

3:00:27 3:00:19 1002

A REPLAT OF CLIFFSIDE SUBDIVISION, BLOCK 2

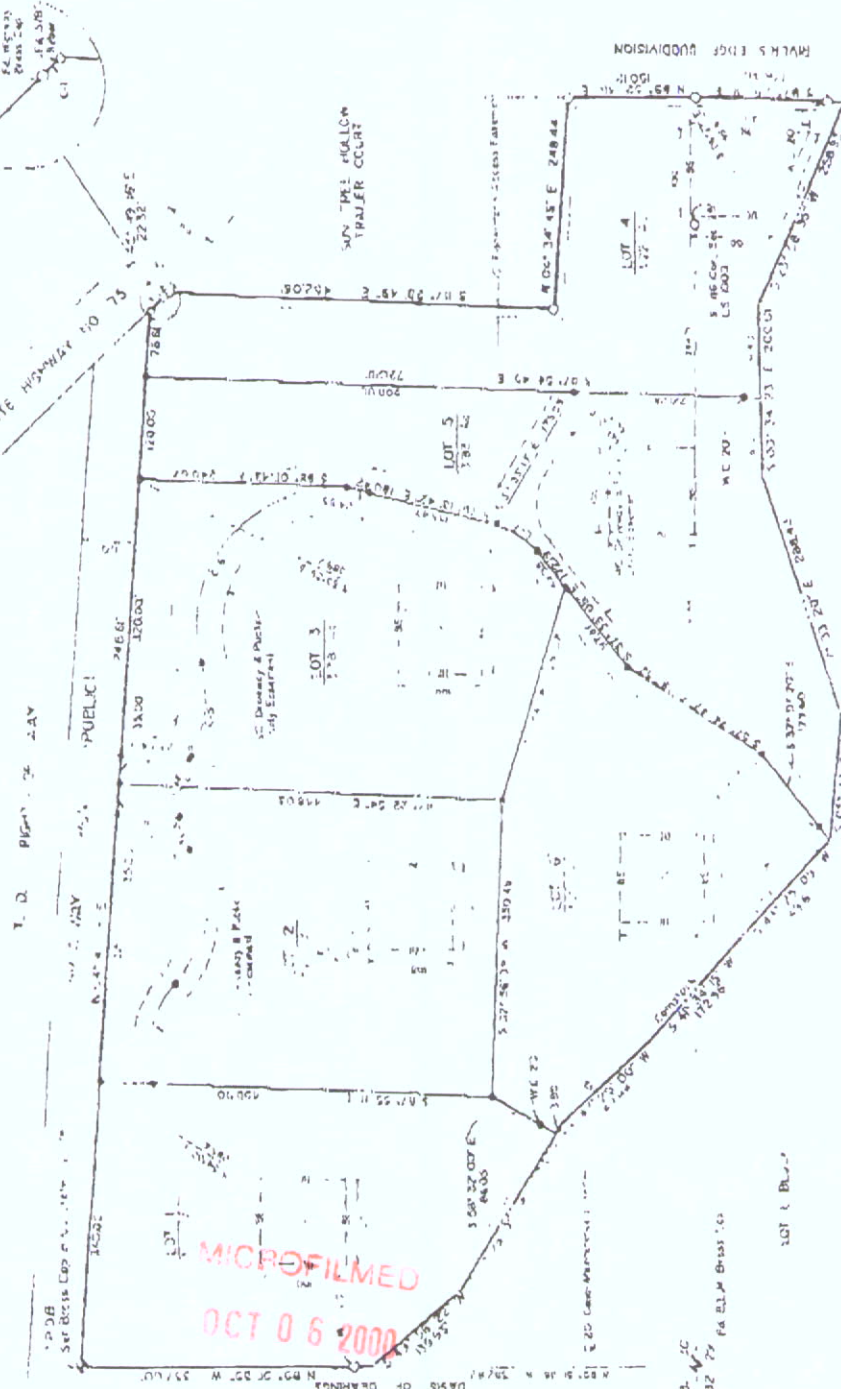
LOCATED WITHIN

SECTIONS 29 & 30, T. 4 N., R. 18 E., B.M., BLAINE COUNTY, IDAHO

AUGUST 1989



SCALE 1" = 200'



CURVE DATA

STATION	CHORD BEARING	CHORD DIST.	ARC DIST.	ANGLE
1+00.00	S 87° 15' 00" E	100.00	100.00	90.00
1+50.00	S 87° 15' 00" E	100.00	100.00	90.00
2+00.00	S 87° 15' 00" E	100.00	100.00	90.00
2+50.00	S 87° 15' 00" E	100.00	100.00	90.00
3+00.00	S 87° 15' 00" E	100.00	100.00	90.00
3+50.00	S 87° 15' 00" E	100.00	100.00	90.00
4+00.00	S 87° 15' 00" E	100.00	100.00	90.00
4+50.00	S 87° 15' 00" E	100.00	100.00	90.00
5+00.00	S 87° 15' 00" E	100.00	100.00	90.00
5+50.00	S 87° 15' 00" E	100.00	100.00	90.00
6+00.00	S 87° 15' 00" E	100.00	100.00	90.00
6+50.00	S 87° 15' 00" E	100.00	100.00	90.00
7+00.00	S 87° 15' 00" E	100.00	100.00	90.00
7+50.00	S 87° 15' 00" E	100.00	100.00	90.00
8+00.00	S 87° 15' 00" E	100.00	100.00	90.00
8+50.00	S 87° 15' 00" E	100.00	100.00	90.00
9+00.00	S 87° 15' 00" E	100.00	100.00	90.00
9+50.00	S 87° 15' 00" E	100.00	100.00	90.00
10+00.00	S 87° 15' 00" E	100.00	100.00	90.00

LEGEND

- Found Brown Cap
- Found 5/8" Rubber
- Found 1/2" Rubber
- Set 5/8" Rubber, L.S. 3621
- Set 1/2" Rubber, L.S. 3621
- Existing Canal
- E. 1/4 Sec. 29, T. 4 N., R. 18 E., S. 3621
- E. 1/4 Sec. 30, T. 4 N., R. 18 E., S. 3621
- Access Center, Site 4, Shenn

NOTES

1. This plat is subject to the easements, covenants, and restrictions shown on the plat.
2. The plat is subject to the easements, covenants, and restrictions shown on the plat.
3. The plat is subject to the easements, covenants, and restrictions shown on the plat.
4. The plat is subject to the easements, covenants, and restrictions shown on the plat.
5. The plat is subject to the easements, covenants, and restrictions shown on the plat.
6. The plat is subject to the easements, covenants, and restrictions shown on the plat.
7. The plat is subject to the easements, covenants, and restrictions shown on the plat.
8. The plat is subject to the easements, covenants, and restrictions shown on the plat.
9. The plat is subject to the easements, covenants, and restrictions shown on the plat.
10. The plat is subject to the easements, covenants, and restrictions shown on the plat.

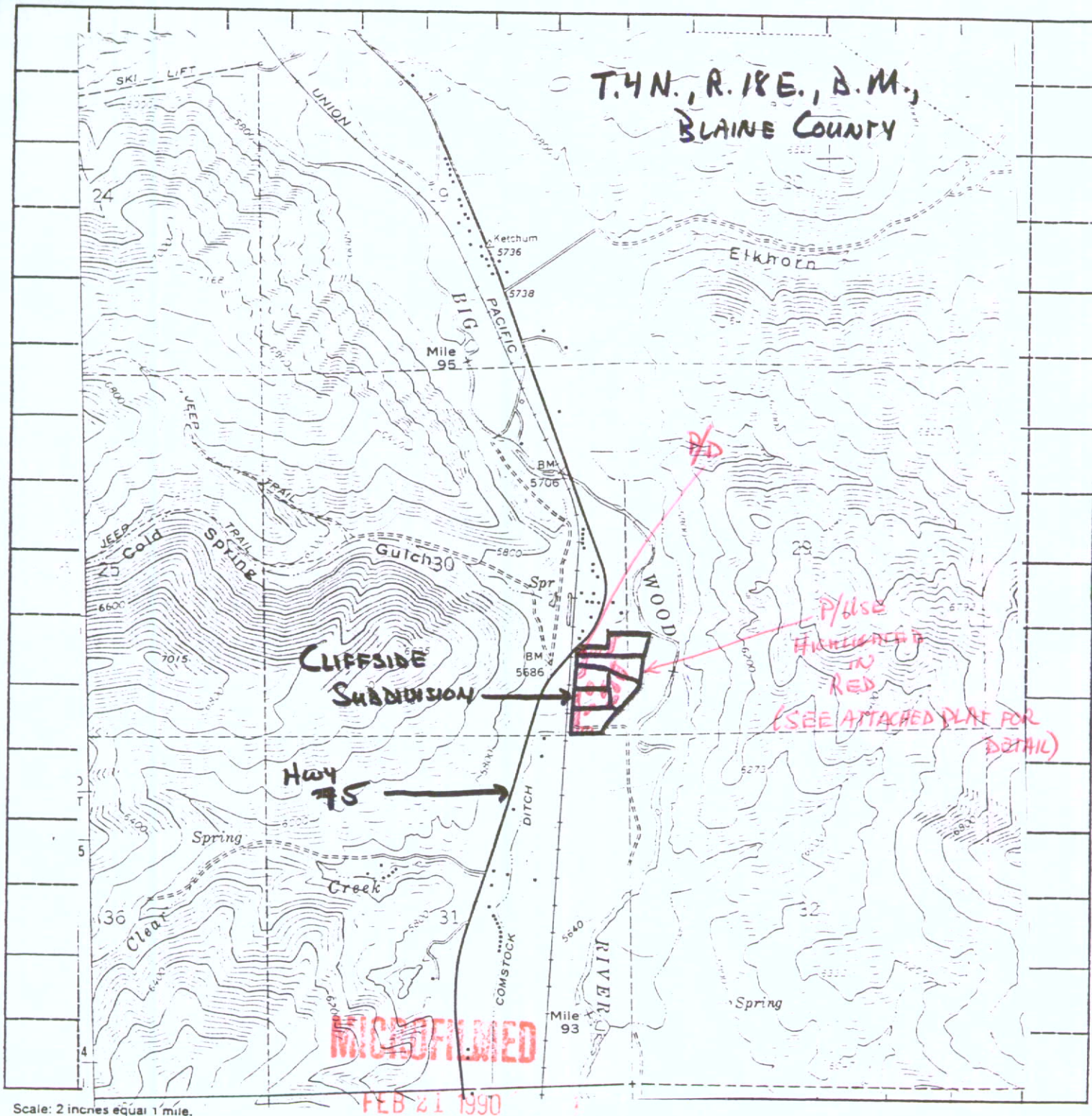
SAWTOOTH TITLE CO., INC.

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

A REPLAT OF CLIFFSIDE SUBDIVISION BLOCK 2
BLAINE COUNTY, IDAHO
SHEET NO. 2

D. F. Gentry, S. 3621

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



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.

Grayston, Inc.

By Elizabeth K. Gray (President)
(Applicant)

AFFIDAVIT of PUBLICATION

RECEIVED

SEP 14 1989

State of Idaho, }
County of Blaine } SS.

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 6th day of Sept, 19 89, and

the date of the last publication was on the 13th day of Sept, 19 89.

