

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

17E

5N

SEC. 23

P.O.  
Pu.

MICHAEL

Scale: 2 inches equal 1 mile.

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.

  
(Applicant)

[illegible]

BOTH WELLS LOCATED IN:  
SE 1/4 SEC 23, T5N, R1E

~~106,780 sq ft~~

562'

100'

Domestic Well  
105 ft from  
Irr. well

Irr. Well

GPS TAG A0007870

10,000 gal  
fire protection  
tank

37-12275

House

Driveway

Est. 2 acres minus  
1/2 acre for house  
& driveway  
Total irrigated =  
1.5 acres

MICROFILMED

MAR 29 2001

428'

Ormsby, David

37-8562

190'

Hwy 75

73

Amber Lakes, Idaho  
1967

W 73

37-08562

North Fork  
Campground  
Gaging  
Station

Mile  
105

BIG

WOOD

RIVER

Fox  
6162

Eagle

Creek

Neal  
Canyon

PACK

TRAIL

Creek

Fox

Mile  
103

23

MICROFILMED

MAR 23 2001

Mile  
102

Dip

Ormsby

37-08562

Griffin Butte, Idaho

1967

X 23

37-08562

R17E

T5N

4852

47'30"

4851

4850

4849

4848000m N.

43°45'

4847

1/4



Irrigation Well



Sprinkler Control Clocks

GPS Tag A0007870

Irrigation Well

Looking SW'ly



10,000 gal Water Tank  
for Fire Protection

Looking SW'ly

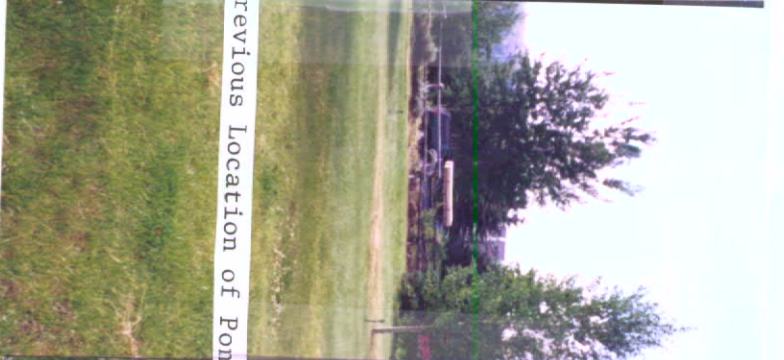
David Ormsby  
FE: Amanda Folsom  
2 August 99

37-8562

MICROFILMED  
MAR 29 2001



Looking SW'ly



Previous Location of Pond



Irrigated



Irrigated

David Ormsby  
FE: Amanda Folsom  
2 August 99

MICROFILMED  
MAR 29 2001  
37-8562

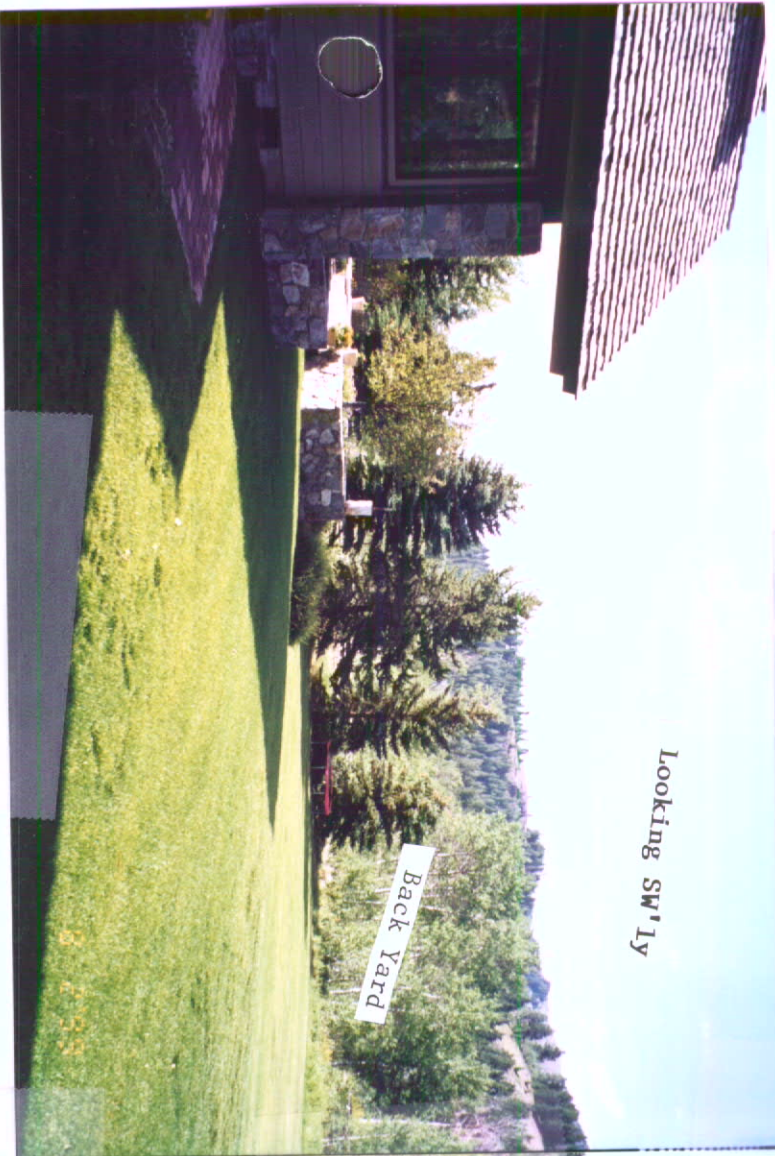


MICROFILMED

MAR 29 2001

David Ormsby  
FE: Amanda Folsom  
2 August 99

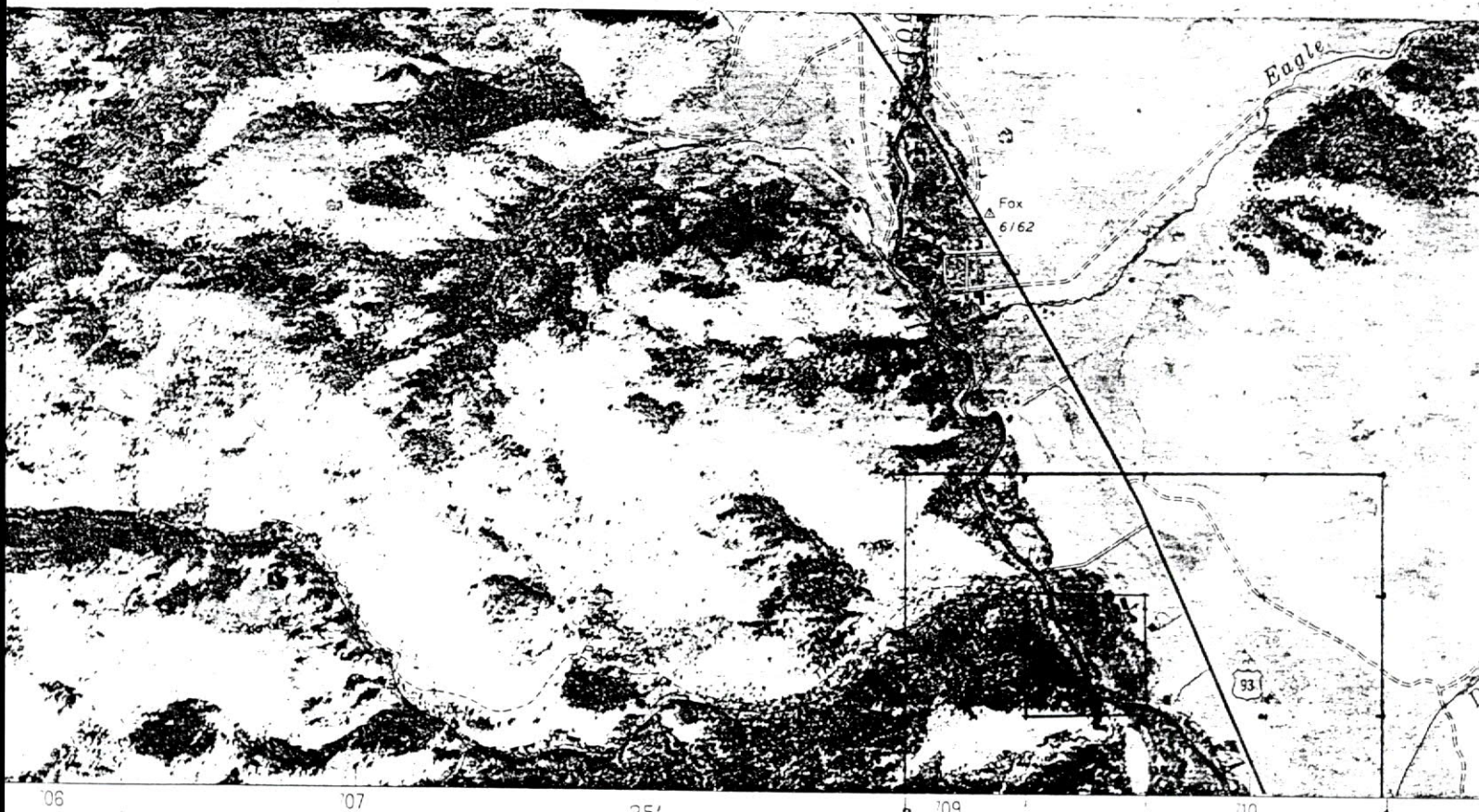
4/4



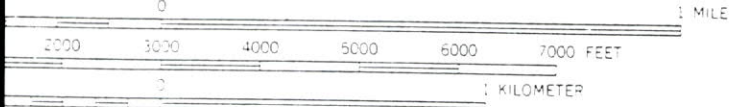
MICROFILMED  
MAR 29 2001

David Ormsby  
FE: Amanda Folsom  
2 August 99

37-8562



SCALE 1:24 000



PLIES WITH NATIONAL MAP ACCURACY STANDARDS  
GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025



QUADRANGLE LOCATION

AMBER LAK  
N4345-W11

197

ADVANCE

MICROFILMED

MAR 29 2001

Copies Of These Maps Can Be Obtained  
At Bonneville Blue Print, Boise Idaho

AMBER LAKES, ID

272-25

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 37-08562

Priority: August 28, 1989

Maximum Diversion Rate: 0.03 CFS  
Maximum Diversion Volume: 5.3 AF

It is hereby certified that DAVID G ORMSBY And LINDSAY W ORMSBY  
C/O JAMES L KENNEDY JR  
PO BOX 2165  
KETCHUM ID 83340 have complied with the terms and  
conditions of the permit, issued pursuant to Application for Permit dated August 28, 1989; and have  
submitted Proof of Beneficial Use on February 28, 1991. An examination indicates that the works have  
a diversion capacity of 0.03 cfs of water from:

**SOURCE**

GROUND WATER

and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL<br/>DIVERSION VOLUME</u> |
|-----------------------|----------------------|-----------------------|------------------------------------|
| IRRIGATION            | 05/01 to 10/31       | 0.03 CFS              | 5.3 AF                             |
| FIRE PROTECTION       | 01/01 to 12/31       | 0.03 CFS              |                                    |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 23, Twp 05N, Rge 17E, B.M., BLAINE County

**PLACE OF USE:** IRRIGATION

| Twp Rge Sec | NE |    |    |    | NW |    |    |     | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|-----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE  | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 05N 17E 23  |    |    |    |    |    |    |    | 1.5 |    |    |    |    |    |    |    |    | 1.5    |

Total Acres: 1.5

**PLACE OF USE:** FIRE PROTECTION

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 05N 17E 23  |    |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |        |

MICROFILMED  
MAR 29 2001

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 37-08562

CONDITIONS OF APPROVAL

1. Irrigation use under this right is authorized only in connection with a domestic use.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
4. Parcel No. RP05N170147990A

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 1<sup>st</sup> day of MARCH, 2001.

