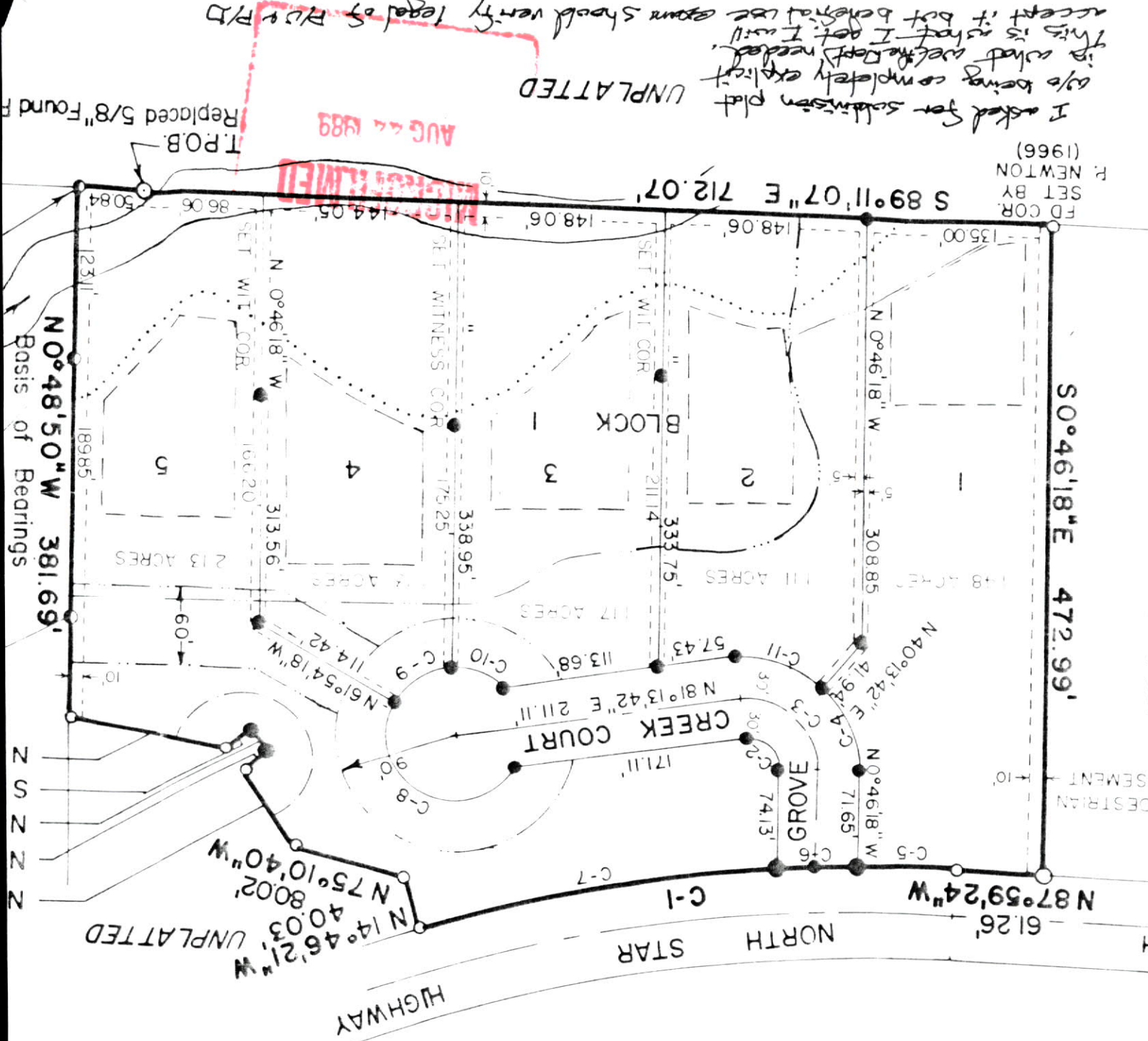


1978

SCALE IN FEET



I asked for Sullivan plat
w/o being completely explicit
is what we the Dept needed
this is what I got. I will
accept it but be careful use
again should verify legal of R/L P/D

UNPLATTED

AUG 22 1989

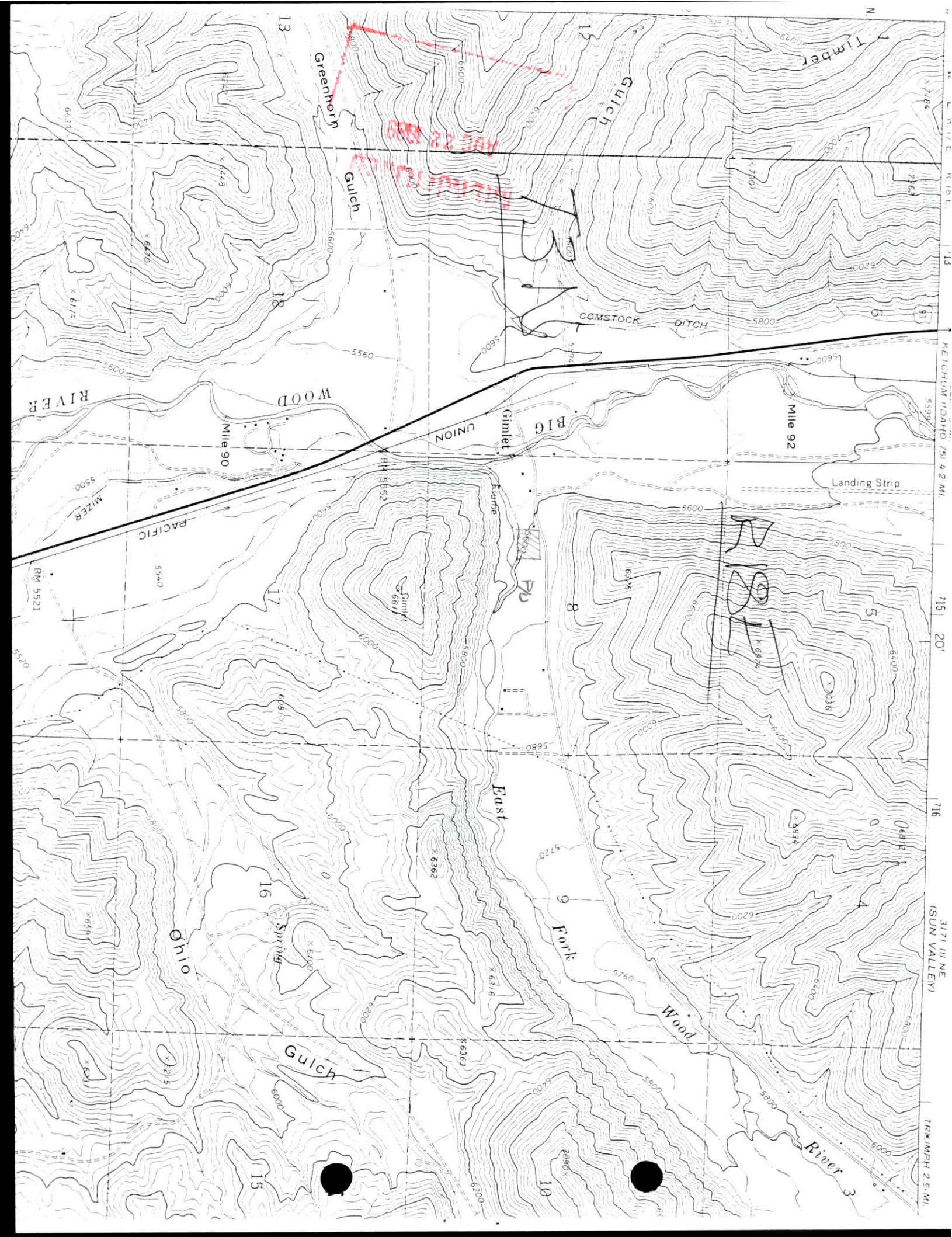
REPLACED

T.P.O.B.

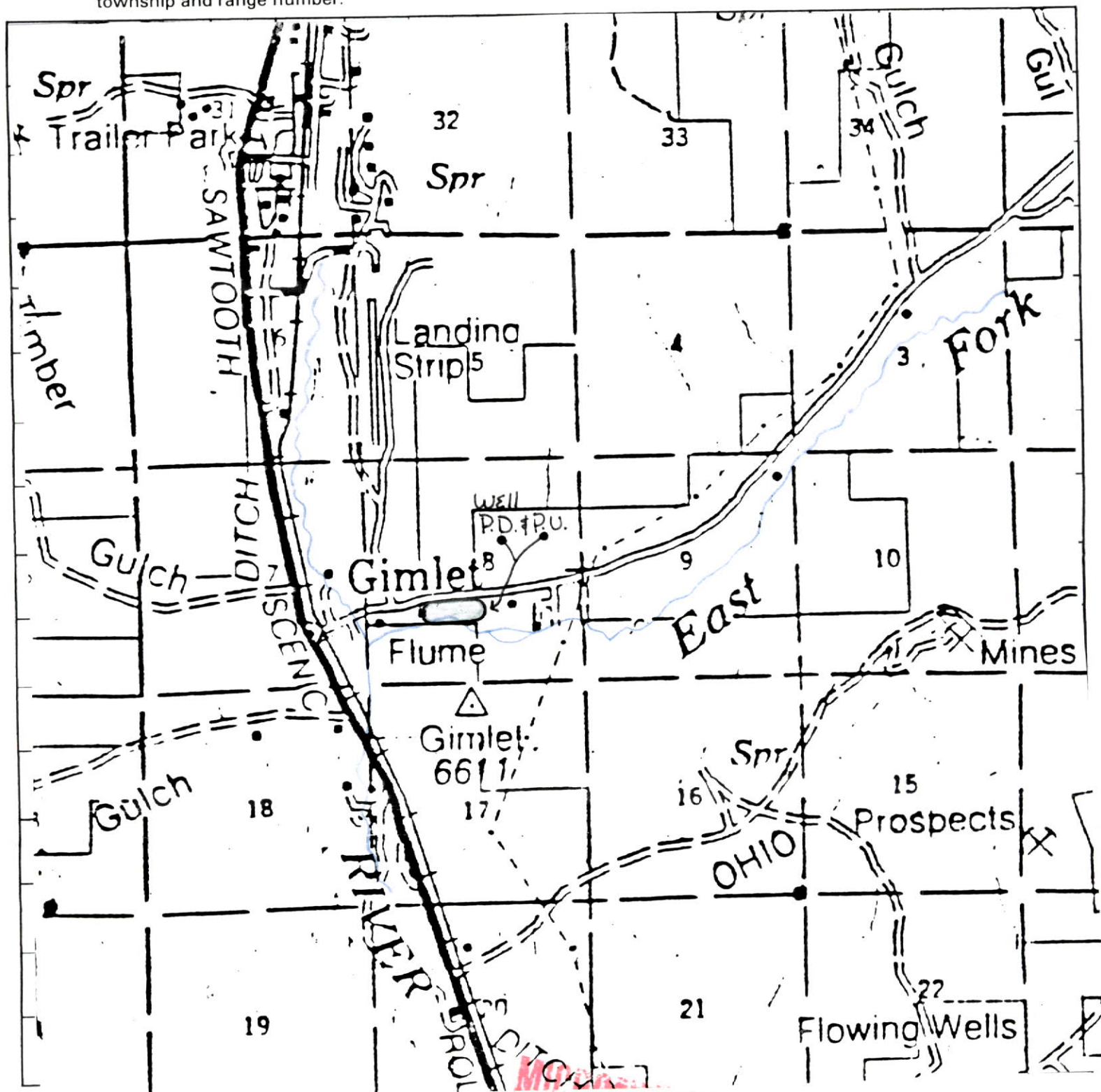
Replaced 5/8" Found P

Basis of Bearings

N S N N N



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

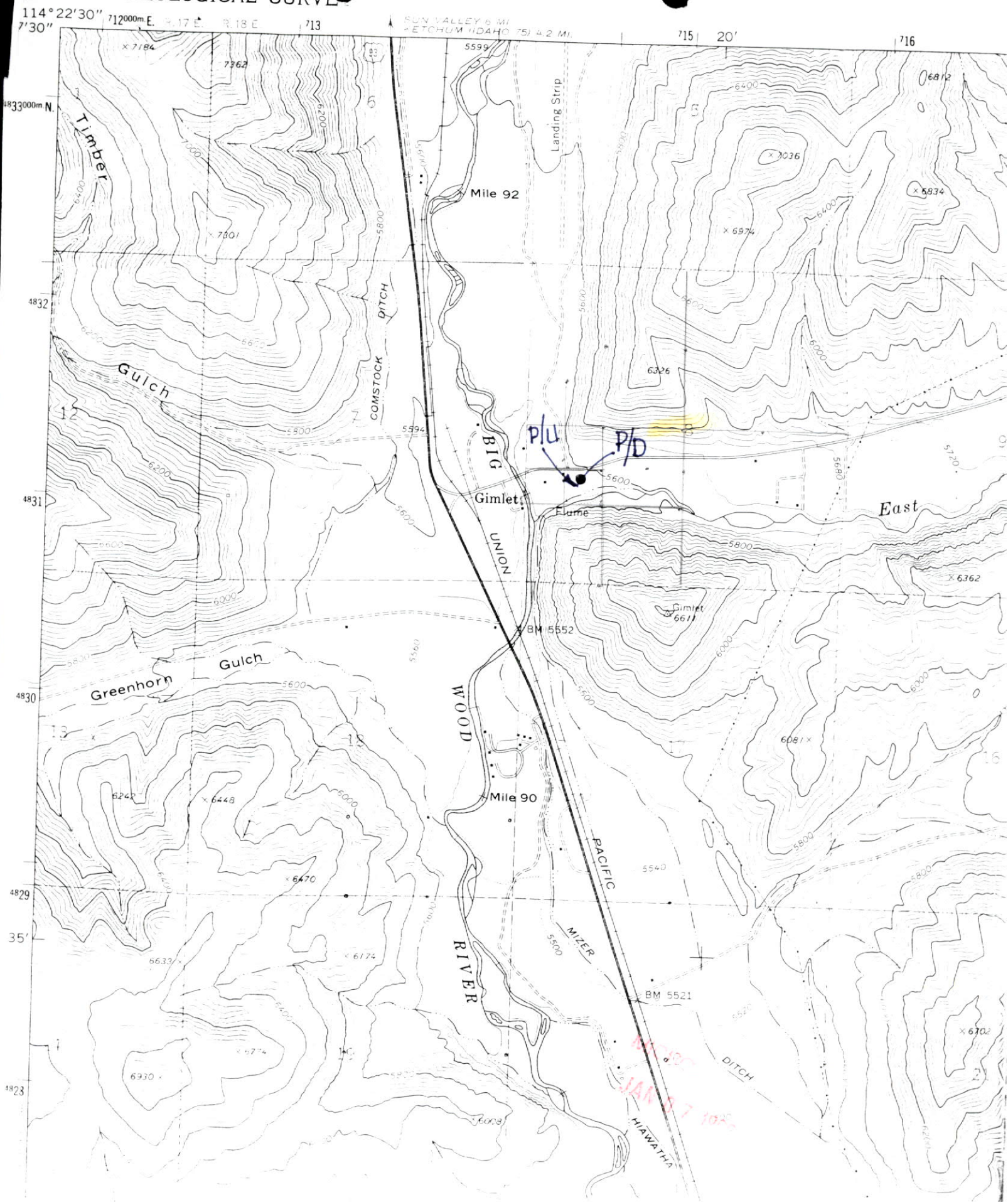


Scale: 2 inches equal 1 mile.

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.

