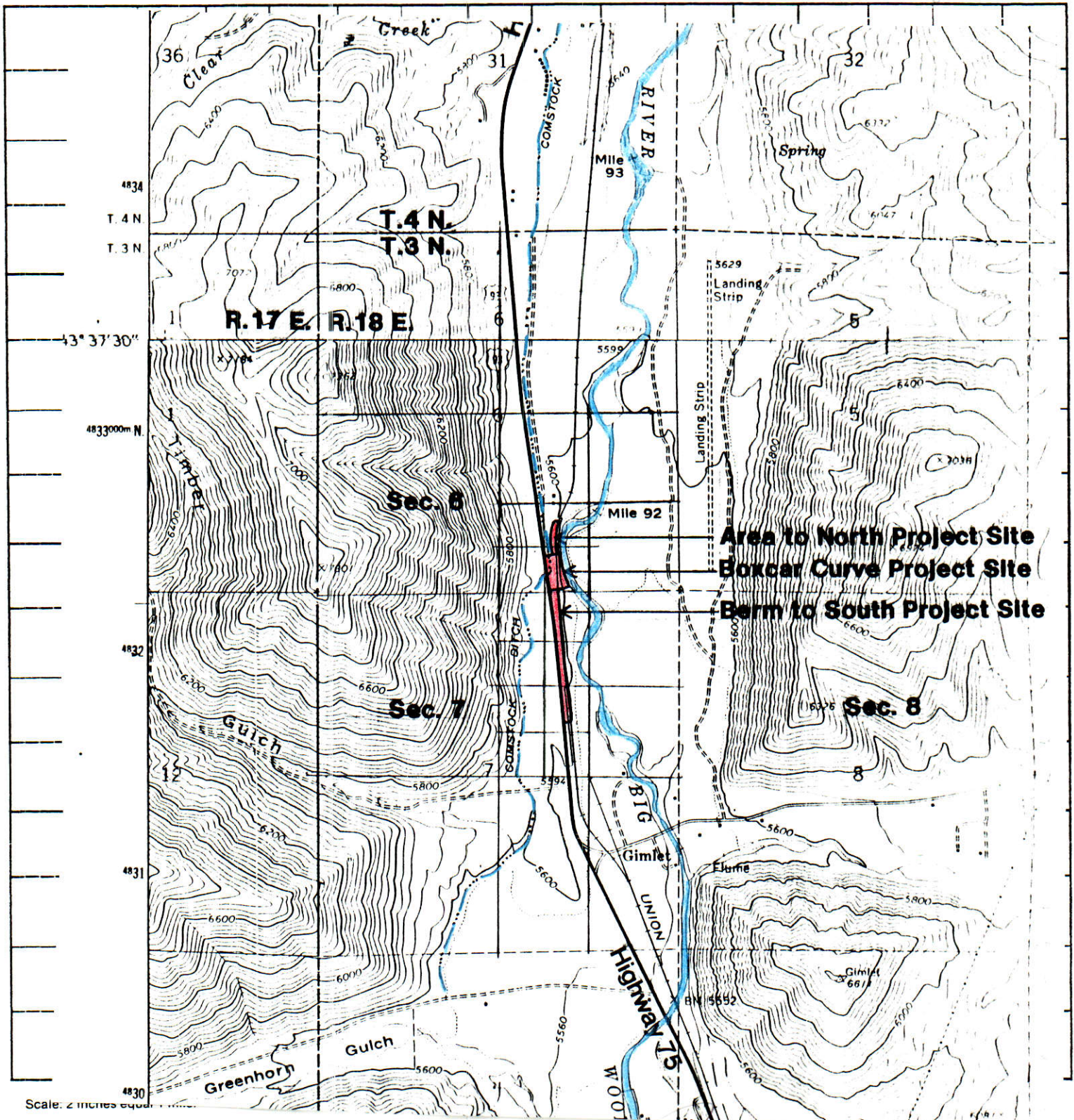


RECEIVED

AUG 2 1991

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.

RECEIVED

JAN 1 1 1994

[Signature]
(Applicant)
Chairman

AFFIDAVIT OF PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } ss.

NOV 13 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 16 day of oct, 1991, and

the date of the last publication was on the 23 day of oct, 1991.

Daniel J. Gorham
Subscribed and sworn to before me this 23 day of oct, 1991.
(SEAL)

Roberta Mayhew
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	
Lines tabular at	6¢ / Pica
<u>45</u> Lines straight at	<u>24.75</u> 5¢ / Pica
<u>45</u> Subsequent lines at	<u>19.80</u> 4¢ / Pica
TOTAL COST	<u>\$49.55</u> <u>5.00</u>

(Paste Here)

Print / 37-06747
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

T. Dept of Water
BILL TO

Rec District files on water right

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08747

BLAINE COUNTY
RECREATION DISTRICT
C/O JAMES P. SPECK ESQUIRE
HOGUE, SPECK & AANESTAD
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: SESWSE Sec 6 T
03N R 18E

Use: IRRIGATION (.100 CFS)

Total Diversion: (.100 CFS)

Date Filed: 8/2/1991

In: T03N R18E S06 SWSE; S07
NWNE SWNE

4.7 ACRES TOTAL

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 NOVEMBER 4, 1991.

R. Keith Higginson, Director

Publish: Wood River Journal-
October 16 & 23, 1991.

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

No 7887

RECEIVED

JAN 17 1994

Hogue, Speck & Aarnestad

RECEIVED

JAN 20 1994

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
 Amt. of Fee \$ _____
 Date _____
 Receipt No. _____
 Received by _____

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

1. Permit No. 37-08747 Telephone No. 726-4421

2. Name(s) of Permit Holder(s): Blaine County Recreation District, c/o James P. Speck, Esq.

3. Post Office Address: P. O. Box 987, Ketchum, Idaho 83340-0987

4. Source of Water: Groundwater

a. If ground water, well driller's name: Wood River Drilling & Pump Date drilled: 10/10/91

b. Pump horsepower: 5 hp. Pressure (psi): 50 psi. Dynamic pumping level (ft.): 70

5. Extent of Use:

Domestic None (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

6. Total rate and/or volume for which proof is submitted .04 cfs _____ acre/feet

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

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

OR

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

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

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

Gregg K. Sturtevant

Name

726-3250

Telephone No.

P. O. Box 2924, Ketchum, Idaho 83340

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.

1-10-94
Date

Mary A. Croft
Signature (and title if on behalf of a company or organization)

Executive Director

FEB 22 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08747

Proposed Priority: August 2, 1991

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **BLAINE COUNTY RECREATION DISTRICT**
C/O JAMES P SPECK ESQUIRE
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340-0987

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

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>
-----------------------	----------------------	--------------------------

DOMESTIC	01/01 to 12/31	0.04 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

SESWSE , Sec. 6, Township 03N, Range 18E
BLAINE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

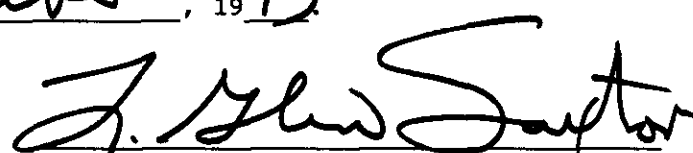
03N 18E	6	SWSE
	7	NWNE
		SWNE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1994.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Construction of the well must comply with Idaho well construction standards.
5. The daily diversion volume for the domestic use authorized under this permit shall not exceed 2,500 gallons per day in accordance with the provisions of Section 42-111, Idaho Code.
6. Domestic use is for irrigation of landscaping.