Subscribed and sworn to before me this 13th day of Sept, 19 89.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 103.5
Number of Insertions 2
Lines tabular at 5.5¢/Pica
103.5 Lines straight at 51.23 4.5¢/Pica
103.5 Subsequent lines at 39.85 3.5¢/Pica
TOTAL COST 91.08

COPY OF NOTICE
(Paste Here)

6 Applications
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Six water right applications filed

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08538 ✓

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: NESESE Sec 30 T
04N R 18E
Use: IRRIGATION (.120 CFS)
Date Filed: 7/11/1989
In: T04N R18E S30 SESE
6.0 ACRES TOTAL

37-08539

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: SESESE Sec 30 T
04N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 7/11/1989
In: T04N R18E S30 SESE
2.0 ACRES TOTAL

37-08540

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: SESESE Sec 30 T
04N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 7/11/1989
In: T04N R18E S30 SESE
2.0 ACRES TOTAL

37-08541

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: NWSWSW Sec 29 T
04N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 7/11/1989
In: T04N R18E S29 SWSW
S30 SESE
2.0 ACRES TOTAL

37-08542

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: NESESE Sec 30 T
04N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 7/11/1989
In: T04N R18E S30 SESE
2.0 ACRES TOTAL

71-07126

MEAD, DAVID R.
2045 HILLCREST DR.
TWIN FALLS, ID 83301
Source: VAT CREEK
SOUTH FORK
Tributary: SALMON RIVER
Diversion Pt: SENW Sec 7 T 07N
R 14E
Use: DOMESTIC (.040 CFS)
Date Filed: 6/27/1989
In: T07N R14E S07 SENW

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 SEPTEMBER 25, 1989.

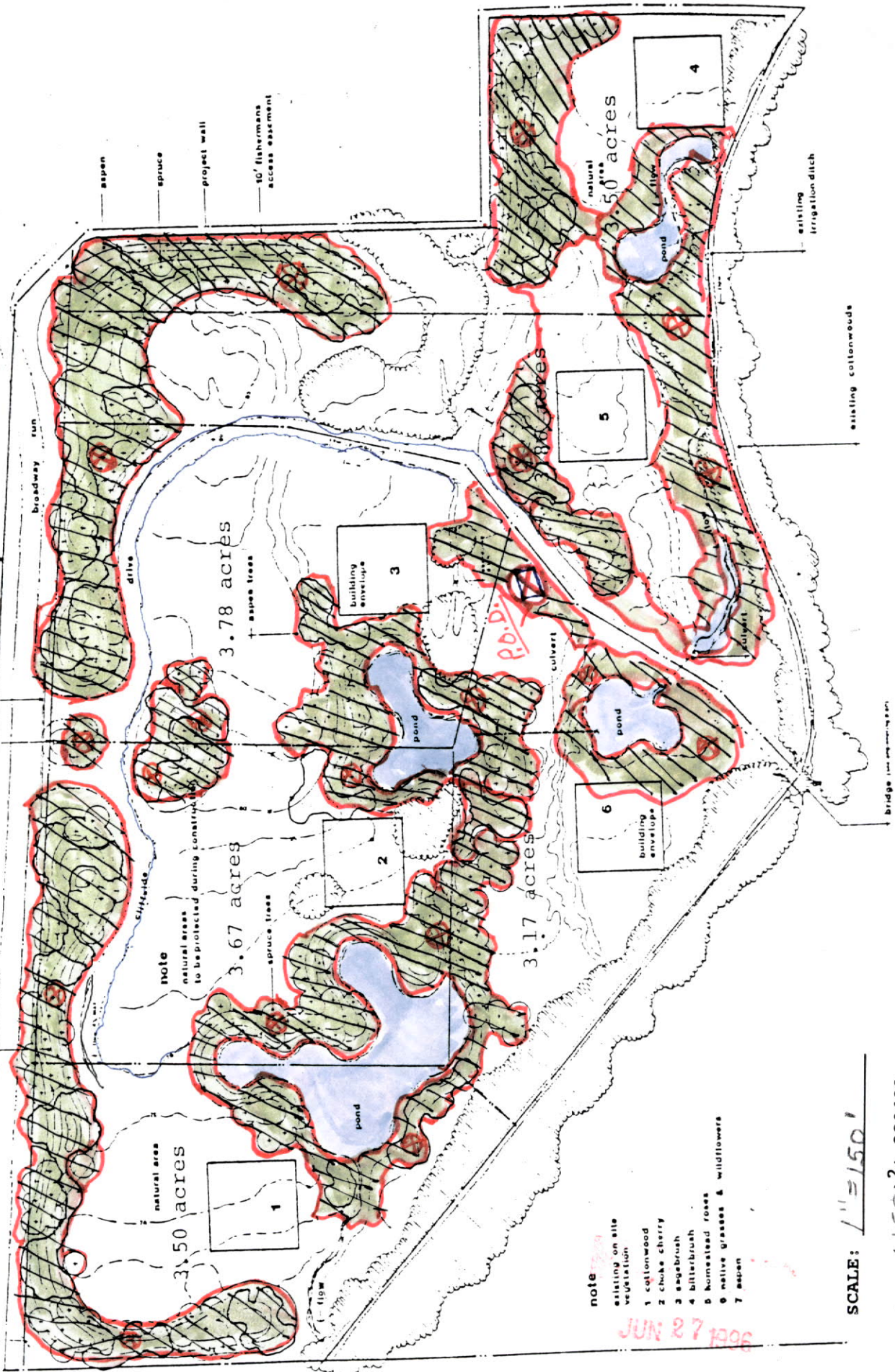
R. Keith Higginson, Director
Publish: Wood River Journal-
September 6 & 13, 1989.

= AREAS UNDER IRR

SPRINKLER HEAD
TEST SITE

PERMIT 37-08538 INIT sheet
T. R. S. Q/Q
P/D 4N 18E 30 SE/SE
SCALE
PHOTO ID.

WELL

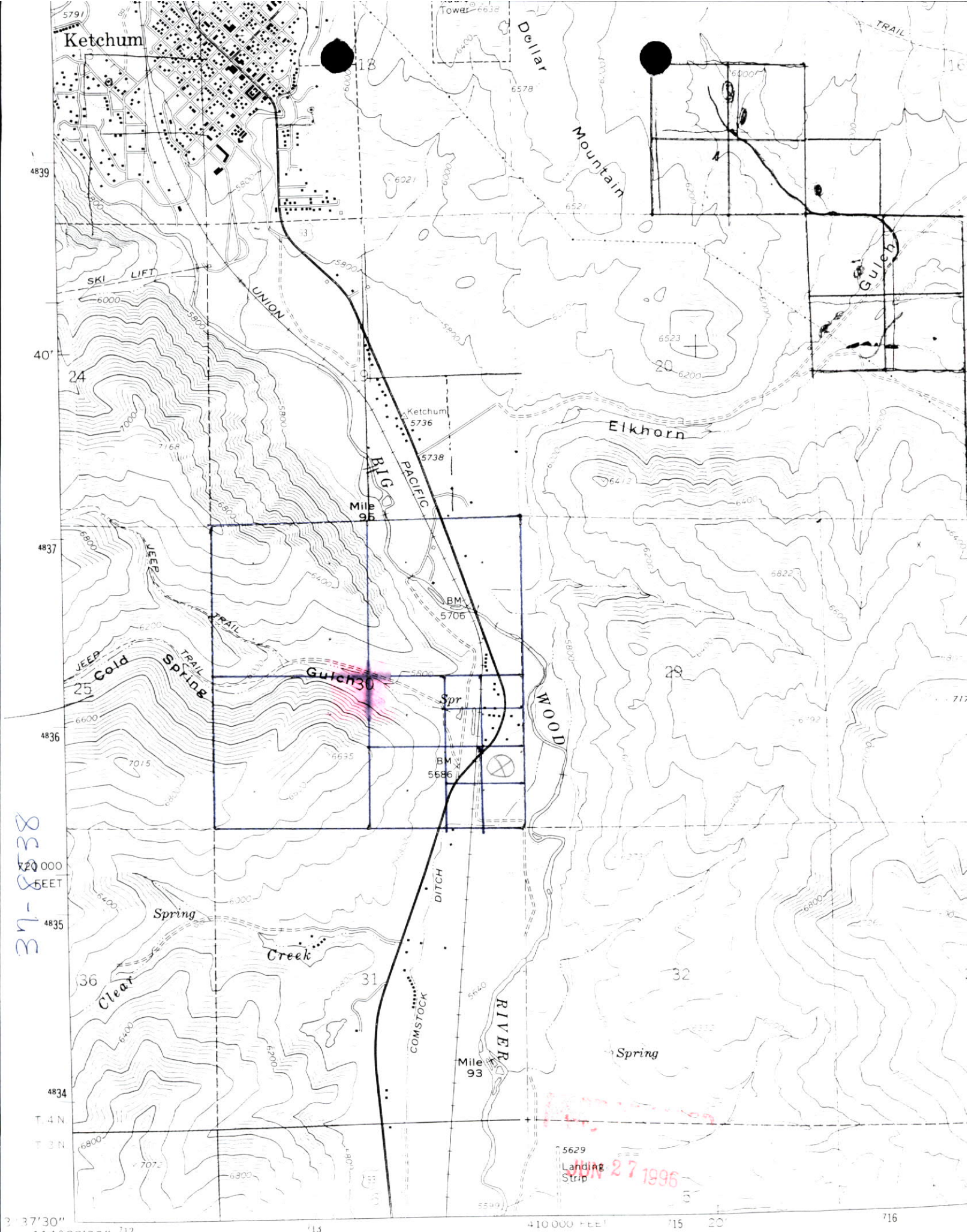


SCALE: 1" = 150'

CA = $(150)^2 \times .009699$ = 43,560

cliffside





37°37'30" 114°22'30" 712

410 000 FEET 715 20' 716

PERMIT 37-08538 INIT dict
T. R. S. Q/Q
P/D 4N 18E 30 NE/SE/SE
SCALE _____
PHOTO ID. _____



Piping System
Cover

→ P.O.D

Typical Irrigation
STRIP SEE ATTACHED
↓ SUBDIVISION MAP
P.O.U.

