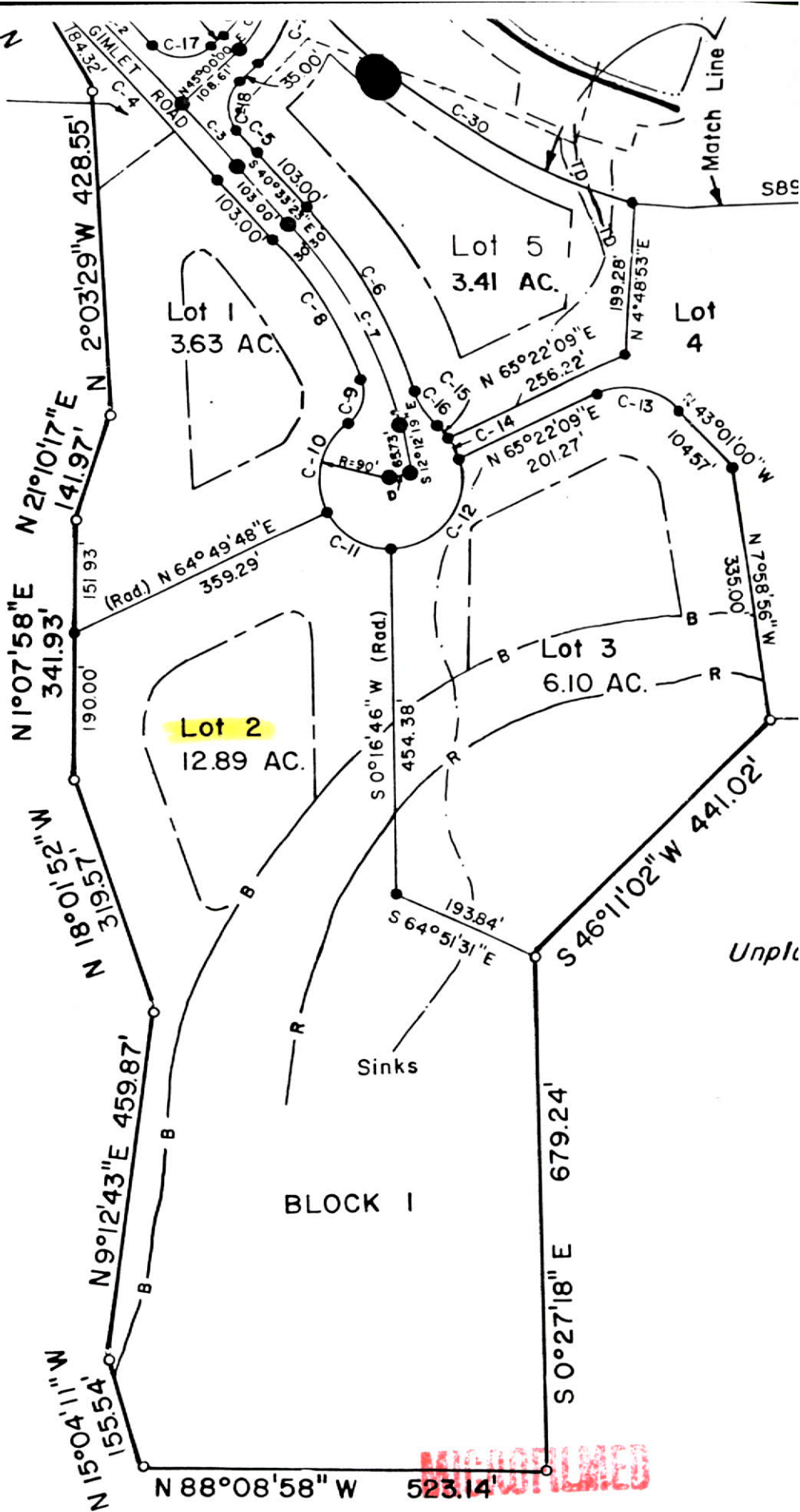




Area reserved for landscaping and sign easement

Unplatted

PLAT BEARING DATA		
Designation	Bearing	Distance
A	N 01° 03' 31" E	16.66'
B	N 27° 38' 53" W	98.45'
C	N 27° 38' 53" W	153.13'
D	S 77° 47' 39" W	26.33'
E	S 53° 24' 49" E	30.00'



REVIEW
RINKER - application - lot 2

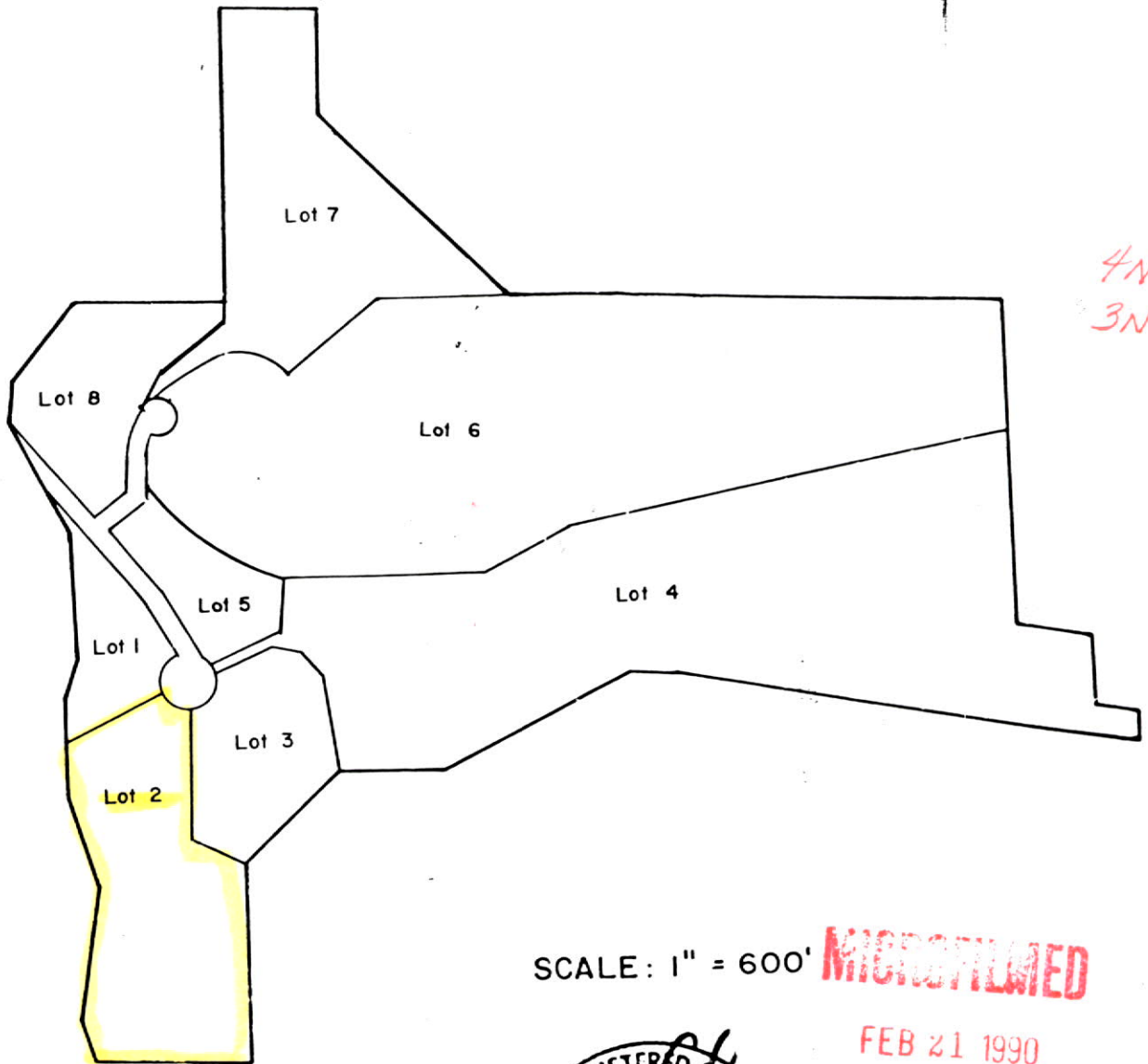
37-68563

37-08563

regulations.

