature in cursive script that reads "Jay Sevy".

Jay Sevy
President, New Deer Creek Ranch Inc.

RECEIVED

APR 12 1993

January 31, 1993

NEW DEER CREEK RANCH INC
PO BOX 187
HAILEY ID 83333

PROOF DUE NOTICE

RE: PERMIT NO. 37-08748

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 April 1, 1993. (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.

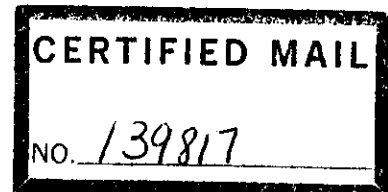
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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



RECEIVED

APR 12 1993

March 30, 1992

NEW DEAR CREEK RANCH INC
POBOX 187
HAILEY ID 83333-0187

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08748

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. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:clh

Enclosure

cc: Big Wood Canal Co.
Idaho Dept of Fish & Game - Carl Nellis

MICROFILMED

APR 08 1992

APPLICATION FOR PERMIT REVIEW

Application #: 37-08748
Date: 3-23-92

Reviewer: Brenda Miller *BM*

✓ SYSTEM COMPLETED:

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

✓ GROUNDWATER:

- ✓ GT. 0.2 cfs <flow ch> - 01G-P03 01C-P03 (existing well)
- LT. 0.2 cfs - No measurement required <flow chart>

✓ Drilling Permit:

- Approved w/permit - P99
- ✓ Not included - 046-P23 (All GW, even existing wells)

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

✓ LOCATION:

- ✓ Water Districts - WD No. 37
- Surface water - 005, 005-01H-P01 (LT.2 w/pump)
~~005-01J-P08 (GT.2)~~
- Groundwater - P05
- Irrigation Districts - 023
- Canal Co. Areas - 023
- Drainage Districts - 024
- Boise Front (63) - 058 (Groundwater)
- ✓ Swan Falls Flag - M (1, Blank or Other)
- ✓ Trust *Exempt* - 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(restricted areas)

OWNERSHIP:

- Non land owner - 004

PROTESTED:

- Agreement - 020

- ✓ Beneficial Use Due Date: -
- ✓ Other Conditions Recommended

04-01-1993
Additional Conditions per Jim's 3-24-92 memo.

MEMORANDUM

TO: FILE

FROM: JIM JOHNSON

RE: CONDITIONS OF APPROVAL

DATE: March 24, 1992

=====

In addition to the normal conditions of approval applied to applications of this type the following conditions shall also be imposed.

1. Diversion to storage from wells pumping groundwater shall not exceed 9.77 cfs when combined with right 37-00466.
2. No diversion of groundwater shall occur in excess of flow of Deer Creek at the measuring device located within SESW Section 26, Township 3 North, Range 17 East B.M.
3. No more than 26.7 acre feet may be diverted per year under this right.
4. In addition to measuring devices required under diversion of right 37-00466 the Department retains jurisdiction to require measuring devices, acceptable to the Department, on each of the ten storage facilities listed.

MICROFILMED

APR 08 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET NEW DEER CREEK RCH

INITIAL REVIEW BY JK DATE 7/30, 1991
APPLICATION NO. 37-08748

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
7/12 1991

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 _____

RECEIVED
FEB 13 1992

Department of Water Resources

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 L. Peterson
WM 37

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 Withdrawn
Final date for Protest 10/21/91
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on app.
☒ Yes ☐ No Recommendations attached below
☒ 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. 01 & 05 <37-819 wood R>

See below for additional information

Date of priority recommended 9/17, 1991
By Loren O. Halum Date 2/10/92, 19

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19 ____

ADDITIONAL INFORMATION:

BWCC Protest withdrawn 12/23/91
F&G Protest withdrawn 1/3/92

The Groundwater Component of this APP should be subject to the Big Wood Ground Conditions. This APP should be reviewed in conjunction with Pending Transfers for the same project.

LOCAL PUBLIC INTEREST

Comments recieved from:

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation Dist.
<u> </u> County	<u> </u> Idaho Health & welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Div. of Enviromental Quality	<u> </u> Other <u> </u>

PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE , 19



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

03-Jan-1992

R. KEITH HIGGINSON
Director

ATTN JAY SEVY PRESIDENT
NEW DEER CREEK RANCH INC
PO BOX 187
HAILEY ID 83333

RE: Protested Application for permit No. 37-08748

Dear Mr. Sevy:

We have received withdrawals of the protests filed by the Big Wood Canal Company and Idaho Fish & Game against approval of the above referenced application for permit.