LACE

JUN 27 1996





A. Typical Single unit
 9/64" RAIN BIRD sprinkler
 Head. 1 out of 195
 11 measured
 P.O.U.

B.
 Typical Single unit
 9/64" Pop-up sprinkler
 HEAD. 11 measured
 1 out of 55



RECEIVED
 JUN 27 1996

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

RECEIVED
 SEP 12 2000
 Department of Water Resources
 Southern Region

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

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, if the change in ownership is limited to a portion of 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
<u>37-08535</u>	_____	_____	_____	_____	_____
<u>37-08538</u>	_____	_____	_____	_____	_____
<u>37-00419B</u>	<u>A37-00419B</u>	_____	_____	_____	_____
<u>37-00703E</u>	<u>A37-00703E</u>	_____	_____	_____	_____
<u>37-30035</u>	_____	_____	_____	_____	_____
<u>37-00577BL</u>	<u>A37-10913</u>	_____	_____	_____	_____

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) are for ten or more acres of irrigation, you must submit 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) Graystone, Inc.
P.O. Box 2473, Ketchum, Idaho 83340
4. New Owner/Claimant(s) Cliffside Homeowners Association, Inc.
 Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address Post Office Box 4630
- City, State and Zip Code Ketchum, Idaho 83340
- New Telephone Number (208) 726-5997
5. Date you acquired the property August 31, 2000

MICROFILMED

OCT 06 2000

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.**

If the change of 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)

David C. Cagle PRESIDENT

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 *H. H. H.* Date 9/12/10 Fee 50.00
 Received by *MB* Date 9/12/10 **MICROFILMED** No. 5023388
 Processed by _____ AJ Date _____ WR _____ Date _____

OCT 06 2000

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

**James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
P. O. Box 987
Ketchum, Idaho 83340**

Instrument # 442849

HAILEY BLAINE, IDAHO

2000-09-05 03:54:00 No. of Pages: 2

Recorded for : SPECK & AANESTAD

MARSHA RIEMANN Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

(space above line for Recorder's use)

QUITCLAIM DEED

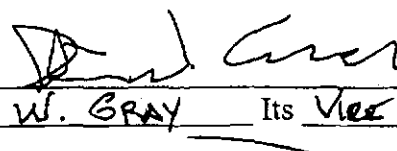
FOR VALUE RECEIVED, GRAYSTONE, INC., an Idaho corporation, ("Grantor"), does hereby convey, release, remise and forever quitclaim to CLIFFSIDE HOMEOWNERS ASSOCIATION, INC., an Idaho nonprofit corporation, P.O. Box 4630, Ketchum, Idaho 83340 ("Grantee"), all of its right, title and interest in and to the following described water rights, situated in Blaine County, Idaho, to wit:

1. All of Water Right License No. 37-08535;
2. All of Water Right License No. 37-08538;
3. All of Water Right No. 37-00419B which is also claimed in In Re: Snake River Basin Adjudication ("SRBA") as A37-00419B;
4. All of Water Right No. 37-00703E which has been claimed in the SRBA as A37-00703E, and
5. All of Water Right No. 37-00577BL which has been claimed in the SRBA as A37-10913.

DATED this 31 day of AUGUST, 2000.

GRANTOR:

GRAYSTONE, INC.

By: 

PETER W. GRAY

Its Vice

PRESIDENT

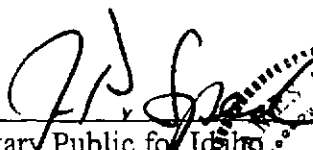
MICROFILMED

OCT 06 2000

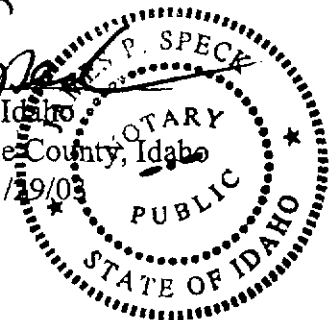
STATE OF IDAHO)
) ss.
County of Blaine)

On this 31st day of August, 2000, before me, the undersigned, a notary public in and for said state, personally appeared Peter W. Gray, known or identified to me to be the Vice-President of Graystone, Inc. and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Notary Public for Idaho
Residing at: Blaine County, Idaho
Comm. Expires: 1/19/03



MICROFILMED

OCT 06 2000

1002 3:51:9

A REPLAT OF CLIFFSIDE SUBDIVISION, BLOCK 2

SECTION 29 8 30 T. 4 N. R. 18 E. B.M. BLAINE COUNTY, IDAHO

AUGUST 1939



LEGEND

- [illegible]

NOTES

There is no doubt that the Government is doing its best to protect the public interest, and that the public interest is the best interest of the country. The Government is doing its best to protect the public interest, and the public interest is the best interest of the country.

...of the ...
...the ...
...the ...
...the ...
...the ...

SAWTOOTH FILE CO., INC.

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for conditions of sale, with a return.

1
- 0 February 5 1942

6. REAR OF CLIFFSIDE
DIVISION BLOCK 2

SECRET

State of Idaho
Department of Water Resources

AMENDED

AMENDED

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08538

Priority: July 11, 1989

Maximum Diversion Rate:

0.12 CFS

This is to certify, that GRAYSTONE INC
C/O PETER GRAY
PO BOX 2473

KETCHUM ID 83340-2473 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 11, 1989; and has submitted Proof of Beneficial Use on November 13, 1991. An examination indicates that the works have a diversion capacity of 0.180 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	0.12 CFS	
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		SESE, Sec. 30, Township 04N, Range 18E BLAINE County	

<u>PLACE OF USE:</u>	<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
IRRIGATION							
	04N	18E	30	SESE	6		6

Total number of acres irrigated: 6

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 21.0 af for the lands above.
6. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.

SEP 12 1992

State of Idaho
Department of Water Resources

AMENDED

AMENDED

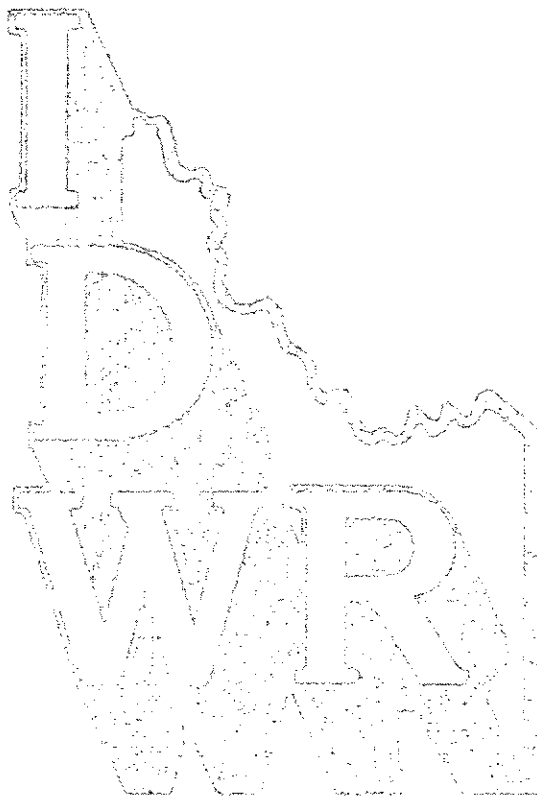
WATER RIGHT LICENSE

WATER RIGHT NO. 37-08538

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 30th
day of AUGUST, 1996.

Acting for

KARL J. DREHER, Director



RECEIVED
SEP 12 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08538

Priority: July 11, 1989

Maximum Diversion Rate:

0.12 CFS

This is to certify, that GRAYSTONE INC
C/O PETER GRAY
PO BOX 2473
KETCHUM ID 83340-2473

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 11, 1989; and has submitted Proof of Beneficial Use on November 13, 1991. An examination indicates that the works have a diversion capacity of 0.180 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	0.12 CFS	
------------	----------------	----------	--

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 30, Township 04N, 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>
04N	18E	30	SESE	6		6

Total number of acres irrigated: 6

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Irrigation use under this right is authorized only in connection with a domestic use.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 21.0 af for the lands above.
7. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.

RECORDED

JUN 27 1996

State of Idaho
Department of Water Resources

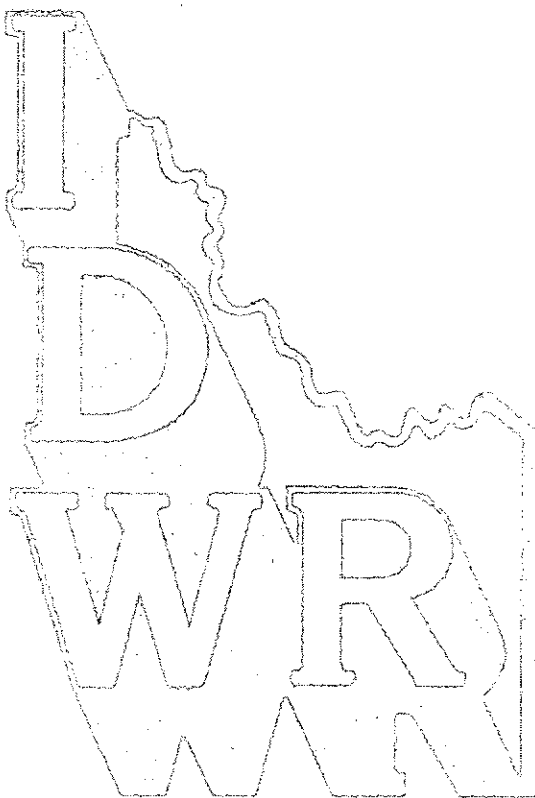
WATER RIGHT LICENSE

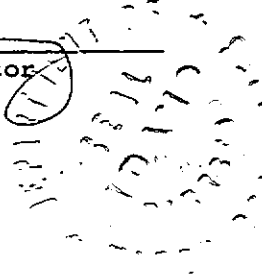
WATER RIGHT NO. 37-08538

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 24TH
day of MAY, 1996.

Acting for


KARL J. DREHER, Director




JUN 27 1996

RECEIVED
NOV 13 1991

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 50.00
Date 11/14/96
Receipt No. 6022310
Received by _____

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 37-08538 Telephone No. 726-5997
2. Name(s) of Permit Holder(s): GRAYSTONE INC
3. Post Office Address: Box 2473, KETCHUM, ID. 83340
4. Source of Water: GROUND WATER
- a. If ground water, well driller's name: WOOD RIVER DRILLING Date drilled: 11/17/89
- b. Pump horsepower: 7.5 Pressure (psi): 60 Dynamic pumping level (ft.): 60
5. Extent of Use:

Domestic _____ (No. of households)

Irrigation 6 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

6. Total rate and/or volume for which proof is submitted .12 cfs _____ acre/feet

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

Measuring device: Required? Yes XNo Installed? Yes No

OR

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

8. Fee Enclosed: \$ 50.- (See License Examination Fee Schedule)

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

PETER GRAY
Name726-5997
Telephone No.GRAYSTONE INC Box 2473, KETCHUM, IDAHO 83340
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.

11/11/91
DatePeter Gray VICE PRESIDENT
Signature (and title if on behalf of a company or organization) DEC 11 1991

RECEIVED

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08538

Proposed Priority: July 11, 1989 Maximum Diversion Rate: 0.12 CFS

This is to certify, that **GRAYSTONE INC.**
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	0.12 CFS

LOCATION OF POINT(S) OF DIVERSION: NESESE Sec. 30, Township 04N, 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>
04N	18E	30	SESE	6		6

Total number of acres irrigated: 6

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. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. Irrigation use under this permit is authorized only in connection with a domestic use.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

22nd day of December, 1989.

RECORDED

FEB 21 1990

R. Keith Higginson
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Graystone, Inc. Phone (208) 726-4421
Post office address c/o James P. Speck, Hoque, Speck & Aanestad, P.O. Box 987
Ketchum, ID 83340
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 30 Township 4N Range 18E B.M. Blaine County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.12cfs for irrigation purposes from April 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.12cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. mainline to underground
sprinkler system for residential subdivision common area landscaping
(lawn, trees, shrubs, native grasses and wildflowers)
 - 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 100 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
5 years (minimum 1 year).

