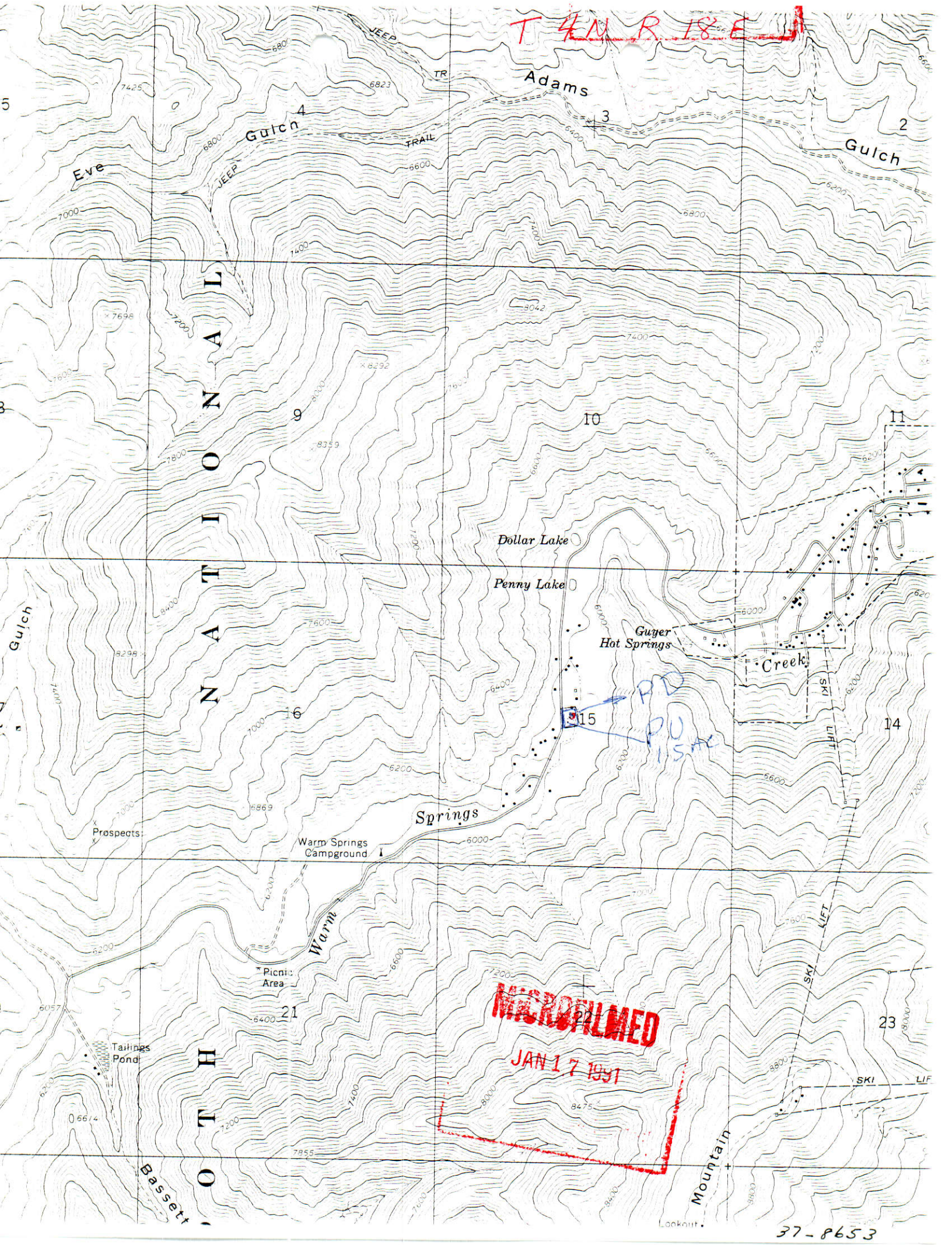


T 4N R 18E



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JAN 17 1991

37-8653

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 23 1995

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: Leo & Fern Burkett
Current Address: 384 Upper Warm Springs, P.O. Box 216 Ketchum, ID 83340
2. Accompanied by: Owner
Address: Same
Relationship to Permit Holder: Owner
3. Source: Groundwater tributary to None

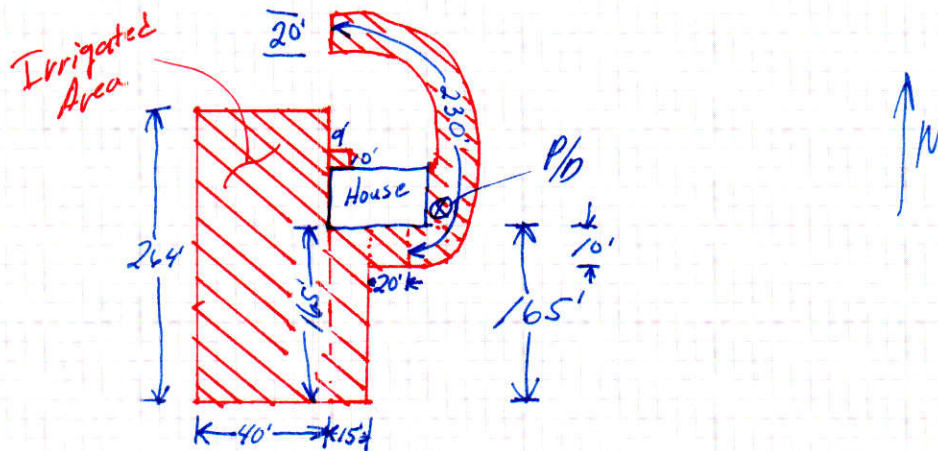
Permit No. 37-08653
Phone No. 726-8706
EXAM. DATE: 7-7-94
Phone No. Same

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
☐ Copies Attached
2. Other water rights with same point of diversion: None
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = No Scale

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2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

PERMIT 32-08653 INIT
T. R. S. 0/0
P/D 441 18E 15 SENW
SCALE
PHOTO ID.

