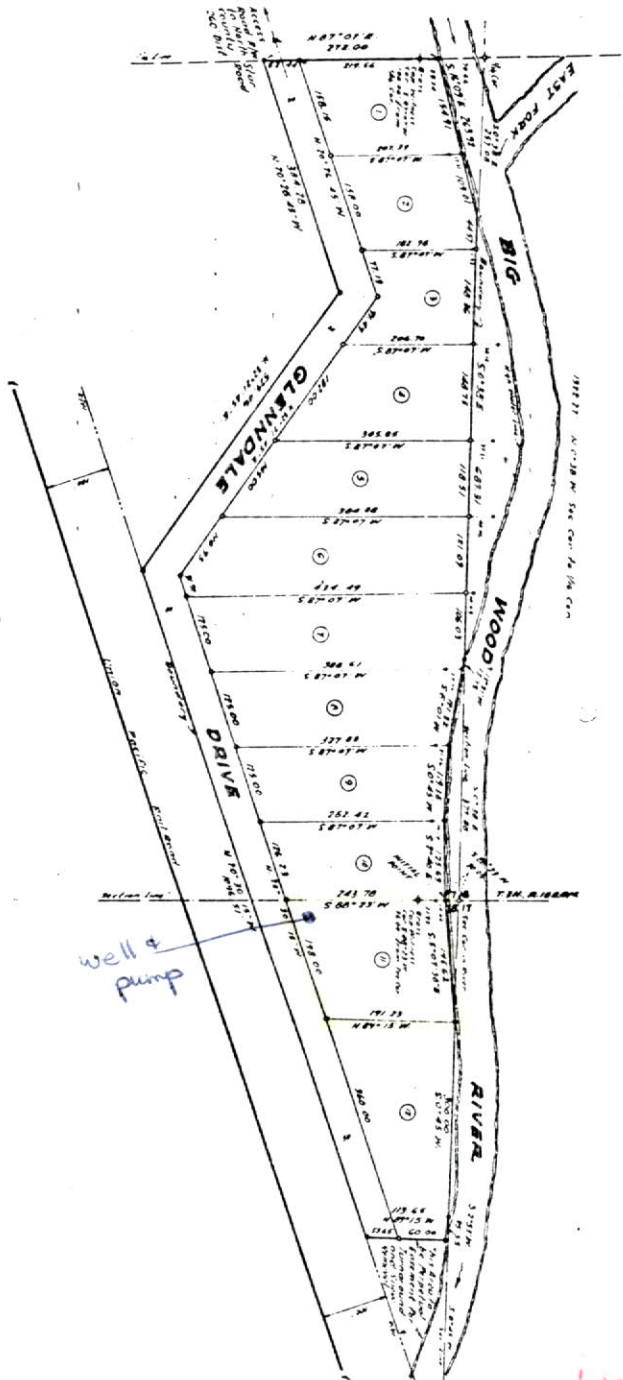




**GLENN-DALE ACRES SUBDIVISION**  
 LOCATED IN SECTIONS 7, 18, 28, 35, E, 2, N, W.  
 BLAINE COUNTY, IDAHO

LAND TITLE GUARANTY COMPANY  
 TITLE INSURANCE SURGENTS

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the Company assumes no liability for variation, if any, with another or re-survey.



RECORDED

AUG 22 1939

# AFFIDAVIT of PUBLICATION

State of Idaho, }  
County of Blaine } SS.

**DANIEL J. GORHAM**

\_\_\_\_\_, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 1<sup>st</sup> day of Feb., 1989, and

the date of the last publication was on the 8<sup>th</sup> day of Feb., 1989.

Daniel J. Gorham  
Subscribed and sworn to before me this 8<sup>th</sup> day of Feb., 1989.  
(SEAL)

Roberta McKee  
NOTARY PUBLIC

WOOD RIVER JOURNAL  
Hailey, Idaho

## COST OF PUBLICATION

Number of Picas per Line \_\_\_\_\_ 11  
Number of Lines in Notice \_\_\_\_\_ 36  
Number of Insertions \_\_\_\_\_ 2  
\_\_\_\_\_  
Lines tabular at \_\_\_\_\_ 5¢/Pica  
36 Lines straight at 17.82 4¢/Pica  
36 Subsequent lines at 13.86 3¢/Pica  
TOTAL COST \_\_\_\_\_ 31.68

**MICROFILMED**

AUG 22 1989

## COPY OF NOTICE

(Paste Here)

Not. of Applic. #37-08445  
TITLE OF NOTICE Diggins

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res  
BILL TO

## Water right sought by Diggins

### NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08445  
DIGGINS, RONALD K.  
P.O. BOX 134  
SUN VALLEY, ID 83353  
Source: GROUNDWATER  
Diversion Pt: NENENE Sec 18 T  
03N R 18E  
Use: IRRIGATION (.020 CFS)  
Date Filed: 10/26/1988  
In: T03N R18E S18. NENE  
0.5 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 FEBRUARY 20, 1989.

R. Keith Higginson, Director  
Publish: Wood River Journal-  
February 1 & 8, 1989.

AS OF OCT. 1, 1988

(Idaho Code, Rev. Statutes 1984)