Acting for

  
KARL J. DREHER  
Director

MICROFILMED  
MAR 29 2001

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**PROOF OF BENEFICIAL USE** FEB 28 1991

RECEIVED

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. P 37-08562 Telephone No. 208-726-8255
2. Name(s) of Permit Holder(s): DAVID G. ORMSBY AND LINDSAY W. ORMSBY, HUSBAND AND WIFE  
COPY OF RECORDED WARRANTY DEED IS ATTACHED
3. Post Office Address: % JAMES H. KENNEDY JR., POST OFFICE BOX 2165, KETCHUM, IDAHO 83340
4. Source of Water: GROUNDWATER
- a. If ground water, well driller's name: EUGENE WALKER Date drilled: JULY 1, 1972
- b. Pump horsepower: 3 Pressure (psi): 50 Dynamic pumping level (ft.): 12  
COPY OF FILED WELL DRILLER'S REPORT IS ATTACHED
5. Extent of Use:

Domestic 1 (No. of households) Irrigation 1.5 (No. of acres)

Stockwater \_\_\_\_\_ (No. and type of stock) Other \_\_\_\_\_

FIRE PROTECTION

6. Total rate and/or volume for which proof is submitted 0.050 cfs \_\_\_\_\_ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:
- Measuring device: Required? Yes X No Installed? Yes X No
- OR
- Flow Measurement Port: Required? Yes X No Installed? Yes X No
8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Dennis Kavanagh  
Name

(208) 788-2155  
Telephone No.

214 Paiute Drive, Indian Creek, Hailey, Idaho 83333  
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.

MICROFILMED

JUL 11 1991

Feb 28 1991  
Date

David G. Ormsby  
Signature (and title if on behalf of a company or organization)

## WATER RIGHT SUMMARY

| ACTION               | RIGHT NO. | NAME                                 | AMOUNT CFS |
|----------------------|-----------|--------------------------------------|------------|
| Original Application | 37-08562  | John H. Hemingway                    | 0.05       |
| Full Assignment      | 37-08562  | David G. Ormsby<br>Lindsay W. Ormsby | 0.05       |

MICROFILMED

JUL 11 1991

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
FEB 28 1991

ASSIGNMENT OF APPLICATION FOR PERMIT

I, JOHN H. HEMINGWAY, hereby assign to DAVID G. ORMSBY AND LINDSAY W. ORMSBY, HUSBAND AND WIFE  
of, % JAMES L. KENNEDY JR., POST OFFICE BOX 2165, KETCHUM, IDAHO 83340  
(Full Address)

All my right, title, and interest in and to Application for Permit  
No. P37-08562 to appropriate the public waters of the State of Idaho.  
COPY OF RECORDED WARRANTY DEED IS ATTACHED.  
OR (for partial assignments)

The following described portion of my right, title, and interest in and to  
Application for Application for Permit No. NOT APPLICABLE to appropriate the public  
waters of the State of Idaho.

Describe portion of the application 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.  
NOT APPLICABLE

Made this 28TH day of FEBRUARY, 1990-1991.  
James L. Kennedy Jr. for John H. Hemingway and for  
David G. Ormsby and Lindsay W. Ormsby, husband and wife  
Applicant AND BUYERS/ASSIGNEES

State of Idaho )  
County of ADA ) ss

On this 28TH day of FEBRUARY, 1991, personally appeared before me the signer of the  
above instrument, duly acknowledged to me that he (she) (they) executed the same, AS INDICATED

[Signature]  
Notary Public

seal

My commission expires: 2-27-91

MICROFILMED  
JUL 11 1991

## WARRANTY DEED

## For Value Received

John H. Hemingway, dealing with his sole and separate property as to an undivided one-half interest and as Personal Representative of the Estate of Byra Louise Hemingway, Deceased, as to an undivided one-half interest

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto David G. Ormsby and Lindsay W. Ormsby, husband and wife whose address is: 55 Baldwin Farms South, Greenwich, CT 06831

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

A parcel of land within R.E.S. 129 in unsurveyed Township 5 North, Range 17 East, B.M., Blaine County, Idaho, more particularly described as follows:

COMMENCING at a stone marking Corner 2 of said E.E.S. 129; thence N. 30° 06' W., 786.35 feet to the TRUE POINT OF BEGINNING; thence N. 30° 06' W., 196.59 feet along the Westerly boundary of said R.E.S. 129; thence N. 54° 44' E., 784.01 feet to the Westerly boundary of U.S. Highway 93; thence S. 23° 29' E., 200.00 feet along the Westerly boundary of U.S. Highway 93; thence S. 54° 44' W., 760.87 feet to the TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: August 28, 1989

John H. Hemingway Individually and as  
Personal Representative of the Estate  
of Byra Louise Hemingway, Deceased

STATE OF Idaho COUNTY OF Blaine  
On this 20th day of August, 1989,  
before me, a Notary Public in and for said State, personally appeared

John H. Hemingway, Individually as as  
Personal Representative of the Estate  
of Byra Louise Hemingway, deceased

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

Notary Public

Residing at: Hailey  
Commission Expires 2-18-92

MICROFILMED

JUL 11 1991

FEES \$

SEP 1 PM 3 18

OF

BLAINE CO. REQUEST

FIRST TITLE CO

309511

Instrument No.

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

NO. 37-08562

Proposed Priority: August 28, 1989

Maximum Diversion Rate:

0.05 CFS

This is to certify, that **JOHN H. HEMINGWAY**  
P.O. BOX 387  
SUN VALLEY, ID 83353

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            | 03/15 to 11/15       | 0.05 CFS                 |
| FIRE PROTECTION       | 01/01 to 12/31       | 0.05 CFS                 |
| Totals                |                      | 0.05 CFS                 |

LOCATION OF POINT(S) OF DIVERSION:

SENW Sec. 23, Township 05N, Range 17E  
BLAINE County

PLACE OF USE: IRRIGATION

| <u>TWN RGE SEC</u>               | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|--------------|--------------|--------------|--------------|
| 05N 17E 23                       | SENW 1.5     |              |              | 1.5          |
| Total number of acres irrigated: |              |              |              | 1.5          |

PLACE OF USE: FIRE PROTECTION, 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. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Irrigation use under this permit is authorized only in connection with a domestic use.

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

14 day of February, 1990

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

RECEIVED

FEB 21 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Ident. No. 37-08562

To appropriate the public waters of the State of Idaho

1. Name of applicant John H. Hemingway (208) Phone 726-5643  
Post office address P.O. Box 387, Sun Valley, ID 83353
2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_
3. Location of point of diversion is \_\_\_\_\_ 1/4 of SE 1/4 of NW 1/4, Govt. Lot \_\_\_\_\_  
Sec. 23 Township 5N. Range 17E. B.M. Blaine County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 0.05 for IRRIGATION purposes from 3-15 to 11-15 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 0.05 for FIRE PROTECTION purposes from Jan 1 to Dec 31 (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) .05 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. \_\_\_\_\_  
existing well + pump, to pond to irrigation system  
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. <sup>existing</sup> Proposed well diameter is 8" inches; <sup>existing</sup> proposed depth of well is 50' 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 yr. years (minimum 1 year).

MINISTERIAL

FEB 21 1990

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

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

9. Description of place of use:

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

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 5N  | 17E   | 23   |     |     |     |     |     |     |     | 1.5 |     |     |     |     |     |     |     |     | 1.5    |
|     |       | 23   |     |     |     |     |     |     |     | F   |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 1.5

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

11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. NONE - HOWEVER Property is Being Sold.

12. Remarks: Adjudication Claim has Also been filed A37-13042  
claiming A priority of 5/20/1975.

RECEIVED

FEB 21 1990

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

17E

5N

SEC. 23

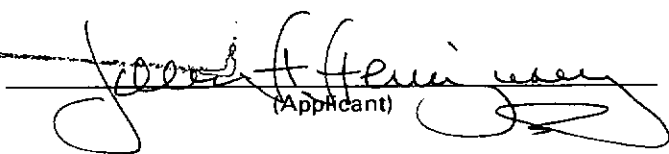
P.O. Pu.

MICHAEL

Scale: 2 inches equal 1 mile.

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.

  
(Applicant)

Received by Sec Date 8/28/89 Time 3 pm Preliminary check by IRJ  
Fee \$ 30<sup>00</sup> Receipted by Sec # 5008977 Date 8-28-89  
Publication prepared by M. Baldwin Date 10/26/89 Published in Wood River Journal  
Publication approved T. Gasser 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:

RECORDED

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 15<sup>th</sup> day of April 1989 and

the date of the last publication was on the 22<sup>nd</sup> day of Nov 1989.

*Daniel J. Gorham*

Subscribed and sworn to before me this 24<sup>th</sup> day of Nov 1989.  
(SEAL)

*Roberta McKencher*

NOTARY PUBLIC

WOOD RIVER JOURNAL  
Hailey, Idaho

## COST OF PUBLICATION

|                                |                            |
|--------------------------------|----------------------------|
| Number of Picas per Line       | <u>11</u>                  |
| Number of Lines in Notice      | <u>115</u>                 |
| Number of Insertions           | <u>2</u>                   |
| Lines tabular at               | <u>5.5¢/Pica</u>           |
| <u>115</u> Lines straight at   | <u>63.25</u> <u>¢/Pica</u> |
| <u>115</u> Subsequent lines at | <u>50.60</u> <u>¢/Pica</u> |
| <b>TOTAL COST</b>              | <b><u>113.85</u></b>       |

COPY OF NOTICE  
(to be 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: 8/29/1989  
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: 9/16/1989  
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  
SENE SENE

37-08585

RINKER, HARRY  
C/O GARY D. SLETTE ESQ.  
P.O. BOX 1906  
TWIN FALLS, ID 833031906  
Source: GROUNDWATER  
Diversion Pt: SENE Sec 2 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  
& ANNESTAD  
P.O. BOX 917  
KETCHUM, ID 83340  
Source: SPRINGS  
Tributary: BIG WOOD RIVER  
Diversion Pt: SWNESE 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 887  
KETCHUM, ID 83340  
Source: GROUNDWATER  
Diversion Pt: NWNWSE Sec 3 T  
03N R 18E  
Use: DOMESTIC ( .040 CFS)  
IRRIGATION ( .060 CFS)  
Date Filed: 8/31/1989  
In: T03N R18E S03 NESW NWSE  
2.0 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. 42-200C, 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.

