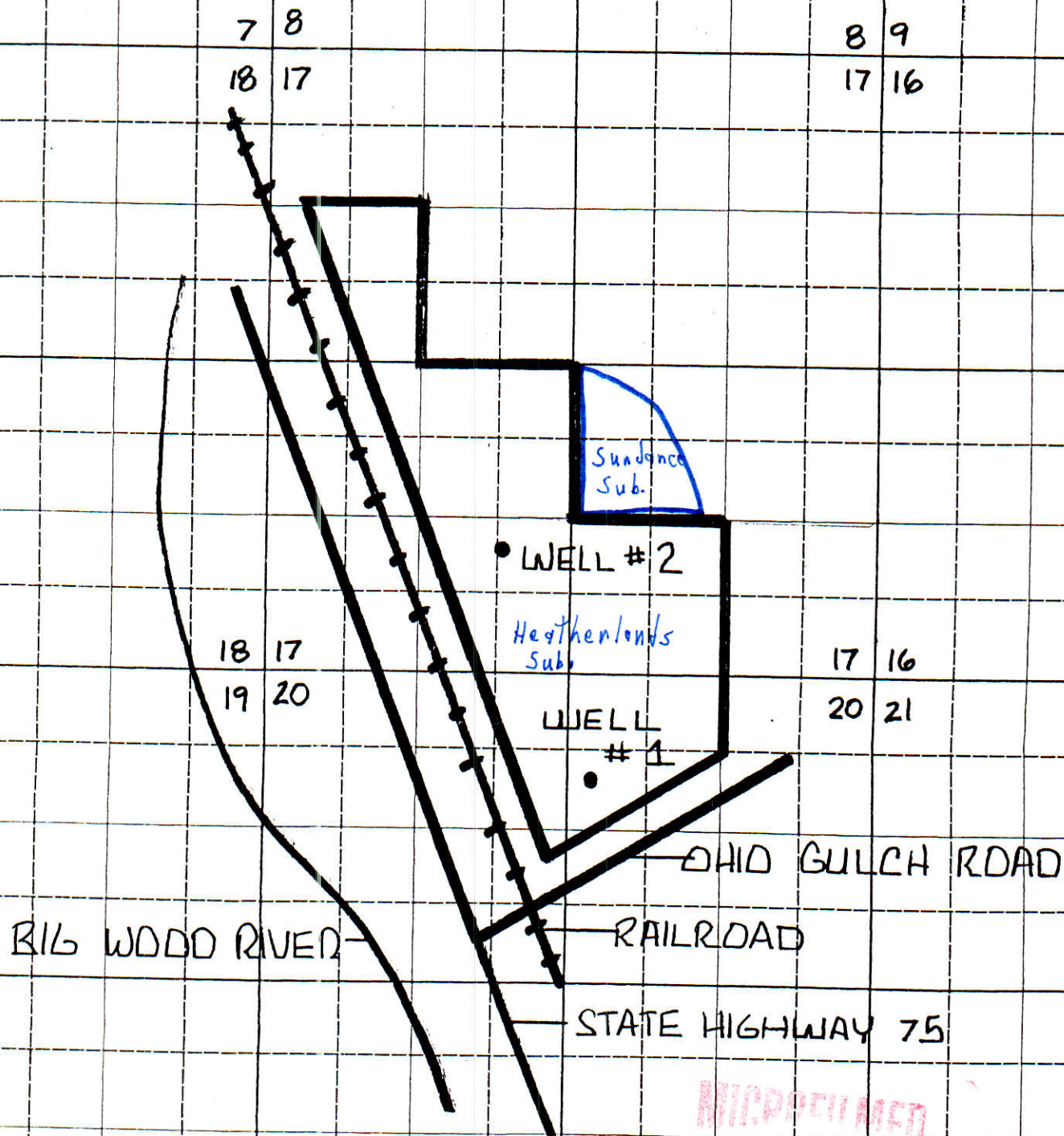


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number

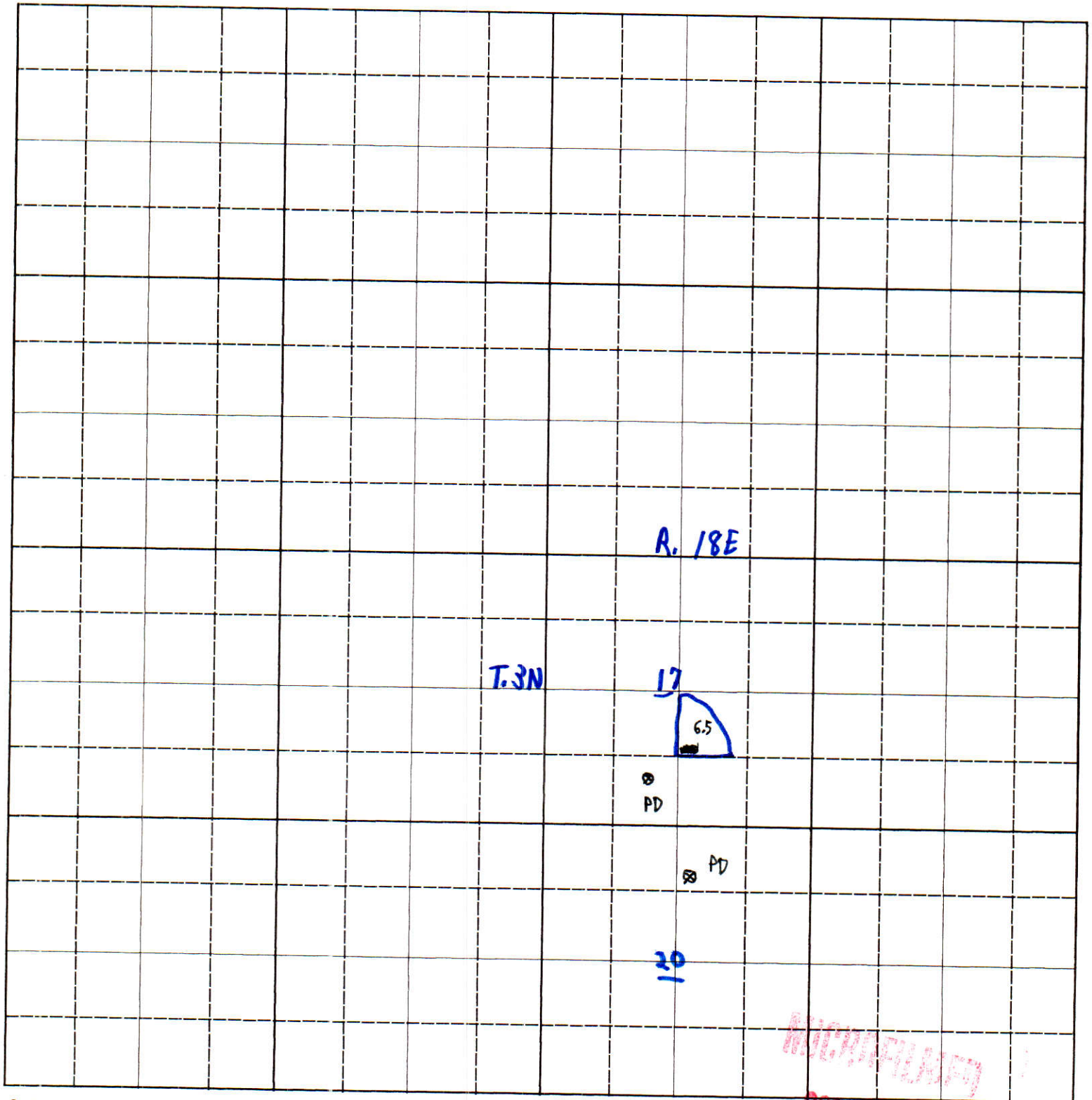
SECTIONS 17 & 20
TOWNSHIP 3N, RANGE 18E, B.M.



