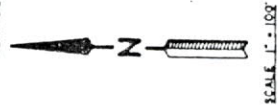


SHEET 1 OF 2 SHEETS

PRELIMINARY PLAT

GREENHORN BENCH PHASE II

A SUBDIVISION WITHIN THE E1/2 NW1/4, SEC. 18, T3N, R18E, B.M.
LOT 4, GREENHORN BENCH SUBDIVISION
BLAINE COUNTY, IDAHO
OCTOBER 1988



LEGEND

- P/L — FIELD LIMIT
- ACCESS EASEMENT
- B.E. — BUILDING ENVELOPE
- DITCH ALONG GREENHORN ROAD 20 EASEMENT
- 25% SLOPE LINE
- BAR FOUND
- 1/2" REBAR SET
- BRASS CAP FOUND

NOTES

1. ZONE 4 R 2
2. GREENHORN CREEK SHALL HAVE A 15' EASEMENT EITHER SIDE OF CENTERLINE FOR A DRAINAGE EASEMENT AND IRRIGATION
3. GREENHORN CREEK IS AN INTERMITTENT STREAM IN THIS AREA AND DOES NOT USUALLY RUN AFTER RAIN
4. A 10' UTILITY EASEMENT CENTERING ON ALL INTERIOR LOT LINES IS GRANTED



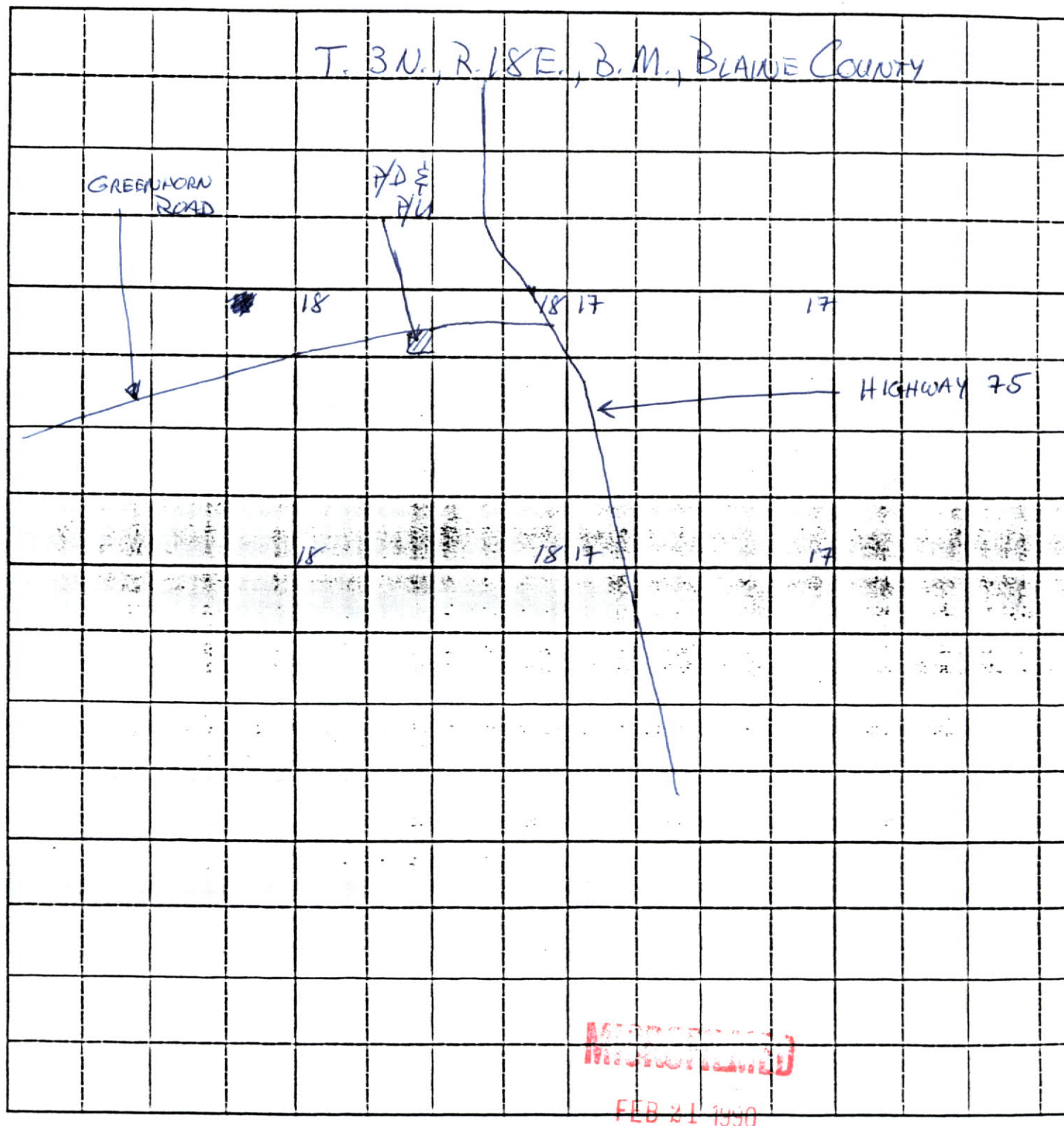
VICINITY MAP

PREPARED BY: FOWLER AND WILLIAMS, KETCHUM, IDAHO



MICROFILMED
DEC 29 1999

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.

Larry B. Shelton
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 21 1994

Department of Water Resources

A. GENERAL INFORMATION

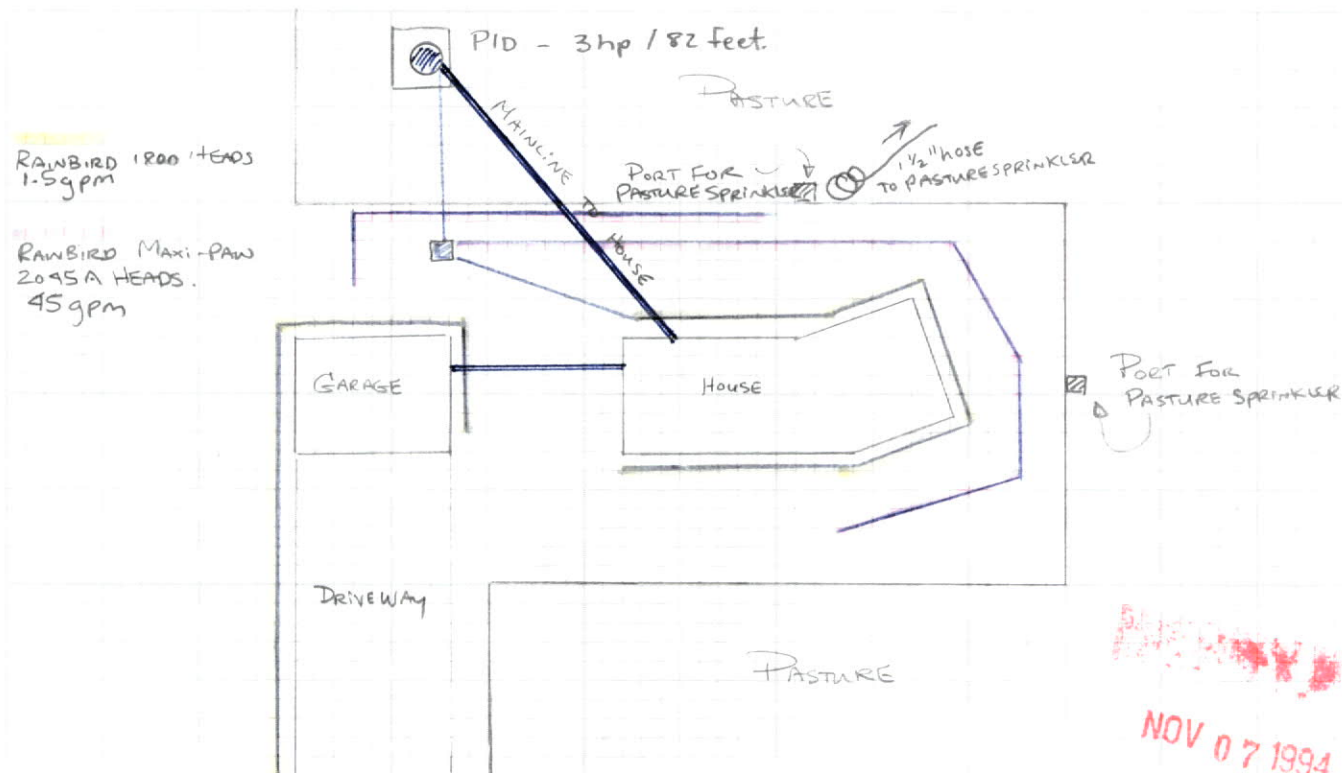
Permit No. 37-08551
1. Owner: GARY K. SHELTON Phone No. (208) 788-3945
Current Address: P.O. Box 2324 KETCHUM, ID 83340 726-5999 days
2. Accompanied by: KATHERINE M. SHELTON EXAM. DATE: 7-31-91
Address: SAME AS ABOVE Phone No. -
Relationship to Permit Holder: WIFE
3. Source: GROUNDWATER tributary to -

