

②-1

by

Ketchum, Idaho
Sheet 1 of 3

421/10
H. 1000000

LOT LINES

MAR 17 2003



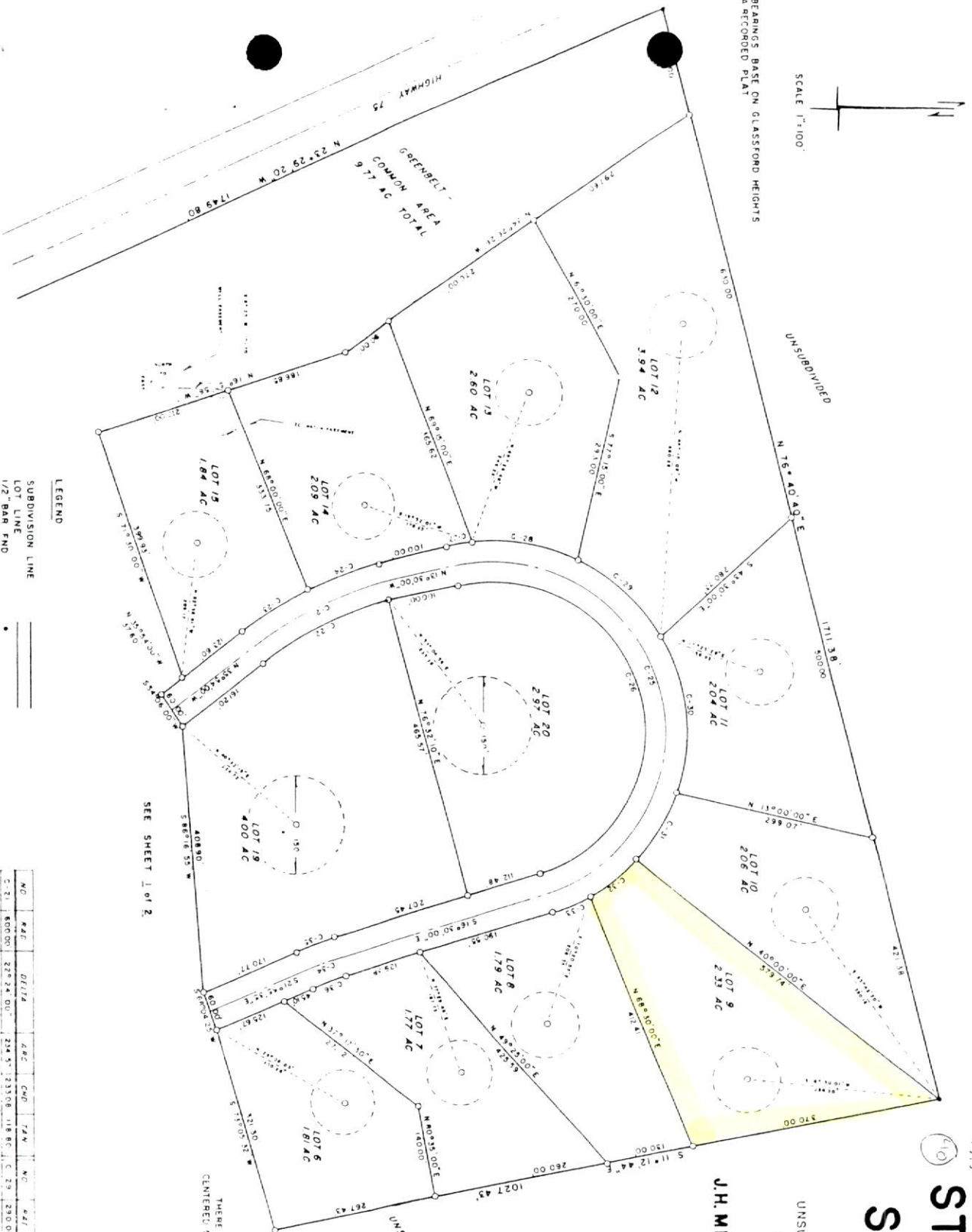
BUILDING ENVELOPE -
100' DIA

THIS MAY BE A PHOTOGRAPHIC REPRODUCTION OF THAT ON FILE IN EITHER THE REGISTRY'S OR SUPERVISOR'S OFFICE. THE COMPANY ASSUMES NO LIABILITY FOR VARIATION IN ANY WITH ADOPTION OF THE SIGNATURE.

BEARINGS BASED ON GLASSFORD HEIGHTS
A RECORDED PLAT

SCALE 1"=100'

UNSUBDIVIDED



LEGEND

SUBDIVISION LINE
 LOT LINE
 1/2" BAR END
 5/8" BAR W/ALUM CAP
 BUILDING ENVELOPE
 100' DIA

SEE SHEET 1 of 2

NO.	DATE	DETAILED	ACC.	CNO.	TAN.	NO.	DATE	DETAILED	ACC.	CNO.	TAN.
C-21	5/10/00	22° 24' 00"	214.5'	235.0'	118.6'	C-29	2/20/00	35° 42' 51"	120.6'	168.1'	82.8'
C-22	5/10/00	22° 24' 00"	222.8'	231.4'	12.8'	C-30	2/20/00	46° 13' 41"	223.9'	227.6'	121.7'
C-23	5/10/00	10° 28' 03"	113.0'	114.9'	47.7'	C-31	2/20/00	25° 54' 57"	118.5'	116.2'	60.9'
C-24	5/10/00	11° 54' 57"	131.20'	130.47'	45.8'	C-32	2/20/00	15° 19' 21"	91.6'	92.1'	46.9'
C-25	2/20/00	17° 40' 00"	103.20'	5.94'	922.00'	C-33	2/20/00	5° 25' 35"	56.8'	56.80'	28.5'
C-26	2/20/00	17° 40' 00"	103.20'	45.94'	878.35'	C-34	2/20/00	5° 25' 35"	56.8'	56.80'	28.5'
C-27	2/20/00	31° 45' 03"	39.23'	39.20'	19.8'	C-35	2/20/00	5° 25' 35"	53.9'	53.96'	27.0'
C-28	2/20/00	31° 55' 48"	16.95'	159.85'	83.15'	C-36	2/20/00	5° 25' 35"	187.81'	186.8'	94.9'

THERE HEREBY EXISTS A FOOT-UTILITY EASEMENT
 CENTERED ON ALL SIDE AND REAR LOT LINES

[Signature]
 4/1/07

J.H. MILAZZO & ASSOCIATES
 Ketchum, Idaho
 Sheet 2 of 3

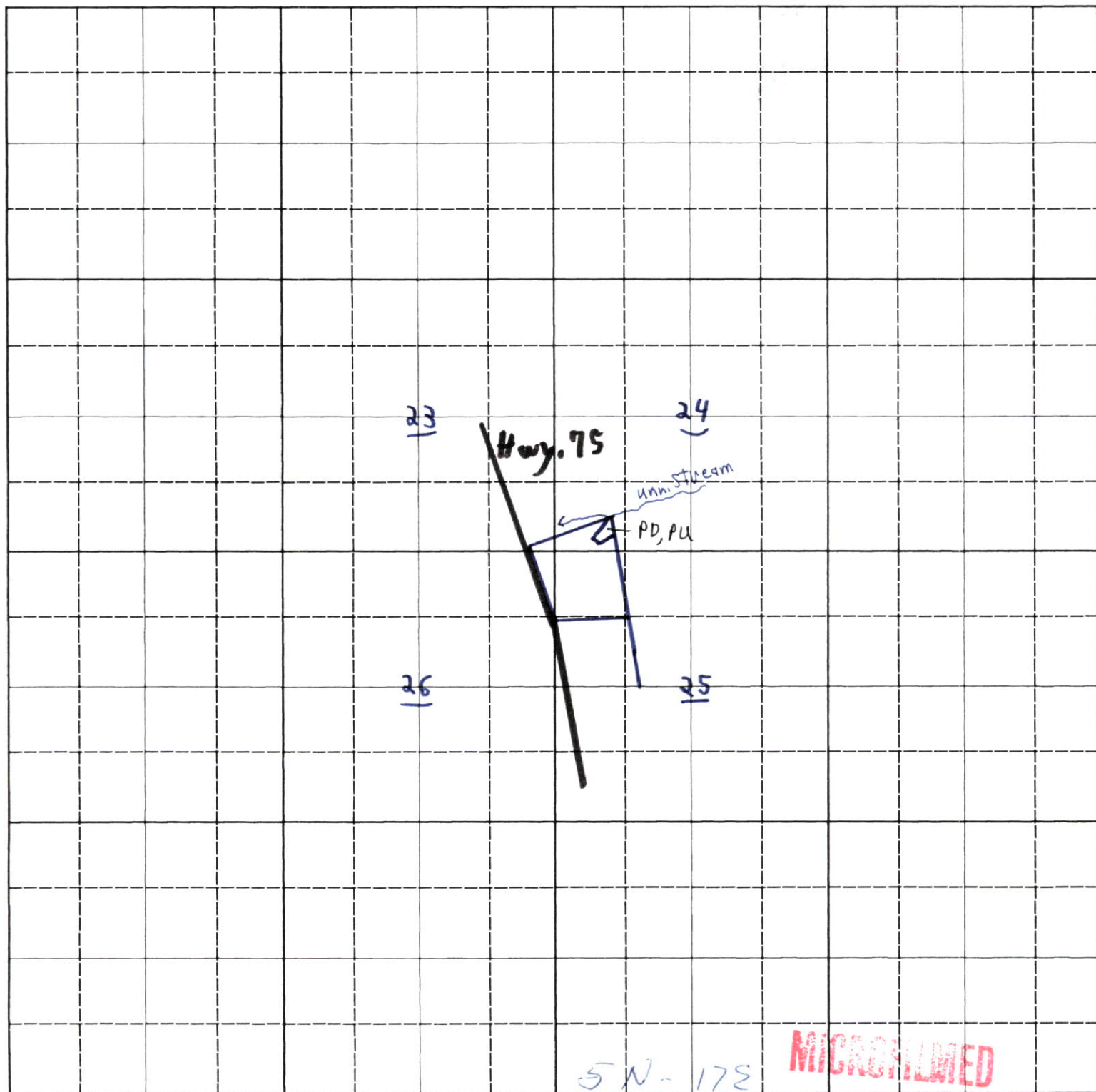
H.E.S. 127
 IN
 UNSURVEYED T.S.N. R.17E B.M
 BLAINE COUNTY, IDAHO
 by

Subdivision

STONEGATE

MICROFILMED
 MAR 17 2003

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



Scale: 2 inches equal 1 mile.