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

6th day of December, 1993


for R. Keith Higginson, Director

RECORDED

JAN 11 1994

Form 202
6785
RECEIVED
NOV 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 37-08747

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

1. Name of applicant BLAINE COUNTY RECREATION DISTRICT Phone (208) 726-4421
Post office address C/O JAMES P. SPECK, ESQ., HOGUE SPECK & AANESTAD, P.O. BOX 987, KETCHUM
IDAHO 83340

2. Source of water supply GROUNDWATER which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 6 Township 3N Range 18E B.M. BLAINE County; additional
points of diversion if any: NONE

4. Water will be used for the following purposes:

Left
Per Conservation
Amount 0.10 ^{0.04} for IRRIGATION ^{Domestic *} purposes from APRIL 1 ^{4/15} to NOV. 1 ^{10/15} (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.10 ^{0.04} and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. SEE ADDENDUM

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 8" inches; proposed depth of well is 100 feet.

d. Is ground water with a temperature of greater than 90°F 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 (minimum 1 year).

* Per Definition of 42-111

JAN 11 1994

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	18E	6															^D 1.3		1.3
3N	18E	7		^D 2.5	^D 0.9														3.4

Total number of acres to be irrigated 4.7

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

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

12. Remarks: SEE ADDENDUM

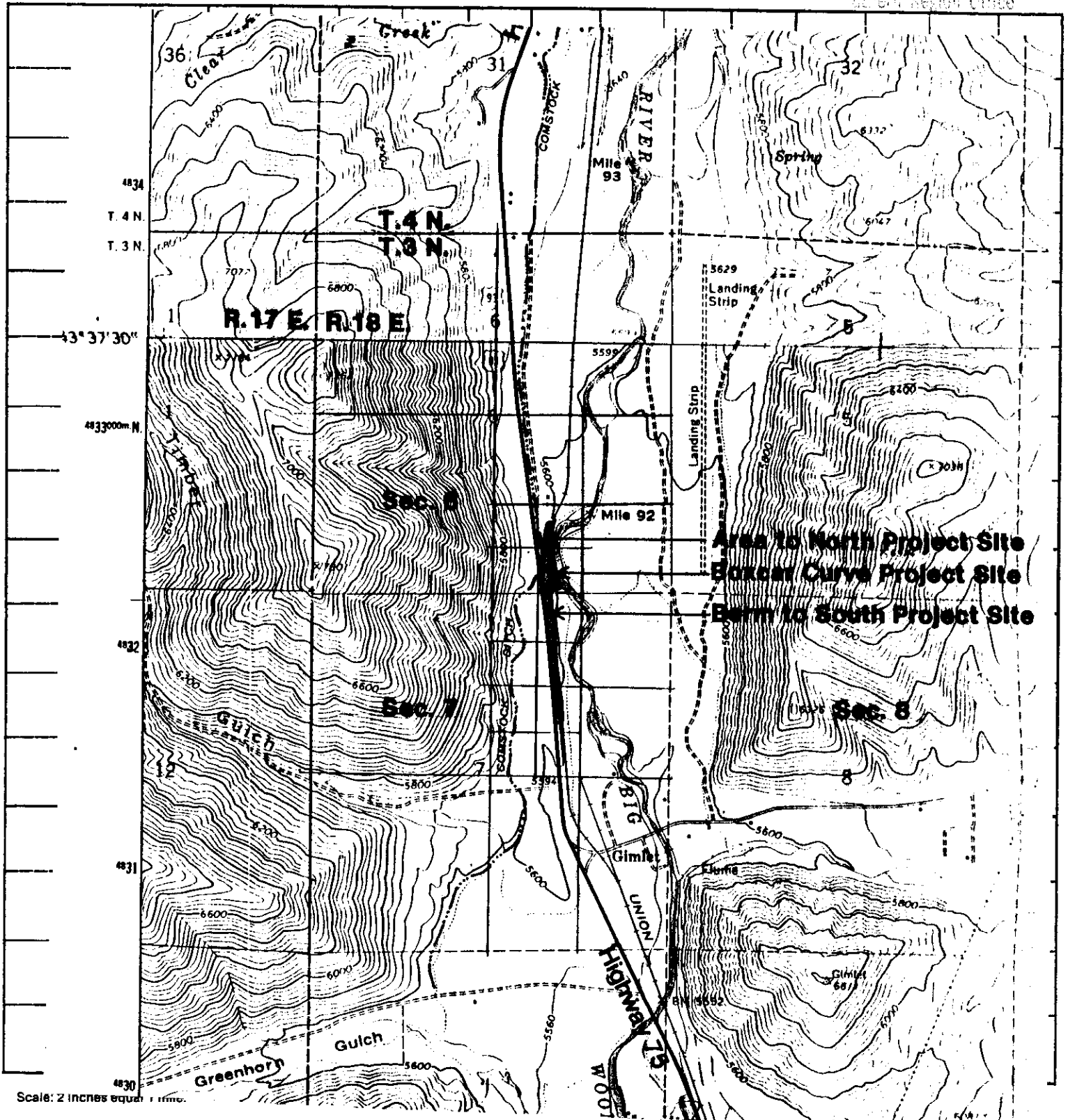
JAN 11 1994

RECEIVED

AUG 2 1991

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

Regional Office
Western Region Office



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.

JAN 11 1994

[Signature]
Chairman
Applicant)

Received by DJ Date 8/2/91 Time 3 PM Preliminary check by JF Stanton
Fee \$ 30.00 Receipted by DJ # 5013605 Date 8/2/91
Publication prepared by me Date 9-30-91 Published in Wood River Journal
Publication approved M Baldwin Date 11-15-91

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:



JAN 11 1994

B 7 41-731

JAN 12 1991

JAN 14 1991 (2:00pm)
JAN 14 1991 (2:00pm)

**ADDENDUM TO
APPLICATION FOR PERMIT
BY
BLAINE COUNTY RECREATION DISTRICT**

The following is an Addendum to the Application for Permit submitted by the Blaine County Recreation District:

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.: One (1) well and pump, a mainline to an underground sprinkler irrigation system.

12. Remarks: This Application is to acquire the water right necessary for the irrigation of those areas described in Exhibit A, "Areas of Proposed Irrigation", attached hereto as Exhibit A.

