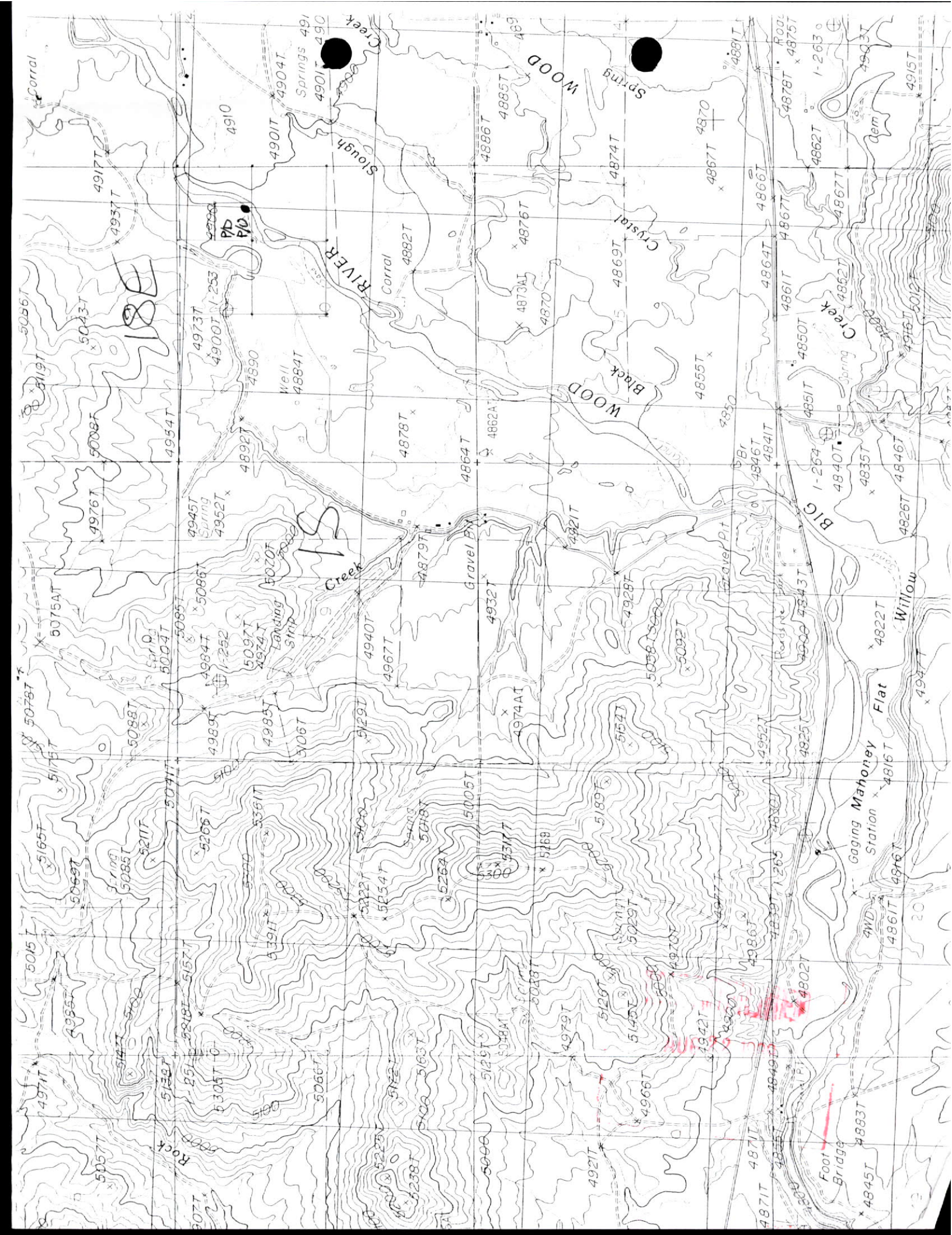
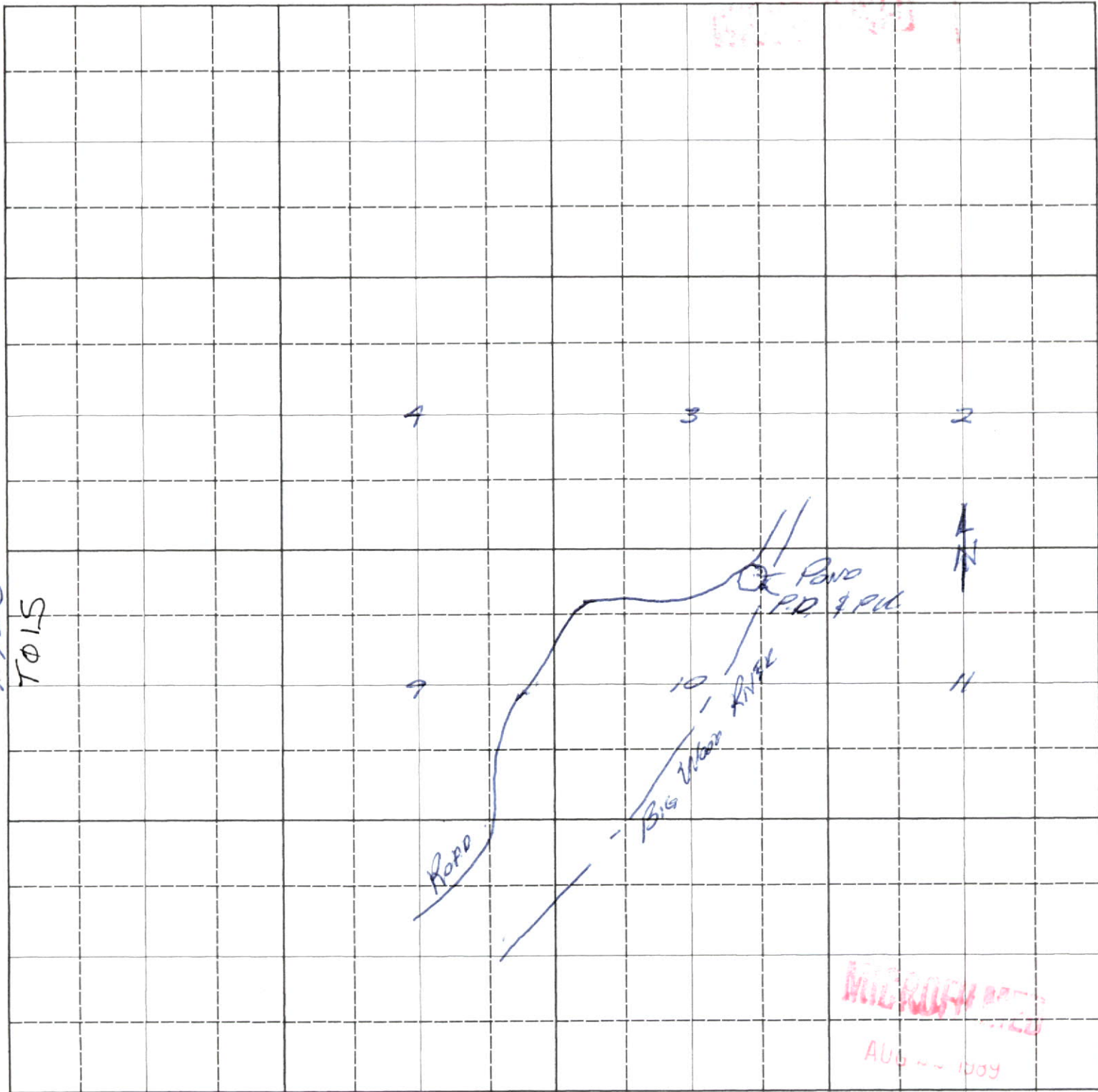




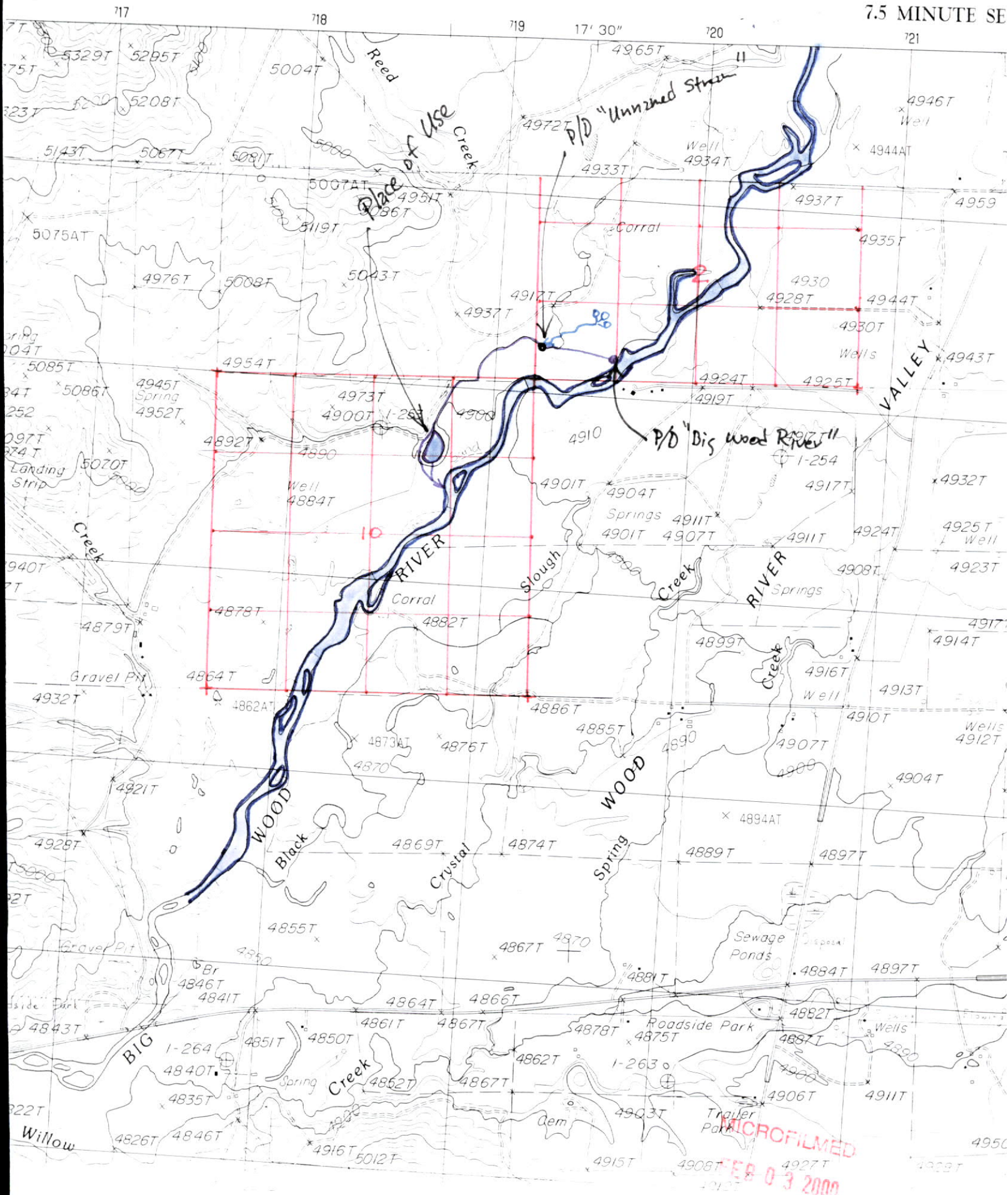
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