B. OVERLAP REVIEW

1. Other water rights with same place of use: Claim A37-12304 ~~1/2~~ (domestic use only) ☐ Copies Attached
2. Other water rights with same point of diversion: ~~None~~ Claim A37-12304 ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



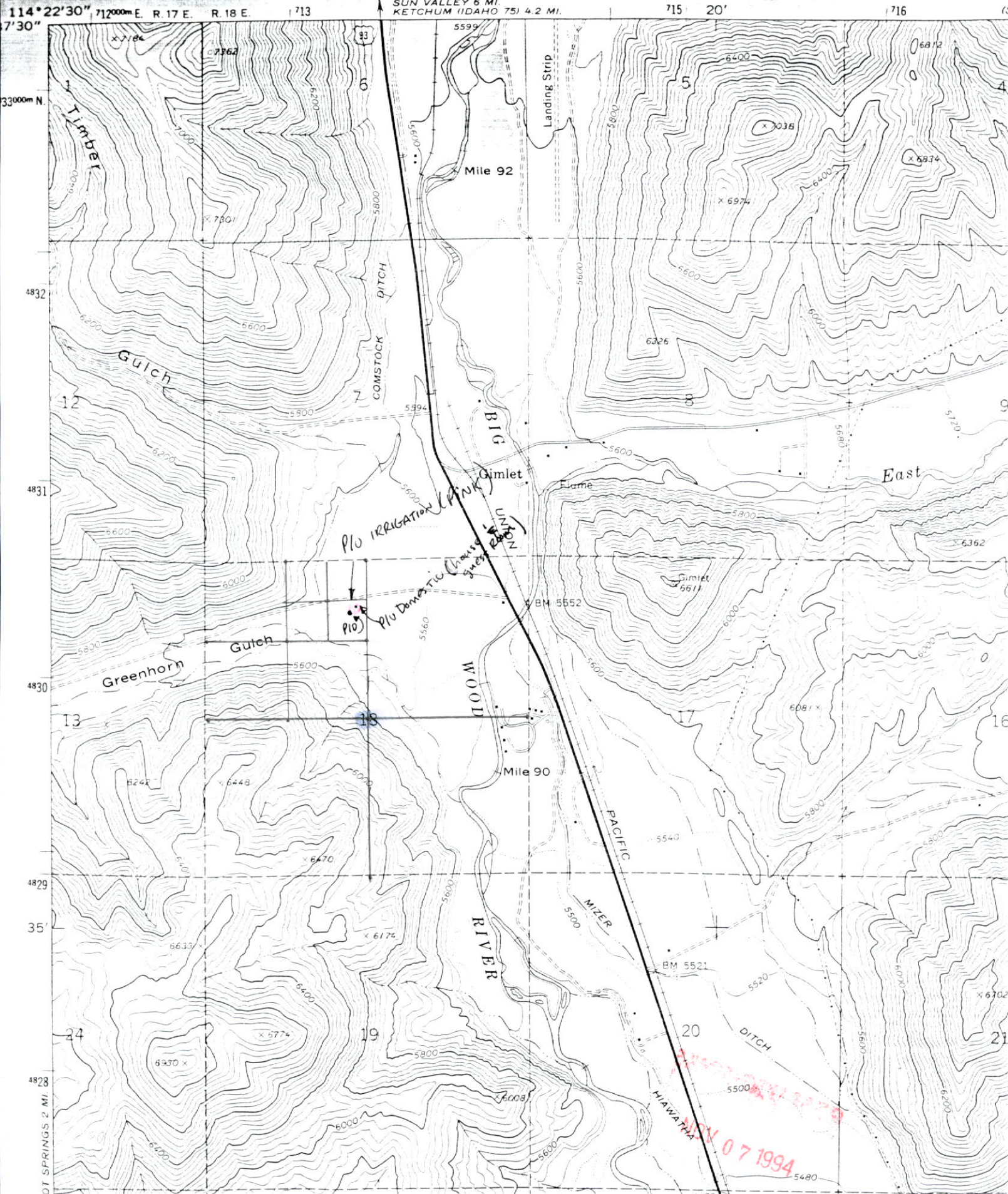
Scale: 1" = NOT TO SCALE. LOT COVERS ~ 3 ACRES

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

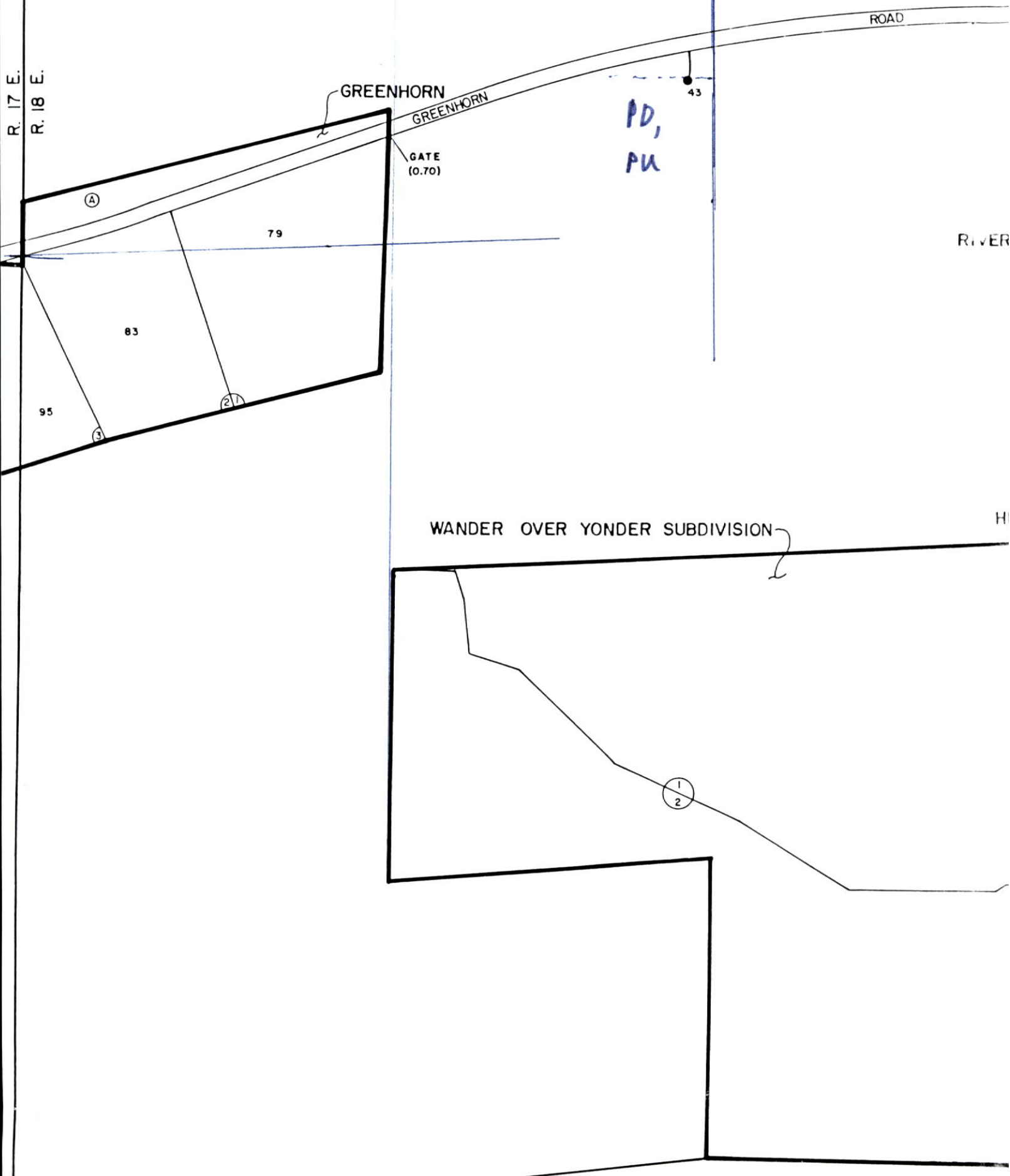
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

37-8551

T. 15 N R 18 E Sec 18



12 7
13 18
R. 17 E.
R. 18 E.
3 18
4 19



NOV 07 1994

SEC. 18, T. 3 N., R. 18 E.