Parcel 1 is identified as the "Boxcar Curve Project Site" on the map, and includes the revegetation of a portion of the bank of the Big Wood River adjacent to Applicant's public, recreational, non-motorized pathway, and certain native grasses, trees and shrubs to be planted on Parcel A of Rainbow Bend Subdivision (see plat map attached hereto as Exhibit B) owned by Applicant. Parcel 1 is approximately 1 acre in area.

Parcel 2 is identified as "Area North of Project Site" on the map and includes portions of the pathway within the Rainbow Bend Subdivision owned by Applicant on which native grasses, trees and shrubs will be planted to help screen the homes in the Subdivision from the pathway. Parcel 2 is approximately 14,000 square feet in area.

Parcels 1 and 2 will require permanent irrigation. However, once the vegetation is established (within 2 years), the irrigation can be accomplished with less than 2500 gpd, thus falling within the definition of the "domestic purposes" exemption in the Big Wood River Groundwater Management Area implementation policy.

Parcel 3 is identified as "Berm to South of Project Site" on the map and consists of a berm situated between Highway 75 and the pathway to be planted with native grasses and which will screen the Highway from the pathway. Parcel 3 is approximately 147,700 square feet in area. Parcel 3 will ONLY require one (1) season of irrigation to establish the grasses. Thereafter, no irrigation will be necessary.

February 4, 1994

BLAINE COUNTY RECREATION DISTRICT
C/O JAMES P SPECK ESQUIRE
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 833400987

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08747

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

RECORDED

FEB 2 1994

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

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

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

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

January 19, 1994

RECEIVED

JAN 20 1994

Department of Water Resources

Mr. Jim Johnson
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

Re: Permit No. 37-08747 - Proof of Beneficial Use
Blaine County Recreation District

Dear Mr. Johnson:

Enclosed you will find the Proof of Beneficial Use for the above-referenced permit which I am submitting on behalf of Blaine County Recreation District. Due to the amount of the water right, no fee is required. Please acknowledge receipt of this proof.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/vl

Enclosure

cc: Blaine County Recreation District (with enclosure)
Mr. Gregg Sturtevant (with enclosure)

FEB 22 1994

Permit No. 37-08747 Reviewed by [Signature] Date 2-3-94

1-20-94
Proof Made ~~1-20-94~~



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 7, 1993

BLAINE COUNTY RECREATION DISTRICT
C/O JAMES P SPECK ESQUIRE
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340-0987

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08747

Dear Permit Holder(s):

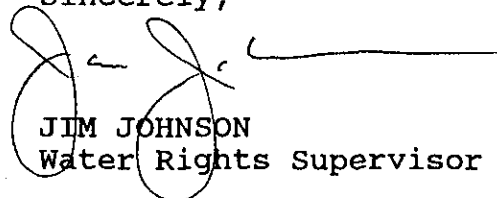
Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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

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.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

JAN 11 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW

Application #: 37-8747 Date: 11/29/93 Reviewer: Cindy Zimmerman

AREA OF CONCERN? - No/Yes E.S.R.P. Mor + trust

SYSTEM COMPLETED:

No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <flo-ch> - 01G-P03 (new), 01C-P03 (existing), NMR

- 0.2 cfs - NMR <flow chart>

Drilling Permit:

Included w/permit - Permit No. - - - - -, P99

Existing well - N/A (if drilled before 7/1/87)

No WD permit? - 046-~~46A-111~~-46B-P23 (if drilled after 7/1/87)

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

LOCATION:

Water District - WD No. 37

Surface water - 005 (req) 01J-P08 <flow chart>

(doesn't sink) or 01H-P01 <flow chart>; NMR

Groundwater - P05 (if well has not been drilled)

In stream channel - 030 (stream channel alteration)

Irrigation Dist. - 023

Canal Co. Areas - 023

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (Groundwater temperature)

Swan Falls Flag - C <See condition code chart>

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

Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (Surface): Water District Control Condition (005) &....

Boise (63) - 05A (req), 11E (non-domestic use), NA

Payette (65) - 064 (consump. use), 047-P04 (Payette Lake), NA

Snake (01, 02 & 03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.), NA

USE:

Fish Propagation - 010/06A/09E-P10(WQ) & 07A-042 (req)

044 (N 1000 Spr)

Irrigation - 803 (if GW use SW 1st) (+5A do POU comp.), NA

Power - 08A-17K-025-027 (req); 01F-P19; 09E-P10;

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

Mining - 06A/010/09E-P10 & 054 (req)

Storage(✓ 3 compo.) - 18A-for multi MD in WD, 18B-P09 (+10' dam), NA

Domestic (surface) - 021(Boise R + L Peak), 27A(Payette R), NA

OWNERSHIP:

Non land owner - 004 (P/D or P/U)

PROTESTED:

Prehearing agreement- 020

OTHER CONDITIONS: -

REMARKS: - Qw03

BENEFICIAL USE DUE: - 12-1-1994

COMMENTS: - ① Mor Exempt ② Tvl Review ③ Div Desc.

WR0749NP
No. P37-08747

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

DATE: 11/29/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BLAINE COUNTY RECREATION DISTRICT C/O JAMES P SPECK ESQUIRE HOGUE SPECK & AANESTAD PO BOX 987 KETCHUM ID 833400987 (208) 726-4421	08/02/1991	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T03N R18E S06 SE SW SE

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
03N	18E	6	:					:					:					:					:
03N	18E	7	:			D	D	:					:					:					:

Pou County: BLAINE

Other Water Rights Listing Overlapping Place(s) of use:

37-00153A 37-00154A 37-00577BP 37-08268 37-08747 T37-00153C

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 46B - Construction of the well must comply with Idaho well construction standards.

Remarks: The daily diversion volume for the domestic use authorized under this permit shall not exceed 2,500 gallons per day in accordance with the provisions of Section 42-111, Idaho Code.
Domestic use is for irrigation of landscaping.

Dates: App. Received: 08/02/1991 Priority Date: 08/02/1991
Proof Due Date: 12/01/1994 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 37 Field Exam Fee:

Comments: Date: 11/29/1993 User-ID: ZIMMERMA Subject: MORATORIUM, BIG WOOD GWMA, AND TRUSTWATER EXEMPTION
This permit is located within the Eastern Snake River Plain

WRO749NP
No. P37-08747

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

DATE: 11/29/93
PAGE: 2

=====

Comments: Date: 11/29/1993 User-ID: ZIMMERMA Subject: MORATORIUM, BIG WOOD GWMA, AND TRUSTWATER EXEMPTION
Moratorium, Big Wood GWMA, and trustwater boundary; however, its
domestic use is within the acceptable parameter of all guidelines

Date: 11/29/1993 User-ID: ZIMMERMA Subject: DIVERSION DESCRIPTION
Proposed 8" by 100' well with pump and mainline to underground
sprinkler system.

Audit: 11/29/93 ZIMMERMA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Blaine Co. Rec. Dist.

