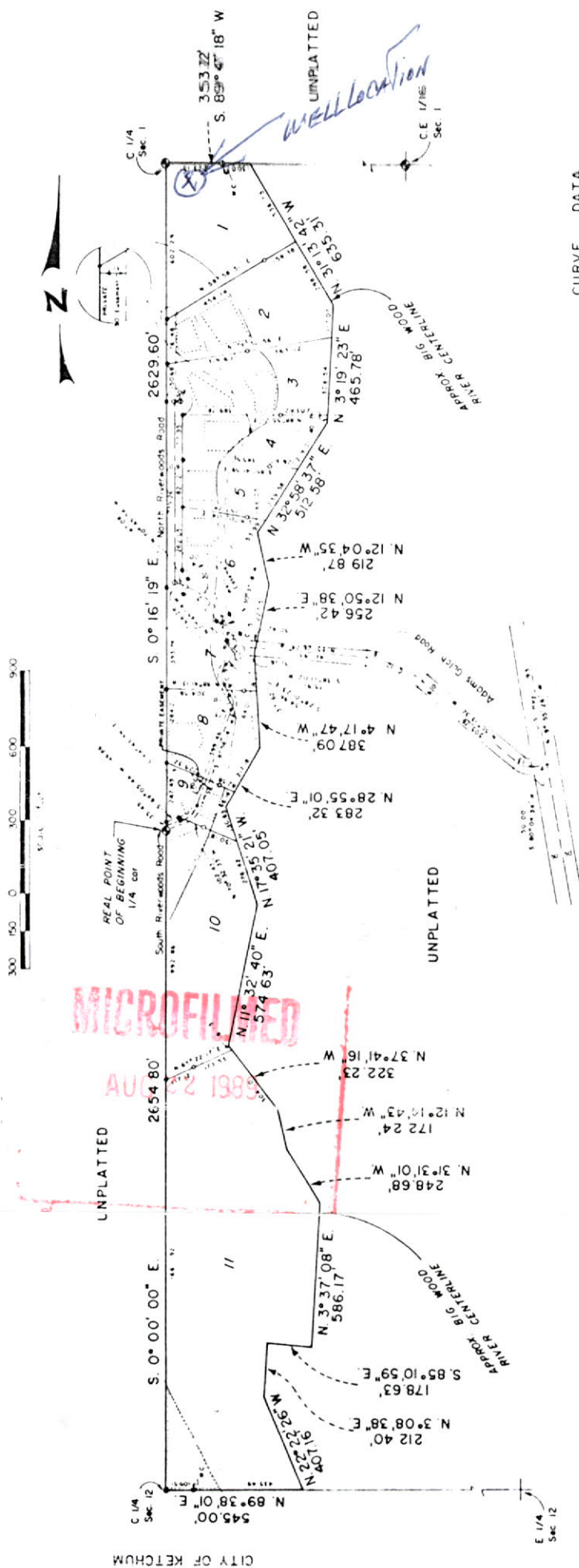


PLAT SHOWING

RIVERWOODS SUBDIVISION

A. PORTION OF
The SE 1/4 of Sec 1 & NE 1/4 of Sec 12, T 4 N, R 17 E, BM
BLAINE COUNTY, IDAHO
1976



CURVE DATA

CURVE	R	Δ	T	L	CH. L	IN. BEAR
C-1	24.33	40° 08' 36"	88.18	169.08	165.65	S 50° 41' 36" E
C-2	271.33	40° 18' 36"	99.14	190.10	186.24	S 50° 41' 36" E
C-3	301.33	40° 18' 36"	110.10	211.12	206.82	S 50° 41' 36" E
C-4	36.62	40° 29' 35"	25.88	45.15	42.27	S 55° 21' 07" E
C-5	54.95	54° 49' 06"	28.49	52.57	50.59	S 58° 01' 51" E
C-6	48.95	54° 49' 06"	44.05	81.28	74.27	S 58° 01' 51" E
C-7	14.95	28° 27' 13"	29.14	17.09	16.50	S 21° 12' 49" E
C-8	14.95	28° 27' 13"	26.92	16.83	16.43	S 43° 48' 15" E
C-9	65.58	68° 12' 25"	42.76	75.76	71.63	S 52° 04' 49" W
C-10	69.80	46° 53' 37"	30.32	57.21	55.62	S 47° 12' 34" E
C-11	101.78	50° 09' 30"	47.63	89.10	86.28	S 48° 01' 00" W
C-12	354.57	35° 12' 52"	125.22	242.51	238.71	S 38° 49' 58" E
C-13	71.42	47° 41' 54"	34.00	63.68	61.71	S 53° 04' 29" E

LEGEND

- Brass Cap found (B.L.M.)
- 1/2" x 24" rebar set
- 1/2" x 24" rebar set (at stress corner)
- 5/8" rebar found
- 5/8" x 30" rebar set
- 30' wide private right-of-way, monument with public easement
- Designated area where permanent structures are to be erected
- Drainage easement
- Approx. R.F. line
- C of reduced road 31.25m's South B. North Riverwoods

NOTES

- There is hereby reserved a drainage easement of sufficient width to allow free flow of drainage water along all existing natural drainages.
- There is hereby reserved a snow removal and waste cut or fill easement 20' Western and 40' Eastern of the respective edges of the roadway easement on Lots 7 and 8.
- Lot 1 shall not be considered buildable until the flood hazard problem is defined and resolved to the satisfaction of the Blaine County Commissioners and the Ketchikan City Council.
- Lot 11 shall not be considered buildable until an access easement is provided to the satisfaction of the same public officials.

LOT SIZE

- 1.48 Acres, approx.
- 2.44 "
- 3.54 "
- 4.25 "
- 5.19 "
- 6.29 "
- 7.23 "
- 8.29 "
- 9.12 "
- 10.68 "
- 11.89 "

KOONCE & BITLER
CONSULTING ENGINEERS

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 19th day of Apr., 1989, and

the date of the last publication was on the 26th day of Apr., 1989.

Daniel J. Gorham
Subscribed and sworn to before me this 26th day of April, 1989.
(SEAL)

Roberta M. Ketcher
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 38
Number of Insertions 2

Lines tabular at _____ 5¢/Pica
38 Lines straight at 1881 4¢/Pica
38 Subsequent lines at 14.63 3¢/Pica
TOTAL COST 33.44

COPY OF NOTICE

(Paste Here)

Not of Application (Fuller)
TITLE OF NOTICE # 37-08480

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Water right sought by Fuller

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08480

FULLER, NORMAN
FULLER, JUDIANNE
P.O. BOX 1066
SUN VALLEY, ID 83353

Source: GROUNDWATER
Diversion Pt: NWNWSE Sec 1 T
04N R 17E

Use: DOMESTIC (.060 CFS)
IRRIGATION (.090 CFS)
AESTHETIC (1.050 CFS)

Date Filed: 12/06/1988

In: T04N R17E S01 NWSE
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 MAY 8, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal-
April 19 & 26, 1989.

7-8 pt. per line straight....4.5/pica

7-8 pt. per line tabular....5.5/pica

7-8 pt. per line successive
insertion....3.5/pica

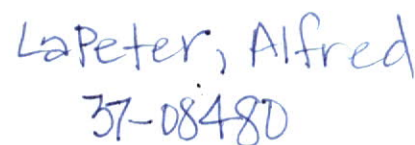
MICROFILMED

AUG 26 1989

No. 6483
RECEIVED

MAY 2 1989

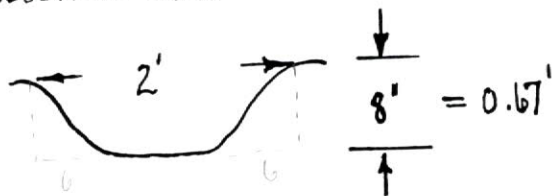
Department of Water Resources
Southern Region Office



CITY OF KETCHUM

0 250 500
SCALE IN FEET

* DITCH X-SECTION
see schematic below
measured here



$$Q = AV$$

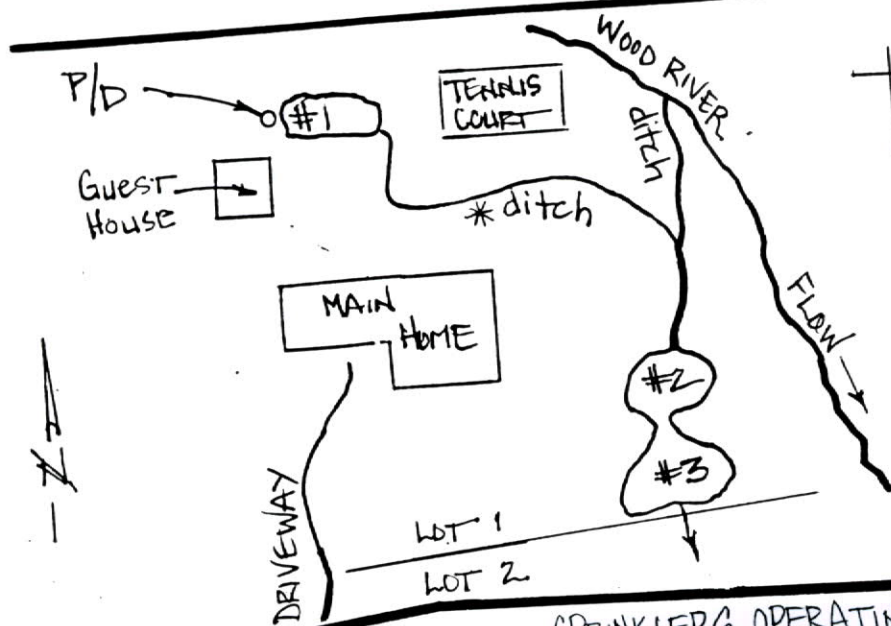
$$\text{Area } (0.67) 2' = 1.33$$

$$\text{Velocity} = 10' / 12 \text{ sec}$$

$$V = 0.83 \text{ ft/sec}$$

$$Q = 1.33 (0.83)$$

$$Q = 1.1 \text{ cfs}$$



Pond Sizes

$$\#1 = 40' \times 15' \times 2' = 0.03 \text{ af}$$

$$\#2 = 40' \times 40' \times 2' = 0.07 "$$

$$\#3 = 30' \times 40' \times 2' = 0.06 "$$

$$\text{Surface ac.ft.} = 0.08 \text{ af}$$

$$\text{Volume " " } = 0.2$$

SPRINKLERS OPERATING

$$Q = \frac{8.8 (\text{HP}) \text{ EFF.}}{\text{TDH}}$$

$$Q = \frac{8.8 (7.5) .70}{15 + (60)(2.31)}$$

$$Q = \frac{46}{154} = 0.30 \text{ cfs}$$

THEORETICAL RATE

WITHOUT SPRINKLERS

$$Q = \frac{8.8 (7.5) 0.70}{15 + (5)(2.31)}$$

$$Q = \frac{46}{27}$$

$$Q = 1.73 \text{ cfs}$$

Open Discharge

7.5 HP = verified K. Smith Wood
R/R Drilling Nov 1998

LIFT = area well logs (average)

PSI = owner gage

Examiner: Satterlee
19 October 1998
LaPeter, Alfred

SCANNED

JAN 14 2003

MICROFILMED

FEB 25 2003

37-08480

PROFILED

DATE Jan. 14, 2003

DATE Jan. 14, 2003

MOST N'LY POND NOT DEVELOPED
UNTIL SUMMER 1993 ... EXTENSION
FILED APPROPRIATELY. p/d -



Tennis Court

Guest House

Home Lapeter's

Lot 1 Riverwoods Subd.

Pond #3

Pond #2

Adams Gulch Rd/Big Wood Rvr. Xing.

Big Wood River 8-10-92 Flight Date

SCANNED

La Peter, Alfred

LEPROFILED 10/14/2000

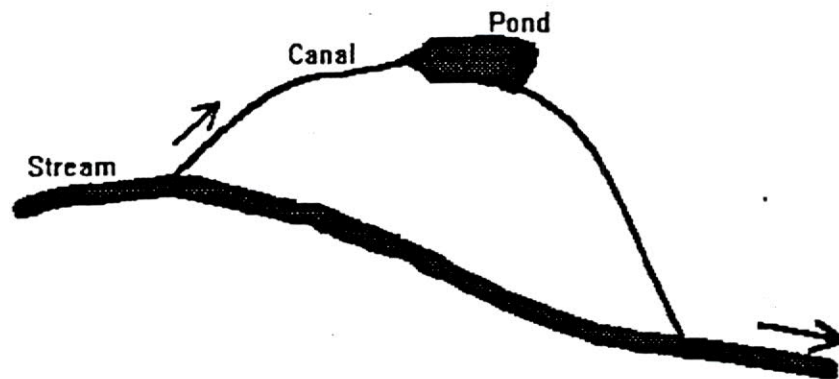
JAN 1 2009

DATE 27-2

~~DATE~~ 31-08480

and serves as a temporary holding tank or "re-regulation pond" for a natural flow right), it can be viewed as part of the conveyance system and will not need to be described as a storage right.