37 - 08551



POINT OF DIVERSION



PLACE OF USE (PASTURE) IRRIGATION

NOV 07 1994

37- 08551 - CONTINUED



DOMESTIC - PLACE OF USE

RECEIVED
NOV 07 1994

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 4th day of Oct., 1989, and

the date of the last publication was on the 11th day of Oct., 1989.

Subscribed and sworn to before me this 18th day of Oct., 1989.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 54
Number of Insertions 2
Lines tabular at _____ 5.5¢/Pica
54 Lines straight at 29.70 4.5¢/Pica
54 Subsequent lines at 23.76 3.5¢/Pica
TOTAL COST 53.46

COPY OF NOTICE
(Paste Here)

2 Applications
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Two 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:

37-08551

SHELTON, GARY K.
SHELTON, KATHERINE M.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER
Diversion Pt.: SENENW Sec 18 T
03N R 18E

Use: DOMESTIC (.060 CFS)
IRRIGATION (.090 CFS)

Date Filed: 9/07/1989

In: T03N R18E S18 NENW
3.0 ACRES TOTAL

37-08552

REESE, RONALD K.
REESE, JANET S.
P.O. BOX 652
BELLEVUE, ID 83313

Source: GROUNDWATER
SPRING

Tributary: SINKS

Diversion Pt.: NESESE Sec 25 T
02N R 17E; LOT 4 (SWSWSW)
Sec 30 T 02N R 18E

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

AESTHETIC (.200 CFS)

Date Filed: 9/11/1989

In: T02N R17E S25 SESE
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 OCTOBER 23, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal-
October 4 & 11, 1989.

607602

RECEIVED

RECEIVED

DEC 22 1999

Department of Water Resources

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

SEP 14 1999
Department of Water Resources
Codyham Bglnr

Please print or type. Attach pages with additional information. Instructions are on the back of this page
Incomplete forms will be returned.

1. Water Right Number(s) 37-12304, 37-08551
Adjudication Claim Number(s) _____
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE, POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Services Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimants Katherine M. Shelton and Gary K. Shelton
PO Box 2324, Ketchum, ID 83340
4. New Owner/Claimant(s) Philip H. Whitley and Tonja B. Whitley
Name connector (check one): [] AND, [] OR, [X] AND/OR
New Mailing Address 10 Old Sage Trail TRAIL
City, State and ZIP Code Hailey, ID 83333
New Telephone Number (208) 788-3165
5. Date you acquired the property May 23, 1994
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water rights(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Philip H. Whitley Date 9-13-99
Philip H. Whitley
- (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

MICROFILMED

DEC 29 1999

Order No. 19626

WARRANTY DEED

FOR VALUE RECEIVED

Gary K. Shelton and Katherine M. Shelton, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Philip Hugh Whitley and Tonja Bass Whitley, husband and wife

GRANTEE(s) whose address is: P.O. Box 1519, Wendell, NC 27581

the following described real property in Blaine County, Idaho, to wit:

Lot 1 of GREENHORN BENCH, according to the official plat thereof, recorded as instrument No. 288637,
records of Blaine County, Idaho.

SAVTOOTH TITLE

FRONT 10 0 0 0 0

365220

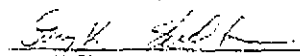
302 MP

Deed

Subject To: Taxes, easements, restrictions and encumbrances of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said 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 encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 23, 1994



Gary K. Shelton



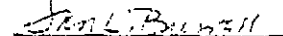
Katherine M. Shelton

State of Idaho

County of Blaine

On this May 23, 1994 before me, a notary public in and for said State, personally appeared Gary K. Shelton and Katherine M. Shelton, personally known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.



Notary Public

Residing at

Commission Expires: May 23, 1997

MICROFILM

DEC 29 1999

When I

REMOVED
220 2X
KETCHU

Prepar

THIS
PELLI
AND W("Borrow
P-2-94
SAVTOO("Trust
KENNEwhich is
address is

THREE

Dollars (\$
("Note")JUNK
with inter
paragraph
this Secur
sale, theL/
P/
R/

WHICH

STREET:
CITY:
STATE:
ZIP CODE:TOG
or he
going
BOR
Prop
the title
THUS
by a note
NIFIDAP
AMP

PRELIMINARY PLAT

GREENHORN BENCH PHASE II A SUBDIVISION WITHIN THE E1/2 NW1/4, SEC. 16, T3N, R16E, B.M. LOT 4, GREENHORN BENCH SUBDIVISION BLAINE COUNTY, IDAHO OCTOBER 1988

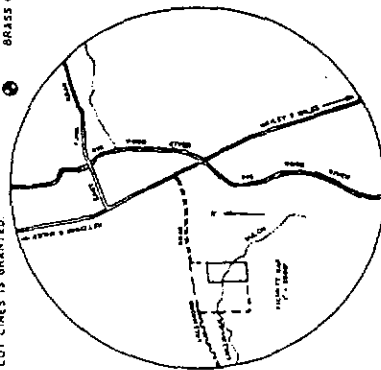


SCALE 1" = 100'



LEGEND

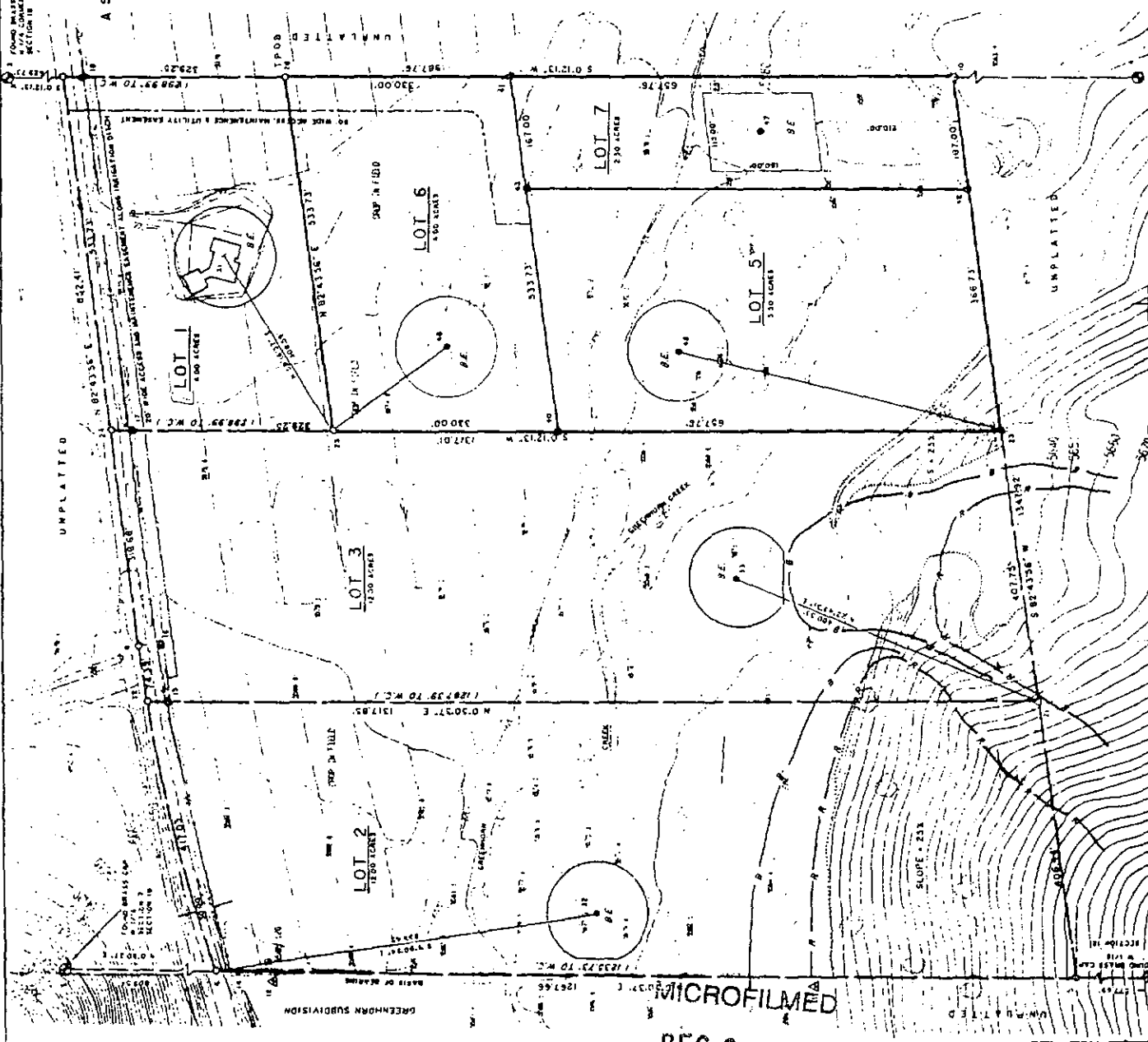
- 1. ZONE - R-2
- 2. GREENHORN CREEK SHALL HAVE A 15' EASEMENT EITHER SIDE OF CENTERLINE FOR A DRAINAGE EASEMENT AND IRRIGATION EASEMENT
- 3. GREENHORN CREEK IS AN INTERMITTENT STREAM IN THIS AREA AND DOES NOT USUALLY FLOW AFTER ALL WATERSHED EASEMENT CENTERING ON ALL INTERIOR LOT LINES IS GRANTED
- 4. INTERIOR LOT LINES IS GRANTED
- 5. FIELD LIMIT
- 6. ACCESS EASEMENT
- 7. BUILDING ENVELOPE
- 8. DITCH ALONG GREENHORN ROAD 20' EASEMENT
- 9. 25% SLOPE LINE
- 10. BAR FOUND
- 11. 1/2" REBAR SET
- 12. GRASS CAP FOUND