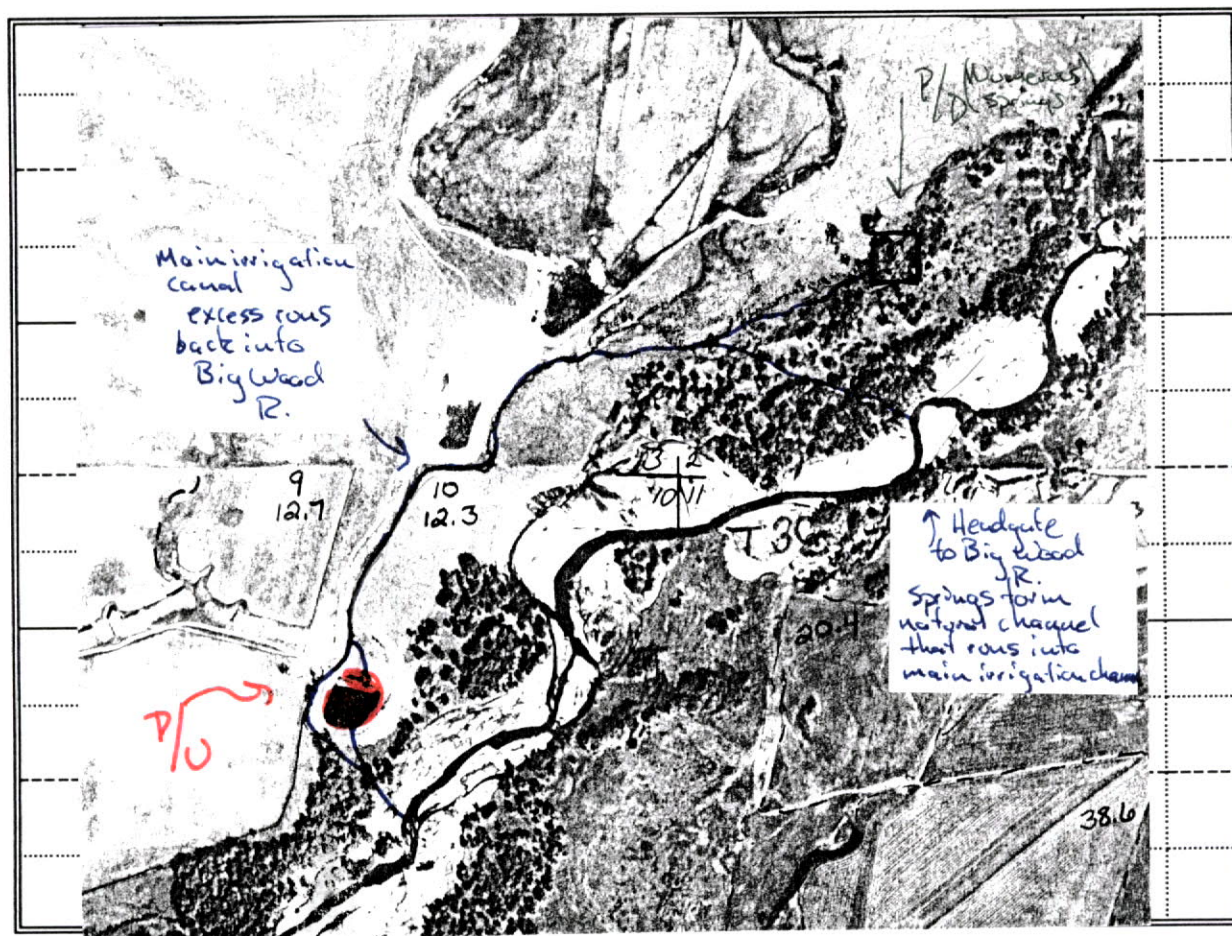
Scale: 2 inches equal 1 mile.

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.

Ronald C. Gault
(Applicant)
Y-3 RANCH
PARTNER



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



Scale: 1" = 1000'

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*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
Pygmy Meter				# 090173		

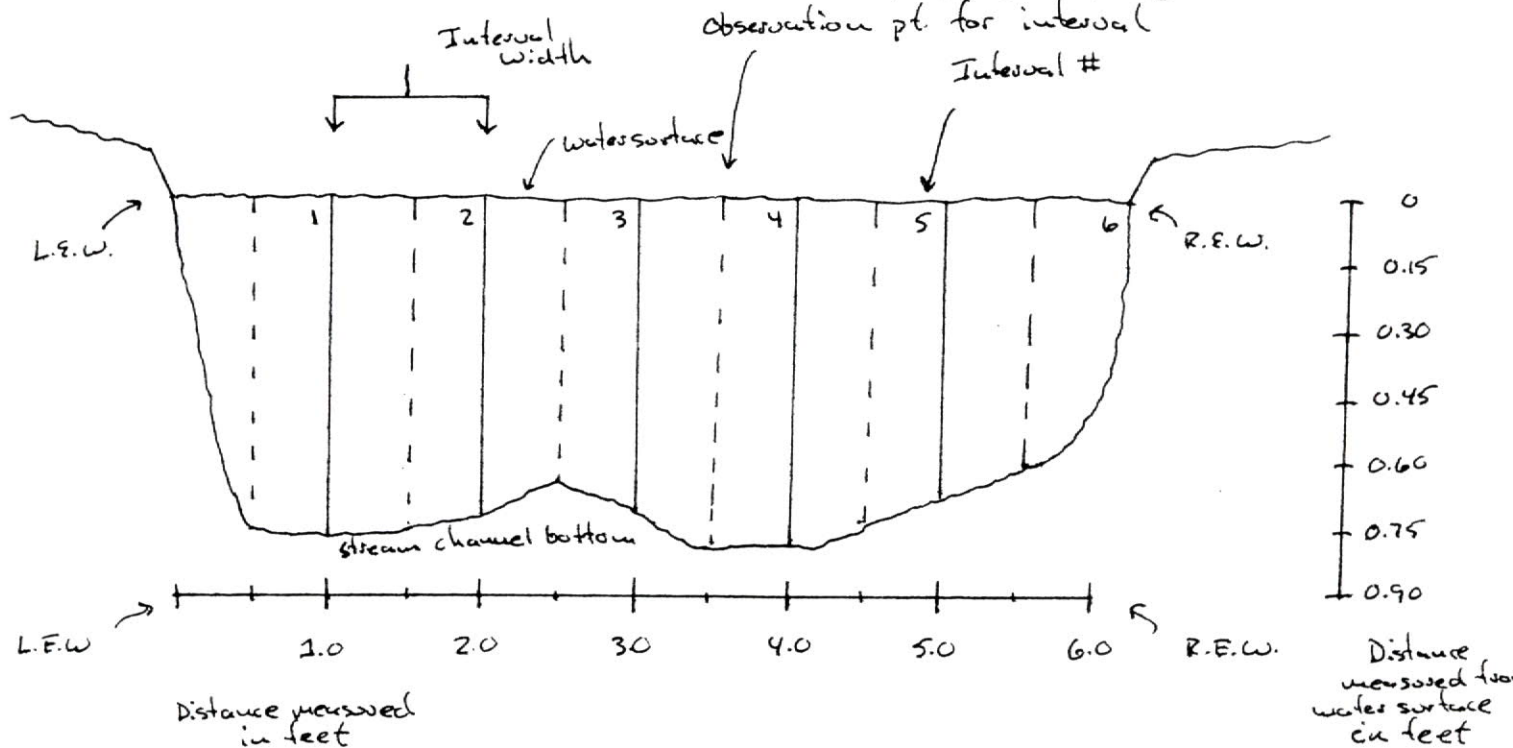
2. **Measurements:** Mel Scholte measured 3.26 cfs with the pygmy meter. Brett Barry measured 3.38 cfs. Since these measurements were within 5%, the flow rates were avg. to 3.32 cfs.

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37-8471

Cross-Section of Channel At Measurement Site



Channel width = 6.0'

Assumed velocity of observation point is the mean velocity of interval

All intervals are 1.0' wide

Intervals #1-6

D = Depth of water from surface to channel bottom

- used midpt. of interval width + 0.6 (D) for observation pt.

MICROFILM

FEB 03 2000

PERMIT 37-08471 INIT F.B.D.

T. R. S. Q/Q

P/D 015 18E 63 WESUSLU

SCALE

1"=2000'

PHOTO ID.