RECEIVED

OCT 03 1995

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

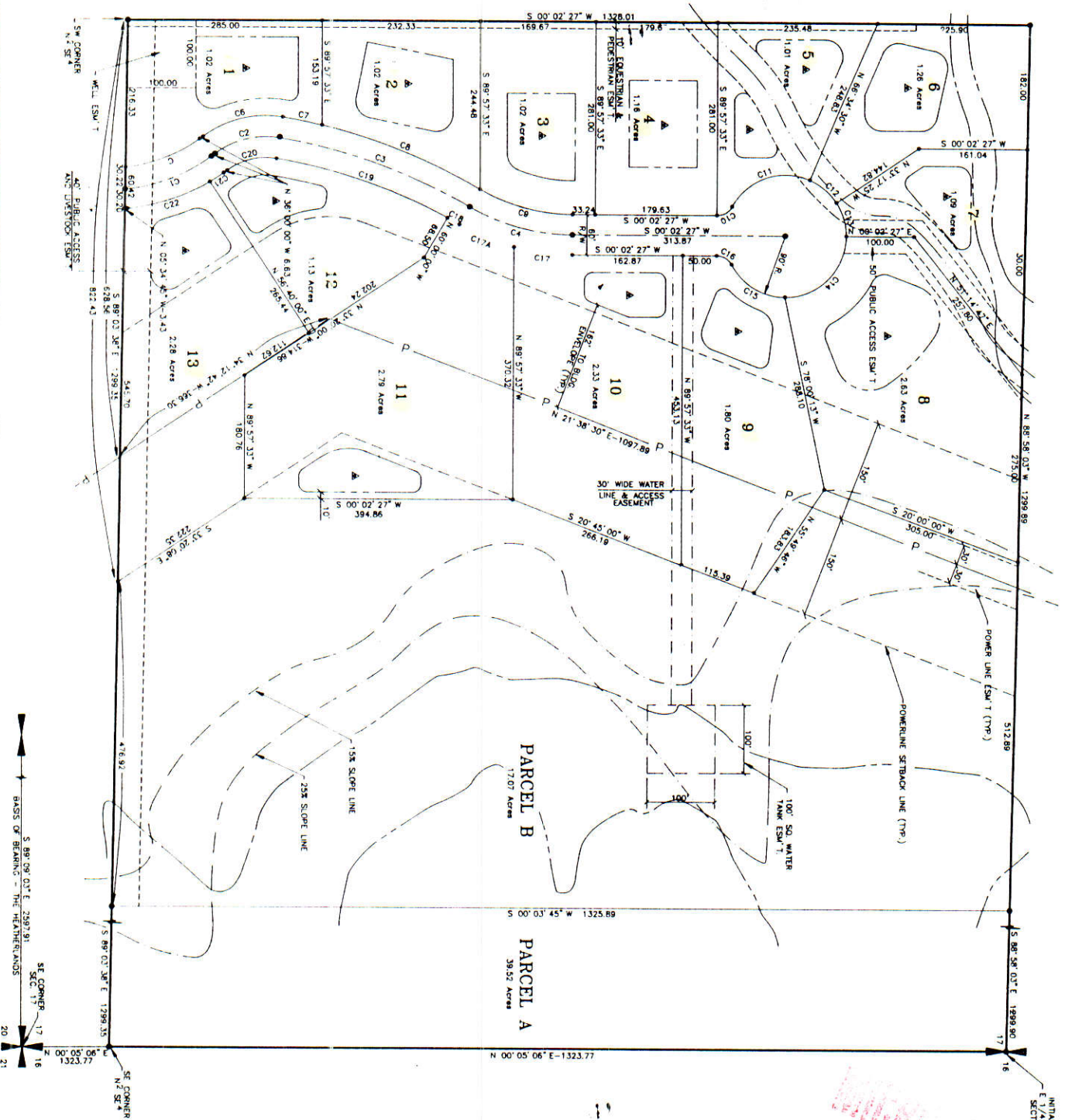


Scale: 2 inches equal 1 mile.

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

Robert J. Glen for GMMK Group B
(Applicant) its general partner

SUNDANCE SUBDIVISION



INITIAL POINT
E 1/4 CORNER
SECTION 17

OCT 08 1935

SCALE
1" = 100'

BLAINE COUNTY TITLE

While this is a photographic reproduction of the recorded plat, this company assumes no liability for variations, if any, with a re-survey.

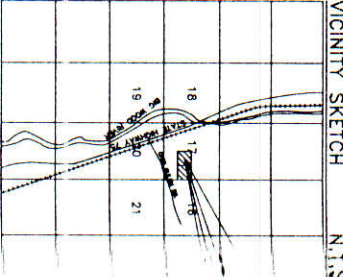
NW⁴, SE⁴, & NE⁴, SE⁴, SECTION 17TOWNSHIP 3N., RANGE 18 E.
POLICE MERIDIAN

BOISE MENDIAN,
BLAINE COUNTY, IDAHO

1980

LEGEND

SUBDIVISION BOUNDARY LINE
LOT LINES
ROADWAY CENTERLINE
BUILDING ENVELOPE LINE
EASEMENT LINE
SET 5/8" x 30" REBAR AND CAP
SET 1/2" x 24" REBAR AND CAP
BUILDING CENTROID
BLUE AVALANCHE ZONE
RED AVALANCHE ZONE

[illegible]

AFFIDAVIT of PUBLICATION

RECEIVED

MAY 16 1995

State of Idaho,

County of Blaine

} SS.

Department of Water Resources
Southern Region

On this 10 day of May, in the year 19 95, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 3 day of May, 1995, and the date of the last publication was on the 10 day of May, 1995

Subscribed and sworn to before me this 10th day of May, 1995.
(SEAL)

Roberta McGowan

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 47.667
Number of Insertions 2
Lines tabular at 47.667 6¢ / Pica
Lines straight at 27.408 5¢ / Pica
Subsequent lines at 21.927 4¢ / Pica
TOTAL COST + 5 \$54.34

COPY OF NOTICE

(Paste Here) 37-08686

Amd. Ap. Water Permt.

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Res.
BILL TO

Amended application for water permit

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that the following application for permit to appropriate the public waters of the State of Idaho has been amended as follows:

**H E A T H E R L A N D S
HOMEOWNERS ASSN. INC.**

PO BOX 3901

KETCHUM ID 83340

37-08686

Date Amended: 3/3/1995

Source: groundwater

Diversion Pt: NE1/4SE1/4SW1/4,
S 17, T 3 N, R 18 E;
SW1/4NW1/4NE1/4, S20, T3N,
R18E; Blaine County.

Use: Fire Protection (0.56 cfs)

Domestic (13 homes) (0.17 cfs)

irrigation (0.13 cfs)

Total quantity to be
appropriated: 0.86 cfs

In: 6.5 acres within
NW1/4SE1/4, S17, T3N, R18E.

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East., Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before May 22, 1995. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Published in Wood River
Journal on 5/3 & 5/10/95

OCT 03 1995

9570

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-08686)
)
IN THE NAME OF HEATHERLANDS HOMEOWNERS ASSN.) **ORDER OF**
INC.) **REINSTATEMENT**
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before October 1, 1996; and,

WHEREAS, the Department notified the permit holder on July 31, 1996, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

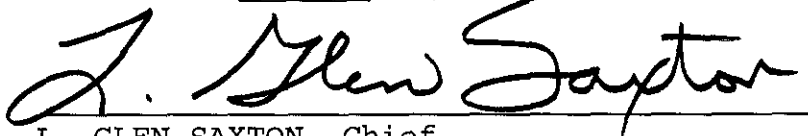
WHEREAS, the Department sent the permit holder a lapse notice on October 30, 1996, since an acceptable proof of beneficial use or extension of time had not been received; and,

WHEREAS, Section 42-218a, Idaho Code, provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on November 18, 1996;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-08686 is **REINSTATED** with an advance in priority to November 15, 1990.

DATED this 25th day of November, 1996.


L. GLEN SAXTON, Chief

Water Allocation Bureau MICROFILMED

DEC 19 1996

RECEIVED

NOV 18 1996

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY
Amt. of Fee \$: 100.00
Receipt No. 036995
Receipt By: RET
Date Received: 11-18-96

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 be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 37-08686 Telephone No. 208 726-3858

2. Name(s) of Permit Holder(s): Heather Lands Homeowners Assn. Inc.

3. Mailing Address: P.O. Box 1672 Sun Valley ID 83353

4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 5 / yr. 80
well #1
well #2 8 / yr. 85

a. Well Driller: Walker Water Drilling Permit Number: _____

b. OPTIONAL: 20 + 30
Pump Horsepower: 20 + 30 Pressure (psi): _____ Dynamic pumping level (ft): _____

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

Domestic (No. of households): 116 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 76.5 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 2.82 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes ☒	or	No ☐
	Has the measuring device been installed?	Yes ☒	or	No ☐
Flow Measurement Port:	Is a flow measurement port required?	Yes ☐	or	No ☒
	Has the measurement port been installed?	Yes ☐	or	No ☒

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Susan McBeckert Sun County Management Telephone Number: 208 726-3858

Address: P.O. Box 1672 Sun Valley ID 83353

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Susan McBeckert Managing Agent Date: 11/15/96
(include your title, if on behalf of company or organization)

MICROFILMED
DEC 19 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08686

Proposed Priority: September 28, 1990 Maximum Diversion Rate: 0.86 CFS

This is to certify, that **HEATHERLANDS HOMEOWNERS ASSN INC**

PO BOX 3901

KETCHUM ID 83340-3901

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>
IRRIGATION	04/15 to 10/15	0.13 CFS
DOMESTIC	01/01 to 12/31	0.17 CFS
FIRE PROTECTION	01/01 to 12/31	0.56 CFS
	Totals	0.86 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESESW , Sec. 17, Township 03N, Range 18E

SWNWNE , Sec. 20, Township 03N, Range 18E

BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	17	NWSE	6.5		6.5

Total number of acres irrigated: 6.5

PLACE OF USE: DOMESTIC, same as IRRIGATION use

PLACE OF USE: FIRE PROTECTION, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1996**.
 2. Subject to all prior water rights.
 3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
 4. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
 5. The issuance of this right does not grant any right-of-way or easement across the land of another.
 6. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
- OCT 03 1995

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

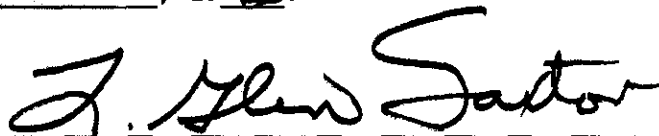
NO. 37-08686

CONDITIONS OF APPROVAL AND REMARKS

7. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
8. The Director retains jurisdiction of this right and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
9. Place of use is located within Lots 1-13, Sundance Subdivision.
10. The irrigation use occurring under this right shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.
11. Domestic use is for 13 homes.
12. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
13. The domestic use authorized under this right shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
14. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

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

22nd day of September, 19 95.



for
Karl J. Dreher, Director

087 38 100

State of Idaho

DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
Amt. of Fee \$25.00
Date 3-24-95
Receipt No. 507910
Receipt by MTS

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

We GMMK Group B, hereby assign to Heatherlands Homeowners Assn
(Applicant) of PO Box 3901; Ketchum ID 83340
(Full Address) INC.