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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. _____
- 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	
4N	18E	30																6	6

Total number of acres to be irrigated 6

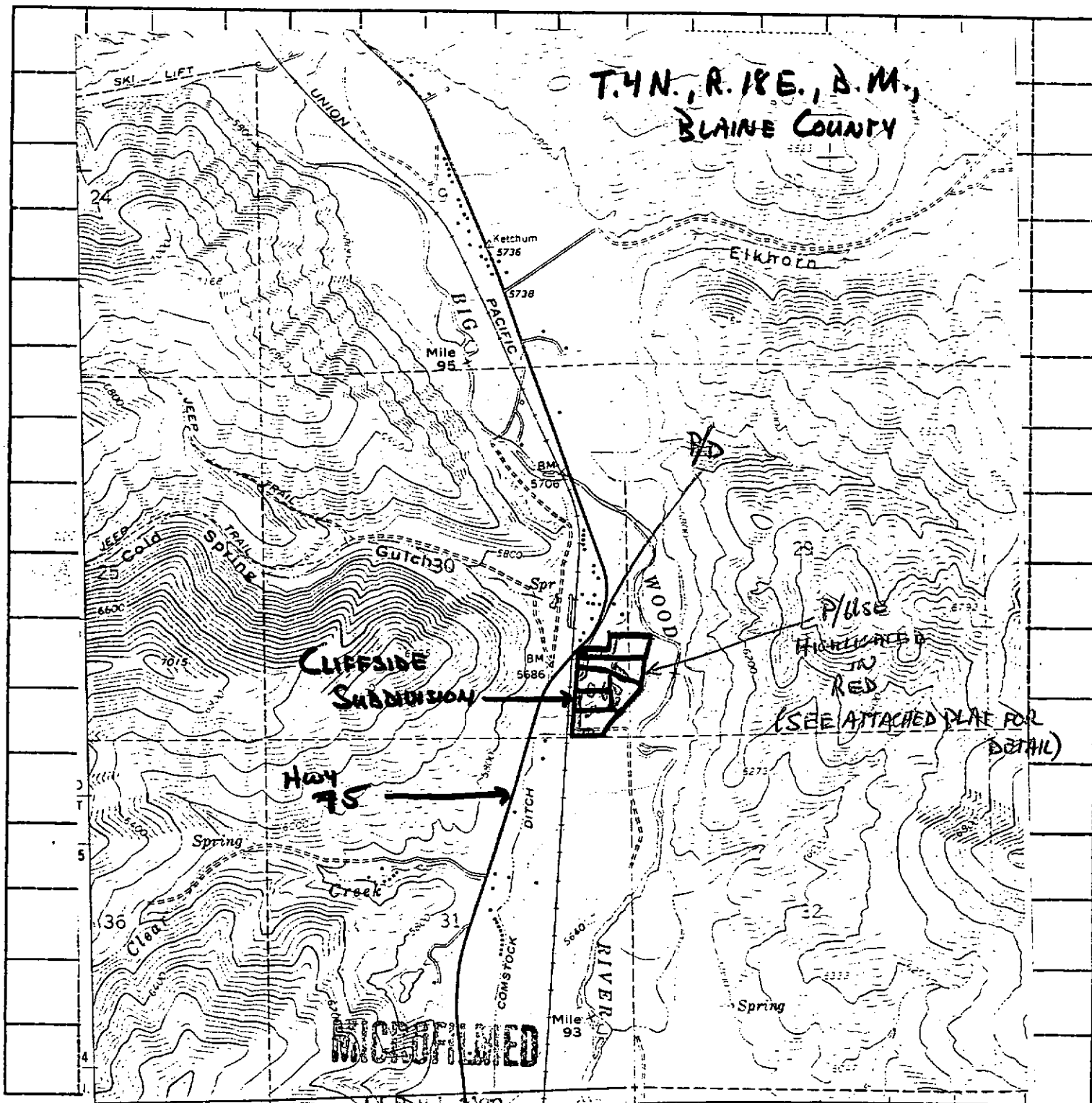
10. Describe any other water rights used for the same purposes as described above. A part of 37-0577, 37-0419B and a part of 37-0703C

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

12. Remarks: See attached Addendum

FEB 21 1990

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



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.

Grayston, Inc.

By

Elizabeth K. Gray (President)

(Applicant)

Received by JRP Date 7-11-89 Time 11 35 AM Preliminary check by LD
Fee \$ 30 Receipted by DR # 5008526 Date 2/11/89
Publication prepared by M. Baldwin Date 8/21/89 Published in Wood River Journal
Publication approved M. Baldwin Date 9/19/89

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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**ADDENDUM TO
APPLICATION FOR PERMIT
BY
GRAYSTONE, INC.**

(Common Landscaping Irrigation Well - Cliffside Subdivision)

1. Applicant is the buyer of the land at the point of diversion and the place of use pursuant to a contract of sale. Title to the land will be transferred from the seller to the buyer upon final approval of the plat for the subdivision described below.

2. This Application for Permit is part of a complete water rights plan for the development of a new, large-lot residential subdivision known as Cliffside Subdivision (the "Subdivision"). A copy of the preliminary plat as approved by the Blaine County Planning and Zoning Commission is attached. This Application for Permit requests the right to divert groundwater to supplement surface water (see the Application for Transfer described in sub-paragraph b, below), for the irrigation of certain common landscaping for the Subdivision. The point of diversion (location of the proposed well) for this Application for Permit is located on Lot 4, Block 2, Cliffside Subdivision. The place of use is the landscaping depicted on the attached preliminary plat. The landscaping consists of approximately six (6) acres of lawn, trees, shrubs, native grasses and wildflowers, primarily located on berms, which will be maintained by the homeowners association consisting of the owners of the six (6) lots in Block 2 of Cliffside Subdivision. The total irrigated landscaping in the Subdivision will not exceed eighteen (18) acres. Thus, the irrigated acreage of three (3) acres per lot for this Subdivision meets the requirements of the Contract to Implement Chapter 259, Sess. Laws, 1983, between the State of Idaho and Idaho Power Company, as interpreted by the Department of Water Resources. Furthermore, the total consumptive use for irrigation within the Subdivision is 45 AF/irrigation season (18 acres X 2.5 AF/acre/irrigation season), which is less than 2.0 AF/day (the irrigation season is 214 days - $45 \text{ AF} / 214 \text{ days} = 0.21 \text{ AF/day}$), which meets the requirements of Idaho Water Appropriation Rule 5,3,10. Therefore, this Application for Permit should be processed and treated in connection with the domestic use of each of the six (6) households to be constructed within the Subdivision.

The water rights plan includes the following components:

a. Six (6) Applications for Permits - domestic water plus a maximum of 2 acres of irrigated residential landscaping. One (1) Application for Permit is filed for

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FEB 21 1990

each of the six (6) lots in the Subdivision. Each lot will have its own well to serve one (1) single family residence and any related improvements permitted under the applicable zoning ordinances, and to irrigate any landscaping (up to a maximum of 2 acres) which is not a part of the landscaping covered by the Application for Transfer and Application for Permit described in sub-paragraphs b and c, below.

b. Application for Transfer - three (3) Big Wood River irrigation water rights. Applicant has purchased three (3) Big Wood River irrigation rights which it proposes to transfer to the Subdivision to irrigate the landscaping shown of the attached preliminary plat, which shall consist of approximately six (6) acres of lawn, trees, shrubs, native grasses and wildflowers located on bermed areas along the perimeter of the Subdivision and adjacent to the several ponds to be constructed within the Subdivision. Ownership of these water rights and responsibility for maintaining and irrigating this landscaping will be transferred to the homeowners association upon sale of lots in the Subdivision.

c. Application for Permit - irrigation of the Subdivision landscaping. This well is the subject of this Application for Permit and will provide "supplemental water" to irrigate the same landscaping which is to be irrigated by the surface rights transferred pursuant to the Application for Transfer described in sub-paragraph c, above.

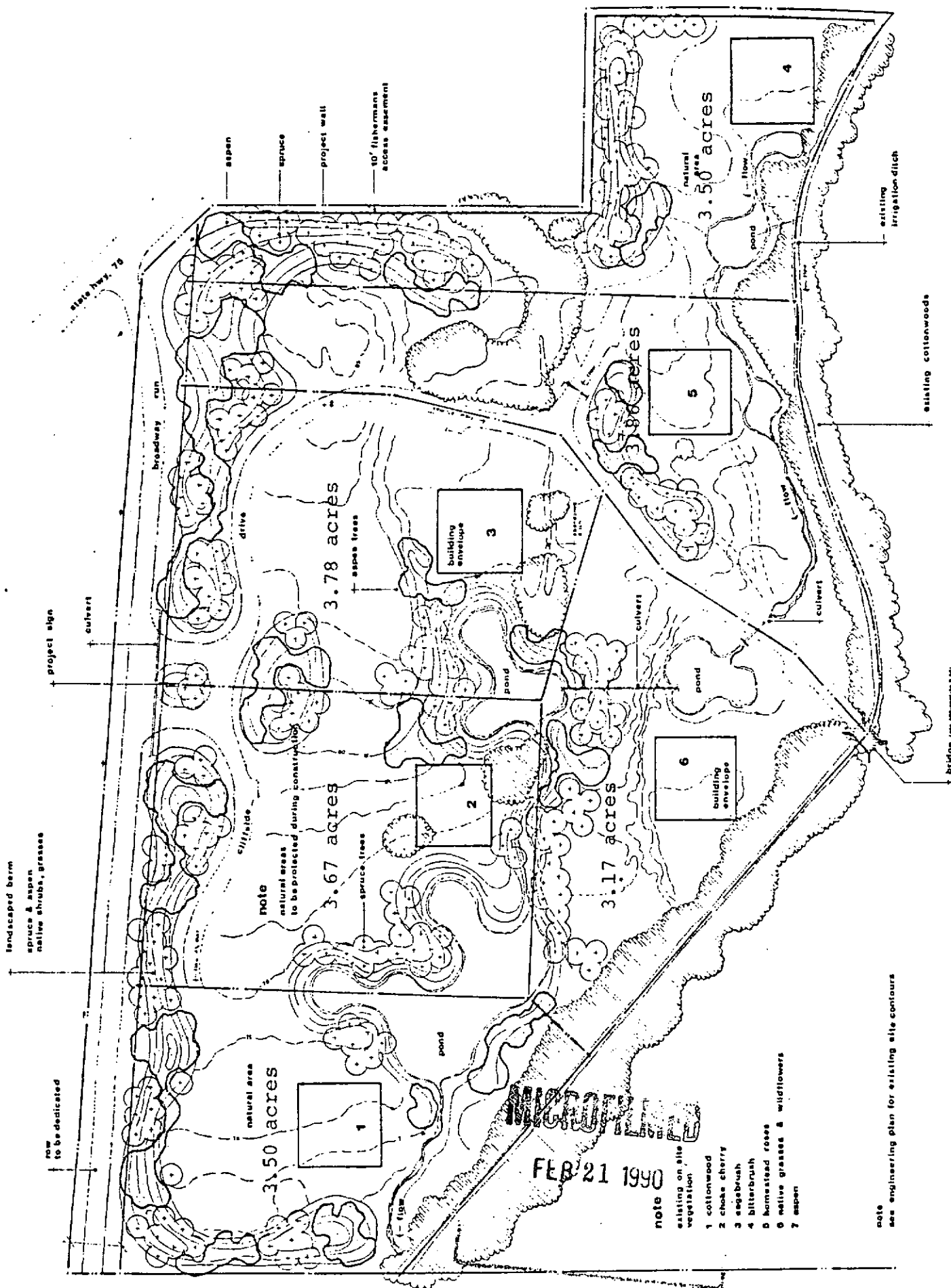
d. Application for Permit - non-consumptive, aesthetic use of surface water flowing through the system of ponds and streams shown on the plat. Applicant is requesting the right to divert 10.0 cfs of the Big Wood River through the stream - pond system to the boundary of the Subdivision, as shown on the attached preliminary plat, for non-consumptive, aesthetic purposes. The adjacent landowner has agreed to grant an easement to allow the water to then flow across her property back to the Big Wood River. At the same time, this landowner will apply for a permit to obtain the non-consumptive, aesthetic use of the SAME 10.0 cfs as it flows through her land and returns to the Big Wood River. Applicant and the adjacent landowner will provide replacement water necessary to compensate for any measurable loss in the entire system.

j:\grayiper.add
7/7/89

ADDENDUM TO APPLICATION FOR
PERMIT - GRAYSTONE, INC.
PAGE 2

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FEB 21 1990



FEB 21 1990

- note
- existing on site vegetation
 - 1 cottonwood
 - 2 choke cherry
 - 3 sagebrush
 - 4 bitterbrush
 - 5 hornstead roses
 - 6 native grasses & wildflowers
 - 7 aspen

note
see engineering plan for existing site contours



cliffside

Mr. David Statton
July 25, 1989
Page 2

The officers and directors of Graystone, Inc. are as follows:

Elizabeth Kemerer Gray	President
Peter W. Gray	Vice President
Peter W. Gray	Secretary
Elizabeth Kemerer Gray	Treasurer

Please give Gary Funderburg this information on directors and officers of Graystone, Inc. for his review of the Application for Permit submitted together with the Application for Transfer.