The second kind of offstream storage is where water is diverted through a reservoir and back into the natural channel. The end use of the water is relatively non-consumptive; however, significant evaporation from the reservoir surface may cause the appropriation to be seen as a consumptive use of water.



This scenario usually requires a storage component, a diversion to storage component, and a natural flow component. However, as in the previous scenario, if the pond would fill in less than 24 hours under the natural flow component of the appropriation, it can be viewed as a "wide spot in the ditch", which does not need to be described as storage. This scenario is usually associated with small appropriations for aesthetic, wildlife, and recreation purposes.

04/16/97
Hand Out Diagram
Page 5

MICROFILMED

FEB 25 2003

PROFILED

DATE Jan. 14, 2003

SCANNED

JAN 14 2003



photo looking N'ly



POND #3

STANDING @ PEUP LINE BETWEEN LOTS 1 & 2

MICROFILMED



Photo looking W'ly



Photo looking W'ly

CPS Tag A0007838

PROFILED
DATE Jan 14, 2003

SCANNED
JAN 14 2003



tennis court

Big Wood River

first ditch
(from well)

second ditch

photo looking NW'ly



play house

Ponds #2 & #3

second ditch

first ditch (from well)

photo looking S'ly

PHOTOS TAKEN DEC. 1998
EXAMINER: SATTERLEE

MICROFILMED
FEB 25 2003

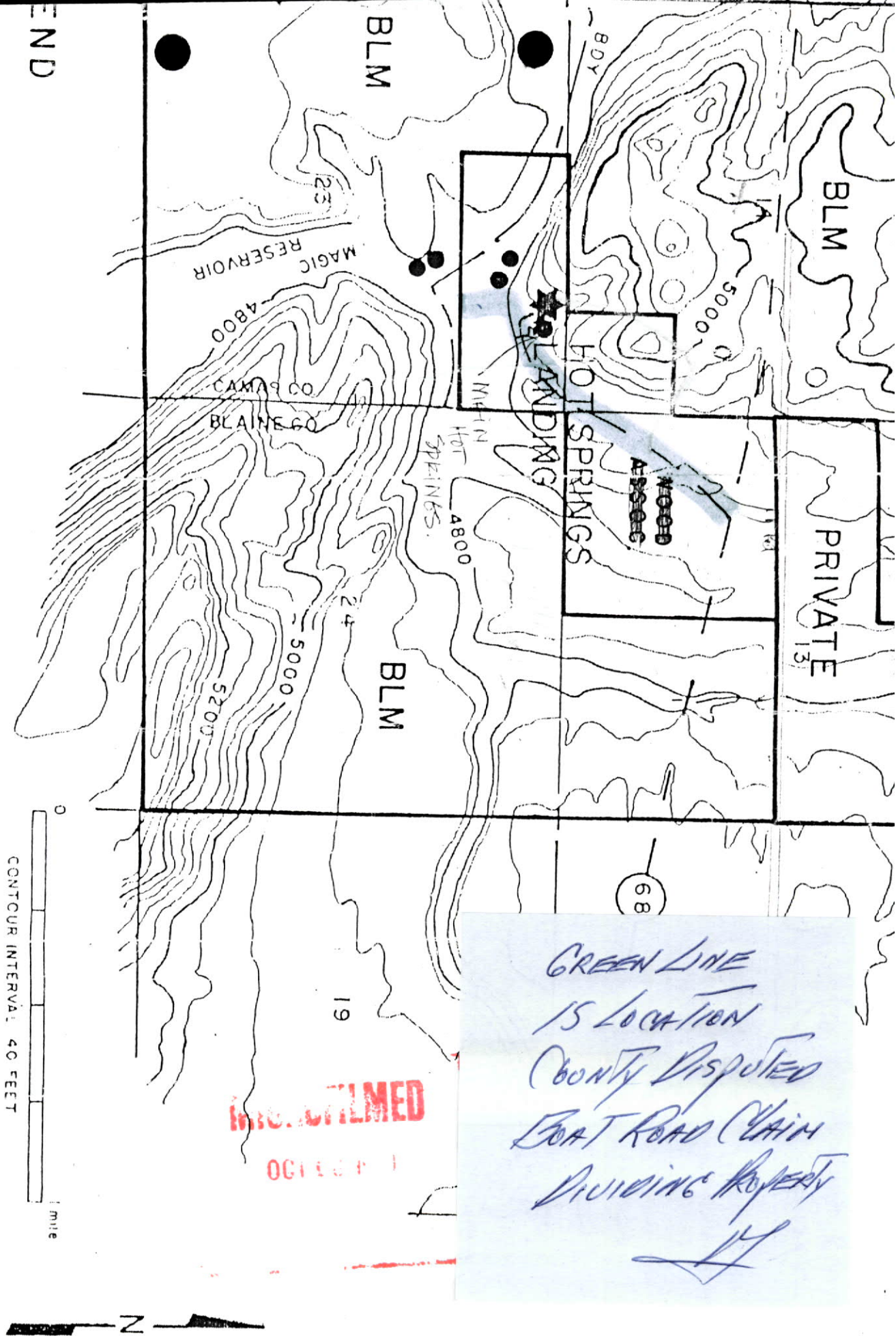
LaPeter, Alfred
37-08480

PROFILED
DATE Jan. 14, 2003

SCANNED
JAN 14 2003

nd holdings
t artesian well
t springs

END



GREEN LINE
IS LOCATION
COUNTY DISPUTED
BOAT ROAD CHAIN
DIVIDING PROPERTY
LH

RECORDED
OCT 19 1961

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08480

Priority: January 19, 1989

Maximum Diversion Rate: 1.11 CFS
Maximum Diversion Volume: 251.2 AF

It is hereby certified that ALFRED R LA PETER
PO BOX 3801
KETCHUM ID 83340 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated December 6, 1988; and has
submitted Proof of Beneficial Use on August 30, 1993. An examination indicates that the works have a
diversion capacity of 1.73 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/15 to 10/31	0.09 CFS	8.0 AF
AESTHETIC	04/15 to 10/31	1.05 CFS	242.0 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NW¼SE¼ Sec. 1, Twp 04N, Rge 17E, B.M. BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
04N	17E	1														3.0	3.0		

Total Acres: 3

PLACE OF USE: AESTHETIC – Same as Irrigation

PLACE OF USE: DOMESTIC – Same as Irrigation

CONDITIONS OF APPROVAL

1. Irrigation use under this right is authorized only in connection with a domestic use.
2. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.
4. Use of water under this right for aesthetic purposes shall be non-consumptive.
5. Place of use is located within Lot 1, Riverwoods Subdivision.
6. Point of diversion is located within Lot 1, Riverwoods Subdivision.

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

Signed and sealed this 17TH day of January, 2003.

MICROFILMED

FEB 25 2003

Acting for

KARL J. DREHER
Director

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	CFS
Original App.	37-08480	Norman Fuller Judianne Fuller	1.11
Full Assignment	37-08480	Alfred LaPeter	1.11

REPROCESSED

DEC 15 1992

RECEIVED
AUG 30 1993
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee \$ 125.00
Date 8-30-93
Receipt No. 0028457
Receipt by CA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 37-08480 Telephone No. 208-7267888
2. Name(s) of Permit Holder(s): Al LaPater
3. Mailing Address: P.O. Box 3801 Ketchum ID 83340
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: 1986

OPTIONAL:

Pump horsepower: 7.5 Pressure (psi): _____ Dynamic pumping level (ft.): 110 ft

5. Extent of Use (as authorized by the permit):

Domestic 2 (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 4.8 (No. of acres) Other 3

6. Total rate and/or volume for which proof is submitted 1.11 cfs OR _____ 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 ☐ No

8. Fee Enclosed: \$ 125.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Al LaPater home 208-7267888 work 7264100
Name Telephone No.

54 Adams Gulch Rd Ketchum ID
Address

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

PROCESSED

8-26-93
Date

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

OCT 20 1993

RECEIVED

NOV 05 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 Fee Received by SW
Date 11-5-92
Receipt No. 0025936

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 37-08480

Name(s) of Permit Holder: Alfred R. La Peter

Mailing Address: 9944 Flower St Ballflower Cal 90706

Date Proof Is Due 12-1-92 Telephone No. 310-9201822

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Well has been drilled.
Woodrider drilling did well in 1986

Costing \$ ~~1111~~ 5000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Just purchased proper by and plan to complete project
in summer of 1993

Permit holder(s) request an extension to 12-1, 19 97.

FEE: \$15.00

(Signature)*

*If other than permit holder, Power of Attorney must be supplied

ACTION OF THE DEPARTMENT OF WATER RESOURCES

DEC 15 1992

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED
and the time within which to submit proof of beneficial use is
extended to December 1, 1995.

Signed this 14th day December, 19 92

J. Glen Sayton
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED
NOV 23 1992
Department of Water Resources

I, Norman + Jeanne Roller, hereby assign to Alfred R. LaPete
of 9944 Flower St. Bellflower CA 90706
Address

All my right, title, and interest in and to Permit No. 37-08480
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. 37-08480 to appropriate the public waters of
the State of Idaho. (Describe that portion of the permit being
assigned by listing the acreage within each 40 acre subdivision, the
point of diversion and the amount of water in cubic feet per second for
direct diversion, or acre feet for storage)

Made this 13 day of NOVEMBER, 1992.

[Signature]
Permit Holder

Jeanne Roller
Spouse of Permit Holder

State of Idaho)
County of Blaine) SS

On this 13 day of November, 1992, personally appeared before
me the signer(s) of the above instrument, who duly acknowledged to me that
he (she) (they) executed the same.

James A. Kirt
Notary Public residing at

Hailey

seal

My commission expires:

11-09-96

DEC 15 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 37-08365 IN THE NAME)
OF NORMAN E. FULLER)
_____)

PROPOSED ORDER
RESCINDING ORDER
VOIDING APPLICATION

At the request of the applicant, Norman E. Fuller, a hearing was conducted in Twin Falls, Idaho, to determine whether a previous Order Voiding Application for Permit No. 37-08365 was erroneous. A hearing having been held, the hearing officer, as a representative of the Director of the Department of Water Resources, proposes the following findings, conclusions and order:

FINDINGS OF FACT

1. By order dated March 16, 1990, the applicant was required to submit design plans for his proposal which would exhibit efficient extraction of heat from the low temperature geothermal water, and also submit information establishing that his proposed use will satisfy local zoning ordinances.
2. The applicant did not submit the required information within sixty (60) days as required by the order.
3. The Department of Water Resources did not act to void the application.
4. Norman E. Fuller received notice that Proof of Beneficial Use was due for permit to appropriate water no. 37-8480, an unrelated permit.

RECEIVED

DEC 15 1992

5. Mr. Fuller thought that the Department was requesting the information required for permit no. 37-08365. He submitted information pertinent to permit no. 37-08365, showing that ongoing litigation was causing uncertainty about the location of buildings and other structures. Because of the litigation, Fuller was uncertain how much land Blaine County might acquire, and requested an extension of time until the land dispute is settled.

6. All of the information pertaining to water right no. 37-8365 was placed in the wrong file, and was used to grant an extension of time for permit no. 37-8480, even though the information did not pertain to that permit.

7. Mr. Fuller did not discover his error until the Department was preparing the order to void the application.

8. Mr. Fuller sent a letter to the Department which identified his mistake, and asked that it be corrected. This request for correction was not brought to the attention of the preparer of the Order Voiding Application.

9. There are no other applications for use of the water pending with the Department at the present time.

CONCLUSIONS OF LAW

1. While Mr. Fuller did not submit the information required within the time allowed, he did submit information which was

RECEIVED

DEC 15 1992

pertinent to right no. 37-8365 prior to the Department voiding the application.