CARL LEONI, Director
(Applicant)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



37-08474

SCALE IN FEET



= IRRIGATED ACRES

LOT 1 = 0.3

" 2 = 0.6

" 3 = 0.6

" 4 = 0.5

CRK. { N. SIDE = 0.3
CT. { E. SIDE = 0.2

SCALE 1" = 100'

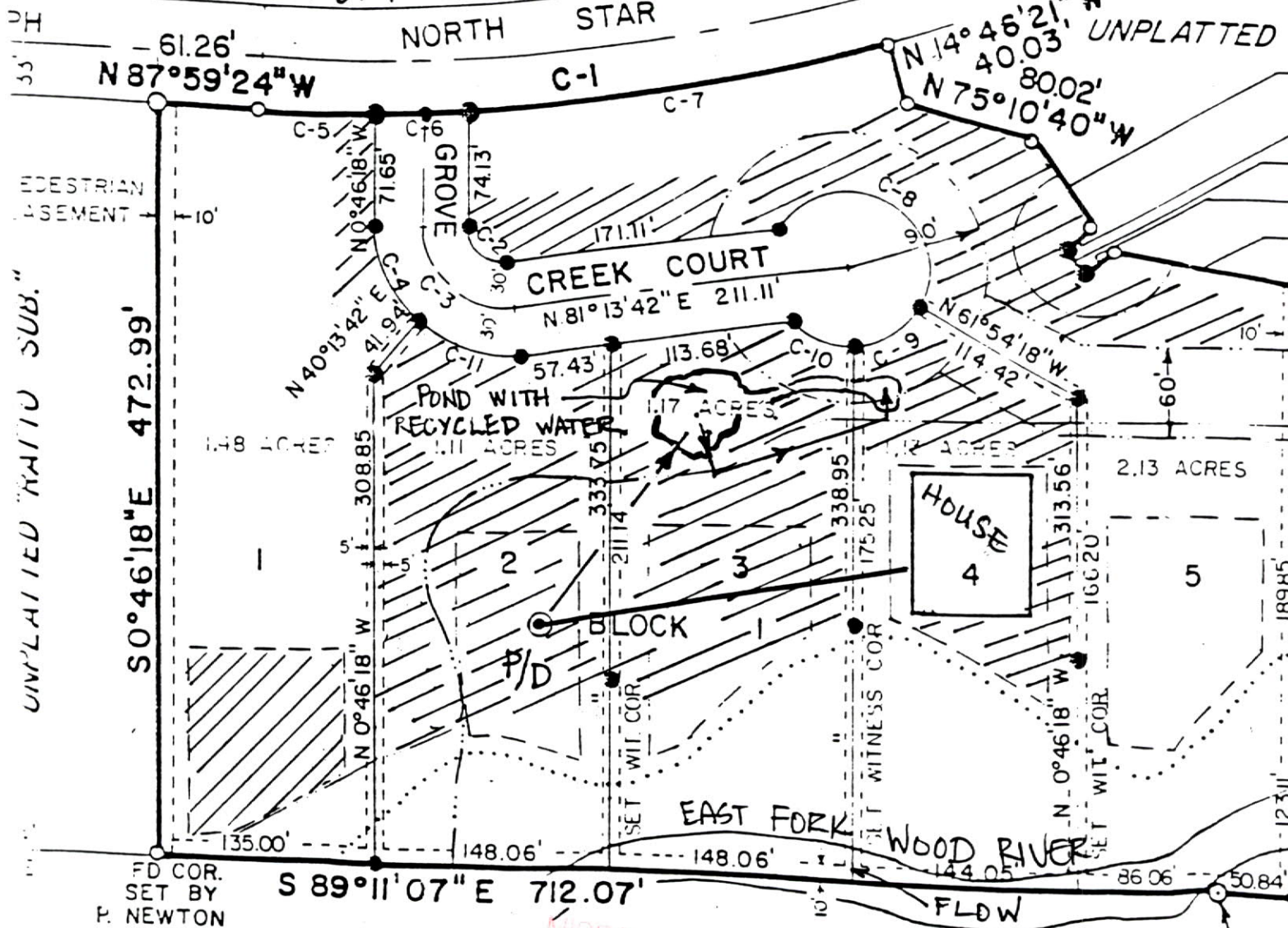
POND = 50' x 40' x 3' = 0.142f

← Hwy 75 1/2 mi.

EAST FORK RD

NORTH STAR

HIGHWAY



D=F/D = GPS A0002852
R091516A

MICROFILM
JAN 17 1998

GROVE CRK ASSN.
70 SWANEY WM.
37-08474

T.P.O.B.
Replaced 5/8"

1/4

Mr. Swaney's house
Lot 4 Grove Crk Sub.

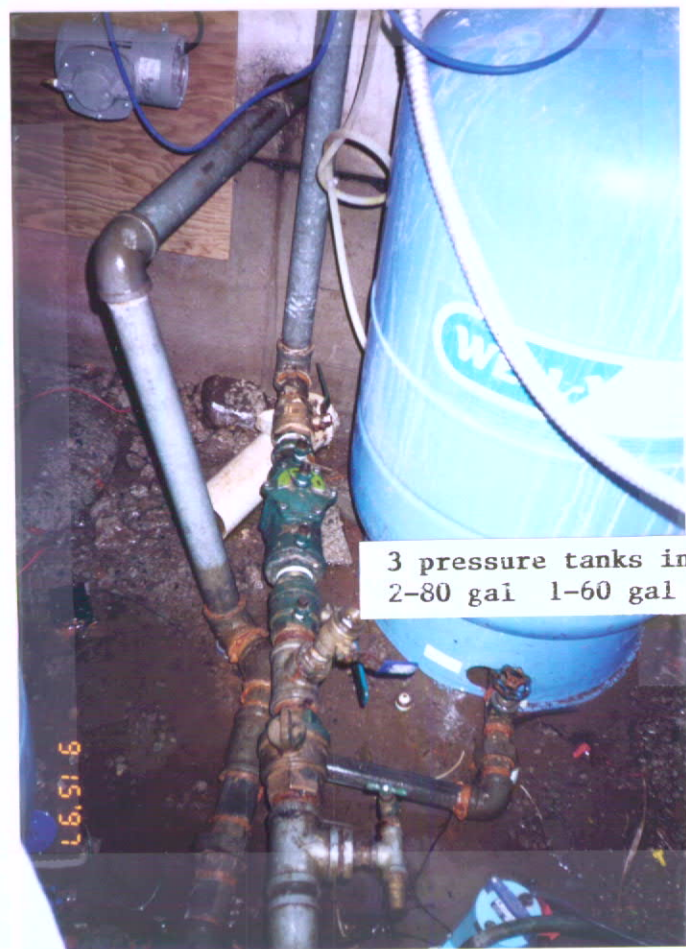
GPS A00002852

Photo looking E'ly

P/D=Sec 8, T3N, R18E SE NW SW $\frac{1}{4}$
Also known as Lot 2 of Grove Creek Subd.



Concrete Cistern 15' below o.g.



3 pressure tanks in cistern
2-80 gal 1-60 gal

MICROFILMED
JAN 9 7 1998

Grove Creek Association
% Wm. Swaney
Examiner: Satterlee GL

2/4

Lot 5 not pictured because its not irrigated from this right. Only the frontage area of Lot 5 irrigated. See plat map.



Photo looking SE'ly



Concrete Cistern

P/D

Photo looking N'ly

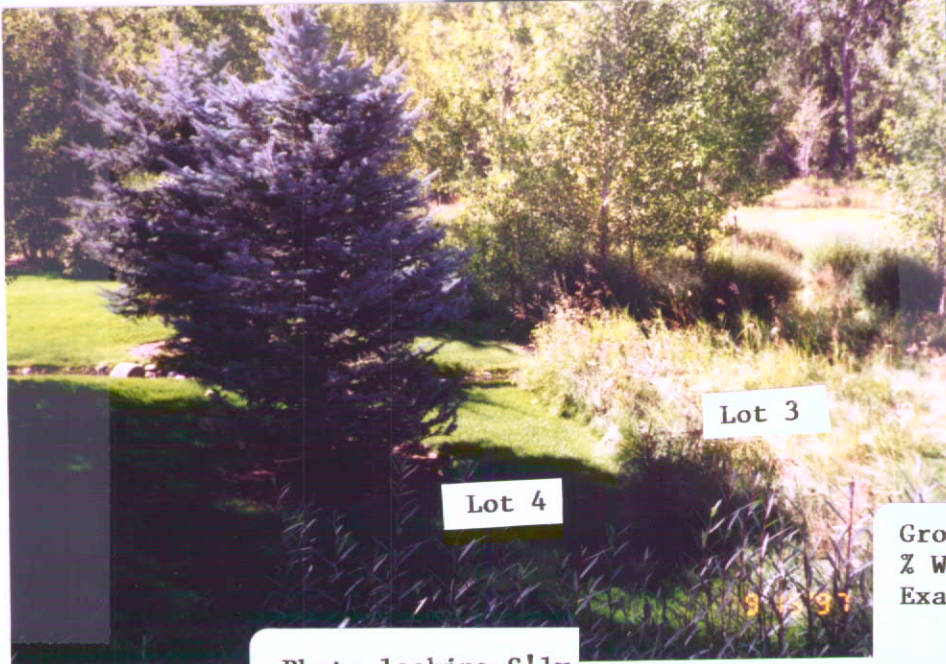
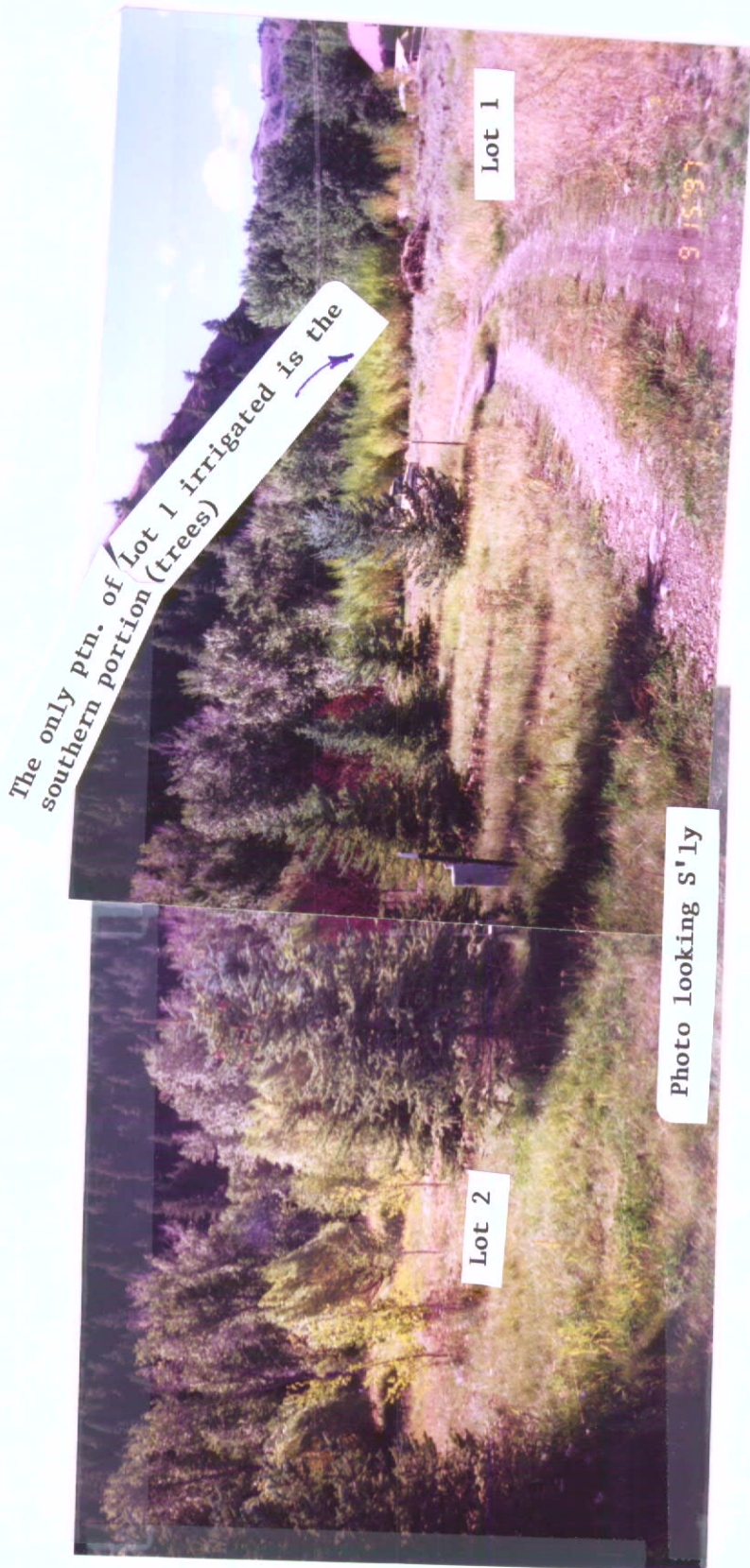


Photo looking S'ly

MICROFILMED
JAN 07 1998

3/4



MICROFILM
JAN 07 1998



P/U=Sec 8, T3N, R18E NW¼ SW¼
Photo looking S'ly

MICROFILMED
JAN 07 1998

Grove Creek Association
% William Swaney
Examiner: Satterlee, G

8.

POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? [] Yes ☒ No
 Is there a check-valve present? [] Yes ☒ No
 Is there a possible source of contamination nearby? [] Yes ☒ No

If yes, what Type?

How far away from the well is this source?

9.

REMARKS:

WELL IS ON LOT 2 OF GROVE CREEK SUBD.

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



PHOTO LOOKING E'LY
GPS A 0002852

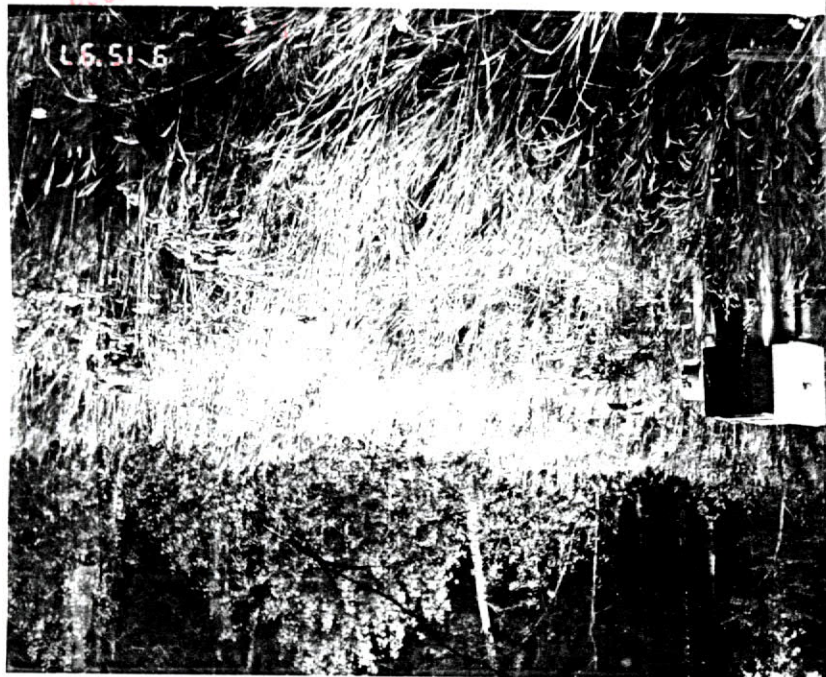


PHOTO LOOKING S'LY

JAN 07 1998

9-15-97

150' S'LY OF P/D
EAST FORK BIG WOOD FLW

Signature of Dept. Representative & Title

Inspection Date

1580497

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08474

Priority: November 25, 1988

Maximum Diversion Rate:

0.10 CFS

Maximum Diversion Volume:

9.4 AF

This is to certify, that GROVE CREEK ASSN

C/O WILLIAM SWANEY

PO BOX 2713

KETCHUM ID 83340

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 25, 1988; and has submitted Proof of Beneficial Use on June 15, 1992. An examination indicates that the works have a diversion capacity of 0.100 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.08 CFS	8.8 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.10 CFS	9.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 8, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	8	NWSW	2.5		2.5

Total number of acres irrigated: 2.5

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Irrigation use under this right is authorized only in connection with a domestic use.

MICROFILMED

JAN 07 1998

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 37-08474

CONDITIONS OF APPROVAL AND REMARKS

6. 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.
7. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
8. Point of diversion located within Lot 2, Grove Creek Subdivision.
9. Place of use located within Lots 1-4, Grove Creek Subdivision and also includes land to the north and east of Grove Creek Court culdesac.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 19TH
day of DECEMBER, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED

JAN 07 1998

RECEIVED

DEC 18 1997

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08474

Date of Priority: November 25, 1988 Maximum Diversion Rate: 0.10 CFS
Maximum Diversion Volume: 9.4 AF

Comes now GROVE CREEK ASSN

C/O WILLIAM SWANEY

PO BOX 2713

KETCHUM ID 83340

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08474, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.08 CFS	8.8 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.10 CFS	9.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 8, Township 03N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	8	NWSW	2.5		2.5

Total number of acres irrigated: 2.5

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

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

Signed at Delray Beach, FL, this 15 day of December, 1997.

MICROFILMED

JAN 07 1998

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08474

FOR DEPARTMENT USE ONLY

Preliminary check by SUK Fee = 50.00 Received by [Signature] # CD40938 Date 12-18-97

- ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-08474 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Irrigation use under this right is authorized only in connection with a domestic use.
6. 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.
7. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
8. Point of diversion located within Lot 2, Grove Creek Subdivision.
9. Place of use located within Lots 1-4, Grove Creek Subdivision and also includes land to the north and east of Grove Creek Court culdesac.

Witness my hand this 19TH day of DECEMBER, 1997.

[Signature]
Acting for KARL J. DREHER, Director

MICROFILMED
JAN 07 1998



OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 6-15-92
Receipt No. C024540
Receipt by [Signature]

Department of Water Resources

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. 37-8474 Telephone No. 788-4550 or 407-738-0268 or 616 335-3408
2. Name(s) of Permit Holder(s): Grove Creek Association, William Swaney, Director
3. Mailing Address: 114 Grove Creek Court, P.O. Box 2788, Ketchum, Idaho, 83340
4. Source of Water: ground water

If **GROUNDWATER**, Well Driller's Name: Walker Water Systems, Inc Date Drilled: 6-11-84

OPTIONAL:

Pump horsepower: 5 HP Pressure (psi): _____ Dynamic pumping level (ft.): _____

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

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

Irrigation 2.5 (No. of acres) Other Maintaining water in pond for fire protection

6. Total rate and/or volume for which proof is submitted .1776 cfs OR _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$50.00 (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.