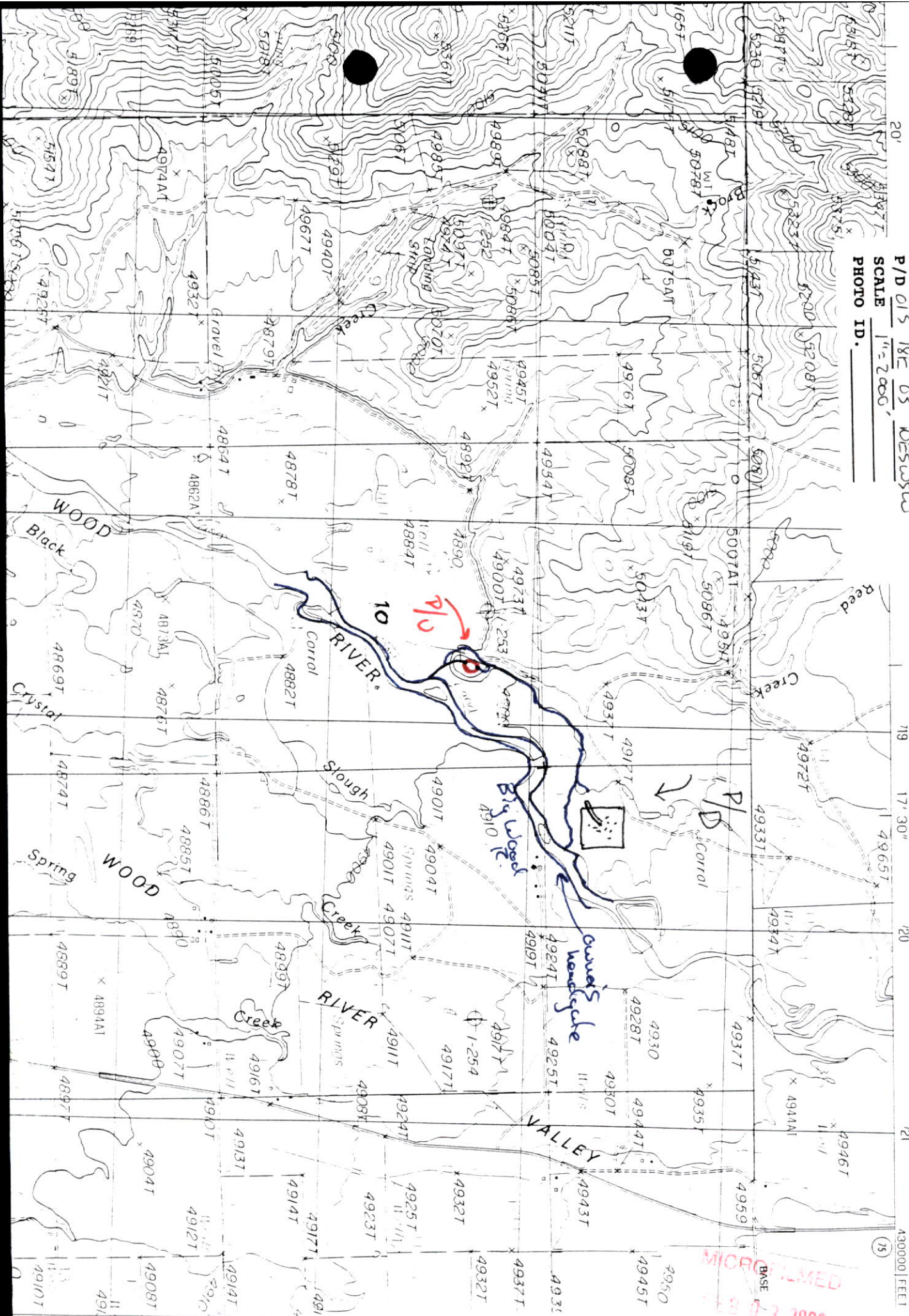
MAGIC RESERVOIR EAST

IDAH0

7.5 MINUTE SERIES (TO

721

430000 FEET



P37-8471

P/D
↓

There is no evident or particular place where the spring forms. There is a series of small pot holes that eventually seep into the same natural stream channel. This photo was taken looking east into this spring.



P/D
↓

This photo is taken downstream from the above picture. The stream channel is starting to get wider and more flow into it due to seepage.



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37-08471

37-8471

↙ P/D

This photo was taken to show the nearby seepage of the stream bank into the stream channel.



↙ P/D

This photo again shows the characteristics of the natural stream channel being formed.



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37-08471

P37-8471

N



This photo shows the natural stream channel at its capacity. This photo is taken downstream from the above photos. This photo is taken looking upstream from the place of measurement. The aerial photo also shows the location of the measurement.

↓ S



This photo is taken looking downstream from north of the place of measurement.

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37-08471

P 37-8471



This photo describes
the actual stream
characteristics at the
place of measurement.

/ This is the corner edge of the neighbor's holding pond.



approximate place of
measurement

This photo was taken looking
northeast from the
road nearby the
neighbor's holding pond.

R irrigation
canal

Measurement was
conducted about
100-125 yds from
here. (upstream)

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FEB 03 2000

↓ Big Wood River

P37 171

Irrigation canal rejoins Big Wood R.



This photo was taken looking southeast from the recreational fish pond. (south side)

This is the small ditch that runs from the headgate in the fish pond & rejoins the main irrigation ditch.

Small ditch rejoins the main irrigation ditch.

Main irrigation canal runs west around pond.

↓ P/O

This photo shows the recreational fish pond.

It was taken on the south side looking north.



Headgate that controls outflow.

MICROFILMED
FEB 03 2000

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08471

Priority: November 16, 1988

Maximum Diversion Rate:

0.15 CFS

Maximum Diversion Volume:

108.4 AF

This is to certify, that Y 3 RANCH

PO BOX 5405

BOISE ID 83705-5405

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 16, 1988; and has submitted Proof of Beneficial Use on June 11, 1990. An examination indicates that the works have a diversion capacity of 3.320 cfs of water from:

UNNAMED STREAM

tributary to BIG WOOD RIVER

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>
RECREATION	01/01 to 12/31	0.15 CFS	108.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 2, Township 01S, Range 18E
BLAINE County

PLACE OF USE: RECREATION

TWN RGE SEC

01S 18E 10

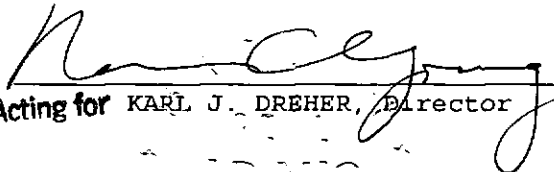
NWNE

SWNE

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this right shall be non-consumptive.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. Recreation use is for fishing.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 31st day of DECEMBER, 1999.


Acting for KARL J. DREHER, Director

MICROFILMED
FEB 03 2000

RECEIVED

DEC 16 1999

Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 37-08471

Date of Priority: November 16, 1988

Maximum Diversion Rate: 0.15 CFS

Maximum Diversion Volume: 108.4 AF

Comes now Y 3 RANCH
PO BOX 5405
BOISE ID 83705-5405

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. 37-08471, and requests that the permit be changed as follows:

Source: UNNAMED STREAM

tributary to BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION	01/01 to 12/31	0.15 CFS	108.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 2, Township 01S, Range 18E
BLAINE County

PLACE OF USE: RECREATION

TWN RGE SEC

01S 18E 10

NWNE

SWNE

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 Boise Idaho, this 15 day of December, 1999.

MICROFILMED

FEB 03 2000

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08471

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = \$50.00 Received by Jm # C047554 Date 12.29.99

~~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. 37-08471 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this right shall be non-consumptive.
2. Use of water under this water right will be regulated by the
watermaster of State Water District No. 37.
3. Recreation use is for fishing.

Witness my hand this 31ST day of DECEMBER, 1999.


Acting for KARL J. DREHER, Director

MICROFILMED

FEB 03 2000

RECEIVED

JUN 11 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

Permit No. 37-08471 Telephone No. 342-8901Name(s) of Permit Holder(s): V-3 RANCHPost Office Address: P.O. Box 5405 Boise, ID 83705Source of Water: SPRINGIf ground water, well driller's name: N/A Date drilled: _____Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other RECREATIONTotal rate and/or volume for which proof is submitted 0.15 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: 1973

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

~~Measuring~~ ^{Lockable} device: Required? ☒ Yes ___ No Installed? ☒ Yes ___ No

OR

Flow Measurement Port: Required? ___ Yes ___ No Installed? ☒ Yes ___ NoFee Enclosed: \$ 50⁰⁰ (See License Examination Fee Schedule)

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

Name MARK VANKE Telephone No. 342-8901Address P.O. Box 5405 Boise, ID 83705

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

MICROFILMED

JAN 07 1991

Date 5-31-90

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

Ronald C. Vanke - Partner

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

NOV 22 1988

RECEIVED

NOV 18 1988

Department of Water Resources
 Southern Region Office

To appropriate the public waters of the State of Idaho

1. Name of applicant Y-3 Ranch Phone 342-8901
 Post office address P.O. Box 5405 Boise, ID 83705

2. Source of water supply Spring which is a tributary of Big Wood River

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot -
 Sec. 10 Township 01S Range 18E B.M. Blaine County; additional
 points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.15 for for recreation purposes from Jan 1 to Dec. 31 (both dates inclusive)
 (cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 0.15 and/or (b) _____
 cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Small dike and natural flowing spring

b. Height of storage dam 6-8' feet; active reservoir capacity 8 acre-feet; total
 reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
 _____ to _____ inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

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

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

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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. 7 - 10 HP
- b. Stockwatering; list number and kind of livestock. —
- c. Municipal; show name of municipality. —
- d. Domestic; show number of households. —
- e. Other; describe fully. Fish Culture Pond is periodically stocked with trout for recreation JRS

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.

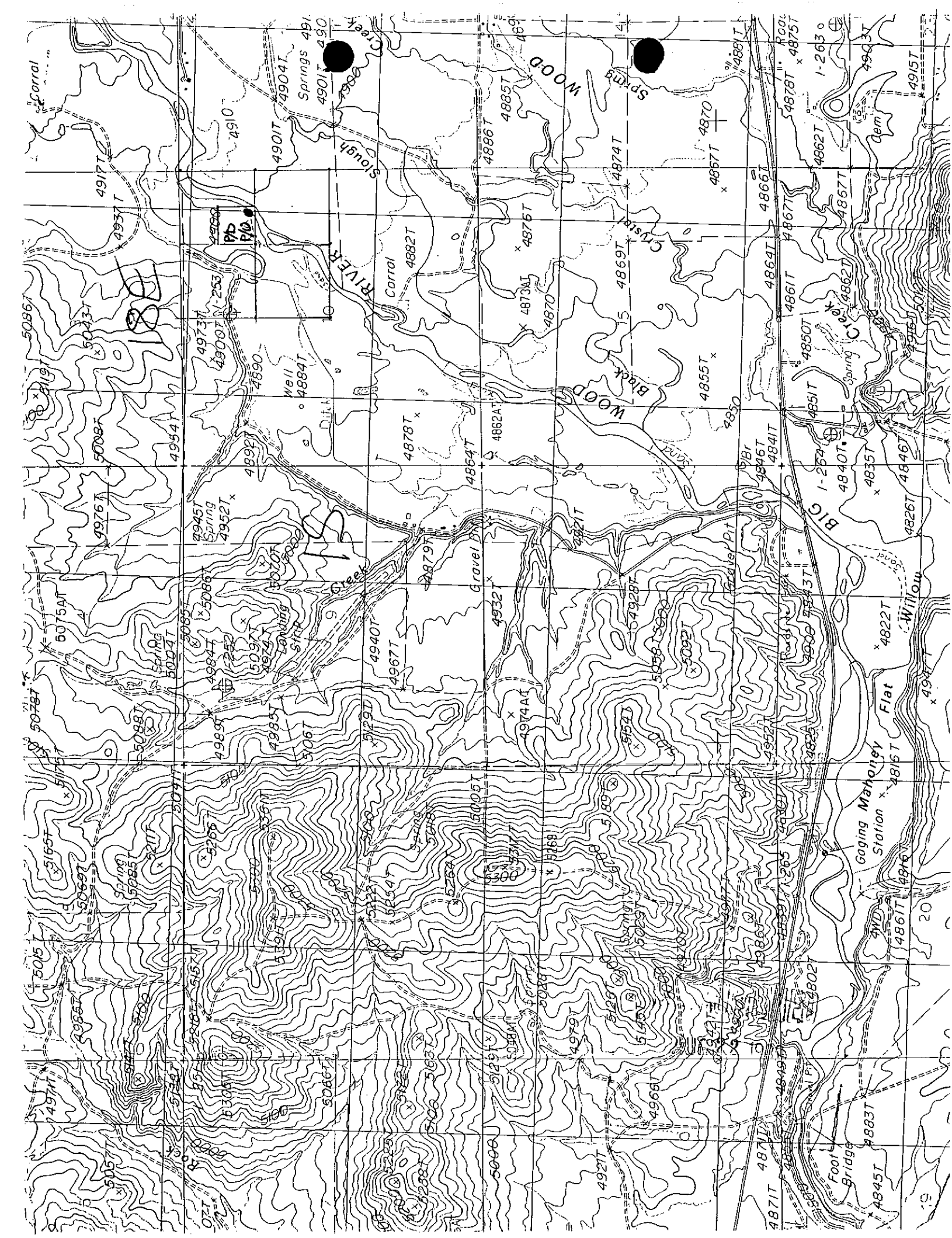
TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
01S	18E	10	<u>X^R</u>																