9. Location and design of individual wells and septic systems shall be approved by the South Central Health District.
10. There shall be 10' wide utility easements centered on all common lot lines and on the exterior boundary of all lots.
11. The developer guarantees that there is adequate water available for domestic purposes. Test wells have been drilled.
12. Homes built on lots 4, 6, and 7 shall have a maximum height of 30
13. All subdivision improvements, including the pond and fire protection system must be completed before building permits will be issued.
14. Any improvements not completed at the time of final plat recording be bonded for 150% of the established construction costs.
15. Roads shall meet the specifications 9.17.1 of the Blaine County Subdivision Ordinance 77-6 and current county road specifications.
16. The developer shall provide a fire protection system from the pond suitably located fire hydrant (per specifications of the Ketchum Rural District) to provide for the refilling of tanker trucks.

21"E 672.31'



SCALE: 1" = 600'

MICROFILMED

FEB 21 1990



REVISOR
RINKER - application - lot 2

18E

37-08563

anch)

Edge Ranch
son Trailers
ee Hollow Trailer Court
Triangle Sub
Trailers

iff
n. Comfort
Sub
la Trailers
ld Trailers

Mobile Home Park
ter Sub
d. River Ranch
n Meadows Trailer Park
rings
Trailers

n Estates

Hollow

Timber

Little Makawao
Valley View
Glenn Dale Acres

Creek

Wood

Red Tops

Comstock

River

Spring

Landing Strip

Landing Strip

Mile

8A

11

13

LAST

Union

Gimlet

Flume

Grove Creek Sub.

Ratto (unplatted)

Fiddler's Green

McNeilly Ranch Sub.
Aspen Grove
Huffman-Bender-Cox Sub.
Solitude Sub.
Gimlet Terrace Sub.

Gimlet Subs.

East Fork Subs.

Hogg Sub.

Willowood Sub.

Grove Creek Sub.

Ratto (unplatted)

Fiddler's Green

MICROFILMED
FEB 21 1990

REATER

RINKER - application - Lot 2

18E

37-08563

RECEIVED

STATE OF IDAHO

For Office Use Only

\$15 FEE Received by det
Date 2/28/91
Receipt # 5613064

DEPARTMENT OF WATER RESOURCES

FEB 28 1991

Department of Water Resources
Southern Region Office

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. 37-08563Name(s) of Permit Holder: Gail L. ReiterPost Office Address: c/o Gary D. Slette, Esq., P.O. Box 1906, Twin Falls, ID 83303-1906Telephone No. (208) 734-0700Date Proof Is Due: March 1, 1991

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

None

Costing \$ _____

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

Permit holder had anticipated obtaining drilling permit during first two months of 1991.

Because of groundwater considerations in Blaine County, Loren Holmes has advised that
drilling permits cannot be issued at this time.

Permit holder(s) request an extension to March 1, 1992
(1 yr. minimum)

[Signature]
(Signature)*

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

FEE: \$15.00

ACTION OF THE DEPARTMENT OF WATER RESOURCES

APR 12 1991

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to March 1, 1992.

Signed this 18th day of March, 1991.

[Signature]
Chief, Water Allocation Bureau

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

Gail L. Reiter hereby nominates and appoints Gary D. Slette of Nelson, Rosholt, Robertson, Tolman & Tucker, P. O. Box 1906, Twin Falls, ID 83303, as attorney-in-fact with full authority to act for and on behalf of Gail L. Reiter to execute any and all documents required or necessary to apply for and obtain water rights for my property located in Blaine County.

My agent is hereby authorized to sign, seal, and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect such documents as above-mentioned. Further, I hereby declare that each and every agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 12th day of July, 1989.


Gail L. Reiter

STATE OF _____)
County of _____) ss.

On this _____ day of _____, 1989, before me, a Notary Public in and for said County and State,

STATE OF CALIFORNIA
COUNTY OF ORANGE

} ss.

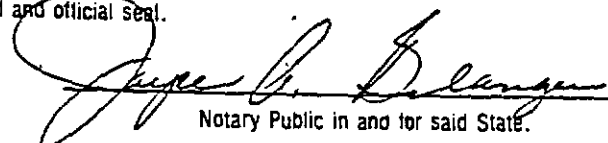
APR 12 1991

On this 12th day of July, in the year 19 89
before me, the undersigned, a Notary Public in and for said State, personally appeared
GAIL L. REITER



_____, personally known to me
(or proved to me on the basis of satisfactory evidence) to be the person whose name
is _____ subscribed to the within instrument, and acknowledged to me that he
executed it.

WITNESS my hand and official seal.


Notary Public in and for said State.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08563

Proposed Priority: August 16, 1989

Maximum Diversion Rate:

0.13 CFS

This is to certify, that **GAIL L. REITER**
C/O GARY D. SLETTE, ESQ.
P.O. BOX 1906
TWIN FALLS, ID 833031906

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	0.09 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.13 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNW Sec. 5, 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	5	SWNW	3		3

Total number of acres irrigated: 3

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 **March 1, 1991**.
2. Subject to all prior water rights.
3. Irrigation use under this permit is authorized only in connection with a domestic use.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. Place of use also known as Lot 2, Gimlet Terrace Subd.
7. Domestic use is for one home.

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

13th day of February, 1990.

MICROFILMED

FEB 21 1990

[Signature]
for R. Keith Higginson, Director

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

AUG 16 1989

To appropriate the public waters of the State of Idaho

Department of Water Resources

Southern Region Office

1. Name of applicant Gail L. Reiter Phone 734-0700
Post office address c/o Nelson, Rosholt, Robertson, Tolman, & Tucker, P. O. Box 1906, Twin Falls, ID 83303
~~2039-Vista-Garden-Newport-Beach-California-92660-~~

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

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

Sec. 5 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 domestic purposes from 01-01 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .09 for irrigation purposes from 04-01 to 11-01 (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) .13 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump & well

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

_____ to _____ inclusive.

c. Proposed well diameter is ? inches; proposed depth of well is ? feet.