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

No 6346

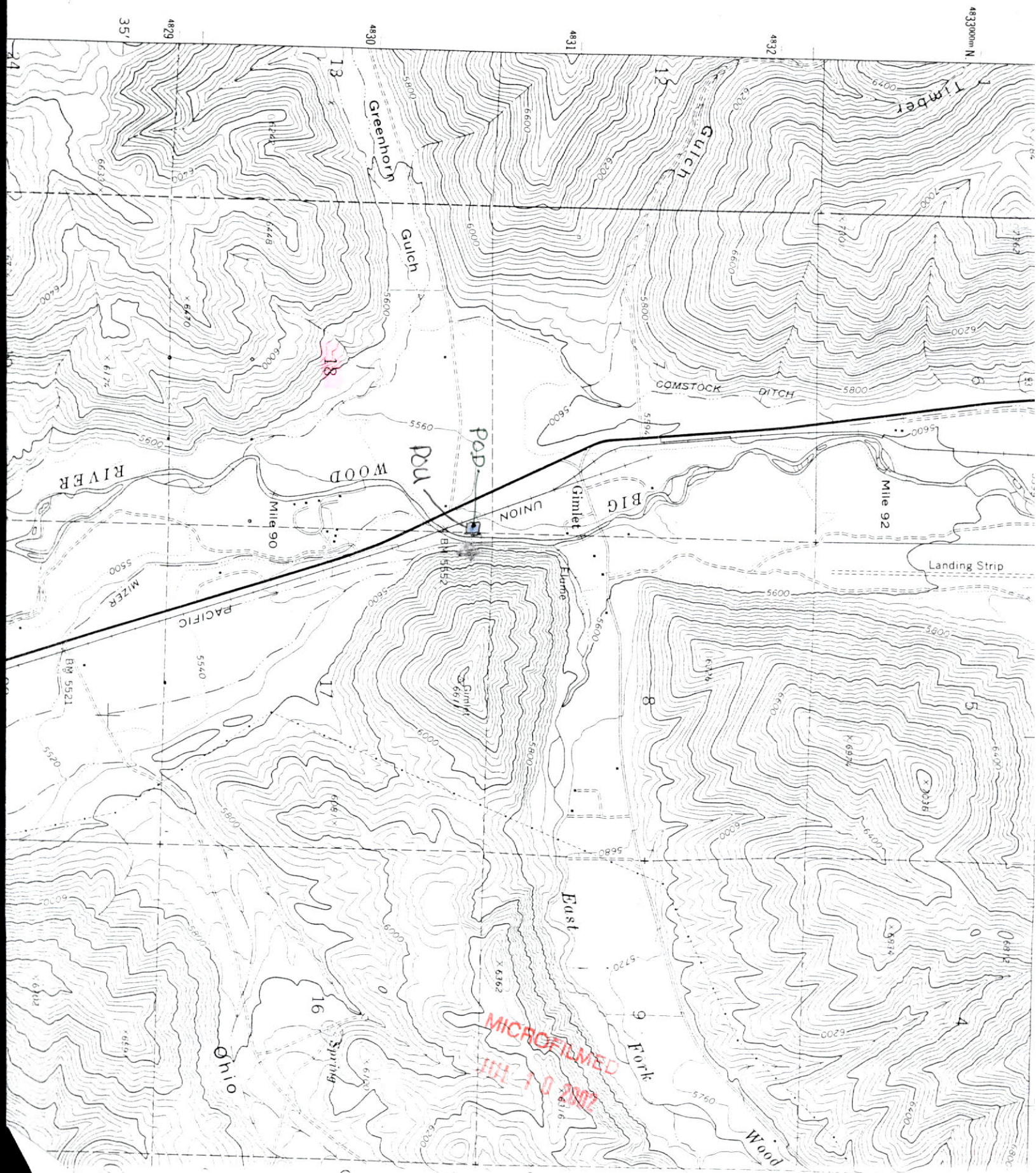
RECEIVED

FEB 02 1989

Department of Water Resources  
Southern Region Office

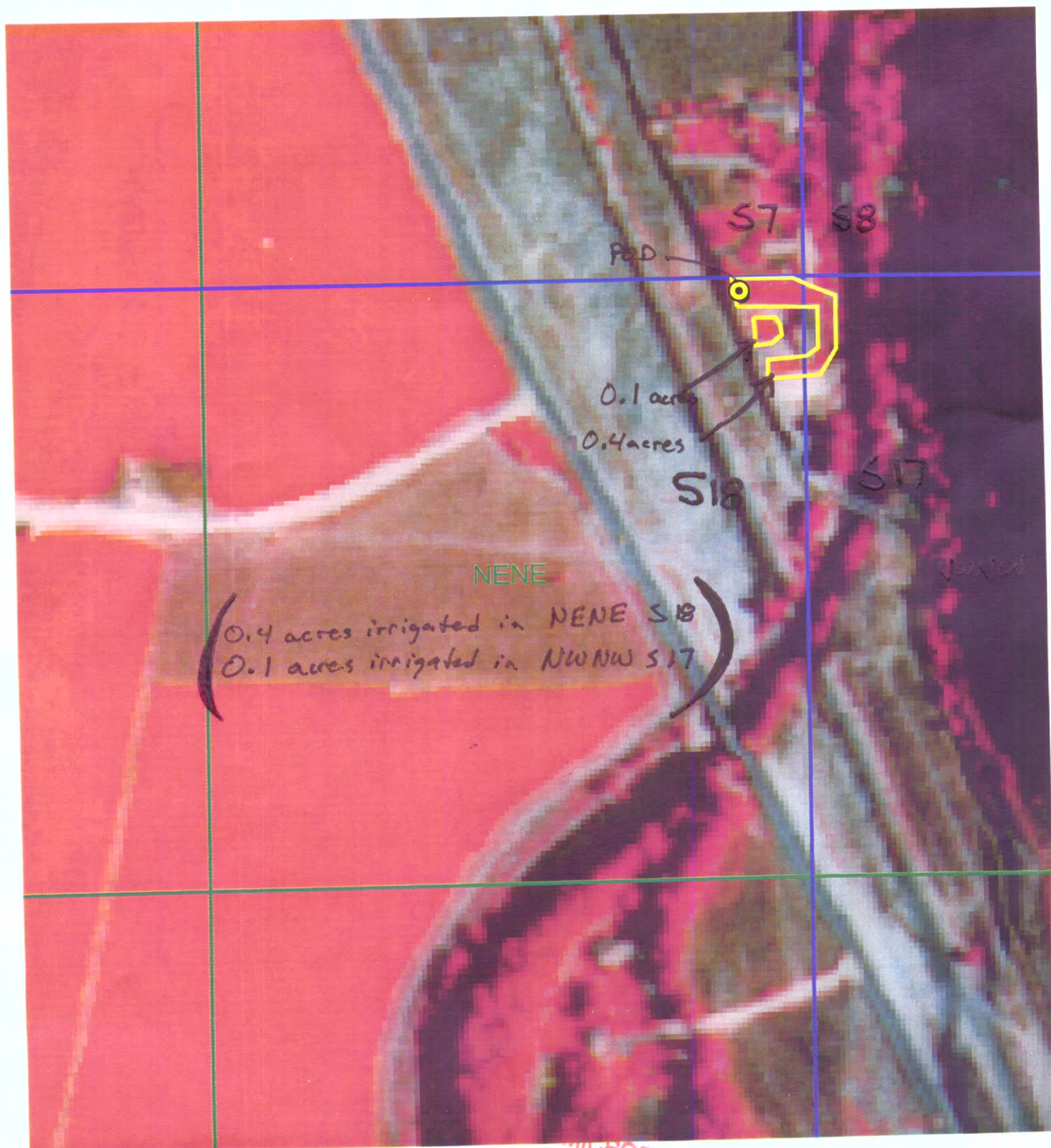
S18-T3N-R18E

37-8445



Field exam for 37-844 done on 8-10-01 by John Fragg accompanied by Tom Williams of CFG Ltd. Partnership.

