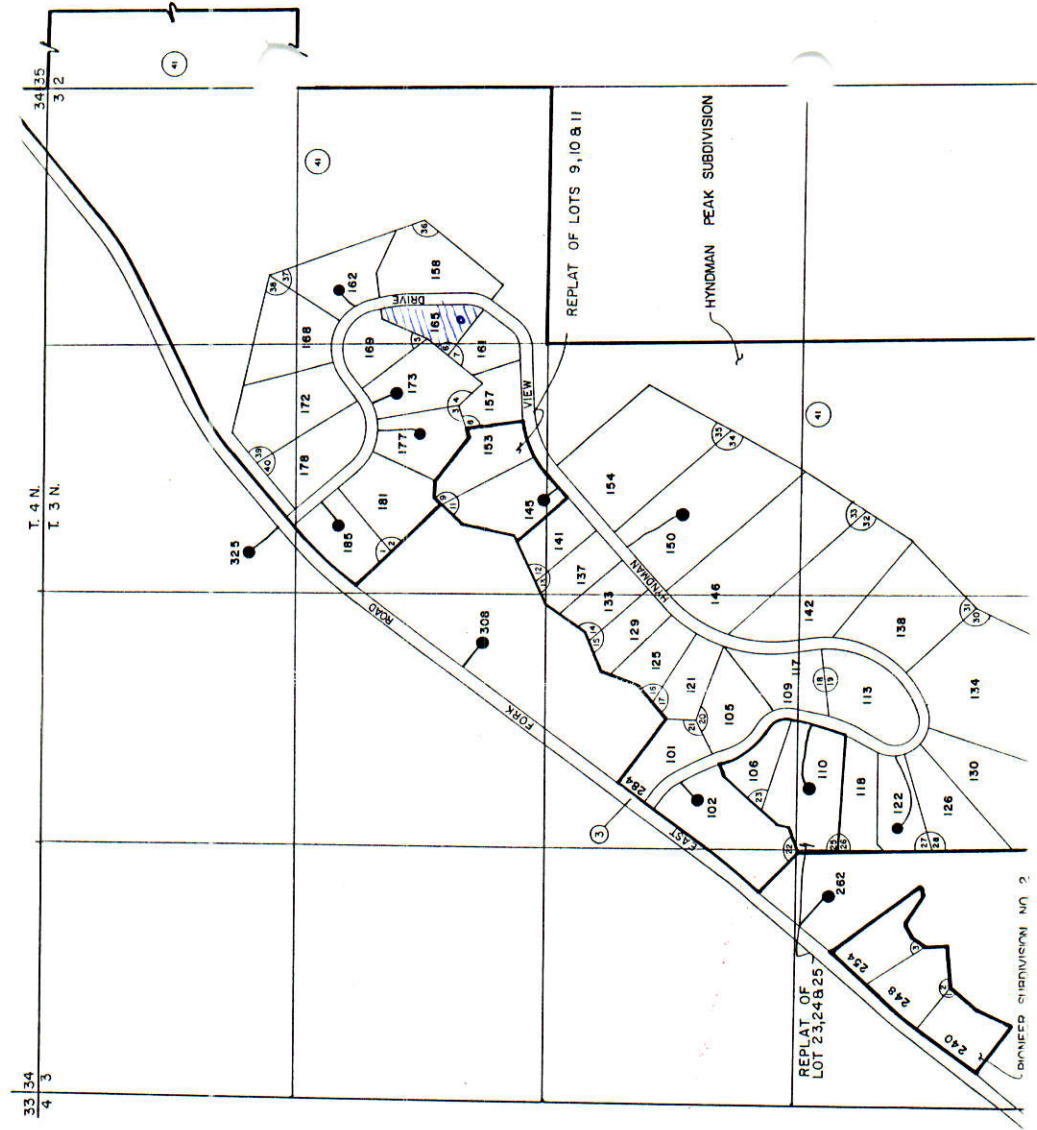
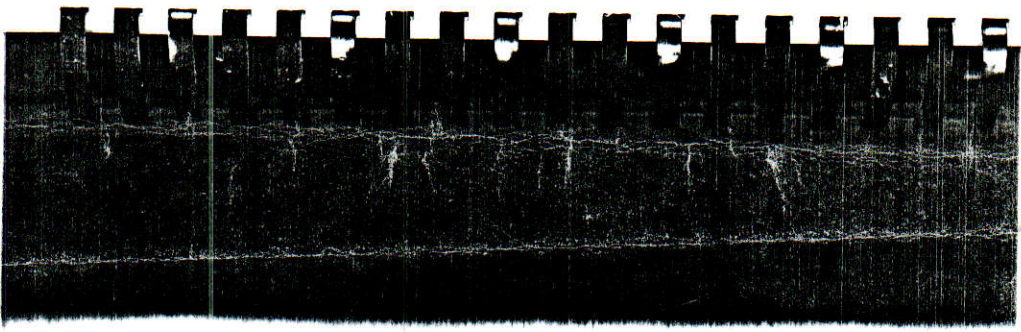




Sec. 3 T 3 N R 18 E



MICROFILMED
JAN 15 1991

37-08646

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

SEP 13 1990

Department of Water Resources
Southeast 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 1 day of Aug, 19 90, and

the date of the last publication was on the 8 day of Aug, 19 90.

Subscribed and sworn to before me this 8th day of Aug, 19 90.
(SEAL)

NOTARY PUBLIC

MICROFILMED

JAN 15 1991

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line	11
Number of Lines in Notice	51.75
Number of Insertions	2
Lines tabular at	6c / Pica
51.75 Lines straight at	28.46 5c / Pica
51.75 Subsequent lines at	22.77 4c / Pica
TOTAL COST	\$55.93 \$5.00 fee

COPY OF NOTICE

(Paste Here)

Notice of App. of Water Rights
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

J. A. Water Dept.

BILL TO

DuShane, Willis 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:

37-08646 ✓

DU SHANE, JR., KIRK L.
P.O. BOX 2399
KETCHUM, ID 83340

Source: GROUNDWATER
Diversion Pt: SWSENE Sec 3 T
03N R 18E

Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Total Diversion: (.100 CFS)

Date Filed: 7/12/1990
In: T03N R18E S03 SENE
2.0 ACRES TOTAL

37-08647

WILLIS, W. BRUCE
C/O F. ALTMAN & CO.
9255 SUNSET BLVD.

SUITE 901
LOS ANGELES, CA 90069

Source: GROUNDWATER
Diversion Pt: NESWNE Sec 5 T
02N R 18E

Use: IRRIGATION (.090 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.090 CFS)

Date Filed: 6/27/1990
In: T02N R18E S05 NWNE SWNE
3.0 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 AUGUST 20, 1990.

R. Keith Higginson, Director
Publish: Wood River Journal-
August 1 & 8, 1990.

7-8 pt./line straight: 5 pica
7-8 pt./line tabular: 6 pica
7-8 pt./line successive
insertion: 4 pica