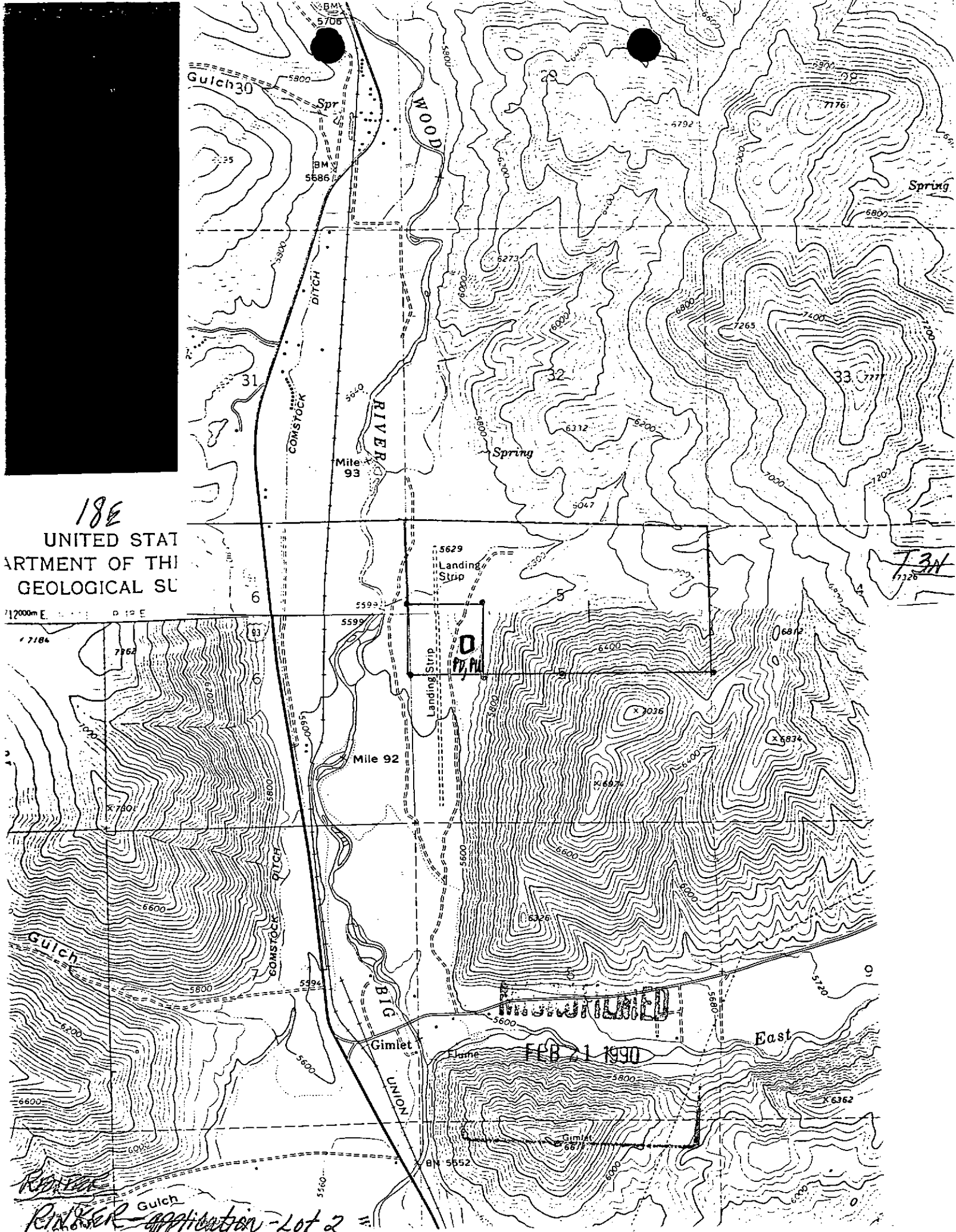
d. Is ground water with a temperature of greater than 90°F being sought? no

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).

FEB 21 1990

SECRET



18E
UNITED STATES
DEPARTMENT OF THE
GEOLOGICAL SURVEY

1:120000 E 1:120000 E

Revised
Revised application - Lot 2

SEE ATTACHED

MICROFILMED
FEB 21 1990

MICROFILMED
FEB 21 1990

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.

Application for permit to appropriate the public waters of


Agent (Applicant)

Received by LC Date 8/16/89 Time 4:23 pm Preliminary check by check attached JRS
Fee \$ 30.00 Received by J.F. Stanton # 5008874 Date 8-16-89
Publication prepared by M. Baldwin Date 10/26/89 Published in Wood River Journal
Publication approved T. Spence Date 11/28/89

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:

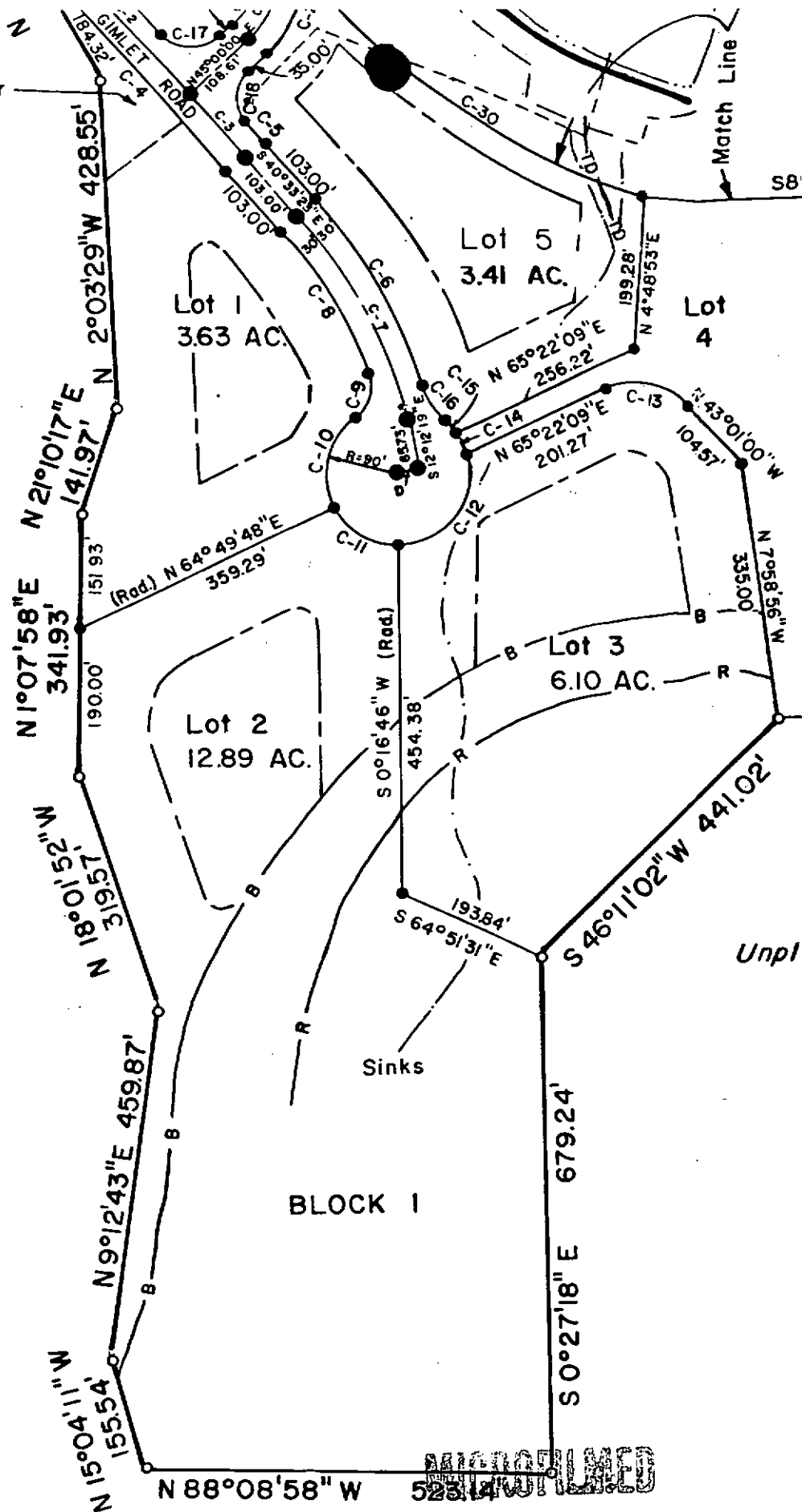
FILED
FEB 21 1990



Area reserved for
landscaping and
sign easement

Unplatted

PLAT BEARING DATA		
Designation	Bearing	Distance
A	N 01° 03' 31" E	16.66'
B	N 27° 38' 53" W	98.45'
C	N 27° 38' 53" W	153.13'
D	S 77° 47' 39" W	26.33'
E	S 53° 24' 49" E	30.00'



BLOCK I

RECORDED

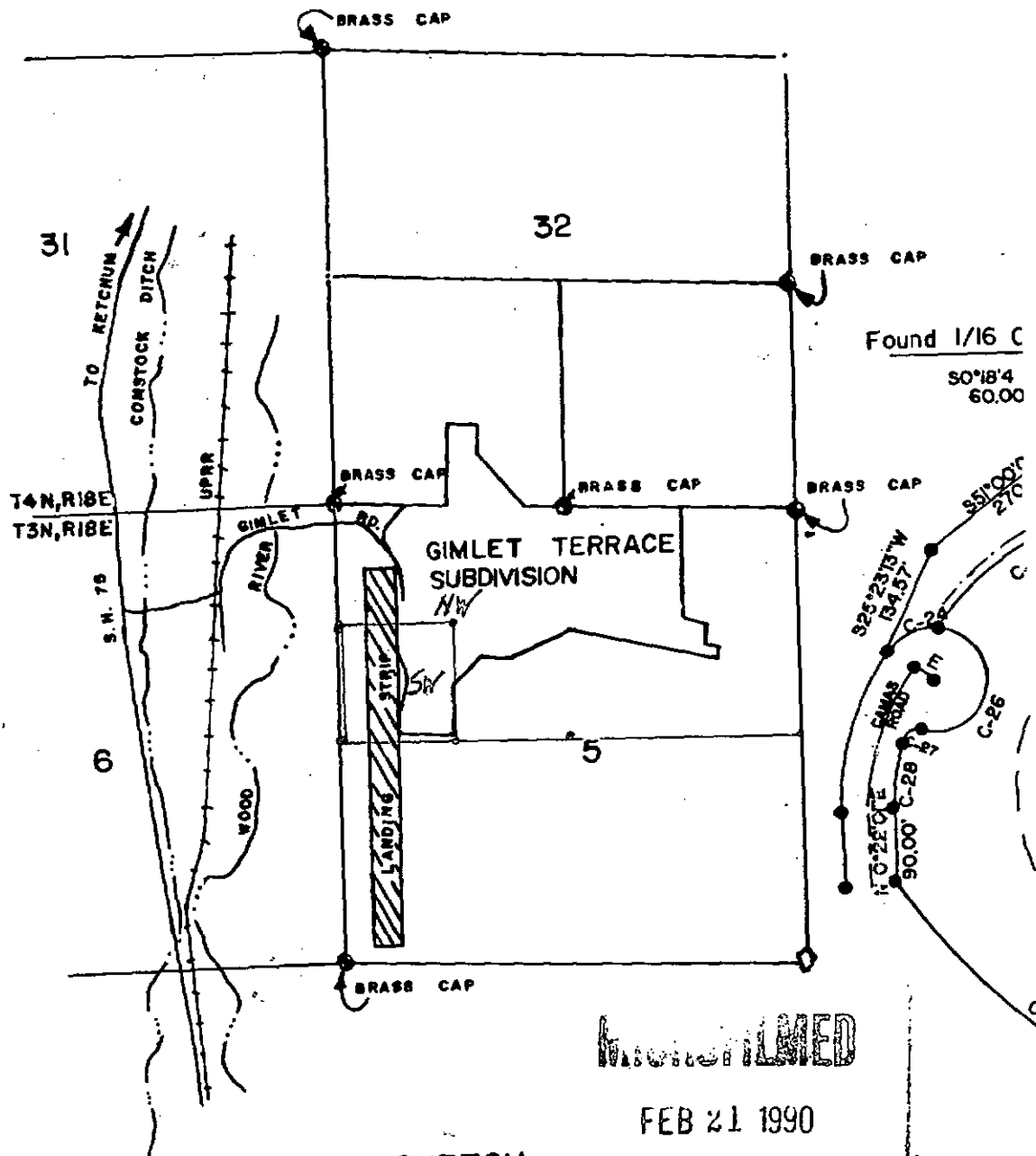
FEB 21 1990

Unplatted

REENTER
RINKER application - Lot 2

37-08563

Gimlet Subdiv.
No. 12



VICINITY SKETCH
SCALE 1" = 2000'