William C. Swaney 788-4550 (if no answer contact alternate number)
Name Telephone No. listed above)

114 Grove Creek Court
Address

* Association zoned for five separate lots and residences (only one built)

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.

RECEIVED
JUN 24 1992

6/12/92
Date

William Swaney DIRECTOR Grove Creek Court Assoc.
Signature (and title, if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 06 1992

ASSIGNMENT OF ~~WATER~~ PERMIT

Department of Water Resources
Southern Region Office

I, William Swaney director, hereby assign to Grove Creek Association
of, 114 Grove Creek Court, P.O. Box 2788, Ketchum, Idaho 83340
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 37-08474 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this 2nd day of April, 1992

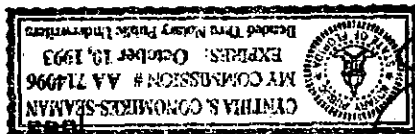
William Swaney
Applicant

State of ~~Idaho~~ Florida
County of Palm Beach

RECORDED

JUN 24 1992

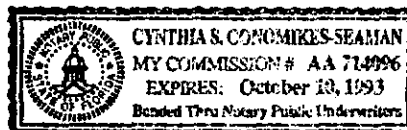
On this 3rd day of April, 1992, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.



Cynthia S. Conomikes-Seaman
Notary Public

CYNTHIA S. CONOMIKES-SEAMAN

My commission expires: _____



RECEIVED

NOV 25 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 37-08474

Department of Water Resources
Southern Region Office

APPROVED

1. Name of applicant Carl Leoni (in behalf of) Grove Creek Assn. Phone 208-726-8589
Post office address P.O. Box 1838, Sun Valley, ID 83353
2. Source of water supply ground water which is a tributary of N/A
3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Govt. Lot
Sec. 8 Township 3N Range 18E B.M. Blaine County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .11 for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .08 for Irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .19 DRS cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 193 foot well, 8-5/8" in diameter,
with 5hp submersible Berkley pump
 - b. Height of storage dam N/A 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 8-5/8" inches; proposed depth of well is 193' feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? no
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

AUG 22 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. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. 5 planned
- 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	
3N	18E	8									D								2.5 acres

Total number of acres to be irrigated 2.5 acres

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? applicants
- b. Who owns the land to be irrigated or place of use? applicants
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Applicant is a property owner and director of the
Grove Creek Association

12. Remarks: Carl Leoni, Director

BEFORE

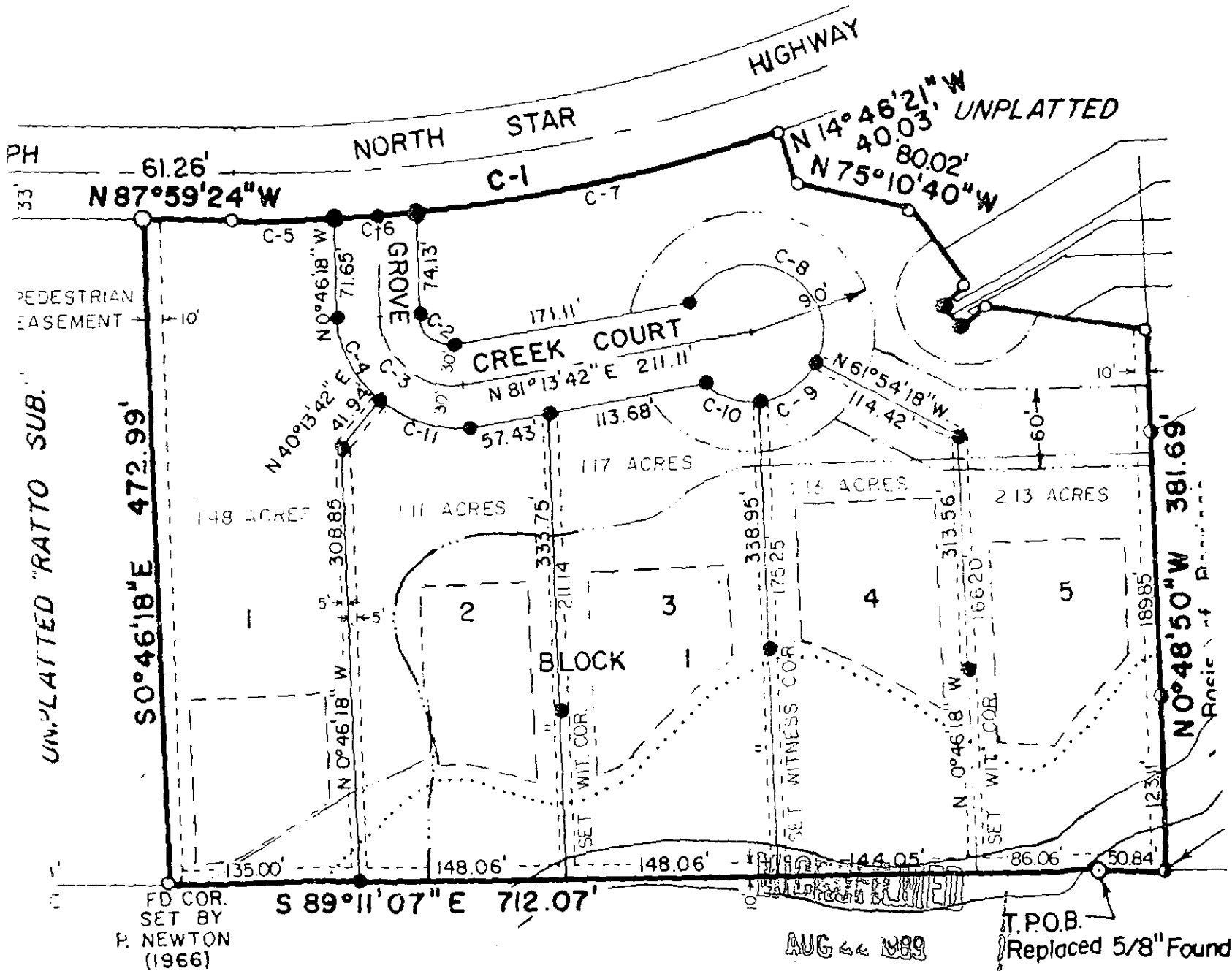
WITNESSED

AUG. 22. 1989

SCALE IN FEET

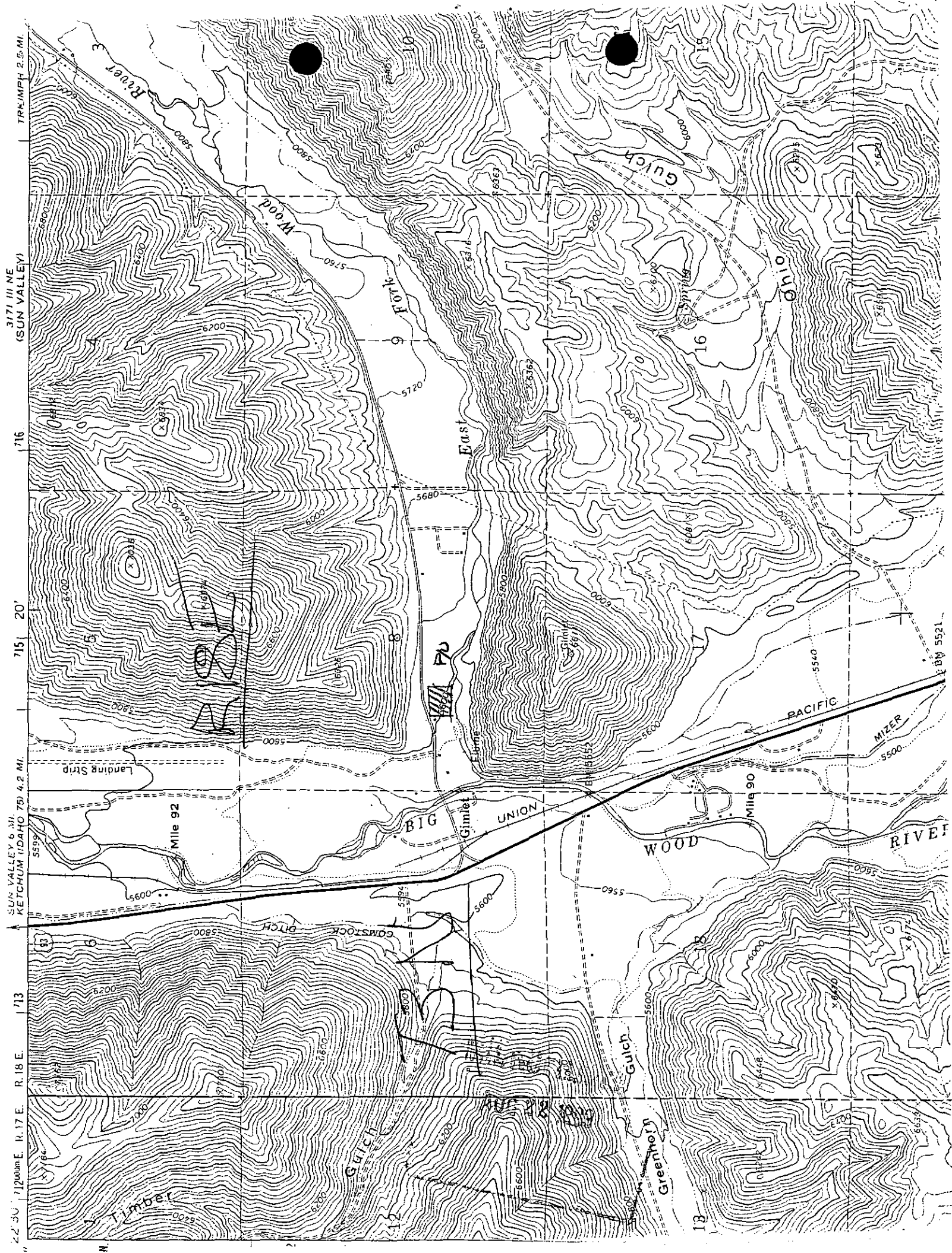
1978

R. SEC. 8
HANSEN (1949)
OR.

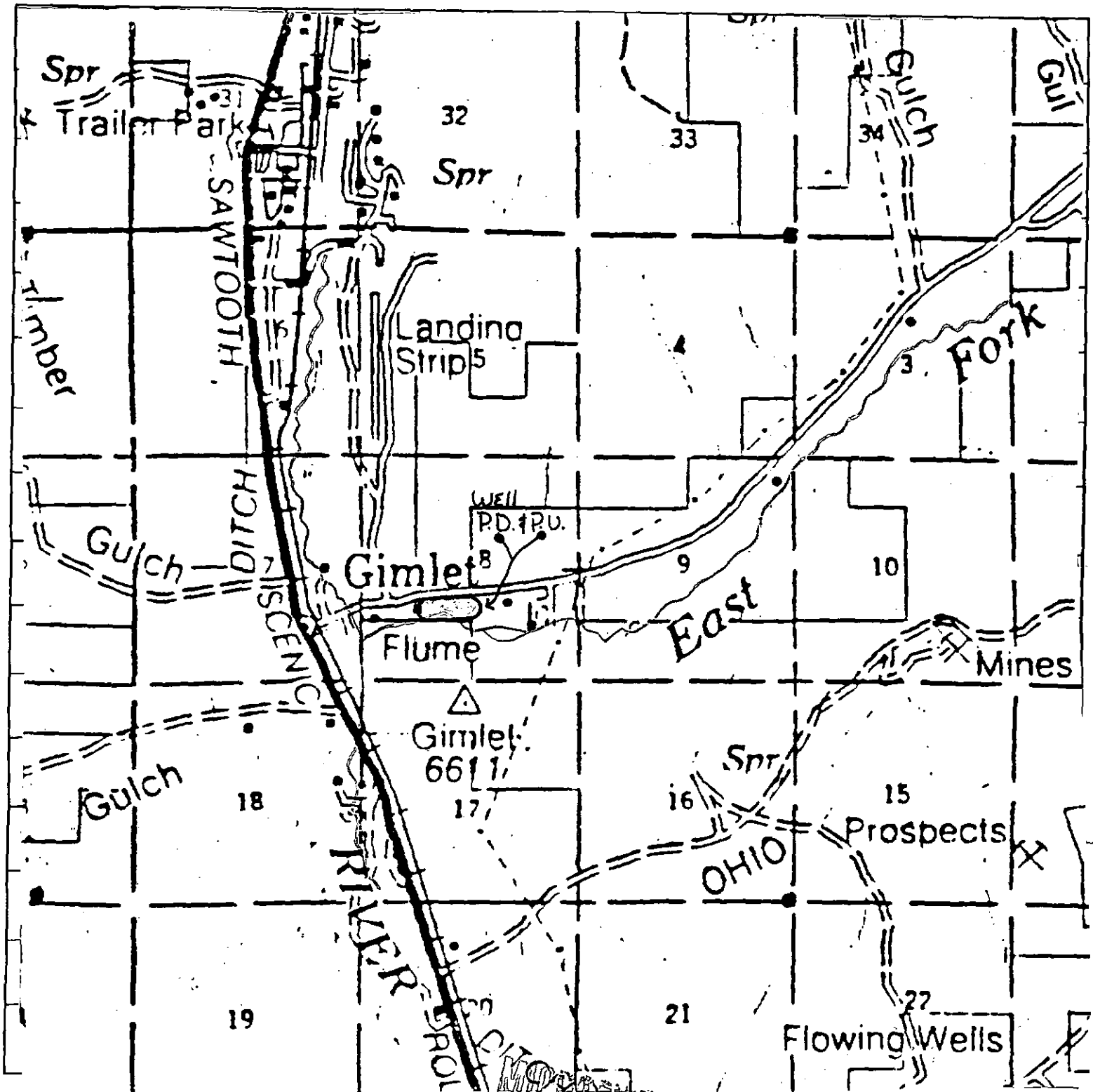


I asked for submission plat w/o being completely explicit in what we needed. This is what I got. I will accept it but before we can should verify legal S.E. 1/4 P. 10

UNPLATTED



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



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

CARL LEONI, Director
(Applicant)

Proposed Priority 11/25/88

Received by I. Jasper Date 11/25/88 Time 1:30 Preliminary check by DRS

Fee \$ 30.00 Receipted by I. Jasper # 5005703 Date 1/5/89

Publication prepared by M. Beldwin Date 3/7/89 Published in Wood River Journal

Publication approved Thyde R. Payne Date 3-30-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-8474, 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 July 1, 19 92.

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.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

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

Witness my hand this 6th day of June, 1989.

J. Glen Saylor

MICROFILMED

AUG 22 1989

13 water right applications filed

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08472
GOODMAN FAMILY TRUST
David D. Goodman, Trustee
Mary W. Goodman, Trustee
P.O. BOX 3144
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt. NENE Sec 36 T.05N
R.17E

Use: DOMESTIC (.040 CFS)
IRRIGATION (.050 CFS)

Date Filed: 11/23/1988

In: T05N R17E S36 NENE OK

3.0 ACRES TOTAL

37-08473
GOODMAN FAMILY TRUST
David D. Goodman, Trustee
Mary W. Goodman, Trustee
P.O. BOX 3144
KETCHUM, ID 83340

Source: GROUNDWATER
Diversion Pt. NENWNE Sec 36 T

05N R 17E

Use: DOMESTIC (.040 CFS)

IRRIGATION (.050 CFS)

Date Filed: 11/23/1988

In: T05N R17E S36 NWNE OK

3.0 ACRES TOTAL

37-08474
GROVE CREEK ASSN
C/O CARL LEONI
P.O. BOX 1838
SUN VALLEY, ID 83353

Source: GROUNDWATER

Diversion Pt: NESW Sec 8 T 03N

R 18E

Use: DOMESTIC (.110 CFS)

IRRIGATION (.080 CFS)

Date Filed: 11/25/1988

In: T03N R18E S08 NESW OK

2.5 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 APRIL 3, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal-
March 15 & 22, 1989.

MICROFILMED

AUG 22 1989

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

MAR 23 1989

DANIEL J. GORHAM Department of Water Resources
Southern Region Office

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 15th day of Mar, 1989, and

the date of the last publication was on the 22nd day of Mar, 1989.