2. The Department should have recognized that the information which Mr. Fuller submitted did not relate to permit no. 37-8480.

3. Having submitted the information, Mr. Fuller was entitled to a response from the Department prior to voiding of the application.

4. Recision of the Order Voiding Application and reinstatement of this permit will not injure other water users because there are no other applications pending.

5. Mr. Fuller should diligently pursue resolution of the pending litigation, and submit the plans and specifications.

ORDER

IT IS HEREBY ORDERED that the Order Voiding Application for Permit no. 37-8365, dated March 25, 1991, is RESCINDED, and permit no. 37-8365 is reinstated with its original date of priority and amounts.

IT IS FURTHER ORDERED that Mr. Fuller is granted ninety (90) days from the date of this order to submit the information required by the Final Memorandum Decision and Order dated March 16, 1990. Mr. Fuller, however, may request an extension of time if he can show that the litigation still impedes his ability to comply with the conditions.

MICROFILMED

DEC 15 1992

Dated this 13th day of June, 1991.



GARY SPACKMAN, Hearing Officer
Department of Water Resources

CERTIFICATE OF MAILING

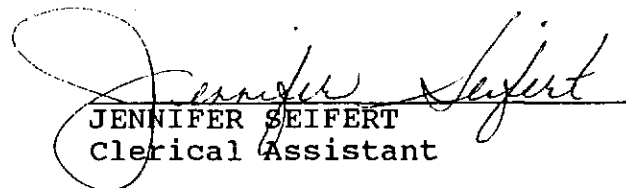
I hereby certify that on the 20th day of June, 1991, I mailed a true and correct copy of the Order Rescinding Order Voiding Application, postage prepaid, to the following individuals:

Norman E. Fuller
P.O. Box 1066
Sun Valley, ID 83353

Randall Brooks
The Wood River Journal
P.O. Box 988
Hailey, ID 83333

Janet O Crowley
Committee for Idaho's High Desert
P.O. Box 705
Picabo, ID 83348

IDWR - Southern Region



JENNIFER SEIFERT
Clerical Assistant

MICROFILMED

DEC 15 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

For Office Use Only
\$15 FEE Received by J. Janso
Date 9/14/90
Receipt # 8018321
RECEIVED
SEP 14 1990

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) request an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 37-8480

Name(s) of Permit Holder: NORMAN E. FULLER

Post Office Address: P.O. Box 1066 SUN VALLEY IDAHO 83353

Telephone No. 208 7265945

Date Proof Is Due: AS APPLICABLE

Describe what work has been completed toward the development of this water right: TEMPORARY
(This must be filled out! If no work has been completed, show "none".)

CONTROL PIPE & VALVES PENDING LEGAL
OUTCOME PER ATTACHED

Costing \$

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

SEE ATTACHED LEGAL FILING

Permit holder(s) request an extension to 4-15, 19 92.
UNLESS COURT ACTION UNDECIDED (1 yr. minimum)

FEE: \$15.00

[Signature]
(Signature)*
*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

OCT 18 1990

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to December 1, 1992.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to January 19, 1989, pursuant to Sec. 42-218a, Idaho Code.

Signed this 27th day of September, 19 90.

[Signature]
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Norman Fullet for JUDIANNE Fullet Phone 724-5945

Post office address Box 1066 Sun Valley, ID 83353

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____

Sec. 1 Township 4N Range 17E B.M. Blaine County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .06 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .09 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1.05 for Aesthetic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

5. Total quantity to be appropriated is (a) 1.11 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & 7 1/2 HP 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" inches; proposed depth of well is 120' feet.

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

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

(installed 1986)

MICROFILMED

AUG 24 1989

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 2
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	17E	1													X				3

X = Domestic & Aesthetic use

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

12. Remarks: Property further described as Lot 1, Riverwoods Subdivision.

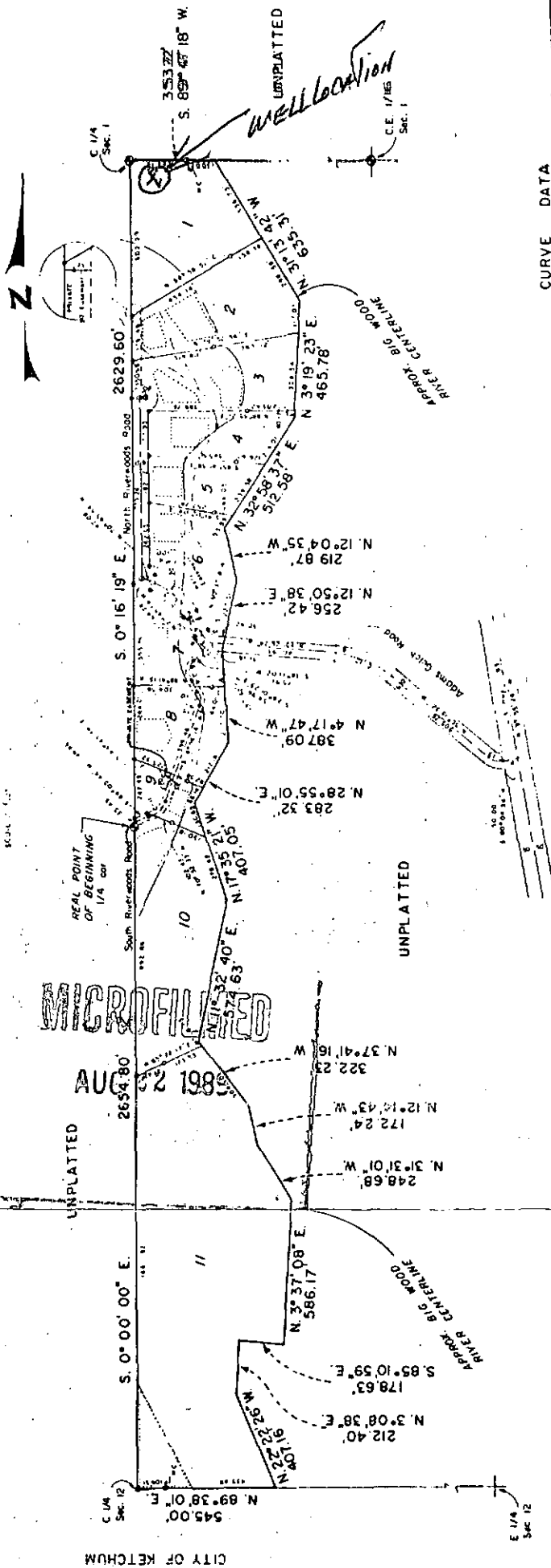
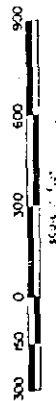
MICROFILMED

AUG 22 1999

PLAT SHOWING

A. PORTION OF -
The SE 1/4 of Sec 1 & NE 1/4 of Sec 12, T 4 N, R 17 E, BM
BLAINE COUNTY, IDAHO

1976



CURVE DATA				
CURVE	R	Δ	T	L
C-1	241.33	40° 08' 36"	88.18	165.08
C-2	271.33	40° 08' 36"	89.10	190.10
C-3	301.33	40° 08' 36"	110.10	214.12
C-4	366.2	39° 29' 35"	25.98	45.25
C-5	34.95	54° 49' 06"	28.95	52.55
C-6	84.95	54° 49' 06"	44.05	89.29
C-7	14.95	28° 27' 13"	29.14	57.09
C-8	14.95	26° 51' 33"	26.92	52.89
C-9	65.58	46° 12' 25"	42.76	75.76
C-10	69.60	46° 15' 30"	30.32	55.82
C-11	101.78	50° 01' 10"	47.63	89.10
C-12	394.57	35° 12' 52"	125.22	242.51
C-13	33.95	43° 45' 56"	34.06	52.68

LEGEND

- Brass Cap found (B L M)
1/2" x 24" rebar set
1/2" x 24" rebar set (business corner)
5/8" rebar found
5/8" x 30" rebar set
50' wide private water stream with public access
Designated area where permanent
structures are to be erected.
Drainage easement
4300' x 10' E Line
E of road 100' S of 14th St, Cedar Rapids, Iowa

NOTES

- There is hereby reserved a drainage easement of sufficient width to allow free flow of drainage water along an existing natural drainage.
- 2 There is hereby reserved a seven foot removal and slope cut or fill easement 20' westward and 40' easterly of the respective edges of the roadway easement on Lots 7 and 8.
- 3 Lot 7 shall not be considered buildable until the flood hazard problem is defined and resolved to the satisfaction of the Boone County Commissioners and the Keokuk, City Council.
- 4 Lot 11 shall not be considered buildable until an effects statement is provided to the satisfaction of the same public official.

size

- | Year | Area, acres | Production, bushels | Yield, bushels per acre |
|------|-------------|---------------------|-------------------------|
| 1911 | 44 | 1,000 | 22.7 |
| 1912 | 54 | 1,200 | 22.2 |
| 1913 | 25 | 500 | 20.0 |
| 1914 | 19 | 400 | 21.1 |
| 1915 | 29 | 600 | 20.7 |
| 1916 | 23 | 450 | 19.6 |
| 1917 | 29 | 550 | 19.0 |
| 1918 | 12 | 250 | 20.8 |
| 1919 | 68 | 1,400 | 20.6 |
| 1920 | 99 | 2,000 | 20.2 |

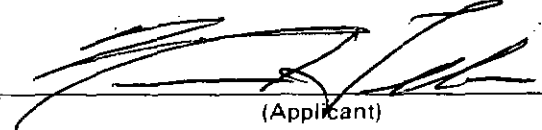
**KOONCE & BETLER
CONSULTING ENGINEERS**

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.

AUG 22 1989


(Applicant)

Proposed Priority 12/6/88

Received by T. Gasper Date 12-6-88 Time 1:10 Preliminary check by _____

Fee \$ 65.00 Receipted by T. Gasper # 5005677 Date 1/5/89

Publication prepared by M. Baldwin Date 3/30/89 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. 37-8480, 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 90.

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.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

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

Use of water under this permit for aesthetic purposes shall be non-consumptive.

Witness my hand this 13th day of July, 1989.

J. Glen Saylor

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 19th day of Apr., 1989, and

the date of the last publication was on the 26th day of Apr., 1989.

Daniel J. Gorham
Subscribed and sworn to before me this 26th day of April, 1989.
(SEAL)

Roberta K. Ketchum
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 38
Number of Insertions 2
Lines tabular at 5¢/Pica
38 Lines straight at 1881 4¢/Pica
38 Subsequent lines at 14.63 3¢/Pica
TOTAL COST 33.44

COPY OF NOTICE

(Paste Here)

Not. of Application (Fuller)
TITLE OF NOTICE # 37-08480

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Water right sought by Fuller

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08480

FULLER, NORMAN
FULLER, JUDIANNE
P.O. BOX 1066
SUN VALLEY, ID 83353

Source: GROUNDWATER
Diversion Pt: NWNWSE Sec 1 T
04N R 17E

Use: DOMESTIC (.060 CFS)
IRRIGATION (.090 CFS)
AESTHETIC (1.050 CFS)

Date Filed: 12/06/1988
In: T04N R17E S01 NWSE
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 MAY 8, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal—
April 19 & 26, 1989.

7-8 pt. per line straight....4.5/pica
7-8 pt. per line tabular....5.5/pica
7-8 pt. per line successive
insertion....3.5/pica

MICROFILMED

AUG 24 1989

No. 6483
RECEIVED

MAY 2 1989

Department of Water Resources
Southern Region Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 21, 2003

ALFRED R LAPETER
PO BOX 3801
KETCHUM ID 83340

RE: License No. 37-8480 - Issuance of License

Dear Water Right Holder(s):

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

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

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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FEB 25 2003

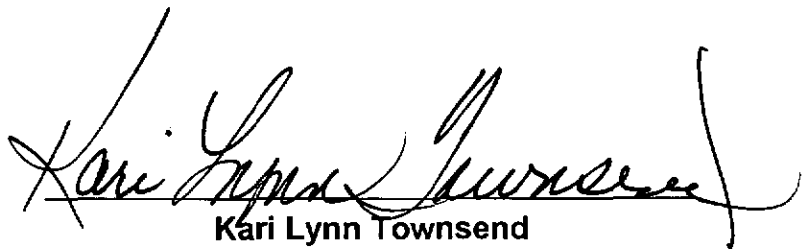
CERTIFICATE OF SERVICE

I hereby certify that on January 21, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

37-8480

**ALFRED R LAPETER
PO BOX 3801
KETCHUM ID 83340**


**Kari Lynn Townsend
Secretary**

MICROFILMED

FEB 25 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MEMORANDUM

Date: January 17, 2003
To: Water Right File 37-8480
From: S. Keen *SK*
Re: Licensing Review

Licensing review and data entry by S. Keen on 1/16/2003.