No 7177

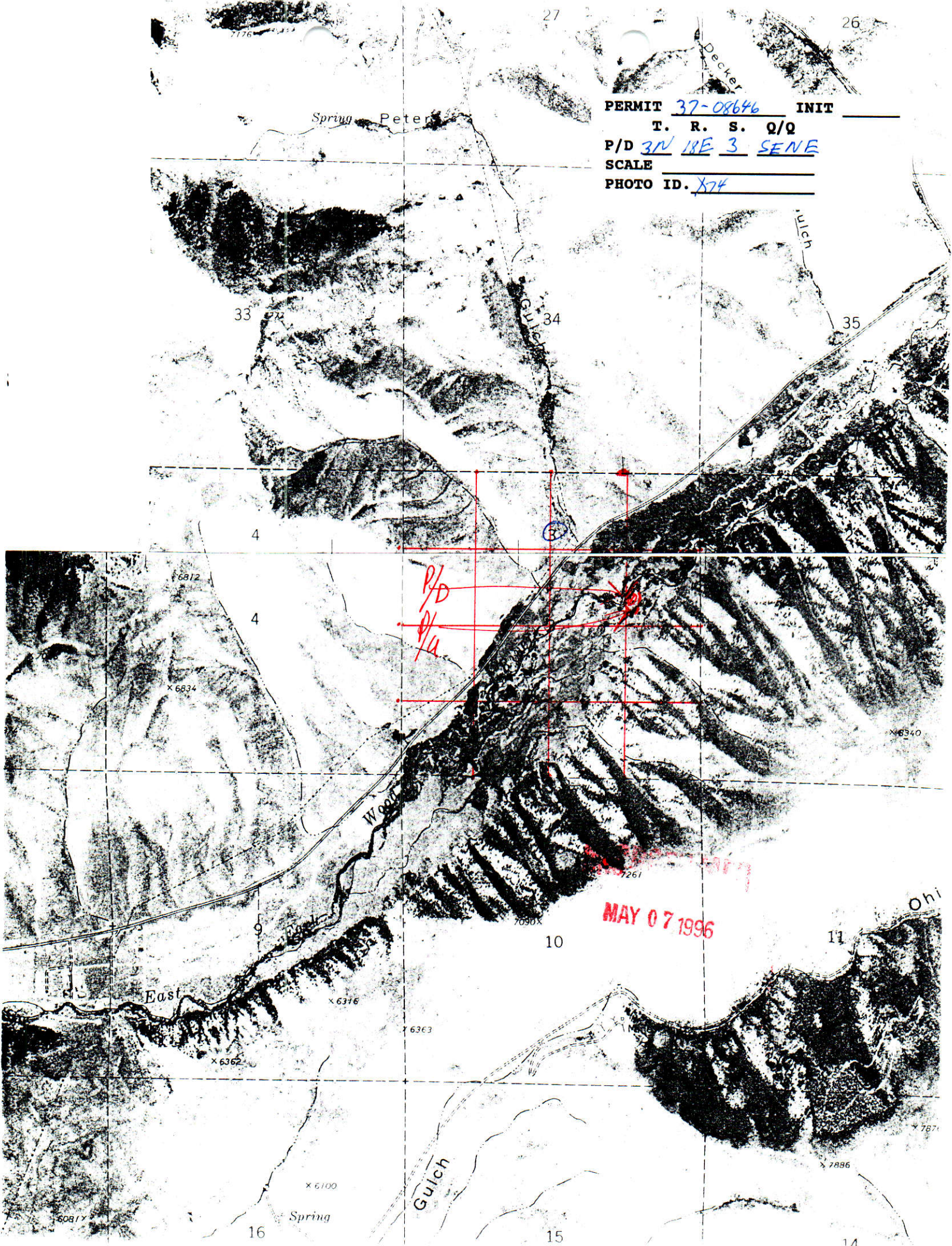
PERMIT 37-08646 INIT _____

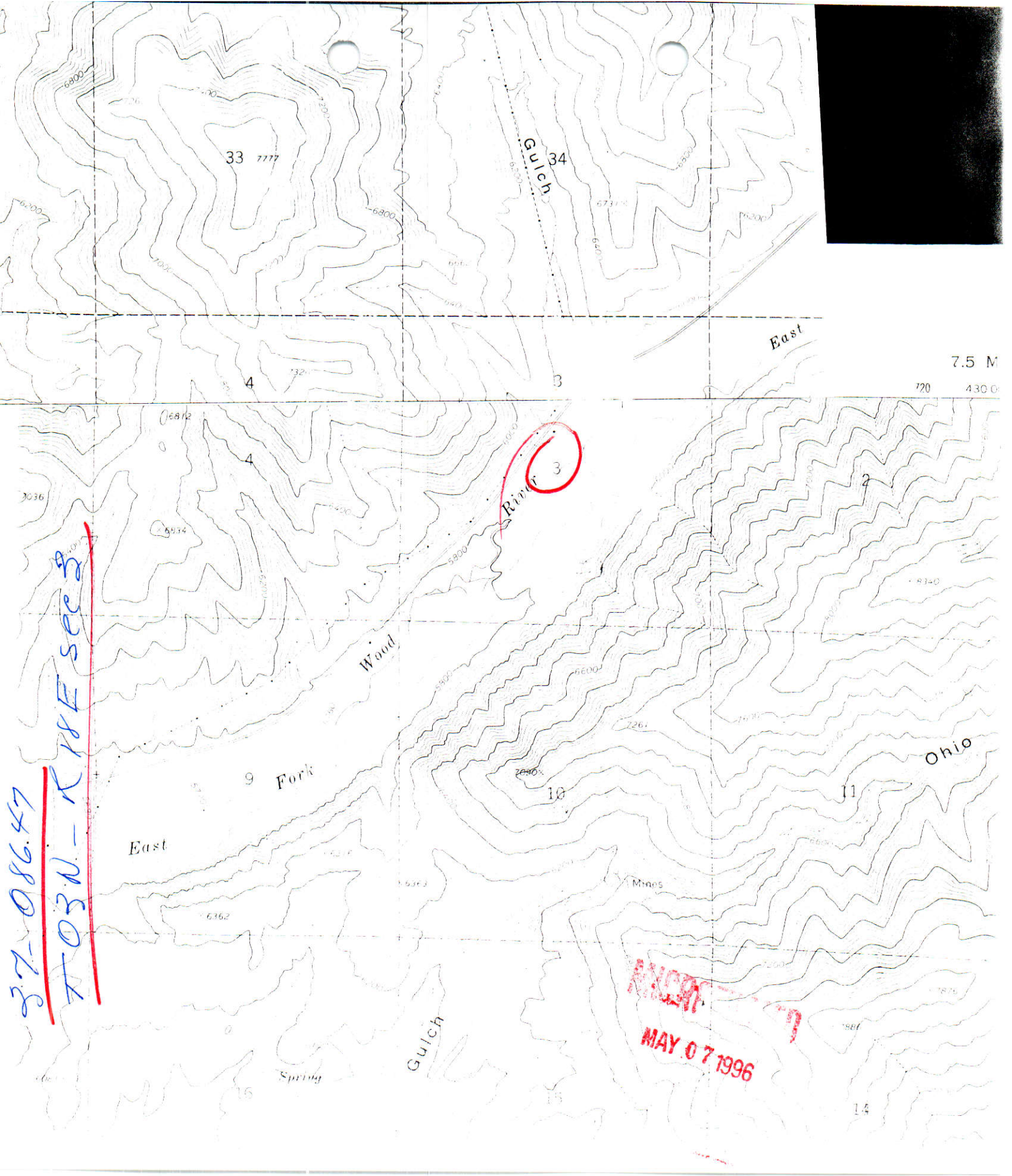
T. R. S. Q/Q

P/D 3N 18E 3 SENE

SCALE _____

PHOTO ID. X74





33 7777

Gulch

34

East

7.5 M

720 430 0

4

3

6812

4

6934

River

3

2

Wood

9 Fork

East

Ohio

10

11

Mines

Gulch

Spring

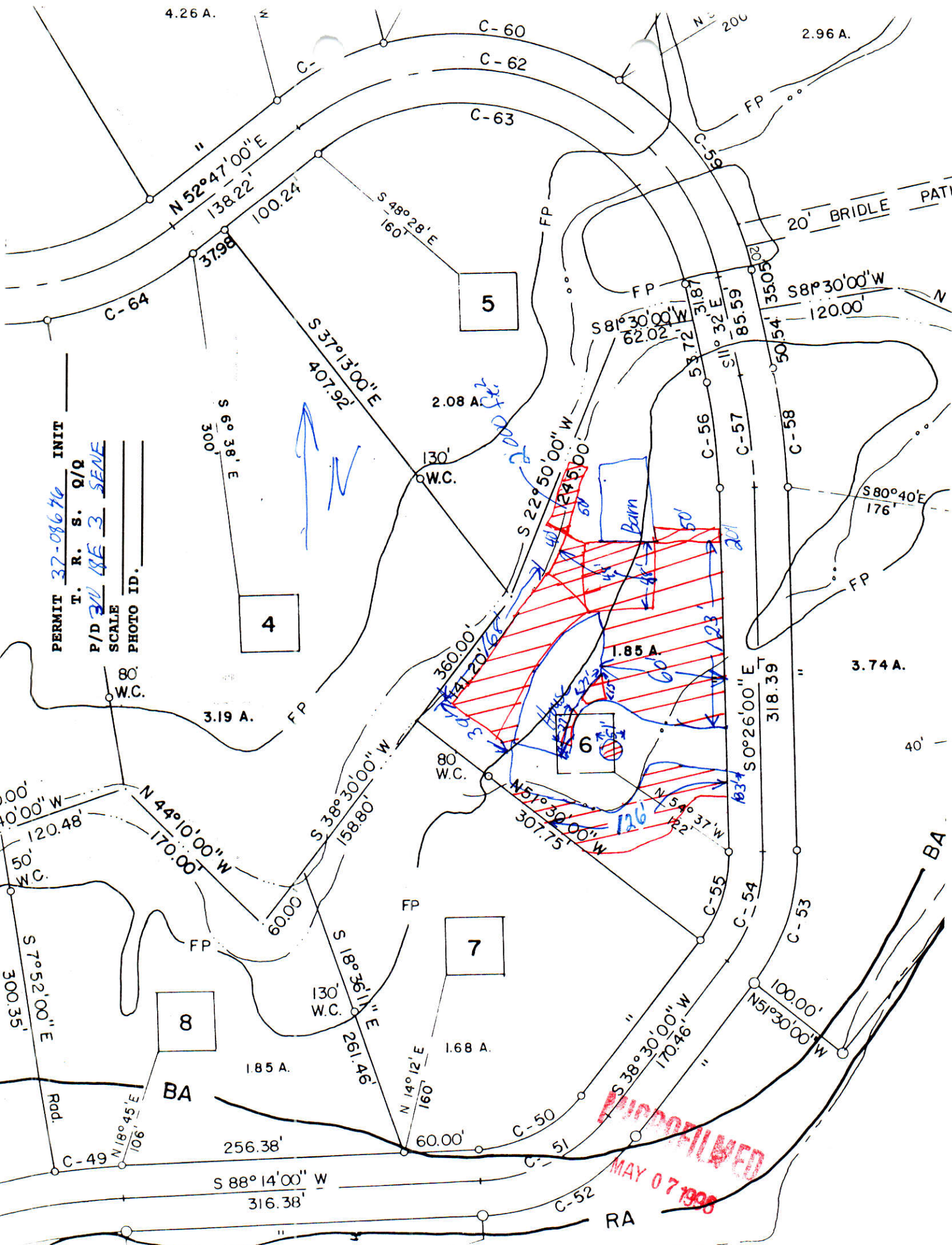
MAY 07 1996

14

37-086.47

T03N-R18E sec 3

PERMIT 37-08676 INIT
T. R. S. Q/Q
P/D 301 BE 3 SENE
SCALE
PHOTO ID.



MICROFILMED
MAY 07 1998

PERMIT 37-08646 INIT

T. S. Q/Q

P/D

SCALE

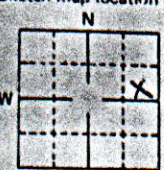
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HO
R RESOURCES

USE TYPEWRITER OR
BALLPOINT PEN

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 <u>Mr. J. Duggan Jr.</u> Address <u>Box 2390 Ketchum, Id. 83340</u> Owner's Permit No. <u>37-90-3-108 OK</u>		7. WATER LEVEL Static water level <u>8</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>OF</u> Quality <u>good</u> Describe artesian or temperature zones below																																																					
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement Well diameter increase _____ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA ☐ Pump ☐ Bailor ☒ Air ☐ Other _____																																																					
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		<table border="1"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr> <td>100</td> <td>45</td> <td>1</td> </tr> </tbody> </table>		Discharge G.P.M.	Pumping Level	Hours Pumped	100	45	1																																														
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4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other		9. LITHOLOGIC LOG <table border="1"> <thead> <tr> <th rowspan="2">Bore Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>10</td> <td>0</td> <td>15</td> <td>Land and gravel</td> <td></td> <td>X</td> </tr> <tr> <td>10</td> <td>15</td> <td>23</td> <td>Gravel and boulders</td> <td>X</td> <td></td> </tr> <tr> <td>8</td> <td>23</td> <td>36</td> <td>Gravel</td> <td>X</td> <td></td> </tr> <tr> <td>8</td> <td>36</td> <td>46</td> <td>Boulders</td> <td>X</td> <td></td> </tr> <tr> <td>8</td> <td>46</td> <td>50</td> <td>Gravel</td> <td></td> <td>X</td> </tr> <tr> <td>8</td> <td>50</td> <td>62</td> <td>Limestone</td> <td></td> <td>X</td> </tr> <tr> <td>8</td> <td>62</td> <td>100</td> <td>Granite</td> <td></td> <td>X</td> </tr> </tbody> </table>		Bore Diam.	Depth		Material	Water		From	To	Yes	No	10	0	15	Land and gravel		X	10	15	23	Gravel and boulders	X		8	23	36	Gravel	X		8	36	46	Boulders	X		8	46	50	Gravel		X	8	50	62	Limestone		X	8	62	100	Granite		X
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5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other <table border="1"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>250 inches</td> <td>8 inches</td> <td>11 feet</td> <td>51 feet</td> </tr> <tr> <td>inches</td> <td>inches</td> <td>feet</td> <td>feet</td> </tr> <tr> <td>inches</td> <td>inches</td> <td>feet</td> <td>feet</td> </tr> <tr> <td>inches</td> <td>inches</td> <td>feet</td> <td>feet</td> </tr> </tbody> </table> 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 <u>1/8</u> inches by <u>1/8</u> inches <table border="1"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>250 perforations</td> <td>20 feet</td> <td>40 feet</td> </tr> <tr> <td>perforations</td> <td>feet</td> <td>feet</td> </tr> <tr> <td>perforations</td> <td>feet</td> <td>feet</td> </tr> </tbody> </table> 