Please do not hesitate to call me if you have any further questions or need any further information. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD

Jim

James P. Speck

PS:cmn
cc: Peter and Betty Gray
Jed Gray

NOT RECORDED

FEB 21 1990

AFFIDAVIT of PUBLICATION

RECEIVED

SEP 14 1989

State of Idaho, }
County of Blaine } SS.

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 16th day of Sept. 1989, and

the date of the last publication was on the 13th day of Sept. 1989.

Subscribed and sworn to before me this 13th day of Sept. 1989.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 103.5
Number of Insertions 2
Lines tabular at 5.5¢/Pica
103.5 Lines straight at 51.23 4.5¢/Pica
103.5 Subsequent lines at 39.85 3.5¢/Pica
TOTAL COST 91.08

COPY OF NOTICE
(Paste Here)

6 Applications
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO:

Six water right applications filed

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08538 ✓ OK

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: NESESE Sec 30 T
04N R 18E
Use: IRRIGATION (.120 CFS)
Date Filed: 7/11/1989
In: T04N R18E S30 SESE
6.0 ACRES TOTAL

37-08539

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: SESESE Sec 30 T
04N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 7/11/1989
In: T04N R18E S30 SESE
2.0 ACRES TOTAL

37-08540

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: SESESE Sec 30 T
04N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 7/11/1989
In: T04N R18E S30 SESE
2.0 ACRES TOTAL

37-08541

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: NWSWSW Sec 29 T
04N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 7/11/1989
In: T04N R18E S29 SWSW
S30 SESE
2.0 ACRES TOTAL

37-08542

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: NESESE Sec 30 T
04N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 7/11/1989
In: T04N R18E S30 SESE
2.0 ACRES TOTAL

71-07128

MEAD, DAVID R.
2045 HILLCREST DR.
TWIN FALLS, ID 83301
Source: VAT CREEK
SOUTH FORK
Tributary: SALMON RIVER
Diversion Pt: SENW Sec 7 T 07N
R 14E
Use: DOMESTIC (.040 CFS)
Date Filed: 6/27/1989
In: T07N R14E S07 SENW
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

RECEIVED

JAN - 7 2003

Department of Water Resources

January 2, 2003

State of Idaho, Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

WR #
37-8535
37-8538

To whom it may concern:

The address of Water Right holders CLIFFSIDE HOMEOWNERS
ASSOCIATION, INC. has changed.

The old Address was: P.O. Box 4630, Ketchum, ID 83340

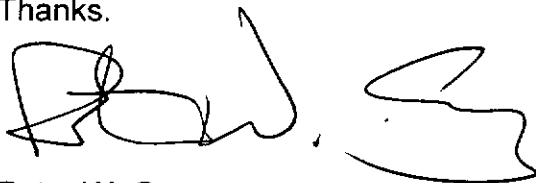
THE NEW ADDRESS IS:

PO BOX 3175
KETCHUM, IDAHO 83340

Business Phone Number is : (208) 726-5997

Please make these changes as soon as possible.

Thanks.



Peter W. Gray
President, Cliffside Homeowners Association, Inc.

Database updated



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 18, 2000

CLIFFSIDE HOMEOWNERS ASSN INC
PO BOX 4630
KETCHUM ID 83340

RE: Change of Ownership for Water Rights 37-08535 & 37-08538

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records. Also enclosed is a receipt for the \$50.00 filing fee.

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,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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OCT 06 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 3, 1996

GRAYSTONE INC
C/O PETER GRAY
PO BOX 2473
KETCHUM ID 833402473

RE: WATER RIGHT NO. 37-08538--AMENDED LICENSE

Dear Water Right Holder(s):

Enclosed is a copy of the amended Water Right License issued on the above referenced permit. Should you have any questions regarding these documents, please contact me.

Also, 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 to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify 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 to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

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SEP 12 1996

MEMORANDUM

DATE: August 28, 1996

TO: Norm Young

FROM: Shelley W. Keen 

RE: Amended License (37-08538)

Jim Speck requested that Condition No. 4 be removed from License 37-08538, which was issued on May 24, 1996. The condition reads, "Irrigation use under this right is authorized only in connection with a domestic use."

Because this right covers the irrigation of common areas associated with a subdivision, and not the domestic lots themselves, the condition is probably not appropriate. I have prepared an amended license for your signature.

MAILED 10

SEP 12 1996

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

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AUG 23 1996

Department of Water Resources

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
MICHELE C. MESKE

August 22, 1996

Ms. Shelley W. Keen
Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720-9000

RE: Water Right No. 37-08538

Dear Shelley:

I have just recently had an opportunity to review the water right license issued for the above-referenced water right on May 24, 1996. I believe condition no. 4 requiring that the irrigation under the water right be only in connection with a domestic use is incorrect. There was never any domestic component to the permit as the irrigation is strictly of common landscaping within a subdivision. None of the water diverted from the well (point of diversion) under this water right will ever be used for domestic purposes.

Please call me if you have any questions about this matter. If not, would you please make arrangements to have the license reissued eliminating this condition of approval. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS:rb
cc: Mr. Peter Gray

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AUG 23 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 28, 1996

GRAYSTONE INC
C/O PETER GRAY
PO BOX 2473
KETCHUM ID 833402473

RE: WATER RIGHT NO. 37-08538

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:rl

Enclosure

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JUN 27 1996

	Chng	Same
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100. <i>Chang</i>		

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

P/U — ✓ Amendment Needed? _____ P41
Overlap(s) _____
(Gov't special ¶'s) *P/D & P/U Amend? P37

VOLUME ✓ Season: (B / 3.5) 4/15 - 10/15 = 184 days
Calculations:

$$\underline{6ac \times 3.5 af/ac = 21.0 AF}$$

Flow limit: $\frac{0.12}{21.0} \times 184 \times 1.9835 = \frac{43.8}{\text{AF}}$

USES _____ ✓ Same Nature of Use? _____ P46
Amendment Needed? _____

REMARKS ✓ Multiple p/d's in $\frac{1}{2}$? W32 _____
① W88 ② W87

CONDITIONS

<u> </u>	Measuring (R01)/Locking (R02) Devices
<u> </u>	Watermaster Control (R04) - WD # <u> </u>
~~230~~	Irrigation rate/volume overlap
~~050~~	GW irrigation replaces surface water (050)
065	GW irrigation supplants surface water (065)
✓	Water Quality/Other 041

PRIORITY App Rcd 7/11/89 Due 1/1/92 Rcd'd 11/13/91
 Receipt# 6022310 Fee OK? Yes/No
 Order to Reinstate Needed? Yes/No Done? _____
 If Yes, Advanced? Yes/No to: _____
 Priority 7/11/89 Examined 6/28/95

COMMENTS: *license as permitted*

USE	CFS	DIV VOL	SRBA Overlap
1rr	0.12	21.0	Adjustment Memo ✓
			LICENSE LTR: P49
			#1 AMEND LTR: /P38
TOTAL	0.12	21.0	#2 AMEND LTR: P42/P47

MEMORANDUM

DATE: May 15, 1996
TO: File No. 37-08538
FROM: Cindy Zimmerman
SUBJECT: Telephone Conversation

=====

The place of use comparison on this permit and the original application identify overlapping rights 37-00419B, 37-00703E, and claim A36-10913. These rights when claimed in the SRBA were identified as serving the common landscaped area within Cliffside Subdivision. However, the 'R' records of these rights identify use within Lots 3-10, Blk. 36, City of Bellevue.

Per telecon with Sandy at Blaine County Assessor's office, Lots 3-10, Blk. 36, City of Bellevue is located within S36, T02N, R18E. Cliffside Subdivision is located within S30, T04N, R18N.

5/20/96

Per Steve Clelland, SRBA Southern Region, disregard 'R' records. Transfer 3590 was approved, the 'A' records were updated, the 'R' records did not get updated. 37-419B/103E/10913 ~~are~~ were transferred from City of Bellevue to Cliffside Sub.

Transfer 3590 specifically states this groundwater permit is supplemental to transferred Big Wood River rights. The license issued on this permit will be conditioned to require use of the surface water.

RECEIVED

JUN 27 1996

MEMORANDUM

DATE: April 15, 1996
TO: File No. 37-08538
FROM: Cindy Zimmerman
SUBJECT: Review of Beneficial Use Field Report

=====

The following adjustments¹ were made on the field report to correct the season of use and maximum acre feet/acre:

1. Season of use is **4/15-10/15**.
2. Annual Volume.
 - a. Irrigation = acres x AF/acre
= 6.0 x **3.5**
= **21.0** AF.

¹Adjustments made are **bolded and underlined**.

RECEIVED

JUN 27 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 13 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08538

1. Owner: GRAYSTONE INC. % JAMES SPECK ESQ Phone No. 726-4421

Current Address: P.O. Box 987

2. Accompanied by: PETER GRAY EXAM DATE: 06-28-95

Address: _____ Phone No. _____

Relationship to Permit Holder: OWNER

3. Source: GROUND WATER tributary to _____

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
		NE	SE	SE	30	4N	18E	BLAINE	USGS QUAD + SUB PLAT MAP.