T03N, R18E, S18



● POD

■ POU



— Section lines

— Quarter quarter lines

1986 and 1987 NAPP Photography



State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 37-08445

Priority: January 01, 1989

Maximum Diversion Rate: 0.02 CFS  
Maximum Diversion Volume: 1.8 AF

It is hereby certified that CFG LIMITED PARTNERSHIP  
PO BOX 5655  
STATELINE NV 89449 has complied with the terms and  
conditions of the permit, issued pursuant to Application for Permit dated October 26, 1988; and has  
submitted Proof of Beneficial Use on September 06, 1990. An examination indicates that the works  
have a diversion capacity of 0.02 cfs of water from:

**SOURCE**

GROUND WATER

and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL<br/>DIVERSION VOLUME</u> |
|-----------------------|----------------------|-----------------------|------------------------------------|
| IRRIGATION            | 04/15 to 10/31       | 0.02 CFS              | 1.8 AF                             |

**LOCATION OF POINT OF DIVERSION:**

GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 18, Twp 03N, Rge 18E, B.M., BLAINE County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 03N | 18E | 18  | .5 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | .5     |

Total Acres: 0.5

**CONDITIONS OF APPROVAL**

1. Point of diversion and place of use are located within Lot 11, Glendale Acres Subdivision.
2. Irrigation use under this right is authorized only in connection with a domestic use.
3. This right when combined with Rt. 37-12428 shall not exceed the irrigation of 0.5 acres.
4. 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.

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

Signed and sealed this 18<sup>th</sup> day of June, 2002.

MICROFILMED

KARL J. DREHER  
Director

JUL 10 2002

Form 42-248/42-1400 (Rev. 1-2000)

RECEIVED  
OCT 21 2001

RECEIVED

MAY 24 2002

RECEIVED  
AUG 30 2001

## STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

## NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split |
|----------------------|-----------------------------|-------|----------------------|-----------------------------|-------|
| 37-8445              |                             |       |                      |                             |       |
|                      | 37-12428                    |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$ 25
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

4. New Owner/Claimant(s)

New Mailing Address

City, State and ZIP Code

New Telephone Number

5. Date you acquired the property

CFG Limited Partnership  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
PO Box 5655  
State line NV 89449  
(208) - 728 - 1161  
9-1-94

MICROFILMED  
JUL 10 2002

Form #2-248/42-1409(6) July, 2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

**DESCRIPTION OF YOUR PORTION OF WATER RIGHT**  
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number \_\_\_\_\_

| Water Use  | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
|------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Irrigation | _____                                                                      | _____                                                        |
| Stock      | _____                                                                      | _____                                                        |
| Domestic   | _____                                                                      | _____                                                        |
| Other      | _____                                                                      | _____                                                        |
| Total      | _____                                                                      | _____                                                        |

**DESCRIPTION OF YOUR PORTION OF WATER RIGHT**  
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number \_\_\_\_\_

| Water Use  | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
|------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Irrigation | _____                                                                      | _____                                                        |
| Stock      | _____                                                                      | _____                                                        |
| Domestic   | _____                                                                      | _____                                                        |
| Other      | _____                                                                      | _____                                                        |
| Total      | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s)  
(include title if applicable)

*Thomas Williams*

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

## For Office Use Only

Received by *Quinn*Date *8/20/01*Fee *25.00*Received by *Quinn*Date *8/30/01*Receipt No. *5024281*

Processed by \_\_\_\_\_

AJ

Date \_\_\_\_\_

WR \_\_\_\_\_

Date \_\_\_\_\_

MICROFILMED

JUL 10 2002

## WARRANTY DEED

### FOR VALUE RECEIVED

**Maureen T. Robinson, as Trustee of The Maureen Tenn Robinson Inter Vivos Revocable Trust Declaration of 1992**

the grantor, does hereby grant, bargain, sell and convey unto

**CFG Limited Partnership, a Nevada limited partnership**

the grantee, whose current address is

P.O. Box 5655  
Stateline, NV 89449

the following described premises, in **BLAINE COUNTY, IDAHO**, to wit:

**Lot 11 of GLENN-DALE ACRES SUBDIVISION, BLAINE COUNTY, IDAHO, according to the official plat thereof, on file in the office of the County Recorder, records of Blaine County, Idaho.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever

Dated: August 10, 1994

Maureen T. Robinson  
Maureen T. Robinson, trustee

BLAINE CO. REQUEST  
OF **SUN VALLEY TITLE**  
1994 SEP -1 P 4:03 370169  
Mary Green CLERK  
FEES \$ 3.00 mp Deed  
9-1-94

STATE OF: Idaho

COUNTY OF: Blaine

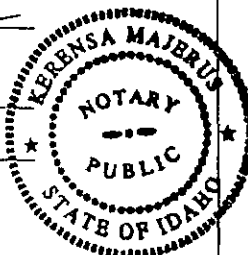
On this 1st day of Sept., 1994, before me a Notary Public in and for said State, personally appeared Maureen T. Robinson, trustee known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her capacity as trustee.

Kerensa Majerus  
Notary Public

Residing at Ketchum

Comm. expires 1-1-97

Seal/Stamp: 2002



BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-08445 IN THE  
NAME OF SCOTT ROBINSON

)  
) ORDER OF REINSTATEMENT  
)  
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before July 1, 1990; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

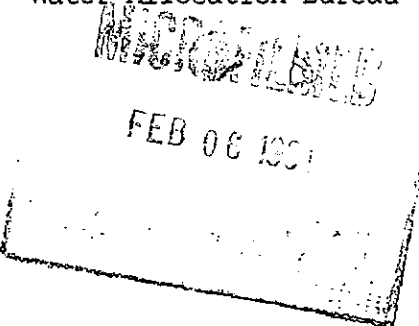
WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on September 6, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-08445 be REINSTATED and the priority advanced to January 1, 1989.

Dated this 11<sup>th</sup> day of January, 1991.

  
L. GLEN SAXTON, Chief  
Water Allocation Bureau

  
FEB 06 1991

RECEIVED

SEP 6 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
PROOF OF BENEFICIAL USE

## Department of Water Resources

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. 3708445 Telephone No. 619 328 4033Name(s) of Permit Holder(s): Scott RobinsonPost Office Address: 2 Hampton Court, Rancho Mirage, CA, 92270Source of Water: WELLIf ground water, well driller's name: \_\_\_\_\_ Date drilled: Comp 1985

## Extent of Use:

Domestic \_\_\_\_\_ (No. of households)

Irrigation 1/2 (No. of acres)

Stockwater \_\_\_\_\_ (No. and type of stock)

Other \_\_\_\_\_

Total rate and/or volume for which proof is submitted 102 cfs \_\_\_\_\_ acre/feetShow date water was first diverted and beneficially used under this permit: 1985

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

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

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☒ NoFee Enclosed: \$ 0 N/A (See License Examination Fee Schedule)

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

Name LARRY M. COOPER Telephone No. 208-788-3100Address P.O. Box 3780, Fatch ID. 83340

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.

MICROFILMED  
FEB 06 1991Date 9-4-90Signature [Signature] (and title if on behalf of a company or organization)

WATER RIGHT SUMMARY

| ACTION          | RIGHT NO. | NAME              | AMOUNT CFS |
|-----------------|-----------|-------------------|------------|
| Original Permit | 37-8445   | Ronald K. Diggins | .02        |
| Full Assignment | 37-8445   | Scott Robinson    | .02        |

RECEIVED

FEB 06 1991

Ronald K. Diggins  
P.O. Box 134  
Sun Valley, Idaho 83353

RECEIVED  
SEP 6 1990

Department of Water Resources

August 4, 1990

Department of Water Resources  
1301 North Orchard Street  
Statehouse Mail  
Boise, Idaho 83720

Dear Sirs or Madam,

I Ronald K. Diggins, assign to Scott Robinson of 2 Hampton Court,  
Rancho Mirage, California, all the rights, title and interest to water  
permit # 37-08445.