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J. F. Stanton DATE 8-5, 1991
APPLICATION NO. 37-08747

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
8-2 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
Field check by _____
☐ Yes ☐ No Field report attached
☐ Yes ☒ No Critical Ground water area
☒ Yes ☐ No Groundwater management area
☐ Yes ☒ No Send Dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit.
☐ Yes ☒ No Power efficiency form
☒ Yes ☐ No Within trustwater boundary(If yes, attach trustwater supplementary analysis sheet.
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.

See reverse side for additional information.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

Date Requested _____, 19____

RECEIVED
NOV 26 1993

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 _____

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 *with letter per Reduced Application*
Final date for Protest *11/14/71*
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on app.
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist. _____
☐ Yes ☒ No Special conditions of approval or cover letter below. _____

See below for additional information

Date of priority recommended *8/2*, 19*71*
By *John D. Saline* Date *11/24*, 19*73*

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19 _____

ADDITIONAL INFORMATION:

*Applicant agreed to reduce application to
1.04 cfs / 2500 gals per day per domestic use
of 42-111*

LOCAL PUBLIC INTEREST

Comments recieved from:

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

PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE _____, 19____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

24-Nov-1993

R. KEITH HIGGINSON
Director

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

RE: Application for Permit No. 37-08747 (Blaine County
Recreational District)

Dear Mr. Oneida:

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

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

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

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

Very truly yours,

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

LH:MB

JAN 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

24-Nov-1993

R. KEITH HIGGINSON
Director

JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

RE: Protested Application for Permit No. 37-08747 (Blaine
County Recreation District)

Dear Mr. Speck:

We have received a withdrawal of the protest filed by the Big
Wood Canal Company against approval of the above referenced
application.

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.

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

RECEIVED
JAN 11 1994

Big Wood Canal Company

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

RECEIVED

NOV 24 1993

Department of Water Resources
Southern Region Office

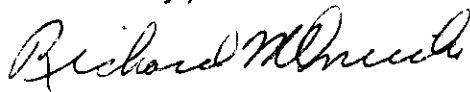
NOV. 23, 1993

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

RE: Application for Permit No.
37-08747
Blaine County Recreation District

The Big Wood Canal Company will release the protest filed on application #37-08747 by Blaine County Recreation District considering the Domestic use stated in Section 42-111 of the Idaho Code.

Sincerely,



Richard M. Oneida
Manager

RMO/mae

JAN 21



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

18-Nov-1993

R. KEITH HIGGINSON
Director

James P. Speck
P.O. Box 987
Ketchum, ID 83340

Re: Application for permit No. 37-08747, Blaine County Recreation District

Dear Mr. Speck:

This letter will confirm our telephone conversation today that the intent of the applicant is now to change the application to a total diversion rate of .04 cfs and a total daily volume of 2500 gallons.

With this reduction, the application can be approved without any mitigation requirements because it meets the definition of Domestic use stated in Section 42-111 of the Idaho Code. A use of this extent is exempt from the filing process, but I understand you want to continue the application to maintain a record of the water right.

The protest filed by Phil Puchner has been withdrawn. The Big Wood Canal Company remains a protestant with the right to bring the matter to a hearing if they wish.

I will continue to hold the file until Big Wood responds to your proposal or it is determined that it is necessary to proceed to a conference.

Sincerely,

A handwritten signature in cursive script that reads "Loren O. Holmes".

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

C: Big Wood Canal Co.

JAN 11



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mr. James Speck
Hogue, Speck & Aanestad
P. O. Box 987
Ketchum, ID 83340

11/15/1993

RE: Applications for Carter (37-8759), Harris (37-8698), and Blaine
County Recreation Dist. (37-8747).

Dear Jim,

I am writing in response to your 10/27 letter requesting status on the above referenced applications. Blaine County's application is on Loren's desk awaiting response to this letter, then signoff and forwarding to the State Office on the next day he is in the office. During review of the file I noticed a few things which you may be able to clear up. In recent trips through the Big Wood area I noticed that construction of the distribution system for this proposal is nearly complete, apparently without benefit of a water right. Has a well been drilled? Are the water rights to be considered for mitigation still available for use? If not, is there another right, or rights, available for mitigation? Will the systems for the two areas which will need ongoing watering operate on 18 gpm (0.04 cfs) of water, or less (domestic definition limitation, Part B)?

A water right agent is planning a field review of existing water usage under rights proposed for mitigation purposes in applications 37-8759 and 37-8698 in the next week to ten days. Depending on issues found during the field review, the applications may be forwarded to the state office by the end of November. Should questions arise the agent will contact you.

Hopefully this addresses the questions raised in the 10/27 letter. If you have any other questions please contact this office.

Sincerely,

Douglas Jones, EIT
Engineering Specialist

cc L. Holmes
G. Spackman
Files: 37-8759
37-8698
37-8747

RECEIVED

JAN 11 1994

AFFIDAVIT OF PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } ss.

NOV 13 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 16 day of oct, 1991, and

the date of the last publication was on the 23 day of oct, 1991.

Subscribed and sworn to before me this 23 day of oct, 1991.
(SEAL)

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	
Lines tabular at	6c / Pica
<u>45</u> Lines straight at	<u>24.75</u> 5c / Pica
<u>45</u> Subsequent lines at	<u>19.50</u> 4c / Pica
TOTAL COST	<u>49.55</u> <u>5.00</u>

(Paste Here)

A. R. R. / 37-06747
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

T. Dept of Water
BILL TO

Rec D
files

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08747

BLAINE COUNTY
RECREATION DISTRICT
C/O JAMES P. SPECK ESQUIRE
HOGUE, SPECK & AANESTAD
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: SESWSE Sec 6 T
03N R 18E

Use: IRRIGATION (100 CFS)
Total Diversion: (100 CFS)

Date Filed: 8/2/1991

In: T03N R18E S06 SWSE: S07
NWNE SWNE

4.7 ACRES TOTAL

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 Sherman St. East, Twin Falls, Idaho 83301, on or before NOVEMBER 4, 1991.

R. Keith Higginson, Director
Publish: Wood River Journal-
Oct

Publication Rates As of Jan., 1990

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

JAN 11 1991

No 7887

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

RECEIVED

OCT 27 1993

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

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

Department of Water Resources
Southern Region Office
October 27, 1993

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

Re: Application for Permit Nos. 37-08759 (Susan M. Carter), 37-08698 (Timothy H. Harris) and 37-08747 (Blaine County Recreation District).