Total number of acres to be irrigated None

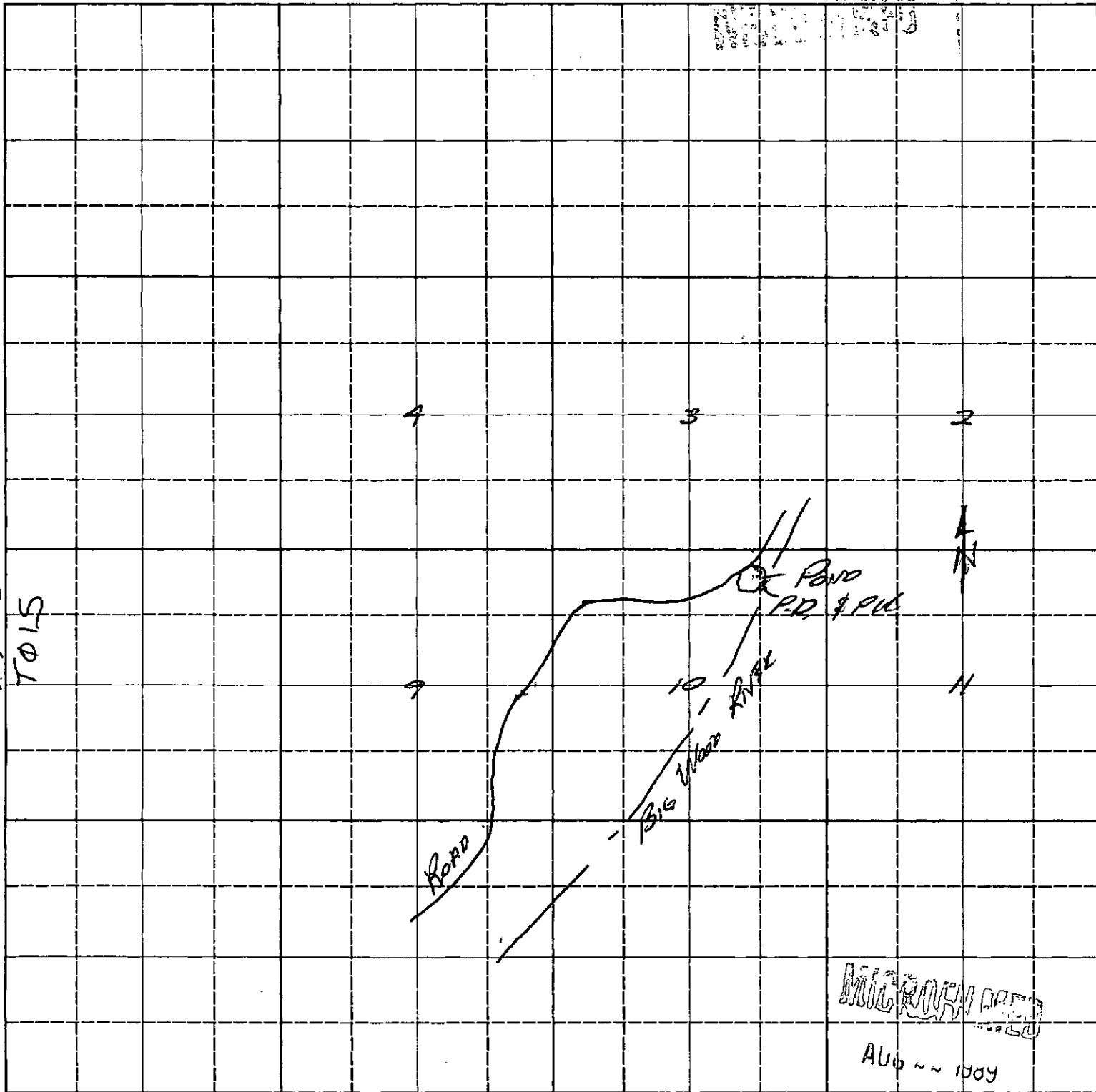
10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Y-3 Ranch
- b. Who owns the land to be irrigated or place of use? Y-3 Ranch
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. —

12. Remarks: Ron Yanke, Partner
Sheldon Yanke, Partner



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.

Ronald C. Gault
(Applicant)
Y-3 RANCH
PARTNER

Proposed Priority 11/16/88

Received by ml Date 11-16-88 Time 2:15 Preliminary check by JRA

Fee \$ 30.00 Receipted by T. Jasper # 5005717 Date 1/5/89

Publication prepared by M. Baldwin Date 3/3/89 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. 37-8471, 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 90.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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

A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.

Use of water under this permit is subject to control by the watermaster of State Water District No. 37, Big Wood River.

Witness my hand this 7th day of June, 1989.

T. M. 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.

37-08465

COLMAN, ROBERT
C/O GREGG K. STURTEVANT
P.O. BOX 2924
KETCHUM, ID 83340

Source: GROUNDWATER
Diversion Pt: NWNWSE Sec 1 T
04N R 17E
Use: IRRIGATION (.090 CFS)
AESTHETIC (.280 CFS)
Date Filed: 10/26/1988
In: T04N R17E S01 NWSE *OK*
3.0 ACRES TOTAL

37-08466

LAKE CREEK MEADOWS
HOMEOWNERS' ASSOC. INC.
P.O. BOX 3144
KETCHUM, ID 83340

Source: GROUNDWATER
Diversion Pt: NWNE Sec 36 T 05N
R 18E
Use: IRRIGATION (.070 CFS)
Date Filed: 10/27/1988
In: T05N R18E S31 NWNE *OK*
2.0 ACRES TOTAL

37-08467

BAKER, JOHN
C/O GREGG K. STURTEVANT
P.O. BOX 2924
KETCHUM, ID 83340

Source: GROUNDWATER
Diversion Pt: SWNWSW Sec 32 T
04N R 17E
Use: IRRIGATION (.090 CFS)
Date Filed: 10/27/1988
In: T04N R17E S32 NWSW *OK*
3.0 ACRES TOTAL

37-08468

WHITE, ANDREA A.
WHITE, MICHAEL W.
P.O. BOX 3056
KETCHUM, ID 83340

Source: GROUNDWATER
Diversion Pt: SESW Sec 14 T 05N
R 17E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)
Date Filed: 10/31/1988
In: T05N R17E S14 SESW *OK*
2.0 ACRES TOTAL

37-08471

Y-3 RANCH
P.O. BOX 5405
BOISE, ID 83705
Source: SPRING
Tributary: BIG WOOD RIVER
Diversion Pt: SWNENE Sec 10 T
01S R 18E
Use: RECREATION (.150 CFS)
Date Filed: 11/16/1988 *OK*
In: T01S R18E S10 NENE

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 McFarland

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

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	
DE105				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		73.54	
		1168.09			
		TAX			
SOLD BY		RECEIVED BY		TOTAL	
				1168.09	

11308

AUG 22 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 3, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Y 3 RANCH
PO BOX 5405
BOISE ID 83705-5405

RE: WATER RIGHT NO. 37-08471

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 described in the enclosed information sheet.

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

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

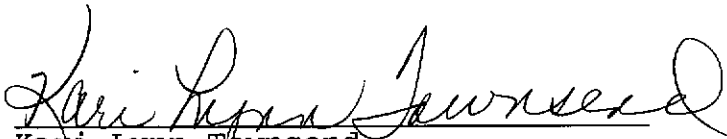
FEB 03 2000

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of **January, 2000**, 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. 37-08471

Y 3 RANCH
PO BOX 5405
BOISE ID 83705-5405


Kari Lynn Townsend
Secretary

MICROFILMED

FEB 03 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order 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 the 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 a 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, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a 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.

ORAL ARGUMENT

If the Department grants a petition to review a 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 a 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.



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 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Y 3 RANCH
PO BOX 5405
BOISE ID 83705-5404

RE: Fee for amending Permit 37-08471

Dear Permit Holder:

Yesterday I received your Application for Amendment of Permit 37-08471, but the required filing fee of \$50.00 was not included. In order for IDWR to process the application and issue your water right license, the filing fee must be paid.

Please forward the \$50.00 filing fee so that we may complete the processing of the application and issue your license. If I do not receive the filing fee within thirty days, I will assume you have no interest in the permit, and it will be voided.

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

MICROFILMED
FEB 03 2000



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 14, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Y 3 RANCH
PO BOX 5405
BOISE ID 83705-5405

RE: WATER RIGHT NO. 37-08471

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed. I have not yet received the amendment. If I do not receive it within 14 days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form. Please note that the filing fee for this amendment is \$50.00

If you have any questions, please call me at (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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FEB 03 2000



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

November 23, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Y 3 RANCH
PO BOX 5405
BOISE ID 83705-5405

RE: WATER RIGHT NO. 37-08471

Dear Permit Holder(s):

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

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

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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FEB 03 2000

MEMORANDUM

DATE: September 12, 1996

TO: File 37-08471

FROM: Shelley W. Keen *SWK*

RE: Ownership of the property at the point of diversion

Today I was told by the Blaine Co. assessor's office (208-788-5535) that Rhoady Lee is the owner of a parcel that encompasses the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Township 1 South, Range 18 East, B. M.

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LICENSE REVIEW CHECKLIST

PERMIT NO. 37-08471

DATE 9/3/96

REVIEWER: S H A R L A

NAME Change OK

Address Change NO

SOURCE ✓ —

Is change clarification of originally intended source? yes unn. stream - pld not
If not, prepare Notice of Intent to Void —

POINT OF DIV ✓ —

Amendment required yes located

PLACE OF USE ✓ —

Amendment required yes

Does map agree with written description? — yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate .15 cfs

Fee limit .20 cfs \$50⁰⁰

Measured 3.32 cfs

Theoretical — cfs

Recommended Total Div Rate .15 cfs

ANNUAL VOLUME/
NATURE OF USES — ✓

Use Rec.

Volume Calculation

.15 X 365 X 1.98 = af

108.4 af

— af

— af

— af

SUBTOTAL

Flow rate .15 cfs X 365 days X 1.98 = 108.4 af

Total volume recommended 108.4 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

R/fishing pond.