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

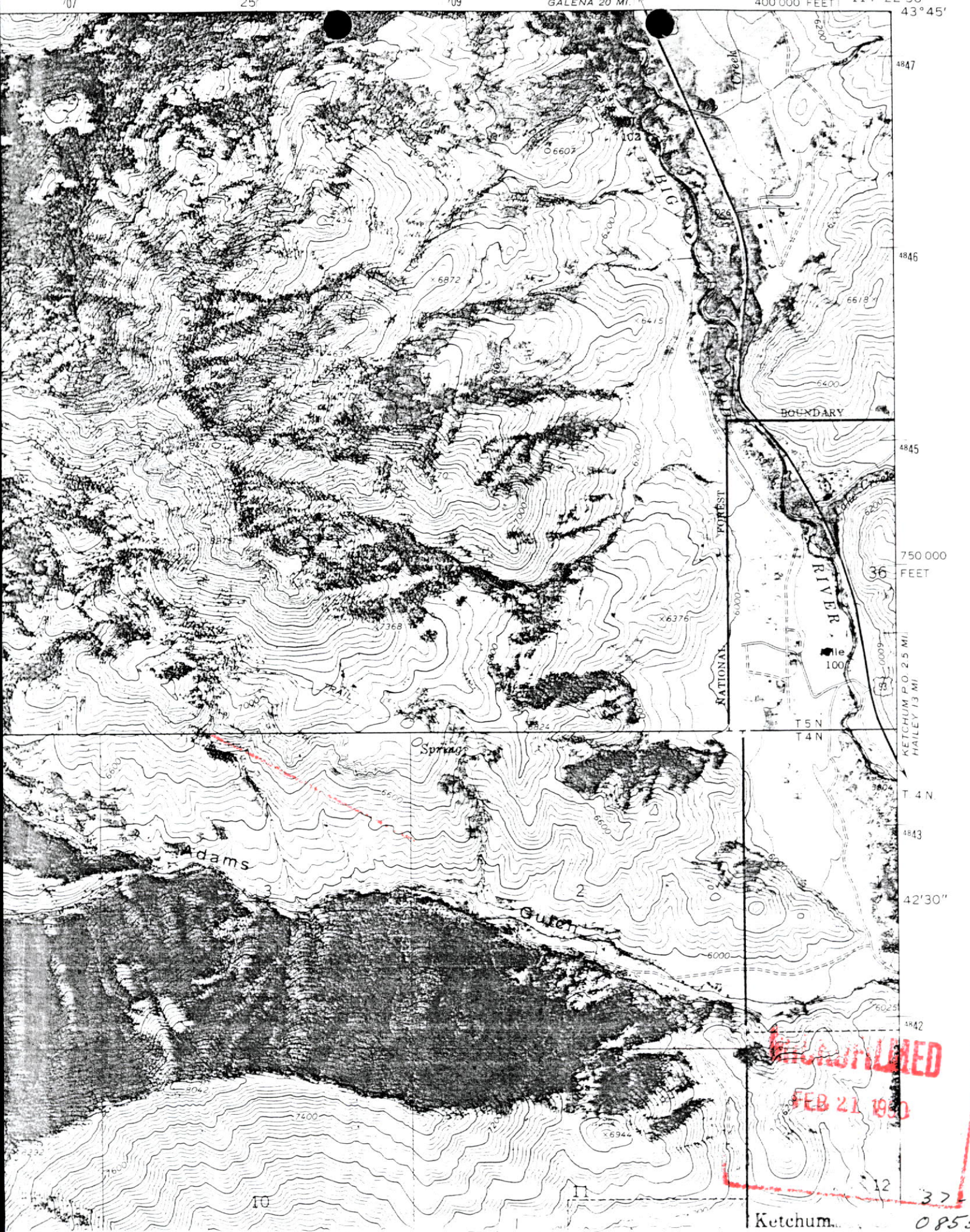
Willard Vance
(Applicant)

FEB 21 1990

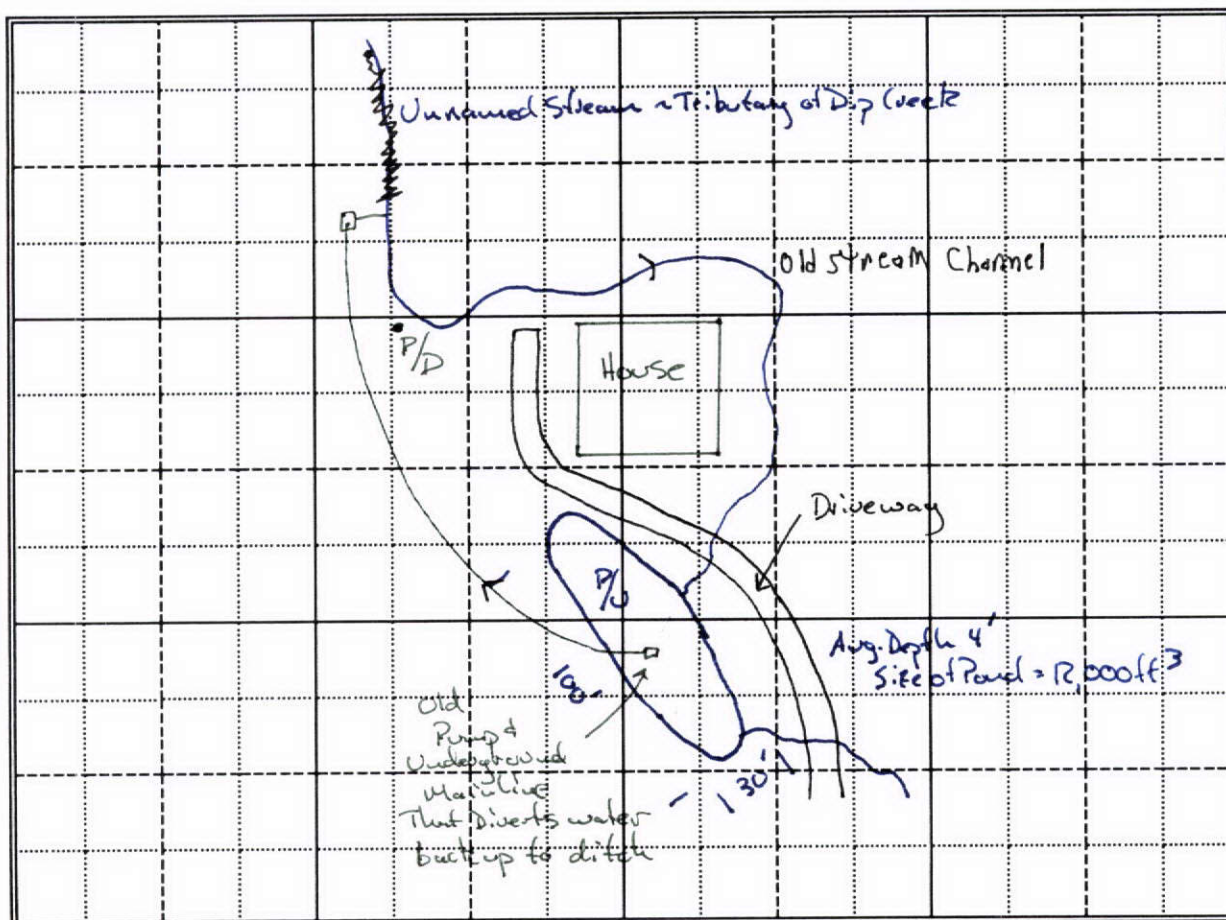
STANLEY 59 MI.
GALENA 20 MI.

400 000 FEET

114° 22' 30" 43° 45'



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



Scale: 1" = 0.1 mi
☒ 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
	STA-RITE	1	Date Code 1E 914		
	(Series 2000 Pump & Motor)				

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
None						

2. Measurements: None

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OCT 02 2002

RECEIVED

Permit holder's house
wanted to appropriate domestic use
off this well but no delivery system

P37-08557

These photos
were taken on
July 2, 1993.



P/D for this permit

P/U



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SEP 02 2002

P37-08557
 These photos were
 taken on July 2, 1993.



water from
 pump in aesthetic pond
 diverts water
 to this place
 where it runs
 underground
 back to ditch
 above well

P/D groundwater runs into (first time)
 ditch that carries it
 to aesthetic
 pond



where groundwater
 runs into ditch from bottom of
 back aesthetic pond

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OCT 02 2002

Permit Holder's House

P37-08557
These photos were taken on July 2, 1993.

This photo was taken from the highway.



Well house for the water system of Stonegate Subdivision
Baldwin.

P/U

outlet for non-consumptive use of surface water

aesthetic pond used for aesthetics, some recreation fishing, also for some fire protection



a pump at the bottom of the pond diverts water back up to ditch that flows to aesthetic pond

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OCT 02 2002

Form 92-246(12-110)(6) July, 2000

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

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

RECEIVED
 NOV 26 2002
 Department of Water Resources

RECEIVED
 NOV 22 2002
 Department of Water Resources
 Southern Region

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
37-08557					

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Willard and Gretchen Van Ert
P. O. Box 3309 Ketchum, Id 83340
4. New Owner/Claimant(s) Nathan D. and Lynda A. Bachman
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 9546 Cunningham Road, Cincinnati, OH 45243
- City, State and ZIP Code _____
- New Telephone Number (513) 271-6546
5. Date you acquired the property November 15, 2002

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 MAR 17 2003

Form 42-249/42-3407(5) July, 2000

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

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

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

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Lynnda A Bachman
Wethan D Paul

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

For Office Use Only

Received by *[Signature]*Date *11/22/02*Fee *25.00*Received by *[Signature]*Date *11/22/02*Receipt No. *5025334*Processed by *[Signature]*

Date _____

WR _____

Date _____

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MAR 17 2003

WARRANTY DEED

FOR VALUE RECEIVED

Gretchen Van Ert, a married woman, as her sole and separate property

the grantor, does hereby grant, bargain, sell and convey unto

Nathan D. Bachman and Lynda A. Bachman, husband and wife

the grantee(s), whose current address is 9546 Cunningham Road
Cincinnati, OH 45243

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

Lot 9 of STONEGATE SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof, recorded August 13, 1979, as Instrument No. 195800, records of Blaine County, Idaho.

Per Division of Blaine County Assessor's Office
T5N R17E HES127 - Matched Map - Fair Price 23.03
SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

Together with any and all water rights appurtenant thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) and their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that they/he/she/it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that they/he/she/it will warrant and defend the same from all lawful claims whatsoever.

Dated: October 29, 2002

Gretchen Van Ert

Gretchen Van Ert

Instrument # 473772

HAILEY, BLAINE, IDAHO

2002-11-15

12:21:00 No. of Pages: 1

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

State of Idaho

County of Blaine

On this 8th day of November, 2002, Before me a Notary Public in and for said State, personally appeared Gretchen Van Ert known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