All my right, title, and interest in and to Application for Permit No. 37-08686 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 Application for 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 _____ day of _____, 19____.

APR 1 1995

Department of Water Resources
Southern Region

State of Idaho)
County of Blaine) ss

GMMK Group B
by: Robert J. Glenn, managing partner, by
Robert Glenn, Applicant(s) atty in fact.

On this 17th day of March, 1995, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same as atty in fact for Robert J. Glenn, managing partner of GMMK Group B.

SEAL

Janelle Valente
Notary Public
for Idaho
10-21-99

My commission expires: 10-21-99

Signature

RECEIVED

MAR 21 1995

Department of Water Resources
Southern Region

INTER-DEPARTMENT MEMO

TO: Attachment to Assignment of
FROM: Application for Permit
37-08686

SUBJECT: Officers of
DATE: Weatherlands Homeowners
4-5-95

The officers of Weatherlands Homeowners Assn., Inc.
are as follows:

John Ranc - President

Gay Sheets - Vice-President

Parkman Brooks - Sec - Treasure

OCT 03 1995

(☒) For your information

() Response required

Neil Schulte
signature

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

To appropriate the public waters of the State of Idaho

MAR 21 1995

per Assignment 2-24-95 Assn. Inc.

Department of Water Resources
Southern Region

1. Name of applicant GMMK Group & Heatherlands Homeowners Phone 788-5038
Post office address P.O. Box 1814, Hiley, ID 83333 PO Box 3901, Ketchum, ID 83340

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

3. Location of point of diversion is 2 points SW NE SE 1/4 of NW 1/4 of SE 1/4, Govt. Lot _____

Sec. 17 Township 3N Range 18E B.M. 0/4inc County; additional

points of diversion if any: SWNWNE, S20, 3N, 18E

4. Water will be used for the following purposes:

Amount 0.56 for Fire Protection purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.17 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.13 for Irrigation purposes from 4-15 to 10-15 (both dates inclusive)
(cfs or acre-feet per annum)

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

5. Total quantity to be appropriated is (a) 0.86 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Two existing wells
One existing well & new well to be drilled,
pipelines to 3 fire hydrants, 13 homes with lawns.

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

c. Existing Proposed well diameter is 8 inches; proposed depth of well is 140 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

Two years (minimum 1 year).

OCT 03 1995

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 13
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	18E	17														D, F 6.5			6.5

Total number of acres to be irrigated 6.5

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

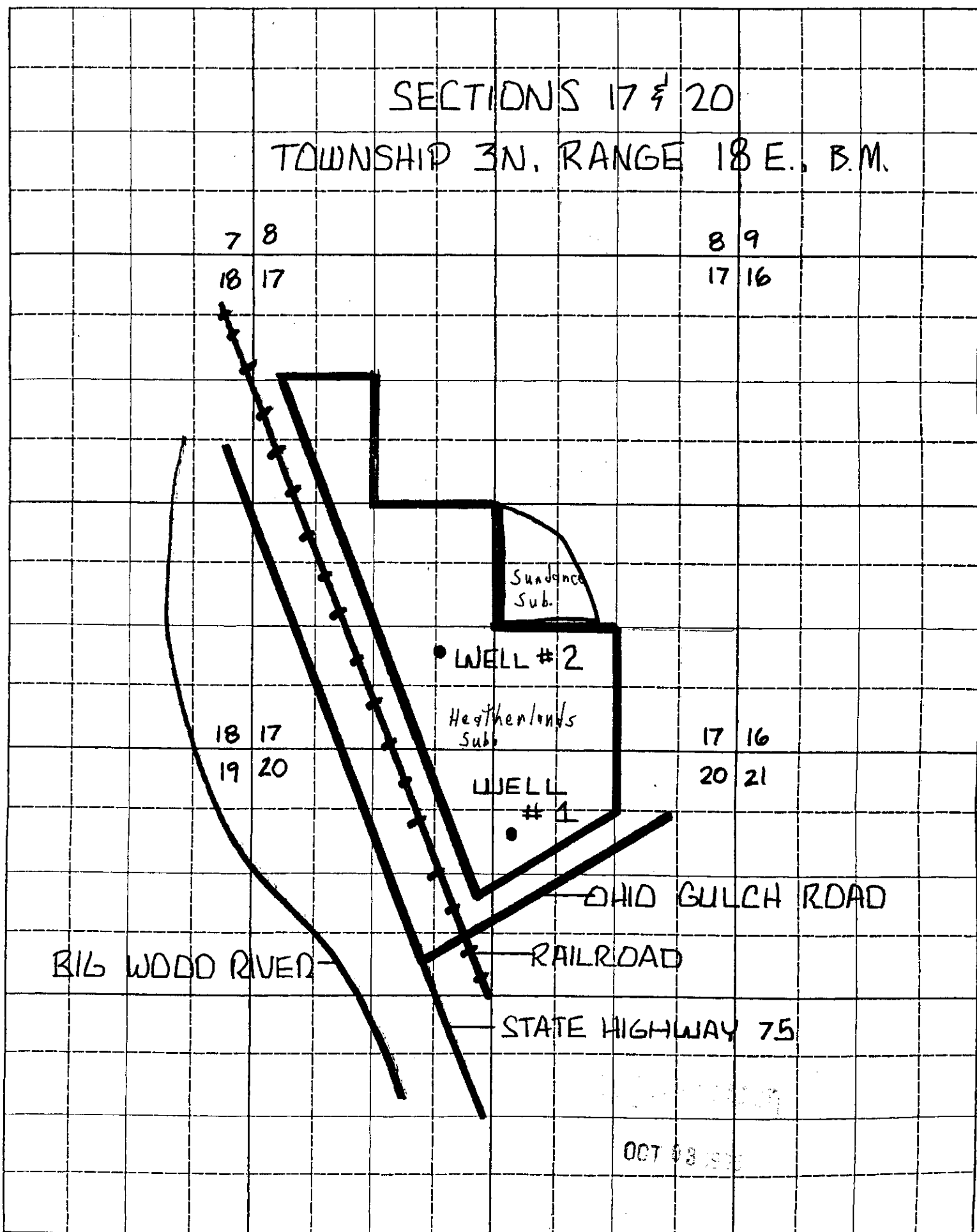
- a. Who owns the property at the point of diversion? Blechmann Family Trust - Sundance Sub.
- b. Who owns the land to be irrigated or place of use? "
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. development agreement for Heatherlands Sub. to operate this water system

Remarks: Land is the Sundance Subdiv. - Wells are in Heatherlands Sub.
Partners in GMMK Group are Gary McKay, Gerald Martens, & Robert
Glenn
Existing well was drilled under Permit 87-90-5-029 for domestic use.

Amended
3-3-95
MTS
(C)

Amended
3-3-95
MTS
(C)

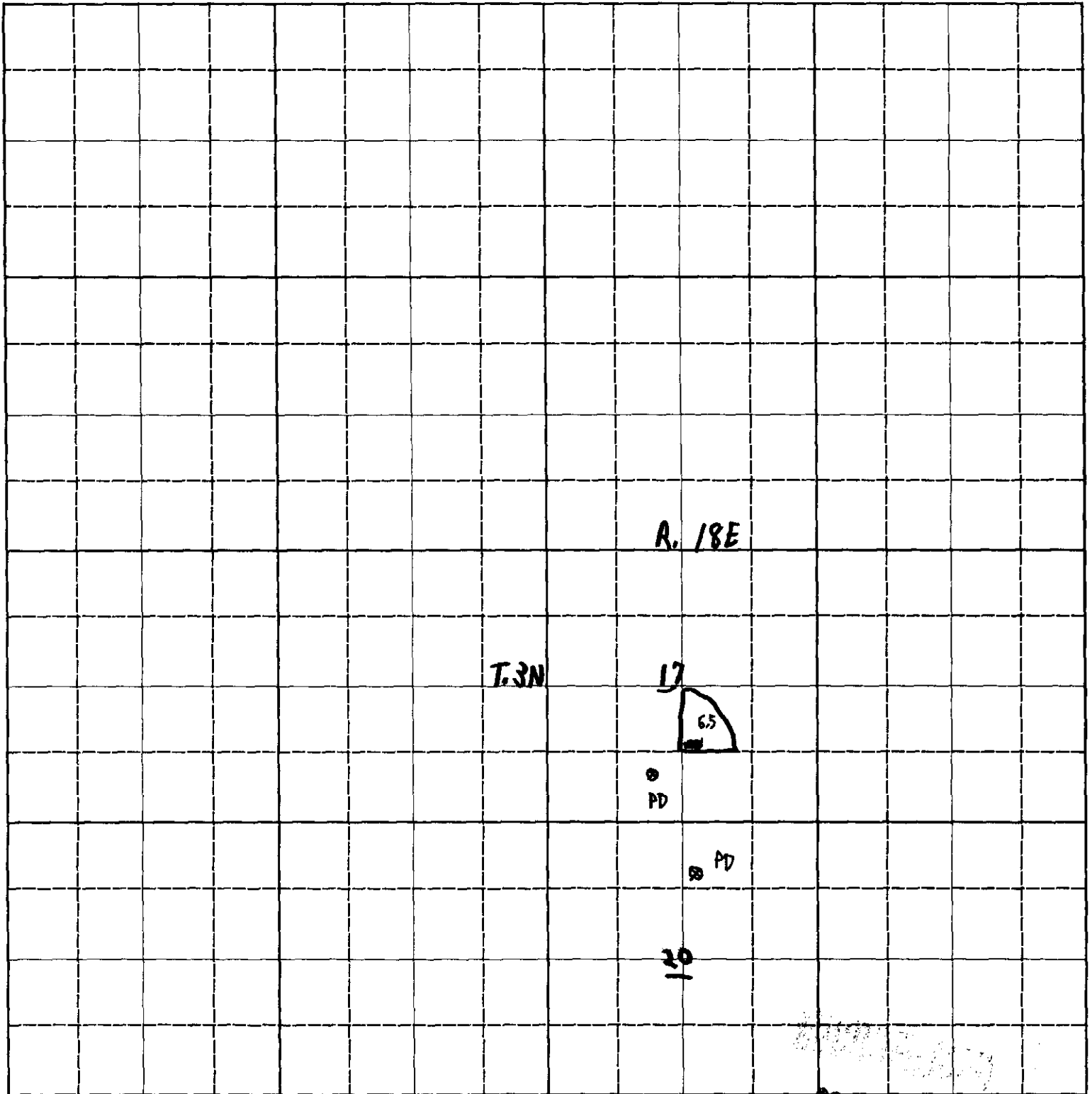
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number



Scale: 2 inches equal 1 mile.