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

State office personnel will conduct a complete review prior to the 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.

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

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

cc: John Rosholt, Esquire

MICROFILMED

APR 08 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

03-Jan-1992

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

ATTN CARL H NELLIS SUPERVISOR
IDAHO FISH & GAME
PO BOX 428
JEROME ID 83338

RE: Application for Permit No. 37-08748 (New Deer Creek Ranch, Inc.)

Dear Mr. Nellis:

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

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

State office personnel will conduct a complete review prior to final processing of the application. When a permit is issued, you will be sent a copy.

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

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

cc: John Rosholt, Attorney

RECEIVED
JAN 10 1992

APR 08 1992



IDAHO FISH & GAME

REGION 4
868 East Main Street
Jerome, ID 83338
(208) 324-4350

RECEIVED

JAN 03 1992

Department of Water Resources
Southern Region Office

December 31, 1991

Idaho Department of Water Resources
Attention: Loren Holmes
222 Shoshone St. East
Twin Falls, ID 83301

RE: Application # 37-08748, New Deer Creek Ranch

Dear Loren:

We have reviewed the application and discussed the project with the applicant. Based on this additional information, it does not seem likely that fish and wildlife values will be negatively impacted by the project, therefore we are withdrawing our protest of this water right application at this time.

Thank you for the opportunity to comment on this application.

Sincerely,

Carl H. Nellis
Supervisor, Region 4

Cecil D. Andrus / Governor
Jerry M. Conley / Director



Working for wildlife since 1936

APR 08 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

24-Dec-1991

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

ATTN RICHARD M ONEIDA MGR
BIG WOOD CANAL CO
PO BOX C
SHOSHONE ID 83352

RE: Application for Permit No. 37-08748 (New Deer Creek Ranch, Inc.)

Dear Mr. Oneida:

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

Please be advised that the concerns of the other protestant will need to be addressed by the Department before final processing of the application can be completed.

State office personnel will conduct a complete review prior to final processing of the application. When a permit is issued, you will be sent a copy.

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

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

cc: John Rosholt, Esquire

MICROFILMED
APR 08 1992

Big Wood Canal Company

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

RECEIVED

DEC 23 1991

Department of Water Resources
Southern Region Office

December 19, 1991

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

RE: Application Nos. 37-08748
37-00466 ✓
New Deer Creek Ranch, Inc.

I would like to withdraw my protests on Application
Nos. 37-08748 & 37-00466 provided the attached agreements
are met and measuring devices are installed with the
watermaster to measure and assess as he sees fit.

Sincerely,


Richard M. Oneida
Manager

RMO/mae

ENCLOSURE

CC: John Rosholt

REGISTERED

APR 08 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

01-Nov-1991

R. KEITH HIGGINSON
Director

ATTN JAY SEVY PRESIDENT
NEW DEER CREEK RANCH INC
PO BOX 187
HAILEY ID 83333

RE: APPLICATION FOR PERMIT NO. 37-08748

Dear Mr. Sevy:

Enclosed are copies of protests filed against the issuance of a permit pursuant to your above referenced application.

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

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

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

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure(s)

MICROFILMED

APR 08 1992

Attachment to letter dated 01-Nov-1991

To all parties in the matter of
Application for permit No. 37-08748
In the name of New Deer Creek Ranch, Inc.

PROTESTED APPLICATION FOR PERMIT:
ISSUES CONSIDERED, CONFERENCE PROCEDURE

In processing all applications for permit, the department must consider the following issues, which are specified in Section 42-203A of the IDAHO CODE:

- 1) Will the proposed use reduce the quantity of water under existing rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the proposed project?
- 5) Will the proposed use conflict with the local public interest?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

When an application is protested, the statute requires the department to conduct a hearing to create a record of the evidence considered in approving or denying the application.

Normally, an informal pre-hearing conference is held prior to the actual hearing. The objectives of the informal conference are as follows:

- 1) To familiarize all parties with the application and the issues being raised.
- 2) To provide a forum for discussion and possible resolution of the matter among the parties.
- 3) To provide information to the parties about the department's hearing procedure in deciding protested applications.
- 4) To discuss scheduling of the matter for hearing.

Notices setting the time and place for the conference will be sent by certified mail to all parties at least 10 days prior to the conference. This is the same procedure specified by law for serving notice of hearings.

Conferences are conducted under Rules for Practice and Procedure adopted under the Idaho Administrative Procedures Act.