ANNUAL VOLUME FOR AESTHETIC PURPOSES

The examiner recommended just enough volume to fill the small ponds and to cover evaporation losses from the surface of the pond. Because the right holder uses the well to create a stream across his property, the actual annual diversion volume is much greater. On 1/16/2003 I spoke with Al LaPeter about the aesthetic use. He said that he runs the well constantly from 7 AM to 9 PM (daylight hours) from late April through October. He irrigates at night.

ANNUAL VOLUME FOR IRRIGATION PURPOSES

The annual volume for irrigation purposes allows for 3.5 af/acre times 1.4 acres of lawn and 3.1 acre feet for the 1.6 acres of natural area to reflect actual use.

SEASON OF USE

The irrigation and aesthetic seasons of use have been adjusted to match the current irrigation season standard.

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FEB 25 2003

37-8480

S Keen 1/17/03

Annual Volume Calculations for Aesthetic Use

- 14 hours/day
- 1.05 gph
- 200 days

$$\textcircled{1} 1.05 \text{ gph} \times 1.984 = 2.08 \text{ AF/day}$$

$$\textcircled{2} 2.08 \text{ AF day} \times \frac{14}{24} \text{ day} = 1.21 \text{ AF/day}$$

$$\textcircled{3} 1.21 \text{ AF/day} \times 200 \text{ days} = 242 \text{ AF/year}$$

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FEB 25 2003

JAN 05 1999

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 37-08480

1. Owner: Alfred LaPeter Phone No. (208) 726-7888

Current Address: PO Box 3801, Ketchum, ID. 83340

2. Accompanied by: same as above EXAM DATE: 19 Oct 1998

Address: _____ Phone No. _____

Relationship to Permit Holder: 1

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 37-08465, -08480

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

C. DIVERSION AND DELIVERY SYSTEM

(Lot 2) 31-08465 Licensing Exam 7/24/91
(Lot 6) 31-08480 " " " 10/19/98

1. Point(s) of Diversion:

[illegible]

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	7E	01														3.0			3.0
																AES			
																D			
																MICRO FILMED			

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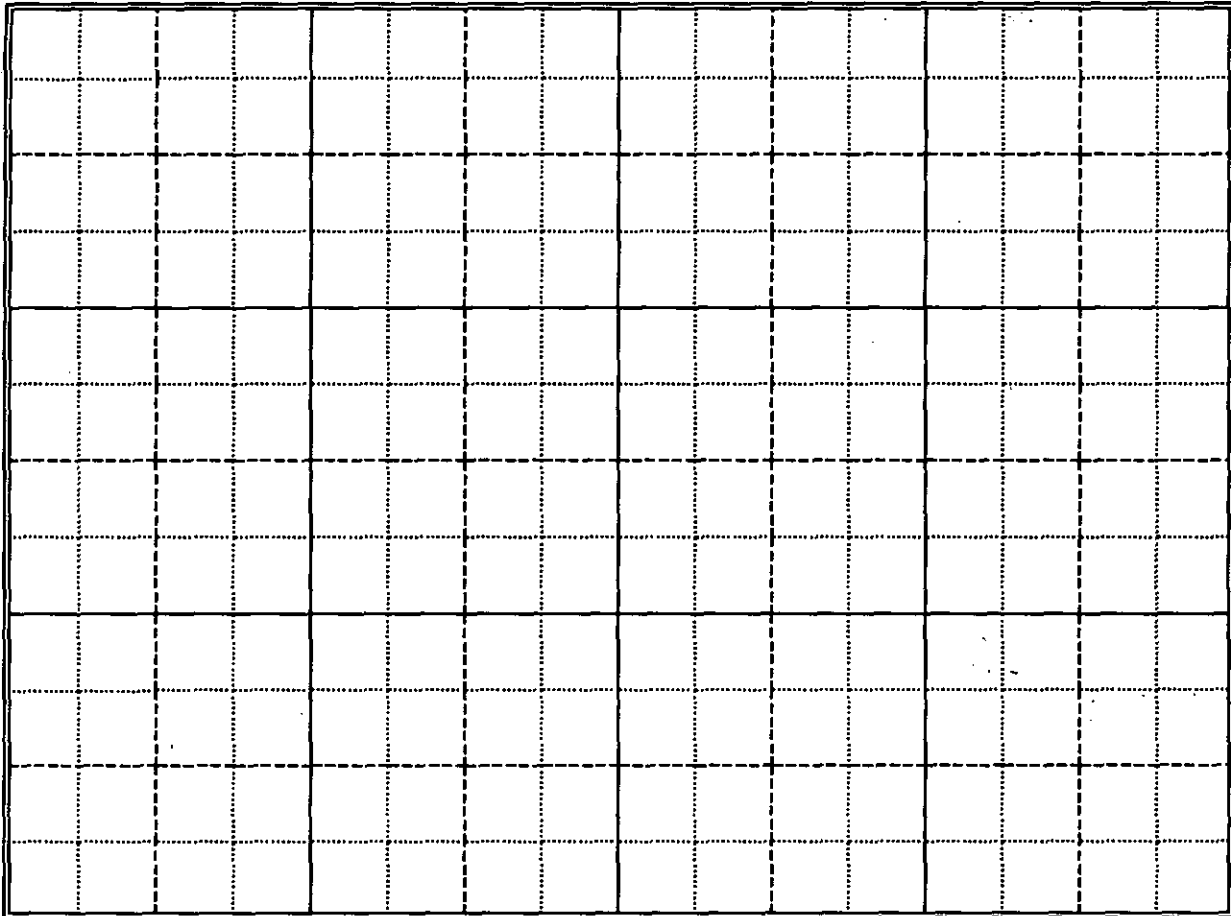
DATE Jan. 14, 2003

FEB 25 2003

SCANNED

JAN 14 2003

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 Quadrange 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.

☒ SUBD. PLAT MAP

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
BPS A0007838		7.5		BERKLEY	

*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
FLOW RATE TAKEN						
SEE TOP OF SCHEMATIC						

2. Measurements: _____

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DATE Jan. 14, 2003

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JAN 14 2003

610
630
620

FLOWER'S MI. SUB.

SUBDIVISION

110

7

ENCH
N

103

101

GULCH

3

FLOWERS
HOMESTEAD
SUBDIVISION

PROFILED
DATE JAN. 14, 2003

SEC. I, T. 4 N., R. 17 E.

STATE

Tennis Court

P/D

54

30

48

42

38

36

102

106

109

118

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FEB 25 2003

RIVERWOODS SUBDIVISION

CITY OF
KETCHUM

BEAVER SPRINGS
SUBDIVISION

102

102

106

110

0 250 500
SCALE IN FEET

SCANNED
JAN 14 2003

LaPeter, Alfred
37-08480

ADDITIONAL COMPUTATION SHEET

Water Right #37-08480

Domestic Use Without Lawn:

Main Home =Used 365 days

1.2 ac ft

Guest House=Used 365 days

Irrigation Use:

Manicured Lawn

1.4 acres (3.5)

4.9 ac ft

*Wooded Area

*1.6 " "

*3.1 " "

TOTAL

3.0 acres

8.0 ac ft

*Irrigation for wooded area used mostly in July & Aug

62 days/215 days = 29% season

4 zones for Wooded Area 30 min/zone = 2 hrs/day

0.30 cfs (1.9835) (215) (0.29) 2/24 = 3.1 ac ft

Aesthetic Use:

Pond #1 receives only groundwater. After well was shut off, I viewed Ponds #2 & #3 50% filled. According to LaPeter, ponds #2 & #3 ponds are excavated below the water table and the natural water is 50% of pond volume.

surface area x irrigation requirement = evaporation

0.08 acre x 3.5

= 0.28 ac ft

volume ac ft x fill one time

= pond volume

0.2 acre x 50%

= 0.10 ac ft

TOTAL 0.38 ac ft

Can the pond(s) be filled in less than 24 hours under the natural flow component, i.e. capacity of well (0.30 cfs)?
Yes, see computations below.

0.30 cfs = 135 gpm = 194,400 gal/day = 0.60 af = 26,000 cubic ft
pond volume = 0.20 af 8,700 " " "

Since the ponds can be filled in less than 24 hours, they can be viewed as wide spots in the ditch, and, according to Page 5 of the hand out diagrams dated 4/16/97, do not need descriptions for storage or diversion to storage.

Because there appears to a possibility of an additional diversion from the Big Wood River, I will recommend the storage component for aesthetic as 0.38 or 0.4 acre feet for the permit. However, if there is a possible violation of diverting illegally from the river, this might change the recommendation.

Permit Rate

Recommended Rate

Domestic 0.06 cfs

Domestic 0.06 cfs / 1.2 ac ft

Irrigation 0.09 cfs

Irrigation 0.09 cfs / 8.0 ac ft

Aesthetic 1.05 cfs

Aesthetic 1.05 cfs / 0.4 ac ft

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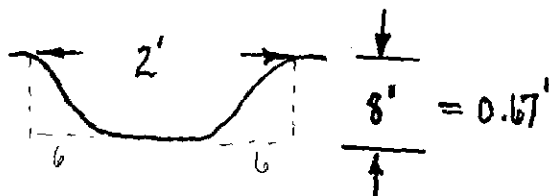
DATE Jan 14, 2003

FEB 25 2003

SCANNED

JAN 14 2003

* DITCH X-SECTION
see schematic below
measured here



$$Q = AV$$

$$\text{Area } (0.67) 2'$$

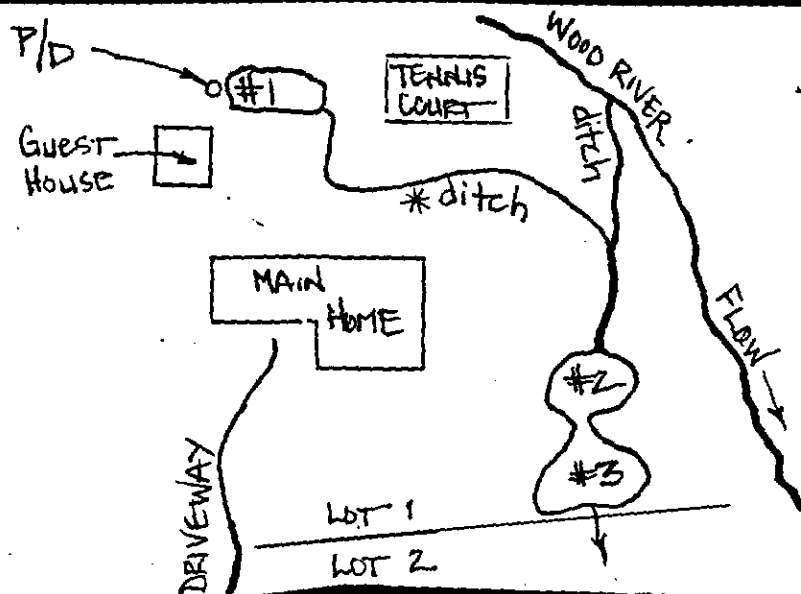
$$= 1.33$$

$$\text{Velocity} = 10' / 12 \text{ sec}$$

$$V = 0.83 \text{ ft/sec}$$

$$Q = 1.33 (0.83)$$

$$Q = 1.1 \text{ cfs}$$



Pond Sizes

$$\#1 = 40' \times 15' \times 2' = 0.03 \text{ af}$$

$$\#2 = 40' \times 40' \times 2' = 0.07 \text{ af}$$

$$\#3 = 30' \times 40' \times 2' = 0.06 \text{ af}$$

$$\text{Surface ac. ft.} = 0.08 \text{ af}$$

$$\text{Volume " " } = 0.2$$

SPRINKLERS OPERATING

THEORETICAL RATE

$$Q = \frac{8.8 (\text{HP}) \text{ EFF.}}{\text{TDH}}$$

$$Q = \frac{8.8 (7.5) .70}{15 + (60)(2.31)}$$

$$Q = \frac{46}{154} = 0.30 \text{ cfs}$$

WITHOUT SPRINKLERS

$$Q = \frac{8.8 (7.5) 0.70}{15 + (5)(2.31)}$$

$$Q = \frac{46}{27}$$

$$Q = 1.73 \text{ cfs}$$

Open Discharge

75 HP = verified K. Smith Wood
R/r Drilling Nov 1998

LIFT = area well logs (average)

PSI = owner gage

Examiner: Satterlee

10 October 1998

SCANNED

MICROFILMED

FEB 25 2003

LaPeter, Alfred

JAN 14 2003

PROFILED

DATE Jan 14, 2003

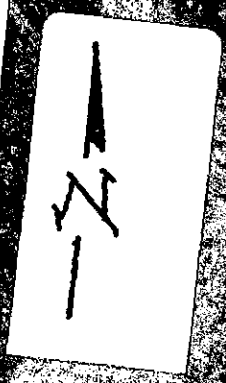
37-08480

PROFILED
DATE Jan. 14, 2003

MOST N'LY POND NOT DEVELOPED
UNTIL SUMMER 1993 ...EXTENSION
FILED APPROPRIATELY.