37-08686

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



Scale: 2 inches equal 1 mile.

OCT 03 1995

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.

Robert J. Glen for GMMK Group B
(Applicant) its general partner

Received by M. Schulte Date 3-24-95 Time 10:45 am Preliminary check by J. E. Stanton
J. E. Stanton Date 9-28-90 Time 2:55 pm Fee \$ 45.00 / 55.00 Receipted by J. MTS # 5017910 / 5012705 Date 3-24-95 / 9-28-90
Publication prepared by MB Date 4/14/95 Published in Wood River Journal
Publication approved M. Baldwin Date 5/19/95

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

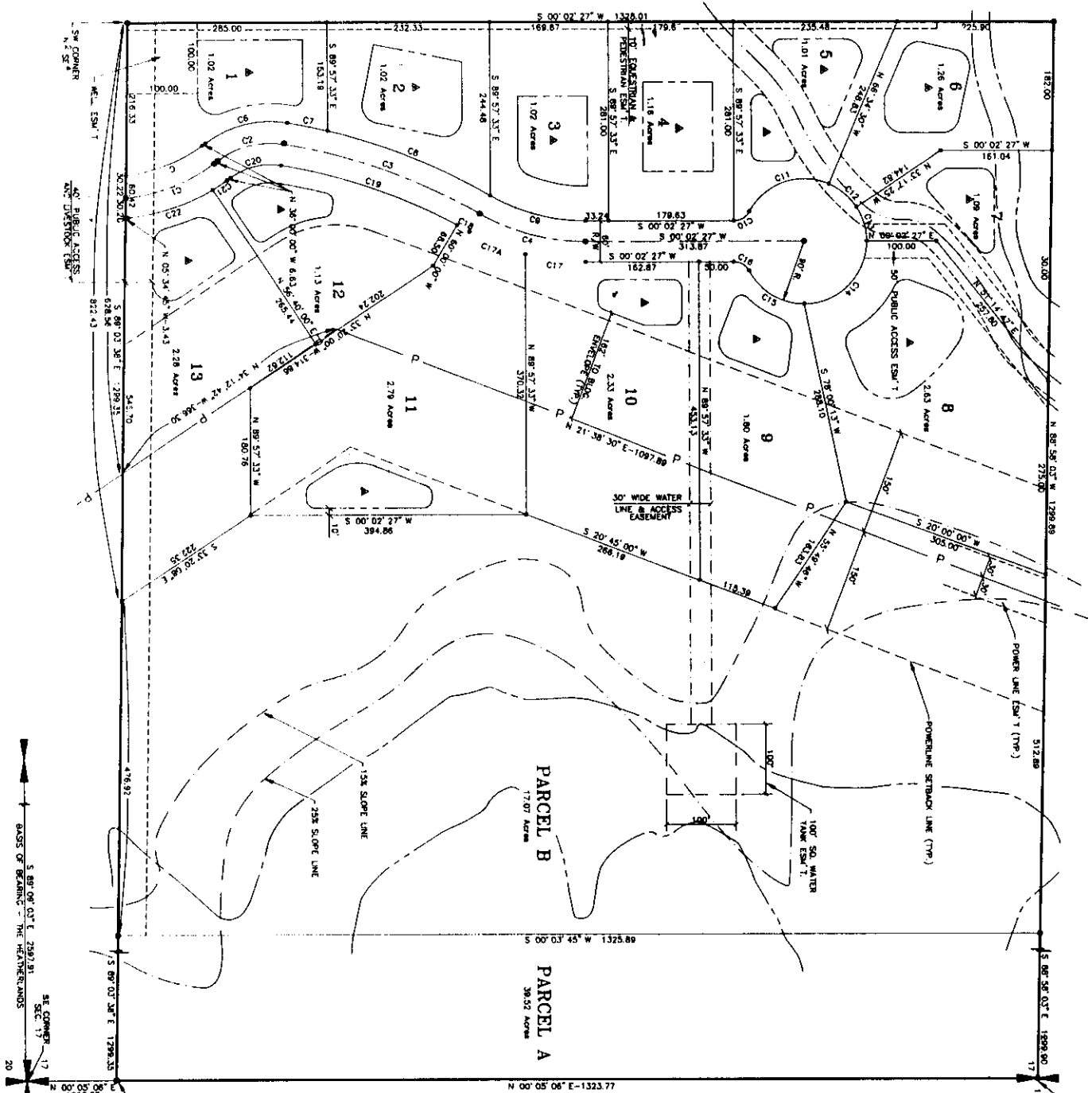
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

e. Other:

OCT 03 1995

SUNDANCE SUBDIVISION



INITIAL POINT
E 1/4 CORNER
SECTION 17

SCALE
1" = 100'

LOCATED IN
NW⁴, SE⁴, & NE⁴, SE⁴, SECTION 17
TOWNSHIP 3N., RANGE 18 E.
BOISE MERIDIAN,
BLAINE COUNTY, IDAHO

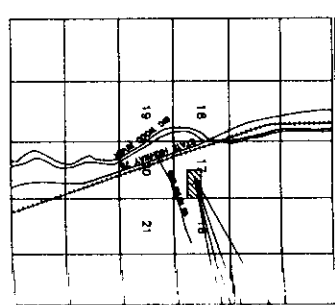
BLAINE COUNTY, IDAHO
1980

PART

LEGEND

SUBDIVISION BOUNDARY LINE
LOT LINES
ROADWAY CENTERLINE
BUILDING ENVELOPE LINE
EASEMENT LINE
SET 5/8" x 30" REBAR AND CAP
SET 1/2" x 24" REBAR AND CAP
BUILDING FOOTPRINT
BLUE AVALANCHE ZONE
RED AVALANCHE ZONE

VICINITY SKETCH N.Y.S.



SUNDANCE SUBD

CURVE DATA		CURVE DATA		CURVE DATA		CURVE DATA	
CURVE	DATA	CURVE	DATA	CURVE	DATA	CURVE	DATA
1	30 26 15	257.90	1.36 83	13.35	70.12	18	15 30 22
2	4 45 00 00	127.32	100.00	97.45	52.74	19	15 30 22
3	21 00 00	107.36	100.00	78.45	51.10	20	15 30 22
4	21 00 00	107.36	100.00	78.45	51.10	21	15 30 22
5	28 35 30	227.80	117.57	116.27	60.13	22	15 30 22
6	45 00 00	407.32	132.50	126.41	60.13	23	15 30 22
7	45 00 00	407.32	132.50	126.41	60.13	24	15 30 22
8	17 00 00	543.70	246.82	176.20	78.20	25	15 30 22
9	29 57 37	773.22	344.24	244.24	78.20	26	15 30 22
10	57 57 37	1000.00	527.85	328.20	82.80	27	15 30 22
11	61 48 00	800.00	527.85	328.20	82.80	28	15 30 22
12	33 17 05	800.00	527.85	328.20	82.80	29	15 30 22
13	33 17 05	800.00	527.85	328.20	82.80	30	15 30 22
14	61 25 28	800.00	527.85	328.20	82.80	31	15 30 22
15	61 25 28	800.00	527.85	328.20	82.80	32	15 30 22
16	14 56 48	333.32	67.12	66.87	43.81	33	15 30 22
17A	14 56 48	333.32	67.12	66.87	43.81	34	15 30 22
18	25 00 00	783.30	202.50	202.50	134.84	35	15 30 22
20	45 00 00	87.32	78.45	74.48	40.31	36	15 30 22
21	54 30 00	267.90	126.46	126.46	63.81	37	15 30 22
22	54 30 00	267.90	126.46	126.46	63.81	38	15 30 22