VICINITY MAP

PREPARED BY: PUGH AND WILLIAMS, ASTORIA, OREGON

FOUND BRASS CAP
SECTION 16 P. 19



MICROFILMED

DEC 29 1999

GREENHORN BENCH II
FILE NO. 15568

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08551

Priority: September 7, 1989

Maximum Diversion Rate: 0.11 CFS

Maximum Diversion Volume: 11.1 AF

This is to certify, that GARY K SHELTON
KATHERINE M SHELTON

PO BOX 2324

KETCHUM ID 83340

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 7, 1989; and has submitted Proof of Beneficial Use on December 20, 1990. An examination indicates that the works have a diversion capacity of .110 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.09 CFS	10.5 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
Totals		0.11 CFS	11.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN RGE SEC

03N 18E 18

ACRES

NENW 3

ACRES

ACRES

TOTAL

3

Total number of acres irrigated:

3

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Irrigation use under this right is authorized only in connection with a domestic use.

NOV 07 1994

State of Idaho
Department of Water Resources

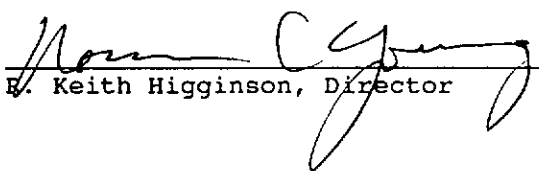
WATER RIGHT LICENSE

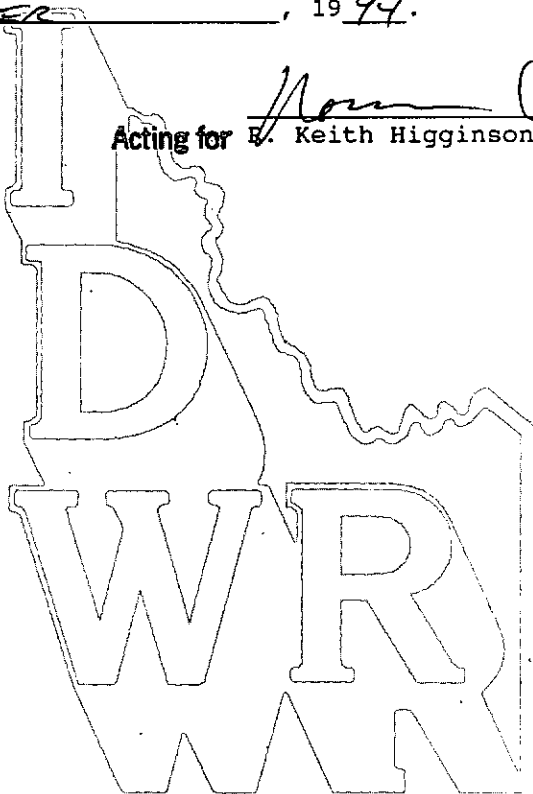
WATER RIGHT NO. 37-08551

CONDITIONS/REMARKS:

7. Place of use is located within Lot 1, Greenhorn Bench Subdivision.
8. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 25TH day of OCTOBER, 1994.

Acting for  E. Keith Higginson, Director



NOV 07 1994

RECEIVED
DEC 20 1990

For Office Use Only
Amt. of Fee \$ 50.00
Date 12/20/90
Receipt No. 6019196
Received by J. J. J. J.

STATE OF IDAHO

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.

Permit No. 37-08551 Telephone No. _____

Name(s) of Permit Holder(s): Gary K. and Katherine M. Shelton

Post Office Address: P.O. Box 2324 Ketchum, Idaho 83340

Source of Water: Groundwater

If ground water, well driller's name: Unknown Date drilled: 1948

Extent of Use:
Domestic 2 (No. of households) Irrigation 3 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.15 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: _____

One of the following may be a condition of approval of your permit:

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

OR

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

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

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

Gary K. and Katherine M. Shelton 788-3945

Name Telephone No.

Post Office Box 2324, Ketchum, Idaho 83340

Address

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

12-19-90
Date

Gary K. Shelton
Katherine M. Shelton
Signature (and title if on behalf of a company or organization)

RECEIVED
JAN 20 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08551

Proposed Priority: September 7, 1989 Maximum Diversion Rate: 0.15 CFS

This is to certify, that **GARY K. SHELTON**
KATHERINE M. SHELTON
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.09 CFS
DOMESTIC	01/01 to 12/31	0.06 CFS
	Totals	0.15 CFS

LOCATION OF POINT(S) OF DIVERSION: SENENW Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	18	NENW	3		3

Total number of acres irrigated: 3

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 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. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
5. Irrigation use under this permit is authorized only in connection with a domestic use.
6. Place of use also known as Lot 1, Greenhorn Bench Subd.
7. Domestic use is for 2 homes.

MICROFILMED

FEB 21 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08551

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

28th day of December, 1989.

for R. Keith Higginson, Director
[Signature]

MICROFILMED

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 Gary K. Shelton and/or Katherine M. Shelton Phone 208-726-4421
c/o James P. Speck
Post office address P.O. Box 987, Ketchum, Idaho 83340

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

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 18 Township 3N Range 18E B.M. Blaine County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .06cfs for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .09cfs for irrigation purposes from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated is (a) .15 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

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

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.

Existing
c. ~~Proposed~~ well diameter is 6 inches; ~~proposed~~ existing depth of well is 82 feet.

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

RECORDED

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. Two (2) households (main residence & guest house)
 - Other; describe fully. _____