T A N

16

10

UNRECORDED
JUL 19 1965

Warm Springs
Campground

Dollar Lake

Hot Sp

Green

Moonlight Gulch

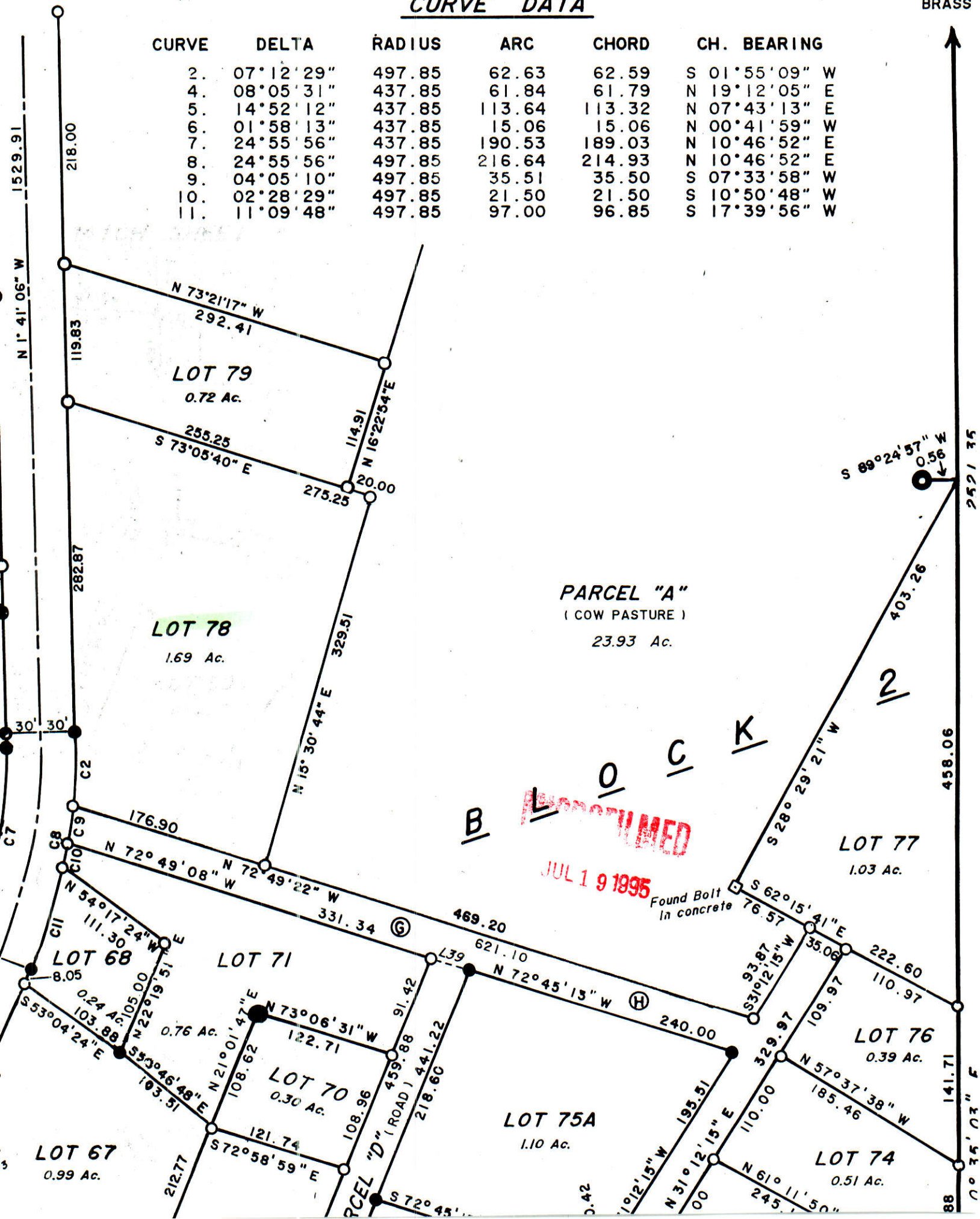
Prospects

LIFT

SKI LIFT

CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	CH. BEARING
2.	07°12'29"	497.85	62.63	62.59	S 01°55'09" W
4.	08°05'31"	437.85	61.84	61.79	N 19°12'05" E
5.	14°52'12"	437.85	113.64	113.32	N 07°43'13" E
6.	01°58'13"	437.85	15.06	15.06	N 00°41'59" W
7.	24°55'56"	437.85	190.53	189.03	N 10°46'52" E
8.	24°55'56"	497.85	216.64	214.93	N 10°46'52" E
9.	04°05'10"	497.85	35.51	35.50	S 07°33'58" W
10.	02°28'29"	497.85	21.50	21.50	S 10°50'48" W
11.	11°09'48"	497.85	97.00	96.85	S 17°39'56" W



32-08653

#1
P/D
well



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JUL 19 1995

37-08653

#2 P/a Domestic



MAILED 11 AM

JUL 19 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

OCT - 8 2003

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
37-08653					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Fern and Leo Burkett
PO Box 216 Ketchum Idaho 834 Warm Springs
4. New Owner/Claimant(s) Falcon Lear LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2081 East 2700 South
 City, State and ZIP Code Salt Lake City Utah 84109
 New Telephone Number (801) 484-9339
5. Date you acquired the property Nov 7, 2003

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6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Michele Rehmann for Falcon Lear LLC
(include title if applicable) member

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <u>[Signature]</u>	Date <u>10/8/03</u>	Fee <u>\$ 25.00</u>	
Receipted by <u>[Signature]</u>	Date <u>9/8/03</u>	Receipt No. <u>0071171</u>	
Processed by <u>[Signature]</u>	AJ Date _____	WR _____	Date _____

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Bill of Sale

For good and valuable consideration the estate of Leo and Fern Burkett, by its duly appointed personal representative hereby does sale and convey the water right numbered 37-08653 at 384 Warm Springs Drive to Falcon Lear LLC, an Idaho limited liability company.

A handwritten signature in black ink, appearing to read "Michele Rehermann", with a long horizontal flourish extending to the right.

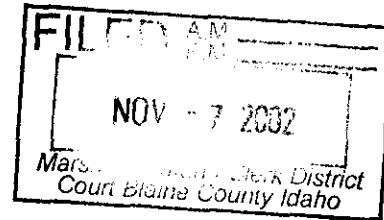
By Michele Rehermann
Executor of the Burkett estates

Falcon Lear LLC
c/o Michele Rehermann
2081 East 2700 South
Salt Lake City, UT 84109

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NOV 28 2003

Kevin T. Sullivan
Kevin Sullivan PLLC
600 University Street, Suite 2400
Seattle, WA 98101
206-264-1612



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

In the matter of the estate of
FERN B. BURKETT,
Deceased.

Case No. SP-02-2948
Letters Testamentary

1. Michele Burkett Rehmann was appointed and qualified as Personal Representative of the estate of the above-named decedent on the 7 day of Nov., 2002, by the Court with all authority pertaining thereto.
2. Administration of the estate is unsupervised.
3. These letters are issued to show the appointment, qualification, and authority of the personal representative.

WITNESS my signature and the Seal of this Court, this 7 day of Nov., 2002

15/ John L. Ward
MAGISTRATE

STATE OF IDAHO } ss
County of Blaine

I do hereby certify that the foregoing is a full, true and correct copy of the original thereof, on file in my office.