Dear Loren:

This letter will confirm my telephone conversation on October 26, 1993, you indicated that nothing has yet been done since you received the August 6, 1993 memorandum from Gary Spackman (a copy of which I have enclosed) on any of the above-referenced Applications. I understand now you will now actively take those steps necessary to investigate the validity of the proposed mitigation rights for the Carter and Harris Applications. I also understand you will now complete the processing of the Blaine County Recreation District Application since it falls within an exemption under the Big Wood River Groundwater Management area restrictions. Will you please give me an update on your progress on all of these matters by November 15, 1993.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/vl

Enclosure

cc: Ms. Susan M. Carter (with enclosure)
Mr. Timothy H. Harris (with enclosure)
Blaine County Recreation District (with enclosure)
Mr. Jim Johnson/Idaho Department of Water Resources - Boise
(with enclosure)

JAN 11 1994

MEMORANDUM

TO: LOREN HOLMES

FROM: GARY SPACKMAN *Gary*

DATE: AUGUST 6, 1993

RECEIVED

RECEIVED

OCT 19 1993

OCT 20 1993

Hogue Spackman

Department of Water Resources
Southern Region Office

RE: PENDING APPLICATIONS FOR DIVERSION OF GROUNDWATER IN THE BIG WOOD RIVER BASIN

Enclosed is a letter to Jim Johnson from Jim Speck which discusses several pending applications for permit. The Figge permit has been approved and transmitted. Beginning in the second paragraph, Jim discusses several applications for permit which are still pending. As I recall, approximately one year ago, you agreed to investigate the beneficial use of surface water rights proposed for mitigation use. Some of these applications may also be protested. The following summary is my recollection of the status of the applications, and the agreed upon action.

<u>App. Permit</u>	<u>Name</u>	<u>Mitigation Right</u>	<u>Anticipated Action</u>
37-08759	Susan M. Carter	37-00496 (A37-00496C)	Protested. Also need to investigate validity of adjudication A37-00496C.
37-08698	Timothy H. Harris	37-02165 (A37-02165B)	Determine whether the right proposed for mitigation, 37-02165, which is a surface water right, should be regulated with other rights on the Big Wood River. If so, the mitigation right is not early enough in time to compensate for the ground water withdrawal.
37-08747 ✓	Blaine County Recreation District	37-00028 (A37-00028F) 37-00297 (A37-00297K)	Protested. Determine validity of water rights.
37-08276	Pat Millington		I am pursuing the final submittal of a hydrologic evaluation.

On the first paragraph of the second page of Speck's letter, he refers to several applications he recently filed. I believe the application in the name of Blaine County School District may relate to a proposal to irrigate some soccer fields which has been pending in rough form before the Department. I am not acquainted with the application in the names of Keith Friedly and Rod Thornton.

JAN 11 1994

Steve Clelland investigated the mitigation water right proposed for permit no. 37-08587 in the name of Gregg K. Sturtevant. We are corresponding with Speck at the present time. Finally, I am not acquainted with the transfer file in the name of J. Peter Fitzpatrick.

Please provide an update regarding the status of the applications for permit, and estimate the likely time when they will be forwarded to the state office for review.

C: Jim Speck, PO Box 987, Ketchum, Idaho 83340

JAN 11 1994

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

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16 WEST CROY STREET
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HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

RECEIVED

September 23, 1993

SEP 24 1993

Department of Water Resources
Southern Region Office

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

Re: Blaine County Recreation District
Application for Permit No. 37-08747

Dear Loren:

The two year lease of water rights for mitigation for the above-referenced Application for Permit covered the 1992 and 1993 irrigation seasons. Commencing with the 1994 irrigation season, use of the water under the Application will be less than 2,500 gallons per day and, therefore, fall within the "domestic purposes" exception to the restrictions of the Big Wood River groundwater management area. Therefore, the Department should process and issue the Permit with that restriction.

Please call me if you have any questions. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.


James P. Speck

JPS:vl

cc: Blaine County Recreation District
Mr. Gregg Sturtevant

JAN 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

14-Jul-1993

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

RE: Protested Application for Permit No. 37-08747 (Blaine
County Recreation District)

Dear Mr. Speck:

We have received a withdrawal of the protest filed by Philip
F. Puchner against approval of the above referenced
application.

As of this date, the protest filed against the application by
the Big Wood Canal Company has not been resolved by the
proposed mitigation plan. It is our intent to schedule a
conference in the near future.

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

RECEIVED

JAN 1 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

14-Jul-1993

R. KEITH HIGGINSON
Director

PHILIP F PUCHNER PE
PO BOX 866
BELLEVUE ID 83313

RE: Application for Permit No. 37-08747 (Blaine County
Recreation District)

Dear Mr. Puchner:

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

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

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

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

Very truly yours,

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

LH:MB

RECEIVED

JAN 11 1994

RECEIVED

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

JUN 01 1993

Department of Water Resources

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

120 EAST AVENUE
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HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
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HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

May 28, 1993

Mr. Jim Johnson
Department of Water
Resources
1301 N. Orchard Street
Boise, Idaho 83706

Re: Applications for Permit Subject to the
Mitigation Requirements of the Big Wood
River Groundwater Management Area

Dear Jim:

I understand from our telephone conversation on May 26, 1993, that Application for Permit No. 37-08760 in the names of James K. and/or Sandra D. Figge is about to be approved and forwarded to me with a transmittal letter and subject to conditions as described by Gary Spackman in his April 19, 1992, draft letter which was faxed to me on April 28, 1993. As we have discussed, there are several other applications for permit which I have filed on behalf of clients proposing similar "mitigation plans". I want to identify those applications for you so that you will know what is coming over the next two months.

Application for Permit No. 37-08759 was filed in the name of Susan M. Carter and proposes a mitigation plan using a portion of water right no. 37-00496 claimed in the Adjudication as claim no. A37-00496C. Application for Permit No. 37-08698 was filed in the name of Timothy H. Harris using a portion of water right no. 37-02165 claimed in the Adjudication as A37-02165B. These two applications were protested by the Big Wood Canal Company and Friends of the Big Wood River. However, I am certain those protests will be resolved by the imposition of conditions the same as or similar to those conditions imposed on the Figge permit. Application for Permit No. 37-08747 was filed for Blaine County Recreation District proposing a mitigation plan using water rights leased for two (2) years. After the two (2) years, the irrigation use falls within the "domestic" definition and mitigation will not be required. Application for Permit No. 37-08276 filed by Pat Millington will soon be supplemented by a hydrological evaluation by Dr. Chuck Brockway concluding there will be no impact on the flows of Silver Creek by the proposed ground water withdrawals.

RECEIVED

MAY 11 1994

In March and April, 1993, I submitted applications for permit in the names of the Blaine County School District, Keith Friedly, and Rod Thornton. In addition, I submitted to Glen Saxton a plan of mitigation for Application for Permit No. 37-08587 in the name of Gregg K. Sturtevant. The plans of mitigation for each of these Applications for Permit involve a portion of the W.T. Riley water right (37-00577 and claim no. A37-12818). I also filed an Application for Transfer in the name of J. Peter Fitzpatrick for another portion of this same water right. I believe Mel Schulte is currently reviewing all of these applications together in the Southern Region Office. Hopefully, this simultaneous processing can continue through the advertizing and State office review.

I will be out of the office on sabbatical for the months of June and July. If necessary, my secretary, Dusty Williams, can contact me in Oregon and I can then call you to discuss any of these applications. Thank you once again for your continuing cooperation and patience in working with me on these water rights issues.