REITER
RINKER Application - Lot 2

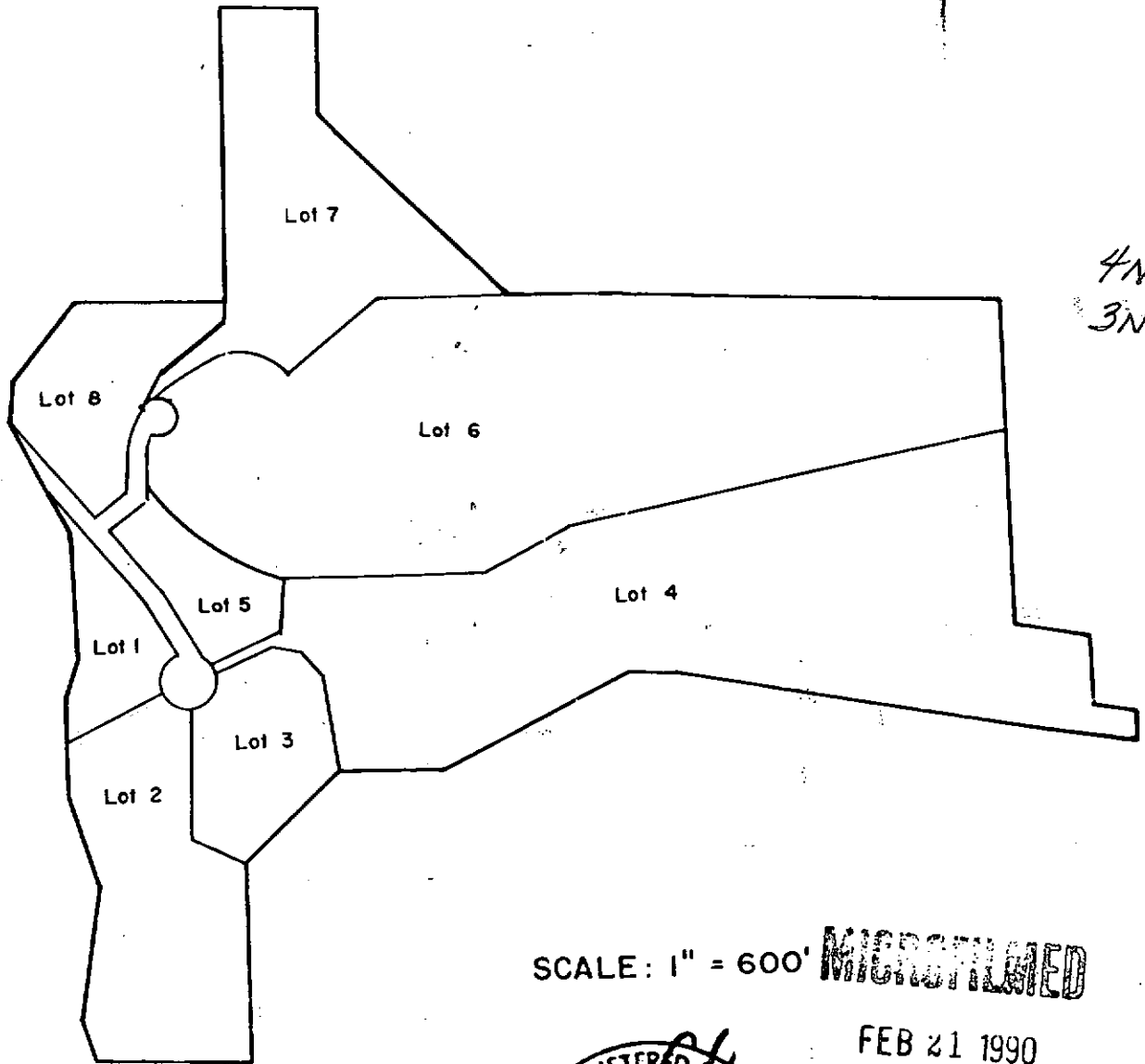
Lot No. | Rural Address

37-08563

regulations.

9. Location and design of individual wells and septic systems shall be approved by the South Central Health District.
10. There shall be 10' wide utility easements centered on all common lot lines and on the exterior boundary of all lots.
11. The developer guarantees that there is adequate water available for domestic purposes. Test wells have been drilled.
12. Homes built on lots 4, 6, and 7 shall have a maximum height of 30 feet.
13. All subdivision improvements, including the pond and fire protection system must be completed before building permits will be issued.
14. Any improvements not completed at the time of final plat recording be bonded for 150% of the established construction costs.
15. Roads shall meet the specifications 9.17.1 of the Blaine County Subdivision Ordinance 77-6 and current county road specifications.
16. The developer shall provide a fire protection system from the pond suitably located fire hydrant (per specifications of the Ketchum Rural District) to provide for the refilling of tanker trucks.

21"E 672.31'



SCALE: 1" = 600' MICROFILMED

FEB 21 1990



18E

RANKER
RANKER - application - lot 2

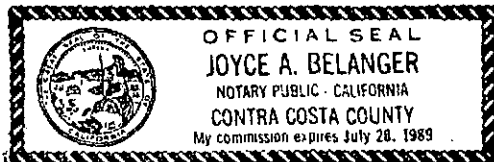
37-08563

STATE OF CALIFORNIA

COUNTY OF ORANGE

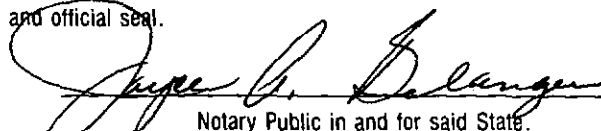
} ss.

On this 12th day of July, in the year 1989,
before me, the undersigned, a Notary Public in and for said State, personally appeared
GAIL L. REITER



_____, personally known to me
(or proved to me on the basis of satisfactory evidence) to be the person whose name
is subscribed to the within instrument, and acknowledged to me that he
executed it.

WITNESS my hand and official seal.


Notary Public in and for said State.

MICROFILMED

37-08563

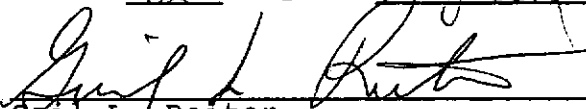
LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

Gail L. Reiter hereby nominates and appoints Gary D. Slette of Nelson, Rosholt, Robertson, Tolman & Tucker, P. O. Box 1906, Twin Falls, ID 83303, as attorney-in-fact with full authority to act for and on behalf of Gail L. Reiter to execute any and all documents required or necessary to apply for and obtain water rights for my property located in Blaine County.

My agent is hereby authorized to sign, seal, and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect such documents as above-mentioned. Further, I hereby declare that each and every agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 12th day of July, 1989.


Gail L. Reiter

STATE OF _____)
County of _____) ss.

On this _____ day of _____, 1989, before me, a Notary Public, in and for said County and State, personally appeared Gail L. Reiter, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

NOTARY PUBLIC FOR _____
Residing at: _____
My commission expires: _____

1776m

FEB 21 1990

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } ss.

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 15th day of Nov 1989, and

the date of the last publication was on the 22nd day of Nov 1989

Subscribed and sworn to before me this 24th day of Nov 1989
(SEAL)

Roberta McKencher

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 115
Number of Insertions 2
Lines tabular at 5.5¢/Pica
Lines straight at 63.25¢/Pica
Subsequent lines at 2.60¢/Pica
TOTAL COST 113.85

COPY OF NOTICE

(Here)

7 Applications

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Seven water right applications filed

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08581

PETER TRUST
C/O E. PARRY THOMAS
P.O. BOX 642
SUN VALLEY, ID 83353
Source: GROUNDWATER
Diversion Pt: SESENE Sec 5 T
02N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.090 CFS)
Date Filed: 9/15/1989
In: T02N R18E S05 SENE
3.0 ACRES TOTAL

37-08582

HEMINGWAY, JOHN H.
P.O. BOX 387
SUN VALLEY, ID 83353
Source: GROUNDWATER
Diversion Pt: SENW Sec 23 T 05N
R 17E
Use: IRRIGATION (.050 CFS)
FIRE PROTECTION (.050 CFS)
Date Filed: 8/28/1989
In: T05N R17E S23 SENW
1.5 ACRES TOTAL
37-08583

REITER, GAIL L.
C/O GARY D. SLETTE ESQ.
P.O. BOX 1906
TWIN FALLS, ID 833031906
Source: GROUNDWATER
Diversion Pt: SWNW Sec 5 T 03N
R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.090 CFS)
Date Filed: 8/16/1989
In: T03N R18E S05 SWNW
3.0 ACRES TOTAL
37-08584

PUCHNER, PHILIP F.
P.O. BOX 240
KETCHUM, ID 83340
Source: SPRING
Tributary: SINKS
Diversion Pt: SWNESE Sec 20 T
01N R 18E
Use: STOCKWATER (.020 CFS)
Date Filed: 8/23/1989
In: T01N R18E S20 SESE; S28
SWNW NESW NWSW; S29
NENE SENE