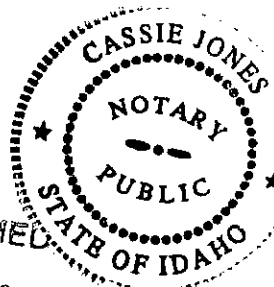
Cassie Jones
Notary Public

Residing at

Hailey, Id

Comm. Expires

9-7-2006



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MAR 17 2003

STONEGATE

Subdivision

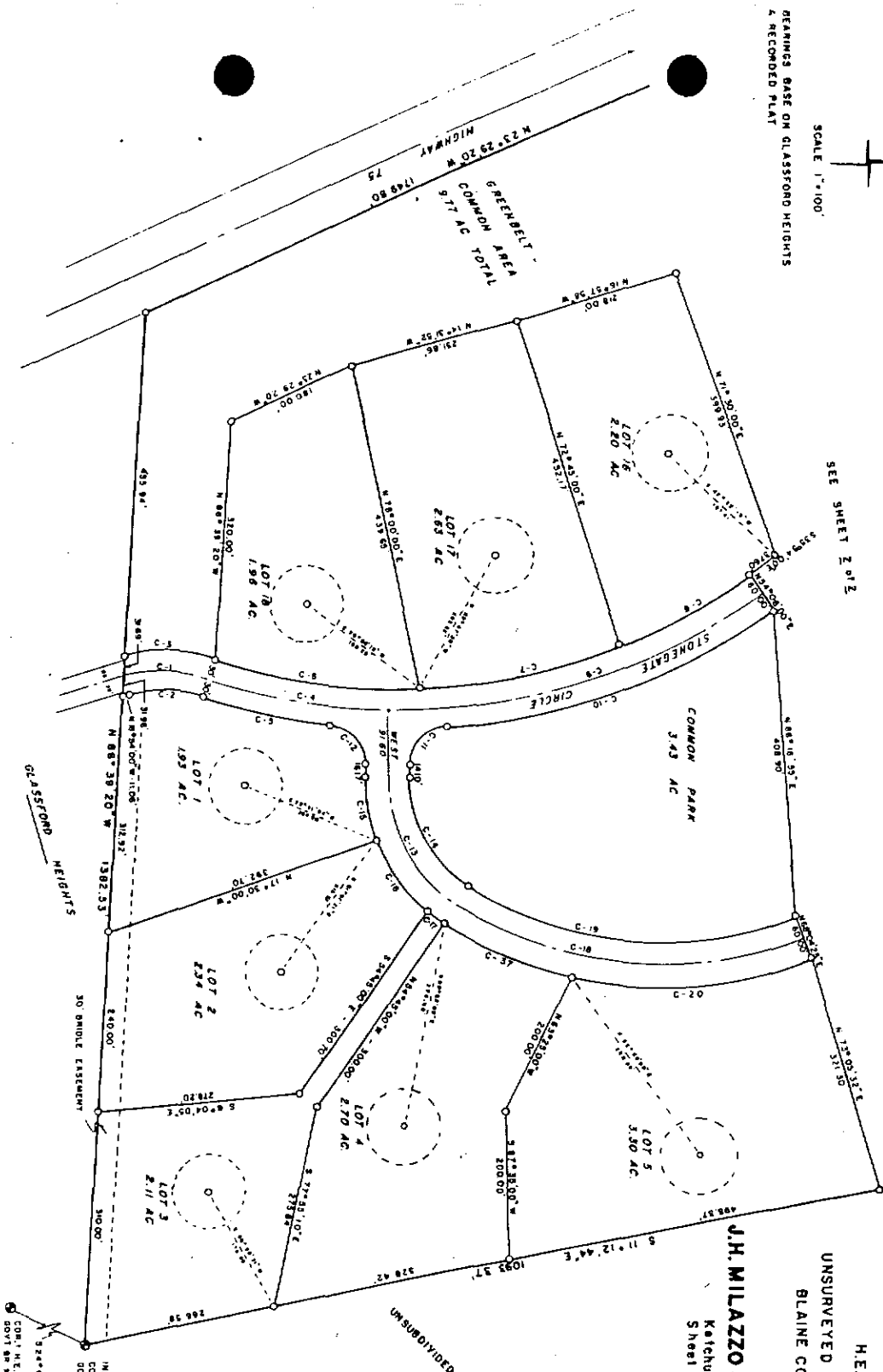
H.E.S. 127
in
UNSURVEYED T.S.N., R.17E, B.M.
BLAINE COUNTY, IDAHO

by

J.H. MILAZZO & ASSOCIATES
Ketchum, Idaho
Sheet 1 of 3

SCALE 1"=100'
DRAWINGS BASED ON GLASSFORD HEIGHTS
A RECORDED PLAT

SEE SHEET 2 OF 3



THERE HEREBY EXISTS A 10 FOOT UTILITY
EASEMENT CENTERED ON FULL SIDE AND NEAR
LOT LINES



LEGEND

SUBDIVISION LINE
LOT LINE
BRASS MONUMENT
5/8" BAR WALWUM CAP
BUILDING ENVELOPE -
100' DIA.

CURVE TABLE

NO.	STATION	DELTA	ARC	CHORD	FROM	TO	STATION	DELTA	ARC	CHORD	FROM	TO
C-1	100.00	33° 00' 00"	12.17	120.24	53.00	C-11	50.00	89° 40' 07"	14.76	61.88	48.38	
C-2	175.00	33° 00' 00"	10.87	102.24	53.00	C-12	50.00	89° 40' 07"	14.76	61.88	48.38	
C-3	250.00	33° 00' 00"	10.87	102.24	53.00	C-13	50.00	89° 40' 07"	14.76	61.88	48.38	
C-4	325.00	33° 00' 00"	10.87	102.24	53.00	C-14	50.00	89° 40' 07"	14.76	61.88	48.38	
C-5	400.00	33° 00' 00"	10.87	102.24	53.00	C-15	50.00	89° 40' 07"	14.76	61.88	48.38	
C-6	475.00	33° 00' 00"	10.87	102.24	53.00	C-16	50.00	89° 40' 07"	14.76	61.88	48.38	
C-7	550.00	33° 00' 00"	10.87	102.24	53.00	C-17	50.00	89° 40' 07"	14.76	61.88	48.38	
C-8	625.00	33° 00' 00"	10.87	102.24	53.00	C-18	50.00	89° 40' 07"	14.76	61.88	48.38	
C-9	700.00	33° 00' 00"	10.87	102.24	53.00	C-19	50.00	89° 40' 07"	14.76	61.88	48.38	
C-10	775.00	33° 00' 00"	10.87	102.24	53.00	C-20	50.00	89° 40' 07"	14.76	61.88	48.38	

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MAR 17 2003

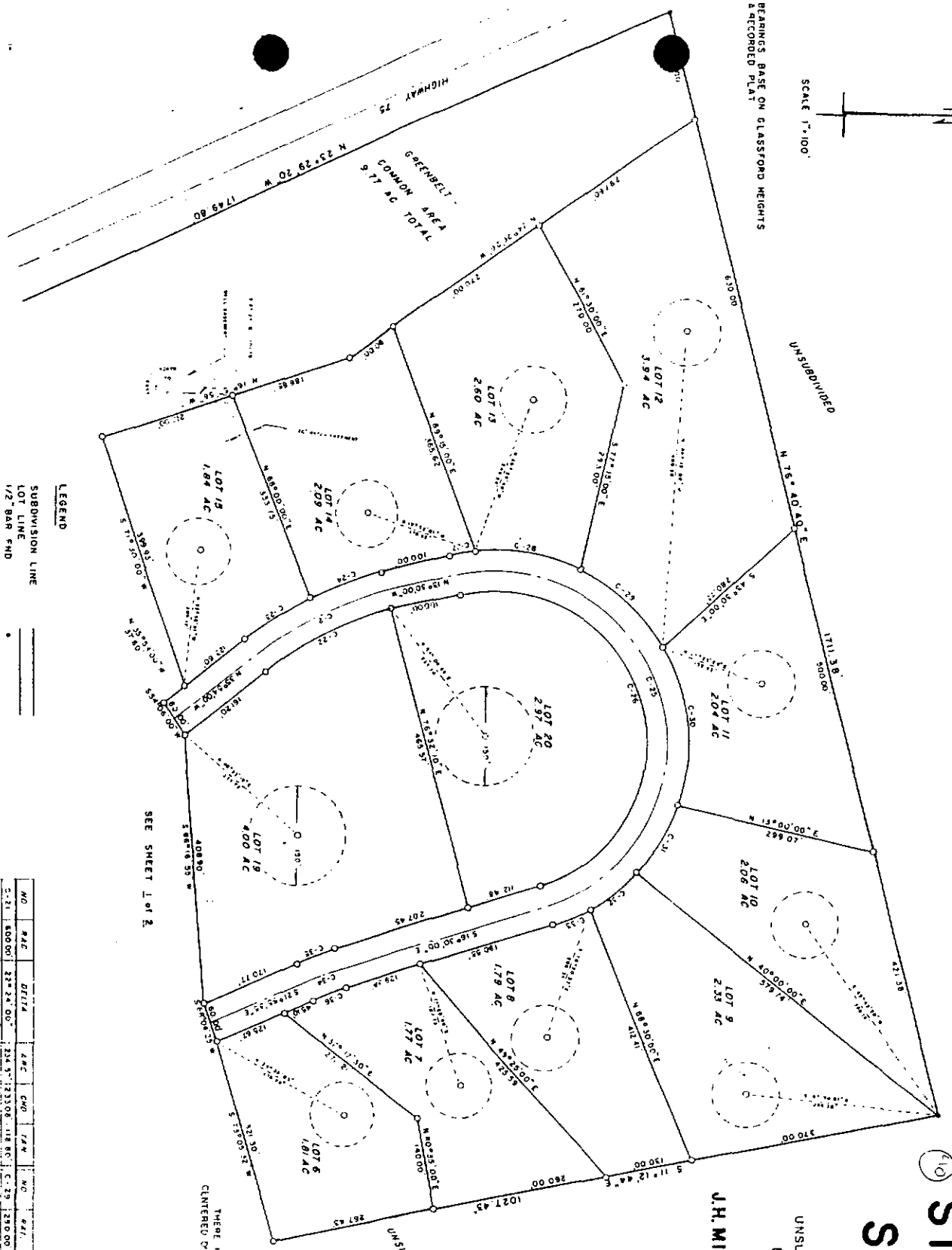
STONEGATE

Subdivision

H.E.S. 127
 IN T.S.N., R.I.T.E. B.M.
 UNSURVEYED
 BLAINE COUNTY, IDAHO
 by
J.H. MILAZZO & ASSOCIATES
 Kelchum, Idaho
 Sheet 2 of 3



BEARINGS BASE ON CLASSFORD HEIGHTS
 A RECORDED PLAT



LEGEND
 SUBDIVISION LINE
 LOT LINE
 1/2" BAR END
 5/8" BAR W/ALUM CAP
 BUILDING ENVELOPE
 100' DIA.

SEE SHEET 1 of 2

THERE HEREBY EXISTS A 10' FOOT UTILITY EASEMENT
 CENTERED ON ALL SIDE AND REAR LOT LINES.

NO	AC	DELTA	AC	CHD	1/4"	NO	AC	DELTA	AC	CHD	1/4"
C-21	1.0000	22° 24' 00"	314.5	1231.08	118.86	C-29	2.0000	32° 45' 31"	110.64	168.18	87.87
C-22	210.00	22° 24' 00"	722.84	221.41	12.88	C-30	2.0000	42° 15' 31"	211.98	227.68	123.78
C-23	1.0000	102° 24' 00"	118.78	118.78	118.78	C-31	2.0000	32° 45' 31"	110.64	168.18	87.87
C-24	1.0000	118° 58' 37"	118.78	118.78	118.78	C-32	2.0000	32° 45' 31"	110.64	168.18	87.87
C-25	1.0000	118° 58' 37"	118.78	118.78	118.78	C-33	2.0000	32° 45' 31"	110.64	168.18	87.87
C-26	1.0000	118° 58' 37"	118.78	118.78	118.78	C-34	2.0000	32° 45' 31"	110.64	168.18	87.87
C-27	1.0000	118° 58' 37"	118.78	118.78	118.78	C-35	2.0000	32° 45' 31"	110.64	168.18	87.87
C-28	1.0000	118° 58' 37"	118.78	118.78	118.78	C-36	2.0000	32° 45' 31"	110.64	168.18	87.87
C-29	1.0000	118° 58' 37"	118.78	118.78	118.78	C-37	2.0000	32° 45' 31"	110.64	168.18	87.87
C-30	1.0000	118° 58' 37"	118.78	118.78	118.78	C-38	2.0000	32° 45' 31"	110.64	168.18	87.87
C-31	1.0000	118° 58' 37"	118.78	118.78	118.78	C-39	2.0000	32° 45' 31"	110.64	168.18	87.87
C-32	1.0000	118° 58' 37"	118.78	118.78	118.78	C-40	2.0000	32° 45' 31"	110.64	168.18	87.87
C-33	1.0000	118° 58' 37"	118.78	118.78	118.78	C-41	2.0000	32° 45' 31"	110.64	168.18	87.87
C-34	1.0000	118° 58' 37"	118.78	118.78	118.78	C-42	2.0000	32° 45' 31"	110.64	168.18	87.87
C-35	1.0000	118° 58' 37"	118.78	118.78	118.78	C-43	2.0000	32° 45' 31"	110.64	168.18	87.87
C-36	1.0000	118° 58' 37"	118.78	118.78	118.78	C-44	2.0000	32° 45' 31"	110.64	168.18	87.87
C-37	1.0000	118° 58' 37"	118.78	118.78	118.78	C-45	2.0000	32° 45' 31"	110.64	168.18	87.87
C-38	1.0000	118° 58' 37"	118.78	118.78	118.78	C-46	2.0000	32° 45' 31"	110.64	168.18	87.87
C-39	1.0000	118° 58' 37"	118.78	118.78	118.78	C-47	2.0000	32° 45' 31"	110.64	168.18	87.87
C-40	1.0000	118° 58' 37"	118.78	118.78	118.78	C-48	2.0000	32° 45' 31"	110.64	168.18	87.87
C-41	1.0000	118° 58' 37"	118.78	118.78	118.78	C-49	2.0000	32° 45' 31"	110.64	168.18	87.87
C-42	1.0000	118° 58' 37"	118.78	118.78	118.78	C-50	2.0000	32° 45' 31"	110.64	168.18	87.87

MICROFILMED
 MAR 17 2003

OWNER'S CERTIFICATE

KNOWN ALL MEN BY THESE PRESENTS THAT STONEGATE PARTNERSHIP DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE FOLLOWING DESCRIBED PARCEL:

A PARCEL OF LAND SITUATED IN N.E. 1/4, UNDIVIDED TOWNSHIP 3 NORTH, RANGE 17 EAST BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT CORNER 6 OF SAID N.E. 1/4; A BRASS MONUMENT BEING THE INITIAL POINT; THENCE N 88° 39' 20" W ALONG THE NORTH BOUNDARY OF GLASSBORO HEIGHTS SUBDIVISION A DISTANCE OF 1582.55 FEET TO THE EASTERLY RIGHT OF WAY LINE OF HIGHWAY 75, TO A 5/8 BAR WITH AN ALUMINUM CAP; THENCE N 23° 29' 20" W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 1749.80 FEET TO A 1/2 BAR; THENCE N 76° 40' 40" E A DISTANCE OF 1771.38 FEET TO A 1/2 BAR ON THE EASTERLY BOUNDARY OF SAID N.E. 1/4; THENCE S 11° 12' 44" E A DISTANCE OF 2120.80 FEET TO THE INITIAL POINT.