Daniel J. Gorham
Subscribed and sworn to before me this 22nd day of March, 1989.
(SEAL)

Roberta Ingersoll
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 191
Number of Insertions 2
Lines tabular at 5¢/Pica
191 Lines straight at 94.55 4¢/Pica
191 Subsequent lines at 73.54 3¢/Pica
TOTAL COST 1168.09

MICROFILMED

AUG 22 1989

COPY OF NOTICE

(Paste Here)

Not of Applications (13)
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO

WOOD RIVER JOURNAL

112 S. Main Street

P.O. Box 988

HAILEY, IDAHO 83333

(208) 788-3444

CUSTOMER'S ORDER NO.		PHONE		DATE	
DE-105				3-22-1989	
NAME Dept of Water Res					
ADDRESS					
CASH	C.O.D.	CHARGE	ON ACCT	MOSE RETD	PAID OUT
		X			
2 wks		13 Application			OK 3-30-89
		# 6452			
		191 @ 49.5			94.55
		191 @ 38.5			73.55
SOLD BY <i>D. J. Gorham</i>					TAX
RECEIVED BY <i>[Signature]</i>					TOTAL 1168.09

11308

All claims and returned goods MUST be accompanied by this bill. Thank You

PRODUCT 609-3 NEBS, Inc. Groton, Mass. 01471



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 22, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GROVE CREEK ASSN
C/O WILLIAM SWANEY
PO BOX 2713
KETCHUM ID 83340

RE: WATER RIGHT NO. 37-08474

Dear Water Right Holder(s):

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

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ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

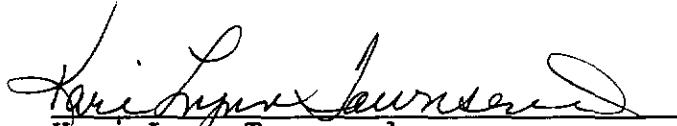
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of December, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 37-08474

GROVE CREEK ASSN
C/O WILLIAM SWANEY
PO BOX 2713
KETCHUM ID 83340


Kari Lynn Townsend
Secretary

MICROFILMED

JAN 07 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 5, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GROVE CREEK ASSN
C/O WILLIAM SWANEY
PO BOX 2713
KETCHUM ID 83340

RE: WATER RIGHT NO. 37-08474

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return it with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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JAN 07 1998

MEMORANDUM

TO: File 37-08474

FROM: Sharla

DATE: December 4, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 37-08474 are based on the following:

H. RECOMMENDATIONS

Irrigation	4/15 - 10/15	0.08 cfs	8.8 afa
Domestic	1/1 - 12/31	0.02 cfs	0.6 afa
	TOTALS	0.10 cfs	9.4 afa

Domestic use is for in-house use only; the rate has been adjusted accordingly. The rate of diversion per acre allowed for 5 or less acres is 0.03 cfs/acre. Thus 2.5 acres X 0.03 rounds up to 0.08 cfs as originally filed. The total rate of diversion combined is 0.10 cfs. The theoretical capacity can supply this total.

Examiner: Georgia Satterlee

Exam Date: September 15, 1997

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LICENSE REVIEW CHECKLIST

PERMIT NO. 37-08474

DATE 12/3/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>to Box</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change/clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>✓</u>	<u>—</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>✓</u>	<u>—</u>	Amendment required <u>yes</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.19</u> cfs
Fee limit	<u>.20</u> cfs <u>\$50.00</u>
Measured	<u>—</u> cfs
Theoretical	<u>.10</u> cfs

Recommended Total Div Rate .10 cfs

**ANNUAL VOLUME/
NATURE OF USES**

<u>✓</u>	Use <u>Dom</u>	cfs <u>.08</u>	Volume Calc <u>2.5 X 3.5 = 8.8</u> af
	<u>Dom</u>	<u>.02</u>	<u>.6</u> af
			af
			af
	SUBTOTAL	<u>.10</u>	<u>9.4</u> af

Flow rate .08 cfs X 184 days X 1.98 = 29.1 af
 Total volume recommended 8.8 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

W59 (Lot 2)
60 (Lots 1-4)
WBS

CONDITIONS — Watermaster Control WD# —

✓ GW Measurement/Measuring Device
✓ Overlap

— Use-specific conditions OK
 Advancement of Priority Date Required — yes ✓ no

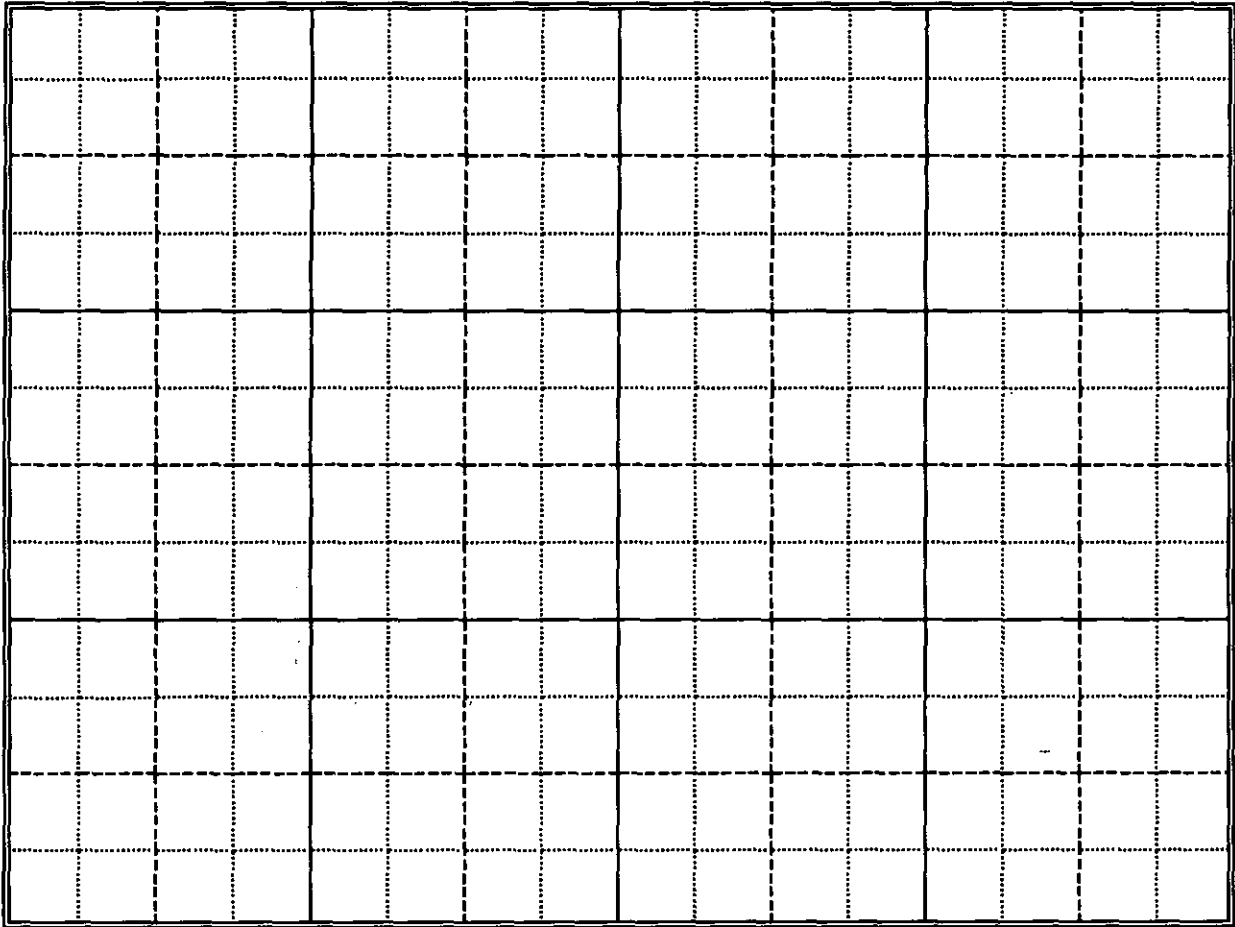
SRBA Claim Filed N/A
 Adjustment Memo dom in house rate

1st Amend Letter P37 P38
 2nd Amend Letter 147

irr. rate (.03 cfs/ac)
total rate

JAN 07 1998

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

✓ PLAT MAP

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1 WELL	FRANKLIN	5	MOD# 2821139310		
GPS A0002852	ELECTRIC				

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PSI, NOZZLE SIZES,						
NUMBER OF SPRINKLERS						

2. Measurements:

VERIFIED RATE W/ THEORETICAL

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E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee

DATE: 14 October 1997

RE: 37-08474

On 15 September 1997, at 0930 hrs., I met with William Swaney and Doug Webb. The permit 37-08474, in the name of Grove Creek Association, is for domestic and irrigation use. The use of the pond was under 37-08176, however the permit lapsed.

Mr. Swaney is the contact person for the association. Mr. Webb is the contractor for the subdivision's landscaping. Webb Landscaping designed and constructed the pond, also.

The well is located in the SENWSW $\frac{1}{4}$ of Section 8, T03N, R18E, also known as Lot 2 in the Grove Creek Subdivision.

The well serves one home (Mr. Swaney owns the home and lives there intermittently) and 2.5 acres of irrigation.

The use of the pond is for year round fire protection. The pond is lined and is constructed so that the water is constantly recycled.

The irrigation is timed to operate every other day. There are 14 zones (zone 7 was operating at the time of the examination) and each zone is on for approximately 60 minutes. For each zone there are approximately nine nozzles. Each nozzle puts out 5 gallons per minute.

A portion of each lot is irrigated. Please see schematic with the irrigated acres designated.

Irrigation

45 gpm x 60 min = 2,700 gal/hr x 14 hrs = 37,800 gal

37,800 x 92 irr days = 3,477,600 gal / 325,850 = 10.7 afa

Used smallest afa, see G.1. Volume Calculations

Pond

50' x 40' x 3' = 6,000 / 43,560 = 0.14 af

The recommendation is for domestic and irrigation. The domestic will include the pond which is used for fire protection.

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

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JAN 07 1998

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

SEE "E." BOTTOM PAGE

$$\frac{0.02 \text{ cfs}}{9 \text{ gpm}} = \frac{0.10 \text{ cfs}}{45 \text{ gpm}}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.5 (3.5) = 8.8$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.05 (1.9835) 92 = 9.1$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 8.8$$

2. Volume Calculations for Other Uses:

PERMIT RATE 0.19 cfs
 EXAM FEE LIMIT 0.20 "
 (THEORETICAL) MEASURED RATE 0.10 "

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/15	0.05	8.8
DOMESTIC	1/1	12/31	0.04	0.6
Totals:			0.09 cfs	9.4 afa

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name

Georgia Satterlee

Date

16 Oct 97

Reviewer

Date

SEAL

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JAN 07 1998

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-08474
DATE: 15 SEPT 97
BY: SATTERLEE, G

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

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

$$Q = \frac{(8.8) \times (5) \times (0.70)}{[(16.5) + (60 \times 2.31)]} = \frac{30.8}{303.6} = 0.10 \text{ cfs}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner ()	
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well logs ☒	owner gage ☒	5 HP FRANKLIN ELEC
Booster (Y) ☒	(N)	MOD # 2821139310
REMARKS		

ANNUAL VOLUME ANALYSIS

IRRIGATION EVERY OTHER DAY

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

$184 \div 2 = 92$

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

POTENTIAL =

$\frac{92 \times (1.98) \times (0.05)}{(2.5)} = 3.6$

POTENTIAL =

REQUIRED Acre Feet/Acre/Annum =
(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

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

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

REPROFILMED
JAN 07 1998

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

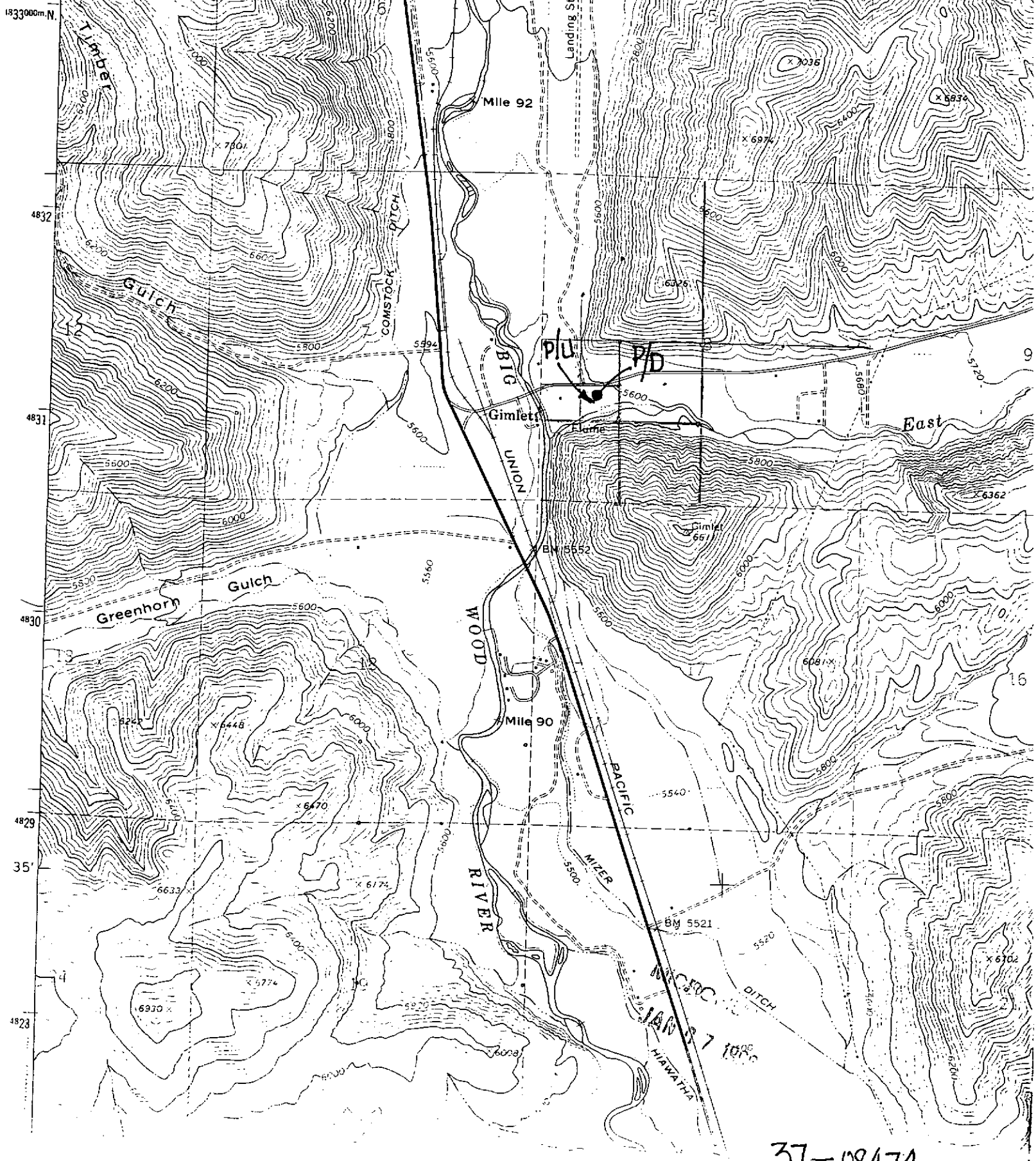
114°22'30" 7'30" 12000m E. R. 17 E. R. 18 E. 713

SUN VALLEY 6 MI.
FETCHUM (IDAHO 75) 4.2 MI.

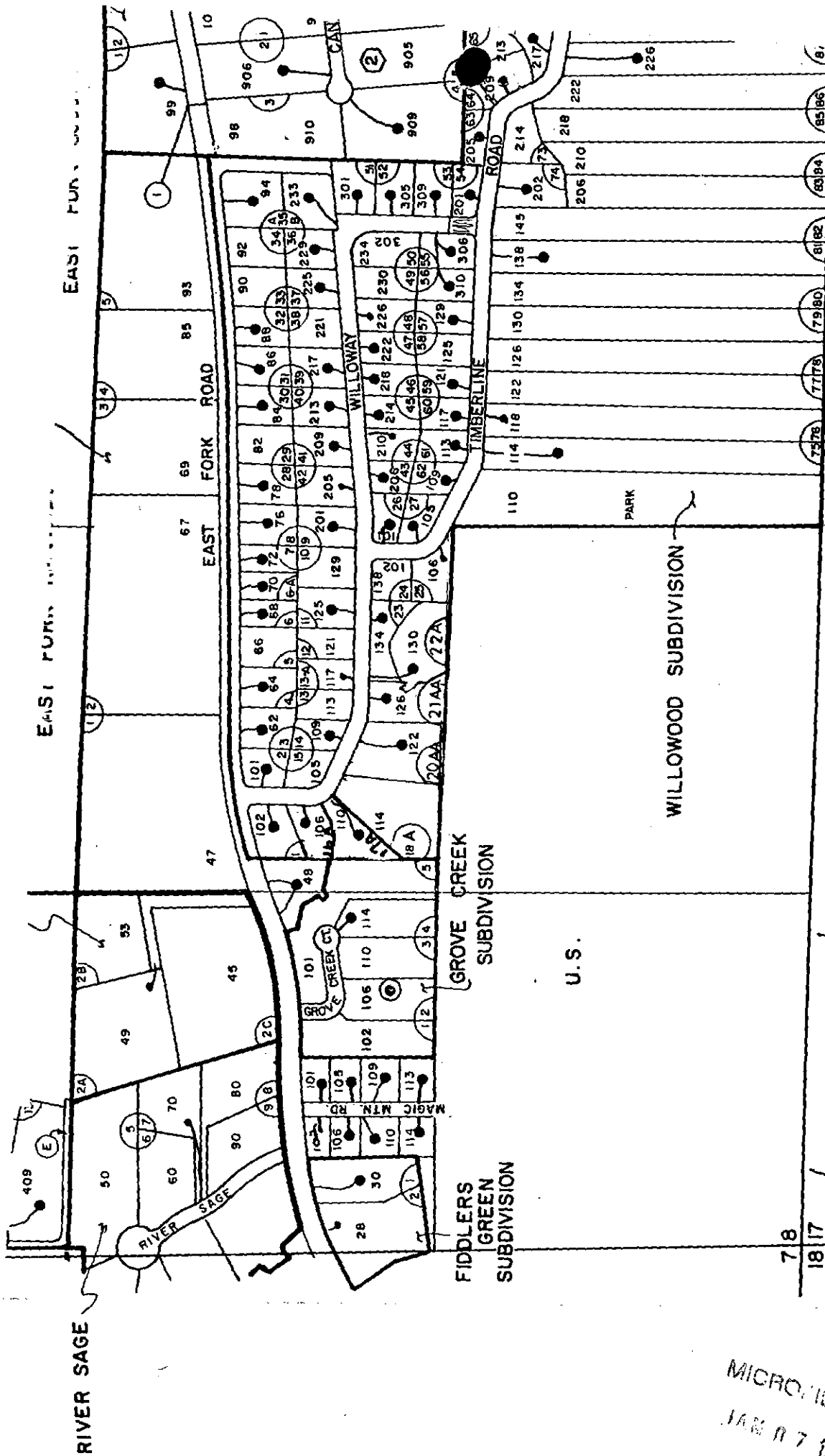
715 20'

716

1833000m N.