IN WITNESS THEREOF, I have hereunto set my hand and affixed by official seal.

this 7 day of Nov., 2002

MARSHA RIEMANN
Clerk District Court

Deputy

MICROFILMED

NOV 20 2003

Letters Testamentary

CERTIFICATE OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE BUREAU OF VITAL RECORDS AND HEALTH STATISTICS

CERTIFICATE OF DEATH

Date Filed **AUGUST 09, 2002**

State File No. **2002-05670**

DECEDENT - NAME FERN B. BURKETT				AGE 77 YEARS	
DATE OF DEATH JULY 17, 2002		SEX FEMALE	SOCIAL SECURITY NUMBER 519-18-0927	DATE OF BIRTH NOV. 30, 1924	
BIRTHPLACE IDAHO		WAS DECEDENT EVER IN U.S. ARMED FORCES? NO		MARITAL STATUS WIDOWED	
SURVIVING SPOUSE (if wife, maiden name)		CITY, TOWN OR LOCATION OF DEATH KETCHUM, IDAHO			
RESIDENCE STATE IDAHO		CITY, TOWN OR LOCATION KETCHUM			
FATHER - NAME HEDLEY CHARLES BOARD					BIRTHPLACE IDAHO
MOTHER - FULL MAIDEN NAME JUNE H. MIZER					BIRTHPLACE IDAHO
NAME AND ADDRESS OF MORTUARY WOOD RIVER CHAPEL, HAILEY, IDAHO					
FUNERAL SERVICE LICENSEE RUSSELL D. MIKEL					
METHOD OF DISPOSITION BURIAL		TIME OF DEATH 1:40 P.M.		MANNER OF DEATH NATURAL	
CAUSE OF DEATH (underlying cause last) a. CONGESTIVE HEART FAILURE					Approximate Interval Between Onset and Death 4 YEARS
DUE TO (or as a consequence of): b. COPD					10 YEARS
DUE TO (or as a consequence of): c. TOBACCO ABUSE					
DUE TO (or as a consequence of): d.					
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above NONE LISTED					AUTOPSY PERFORMED? NO
NAME OF CERTIFIER DAN S. FAIRMAN, M.D.				TITLE OF CERTIFIER PHYSICIAN	
CORONER REVIEW AREA					
ACTION				NAME	
EXTERNAL CAUSES ONLY					
DATE OF INJURY		HOUR OF INJURY		INJURY AT WORK?	
DESCRIPTION OF HOW INJURY OCCURRED					
PLACE OF INJURY		LOCATION OF INJURY			

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NOV 20 2003

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF VITAL RECORDS AND HEALTH STATISTICS.

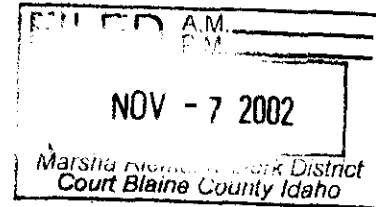
DATE ISSUED: **SEPTEMBER 09, 2002**

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

Jane S. Smith
JANE S. SMITH
STATE REGISTRAR



Kevin T. Sullivan
Kevin Sullivan PLLC
600 University Street, Suite 2400
Seattle, WA 98101
206-264-1612



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

In the matter of the estate of

Case No. SP-02-2947

LEO G. BURKETT,

Letters Testamentary

Deceased.

1. Michele Burkett Rehermann was appointed and qualified as Personal Representative of the estate of the above-named decedent on the 7 day of Nov., 2002, by the Court with all authority pertaining thereto.

2. Administration of the estate is unsupervised.

3. These letters are issued to show the appointment, qualification, and authority of the personal representative.

WITNESS my signature and the Seal of this Court, this 7 day of Nov., 2002

John L. Varin
MAGISTRATE

STATE OF IDAHO } ss
County of Blaine

I do hereby certify that the foregoing is a full, true and correct copy of the original thereof, on file in my office.

IN WITNESS THEREOF, I have hereunto set my hand and affixed by official seal.

this 7 day of Nov. 2002

MARSHA RIEMANN
Clerk District Court

Deputy

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Letters Testamentary

NOV 20 2003

Page 1

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY
CERTIFICATE OF DEATH

Date Filed JULY 16, 2001

State File No. 2001-04999

DECEDENT - NAME LEO GEORGE BURKETT				AGE 81 YEARS	
DATE OF DEATH JUNE 29, 2001		SEX MALE	SOCIAL SECURITY NUMBER 550-18-8177	DATE OF BIRTH MAR. 26, 1920	
BIRTHPLACE OKLAHOMA		WAS DECEDENT EVER IN U.S. ARMED FORCES? YES		MARRIED STATUS MARRIED	
SURVIVING SPOUSE (if wife, maiden name) FERN BOARD		CITY, TOWN OR LOCATION OF DEATH KETCHUM, IDAHO			
RESIDENCE STATE IDAHO		CITY, TOWN OR LOCATION KETCHUM			
FATHER - NAME HARRY BURKETT					BIRTHPLACE MISSOURI
MOTHER - FULL MAIDEN NAME FLORA MILLER					BIRTHPLACE OKLAHOMA
NAME AND ADDRESS OF MORTUARY WOOD RIVER CHAPEL, HAILEY, IDAHO					
FUNERAL SERVICE LICENSEE RUSSELL D. MIKEL					
METHOD OF DISPOSITION BURIAL		TIME OF DEATH 1:00 A.M.		MANNER OF DEATH NATURAL	
CAUSE OF DEATH (underlying cause last) PARKINSON'S DISEASE					Approximate Interval Between Onset and Death YEARS
DUE TO (or as a consequence of): a.					
DUE TO (or as a consequence of): b.					
DUE TO (or as a consequence of): c.					
DUE TO (or as a consequence of): d.					
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above NONE LISTED					AUTOPSY PERFORMED? NO
NAME OF CERTIFIER DAN S. FAIRMAN, M.D.				TITLE OF CERTIFIER PHYSICIAN	
ACTION				NAME	
DATE OF INJURY		HOUR OF INJURY		INJURY AT WORK?	
DESCRIPTION OF HOW INJURY OCCURRED					
PLACE OF INJURY		LOCATION OF INJURY			

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NOV 20 2003

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

DATE ISSUED: JULY 17, 2001

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

Jane S. Smith
JANE S. SMITH
STATE REGISTRAR



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08653

Priority: May 23, 1990

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

This is to certify, that LEO BURKETT
FERN BURKETT

PO BOX 216
KETCHUM ID 83340

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 23, 1990; and has submitted Proof of Beneficial Use on December 23, 1991. An examination indicates that the works have a diversion capacity of 0.060 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 15, Township 04N, Range 18E
BLAINE County

PLACE OF USE: DOMESTIC
TWN RGE SEC
04N 18E 15

SENW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 29TH day of JUNE, 1995.