Sincerely,



Ronald K. Diggins

*Subscribed & sworn to before me  
this 5th day of September, 1990.*



*Susan D Carlson  
Notary Public for Idaho  
my Commission expires 3/28/93*

MICROFILMED

FEB 16 1991

Form 202  
6/85  
**RECEIVED**

OCT 26 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**

Ident. No. 37-08445

**APPROVED**

Department of Water Resources  
Southern Region Office

To appropriate the public waters of the State of Idaho

1. Name of applicant Ronald K. Diggins Phone 208/788-2960

Post office address P.O. Box 134, Sun Valley, Idaho 83353

2. Source of water supply groundwater which is a tributary of N/A

3. Location of point of diversion is NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , Govt. Lot  
Sec. 18 Township 3N Range 18E B.M. Blaine County; additional  
points of diversion if any: None

4. Water will be used for the following purposes:

Amount .02 for irrigation purposes from 4/1 to 11/1 (both dates inclusive)  
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) .02 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 1 well 90' deep, 8" diameter,  
completed 9/19/85, One-3 hp Sta-Rite pump and One-3/4 hp Sta-Rite pump (both  
in same well) 61 G.P.M. at 60 L.B.S., lifting 40'

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 inches; proposed depth of well is 90 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  
completed 9/19/85 years (minimum 1 year).  
(1 year)

**RECEIVED**

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. \_\_\_\_\_
- b. Stockwatering; list number and kind of livestock. \_\_\_\_\_
- c. Municipal; show name of municipality. \_\_\_\_\_
- d. Domestic; show number of households. One - irrigation of lawn and shrubs.
- 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   | 18   | 1/2 |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 1/2    |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 1/2

10. Describe any other water rights used for the same purposes as described above. Filed notice of claim to water right (form #42-1409(2)b 1/85) for first 1/2 acre of use on this same property.

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

12. Remarks: Lot 11, Glenn-Dale Acres Subdivision, Blaine County, Idaho. This property may have new owner if escrow closes 11/30/88. Scott & Maurine Robinson, #2 Hampton Court, Rancho Mirage, California, 92270.

MICROFILMED

AUG 22 1989



A full-page sheet of white graph paper featuring a uniform grid of thin black lines. The grid consists of 20 columns and 20 rows, creating a total of 400 small squares. There are no margins, text, or other markings on the page.

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

AUG 22 1989

(Applicant)

Proposed Priority 10/26/88

Received by T. Gasper Date 10/26/88 Time 3:20 pm Preliminary check by LD

Fee \$ 30.00 Receipted by M. Baldwin # 5004091 Date 11/30/88

Publication prepared by M. Baldwin Date 1/23/89 Published in Wood River Journal

Publication approved T. Gasper Date 2/10/89

### 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. 37-8445, 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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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

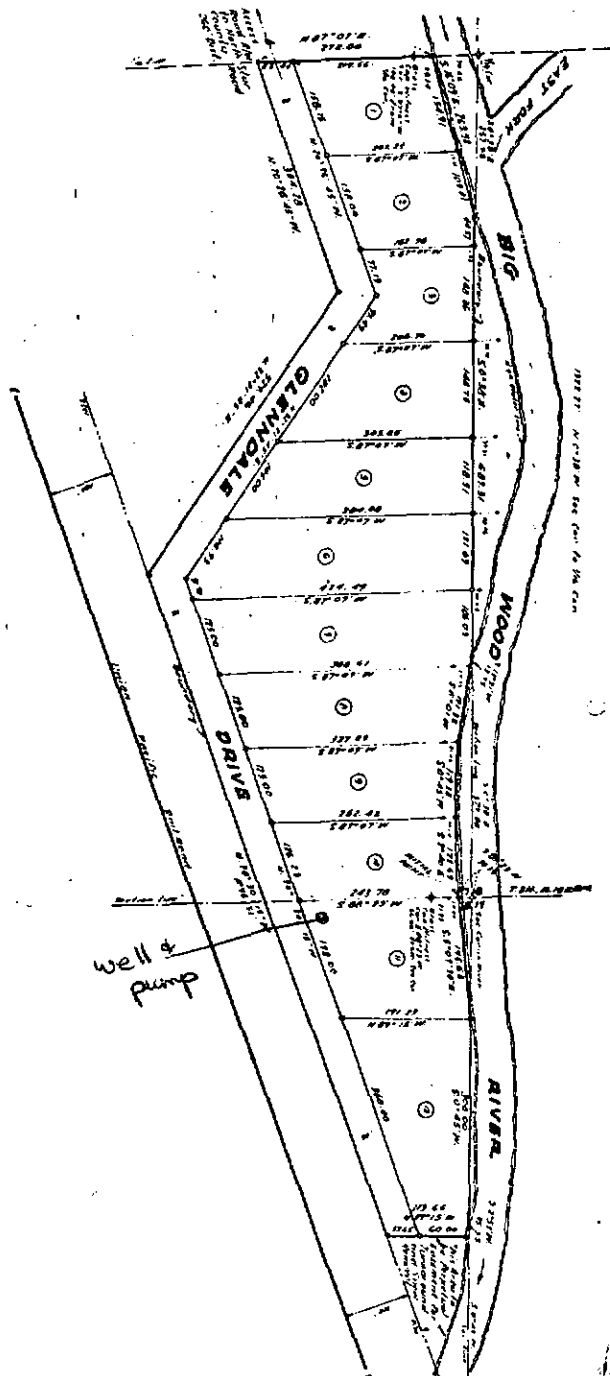
Witness my hand this 6<sup>th</sup> day of June, 1989.

J. Glen Saylor

MICROFILMED

AUG 22 1989

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the Company assumes no liability for variation, if any, with another or re-survey.



100-443887-10

AUG 22 1989

# AFFIDAVIT of PUBLICATION

State of Idaho, }  
County of Blaine } SS.

**DANIEL J. GORHAM**

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 1<sup>st</sup> day of Feb., 1989, and

the date of the last publication was on the 8<sup>th</sup> day of Feb., 1989.