Tennis Court

Guest House



Lot 1 Riverwoods Subd.

Home Lapeter's

07

Pond #3

Pond #2

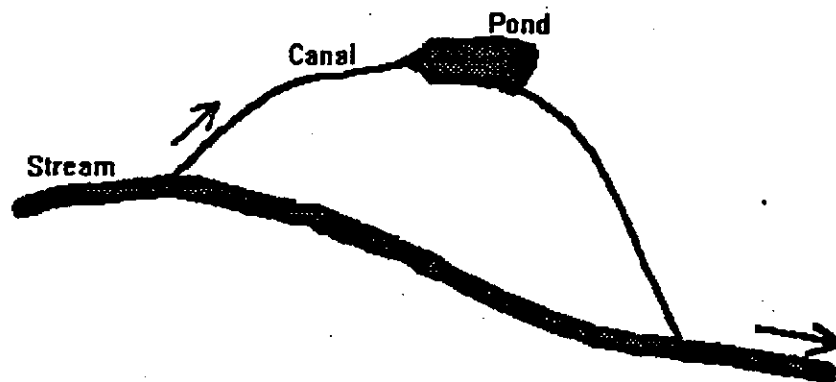
Adams Gulch Rd/Big Wood Rvr. Xing

Big Wood River 8-10-92 Flight Date

SCANNED Lapeter, Alfred
JAN 14 2003 FILED 01/14/200
DATE 31-08480

and serves as a temporary holding tank or "re-regulation pond" for a natural flow right), it can be viewed as part of the conveyance system and will not need to be described as a storage right.

The second kind of offstream storage is where water is diverted through a reservoir and back into the natural channel. The end use of the water is relatively non-consumptive; however, significant evaporation from the reservoir surface may cause the appropriation to be seen as a consumptive use of water.



This scenario usually requires a storage component, a diversion to storage component, and a natural flow component. However, as in the previous scenario, if the pond would fill in less than 24 hours under the natural flow component of the appropriation, it can be viewed as a "wide spot in the ditch", which does not need to be described as storage. This scenario is usually associated with small appropriations for aesthetic, wildlife, and recreation purposes.

04/16/97
Hand Out Diagram
Page 5

MICROFILMED
FEB 25 2003

PROFILED
DATE Jan. 14, 2003

SCANNED
JAN 14 2003



photo looking N'ly

LaPeter, Alfred
37-08480

POND #3

STANDING @ FUD LINE BETWEEN LOTS 1 & 2

MICHAEL

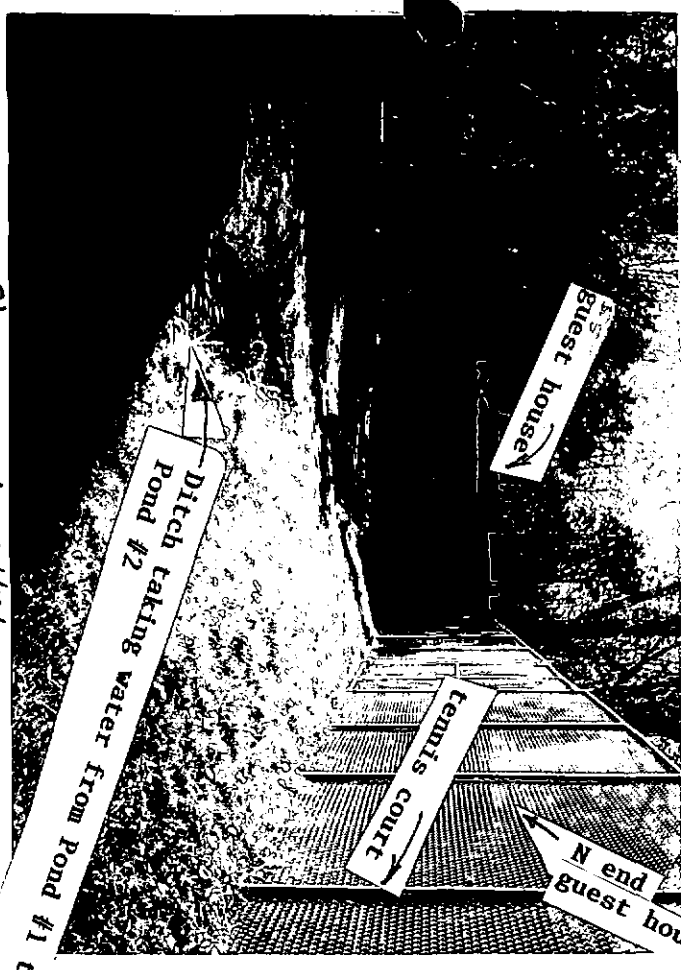


Photo looking W'ly



Photo looking W'ly

PROFILED
DATE Jan 14, 2003
GPS Tag A0007838

SCANNED
JAN 14 2003



photo looking NW'ly



photo looking S'ly

PHOTOS TAKEN DEC. 1998
EXAMINER: SATTERLEE

REPROFILMED

FEB 25 2003

LaPeter, Alfred
37-08480

PROFILED

DATE JAN 14, 2003

SCANNED

JAN 14 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTState law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.RECEIVED
FEB 4 1985
Department of Water Resources
Sawback District Office

1. WELL OWNER Lapeter bought from
Name NORMAN E. FULLER
ALPHEN 2052
Address P.O. BOX 1066, SUN VALLEY, IDA 83351
Owner's Permit No. 37-08480

7. WATER LEVEL

Static water level 4 1/2 feet below land surface.Flowing? ☐ Yes ☒ No G.P.M. flow _____

Artesian closed in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature _____ OF, Quality _____

Describe artesian or temperature zones below.

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M. _____ Pumping Level _____ Hours Pumped _____

UNTESTED

3. PROPOSED USE

- ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

- ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>250</u> inches	<u>8</u> inches	<u>1</u> feet	<u>53</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☒ Yes ☐ NoHow perforated? ☐ Factory ☒ Knife ☐ TorchSize of perforation 5/16 inches by 4 inches

Number	From	To
<u>102</u> perforations	<u>28</u> feet	<u>45</u> feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 1/8 Material used in seal: ☐ Cement grout☐ Bentonite ☒ Puddling clay ☐ _____Sealing procedure used: ☒ Slurry pit ☐ Temp. surface casing☐ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent☐ Cemented between strata

Describe access port _____

9. LITHOLOGIC LOG

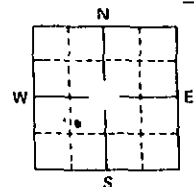
Bore Diam.	Depth		Material	Water Yes X
	From	To		
8"	0	1	BROWN TOP SOIL	
"	1	15	LARGE Boulders & Gravel	X
"	15	27	RED GRAVEL & SAND	X
"	27	32	GRAVEL	X
"	32	40	BROWN CLAY & LARGE GRAVEL	X
"	40	47	CEMENT GRAVEL	X
"	47	53	LARGE GRAVEL & SMALL Boulders	X
"	53		BROWN SANDSTONE	

10.

Work started 2 OCT 84 finished 3 OCT 84

6. LOCATION OF WELL

Sketch map location must agree with written location.

Subdivision Name RIVERWOODLot No. 1 Block No. _____County BLAINESE 1/4 SW 1/4 Sec. 1 T. 4 N. R. 12 E. S.

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

RAY ROESSLER

Firm Name WAL DRILLING Firm No. 282129 5TH AVE E.Address GOODING, IDA 83230 Date _____Signed by (Firm Official) Ray Roessler

and

(Operator) Ray Roessler

MICROFILMED

FEB 25 2003

SCANNED

JAN 14 2003

PROFILED

DATE Jan. 14, 2003

E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee

DATE: 16 December 1998

RE: 37-08480

On 19 October 1998 I met with Al LaPeter to conduct a field examination for the permit. The permit is for groundwater to serve domestic, irrigation, and aesthetic uses on Lot 1 of the Riverwoods Subdivision.

The well is located in the north-west corner of the lot and is also described in the NWNWSE $\frac{1}{4}$ of Section 1, T04N, R17E with the attached GPS tag A0007838. The place of use is located in the NWSE $\frac{1}{4}$ of the same section.

The Riverwoods Subdivision has its own well (on Lot 6) called to in the permit 37-08478. I conducted the field examinations for both permits simultaneously.

One measurement of the well was made using the float method, which was 1.1 cfs. The measurement was accomplished in the area of the ditch that runs parallel with the tennis court. Ken Smith of Wood River Drilling said the well has a 7.5 hp pump. A theoretical calculation with the sprinklers on using 60 PSI, shows a diversion rate of 0.30 cfs, and a theoretical calculation with the sprinklers off with open discharge shows a rate of 1.73 cfs.

The domestic use is for two homes. Mr. LaPeter said both homes are lived in all year and the home(s) are valved for domestic use from the well on Lot 1. However, according to LaPeter, at this time, the domestic use is diverted from the subdivision's well located on Lot 6.

The irrigation is for manicured lawn area, in addition to the wooded area. There are 9 zones for irrigation on timer system. The applicant said 5 zones are for the manicured area and the other 4 zones are for the natural areas. The zones for manicured lawn and flower beds are operating 10-15 minutes every day. The native grasses and trees, i.e. the wooded area, are irrigated 30 minutes per zone several times a week.

July and August are the highest time for irrigation and the wooded area is watered primarily during these months. While walking around the property, I saw a variety of sprinklers, i.e. Rainbird R50 Turfbird, Toro 700 Series Pop-up sprinklers, and impact Rainbird Maxi-Birds.

The well on Lot 1 is used primarily during the irrigation season. The groundwater is discharged into Pond #1. From Pond #1 the water diverts into a ditch. The ditch runs approximately 300 feet before it dumps into a second ditch. The second ditch appears to have the potential of receiving water from the Big Wood River (unknown flow rate of the second ditch). The second ditch then dumps into Ponds #2 and #3. From Pond #3 the water is diverted to other ditches and ponds throughout the subdivision.

My recommendations are primarily for the permit which is groundwater. The issue of diverting from the Big Wood River needs to be addressed.

Please see Additional Computation Sheet for breakdown of rates and volumes.

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

MICHAEL J. BROWN

FEB 25 2003

SCANNED

PROFILED

DATE Jan. 14, 2003

JAN 14 2003

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

See Additional Computation Sheet

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3.0 [3.5] = 10.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.09(215)1.9835 = 38.3$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 8.0$$

2. Volume Calculations for Other Uses:

See Additional Computation Sheet
 " Schematic Theoretical Rates
 Measured Rate

Exam Fee Limit 2.0
 Permit Rate 1.11
 Measured Rate 1.10
 Recommendation 1.10

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Domestic (No Lawn) 2 homes	1/1	12/31	0.06	1.2
Irrigation	4/1	11/1	0.09	8.0
Aesthetic	4/1	11/1	1.05	0.4
Totals:			1.10	9.6 af

Measured Method

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 Satterlee

Date 16 Dec 98

Reviewer

Date

SEAL

MICROFILMED

FEB 25 2003

SCANNED

JAN 14 2003

PROFILED

DATE Jan 14 2003

September 3, 1993

ALFRED R LAPETER
PO BOX 3801
KETCHUM ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08480

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

OCT 20 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 37-08480

Reviewed by Klg

Date 8/31/93

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

domestic-2
irrigate-3
Correct Uses? yes

SOURCE OF WATER

 Surface water source
✓ Ground water source

NA Drilling permit required?
1986 / Copy in the file? Drilling Permit No.
/ Amount paid for permit Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
125 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
NA Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

Proof Made 8/30/93 9/3/93
Klg



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 24, 1993

Alfred R LaPeter
PO Box 3810
Ketchum, ID 83340

Re: Permit No. 37-08480

Dear Mr LaPeter:

Per our telephone conversation this morning, enclosed is a proof of beneficial use form and instruction sheet.

