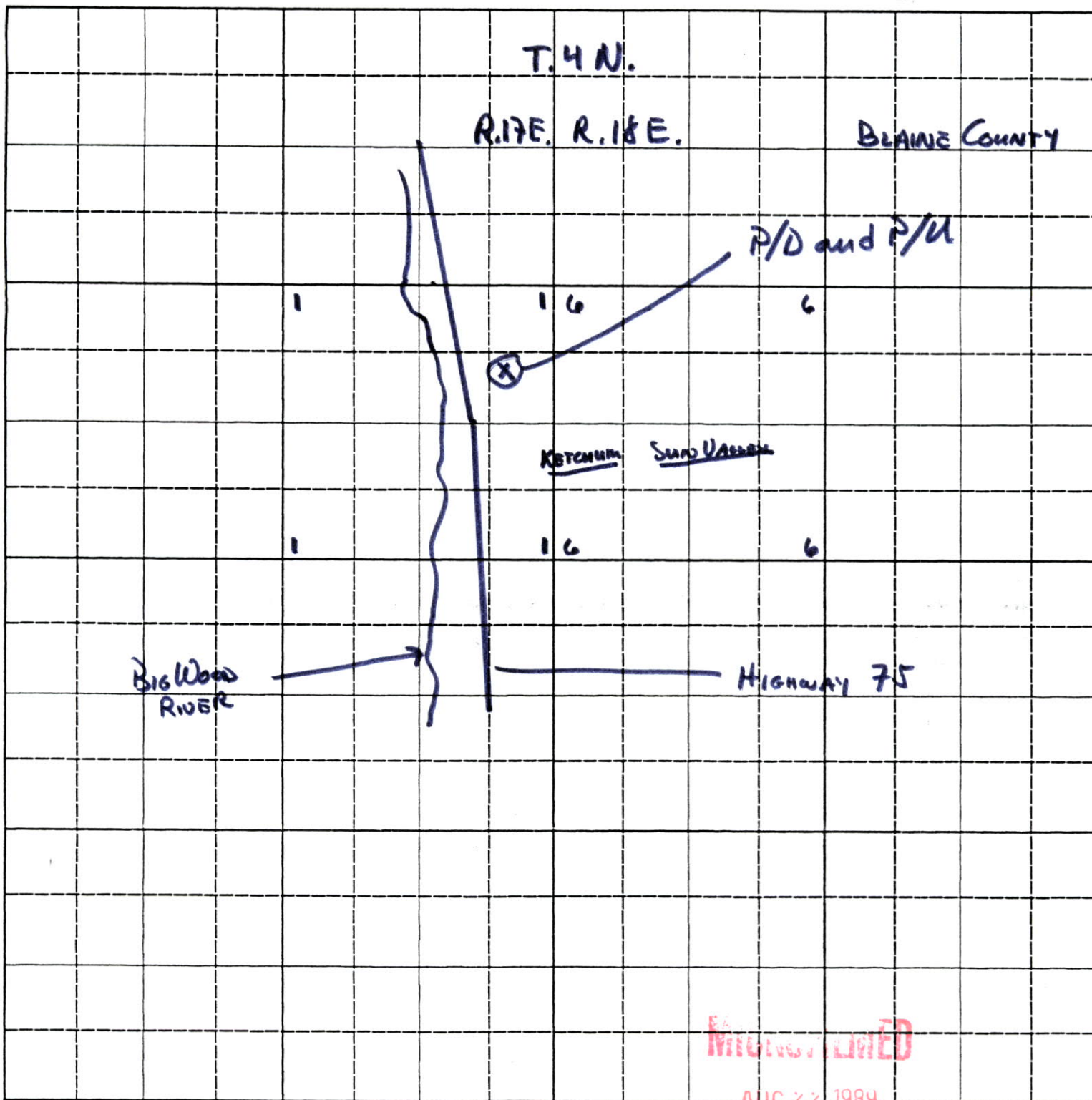
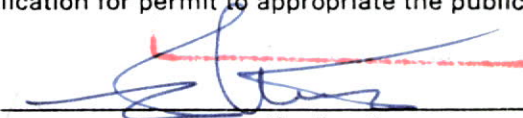


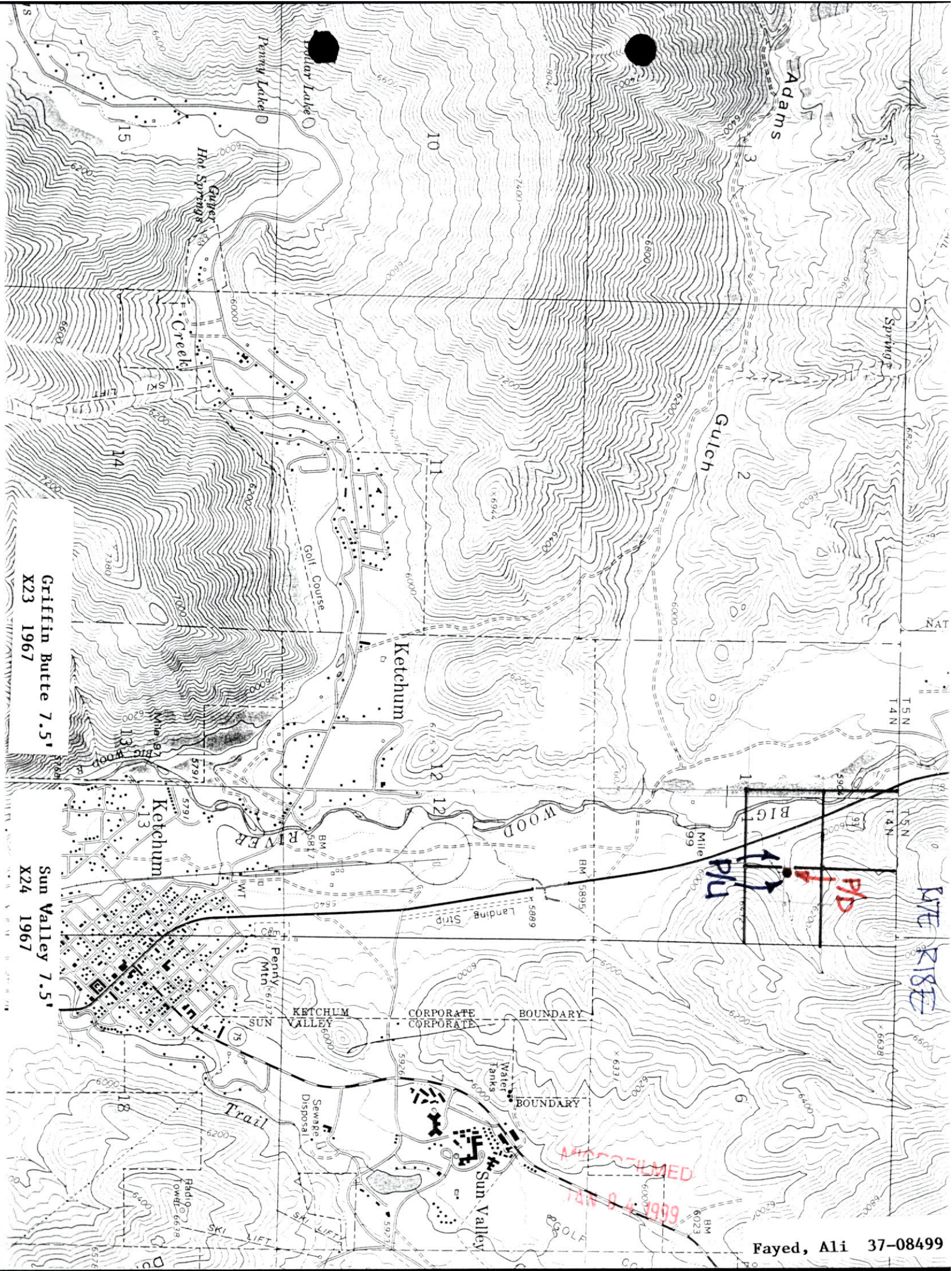
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.