*Daniel J. Gorham*

Subscribed and sworn to before me this 8<sup>th</sup> day of Feb., 1989.  
(SEAL)

*Roberta J. Ketcher*

NOTARY PUBLIC

WOOD RIVER JOURNAL  
Hailey, Idaho

## COST OF PUBLICATION

Number of Picas per Line 11  
Number of Lines in Notice 36  
Number of Insertions 2  
Lines tabular at 36 5¢/Pica  
Lines straight at 17.82 4¢/Pica  
Subsequent lines at 36 13.86 3¢/Pica  
TOTAL COST 31.68

MICROFILMED

AUG 22 1989

## COPY OF NOTICE

(Paste Here)

Not. of Applic. #37-08445  
TITLE OF NOTICE Diggins

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res  
BILL TO

## Water right sought by Diggins

### NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08445

DIGGINS, RONALD K.

P.O. BOX 134

SUN VALLEY, ID 83353

Source: GROUNDWATER

Diversion Pt: NENENE Sec 18 T

03N R 18E

Use: IRRIGATION (0.020 CFS)

Date Filed: 10/26/1988

In: T03N R18E S18. NENE

0.5 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 FEBRUARY 20, 1989.

R. Keith Higginson, Director  
Publish: Wood River Journal-  
February 1 & 8, 1989.

AS OF OCT. 1, 1988

(Idaho Code, Rev. Statutes 1984)

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

Nº 6346

RECEIVED

FEB 09 1989

Department of Water Resources  
Southern Region Office

## MEMORANDUM

TO: File 37-08445

FROM: KAY WALKER

RE: License

Date: July 3, 2002

.....

Tom Williams of CFG Limited Partnership called this morning. He is concerned that we have not covered his irrigation use with this water right. He stated they have a 0.951 acre lot with a home and driveway on it. He says they irrigate more than ½ acre and would like us to re-evaluate this right. He will send in a copy of their plat map and the dimensions of the home on the lot so we can review the amount of irrigation occurring.

MICROFILMED  
JUL 10 2002



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

June 20, 2002

CFG LIMITED PARTNERSHIP  
PO BOX 5655  
STATELINE NV 89449

RE: License No. 37-8445 - Issuance of License

Dear Water Right Holder(s):

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

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

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:kit

Enclosure(s)

MICROFILMED

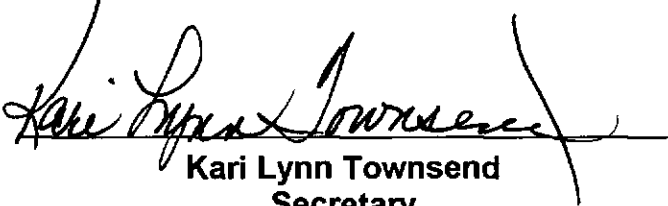
JUL 10 2002

**CERTIFICATE OF SERVICE**

I hereby certify that on June 20, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

**RE: WATER RIGHT NO. 37-8445**

**CFG LIMITED PARTNERSHIP  
PO BOX 5655  
STATELINE NV 89449**

  
Kari Lynn Townsend  
Secretary

MICROFILMED  
JUL 10 2002

**EXPLANATORY INFORMATION  
TO ACCOMPANY A  
PRELIMINARY ORDER**

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

**PETITION FOR RECONSIDERATION**

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

**EXCEPTIONS AND BRIEFS**

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

**REQUEST FOR HEARING**

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

**ORAL ARGUMENT**

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

**CERTIFICATE OF SERVICE**

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

### FINAL ORDER

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

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

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

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

### APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

LICENSE REVIEW CHECKLIST

Permit No. 37-8445 Date: 5-24-2002 Reviewer: Kay Walker

Change/OK

Name/Address

change

Source

ok

Point of Diversion:

Does change clarify original intended source? If no, void permit.  
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)  
W36 (overlap)  
W59 (subdivision description)

Place of Use

ok

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)  
W27 (ppu acre limit)

Overlaps: Right(s): 37-12428-  
File reviewed \_\_\_\_\_ Profile reports printed \_\_\_\_\_

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.02 cfs  
Fee Limit N/A cfs  
Measured \_\_\_\_\_ cfs  
Theoretical 0.01 cfs

Recommended Total Diversion Rate 0.02 ←

Water Uses

ok Change (P46)

Season of Use per new Standards

4-15 10-31

Irrigation 0.5 cfs 1.8 af  
Stockwater \_\_\_\_\_ cfs \_\_\_\_\_ af  
Domestic \_\_\_\_\_ cfs \_\_\_\_\_ af  
\_\_\_\_\_ cfs \_\_\_\_\_ af  
\_\_\_\_\_ cfs \_\_\_\_\_ af  
Total 0.5 cfs 1.8 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)  
supp. Gw (WB7/065/104)  
overlap spec combined rts (W35)  
<1 acre (W31)  
Domestic (W01/wb5/070/071/075)  
Power (W42 or W43/025/027/R22 or R23)  
Fish (042)  
Fire (077)  
Water Quality (106/R07)  
Payette - (W22/047/27A)  
Stockwater for US (R37)

Volume Determination

0.02 cfs x 1.9835 x 200 days = 7.9 af (vs) 0.5 acres x 3.5 (FHR) = 1.75 af 1.8  
2.5 (con)

Remarks:

Additional Conditions \_\_\_\_\_ Watermaster Control  
\_\_\_\_\_ GW Measurement/Measuring Device  
\_\_\_\_\_ Other  
Trust R66 - remove 051  
Non-trust (048)

GW Dist? \_\_\_\_\_  
Water Msmt. Dist? \_\_\_\_\_  
Crit. GWMA? \_\_\_\_\_  
GWMA? \_\_\_\_\_  
Government Lots? \_\_\_\_\_

Advance Priority? yes If yes, explain why below.  
no

SRBA Claim?

NO

Adjust memo

yes - see comment report

Amend Letters

P87, S06

Second Amendment Notice

S06

## Comment Report

37-8445

1. jfreitag 4/16/2002 Analysis/comments

Comment: There is one well with two pumps. One pump (3HP) supplies domestic water under 37-12428. The other pump (1/3 HP) supplies irrigation water under this permit.

From GIS it appears that 1/2 acre total is irrigated. Would recommend this right along with 37-12428 be limited to 1/2 acre of irrigation. Theoretical flow rate is 0.01 cfs for the 1/3 HP pump. Recommend flow rate at 0.01 cfs (system capacity) rather than the permitted 0.02 cfs.

2. kwalker 5/24/2002 Place of use

Comment: I obtained the Blaine County tax lot information from Mike Ciscell and updated the place of use using the tax lot information. The county does not show any ownership of land in the NWNW, S17 so I am not recommending this a part of the place of use.

3. kwalker 5/24/2002 Rate of Diversion

Comment: Recommending we allow 0.02 cfs under this license.

MICROFILMED

JUL 10 2002

## MEMORANDUM

TO: File 37-08445

FROM: KAY WALKER

RE: License Recommendations

Date: May 21, 2002

.....

I called John Freitag this afternoon to find out if he knew where the  $\frac{1}{2}$  acre under SRBA claim 37-12428 was located. John said that there was no other acreage. He thought that the entire lot was only  $\frac{3}{4}$  of an acre but he was going to contact the county assessor's office to find out for sure. I told him if the SRBA claim was going to cover  $\frac{1}{2}$  acre then this permit should probably be voided.