37-08474



SEC. 8, T. 3 N., R. 18 E.

PD = SE NW SW

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SCALE IN FEET



= IRRIGATED ACRES

LOT 1 = 0.3
 " 2 = 0.6
 " 3 = 0.6
 " 4 = 0.5

CRK. { N. SIDE = 0.3
 CT. { E. SIDE = 0.2

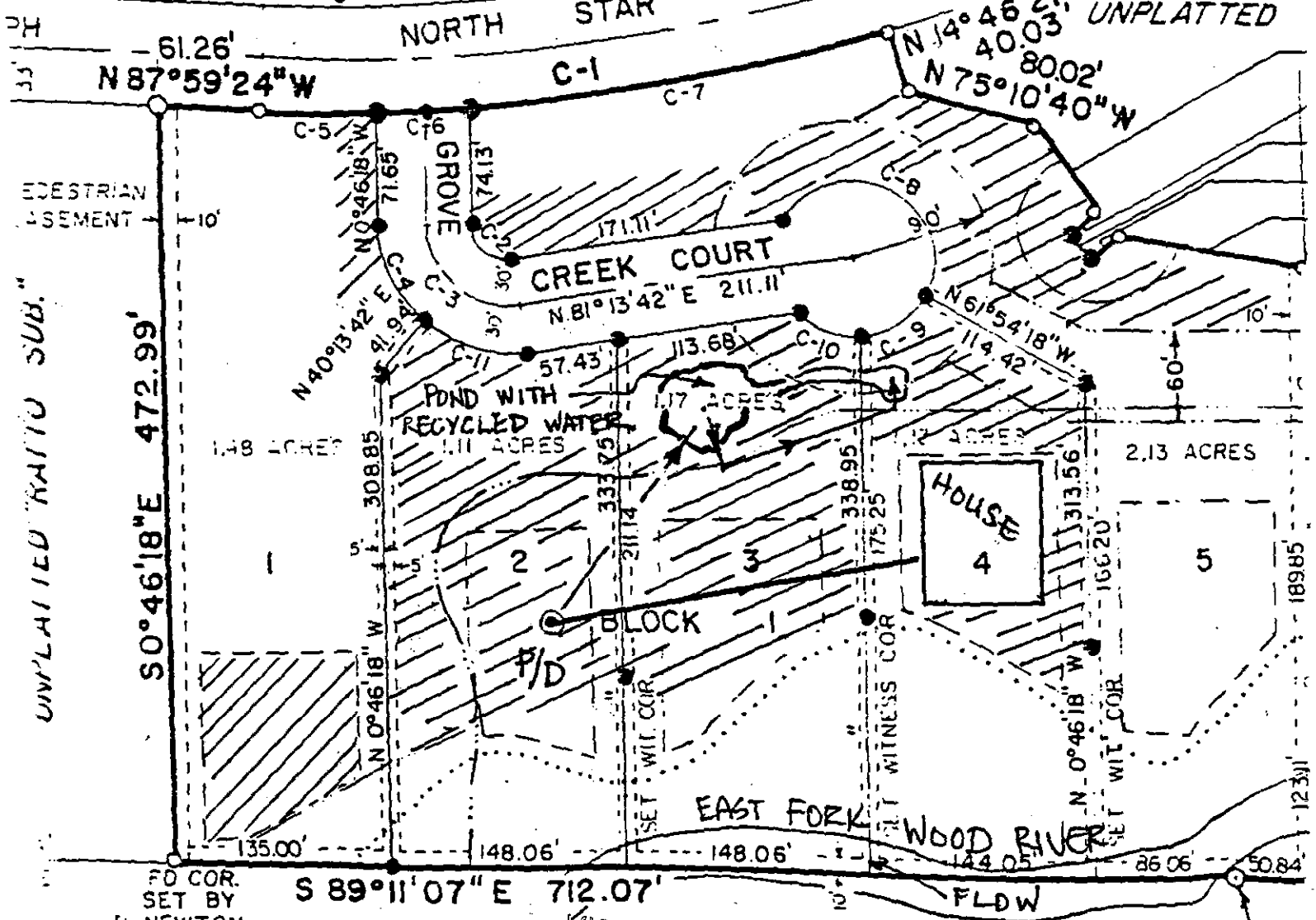
SCALE 1" = 100'

POND = 50' x 40' x 3' = 0.142f

← HWY 75 1/2 mi.

EAST FORK RD

HIGHWAY



FD COR.
 SET BY
 P. NEWTON
 (1966)

S 89°11'07" E 712.07'

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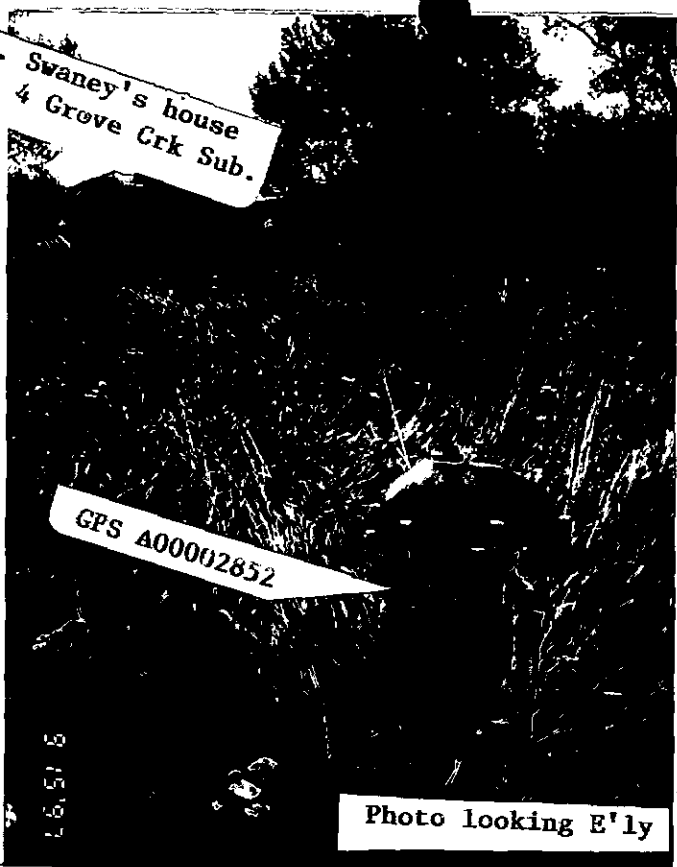
JAN 17 1998

GROVE CRK ASSN.
 7. GWANEY WM.
 37-08474

T.P.O.B.
 Replaced 5/8"

D.F/D = GPS A0002852
 R091516A

Mr. Swaney's house
Lot 4 Grove Crk Sub.



GPS A00002852

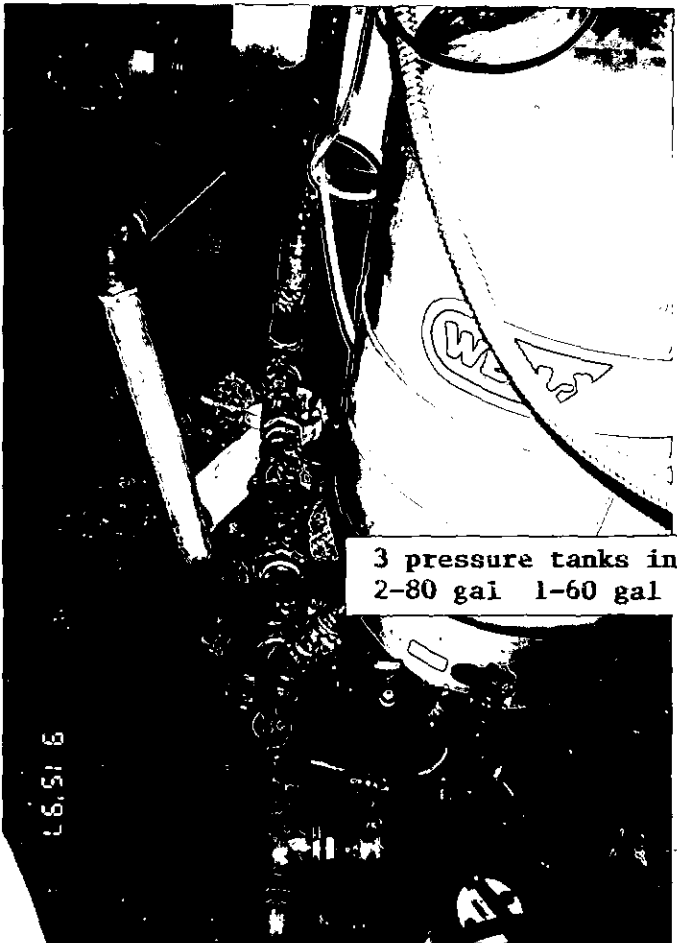
Photo looking E'ly

P/D=Sec 8, T3N, R18E SE NW SW $\frac{1}{4}$
Also known as Lot 2 of Grove Creek Subd.



9 15 97

Concrete Cistern 15' below o.g.



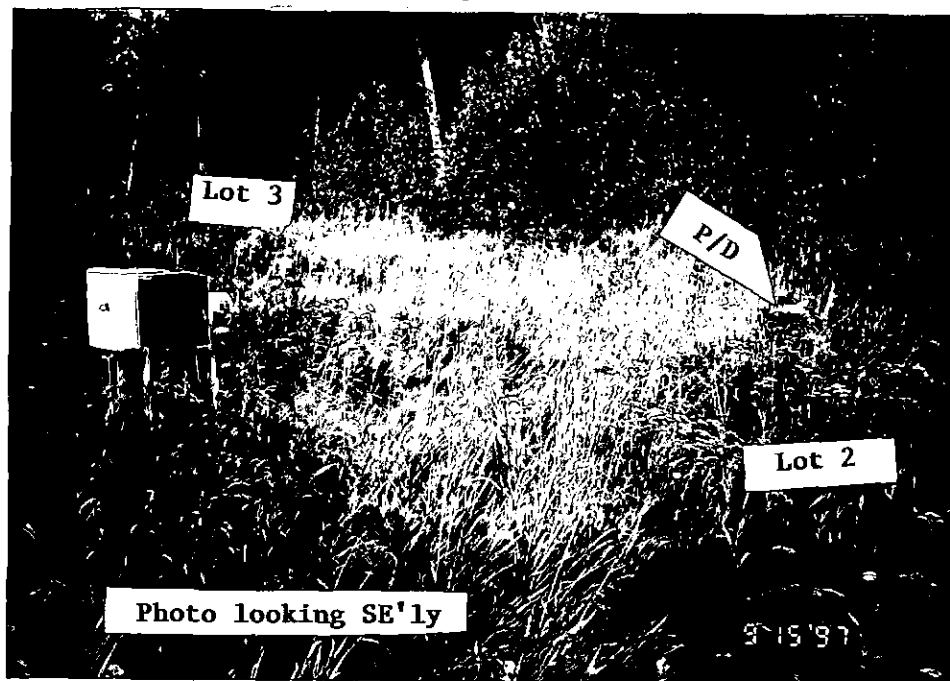
3 pressure tanks in cistern
2-80 gal 1-60 gal

9 15 97

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JAN 17 1998

Grove Creek Association
Z Wm. Swaney
Examiner: Satterlee GL

2/4



Lot 5 not pictured because its not irrigated from this right. Only the frontage area of Lot 5 irrigated. See plat map.

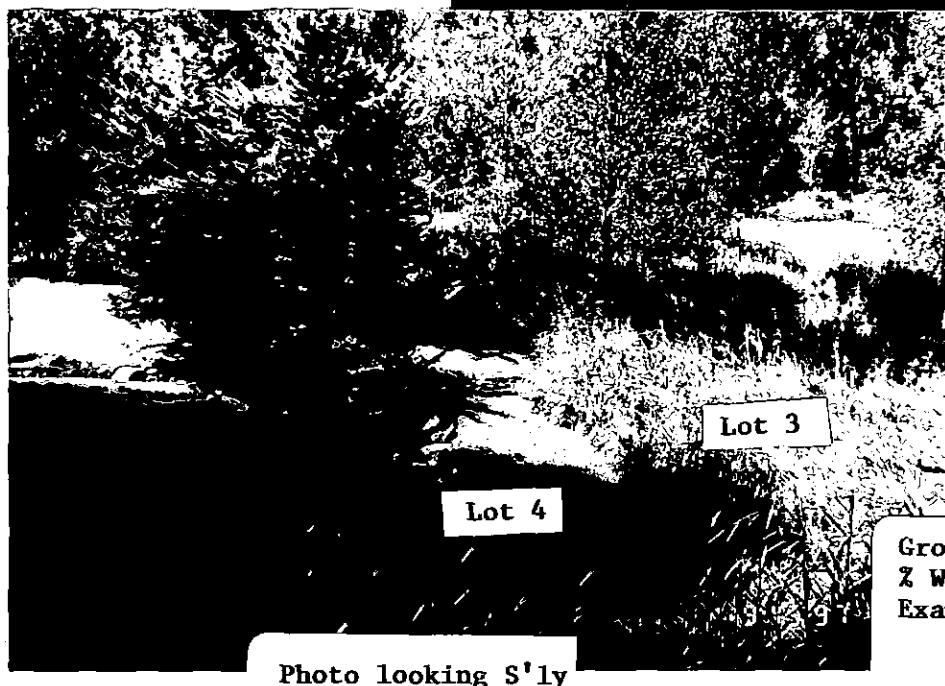
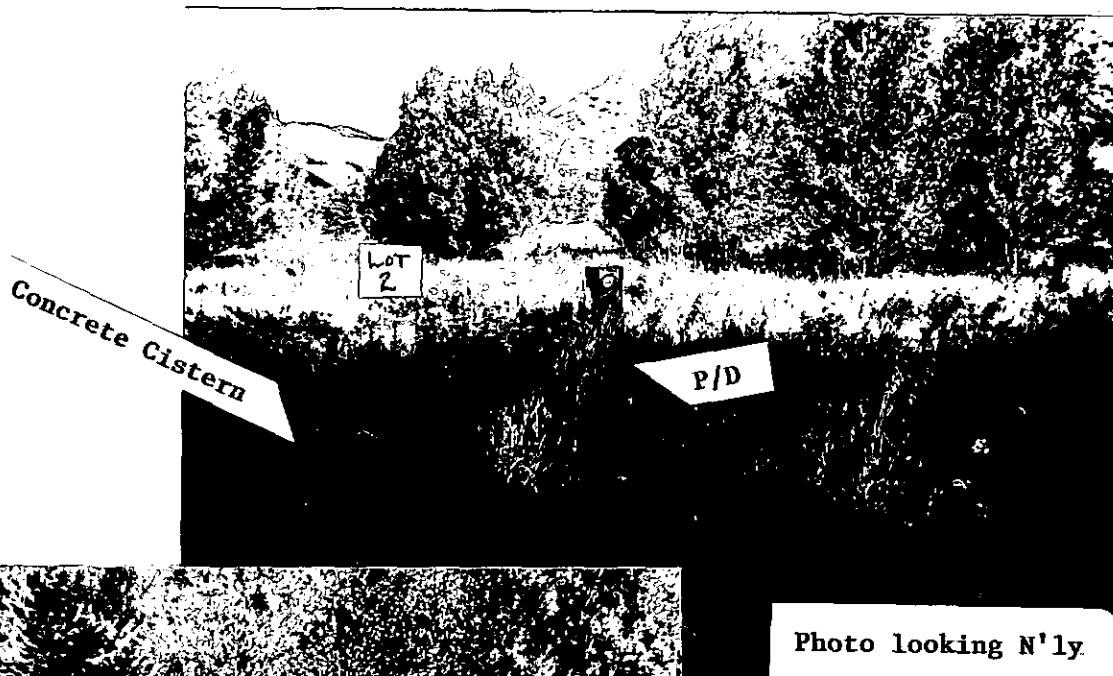


PHOTO FILMED
JAN 07 1998

Grove Creek Association 15 Sept 1997
Z Wm. Swaney
Examiner: G. Satterlee

37-08474

3/4

The only ptn. of Lot 1 irrigated is the southern portion (trees)

Lot 1

Photo looking S'ly

Lot 2

Pond is on Lot 3

Photo looking E'ly

House on Lot 4

Grove Creek Association
Wm. Swaney
Examiner: G. Satterlee

15 Sept 97.

JAN 07 1908

37-08474

4/4



P/U=Sec 8, T3N, R18E NW¼ SW¼
Photo looking S'ly

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JAN 17 1998

Grove Creek Association
Z William Swaney
Examiner: Satterlee, G

37-08474

RECEIVED

...this

Address _____
MICROFILMED
Signed by (F)
JAN 07 1998

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: NONE FD. OTHER APPLICABLE NO: 37-08474
2. OWNER: GROVE CRK ASSN. 70 Wm. Swaney Phone: (208) 788-4550
Address: PO BOX 2713, KETCHUM, ID. 83340
3. WELL LOCATION: Twp 3N, Rge. 18E, Sec. 8, NW 1/4 SW 1/4
County BLAINE (Provide sketch map and photo on reverse.)
4. DRILLER: WALKER WATER SYSTEM Lic. No. _____
When Drilled? 1984±
5. WELL CONSTRUCTION:
Casing Diameter 8" inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe 20' o.g.
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☐ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving _____
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water _____ ft. Water Temperature _____ °F
Flowing Artesian ☐ Yes ☒ No Pressure: 50-70 (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☒ Domestic ☒ Irrigation ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: HOME / 2.5 ACRES RECORDED

JAN 07 1998

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☒ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: WELL IS ON LOT 2 OF GROVE CREEK SUBD.