37-08585

RINKER, HARRY
C/O GARY D. SLETTE ESQ.
P.O. BOX 1916
TWIN FALLS, ID 833031906
Source: GROUNDWATER
Diversion Pt: SENE Sec 7 T 03N R
18E
Use: DOMESTIC (.040 CFS)
Date Filed: 8/17/1989
In: T03N R18E S07 SENE

37-08586

ENGL, MICHAEL S.
C/O HOGUE, SPECK
& AANESTAD
P.O. BOX 987
KETCHUM, ID 83340
Source: SPRINGS
Tributary: BIG WOOD RIVER
Diversion Pt: SWNESW Sec 31 T
04N R 18E
Use: DOMESTIC (.040 CFS)
Date Filed: 8/10/1989
In: T04N R18E S31 NESW

37-08587

BRANDMAN, CRAIG
BRANDMAN, DELEYS
C/O JAMES P. SPECK ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: NWNWSE Sec 3 T
03N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.090 CFS)
Date Filed: 8/31/1989
In: T03N R18E S03 NESW
2.0 ACRES TOTAL

The permits 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, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before DECEMBER 4, 1989.

R. Keith Haggins, Director

Publish: Wood River Journal
November 15 & 22, 1989.

FEB 21 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

January 25, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Charles E. Brockway
2016 North Washington St.
Suite 4
Twin Falls, ID 83301

RE: PERMIT NO. 37-08563 - GAIL L. REITER

Dear Mr. Brockway:

I have reviewed your letter dated January 7, 2000, in which you inquire about the department's view of past use of water under terms of Permit No. 37-08563 on property owned by Gail L. Reiter ("permit holder"). From the information you have provided, it appears that the permit holder likely has established the domestic use on the lot through use of mobile homes on the property as well as the irrigation use. It doesn't appear, in this case, that the stub-in rule is applicable, since water has been diverted and used for the two permitted uses.

By copy of this letter to the department's southern regional office, I am notifying that office that they can schedule and conduct the examination for beneficial use. I am also forwarding with this letter, a copy of Harry S. Rinker's letter dated January 6, 2000, concerning past domestic use of water on the property as information to consider when conducting the field examination.

If you have questions, please feel free to contact the department.

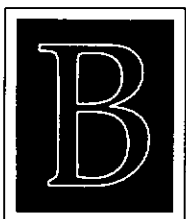
Sincerely,

A handwritten signature in black ink that reads "L. Glen Saxton".

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

Encl: 1

c: Regional Office



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JAN 10 2000

Department of Water Resources

January 7, 2000

Mr. Glen Saxton
Idaho Department of Water Resources
1301 North Orchard
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Permit No. 37-08563-Gail L. Reiter

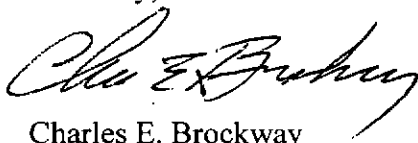
Dear Mr. Saxton:

This letter is in response to our telephone discussion of September 16th and December 20th 1999 regarding the use of water under Mrs. Reiter's permit in aid of licensing. As I indicated in my letter of September 14th, 1999, the well and irrigation system is in and water has been used for irrigation. In response to your question relative to use of the water from the well for domestic purposes, I inquired of Mr. Harry Rinker who developed the subdivision and received the enclosed letter. He indicates that there has been use of water from the well for domestic purposes on Lot #2 during construction of homes and adjacent lots. I recall mobile homes on Lot #2 during my visits in connection with water rights exams on Mr. Rinker's Lot #6 property. On at least one of my visits, Gary Funderberg of your office accompanied me and he may recollect the temporary housing on Lot #2. In addition, Allen Merritt of your office has visited the Rinker property and may have some photographs, which incidentally show activity on Lot #2.

As I indicated in my letter of September 14, 1999, the Southern Region office has indicated that they would like to schedule a field exam on the above right. Prior to that visit, I would like to gain some idea of the applicability of the stubout rule or applicability of the temporary housing toward beneficial use satisfaction so that the irrigation portion of the permit may be approved. I still believe that it is only fair and reasonable to apply the same criteria to single family users as to multi-user systems, as long as due diligence has been shown and adequate progress has been made.

Please let me know if I can assist with additional information.

Sincerely,



Charles E. Brockway

CC: Henry Reiter & Gail Reiter
Enclosure: Letter from H. Rinker

CEB/kl

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506



RINKER COMPANY

VIA FACSIMILE 208/736-8506

January 6, 2000

Dr. Charles E. Brockway
BROCKWAY ENGINEERING PLLC
2016 N. Washington Street, #4
Twin Falls, ID 83301

Dear Chuck:

You asked that I review our records to verify the year/years that we had a trailer connected to the well system on Lot #2 Gimlet Terrace.

During the building season (May through November of 1991 and 1992 which was the time we were finishing our home on Lot #6) we had an enclosed trailer on Lot #2 and since it had a bathroom facility in it and the well was closely adjacent we connected the water system to the trailer during the time it was there.

If I can furnish further information, please advise.

Sincerely,

Harry S. Rinker
(Dictated by Mr. Rinker and
faxed in his absence without
signature to avoid delay)

/gt

MEMORANDUM

TO: GLEN
FROM: NORM *NCJ*
RE: BROCKWAY, SR. PHONE CALL
DATE: September 16, 1999

Chuck called asking whether there was any way to license 3 acres for a single home development in Basin 37. Apparently, he has written you about Gail Riter's permit asking if a 3 acre stub-in could be allowed. Riter received a permit with the 3 acres of irrigation required to be in association with a home. The land has been irrigated, but the home was never developed. The permitholder filed proof in about 1992. Southern is about to do an examination. Chuck is doing some advanced work to maximize the license.

We talked about withdrawing the proof. When I learned that the proof due date was 1992, I discouraged that idea.

We talked about the nature of irrigation. Apparently the lot has been put into lawn and landscaping in anticipation of house being built. I suggested that this may have some importance in IDWR being able to consider that the irrigation is in association with a home. At least the development is not for a crop, but is alleged to be appropriate for the home to be built when the permitholder gets well enough.

We talked about whether there had been some type of temporary dwelling (camp trailer, mobile home, etc.) that had been used as a residence during the permit period. He is following up.

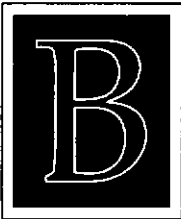
I think he had heard about our position on stub-ins on Speck's Greenhorn subdivision and was concerned that we would limit to ½ acre if anything at all. I explained the additional problem on Greenhorn of the preliminary order allowed to be final.

He will write again, putting this matter in the best light he can.

RECEIVED

SEP 15 1999

Department of Water Resources



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

September 14, 1999

Mr. Glen Saxton
Idaho Department of Water Resources
1301 North Orchard
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Permit No. 37-08563-Gail L. Reiter

Dear Glen:

Mrs. Reiter obtained Water Right Permit 37-08563 some time ago (1989) for domestic use for a planned residence and associated irrigation on a rural lot in Blaine County. A well was drilled and an irrigation system installed to irrigate the allowed three (3) acres around the planned residence. The well was reportedly equipped with a pitless adapter and stubout to the new home.