CONDITIONS

R01 Watermaster Control WD# 37
R02 GW Measurement/Measuring Device

— Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo pld
plu
amts

1st Amend Letter P37, P38

2nd Amend Letter P47

MEMORANDUM

TO: File 37-08471

FROM: Sharla

DATE: September 3, 1996

RE: Recommendation Adjustment(s)

The final license recommendations for Right 37-08471 are based on the following:

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

SWSW, S2, T1S, R18E

2. Place of Use:

NWNE, S10, T1S, R18E
SWNE, S10, T1S, R18E

H. RECOMMENDATIONS

1. Recommended Amounts

Recreation	1/1 - 12/31	0.15 cfs	108.4 afa
------------	-------------	----------	-----------

As reflected in Shelley Keen's memos of 6/28, the source is an unnamed stream (where the springs flow together) and the point of diversion is the SWSW, Section 2, not Section 3. The pond is located within both the NWNE and the SWNE; the place of use should be amended to reflect this.

Finally, water is continuously run through the pond, therefore, annual volume can only be figured on a continuous diversion as the examiner indicates ($0.15 \text{ cfs} \times 365 \text{ days} \times 1.98 = 108.4 \text{ af}$).

WR0749NP
No. L37-08471

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/03/96
PAGE: 1

OWNER		PRIORITY	USE PERIOD		DIVERSION	DIVERSION
CODE	NAME & ADDRESS	DATE	WATER USE	FROM TO	RATE	VOLUME
C	Y 3 RANCH PO BOX 5405 BOISE ID 83705-5405 (208) 342-8901	11/16/1988	RECREATION	01/01 12/31	0.150 CFS	108.40 AFA
TOTAL DIVERSION:					0.150 CFS	108.40 AFA

Water Source: UNNAMED STREAM

Tributary to: BIG WOOD RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 3.320 CFS

Point(s) of Diversion: T01S R18E S02 SWSW BLAINE County

Place of use Legal Description for: RECREATION

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
01S	18E	10	:	R	R	:	:	:	:	:	:	:	:	:	:

Pou County: BLAINE

Other Water Rights Listing Overlapping Place(s) of use:

37-00051 37-00663 37-01231 37-07113

Conditions of Approval:

- 027 - Use of water under this right shall be non-consumptive.
- R02 - A lockable device subject to the approval of the Department
 - shall be maintained on the diverting works in a manner that will
 - provide the watermaster suitable control of the diversion.
- R04 - Use of water under this water right will be regulated by the
 - watermaster of State Water District No. 37.

Remarks: Recreation use is for fishing.

Dates: App. Received: 11/16/1988 Priority Date: 11/16/1988
Proof Due Date: 07/01/1990 Proof Made Date: 06/11/1990
Exam Made Date: 06/28/1993 Exam Sent to S.O.: 09/21/1994
Licensed Date:

Misc: Water District Number: 37 Field Exam Fee: R (Received)

Audit: 04/11/96 CZIMMERM

MEMORANDUM

DATE: June 28, 1996

TO: File 37-08471

FROM: Shelley W. Keen

RE: Licensing Recommendations

I have reviewed Allen Merritt's suggestions for licensing this right, and I agree that the source should be an unnamed stream and that the point of diversion should be SWSW, Section 2, T1S, R18E. However, I do not think the permit holder intended to develop a right to divert Big Wood River water. Therefore, I do not think the river should be listed as an alternate source. Also, listing a storage volume would be an expansion beyond the authorization of the permit. Therefore, I recommend that the water use be listed on the license as 0.15 cfs for recreation purposes, as was permitted.

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FEB 03 2000

FROM: Allen Merritt *Adm*

DATE: June 5, 1996

TO: Shelley Keen

SUBJECT: Field Exam 37-08471

I have reviewed your memo and Brett Barry's Field Exam and make the following recommendation.

My reading of the FE finds there are a few mistakes but the maps and other information leads me to recommend that the permit be licensed but an amendment of the permit is required.

The source of water should be listed as "Unnamed Stream" & "Big Wood River". The P/D for the "Unnamed Stream" is at the confluence of the "Unnamed Stream" and canal from the Big Wood River in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, Twp.01S, Rge.18E, B.M. The P/D from the "Big Wood River" would be in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, Twp.01S, Rge.18E, B.M. The P/U for the pond would be in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10, Twp.01S, Rge.18E, B.M. Based on the information in the FE and the attached copy of portion of Y-74 quad map I would estimate the volume of the pond to be 10 AF. The use should be:

Diversion to storage 0.15 cfs
Storage for Recreation 10 AF

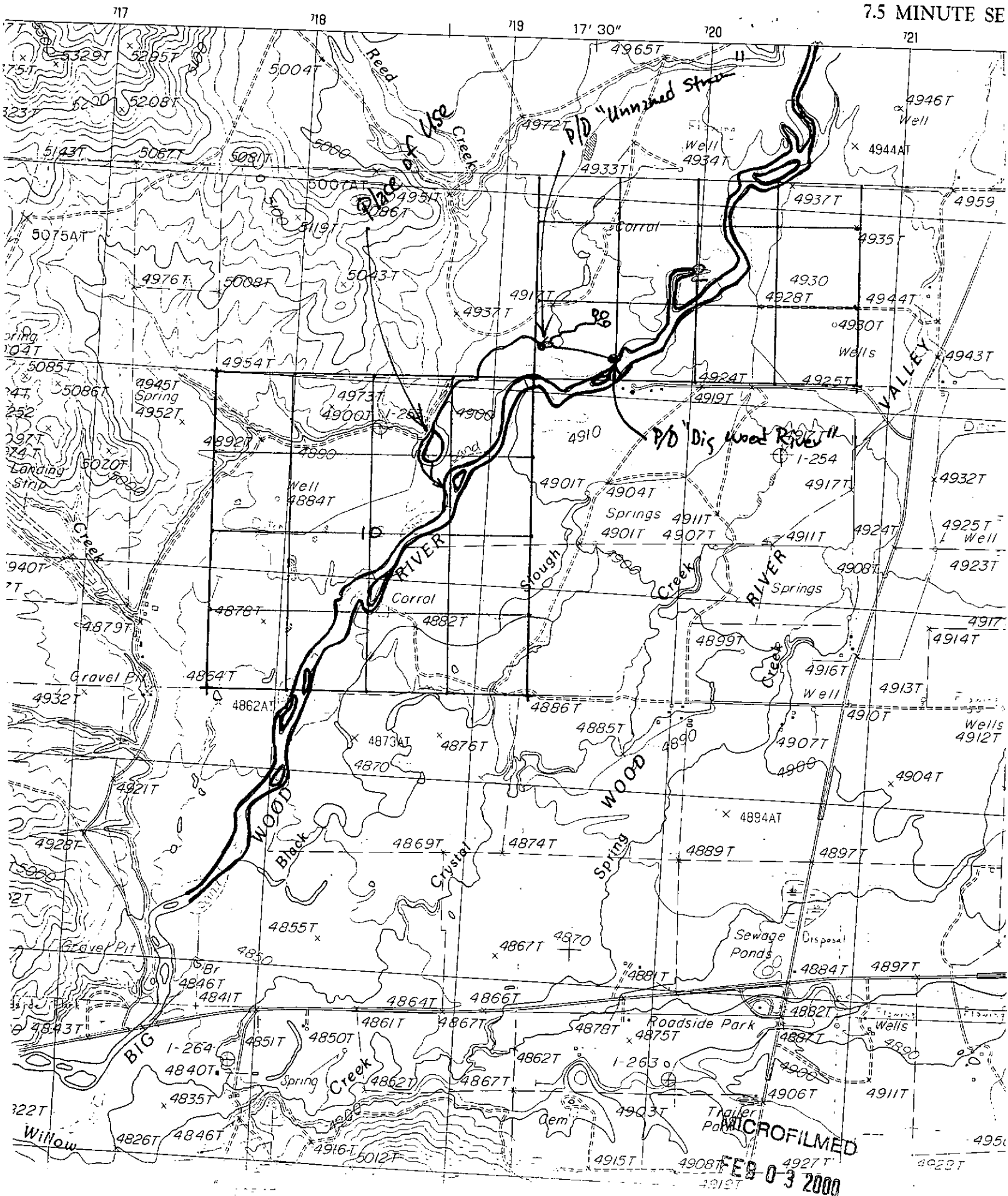
I have looked on both WR and AJ and find no record of the diversion for irrigation from the Big Wood River at the diversion listed above. I know there may be a problem with amending the permit to conform the use as described above so I propose if the amendment is possible that the priority be advanced to date of application for licensing amendment. I also propose that the licensing amendment be advertised.

RECEIVED

JUN 07 1996

Department of Water Resources

MICROFILMED
FEB 03 2000



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 21 1994
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08471

1. Owner: Y-3 Ranch

Phone No. 342-8901

Current Address: P.O. Box 5405 Boise, ID 83705

2. Accompanied by: Sheldon Yauke

EXAM DATE: 6-28-93

Address: _____

Phone No. 788-2551

Relationship to Permit Holder: Partner with Y-3 Ranch

3. Source: Spring tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE (Big Wood River shares)

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SW	SW	03	01S	18E	Blaine	Aerial Photo, Inspection