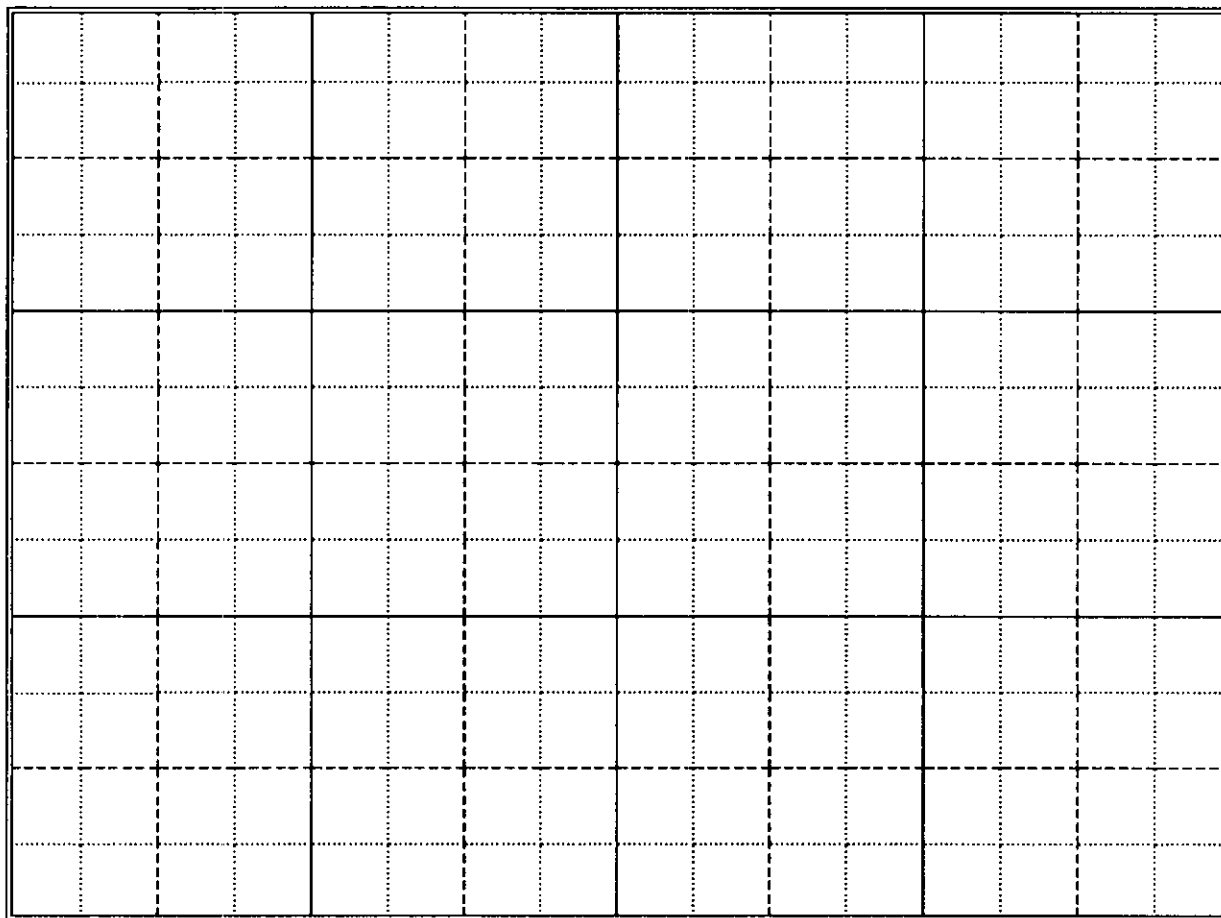
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	18E	30																NE I	6

JUN 27 1996

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	5	unk	STA-RITE	

*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
PSI Gauge						

2. Measurements: 195 STANDING RAIN BIRDS and 55 POP-UP RAIN BIRDS.
(SEE ATTACHED PLAT MAP FOR TEST SITES) RAIN BIRD NOZZLE
dia 9/64" MEASUREMENTS TAKEN WITH PSI GAUGE.

E. NARRATIVE/REMARKS/COMMENTS

THIS SYSTEM CONSISTS OF A 6" WELL 297' Deep.
H₂O IS PUMPED DIRECTLY TO 2 1/2" MAIN LINE, THEN
IS STUBBED OFF TO SPRINKLER HEADS. IT IS CONTROLLED
BY A RAIN-BIRD COMPUTERIZED BOX.

PRESSURE READINGS WERE TAKEN AT 22 SPRINKLER
HEADS, 11 FROM STANDING RAINBIRDS AND 11 FROM
POP-UP RAINBIRDS. (SEE ATTACHED PLAT MAP).

Have conditions of permit approval been met? yes no

MAINTENANCE

JUN 27 1996

F. FLOW CALCULATIONS

Measured Method: THEORETICAL

Additional Computation Sheets Attached

$$\frac{8.8 \times \text{HP} \times \text{EFF}}{\text{T D H}}$$

$$\frac{8.8 \times 5 \times .70}{20 + (60 \times 2.31)} = \frac{31}{159} = .2 \text{ cfs System Capacity}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 6 \text{ acres} \times 3. = 18 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .12 \times 214 \times 1.98 = 51 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 18 \text{ afa}$$

2. Volume Calculations for Other Uses:

PERMIT DIV RATE - .12 cfs
Proof of Initial use fee - .2 Limiting factor
THEORETICAL DIV calc - .2 Basis of Reccom.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	04-01*	10-31*	.12	18 afa *
Totals:			.12	18 afa *

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Dallas Tryon Date 06-28-95

Reviewer _____ Date _____

SEAL

* Adjustments made during the review of this right for license approval.
See memo for additional information.

IRRIGATION
NARRATIVE

TOTAL ACRES IRRIGATED UNDER 37-08538

LOT 1 = .9 ACRES
LOT 2 = 1.1 ACRES
LOT 3 = 1.1 ACRES
LOT 4 = .93 ACRES
LOT 5 = .89 ACRES
LOT 6 = 1 ACRES

TOTAL ACRES UNDER IRRIGATION = 5.92 ACRES

PLAINIMETER SCALE 1"=150'

CA=(150) $\frac{2.009699}{43,560}$ =.005260

JUN 27 1996

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: _____
DATE: _____
BY: _____

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])

$$Q = \frac{(8.8) \times (5) \times (0.70)}{[(20) + (60 \times 2.31)]} = \frac{31}{159} = 0.20 \text{ CFS}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner ()	
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well logs ()	owner gage ()	
Booster (Y) (N)		

REMARKS _____

ANNUAL VOLUME ANALYSIS

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

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL = $\frac{(214) \times (1.98) \times (0.20)}{(6)} = 14 \text{ of a}$

REQUIRED Acre Feet/Acre/Annum = $\frac{180 \text{ of a}}{1}$

(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 ()

JUN 27 1996

Areas under IRR

SPRINKLER HEAD
TEST SITE

PERMIT 37-08538 INIT def
T. R. S. Q/Q
P/D 4N 1RE 30 12/35F
SCALE
PHOTO ID.

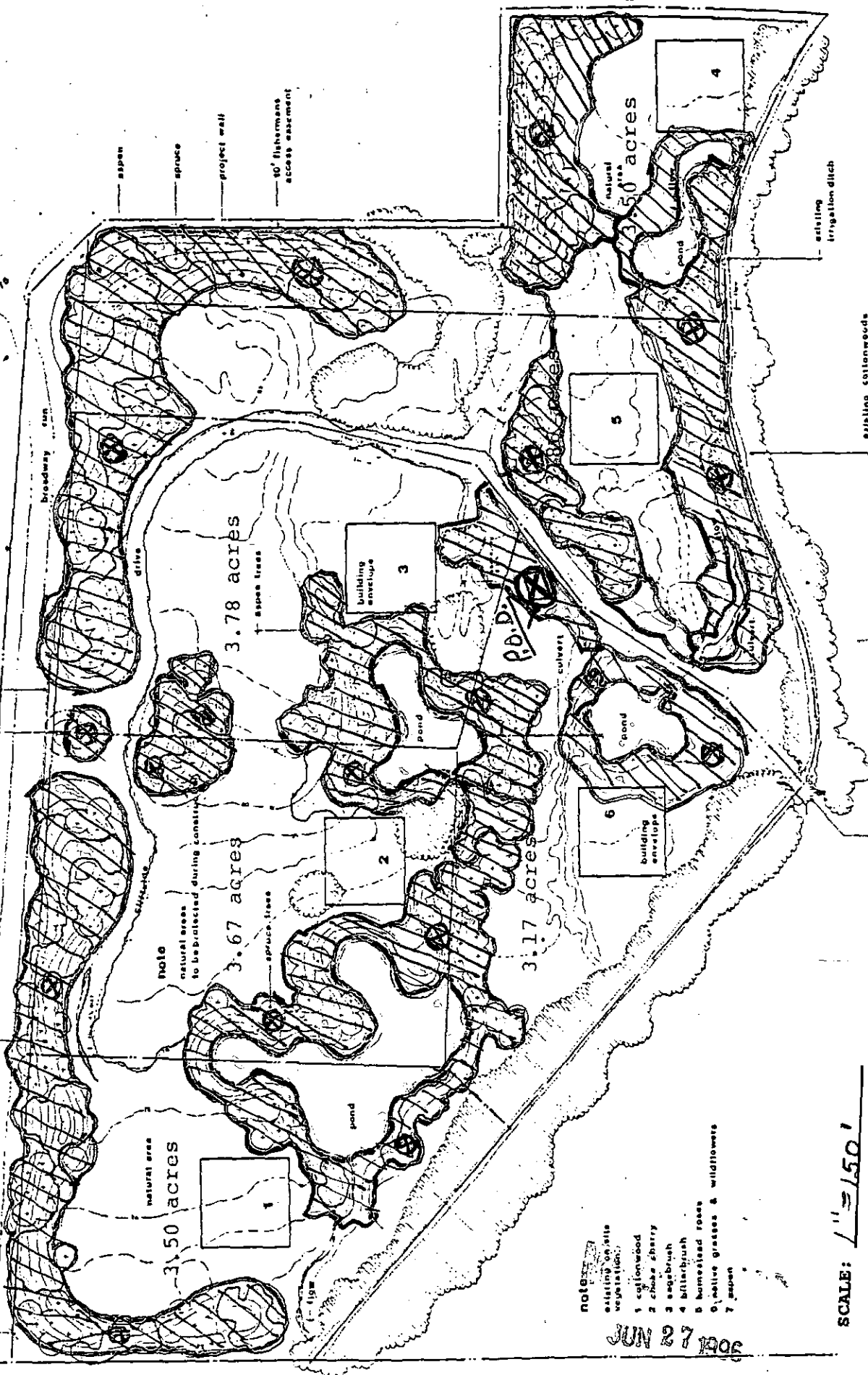
WELL

landscaped berm
spruce & aspen
native shrubs, grasses

row
to be dedicated

project sign

PHOTO ID.



note

existing on site

vegetation:

1 cottonwood

2 choke cherry

3 sagebrush

4 bitterbrush

5 burnished roses

6 native grasses & wildflowers

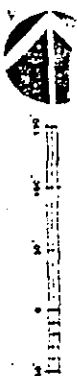
7 aspen

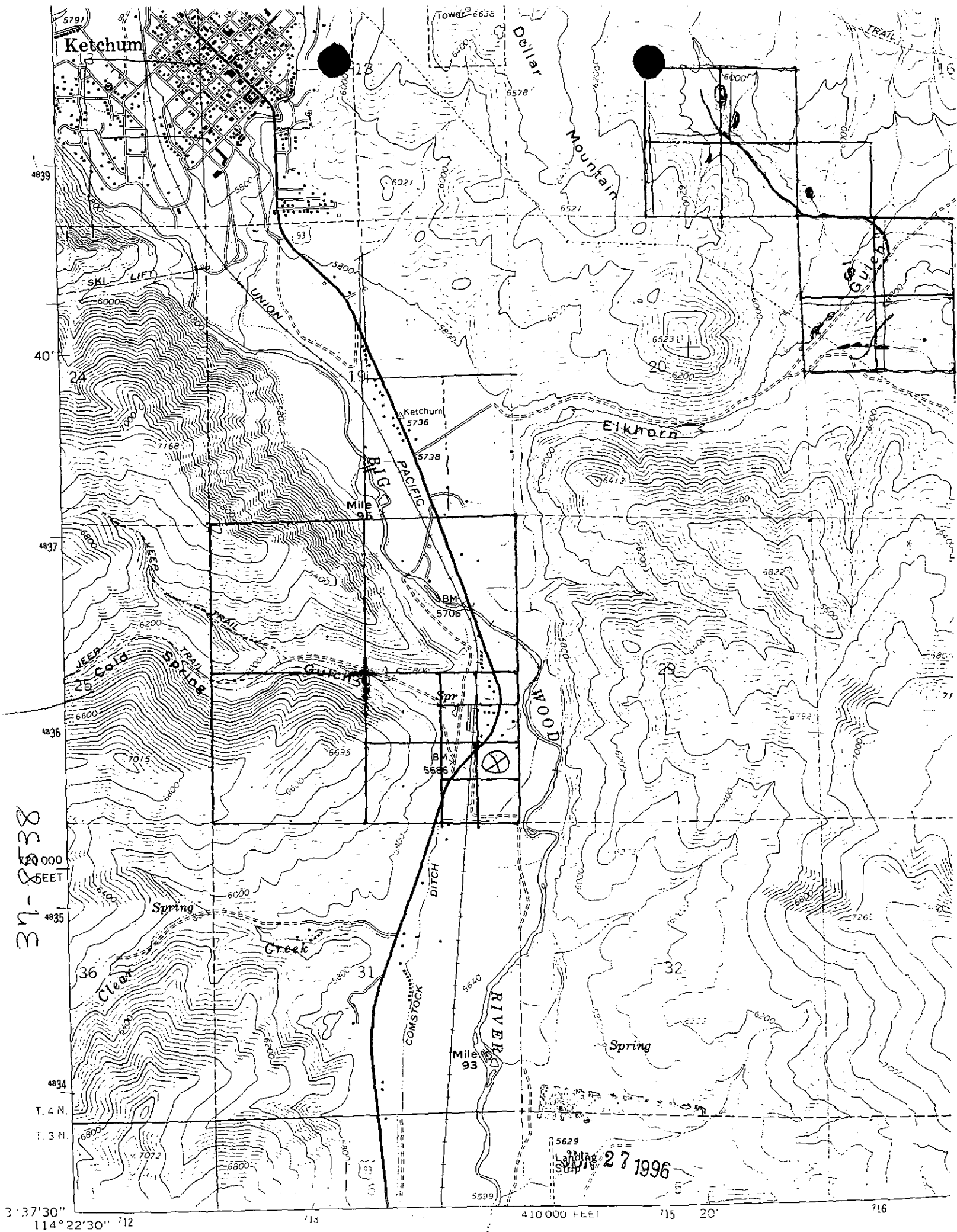
JUN 27 1906

SCALE: 1" = 150'

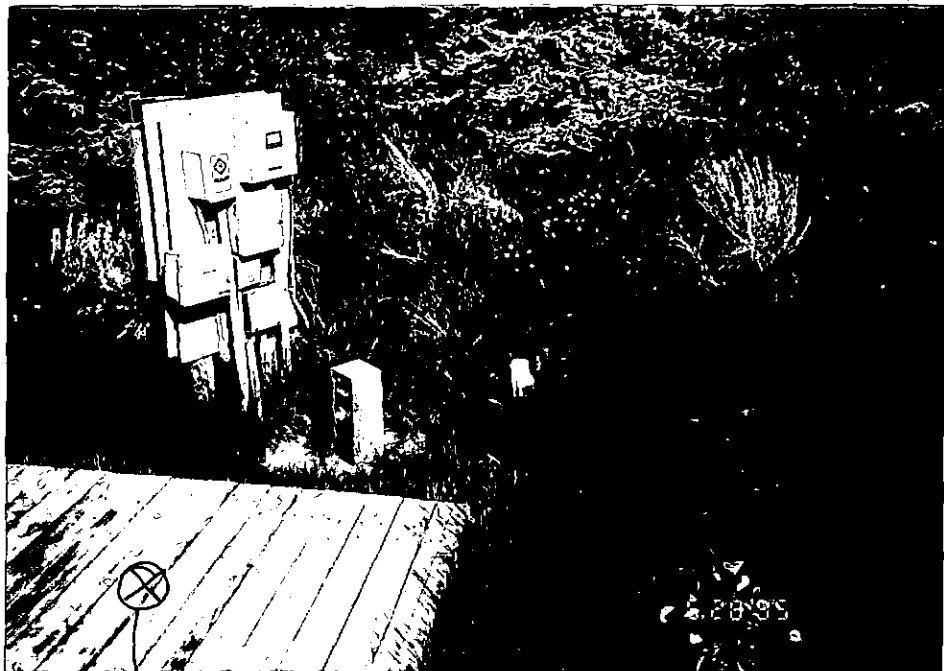
CA = $(150)^2 \times .009699 = 205260$
43,560

cliffside





PERMIT 37-08538 INIT det
T. R. S. Q/Q
P/D 4N 18E 30 NE/SE/SE
SCALE _____
PHOTO ID. _____



Piping System
Cover

→ P.O.D

Typical Irrigation
Strip SEE ATTACHED
↓ SUBDIVISION MAP

P.O.U.

15111

JUN 27 1996





A. Typical Single unit
 9/64" RAIN BIRD sprinkler
 Head. 1 out of 195
 11 measured
 P.O.U.

B.
 Typical Single unit
 9/64" Pop-up SPRINKLER
 HEAD. 11 measured
 1 out of 55



UNRECORDED

JUL 27 1996

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

June 21, 1995

Mr. Allen Merritt
Idaho Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls ID 83303

RECEIVED

JUN 22 1995

Department of Water Resources
Southern Region

Re: Graystone, Inc. - Permit No. 37-08538

Dear Allen:

I represent Graystone, Inc., the holder of Permit No. 37-08538. Proof of Beneficial Use was submitted November 13, 1991, for the Permit, but a field exam has apparently not yet been conducted. Will you please make arrangements to have that examination done this season. The contact is Mr. Peter Gray at any of the following phone numbers: 726-5997, 726-2060, or 726-5329. If your agent is unable to reach Mr. Gray, please contact me.

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

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS:sab
cc: Mr. Peter Gray

MAILED 1995

JUN 27 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 15, 1995

James P. Speck
Hogue, Speck & Aanestad
PO Box 987
Ketchum, ID 83340

RE: Permit Nos. 37-08538 and 37-08584

Dear Jim:

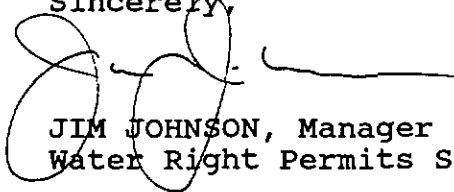
I have received your letter dated May 9 concerning the status of the above referenced permits.

You are correct that an examination has been conducted for Permit No. 37-08584, however, the examination report has not been reviewed by the regional manager and forwarded here to the State Office for license review. There is a backlog of permits to be reviewed for licensing and it is hard to speculate when this permit will be finalized.

There is also a backlog of permits requiring examinations by regional personnel. I suggest you contact Southern Region personnel to make arrangements for the examination for Permit No. 37-08538.

If you have further questions, feel free to give me a call.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:sc

PAID
JUN 27 1996

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

May 9, 1995

RECEIVED

MAY 10 1995

Department of Water Resources

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

Mr. Jim Johnson
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Graystone, Inc. - Permit No. 37-08538
Elizabeth K. Gray - Permit No. 37-08584

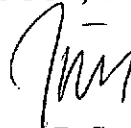
Dear Jim:

I represent Graystone, Inc., and Elizabeth K. Gray, the holders, respectively, of Permits No. 37-08538 and 37-08584. In reviewing the IDWR computer database, I see that Proof of Beneficial Use was submitted November 13, 1991, for 37-08538, but a field exam has not yet been conducted. The field exam for 37-08584 was completed July 16, 1993, but the license is not yet issued. Would you please call or write me with a status report on these permits at your earliest convenience.

Thank you for your continuing cooperation and assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS:sab
cc: Peter Gray

JUN 27 1995

December 5, 1991

GRAYSTONE INC.
C/O PETER GRAY
P.O. BOX 2473
KETCHUM ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08538

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
DEC 11 1991

Signed by (Firm Official) Ken Smith
and
(Operator) Gay Jones

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

GRAYSTONE INC
BOX 2473
KETCHUM ID 83340

138161
October 31, 1991

PROOF DUE NOTICE

RE: PERMIT NO. 37-08538

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,

Nina Shields
Secretary/Records Manager

Enclosures

RECEIVED
DEC 11 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 37-08538

Name(s) of Permit Holder(s): GRAYSTONE INC.

Post Office Address: Box 2473, KETCHUM, ID 83340

Tel. No. 208-226-5997

☒ I hereby certify that construction of diversion works for the above referenced permit began on 11/17/89 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

1/15/90
Date

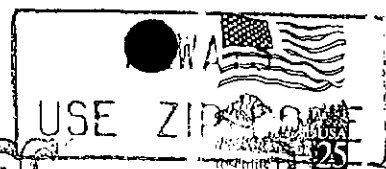
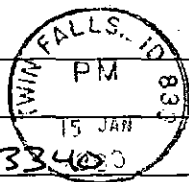
Paul W. Gray
Signature of Permit Holder

V.P. GRAYSTONE, INC.

GRAYSTONE

Box 2473

Ketchum, ID 83340



REC

JAN 16 1990

MISSOURI



FEB 21 1990

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

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 26, 1989

GRAYSTONE INC.
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. P37-08538

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.

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.

[Handwritten signature]

FEB 21 1990

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

MEMORANDUM

TO: FILE/APPLICATION NO. 37 - 8538

FROM: TIM LUKE *TJL*

RE: SWAN FALLS PROCESSING

DATE: 12-15-89

=====

This application proposes irrigation of six acres which are associated with a subdivision. There are six lots in the subdivision and apparently, applications have already been filed for domestic use and irrigation of two acres for the six individual lots. This application, when associated with the six existing applications for permit, appears to meet the contractual definition of DCMI. The Swan Falls Implementation Plan, November 3, 1989, directs the department to process DCMI applications pursuant to Section 42-203A only.

The department however may wish to count the DCMI acreage toward the annual 20,000 acre per year depletion limit identified in Section 42-203C.

RECORDED

FEB 21 1990

RECEIVED

State of Idaho
Department of Water Resources

DRILLING PERMIT

NOV 7 1989

(Authorizing Construction of a Well)*

Department of Water Resources
Southern Region Office

2148 4th Ave East
Twin Falls, 83301

\$100

2. Address Graystone Inc.
Box 2162 Ketchum 83340

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

3. Water right permit no. 37-08538 ; Injection well permit no. _____

4. Proposed well location SE 1/4 S4 1/4, or Gov't lot No. _____,
Sec. 30, Twp. 4N, Rge. 18E, County Blaine,
Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)

() Domestic () Stockwater () Monitoring
☒ Irrigation () Industrial () Municipal
() Injection () Other, Specify _____

6. Well construction information:

☒ New well () Deepen () Replace
Proposed surface diameter 8" Proposed depth 80

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)

7. Anticipated construction start date Nov. 1, 1989

8. Well Driller (if known) WOOD RIVER DRILLING AND PUMP FEB 21 1990

Address BOX 1165 788-3163
HAILEY, IDAHO 83333

Date 10/14/89 Applicant's signature [Signature]

Title VICE PRESIDENT, GRAYSTONE INC.

ACTION OF IDWR

(✓) Approved

() Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

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. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
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.