The data base has been updated to show that you are the current owner of record of this permit.

If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

RECEIVED

OCT 20 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 14, 1992

Alfred R LaPeter
9944 Flower Street
Bellflower, CA 90706

Re: Permit No. 37-08480

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to December 1, 1995. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

RECORDED

DEC 15 1992

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 37-08480 Reviewed by Klg Date 11/5/92

BASIC INFORMATION

11/5/92 Date stamp received
yes Extension received timely
yes Fee received and receipted
Name and signature same as permit
Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? Requested?
Is delay by a government agency?
Is supporting documentation needed to complete the file? Requested?
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Recommend approval Based on due diligence
Extend to 12/1/95*

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address _____
Change Proof Due Date 12/14/92 Klg
Change Priority Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 7, 1992

Mr. Al LaPeter
9944 Flower Street
Bellflower, CA 90706

Re: Permit No. 37-08480

Dear Mr. LaPeter:

Just a short note to let you know that the Department has yet to receive the assignment form from Mr. or Mrs. Fuller. As you are aware, the Department cannot process your extension request until the assignment has been received. However, the Department cannot continue to hold the file without action for an extended period of time either.

Please contact the Fullers and ask that they expedite the signed and notarized assignment to the Department.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson

Karen L. Gustafson
Secretary/Records Manager

RECEIVED

DEC 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 2, 1992

Mr. Al LaPeter
9944 Flower Street
Bellflower, CA 90706

Re: Permit No. 37-08480

Dear Mr. LaPeter:

Per our telephone conversation this morning, I am enclosing a copy of the original permit and other pertinent documents in connection with the above referenced permit. I have also enclosed an assignment of permit form that will need to be completed and signed by Mr. or Mrs. Fuller. Once this assignment is received by the Department, the permit will be changed to your ownership.

In the mean time, it will be necessary for you to complete the request for extension of time as we discussed. In order to meet all of the required dates, it will be necessary for you to submit it, along with the \$15 filing fee on or before December 1, 1992.

I also want to remind you that when you are ready to file proof of beneficial use, you will need to know who drilled the well and when it was drilled.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED

DEC 15 1992

September 30, 1992

JUDIANNE FULLER
NORMAN FULLER
P.O. BOX 1066
SUN VALLEY ID 83353

PROOF DUE NOTICE

RE: PERMIT NO. 37-08480

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 December 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.

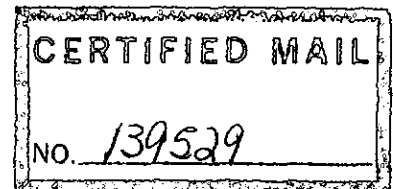
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECEIVED
DEC 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 20, 1991

Janet O. Crowley
Committee for Idaho's High Desert
P.O. Box 705
Picabo, ID 83348

RE: Application for Permit to Appropriate Water No. 37-08365 in
the Name of Norman E. Fuller

Dear Ms. O Crowley:

The Order Voiding Application for Permit previously issued
on March 25, 1991, on the above referenced permit, has been
rescinded. Please find enclosed the order of rescission.

Respectfully,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

MICROFILMED

DEC 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 20, 1991

Norman E. Fuller
P.O. Box 1066
Sun Valley, ID 83353

RE: Application for Permit to Appropriate Water No. 37-08365 in
the Name of Norman E. Fuller

Dear Mr. Fuller:

The Order Voiding Application for Permit previously issued
on March 25, 1991, on the above referenced permit, has been
rescinded. Please find enclosed the order of rescission.

Respectfully,

A handwritten signature in cursive script that reads 'Gary Spackman'.

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

RECEIVED

DEC 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 20, 1991

Randall Brooks
The Wood River Journal
P.O. Box 988
Hailey, ID 83333

RE: Application for Permit to Appropriate Water No. 37-08365 in
the Name of Norman E. Fuller

Dear Mr. Brooks:

The Order Voiding Application for Permit previously issued
on March 25, 1991, on the above referenced permit, has been
rescinded. Please find enclosed the order of rescission.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

DEC 15 1992

October 11, 1990

Norman E. Fuller
P. O. Box 1066
Sun Valley, ID 83353

Dear Mr. Fuller:

Re: Permit No. 37-8480

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to December 1, 1992. Note that the permit has been reinstated with an advance in priority, since the extension was received after the proof of beneficial use date.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

OCT 18 1990

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 37-8480Reviewed by [Signature]Date 9-28-90

BASIC INFORMATION

Y Date stamp received
Y Extension received timely (not too early not too late)
Y Fee received and receipted
Y Name and signature same as permit
N Address change

BASIS FOR EXTENSION REQUEST

 Has adequate work been completed to demonstrate due diligence?
 Has the cost incurred been adequate to demonstrate an intent to complete the project?

Y Has the permit been involved in litigation?

a. Swan Falls NO Dismissed from Swan Falls

Other Yes Identify Right of Way

b. Is supporting documentation needed to complete the file?
 Requested

c. Calculate the period of delay

Date ^{Proof due} litigation completed Aug 1 90

Date litigation began - Mar 23 88

Total period of delay = 24 mo 2 yrs

Present proof due date + 8-1-90

NEW PROOF DUE DATE = 12-1-92

 Is delay by a government agency?

Is supporting documentation needed to complete the file?
 Requested?

ACTION TAKEN

 Recommend approval based on litigation

Y Reinstate Date extension received 9-14-90 = 257

Proof due date 8-1-90 = 213

No. of days late = 44

Priority date 12-6-88 = +340

ADJUSTED PRIORITY DATE 1-19-89 = 384

DATE ENTRY

✓ Change proof due date

✓ Priority date change

 Address change

- 365
19

COPY

Blaine County Prosecuting Attorney
P. O. Box 756
Hailey, Idaho 83333
(208) 788-3438

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

BLAINE COUNTY, a political
subdivision of the State
of Idaho,

Plaintiff,

vs.

NORMAN E. FULLER, ALDEN M.
PACKER and LOLA H. PACKER,
husband and wife, PEJLEMM
NO. 2, LTD., a limited
partnership, PACKER INVEST-
MENT COMPANY, a limited
partnership, CLAIRE P.
PREECE EBERHARD, PREECE
FAMILY PARTNERSHIP, a limited
partnership, R & M LIMITED,
a limited partnership, and
DORA LEE WALTZ,

Defendants.

Case No.: 14602

COMPLAINT - Civil

RECEIVED
SEP 19 1990

Department of Water Resources

COMES NOW, the plaintiff and for a cause of action
against the defendants alleges as follows:

I

Plaintiff Blaine County is, and all times mentioned
herein was, a political subdivision of the State of Idaho.

II

Defendant NORMAN FULLER has an ownership interest or
a right of an ownership interest of certain property more
particularly described in Exhibit "A", attached hereto and
incorporated herein by reference.

MICROFILMED

OCT 18 1990

III

The defendants, ALDEN M. PACKER and LOLA H. PACKER, husband and wife, PEJLEMM NO. 2, LTD., a limited partnership, PACKER INVESTMENT COMPANY, a limited partnership, CLAIRE P. PREECE EBERHARD, PREECE FAMILY PARTNERSHIP, a limited partnership, R & M LIMITED, a limited partnership, and DORA LEE WALTZ, have an ownership interest or a right of an ownership interest of certain property more particularly described in Exhibit "A", attached hereto and incorporated herein by reference.

IV

The road known as Hot Springs Landing Road between Highway 20 and Magic Reservoir is located entirely within Blaine County, State of Idaho.

V

Hot Springs Landing Road traverses and intersects the property described in the attached Exhibit "A".

FIRST CAUSE OF ACTION (ACTION TO QUIET TITLE)

VI

Hot Springs Landing Road has been used by the public for a period of five (5) or more years before the defendant, Norman Fuller, acquired any ownership interest in the property surrounding Hot Springs Landing Road.

VII

Hot Springs Landing Road has been worked and kept up at the expense of the public for a period of five (5) or more years before the defendant, Norman Fuller, acquired any ownership interest in the property surrounding Hot Springs Landing Road.

VIII

Hot Springs Landing Road has been declared by the Blaine County Board of County Commissioners part of the County Highway system for a period of five (5) or more years before

OCT 18 1990

the defendant, Norman Fuller, acquired any ownership interest in the property surrounding Hot Springs Landing Road.

IX

As a consequence of the facts as set forth in Paragraphs VI through VIII and and pursuant to Idaho Code Secs. 40-109(5) and 40-202(3), Hot Springs Landing Road is a public highway and is a part of the County Highway system.

X

The defendant, NORMAN FULLER, and/or his agents, have at various times closed public access or attempted to close public access on Hot Springs Landing Road.

SECOND CAUSE OF ACTION (DECLARATORY JUDGMENT)

XI

The plaintiff alleges the facts set forth in paragraphs VI through IX as and part of this Second Cause of Action.

XII

The plaintiff is asserting its rights and the public rights which are affected by Idaho statutes, specifically Idaho Code, Secs. 40-109(5) and 40-202(3).

XIII

As a consequence of the facts set forth in paragraphs VI through IX, there is an actual and presently existing controversy between adverse parties.

DAMAGES

XIV

The defendant, NORMAN FULLER, and/or his agents, on or about the 18th day of March, 1988 have obstructed Hot Springs Landing Road in violation of Idaho Code, Sec. 18-3907 by placing a boulder on Hot Springs Landing Road or by closing a gate at the entrance of Hot Springs Landing Road.

MICROFILMED

OCT 18 1990

XV

The defendant, NORMAN FULLER, and/or his agents, have disturbed Hot Springs Landing Road and the adjacent land within the plaintiff's right-of-way by operating a bulldozer on Hot Springs Landing Road and by bulldozing the property adjacent to Hot Springs Landing Road within the plaintiff's right-of-way.

WHEREUPON, the plaintiff prays for judgment as follows:

1. That the defendants and all persons claiming under them be required to set forth the nature of their claims to any real property traversed by Hot Springs Landing Road;
2. That all claims adverse to the status of Hot Springs Landing Road as a public highway and as a part of the Highway County system of Blaine County be determined by a Decree of this Court;
3. That the Decree of the Court declare and adjudge that Hot Springs Landing Road is a public highway and a part of the County Highway system of Blaine County and that the Decree of the Court permanently enjoin the defendants and all persons claiming under them from asserting any claim adverse to the status of Hot Springs Landing Road as a public highway and a part of the County Highway system of Blaine County and from interfering with the use by the general public or the maintenance by Blaine County of Hot Springs Landing Road;
4. That the Decree of the Court award actual damages for the repair of Hot Springs Landing Road and its adjacent land within the plaintiff's right-of-way and for the removal of any and all encroachments on Hot Springs Landing Road;
5. That the plaintiff be awarded attorneys fees and costs in the prosecution of this cause of action; and

MICROFILMED

OCT 18 1990

6. That this Court award such other and further relief as the Court deems just and proper.

DATED this 23rd day of March, 1988.

S/
Ned Williamson, Blaine County
Prosecuting Attorney
Attorney for the plaintiff

fullercp.civ

MICROFILMED

OCT 18 1990

EXHIBIT "A"

Township 1 South, Range 17 East of the Boise Meridian, Blaine County, Idaho,

Section 13: S1/2SW1/4 and that portion of the NW1/4SW1/4 lying South of Highway No. 68:
All that portion of the NE1/4SW1/4 lying South of Highway No. 68

Section 14: SE1/4SE1/4

Section 23: NE1/4NE1/4 and NW1/4NE1/4, EXCEPT that portion thereof described as follows:

COMMENCING at the Northeast corner of NW1/4NE1/4 Section 23, Township 1 South, Range 17 East, Boise Meridian, Blaine County, Idaho;

THENCE South 89°39' West, 280 feet to a point;
THENCE South 0°34' West 635.63 feet to a point;
THENCE South 89°39' West, 100 feet to the TRUE POINT OF BEGINNING;
THENCE North 56° West, 125 feet to a point;
THENCE South 35° West, 86 feet to a point;
THENCE South 61°30' East, 175 feet to a point;
THENCE North 0°34' East, 86 feet to the POINT OF BEGINNING.