RECEIVED

APR 08 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

01-Nov-1991

R. KEITH HIGGINSON
Director

ATTN CARL H NELLIS SUPVISOR
IDAHO DEPT OF FISH & GAME
PO BOX 428
JEROME ID 83338

RE: APPLICATION FOR PERMIT NO. 37-08748 (New Deer Creek Ranch)

Dear Mr. Nellis:

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

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

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

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure

MICROFILMED

APR 08 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

01-Nov-1991

R. KEITH HIGGINSON
Director

ATTN RICHARD M ONEIDA MGR
BIG WOOD CANAL COMPANY
PO BOX C
SHOSHONE ID 83352

RE: APPLICATION FOR PERMIT NO. 37-08748 (New Deer Creek Ranch)

Dear Mr. Oneida:

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

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

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

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure

Shoshone, ID

APR 08 1992

Big Wood Canal Company

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

RECEIVED

OCT 07 1991
Department of Water Resources
Southern Region Office

October 4, 1991

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

RE: Application No. 37-08748
New Deer Creek Ranch, Inc.

Dear Sir:

I would like to protest the application filed by New Deer Creek Ranch, Inc. on grounds that the use of this water could be detrimental to the storage of water at Magic Reservoir.

Sincerely,



Richard M. Oneida
Manager

RMO/mae

MICROFILMED

APR 08 1992



IDAHO FISH & GAME

REGION 4
868 East Main Street
Jerome, ID 83338
(208) 324-4350

RECEIVED

SEP 25 1991

Department of Water Resources
Southern Region Office

September 20, 1991

Idaho Dept. of Water Resources
Attn: Loren Holmes
222 Shoshone St. E.
Twin Falls, ID 83301

Re: Application 37-08748, New Deer Creek Ranch

Dear Loren:

We are concerned this diversion would impact stream flow in Deer Creek. Beneficial areas, including fish and wildlife could be negatively impacted with further dewatering of Deer Creek, and would be against the public interest. Because we have not had the opportunity to review plans for how this water will be used and where it would be stored we cannot assume it will be beneficial to fish and wildlife. For this reason, we are protesting the application. If information we receive in the future eliminates our concerns, we would be willing to drop the protest at that time. Thank you for the opportunity to comment.

Sincerely,

Carl H. Nellis
Supervisor, Region 4

Cecil D. Andrus / Governor
Jerry M. Conley / Director



Working for wildlife since 1938

RECEIVED
APR 08 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

25-Sep-1991

R. KEITH HIGGINSON
Director

ATTN JAY SEVY PRESIDENT
NEW DEER CREEK RANCH INC
PO BOX 187
HAILEY ID 83333

Re: Application for Permit No. 37-08748

Dear Mr. Sevy:

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 will be advertising the application in the Wood River Journal on 10/2 & 10/9/91. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please see attached list for additional information requirement. Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Douglas Jones, E. I. T.
Water Resources Engineering Specialist

DJ:MB
Enclosure

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**Big Wood River Groundwater Management Area
Management Policy Requirements**

Attachment to acknowledgement letter

Application No. 37-08748

You have filed the above referenced application(s) which proposes a point of diversion within the Big Wood River Groundwater Management Area (GWMA).

The Department intends to process pending applications within the GWMA. Any applicant who proposes a consumptive water use, other than domestic use not exceeding one-half acre of irrigation for each home supplied, must show that his proposed use will not reduce flows in the Big Wood River or Silver Creek, or he must propose a reasonable plan to mitigate the reduction in flow.

Prior to further processing of your application, or conducting a hearing if the application is protested, you must submit the following information:

1. Hydrologic evaluation of the ground water aquifer at the proposed point of diversion and its relationship to surface water, including timing of potential impacts.
2. If the hydrologic evaluation results in a conclusion that a well can be constructed without impact, a prospectus discussing well construction methods and standards must be submitted which will be implemented to prevent depletion of surface flow.
3. If the hydrologic evaluation results in a conclusion that a well cannot be constructed without depleting surface flow, a plan of mitigation and/or compensation must be submitted that will replace depletions of surface water caused by proposed ground water withdrawal.

If you do not wish to submit the above information, you may withdraw your application. If your application includes a domestic component, you may wish to limit the application to domestic use.

Failure to respond to this request within thirty (30) days of this notice with either the required information or a schedule for it's submission is cause for the department to void the application.

If you have any questions or wish to change or withdraw your application, please contact The Southern Region Office, 222 Shoshone St. E., Twin Falls, ID 83301, (208)736-3033.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

25-Sep-1991

R. KEITH HIGGINSON
Director

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Application(s) for Permit

Dear Mr. Peterson:

Please find enclosed copy(ies) of an Application(s) for Permit for your information and files.