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 <u>20</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Pudding clay ☐ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent ☐ Cemented between strata Describe access port _____		Thickness	Diameter	From	To	250 inches	8 inches	11 feet	51 feet	inches	inches	feet	feet	inches	inches	feet	feet	inches	inches	feet	feet	Number	From	To	250 perforations	20 feet	40 feet	perforations	feet	feet	perforations	feet	feet	RECEIVED AUG 10 1990 Department of Water Resources Southern Region Office MAY 07 1993																					
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6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name <u>HYNDMAN</u> <u>PEAK 1/2 HYNDMAN</u> Lot No. <u>6</u> Block No. _____ County <u>BLAINE</u> <u>SE 1/4 NE 1/4 Sec. 3 T. 3 N. 18 E</u>		10. Work started <u>8-11-90</u> finished <u>8-14-90</u>																																																					
11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. WOOD RIVER DRILLING AND PUMP Firm No. <u>265</u> Address <u>Box 1165 788-3163</u> <u>HAILEY, IDAHO 83333</u> Date _____ Signed by (Firm Official) <u>Ken Smith</u> and (Operator) <u>RSC McLaughlin</u>		12. _____																																																					

37-08646

#2 P/a

RECEIVED
MAY 07 1996



37-08646



#1
P/D

MACROPHOT

MAY 07 1996

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	37-08646	Kirk L. DuShane Jr.	0.10
Full Assignment	37-08646	Fred R. Backer	0.10

SEP 09 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08646

Priority: July 12, 1990

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

3.3 AF

This is to certify, that FRED R BACKER
C/O BACKER, JOLIEM & JAMES
165 HYNDMAN VIEW DR
HAILEY ID 83333

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 12, 1990; and has submitted Proof of Beneficial Use on December 13, 1993. An examination indicates that the works have a diversion capacity of 0.120 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>
IRRIGATION	04/15 to 10/15	0.02 CFS	2.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.06 CFS	3.3 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 3, 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	3	SENE	0.6		0.6

Total number of acres irrigated: 0.6

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND 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. Irrigation use under this right is authorized only in connection with a domestic use.

MAY 07 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08646

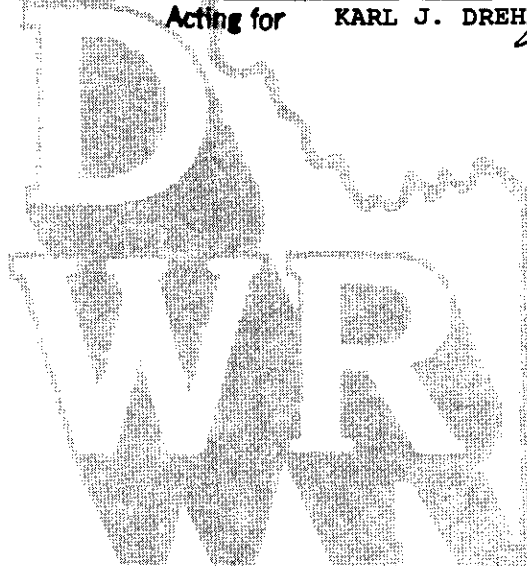
CONDITIONS OF APPROVAL AND REMARKS

6. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 2.1 afa for the land described above.
7. Places of use are located within Lot 6, Hyndman Peak Subdivision.
8. Domestic use is for 2 homes.
9. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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 4TH day of MAY, 1996.

Acting for


KARL J. DREHER, Director



MAY 07 1996

Amt. of Fee \$25.00

Date 7-29-94

Receipt No. 501718

Receipt by J F Stanton

State of Idaho
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, KIRK L DU SHANE JR hereby assign to FRED R BACKER
 of % BACKER, JOUEM & JAMES J - TRS # 2 & 3 DTD 12/31/91
 @ 165 HYNOMAN View DR. HALLEY ID 83333

All my right, title, and interest in and to Permit No. 37-08646
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State of Idaho.