AND EXCEPT that portion of the NW1/4NE1/4 deeded for Magic Reservoir, described as follows:

BEGINNING at the point where the flow line of Magic Reservoir to the North of Camas Creek intersects the North and South center line of Section 23, Township 1 South, Range 17 East, Boise Meridian, said intersection being 205.9 feet South of the North quarter corner of said Section; the flow line of the Reservoir bears South 64°56' East, 25.00 feet;

THENCE South 65°35' East, 100.0 feet;
THENCE South 61°23' East, 88.6 feet;
THENCE South 46°44' East, 249.2 feet;
THENCE North 51°42' East, 45.1 feet;
THENCE North 66°48' East, 68.3 feet;
THENCE South 61°59' East, 81.5 feet;
THENCE South 58°14' East, 65.6 feet;
THENCE South 69°51' East, 53.5 feet;
THENCE North 66°28' East, 140.4 feet;
THENCE South 9°21' West, 100.2 feet;
THENCE South 6°52' East, 50.4 feet;
THENCE South 84°06' East, 84.3 feet;
THENCE South 55°51' East, 75.7 feet;
THENCE South 58°47' East, 90.9 feet;
THENCE South 78°52' East, 103.5 feet;
THENCE North 63°48' East, 89.9 feet;
THENCE North 48°09' East, 103.7 feet;

THENCE North 48°52' East 96.4 feet to the intersection of the flow line of the reservoir with the East boundary of the above described forty-acre tract;

MICROFILMED (continued on page 2)

OCT 18 1990

THENCE following the East boundary of the said forty-acre tract South 00°02' East, 598.6 feet to the Southeast corner of the said tract being the sixteenth corner;

THENCE South 88°32' West, 1177.6 feet to the intersection of the South boundary of said forty-acre tract with the flow line of the reservoir West of Camas Creek;

THENCE North 23°56' West, 77.1 feet;

THENCE North 9°48' East, 108.7 feet;

THENCE North 26°11' East, 111.8 feet;

THENCE North 6°22' East, 47.5 feet;

THENCE North 17°22' West 142.8 feet;

THENCE North 67°43' West 95.6 feet;

THENCE North 39°11' West, 85.7 feet to the intersection of the flow line of the reservoir with the center line of the above described section and the West boundary of the said forty-acre tract;

THENCE North 00°00' West, 532.7 feet to the POINT OF BEGINNING.

exhahslc.crm

MICROFILMED

OCT 18 1990

ISSUED

DATE

3-23-88

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

BLAINE COUNTY, a political
subdivision of the State
of Idaho,

Plaintiff,

vs.

NORMAN E. FULLER, ALDEN M.
PACKER and LOLA H. PACKER,
husband and wife, PEJLEMM
NO. 2, LTD., a limited
partnership, PACKER INVEST-
MENT COMPANY, a limited
partnership, CLAIRE P.
PREECE EBERHARD, PREECE
FAMILY PARTNERSHIP, a limited
partnership, R & M LIMITED,
a limited partnership, and
DORA LEE WALTZ,

Defendants.

Case No.: 14602

SUMMONS - Civil

RECEIVED
MAR 21 1988
MAR 21 1988
MAR 21 1988

The State of Idaho sends greetings to the above named defendants.

You are hereby notified that a Complaint has been filed against you in the District Court of the Fifth Judicial District of the State of Idaho in and for the County of Blaine, by the above named plaintiff and you are hereby directed to file a written answer or written motion in defense of the said Complaint within twenty (20) days of the service of this Summons; and you are further notified that unless you do so within the time herein specified, the plaintiff will take judgment against you as prayed in said Complaint.

The nature of the claim against you is a quiet title action.

WITNESS MY HAND AND SEAL of said Court at Hailey, Idaho, this 23 day of March, 1988.

MARY GREEN, Clerk

RECEIVED
SEP 19 1990

BY Juan P. Pansy
MICROFILMED Deputy

OCT 18 1990

Department of Water Resources

STATE OF IDAHO)
) ss.
County of Blaine)

I hereby certify that I received the within Summons on
the _____ day of March, 1988, and served the said Summons by:

- _____ a. delivering a copy of the Summons and Complaint
to the defendant personally;
- _____ b. leaving a copy of the Summons and Complaint at
the home of the defendant with a person over
the age of 18 residing therein;
- _____ c. mailing a copy of the Summons and Complaint to
the defendant by certified mail, return receipt
requested, at the last known address of the
defendant.

DATED this _____ day of March, 1988.

Officer

fullersm.civ

MICROFILMED

OCT 18 1990

September 12, 1990

Rita I. Fleck
Dept. of Water Resources
1301 N. Orchard St.
Statehouse Mail
Boise ID 83720

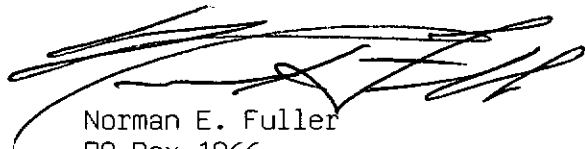
RECEIVED

SEP 14 1990

Department of Water Resources

Re: Permit #37-8480

Per your request extension application, legal document and explanation are enclosed. The attached location map indicates the legal dispute over alignment. The County is attempting by proscriptive rights claim to bisect the property and obtain a large public boat pad right adjacent to the hot water flow which materially effects how the water can be utilized and controlled as well as building locations for heating with the hot water. I have a plan if I win, which is the preferred plan, and an optional plan if I loose. Until the court decides I am forced to wait.



Norman E. Fuller
PO Box 1066
Sun Valley ID 83353
(208) 726-5945

MICROFILMED

OCT 18 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 22, 1990

RECEIVED

SEP 14 1990

Norman E. Fuller
P. O. Box 1066
Sun Valley, ID 83353

Department of Water Resources

Dear Mr. Fuller:

Re: Permit No. 37-8480

On July 5, 1990, the department received your letter requesting a extension of time in answer to the proof due notice of May 31, 1990.

The department issued Permit No. 37-8480 with a condition that: "Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1990." (This statement is on the fourth page of the approved application for permit). To show that construction has taken place and the water is beneficially being used, the department provides a form entitled "Proof of Beneficial Use".

If additional time to develop is needed, the department provides a form entitled "Request for Extension of Time". (Note a \$15 filing fee is required). The department can consider a request based on the reason of litigation if the permit holder can demonstrate how the litigation affected the development of the water use. Also, the period of time the matter was in litigation or is being litigated. A source of this information is a copy of the complaint and final document resolving the matter.

Enclosed for your use is a request for extension of time form. Please complete and return soon as it was due on August 1, 1990.

If I can be of assistance, contact me.

Sincerely,

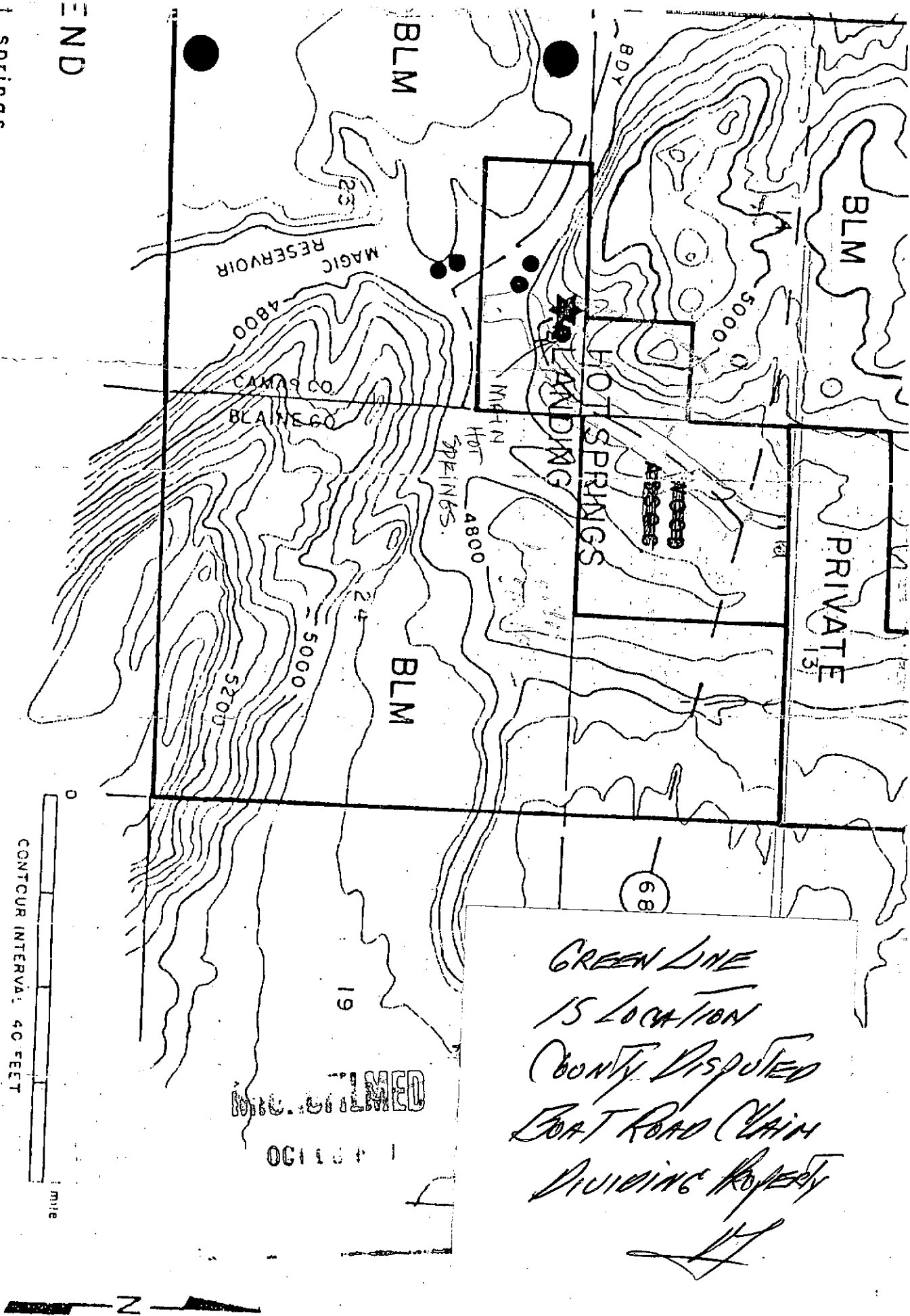
RITA I. FLECK
Secretary/Records Manager

MICROFILMED

OCT 18 1990

Enclosure

END
Hot springs
artesian well
land holdings



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

RECEIVED

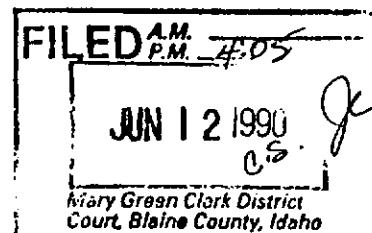
JUN 14 1990

CLEMONS, COSHO & HUMPHREY

Case No. 14602

NOTICE OF TRIAL SETTING,
PRE-TRIAL CONFERENCE AND
ORDER GOVERNING FURTHER
PROCEEDINGS

BLAINE COUNTY, a political)
subdivision of the State of)
Idaho,)
)
Plaintiff,)
)
vs.)
)
NORMAN E. FULLER; ALDEN M.)
PACKER and LOLA H. PACKER)
husband and wife; PEJLEMM NO. 2,)
LTD., a limited partnership;)
PACKER INVESTMENT COMPANY, a)
limited partnership; CLAIRE P.)
PREECE EVERHARD; PREECE FAMILY)
PARTNERSHIP, a limited partner-)
ship; R & M LIMITED, a limited)
partnership; and DORA LEE WALTZ,)
)
Defendants.)



IT IS HEREBY ORDERED that the above-entitled matter is scheduled for a Court trial before the Honorable James J. May, District Judge, at the Blaine County Courthouse, Hailey, Idaho, to begin at 9:00 a.m. on Monday, December 17, 1990, as a No. 2 setting. A No. 1 setting is scheduled for February 11, 1991. Five days have been reserved for trial. A pre-trial conference is scheduled for August 20, 1990, at 2:00 p.m..