RECORDED

FEB 21 1990



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

March 2, 2001

LINDSAY W ORMSBY  
DAVID G ORMSBY  
C/O JAMES L KENNEDY JR  
PO BOX 2165  
KETCHUM ID 83340

RE: License No. 37-8562 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

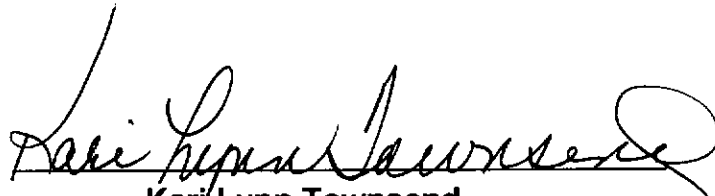
MICROFILMED  
MAR 29 2001

## CERTIFICATE OF MAILING

I hereby certify that on March 2, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

**RE: WATER RIGHT NO. 37-8562**

**LINDSAY W ORMSBY  
DAVID G ORMSBY  
C/O JAMES L KENNEDY JR  
PO BOX 2165  
KETCHUM ID 83340**

  
**Kari Lynn Townsend  
Secretary**

**MICROFILMED  
MAR 29 2001**

**EXPLANATORY INFORMATION  
TO ACCOMPANY A  
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

**PETITION FOR RECONSIDERATION**

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

**EXCEPTIONS AND BRIEFS**

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

**REQUEST FOR HEARING**

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

**ORAL ARGUMENT**

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

**CERTIFICATE OF SERVICE**

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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### FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

### APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

LICENSE REVIEW CHECKLIST

Permit No. 37-08562 Date: 2-28-2001 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK  
Point of Diversion: OK

Does change clarify original intended source? If no, void permit.  
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)  
W36 (overlap)  
W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)  
W27 (ppu acre limit)

Overlaps: Right(s): none  
File reviewed \_\_\_\_\_ Profile reports printed \_\_\_\_\_

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.05 cfs  
Fee Limit 0.20 cfs  
Measured 0.03 cfs  
Theoretical \_\_\_\_\_ cfs

Recommended Total Diversion Rate 0.03

Water Uses OK

Change (P46)

Season of Use per new Standards

5/1 10/31

Irrigation 0.03 cfs \_\_\_\_\_ af  
Stockwater \_\_\_\_\_ cfs \_\_\_\_\_ af  
Domestic \_\_\_\_\_ cfs \_\_\_\_\_ af  
EP 0.03 cfs \_\_\_\_\_ af  
\_\_\_\_\_ cfs \_\_\_\_\_ af  
Total 0.03 cfs \_\_\_\_\_ af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)  
supp. Gw (WB7/065/104)  
overlap spec combined rts (W35)  
21 acre (W31)  
Domestic (W01/wb5/070/071/075)  
Power (W42 or W43/025/027/R22 or R23)  
Fish (042)  
Fire (077)  
Water Quality (081/R07)  
Payette - (W22/047/27A)  
Stockwater for US (R37)

Volume Determination

0.03 cfs x 1.9835 x 184 days = 10.9 af (vs) 1.5 acres x 3.5 (FHR) = 5.3 af  
2.5 (con)

Remarks: 041, 077,

Additional Conditions NO

Watermaster Control  
NO GW Measurement/Measuring Device  
Other  
Trust (~~052~~R55 - remove 051)  
Non-trust (048/049)

GW Dist? 0  
Water Msmt. Dist? 0  
Crit. GWMA? 0  
GWMA? yes - Big Wood River  
Government Lots? \_\_\_\_\_

Advance Priority? yes If yes, explain why below.  
no

SRBA Claim? Not req'd

Adjust memo \_\_\_\_\_

Amend Letters \_\_\_\_\_

P87, S06

Second Amendment Notice \_\_\_\_\_

S06

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommended Right Report

WATER RIGHT NO. 37-12275

Owner Type                      Name and Address  
Current Owner                  DAVID G ORMSBY  
Current Owner                  LINDSAY W ORMSBY  
                                         C/O JAMES L KENNEDY JR  
                                         PO BOX 2165  
                                         KETCHUM, ID 83340  
                                         (208)726-8255

Original Owner                  JOHN H HEMINGWAY  
                                         PO BOX 387  
                                         SUN VALLEY, ID 83353  
                                         (208)726-5562

Priority Date:                  10/01/1967  
Basis:                              Beneficial Use  
Status:                              Active

*different well*

Source                                              Tributary to  
GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| DOMESTIC              | 1/01        | 12/31     | 0.04 CFS              |               |                    |
| Total Diversion       |             |           | 0.04 CFS              |               |                    |

Location of Point(s) of Diversion:

GROUND WATER                      SENW                      Sec. 23                      Township 05N                      Range 17E                      BLAINE County

Place(s) of use:

Place of Use Legal Description: DOMESTIC                      BLAINE County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 05N             | 17E          | 23             |            | SEnw         |              |            |              |              |            |              |              |            |              |              |

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory                      PARCEL NO. RP05N170147990A

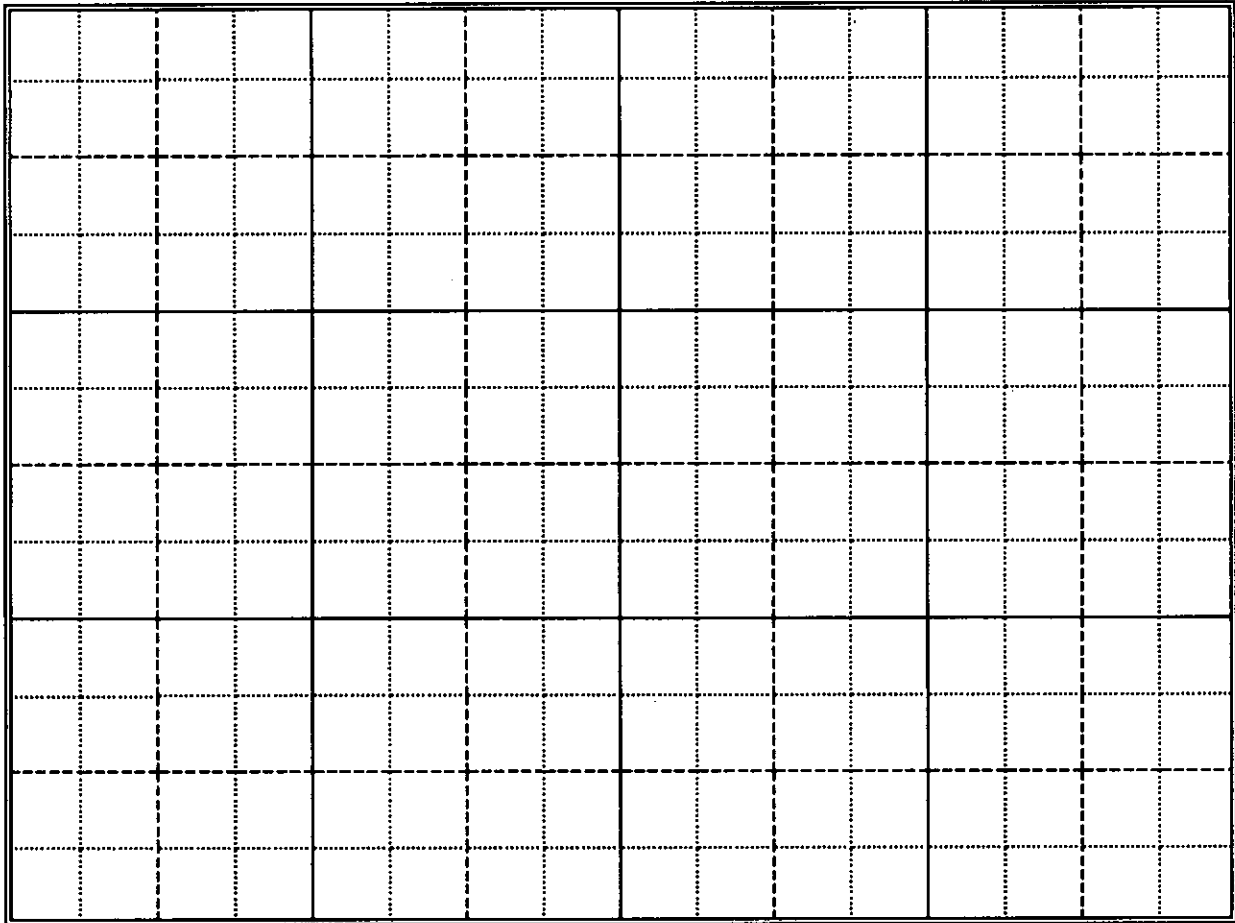
Comments:

| <u>Author</u> | <u>Date</u> | <u>Subject</u>      | <u>Comment</u>                                                                                                                                        |
|---------------|-------------|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| DUNN1         | 1/8/94      | COPIED FROM REMARKS | 2ND WELL FILED SEPARATELY PROPERTY ALSO KNOWN AS HOMESTEAD ENTRY NO. 129.                                                                             |
| CORR1         | 10/2/97     | COPIED FROM REMARKS | PARCEL NO. RP05N170147990A PROPERTY ALSO KNOWN AS HES129, 13386 STATE HWY 75<br>COPIED FROM REMARKS PARCEL NO. RP05N170147990A PROPERTY ALSO KNOWN AS |





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 Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

\_\_\_\_ Aerial Photo Attached (required for Irrigation of 10+ acres)

\_\_\_\_ 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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| Inr Well                              |            | 3  |                  |           |                                   |
| GPS TAG #                             |            |    |                  |           |                                   |
| A0007870                              |            |    |                  |           |                                   |

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

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#### D. FLOW MEASUREMENTS

1.

MAR 29 2001

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

2. Measurements: Received sprinkler information from  
Clear Water Landscaping & Field Exam

## E. NARRATIVE/REMARKS/COMMENTS

Date: 19 September 1999  
From: Georgia Satterlee/Amanda Folsom  
RE: 37-08562

A field examination was conducted on 02 August 1999 to verify the beneficial uses of irrigation and fire protection. In addition to the permitted uses, there is a claim 37-12275, for the domestic use. The recommendation to the court for Basin 37 was 3/5/1999 (for domestic and stock only).

The irrigation well was located by GPS with Tag #A0007870. The domestic well is approximately 100 feet west of the irrigation well, and the wells are not connected. The irrigation well also fills a 10,000-gallon tank that is used for fire protection. Initially, a pond was used for this purpose, however the underground tank replaced the pond, which has been filled in.

The 1.5-acre manicured lawn is irrigated by a system, which consists of 20 zones with an average of 5 sprinklers per zone. Each zone runs 20 minutes, every other day. There is a mixture of Rainbird pop-up and impact sprinklers with an average output of 3-5 gpm per sprinkler.

The irrigation system:

20 zones 5 sprinkler/zone

1 zone = 5 sprinklers x 4 gpm/sprinkler = 20 gpm or 0.04 cfs

The annual volume is based on the 1.5 acres irrigated multiplied by the irrigation requirement of 3.5.

The theoretical shows the irrigation well has a diversion capacity of 0.13 cfs. Because there was not a physical measurement conducted and the theoretical rate shows the well capable of diverting at least 24 gallons per minute, the applicant will be given the benefit of the doubt and the recommended diversion rate will be based on the permitted rate.