G. Satterlee

Signature of Dept. Representative & Title

15 Sept 97

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

150' S'LY OF P/D
EAST FORK BIG WOOD FLOW



PHOTO LOOKING E'LY
GPS A0002852

PHOTO LOOKING S'LY

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

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

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

October 8, 1997

RECEIVED

OCT 09 1997

Department of Water Resources
Southern Region

Georgia Satterlee
IDWR
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380

Re: Permit No. 37-08474

Dear Georgia:

I represent William C. Swaney, the authorized representative of the Grove Creek Association. I understand you did a field examination for Permit No. 37-08474 on September 15, 1997. Will you please send me a copy of the beneficial use field report as soon as it is prepared. Thank you for your continuing cooperation and assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.


James P. Speck

JPS:rsd
c: William C. Swaney

Sent Copy
of Exam
16 Oct 97
GLS MICROFILMED
JAN 07 1998

NURSERY

Glendale Road
South of Bellevue
208-788-2066

OFFICE

P.O. Box 744
Ketchum, ID 83340
208-726-4927



Doug Webb

MICROFILMED

JAN 07 1998

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

September 4, 1997 4:04pm

CUSTOMER

Grove Creek Assn

SUBJECT: 37-08474

phone call (.) walk-in (.)

I visited the property @ 1100 hrs. today. I left my card and a note stating why I was there. I left this information on the doors of both houses (Lots 4 and 5-Block 1).

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JAN 07 1998

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE
September 9, 1997 9:20am

CUSTOMER
Swaney, Bill

SUBJECT: 37-08474

phone call (x) walk-in (.)

He called 05Sept left message. I rtnd his call this a.m. and set up an appt. w/ him for 0930 hrs 15 Sept 97 House on Lot 4.

MICROFILMED

JAN 8 7 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 22, 1997

Grove Creek Association
% William Swaney
PO Box 2788
Ketchum, ID. 83340

RE: Permit 37-08474

Dear Mr. Swaney,

This is a follow up letter after several attempts to contact you by phone to schedule an appointment for a field examination regarding the above permit number. I am writing to request an appointment to perform a field examination for the above permit.

The examination consists of verifying the elements of the permit, such as the location of the well, the irrigated acres, and the house(s) that the well serves.

I would appreciate acknowledgement from you to schedule an appointment. Please contact me at the Southern Region Office in Twin Falls at (208) 736-3033. Thank you for your attention in this matter.

Cordially,

Georgia Satterlee
Georgia Satterlee
Water Resource Agent

enclosure

MICROFILMED

JAN 07 1998

June 18, 1992

GROVE CREEK ASSN
C/O WILLIAM SWANEY
PO BOX 2788
KETCHUM ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08474

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
JUN 24 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 37-08474

Reviewed by Klg Date 6/15/92

GENERAL CONSIDERATIONS

TYPES OF USE

<u>yes</u>	Name same as permit?	<u>domestic - 5</u>
<u>yes</u>	Address same as permit?	<u>irrigate - 2.5</u>
<u>yes</u>	Proof timely received?	Correct Uses? <u>yes</u>

If not, complete calculation below.

SOURCE OF WATER

 Surface water source

✓ Ground water source

NA Drilling permit required?

1984 / Copy in the file? Drilling Permit No.

/ Amount paid for permit Correct?

/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

50 Amount Submitted

yes Correct?

MEASURING DEVICE

NA Required?

/ Installed?

/ Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>NA</u>	
Date proof due	<u>/</u>	-
No. of days late	<u>/</u>	=
Priority Date	<u>/</u>	+
New Priority Date	<u>/</u>	

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

Proof Made 6/15/92
6/18/92 Klg

ACTION REQUIRED

FROM:

Karen Gustafson

TO:

File

Per Pam Skaggs - Telephone conversation with Regional Office. Pam discovered that data Base was incorrectly updated when the assignment was completed. She believes that the Proof Due Notice has not been mailed to the appropriate party. Will re-mail the proof due to correct water right holder today.

UNPROCESSED

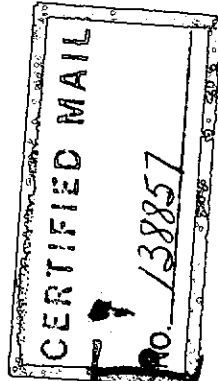
K. Gustafson

JUN 24 1992

STATE OF IDAHO

DEPARTMENT OF WATER-RESOURCES

North Orchard Street
Boise, Idaho 83706-2237



RECEIVED
TO
SENDER
RECEIVED OFFICE
Addressed to
No such office in
No such office in
Do not return to
Post Office

RECEIVED

MAY 21 1992

U.S. POSTAGE
\$1.29

Department of Water Resources

MICROFILMED

JUN 24 1992

Returned
as unclaimed
mailed under
Regular mail
on 5/21/92

Grove Creek Association
c/o William Swaney
PO Box 2788
Ketchum, ID 83340

April 30, 1992

PROOF DUE NOTICE

RE: PERMIT NO. 37-08474

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 July 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.

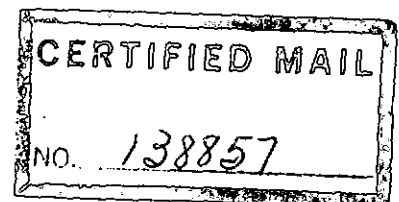
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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



MICROFILMED

JUN 24 1992

RECEIVED

APR 06 1992

Department of Water Resources
Southern Region Office

William C. Swaney
10454 Muirfield Road
Boynton Beach, FL 33436

April 2, 1992

Mr. Jim Stanton
State of Idaho
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301

Reference: Permit Number 37-8474

Dear Mr. Stanton:

Enclosed is the assignment permit, Grove Creek Association By Laws, and the copies of the titles for ownership of Lots 2, 3, and 4.

If you have any questions please give me a call at 407-738-0268, write, or fax 407-738-6010. Thank you for your attention to this matter.

Very truly yours,


William C. Swaney

RECEIVED
JUN 24 1992



First American Title Company

371 WASHINGTON AVENUE NORTH, P.O. BOX 756 • KETCHUM, IDAHO 83340
TELEPHONE (208) 726-5688 • FAX (208) 726-3567

RECEIVED

APR 06 1992

Department of Water Resources
Southern Region Office

March 16, 1992

Mr. & Mrs. William C. Swaney
10454 Muirfeld Rd.
Boynton Beach, FL 33436

Re: Order No. 15635

Lot 2 Grove Creek Sub.;
Byerly

Dear Mr. & Mrs. Swaney,

The new home or other real estate you have purchased is protected with the enclosed Policy of Title Insurance No. H-650426 issued by FIRST AMERICAN TITLE INSURANCE COMPANY. This is your guarantee of ownership.

We have assigned the above number to your records to assure prompt processing of future title orders involving the property. If you sell or obtain a loan on this property within two years, FIRST AMERICAN TITLE COMPANY WILL REDUCE THE USUAL POLICY RATE --- 25 PERCENT.

We have also enclosed the following to be retained in your files:

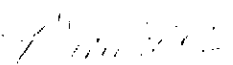
* Warranty Deed recorded as Instrument No. 338766.

If this is your primary residence, please be sure to stop in at the Assessor's Office located in the Blaine County Courthouse to file your Homeowner's Exemption Certificate. In order to receive the decrease in the amount of property taxes, you would have to have been the owner on January 1, 1989; if the property was acquired after this date, you'll need to file after January 1, 1990 in order to receive the exemption.

We appreciate the opportunity of serving you and will be glad to assist you in any way, remembering that PROTECTION OF YOUR PROPERTY IS YOUR FIRST CONSIDERATION --- AND OURS.

Sincerely,

FIRST AMERICAN TITLE COMPANY


Maureen A. Wheeler
Title Officer

MAW/dp

Attachment(s)

MICROFILMED

JUN 24 1992

WARRANTY DEED

For Value Received James Arthur Byerly and Doris Brown Byerly, Trustees of the Byerly Family Trust

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto William C. Swaney and Nancy C. Swaney, husband and wife whose address is: 10454 Muirfield Rd., Boynton Beach, FL, 33436

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot 2 of GROVE CREEK SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 190361, records of Blaine County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: March 3, 1992

James Arthur Byerly - trustee
James Arthur Byerly, Trustee

Doris Brown Byerly - trustee
Doris Brown Byerly, Trustee

State of _____

County of _____

On _____ before me, the undersigned, a Notary Public in and for said State, personally appeared James Arthur Byerly and Doris Brown Byerly Trustees of the Byerly Family Trust personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same as Trustees.

WITNESS my hand and official seal.

Signature _____

Commission Expires: _____

RECORDED
JUN 24 1992

BLAINE CO. REQUEST
FIRST AMERICAN TITLE CO.
OF _____

1992 MAR 11 P 4: 08

338766

MARY GREEN, CLERK
FEES \$

3.00

MP

Deed

MICROFILMED

JUN 24 1992



First American Title Company

371 WASHINGTON AVENUE NORTH, P.O. BOX 756 • KETCHUM, IDAHO 83340
TELEPHONE (208) 726-5688 • FAX (208) 726-3567

RECEIVED

APR 06 1992

Department of Water Resources
Southern Region Office

February 26, 1992

Mr. and Mrs. William Swaney
10454 Muirfield Road
Boynton Beach, FL 33436

Re: Order No. 15629

Lot 3, Grove Creek Sub.; Leoni

Dear Mr. and Mrs. Swaney,

The new home or other real estate you have purchased is protected with the enclosed Policy of Title Insurance No. H-650419, issued by FIRST AMERICAN TITLE INSURANCE COMPANY. This is your guarantee of ownership.

We have assigned the above number to your records to assure prompt processing of future title orders involving the property. If you sell or obtain a loan on this property within two years, FIRST AMERICAN TITLE COMPANY WILL REDUCE THE USUAL POLICY RATE --- 25 PERCENT.

We have also enclosed the following to be retained in your files:

* Warranty Deed recorded as Instrument No. 338313.

If this is your primary residence, please be sure to stop in at the Assessor's Office located in the Blaine County Courthouse to file your Homeowner's Exemption Certificate. In order to receive the decrease in the amount of property taxes, you would have to have been the owner on January 1, 1992; if the property was acquired after this date, you'll need to file after January 1, 1993 in order to receive the exemption.

We appreciate the opportunity of serving you and will be glad to assist you in any way, remembering that PROTECTION OF YOUR PROPERTY IS YOUR FIRST CONSIDERATION --- AND OURS.

Sincerely,

FIRST AMERICAN TITLE COMPANY

Annette Coy
Annette Coy
Assistant Title Officer

AC/lgb

Attachment(s)

MICROFILMED
JUN 24 1992

Order No. 15629

WARRANTY DEED

For Value Received Carl Leoni and Nancy S. Leoni, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
William C. Swaney and Nancy C. Swaney, husband and wife
whose address is: 10454 Muirfield Rd., Boynton Beach, FL, 33436

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

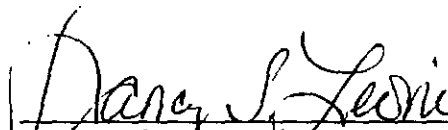
Lot 3 of GROVE CREEK SUBDIVISION, according to the official plat thereof,
recorded as Instrument No. 190361, records of Blaine County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the
Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is
the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and
assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and
that Grantor will warrant and defend the same from all claims whatsoever.

Dated: February 17, 1992



Carl Leoni



Nancy S. Leoni

State of IDAHO

County of BLAINE

On February 17, 1992 before me, the undersigned, a Notary Public in and for said State, personally appeared Carl
Leoni and Nancy S. Leoni personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s)
whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature 

Commission Expires: 10.9.93

BLAINE CO. REQUEST
FIRST AMERICAN TITLE CO.
OF _____

1992 FEB 24 P 4: 12

MARY GREEN, CLERK 
FEES \$3

JUN 24 1992



First American Title Company

371 WASHINGTON AVENUE NORTH, P.O. BOX 756 • KETCHUM, IDAHO 83340
TELEPHONE (208) 726-5688 • FAX (208) 726-3567

RECEIVED

APR 06 1992

March 20, 1992

Department of Water Resources
Southern Region Office

Mr. & Mrs. William Swaney
10454 Muirfield Rd.
Boynton Beach, FL 33436

Re: Order No. 15644

4/1 Grove Creek Subd.;
Fox

Dear Mr. & Mrs. Swaney,

The new home or other real estate you have purchased is protected with the enclosed Policy of Title Insurance No. H-650430, issued by FIRST AMERICAN TITLE INSURANCE COMPANY. This is your guarantee of ownership.

We have assigned the above number to your records to assure prompt processing of future title orders involving the property. If you sell or obtain a loan on this property within two years, FIRST AMERICAN TITLE COMPANY WILL REDUCE THE USUAL POLICY RATE --- 25 PERCENT.

We have also enclosed the following to be retained in your files:

- * Warranty Deed recorded as Instrument No. 338898.

If this is your primary residence, please be sure to stop in at the Assessor's Office located in the Blaine County Courthouse to file your Homeowner's Exemption Certificate. In order to receive the decrease in the amount of property taxes, you would have to have been the owner on January 1, 1992; if the property was acquired after this date, you'll need to file after January 1, 1993 in order to receive the exemption.

We appreciate the opportunity of serving you and will be glad to assist you in any way, remembering that PROTECTION OF YOUR PROPERTY IS YOUR FIRST CONSIDERATION --- AND OURS.

Sincerely,

FIRST AMERICAN TITLE COMPANY

Annette Coy
Annette Coy
Assistant Title Officer

AC/lgb

Attachment(s)

MICROFILMED

JUN 24 1992

WARRANTY DEED

For Value Received W. Neil Fox and Dianne D. Fox, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
William C. Swaney and Nancy C. Swaney, husband and wife
whose address is: 10454 Muirfield Rd., Boynton Beach, FL, 33436

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot 4 in Block 1 of GROVE CREEK SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 190361, records of Blaine County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: March 9, 1992

W. Neil Fox

W. Neil Fox

Dianne D. Fox

Dianne D. Fox

State of IDAHO

County of BLAINE

On March 13, 1992 before me, the undersigned, a Notary Public in and for said State, personally appeared W. Neil Fox and Dianne D. Fox personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

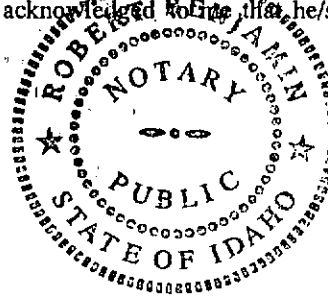
WITNESS my hand and official seal.