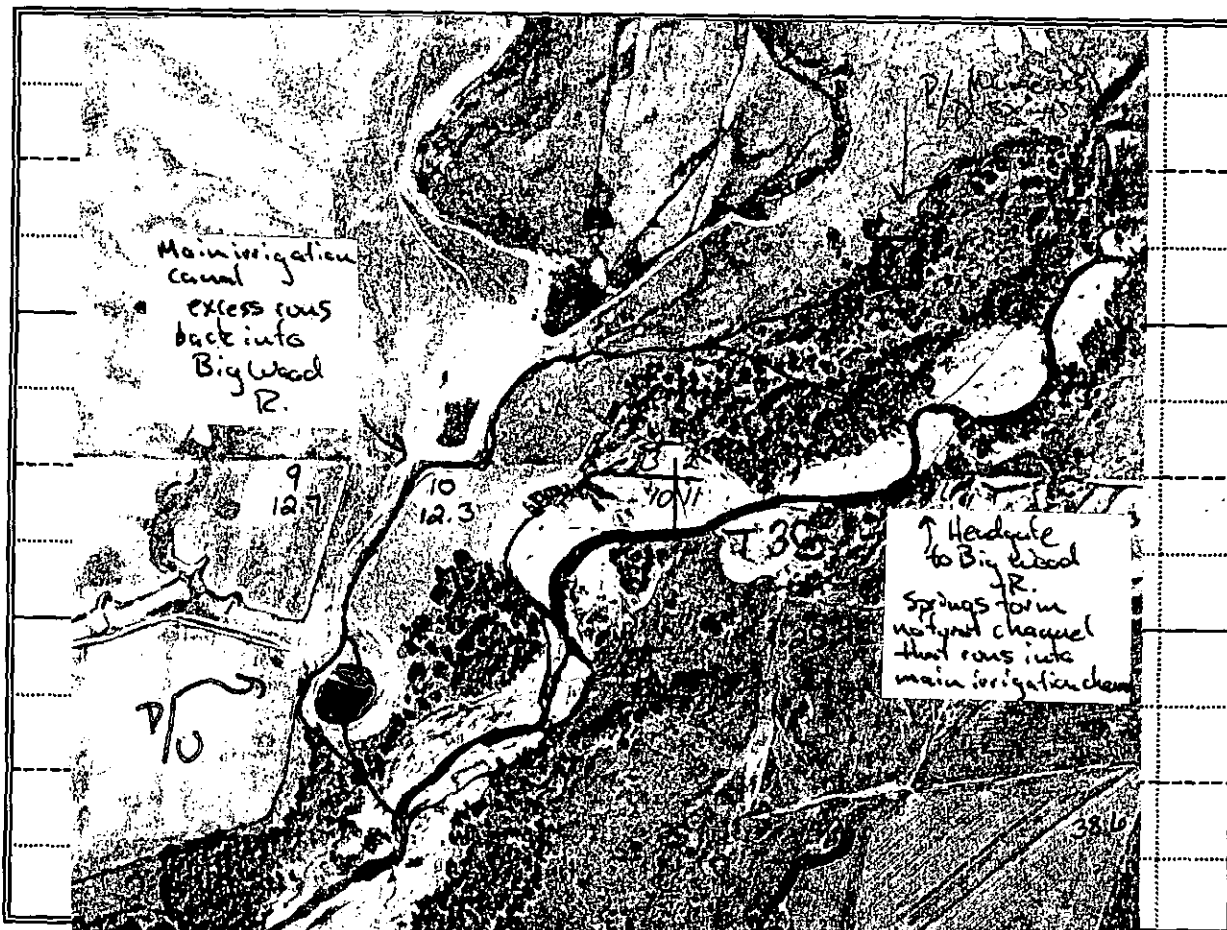
2. Place(s) of Use:

Indicate Method of Determination Aerial Photo, Inspection

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	10	~~R~~	R															Rec.

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



Scale: 1" = 1000'

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*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
Pygmy Meter				# 070173		

2. Measurements: Mel Scholte measured 3.26 cfs with the pygmy meter. Brett Barry measured 3.38 cfs. Since these measurements were within 5%, the flow rates were avg. to 3.32 cfs.

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E. NARRATIVE/REMARKS/COMMENTS

See attached Sheet

Water flows into the Big Wood River after
discharge from the recreational use - return flow
is in the NESWNE, S10, 015, 18E

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

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F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

$$\frac{3.38 \text{ cfs} + 3.26 \text{ cfs}}{2} = 3.32 \text{ cfs from springs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

N/A $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

$$0.15 \text{ cfs} \times \frac{1 \text{ acre-ft}}{43,560 \text{ ft}^3} \times \frac{3600 \text{ s}}{1 \text{ hr}} \times \frac{24 \text{ hr}}{1 \text{ day}} \times \frac{365 \text{ days}}{1 \text{ yr}} = 109 \text{ acre-ft}$$

2 springs can supply that volume in a yr when restricted to 0.15 cfs

Note: This water use is for non-consumptive use only.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
Recreation	4/1 From	12/31 To	0.15 cfs	109 afa
Totals:			0.15 cfs	109 afa Non-consumptive use only

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 Brett Barry Date 7-1-93

Reviewer _____ Date _____

SEAL

MICROFILMED

FEB 03 2000

DATE: JULY 1, 1993

FROM: BRETT BARRY

SUBJECT: 37-08471 FIELD EXAM REPORT: NARRATIVE/COMMENTS

On June 28, 1993 the field examination for the above water permit was conducted. Sheldon Yanke of Y-3 Ranch accompanied myself and Mel Schulte, of IDWR, during this examination. This permit is for appropriating 0.15 cfs of spring water for recreational use and the use shall be non-consumptive only.

Mel and I concluded that the actual point of diversion of the spring was not where the recreational pond is located (SWNENE OF SEC 10) but about a half mile north at NESWSW OF SEC 3. The point of diversion is a series of small springs that eventually form a natural stream channel. This natural stream channel flows into a irrigation channel (shares from Big Wood River) that flows approximately for a half of mile. The spring water is diverted with a flap gate from the irrigation channel approximately 80 yds into a recreational pond. A 10 in pvc pipe runs from this gate into the pond. The pond is approximately a half of acre in surface area. On the south side of the pond, a headgate controls the outflow from the pond. A small ditch with the outflow is diverted into the excess water from the irrigation canal. The irrigation canal returns to the Big Wood River about an eight of a mile southeast of the pond.

Mel and I measured the flow rate in the natural stream channel with the pygmy meter to be 3.32 cfs. It was evident that the 10 in pvc pipe could carry 0.15 cfs from the main irrigation canal, therefore no measurement was completed at that site.

Since this pond is about 4 acre feet in volume (6-8 ft deep), the consumptive loss to evaporation and seepage is minimal. Since this permit is conditioned with non-consumptive use only, ~~I did not recommend an annual volume use.~~ The owner occasionally stocks the pond with hybrid trout for recreational use.

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FEB 03 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

37-8471

Water Right No.
(if applicable)

Open Channel Discharge Measurement Notes

A. GENERAL INFORMATION

1. Name of stream or ditch: Unnamed Stream Downstream From Springs on Y-3 Ranch
2. Location: _____
3. Person conducting measurement: Brett Barry, IDWR & Mel Schulte, IDWR
4. Date and time of measurement: 6-28-93 11:30 A.M.
5. Accompanied by: Sheldon Yanke
6. Measuring device size and ID no.: Pygmy meter IDWR #090173
7. Spin test before measurement OK? ✓ after measurement OK? ✓
8. Purpose of measurement: To determine flow rate from a number of small springs

B. MEASUREMENT DATA

Initial R = 0.0 on tape

The observation depth is 0.6 D.

↓ 0

→ rev/sec = ft/sec in pygmy

Angle-coefficient Interval	Dist. from initial point (ft)	Width (ft)	Depth (ft)	Observation depth (ft)	Revolutions	Time in seconds (sec)	VELOCITY		Adjusted for hor. angle or	Area Depth width (ft ²)	Discharge area velocity (ft ³ /sec)
							At point (ft/sec)	Mean in vertical			
	L.E.W. = 2.0	-	-	-	-	-	-			-	-
1	1.5	1.0	0.75	0.45	11	40	0.275			0.75	0.206
2	2.5	1.0	0.75	0.45	66	60	1.10			0.75	0.825
3	3.5	1.0	0.65	0.39	86	60	1.43			0.65	0.930
4	4.5	1.0	0.80	0.48	55	60	0.917			0.80	0.734
5	5.5	1.0	0.70	0.42	26	40	0.650			0.70	0.455
6	6.5	1.0	0.60	0.36	7	40	0.175			0.60	0.105
	R.E.W. = 7.0	-	-	-	-	-	-			-	-
	6.0	←					Totals		→	4.25	3.255
	Brett Barry's Data										
	↓										3.26
	L.E.W. = 2.0	-	-	-	-	-	-			-	0.5
1	1.5	1.0	0.75	0.45	14	40	0.35			0.75	0.263
2	2.5	1.0	0.75	0.45	58	60	0.967			0.75	0.725
3	3.5	1.0	0.65	0.39	91	60	1.52			0.65	0.988
4	4.5	1.0	0.80	0.48	37	40	0.925			0.80	0.740
5	5.5	1.0	0.75	0.45	29	40	0.725			0.75	0.544
6	6.5	1.0	0.60	0.36	8	40	0.20			0.60	0.120
	R.E.W. = 7.0	-	-	-	-	-				-	-
	6.0	←					Totals		→	4.30	3.3845

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FEB 6 2000

C. DIAGRAMS

1. Measurement Location

Scale: _____ = _____

2. Cross-Section of Measurement

Scale _____ = _____

See Attached Page

D. SUMMARY INFORMATION

1. Measurement rated _____ excellent ☒ good _____ fair _____ poor

2. Remarks: Uniform flow with no major obstructions - Both measurements were
avg. because they are within 5% of each other = $3.38 + 3.26 = 6.64 \div 2 = 3.32$ cfs

3. Width: 6.0 ft Area: 4.78 ft² Discharge in cubic feet per second: 3.32 cfs

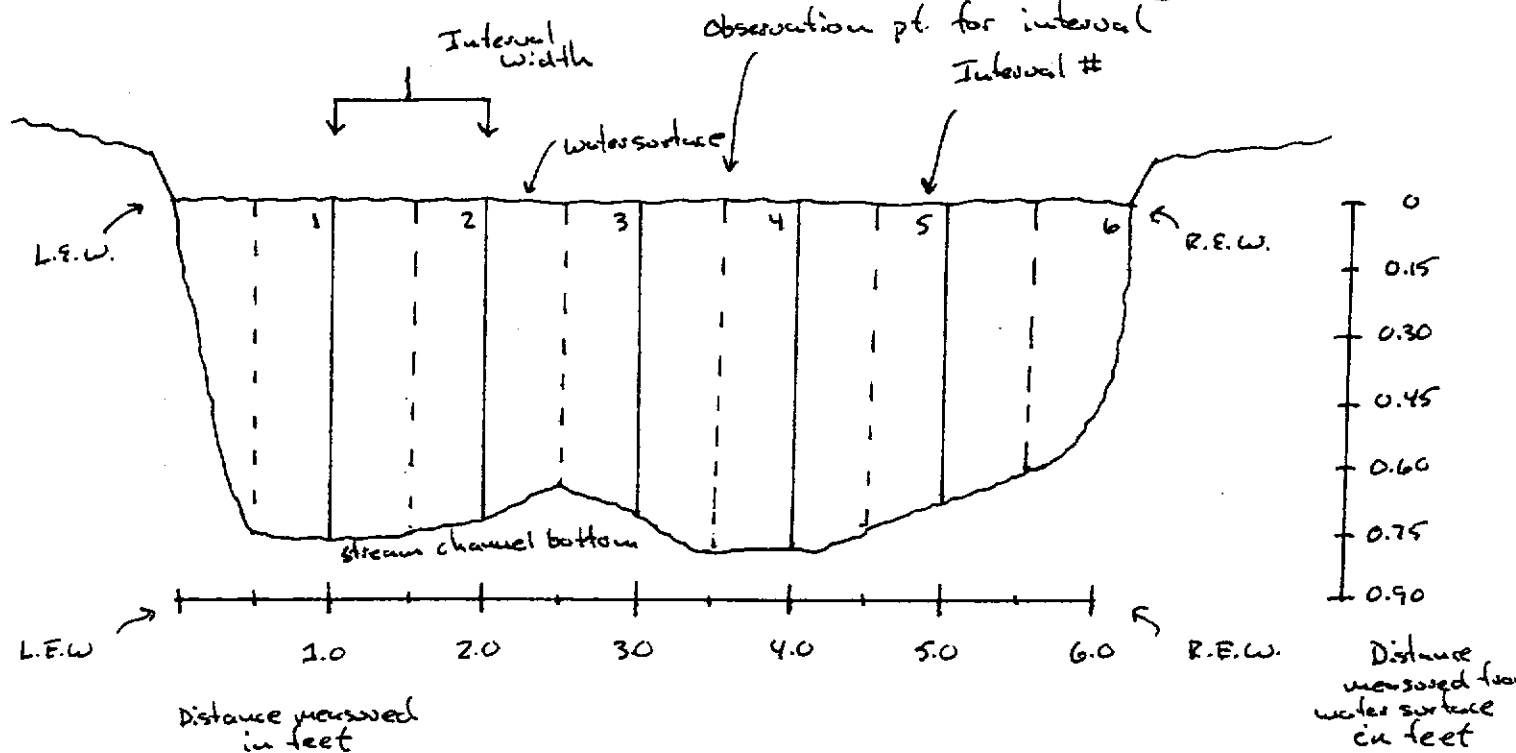
6-29-93
DATE

Brett Barry
SIGNATURE OF PERSON CONDUCTING MEASUREMENT

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FEB 03 2000

37-8471

Cross-Section of Channel At Measurement Site



Channel Width = 6.0'