37-08562 0.05 cfs 5.2 afa irr/fire protection

37-12275 0.04 cfs 0.6 afa domestic

37-13042 do not recommend, duplicate use, see 37-08562

Have conditions of permit approval been met? ☒ yes ☐ no

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MAR 29 2001

## F. FLOW CALCULATIONS

\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

$$(1 \text{ zone})(5 \text{ spk})(3 \text{ gpm}) = \frac{15 \text{ gpm}}{448.83} = 0.03 \text{ cfs}$$

## G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (1.5)(3.5) = 5.2$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.03)(246)(1.9835) = 14.6$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 5.2 \text{ afa}$$

2. Volume Calculations for Other Uses:

Exam Limit — 0.05  
 Permit Rate — 0.05  
 Observed Rate — 0.03  
 Recommended — 0.03 cfs

## H. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use  | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-----------------|---------------|-------|------------------------------|--------------------------|
|                 | From          | To    |                              |                          |
| Irrigation      | 3-15          | 11-15 | 0.03                         | 5.2                      |
| Fire Protection | 1-1           | 12-31 | 0.03                         |                          |
|                 |               |       |                              |                          |
|                 |               |       |                              |                          |
|                 |               |       |                              |                          |
| Totals:         |               |       | 0.03                         | 5.2                      |

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. AUTHENTICATION

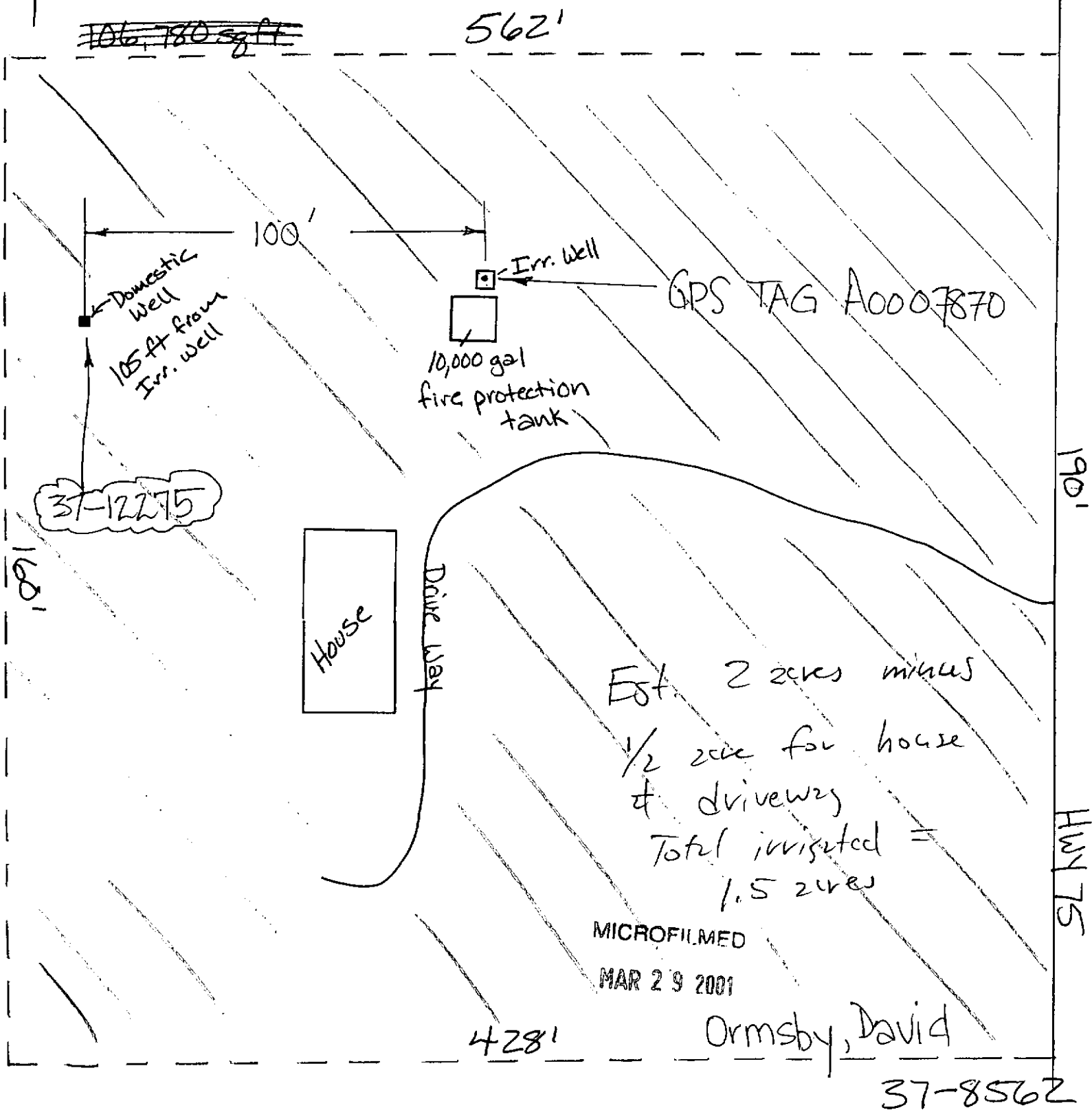
Field Examiner's Name Amanda Brown Date 20 Sept 99