Acting for KARL J. DREHER, Director

JUL 19 1995

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

DEC 23 1991

Department of Water Resources
Southern Region Office

PROOF OF BENEFICIAL USE

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

1. Permit No. 37-8653 Telephone No. 726-8706

2. Name(s) of Permit Holder(s): Leo G. & Fern Burkett

3. Post Office Address: 384 Upper Warm Springs, PO Box 246 Ketchum, ID 83340

4. Source of Water: Groundwater

a. If ground water, well driller's name: A. Walker Date drilled: 1990

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

5. Extent of Use:

Domestic 1 (No. of households) Irrigation 0.6 (No. of acres)

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

6. Total rate and/or volume for which proof is submitted 0.06 cfs _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ 50 (See License Examination Fee Schedule)

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

Same as above
Name

Telephone No.

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.

Date

12/23/91

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

[Signature]
JAN 23 1992
FILED

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08653

Proposed Priority: May 23, 1990

Maximum Diversion Rate:

0.11 CFS

This is to certify, that **FERN BURKETT**
LEO G. BURKETT
P.O. BOX 216
KETCHUM, ID 83340

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	05/01 to 10/15	0.05 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.11 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESENW Sec. 15, Township 04N, 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>
04N	18E	15	SENEW	1.5		1.5

Total number of acres irrigated: 1.5

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1992.
2. Subject to all prior water rights.
3. Irrigation use under this permit is authorized only in connection with a domestic use.
4. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
6. Stockwater use is for 2 horses and 1 cow.
7. Domestic use is for 1 home.

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JAN 17 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08653

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

11th day of January, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

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JAN 17 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 37-08653

To appropriate the public waters of the State of Idaho

1. Name of applicant LEO G BURKETT AND Phone 726.5011
OR FERN BURKETT
Post office address BOX 216 KETCHUM IDAHO
2. Source of water supply WELL which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 15 Township 4N Range 18E B.M. BLAINE County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.03⁵ for IRRIGATION purposes from MAY 1 to OCT 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for STOCK WATER purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.09 for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.09011 and/or (b) _____
cubic feet per second cu ft acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

PUMP & WELL

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 6 INCH inches; proposed depth of well is 80 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 YEAR years (minimum 1 year).

RECORDED

JAN 17 1991

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. 2 HORSE 1 COW
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 HOME
- 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	
4N	18E	15								1.5									1.5

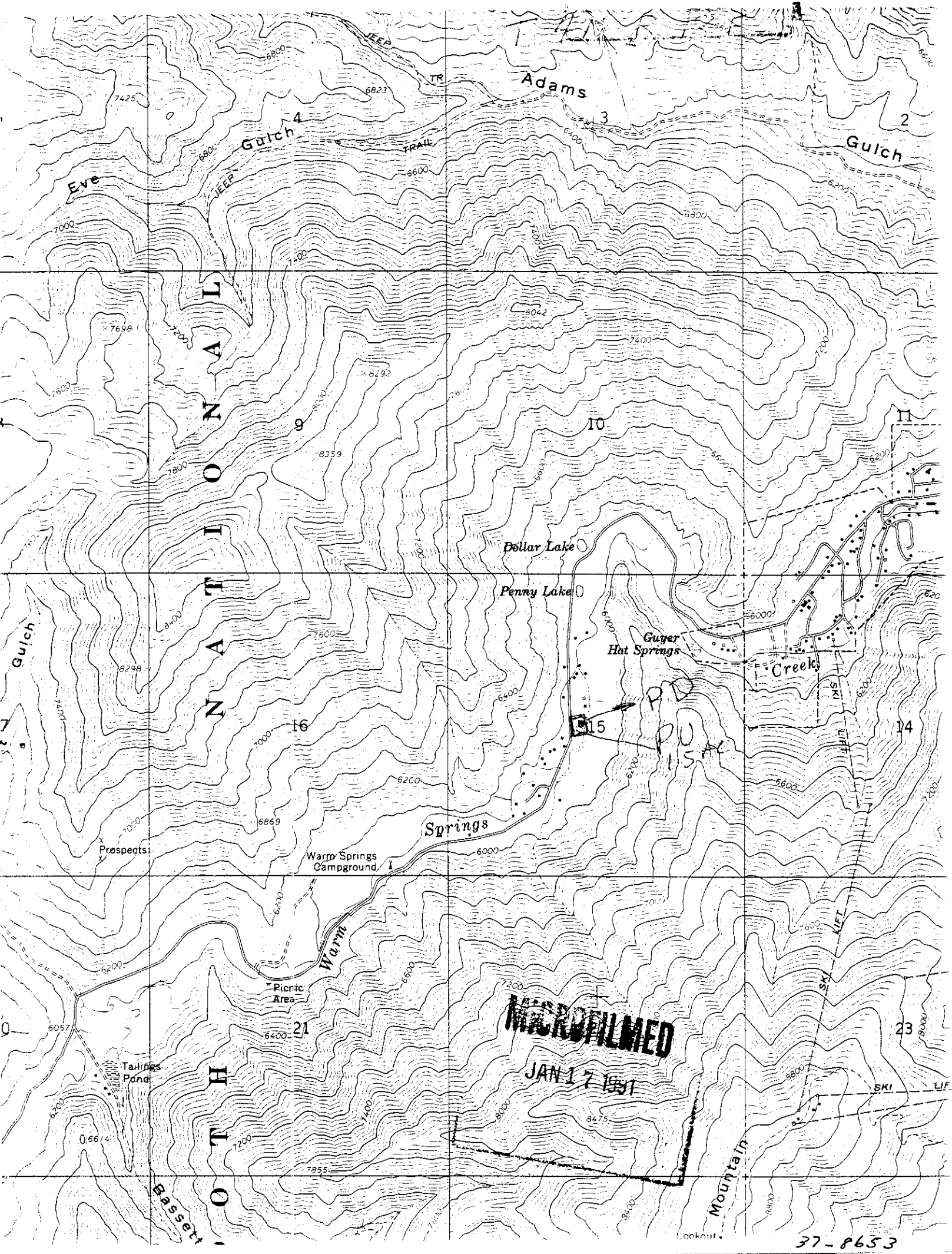
Total number of acres to be irrigated 1.5

10. Describe any other water rights used for the same purposes as described above. NO

11. a. Who owns the property at the point of diversion? LEO G BURKETT
- b. Who owns the land to be irrigated or place of use? BOARD MILL ~~AND~~ SUNSET RANCH INC
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. BOARD MILL SUNSET RANCH INC APPLICANT HAS LONG TERM LEASE
12. Remarks: ON THIS PROPERTY, AND APPLICANT AND WIFE OR 41% OWNERS OF ABOVE CORP

