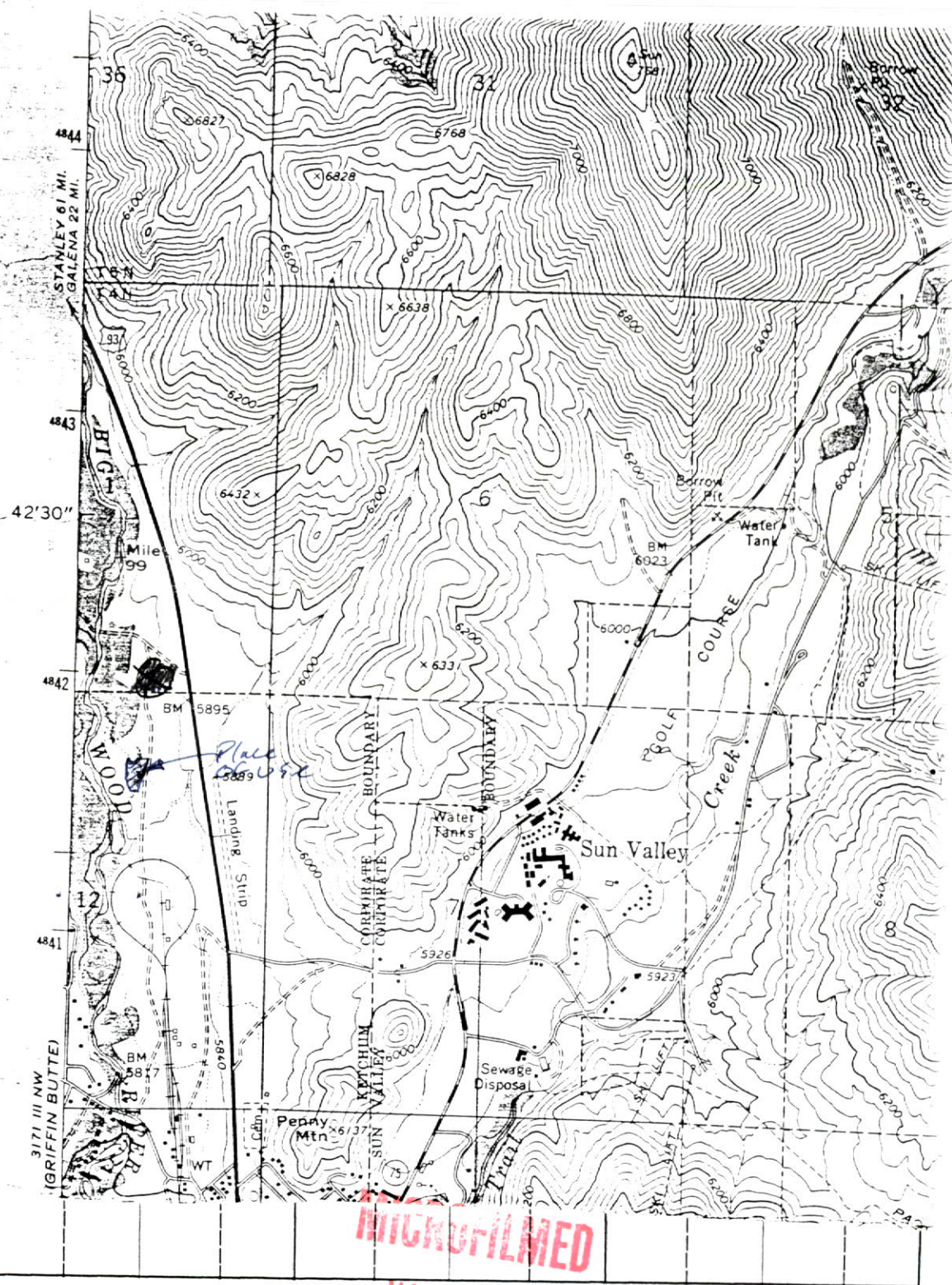


See Plat Map

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



Scale: 2 inches equal 1 mile.