9. Description of place of use:

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

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

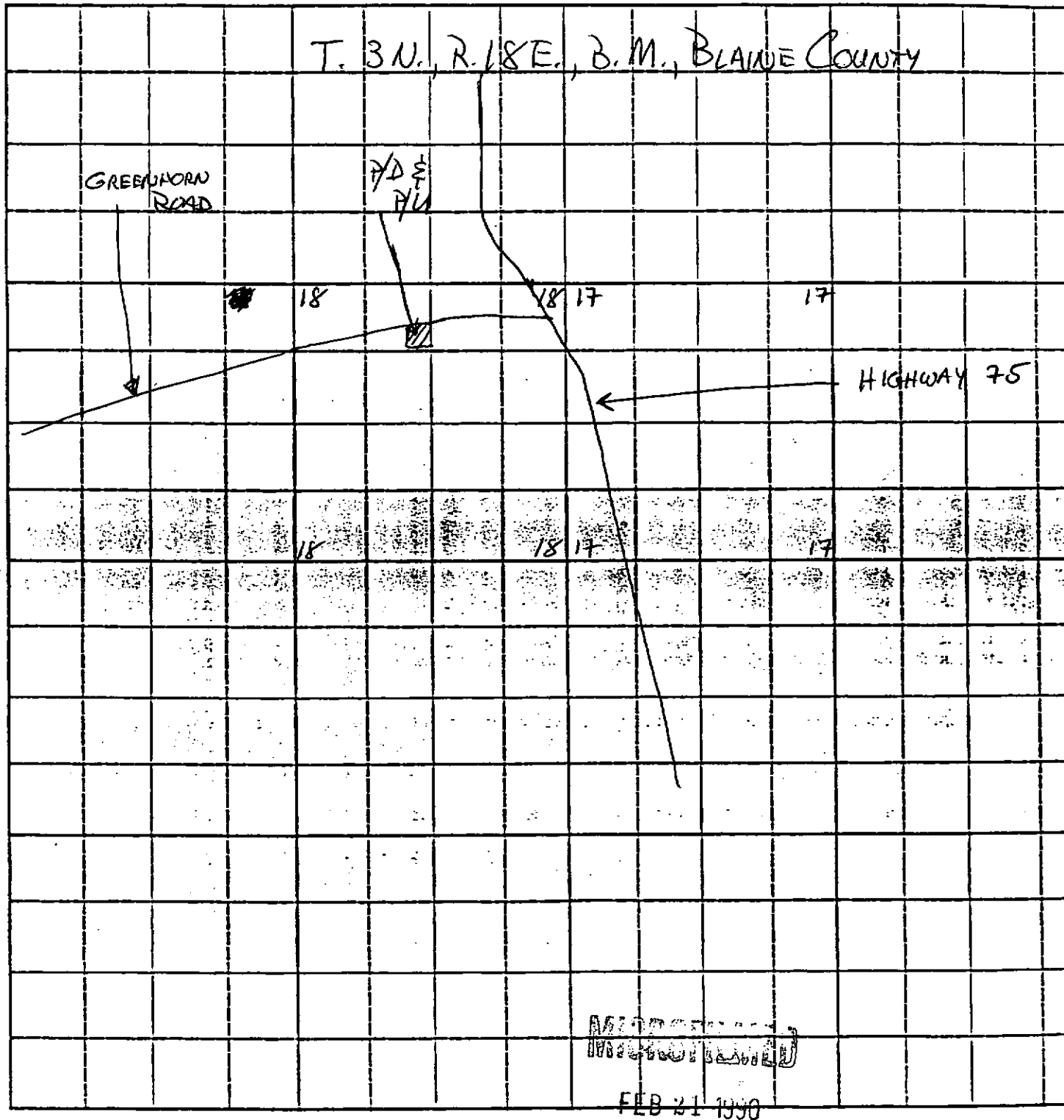
Total number of acres to be irrigated 3

10. Describe any other water rights used for the same purposes as described above. 37-0153 used for irrigation
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. N/A

12. Remarks: Claim No. A37-12304 was filed in the Snake River Basin Adjudication for domestic purposes only for the same well by Applicant's predecessors-in-interest. Place of use is Lot 1, Greenhorn Bench Subdivision.

FEB 21 1990

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.

Larry R. Shelton
(Applicant)

(Applicant)

Received by LG Date 9/1/89 Time 11:00 AM Preliminary check by LH
Fee \$ 30⁰⁰ Receipted by LRO # 5009126 Date 9.11.89
Publication prepared by M. Baldwin Date 9/18/89 Published in Wood River Journal
Publication approved M. Baldwin Date 10/20/89

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:

RECEIVED

FEB 21 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 28, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PHILIP H WHITLEY
TONJA B WHITLEY
10 OLD SAGE TRAIL
HAILEY ID 83333

RE: Water Right 37-08551

Dear Mr. & Mrs. Whitley:

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 the department if you have questions.

Sincerely,

Sharla Curtis
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

cc: Jim Speck,
Speck & Aanestad

MICROFILMED

DEC 29 1999

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

September 13, 1999

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

RECEIVED

SEP 14 1999

Department of Water Resources
Bootham Center

**Re: Notice of Change of Water Right Ownership
Water Right Nos. 37-12304 and 37-08551
Philip H. and Tonja B. Whitley**

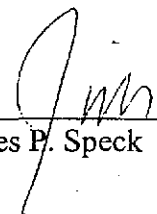
Dear Allen:

Enclosed you will find a Notice of Change of Water Right Ownership for water rights previously claimed by Katherine M. and Gary K. Shelton and now owned by Philip H. and Tonja B. Whitley. Please call me if you have any questions about this Notice. If not, kindly send me copies of the computer printouts reflecting the change of ownership once the information has been entered into the IDWR database.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
enclosure

MICROFILMED
DEC 29 1999



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 25, 1994

GARY K SHELTON
KATHERINE M SHELTON
PO BOX 2324
KETCHUM ID 83340

RE: WATER RIGHT NO. 37-08551

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

RECEIVED

NOV 07 1994

LICENS REVIEW CHECKLIST



PERMIT NO. 37-08551 DATE 9-29-94

NAME	Yes ☐ No ☒	Or Address Change? <u>Check</u>
PRIORITY DATE	☐	Advance? ☒ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? _____
SOURCE	☐	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	☒	Amendment needed? _____ Overlaps? <u>Domestic Claim A37-12304</u>
PLACE OF USE	☒	Amendment needed? _____ Overlaps? <u>Domestic Claim A37-12304</u>
DIV RATE	☒	Permit/fee limits: <u>.15 CFS</u> Meas Q = _____ Theo Q = <u>.11</u> Recommend: <u>.11 CFS</u> <u>Reduce Domestic to .04</u> <u>Irr 3 acres x .03 = .09</u> Combined rates exceed capacity _____
ANNUAL VOLUME	☒	Season of use: <u>B/3.5 (4-15 to 10-15)</u> <u>NEW</u> Calculations: <u>SINGLE DOMESTIC @ .6</u> <u>3 x 3.5 = 10.5</u> Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable _____
USES	☒	Change in Nature of Use or additional uses? _____ Amendment necessary? _____
REMARKS	☒	Multiple p/d(s) in 1/4? _____ Other <u>Location remark.</u>
CONDITIONS	☒	Measuring/Locking Devices _____ Watermaster control - District _____ <u>BSD</u> Irrigation Overlap _____ <u>041</u> Water Quality _____ Other <u>Dom/IRR</u> Heat/Cool/ Fish verified _____

COMMENTS: Delete one domestic if a room over the garage with a sink) will fit in with 1 domestic's needs.

RECOMMENDED	CFS	VOL	(DOMESTIC ONLY) SRBA Claim Filed <u>YES</u> Adjustment Memo Needed _____
<u>Irrigation</u>	<u>.09</u>	<u>10.5</u>	
<u>Domestic</u>	<u>.04</u>	<u>.6</u>	
<u>Total</u>	<u>.11</u>	<u>11.1</u>	LICENSE ☒ 1ST AMENDMENT LETTER _____ FINAL AMENDMENT LETTER _____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 21 1994
Department of Water Resources