THE PURCHASER AND/OR OWNER OF THESE LOTS OR PARCEL UNDERSTANDS THAT PRIVATE ROAD CONSTRUCTION, MAINTENANCE, AND SNOW REMOVAL SHALL BE THE OBLIGATION OF THE OWNER, HIS SUCCESSORS IN INTEREST, OR HOMEOWNERS ASSOCIATION, AND THAT BLAINE COUNTY IS IN NO WAY OBLIGATED TO ACCEPT, MAINTAIN OR IMPROVE THESE ROADS UNTIL THESE ROADS ARE BROUGHT UP TO COUNTY STANDARDS, DEDICATED AND ACCEPTED BY THE COUNTY, AND THAT EACH OWNER SHALL NOTIFY IN WRITING ANY SUCCESSOR IN INTEREST OF THESE FACTS.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 1978 A.D.

ACKNOWLEDGEMENT

STATE OF IDAHO)
COUNTY OF BLAINE) ss

ON THIS _____ DAY OF _____, 1978 A.D. BEFORE ME, A NOTARY PUBLIC FOR IDAHO, PERSONALLY APPEARED _____ KNOWN TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE ABOVE INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST WRITTEN ABOVE.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

PROTECTIVE COVENANTS

PROTECTIVE COVENANTS FILED AS INSTRUMENT NO _____ IN VOL. _____
ON _____, 1978 A.D. BY STONEGATE PARTNERSHIP.

RECORDED

SANITARY RESTRICTION

ENGINEER'S CERTIFICATE

I, JOSEPH H. MILAZZO, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF IDAHO DO HEREBY CERTIFY THAT THIS PLAT OF STONEGATE SUBDIVISION IS A TRUE AND ACCURATE MAP OF LANDS SURVEYED BY ME, THAT THE LOT CORNERS ARE MARKED AS SHOWN AND THE SURVEY WAS DONE IN STRICT ACCORDANCE WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

JOSEPH H. MILAZZO PE

COUNTY ENGINEER'S CERTIFICATE

THIS IS TO CERTIFY THAT I, JIM W. KOONCE, COUNTY ENGINEER OF BLAINE COUNTY, IDAHO HAVE CHECKED THE FOREGOING PLAT AND COMPUTATIONS FOR MAKING THE SAME AND HAVE DETERMINED THAT THEY COMPLY WITH THE LAWS OF THE STATE OF IDAHO RELATED THERETO.

JIM W. KOONCE PE

BLAINE COUNTY COMMISSIONER'S APPROVAL

THE FOREGOING PLAT OF STONEGATE SUBDIVISION WAS APPROVED AND ACCEPTED THIS _____ DAY OF _____, 1978 A.D., BY THE BOARD OF COUNTY COMMISSIONERS, BLAINE COUNTY, IDAHO.

by: _____

BLAINE COUNTY PLANNING AND ZONING COMMISSION'S APPROVAL

THE FOREGOING PLAT OF STONEGATE SUBDIVISION WAS APPROVED AND ACCEPTED THIS _____ DAY OF _____, 1978 A.D., BY THE BLAINE COUNTY PLANNING AND ZONING COMMISSION.

by: _____

COUNTY RECORDER'S CERTIFICATE

I, CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF _____ AT _____ MINUTES PAST _____ O'CLOCK _____ M. THIS _____ DAY OF _____, 1978 A.D. IN MY OFFICE AND DULY RECORDED IN BOOK _____ OF PLATS ON PAGE _____.

MICROFILMED

MAR 17 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08557

Priority: September 8, 1989

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 0.6 AF

It is hereby certified that WILLARD VAN ERT And/Or GRETCHEN VAN ERT
PO BOX 3309
KETCHUM ID 83340 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated September 8, 1989; and have
submitted Proof of Beneficial Use on December 13, 1991. An examination indicates that the works have
a diversion capacity of 0.04 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 DIVERSION VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31		0.6 AF
DIVERSION TO STORAGE	03/01 to 11/30	0.04 CFS	

LOCATION OF POINT OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24, Twp 05N, Rge 17E, B.M., BLAINE County

PLACE OF USE: AESTHETIC STORAGE

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 24											X						

CONDITIONS OF APPROVAL

1. Aesthetic storage use is for filling a 0.3 acre-foot pond and diverting up to 0.3 acre-feet of additional water to replenish losses caused by evaporation or seepage of water from the pond.
2. Point of diversion and place of use are located within Lot 9, Stonegate Subdivision.
3. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.

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 6TH day of SEPTEMBER, 2002.

MICROFILMED
OCT 02 2002

Acting for

KARL J. DREHER
Director

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08557

RECEIVED

SEP - 3 2002

Department of Water Resources

Date of Priority: September 08, 1989

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 0.3 AF

Comes now WILLARD VAN ERT And/Or GRETCHEN VAN ERT

PO BOX ~~2520~~ 3709

KETCHUM ID 83340 and represents to the Director of the Idaho Department

of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08557, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31		0.3 AF
DIVERSION TO STORAGE	03/01 to 11/30	0.04 CFS	

LOCATION OF POINT OF DIVERSION:GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24, Twp 05N, Rge 17E, B.M., BLAINE CountyPLACE OF USE: AESTHETIC STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	17E	24												X					

PLACE OF USE: DIVERSION TO STORAGE - Same as Aesthetic Storage

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 28 day of AUGUST, 2002.

Willard Van Ert
(Signature)

Gretchen Van Ert

MICROFILMED

OCT 02 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08557

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$50⁰⁰ Received by JM # 0064310 Date 9/3/02

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-08557 with the following:

CONDITIONS OF APPROVAL

1. Aesthetic storage use is for filling a 0.3 acre-foot pond and diverting up to 0.3 acre-feet of additional water to replenish losses caused by evaporation or seepage of water from the pond.
2. Point of diversion and place of use are located within Lot 9, Stonegate Subdivision.
3. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.

Witness my hand this 6TH day of September, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED
OCT 02 2002

RECEIVED
DEC 13 1991

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 50.00
Date 12/13/91
Receipt No. 0022643
Received by hls

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. P37-08557 Telephone No. 2087264098
2. Name(s) of Permit Holder(s): WILLARD & GRETCHEN VAN ERT
3. Post Office Address: P.O. BOX 2529 KETCHUM, ID. 8334
4. Source of Water: GROUND WATER / UNNAMED STREAM -
 - a. If ground water, well driller's name: WIND RIVER DRILLING Date drilled: 10-24-89
 - b. Pump horsepower: 1 1/2 Pressure (psi): 100 PSI Dynamic pumping level (ft.): 120
5. Extent of Use:

Domestic <u>1</u> (No. of households)	Irrigation <u>1 1/2</u> (No. of acres)
Stockwater _____ (No. and type of stock)	Other <u>Aesthetics to top of a</u>
<u>See attached Well Driller's Report</u>	
6. Total rate and/or volume for which proof is submitted .20 cfs _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:
per permit - 12/4/91-K29
Lockable Measuring device: Required? ☒ Yes _____ No Installed? ☒ Yes _____ No
OR
Flow Measurement Port: Required? _____ Yes _____ No Installed? _____ Yes _____ No
8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule) check enclosed 1/4/94
9. Person to contact to accompany the Department representative during the field examination:
WILLARD VAN ERT 208-7264098
Name Telephone No.
141 STONE GATE CIR KETCHUM ID
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.

11/18/91
DateWillard Van Ert
Signature (and title if on behalf of a company or organization)

MICROFILMED

DEC 23 1991

12/12/91 WVE

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08557

Proposed Priority: September 8, 1989 Maximum Diversion Rate: 0.20 CFS

This is to certify, that WILLARD VAN ERT
GRETCHEN VAN ERT
P.O. BOX 2529
KETCHUM, ID 83340

has applied for a permit to appropriate water from:

GROUNDWATER
UNNAMED STREAM

DIP CREEK

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 11/01	0.06 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
AESTHETIC	01/01 to 12/31	0.20 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: SESWSW Sec. 24, 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	24	SWSW	2		2
Total number of acres irrigated:						2

PLACE OF USE: DOMESTIC, same as IRRIGATION use
PLACE OF USE: AESTHETIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 1992**.
2. Subject to all prior water rights.
3. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
4. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
5. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.

RECEIVED

FEB 21 1990

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

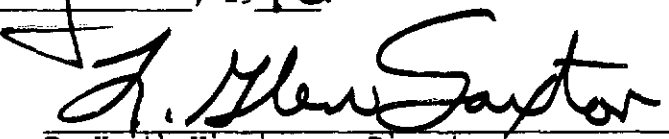
NO. 37-08557

CONDITIONS/REMARKS:

6. Use of water under this permit is subject to control by the watermaster of State Water District No. 37.
7. Domestic use is for 1 home within Lot 9, Stonegate Subd.
8. Use of surface water under this permit shall be non-consumptive.

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

23rd day of January, 1990

for 
R. Keith Higginson, Director

RECEIVED

FEB 21 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Willard &/or Gretchen Van Ert Phone 726-4098
Post office address P. O. Box 2529, Ketchum, ID 83340
Groundwater
2. Source of water supply Unnamed Stream which is a tributary of Dip Creek
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 24 Township 5N Range 17E B.M. Blaine County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.06 for Irrigation purposes from Apr 15 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.20 for Aesthetic 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)
5. Total quantity to be appropriated is (a) 0.20 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well & pump. Pond with pump. Ditches
& gated pipe.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 8 inches; proposed depth of well is 150 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
two years (minimum 1 year).