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JAN 12 1991

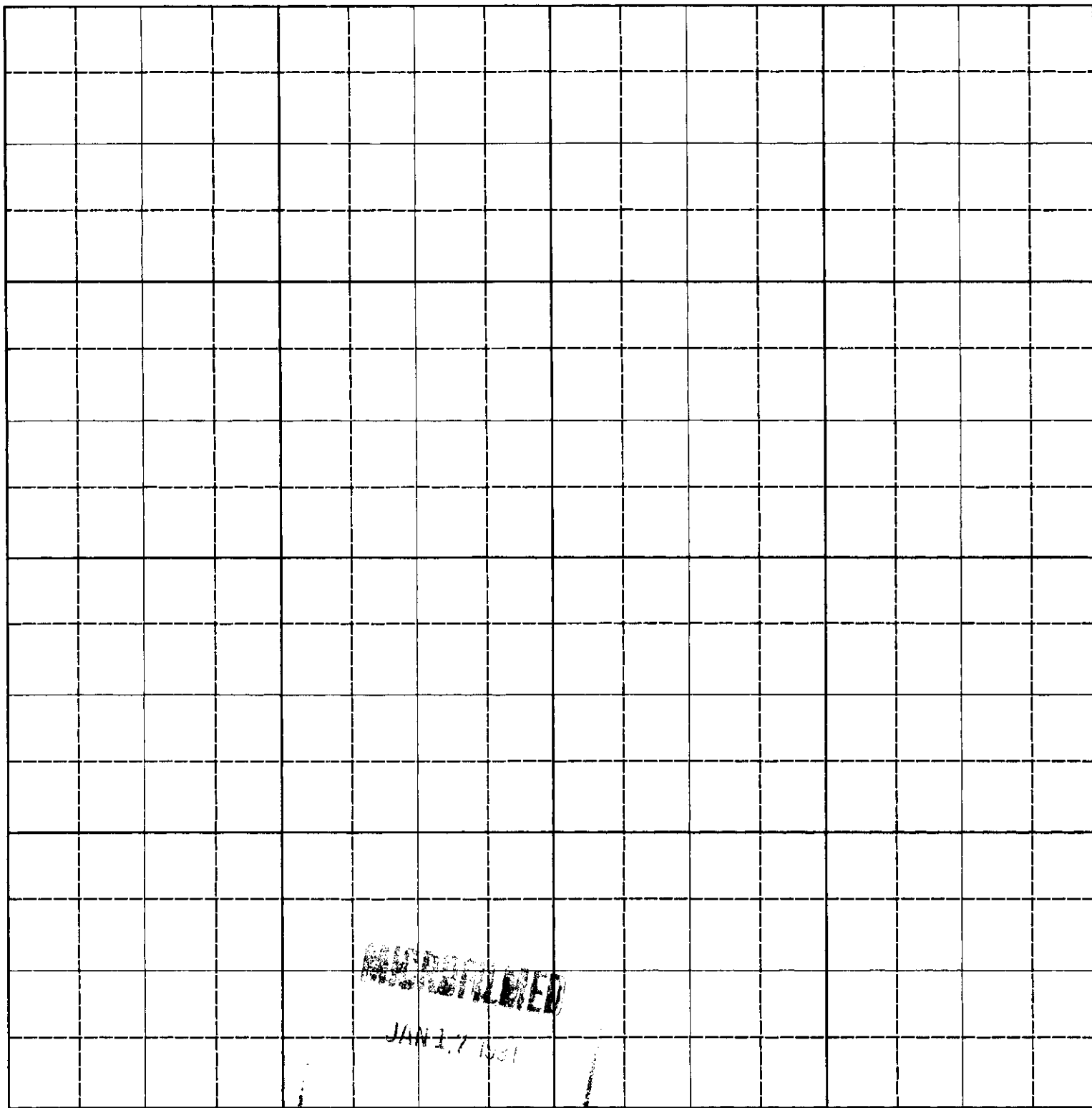


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JAN 17 1991

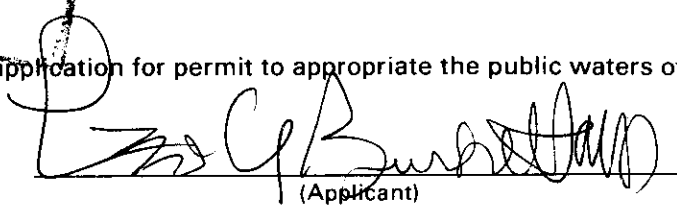
37-8653

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.


(Applicant)

Received by TMB Date 5-23-90 Time 11:38 am Preliminary check by A.J.
Fee \$ 30⁰⁰ Receipted by TMB # 5012334 Date 5-23-90
Publication prepared by M. Baldwin Date 8/20/90 Published in Wood River Journal
Publication approved M. Baldwin Date 10/2/90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED

JAN 17 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 21, 2003

FALCON LEAR LLC
2081 E 2700 S
SALT LAKE CITY UT 84109

RE: Change of Ownership for Water Right 37-8653

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

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

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

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

NOV 20 2003

RECEIVED

OCT - 8 2003

Department of Water Resources

Michele B. Rehermann
2081 East 2700 South
Salt Lake City, UT 84109

Cell/Messages (801) 557-8823
Fax: (801) 560-064

October 6, 2003

Attn: Kari Lynn Townsend
IDWR
1301 N Orchard St
Boise, ID 83706

Re: Notice of Change in Water Right Ownership

Dear Ms. Townsend:

This letter is regarding licensed water right 37-08653. This water right belonged to my parents Leo Burkett and Fern Burkett, now deceased. As duly appointed personal representative of their estates I am hereby enclosing the following documents that will facilitate the Notice of Change in Water Right Ownership to a company known as Falcon Lear LLC.

1. A copy of the death certificates of Leo Burkett and Fern Burkett.
2. Copies of the Letters of Testamentary of their estates.
3. A Bill of Sale from the estate to Falcon Lear LLC.
4. Form 42-248/42 Notice of Change in Water Right Ownership.
5. Filing fee in the amount of \$25 for processing this notice.

When the document processing has been completed please send evidence to my attention and please telephone if you have any questions. Thank you for your assistance with this matter.

Sincerely,


Michele Rehermann

MICROFILMED
NOV 20 2003



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

June 30, 1995

LEO BURKETT
FERN BURKETT
PO BOX 216
KETCHUM ID 83340

RE: WATER RIGHT NO. 37-08653

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECORDED

JUL 19 1995

LICENS. REVIEW CHECKLIST



PERMIT NO. 37-08653 DATE 6/28/95

NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE Advance? ☒ Advanced to: Order to reinstate needed? Incorrect fee for rate recommended?

SOURCE Changes or just clarification of originally intended source? Notice of Intent to Void necessary?