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

JUL 29 1994

Department of Water Resources
Southern Region Office

Made this 13th day of July, 1994

Permit Holder(s)

RECEIVED

AUG 10 1934

Department of Trade and Commerce

State of Idaho)

\$\$

County of Slane

On this 15th day of July, 1994, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Notary Public

Signature

My commission expires: 6-17-87

database updated 8/17/94 cz.

RECEIVED

DEC 13 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 50.00

Date 12-13-93

Receipt No. 0039209

Receipt by J. Vancant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 37-08646 Telephone No. (208) 788-9090
2. Name(s) of Permit Holder(s): KIRK L. DUSHANE, JR.
3. Mailing Address: POB 2399 KETCHUM, IDAHO 83340
4. Source of Water: GROUND WATER

If GROUNDWATER, Well Driller's Name: WOOD RIVER DRILLING & PUMP Date Drilled: 8-14-90

OPTIONAL: 1-3 HP

2 Pump horsepower: 3 HP Pressure (psi): N/A Dynamic pumping level (ft.): N/A

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

Domestic 2 (No. of households) Stockwater 4 HORSES (No. and type of stock)

Irrigation 2 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .10 cfs OR _____ acre/feet

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

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

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

8. Fee Enclosed: \$ 50 (See License Fee Schedule on back of Instruction Sheet)

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

KIRK L. DUSHANE JR 208 788-9090
Name Telephone No.

165 HYNDMAN VIEW DRIVE HAILEY IDAHO 83333 (EAST FORK)
Address

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

12-6-93
Date

Kirk L. Dushane, Jr.
Signature (and title, if on behalf of a company or organization)

SEP 09 1994

STATE OF IDAHO

For Office Use Only

\$15 FEE Received by 15.00Date 11-13-91Receipt # C022291**RECEIVED**

NOV 13 1991

DEPARTMENT OF WATER RESOURCES

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

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

Permit No. 37-08646Name(s) of Permit Holder: KIRK L. DUSHANE JR.Post Office Address: POB 2399KETCHUM, IDAHO 83340 Telephone No. 788 9090Date Proof Is Due: 1-1-92

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

PUMP INSTALLED, RESIDENCE AND BARN COMPLETED AND
OCCUPIED BY 10-15-91. INSTALLATION OF SPRINKLER
SYSTEM NOT DONE BY SNOWFALL - WILL COMPLETE IN
1992 OR 1993 DEPENDING ON P&Z REQUIREMENTS Costing \$ 700,000

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

COLD WEATHER BEFORE COMPLETION - TOP SOIL NOT
ADEQUATE TO COMPLETE IRRIGATION SYSTEM. MAY
HAVE TO OBTAIN P&Z VARIANCE UNDER NEW RIVER LAWS.

Permit holder(s) request an extension to 1-1, 19 94.
(1 yr. minimum)

(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

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

NOV 20 1991

Signed this 18th day of November, 19 91.

A. New Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08646

Proposed Priority: July 12, 1990 Maximum Diversion Rate: 0.10 CFS
This is to certify, that **KIRK L. DU SHANE, JR.**
P.O. BOX 2399
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	04/01 to 11/01	0.06 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.10 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSENE Sec. 3, 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	3	SENE	2		2

Total number of acres irrigated: 2

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 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.
5. Domestic use is for 2 homes.
6. Stockwater use is for 3 horses.

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, 19*91*.

MICROFILMED

JAN 15 1991

for *R. Keith Higginson*
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant KIRK L. DUSHANE JR. Phone 208 726 3667
Post office address POB 2399 KETCHUM, IDAHO 83340
2. Source of water supply GROUND WATER which is a tributary of N/A
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 3 Township 3N Range 18E B.M. BLAINE County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .04 for DOMEST purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .06 for IRRIGATION purposes from 4-1 to 10-1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .10 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 5 HP 75 GPM SERIES

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is 8 inches; proposed depth of well is 80 feet. MA
d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

MICROFILMED

JAN 15 1991

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. 2 OR 3 HORSES
- Municipal; show name of municipality. _____
- Domestic; show number of households. 1 PLUS A BARN WITH SMALL APARTMENT
- Other; describe fully. WATER PLANTS AND LAWN ON 1.5 ACRES

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	18E	3				2.0													
						D													

Total number of acres to be irrigated 2.0

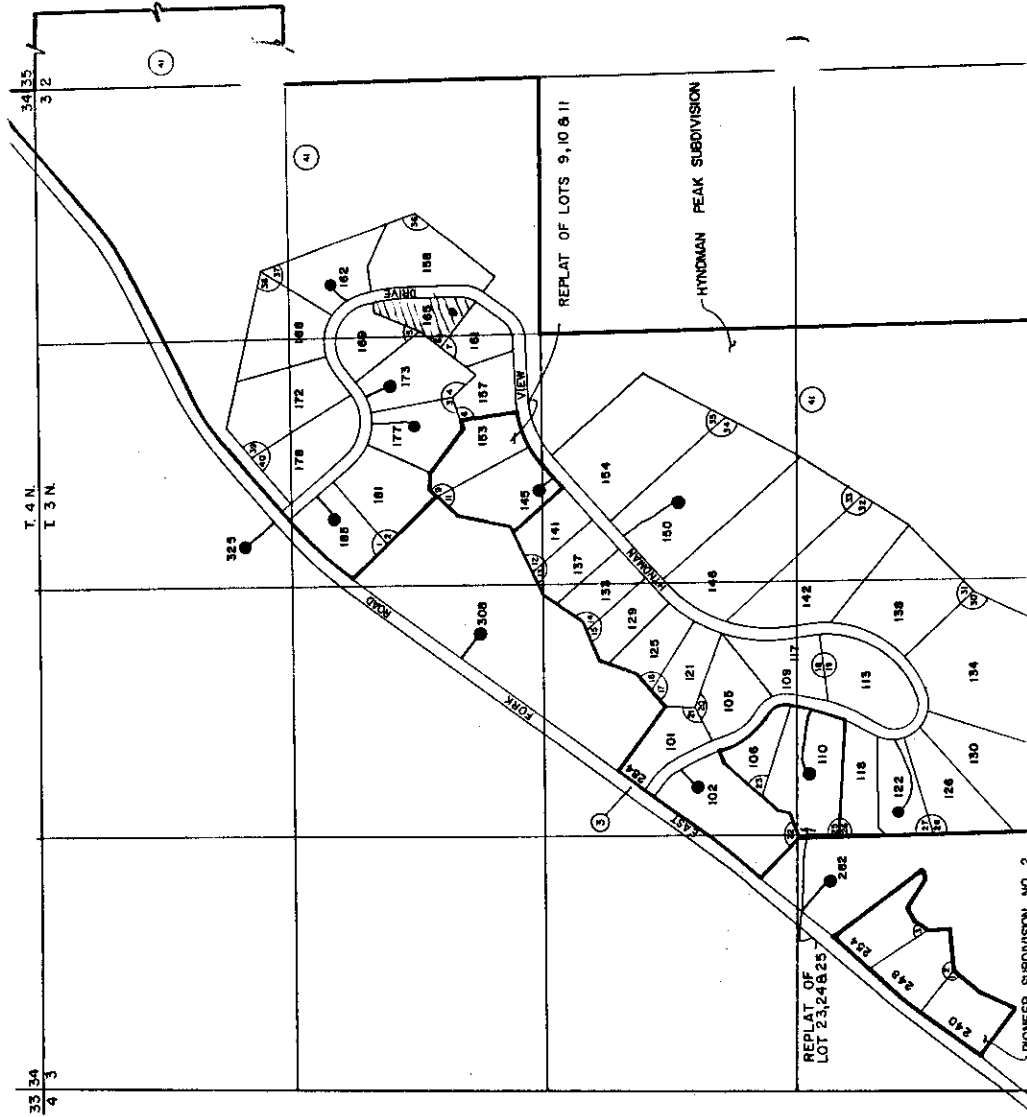
10. Describe any other water rights used for the same purposes as described above. NONE

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

12. Remarks: WOOD RIVER DRILLING : CONTRACTOR

RECORDED & FILMED

JAN 15 2011



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

PLEASE SEE ATTACHED MAP

MICROFILMED
JAN 15 1991

MICROFILMED

JAN 15 1991

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.