Sincerely yours,

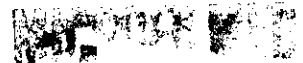
HOGUE, SPECK & AANESTAD



James P. Speck

JPS/dlw

cc: J. Peter Fitzpatrick
Gregg Sturtevant
Rod Thornton
Ed Dumke
Keith Friedly
Susan Carter
James K. Figge
Gary Slette
Blaine County Recreation District
Pat Millington



MAY 11 1994

THE END OF THE LINE
P.O. Box 866
Bellevue, Idaho 83313

37-09747

October 15, 1992

Loren O. Holmes, P.E.
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

RECEIVED

OCT 16 1992

Department of Water Resources
Twin Falls, Idaho Office

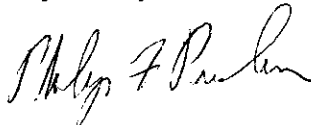
Dear Loren,

I have been asked by the Blaine County Recreation District to withdraw my objection to the granting of a water right to irrigate landscaping on the County bikepath at "Boxcar Bend".

My only object in filing the "objection" was to insure that they were obligated to the same conditions as I was in my application for a groundwater right. It appears to me that they have met these conditions, and I hereby withdraw my objections.

I would appreciate a copy of the conditions attached to their permit for my review and records.

Very Truly Yours,



Philip F. Puchner, P.E.

cc: Jim Speck

RECEIVED

OCT 21 1992

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
DONALD E. MITCHELL

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16 WEST CROY STREET
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HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

May 27, 1992

VIA FACSIMILE - 1-327-7866
ORIGINAL TO FOLLOW BY MAIL

Mr. Gary Spackman
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

Re: Blaine County Recreation District - Application
for Permit No. 37-08747

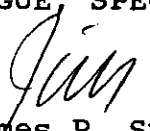
Dear Gary:

I am in receipt of your letter of May 21, 1992 stating the above-referenced Application for Permit will be held without further processing during the pendency of the recently declared moratorium on approval of certain pending and future applications to appropriate either surface water or groundwater in the Snake River Basin upstream from Weiser. However, I understand from our telephone conversation yesterday that the moratorium will NOT apply to this and similar Applications for which plans of mitigation have been or will be submitted under the restrictions of the Big Wood River Ground Water Management Area. Will you please clarify this by a short reply to this letter, and include a status report on the processing of the Application.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/j
cc: Mary Austin Crofts

MAILED

MAY 11 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

May 21, 1992

RE: Water Right No.

Certified Mail No.

Dear Water Right Holder(s):

In response to record low streamflows and declining groundwater levels resulting from drought conditions, the Director of the Department of Water Resources has declared a moratorium on approval on certain pending and future applications to appropriate water in the Snake River Basin. The moratorium applies to both surface water and groundwater appropriations.

Department records show that you filed an application to appropriate water for irrigation which has not been approved by the Department. Unless you can demonstrate that your proposal qualifies for a narrow exemption to the moratorium, the department will hold your application, and will not process it until the moratorium is lifted.

An application for groundwater to supplement a normally sufficient surface water irrigation supply is exempt from the moratorium. If you can demonstrate that you normally receive an adequate supply of irrigation water from a surface water source, and that you will continue to fully use the surface water, when available, the Department will continue processing your application. If there are other impediments to approval such as a protest or necessary consent from other agencies, the other obstacle to approval must also be removed independent of the moratorium.

The enclosed form requests information which will determine whether your proposed use will qualify for the supplemental irrigation exemption. IF YOU FEEL YOUR PROPOSED USE QUALIFIES AS AN EXEMPT USE, YOU MUST COMPLETE THE FORM AND RETURN IT TO THIS OFFICE. If the form is not completed and returned, your application will be held without action. If you return the form but the use does not qualify, the Department will notify you that the application will be held without further processing.

JAN 11 1994

Certain domestic and non-consumptive uses are also exempt from the moratorium. If your application proposes one of these uses in addition to irrigation, the department will resolve the exemption issue by reviewing the file.

The Department has scheduled public meetings on May 29, 1992 where the details of the moratorium can be discussed. Below is a list of time and locations.

Boise, Idaho May 29, 1992 10:00 am
Boise City Hall
150 North Capital Boulevard
Les Bois Room - 3rd floor

Idaho Falls, Idaho May 29, 1992 10:00 am
Bonneville County Courthouse
605 North Capital
Centennial Court Room

Twin Falls, Idaho May 29, 1992 10:00 am
College of Southern Idaho
315 Falls Avenue
Shields Building - Room 115

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS:cz

RECEIVED

JAN 11 1994

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
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16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

April 30, 1992

RECEIVED
MAY 04 1992

Mr. Gary Spackman
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

RE: Application for Permit No. 37-08747
-Box Car Bend

Dear Gary:

Have you had an opportunity to do any further work on our proposed mitigation plan for the above-referenced Application for Permit? As you know, I will be out of the office until May 18, 1992. Please contact my secretary, Deborah Kirby, if you have any questions while I am gone and she can reach me. I will call you when I return to check on the status of this application.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD

James P. Speck by d.c.
James P. Speck

JPS\dc

cc: Mary Austin Crofts

f:\wpdata\jim\corres92

RECEIVED

MAY 11 1994

37-8747

RECEIVED
APR 3 1992

April 2, 1992

Mr. Gary Spackman
Department of Water Resources
1301 N. Orchard St.
Boise, ID 83720

Department of Water Resources

RECEIVED

APR 27 1992

Re: Blaine County Recreation District
Application for temporary well water
permit to irrigate bank at Box Car Bend.

Department of Water Resources

Blaine County Office



Dear Gary,

The Friends would like to encourage you strongly to approve this temporary permit application. It is certainly in the public rather than the private interest to get the vegetation started on this unstable bank.

As I understand it the permit is to be temporary - two years. I understand that Rod Kegley has offered mitigating water in the amount of .3cfs under two rights. I am assuming that whatever land is appurtenant to that water can be designated and dried up for the two years that it will be needed to get plant growth established at Box Car Bend.

The Friends have voiced disapproval of downstream water rights being used to mitigate upstream real estate projects and our approval of the Rec District application may seem inconsistent. The reason is two significant differences. First, as mentioned before, the project is in the public, rather than the private interest; and it is temporary rather than permanent.

It is vexing to say the least, when a good project like this, which includes mitigating water, is not immediately approved by the IDWR when the IDWR has turned a blind eye to the misuse and misappropriation of tens and even hundreds of cfs of water out of the Big Wood.

To name a few: Last year the Lane Ranch returned none of 163 inches of non-consumptive water to the Big Wood. In addition, Tom Hormel ran all this water into a pond and returned none of it to the river even though he has not water right and has been doing so for tow years to my knowledge.

Bruce Willis has been diverting anywhere from one to five cfs for his pond and returning none of it to the river for the last three years without a non-consumptive water right. On top of that, representatives of the Department were unwilling to shut his headgate even after the irrigation season was over.

Two non-consumptive water rights in Gimlet amounting to 30cfs are diverted from the river in a situation where almost none of it gets back into the river.