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FEB 21 1990

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. one
- Other; describe fully. Aesthetic use in pond

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	17E	24											2 X						2

X is P/U for domestic & aesthetic

Total number of acres to be irrigated 2

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

Domestic water is now supplied by common subdivision well

11. a. Who owns the property at the point of diversion? Gretchen Van Ert

b. Who owns the land to be irrigated or place of use? "

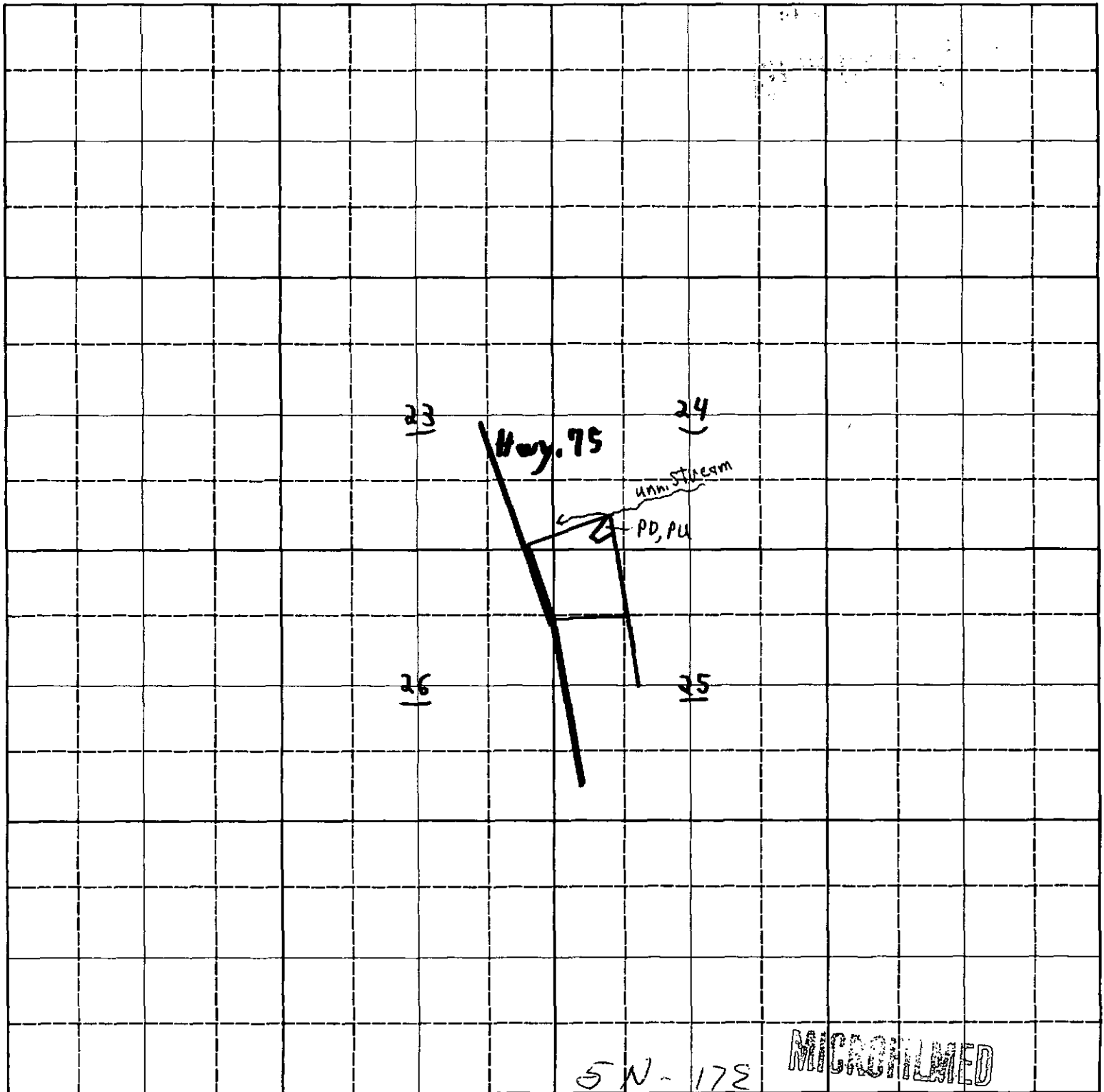
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Stream source is mainly spring runoff. Land is Lot 9 of Stonegate Subdiv.

MICROFILMED

FEB 21 1980

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



Scale: 2 inches equal 1 mile.

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.

Willmet H. H. H.
(Applicant)

Received by J. E. Stanton Date 9-8-89 Time 9:58 am Preliminary check by LD
Fee \$ 30.00 Received by Jd # 5009/03 Date 9-8-89
Publication prepared by M. Baldwin Date 10/2/89 Published in Wood River Journal
Publication approved M. Baldwin Date 10/30/89

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:

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FEB 21 1990

7.5 MINUTE SERIES (TOPOGRAPHIC)

STANLEY 59 MI.
GALENA 20 MI.

400 000 FEET

114° 22' 30"

43° 45'



Ketchum

0855

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, } ss.
County of Blaine }

OCT 28 1989

Department of Water Resources
Southern Region Office

DANIEL J. GORHAM

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

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

publication of said advertisement was on the 18th day of Oct. 1989, and

the date of the last publication was on the 25th day of Oct. 1989.

Daniel J. Gorham

Subscribed and sworn to before me this 25th day of Oct. 1989.
(SEAL)

Roberta W. Ketchum

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 63
Number of Insertions 2
Lines tabular at 5.5¢/Pica
63 Lines straight at 34.65 55¢/Pica
63 Subsequent lines at 27.72 55¢/Pica
TOTAL COST 62.37

COPY OF NOTICE
(Paste Here)

3 Applications

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources

BILL TO

Three file on water rights

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08556

ENGL, MICHAEL S.
C/O HOGUE, SPECK
& AANESTAD
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER
Diversion Pt.: NESW Sec 31 T
04N R 18E
Use: DOMESTIC (.080 CFS)
Date Filed: 9/29/1989
In: T04N R18E S31 NESW

37-08557

VAN ERT, WILLARD
VAN ERT, GRETCHEN
P.O. BOX 2529
KETCHUM, ID 83340

Source: GROUNDWATER
UNNAMED STREAM
Tributary: DIP CREEK
Diversion Pt.: SESWSW Sec 24 T
05N R 17E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
AESTHETIC (.200 CFS)
Date Filed: 9/08/1989
In: T05N R17E S24 SWSW
2.0 ACRES TOTAL

37-08558

DUGGAN, JOAN
P.O. BOX 434
HAILEY, ID 83333

Source: GROUNDWATER
Diversion Pt.: SENW Sec 31 T
02N R 19E
Use: IRRIGATION (.090 CFS)
STOCKWATER (.010 CFS)
Date Filed: 9/08/1989
In: T02N R19E S31 SENW
3.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before NOVEMBER 6, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal-
October 18 & 25, 1989.

MICROFILMED

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 3, 2003

NATHAN D BACHMAN
LYNDA A BACHMAN
9546 CUNNINGHAM RD
CINCINNATI OH 45243

RE: Change of Ownership for Water Right 37-8557

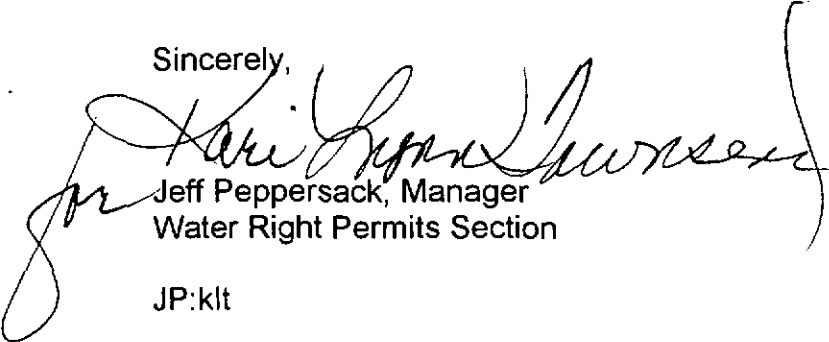
Dear Water Right Holder(s):

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

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

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

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

MAR 17 2003

RECEIVED

FEB 3 - 2003

Department of Water Resources

P.O. Box 2388
Sun Valley, ID 83353
208/726-7515

January 28, 2003

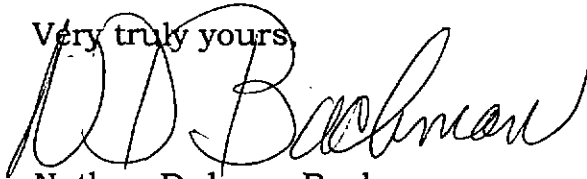
State of Idaho
Department of Water Resources
Attn: Shelley W. Keen
P.O. Box 83720
Boise, ID 83720

Re: License No. 37-8557

Dear Ms. Keen:

We purchased the property and water rights November 15, 2002. We seek confirmation that the license has been transferred to us. Thank you.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Nathan Dulaney Bachman".

Nathan Dulaney Bachman

MICROFILMED
MAR 17 2003

SUN VALLEY
TITLE
C O M P A N Y



November 15, 2002

State of Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, Id 83301

Re: 02-17887
Gretchen Van Ert
Nathan D. Bachman
141 Stonegate Circle, Blaine County, ID 83340

RECEIVED
NOV 22 2002
Department of Water Resources
Southern Region

To Whom It May Concern:

Regarding the above, I have enclosed the following:

Check in the amount of \$25.00

Warranty Deed **See for new owner information**

Request for transfer

Plat map

Closing Date: November 15, 2002

Thank you for your assistance with this transaction.

Sincerely,

Cassie Jones

Cassie Jones
Escrow Officer

MICROFILMED
MAR 17 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 10, 2002

WILLARD VAN ERT
GRETCHEN VAN ERT
PO BOX 3309
KETCHUM ID 83340

RE: License No. 37-8557 - 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

OCT 02 2002

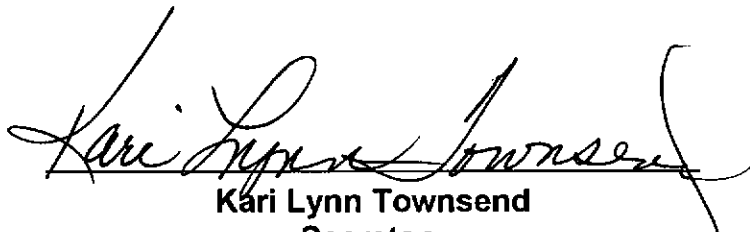
CERTIFICATE OF SERVICE

I hereby certify that on September 10, 2002 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.

37-8557

**WILLARD VAN ERT
GRETCHEN VAN ERT
PO BOX 3309
KETCHUM ID 83340**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
OCT 02 2002**

**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).

MICROFILMED
OCT 02 2002

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.

Review of Volume to be Licensed -

Volume of Pond = 0.3 AF

Volume for "refreshing" pond -
1 hr every other day for 274 days

$$137 \text{ days} @ 1 \text{ hr./day} = \frac{137 \text{ hrs}}{24} = 5.7 \text{ days}$$

refresh volume =

$$V = 5.7 \text{ days} \times 1.9835 \times 0.03 \text{ cfs} = 0.3 \text{ AF}$$

$$\frac{15 \text{ gpm}}{448.8} = 0.03 \text{ cfs}$$

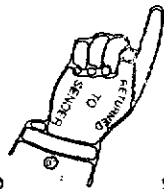
tw
9/5/02

MICROFILMED

OCT 02 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Postage Service Requested



RETURN SERVICE
REQUESTED
UNDELIVERABLE
AS ADDRESSED
ORDER EXPIRED

PRESORTED
FIRST CLASS

RECEIVED

AUG 20 2002

Department of Water Resources



Permit 37-2557
Phoned + spoke to Gretchen
Van Ext. New address is
PO Box 3309
Ketchum.
Mail present on 8.21.02
Kari Lynn

MICROFILMED

OCT 02 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 14, 2002

WILLARD VAN ERT
GRETCHEN VAN ERT
PO BOX 2529
KETCHUM ID 83340

RE: Water Right Permit No. 37-08557

Dear Permit Holders

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

✓ **Other – Changing the nature of use of this permit**

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

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OCT 02 2002

LICENSE REVIEW CHECKLIST

Permit No. 37-8557 Date: 8-13-02 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):

File reviewed Profile reports printed

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

Rate of Diversion:

Permitted rate 0.20 cfs

Fee Limit 0.20 cfs

Measured 0.04 cfs

Theoretical 0.04 cfs

Recommended Total Diversion Rate 0.04

Water Uses

change Change (P46)

Season of Use per new Standards

Irrigation cfs af

Stockwater cfs af

Domestic cfs af

Acc Stor cfs 0.3 af

Div to Stor cfs 0.04 af

Total 0.04 cfs 0.3 af

~~Irrigation - overlap (R58-R61, R62-R65, R66-R69)~~

~~supp. Gw (WB7/065/104)~~

~~overlap spec combined rts (W35)~~

~~1 acre (W31)~~

~~Domestic (W01/wb5/070/071/075)~~

~~Power (W42 or W43/025/027/R22 or R23)~~

~~Fish (042)~~

~~Fire (077)~~

~~Water Quality (106/R07)~~

~~Payette - (W22/047/27A)~~

~~Stockwater for US (R37)~~

Volume Determination

cfs x 1.9835 x days = af (vs) acres x (FHR) = af

Remarks: W59/W60

Additional Conditions NO

Watermaster Control

GW Measurement/Measuring Device

Other

Trust R55 - remove 051

Non-trust (048)

GW Dist?