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

(Applicant)

RV SECTIONS 1812, T4N., R.17E., 8M.

BLAINE COUNTY, IDAHO

1978

Subject Property

Subject Property

CURVE DATA

Case	P	Z	T	S	Co	Co. Interest
C-1	304.5	27.9	25.6	67.8	22.0	13.100.000
C-2	304.5	27.9	25.6	67.8	22.0	13.100.000
C-3	304.5	27.9	25.6	67.8	22.0	13.100.000
C-4	304.5	27.9	25.6	67.8	22.0	13.100.000
C-5	304.5	27.9	25.6	67.8	22.0	13.100.000
C-6	304.5	27.9	25.6	67.8	22.0	13.100.000
C-7	304.5	27.9	25.6	67.8	22.0	13.100.000
C-8	304.5	27.9	25.6	67.8	22.0	13.100.000

RIVE RWOODS SUBDIVISION



APPROX 5 BIG WOOD RIVER

- Approx. Ears? Bark Bug Wood

Subject

UNPLATED

~~UNCLASSIFIED~~

MAR 31 1989

Lot	Acres
1	3.23
2	2.65
3	7.72
4	1.30
5	3.72
6	3.28
7	1.96
8	3.86
9	3.52
10	16.29
11	2.29
12	2.36
13	3.0
14	3.70
15	3.51
16	4.00
17	3.67
18	2.15
19	2.16
20	2.10
21	3.00
22	2.61

LEGEND

NOTE

1. Approx. average ground elev. at center of envelopes on Lots 3, 4, 7, 8 and 10 is certified to be above URF by the engineer.
2. The 20' B.60' wide private roadway easements shown herein are also designated pressure sewer line easements to reach fields for Lots 21, 22, 1, 3, 4, 5, 6, 7, 8, 9.

[illegible]

Jim W. Koonce
Consulting Engineer
Kitchum, Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 21 1994

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: William A. Fruehling Permit No. 37-08398
Current Address: 233 WILSHIRE BLVD. #820 SANTA MONICA, CA 90401 Phone No. (213) 393-0317
2. Accompanied by: _____ EXAM. DATE: 8/6/91
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

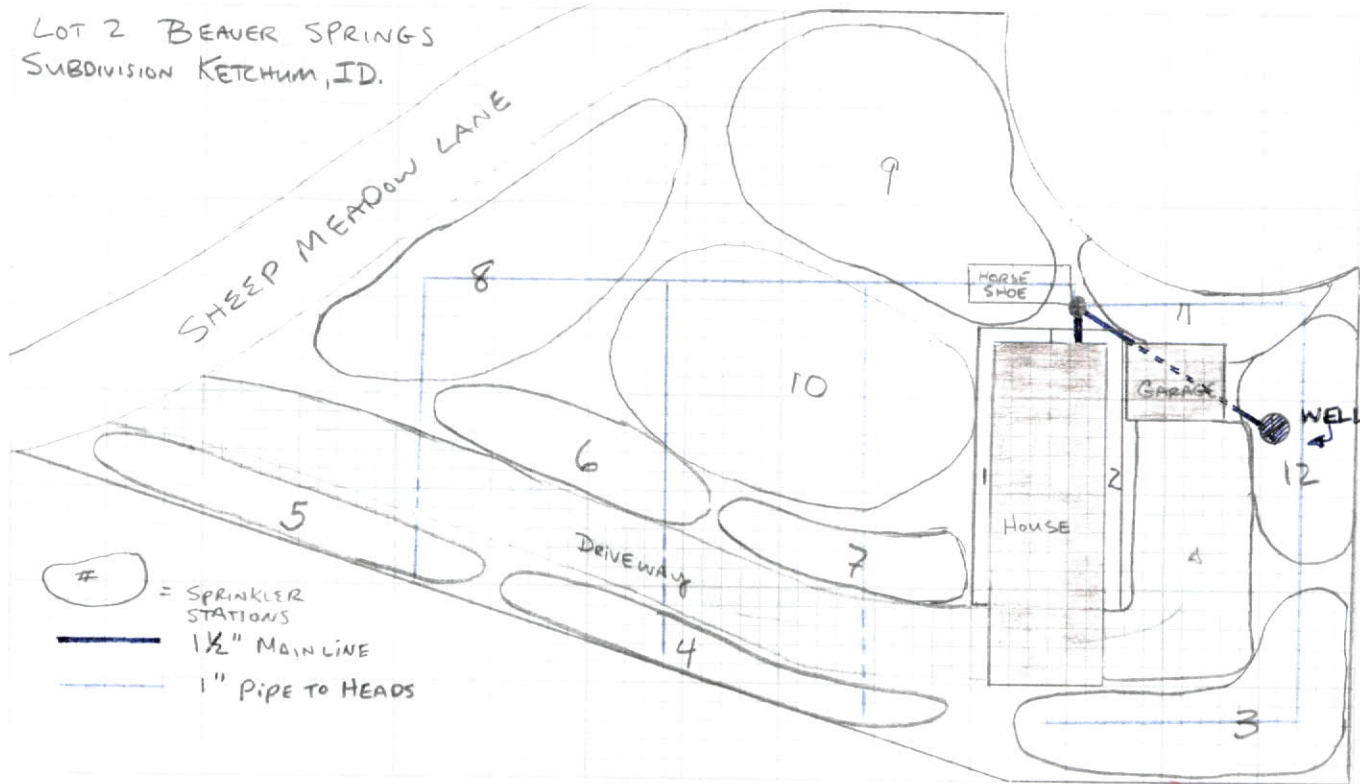
1. Other water rights with same place of use: NONE