I realize that two wrongs don't make a right, but certainly the Rec District application is worthy of immediate and positive action.

I urge you to approve this application as soon as possible so that the Rec Distinct and commence with this important irrigation project.

JAN 11 1994

Sincerely,



Nick Cox Pres.

cc Blaine County Recreation District
James Speck

RECORDED

JAN 11 1994

RECEIVED

MEMORANDUM

APR 05 1992

Department of Fish and Game
Blaine County Recreation District

TO: Loren Holmes
FROM: Gary Spackman *Gary*
DATE: March 31, 1992

RE: Application for Permit No. 37-08747 in the Name of Blaine
County Recreation District

I have enclosed a letter I have received from Jim Speck on March 16, 1992, which proposes a plan of mitigation. The plan proposes the two year lease of portions of water rights nos. 37-00028 (Adjudication Claim No. A37-00028F) and 37-00297 (Adjudication Claim No. A37-00297K) for the irrigation of five acres. The respective priorities of 1883 and 1886 for these rights is early enough in time to mitigate for a full irrigation season withdrawal of ground water.

Upon investigation to determine whether these water rights are valid, this plan of mitigation can probably be approved. I will forward copies of this memo to the applicant and the protestants. If the protests are not resolved by this offer of mitigation, you probably should schedule a conference.

cc: Dick Oneida, Big Wood Canal Co.
Phillip Frederick Puchner
Jim Speck

JAN 11 1994

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
DONALD E. MITCHELL

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

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

March 13, 1992

RECEIVED
MAR 16 1992

Mr. Gary Spackman
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Re: Application for Permit No. 37-08747
Blaine County Recreation District
Plan of Mitigation

Dear Gary:

I represent the Blaine County Recreation District and filed, on its behalf, Application for Permit no. 37-08747 (the "Application"). The Application seeks permission to withdraw groundwater for the irrigation of 4.7 acres. However, as explained in the Addendum (a copy of the Application and Addendum are enclosed for your reference) the 0.1 cfs requested is for the first two irrigation seasons ONLY. Thereafter, the diversion under the permit can be limited to 2,500 gallons per day. The landscape architect who has designed the project states this flow will be adequate to irrigate the native grasses, trees and shrubs to be planted within the areas identified as parcels 1 and 2 in the Application. Thus, the requested permit is a little unusual in that it can be conditioned to either expire at the end of two irrigation seasons or reduce in flow and volume to meet the requirements of Idaho Code Section 42-111B.

As described above, the requested permit will only impact the surface flows of the Big Wood River during the first two irrigation seasons (1992 and 1993). The District has arranged to lease for the 1992 and 1993 irrigation seasons portions of the following "stacked" irrigation water rights owned by Red Devil Mountain Homeowners Association, Inc.:

<u>Water Right Number</u>	<u>Amount Leased</u>	<u>Irrigated Acreage</u>
A37-00028F	0.1 cfs	5
A37-00297K	0.2 cfs	5

The total area irrigated by these two rights is 23.4 acres within

Mr. Gary Spackman
March 13, 1992
Page 2

Lot 2 of Buckhorn Subdivision No. 2, which has been re-subdivided as the Red Devil Mountain Subdivision. I am also enclosing copies of the subdivision plats for your information. Five acres of this area will not be irrigated during the 1992 and 1993 irrigation seasons. The leased portions of these two water rights will, instead, remain in the Big Wood River until the 1994 irrigation season, at which time the lease will terminate and the rights will revert back to and be used on their original place of use. It should also be noted that the location of the lands irrigated by the leased water rights is such that the irrigation return flows are to the aquifer tributary to the Big Wood River and not to Silver Creek or its tributaries. Therefore, leaving the leased water rights in the Big Wood River will not negatively impact the flows of Silver Creek or its tributaries.

The Application was protested by the Big Wood Canal Company and Mr. Philip Puchner. I believe Mr. Puchner has since withdrawn his protest. In any event, by a copy of this letter, I am requesting both protestants to withdraw their protests contingent upon the Department's approval of this proposed plan of mitigation.

Please contact me as soon as you have had an opportunity to review this proposal. Thank you again for your continuing cooperation and assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS\dmk
Enclosure
cc: Blaine County Recreation District
Mr. Rod Kegley
Mr. Philip Puchner
Mr. Richard Oneida

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP
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120 EAST AVENUE
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(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

January 10, 1992

RECEIVED

JAN 13 1992

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

Department of Water Resources
Southern Region Office

Re: Blaine County Recreation District
Application for Permit No. 37-08747
Application for Transfer of Portion of Water Right
No. 37-02683

Dear Loren:

It is my understanding the protest to the above-referenced application for permit filed by Philip Puchner is going to be withdrawn. Can you please confirm whether or not this has been done?

What is the status of the District's application for transfer of a portion of water right no. 37-02683? Please call me with this information at your earliest convenience. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS\dmk
cc: Ms. Mary Austin-Crofts

JAN 17 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

06-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. 37-08747 (Blaine Co. Recreation Dist)

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,

A handwritten signature in cursive script that reads "Loren O. Holmes".

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

LH:MB
Enclosure

MISSOURI

JAN 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

06-Nov-1991

R. KEITH HIGGINSON
Director

JAMES P SPECK ESQUIRE
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: APPLICATION FOR PERMIT NO. 37-08747 (BLAINE CO. RECREATION DIST)

Dear Mr. Speck:

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

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)

RECEIVED

JAN 11 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

06-Nov-1991

R. KEITH HIGGINSON
Director

PHILLIP FREDERICK PUCHNER
PO BOX 240
KETCHUM ID 83340

Re: Application for Permit No. 37-08747 in the Name of
Blaine County Recreation District

Dear Mr. Puchner:

We are in receipt of your letter in which you protested the approval of the above-referenced application for permit. Please be advised, however, that the final protest date was November 4, 1991 and that the letter was not received by this office until November 5, 1991. Pursuant to the Idaho Code, we cannot officially accept the protest as timely.

The concerns that you have noted have been reviewed by this office, and your letter will be retained in the file. Please be advised that any water right issued by this office is conditioned to be "subject to all prior water rights." This does offer protection to any senior water rights you may have.

Very truly yours,

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

LH:MB

NOV 14 1991

JA

Attachment to letter dated 06-Nov-1991

To all parties in the matter of
Application for permit No. 37-08747
In the name of Blaine County Recreation District

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

JAN 11 1994

Philip Frederick Puchner
Box 240
Ketchum, Idaho 83340

RECEIVED

NOV 05 1991

Department of Water Resources
Southern Region Office

DIRECTOR
Dept. of Water Resources
222 Shoshone ST East
TWIN FALLS ID 83301

DEAR SIR:

I wish to file a protest To the granting of a water right
to the Blaine County Recreation District in Sec. 6 T3N, R 18E.
and Sec 7 T3N R18E B.M.

My reason is that I have been denyed the right to
file because a moratorium has been placed on all
filings in the Wood River Drainage. I can't see
how they can be granted an exception.