John also said he would get me a copy of the ownership change documentation from the SRBA file and send it to me.

John called me as I was preparing this memo. He had called the county assessor's office and found that the entire lot was 0.951 acres.

Note: With the house and driveway on the 0.951 acre lot, this permit may not be necessary.

MICROFILMED

JUL 10 2002

# SRBA SUBCASE SUMMARY REPORT 37-12428

[Return to SRBA Home Page](#)

---

SRBA  
06-13-2002

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 37-12428      FILE#: 00000  
CLAIMANT: DIGGINS, RONALD K  
PO BOX 134

SUN VALLEY      ID      83353  
STATUS: PD UNDELIVERED      SPECIAL MASTER:  
WATER SOURCE: GROUNDWATER,

\*\*\*\* PARTIES INVOLVED \*\*\*\*

RONALD K DIGGINS      C PRO SE

\*\*\*\* ROA ENTRIES \*\*\*\*

01-05-2001    PARTIAL DECREE FILED  
01-26-2001    PARTIAL DECREE RETURNED UNDELIVERABLE

01-05-2001  
01-26-2001

---

[Return to SRBA Home Page](#)

---

MICROFILMED

JUL 10 2002

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED  
MAY 14 2002  
DEPARTMENT OF WATER RESOURCES

**A. GENERAL INFORMATION**

1. Owner: Scott Robinson <sup>New owner - change of ownership is in file.</sup> CFG Limited Partnership P.O. Box 5655 Stateline, NV 89449 208-788-1161 Permit No. 37-8445  
Current Address: 2 Hampton Ct Rancho Mirage, CA 92270 Phone No. 619-328-4033
2. Accompanied by: Tom Williams EXAM. DATE: 8-10-01  
Address: P.O. Box 5655 Stateline NV 89449 Phone No. 208-788-1161  
Relationship to Permit Holder: Partner of CFG Limited Partnership
3. Source: Groundwater tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: 37-12428  
\_\_\_\_\_ ☒ Copies Attached
2. Other water rights with same point of diversion: 37-12428  
\_\_\_\_\_ ☒ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached

MICROFILMED  
JUL 10 2002

Scale: 1" = \_\_\_\_\_

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☒ Aerial Photo Attached  
Showing location(s) of point(s) of diversion and place(s) of use (required). (required for irrigation of 10 acres or more).
- ☒ Photo of Diversion and System Attached  
(required for all but single household domestic groundwater, and stockwater).

**System Description (continued)**

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

One well with two pumps - One 3hp pump serves home under right 37-12428. Other pump serves irrigation for this permit.

☐ See Remarks on page 4 for continuation

4.

| Well or Diversion Identification No.* | Motor Make      | Hp  | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|-----------------|-----|------------------|-----------|-----------------------------------|
|                                       | Franklin Elect. | 1/3 | 2823028110       |           |                                   |
|                                       |                 |     |                  |           |                                   |
|                                       |                 |     |                  |           |                                   |
|                                       |                 |     |                  |           |                                   |

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

5. **Point(s) of Diversion:**

| Ident. No. | Gov't. Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|------------|------------|-----|-----|-----|------|------|------|--------|---------------------------------|
|            |            | NE  | NE  | NE  | 18   | 3N   | 18E  | Blaine | GDS                             |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |

6. **Place(s) of Use:**

Indicate Method of Determination \_\_\_\_\_

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 3N   | 18E  | 18   | 0.4    |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 0.4    |
|      |      | 17   |        |        |        |        |        | 0.1    |        |        |        |        |        |        |        |        |        |        | 0.1    |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total 0.5

MICROFILMED  
JUL 10 2002

Do not use this space

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

Used theoretical - see "E" below

#### E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$$\frac{8.8 (1/3 \text{ HP}) (.70)}{178.6} = \textcircled{0.01 \text{ cfs}}$$

#### F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 60 psi x 2.31 = 138.6 ft (1); Dynamic pumping level: 40 ft (2)

Total Head: (1) + (2) = 178.6 (3) ; Flow rate: 0.10 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = \_\_\_\_\_ (5)

Meter Input KW: 3.6 x \_\_\_\_\_ KH x \_\_\_\_\_ CTR or \_\_\_\_\_ MULT x \_\_\_\_\_ PTR x \_\_\_\_\_ N/ \_\_\_\_\_ T = \_\_\_\_\_ (6)

Meter Input HP: (6) x 1.34 = \_\_\_\_\_ (7)

Panel Input KW: \_\_\_\_\_ Ave PF x \_\_\_\_\_ Ave Volts x \_\_\_\_\_ Ave Amps x .001732 = \_\_\_\_\_ (6)

Panel Input HP: (6) x 1.34 = \_\_\_\_\_ (7) Efficiency: (5)/(7) x 100 = \_\_\_\_\_ %

#### G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{1.75}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{4.3}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{1.75}$

2. Volume Calculations for Other Uses:

MICROFILMED  
JUL 10 2002

## H. REMARKS AND OVERLAP REVIEW ANALYSIS

From GIS it appears that  $\frac{1}{2}$  acre total is being irrigated. Would recommend this right together with 37-12428 be limited to  $\frac{1}{2}$  acre of irrigation. Theoretical flow rate is 0.01 cfs for the  $\frac{1}{2}$  HP pump. Recommend flow rate at 0.01 cfs (system capacity) rather than the permitted 0.02 cfs. Note that current permit owner is deceased. Current owner of property has submitted change of ownership. Copie is included with this file.

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use                   | Period of Use |      | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------------------------|---------------|------|------------------------------|--------------------------|
|                                  | From          | To   |                              |                          |
| Irrigation ( $\frac{1}{2}$ acre) | 4/1           | 11/1 | 0.01 cfs                     | 1.75                     |
|                                  |               |      |                              |                          |
|                                  |               |      |                              |                          |
|                                  |               |      |                              |                          |
| Totals:                          |               |      | 0.01                         | 1.75                     |

### 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

## J. AUTHENTICATION

Field Examiner's Name John Freitag  
Signature [Signature]  
Certification Date 4/16/02  
Field Report Preparation Date 8/10/01