☐ Copies Attached
2. Other water rights with same point of diversion: NONE

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

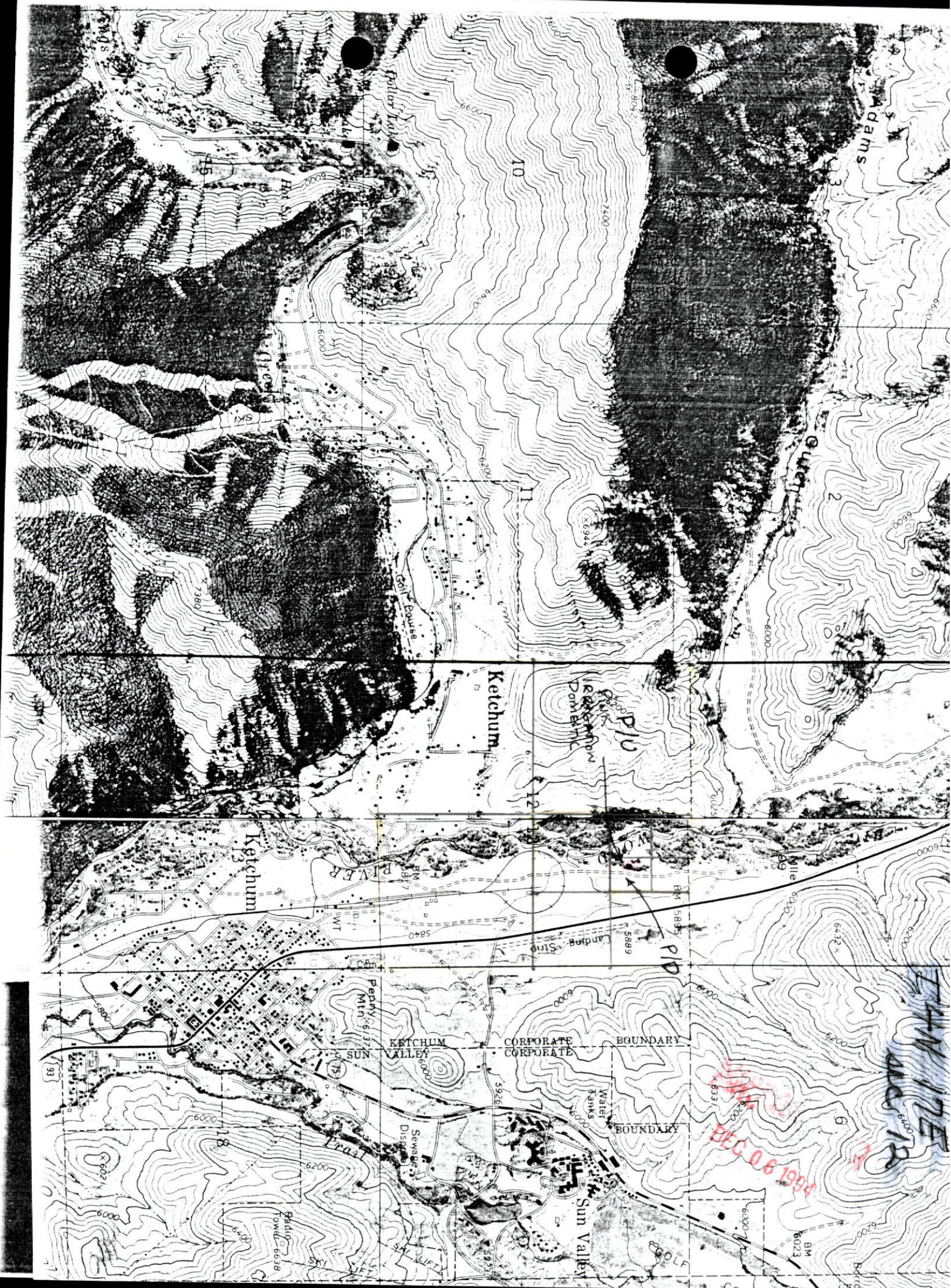
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NOT TO SCALE. LOT COVERS APPROXIMATELY 2 ACRES