(Applicant)



Griffin Butte 7.5'
X23 1967

Sun Valley 7.5'
X24 1967

A. 0.30
 B. 1.54
 C. 0.30
 D. 0.50
 E. 0.34
F. 0.20
 3.18 ac.


 Scale
 1" = 300' ±

P/D



MICROFILMED

Big Wood River 08-10-92 Flight

JAN 14 1993

FAYED, ALI

37-08499

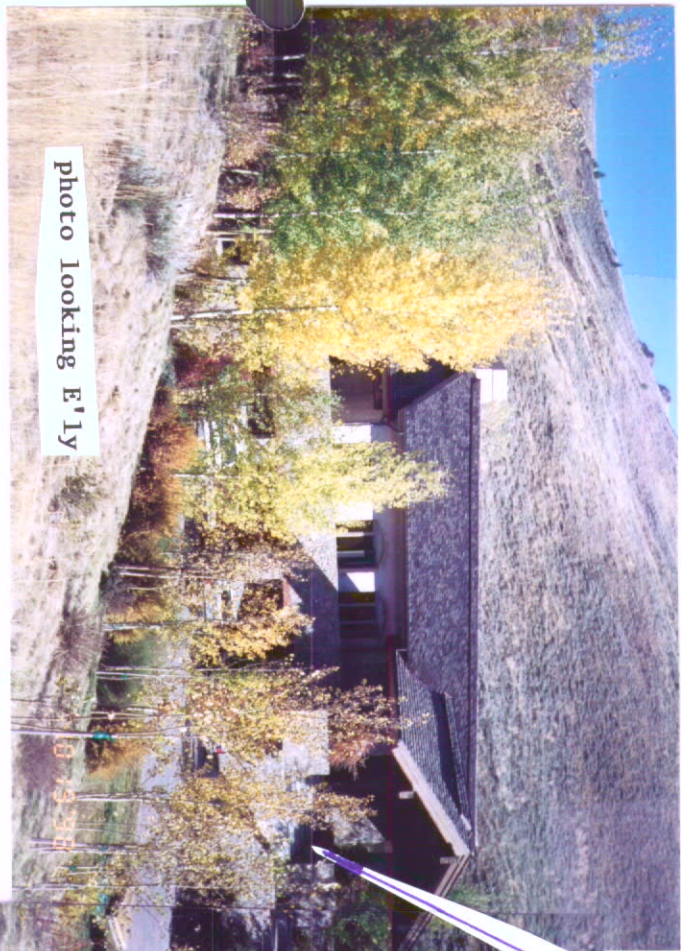


photo looking E'ly

Well located in cistern in walkway
at the front of house



IV.

JAN 04 1999

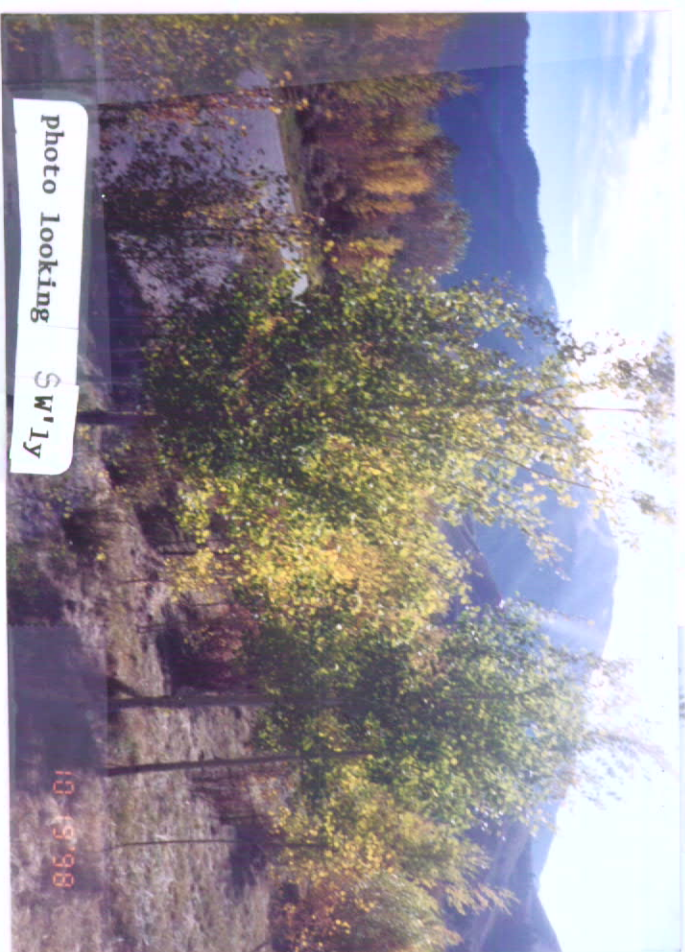
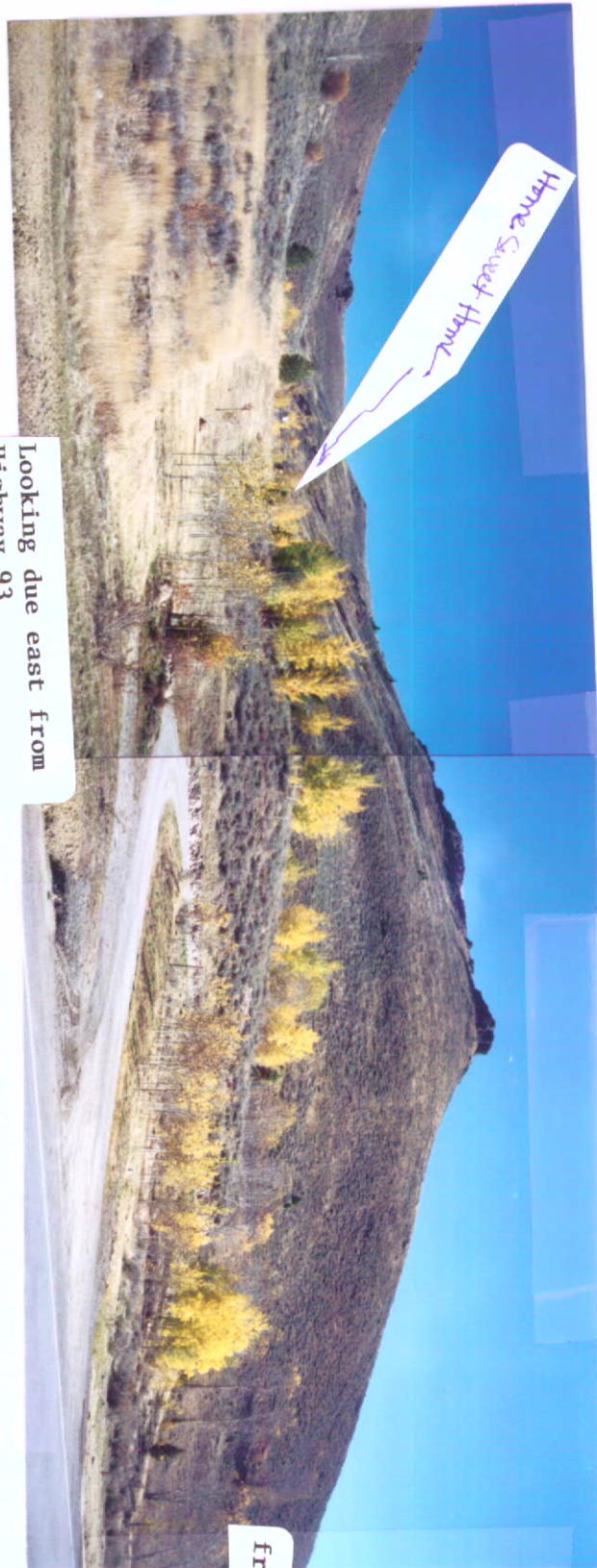


photo looking SW'ly





Home Sweet Home

Looking due east from Highway 93

front of property

all irrigated ...