A. GENERAL INFORMATION

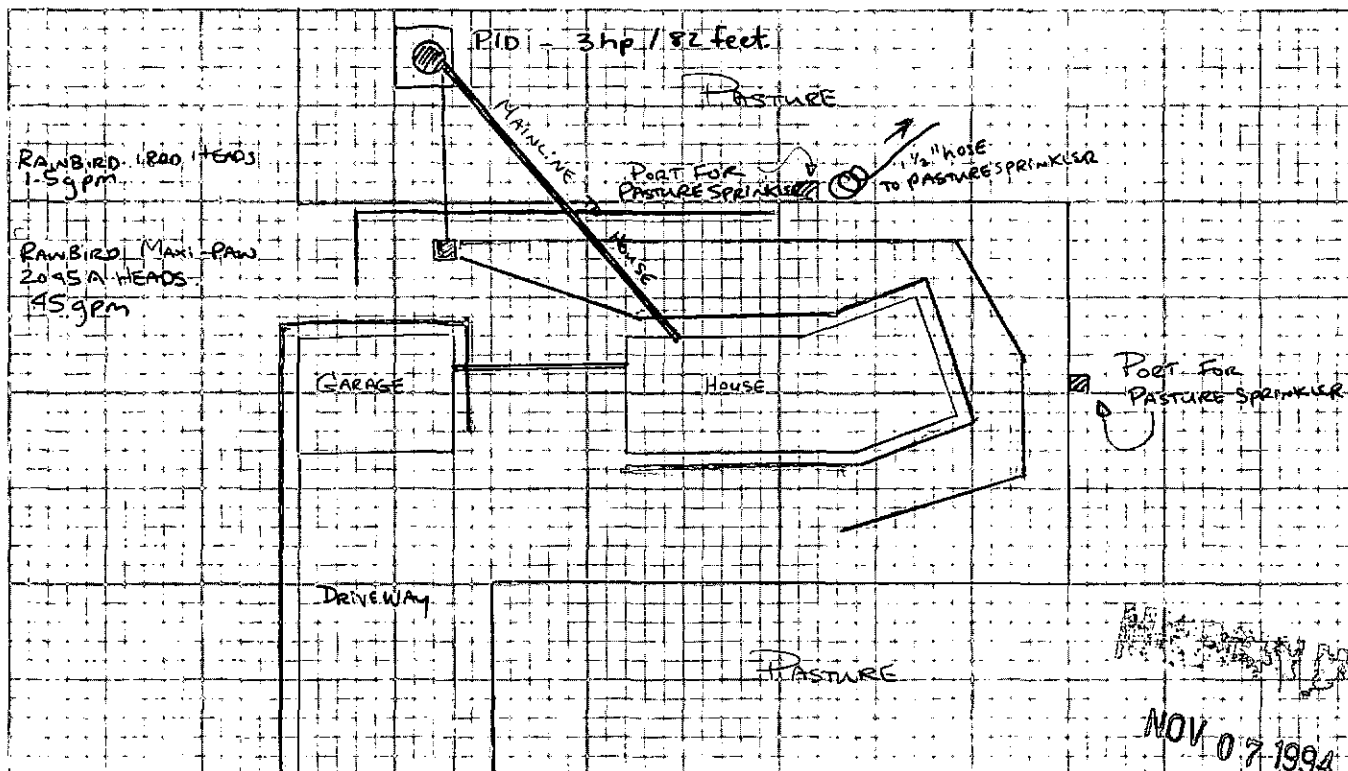
1. Owner: GARY K. SHELTON Permit No. 37-08551
Current Address: P.O. BOX 2324 KETCHUM, ID 83340 Phone No. (208) 788-3945
2. Accompanied by: KATHERINE M. SHELTON EXAM. DATE: 7-31-91
Address: SAME AS ABOVE Phone No. -
Relationship to Permit Holder: WIFE
3. Source: GROUNDWATER tributary to -

B. OVERLAP REVIEW

1. Other water rights with same place of use: Claim A37-12304 ~~same~~ (domestic use only) ☐ Copies Attached
2. Other water rights with same point of diversion: ~~same~~ Claim A37-12304 ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = NOT TO SCALE. LOT COVERS ~ 3 ACRES

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

NOV 07 1994

M

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

System consists of one 3HP Motor Pumping water from 55ft.

CONTAINS TWO 50 gallon pressure TANKS AND ONE 25 gallon TANK.

WATER IS CARRIED TO HOUSE AND SMALL GUEST ROOM ABOVE GARAGE.

WATER ALSO CARRIED VIA 3/4" BLACK POLY PIPE TO SINKER SYSTEM.

WATER CARRIED VIA 1 1/2" 200' HOSE TO SPRINKLER IN PASTURE. THERE

Are several Hook up Ports Around Pasture For Hoses.

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No. *	STA-RITE	3 HP	2823029103	STA-RITE	
Motor Make					
Hp					
Motor Serial No.					
Pump Make					
Pump Serial No. or Discharge Size					

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

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

[illegible]

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

SYSTEM OPERATING AT TIME OF FIELD EXAM
Gauge Pressure 50 PSI.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

THEORETICAL (HORSE POWER EQUATION)
$$Q = \frac{(8.8)(.7)(3)}{55 + (2.31 \times 50)} = .11 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 50 psi x 2.31 = 115.5 ft (1); Dynamic pumping level: 55 ft (2)
Total Head: (1) + (2) = 170.5 (3); Flow rate: .11 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (3.0) \left(\frac{10.5}{3.6} \right) = 9.0 \text{ afa}$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.07)(214)(1.9835) = 29.7 \text{ afa}$$

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 9.0 afa

2. Volume Calculations for Other Uses:

Domestic use - 0.6 afa STANDARD.

NOV 07 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Permit - Domestic .06 cfs } .15 cfs
 IRRIGATION .09 cfs }
 Exam - Domestic .09 cfs } .11 cfs
 IRRIGATION .09 cfs }
 Recommend - Domestic .09 cfs } .11 cfs
 IRRIGATION .09 cfs }

Property address is #43 Greenhorn Rd.
 Licensing Condition: Domestic portion of this right is subject to SRBA findings, if decreed, domestic part of license is void.
 MR. SHELTON'S SYSTEM IS SLIGHTLY UNDERPOWERED TO DELIVER THE REQUESTED DISCHARGE. RECOMMEND LICENSING .09 cfs FOR DOMESTIC PURPOSES, (2ND DOMESTIC USE ONLY CONSISTS OF ONE SINK IN A GUEST ROOM). AND .09 cfs FOR IRRIGATION PURPOSES. PERMIT SHOULD BE LICENSED FOR 1 DOMESTIC USE. THE 3 ACRES INCLUDES BOTH LAWN & PASTURE PER 1180 CONTRACT LIMITS. OWNER SAYS 3 1/2 - 3 3/4 ACRES ARE WATERED, INCLUDING 3/4 TO 1 ACRE

I. RECOMMENDATIONS of law.

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/15	.09 cfs	10.5 ~~afa~~
Domestic	1/1	12/31	.09 cfs	0.8 afa
Totals:			.11 cfs	11.1 ~~afa~~

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name JUSTIN BULLES
 Signature Justin Bulles
 Certification Date _____
 Field Report Preparation Date 8-5-91

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

37-08551

Flow Calculations

$$Q = \frac{(8.8)(\text{Pump eff.})(\text{hp})}{\text{DEPTH TO WATER} + (2.31 \times \text{Psi})} =$$

$$Q = \frac{(8.8)(.7)(3)}{55 + (2.31 \times 50)} = \frac{18.4}{170.5} = .11 \text{ cfs}$$

$$\begin{array}{l} \text{DOMESTIC USE} \quad .04 \text{ cfs} \\ \text{IRRIGATION USE} \quad .07 \text{ cfs} \end{array} \left. \vphantom{\begin{array}{l} \text{DOMESTIC USE} \\ \text{IRRIGATION USE} \end{array}} \right\} .11 \text{ cfs}$$

Volume Calculations

Domestic - $\frac{0.6}{\cancel{\text{min}}}$ afa STANDARD for 1 home

$$\begin{aligned} \text{IRRIGATION} - V_{i.R.} &= (3.0 \text{ acres}) \left(\frac{3.0^5 \text{ acre ft/acre/season}}{10.5} \right) = 9.0 \text{ afa} \\ V_{D.R.} &= (.07 \text{ cfs}) (214 \text{ days}) (1.9835) = 29.7 \text{ afa} \end{aligned}$$

$$\text{Volume} = \frac{10.5}{\cancel{\text{min}}} \text{ afa}$$

NOV 07 1984

SPRINKLER SYSTEM

6 STATIONS TOTAL + 1 PASTURE SPRINKLER

"PASTURE SPRINKLER"

RAINBIRD 65D-6SPJ 3/8" NOZZLE 45 gpm

OPERATES AT A PRESSURE 50 PSI

WATER CARRIED VIA 1 1/2" DIAM. 200' HOSE WHICH
CAN BE HOOKED UP TO SEVERAL PORTS AROUND
PASTURE

"LAWN SPRINKLERS"

4 STATIONS OF RAINBIRD MAXI-PAW 2095 A

APPROX. 14 HEADS PER STATION.