POINT OF DIV Amendment needed? Overlaps?

PLACE OF USE Amendment needed? Overlaps?

DIV RATE Permit/fee limits: .11 CFS
 Meas Q = Theo Q = .06 Recommend: .04
Standard domestic with 1/2 acre irrigation
 Combined rates exceed capacity

ANNUAL VOLUME Volume Limit: Season: 1-1 to 12-31
Calculations: DOM with @ 1.2
 Flow limit: cfs x x 1.9835 =
 Combined volumes exceed capacity/allowable

USES Change in Nature of Use or additional uses? Amendment necessary?

ADDITIONAL INFO Supplemental Groundwater PPU Scenario
Irr/Dom Combination Shared G/W System

NEW REMARKS Multiple p/d(s) in 1/4 1/4?
 * YES Other LOT 78, BLOCK 2, LOWER BOARD RANCH SUB *
 * Don't use - not name of SUB NAME.

NEW CONDITIONS Watermaster control District
Measuring/Locking Devices
Irrigation Overlap
Other Delete 041 (com 3/4/5/6)
Water Quality Heat/Cool/Fish verified

COMMENTS: Delete stock & irrigation uses; Reduce rate

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	
<u>Domestic</u>	<u>.04</u>	<u>1.2</u>	Adjustment Memo Needed	<u>NO</u>
			LICENSE	<u>✓</u>
			1ST AMEND LETTER	
			2ND AMEND LETTER	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 23 1995

Department of Water Resources

A. GENERAL INFORMATION

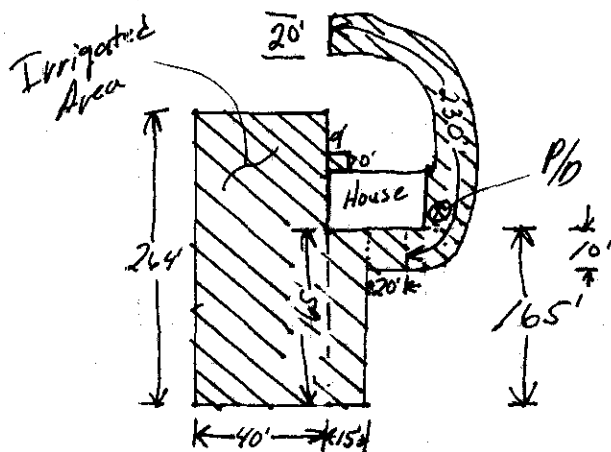
1. Owner: Leo & Fern Burkett Permit No. 37-08635
Current Address: 384 Upper Warm Springs, P.O. Box 216 Ketchum, ID 83340 Phone No. 726-8706
2. Accompanied by: Owner EXAM. DATE: 7-7-94
Address: Same Phone No. Same
Relationship to Permit Holder: Owner
3. Source: Groundwater tributary to None

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = No Scale

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JUL 19 1995

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

No overlapping water rights were found for the place of use or for the point of diversion. The examiner is recommending that the stockwater and irrigation components of this permit be removed since no livestock is watered using this permit and there is less than a 1/2 acre of irrigation.

The well for the home and irrigation system is located on the east side of the home. A buried pipe irrigation system with pop-up style sprinklers is used to irrigate the yard around the home.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	1 1/2	2823007103	Goulds	2 SEL 15

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NW	15	4N	18E	Blaine	Ortho Photo Quad Map

6. **Place(s) of Use:**

Indicate Method of Determination Pacing

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	18E	15								D									

Do not use this space

RECORDED

JUL 19 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

No measurements were taken. A theoretical calculation is used to estimate flow

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$Q = \frac{8.8 (1.5) (.70)}{30 + 50 (2.31)} = .06 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Domestic with less than 1/2 acre of irrigation = 1.02 afa

MICROFILMED
JUL 19 1995

[illegible]

1. Recommended Amounts

2. Recommended Amendments

- ## J. AUTHENTICATION

CONSULTANT SEAL

- # MICROFILM

JUL 2 1995

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-08653
DATE: 7-19-94
BY: Alan Haster

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (6.5) \times (0.70)}{[(30) + (50 \times 2.31)]} = .06 \text{ cfs}$$

LIFT FROM:
measurement ()
owner ()
area estimate (X)
well logs ()
Booster (Y) (N)

PSI FROM:
measurement ()
owner ()
estimate (X)
owner gage ()

NOTES ON PUMP:
Motor Make, Serial or ID
Franklin, 2823007103
Pump Make, Serial or ID, rating
Goulds, 2 SE415

REMARKS

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	
3/15 - 11/15	246	POTENTIAL = $\frac{(\dots) \times (1.98) \times (\dots)}{(\dots)}$
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL =

REQUIRED Acre Feet/Acre/Annum =
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

JUL 19 1995

PERMIT 32-08653 INIT
T. R. S. Q/Q
P/D 441 18E 15 SE NW
SCALE
PHOTO ID.