Signature

[Signature]

Commission Expires:

6.9.93



MICROFILMED
JUN 24 1992

BLAINE CO. REQUEST
FIRST AMERICAN TITLE CO.
OF _____

1992 MAR 16 P 3:49

338898

MARY GREEN, CLERK
FEES \$ 3.00 MP

Deed

MICROFILMED

JUN 24 1992

DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS

RECEIVED

APR 06 1997

THIS DECLARATION, made on the date hereinafter referred to as the date of recording, set forth by LEE R. HORTIMER hereinafter referred to as Declarant.

WITNESSETH:

WHEREAS, Declarant is the owner of and contract purchaser of certain real property located in Blaine County, State of Idaho, which is more particularly described as:

as found on the official plat thereof on file in the office of the County Recorder of Blaine County, Idaho.

NOW, THEREFORE, Declarant hereby declares that all of the property described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions, which are for the purpose of protecting the value and desirability of the land which shall run with the real property and be binding on all parties having any right, title or interest in the described properties or any part thereof.

ARTICLE 1.

DEFINITIONS

Section 1. "Owner" shall mean and refer to the record owner whether one or more persons or entities, of a fee simple title to any lot which is a part of the properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 2. "Properties" shall mean and refer to that certain real property hereinbefore described.

Section 3. "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision map of the Properties.

Section 4. "Declarant" shall mean and refer to LEE R. HORTIMER, ~~and his successors and assigns~~

MICROFILMED

JUN 24 1992

COURTESY OF
SAWTOOTH TITLE COMPANY

ARTICLE II.

BOARD OF DIRECTORS

Section 1. ELECTION. At each annual meeting the Owners shall elect a Board of Directors for the forthcoming year, consisting of three (3) owners. The initial Board of Directors shall be appointed by the Declarant or its successors. Thereafter, the Board shall be elected as provided herein; provided however, that the Declarant or its successors shall retain the right to appoint a majority of the members of the Board until thirty (30) days after the close of escrow in seventy-five per cent (75%) of the lots in the subdivision.

Section 2. TERM. Members of the Board of Directors shall serve for a term of one (1) year and until their respective successors are elected or until their death, resignation or removal; provided however, that if any member ceases to be an Owner, his membership on the Board of Directors shall thereupon terminate. Any member may be removed from membership upon the Board by vote of the owners; provided that unless the entire Board is removed, an individual member shall not be removed if the number of votes cast against his removal exceeds fifty per cent (50%) of the owners.

Section 3. QUORUM. Three (3) members of the Board of Directors shall constitute a quorum and if a quorum is present, the decision of the majority of those present shall be the act of the Board of Directors. Meetings of the Board of Directors may be called, held and conducted in accordance with such regulations as the Board of Directors may adopt. The Board of Directors may also act without a meeting by unanimous written consent of its members.

Section 4. FIRST BOARD OF DIRECTORS. Until the first election of the Board of Directors, the rights, duties and functions of the Board of Directors shall be exercised by the Declarant or its appointees.

Section 5. AUTHORITY. The Board of Directors for the benefit of the owners, shall enforce the provisions hereof and shall have all the powers accorded to directors of corporations duly organized and authorized by the State of Idaho.

MICROFILMED

JUN 24 1992

ARTICLE III.

DESIGN COMMITTEE

No building, fence, wall or other structure shall be commenced, erected, or maintained upon the Properties, not shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association or by a design committee composed of three (3) or more representatives appointed by the Board. In the event said Board, or its designated committee, fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with.

ARTICLE IV.

GENERAL PROVISIONS

Section 1. ENFORCEMENT. The Board of Directors or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, and charges now or hereafter imposed by the provisions of this Declaration. Failure by the Board of Directors or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Section 2. SEVERABILITY. Invalidity of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provisions which shall remain in full force and effect.

Section 3. AMENDMENT. The covenants and restrictions of this Declaration shall run with and bind the land, for a term of twenty (20) years from the date this Declaration is recorded; after which time they shall be automatically extended for successive periods of twenty (20) years. This Declaration may be amended during the first twenty (20) year period by an instrument signed by not less than seventy five per cent (75%) of the Lot owners and thereafter by an instrument signed by not less than seventy five per cent (75%) of the Lot Owners (based on the number of Lots). Any amendment must be recorded.

JUN 24 1992

ARTICLE V.

SPECIFIC RESTRICTIONS

Section 1. RESIDENTIAL USE. Such Lots, and each and every one thereof, are for single-family residential purposes only. No building or structure intended for or adapted to business purposes and no apartment house, rooming house, or other multiple family dwellings shall be erected, placed, permitted, or maintained on such premises or on any part thereof. Only one (1) single-family dwelling may be erected upon each Lot.

Section 2. MAINTENANCE. Each Lot and all improvements thereon shall be maintained by the Owner thereof in good condition and repair.

Section 3. PETS AND ANIMALS. Only a reasonable number of recognized house or yard pets shall be permitted. Approval in writing is necessary by the Board of Directors for pets and animals in addition to one (1) horse, two (2) dogs or two (2) cats.

Section 4. TREES. Only those trees of the Poplar, Fir and Pine families and indigenous shrubs may be removed of height of six (6) feet. No tree over three (3) inches in diameter or over ten (10) feet can be removed without prior design committee written approval. (Any tree over three (3) inches in diameter or ten (10) feet in height shall be replaced by a tree belonging to the Poplar, Fir or Pine families.)

Section 5. SIGNS. No sign shall be permitted except residential identification signs of not more than two (2) feet square in area, nor maximum height in excess of four (4) feet high, and with a further exception that the Declarant may erect a subdivision advertising sign in conformance with the Blaine County Zoning Ordinance.

Section 6. HOUSE TRAILERS AND MOBILE HOMES. No house trailers, mobile homes, permanent tent, or temporary structure shall be permitted.

Section 7. TRAILER, BOATS AND REPAIR. The construction, repairing, or maintaining of a trailer of any type, truck, camper, or boat is permitted only if it is adequately screened from neighboring property and from the main driveway.

Section 8. SERVICE YARD. Each residence shall contain a fenced service yard enclosing all above ground garbage and trash containers, clothes lines and outdoor maintenance and service equipment.

JUN 24 1992

Section 9. FIRES. Exterior fires are permitted only in barbecue pits or outdoor fireplaces.

Section 10. EXTERIOR COLORS AND FINISHES. Colors of all exterior building surfaces shall be of natural tones which harmonize with the existing landscape. A limited use of strong accent color will be allowed as approved by the design committee. No reflective finishes shall be used with the exception of hardware and detail items.

Section 11. ROOFS. Tar and gravel shall not be used as a finished roofing material, except on flat-roofed structures where the surface is not visible from any road or adjoining structure. Non-reflective metal roofs shall be allowed subject to approval of color and finish by the design committee.

Section 12. PARKING. At least two (2) parking spaces shall be provided for each residential lot. One (1) parking space for a permanent vehicle and a minimum of one (1) guest parking space may be located in an exposed parking area. Additional parking for permanent vehicles shall be in an attached or detached garage, in a carport, or in an exterior parking area enclosed on at least two (2) sides by a fence at least five (5) feet in height.

Section 13. FENCES. All fences, gates, and similar exterior structures shall be constructed of wood, except for hardware, fasteners and footings, and shall require design committee or Board of Directors approval.

Section 14. SEWAGE DISPOSAL. Septic tanks shall be installed and maintained on the lot by the Owner. Leaching fields shall be installed by the Owner in accordance with the Idaho State Health and Environmental Services. Prior to installation, Owner must furnish written proof of compliance with Idaho State Health and Environmental Services to the Board of Directors of the Association.

Section 15. EXTERIOR LIGHTING. No exterior lighting fixtures shall be visible from neighboring property or the main road.

Section 16. ANTENNAS. Antennas and related devices shall be installed so as not to be visible from roads or adjoining properties.

Section 17. UTILITIES. All power, gas, water, phone and other service lines shall be installed underground. All meters and service access devices shall be located within the service yard or concealed from view of adjoining properties and main road.

FILED
JUN 24 1992

Section 18. HEIGHT LIMIT. No structure or part thereof shall exceed a height of thirty-five (35) feet.

Section 19. LOT COVERAGE. The area covered by any structure (including garage and carports) shall not exceed thirty percent (30%) of the total lot area, without prior written approval of the design committee or the Board of Directors.

Section 20. SETBACKS. No setbacks shall be required. However, structures built in proximity to the exterior boundaries of the Common Area must conform to Blaine County Ordinance No. 71-2, and any amendment or replacement thereof. The design committee may require setbacks on all lots as it deems necessary to protect adjoining lots.

Section 21. SUBDIVISION OF LOTS. No lot shall at any time be further subdivided.

ARTICLE VI.

CENTRAL SEWER

Section 1. In the event governmental authority shall require the installation of a central sewer system within the subdivision, the Owners of Lots within the subdivision shall each pay his proportionate share of the cost and expense of installing the sewer system. This proportionate share will be computed by the total number of lots served by the sewer system or section of such sewer system and dividing the total number of lots served into the total cost of such system. All buildings must be connected to the sewer system, if any, as soon as constructed and thereafter further use of septic tanks or other sanitary disposal system shall be prohibited. Owners of lots shall pay a reasonable monthly minimum charge for the use of the sewage system.

Section 2. In the event of a formation of a water and sewer district, or other governmental authority providing central sewer service and the subsequent requirement by such district that individual or small central sewer systems be abandoned and hookup is made mandatory to the district central sewer system, each Owner in the subdivision shall pay his proportionate share of the costs of installation, assessments and levies and other lawful charges of the district. Upon such hookup, further use of septic tanks or other sanitary disposal systems shall be prohibited. All buildings must be connected to such central sewer system.

FILMED

JUN 24 1992

IN WITNESS WHEREOF, the undersigned, being the
Declarant herein, has hereunto set their hands and seals
this 30th day of November, 1978.

Lee R. Mortimer

LEE R. MORTIMER
P.O. Box 1560
Sun Valley, Idaho 83353

ACKNOWLEDGEMENT

STATE OF IDAHO
County of Blaine

ss.

On this _____ day of _____, 1978,
before me, a Notary Public in and for said State, personally
appeared _____

LEE R. MORTIMER,
known to be the person whose name is subscribed to within
the instrument, and acknowledged to me that he executed
the same.

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my official seal the day and year in this
certificate first above written.

NOTARY PUBLIC FOR Idaho
Residing at _____
Commission expires _____

FILMED
JUN 24 1992

*need date
& #*

ADDENDUM TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICT
OF
GROVE CREEK SUBDIVISION

LEE R. MORTIMER, herein "declarant", declares
and certifies that:

1. This Addendum supplements and adds to that
Declaration of Covenants, Conditions and Restrictions of
Grove Creek Subdivision recorded as Instrument No. _____,
records of Blaine County, Idaho, herein, "declaration".

2. Declarant is the owner of certain real
property located in Blaine County, Idaho particularly
described in Exhibit "A", attached hereto and by reference
made a part hereof.

3. Declarant intends to subdivide the property
into five (5) lots and impose thereon mutually beneficial
restrictions for the benefit of all lots for the operation
and maintenance of a private road system.

NOW, THEREFORE, declarant hereby declares that
all of the property described above shall be held, sold
and conveyed subject to the following easements, restrictions,
covenants and conditions, which are for the purpose of pro-
tecting the value and desirability of, and which shall run
with, the real property and be binding on all of the parties
having any right, title or interest in the described property
or any part thereof.

1
ASSOCIATION

There is hereby created an unincorporated associa-
tion to be called "GROVE CREEK ASSOCIATION".

KNEELAND, LAGGS
KARL COLLIER
& BENJAMIN
Attorneys At Law
P.O. Box 256
KEYTCHUM,
IDAHO 83246
TEL. (208) 796-0911

MICROFILMED
JUN 24 1992

and his successor in interest shall belong to the association by virtue of owning a subdivision lot. By sale of a lot, the selling owner's membership in the association shall be ipso facto, transferred to the purchaser of such lot. The sole purpose of the association is to operate and maintain the private road system in accordance with this declaration.

II

BOARD OF DIRECTORS

The association shall be managed by the Board of Directors as created and provided in the declaration, Article II, Sections 1, 2, 3, 4 and 5 and by reference made a part hereof.

III

AUTHORITY OF DIRECTORS

In addition to the authority of the Board of Directors as provided in the declaration, the directors, for the benefit of the subdivision and owners thereof, shall enforce the provisions of this Addendum and shall have the powers and duties to contract and pay out of the maintenance fund, hereinafter provided, all costs associated with the operation, maintenance and upkeep of the private road system.

IV

PRIVATE ROAD SYSTEM

Declarant intends to construct a private road system to provide access to the individual subdivision lots. Lot owners shall share prorata and be responsible for the operation and maintenance of the private road system. The cost associated with the private road system shall include but not be limited to periodic maintenance and snow removal when required.

KINGSLAND, LAGGINS
REAL ESTATE
& BROKERS
Associates At Law
P.O. Box 270
KETCHUM,
IDAHO 83840
TEL. (208) 738-0111

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V

PUBLIC ROAD SYSTEM

Declarant hereby advises all potential lot owners that that the road system can be converted to a public road system only after the following conditions are met:

- A. The roadway easement must be sixty (60) feet.
- B. The cul-de-sac must be one hundred eighty (180) feet in diameter.
- C. The road surface must meet Blaine County specifications then in effect.

VI

MAINTENANCE FUNDS: ASSESSMENTS.

Annual Estimates

The directors shall estimate the charges required to be paid by the association for the private road system during the calendar year. The total annual assessments against all subdivision lot owners shall be based upon advance estimates of cash requirements by the directors to provide for the payment of all estimated expenses growing out of or connected with the operation and maintenance of the private road system. Said estimated cash requirements shall be assessed to the record owners of individual lots prorata as set forth hereinabove. Said assessments shall be levied in December of each year for the following calendar year as determined by the directors. Each lot owner shall be obligated, and by accepting a deed to a subdivision lot, agrees to pay assessments levied by the association in four (4) equal quarterly installments commencing and payable on the first (1st) day of January in the calendar year following the assessment.

Special Assessments: Deficiencies

If the above estimated sums prove deficient for any reason, the directors shall estimate the additional charges necessary to cover said deficiency and assess said

KINGELAND, LAGOS
SCOTT COLLIER
3 BENJAMIN
ATTORNEYS AT LAW
P.O. Box 200
KETCHUM,
IDAHO 83340
TEL (208) 726-0011

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additional charges to the owners. Said additional charges shall be prorated over the number of months remaining in the calendar year in which the assessment rose and shall be levied against and paid by the owners in equal quarterly installments for the remainder of said calendar year.

VII

LIENS

In the event of a default in payment of any assessment herein, and in addition to any other remedies herein or by law provided, the association may collect such obligations as follows:

The association shall have the authority to create a lien, with power of sale, on each subdivision lot to secure payment of the amount of any assessment, assessed to the owner thereof, provided that no action shall be brought to foreclose such lien less than thirty (30) days after a notice of assessment is mailed to the record owner of such subdivision lot at his address appearing on the records of the association. Reasonable attorney's fees and expenses in connection with the collection of a debt secured by such lien or foreclosure thereof, shall be paid by the lot owner against whom such action is brought and secured by the lien.

VIII

AFFECT OF NONPAYMENT OF ASSESSMENTS

Any assessment not paid within thirty (30) days after the due date, shall bear interest from the due date at the rate of eight percent (8%) per annum. Should interest not be so paid, it shall thereafter bear a like interest as the assessment, but such unpaid interest so computed shall not exceed an amount equal to simple interest on the unpaid assessment at the maximum rate permitted by law. Any assessment not paid within thirty (30) days after the due date shall result in the immediate suspension of the

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delinquent owner's voting rights until such delinquent assessment is paid.

IX

AMENDMENT

The provisions of this Addendum may be amended as provided by Article IV, Section 3 of the Declaration, by reference made a part hereof.

X

ATTORNEY'S FEES

In the event the association or any owner or owners shall bring legal action against any owner to enforce the terms, covenants, conditions and restrictions of this Addendum, and they shall be the prevailing party in said lawsuit, the court shall award reasonable attorney's fees and court costs.

IN WITNESS WHEREOF, the undersigned, being the declarant herein has hereunto set his hand and seal this 30th day of November, 1978.

Lee R. Mortimer
Lee R. Mortimer
P. O. Box 1560
Sun Valley, Idaho 83353

STATE OF IDAHO)
) ss.
County of Blaine)

On this 30th day of November, 1978, before me, a Notary Public in and for said State, personally appeared LEE R. MORTIMER, known to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Barbara J. [Signature]
NOTARY PUBLIC FOR IDAHO
Residing at Ellettsburg
Commission expires 1981

KNEELAND, LAGGIE
KAPPA, COLLIER
& BENJAMIN
Attorneys At Law
P.O. Box 298
KETCHUM,
IDAHO 83340
TEL (208) 738-0311

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EXHIBIT A.

Township 3 North, Range 18 East, B.H., Blaine County, Idaho.