P/D Located but not tagged

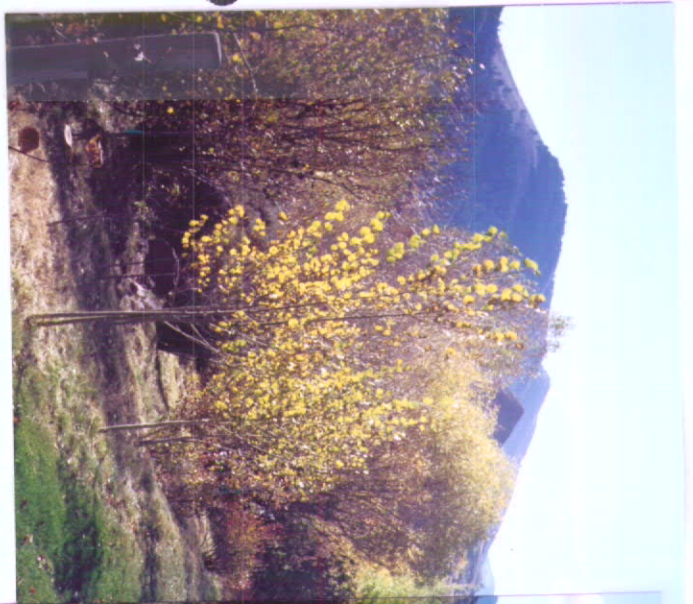


pump information

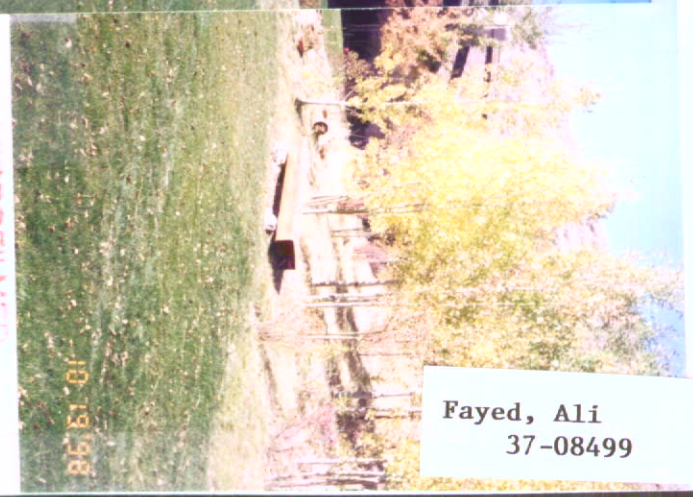
on the other side of concrete wall is the well.

pipe for domestic use

14704 1999



back of home



Fayed, Ali
37-08499

Baldy Mtn.

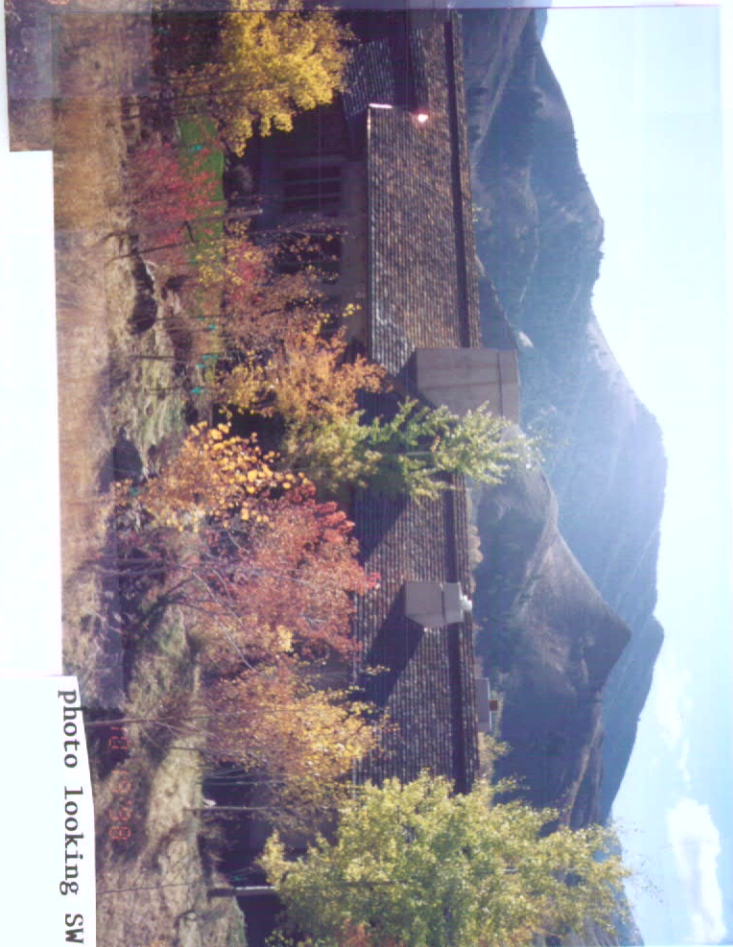


photo Looking SW'ly



JAN 0 4 1999

MICROFILMED

10 19 98

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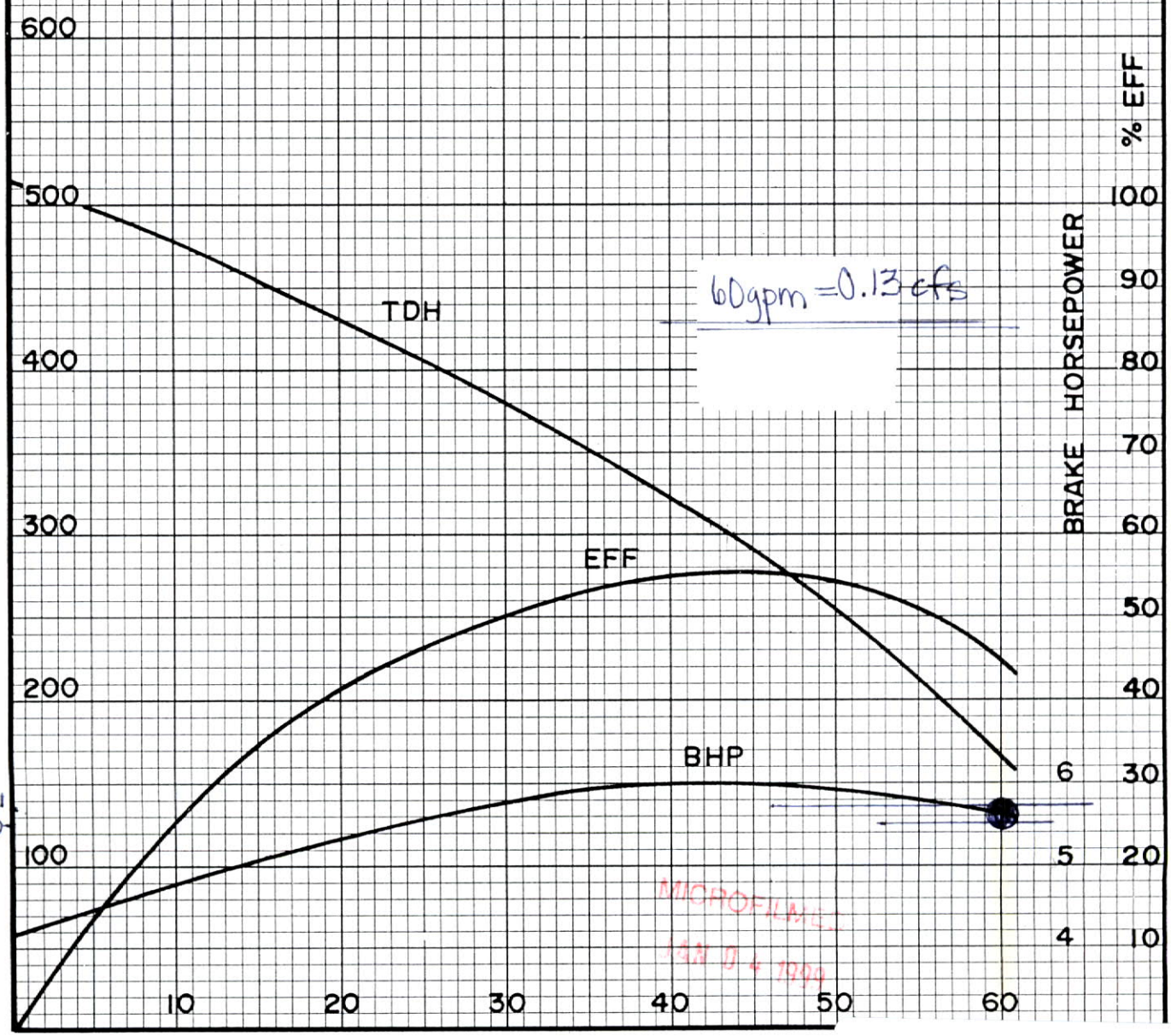
PUMP CURVE

MODEL: 40J4		 STARITE SER. A904 PH1 STARITE INDUSTRIES, INC. Water Equipment Division 293 SOUTH WRIGHT STREET / DELAVAN, WISCONSIN 53115 U.S.A.
SIZE: 4"		
RPM: 3450	HP: 5	
CURVE NO: ST1228		DATE: FEB. 23, 1978

$$\begin{aligned} \text{TDH} &= \text{LIFT} + (\text{PSI} \times 2.31) \\ &= 7 + \{50 (2.31)\} \end{aligned}$$

$$\text{TDH} = \underline{123'}$$

TOTAL HEAD FEET



123'

60 gpm = 0.13 cfs

MICROFILMED
JAN 10 4 1999

CAPACITY U.S. G.P.M.