NOZZLE SIZE 1/8"

2 STATIONS OF RAINBIRD 1800 (15 gpm)

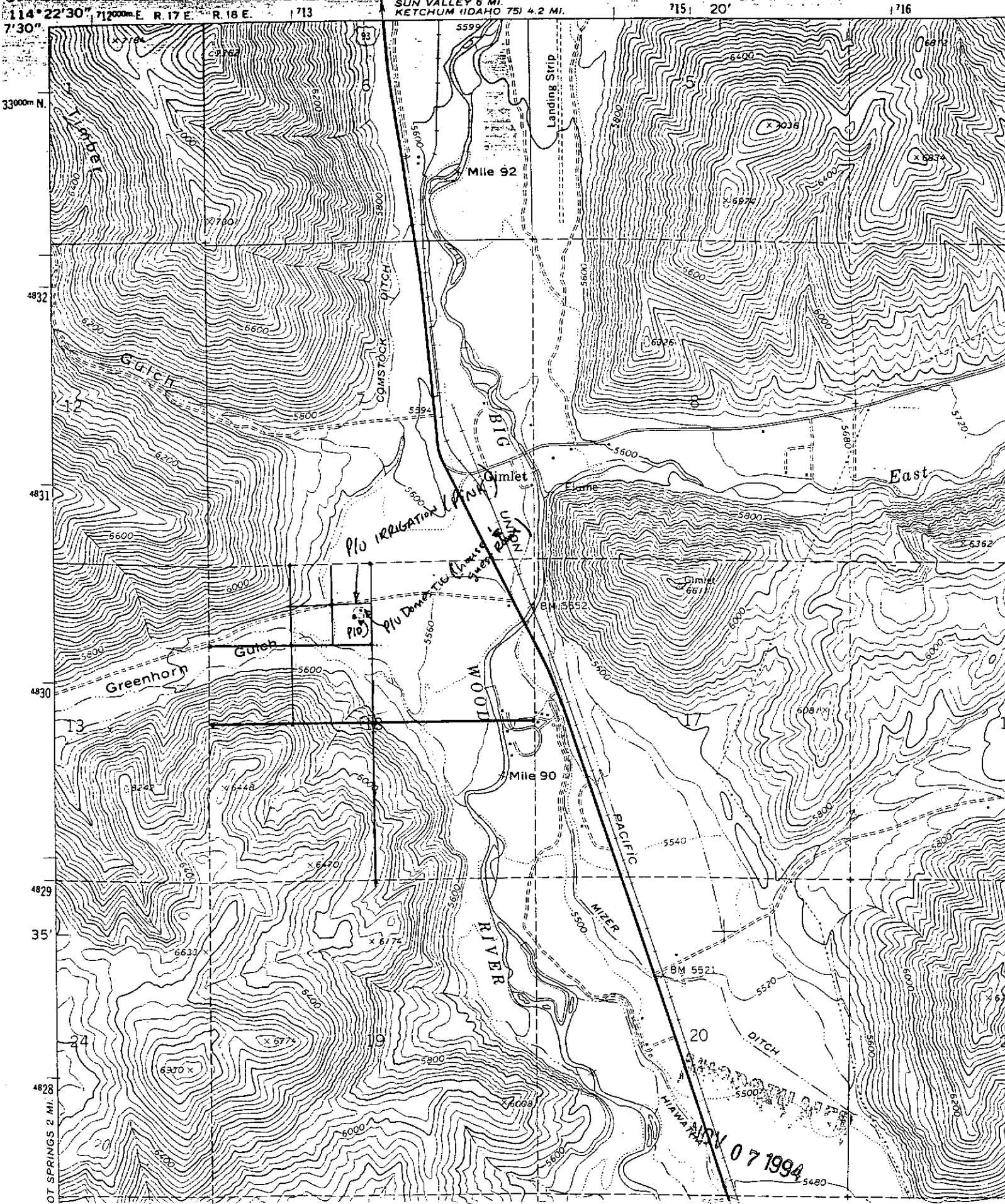
25 ALONG DRIVE WAY	}	TOTAL 60.
35 AROUND HOUSE		

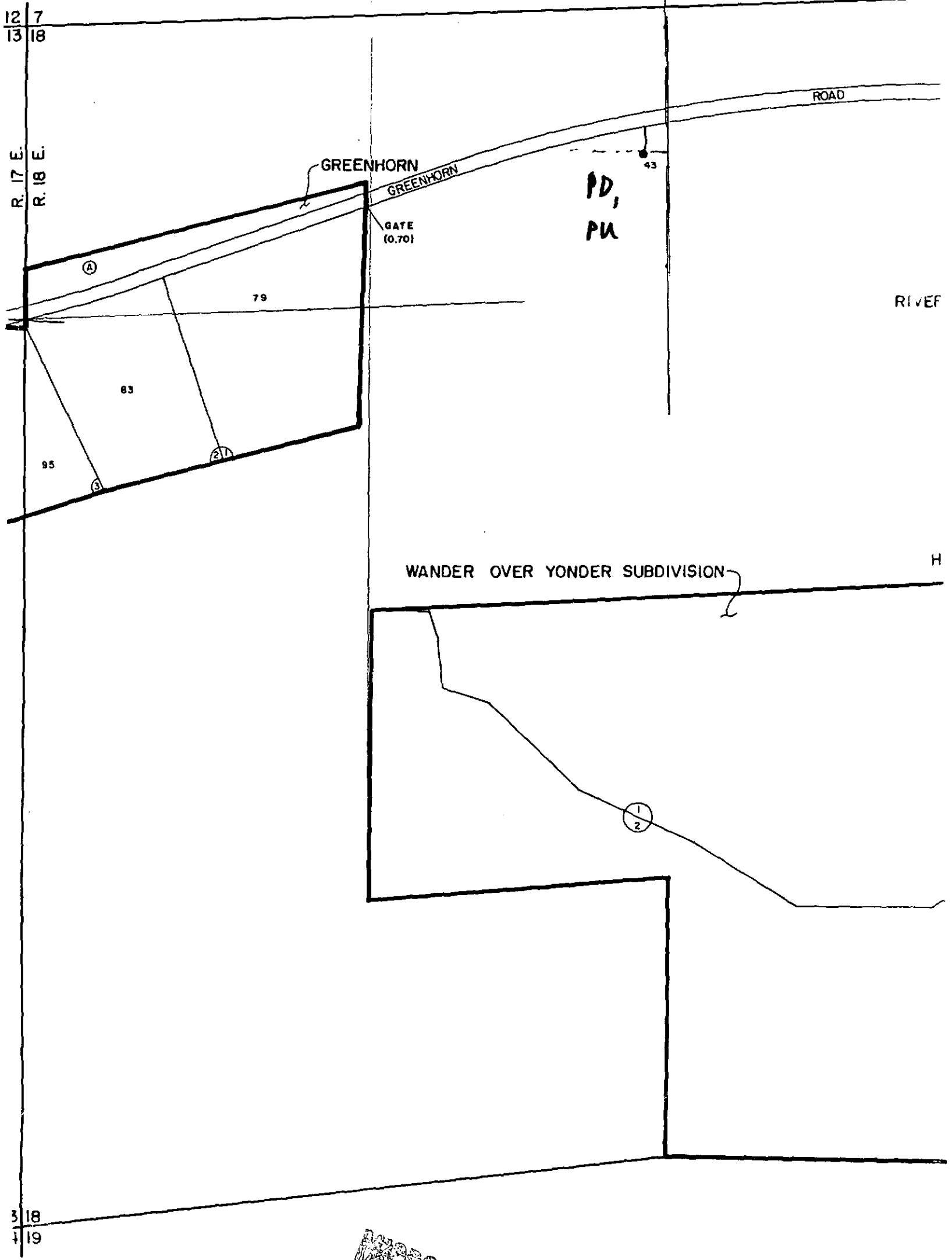
SPRINKLER SYSTEM - INTER CONNECTED WITH
3/4" BLACK POLY PIPE.