Assumed velocity of observation point is the mean velocity of interval

All intervals are 1.0' wide

Intervals #1-6

D = Depth of water from surface to channel bottom

- used midpt. of interval width + $0.6(D)$ for observation pt.

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FEB 03 2000

PERMIT 37-08471 INIT F.B.D.

T. R. S. Q/Q

P/D 015 18E 03 WESUSU

SCALE

1"=2000'

PHOTO ID.

20'

719

17' 30"

720

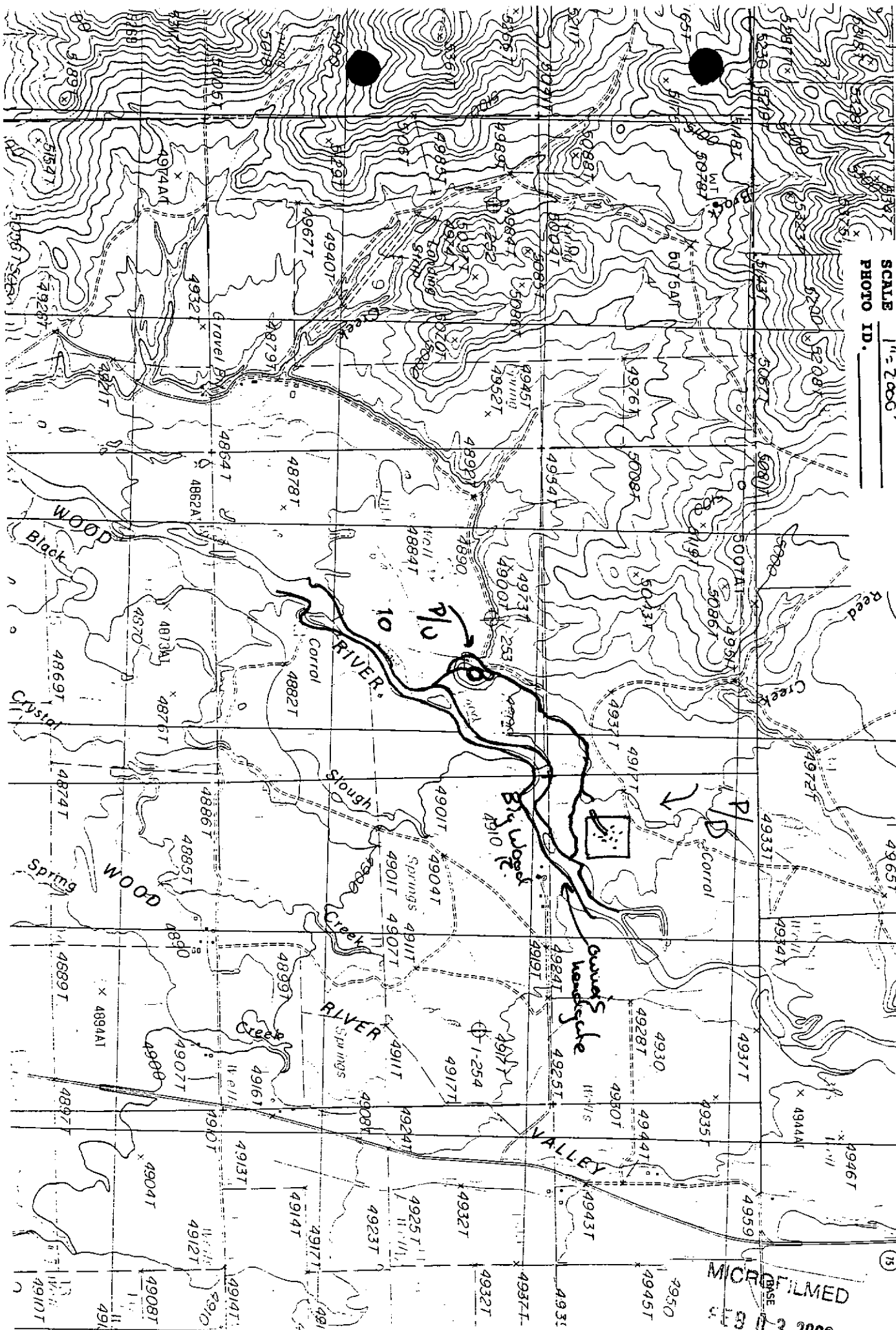
721

430000 FEET

(5)

MAGIC RESERVOIR EAST
IDAHO
7.5 MINUTE SERIES (10)

MICROFILMED
BASE
03 2000



PERMIT 37-08471 INIT R.B.B.

T. R. S. Q/Q

P/D 015 18E 03 NESWSW

SCALE 1" = 1000'

PHOTO ID. _____

4 9 10 7 18.1 8 32.1 main vicinity (cont.) 9 12.5 10 12.3

13 MICROFILMED P/U

82.4 0 2 2000

P37-8471

P/D
↓

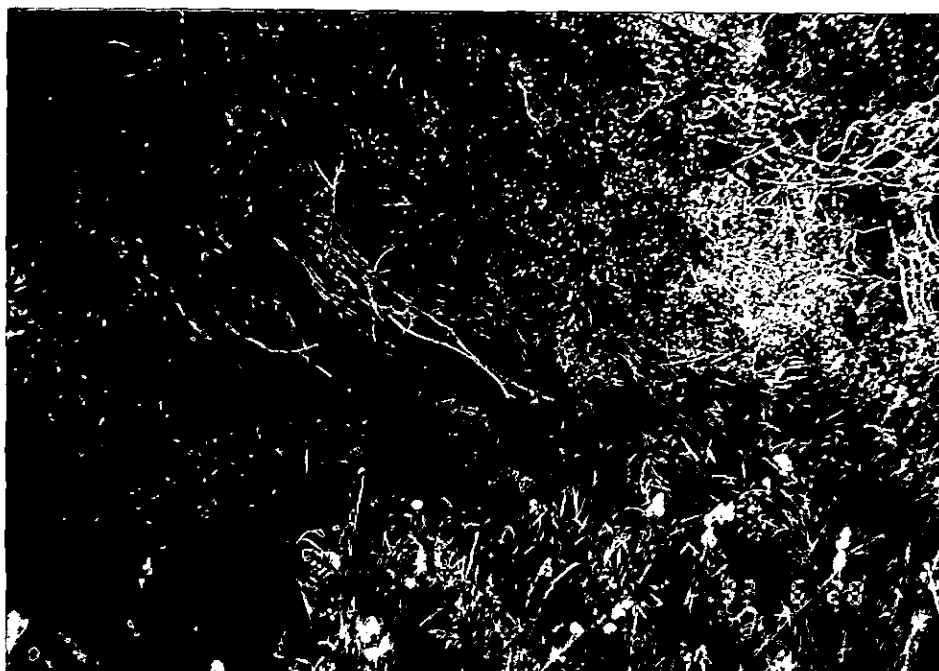
There is no evident or particular place where the spring forms. There is a series of small pot holes that eventually seep into the same natural stream channel. This photo was taken looking east into this spring.



P/D
↓

This photo is taken downstream from the above picture.

The stream channel is starting to get wider and more flow into due to seepage.



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FEB 03 2000

37-08471

37-8471

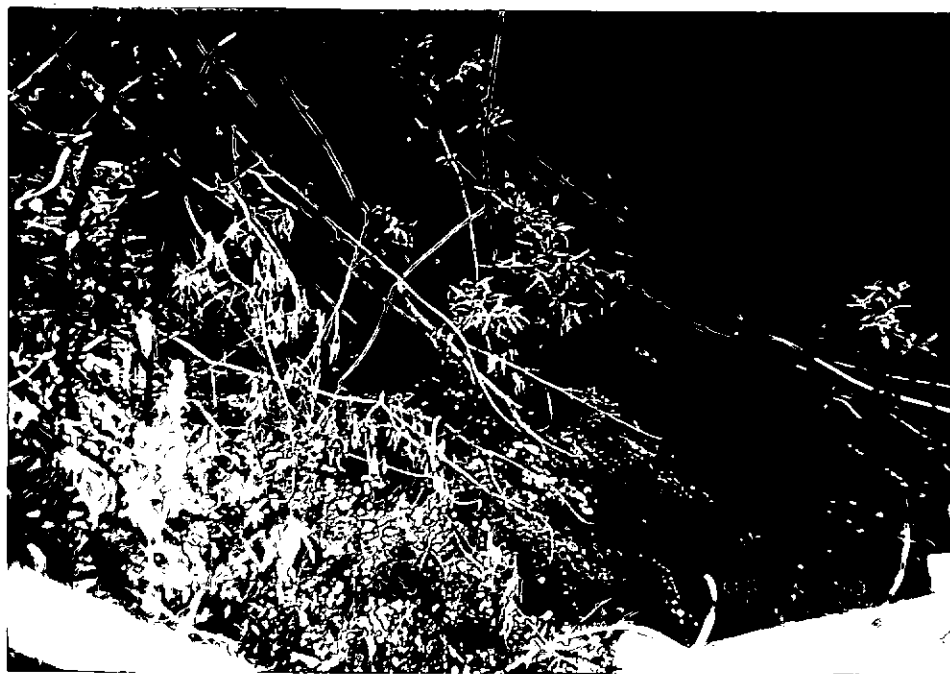
↓ P/D

This photo was taken to show the nearby seepage of the stream bank into the stream channel.



↓ P/D

This photo again shows the characteristics of the natural stream channel being formed.