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

Sincerely,

Douglas Jones, E. I. T.
Water Resources Engineering Specialist

DJ:MB

Enclosure(s)

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APR 08 1992

NOTICE OF APPLICATION FOR WATER RIGHT

The Following ^{applications} application(s) have been ^{filed} l to appropriate the public waters of the State of Idaho:

37-08748

NEW DEER CREEK RANCH INC.
PO BOX 187
HAILEY, ID 83333

Source: DEER CREEK
Source: GROUNDWATER

Tributary: BIG WOOD RIVER
Tributary:

Diversion Pt:

NESESW	Sec 30 T 03N R 18E
NWSESW	Sec 30 T 03N R 18E
SWNESE	Sec 30 T 03N R 18E
SENWSE	Sec 30 T 03N R 18E
NWSWSE	Sec 30 T 03N R 18E
NESESE	Sec 30 T 03N R 18E
NWSESE	Sec 30 T 03N R 18E
SESESE	Sec 30 T 03N R 18E

Use: RECREATION STORAGE	(26.70 AF)
DIVERSION TO STORAGE (1.000 CFS)	
Total Diversion:	(26.70 AF)

Date Filed: 7/17/ 1991

In: T03N R18E S30

NESW
SWSE

SESW
SESE

NESE

NWSE

MICROFILMED

APR 08 1992

The permit(s) 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 Director, Dept. of Water Resources, 222 Shoshone St. East, Twin Falls, Idaho 83301 on or before OCTOBER 21, 1991.

R. Keith Higginson, Director

Published 10/ 2/1991 & 10/ 9/1991

Disk: Legals/3NotAp

**Ranch files
on water right**

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-08748

NEW DEER CREEK RANCH INC.
PO BOX 187
HAILEY, ID 83333

Source: DEER CREEK
Tributary: BIG WOOD RIVER
Source: GROUNDWATER
Tributary:

Diversion Pt: NESESW Sec 30 T
03N R 18E; NWSESW Sec 30 T
03N R 18E; SWNESE Sec 30 T
03N R 18E; SENWSE Sec 30 T
03N R 18E; NWSWSE Sec 30 T
03N R 18E; NESESE Sec 30 T 03N
R 18E; NWSESE Sec 30 T 03N R
18E; SESESE Sec 30 T 03N R 18E

Use: RECREATION STORAGE
(26.70 AF); DIVERSION TO
STORAGE (1,000 CFS)

Total Diversion: (26.70 AF)

Date Filed: 7/17/1991

In: T03N R18E S30 NESW SESW
NESE NWSE SWSE SESE

The permit(s) 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 Director, Dept. of Water Resources, 222 Shoshone St. East, Twin Falls, Idaho 83301, on or before OCTOBER 21, 1991.

R. Keith Higginson, Director

Publish: Wood River Journal--
October 2 & 9, 1991.

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SEP 30 1991

Department of Water Resources
Southern Region Office

OK
9-30-91

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208)734-3578

SEPTEMBER 24, 1991

WOOD RIVER JOURNAL
PO BOX 988
HAILEY, ID 83333

Post-It™ brand fax transmittal memo 7671 # of pages 2	
To <i>Legals</i>	From <i>Mary Baldwin</i>
Co.	Co. <i>Id. Dept Water Resources</i>
Dept.	Phone #
Fax # <i>788-0083</i>	Fax #

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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 OCTOBER 21, 1991.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

APR 08 1992 ED

MESSAGE CONFIRMATION
TRANSMISSION

SEP-26-'91 THU 13:51

TERM ID: IDWR SOUTHERN
TEL NO.: 1-208-736-3037

P-9999

NO.	DATE	ST. TIME	TOTAL TIME	ABBR/SBD	ID	DEPT CODE	#PGS
381	09-26	13:50	00:01:33		2087880083		OK- 2 NG- 0

DEER CREEK RANCH

TELECOPIER COVER SHEET

TO: Jim Stanton
IDUR
CITY: Thum Falls
FAX #: 736 7037
FROM: Jay Seely
Deer Creek Ranch

NUMBER OF PAGES: 1

INSTRUCTIONS: Jim - Corporation OFFicers are as follows

President - Jay Seely
Secretary/Treasurer - M. A. Pope
Assistant Secretary - John A. Rosholt
Assistant Secretary - Gary D. Slotte,
Director - Mary Ann Pope

I'm mailing you the check for the pond application form.

MICROFILMED

APR 08 1992

37-08748