NOV 07 1994

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

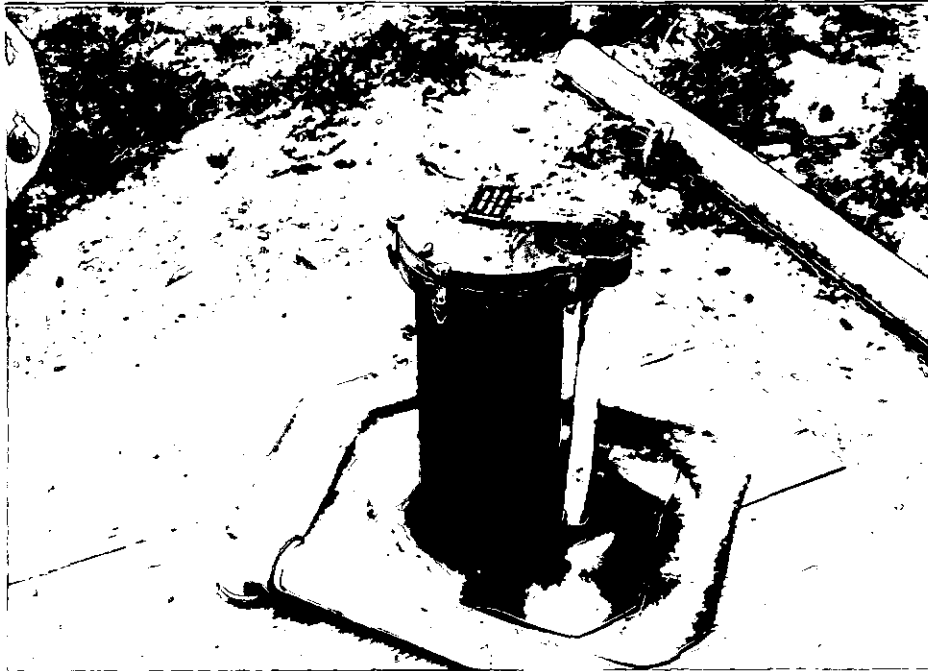
T. 18 N R. 18 E See 18



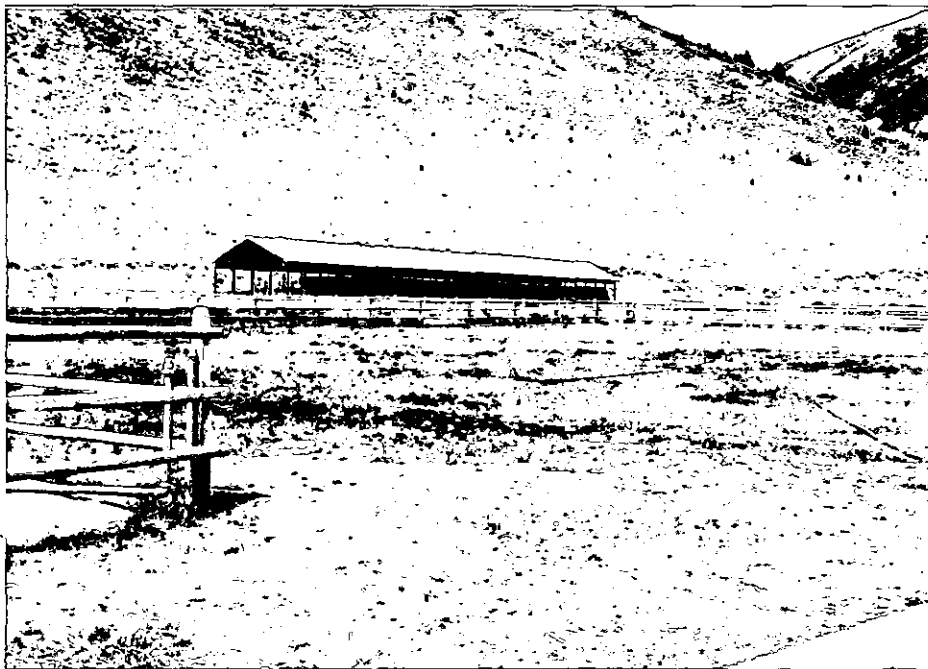


NOV 07 1994 SÈC. 18, T. 3 N., R. 18 E.

37 - 08551



POINT OF DIVERSION



PLACE OF USE (PASTURE) IRRIGATION

NOV 07 1994

37-08551 - CONTINUED



DOMESTIC - PLACE OF USE

NOV 07 1934

December 31, 1990

GARY K SHELTON
KATHERINE M SHELTON
P O BOX 2324
KETCHUM ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08551

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

MICROFILMED

JAN 28 1991

138611

October 31, 1990

GARY K. SHELTON
KATHERINE M. SHELTON
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

PROOF DUE NOTICE

RE: PERMIT NO. 37-08551

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, 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

RECEIVED
JAN 28 1991

JAN 28 1991

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

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 29, 1989

GARY K. SHELTON
KATHERINE M. SHELTON
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

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

RE: PERMIT NO. P37-08551

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

MICROFILMED

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

MICROFILMED

FEB 21 1990

18-Sep-1989

Gary &/or Katherine Shelton
c/o James P. Speck, Esquire
P.O. Box 987
Ketchum, ID 83340

Re: Application for Permit No. 37-08551

Dear Mr. Speck:

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 10/4 & 10/11/89. 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,

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

LH:MB

MICROFILMED

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 4th day of Oct. 1989, and

the date of the last publication was on the 11th day of Oct. 1989.

Subscribed and sworn to before me this 18th day of Oct. 1989.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 54
Number of Insertions 2
Lines tabular at 5.5¢/Pica
54 Lines straight at 29.70 55¢/Pica
54 Subsequent lines at 23.76 55¢/Pica
TOTAL COST 53.46

COPY OF NOTICE
(Paste Here)

2 Applications
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Two 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:

37-08551

SHELTON, GARY K.
SHELTON, KATHERINE M.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER
Diversion Pt.: SENENW Sec 18 T
03N R 18E

Use: DOMESTIC (.060 CFS)
IRRIGATION (.090 CFS)

Date Filed: 9/07/1989
In: T03N R18E S18 NENW
3.0 ACRES TOTAL

37-08552

REESE, RONALD K.
REESE, JANET S.
P.O. BOX 652
BELLEVUE, ID 83313

Source: GROUNDWATER
SPRING

Tributary: SINKS
Diversion Pt.: NESESE Sec 25 T
02N R 17E; LOT 4 (SWSWSW)
Sec 30 T 02N R 18E

Use: IRRIGATION (.090 CFS)
DOMESTIC (.040 CFS)
AESTHETIC (.200 CFS)

Date Filed: 9/11/1989
In: T02N R17E S25 SESE
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 OCTOBER 23, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal-
October 4 & 11, 1989.

66762

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

SEPTEMBER 18, 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 OCTOBER 23, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

FEB 21 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED

FEB 21 1990

37-08551

SHELTON, GARY K.
SHELTON, KATHERINE M.
C/O JAMES P. SPECK ESQ.
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: SENENW Sec 18 T 03N R 18E

Use: DOMESTIC (.060 CFS)
IRRIGATION (.090 CFS)

Date Filed: 9/07/1989

In: T03N R18E S18 NENW

3.0 ACRES TOTAL

RECORDED

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:

37-08551

SHELTON, GARY K.
SHELTON, KATHERINE M.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER
Diversion Pt.: SENENW Sec 18 T
03N R 18E
Use: DOMESTIC (.060 CFS)
IRRIGATION (.090 CFS)
Date Filed: 9/07/1989
In: T03N R18E S18 NENW
3.0 ACRES TOTAL

37-08552

REESE, RONALD K.
REESE, JANET S.
P.O. BOX 652
BELLEVUE, ID 83313

Source: GROUNDWATER
SPRING
Tributary: SINKS
Diversion Pt.: NESESE Sec 25 T
02N R 17E; LOT 4 (SWSWSW)
Sec 30 T 02N R 18E
Use: IRRIGATION (.090 CFS)
DOMESTIC (.040 CFS)
AESTHETIC (.200 CFS)
Date Filed: 9/11/1989
In: T02N R17E S25 SESE
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 OCTOBER 23, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal-
October 4 & 11, 1989.

R E C E I V E D

SEP 25 1989

Department of Water Resources
Southern Region Office

RECORDED

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 OCTOBER 23, 1989.

R. Keith Higginson, Director

Published 10/04/1989 & 10/11/1989

RECEIVED

FEB 21 1990

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

September 6, 1989

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3567

TERRY G. HOGUE

JAMES P. SPECK

DOUGLAS J. AANESTAD

J. STEPHEN CRABTREE

TRACY DUNLAP

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Loren Holmes
Department of Water Resources
2148 4th Ave. East
Twin Falls, Idaho 833701

RE: Application for Permit
Notice of Change of Ownership for Claim(s) to
Water Right(s) - Claim No. A37-12304
Mr. and Mrs. Gary K. Shelton

Dear Loren:

Enclosed you will find the following documents:

1. Application for Permit;
2. Notice of Change of Ownership for Claim(s) to
Water Right(s);
3. Application Fee in the sum of \$30.00.

Please keep me apprised of the schedule for publication
of Notice of the Application for Permit.

Please file the Notice of Change of Ownership for Claim(s)
to Water Right(s) in the Snake River Basin Adjudication. Attached
to and made a part of the Notice is a copy of the Warranty Deed
whereby Mr. and Mrs. Shelton acquired title to the property which
includes the Claim to Water Right in question.

Kindly call me if you have any questions. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD

Jps

James P. Speck

JPS/rlk

enc.

cc: Mr. & Mrs. Gary Shelton

RECEIVED

SEP 7 1989

Department of Water Resources
Southern Region Office

MINISTERED

FEB 21 1990

37-08551