SHEET 1 OF 3

NOTES

- 1) DESPERADO DRIVE WILL BE DEDICATED TO BLAINE COUNTY.
- 2) PARCEL B IS COMMON AREA OPEN SPACE.
- 3) NO STRUCTURE SHALL ENCROACH UPON THE INTERMITTENT STREAM - 25' MINIMUM SETBACK.
- 4) NO EXCAVATION OR TOPOGRAPHIC CHANGE, EXCEPT THAT REQUIRED FOR FOUNDATION, UTILITIES, DRIVEWAYS, AND 20,000 SQUARE FEET MAXIMUM OF "IMMEDIATE YARDSCAPE", THAT WOULD MODIFY OR CHANGE THE SCENIC BEAUTY OF NATURAL HILLSIDES OR MOUNTAIN SLOPE LANDS IS PERMITTED.
- 5) ALL LOTS SHALL HAVE A MINIMUM 25' SETBACK FROM FRONT, REAR AND SIDE LOT LINES. EXCEPT FOR LOT 11 AS SHOWN ON PLAT.
- 6) THERE SHALL BE NO CONSTRUCTION OR CLEARING OF ANY KIND WITHIN 50' OF THE 15% SLOPE LINE.
- 7) A CENTRAL WATER SYSTEM SHALL SUPPLY DOMESTIC WATER FOR ALL LOTS.
- 8) PARCEL A SHALL BE RESERVED FOR HOMEOWNER'S AND PUBLIC OPEN SPACE.
- 9) ALL RESIDENCES SHALL HAVE A MINIMUM 150' SETBACK FROM THE OUTSIDE WIRE OF THE 138KV IDAHO POWER TRANSMISSION LINE.
- 10) ALL LOT OWNERS SHALL BE LIMITED TO 13,000 GALLONS PER DAY TOTAL WATER CONSUMPTION.
- 11) NO FENCING IS PERMITTED ON ANY LOT EAST OF THE WESTERN MOST IDAHO POWER 138KV TRANSMISSION LINE EASEMENT RIGHT-OF-WAY.
- 12) A 10' EQUESTRIAN AND PEDESTRIAN EASEMENT SHALL EXIST ALONG THE WEST BOUNDARY OF THE SUBDIVISION.
- 13) BERMS ARE REQUIRED ON LOTS 6-11 AND SHALL BE:
 - A. 4' MINIMUM AVERAGE HEIGHT AND COMPLY WITH THE SUNDANCE SUBDIVISION HILLSIDE LOT GRADING PLAN.
 - B. LOCATED SO AS TO CREATE A PARTIAL "ZONE OF OBSCURITY" FROM TRAFFIC ON HIGHWAY 75.
 - C. BERM CENTERLINE TO BE MAXIMUM OF 50' FROM STRUCTURES' EXTERIOR WALL.
 - D. HIGHWAY SIDE OF THE BERM IS TO BE REVEGETATED IN PLANTS NATIVE TO THE "FINAL SUCCESSION AREA" OF THE LANDSCAPE PLAN.
 - E. THE HOUSE-SIDE OF BERM IS TO BE PLANTED WITH "NATIVE TRANSITIONAL" SPECIES AS INDICATED BY THE SUNDANCE SUBDIVISION LANDSCAPE PLAN.
- 14) BUILDING HEIGHTS SHALL BE LIMITED TO THE FOLLOWING HEIGHTS MEASURED ABOVE NATURAL GROUND AT THE CENTROID OF THE BUILDING ENVELOPE PRIOR TO LOT GRADING.

LOTS 1,2,12 & 13 -----	35 FEET
LOTS 3,4,5,6,7 & 8 -----	26 FEET
LOTS 9,10 & 11 -----	22 FEET

THE CENTROID ELEVATION SHALL BE FIELD MEASURED AND SHOWN ON THE PLAN SUBMITTED FOR THE BUILDING PERMIT. BUILDINGS SHALL BE CONSTRUCTED IN ACCORDANCE WITH BUILDING STANDARDS AS SPECIFIED IN SECTION E-1 THRU E-2 OF SECTION 21.66 OF THE BLAINE COUNTY ORDINANCE NUMBER 77-5 AS AMENDED.
- 15) THERE EXISTS A 10' UTILITY EASEMENT ALONG ALL EXTERIOR AND FRONT LOT LINES AND A 10' UTILITY EASEMENT CENTERED ON ALL INTERIOR LOT LINES.

Permit No. 37-08686 Reviewed by [Signature] Date 11-22-96

Sum Valley, Id. #3353



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

November 25, 1996

HEATHERLANDS HOMEOWNERS ASSN INC
PO BOX 1672
SUN VALLEY ID 83353

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08686

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order reinstating your permit since proof was submitted after the proof due date of October 1, 1996. Please note that the priority date has been advanced to November 15, 1990.

Additionally, you submitted proof for a rate of diversion of 2.82 cfs for domestic and irrigation use. Be advised that Permit No. 37-08686 authorizes a rate of diversion of 0.86 cfs for domestic use to 13 homes, irrigation of 6.5 acres and fire protection. You are not authorized to divert more than 0.86 cfs and you will not be licensed for a rate higher than 0.86 cfs.

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

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 the field examination, contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

MICROFILMED
DEC 19 1996

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

October 30, 1996

HEATHERLANDS HOMEOWNERS ASSN INC
PO BOX 3901
KETCHUM ID 833403901

LAPSE NOTICE

RE: PERMIT NO. 37-08686

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated July 31, 1996. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

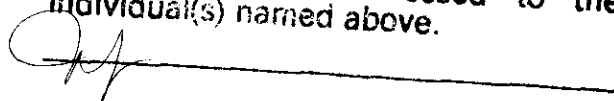
Enclosures

MICROFILMED

DEC 19 1996

CERTIFICATION OF MAILING

I hereby certify that on 10/30/96
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



July 31, 1996

HEATHERLANDS HOMEOWNERS ASSN INC
PO BOX 3901
KETCHUM ID 833403901

PROOF DUE NOTICE

RE: PERMIT NO. 37-08686

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 October 1, 1996.

(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.

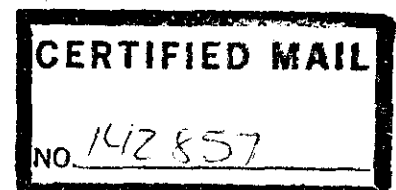
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
DEC 19 1996





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

September 22, 1995

HEATHERLANDS HOMEOWNERS ASSN INC
PO BOX 3901
KETCHUM ID 83340-3901

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08686

Dear Permit Holder:

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

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

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED

OCT 03 1995

WR0749NP
No. P37-08686

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/19/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HEATHERLANDS HOMEOWNERS ASSN INC PO BOX 3901 KETCHUM ID 83340-3901	09/28/1990	IRRIGATION DOMESTIC FIRE PROTECTION	04-15 10-15 01-01 12-31 01-01 12-31	0.130 CFS 0.170 CFS 0.560 CFS	
TOTAL DIVERSION:					0.860 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T03N R18E S17 NESEW BLAINE County
S20 SNNWNE BLAINE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:	----
03N	18E	17	:																	:	6.5
																		TOTAL ACRES		:	6.5

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Place of use location for FIRE PROTECTION is the same location as described for: IRRIGATION

Pou County: BLAINE

Other Water Rights with Same Point(s) of Diversion and Source:
37-08220 37-08686 37-08831 T37-00159D

Other Water Rights Listing Overlapping Place(s) of use:
37-08686

Conditions of Approval:

- 01M - After specific notification by the department, the right holder
 - shall install a suitable measuring device or shall enter into an
 - agreement with the department to determine the amount of water
 - diverted from power records and shall annually report the
 - information to the department.
- 03A - The rate of diversion of water for irrigation under this right
 - and all other water rights on the same land shall not exceed 0.02
 - cubic feet per second for each acre of land.
- 004 - The issuance of this right does not grant any right-of-way
 - or easement across the land of another.
- 051 - Any license issued by IDWR pursuant to the right or portion
 - thereof for the use of trust water is subject to a term review
 - of 20 years after the date of this approval to determine
 - availability of water for the use and to re-evaluate the public
 - interest at the end of the term.

Conditions of Approval:

- 052 - Diversion and use of water under this right is subject to an
- annual use fee if rules are subsequently promulgated which
- provide for the submittal of the fee.
- 053 - The Director retains jurisdiction of this right and/or
- subsequent license issued to change, add or remove any
- requirement as determined to be appropriate.

Remarks: Place of use is located within Lots 1-13, Sundance Subdivision.
The irrigation use occurring under this right shall not exceed
1/2 acre within each platted subdivision lot upon which a home
has been constructed.
Domestic use is for 13 homes.
Domestic use does not include lawn, garden, landscape, or
other types of irrigation.
The domestic use authorized under this right shall not exceed
13,000 gallons per day per dwelling in accordance with
Section 42-111, Idaho Code.
Water shall not be diverted for fire protection use under this
right except to fight or repel an existing fire.