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

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MAR 29 2001

BOTH WELLS LOCATED IN:  
SE 1/4 SEC 23, T5N, R1E



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MAR 29 2001

Ormsby, David

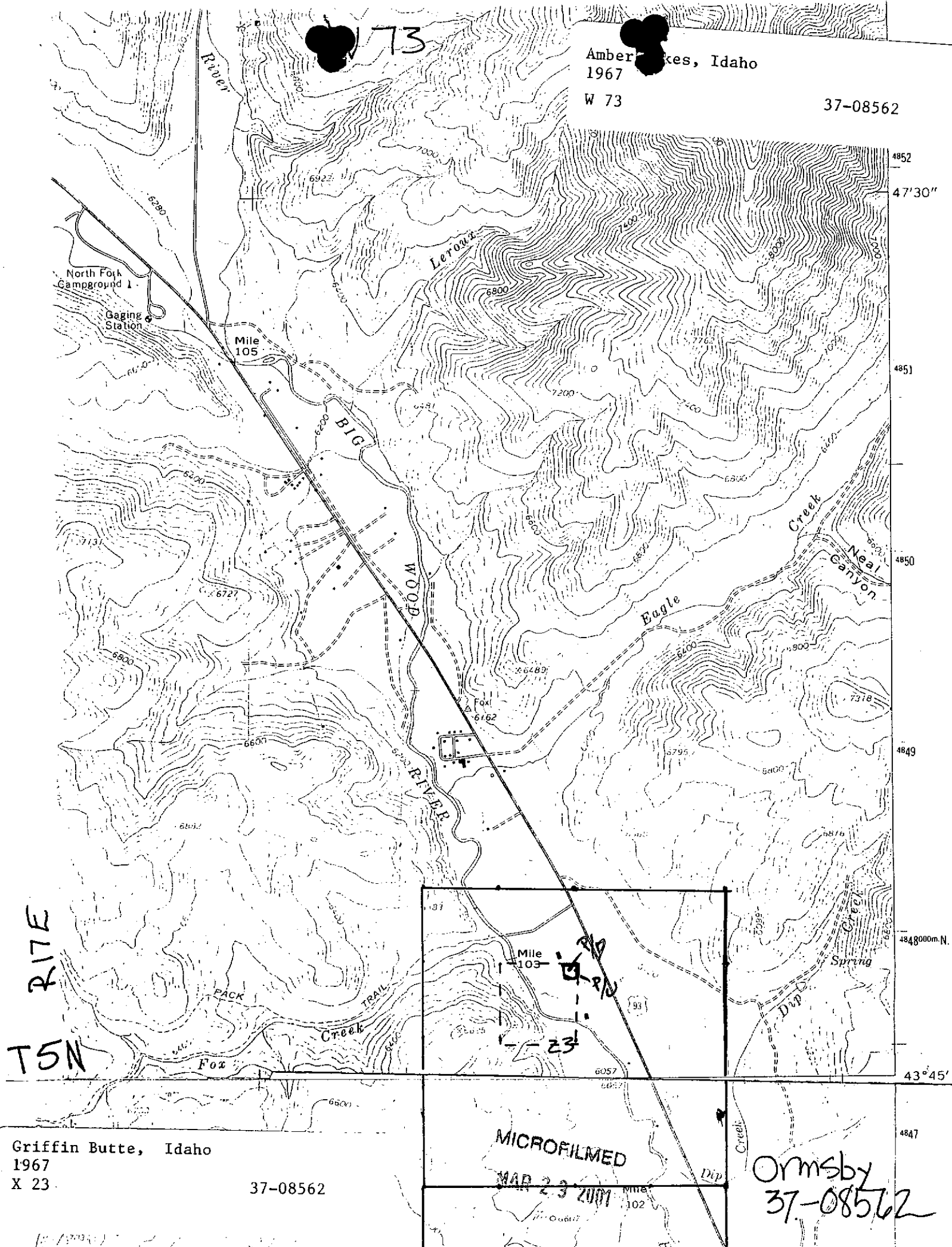
37-8562

W 73

Amber Lakes, Idaho  
1967

W 73

37-08562



R17E  
T5N

Griffin Butte, Idaho  
1967  
X 23

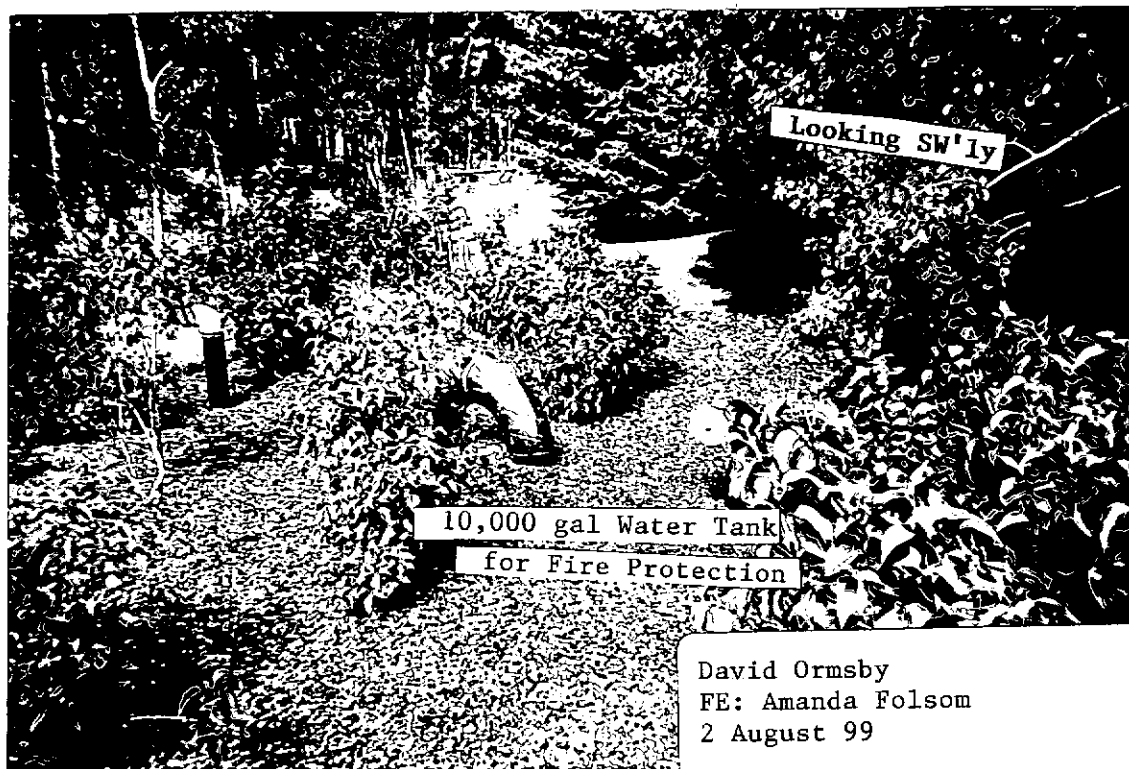
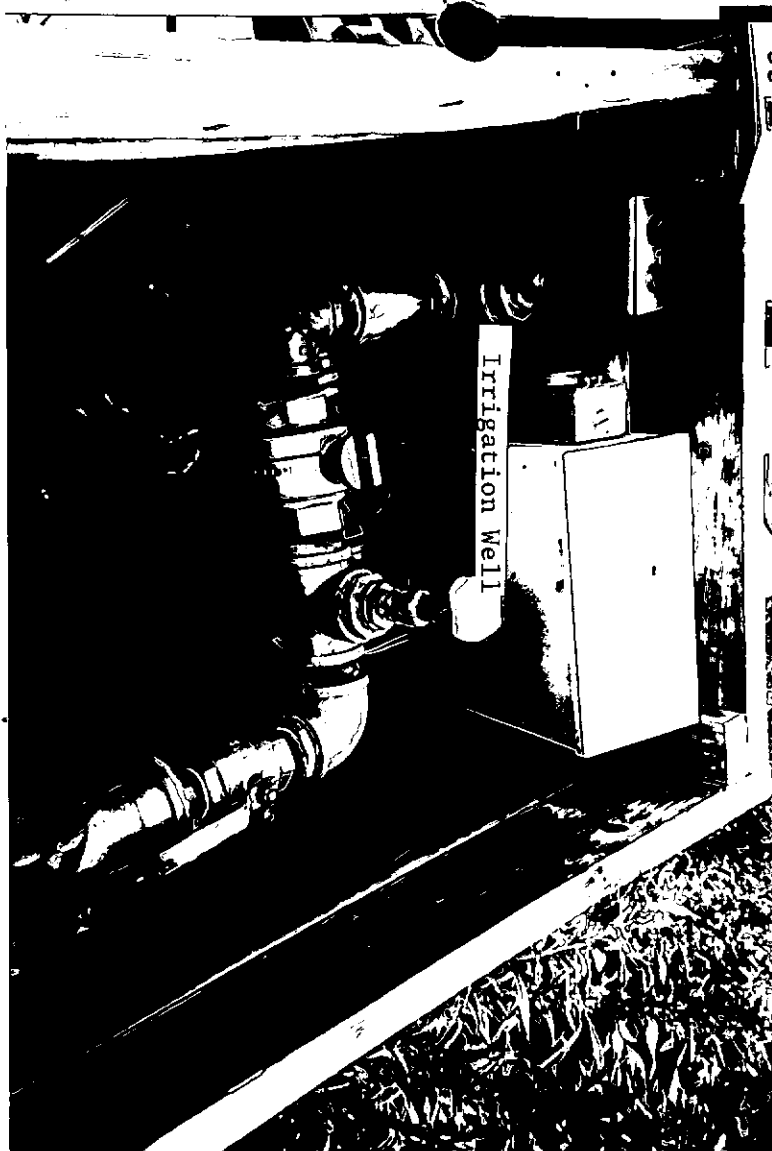
37-08562

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MAR 23 2001

Ormsby  
37-08562

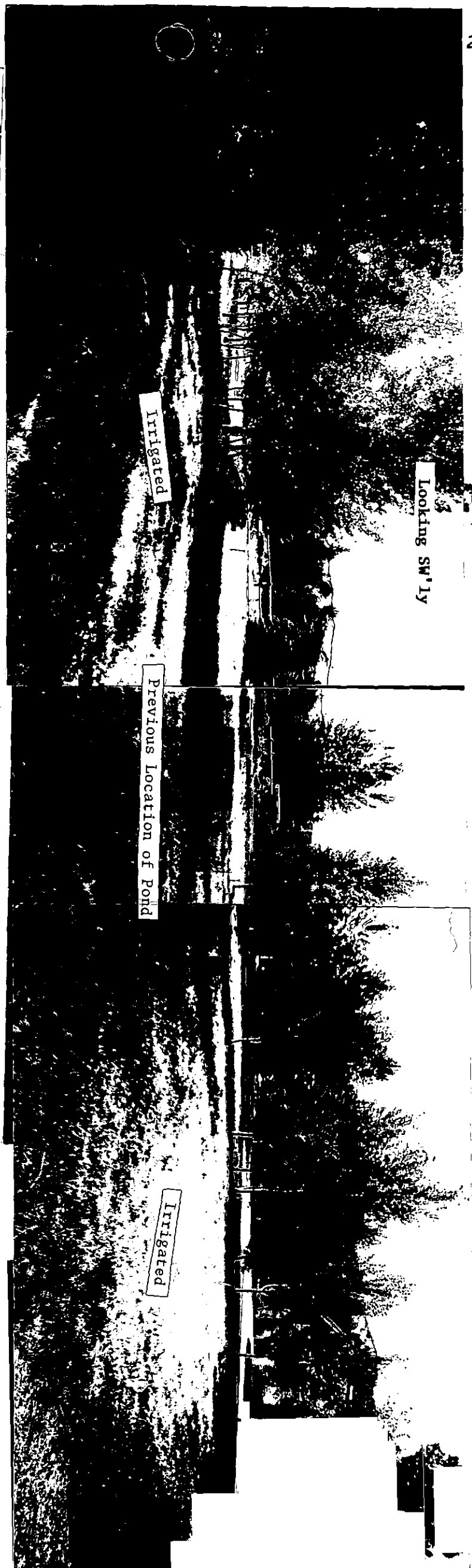
1/4



David Ormsby  
FE: Amanda Folsom  
2 August 99

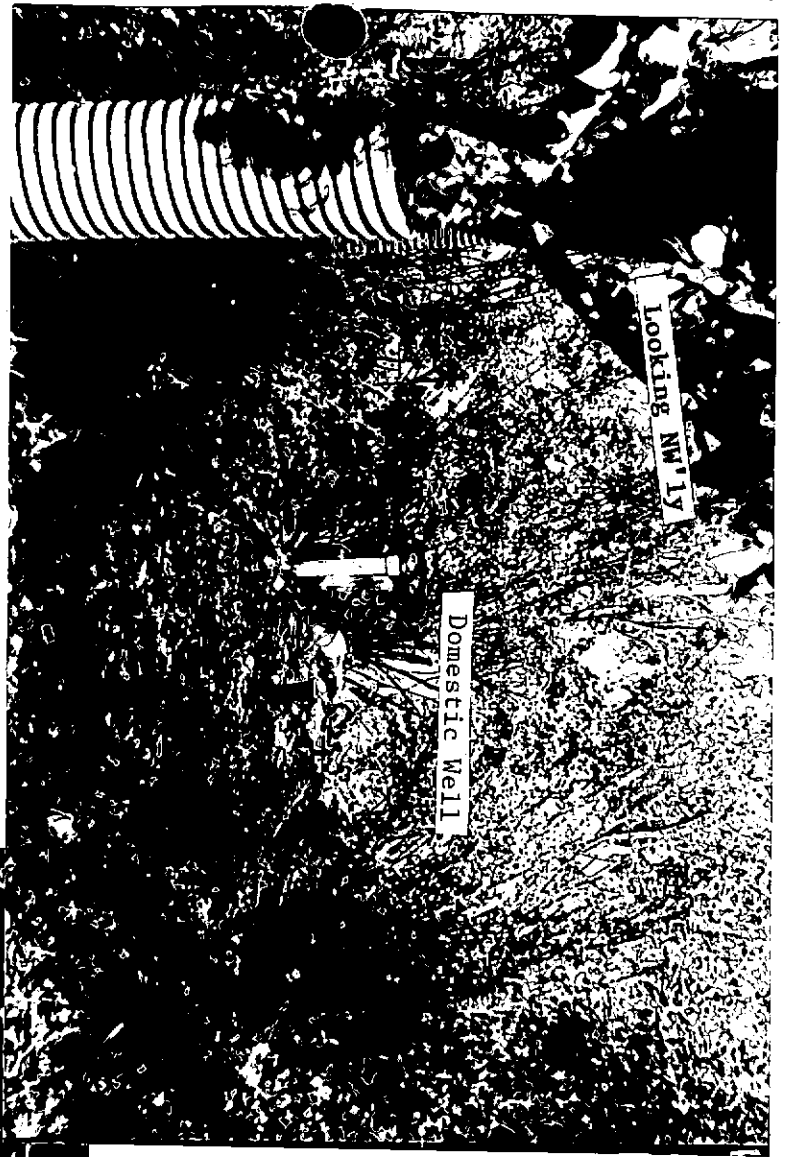
37-8562

MICROFILMED  
2001



David Ormsby  
FE: Amanda Folsom  
2 August 99

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MAR 29 2001  
37-8562



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MAR 29 2001

David Ormsby  
FE: Amanda Folsom  
2 August 99

4/4



Looking SW'ly

Back Yard



Irrigated



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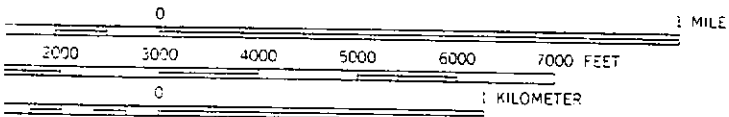
MAR 29 2001

David Ormsby  
FE: Amanda Folsom  
2 August 99

37-8562



SCALE 1:24 000



QUADRANGLE LOCATION

AMBER LAK

N4345-W11

197-

ADVANCE

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MAR 29 2001

Copies Of These Maps Can Be Obtained  
At Bonneville Blue Print, Boise Idaho

AMBER LAKES, ID

272-25

PLIES WITH NATIONAL MAP ACCURACY STANDARDS  
GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

219-S.A.  
6/86

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

37-8562  
Permit No.

Staff Analysis Sheet  
for  
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☐ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index \_\_\_\_\_ (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?  
Type of Overlap? ☐ Add acres or uses to existing system  
☐ Increase rate of flow or volume  
☐ Other: \_\_\_\_\_

Check of P/U index \_\_\_\_\_ (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?  
Type of Overlap? ☐ Increase rate of flow or volume  
☐ Add P/D's  
☐ Increase number of acres within tracts  
☐ Other: \_\_\_\_\_

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling letter sent? \_\_\_\_\_ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully completed and signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Quanda Salons 8-2-99 (Signature of examiner and date)  
Exam Reviewed by Senior Water Resource Agent \_\_\_\_\_ (Initial and date)  
Exam Reviewed by Manager of Regional Office AD 12/17/99 (Initial and date)  
Exam Date Entered in Computer \_\_\_\_\_ (Initial and date)  
Exam sent to State Office \_\_\_\_\_ (Initial and date)  
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original  
Refiled in White File \_\_\_\_\_ (Initial and date)

May 24, 1991

DAVID G. ORMSBY  
LINDSAY W. ORMSBY  
C/O JAMES L. KENNEDY, JR.  
P.O. BOX 2165  
KETCHUM, ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08562

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)734-3578.

Sincerely,

Rita Fleck  
Secretary/Records Manager

c: IDWR - Region

RECEIVED

JUL 11 1991

ANALYSIS SHEET  
for  
PROOF OF BENEFICIAL USE

Permit No. 37-8562

Date 5-23-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?  
☒ Address same as permit? If no, indicate below.  
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☐ Surface water source  
☒ Ground water source  
NA Drill permit req'd?  
1912 Copy in file? Drill permit no. \_\_\_\_\_  
Amt paid for drilling permit? \_\_\_\_\_ Correct?  
1 Well log in file?