Paul A. Schaefer
(Applicant)

Received by tp Date 7-12-90 Time 10:40 AM. Preliminary check by ZH
Fee \$ 30.00 Receipted by J. P. Stanton # 5012491 Date 7-12-90
Publication prepared by MB Date 7/17/90 Published in Wood River Journal
Publication approved M. Baldwin Date 9/24/90

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:

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JAN 15 1991

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } ss.

SEP 13 1990

Department of Water Resources
Southeast 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 1 day of Aug, 1990, and

the date of the last publication was on the 8 day of Aug, 1990.

Subscribed and sworn to before me this 8th day of Aug, 1990.
(SEAL)

NOTARY PUBLIC

MICROFILMED

WOOD RIVER JOURNAL
JAN 15 1991 Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line	11
Number of Lines in Notice	51.75
Number of Insertions	2
Lines tabular at	6c / Pica
Lines straight at	5c / Pica
Subsequent lines at	4c / Pica
TOTAL COST	\$55.43

COPY OF NOTICE
(Paste Here)

Notice of app. of water Rights
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

J. A. Water Dept.

BILL TO

NOTICE OF APPLICATION
FOR WATER RIGHT

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

27-08846
DU SHANE, JR., KIRK L.
P.O. BOX 2380
KETCHUM, ID 83340
Source: GROUNDWATER
Division: Pt. SENE Sec 3 T
Q3N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.000 CFS)
Total Diversion: (.100 CFS)
Date Filed: 7/12/1990
In: T03N R18E S03 SENE
2.8 ACRES TOTAL

37-08847
WILLIS, W. BRUCE
C/O F. ALTMAN & CO.
8238 SUNSET BLVD.
SUITE 801
LOS ANGELES, CA 90048
Source: GROUNDWATER
Division: Pt. NESWNE Sec 5 T
Q2N R 18E
Use: IRRIGATION (.080 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.090 CFS)
Date Filed: 8/27/1990
In: T02N R18E S06 NWNE SWNE
3.0 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 AUGUST 20, 1990.

R. Keith Higgerson, Director
Publish: Wood River Journal
August 1 & 8, 1990

7-8 pt./line straight: 5/pica
7-8 pt./line tabular: 6/pica
7-8 pt./line successive
insertion: 4/pica

No 7177



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

May 6, 1996

FRED R BACKER
C/O BACKER, JOLIEM & JAMES
165 HYNDMAN VIEW DR
HAILEY ID 83333

RE: WATER RIGHT NO. 37-08646

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

MICROFILMED

MAY 07 1996

B/U FIELD EXAM REVIEW
Cindy Zimmerman

01/96

Permit #: 37-8646 Name: Backer Date: 4/20/96 ✓ Lots

NAME Chng Same Or Address Change? 788-9192

SOURCE ✓ Clarify source
 Prelim. Order to Void - Source change.

P/D ✓ Amendment Needed? SENSE P39
 Overlap(s) none

P/U ✓ Amendment Needed? reduce to 0.6 ac. P41
 Overlap(s) none
 (Gov't special #'s) *P/D & P/U Amend? P37

RATE ✓ Permit/fee limits: 0.10 / 0.10
 Measured Q = NO cfs/Theoretical Q = 0.12 cfs
 $(dom/in house = 0.04) + (irr = 0.6 \times 0.03 = 0.02) = 0.06$
 (HP) $\frac{8.8 \times 0.70 \times 3}{18 + (2.31 \times 60)} = \frac{18.48}{156.6} = 0.12$ cfs
 ✓ Recommended capacity 0.12 cfs
 ✓ Recommended rate 0.06 cfs

VOLUME ✓ Season: (B/3.5) 4/15-10/15 = 184 days
 Calculations:
 $(dom/2 - in house = 0.6 \times 2 = 1.2) + (irr = 0.6 \times 3.5 = 2.1) = 3.3$ AF
 Flow limit: 0.04 x 365 x 1.9835 = 29.0 AF
 ✓ Recommended volume 2.1 + 1.2 = 3.3 AF

USES ✓ Same Nature of Use? P46
 Amendment Needed?

REMARKS Multiple p/d's in $\frac{1}{4}$? W32
 ✓ Out to Hyndman Subd. (2) WBS/2

CONDITIONS Measuring (R01)/Locking (R02) Devices
 Watermaster Control (R04) - WD #
250 Irrigation rate/volume overlap
 GW irrigation replaces surface water (050)
 GW irrigation supplements surface water (065)
 ✓ Water Quality/Other 041

PRIORITY App Rcd 7/12/90 Due 1/1/94 Rc'd 12/13/93
Receipt# 6029209 Fee OK? Yes/No
Order to Reinstate Needed? Yes/No Done?
If Yes, Advanced? Yes/No to:
Priority 7/12/90 Examined 7/7/94

COMMENTS: license as permitted

USE	CFS	DIV VOL	SRBA Overlap
<u>irr.</u>	<u>0.02</u>	<u>2.1</u>	<u>None</u>
<u>Dom</u>	<u>0.04</u>	<u>1.2</u>	<u>Adjustment Memo</u>
<u>TOTAL</u>	<u>0.06</u>	<u>3.3</u>	<u>LICENSE LTR: P49</u>
			<u>#1 AMEND LTR: /P38</u>
			<u>#2 AMEND LTR: P42/P47</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 10 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08646

1. Owner: Kirk L. DuShane, Jr. Phone No. 788-9090

Current Address: 165 Hyndman View Drive, Hailey ID 83333

2. Accompanied by: Fred Backer (current owner) EXAM DATE: 7-7-94

Address: 165 Hyndman View Dr. Hailey ID 83333 Phone No. 788-9192

Relationship to Permit Holder: Current owner (Assignment in Progress)

3. Source: Groundwater tributary to None

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE	NE	3	3N	18E	Blaine	Ortho Photo Quad Map

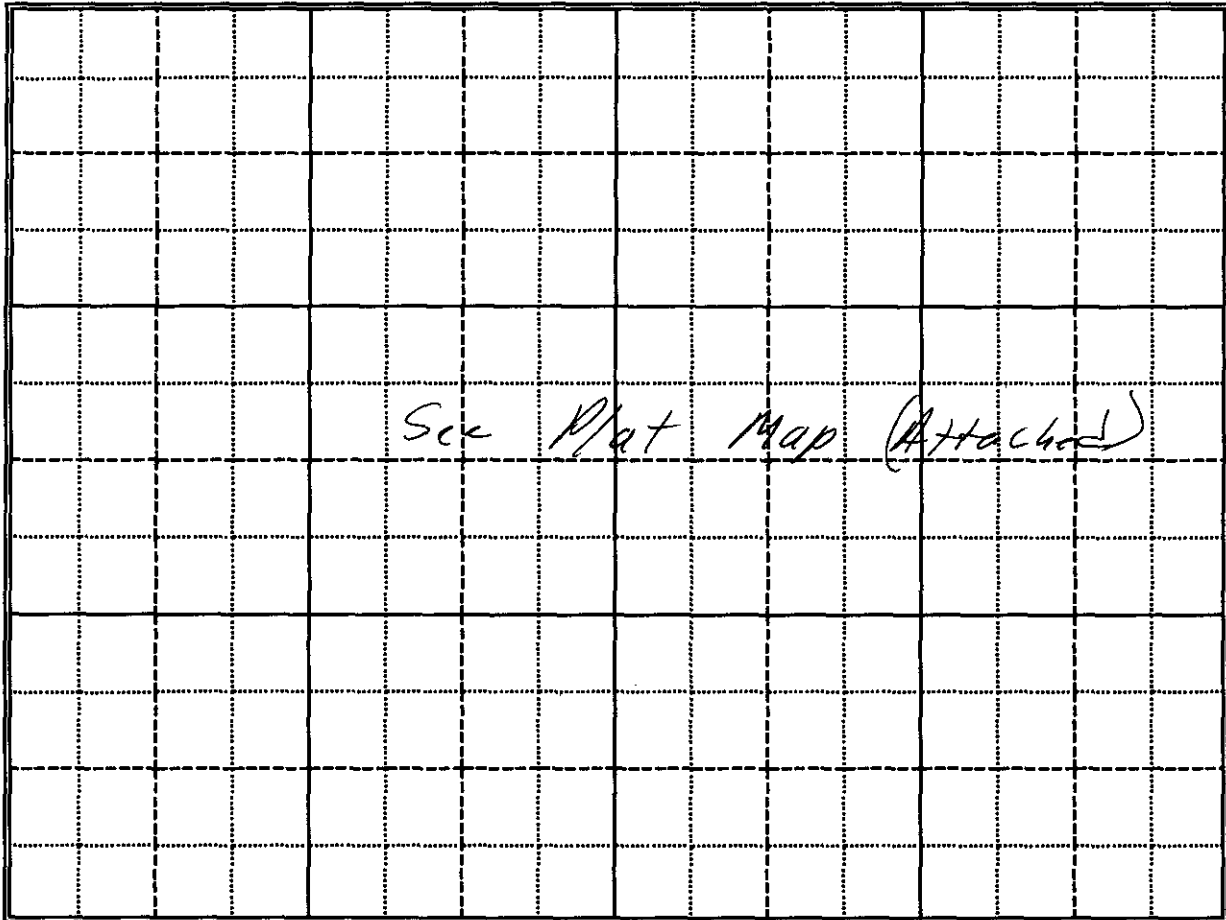
2. Place(s) of Use:

Indicate Method of Determination Pacing

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	3				.6													.6
						D													

MAY 07 1996

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
House/Sprinkler System	Franklin	3	2823029103	Sta-Rite	Unknown
Fire	Franklin	3	2823028110	Jacuzzi	60 gpm

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: NO flow measurements were taken. A theoretical calculation is used to estimate flow.