Dates: App. Received: 09/28/1990 Priority Date: 09/28/1990
Proof Due Date: 10/01/1996 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 09/12/95 CZIMMERM 09/19/95 CZIMMERM

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
P3708686	T03N R18E S17 GROUNDWATER															06.5		6.5
3700153A	GREENHORN :						I											
3700153C	GREENHORN :						I											
3700154C	BIG WOOD R :						I											
3700159A	BIG WOOD R :																	
A3700159B	BIG WOOD R :							15			I	04	05		I		I	37
T3700159D	GROUNDWATE :							07			03	01		13				17
3708220	GROUNDWATE :										14	01		13			16	44
3708439	GROUNDWATE :											02	05					7
~~3708686~~	~~GROUNDWATE :~~															06.5		6
3708718	GROUNDWATE :											01						1
A3712027	GROUNDWATE :											02	05					7
A3712029	GROUNDWATE :											02	05					7

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

outside ESRP Aquifer

No.: 37-8686 Name: Heatherlands Homeowners Ass. Date: 9/12/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: 5017910 Priority: ✓ Gvmt Lts:

AREA OF CONCERN? - No/Yes ESRP Mor Big Wood R GWMA Trust/Non-trust
PROTESTED: - 020 (Protest Agr) or W19 (See Final/Prelim Order)

SYSTEM COMPLETED:

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

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065 (if GW use SW 1st)

Drilling Permit:

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

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink in WD):

Water District (~~dem~~) - 005 (req) WD # <SEE MAP & LISTING>
+ 0.2 cfs - 028 (may report) - 01J (meas dev) - P08
=/- 0.2 cfs - 028 (may report) - 01H (lock dev) - P01 or No MD
=/+ 5 a. irr. - 028 (may report)
In-WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

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

USE:

Domestic (surface) - 021 (Boise R + L Peak); 27A (Payette R); NA
Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - P10; 044 (N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F (P19) - 09E (P10);
+25 cfs-P18; 17G (FERC) or 17M (FERC); 18B-P09
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - 07 <SEE CODE CHART>
Trust - ~~051-052-053~~ P74 (Consumptive Uses), ~~NA~~
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

- 004 (PD/PU) homeowners

OTHER CONDITIONS:

STANDARD REMARKS:

- ① WBS/13 ② W04 ③ W05/modify ④ W06

BENEFICIAL USE DUE:

- 10-1-1996

COMMENTS:

- Comp off.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Amended APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J.F. Stanton DATE 4-6, 1995
APPLICATION NO. 37-08686

RECEIVED
SEP 08 1995
Department of Water Resources

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.)
☒ County
☒ Quantity (flow &/or volume)
☒ Period of use
☒ Nature of proposed use (include description of use)
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt
- +++PROPOSED PRIORITY DATE
9-28 1990

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back.)
☒ Overlapping point of diversion. 37-08220, 8831
☐ 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____

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 _____

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

See below for additional information

Date of priority recommended 3/24, 1995
By AD Date 8/29, 1995

See below for additional information

By _____ Date _____, 19 _____

ADDITIONAL INFORMATION:

LOCAL PUBLIC INTEREST

Comments recieved from:

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

PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE _____, 19____

AFFIDAVIT of PUBLICATION

RECEIVED

MAY 16 1995

State of Idaho,
County of Blaine

} SS.

Department of Water Resources
Southern Region

On this 10 day of May, in the year 1995, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 3 day of May, 1995, and the date of the last publication was on the 10 day of May, 1995.

Subscribed and sworn to before me this 10th day of May, 1995.
(SEAL)

Roberta McGee

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 47.667
Number of Insertions 2
Lines tabular at 47.667 6c / Pica
Lines straight at 27.408 5c / Pica
Subsequent lines at 21.927 4c / Pica
TOTAL COST + 5 \$54.34

COPY OF NOTICE

(Paste Here) 37-08686

Amd. Ap. Water Permt.

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

ID Dept. Water Res.
BILL TO

Amended application for water permit

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that the following application for permit to appropriate the public waters of the State of Idaho has been amended as follows:

**HEATHERLANDS
HOMESOWNERS ASSN. INC.**
PO BOX 3901

KETCHUM ID 83302
37-08686

Date Amended: 3/3/1995

Source: groundwater
Division: NW1/4SE1/4SW1/4,
S17, T3N, R12E;
SW1/4NW1/4NE1/4, S20, T3N,
R12E; Blaine County.

Use: Fire Protection (0.56 cfs)
Domestic (13 homes) (0.17 cfs)
Irrigation (0.13 cfs)

Total quantity to be
appropriated: 0.86 cfs

In: 6.5 acres within
NW1/4SE1/4, S17, T3N, R12E.

The permit will be subject to all
prior water rights. Any protest
must be filed with the Director,
Dept. of Water Resources,
Southern Region, 222 Shoshone
Street East, Twin Falls, ID
83301 together with a protest fee
of \$25.00 on or before May 22,
1995. The protestant must also
send a copy of the protest to the
applicant.

R. Keith Higginson, Director

Published in Wood River
Journal 4/3 & 5/10/95

9570

007 00 107

**NOTICE OF AMENDED
APPLICATION FOR WATER
PERMIT**

Notice is hereby given that the following application for permit to appropriate the public waters of the State of Idaho has been amended as follows:

**H E A T H E R L A N D S
HOMEOWNERS ASSN. INC.
PO BOX 3901
KETCHUM ID 83340
37-08686**

Date Amended: 3/3/1995

Source: groundwater

**Diversion Pt: NE1/4SE1/4SW1/4,
S 1 7 , T 3 N , R 1 8 E ;
SW1/4NW1/4NE1/4, S20, T3N,
R18E; Blaine County.**

Use: Fire Protection (0.56 cfs)

Domestic (13 homes) (0.17 cfs)

irrigation (0.13 cfs)

**Total quantity to be
appropriated: 0.86 cfs**

**In: 6.5 acres within
NW1/4SE1/4, S17, T3N, R18E.**

**The permit will be subject to all
prior water rights. Any protest
must be filed with the Director,
Dept. of Water Resources,
Southern Region, 222 Shoshone
Street East., Twin Falls, ID
83301 together with a protest fee
of \$25.00 on or before May 22,
1995. The protestant must also
send a copy of the protest to the
applicant.**

R. Keith Higginson, Director

**Published in Wood River
Journal on 5/3 & 5/10/95**

OCT 85



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor PHIL BATT

April 17, 1995

R. KEITH HIGGINSON
Director

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

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

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

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

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

OCT 08 1995

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that the following application for permit to appropriate the public waters of the State of Idaho has been amended as follows:

HEATHERLANDS HOMEOWNERS ASSN. INC.
PO BOX 3901
KETCHUM ID 83340

37-08686

Date Amended: 3/3/1995

Source: groundwater

Diversion Pt: NE1/4SE1/4SW1/4, S17, T3N, R18E; SW1/4NW1/4NE1/4, S20, T3N, R18E; Blaine County.

Use: Fire Protection (0.56 cfs)
Domestic (13 homes) (0.17 cfs)
irrigation (0.13 cfs)

Total quantity to be appropriated: 0.86 cfs

In: 6.5 acres within NW1/4SE1/4, S17, T3N, R18E.

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East., Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before May 22, 1995. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Published in Wood River Journal on 5/3 & 5/10/95

OCT 03 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDERSON
Governor PHIL BATT

April 14, 1995

R. KEITH HIGGINSON
Director

CHUCK WILLIAMSON
HEATHERLANDS HOMEOWNERS' ASSN INC
PO BOX 3901
KETCHUM ID 83340

Re: Amended Application for Permit No. 37-08686

Dear Mr. Williamson:

The Department of Water Resources acknowledges the changes to your application for permit as referenced above.

This office will be advertising the amended application in the Wood River Journal on 5/3 & 5/10/95. A period of ten days following the second publication will be allowed for the submittal of protests.

If the amended 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 amended 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.

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

OCT 03 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 21, 1995

Chuck Williamson
Heatherlands Homeowner's Assn. Inc.
P O Box 3901
Ketchum ID 83340

Dear Chuck:

Enclosed is your check #8201 in the amount of \$90. The amount of additional fees owing that I gave you in my March 3rd letter was incorrect. The Assignment fee of \$25 and the Application fee of \$55 totals \$80 not \$90. Please return a check for \$80 to my attention. I will hold the applications at my desk until we receive your replacement check.

Sorry for the inconvenience. I must have tried to add 25 and 55 without a calculator. When I was younger I could perform such menial tasks without the help of electronic tools.

Cordially,

A handwritten signature in cursive script that reads 'Mel Schulte'.

Mel Schulte
Sr. Water Rights Agent

RECEIVED
MAR 23 1995

**PROFESSIONAL
LAND
MANAGEMENT
COMPANY, INC.**

RECEIVED

MAR 21 1995

**Department of Water Resources
Southern Region**

March 17, 1995

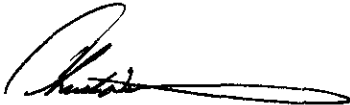
Mr. Mel Schulte
Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Dear Mel:

Please find enclosed the revised water permit application and assignment for the Sundance to Heatherlands water rights. Also enclosed is a check for \$90.00 as requested in your letter of March 3, 1995.

Thank you for your assistance in resolving this matter. Most of this stuff is Greek to me and I can tell you how much your help is appreciated. If you need anything else please don't hesitate to contact me.

Sincerely,



Chuck Williamson
General Manager - Heatherlands

OCT 03 1995

(208) 622-5249

P.O. Box 2192 • Sun Valley, ID 83353
125-A Northwood Way • Ketchum, ID 83340



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

March 3, 1995

Chuck Williamson
Heatherlands Homeowner's Assn. Inc.
P O Box 3901
Ketchum ID 83340

Dear Chuck:

Relative to our recent telephone conversation, enclosed is an assignment form and the amended Application for Permit in the name of GMMK Group B.

Please review the entire application form and especially the changes to ensure the application complies with your needs. If you need to make additional changes or additions please do so. I need your initials and date on all changes made including those I made on 3-3-95.

The Assignment of Application for Permit should be signed by a representative of the GMMK Group and that signature notarized.

The filing fee for the Assignment is \$25 and the additional filing fee for the Application for Permit is \$55 for a total of \$90 for both. After we receive both forms and the fee we will advertise the application again in a local newspaper. You will receive a letter from the department when the advertising has been scheduled.