Please let me know when a public hearing will be
held.

Very truly Yours,

Philip F Puchner

RECEIVED

JAN 11 1992

Big Wood Canal Company

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

RECEIVED

OCT 30 1991

Department of Water Resources
Southern Region Office

October 29, 1991

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

RE: Application No. 37-08747
BLAINE COUNTY RECREATION DIST.

Dear Sir:

I would like to protest the application filed by BLAINE COUNTY RECREATION DISTRICT on grounds this use of water could be detrimental to the storage of irrigation water at Magic Reservoir.

Sincerely,


Richard M. Oneida
Manager

RMO/mae

RECEIVED

JAN 11 1994

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

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

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

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

October 14, 1991

James E. Stanton
Sr. Water Resource Agent
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

OCT 16 1991

Department of Water Resources
Southern Region Office

Re: Application for Permit No. 37-08747
Blaine County Recreation District

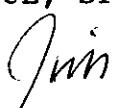
Dear Jim:

Thank you for your letter of September 30, 1991 and the attachment concerning the requirements of the Big Wood River Groundwater Management Area. My client does not wish to withdraw its Application for Permit. However, I would like additional time until January 1, 1992 to submit the required information concerning the hydrologic evaluation and the resulting plan of action. I am attempting, in conjunction with Dr. Charles Brockway and other attorneys actively involved in the water rights field in the Wood River Valley, to arrive at a consistent proposal for plans of mitigation for surface flow reductions.

Thank you for your continuing cooperation and assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS\dmk
cc: Blaine County Recreation District

j\corres91\stantoj

POSTED: 10/16/91

OCT 1 1 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

30-Sep-1991

R. KEITH HIGGINSON
Director

JAMES P SPECK ESQUIRE
PO BOX 987
KETCHUM ID 83340

Re: Application for Permit No. 37-08747 (BLAINE CO. RECREATION DISTRICT)

Dear Mr. Speck:

The Department of Water Resources acknowledges receipt of the water right application for permit on behalf of Blaine County Recreation District. 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 10/16 & 10/23/91. 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.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB
Enclosures

RECEIVED

JAN 11 1994

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

Attachment to acknowledgement letter

Application No. 37-08747

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.

RECEIVED

JAN 11 1994

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

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

120 EAST AVENUE
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(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

August 1, 1991

CERTIFIED MAIL P 059 724 077
RETURN RECEIPT REQUESTED

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

Re: Blaine County Recreation District
Application for Permit

Dear Loren:

Enclosed you will find an Application for Permit which I have prepared and am submitting on behalf of the Blaine County Recreation District. As you may know, the District has constructed and is maintaining and operating a non-motorized recreational pathway system in Blaine County, Idaho. One portion of the pathway, just west of the Big Wood River and across from the Gimlet Subdivisions, passes through a parcel of land acquired by the District in the subdivision approval process for a new subdivision to be known as Rainbow Bend. This parcel includes the historical Boxcar Bend sight where the riverbank was recently restored. This Application for Permit seeks the groundwater right necessary to re-vegetate the bank and maintain certain native landscaping along berms and other areas to protect the public pathway.

Please call me if you have any questions concerning this Application and keep me apprised of the schedule for advertising. Thank you again for your continuing cooperation and assistance.

Sincerely yours,

HOGUE, SPECK & AANESTAD

James P. Speck 
James P. Speck

JPS\dmk

Enclosures

cc: Blaine County Recreation District
Mr. Gregg Sturtevant

RECEIVED

JAN 11 1994

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08747

BLAINE COUNTY RECREATION DISTRICT
C/O JAMES P. SPECK ESQUIRE
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: SESWSE Sec 6 T 03N R 18E

```
Use: IRRIGATION      ( .100 CFS)
      Total Diversion: ( .100 CFS)
```

Date Filed: 8/ 2/ 1991

In: T03N R18E S06 SWSE
S07 NWNE SWNE

4.7 ACRES TOTAL

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 NOVEMBER 4, 1991.

R. Keith Higginson, Director

Published 10/16/1991 & 10/23/1991

JAN 11 1994

Drilling Perm No. 37-91-S-1617/90 *file*Water Right Permit No. 37-08747
Injection Permit No. _____**RECEIVED**

SEP 27 1991

Department of Water Resources
Southern Region OfficeState of Idaho
Department of Water Resources**APPLICATION FOR DRILLING PERMIT**1. Applicant (please print) BLAINE COUNTY RECREATION DISTRICT2. Mailing Address P. O. BOX 297, Hailey, ID 83333Telephone 208/788-2117☒ Well Owner () Well Operator () Other, specify _____3. Proposed well location SW 1/4 SE 1/4, or Gov't Lot No. _____Sec. 6, Twp. 3N, Rge. 18E, County BLAINEStreet Address of Well Site RAINBOW BEND SUBDIVISION - BLAINE COUNTY, IDAHOLot, block and subdivision PARCEL A, RAINBOW BEND SUBDIVISION

4. Proposed use of well:

- () Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

- ☒ Non-Domestic: Any beneficial use not included within the definition of domestic. (FIRE PROTECTION)

- () Injection

- () Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

5. Well construction information:

- A. ☒ New well () Deepen () Replace - See Condition 9

B. Proposed Surface Diameter 8" Proposed Maximum Depth 100'

C. Anticipated bottom hole temperature:

- ☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212° or more (Geothermal well)

MINNEAPOLIS

JAN 11 1994

6. Construction Start Date 9/23/917. Anticipated Well Driller WOOD RIVER DRILLING & PUMP, P. O. BOX 420, BELLEVUE, ID 83313

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Amy H. Stortz Date 9/26/91Title FIRM REPRESENTATIVE

(Owner, Firm Representative, Other)

37-91-S-161

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 9/30/91

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Larry O. Hansen
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. SO13736 Received by RF Fee 200.00 Date 9-27-91

EXTENSION OF DRILLING PERMIT

JAN 11 1994

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

RECEIVED

OCT 07 1991

Department of Water Resources
Southern Region Office

Disk: Patty-16/RecDis

**Rec District
files on water right**

**NOTICE OF APPLICATION
FOR TRUST WATER RIGHT**

37-08747

BLAINE COUNTY
RECREATION DISTRICT
C/O JAMES P. SPECK ESQUIRE
HOGUE, SPECK & AANESTAD
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: SESWSE Sec 6 T
03N R 18E

Use: IRRIGATION (.100 CFS)
Total Diversion: (.100 CFS)

Date Filed: 8/2/1991

In: T03N R18E S06 SWSE; S07
NWNE SWNE

4.7 ACRES TOTAL

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 NOVEMBER 4, 1991.

R. Keith Higginson, Director

Publish: Wood River Journal-
October 16 & 23, 1991.

OK
10-8-91
PK

MISSOURI

JAN 11 1994

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

SEPTEMBER 30, 1991

WOOD RIVER JOURNAL
PO BOX 988
HAILEY, ID 83333

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 NOVEMBER 4, 1991.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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