LICENSE EXAMINATION FEE

- yes Required?  
50.00 Amount submitted?  
yes Correct amount?

MEASURING DEVICE

- no Measuring device or access port required?  
1 Installed?  
1 Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

*proof acceptable*

PRIORITY CALCULATION

|                     |           |   |
|---------------------|-----------|---|
| Date proof received | <u>NA</u> |   |
| Date proof due      |           | - |
| No. of days late    |           | = |
| Priority date       |           | + |
| NEW PRIORITY DATE   |           | = |

*[Signature]*

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

## WARRANTY DEED

## For Value Received

John H. Hemingway, dealing with his sole and separate property as to an undivided one-half interest and as Personal Representative of the Estate of Byra Louise Hemingway, Deceased, as to an undivided one-half interest

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto David G. Ormsby and Lindsey W. Ormsby, husband and wife whose address is: 55 Baldwin Farms South, Greenwich, CT 06831

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

A parcel of land within N.E.S. 129 in unsurveyed Township 5 North, Range 17 East, B.M., Blaine County, Idaho, more particularly described as follows:

COMMENCING at a stone marking Corner 2 of said N.E.S. 129; thence N. 30° 06' W., 786.35 feet to the TRUE POINT OF BEGINNING; thence N. 30° 06' W., 196.59 feet along the Westerly boundary of said N.E.S. 129; thence N. 54° 44' E., 784.01 feet to the Westerly boundary of U.S. Highway 93; thence S. 23° 29' E., 200.00 feet along the Westerly boundary of U.S. Highway 93; thence S. 54° 44' W., 760.87 feet to the TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: August 28, 1989

John H. Hemingway, Individually and as  
Personal Representative of the Estate  
of Byra Louise Hemingway, Deceased

STATE OF IDAHO COUNTY OF Blaine  
On this 20th day of August, 1989,  
before me, a Notary Public in and for said State, personally appeared

John H. Hemingway, Individually as as  
Personal Representative of the Estate  
of Byra Louise Hemingway, deceased

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

*John H. Hemingway* Notary Public  
Residing at Hatley  
Commission Expires 2-18-92

FEES \$  
HATLEY GREEN PIERK

1989 SEP 1 PM 3 18

JUL 11 1991

OF

BLAINE CO. REQUEST

FIRST TITLE CO

309511

Instrument No.

RECEIVED  
MAR 11 1991

Department of Water Resources

James L. Kennedy, Jr.  
JAMES L. KENNEDY, JR., P.A.  
Post Office Box 2165  
Ketchum, Idaho 83340  
(208) 726-8255  
Attorney for Grantees

COPY

BEFORE THE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

In the Matter of )  
 )  
APPLICATION FOR PERMIT TO )  
APPROPRIATE WATER ) Permit P37-08562  
 )  
 \* \* \* )  
 )  
John H. Hemingway, )  
 )  
Applicant. )  
\_\_\_\_\_ )

RATIFICATION OF ASSIGNMENT AND PROOF

The undersigned, John H. Hemingway, applicant and permittee under the permit to appropriate water approved February 13, 1990, a copy of which is attached hereto and incorporated herein by this reference as exhibit A, hereby retroactively ratifies and validates (1) the assignment of application for permit, dated February 28, 1991, and executed by James L. Kennedy, Jr., a copy of which is attached hereto and incorporated herein by this reference as exhibit B; and (2) the proof of beneficial use, dated February 28, 1991, and executed by David G. Ormsby, a copy of which is attached hereto and incorporated herein by this reference as exhibit C; as if each of such instruments was on

RATIFICIATION\1

MICROFILMED

JUL 11 1991

Recd 031291 JJK

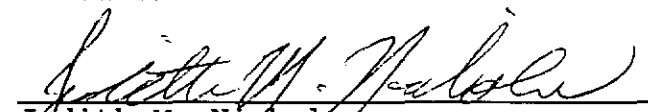
such date executed by me as my own act and deed, I having previously conveyed the subject real property and the water rights appurtenant thereto by warranty deed, dated August 28, 1989, to David G. Ormsby and Lindsay W. Ormsby, husband and wife, as grantees.

DATED this eighth day of March, 1991.

  
John H. Hemingway

STATE OF IDAHO            )  
                              ) ss  
County of Blaine        )

On this eighth day of March, 1991, personally appeared before me the signer of the above instrument, and duly acknowledged to me that he executed the same.

  
Judith M. Nicholson  
Residing in Hailey  
Commission expires 7/13/93

RATIFICATION\2

MICROFILMED  
JUL 11 1991

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

NO. 37-08562

Proposed Priority: August 28, 1989

Maximum Diversion Rate:

0.05 CFS

This is to certify, that **JOHN H. HEMINGWAY**  
P.O. BOX 387  
SUN VALLEY, ID 83353

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            | 03/15 to 11/15       | 0.05 CFS                 |
| FIRE PROTECTION       | 01/01 to 12/31       | 0.05 CFS                 |
|                       | Totals               | 0.05 CFS                 |

LOCATION OF POINT(S) OF DIVERSION:

SENW Sec. 23, Township 05N, Range 17E  
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> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 05N                              | 17E        | 23         | SENW         | 1.5          |              | 1.5          |
| Total number of acres irrigated: |            |            |              |              |              | 1.5          |

PLACE OF USE: FIRE PROTECTION, 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. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Irrigation use under this permit is authorized only in connection with a domestic use.

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.

*for* R. Keith Higginson, Director

**MICROFILMED**

**JUL 11 1991**

COPY

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
FEB 28 1991

ASSIGNMENT OF APPLICATION FOR PERMIT

Department of Water Resources

I, JOHN H. HEMINGWAY, hereby assign to DAVID G. ORMSBY AND LINDSAY W. ORMSBY, HUSBAND AND WIFE  
of, c/o JAMES L. KENNEDY JR., POST OFFICE BOX 2165, KETCHUM, IDAHO 83340  
(Full Address)

All my right, title, and interest in and to Application for Permit No. P37-08562 to appropriate the public waters of the State of Idaho.  
COPY OF RECORDED WARRANTY DEED IS ATTACHED.  
OF (for partial assignments)

The following described portion of my right, title, and interest in and to Application for Application for Permit No. NOT APPLICABLE to appropriate the public waters of the State of Idaho.

Describe portion of the application 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.  
NOT APPLICABLE

Made this 28TH day of FEBRUARY, 1990 1991.  
James L. Kennedy Jr. for John H. Hemingway and for David G. Ormsby and Lindsay W. Ormsby, husband and wife  
Applicant AND BUYERS/ASSIGNEES

State of Idaho )  
County of ADA ) ss

On this 28TH day of FEBRUARY, 1990 1991, personally appeared before me the signer of the above instrument, duly acknowledged to me that he (she) (they) executed the same, AS INDICATED

seal

[Signature]  
Notary Public

RECORDED

My commission expires: 2-27-91

JUL 11 1991

## WARRANTY DEED

## For Value Received

John H. Hemingway, dealing with his sole and separate property as to an undivided one-half interest and as Personal Representative of the Estate of Myra Louise Hemingway, Deceased, as to an undivided one-half interest

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto David G. Ormsby and Lindsay W. Ormsby, husband and wife whose address is: 55 Baldwin Farms South, Greenwich, CT 06831

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

A parcel of land within R.E.S. 129 in unsurveyed Township 5 North, Range 17 East, B.M., Blaine County, Idaho, more particularly described as follows:

COMMENCING at a stone marking Corner 2 of said R.E.S. 129; thence N. 30° 06' W., 786.35 feet to the TRUE POINT OF BEGINNING; thence N. 30° 06' W., 196.59 feet along the Westerly boundary of said R.E.S. 129; thence N. 54° 44' E., 784.01 feet to the Westerly boundary of U.S. Highway 93; thence S. 23° 29' E., 200.00 feet along the Westerly boundary of U.S. Highway 93; thence S. 54° 44' N., 760.87 feet to the TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: August 28, 1989

John H. Hemingway individually and as  
Personal Representative of the Estate  
of Myra Louise Hemingway, Deceased

STATE OF Idaho COUNTY OF Blaine

On this 30th day of August, 1989,  
before me, a Notary Public in and for said State, personally appeared

John H. Hemingway, Individually as as  
Personal Representative of the Estate  
of Myra Louise Hemingway, deceased

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

*John H. Hemingway*  
Notary Public

Residing at: Bailey  
Commission Expires 2-18-92

309511  
FIRST... TELECO  
BLAINE CO. REQUEST  
OFF...  
89 SEP 1 PM 3:18  
JUL 11 1991  
MICROFILMED  
DEES \$

Instrument No.

# COPY

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

## PROOF OF BENEFICIAL USE

For Office Use Only  
Amt. of Fee \$  
Date

**RECEIVED**  
FEB 28 1991

Department of Water Resources

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.

- Permit No. P 37-08562 Telephone No. 208-726-8255
- Name(s) of Permit Holder(s): DAVID G. ORMSBY AND LINDSAY W. ORMSBY, HUSBAND AND WIFE  
COPY OF RECORDED WARRANTY DEED IS ATTACHED
- Post Office Address: c/o JAMES H. KENNEDY JR., POST OFFICE BOX 2165, KETCHUM, IDAHO 83340
- Source of Water: GROUNDWATER

a. If ground water, well driller's name: EUGENE WALKER Date drilled: JULY 1, 1972

b. Pump horsepower: 3 Pressure (psi): 50 Dynamic pumping level (ft.): 12  
COPY OF FILED WELL DRILLER'S REPORT IS ATTACHED

5. Extent of Use:

Domestic 1 (No. of households) Irrigation 1.5 (No. of acres)

Stockwater \_\_\_\_\_ (No. and type of stock) Other \_\_\_\_\_

FIRE PROTECTION

6. Total rate and/or volume for which proof is submitted 0.050 cfs \_\_\_\_\_ acre/feet

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

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

OR

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

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

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

Dennis Kavanagh  
Name

(208) 788-2155  
Telephone No.

214 Paiute Drive, Indian Creek, Hailey, Idaho 83333  
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.

F<sup>1</sup>  
Da 8 1991

David G. Ormsby  
Signature (and title if on behalf of a company or organization)

**RECEIVED**  
JUL 11 1991



State of Idaho

NOV 8 1972

## WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer  
Department of Water Administration within 30 days after completion or abandonment of the well.

[illegible]

RECEIVED  
MAR 11 1991

James L. Kennedy, Jr.  
JAMES L. KENNEDY, JR., P.A.  
Post Office Box 2165  
Ketchum, Idaho 83340  
(208) 726-8255  
Attorney for Grantees

Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

In the Matter of )

APPLICATION FOR PERMIT TO )  
APPROPRIATE WATER )

\* \* \*

John H. Hemingway, )

Applicant. )

Permit P37-08563

37-8562

RATIFICATION OF ASSIGNMENT AND PROOF

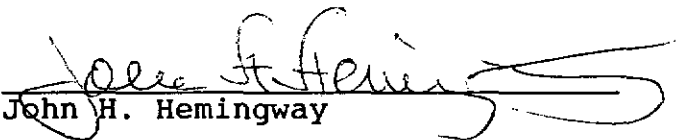
The undersigned, John H. Hemingway, applicant and permittee under the permit to appropriate water approved February 13, 1990, a copy of which is attached hereto and incorporated herein by this reference as exhibit A, hereby retroactively ratifies and validates (1) the assignment of application for permit, dated February 28, 1991, and executed by James L. Kennedy, Jr., a copy of which is attached hereto and incorporated herein by this reference as exhibit B; and (2) the proof of beneficial use, dated February 28, 1991, and executed by David G. Ormsby, a copy of which is attached hereto and incorporated herein by this reference as exhibit C; as if each of such instruments was on

RATIFICIATION\1

JUL 11 1991

such date executed by me as my own act and deed, I having previously conveyed the subject real property and the water rights appurtenant thereto by warranty deed, dated August 28, 1989, to David G. Ormsby and Lindsay W. Ormsby, husband and wife, as grantees.