Water Mgmt. Dist?

Crit. GWMA?

GWMA?

Government Lots?

Advance Priority?

yes
no

If yes, explain why below.

SRBA Claim?

NO

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

P46 S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 12 2002
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 37-08557

1. Owner: Willard & Gretchen Van Ert Phone No. 726-4098

Current Address: P.O. Box 2529 Ketchum 83340

2. Accompanied by: Willard Van Ert EXAM DATE: 7-2-93

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to Dip Creek

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SW	SW	24	OSW	17E	Blaine	Ortho Quad, Inspection

2. Place(s) of Use:

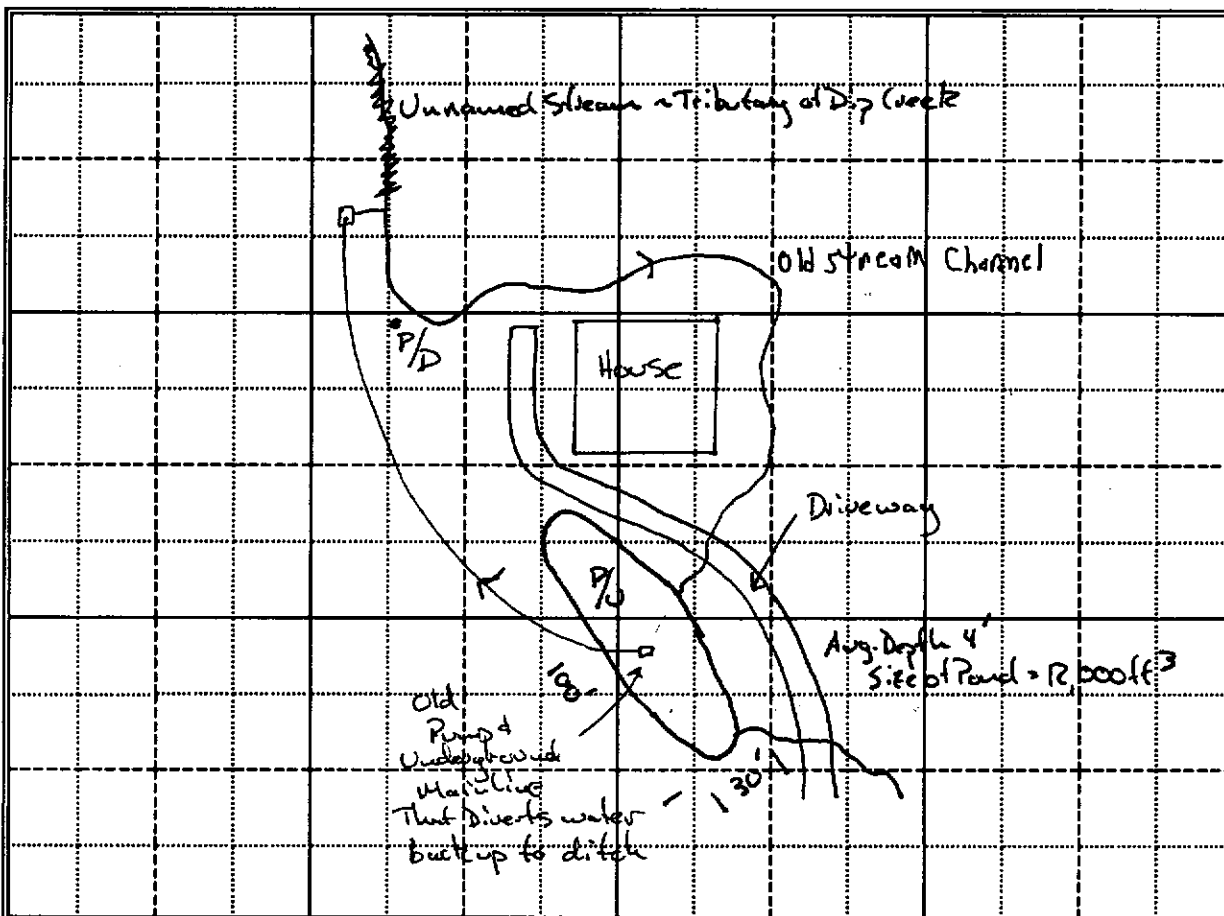
Indicate Method of Determination Ortho Quad, Inspection

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
OSW	17E	24																	Aesth

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



Scale: 1" =

or 1/4"

☒ 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
	STA-RITE	1	Date Code 1E914		
	(Series 2000 Pump & Motor)				

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements: NONE

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E. NARRATIVE/REMARKS/COMMENTS

see attached sheet

I spoke with the owner 8-9-2002. He said that he runs the well for about an hour every other day from March 1 thru the end of November to keep the pond full. He also said that the unnamed stream no longer reaches his property even during spring runoff; the well is therefore the only source of water for the pond. The measuring-device requirement should be waived, as none is needed for a groundwater source of such limited capacity. Due to the system design, it is physically impossible to measure the well.
J. P. Stanton 8-9-2002

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

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F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method: calculated size of pond $30' \times 100' \times 4' = 12,000 \text{ ft}^3$

G. VOLUME CALCULATIONS

w/A

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

$0.1 \text{ cfs} \times 1 \text{ hr/day} \times 137 \text{ days} = 0.4 \text{ AFA}$
15 gpm

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	1/ From	12/ To	Q (cfs)	V (afa)
<u>Aesthetic Storage</u>	<u>1/1</u>	<u>12/31</u>	<u>0.10 cfs</u> <i>(ground water)</i>	<u>0.3</u>
			<i>(surface water)</i>	
<u>Div To Storage</u>	<u>3-1</u>	<u>11-30</u>	<u>0.10 04</u>	<u>0.4</u>
Totals:			<u>0.10</u>	<u>0.4</u>

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 Brett Barry Date 9-14-93

Reviewer _____ Date _____

SEAL

MICROFILMED

OCT 8 2 2002

Comment Report

37-8557

1. jstanton 8/9/2002 Field Report Narrative

Comment: The field exam was done on 7-2-1993 by summer examiner Brett Barry. He found well feeding a 3,000 square-foot pond 4 feet deep (0.28 acre feet) via a buried line into a small ditch. The permit listed an unnamed stream as another source of water, but the stream was dry during the exam. So the exam has been held ever since awaiting a measurement of the stream diversion. The owner called requesting immediate licensing, as the property will be sold at the end of the month. During the conversation, he said that he diverts well water into the pond for about 1 hour every other day from March 1 to November 30 (rather than all year as specified on the permit). Barry estimated the well flow at 0.10 cfs at 0 psi and 52 foot lift. But according to Wood River Drilling Co., the pump is rated for 20 gpm but has been valved back to 15 gpm (0.04 cfs). System design makes it physically impossible to measure the flow of this well. At 15 gpm, the well would produce 0.4 afa.

I asked the owner about the surface stream, and he said that it has not reached his property since the big earthquake some years ago. Since the well is the only water source, no measuring device should be required. This also puts the permit outside of watermaster control. These conditions should be removed for licensing purposes.

Although the permit does not include storage, it does mention a pond. The examiner found that a continuous flow of 0.14 cfs would be required to fill the pond in 24 hours. But the flow rate is much less than this, so there is storage involved. Per telecon with Shelley Keen this date, recommend that the license be issued for diversion to storage and aesthetic storage.

There is essentially no domestic or irrigation use of this well, as the property is served by a community water system. The property is Lot 9 of Stonegate Subdivision. The physical address is 141 Stonegate Circle, Ketchum, ID 83340.

2. VAULT 11/20/1991 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

3. VAULT 12/2/1991 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

4. GUSTAFSO 12/4/1991 20 day call up

Comment: 20 day call up - needs a fee and more information on proof

5. VAULT 12/13/1991 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

MICROFILMED
OCT 02 2002

DATE: September 14, 1993

FROM: Brett Barry

TO: File 37-08557

SUBJECT: PERMIT 37-08557 FIELD EXAM: COMMENTS/NARRATIVE

On July 2, 1993, the field examination for the above permit was conducted. Willard Van Ert, one of the permit holders, accompanied myself during this examination. This permit is to appropriate water from the ground and an unnamed stream for the following beneficial uses: irrigation, domestic, and aesthetic. **The surface water shall be non-consumptive only.**

During the examination, I found that the groundwater is diverted to the same ditch that carries water from the unnamed stream which is a tributary of Dip Creek. At the time of the exam, the unnamed stream was dry. The owner says the unnamed stream normally runs a couple months out of the year on wet years.

The groundwater discharges openly into a lined ditch. This ditch runs around the permit holder's house to an aesthetic pond. The pond is also capable of being used occasionally for recreational fishing and fire protection. The pond has an old pump in the bottom that diverts water back up through an underground mainline. This mainline runs to the ditch at a place above the groundwater well(see photos). The pond has a outlet through which excess groundwater and surface water can be released and continue through the subdivision. The pond has a volume of approximately 12,000 cubic feet.

The permit holder wanted to appropriate domestic use from this permit. At the time of the exam, I found no delivery system capable of supplying water for domestic use. The owner said he occasionally filled up a jug of water from the groundwater well. I do not find this use needs a beneficial domestic diversion rate of 0.04 cfs. Therefore, I will not recommend domestic use for licensing.

The permit holder wanted to appropriate irrigation use for two acres also. At the time of the exam, I found no delivery system capable of watering any substantial acreage. There is a spigot on the mainline that runs from the groundwater well to the ditch. The permit holder said he occasionally waters the surrounding trees (15 ft away) with a hose from this spigot. I find this use to be very minimal and certainly not capable of diverting 0.06 cfs for two acres. Therefore, I will not recommend an irrigation use for licensing.

The permit holder gets water for domestic and irrigation use from a common subdivision well.

MICROFILMED
APR 27 2002

P37-08557

I calculated a theoretical diversion rate of 0.10 cfs based on the groundwater level in the well log. Because the surface area of the pond is less than 1/4 of an acre no volume component is required for licensing.

Because the unnamed stream was dry, I could not obtain a measurement on this surface water. A measurement needs to be conducted next spring when the stream is flowing. A 12,000 cubic foot needs 0.14 cfs to fill the pond in 24 hrs. A diversion rate for the unnamed stream should be additive to the 0.10 cfs from the groundwater well.

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OCT 02 2002

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-08557
DATE: 9-14-93
BY: Bill Baagy

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

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

$$Q = \frac{(8.8) (2 \text{ H.P.}) (0.70)}{[(60') + (0 \times 2.31)]} = 0.10 \text{ cfs}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner ()	STARTER I.H.P.
area estimate ()	estimate (✓) ^{open} discharge	Pump Make, Serial or ID, rating
well logs (✓)	owner gage ()	
	Booster (Y) (N)	

REMARKS The lift was based on a 52' static water level from the well log. This estimate of the pumping water level gives the owner the benefit of the doubt.