MAY 07 1996

E. NARRATIVE/REMARKS/COMMENTS

See Narrative Attachment.
P/D & P/U are in Lot of Hyndman Peak Subdivision.

Have conditions of permit approval been met? ☒ yes

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F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$\frac{8.8(3)(.7)}{30 + 60(2.31)} = .11 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .6(3.5) = 2.1 \text{ afa}$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .02(184)1.9835 = 7.3 \text{ afa}$$
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 2.1 \text{ afa}$$

2. Volume Calculations for Other Uses:

$$2 \text{ homes} = 1.2 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-15	10-15	.02 cfs	2.1 afa
Domestic	1-1	12-31	.04 cfs	1.2 afa
Totals:			.06 cfs	3.3 afa

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name Alan Hamster Date 7-15-94

Reviewer _____ Date _____

NOTED
SEAL
MAY 07 1996

37-08646

Narrative Attachment

There were no place of use or point of diversion water right overlaps found for this permit.

There are two homes on this property. .6 acre is irrigated with an underground sprinkler system. The pump that is used for irrigation and domestic use is a 3 Hp Sta-Rite pump. A second 3 Hp Jacuzzi pump is also installed in the well for fire protection reasons. Rainbird MaxiPaw Model # 2045A sprinklers are installed for sprinkling. There are a total of 7 stations used to irrigate the property.

Kirk Du Shane has sold the property to Fred Backer. An Assignment of Permit form was given to Fred Backer in order to have the permit changed over into his name.