N A T

16

10

JUL 19 1966

Prospects

Watts Spring
Campground

Dollar Lake

SKI

LIFT

SKI

LIFT

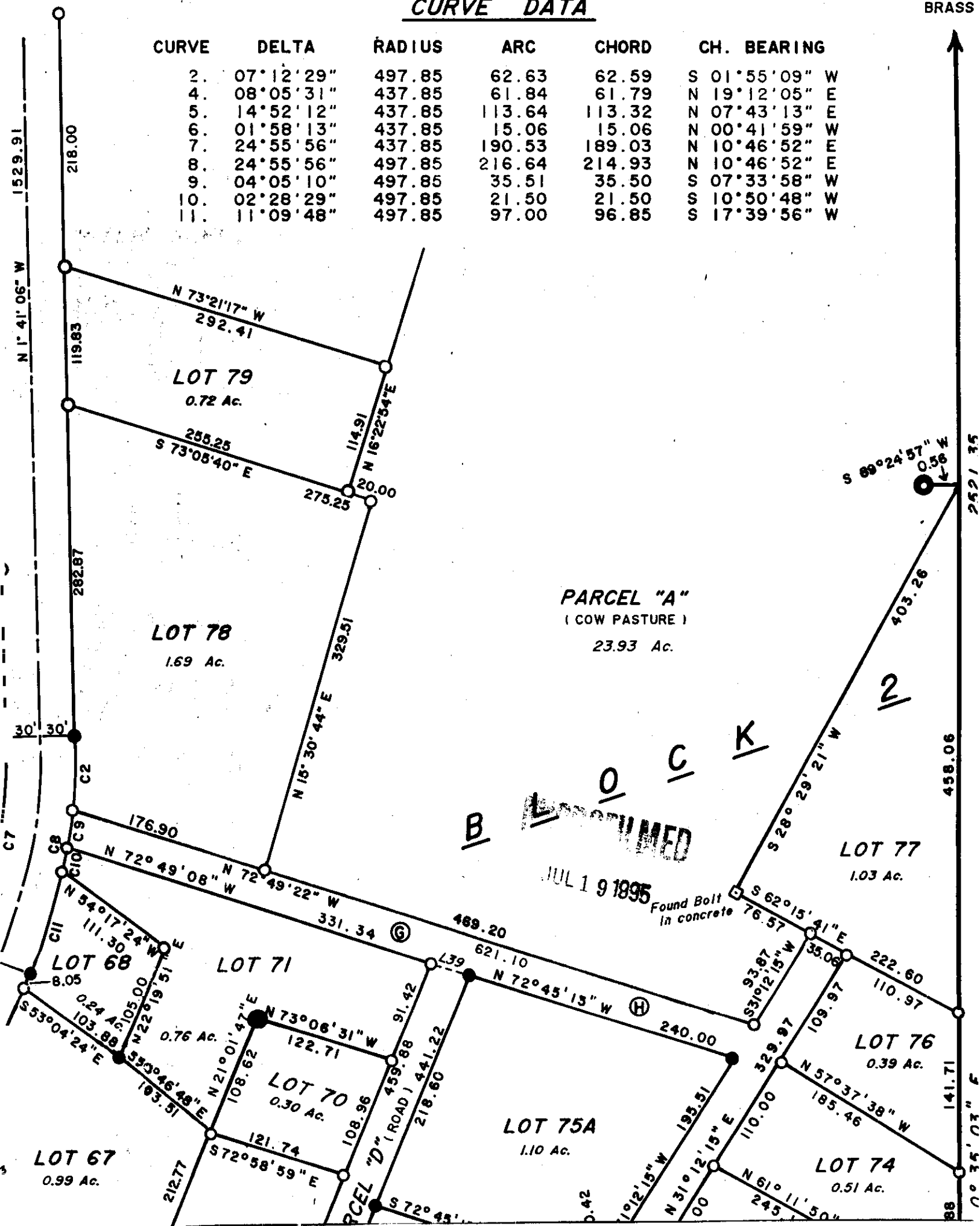
20

23

11

CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	CH. BEARING
2.	07°12'29"	497.85	62.63	62.59	S 01°55'09" W
4.	08°05'31"	437.85	61.84	61.79	N 19°12'05" E
5.	14°52'12"	437.85	113.64	113.32	N 07°43'13" E
6.	01°58'13"	437.85	15.06	15.06	N 00°41'59" W
7.	24°55'56"	437.85	190.53	189.03	N 10°46'52" E
8.	24°55'56"	497.85	216.64	214.93	N 10°46'52" E
9.	04°05'10"	497.85	35.51	35.50	S 07°33'58" W
10.	02°28'29"	497.85	21.50	21.50	S 10°50'48" W
11.	11°09'48"	497.85	97.00	96.85	S 17°39'56" W



-32-08653



#1
P/D
well

RECEIVED
JUL 19 1995

37-08653

#2 P/a Domestic



RECEIVED
JUL 1 9 1995

JUL 1 9 1995

December 31, 1991

FERN BURKETT
LEO G. BURKETT
P.O. BOX 216
KETCHUM ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08653

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MAILED
JAN 22 1992

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name

Leo G. Burkett

P. O. Box 216

Address

Ketchum, ID 83340

Owner's Permit No.

37-90-S-072

2. NATURE OF WORK

☒ New well

☐ Deepened

☐ Replacement

☐ Well diameter increase

☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☒ Domestic

☐ Irrigation

☐ Test

☐ Municipal

☐ Industrial

☐ Stock

☐ Waste Disposal or Injection

☐ Other (specify type)

4. METHOD DRILLED

☒ Rotary

☒ Air

☐ Hydraulic

☐ Reverse rotary

☐ Cable

☐ Dug

☐ Other

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other

Thickness

Diameter

From

To

280 inches

6 5/8 inches

1 feet

50 feet

Was casing drive shoe used?

☒ Yes

☐ No

Was a packer or seal used?

☐ Yes

☒ No

Perforated?

☒ Yes

☐ No

How perforated?

☐ Factory

☐ Knife

☒ Torch

☐ Gun

Size of perforation

1/8 inches

by 3 inches

Number

From

To

12 perforations

46 feet

49 feet

Well screen installed?

☐ Yes

☒ No

Manufacturer's name

Type

Model No.

Diameter

Slot size

Set from

feet to

feet

Diameter

Slot size

Set from

feet to

feet

Gravel packed?

☐ Yes

☒ No

Size of gravel

Placed from

feet to

feet

Surface seal depth

19

Material used in seal:

☐ Cement grout

☒ Bentonite

☐ Puddling clay

☐

Sealing procedure used:

☐ Slurry pit

☐ Temp. surface casing

☒ Overbore to seal depth

Method of joining casing:

☐ Threaded

☒ Welded

☐ Solvent Weld

☐ Cemented between strata

Describe access port well cap

6. LOCATION OF WELL

Sketch map location must agree with written location.

N

E

S

W

X

Subdivision Name

Lower Board Ranch

Lot No.

78

Block No.

2

County

Blaine

SE 1/4

NW 1/4

Sec. 15

T. 4

N 1/4

S 1/4

R. 18

E 1/4

W 1/4

7. WATER LEVEL

Static water level

8 1/2

feet below land surface.

Flowing?

☐ Yes

☒ No

G.P.M. flow

Artesian closed-in pressure

p.s.i.

Controlled by:

☐ Valve

☐ Cap

☐ Plug

Temperature

48

of Quality

Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump

☐ Bailor

☒ Air

☐ Other

Discharge G.P.M.

± 50

Pumping Level

Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.

Depth

Material

Water

Yes

No

8

0

11

Boulders & sandy gravel

T

11

19

Clay & gravel

6

19

25

Clay & gravel

25

28

Gravel

X

28

42

Gravel & clay

X

42

50

Clean gravel

X

10. Work started

8/23/90

finished

8/23/90

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Walker Water Systems, Inc.

Firm Name

624 Pierce Street

Address

Twin Falls, Idaho 83301

date

8/30/90

Signed by (Firm Official)

and

(Operator)

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

FERN BURKETT
LEO G. BURKETT
P.O. BOX 216
KETCHUM ID 83340

136172
October 31, 1991

PROOF DUE NOTICE

RE: PERMIT NO. 37-08653

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1992. (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,

Nina Shields
Secretary/Records Manager

Enclosures

MICROFILMED

JAN 22 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 14, 1991

FERN BURKETT
LEO G. BURKETT
P.O. BOX 216
KETCHUM, ID 83340

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08653

Dear Permit Holder:

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

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

MICROFILMED

JAN 17 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

22-Aug-1990

R. KEITH HIGGINSON
Director

LEO &/OR FERN BURKETT
PO BOX 216
KETCHUM ID 83340

Re: Application for Permit No. 37-08653

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.