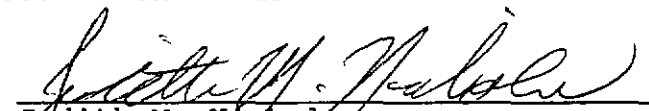
DATED this eighth day of March, 1991.

  
John H. Hemingway

STATE OF IDAHO           )  
                                  ) ss  
County of Blaine        )

On this eighth day of March, 1991, personally appeared before me the signer of the above instrument, and duly acknowledged to me that he executed the same.



  
Judith M. Nicholson  
Residing in Hailey  
Commission expires 7/13/93

RATIFICATION\2

RECORDED

JUL 11 1991

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

NO. 37-08562

Proposed Priority: August 28, 1989      Maximum Diversion Rate: 0.05 CFS

This is to certify, that **JOHN H. HEMINGWAY**

P.O. BOX 387

SUN VALLEY, ID 83353

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            | 03/15 to 11/15       | 0.05 CFS                 |
| FIRE PROTECTION       | 01/01 to 12/31       | 0.05 CFS                 |
|                       | Totals               | 0.05 CFS                 |

LOCATION OF POINT(S) OF DIVERSION:

SENW Sec. 23, Township 05N, Range 17E  
BLAINE County

PLACE OF USE: IRRIGATION

| <u>TWN RGE SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|--------------------|--------------|--------------|--------------|--------------|
| 05N 17E 23         | SENW 1.5     |              |              | 1.5          |

Total number of acres irrigated: 1.5

PLACE OF USE: FIRE PROTECTION, 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. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Irrigation use under this permit is authorized only in connection with a domestic use.

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

13<sup>th</sup> day of February, 1990.

*for* R. Keith Higginson  
R. Keith Higginson, Director  
**NOTED**  
JUL 11 1991

COPY

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
FEB 28 1991

ASSIGNMENT OF APPLICATION FOR PERMIT

Department of Water Resources

I, JOHN H. HEMINGWAY, hereby assign to DAVID G. ORMSBY AND LINDSAY W. ORMSBY, HUSBAND AND WIFE  
of, 1/6 JAMES L. KENNEDY JR., POST OFFICE BOX 2165, KETCHUM, IDAHO 83340  
(Full Address)

All my right, title, and interest in and to Application for Permit  
No. P37-08562 to appropriate the public waters of the State of Idaho.  
COPY OF RECORDED WARRANTY DEED IS ATTACHED.  
OF (for partial assignments)

The following described portion of my right, title, and interest in and to  
Application for Application for Permit No. NOT APPLICABLE to appropriate the public  
waters of the State of Idaho.

Describe portion of the application 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.  
NOT APPLICABLE

Made this 28TH day of FEBRUARY, 1990-1991.

James L. Kennedy Jr. for John H. Hemingway and for  
David G. Ormsby and Lindsay W. Ormsby, husband and wife  
Applicant AND BUYERS/ASSIGNEES

State of Idaho )  
County of ADA ) ss

On this 28TH day of FEBRUARY, 1991, personally appeared before me the signer of the  
above instrument, duly acknowledged to me that he (she) (they) executed the same, AS INDICATED

Lini Flower  
Notary Public

seal

My commission expires: 2-27-91

EXHIBIT B/1

RECORDED

JUL 11 1991

**For Value Received**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto David G. Ormsby and Lindsey W. Ormsby, husband and wife whose address is: 55 Baldwin Farms South, Greenwich, CT 06831

A parcel of land within R.E.S. 129 in unsurveyed Township 5 North, Range 17 East, B.M., Blaine County, Idaho, more particularly described as follows:

COMMENCING at a stone marking Corner 2 of said E.E.S. 129; thence  
N. 30° 06' W., 786.35 feet to the TRUE POINT OF BEGINNING; thence  
N. 30° 06' W., 196.59 feet along the Westerly boundary of said H.E.S. 129; thence  
N. 54° 44' E., 784.01 feet to the Westerly boundary of U.S. Highway 93; thence  
S. 23° 29' E., 200.00 feet along the Westerly boundary of U.S. Highway 93; thence  
S. 54° 44' W., 760.87 feet to the TRUE POINT OF BEGINNING.

**Dated: August 28, 1989**

STATE OF Idaho COUNTY of Blaine

On this 30th day of August, 1989,  
before me, a notary public in and for said State, per-  
sonally appeared

John H. Haringway, Individually as as  
Personal Representative of the Estate  
of Byra Louise Haringway, deceased

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

John L. Burrell Notary Public

Residing at: Bailey  
Commission Expires: 2-18-92

3095447  
FIRST CLASS  
BLAINE CO. REQUEST  
OFF. \_\_\_\_\_  
SEP 1 PM 3 18  
HICKORY CREEK  
PEES \$ 1.00  
JUL 11 1937

# COPY

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

## PROOF OF BENEFICIAL USE

For Office Use Only  
Amt. of Fee \$  
Date**RECEIVED**  
FEB 28 1991

Department of Water Resources

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. P 37-08562 Telephone No. 208-726-8255
2. Name(s) of Permit Holder(s): DAVID G. ORMSBY AND LINDSAY W. ORMSBY, HUSBAND AND WIFE  
COPY OF RECORDED WARRANTY DEED IS ATTACHED
3. Post Office Address: % JAMES H. KENNEDY JR., POST OFFICE BOX 2165, KETCHUM, IDAHO 83340
4. Source of Water: GROUNDWATER
  - a. If ground water, well driller's name: EUGENE WALKER Date drilled: JULY 1, 1972
  - b. Pump horsepower: 3 Pressure (psi): 50 Dynamic pumping level (ft.): 12  
COPY OF FILED WELL DRILLER'S REPORT IS ATTACHED
5. Extent of Use:

|                                          |                                      |
|------------------------------------------|--------------------------------------|
| Domestic <u>1</u> (No. of households)    | Irrigation <u>1.5</u> (No. of acres) |
| Stockwater _____ (No. and type of stock) | Other _____                          |
| <u>FIRE PROTECTION</u>                   |                                      |
6. Total rate and/or volume for which proof is submitted 0.050 cfs \_\_\_\_\_ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

|                        |                                                                    |                                                                     |
|------------------------|--------------------------------------------------------------------|---------------------------------------------------------------------|
| Measuring device:      | Required? <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u> | Installed? <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u> |
| OR                     |                                                                    |                                                                     |
| Flow Measurement Port: | Required? <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u> | Installed? <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u> |
8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination:

|                                                            |                       |
|------------------------------------------------------------|-----------------------|
| <u>Dennis Kavanagh</u>                                     | <u>(208) 788-2155</u> |
| Name                                                       | Telephone No.         |
| <u>214 Paiute Drive, Indian Creek, Hailey, Idaho 83333</u> |                       |
| 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

F<sup>n</sup>  
Da

8 1991

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

David G. Ormsby

JUL 11 1991

## WARRANTY DEED

## For Value Received

John H. Hemingway, dealing with his sole and separate property as to an undivided one-half interest and as Personal Representative of the Estate of Byra Louise Hemingway, Deceased, as to an undivided one-half interest

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto David G. Ormsby and Lindsay W. Ormsby, husband and wife whose address is: 55 Baldwin Farms South, Greenwich, CT 06831

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

A parcel of land within R.E.S. 129 in unsurveyed Township 5 North, Range 17 East, B.M., Blaine County, Idaho, more particularly described as follows:

COMMENCING at a stone marking Corner 2 of said R.E.S. 129; thence N. 30° 06' W., 786.35 feet to the TRUE POINT OF BEGINNING; thence N. 30° 06' W., 196.59 feet along the Westerly boundary of said R.E.S. 129; thence N. 54° 44' E., 784.01 feet to the Westerly boundary of U.S. Highway 93; thence S. 23° 29' E., 200.00 feet along the Westerly boundary of U.S. Highway 93; thence S. 54° 44' W., 760.87 feet to the TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: August 28, 1989

John H. Hemingway individually and as  
Personal Representative of the Estate  
of Byra Louise Hemingway, Deceased

STATE OF Idaho, COUNTY OF Blaine

On this 30th day of August, 1989,  
before me, a Notary Public in and for said State, personally appeared

John H. Hemingway, individually as as  
Personal Representative of the Estate  
of Byra Louise Hemingway, deceased

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

Notary Public  
Residing at: Malley  
Commission Expires: 2-18-92

Notary Public

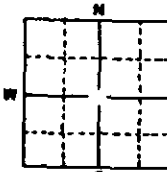
309511  
FIRST AMERICAN TITLE CO.  
BLAINE CO. REQUEST  
OFFICE  
JUL 11 1990  
FEE \$  
HART GREEN  
89 SEP 1 PM 3:18

Instrument No.

NOV 8 1972

## WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer  
Division of Water Administration within 30 days after completion or abandonment of the well.