12001
MAY 07 1986

Decker

Spring Peter

PERMIT 37-08646 INIT

T. R. S. Q/Q

P/D 3N 1RE 3 SENE

SCALE

PHOTO ID. X74

33

34

35

4

4

P/D
P/Q

Wood

MAY 07 1996

10

11

Oh

East

X 6370

X 6363

X 6362

X 6100

Spring

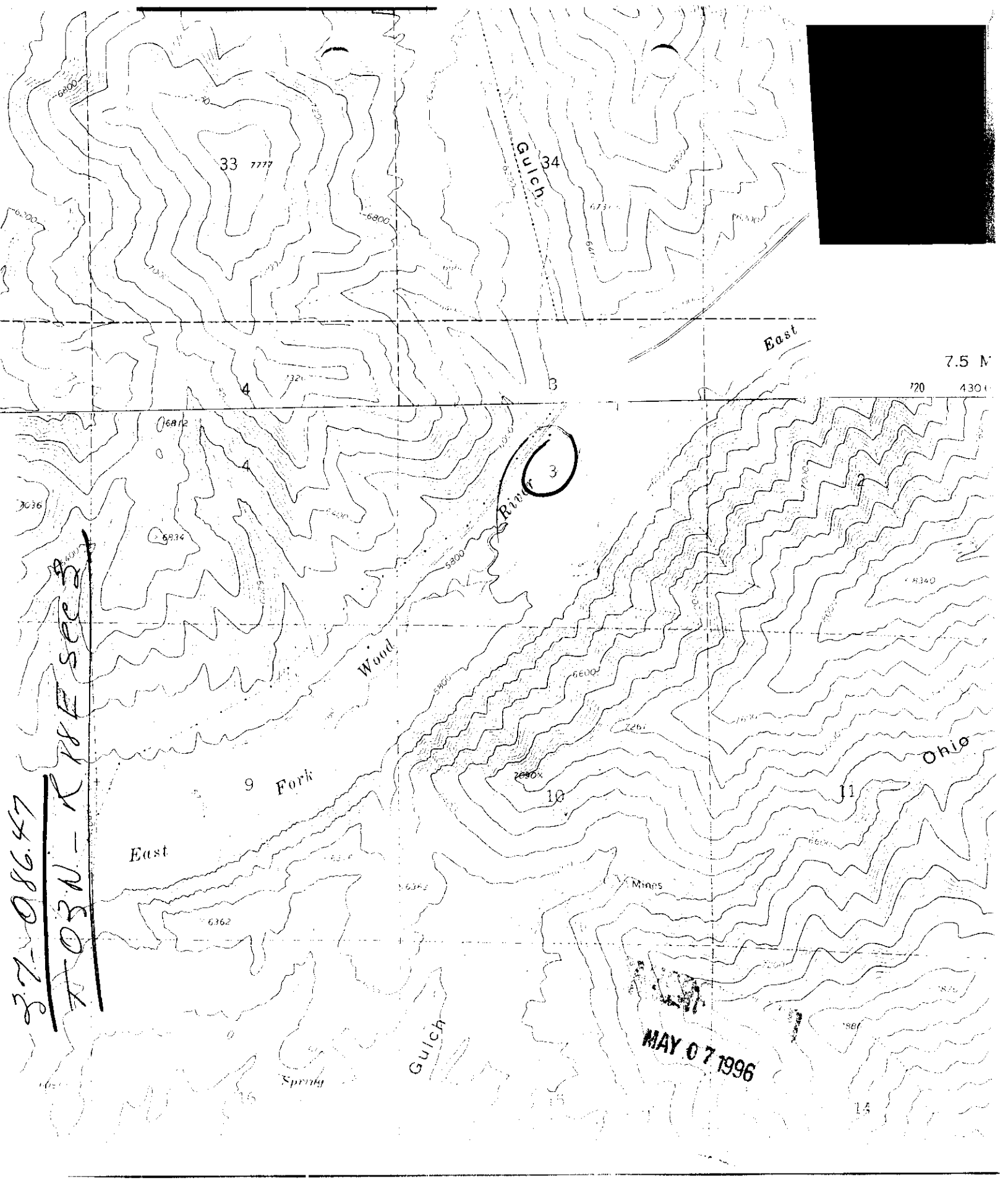
Gulch

X 7886

16

15

14



33 7777

Gulch 34

East

7.5 M

720

430

37-086.47
703N - R 18E sec 3

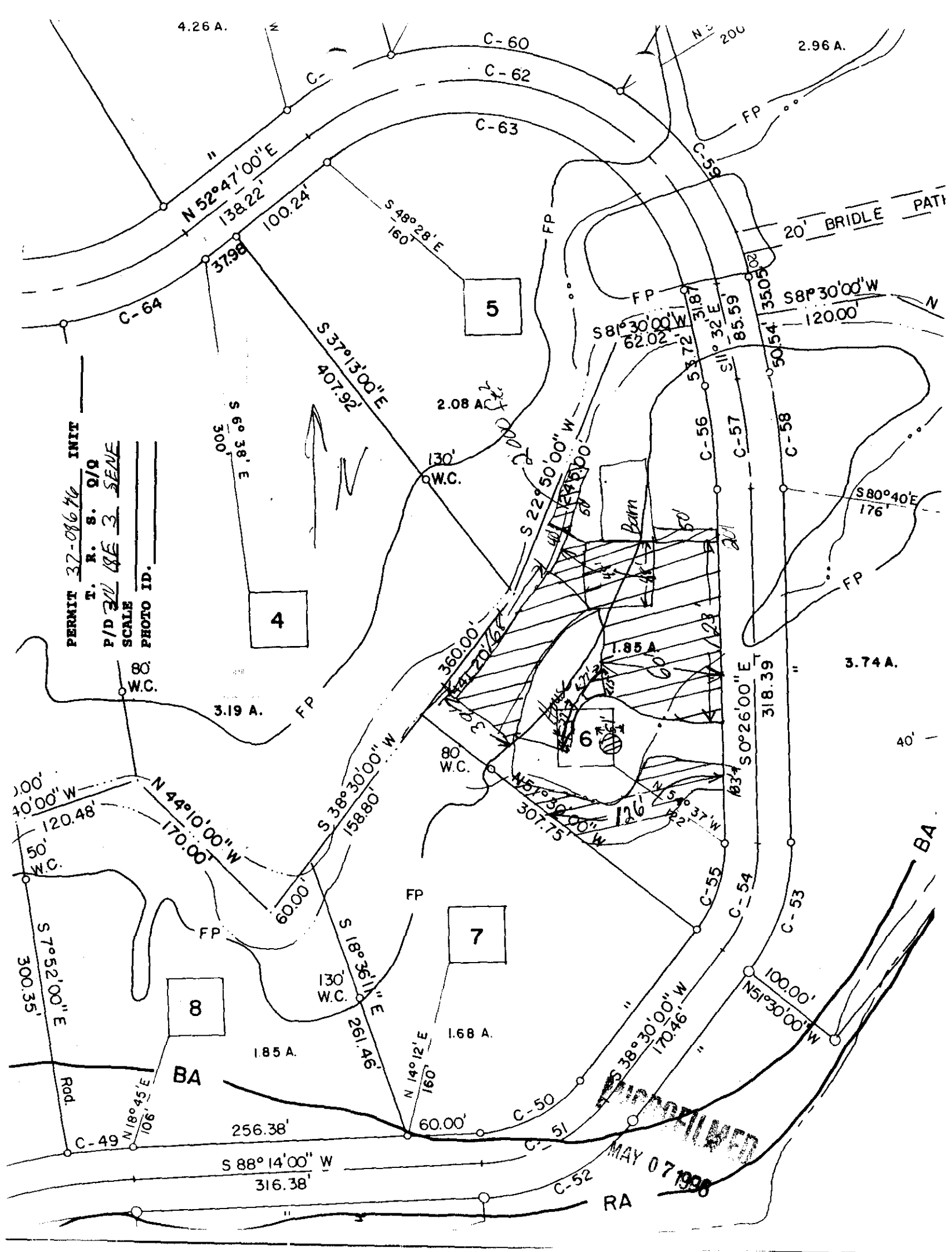
Wood

9 Fork

East

Ohio

MAY 07 1996



PERMIT 37-08646 INIT
T. R. S. 9/9
P/D 3/11/86 3 SENE
SCALE
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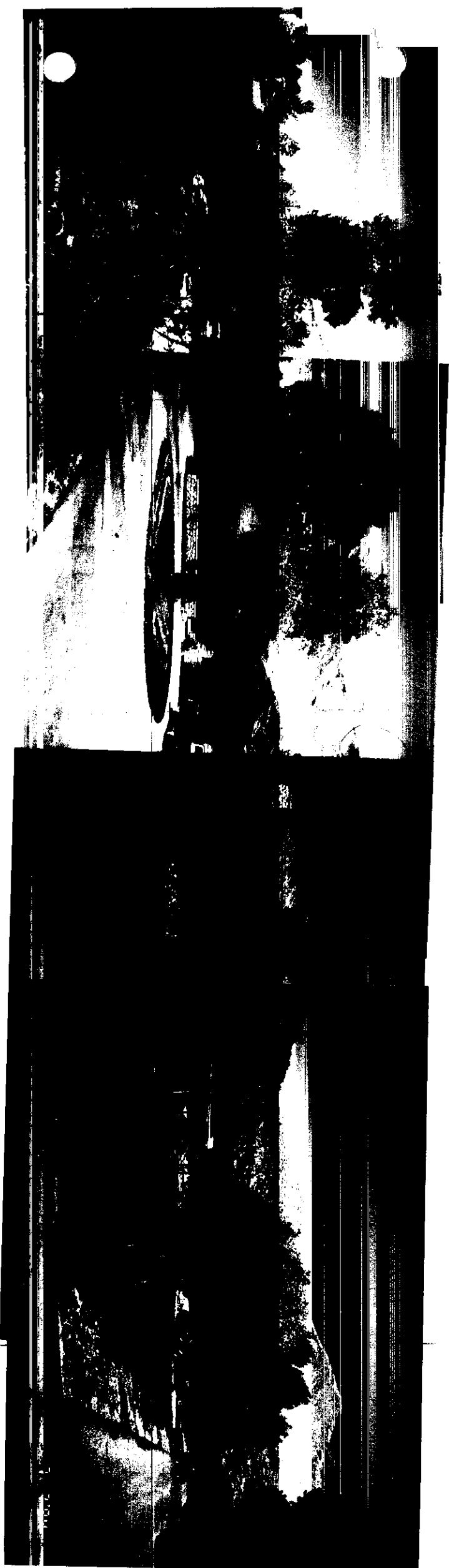
P/D _____
SCALE _____
PHOTO ID. _____

USE TYPEWRITER OR
BALLPOINT PEN

The 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: <u>BLAINE STATE</u> Address: <u>233 N. 1st St., Blaine, ID. 83540</u> Owner's Phone No.: <u>87-9045-108 OK</u>	7. WATER LEVEL Static water level <u>8</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>OF</u> Quality <u>GOD</u> Describe artesian or temperature zones below																																
2. NATURE OF WORK ☒ New well ☒ Deepened ☐ Replacement Will diameter increase _____ Abandonment procedures such as materials used, depths, etc. in lithologic log	8. WELL TEST DATA ☐ Pump ☐ Bailor ☒ Air ☐ Other <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr> <td align="center"><u>100</u></td> <td align="center"><u>42</u></td> <td align="center"><u>1</u></td> </tr> </tbody> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>100</u>	<u>42</u>	<u>1</u>																										
Discharge G.P.M.	Pumping Level	Hours Pumped																															
<u>100</u>	<u>42</u>	<u>1</u>																															
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Bore Diam.</th> <th>Depth From To</th> <th>Material</th> <th>Water Yes No</th> </tr> </thead> <tbody> <tr> <td><u>10"</u></td> <td><u>0</u> <u>15</u></td> <td><u>SAND AND GRAVEL</u></td> <td align="center"><u>X</u></td> </tr> <tr> <td><u>8"</u></td> <td><u>15</u> <u>23</u></td> <td><u>Gravel and boulders</u></td> <td align="center"><u>X</u></td> </tr> <tr> <td><u>8"</u></td> <td><u>23</u> <u>36</u></td> <td><u>Gravel</u></td> <td align="center"><u>X</u></td> </tr> <tr> <td><u>8"</u></td> <td><u>36</u> <u>46</u></td> <td><u>Boulders</u></td> <td align="center"><u>X</u></td> </tr> <tr> <td><u>8"</u></td> <td><u>46</u> <u>50</u></td> <td><u>Gravel</u></td> <td align="center"><u>X</u></td> </tr> <tr> <td><u>8"</u></td> <td><u>50</u> <u>62</u></td> <td><u>Limestone</u></td> <td align="center"><u>X</u></td> </tr> <tr> <td><u>8"</u></td> <td><u>62</u> <u>100</u></td> <td><u>Granite</u></td> <td align="center"><u>X</u></td> </tr> </tbody> </table>	Bore Diam.	Depth From To	Material	Water Yes No	<u>10"</u>	<u>0</u> <u>15</u>	<u>SAND AND GRAVEL</u>	<u>X</u>	<u>8"</u>	<u>15</u> <u>23</u>	<u>Gravel and boulders</u>	<u>X</u>	<u>8"</u>	<u>23</u> <u>36</u>	<u>Gravel</u>	<u>X</u>	<u>8"</u>	<u>36</u> <u>46</u>	<u>Boulders</u>	<u>X</u>	<u>8"</u>	<u>46</u> <u>50</u>	<u>Gravel</u>	<u>X</u>	<u>8"</u>	<u>50</u> <u>62</u>	<u>Limestone</u>	<u>X</u>	<u>8"</u>	<u>62</u> <u>100</u>	<u>Granite</u>	<u>X</u>
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4. METHOD DRILLED ☒ Rotary ☐ Auger ☐ Hydraulic ☐ Reverse rotary Casing _____ Drill _____ Other _____	RECEIVED AUG 10 1990 Department of Water Resources Southern Region Office MCCORMICK NOV 07 1990																																
5. WELL CONSTRUCTION Casing material: ☒ Steel ☐ Concrete ☐ Other _____ Thickness _____ Diameter _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>From</th> <th>To</th> <th>Feet</th> <th>Inches</th> </tr> </thead> <tbody> <tr> <td><u>.250</u></td> <td><u>inches</u></td> <td><u>15</u></td> <td><u>feet</u></td> </tr> <tr> <td><u>inches</u></td> <td><u>inches</u></td> <td><u>feet</u></td> <td><u>feet</u></td> </tr> <tr> <td><u>inches</u></td> <td><u>inches</u></td> <td><u>feet</u></td> <td><u>feet</u></td> </tr> <tr> <td><u>inches</u></td> <td><u>inches</u></td> <td><u>feet</u></td> <td><u>feet</u></td> </tr> </tbody> </table> Was casing driven used? ☒ Yes ☐ No Was a packer seal used? ☐ Yes ☐ No Perforated? ☐ Yes ☐ No How perforated? ☐ Factory ☒ Knife ☐ Torch ☐ Gun Size of perforations <u>1/8</u> inches by <u>1/8</u> inches <u>250</u> perforations _____ Well screen installed? ☒ Yes ☐ No Manufacture _____ Type _____ Model No. _____ Diameter _____ Set from _____ feet to _____ feet Diameter _____ Set from _____ feet to _____ feet Gravel packed? ☒ Yes ☐ No Size of gravel _____ Paced from _____ feet to _____ feet Surface seal depth _____ Material used in seal: ☒ Cement grout ☐ Puddling clay ☐ Sealing process: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth Method of welding: ☐ Threaded ☐ Welded ☐ Solvent weld Describe _____ Cemented between strata	From	To	Feet	Inches	<u>.250</u>	<u>inches</u>	<u>15</u>	<u>feet</u>	<u>inches</u>	<u>inches</u>	<u>feet</u>	<u>feet</u>	<u>inches</u>	<u>inches</u>	<u>feet</u>	<u>feet</u>	<u>inches</u>	<u>inches</u>	<u>feet</u>	<u>feet</u>	10. Work started <u>8-11-90</u> finished <u>8-14-90</u>												
From	To	Feet	Inches																														
<u>.250</u>	<u>inches</u>	<u>15</u>	<u>feet</u>																														
<u>inches</u>	<u>inches</u>	<u>feet</u>	<u>feet</u>																														
<u>inches</u>	<u>inches</u>	<u>feet</u>	<u>feet</u>																														
<u>inches</u>	<u>inches</u>	<u>feet</u>	<u>feet</u>																														
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name <u>HYNDMAN</u> <u>PEAKS HYNDMAN</u> Lot No. <u>6</u> Block No. _____ County <u>SE BLAINE</u> <u>NE 3 T. 3 N. 18 E X</u>	11. DRILLERS CERTIFICATION We certify that all minimum well construction standards were complied with at the time the rig was removed. WOOD RIVER DRILLING AND PUMP Firm <u>BOX 1165 788-3163</u> Firm No. <u>265</u> <u>HAILEY, IDAHO 83333</u> Date _____ Signed by (Firm Official) <u>Ken Smith</u> and (Operator) <u>RSCC mcburgie</u>																																