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 37-08499

Priority: March 30, 1989

Maximum Diversion Rate:

0.11 CFS

Maximum Diversion Volume:

11.1 AF

This is to certify, that CICELY NICOLAI
THEODORE NICOLAI

PO BOX 5918

KETCHUM ID 83340-5918

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 30, 1989; and has submitted Proof of Beneficial Use on August 1, 1991. An examination indicates that the works have a diversion capacity of 0.250 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	0.02 CFS	0.6 AF
	Totals	0.11 CFS	11.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 1, Township 04N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	17E	1	SWNE 2.2	SENE 0.8		3

Total number of acres irrigated: 3

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

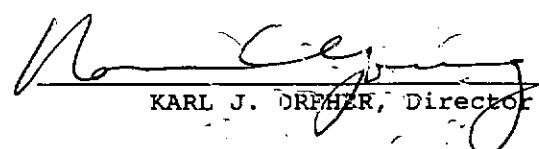
1. Irrigation use under this right is authorized only in connection with a domestic use.
2. Point of diversion and place of use are located within Large Block 9 Amended, Bigwood Subdivision.
3. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 23rd day of

DECEMBER, 1998.

MICROFILMED

JAN 04 1999


KARL J. ORPNER, Director

RECEIVED

DEC 15 1998

DEPARTMENT OF WATER RESOURCES

State of Idaho
Department of Water Resources**APPLICATION FOR AMENDMENT**
(For Licensing Purposes)
WATER RIGHT NO. 37-08499

Date of Priority: March 30, 1989

Maximum Diversion Rate:

0.11 CFS

Maximum Diversion Volume:

11.1 AF

Comes now

CICELY NICOLAI
THEODORE NICOLAI

PO BOX 5918

KETCHUM ID 83340-5918

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08499, and requests that the permit be changed as follows:

Source: GROUNDWATER

<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	0.02 CFS	0.6 AF
	Totals	0.11 CFS	11.1 AF

LOCATION OF POINT(S) OF DIVERSION:SENE , Sec. 1, Township 04N, Range 17E
BLAINE CountyPLACE 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	17E	1	SWNE	2.2	SENE	0.8
						3

Total number of acres irrigated: 3

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Ketchum, this 10th day of December, 1998.

Al Fayed by H.F. Herminy
Attorney in fact
(Signature)

MICROFILMED

JAN 04 1999

PAGE 2

State of Idaho
Department of Water Resources**APPLICATION FOR AMENDMENT**
(For Licensing Purposes)
WATER RIGHT NO. 37-08499

FOR DEPARTMENT USE ONLY

Preliminary check by SK Fee = 50.00 Received by HW # C044135 Date 12/15/98

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-08499 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. Irrigation use under this right is authorized only in connection with a domestic use.
2. Point of diversion and place of use are located within Large Block 9 Amended, Bigwood Subdivision.
3. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

Witness my hand this 22nd day of DECEMBER, 19 98
KARL J. DREHER, DirectorMICROFILMED
JAN 04 1999

RECEIVEDJUL 31 1991
NO \$ received
Department of Water Resources

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 50.00
Date 8-1-91
Receipt No. 0021377
Received by ALHDEPARTMENT 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. 37-08499 Telephone No. (208) 622-71562. Name(s) of Permit Holder(s): Theodore Nicolai3. Post Office Address: P.O. Box 5918, Ketchum, ID 833404. Source of Water: Groundwatera. If ground water, well driller's name: Elsing Drilling Date drilled: 6/19/1986b. Pump horsepower: 5 Pressure (psi): 50 Dynamic pumping level (ft.): 64'

5. Extent of Use:

Domestic 1 (No. of households) Irrigation 3 (No. of acres)

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

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

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

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

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes No8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Permit Holder

Name

Telephone No.

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.

Date

7/30/91

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



AUG 22 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Theodore Nicolai and/or Cicely Nicolai Phone 726-4421

Post office address c/o James P. Speck, Hogue, Speck & Aanestad
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 NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____

Sec. 1 Township 4N Range 17E B.M. Blaine County; additional
points of diversion if any: None

4. Water will be used for the following purposes:

Amount 0.04 cfs for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.09 cfs 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)

5. Total quantity to be appropriated is (a) 0.13 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

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

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 8-1/2 inches; ~~proposed~~ depth of well is 300 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).

MICROFILMED

AUG 22 1985

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. one household consisting of a main residence and a guest house without a kitchen
- 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	17E	1				3													3
						D													

Total number of acres to be irrigated 3

10. Describe any other water rights used for the same purposes as described above. None

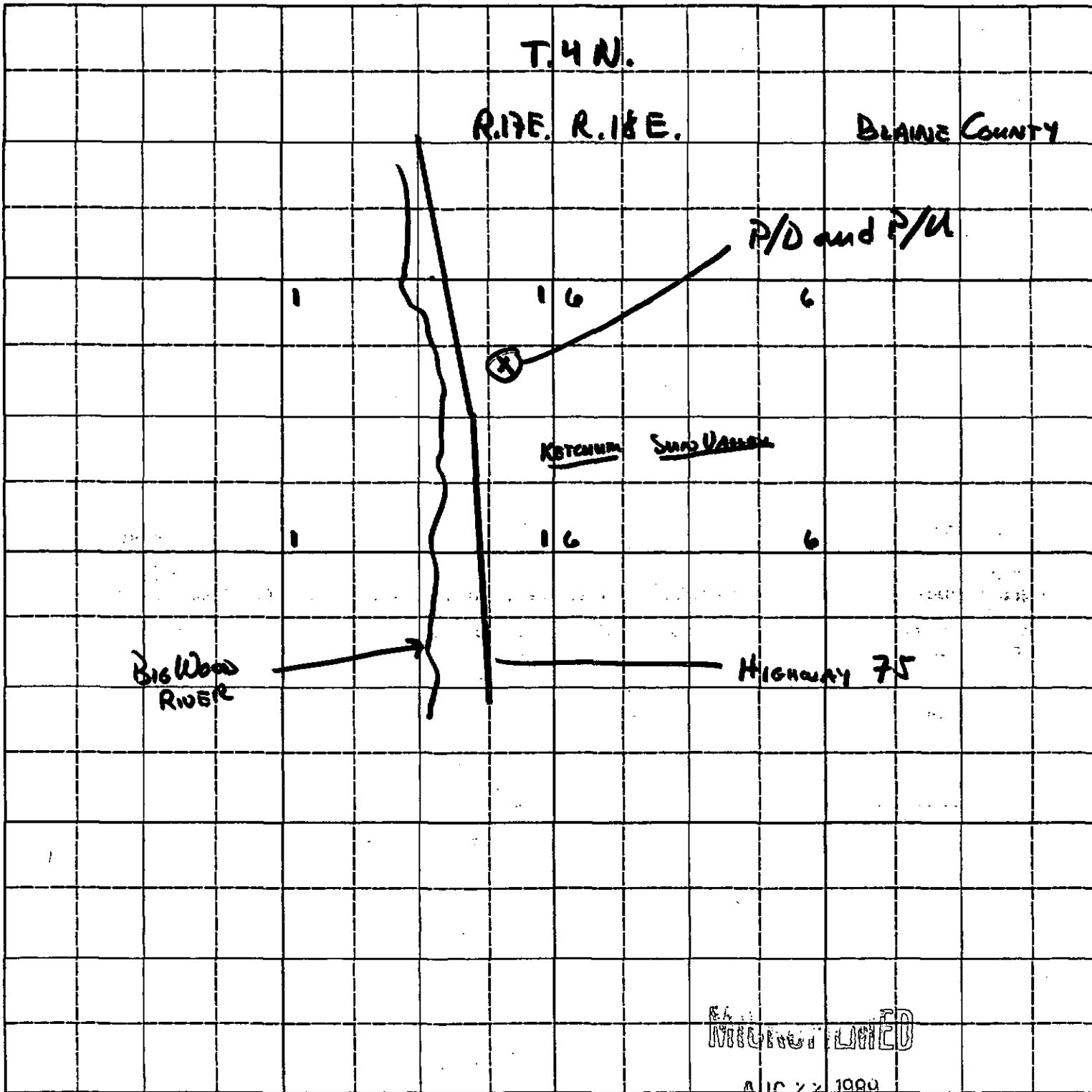
11. a. Who owns the property at the point of diversion? Applicant

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

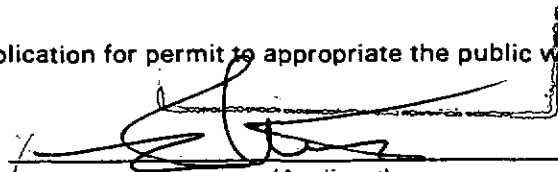
12. Remarks: Provides domestic water for one household (one main residence and a guest house without a kitchen) and irrigation of three acres of residential landscaping. Diversion is less than thirteen thousand (13,000 gallons per day - this is a "DCMI" use under Rule 2, 8 of the Idaho Water Appropriation Rules and Regulations AUG 22 1989

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.