ANNUAL VOLUME ANALYSIS

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

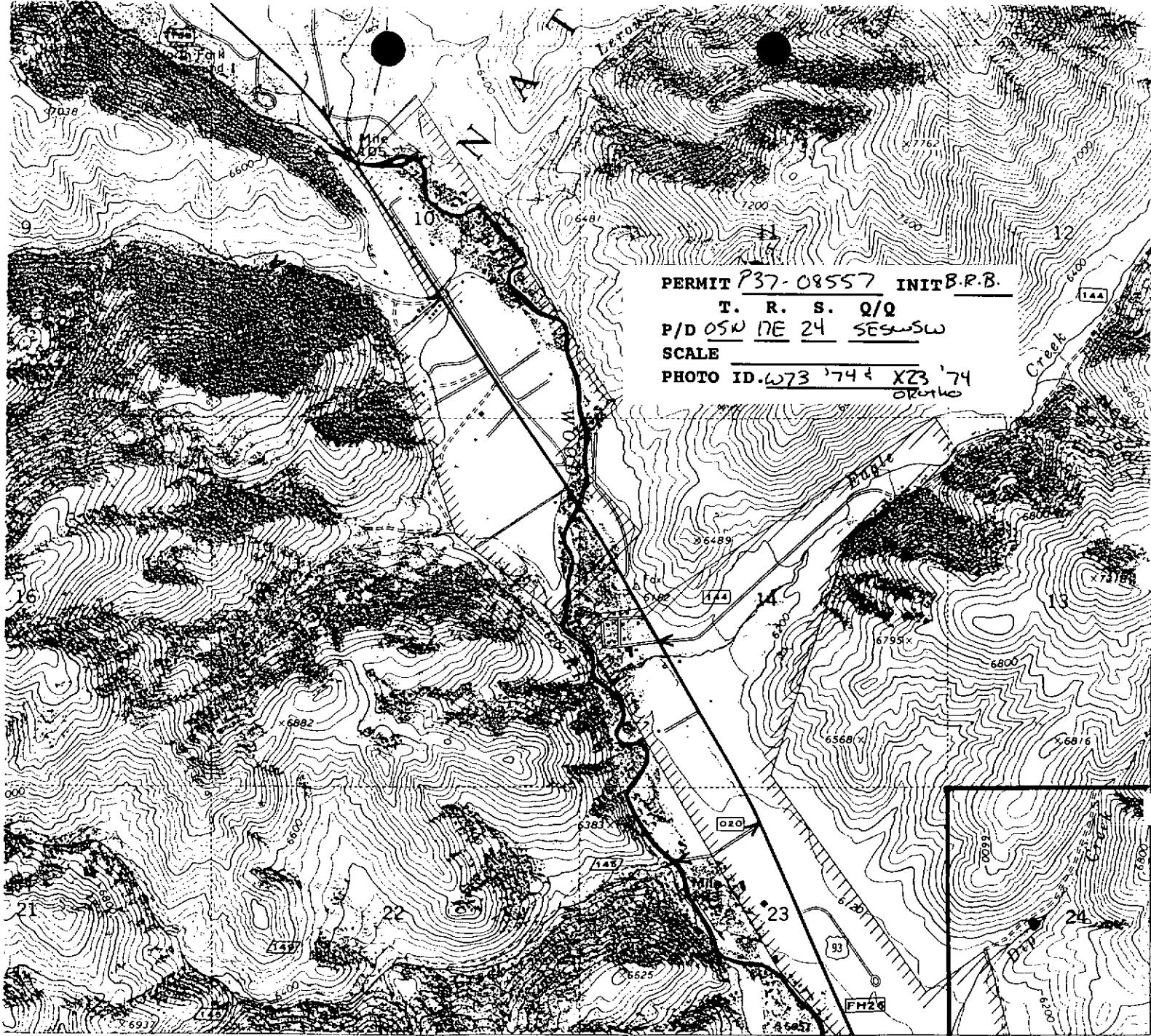
(season)	(days)	
3/15 - 11/15	246	(.....) X (1.98) X (.....)
4/1 - 11/1	215	POTENTIAL =
4/15 - 10/15	184	
3/1 - 12/1	276	(.....)

POTENTIAL =

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

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

MICROFILMED
OCT 02 2002



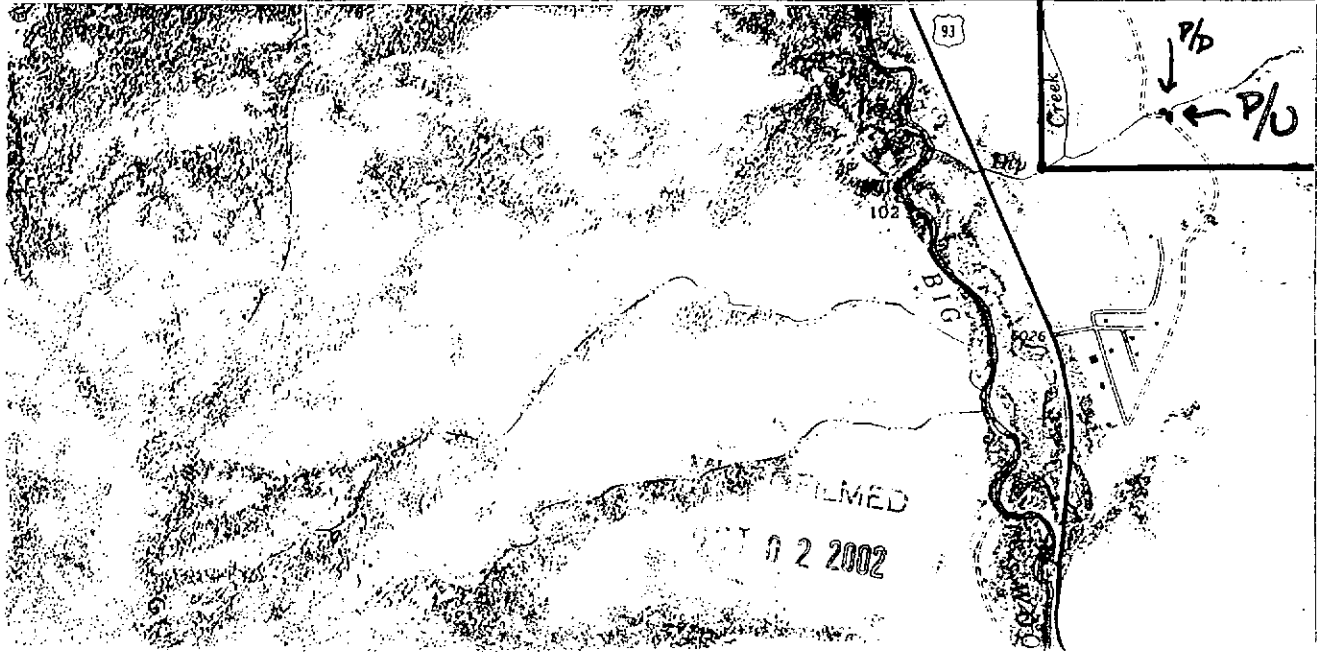
PERMIT P37-08557 INIT B.R.B.

T. R. S. Q/Q

P/D OSW DE 24 SESW

SCALE

PHOTO ID. 673 '74 X23 '74
ORUHO

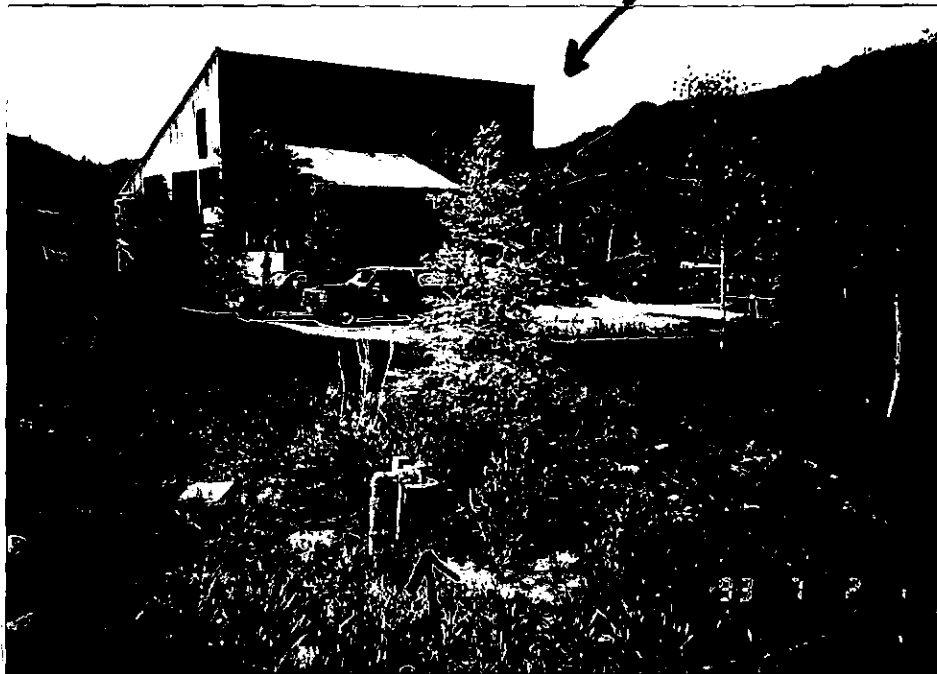


RECEIVED
OCT 2 2002

Permit holder's house
wanted to appropriate domestic use
off this well but no delivery system

P37-08557

These photos
were taken on
July 2, 1993.



P/O for this permit

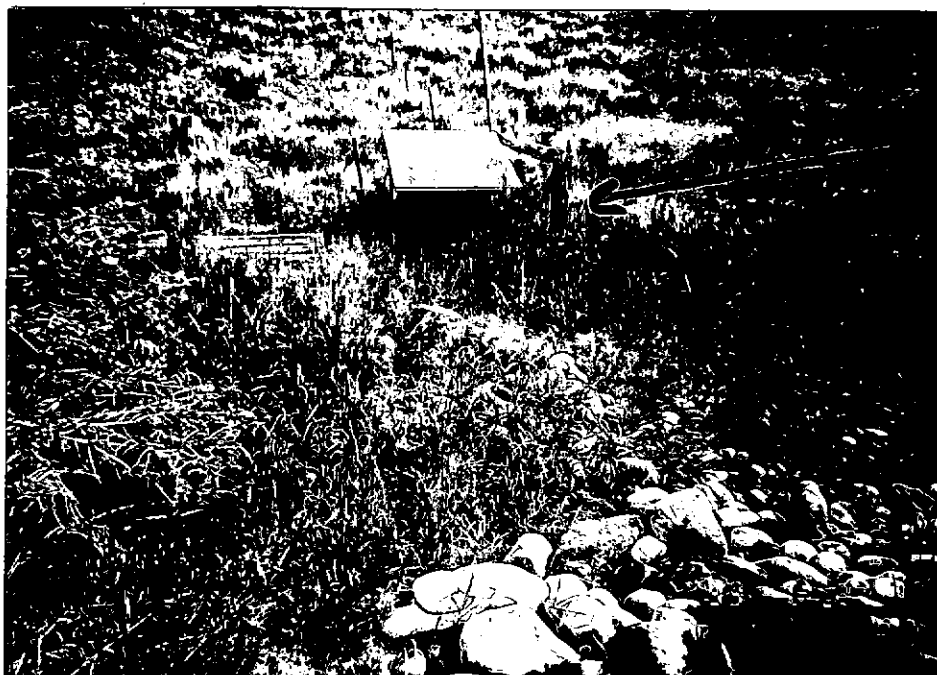
P/O



MICROFILMED

OCT 02 2002

P37-08557
 These photos were
 taken on July 2, 1993.



water from
 pump in aesthetic pond
 diverts water
 to this place
 where it runs
 underground
 back to ditch
 above well

P/D groundwater runs into (first time)
 ditch that carries it
 to aesthetic
 pond



where groundwater
 runs into ditch from bottom of
 back aesthetic pond

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OCT 02 2002

Permit Holder's
House

P37-08557
These photos
were taken on
July 2, 1993.