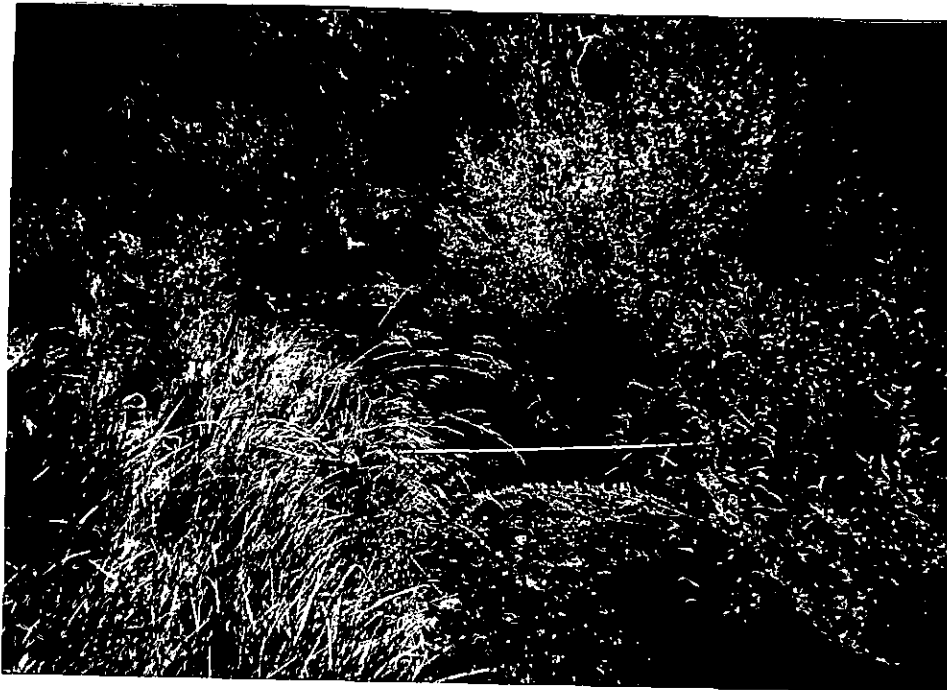


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37-08471

P37-8471

N



This photo shows the natural stream channel at its capacity. This photo is taken downstream from the above photos. This photo is taken looking upstream from the place of measurement. The aerial photo also shows the location of the measurement.

↓ S



This photo is taken looking downstream from north of the place of measurement.

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37-08471

P 37-8471



This photo describes
the actual stream
characteristics at the
place of measurement.

/ This is the corner edge of the neighbor's holding pond.



approximate place of
measurement

This photo was taken looking
northeast from the
road nearby the
neighbor's holding pond.

R irrigation
canal

Measurement was
conducted about

100-125 yds from
leve. (upstream)

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↓ Big Wood River

P37 71
Irrigation canal rejoins Big Wood R.



This photo was taken looking southeast from the recreational fish pond. (south side)

This is the small ditch that runs from the headgate in the fish pond & rejoins the main irrigation ditch.

Small ditch rejoins the main irrigation ditch.

Main irrigation canal runs west around pond.

✓ P/O

This photo shows the recreational fish pond.

It was taken on the south side looking north.



— Headgate that controls outflow.

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FEB 03 2000

MEMORANDUM

DATE: June 3, 1996

TO: File 37-08471

FROM: Shelley W. Keen

RE: Field Report Returned to Southern Region

This morning Allen Merritt agreed to take a look at the field report for permit 37-08471 to determine if some of the questions about the appropriation should be resolved through additional field work. Therefore, I am sending the report back to the region.

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FEB 03 2000

MEMORANDUM

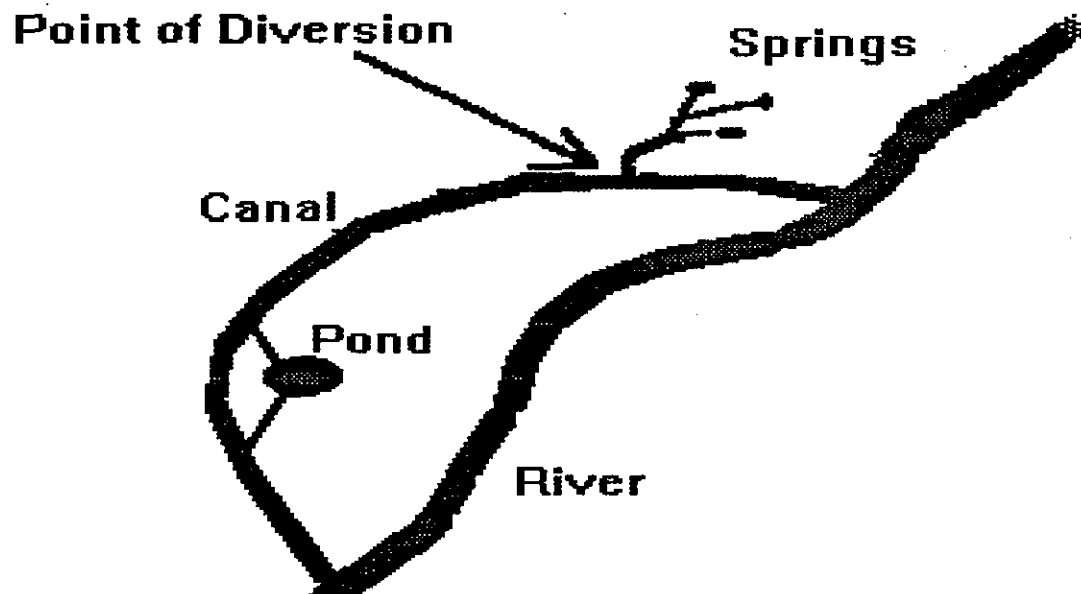
DATE: May 29, 1996

TO: Allen Merritt

FROM: Shelley W. Keen

RE: Permit 37-08471

I have reviewed the field examination for permit 37-08471, and I think there are some issues that should be resolved before a license is issued. I will refer to the diagram below as I relate my concerns.



My first concern is that the field examiner identified springs located half a mile from the pond as the source for this right. The diagram attached to the application for permit clearly shows the source being in the same location as the pond. From the application form, I would have expected to see a pond excavated at the location of a spring.

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FEB 03 2000

My second concern is the field examiner's interpretation of the point of diversion for this right. Even if the springs far from the pond are the appropriate source for this right, the water is not physically diverted until it is intercepted by the canal. It seems to me that the location of the intersection of the canal and the unnamed stream fed by the springs is the point where the "spring" water is diverted. We do not even know if the permit holder owns the land at the point of diversion or if he has some other arrangement for gaining access to the point of diversion. I think it is also important to know the nature of the diversion structure. If the entire flow of the unnamed stream is captured by the canal, has the unnamed stream already been appropriated by senior canal users? Or is there an unauthorized diversion occurring?

My third concern is that there may be some conveyance loss in the canal between the point of diversion and the point where water is directed from the canal to the pond. It may not be realistic for the appropriator to expect to turn .15 cfs from the canal into the pond while other canal users are incurring losses.

My fourth concern is that no storage volume is associated with this appropriation. Is water from the canal required to fill the pond? Or does the flow into the pond equal the flow from the pond, with the purpose of the flow being only to keep the pond water fresh?

Based on these concerns, I recommend additional field work to analyze this appropriation.

MICROFILMED
FEB 03 2000

B/U FIELD EXAM REVIEW
Cindy Zimmerman

01/96

Permit #: 37-8471 Name: Y-3 Ranch Date: 4/11/96 ✓ Lots ✓

NAME Chng Same ✓ Or Address Change?

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

P/D ✓ Chng Same Amendment Needed? NESWSW, S03- **P39**
Overlap(s) none

P/U ✓ Chng Same Amendment Needed? NWNE, - **P41**
Overlap(s) none
(Gov't special #'s) _____ *P/D & P/U Amend? **P37**

RATE Chng Same Chng Permit/fee limits 0.15 / 0.15
Measured Q = 3.32 cfs/Theoretical Q = _____ cfs
Pygmy meter, see plan

Chng Same Chng allow permitted rate
Recommended capacity 3.32 cfs
Recommended rate 0.15 cfs

VOLUME Chng Same Chng Season: (____/____) 1/1 - 12/31 = 365 days
Calculations: _____
no pond measurements.

Chng Same Chng Flow limit: 0.15 x 365 x 1.9835 = 108.6 AF
Recommended volume 108.6 AF

USES Chng Same Chng Same Nature of Use? _____ **P46**
Amendment Needed? _____

REMARKS Chng Same Chng Multiple p/d's in $\frac{1}{4}$? W32
✓ Rec. use is for fishing

CONDITIONS Chng Same Chng R02 Measuring (R01)/Locking (R02) Devices
R04 Watermaster Control (R04) - WD # 37
+ Irrigation rate/volume overlap
+ GW irrigation replaces surface water (050)
+ GW irrigation supplements surface water (065)
+ Water Quality
✓ Other 027,

PRIORITY App Rcd 11/16/88 Due 7/1/90 Rc'd 6/12/90
Receipt# CO17220 Fee OK? Yes/No
Order to Reinstate Needed? Yes/NO Done? _____
If Yes, Advanced? Yes/No to: _____
Priority 11/16/88 Examined 6/28/93

COMMENTS: license as permitted

USE	CFS	DIV VOL	SRBA Overlap
<u>Rec.</u>	<u>0.15</u>	<u>108.6</u>	<u>none</u>
_____	_____	_____	Adjustment Memo _____
_____	_____	_____	LICENSE LTR: P49
_____	_____	_____	#1 AMEND LTR: P37/P38
_____	_____	_____	#2 AMEND LTR: P42/P47
TOTAL	<u>0.15</u>	<u>108.6</u>	

December 17, 1990

Y 3 RANCH
P.O. BOX 5405
BOISE, ID 83705

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08471

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JAN 07 1991

138672
April 30, 1990

Y 3 RANCH
P.O. BOX 5405
BOISE, ID 83705

PROOF DUE NOTICE

RE: PERMIT NO. 37-08471

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, 1990.

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

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

JAN 07 1991

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

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

Y-3 RANCH
P.O. BOX 5405
BOISE, ID 83705

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

RE: PERMIT NO. 37-08471

Dear Permit Holder:

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

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

AUG 22 1989

10-Mar-1989

Y-3 Ranch
P.O. Box 5405
Boise, ID 83705

Re: Application for Permit No. 37-08471

Gentlemen:

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

MICROFILMED

AUG 4 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

MAILING LABEL

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

37-08471

Y-3 RANCH
P.O. BOX 5405
BOISE, ID 83705

Source: SPRING

Tributary: BIG WOOD RIVER

Diversion Pt: SWNENE Sec 10 T 01S R 18E

Use: Recreation (.150 CFS)

Date Filed: 11/16/1988

In: T01S R18E S10 NENE

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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

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AUG 22 1989