Call me at 208-736-3033 if you need help or have questions

Cordially

Mel Schulte
Sr Water Rights Agent

00708



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

February 14, 1995

Chuck Williamson
Heatherlands Homeowner's Assn. Inc.
P O Box 3901
Ketchum ID 83340

Dear Chuck:

In response to the inquiry you and Ben made about adding the Sundance Subdivision to the Heatherland's Subdivision water system, it appears you have several options.

First, you could amend your permit 37-08831 to include the uses needed for the Sundance Subdivision. The original application submitted by G.M.M.K Group indicated the need for Fire Protection, Domestic and Irrigation of 6.5 acres. This process would require the filing of an Application for Amendment, a filing fee of \$50 and the statutory public notice in a local newspaper. Because you would be increasing the consumptive uses previously approved for permit 37-08831, the priority date of your permit would be advanced to the amendment date.

A second option would be to activate processing of the original application filed by G.M.M.K. Group but change the name to Heatherland's Homeowners Assn. and change the Points of Diversion to reflect your two wells. To pursue this method would require additional filing fees of \$55 and the statutory advertising. It appears this original application satisfactorily covers the water needs for the subdivision and is in a form that can be processed within the guidelines of the Big Wood River Ground Water Management Order. Enclosed is a copy of the application for your review.

We think the second option above is the most viable. It clearly segregates the uses associated with Sundance from the uses associated with Heatherlands. Keep in mind that approval under either option is dependent on meeting the domestic criteria of no more than 13,000 gallons per day consumption and no more than one/half acre irrigation per individual lot.

Let me know when you are ready to proceed or call me at 736-3033 if you have questions.

Cordially,
Mel Schulte
Mel Schulte
Sr. Water Rights Agent

OCT 03 1995

Regarding water right # 37-08686

Please be advised that this application ~~was~~ was for a central H₂O system to service domestic H₂O needs to a subdivision. No irrigation beyond 13,000 gal/day individual lot usage is requested.

MORATORIUM EXEMPTION QUESTIONNAIRE

IF YOUR APPLICATION PROPOSES AN IRRIGATION USE, PLEASE COMPLETE AND RETURN THE FOLLOWING:

- Has ALL the land you propose to irrigate been irrigated with surface water in the past?

RECEIVED
JUN 9 1992

COPY

Department of Water Resources

- Do you summer fallow any of your irrigated land? If so, how many acres?

RECEIVED

JUL 08 1992

Department of Water Resources
Southern Region Office

- List the water right(s) you have used to irrigate the land listed on the application. If you have received water from a canal company or water district, please identify the name of canal or water district.

- During the last ten years, how many years has your surface irrigation water been available for the entire irrigation season?

- What crops have you grown in the past ten years?

I understand if my proposed diversion of groundwater is approved as a supplemental use, that I can only use my well during periods of drought, when a full supply of water is not available. I also agree that my surface water will be fully used to the extent available, will not be sold or used on other lands, and that a change in use of my surface water may result in revocation of any groundwater right granted pursuant to my application for supplemental water.

Dated this 4th day of June, 1992.

WBP

NOT 1992

(Please sign)

Robert J. Elm for GMMK-B
its general partner

Water Right Number - 37-08831

Prefix Translation: WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
HEATHERLANDS HOMEOWNERS ASSN INC

1 - PO BOX 3901

2 -

3 -

City- KEETCHUM
Phone - 208-622-5249

State- ID Zip- 833403901

Priority Date - 08/19/1994

Region - 17 SOUTHERN

Stage - P - PERMIT

Status -

Source - GROUNDWATER

Tributary -

Twn	Rng	Sec	Tract	lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
03N	18E	17	20	SE SW - 8"		(13) BLAINE				
				NW NE - 8"		(13) BLAINE				

43 - DOMESTIC

01/01

12/31

0.170

Total Div. Rate - 0.170

Total Div. Volume -

Total Div. Capacity -

Twn	Rng	Sec	Tract	lot	Acres	Place of Use	Code	Description	County
03N	18E	17		NE SW			43	DOMESTIC	(13) BLAINE
03N	18E	17		NW SW			43	DOMESTIC	(13) BLAINE
03N	18E	20		NW NE			43	DOMESTIC	(13) BLAINE
03N	18E	20		NE NW			43	DOMESTIC	(13) BLAINE

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

Remarks -

Domestic use is for 14 townhouses.
Place of use is located within lots, 1-3, 17, 21, 33, & 105-112,
Heatherlands Subdivision.
The domestic use authorized under this permit shall not exceed
13,000 gallons per day per dwelling in accordance with
Section 42-111, Idaho Code.

Water Right number - 37-08831

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
264 - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.

+ - - - - Decree Plaintiff - - - - - + - - - - Decree Defendant - - - - - +
00/00/0000

+ - - - - Comments - - - - - +
Date: 11/14/1994 User Id: CZIMMER Subject: BOARD OF DIRECTORS
The board of directors for Heatherland Homeowners Assn, Inc. are: John Ranck, President; Jay Sheets, Vice President;
Jay Johnson, Treasurer; Parkman Brooks, Secretary; and members Sue Hamilton, Carol Morrow, Stan Atkinson, Will Miller, and
Bob Dittmer.

+ - - - - Audit Fields - 08/30/94 09/02/94 11/14/94

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 11/01/1999	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 12/05/1994	Protested Date	- 00/00/0000	Swan Falls	- C
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- S017261	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 08/19/1994	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	- Y
Presumption Flag	-				

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
37-90-S-0039-001	0	FRED & PAUL BLECHMANN PO BOX 1814 HAILEY, ID 83333	03N	18E	17	NE SW		BLAINE

0 BOB GLENN
BOX 1814
HAILEY, ID 83333

Subdivision Location and Description:
Subdivision Name: SUNDANCE
Well Site Address:
City, State:

Geographic Location:
Accuracy Code:
Lat: : : N
Long: : : W

Proposed Use of Well: Test

Proposed Casing Diameter: In.

Proposed Depth: Ft.

Well Use Comments:

Driller License No: 0265

Firm Name: WOOD RIVER DRILLING & PUMP INC
Official: KENNETH R SMITH

Permit Status: Permit

Verbal Issue Date:
Date Received:
Date Approved:
Proposed Start Date:
Extension Date:
Extension Expiration:

Receipt No.	Receipt Date	Fee
NOT ON FILE		
NOT ON FILE		
NOT ON FILE		
NOT ON FILE		
NOT ON FILE		

Specific Conditions:

Permit Remarks:

Conditions of Approval:

WELL DRILLER'S LOG REPORT

Drilling Permit No: 37-90-S-0039-001

Water Right No:
Injection Permit No:

Nature of Work: NEW WELL

Construction Method: ROTARY

Number of Monitor Wells:

Casing Diameter: 6 In.
Depth of Casing: 102 Ft.
Total Depth: 200 Ft.
Screen Installed? No

Static Water Level: 40 Ft.
Temperature:
Production Rate: 100.00 GPM
Actual Start Date: 04/19/1990
Well Finish Date: 04/20/1990
Log Received Date: 04/27/1990
Certification Date: 04/27/1990
Field Inspection Date:

Well Log Remarks: PERFORATIONS: .250 FROM 65 TO 90 FT.

Inspector:

OCT 08 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

R. KEITH HIGGINSON
Director

September 1, 1994

G.M.M.K. Group
P O 1814
Hailey, ID 83333

Re: Application for Permit 37-08686

Gentlemen:

The above referenced Application for Permit was filed on 9-28-1990 for the appropriation of water for the Sundance Subdivision. To this date the application has not been approved. Since it appears the subdivision has been developed, the final approval of the application needs to be completed in order to provide a valid appropriation of water for the subdivision.

Prior to initiating the steps to convert the application into a valid permit, we need to clarify some information in the application.

The application proposes two Points of Diversion (two wells). Information in the file indicates the well drilled in April 1990 is not being used but the delivery system for Sundance is connected to a well in the Heatherlands Subdivision. We need to clarify if this arrangement is intended to be permanent, which wells and how many wells will be part of the permanent system.

We also need to clarify the extent of the water delivery system including the fire protection system. The application requests a diversion of .56 cfs for fire protection but the subdivision plat does not indicate that a fire protection system was installed.

Until the Application for Permit has been approved, there is no valid use of water from a central water system authorized for Sundance Subdivision. Please contact this office as soon as possible to clarify the items mentioned above so that we can proceed with processing your application.

Cordially,

A handwritten signature in cursive script that reads "Mel Schulte".

Mel Schulte
Sr. Water Rights Agent

CC: Heatherlands Homeowners Assn.

OCT 03 1994

Regarding water right #37-08686

Please be advised that this application ~~was~~ was for a central H₂O system to service domestic H₂O needs to a subdivision. No irrigation beyond 13,000 gal/day individual lot usage is requested.

MORATORIUM EXEMPTION QUESTIONNAIRE

IF YOUR APPLICATION PROPOSES AN IRRIGATION USE, PLEASE COMPLETE AND RETURN THE FOLLOWING:

RECEIVED
JUN 9 1992

Department of Water Resources

- Has ALL the land you propose to irrigate been irrigated with surface water in the past?
- Do you summer fallow any of your irrigated land? If so, how many acres?
- List the water right(s) you have used to irrigate the land listed on the application. If you have received water from a canal company or water district, please identify the name of canal or water district.
- During the last ten years, how many years has your surface irrigation water been available for the entire irrigation season?
- What crops have you grown in the past ten years?