(Applicant)

Proposed Priority 3/30/89

Received by LG 3/30/89 Time 2:00 Preliminary check by DRS

Fee \$ 30.00 Received by JS # 500 6731 Date 3-30-89

Publication prepared by M. Baldwin Date 5/4/89 Published in Wood River Journal

Publication approved M. Baldwin Date 6/5/89

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. 37-8499, and said application is hereby APPROVED.

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 August 1, 19 91.

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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Irrigation use under this permit is authorized only in connection with a domestic use.

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.

Dated this 17th day of July, 1989.

J. Glen Saxton

MICROFILMED

AUG 22 1989

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 17th day of May 1989, and

the date of the last publication was on the 24th day of May 1989.

Daniel J. Gorham
Subscribed and sworn to before me this 24th day of May 1989.
(SEAL)

Rolanta McKee
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 76.5
Number of Insertions 2
Lines tabular at 5¢/Pica
76.5 Lines straight at 37.87¢/Pica
76.5 Subsequent lines at 29.45¢/Pica
TOTAL COST 67.32

RECEIVED

MAY 25 1989

Department of Water Resources
Southern Region Office

COPY OF NOTICE
(Part Here)

Notice of Applications (4)
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

4 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:

37-08497
REESE, RONALD K.
REESE, JANET S.
P.O. BOX 652
BELLEVUE, ID 83313
Source: SPRING
Tributary: SINKS
Diversion Pt: SWSWSW Sec 30 T.
02N R 18E
Use: DOMESTIC (1.022 CFS)
Date Filed: 3/15/1989
In: T02N R17E S25 SESE

37-08498
BILLGER, BRADLEY D.
BILLGER, ANNA J.
P.O. BOX 1245
HAILEY, ID 83333
Source: GROUNDWATER
Diversion Pt: SENENE Sec 25 T.
02N R 17E
Use: IRRIGATION (1.090 CFS)
DOMESTIC (1.040 CFS)
Date Filed: 3/28/1989
In: T02N R17E S25 NENE SENE
3.0 ACRES TOTAL

37-08499
NICOLAI, THEODORE
NICOLAI, CICELY
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: NWSENE Sec 1 T.
04N R 17E
Use: DOMESTIC (1.040 CFS)
IRRIGATION (1.090 CFS)
Date Filed: 3/30/1989
In: T04N R17E S01 SENE
3.0 ACRES TOTAL

37-08502
STURDIVANT, PETER L.
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: SENWNE Sec 5 T.
02N R 18E
Use: IRRIGATION (1.090 CFS)
DOMESTIC (1.060 CFS)
Date Filed: 4/03/1989
In: T02N R18E S05 NWNE
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 JUNE 5, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal
May 17 & 24, 1989.

OK
mb
6/5/89

MICROFILMED

AUG 22 1989



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, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CICELY NICOLAI
THEODORE NICOLAI
PO BOX 5918
KETCHUM ID 83340-5918

RE: WATER RIGHT NO. 37-08499

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

JAN 04 1999

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

MICROFILMED
2

JAN 04 1999

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

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

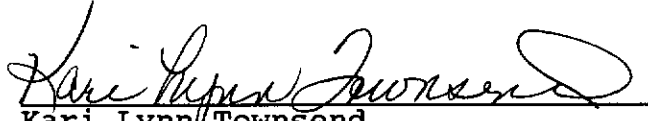
JAN 04 1999

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of December, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 37-08499

CICELY NICOLAI
THEODORE NICOLAI
PO BOX 5918
KETCHUM ID 83340-5918


Kari Lynn Townsend
Secretary

MICROFILMED

JAN 04 1999



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 7, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CICELY NICOLAI
THEODORE NICOLAI
PO BOX 5918
KETCHUM ID 83340-5918

RE: WATER RIGHT NO. 37-08499

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that your place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, the permit must be amended to depict your water right as it was actually developed.

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

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
JAN 04 1999

B/U FIELD EXAM REVIEW

by Cindy Lou

Permit #: 37-8499 Name: Nicolai Date: 11/30/98 ✓ Lots ✓

NAME ☒ Chng ☐ Same Or Address Change? No Assignment on file!

SOURCE ☐ ☒ Clarify source _____
☐ Prelim. Order to Void - Source change.

P/D ☐ ☒ Amendment Needed? Addn'l 1/4? _____ Legal SENE P39
 Same 1/4? W32 P36
 Overlap(s) none

P/U ☒ ☐ Amendment Needed? reduce SENE (0.8ac) P41
add SWNE (2.2ac)
 Overlap(s) none
 (Gov't use special ¶s) *P/D & P/U Amend? P37

RATE ☐ ☒ Permit/proof fee limits 0.13 / 0.20
☒ Measured Quantity = NA cfs Theoretical Quantity = 0.25 cfs
 $(dom \approx 0.02) + (irr = 0.03 \text{ cfs/ac} \times 3.0 \text{ ac} \approx 0.09 \text{ cfs}) = 0.11$
 (HP) $\frac{8.8 \times 0.70 \times 5}{7 + (2.31 \times 50)} = 0.25$ cfs
☒ Recommended capacity 0.25 cfs
☒ Recommended rate 0.11 cfs

VOLUME ☐ ☒ Season: (B / 3.5) yr. round 4/15-10/15 = 184 days
 Calculations: $(dom \approx 0.02) + (irr = 0.03 \text{ cfs/ac} \times 3.0 \text{ ac} \approx 0.09 \text{ cfs}) = 0.11$
 Flow limit: $0.09 \text{ cfs} \times 184 \text{ days/yr.} \times 1.9835 = 32.8$ AF
☒ Recommended volume 11.1 AF

USES ☐ ☒ Same Nature of Use? _____ P46
☐ Amendment Needed? _____

REMARKS ☐ Multiple p/d's in same 1/4? Use W32 _____
☒ DW60 & W59 Combined

CONDITIONS ☐ Measuring Device (R43) or Lockable Controlling Works (R02)
☐ Watermaster Control (R04) - WD # _____
☒ R67 Irrigation rate/annual volume overlap
☐ GW irrigation replaces surface water (050)
☐ GW irrigation supplements surface water (065)
☐ Water Quality
☒ 041 Other _____

PRIORITY App Rcd 3/30/89 Due 8/1/91 Rcd 7/31/91
 Receipt# C021377 Fee OK? Yes/No \$50
 Order to Reinstate Needed? Yes/No Done? _____ Advanced to: _____
 Priority 3/30/89 Examined 10/19/98

COMMENTS: limit domestic to in-house use; amend place of use

USE	CFS	VOLUME
<u>irr / 3.0 ac</u>	<u>0.09</u>	<u>10.5</u>
<u>Dom</u>	<u>0.02</u>	<u>0.6</u>
<u>\</u>	<u>\</u>	<u>\</u>
TOTAL	<u>0.11</u>	<u>11.1</u>

SRBA Overlap noneAdjustment Memo ☒

LICENSE

#1 AMEND: P41 /P38

#2 AMEND: (R)P42/

MEMORANDUM

DATE: December 1, 1998
TO: File No. 37-08499
FROM: Cindy Lou Zimmerman
SUBJECT: Review of Beneficial Use Field Report

The following adjustments¹ to the domestic and maximum rates of diversion and irrigation season were made on the field report to reflect department standards and licensing practices for uses developed under this permit:

F. Flow Calculations.

- a. Irrigation = acres x cfs/acre = $3.0 \times 0.03 = 0.09$ cfs.
- b. Domestic, 1 home, in-house only = 0.02 cfs.
- c. Maximum rate of diversion = $a + b = 0.09 + 0.02 = \underline{0.11}$ cfs.

H. Recommendations.

1. Recommended amounts:

Beneficial Use	Period of Use	Rate of diversion	Annual Volume
Irrigation	<u>4/15-10/15</u>	0.09 cfs	10.5 AF
Domestic	1/1-12/31	<u>0.02</u> cfs	0.6 AF
	Totals:	<u>0.11</u> cfs	11.1 AF

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JAN 04 1999

Examiner: Georgia Satterlee
Examined: November 13, 1998

¹ Adjustments are **bolded and underlined**.