This office will be advertising the application in the Wood River Journal on 9/5 & 9/12/90. A period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

MAILED
JAN 17 1991

Drilling Permit No. 37-90-S-072
Water Right Permit No. 77-8653
Injection Permit No. _____
Extension given _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

RECEIVED

AUG 21 1990

Department of Water Resources

1. Applicant (Please Print) Leo G. Burkett
2. Mailing Address Box 216 Ketchum, ID 83340
Telephone 726-5011
- ☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location SE 1/4 NW 1/4, or Gov't lot No. _____,
Sec. 15, Twp. 4N, Rge. 18E, County Blaine,
Street Address of Well Site Lot 78, Block 2, Board's Lower Ranch
Lot, block and subdivision _____
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) _____
5. Well construction information:
A. ☒ New well ☐ Deepen ☐ Replace - See Condition 9.
B. Proposed surface diameter 6" Maximum depth 80'
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 _____
7. Anticipated Well Driller Twine Drilling of Walker W.S. 8/20/90
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Leo G. Burkett Date 5/23/90
Title _____
(Owner, Firm Representative, Other)

37-90-S-072

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved Date 5/12/90

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:

Larry O. Halpin
Signature of Authorized Department Representative

Southern Region Mgt.
Title

Receipt No. 5012334 Received by TUB Fee 100⁰⁰ Date 5-23-90

EXTENSION OF DRILLING PERMIT

Extension approved by Larry O. Halpin Approval Date 8/20/90
This extension is good for 60 days beyond the above extension approval date.

AFFIDAVIT of PUBLICATION

RECEIVED

SEP 28 1990

State of Idaho,

County of Blaine

ss.

Department of Water Resources
Southern Region Office

DANIEL J. GORHAM

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

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 5 day of Sept, 1990, and

the date of the last publication was on the 12 day of Sept, 1990.

Subscribed and sworn to before me this 12th day of Sept, 1990.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 72
Number of Insertions 2

Lines tabular at 72 6c / Pica
Lines straight at 39.60 5c / Pica
Subsequent lines at 31.68 4c / Pica

TOTAL COST \$76.28 5.00

COPY OF NOTICE

(Paste Here)

Notice of Application
TITLE OF NOTICE 71-07138

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. Water Resources
BILL TO T.F.

Three file on water rights

NOTICE OF APPLICATION FOR WATER RIGHT

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

71-07138

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401
Source: UNNAMED STREAM

Tributary: VAT CREEK
Diversion Pt: NWSWNW Sec 5 T
05N R 14E; SWSWNW Sec 5 T
05N R 14E; NESWNW Sec 5 T
07N R 14E
Use: WILDLIFE STORAGE
(18.00 AF); WILDLIFE FROM
STORAGE (18.00 AF)
Total Diversion: (18.00 AF)
Date Filed: 5/29/1990
In: T07N R14E S05 SWNW

37-08652

BELL, DAVID A.
P.O. BOX 13
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: LOT 4 (NWNW) Sec
5 T 03N R 18E
Use: IRRIGATION (.050 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.090 CFS)
Date Filed: 8/8/1990
In: T03N R18E S05 NWNW
1.8 ACRES TOTAL

37-08653

BURKETT, FERN
BURKETT, LEO G.
P.O. BOX 216
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: SESENNW Sec 15 T
04N R 18E
Use: IRRIGATION (.050 CFS)
DOMESTIC (.040 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (.110 CFS)
Date Filed: 5/23/1990
In: T04N R18E S15 SENW
1.5 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 Street East, Twin Falls, Idaho 83301, on or before SEPTEMBER 24, 1990.
R. Keith Higginson, Director
Publish: Wood River Journal-
September 5 & 12, 1990.

JAN 17 1991

37-08653

BURKETT, FERN
BURKETT, LEO G.
P.O. BOX 216
KETCHUM, ID 83340

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Diversion Pt: SESENW Sec 15 T 04N R 18E

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DOMESTIC	(.040 CFS)
STOCKWATER	(.020 CFS)
Total Diversion:	(.110 CFS)

Date Filed: 5/23/ 1990

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1.5 ACRES TOTAL

MICROFILMED

JAN 17 1991

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R. Keith Higginson, Director
Publish: Wood River Journal-
September 5 & 12, 1990.

OK
MB
8/27/90

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JAN 17 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted base on the criteria of Sec. 42-03A, 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 SEPTEMBER 24, 1990.

R. Keith Higginson, Director

Published 9/ 5/1990 & 9/12/1990

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JAN 17 1991

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

AUGUST 20, 1990

WOOD RIVER JOURNAL
P.O. 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 SEPTEMBER 24, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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JAN 17 1991

9/89

Drilling Permit No. 7-90-S-072
 Water Right Permit No. 37-8653
 Injection Permit No. _____

State of Idaho
 Department of Water Resources

DRILLING PERMIT

1. Applicant (Please Print) Leo G. Burkett
2. Mailing Address Box 216 Ketchum, ID 83340
 Telephone 726-5011
- (X) Well Owner () Well Operator () Other, specify _____
3. Proposed well location SE 1/4 NW 1/4, or Gov't lot No. _____,
 Sec. 15, Twp. 4N, Rge. 18E, County Blaine,
 Street Address of Well Site Lot 78, Block 2, Board's Lower Ranch
 Lot, block and subdivision _____
4. Proposed use of well:
 - (X) Single family or stockwater use (less than 13,000 gallons per day)
 - (X) 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) _____
5. Well construction information:
 - A. (X) New well () Deepen () Replace - See Condition 9.
 - B. Proposed surface diameter 6" Maximum depth 80'
 - C. Anticipated bottom hole temperature:
 - (X) 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
7. Anticipated Well Driller Twin Drilling of Walker & Co.
 NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Leo G. Burkett Date 5/23/90
 Title _____
 (Owner, Firm Representative, Other)

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JAN 17 1991

37-90-S-072

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is

Approved

Date

5/23/90

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:

MICROFILMED

JAN 17 1991



Signature of Authorized Department Representative



Title

Receipt No. 5012334 Received by TMB Fee 100⁰⁰ Date 5-23-90

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-S-072

Water right No. 37-8653

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

LEO G BURKETT AND OR
FERW B BURKETT, 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):

WANT TO START BUILDING
HOUSE SOON AND GET STOCK
TANK IN AND GRASS PLANTED
BEFORE FREEZING

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.

MAILED

JAN 17 1991

Date

MAY 23. 90

Signature

Applicant

Leo G Burkett