| <b>1. WELL OWNER</b><br>Southern District Office<br>Name <u>Jacob Herringway</u><br>Address <u>Ketchikan</u><br>Owner's Permit No. _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |       | <b>7. WATER LEVEL</b><br>Static water level <u>12</u> feet below land surface<br>Flowing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No G.P.M. flow _____<br>Temperature <u>46</u> ° F. Quality _____<br>Artesian closed-in pressure _____ p.s.i.<br>Controlled by <input type="checkbox"/> Valve <input type="checkbox"/> Cap <input type="checkbox"/> Plug                                                                                                                                                                                                                                                                                                                       |                        |               |       |  |          |       |  |      |    |     |    |   |   |   |         |  |  |   |   |    |               |  |  |   |    |    |               |  |  |    |    |    |               |  |  |    |    |  |                        |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|---------------|-------|--|----------|-------|--|------|----|-----|----|---|---|---|---------|--|--|---|---|----|---------------|--|--|---|----|----|---------------|--|--|----|----|----|---------------|--|--|----|----|--|------------------------|--|--|
| <b>2. NATURE OF WORK</b><br><input checked="" type="checkbox"/> New well <input type="checkbox"/> Deepened <input type="checkbox"/> Replacement<br><input type="checkbox"/> Abandoned (describe method of abandoning) _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |       | <b>8. WELL TEST DATA</b><br><input type="checkbox"/> Pump <input checked="" type="checkbox"/> Bailor <input type="checkbox"/> Other<br>Discharge G.P.M. <u>3.2</u> Draw Down <u>3.7</u> Hours Pumped <u>1</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                        |               |       |  |          |       |  |      |    |     |    |   |   |   |         |  |  |   |   |    |               |  |  |   |    |    |               |  |  |    |    |    |               |  |  |    |    |  |                        |  |  |
| <b>3. PROPOSED USE</b><br><input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Irrigation <input type="checkbox"/> Test<br><input type="checkbox"/> Municipal <input type="checkbox"/> Industrial <input type="checkbox"/> Stock                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |       | <b>9. LITHOLOGIC LOG</b> <table border="1"><thead><tr><th rowspan="2">Hole<br/>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>8</td><td>0</td><td>2</td><td>Surface</td><td></td><td></td></tr><tr><td>8</td><td>2</td><td>15</td><td>Gravel &amp; sand</td><td></td><td></td></tr><tr><td>6</td><td>15</td><td>20</td><td>Gravel &amp; sand</td><td></td><td></td></tr><tr><td>20</td><td>34</td><td>39</td><td>Gravel &amp; sand</td><td></td><td></td></tr><tr><td>39</td><td>41</td><td></td><td>Gravel - sand<br/>Water</td><td></td><td></td></tr></tbody></table> |                        | Hole<br>Diam. | Depth |  | Material | Water |  | From | To | Yes | No | 8 | 0 | 2 | Surface |  |  | 8 | 2 | 15 | Gravel & sand |  |  | 6 | 15 | 20 | Gravel & sand |  |  | 20 | 34 | 39 | Gravel & sand |  |  | 39 | 41 |  | Gravel - sand<br>Water |  |  |
| Hole<br>Diam.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Depth |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Material               |               | Water |  |          |       |  |      |    |     |    |   |   |   |         |  |  |   |   |    |               |  |  |   |    |    |               |  |  |    |    |    |               |  |  |    |    |  |                        |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | From  | To                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                        | Yes           | No    |  |          |       |  |      |    |     |    |   |   |   |         |  |  |   |   |    |               |  |  |   |    |    |               |  |  |    |    |    |               |  |  |    |    |  |                        |  |  |
| 8                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 0     | 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Surface                |               |       |  |          |       |  |      |    |     |    |   |   |   |         |  |  |   |   |    |               |  |  |   |    |    |               |  |  |    |    |    |               |  |  |    |    |  |                        |  |  |
| 8                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 2     | 15                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Gravel & sand          |               |       |  |          |       |  |      |    |     |    |   |   |   |         |  |  |   |   |    |               |  |  |   |    |    |               |  |  |    |    |    |               |  |  |    |    |  |                        |  |  |
| 6                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 15    | 20                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Gravel & sand          |               |       |  |          |       |  |      |    |     |    |   |   |   |         |  |  |   |   |    |               |  |  |   |    |    |               |  |  |    |    |    |               |  |  |    |    |  |                        |  |  |
| 20                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 34    | 39                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Gravel & sand          |               |       |  |          |       |  |      |    |     |    |   |   |   |         |  |  |   |   |    |               |  |  |   |    |    |               |  |  |    |    |    |               |  |  |    |    |  |                        |  |  |
| 39                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 41    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Gravel - sand<br>Water |               |       |  |          |       |  |      |    |     |    |   |   |   |         |  |  |   |   |    |               |  |  |   |    |    |               |  |  |    |    |    |               |  |  |    |    |  |                        |  |  |
| <b>4. METHOD DRILLED</b><br><input checked="" type="checkbox"/> Cable <input type="checkbox"/> Rotary <input type="checkbox"/> Dug <input type="checkbox"/> Other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |               |       |  |          |       |  |      |    |     |    |   |   |   |         |  |  |   |   |    |               |  |  |   |    |    |               |  |  |    |    |    |               |  |  |    |    |  |                        |  |  |
| <b>5. WELL CONSTRUCTION</b><br>Diameter of hole <u>6</u> inches Total depth <u>41</u> feet<br>Casing schedule: <input type="checkbox"/> Steel <input type="checkbox"/> Concrete<br>Thickness Diameter From To<br><u>2.50</u> inches <u>6</u> inches <u>1</u> feet _____ feet<br>_____ inches _____ inches _____ feet _____ feet<br>_____ inches _____ inches _____ feet _____ feet<br>_____ inches _____ inches _____ feet _____ feet<br>_____ inches _____ inches _____ feet _____ feet<br>Was a packer or seal used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Perforated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>How perforated? <input type="checkbox"/> Factory <input type="checkbox"/> Knife <input type="checkbox"/> Torch<br>Size of perforation _____ inches by _____ inches<br>Number From To<br>_____ perforations _____ feet _____ feet<br>_____ perforations _____ feet _____ feet<br>_____ perforations _____ feet _____ feet<br>Well screen installed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Manufacturer's name _____<br>Type _____ Model No. _____<br>Diameter _____ Slot size _____ Set from _____ feet to _____ feet<br>Diameter _____ Slot size _____ Set from _____ feet to _____ feet<br>Gravel packed? <input type="checkbox"/> Yes <input type="checkbox"/> No Size of gravel _____<br>Placed from _____ feet to _____ feet<br>Surface seal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No To what depth <u>15</u> feet<br>Material used in seal <input checked="" type="checkbox"/> Cement grout <input type="checkbox"/> Puddling clay |       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |               |       |  |          |       |  |      |    |     |    |   |   |   |         |  |  |   |   |    |               |  |  |   |    |    |               |  |  |    |    |    |               |  |  |    |    |  |                        |  |  |
| <b>6. LOCATION OF WELL</b><br>Sketch map location must agree with written location.<br><br>County <u>Blaine</u><br>T. <u>23</u> N. <u>17</u> E. <u>17</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |       | <b>10.</b><br>Work started <u>Jan 2</u> finished <u>Jan 22</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                        |               |       |  |          |       |  |      |    |     |    |   |   |   |         |  |  |   |   |    |               |  |  |   |    |    |               |  |  |    |    |    |               |  |  |    |    |  |                        |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |       | <b>11. DRILLER'S CERTIFICATION</b><br>This well was drilled under my supervision and this report is true to the best of my knowledge.<br><u>FUGGEE WALKER</u> 15<br>Driller's or Firm's Name Number<br>Address <u>244 Pacific</u> <u>Twin Falls</u><br>Signed By <u>Fuggee Walker</u> Date <u>Jan 22 1972</u>                                                                                                                                                                                                                                                                                                                                                                                            |                        |               |       |  |          |       |  |      |    |     |    |   |   |   |         |  |  |   |   |    |               |  |  |   |    |    |               |  |  |    |    |    |               |  |  |    |    |  |                        |  |  |



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

March 19, 1991

RE: Permit No. 37-8562

James L. Kennedy, Jr.  
Box 2165  
Ketchum, ID 83340

Dear Mr. Kennedy:

We have received an assignment form transferring ownership of the above referenced permit. You signed the form rather than the permit holder of record, John H. Hemingway. We cannot, however, accept the assignment.

In Idaho, a water right permit is considered personal property and only the owner of record can take action on the permit such as assigning it to another individual. We have nothing in our file to indicate that you are authorized to act in behalf of Mr. Hemingway. Although you included a warranty deed showing the transfer of land from Mr. Hemingway to the Ormsby's, it is not proof of intent to transfer the water right.

I am enclosing a partially completed assignment form for your use. Note that the form needs to be signed by Mr. Hemingway. If I can be of further assistance, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Sharla Curtis".

SHARLA CURTIS  
Technical Records Specialist

Enclosure

RECORDED

JUL 11 1991

JOHN H. HEMINGWAY  
P.O. BOX 387  
SUN VALLEY, ID 83353

138905  
December 31, 1990

PROOF DUE NOTICE

RE: PERMIT NO. 37-08562

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, 1991. (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,

Rita Fleck  
Secretary/Records Manager

Enclosures

MICROFILMED

JUL 11 1991

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

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

JOHN H. HEMINGWAY  
P.O. BOX 387  
SUN VALLEY, ID 83353

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P37-08562

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

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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

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FEB 21 1990

Form No. 202a  
4/87

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY DRJ DATE 10/25/89 APPLICATION NUMBER 37-08562

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

Rec'd 11/17/90  
\_\_\_\_\_  
Date Requested

PROCESSING ☒ Yes ☐ No 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. 41

See below for additional information  
Date of priority recommended 8/28/89  
By Aaron D. Huber Date 1/12/90

STATE OFFICE REVIEW

P05, P23

P16

46 41

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

ADDITIONAL INFORMATION

App. in TRUST area - DCM I

27-Oct-1989

John H. Hemingway  
P.O. Box 387  
Sun Valley, ID 83353

Re: Application for Permit No. 37-08562

Dear Mr. Hemingway:

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 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

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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

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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:

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FEB 21 1990

37-08562

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

RECORDED

FEB 21 1990

DRS

**Notice of Application  
FOR WATER RIGHT**

The following applications 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  
Diversión Pt: SESENE Sec 5 T  
02N R 18E  
Use: DOMESTIC ( .040 CFS)  
IRRIGATION ( .090 CFS)  
Date Filed: 9/15/1989  
In: 102N R18E S05 SENE  
3.0 ACRES TOTAL

37-08582  
HEMINGWAY, JOHN H.  
P.O. BOX 387  
SUN VALLEY, ID 83353  
Source: GROUNDWATER  
Diversión Pt: SENW Sec 23 T 05N  
R 17E  
Use: IRRIGATION ( .050 CFS)  
FIRE PROTECTION ( .050 CFS)  
Date Filed: 8/28/1989  
In: 105N 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  
Diversión Pt: SWNW Sec 5 T 03N  
R 18E  
Use: DOMESTIC ( .040 CFS)  
IRRIGATION ( .090 CFS)  
Date Filed: 8/16/1989  
In: 103N R18E S05 SWNW  
3.0 ACRES TOTAL

37-08584  
FUCHNER, PHILIP F.  
P.O. BOX 240  
KETCHUM, ID 83340  
Source: SPRING  
Tributary: SINKS  
Diversión Pt: SWNESE Sec 20 T  
01N R 18E  
Use: STOCKWATER ( .020 CFS)  
Date Filed: 8/23/1989  
In: 101N R18E S20 SESE; S28  
SWNW; NESW NWSW; S28  
NENE SENE

37-08585  
RINKER, HARRY  
C/O GARY D. SLETTE ESQ.  
P.O. BOX 1906  
TWIN FALLS, ID 833031906  
Source: GROUNDWATER  
Diversión Pt: SENE Sec 7 T 03N R  
18E  
Use: DOMESTIC ( .040 CFS)  
Date Filed: 8/17/1989  
In: 103N R18E S07 SENE

37-08586  
ENGL, MICHAEL S.  
C/O HOGUE, SPECK  
B. AANESTAD  
P.O. BOX 987  
KETCHUM, ID 83340  
Source: SPRINGS  
Tributary: BIG WOOD RIVER  
Diversión Pt: SWNESW Sec 31 T  
04N R 18E  
Use: DOMESTIC ( .040 CFS)  
Date Filed: 8/10/1989  
In: 104N R18E S31 NESW

37-08587  
BRANDMAN, CRAIG  
BRANDMAN, DELEYS  
C/O JAMES P. SPECK ESQ.  
P.O. BOX 987  
KETCHUM, ID 83340  
Source: GROUNDWATER  
Diversión Pt: NWNWSE Sec 3 T  
03N R 18E  
Use: DOMESTIC ( .040 CFS)  
IRRIGATION ( .060 CFS)  
Date Filed: 8/31/1989  
In: 103N R18E S03 NESW NWSE  
2.0 ACRES TOTAL

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

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NOV 6 1989

Department of Water Resources  
Southern Region Office

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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

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