Zimmerman, Cindy

From: Zimmerman, Cindy
Sent: Monday, November 30, 1998 9:36 AM
To: Satterlee, Georgia
Subject: Exam on 37-08499

Importance: High

Good Morning, Georgia,

I am reviewing the exam you conducted October 19, 1998 on 37-08499. I have a couple of questions:

-In remarks you identify the subdivision as "Large Block 9 Amended, Bigwood Subdivision". Is there a specific lot for this place or is it the entire block? * No lots, ^{use} entire Block 9.

-You identify domestic in-house use is served primarily by the city but the well can be used for back-up. You recommended 0.04 cfs for in-house use. Generally, we allow 0.02 cfs for in-house use when irrigation is identified as a separate use unless there is a specific reason for the higher rate. Is there a reason for the higher rate? * OK to use 0.02 cfs.

Please let me know your comments as soon as possible. Maybe we could get this licensed today!

Thanks,

Cindy Zimmerman

* Per letcom w/ Georgia 12/1/98. cz.

MICROFILMED

JAN 04 1999

Zimmerman, Cindy

From: System Administrator
To: Satterlee, Georgia
Sent: Monday, November 30, 1998 9:36 AM
Subject: Delivered: Exam on 37-08499

Your message

To: Satterlee, Georgia
Subject: Exam on 37-08499
Sent: 11/30/98 9:36 AM

was delivered to the following recipient(s):

Satterlee, Georgia on 11/30/98 9:36 AM

MICROFILMED

JAN 04 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 24 1998

DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 37-08499

1. Owner: ALI FAYED Phone No. (208) 622-8632

Current Address: ONE DEER PK. CRT., GREENWICH, CT. 06830

2. Accompanied by: FRED HAEMISEGGER EXAM DATE: 19 Oct 98

Address: _____ Phone No. SAME AS ABOVE

Relationship to Permit Holder: LAWYER FOR OWNER

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: N/A

2. Other water rights with the same point of diversion: "

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NE	01	04N	17E	BLAINE	FIELD EXAM
									GPS LOCATION (NO TAG)

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	17E	01			2.2	.8												3.0	

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JAN 04 1999

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

Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		5		Starite	Ser A904
					Mod CP4J 02C-04

*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
PUMP CURVE						
THEORETICAL						

2. Measurements: INCLUDED IN FILE

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JAN 04 1999
FBI



Scale
1" = 300' ±

A. 0.30
B. 1.54
C. 0.30
D. 0.50
E. 0.34
F. 0.70
3.18 26

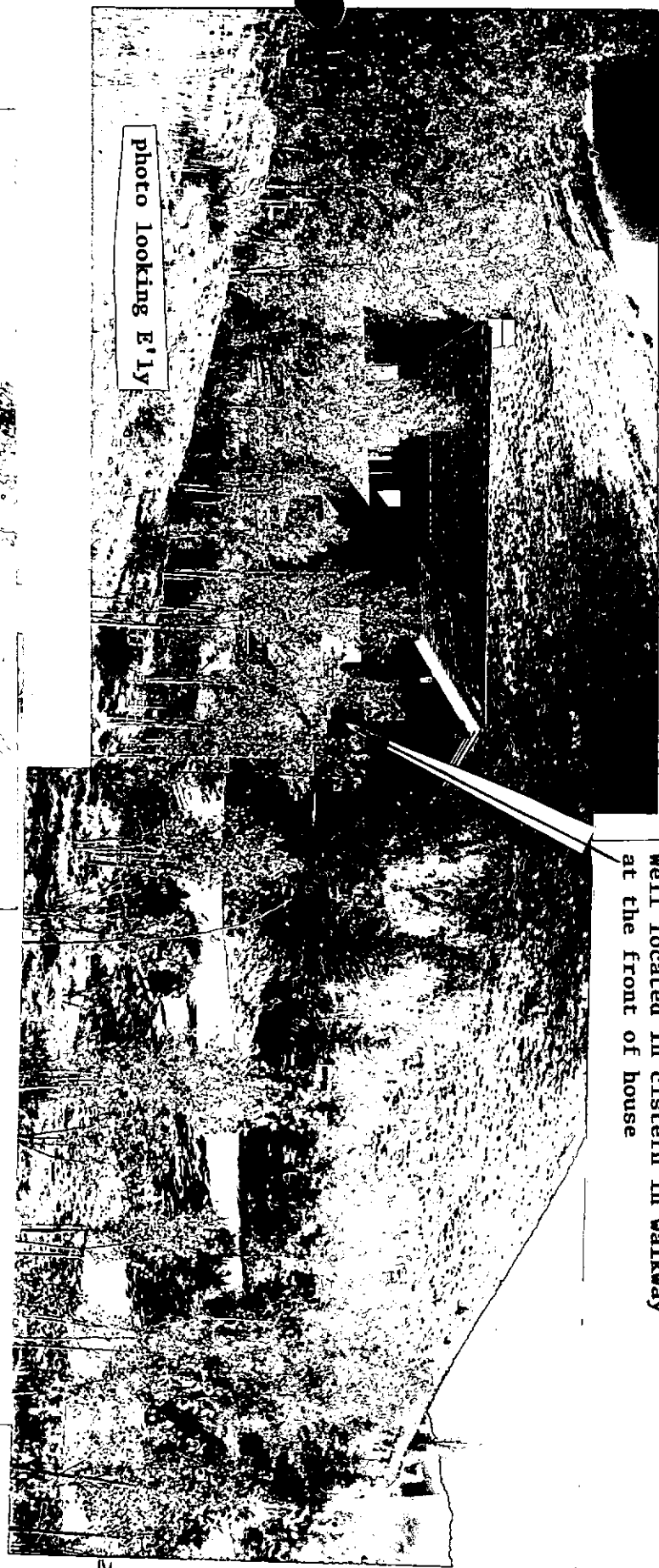


MICROFILMED

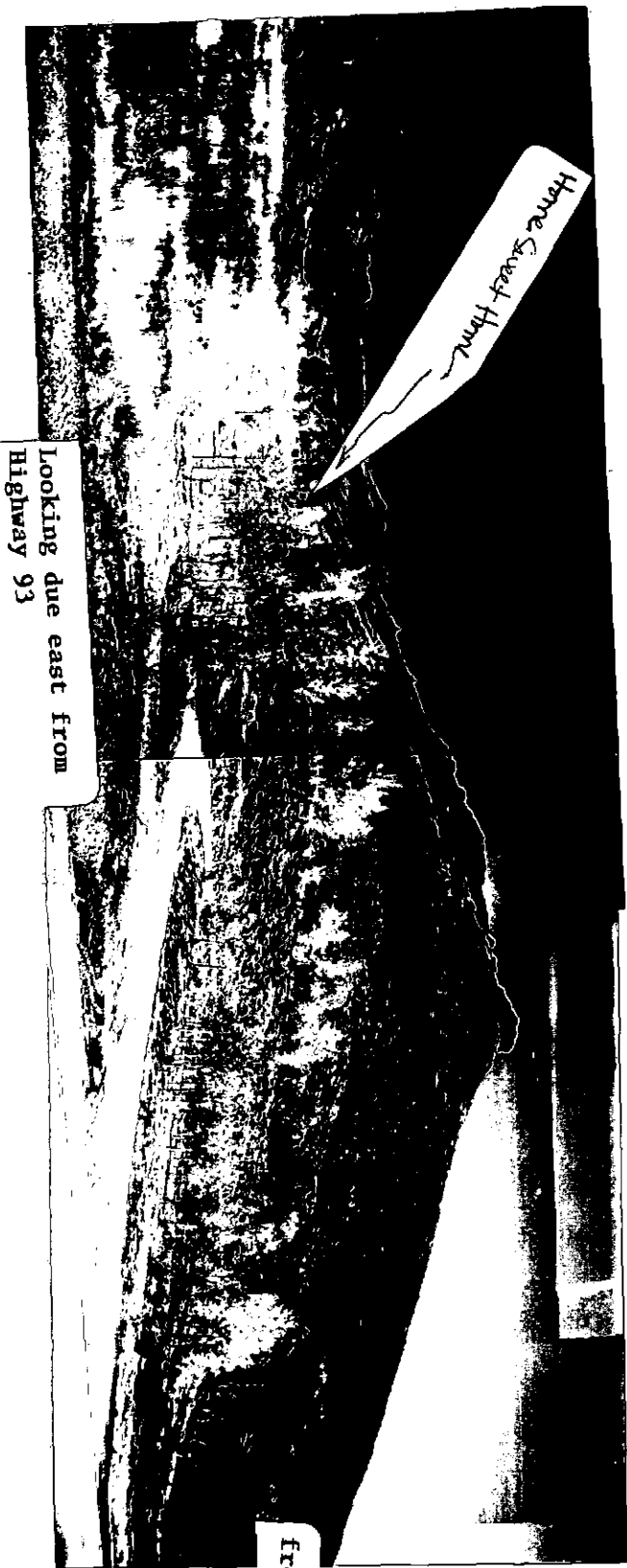
Big Wood River 08-10-92 Flight
JAN 04 1993