CONSULTANT SEAL

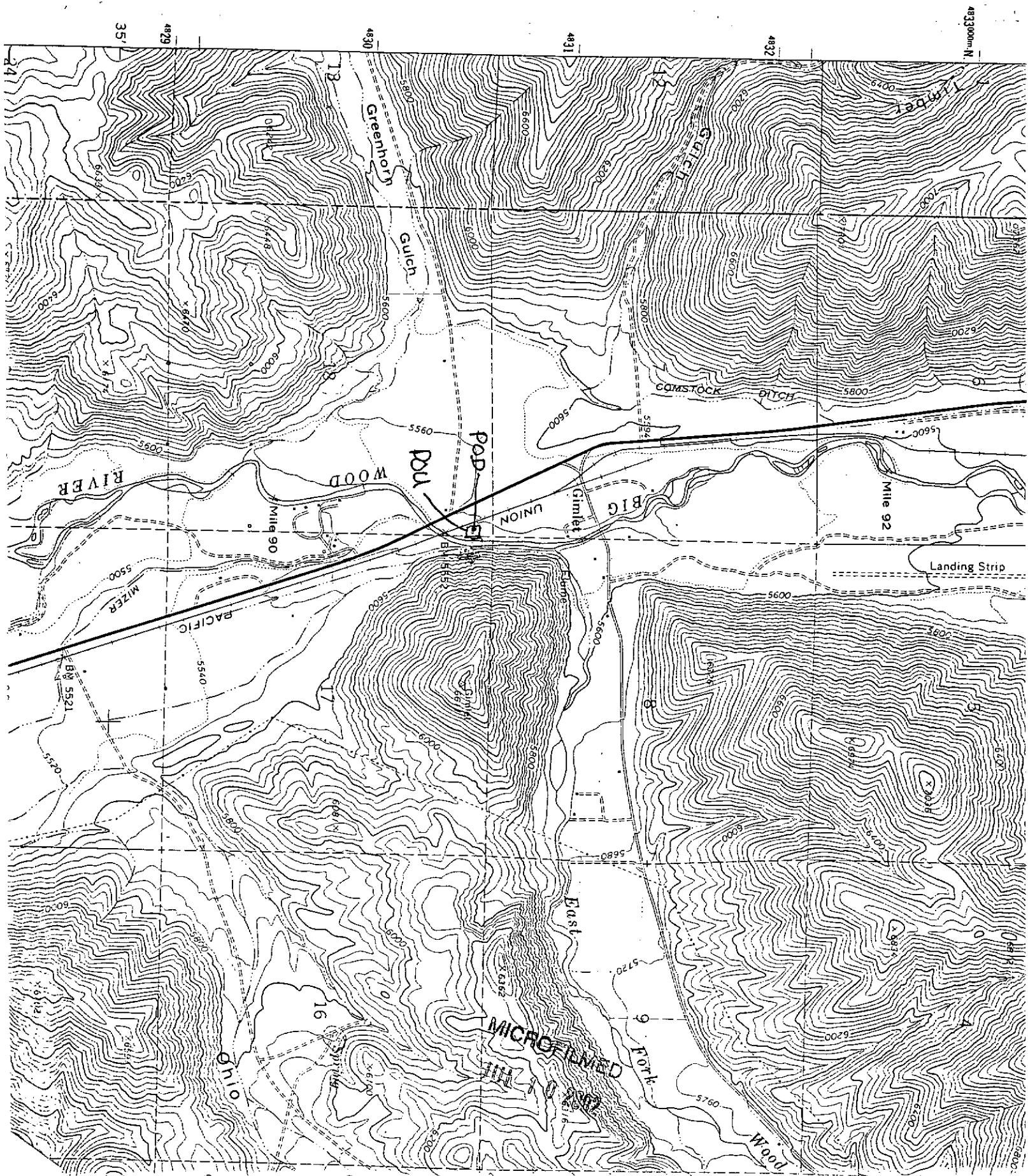
- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

JUL 10 2002

S18-T3N-R18E

57-8445



Field exam for 37-844 done on 8-10-01 by John F. [redacted] accompanied by  
Tom Williams of CFG Ltd. Partnership.

T03N, R18E, S18



⊙ POD

— Section lines

— Quarter quarter lines

POU

MICROFILMED  
JUL 10 2002



1986 and 1987 NAPP Photography



AXW

14

MICROFILMED  
JUL 10 2002



**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

SOUTHERN REGION

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

June 13, 2001

CFG Limited Partnership  
PO Box 5655  
Stateline NV 89449

**RE: Water Right Permit 37-8445**

Dear Sirs,

I am currently looking for the current owners of this water right permit 37-8445. The last owner we have listed is a Mr. Scott Robinson, with the groundskeeper being a Mr. Larry Cooper. The Hailey Assessors office has you listed as the current owners of Mr. Robinson's property.

If you are the current owners of this water right we need to make these changes in this file as soon as possible and complete the field examination so that the license can be issued. If the owners cannot be found we may have to cancel this permit.

I have included copies a copy of this permit that I will need to examine. Please be advised that the system needs to be operating as it normally does in order to conduct the examination. Please contact this office at your earliest convenience. Thank you for your time.

Sincerely,

Amanda Folsom  
Field Agent

MICROFILMED

JUL 10 2002



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

RECEIVED

MAY 14 2002

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

Department of Water Resources

May 21, 2001

Larry M. Cooper  
PO Box 3780  
Ketchum ID 83340

RECEIVED

MAY 23 2001

Department of Water Resources  
Southern Region

RE: Water Right Permit 37-8445  
Scott Robinson

Dear Larry:

We are planning to conduct water right examinations in the vicinity of the above referenced permit beginning May 22, 2001. An examination is needed to verify your water use in order to issue a water right license.

Please be advised that the system will need to be operating under normal conditions during the examination. In order to conduct your exam as efficiently as possible, please contact this office to schedule a day and time convenient for you.

Thank you for your time.

Sincerely,

Amanda Folsom  
Field Agent

MICROFILMED  
JUL 10 2002

Tom Williams

Cfg Limited Partnership  
PO 5655

Stallone NV 89449

208-788-1161

after. User another 2 weeks  
after the 1st - 15th 19th

Scott Robinson



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

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

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

May 21, 2001

Larry M. Cooper  
PO Box 3780  
Ketchum ID 83340

**RE: Water Right Permit 37-8445**  
**Scott Robinson**

Dear Larry:

We are planning to conduct water right examinations in the vicinity of the above referenced permit beginning May 22, 2001. An examination is needed to verify your water use in order to issue a water right license.

Please be advised that the system will need to be operating under normal conditions during the examination. In order to conduct your exam as efficiently as possible, please contact this office to schedule a day and time convenient for you.

Thank you for your time.

Sincerely,

Amanda Folsom  
Field Agent

MICROFILMED

JUL 10 2002

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet  
for  
Beneficial Use Field Report

37-8445  
Permit No.

RECEIVED

MAY 14 2002

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index \_\_\_\_\_ (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☒ Other: Domestic 37-12428

Check of P/U index \_\_\_\_\_ (Initial and date)

Overlap? ☐ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: Same as above

Aerial Photo

Required? ☒ yes ☐ no If yes: ☒ copy attached?