#2
P/a



RECEIVED
MAY 07 1996

37-08646

37-08646



#1
P/D

RECORDED

MAY 07 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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 19, 1994

FRED R BACKER
PO BOX 2931
KETCHUM ID 83340

Re: Permit No. 37-08646

Dear Mr. Backer:

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

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

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc



SEP 09 1994

December 20, 1993

KIRK L. DU SHANE, JR.
P.O. BOX 2399
KETCHUM ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08646

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

SEP 09 1994

Drilling Permit 37-90-5-108
Water Right Per. No. 37-08646
Injection Permit No. _____

RECEIVED

State of Idaho
Department of Water Resources

JUL 12 1990

APPLICATION FOR DRILLING PERMIT Department of Water Resources
Southern Region Office

1. Applicant (please print) KIRK L. DULSHANE JR.
2. Mailing Address POB 2399 KETCHUM, IDAHO 83340
Telephone 208 726 3667

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

3. Proposed well location SE 1/4 NE 1/4, or Gov't Lot No. _____
Sec. 3, Twp. 3N, Rge. 18E, County BLAINE
Street Address of Well Site 165 HYNDMAN VIEW DRIVE
Lot, block and subdivision 6 HYNDMAN PEAK SUB.

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.

(X) 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 80'

C. Anticipated bottom hole temperature:

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

6. Construction Start Date 7-21-90

7. Anticipated Well Driller WOOD RIVER DRILLING
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Kirk Dulshane Jr. Date 7-5-90

Title OWNER
(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Amended

Date 7/13/90

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:

Larry O. Halverson
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 5012491 Received by [Signature] Fee \$200 Date 7-12-90

SEP 09 1991

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

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

RECEIVED

Drilling permit No. 37-90-5-108

JUL 12 1990

Water right No. 37-08646

Department of Water Resources
Southern Region Office

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

KIRK L. DUSHANE JR., 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):

CONSTRUCTION IN PROGRESS ON SINGLE FAMILY
RESIDENCE AT LOT 6 HYNDAMAN PEAK SUBDIVISION
INCLUDING BARN WITH SMALL APARTMENT. NEW FIRE
REGULATIONS REQUIRE 125 GPM WATER SUPPLY.

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 7-5-90

Signature

Applicant

Kirk L. Dushane Jr.

JUL 19 1990

October 31, 1993

KIRK L. DU SHANE, JR.
P.O. BOX 2399
KETCHUM ID 83340

PROOF DUE NOTICE

RE: PERMIT NO. 37-08646

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL

NO. 140863

SEP 08 1993



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

November 18, 1991

Kirk L. DuShane Jr.
P.O. Box 2399
Ketchum, ID 83340

Re: Permit No. 37-08646

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to January 1, 1994.

Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

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

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

NOV 20 1991

138170
October 31, 1991

KIRK L. DU SHANE, JR.
P.O. BOX 2399
KETCHUM ID 83340

PROOF DUE NOTICE

RE: PERMIT NO. 37-08646

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SINCERELY,

Nina Shields
Secretary/Records Manager

Enclosures

MICROFILMED

NOV 20 1991



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

KIRK L. DU SHANE, JR.
P.O. BOX 2399
KETCHUM, ID 83340

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08646

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 15 1991

37-08646

DU SHANE, JR., KIRK L.
PO BOX 2399
KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: SWSENE Sec 3 T 03N R 18E

Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Total Diversion: (.100 CFS)

Date Filed: 7/12/ 1990

In: T03N R18E S03 SENE

2.0 ACRES TOTAL

MICROFILMED

JAN 15 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone St East, Twin Falls, Idaho 83301 on or before AUGUST 20, 1990.

R. Keith Higginson, Director

Published 8/ 1/1990 & 8/ 8/1990

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JAN 15 1991

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

JULY 17, 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 AUGUST 20, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

JAN 15 1991

17-Jul-1990

KIRK L DU SHANE JR
PO BOX 2399
KETCHUM ID 83340

Re: Application for Permit No. 37-08646

Dear Mr. Du Shane:

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 8/1 & 8/8/90. 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,

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

LH:MB

MICROFILMED

JAN 15 1991

Drilling Permit No. 37-90-5-108
Water Right Permit 37-08646
Injection Permit No. _____

RECEIVED

State of Idaho
Department of Water Resources

JUL 12 1990

APPLICATION FOR DRILLING PERMIT Department of Water Resources
Southern Region Office

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2. Mailing Address POB 2399 KETCHUM, IDAHO 83340
Telephone 208 726 3667

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

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Sec. 3, Twp. 3N, Rge. 18E, County BLAINE
Street Address of Well Site 165 HYNDMAN VIEW DRIVE
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() Injection

- () Monitoring - A well bore schematic and map is required for each well.
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A. ☒ New well () Deepen () Replace - See Condition 9

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() 212° or more (Geothermal well)

6. Construction Start Date 7-21-90

MICROFILMED

7. Anticipated Well Driller WOOD RIVER DRILLING

JAN 15 1991

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

8. Applicant's signature Kirk L. Dulshane Jr. Date 7-5-90

Title OWNER

(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Amended

Date 7/13/90

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SPECIFIC CONDITIONS:

L. Allen O. Halverson
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 5012491 Receipted by [Signature] Fee \$200. Date 7-12-90

MICROFILMED

JAN 15 1991

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

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RECEIVED

Drilling permit No. 37-90-5-108

JUL 12 1990

Water right No. 37-08646

Department of Water Resources
Southern Region Office

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

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RESIDENCE AT LOT 6 HYNDMAN PEAK SUBDIVISION
INCLUDING BARN WITH SMALL APARTMENT. NEW FIRE
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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 7-5-90

MICROFILMED

JAN 15 1991

Signature

Applicant

Kirk L. Dushane Jr.