FAYED, Ali

37-08499

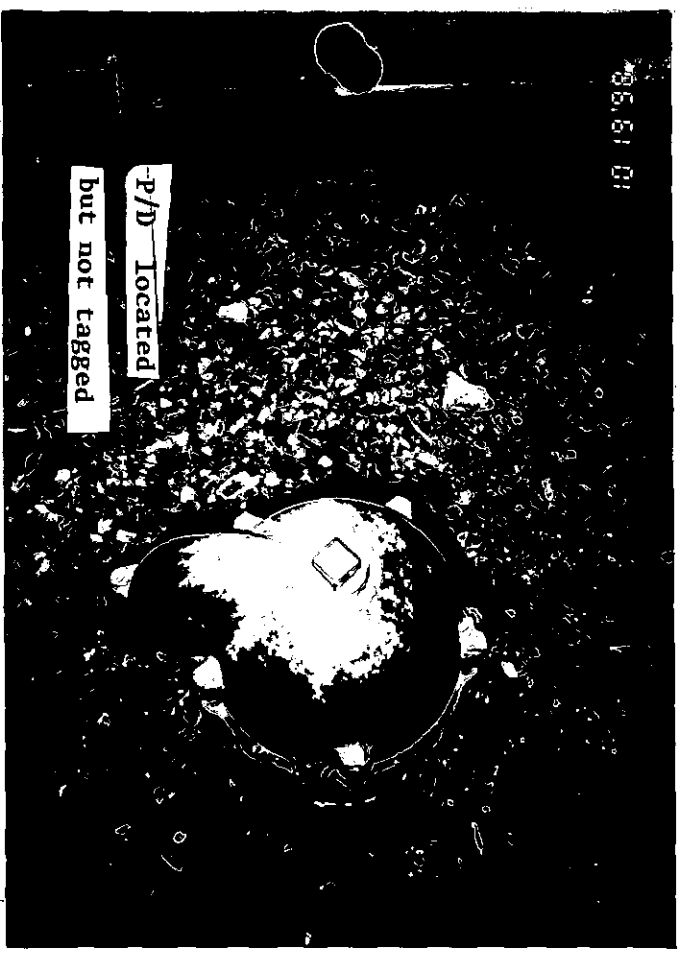


JAN 09 1999

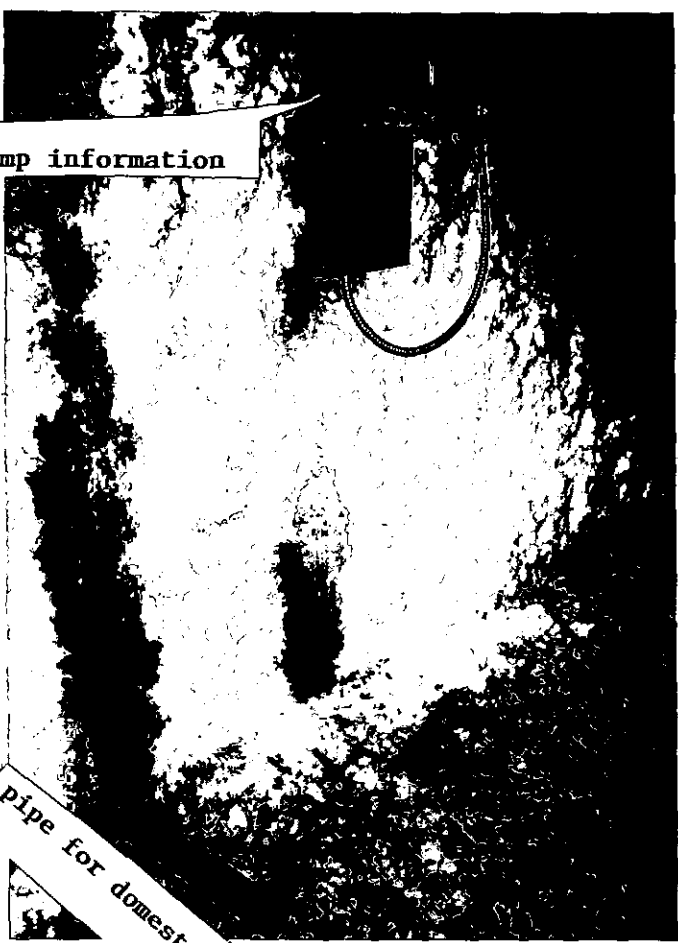


Looking due east from Highway 93

front of property
all irrigated ...



-P/D located
but not tagged



on the other side of concrete wall
is the well.

REFILMED
JAN 04 1999

Baldy Mtn.

10 13

photo looking SW'ly

back of home

10 13 99

MICROFILMED

JAN 0 4 1999

Fayed, Ali
37-08499

10 13 99

PUMP CURVE

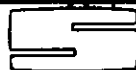
MODEL: 40J4

SIZE: 4"

RPM: 3450

HP: 5

CURVE NO: ST1228



STARITE SER. A904 PH1

STARITE INDUSTRIES, INC.

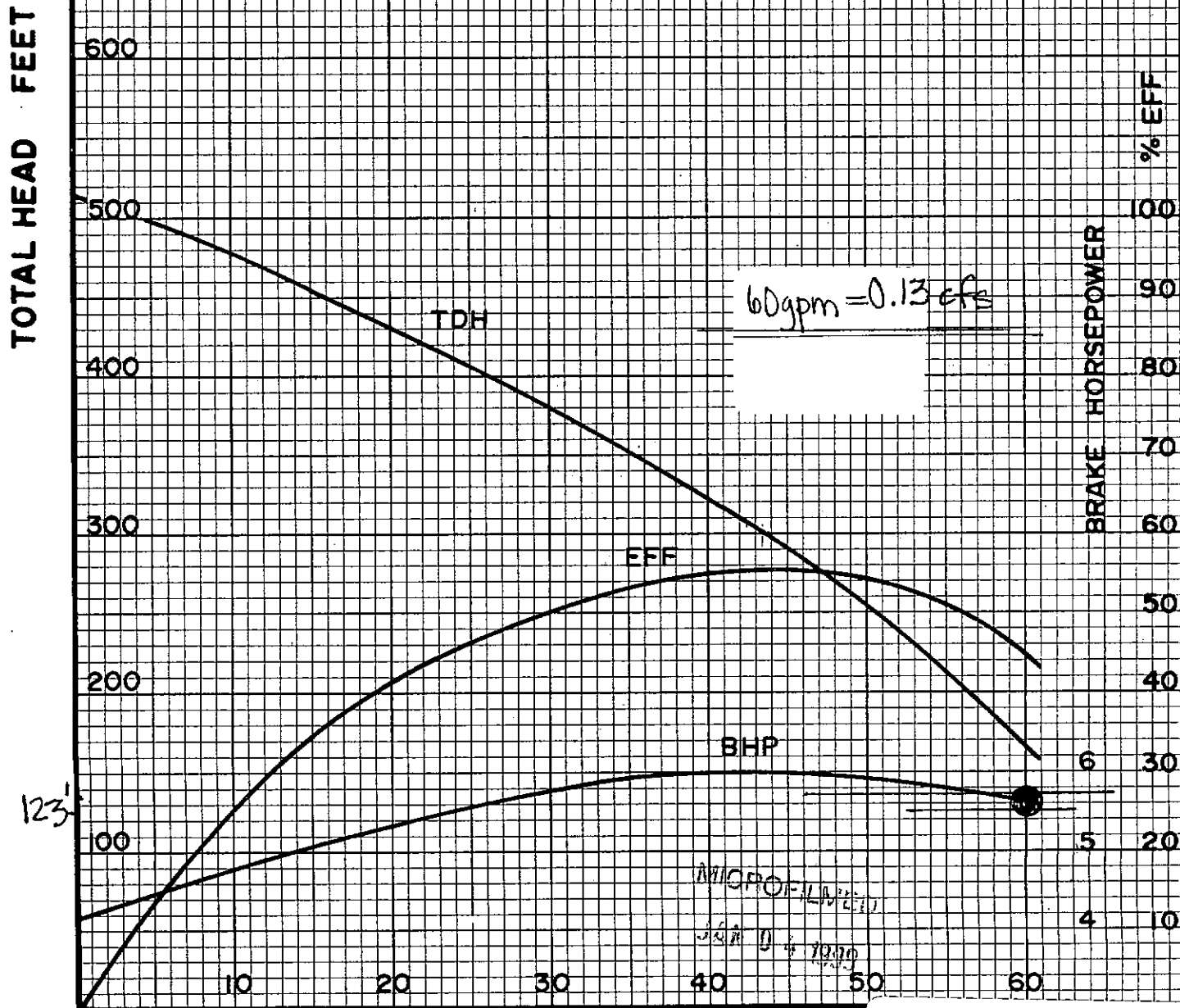
Water Equipment Division

293 SOUTH WRIGHT STREET / DELAVAN, WISCONSIN 53115 / U.S.A

DATE: FEB. 23, 1978

$$\begin{aligned} \text{TDH} &= \text{LIFT} + (\text{PSI} \times 2.31) \\ &= 7 + \{50 (231)\} \end{aligned}$$

$$\text{TDH} = \underline{\underline{123'}}$$



CAPACITY U.S. G.P.M.