SPECIFIC CONDITIONS:

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

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

Dated this 7 day of November, 1989.

Signed

Lara O'Halloran

Title

Southam Region Mgr

Received by J. Esten Fee \$100. Date 11-7-89

Receipt No. 5010392 Construction start date FEB

Construction start extension to _____

Extension approved by _____

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

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

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

November 6, 1989

Mr. James Stanton
Department of Water Resources
Southern Region
2148 Fourth Avenue East
Twin Falls, Idaho 83301

RECEIVED

NOV 7 1989

Department of Water Resources
Southern Region Office

Re: Graystone, Inc. -- Application
For Permit No. 37-08538

Dear Jim:

Confirming our telephone conversation of this same date, enclosed you will find the Drilling Permit for the above-referenced Application for Water Permit No. 37-08538 together with the drilling permit fee in the sum of \$100. I do not have any particular forms for requesting expedited processing of this Drilling Permit; however, Loren has issued Drilling Permits on an expedited basis for other clients of mine based solely on my letter request. In any event, I have had my client sign at the end of this letter to indicate it specifically authorizes and joins in this request.

As you know, the Department received my October 17, 1989 letter on October 18, 1989, inadvertently enclosing a copy instead of the original of this Drilling Permit, and inadvertently omitting the enclosure of the Drilling Permit fee. However, no one from the Department called to bring these oversights to my attention. My client is now in a serious time crunch with respect to completing drilling of the well and would greatly appreciate your acting on this expedited request immediately.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

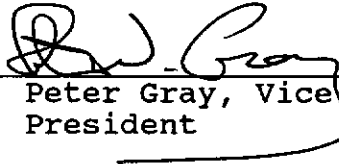
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FEB 21 1990

Mr. James Stanton
November 6, 1989
Page - 2

Please expedite the processing of the Drilling Permit
for Application for Permit No. 37-08538 as quickly as possible.

GRAYSTONE, INC.

By: 

Peter Gray, Vice
President

JPS/jal
Enclosures
cc: Graystone, Inc.
Mr. Ken Smith

RECEIVED

FEB 21 1990

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

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

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

October 27, 1989

RECEIVED

OCT 30 1989

Mr. Loren O. Holmes, P.E.
Department of Water Resources
Southern Region
2148 Fourth Avenue East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

Re: Graystone, Inc. -- Application for Permit No. 37-08538

Dear Loren:

Enclosed you will find a copy of the October 23, 1989 letter to me from Mr. Rupert House, Chairman of the Blaine County Board of County Commissioners setting out the Commissioners' approval of Graystone, Inc.'s Application for Permit.

Please call at your earliest convenience to let me know what further information you need before you will send the Application on to Boise for further processing. Thank you once again for your continuing cooperation and assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD



James P. Speck

JPS:b

cc w/Encl: Graystone, Inc.

NOT FILMED

FEB 21 1990

MARY GREEN
Clerk, Auditor and Recorder

JERRY FEMLING
Sheriff

TED UHRIG
Assessor

MARILYN LANIER
Treasurer

NED WILLIAMSON
Prosecuting Attorney

COPY BOARD OF COUNTY COMMISSIONERS

BLAINE COUNTY

HAILEY, IDAHO 83333

RUPERT HOUSE, Chairman, Hailey, ID • TOM BLANCHARD, Member, Bellevue, ID • ALAN REYNOLDS, Member, Ketchum, ID

October 23, 1989

James P. Speck, Esq.
HOGUE, SPECK & AANESTAD
Post Office Box 987
Ketchum, Idaho 83340

RECEIVED

OCT 24 1989

Hogue, Speck & Aanestad

Dear Jim:

In reply to your letter of October 17, 1989, Blaine County has no objection to your client, Ms. Elizabeth K. Gray diverting water. Ms. Gray has rights from the Big Wood River to the Cliffside Subdivision.

The County approved the final plat of the Cliffside Subdivision on 7/24/89. Ponds and streams shown within the subdivision using said water were acknowledged.

Sincerely,

Rupert House
Rupert House,
Chairman

RECEIVED

FEB 21 1990

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

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HAILEY, IDAHO 83333
(208) 788-3567

October 17, 1989

RECEIVED

OCT 18 1989

Mr. Loren O. Holmes, P.E.
Department of Water Resources
Southern Region
2148 Fourth Avenue East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

Re: Graystone, Inc. -- Application for Permit No.
37-08538

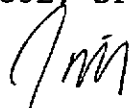
Dear Loren:

Enclosed you will find an application for a drilling permit for the well which is the subject of the above-referenced application for water right permit. As we discussed by telephone on October 16, 1989, my client, Graystone, Inc., is requesting expedited processing of the drilling permit to allow drilling and construction of the well this fall prior to the winter season. The well will be the source of water to supply irrigation of the common area of the Cliffside Subdivision.

Please call me if you have any questions about this request. Thank you once again for your continuing cooperation and assistance.

Sincerely yours,

HOGUE, SPECK & AANESTAD



James P. Speck

JPS:b
Enclosure
cc: Graystone, Inc.
Ken Smith, Wood River Drilling and Pump

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FEB 21 1990

22-Aug-1989

Graystone, Inc.
c/o James P. Speck, Esq.
P.O. Box 987
Ketchum, ID 83340

Re: Applications for Permit Nos. 37-08538 thru 37-08542

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of the water right applications for permit. The applications have been assigned the above referenced identification numbers. Please refer to these numbers in all further correspondence.

This office will be advertising the applications in the Wood River Journal on 9/6 & 9/13/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the applications are protested you will be sent a copy of the protests. The protests must be resolved before the applications are approved or denied. If the protests are not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the applications are not protested, they 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 applications 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

MAILED

FEB 21 1990

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

AUGUST 21, 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 SEPTEMBER 25, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MAILED

FEB 21 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

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FEB 21 1990

37-08538

GRAYSTONE INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: NESESE Sec 30 T 04N R 18E

Use: IRRIGATION (.120 CFS)

Date Filed: 7/11/1989

In: T04N R18E S30 SESE

6.0 ACRES TOTAL

MICROFILMED

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:

37-08538

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: NESESE Sec 30 T
04N R 18E
Use: IRRIGATION (.120 CFS)
Date Filed: 7/11/1989
In: T04N R18E S30 SESE
6.0 ACRES TOTAL

37-08539

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: SESESE Sec 30 T
04N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 7/11/1989
In: T04N R18E S30 SESE
2.0 ACRES TOTAL

37-08540

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: SESESE Sec 30 T
04N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 7/11/1989
In: T04N R18E S30 SESE
2.0 ACRES TOTAL

37-08541

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: NWSWSW Sec 29 T
04N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 7/11/1989
In: T04N R18E S29 SWSW
S30 SESE
2.0 ACRES TOTAL

37-08542

GRAYSTONE, INC.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: NESESE Sec 30 T
04N R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.060 CFS)
Date Filed: 7/11/1989
In: T04N R18E S30 SESE
2.0 ACRES TOTAL

71-07126

MEAD, DAVID R.
2045 HILLCREST DR.
TWIN FALLS, ID 83301
Source: VAT CREEK
SOUTH FORK
Tributary: SALMON RIVER
Diversion Pt: SENW Sec 7 T 07N
R 14E
Use: DOMESTIC (.040 CFS)
Date Filed: 6/27/1989
In: T07N R14E S07 SENW

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 SEPTEMBER 25, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal-
September 6 & 13, 1989.

OK
WB
8/28/89

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 SEPTEMBER 25, 1989.

R. Keith Higginson, Director

Published 9/06/1989 & 9/13/1989

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

August 9, 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

RECEIVED

AUG 10 1989

Department of Water Resources
Southern Region Office

Mr. Carl Nellis
Idaho Department of Fish & Game
868 E. Main
Jerome, Idaho 83338

RE: Graystone, Inc.
Application for Idaho Water Permit No. 37-08535
10 cfs For Non-consumptive, Aesthetic Purposes

Dear Carl:

The Department of Water Resources has acted more quickly than anticipated. Gary Funderburg has informed me the above-referenced Application will be advertised in the Wood River Journal on August 16 and 23, 1989. The ten day period for submitting protests will commence following the second publication date.

It is our understanding your primary concern is the potential reduction of the winter flow of the Big Wood River as that is a critical time for the fish habitat. Thus, we anticipate your Department will protest our request for a year-round diversion. As we discussed, it is quite likely a diversion from April through October will be sufficient for the needs of the proposed development. If there are any other aspects of the Application to which you will object, please let us know and we will use our best efforts to resolve the problem.

Enclosed you will find a copy of my letter of this same date to Gary Funderburg clarifying the proposed coordination of our non-consumptive flow application and existing irrigation rights in the Comstock Ditch. Hopefully this will answer your questions on that matter.

Please do not hesitate to call me if you have any further questions about this Application. Thank you again for taking the time to meet with Peter Gray and me during your extremely busy schedules.

Sincerely yours,

HOGUE, SPECK & AANESTAD

James P. Speck

FEB 21 1990

JPS/rlk
enc.
cc: Peter & Betty Gray

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

OF
ATTORNEYS
120 EAST AVENUE
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(208) 726-4421
TELECOPIER (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

July 10, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RECEIVED

JUL 11 1989

Mr. Loren Holmes
Idaho Department of Water Resources
2148 4th Avenue East
Twin Falls, ID 83301

Department of Water Resources
Southern Region Office

Re: Graystone, Inc. - Water Rights Applications for
Cliffside Subdivision

Dear Loren:

I represent Graystone, Inc., an Idaho corporation ("Graystone"). Graystone is the developer of a new, six (6) lot residential subdivision, approximately 2 miles south of Ketchum, Idaho, to be known as Cliffside Subdivision (the "Subdivision"). The twenty-one and one-half (21.5) acres of land which form the Subdivision are being purchased by Graystone without any water rights. Graystone proposes to construct a system of streams and ponds for aesthetic use by the owners of the six (6) lots, and to provide an irrigation system for the landscaping it will install and turn over to the homeowners association to operate and maintain. Graystone also desires to establish the right for each eventual lot owner to drill a well for domestic purposes and irrigation of not more than two (2) acres of residential landscaping in connection with the single family residence and related improvements which may be built on each lot.

Accordingly, I have prepared and enclosed the following Applications for this project:

1. Six (6) Applications for Permit - domestic and related irrigation of not more than two (2) acres per Application (filing fee = \$30.00 each - \$180.00 total);

2. Application for Transfer - transfer the point of diversion and place of use of three (3) irrigation rights from the Big Wood River which have been purchased from landowners in the City of Bellevue, Idaho, to irrigate the approximately six (6) acres of Subdivision landscaping (filing fee = \$50.00);

3. Application for Permit - irrigation well to supplement the Big Wood River rights for irrigating the Subdivision landscaping (filing fee = \$30.00); and

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FEB 21 1990

Mr. Loren Holmes
Idaho Department of Water Resources
July 10, 1989
Page 2

4. Application for Permit - water from the Big Wood River for non-consumptive, aesthetic use in the streams and ponds within the Subdivision (filing fee = \$225.00).

Also enclosed is our check in the sum of \$485.00 to cover all of the filing fees.

Please call if you have any questions concerning these Applications and the proposed project. Thank you for your continuing cooperation and assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD



James P. Speck

JPS/j
cc: Graystone, Inc. (w/ enclosures)
Mr. Jed Gray

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FEB 21 1990