Mrs. Reiter has dealt with breast cancer for three years, and undergone chemotherapy and radiation treatments. This treatment ended in April 1999. Needless to say, her health has not been good because of the cancer and other illnesses, so the residential building has not been able to receive first priority. An architect has been retained for the residence, and preliminary plans have been prepared and are available for your review.

A Proof of Beneficial Use form was submitted in 1992 because the irrigation system was completed and the time for proof was approaching. I believe it was Mrs. Reiter's understanding that since the irrigation was associated with the planned residence and the stubout was constructed, the works had essentially been completed and the residence completion was not essential to the proof.

My understanding is that, at least for multi-user systems or subdivisions, it is not necessary to have all residences completed in order to submit proof of beneficial use as long as the water system is in place and provision is made for service to each unit. It would seem reasonable that the same criteria should be applied to single system users.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

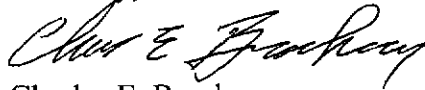
FAX: 736•8506

The Southern Region office has indicated that they would like to schedule a field exam on the above right, and I am concerned that if a decision is not made on the stubout rule before the field exam, that the irrigation portion of the permit may not be approved.

I believe that it is only fair and reasonable to apply the same criteria to single family users as to multi-user systems, as long as due diligence has been shown and adequate progress has been made.

I am requesting, on behalf of Mrs. Reiter, that the stubout rule be applied in this case. Please let me know if you need additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles E. Brockway".

Charles E. Brockway

cc: Henry & Gail Reiter

February 14, 1992

GAIL L. REITER
C/O GARY D. SLETTE, ESQ.
P.O. BOX 1906
TWIN FALLS ID 833031906

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08563

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.

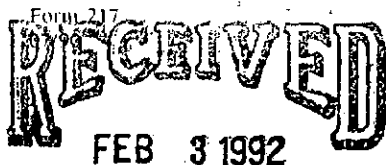
If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
MAR 05 1992



STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 50.00
Date 2-3-92
Receipt No. CO-211
Received by LLB

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

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. 37-08563 Telephone No. 208-734-0700
2. Name(s) of Permit Holder(s): Gail L. Reiter
3. Post Office Address: % Gary Slette, Box 1906 Twin Falls, ID 83303
4. Source of Water: Groundwater

- a. If ground water, well driller's name: Scott Drilling Date drilled: 5/2/91
- b. Pump horsepower: 5 Pressure (psi): 50 Dynamic pumping level (ft.): 205

5. Extent of Use:

Domestic _____ (No. of households) Irrigation 3 (No. of acres)

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

Residence not yet completed. Plans being considered.
(See attached letter)

6. Total rate and/or volume for which proof is submitted .13 cfs _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ___ Yes X No Installed? ___ Yes ___ No

OR

Flow Measurement Port: Required? ___ Yes X No Installed? ___ Yes ___ No

8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Dr. Charles Brockway
Name

423-6601
Telephone No.

3793 N. 2600 E. Kimberly, ID
Address

83341-5076

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

Gary D. Slette
Signature (and title if on behalf of a company or organization)

Attorney-in-fact
(See attached power-of-attorney)

MAR 05 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 37-08563 Reviewed by Klg Date 2/4/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? irrigation - 3
yes Address same as permit? domestic
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
yes Drilling permit required?
yes Copy in the file? Drilling Permit No. 37-91-S-043
35 Amount paid for permit no Correct?
yes Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50 Amount Submitted
yes Correct?
NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS - driller 327

need to collect additional \$185 for drilling permit
Received on 2/7/92

proof acceptable

DATA ENTRY

New Address

Proof Made 2/3/92
2/4/92 KLG

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN O. FITZGERALD
D. BERNARD ZALEHA

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1020 MAIN STREET, SUITE 400
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 334-6034

February 6, 1992

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

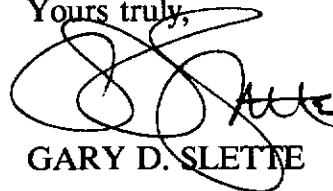
RE: Permit No. 37-08563

Dear Ms. Gustafson:

Enclosed please find our firm's check in the amount of \$165.00 for the drilling permit for the above-numbered water permit. You indicated in your letter of February 3 that the drilling permit fee that should have been charged was \$200.00, and the driller obtained the permit for only a \$35.00 fee.

Please contact me if you have any questions or comments.

Yours truly,


GARY D. SLETTE

GDS:mw
02062905.GDS

Enclosure

cc: Harry Rinker
Gail L. Reiter

RECEIVED
FEB 7 1992

Department of Water Resources

RECEIVED

MAR 05 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 3, 1992

Gail L. Reiter
c/o Gary Slette
Box 1906
Twin Falls, ID 83303651

Re: Permit No. 37-08563
Drilling Permit No. 37-91-S-043

Dear Permit Holder:

Enclosed is a copy of the Proof of Beneficial Use and Drilling Report you submitted to this office on February 3, 1992. During my examination of your proof, an error has been detected that needs to be corrected before the final processing of the proof.

You indicate the total rate of diversion to be .13 cfs. If that is indeed the case, the drilling permit fee that should have been paid was \$200. The permit indicates you paid \$35 which leaves a balance due of \$165.

We apologize for the error made at that time. I will hold your proof due notice for 30 days without action. Please submit the additional \$165 before that time. As soon as I receive the additional fee, I will complete my examination and begin the licensing process.

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

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary, Records Manager

Enclosures

MAR 05 1992

Drilling Permit No. 37-91-5-043
Water Right Permit No. _____
Injection Permit No. _____

State of Idaho
Department of Water Resources

RECEIVED

APR 03 1991

Department of Water Resources
Southern Region Office

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) Gail Reiter

2. Mailing Address 2039 Vista Cajon, Newport Beach, CA 92660

Telephone 714-751-4594

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

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

Sec. 5, Twp. 3N, Rge. 18E, County Blaine

Street Address of Well Site _____

Lot, block and subdivision Gimlet Terrace Lot # 2

4. Proposed use of well:

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

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

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

() Injection

() Monitoring - A well bore schematic and map is required for each well.

No. of proposed wells: _____

5. Well construction information:

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

B. Proposed Surface Diameter 6" Proposed Maximum Depth 120'

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 March, 18, 1991

7. Anticipated Well Driller Scott Drilling Co.

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

8. Applicant's signature Gail Reiter Date 2-12-91

Title Owner

RECEIVED

MAR 05 1992

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 4/3/91

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

GENERAL CONDITIONS:

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

SPECIFIC CONDITIONS:

Loren D. Huber
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 3188 Received by det Fee 35⁰⁰ Date 4/3/91
CO23155 94 165⁰⁰ 2/7/92

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

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

MAR 05 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESUSE 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.

RECEIVED

JUL 2 1991

1. WELL OWNER

Name GAIL Reiter
Address 2039 Vista Canyon Newport Beach Calif.
Drilling Permit No. 37-91-5-043 *OK*
Water Right Permit No. _____

7. WATER LEVEL

Static water level 60 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality Good
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 ☐ Bailer ☒ Air ☐ Other _____

Discharge G.P.M.