IT IS FURTHER ORDERED that all parties must comply with the following schedule:

MICROFILMED

ORDER SETTING CASE FOR TRIAL AND PRE-TRIAL - 1

OCT 18 1990

1. Join all parties and make final amendments to the pleadings at least ninety (90) days before trial. That date being September 14, 1990.

2. All discovery is to have been completed at least twenty-eight (28) days before trial. That date being November 19, 1990.

3. All pre-trial motions are to have been filed and argued fourteen (14) days before trial. That date being December 3, 1990. All motions for summary judgment shall be filed and noticed in compliance with Rule 56(c), I.R.C.P..

4. File with the Court at least seven (7) days before trial, that date being December 10, 1990:

- A. A concise written statement of the claims, defenses, stipulated facts and law to be relied upon at trial in the form of a brief citing legal authorities as to issues to be litigated.
- B. A written list identifying all witnesses and exhibits to be introduced at trial with a statement whether the exhibit is stipulated admissible.
- C. A written statement that the parties have discussed settlement.
- D. Submit to the Clerk of the Court all exhibits that the parties seek to have introduced, except those offered for impeachment.

RECORDED

OCT 18 1990

Plaintiff shall number exhibits 1 to 100 and defendant shall number exhibits 101 to 200. Any other parties shall continue in sequence. Letters will not be used.

E. Proposed jury instructions, and verdict forms, if applicable, as provided in Rule 51(a)(1) I.R.C.P..

F. An extra copy of all documentary evidence, except photographs, for use by the court.

5. Each party is to check with the Clerk to insure that the originals of their depositions are filed. If depositions are to be used at trial for any purpose, objections are to be reviewed by the Court on the afternoon preceding trial. The hearing is to be noticed by the objecting party. Counsel are reminded of the changes in discovery rules effective July 1, 1988.

6. A motion for a continuance or to vacate the trial setting should be accompanied by consent of the client showing that the client understands who is requesting the continuance.

7. Counsel are reminded of Rule 11(a)(1), I.R.C.P. and shall dismiss Counts or defenses with no merit or which have been abandoned.

8. Pursuant to Rule 47(i) I.R.C.P., the Struck Jury system will be utilized in District Court for jury trials. Challenges for cause may be made by an attorney at any time while

OCT 18 1990

questioning a prospective juror or no later than the conclusion of all questions propounded to an individual prospective juror.

9. Questioning of witnesses shall be through direct, cross, redirect and recross examination. No additional questioning will be allowed absent a showing of unusual circumstances or surprise.

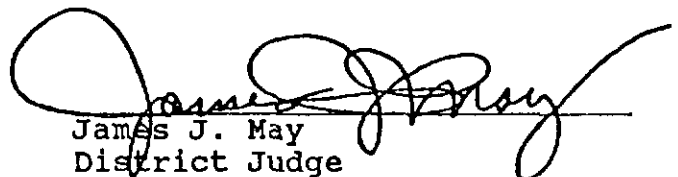
Attorneys attending the pre-trial conference must have authorization to enter into stipulations regarding factual issues and admission of exhibits. Pre-trial conferences may be conducted via telephone if all counsel so stipulate and one party agrees to initiate the call. Prior approval must be received from the Court.

Each party is hereby notified that noncompliance with this Order may result in the Court imposing sanctions.

If this case is settled prior to trial, then either a written stipulation or an oral stipulation in open court for dismissal or entry of judgment shall be submitted by the trial date.

IT IS SO ORDERED.

DATED this 12th day of June, 1990.


James J. May
District Judge

MICROFILMED

OCT 18 1990

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 12th day of June, 1990, I caused a true and correct copy of the foregoing document to be mailed, postage prepaid, to:

Barry Luboviski, Esq.
P.O. Box 1172
Ketchum, Idaho 83340

Richard Greener, Esq.
Carnegie Building
815 West Washington Street
Boise, Idaho 83702

J. Previtera
Deputy Clerk

MICROFILMED

OCT 18 1990

ORDER SETTING CASE FOR TRIAL AND PRE-TRIAL - 5

July 3, 1990

Rita Fleck
Records Manager
Idaho State Dept. of Water Resources
1301 N.Orchard St.
Boise ID 83720

RECEIVED
JUL 5 1990

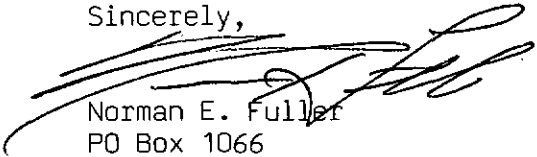
Department of Water Resources

Re: Permit #37-08480 and your notice of 5/31/90

Dear Ms. Fleck,

I am confused with your notice. As I understand the permit approval (see Page 10, Para. 1) it requires me to submit the plan per my application for beneficial use by August 1, 1990, not proof of beneficial use which per my application as approved allowed me 5 years to impliment the plan. If I am correct please consider this my request per Section 42-204 for extension, reason outcome of Blaine County litigation case #14602 has a bearing on the method and location of my development of the property, especially the location of buildings which will utilize permitted water. A copy of the court notice of hearing dates is attached for your reference.

Sincerely,



Norman E. Fuller
PO Box 1066
Sun Valley ID 83353

MICROFILMED

OCT 18 1990

RECEIVED
JUL 5 1990

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

RECEIVED

JUN 14 1990

CLEMONS, COSHO & HUMPHREY

Case No. 14602

NOTICE OF TRIAL SETTING,
PRE-TRIAL CONFERENCE AND
ORDER GOVERNING FURTHER
PROCEEDINGS

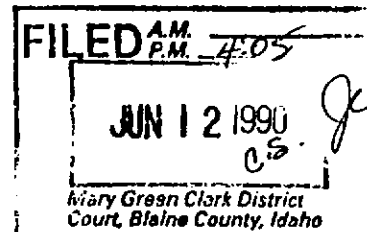
BLAINE COUNTY, a political
subdivision of the State of
Idaho,

Plaintiff,

vs.

NORMAN E. FULLER; ALDEN M.
PACKER and LOLA H. PACKER
husband and wife; PEJLEMM NO. 2,
LTD., a limited partnership;
PACKER INVESTMENT COMPANY, a
limited partnership; CLAIRE P.
PREECE EVERHARD; PREECE FAMILY
PARTNERSHIP, a limited partner-
ship; R & M LIMITED, a limited
partnership; and DORA LEE WALTZ,

Defendants.



IT IS HEREBY ORDERED that the above-entitled matter is
scheduled for a Court trial before the Honorable James J. May,
District Judge, at the Blaine County Courthouse, Hailey, Idaho,
to begin at 9:00 a.m. on Monday, December 17, 1990, as a No. 2
setting. A No. 1 setting is scheduled for February 11, 1991.
Five days have been reserved for trial. A pre-trial conference
is scheduled for August 20, 1990, at 2:00 p.m..

IT IS FURTHER ORDERED that all parties must comply with
the following schedule:

ORDER SETTING CASE FOR TRIAL AND PRE-TRIAL - 1

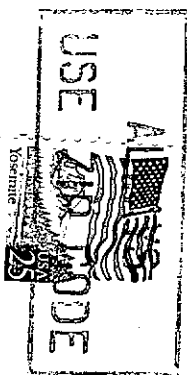
MICROFILMED

OCT 18 1990

Fuller
1056
SV 83353

Rita Fleck
Records Manager
Idaho State Dept. of Water Resources
Statehouse Mail
Boise ID 83720

Handwritten/Stamped text, possibly a signature or address line.



August 22, 1990

Norman E. Fuller
P. O. Box 1066
Sun Valley, ID 83353

Dear Mr. Fuller:

Re: Permit No. 37-8480

On July 5, 1990, the department received your letter requesting a extension of time in answer to the proof due notice of May 31, 1990.

The department issued Permit No. 37-8480 with a condition that: "Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1990." (This statement is on the fourth page of the approved application for permit). To show that construction has taken place and the water is beneficially being used, the department provides a form entitled "Proof of Beneficial Use".

If additional time to develop is needed, the department provides a form entitled "Request for Extension of Time". (Note a \$15 filing fee is required). The department can consider a request based on the reason of litigation if the permit holder can demonstrate how the litigation affected the development of the water use. Also, the period of time the matter was in litigation or is being litigated. A source of this information is a copy of the complaint and final document resolving the matter.

Enclosed for your use is a request for extension of time form. Please complete and return soon as it was due on August 1, 1990.

If I can be of assistance, contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

OCT 18 1990

138783

~~138783~~

May 31, 1990

NORMAN FULLER
JUDIANNE FULLER
P.O. BOX 1066
SUN VALLEY, ID 83353

PROOF DUE NOTICE

RE: PERMIT NO. 37-08480

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, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

OCT 18 1990

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) 334-7900
July 17, 1989

NORMAN FULLER
JUDIANNE FULLER
P.O. BOX 1066
SUN VALLEY, ID 83353

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

RE: PERMIT NO. 37-08480

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

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.

MICROFILMED

AUG 22 1989



We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

AUG 22 1989



Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

Water Dist - None

INITIAL REVIEW BY LA DATE 12/5/88 APPLICATION NUMBER 37-08480

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.) 37-8195 (11119, Municipal, Dam), 37-0274 (11119)
- ☒ Overlapping point of diversion None
- ☐ Yes ☒ No Field check required
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

RECEIVED
JUN 21 1989

Date Requested

Department of Water Resources

PROCESSING

☒ Yes ☐ No Inform for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

None

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM, District _____
☐ Idaho Dept. of Fish & Game, Region _____ ☐ U.S. Forest Service, Forest _____
☐ Idaho Dept. of Lands ☐ Water District # _____
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 5/8/89
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☒ Yes ☒ No Measuring device required
☒ Yes ☐ No Access port required
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. 37 - POE
☒ Yes ☐ No Special conditions of approval or cover letter below.

OIG

Date of priority recommended 12/6/88 ☐ See below for additional information
By Larry D. Hahn Date 6/12/89

STATE OFFICE REVIEW

P05, P23, P03 P16 46 41 OIG AA (below)

By kw ☐ See below for additional information
Date 7-12-89

ADDITIONAL INFORMATION

App. in TRUST area - DCM I

* Use of water under this permit for
aesthetic purposes shall be non-consump-
-tive.

31-Mar-1989

Norman &/or Judianne Fuller
P.O. Box 1066
Sun Valley, ID 83353

Re: Application for Permit No. 37-08480

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 4/19 & 4/26/89. A period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

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

LH:MB

RECEIVED

AUG 22 1989

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

MARCH 31, 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 MAY 8, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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:

MICROFILMED

AUG 22 1989

37-08480

FULLER, NORMAN
FULLER, JUDIANNE
P.O. BOX 1066
SUN VALLEY, ID 83353

Source: GROUNDWATER

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

Use: DOMESTIC	(.060 CFS)
IRRIGATION	(.090 CFS)
AESTHETIC	(1.050 CFS)

Date Filed: 12/06/1988

In: T04N R17E S01 NWSE

3.0 ACRES TOTAL

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:

37-08480

FULLER, NORMAN
FULLER, JUDIANNE
P.O. BOX 1066
SUN VALLEY, ID 83353

Source: GROUNDWATER
Diversion Pt: NWNWSE Sec 1 T
04N R 17E

Use: DOMESTIC (.060 CFS)
IRRIGATION (.090 CFS)
AESTHETIC (1.050 CFS)

Date Filed: 12/06/1988
In: T04N R17E S01 NWSE
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 MAY 8, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal—
April 19 & 26, 1989.

MICROFILMED
AUG 26 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 MAY 8, 1989.

R. Keith Higginson, Director

Published 4/19/1989 & 4/26/1989

MICROFILMED

AUG 22 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

November 28, 1988

Norman and Joanne Fuller
Box 1066
Sun Valley, ID 83353

Dear Norman and Joanne Fuller:

Returned herewith is your application for permit and filing fee received at this office on October 5, 1988. The application is being returned because it does not meet all the statutory requirements to be acceptable for receipt by the department.

I have taken the liberty of using the information submitted to draft an application, which is enclosed.

Please examine the redrafted application carefully, and if it is satisfactory, sign it and file it with this office with the statutory filing fee of \$65.00.

If you have questions or if we can be of further assistance please contact this office.

Very Truly yours,

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

MICROFILMED

AUG 22 1989

37-0848.0

IDAHO DEPARTMENT OF WATER RESOURCESWATER RIGHT
DATA ENTRY LOGInitialsDateItemMB3/30/89

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Key punched by State Office