This photo was taken
from the highway.



Wellhouse for the water system
of Stonegate Subdivision
Baldwin.



P/U

outlet for
non-consumptive
use of surface
water

aesthetic
pond
used for
aesthetics, some
recreation fishing,
also for some fire
protection

a pump at the bottom of
diverts water back up to
ditch that flows to
aesthetic pond

MICROFILMED

OCT 02 2002

drt. 6/91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESPermit No. 37-8557STAFF ANALYSIS SHEET
For
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 12 2002

DEPARTMENT OF WATER RESOURCES

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 USGS Quad Map
- ☐ Check for Government Lots. If so, make a copy of Gov. plat.
Check of P/D index _____ (Initial & 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 PU Index _____ (Initial & Date)
- Overlap? ☐ Yes ☒ No If yes: ☐ Copy of Water Right(s) Attached?
Type of Overlap ☐ Increase rate or flow volume.
☐ Add P/D's
☐ Increase No. of acres within tracts.
☐ Other _____
- Aerial Photo
☐ Required? ☐ Yes ☒ No If yes: ☐ copy attached?
Scheduling letter sent? _____ (Initial & 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 Brett Baum 9-14-93 (Signature of Examiner(date))
 Exam reviewed by Sr. Water Res. Agent 8-8-02 (Init & date)
 Exam reviewed by Mgr of Reg. Office _____ (Init & date)
 Exam date entered in computer 8-9-02 (Init & date)
 Exam sent to S.O. 8-9-02 (Init & date)
 Copy of Staff Analysis Sheet sent to Mgr. of Reg. Office and Orig.
 re-filed in White File. _____ (Init & date)

December 20, 1991

WILLARD VAN ERT
GRETCHEN VAN ERT
P.O. BOX 2529
KETCHUM ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08557

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

DEC 23 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 37-08557

Date 12/4/91

GENERAL CONSIDERATIONS

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

SOURCE OF WATER

✓ Surface water source
✓ Ground water source
YES Drill permit req'd?
YES Copy in file? Drill permit no. 37-89-S-097
100 Amt paid for drilling permit? YES Correct?
YES Well log in file?

LICENSE EXAMINATION FEE

YES Required?
Amount submitted?
Correct amount?

MEASURING DEVICE

YES Measuring device or access port required?
YES Installed?
NA Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

double check OKs
need \$50 fee

proof acceptable

PRIORITY CALCULATION

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

DATA ENTRY

ADDRESS CHANGE

PROOF MADE 12/13/91

12/20/91 KRG



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

December 4, 1991

Willard and Gretchen Van Ert
P.O. Box 2529
Ketchum, ID 83340

Re: Permit No. 37-08557

Dear Permit Holder:

Returned is your Proof of Beneficial Use form submitted to this office on November 20, 1991, which does not indicate the total rate of diversion or cfs. Your permit has been issued for .20 cfs and I have indicated that amount on the form.

The well log that you have submitted does not contain sufficient information nor are your well drillers certified water rights examiners. When the total maximum rate of diversion is greater than 0.04 cfs, a license examination fee is required to be submitted with the proof. A license examination fee based on a rate of flow of .20 cfs. is \$50. Note the back of the enclosed instruction sheet/fee schedule.

I also note that your permit was issued for irrigation and aesthetic purposes as well as domestic use. You have submitted your proof for domestic purposes only. Should you wish to use the water for irrigation or aesthetic purposes as well, you will need to indicate this on the form.

Please return this completed form and fee to me within 20 days of the date of mailing. Upon receipt of the proof form and fee, we will continue processing your proof by notifying the region that a field exam is needed.

I realize that this can be confusing, so if you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager
FILMED
DEC 23 1991

Enclosures

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

[illegible]

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



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

October 31, 1991

WILLARD VAN ERT
GRETCHEN VAN ERT
P.O. BOX 2529
KETCHUM ID 83340

RECEIVED
NOV 20 1991

PROOF DUE NOTICE

RE: PERMIT NO. 37-08557

(Department of Water Resources)

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

attn

Nina Shields
Secretary/Records Manager

Enclosures

11/18/91

See attached forms

T. Hanks

N. Vanter

RECEIVED
DEC 23 1991

138/69
October 31, 1991

WILLARD VAN ERT
GRETCHEN VAN ERT
P.O. BOX 2529
KETCHUM ID 83340

PROOF DUE NOTICE

RE: PERMIT NO. 37-08557

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SINCERELY,

Nina Shields
Secretary/Records Manager

Enclosures

DEC 23 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
January 24, 1990

WILLARD VAN ERT
GRETCHEN VAN ERT
P.O. BOX 2529
KETCHUM, ID 83340

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P37-08557

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.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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 into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures.

MICROFILMED

FEB 21 1990

Form No. 202a
4/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

App. w/ in
Wood River
Manager
65INITIAL REVIEW BY ABDATE 9/30/89APPLICATION NUMBER 37-08557REQUIRED 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
- ☐ Yes ☒ No Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☒ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested NOV 22 1989

Department of Water Resources

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 ☒ 37 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 11/6/89
☐ 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.

26A, Use of Surface water shall be non-consumptive.
05(37) Big Wood R. old See below for additional information
Date of priority recommended 9/8/89
By Loren O. Halum Date 11/20/89

STATE OFFICE REVIEW

POL, P17 05(37) 5726 014 AK below

See below for additional information
By kw Date 12-20-89

ADDITIONAL INFORMATION

Water is to be Pumped from a Pond for irrigation.
The Pond will capture surface flows & water Pumped from
the well.
Surface water can only be used non-consumptively -
Permit must be conditioned to require discharge of
water equal to surface flow entering Pond.
App. in TRUST area -
OK to allow 2 yrs. to develop -
AK Use of surface water under this
permit shall be NON-consumptive.

Garth:

We need additional information on this -

- 1) Are the Groundwater & surface water to be mixed in a single system or are there 2 separate systems? one system &
- 2) Is Surface water proposed for irrigation use? JER P

LH-

MICROFILMED

FEB 21 1991

03-Oct-1989

Reid J. Newby, Watermaster
Box T
Shoshone, ID 83352

Re: Application for Permit No. 37-08557 (Van Ert)

Dear Mr. Newby:

Please find enclosed a copy of an Application for Permit for your information and files.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Enclosure

INDEXED

FEB 21 1990

03-Oct-1989

Idaho Dept. of Fish & Game
P.O. Box 428
Jerome, ID 83338

Re: Application for Permit No. 37-08557

Gentlemen:

Please find enclosed a copy of an Application for Permit for your information and files.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Enclosure

MICROFILMED

FEB 21 1990

03-Oct-1989

Willard &/or Gretchen Van Ert
P.O. Box 2529
Ketchum, ID 83340

Re: Application for Permit No. 37-08557

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Wood River Journal on 10/18 & 10/25/89. 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,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

RECEIVED

FEB 21 1990

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

OCTOBER 2, 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 NOVEMBER 6, 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:

MICROFILMED

FEB 21 1990

37-08557

VAN ERT, WILLARD
VAN ERT, GRETCHEN
P.O. BOX 2529
KETCHUM, ID 83340

Source: GROUNDWATER
UNNAMED STREAM

Tributary:
DIP CREEK

Diversion Pt: SESWSW Sec 24 T 05N R 17E

Use: DOMESTIC	{ .040 CFS)
IRRIGATION	{ .060 CFS)
AESTHETIC	{ .200 CFS)

Date Filed: 9/08/1989

In: T05N R17E S24 SWSW

2.0 ACRES TOTAL

RECORDED

FEB 21 1990

**Three file
on water rights**

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

37-08556

ENGL, MICHAEL S.
C/O HOGUE, SPECK
& AANESTAD
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER
Diversion Pt.: NESW Sec 31 T
04N R 18E
Use: DOMESTIC (.080 CFS)
Date Filed: 9/29/1989
In: T04N R18E S31 NESW

37-08557 ✓

VAN ERT, WILLARD
VAN ERT, GRETCHEN
P.O. BOX 2529
KETCHUM, ID 83340

Source: GROUNDWATER
UNNAMED STREAM
Tributary: DIP CREEK
Diversion Pt.: SESWSW Sec 24 T
05N R 17E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
AESTHETIC (.200 CFS)
Date Filed: 9/08/1989
In: T05N R17E S24 SWSW
2.0 ACRES TOTAL

37-08558

DUGGAN, JOAN
P.O. BOX 434
HAILEY, ID 83333

Source: GROUNDWATER
Diversion Pt.: SENW Sec 31 T
02N R 19E
Use: IRRIGATION (.090 CFS)
STOCKWATER (.010 CFS)
Date Filed: 9/08/1989
In: T02N R19E S31 SENW
3.0 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests may
be submitted based on the criteria
of Sec. 42-203A, Idaho Code,
and/or the new public interest
criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with
the Director, Dept. of Water
Resources, 2148 4th Avenue
East, Twin Falls, Idaho 83301, on
or before NOVEMBER 6, 1989.

Keith Haggins, Director

RECEIVED

OCT 12 1989

Department of Water Resources
Southern Region Office

OK
MB
10/12/89

RECEIVED

FEB 21 1990

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 NOVEMBER 6, 1989.

R. Keith Higginson, Director

Published 10/18/1989 & 10/25/1989

RECORDED

FEB 21 1990

3/89

Drilling Permit No. 37-89-5-097Water Permit No. 37-08557

Injection Permit No. _____

State of Idaho
Department of Water Resources

D R I L L I N G P E R M I T

1. Applicant Willard &/or Gretchen Van Ert
2. Address P. O. Box 2529, Ketchum, ID 83340

Telephone 726-4098
- ☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location SW 1/4 SW 1/4, or Gov't lot No. _____,
Sec. 24, Twp. 5N, Rge. 17E, County Blaine,
Lot, block and subdivision Lot 9 of Stonegate Subdiv.
4. Proposed use of well: (Check all that apply)
- ☒ Domestic ☐ Stockwater ☐ Monitoring
 No. of households 1 No. of livestock _____
- ☒ Irrigation 2 acres ☐ Industrial ☐ Municipal
- ☐ Injection ☒ Other, Specify Aesthetic
5. Well construction information:
- ☒ New well ☐ Deepen ☐ Replace
- Proposed surface diameter 8" Maximum depth 150'
- Anticipated bottom hole temperature:
- ☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date as soon as possible
7. Well Driller (if known) Ken Smith Drilling
Address Hailey, ID
8. Applicant's signature [Signature]
Title _____
Date 9/8/89

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FEB 21 1990

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved.

If approved, this permit authorizes the construction of a well subject to the following conditions:

GENERAL CONDITIONS

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

SPECIFIC CONDITIONS

Dated this 11 day of September, 19 89.

Signed

Title

Larry O'Halloran
Southern Region Mgt.

Receipt No. 5009103

Received by JS

Fee \$100

Date 9-8-89

EXTENSION OF DRILLING PERMIT

Approval Date _____

Extension approved by _____

FEB 21 1990

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

Drilling permit No. 37-89-S-097

Water right No. 37-

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Willard Van Ert, Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

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

I would like to have the well in place before winter sets in, as I would like to be able to use the well starting next spring.

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

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

Date

9/8/89

MAILED

FEB-21-1990

Signature

Willard Van Ert

Applicant