Fayed, Ali

37-08499

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-08499
DATE: 1904-98
BY: Satterlee, G.

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

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])

$$Q = \frac{(8.8) (5HP) (0.70)}{[(7) + (50 \times 2.31)]} = \frac{30.8}{123} = 0.25 \text{ cfs}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner ()	STARITE
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well logs ☒	owner gage ☒	SER 9904 PH 1
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	POTENTIAL = $\frac{(\dots) \times (1.98) \times (\dots)}{(\dots)}$
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL =

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

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

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JAN 04 1999

E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 13 November 1998
RE: 37-08499

I met with Fred Haemisegger and Elmar Grabher on 19 October 1998 to conduct field examination. Mr. Haemisegger is Mr. Fayed's attorney and Mr. Grabher built the house approximately 10 years ago for the original owner, Nicolai.

The permit calls to domestic and irrigation from a well. The well is located in the SENE $\frac{1}{4}$ of Section 01, T04N, R17E, also known as the "Large Block 9 Amended, Bigwood Subdivision". The place of use is located in the SENE $\frac{1}{4}$ and SWNE $\frac{1}{4}$ of Section 01, T04N, R17E.

The well is on ground once owned by the city. The well was used in conjunction with the local dump. The well driller reports from 15-20 years ago are far and few between, but I utilized what I could find with regard to the static water level per pump curve and theoretical calculations.

While I conducted the field examination, the personnel from Webb Nursery were blowing out the sprinkler system and preparing the ground for winter. I observed numerous Toro Super 700 Pop-Up sprinklers plus a mass of Rainbird impact sprinklers on the property.

As of this date, the City of Ketchum is furnishing the water for domestic use only. The well is capable to supply the home (please see photo page 2/3) for domestic use.

The recommended rate will be as permitted per pump curve data. The domestic use will be in-house only and the irrigation will be 3 acres.

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

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JAN 04 1999

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached
 ✓ PUMP CURVE
 ✓ THEORETICAL

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3(3.5) = 10.5$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.09(215)1.9835 = 38.4$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 10.5$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

EXAM FEE LIMIT 0.20 cfs
 PERMIT RATE 0.13 "
 PUMP CURVE " 0.13 "
 THEORETICAL " 0.25 "
 RECOMMENDED RATE 0.13 cfs

I. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
DOMESTIC (In-House Only)	1/1 From 12/31 To 4/1	0.04 * Q (cfs)	0.6 V (ata)
IRRIGATION	4/1	0.09	10.5
Totals:		0.13 *	11.1

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: Georgia Suttelle Date: 13 Apr 98
 Reviewer: _____ Date: _____

* Adjustments made during review of this right for license approval. See Memo for additional information. 11/30/98

SEAL
 MICROFILMED
 JAN 04 1999

August 14, 1991

THEODORE NICOLAI
CICELY NICOLAI
P.O. BOX 5918
KETCHUM, ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08499

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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

AUG 22 1991

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

July 31, 1991

RECEIVED
AUG 01 1991

Department of Water Resources

CERTIFIED MAIL P 059 723 253
RETURN RECEIPT REQUESTED

Ms. Rita Fleck
Secretary/Records Manager
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Permit No. 37-08499, Proof of Beneficial Use

Dear Ms. Fleck:

Enclosed you will find the completed and signed Proof of Beneficial Use for the above-referenced Permit. Please call me if there are any questions.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD

James P. Speck
James P. Speck

JPS\dmk
Enclosure
cc: Mr. Theodore Nicolai
Mr. Gregg Sturtevant

Nina
Per our phone conversation -
here is the missing check! I enclosed
a copy of the letter I sent to
Rita so that you could put
the letter & the check together
more easily - Thanks for your
help!!
Deb

AUG 22 1991

JWZ

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

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JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
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July 31, 1991

RECEIVED
JUL 31 1991

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Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS\dmk
Enclosure

cc: Mr. Theodore Nicolai
Mr. Gregg Sturtevant

AUG 22 1991

138649

May 31, 1991

THEODORE NICOLAI
CICELY NICOLAI
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

PROOF DUE NOTICE

RE: PERMIT NO. 37-08499

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 August 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

AUG 22 1991

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
July 19, 1989

THEODORE NICOLAI
CICELY NICOLAI
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08499

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

MICROFILMED

AUG 22 1989

permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman". The signature is written in dark ink and is positioned above the printed name and title.

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILM

AUG 22 1989

37-08499

NICOLAI, THEODORE
NICOLAI, CICELY
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: NWSENE Sec 1 T 04N R 17E

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

Date Filed: 3/30/1989

In: T04N R17E S01 SENE

3.0 ACRES TOTAL

RECORDED

AUG 22 1989

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

37-08497

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

Source: SPRING

Tributary: SINKS

Diversion Pt: SWSWSW Sec 30 T

02N R 18E

Use: DOMESTIC (.022 CFS)

Date Filed: 3/15/1989

In: T02N R17E S25 SESE

37-08498

BILLGER, BRADLEY D.

BILLGER, ANNA J.

P.O. BOX 1245

HAILEY, ID 83333

Source: GROUNDWATER

Diversion Pt: SENENE Sec 25 T

02N R 17E

Use: IRRIGATION (.090 CFS)

DOMESTIC (.040 CFS)

Date Filed: 3/28/1989

In: T02N R17E S25 NENE SENE

3.0 ACRES TOTAL

37-08499

NICOLAI, THEODORE

NICOLAI, CICELY

C/O JAMES P. SPECK, ESQ.

P.O. BOX 987

KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: NWSENE Sec 1 T

04N R 17E

Use: DOMESTIC (.040 CFS)

IRRIGATION (.090 CFS)

Date Filed: 3/30/1989

In: T04N R17E S01 SENE

3.0 ACRES TOTAL

37-08502

STURDIVANT, PETER L.

C/O JAMES P. SPECK, ESQ.

P.O. BOX 987

KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: SENWNE Sec 5 T

02N R 18E

Use: IRRIGATION (.090 CFS)

DOMESTIC (.060 CFS)

Date Filed: 4/03/1989

In: T02N R18E S05 NWNE

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 JUNE 5, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal-
May 17 & 24, 1989.

OK
MB
9/15/89

MICROFILMED

AUG 22 1989

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 JUNE 5, 1989.

R. Keith Higginson, Director

Published 5/17/1989 & 5/24/1989

MICROFILMED

AUG 22 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECORDED

AUG 22 1989

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

MAY 4, 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 JUNE 5, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

AUG 22 1989

09-May-1989

Theodore/Cicely Nicolai
c/o James P. Speck, Esq.
P.O. Box 987
Ketchum, ID 83340

Re: Application for Permit No. 37-08499

Dear Applicant (s):

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

This office will be advertising the application in the Wood River Journal on 5/17 & 5/24/89. A period of ten days following the second publication will be allowed for the submittal of protests.

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

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

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

DJ:MB

MICROFILMED

AUG 22 1989

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

March 27, 1989

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

CERTIFIED MAIL; RETURN RECEIPT REQUESTED

Idaho Department of Water Resources
2148 - 4th Avenue East
Twin Falls, Idaho 83301

Attention: Jim Stanton

Re: Theodore and Cicely Nicolai

Dear Jim:

Enclosed you will find Application for Permit for the
above named individuals, together with our check in the sum of
\$30.00 for filing same.

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

Sincerely yours,

HOGUE, SPECK & AANESTAD

Jim
James P. Speck

JPS/jal
Enclosures

MICROFILMED

AUG 22 1989

RECEIVED

MAR 30 1989

Department of Water Resources
Southern Region Office

37-08499