Pumping Level

Hours Pumped

2072051

3. PROPOSED USE

- ☒
- Domestic
- ☐
- Irrigation
- ☐
- Test
- ☐
- Municipal
-
- ☐
- Industrial
- ☐
- Stock
- ☐
- Waste Disposal or Injection
-
- ☐
- Other _____ (specify type)

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
6	0	2	Top Soil - Dirt		☒
	2	12	Brown clay-gravel		☒
	12	20	gravel - clay		☒
	20	35	clay - gravel		☒
	35	65	Brown clay - gravel		☒
	65	71	Blue clay		☒
	71	90	Gray Granite		☒
	90	120	Gray Granite		☒
	120	140	Red Sand Rock		☒
	140	160	gray granite		☒
	160	165	gray granite		☒
	165	175	Broken Red Sand Rock		☒
	175	182	Black Basalt		☒
	182	198	Gray granite		☒
	198	210	Red Sand Rock		☒

4. METHOD DRILLED

- ☒
- Rotary
- ☒
- Air
- ☐
- Hydraulic
- ☐
- Reverse rotary
-
- ☐
- Cable
- ☐
- Dug
- ☐
- Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>250</u> inches	<u>6</u> inches	<u>1</u> feet	<u>71</u> feet
<u>Sch 40</u> inches	<u>4 1/2</u> inches	<u>65</u> feet	<u>210</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☒ Yes ☐ No SAWHow perforated? ☐ Factory ☐ Knife ☐ Torch ☐ GunSize of perforation 1/8 inches by 4 inches

Number	From	To
<u>45</u> perforations	<u>190</u> feet	<u>210</u> feet
<u>45</u> perforations	<u>170</u> feet	<u>190</u> feet
_____ perforations	_____ feet	_____ 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 20 Material used in seal: ☐ Cement grout☒ Bentonite ☐ Puddling clay ☐ _____Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☒ Solvent

Weld

☐ Cemented between strataDescribe access port Sanitary well cap

6. LOCATION OF WELL

Sketch map location must agree with written location.

N					
W		5		E	

Subdivision Name Gimlet
Terrace
Lot No. 2 Block No. _____

County BlaineSW 1/4 SE 1/4 Sec. 5 T. 3 N. 8 S. 18 W. 4

10.

Work started 5-1-91 finished 5-2-91

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name Scott Drilling & Pump Firm No. 327Address Halley, Idaho 83855 Date 5-2-91
(ECR) 188-2017Signed by (Firm Official) Jamand
(Operator) J. L. Lutz

138367
December 31, 1991

GAIL L. REITER
C/O GARY D. SLETTE, ESQ.
P.O. BOX 1906
TWIN FALLS ID 833031906

PROOF DUE NOTICE

RE: PERMIT NO. 37-08563

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 March 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED

MAR 05 1992

March 21, 1991

GAIL L. REITER
C/O GARY D. SLETTE, ESQ.
P O BOX 1906
TWIN FALLS ID 83303-1906

Dear Mr. Slette:

Re: Permit No. 37-8563

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 March 1, 1992.

The stated reason on the request for extension of time was that drilling permits are not being issued in Blaine County. That statement is not correct unless associated with applications for new irrigation in the approximate location of the Big Wood River Valley itself. The department has not ceased to consider actions on existing permits.

Gail Reiter should be aware of this information. He/she should work diligently toward the completion of this project during the construction period allowed by this extension since the department may not be able to grant additional requests.

If you have questions or concerns, please feel free to contact this office or the regional office in Twin Falls.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

c: S. Region

REPROFILMED

APR 12 1991

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 37-8563

Reviewed by [Signature]

Date 3-18-91

BASIC INFORMATION

- 9 Date stamp received
- 9 Extension received timely (not too early not too late)
- 4 Fee received and receipted
- 4 Name and signature same as permit
- 2 Address change

BASIS FOR EXTENSION REQUEST

- Has adequate work been completed to demonstrate due diligence?
- Has the cost incurred been adequate to demonstrate an intent to complete the project?
- Has the permit been involved in litigation?
 - a. Swan Falls _____ Dismissed from Swan Falls _____
 - Other _____ Identify _____
 - b. Is supporting documentation needed to complete the file? _____
 - Requested _____
 - c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

- Is delay by a government agency?
- Is supporting documentation needed to complete the file? _____
- Requested? _____

ACTION TAKEN Recommend approval for one year

1/2 Reinstatement Date extension received _____ = _____

Proof due date _____ = _____

No. of days late _____ = _____

Priority date _____ = + _____

ADJUSTED PRIORITY DATE _____ = _____

DATE ENTRY

1/2 Change proof due date _____ Address change _____

Priority date change _____

138906
December 31, 1990

GAIL L. REITER
C/O GARY D. SLETTE, ESQ.
P.O. BOX 1906
TWIN FALLS, ID 833031906

PROOF DUE NOTICE

RE: PERMIT NO. 37-08563

Dear Permit Holder:

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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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

APR 12 1991

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
February 13, 1990

GAIL L. REITER
C/O GARY D. SLETTE, ESQ.
P.O. BOX 1906
TWIN FALLS, ID 833031906

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P37-08563

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

We have enclosed 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 for your convenience is a form entitled "Proof of

Handwritten: RECEIVED

FEB 21 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED

FEB 21 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY DR DATE 10/25/89 APPLICATION NUMBER 37-08563

REQUIRED INFORMATION

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

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

PROCESSING ☒ Yes ☐ No In form for advertising
☒ Yes ☐ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes ☐ No ~~Publication dates & paper, recorded on application~~
☐ Yes ☒ No Protests received
Final date for protest 12/4/89
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. 37
☐ Yes ☒ No Special conditions of approval or cover letter below.

See below for additional information
Date of priority recommended 8/16/89
By James D. Huhner Date 1/12/90

STATE OFFICE REVIEW P05, P23 P16 41 46

See below for additional information
By KW Date 1-29-90

ADDITIONAL INFORMATION

App. in TRUST area - DCMI

27-Oct-1989

Gail L. Reiter
c/o Gary D. Slette, Esq.
P.O. Box 1906
Twin Falls, ID 83303-1906

Re: Application for Permit No. 37-08563

Dear Mr. Slette:

The Department of Water Resources acknowledges receipt of the water right application for permit on behalf of Gail Reiter. 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 11/15 & 11/22/89. 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,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

RECEIVED

FEB 21 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

OCTOBER 26, 1989

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 DECEMBER 4, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MAILED

FEB 21 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED

FEB 21 1990

37-08563

REITER, GAIL L.
C/O GARY D. SLETTE ESQ.
P.O. BOX 1906
TWIN FALLS, ID 833031906

Source: GROUNDWATER

Diversion Pt: SWNW Sec 5 T 03N R 18E

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

Date Filed: 8/16/1989

In: T03N R18E S05 SWNW

3.0 ACRES TOTAL

MICROFILMED

FEB 21 1990

DRS

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, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before DECEMBER 4, 1989.

R. Keith Higginson, Director

Published 11/15/1989 & 11/22/1989

MICROFILMED

FEB 21 1990

IDENT. NO. 37-08563

WATER RIGHT
DATA ENTRY LOG

Item

748

10/25/89

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied

(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office