Section 8: A portion of NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

Beginning at the brass cap marking the SW Corner of Lot 18, Block 1, of Willowood Subdivision, as filed for record in the office of the Blaine County Recorder, Bailey, Idaho in Book 5 of Plats at Page 12, also said point being the REAL POINT OF BEGINNING;

THENCE, along the following courses and distances to iron pins:
N0°48'50" W, 640.88 feet along the Westerly boundary of said Willowood Subdivision to a point on the Southerly right of way line of Triumph North Star Highway;

THENCE along the said Southerly right of way line of Triumph North Star Highway, the following courses and distances:
S66°00'10" W, 145.11 feet to a point of curve;

THENCE, Southwesterly along a curve to the right 530.60 feet, said curve having a central angle of 28°45'36", a radius of 1,178.92 feet, tangents of 269.56 feet and a long chord of 525.55 feet bearing S78°52'35" W; to a point of tangent;

THENCE N88°14'20" W, 61.14 feet;

THENCE, leaving said Southerly right of way line of Triumph North Star Highway S0°46'20" E, 473.05 feet to a point on the Southerly boundary of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8, T.3N., R.18E., B.N;

THENCE, S89°15'00" E, 712.16 feet along the said Southerly boundary of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8 to the POINT OF BEGINNING,

EXCEPT: A portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

Beginning at the brass cap marking the Southwest corner of Lot 18 of Block 1 of Willowood Subdivision, as filed for record in the office of the County Recorder of Blaine County, Idaho, in Book 5 of Plats, page 12,

THENCE N. 0°43'50" W., 382.88 feet along the Westerly boundary of said Willowood Subdivision to a point, also said point being the REAL POINT OF BEGINNING;

THENCE continuing N. 0°43'50" W., 258.00 feet along the said Westerly boundary of Willowood Subdivision to a point on the Southerly right of way line of Triumph North Star Highway;

THENCE S. 66°00'10" W., 145.11 feet along the said Southerly right of way line of Triumph North Star Highway to a point of curve;

THENCE Southwesterly along the said Southerly right of way line of Triumph North Star Highway along a curve to the right 127.60 feet, said curve having a central angle of 6°10'20", a radius of 1,178.92 feet, tangents of 61.56 feet and a long chord of 126.94 feet bearing S. 63°28'36" W., to a point on curve;

THENCE S. 14°59'50" E., 40.00 feet to a point;

THENCE S. 77°00'00" E., 80.00 feet to a point;

THENCE S. 35°00'00" E., 20.21 feet to a point;

THENCE S. 46°45'00" W., 25.00 feet to a point;

THENCE S. 35°00'00" E., 20.21 feet to a point;

THENCE N. 46°45'00" E., 25.00 feet to a point;

THENCE S. 78°30'00" E., 117.30 feet to the real point of beginning.

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JUN 24 1992

SECOND ADDENDUM TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
GROVE CREEK SUBDIVISION

PEREGRINE INVESTMENT MANAGEMENT CORPORATION, a Delaware corporation, successor in interest to LEE R. MORTIMER, herein "declarant" declares and certifies that:

1. This Addendum supplements and adds to that Declaration of Covenants, Conditions, and Restrictions of Grove Creek Subdivision and the Addendum thereto recorded in the records of Blaine County, Idaho, herein, "declaration."

2. Declarant is the owner of certain real property located in Blaine County, Idaho, particularly described as the Grove Creek Subdivision.

3. Declarant has subdivided the property into five lots, and enclosed thereon mutually beneficial restrictions for the benefit of all lots for the operation and maintenance of a domestic water system and water rights.

NOW, THEREFORE, declarant hereby declares that all of the property described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants, and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all of the parties having any right, title, or interest in the described property or any part thereof.

XI

DOMESTIC WATER SYSTEM

The domestic water system, including, but not limited to, the pump, pump house, well, pipelines and other accessory equipment is hereby transferred to the Grove Creek Association. Easements for the well site and pipelines, as described in Exhibit "A" attached, shall be transferred to the Association. The Association shall manage and operate said water system for the benefit of the Subdivision. The duties of the Association shall include, but shall not be limited to, the following:

A. To maintain said system in good and clean condition, and to keep all such facilities in good repair and operating condition;

JUN 24 1992

B. To pay any real and personal property taxes, assessments, and charges when due and not permit the same to become a lien thereon;

C. To officially operate, regulate, and maintain the water system in a manner calculated to provide reliable water service to all users;

D. To maintain a general liability insurance policy of at least \$300,000 covering the operation of the water system, and the Grove Creek Subdivision. (Said insurance policy shall name as a separately protected insured Peregrine Investment Management Corp., its officers and Board of Directors, and its representative members, employees, and agents;)

E. To levy assessments as more specifically set forth hereinafter, to defray the costs incurred with respect to the operation, maintenance, repair and ownership of said water system.

All repair, maintenance, and capital improvement expenses with respect to the water system, including, but not limited to, the pump, pump house, well, water lines, and other appurtenant equipment, shall be an equal amount for each lot in the subdivision and shall be paid through assessments levied by said Association. The amount of said assessments shall be set annually by the directors of the Master Association who shall estimate the amount required during the ensuing year for power, repairs, maintenance, and required capital improvements. In determining this amount, the Board of Directors may include reasonable contributions to a reserve fund created for the purpose of providing for major repairs, component replacement, system improvement or expansion which may be anticipated in future years.

In addition to the assessments made for repair, maintenance, and capital improvements, the Master Association, through its Directors, shall determine, on a yearly basis, the actual cost of operating the system exclusive of repair, maintenance, and capital improvements. Such cost shall be assessed to only those record owners of lots which are serviced by the water system during that period. The assessment to these owners shall be on a pro rata basis. The calculation for this proration shall utilize only the

JUN 24 1992

number of lots then serviced by the water system, and the cost of operation shall be shared equally by said lots provided, however, that the Association shall have the option of adopting as the basis for the allocation of operating costs the actual quantity of water used by each user. In order to monitor usage, the Association shall have the right to install water metering devices in each water line so as to accurately measure the use of the water by each lot owner. For purposes of this section, "serviced by the water system" shall mean those lots within the subdivision which have been improved and for which a water line has been hooked up so that water can be supplied to and used upon the premises.

As of the date of this Addendum, there have been no homes constructed on the Grove Creek Subdivision, necessitating the installation of a temporary power system to provide power to the well and pump of the domestic water system. The requirements of the Idaho Power Company dictate a permanent installation of said power system coincident with the construction of the first house.

Therefore, \$500 has been deposited in the Grove Creek Association account, which deposit shall inure to the first homeowner to build a permanent structure requiring the installation of electrical power on either lot #2 or #3 of the subdivision. This allowance has been made to enable said homeowner to acquire the necessary equipment, and complete the installation of power from the well to a permanently affixed meter. It is expressly understood that the charges related to this electrical meter shall be the responsibility of the Grove Creek Association.

Additionally, said homeowner shall receive as additional compensation the temporary power pole currently installed to serve as the Association's well house and pump.

In the event that homes on lots #2 and #3 are simultaneously constructed, lot #2 shall be the site of the installation of a permanent metering system, in that it is more proximate to the well site.

Easements for the maintenance and improvement of the domestic water system as indicated on Exhibit A attached hereto shall be transferred to the Association.

JUN 24 1992

XII
WATER RIGHTS

Water rights for esthetic and recreational purposes have been secured in the name of the Grove Creek Association, and the Association shall be responsible for all charges, fees, and requirements with regard to such rights.

In the event said water rights are to be partially or wholly diverted from the existing irrigation channel as recorded on the plats of the Subdivision, the unanimous consent of the Board of Directors of the Association is required.

The Association shall be responsible for the legal defense of its water rights, and abandonment of said water rights shall also require the unanimous vote of the Board of Directors of the Association.

IN WITNESS WHEREOF, the undersigned, being the declarant herein, has hereunto set his hand and seal this first day of July, 1984.

Lee R. Mortimer, President
PEREGRINE INVESTMENT MANAGEMENT CORP.
Lee R. Mortimer, President
P. O. Box 1560
Sun Valley, Idaho 83353
Lots #1, #2, and #3

[Signature]
DREW GIBSON, As Trustee
The Kell Company
1051 North First St.
San Jose, CA 95112
Lots #4 and #5

STATE OF IDAHO)
County of Blaine) ss.

MICROFILMED

JUN 24 1992

On this 1st day of July, 1984, before me, a Notary Public in and for said State, personally appeared LEE R. MORTIMER, known to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

[Signature]
Notary Public

Residing: *[Signature]* County

STATE OF CALIFORNIA)
) ss.
County of Santa Clara)

On this 20th day of August, 1984, before me, a Notary Public
in and for said State, personally appeared DREW GIBSON, known to
be the person whose name is subscribed to the within instrument,
and acknowledged to me that he executed the same.

Dianna Becas
Notary Public

Residing: Santa Clara County

RECEIVED

JUN 24 1992

Exhibit A-2

June 26, 1984

Description
Well Easement

This well easement is situated in Lots 2 and 3, Grove Creek Subdivision, Section 4, Township 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho and is more particularly described as follows:

Commencing at the south lot corner common to said Lots 2 and 3;

Thence N 0 46' 18" W along the lot line common to said Lots 2 and 3 a distance of 18.96 feet to the TRUE POINT OF BEGINNING for this well easement;

Thence S 77 04' 33" E a distance of 4.05 feet;

Thence N 12 54' 27" W a distance of 5.00 feet;

Thence N 77 04' 33" E a distance of 5.00 feet;

Thence S 12 54' 27" E a distance of 5.00 feet;

Thence S 77 04' 33" W a distance of 4.05 feet to the TRUE POINT OF BEGINNING.

This well easement contains 25 square feet.

258244

BLAINE CO.
REQUEST OF
Ola Mortimer
JUN 16 AM 9 04
mae
MANUALLY CLERK
JUN 16 1984
FEE \$ 16.00



MICROFILMED

JUN 24 1992

Exhibit A-1

Easements for
Grove Creek Subdivision

A 15.00 foot wide easement for the installation and maintenance of a domestic waterline with centerline being more particularly described as follows:

Commencing at the Southeast corner of Lot 1, Block 1, "Grove Creek Subdivision", according to the official plat thereof on file in the Blaine County Recorder's Office. Thence, North 00° 46' 18" West, 200.24 feet along the East boundary of said Lot 1 to the REAL POINT OF BEGINNING of the centerline of said 15.00 foot wide easement.

Thence, North 83° 22' 23" East,	28.29 feet,
Thence, North 83° 22' 23" East,	73.74 feet,
Thence, North 81° 55' 09" East,	30.27 feet,
Thence, South 06° 01' 23" East,	16.63 feet,
Thence, South 06° 01' 23" East,	58.91 feet,
Thence, North 76° 18' 10" East,	20.65 feet, to

the REAL ENDING POINT of the centerline
of said 15.00 foot wide easement.

Include: A 15.00 foot wide easement for the installation and maintenance of a domestic waterline with centerline being more particularly described as follows:

Commencing at the Southeast corner of Lot 1, Block 1, "Grove Creek Subdivision", according to the official plat thereof on file in the Blaine County Recorder's Office. Thence, North 00° 46' 18" West, 200.24 feet along the East boundary of said Lot 1 to the REAL POINT OF BEGINNING of the centerline of said 15.00 foot wide easement.

Thence, North 83° 22' 23" East,	28.29 feet,
Thence, North 83° 22' 23" East,	73.42 feet,

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JUN 24 1992

Thence, North 81° 55' 09" East,

116.41 feet,

Thence, North 76° 41' 21" East,

126.27 feet,

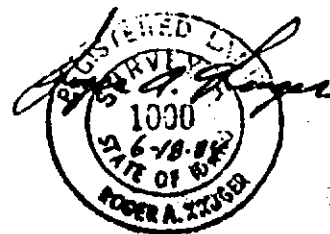
Thence, South 88° 15' 59" East,

62.62 feet,

Thence, South 67° 05' 45" East,

40.64 feet, to

a point on the West boundary of Lot 5,
Block 1, "Grove Creek Subdivision, which
is the REAL ENDING POINT of the centerline
of said 15.00 foot wide easement.



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JUN 24 1992



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 30, 1990

Steve Kearns Builders
P.O. Box 3233
Ketchum, ID 83340

RE: Permits to Appropriate Water Nos. 37-08474 and 37-08176

Dear Mr. Kearns:

Enclosed are the forms I promised to send you. You may file applications for amendment or a combination of an application for permit and an application for amendment.

I will discuss what is required for each application.

Permit No. 37-8176 Authorizing Diversion from the East Fork of the Big Wood River.

After reviewing the files, I suggest that you file a new application to appropriate water, proposing to store a volume of water for aesthetics and recreation purposes. As an alternative, you may try to amend the permit, but must show that the proposal will not result in diversion and use of more water than originally permitted and must also show that the rights of others will not be adversely affected thereby. The determination of these may depend on the size of the pond itself. If there is substantial evaporation or other losses during the period of time that you are diverting surface water, the Department may deny the application for amendment.

Permit to Appropriate Water No. 37-8474

You may attempt to amend your permit to divert ground water as compensation for losses in the proposed pond. To do so, however, you must reduce the irrigation portion of the right by the amount of loss that will be lost from the pond during an average summer day. As an alternative, you may also file a new application for permit to appropriate water.

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JUN 24 1992

If I can help you further, please contact me. Our staff at Southern Region will also be willing to help.

Sincerely,



GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

cc: Southern Region

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JUN 24 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 7, 1989

GROVE CREEK ASSN.
C/O CARL LEONI
P.O. BOX 1838
SUN VALLEY, ID 83353

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08474

Dear Permit Holder:

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

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

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

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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 into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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AUG 22 1989

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

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY JRI DATE 11-29-88 APPLICATION NUMBER 37-08474REQUIRED 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 * *see plat note*
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

MAY 15 1989

Department of Water Resources

PROCESSING

☒ Yes ☐ No form for advertising
☐ Yes ☒ No statewide advertising
☐ Yes ☒ No Fee amount, receipt date & No. recorded on application
OK

SEND COPIES TO

☐ 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 4/3/89
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. 37
☒ Yes ☐ No Special conditions of approval or cover letter below. 26A

☐ See below for additional information
Date of priority recommended 11/25/88
By Laren O. Halmer Date 5/7/89

STATE OFFICE REVIEW

P05, P23

P17 46 26 04 41

☐ See below for additional information
By KW Date 5/30/89

ADDITIONAL INFORMATION

App. in TRUST area -
allow 3 yrs. for development

STAFF ANALYSIS SUPPLEMENT

1) Water District _____ Basin # 37

2) Local description (of one P/D)

☐

At the above street address

☐

_____ miles N/S _____ and _____ miles E/W _____

of

(City center or numbered highway intersection)

☒

Subdivision about 1/2 mile up East Fork

of Big Wood River From Hwy 25

(Travel directions from city center or highway intersection)

8-Mar-1989

Grove Creek Assn.
c/o Carl Leoni
P.O. Box 1838
Sun Valley, ID 83353

Re: Application for Permit No. 37-08474

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 3/15 & 3/22/89. A period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

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

DJ:MB

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AUG 22 1989

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

MARCH 7, 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 APRIL 3, 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 appropriate the public waters of the State of Idaho:

MICROFILMED

AUG 22 1989

37-08474

GROVE CREEK ASSN.
C/O CARL LEONI
P.O. BOX 1838
SUN VALLEY, ID 83353

Source: GROUNDWATER

Diversion Pt: NESW Sec 8 T 03N R 18E

Use: DOMESTIC (.110 CFS)
 IRRIGATION (.080 CFS)

Date Filed: 11/25/1988

In: T03N R18E S08 NESW

2.5 ACRES TOTAL

RECORDED

AUG 22 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before APRIL 3, 1989.

R. Keith Higginson, Director

Published 3/15/1989 & 3/22/1989

RECEIVED

AUG 22 1989

LETTER OF TRANSMITTAL

LEONI DESIGN ASSOCIATES

208-726-8589

Post Office Box 1838
Sun Valley, Idaho 83353

931 NORTH MAIN
KETCHUM, Idaho 83340

PROJECT: GROVE CREEK PLAT 11 130188

LOCATION: BLAINE COUNTY, IDAHO

TO: STATE OF IDAHO DEPT OF
WATER RESOURCES
2148 4th AVE. EAST
TWIN FALLS, IDAHO 83301

ATTN: DOUGLAS JONES

WE TRANSMIT:

- (☒) herewith () under separate cover via
() in accordance with your request

FOR YOUR:

- () approval () distribution to parties (☒) information
() review & comment () record
() use ()

THE FOLLOWING:

- (☒) drawings () fabric selections () accessory selections
() specifications () furniture selections () finish materials selections
() samples () product literature () building materials selections
()

REMARKS

copy of grove creek Plat. which
you requested.

RECEIVED

DEC - 2 1988

Department of Water Resources
Southern Region Office

MICROFILMED

AUG 22 1989

COPIES TO:

(with enclosures)

	☐
	☐
	☐

LEONI DESIGN ASSOCIATES

BY

37-08474

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

WATER RIGHT
DATA ENTRY LOG

[illegible]