Scheduling Letter sent? \_\_\_\_\_ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed 8-10-01 [Signature] (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent [Signature] (Initial and date)

Exam Reviewed by Manager of Regional Office [Signature] 5/13/02 (Initial and date)

Exam Date Entered in Computer [Signature] 4/6/02 (Initial and date)

Exam sent to State Office \_\_\_\_\_ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original  
Refiled in White File \_\_\_\_\_ (Initial and date)

January 15, 1991

SCOTT ROBINSON  
2 HAMPTON COURT  
RANCHO MIRAGE, CA 92270

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08445

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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

Enclosure

MICROFILMED

FEB 06 1991

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 37-8445

Date: 12-19-90

General Considerations:

y Name same as permit  
- Signature the same as permit holder  
- Address change \_\_\_\_\_ If yes, prepare a data entry  
- Proof received timely  
y Reinstated

Source of Water:

y Surface water  
y Groundwater  
- 1 well log in file  
- 2 drilling permit  
- A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

y Rate of diversion appropriate for uses  
y Is rate or volume and fee appropriate?  
y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

JA Is a measuring device or access port required?  
JA Has one been installed?  
JA Waiver or modification of measuring device requested

Remarks: Proof acceptable

y Priority Calculation: JB  
Date proof received Sept. 6 249  
Date proof due July 1 - 182  
No. of days late = 67  
Priority date Oct. 26, 88 + 299  
NEW PRIORITY DATE Jan. 1, 1989 = 366

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

August 17, 1990

Mr. & Mrs. Scott Robinson  
No. 2 Hampton Court  
Rancho Mirage, CA 92270

Dear Property Owner(s):

Re: Permit No. 37-8445

This office has sent out a copy of the enclosed letter and some forms to Ronald K. Diggins, the permit holder(s) of record. The letter was returned to the department. I contacted the County Assessor's office and found that you are either now acquiring or have acquired a portion or all of the property covered under this permit.

If you are using the water for the uses described on the permit and you wish to continue with the process of developing a water right under this permit, you may want to have the permit in your possession or have both your names on the permit. If so, I suggest you complete the enclosed assignment form, sign it before a notary public and return it to this office. At that time, the department will acknowledge the assignment, conveying the permit to you.

If this office can be of further assistance, please feel free to contact me at 327-7900.

Sincerely,

RITA I. FLECK  
Secretary/Records Manager

Enclosures: Proof Due Notice  
Assignment Form  
Permit Copy

RECEIVED

FEB 06 1991

LUBOVISKI, WYGLE & FALLOWFIELD

BARRY J. LUBOVISKI  
JANET C. WYGLE  
ROBERT I. FALLOWFIELD

ATTORNEYS AT LAW  
SUITE 205, THE STATION  
460 SUN VALLEY ROAD  
P. O. BOX 1172  
KETCHUM, IDAHO 83340-1172

AREA CODE 208  
TELEPHONE 726-8219  
FACSIMILE 726-3750

August 13, 1990

RECEIVED  
AUG 14 1990  
Department of Water Resources

State of Idaho  
Department of Water Resources  
1301 North Orchard Street  
Statehouse Mail  
Boise, Idaho 83706-2237  
Attn: L. Glenn Saxton

Re: Permit No. 37-08445

Dear Mr. Saxton:

This letter is to notify you that Ronald K. Diggins no longer owns Lot 11, Glendale Acres Subdivision, Blaine County, Idaho, the property for which Permit No. 37-08445 was issued. The present owners of that property are Mr. and Mrs. Scott Robinson, No. 2 Hampton Court, Rancho Mirage, California 92270. All further correspondence should be directed to Mr. and Mrs. Scott Robinson. I forwarded the Proof Due Notice dated April 30, 1990 and the other Department of Water Resources correspondence to Mr. and Mrs. Robinson on May 22, 1990.

Thank you for your assistance in this matter.

Sincerely,

LUBOVISKI, WYGLE & FALLOWFIELD

*Janet C. Wygle*  
Janet C. Wygle

JCW/sc

cc: Mr. and Mrs. Scott Robinson  
Mr. Ronald K. Diggins

RECORDED  
INDEXED

FEB 06 1991

# WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

July 11, 1990

RONALD K. DIGGINS  
P.O. BOX 134  
SUN VALLEY, ID 83353

LAPSE NOTICE

RE: PERMIT NO. 37-08445

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated April 30, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosures

LGS:RF

RECEIVED  
FEB 06 1991

CERTIFICATION OF MAILING

I hereby certify that on 7-13-90  
a copy/an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above

*[Signature]*

138664  
April 30, 1990

RONALD K. DIGGINS  
P.O. BOX 134  
SUN VALLEY, ID 83353

PROOF DUE NOTICE

RE: PERMIT NO. 37-08445

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

MAILED

FEB 16 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

RONALD K. DIGGINS  
P.O. BOX 134  
SUN VALLEY, ID 83353

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

RE: PERMIT NO.        37-08445

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.

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

MICROFILMED

AUG 22 1989

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

RECEIVED

AUG 22 1989

Diggins, Ronald K.

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

## APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY JK DATE 11/12/88 APPLICATION NUMBER 37-08445REQUIRED INFORMATION

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

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☒ 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 MAY 15 1989

Date Requested

Department of Water Resources

CESSING

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

COPIES TO

None

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

AL 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 2/20/89  
☐ 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.

☐ See below for additional information  
Date of priority recommended 10/26/88  
By Loren O. Halum Date 5/8/89

STATE OFFICE REVIEW

P05, P23 P16 46 41

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

ADDITIONAL INFORMATION

App. in TRUST area - DCMI

23-Jan-1989

Ronald K. Diggins  
P.O. Box 134  
Sun Valley, ID 83353

Re: Application for Permit No. 37-08445

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 2/1 & 2/8/89. A period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

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

LH:MB

MICROFILMED

AUG 22 1989

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

---

JANUARY 23, 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 FEBRUARY 20, 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:

RECEIVED  
AUG 22 1989

37-08445

DIGGINS, RONALD K.  
P.O. BOX 134  
SUN VALLEY, ID 83353

Source: GROUNDWATER

Diversion Pt: NENENE Sec 18 T 03N R 18E

Use: IRRIGATION ( .020 CFS)

Date Filed: 10/26/1988

In: T03N R18E S18 NENE

0.5 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 FEBRUARY 20, 1989.

R. Keith Higginson, Director

Published 2/01/1989 & 2/08/1989

RECEIVED

AUG 22 1989

**Water right  
sought by Diggins**

**NOTICE OF APPLICATION  
FOR WATER RIGHT**

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

37-08445

DIGGINS, RONALD K.  
P.O. BOX 134  
SUN VALLEY, ID 83353  
Source: GROUNDWATER  
Diversion Pt: NENENE Sec 18 T  
03N R 18E

Use: IRRIGATION (.020 CFS)

Date Filed: 10/26/1988

In: T03N R18E S18 NENE  
0.5 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 FEBRUARY 20, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal-  
February 1 & 8, 1989.

OK  
ID 1/30/89

MICROFILMED

AUG 22 1989

## STAFF ANALYSIS SUPPLEMENT

1) Water District Nave 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)

☒At Gemlet-

(Travel directions from city center or highway intersection)