I understand if my proposed diversion of groundwater is approved as a supplemental use, that I can only use my well during periods of drought, when a full supply of water is not available. I also agree that my surface water will be fully used to the extent available, will not be sold or used on other lands, and that a change in use of my surface water may result in revocation of any groundwater right granted pursuant to my application for supplemental water.

Dated this 4th day of June, 1992.

(Please sign) Robert J. Elam for CMMK-B
its general partner

Form 235-1
9/89

Department of Water Resources
222 Shoshone Street E.
Twin Falls, ID 83301
734-3578

Drilling Permit No. 37-90-S-039
Water Right Permit No. _____
Injection Permit No. _____

RECEIVED

MAY 8 1990

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources
DRILLING PERMIT

RECEIVED

MAY 3 1990

Department of Water Resources
Southern Region Office

1. Applicant ROBERT GIENN FOR PAUL AND FREDERICK BLECHMANN

2. Mailing Address P.O. Box 1814 HAILEY, IDAHO 83333

Telephone 202-788-5028

() Well Owner () Well Operator ☒ Other, specify FOR CENTRAL System

3. Proposed well location NE 1/4 SW 1/4, or Gov't lot No. _____,

Sec. 17, Twp. 3N, Rge. 18E, County Blaine,

Street Address of Well Site PROPOSED DESPERADO DRIVE,

Lot, block and subdivision Lot 1, Block 1, SUNDANCE SUB.

4. Proposed use of well:

☒ Single family or stockwater use (less than 13,000 gallons per day)

() Irrigation (more than 1/2 acre)

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

☒ Other (describe fully) TEST WELL FOR CENTRAL SYSTEM

5. Well construction information:

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

B. Proposed surface diameter 6" Maximum depth 200 ft

C. Anticipated bottom hole temperature:

☒ 85°F or less (Cold water well)

() 85°F to 212°F (Low temp. geothermal well)

() 212°F or more (Geothermal well)

6. Construction Start Date 4/19/90

WOOD RIVER DRILLING AND PUMP
BOX 1165 788-3163
HAILEY, IDAHO 83333

7. Anticipated Well Driller

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

8. Applicant's signature Robert J. Gienn Date 4/18/90

Title Owner's Representative
(Owner, Firm Representative, Other)

Please send copy to driller

37-90-S-039

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved Date 5/8/90

If approved, this permit authorizes the construction 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 the 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°F 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:

OCT 03 1995

Loren O. Thibault
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No 5012273 Receipted by DRS Fee 10.00 Date 5/8/90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: FRED & PAUL BLECHMANN

O

Address: PO BOX 1814
HAILEY ID 83333

Name: BOB GLENN

O

Address: BOX 1814
HAILEY ID 83333

2. Proposed Well Location: Township 03N, Range 18E, Sec. 17, NESW
BLAINE County

Lot, Block, and Subdivision: Lt 001
Blk 001
SUNDANCE

3. Proposed Use of Well: Non-Domestic Test

4. Well Construction Information:

A. New Well

B. Proposed Surface Diameter In. Proposed Maximum Depth Ft.

C. Anticipated Bottom Hole Temperature:

(NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: / /

6. Anticipated Well Driller: WOOD RIVER DRILLING & PUMP INC (No. 0265)

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

7. Applicant's Signature _____ Date _____

Title _____
(Owner, Firm Representative, Other)

Fee \$ _____ Received by _____ No. _____ Date _____

(Continued)

RECEIVED
OCT 03 1995

Ident. No.

37-90-S-0039-001

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is **APPROVED**

Date: / / 0

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

CONDITIONS OF APPROVAL:

Signature of Authorized Dept. Representative

Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____

OCT 03 1995

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: App. 37-08686

FROM: Jim Stanton

DATE: 7-1-93

Today I discussed this app. with Gerald Martens, former project engineer, regarding the
letter he just sent. Rather than using their own well, this subdivision has tied into an
existing well in the Heatherlands Subdivision. This will require an amendment of the app.
Although Mr. Martens is no longer involved with this project, he said he would notify the
proper party that an amendment was needed.

OCT 03 1995

☒ For your information

☐ Response required


signature

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: App. 37-08686

FROM: Jim Stanton

DATE: 7-1-93

Today I discussed this app. with Gerald Martens, former project engineer, regarding the
letter he just sent. Rather than using their own well, this subdivision has tied into an
existing well in the Heatherlands Subdivision. This will require an amendment of the app.
Although Mr. Martens is no longer involved with this project, he said he would notify the
proper party that an amendment was needed.

☒ For your information

☐ Response required


signature



Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS

IN THE FIELDS OF:
PLANNING
SURVEYING
HIGHWAYS
WATER
SEWAGE
STRUCTURAL
SUBDIVISIONS
BRIDGES
ENVIRONMENTAL
QUALITY CONTROL
CONSTRUCTION MNGMT.

June 29, 1993

Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301

RECEIVED

JUL 01 1993

ATTN: James E. Stanton

Department of Water Resources
Southern Region Office

Dear Mr. Stanton,

This letter is to inform you that the well drilled under permit No. 37-08686 will not be utilized by the Sundance Subdivision. There is no need to continue processing this permit.

Respectfully yours,
EHM ENGINEERS, INC.

Gerald L. Martens, P.E.

GLM:ml

RECEIVED
JUL 03 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

GMMK Group B
PO Box 1814
Hailey, ID
83333

March 12, 1993

RE: Application for Permit 37-08686

Dear Sirs;

We have been holding the above-referenced application for various reasons. It now appears that we can process the application. But to do this, we need a plat of the proposed Sundance Subdivision.

Thank You,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

OCT 13 1995



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.

103 1995

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

OCT 03 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

06-Sep-1991

G.M.M.K Group B
P.O. Box 1814
Hailey, ID 83333

Re: Application 37-8686 & 37-8723

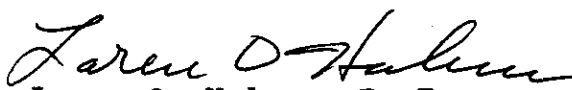
Dear Applicant:

You were recently sent a letter from this office notifying you that a showing your application would result in no reduction of surface water flows was required or that you had a plan for mitigation of reduce flows.

Further review of your application reveals that you do not propose a diversion in excess of what will be permitted under the management plan for the Big Wood River Groundwater Management Area.

You may therefore, disregard the previous letter. We will continue to process your application normally.

Sincerely,


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

OCT 03 1995

37-8686



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

28-Aug-1991

G.M.M.K Group B
P.O. Box 1814
Hailey, ID 83333

Re: Application number 37-8686 & 37-8723

Dear Applicant:

The Department of Water Resources recently designated a ground water management area (GWMA) which encompasses the upper Big Wood River Valley, the Bellevue Triangle, a portion of the Silver Creek drainage, and the Camas Prairie. You have filed the above referenced application(s) which proposes a point of diversion within the ground water management area.

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, 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.

Your application proposes a consumptive use of water. 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.

RECEIVED
OCT 03 1991

37-8686

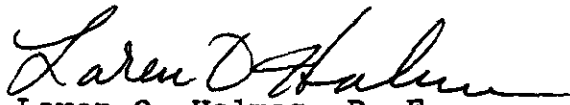
Page 2

28-Aug-1991

If you do not wish to submit the above information, you may withdraw your application by completing the enclosed withdrawal form. if your application includes a domestic component, and you wish to limit the application to domestic use, please inform this office.

Failure to respond to this inquiry within thirty (30) days, with either the withdrawal or a schedule for submittal of the above information, is cause for the Department to void the application for failure to submit the requested information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Loren O. Holmes".

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

OCT 08 1995

19-Oct-1990

G M M K GROUP B
PO BOX 1814
HAILEY ID 83333

Re: Application for permit No. 37-08686

Dear Applicant (s):

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.

Because your application proposes to appropriate water which has been identified as "trust water" in the Swan Falls agreement, it will be processed under rules and regulations for water appropriation that have been adopted as required by law.

Under the rules, applications will be processed at a rate which allows development of 20,000 acres per year. The oldest applications will be processed first, provided that applicants are willing and able to proceed.

For this reason, it is not possible to estimate at this time when action will be taken on your application.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

OCT 03 1995

Drilling Permit No. 37-90-S-156
Water Right Perm. No. App. 37-08686
Injection Permit No. _____

222 Shoshone St E.
Twin Falls, Idaho
734-3578 83301

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) GMMK GROUP B
2. Mailing Address P.O. Box 1814 HAILEY, IDAHO 83323
Telephone 208-788-5028

☒ Well Owner () Well Operator () Other, specify _____

3. Proposed well location NW 1/4 SE 1/4, or Gov't Lot No. _____
Sec. 17, Twp. 3N, Rge. 18E, County Blythe
Street Address of Well Site _____
Lot, block and subdivision Sundance 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.

() 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 150

C. Anticipated bottom hole temperature:

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

6. Construction Start Date Oct - 10 - 90

7. Anticipated Well Driller Wood River Drilling & Pump
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Robert J. Blum for GMMK Date 9/28/90
Group its general partner

Title Owner (Owner, Firm Representative, Other)

Please send copy to driller

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Amended

Date 9/28/90

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:

OCT 03 1995

Larry O. Hurlin
Signature of Authorized Department Representative

Southern Region Mgt.
Title

Receipt No. 5012705 Receipted by JP Fee \$200. Date 9-28-90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

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

Drilling permit No. 37-90-5-156

Water right No. 37-08686

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

GMMK Group B, Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

Driller availability

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date

9/28/90

OCT 28 1990

Signature

Robert J. Glen for

Applicant

GMMK Group B its' general partner