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

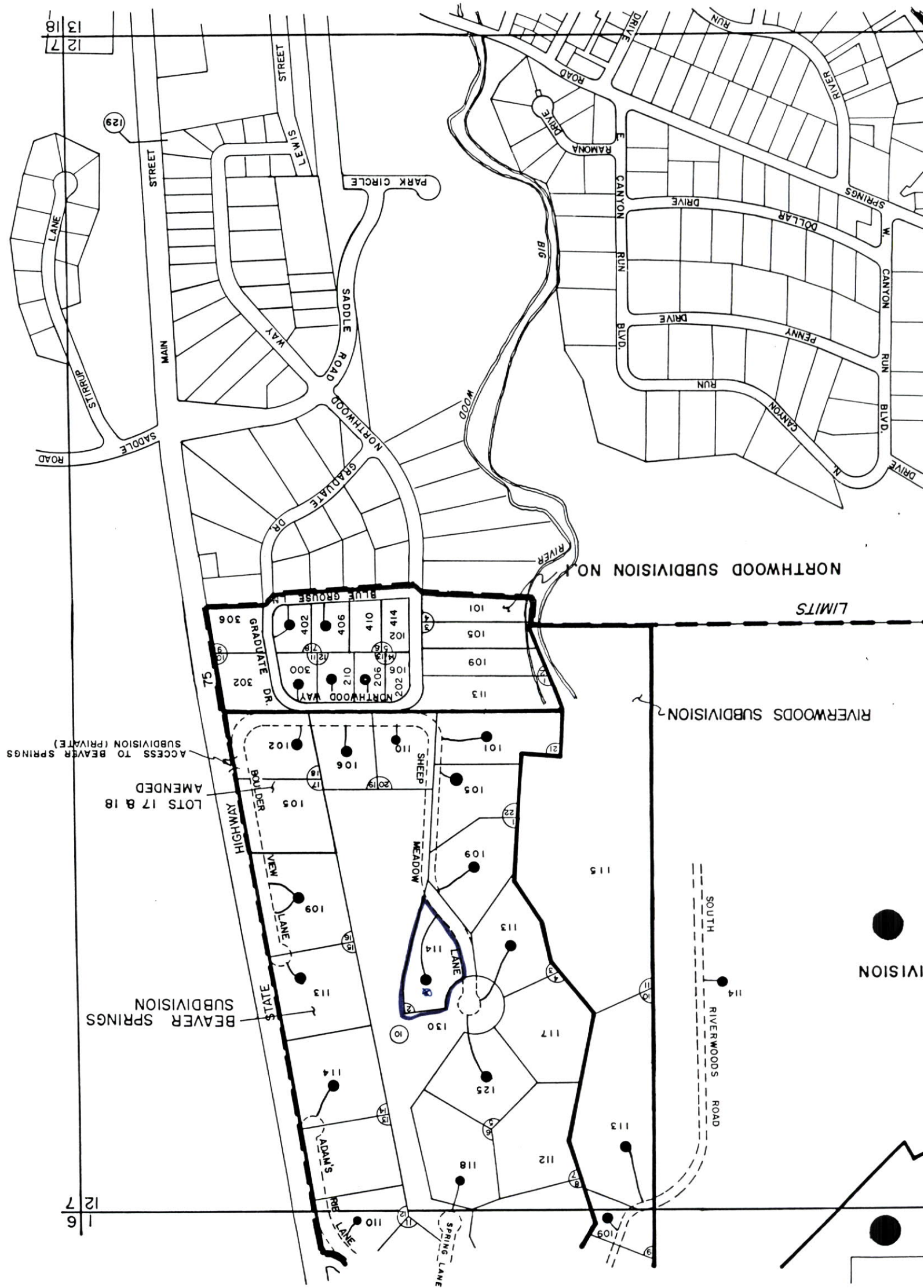
RECEIVED
SEP 06 1994



SEC. 12, T. 4 N., R. 17 E.

Edwards, Ho
ENGINEERS

1808	1806	1800
Page	Det	



37- 8398



POINT OF DIVERSION



PLACE OF USE - DOMESTIC
Looking South

MICHAEL J. JEN
DEC 06 1994



PLACE OF USE - IRRIGATION
Looking Southwest Down DRIVEWAY



PLACE OF USE - IRRIGATION
Looking WEST NEAR FRONT DECK

MISSOURI 370

DEC 06 1994

AFFIDAVIT of PUBLICATION

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DEC 30 1988

Department of Water Resources
Southern Region Office

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 21st day of Dec, 19 88, and

the date of the last publication was on the 28th day of Dec, 19 88.

Daniel J. Gorham
Subscribed and sworn to before me this 28th day of Dec, 19 88.
(SEAL)

Rolando K. Kender
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 38
Number of Insertions 2
____ Lines tabular at 5¢/Pica
38 Lines straight at 18.81 4¢/Pica
38 Subsequent lines at 14.63 3¢/Pica
TOTAL COST 33.44

COPY OF NOTICE

(Paste Here)

Not. of Application #37-08398
TITLE OF NOTICE Fruehling

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Water right sought by Fruehling

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08398

FRUEHLING, WILLIAM A.
233 WILSHIRE BLVD., #820
SANTA MONICA, CA 90401

Source: GROUNDWATER

Diversion Pt: SENWNE Sec 12 T
04N R 17E; Blaine County; 1 1/2
miles NW of Ketchum City Center
in the Beaver Springs Subdivision.

Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)

Date Filed: 9/19/1988

In: T04N R17E S12 NWNE
2.0 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests may
be submitted based on the criteria
of Sec. 42-203A, Idaho Code,
and/or the new public interest
criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with
the Director, Dept. of Water
Resources, 2148 4th Avenue
East, Twin Falls, Idaho 83301, on
or before JANUARY 9, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal-
December 21 & 28, 1988.

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No 6276
MICROFILMED

MAR 31 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08398

Priority: September 19, 1988

Maximum Diversion Rate:

0.08 CFS

Maximum Diversion Volume:

7.6 AF

This is to certify, that WILLIAM A FRUEHLING
233 WILSHIRE BLVD #820
SANTA MONICA CA 90401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 19, 1988; and has submitted Proof of Beneficial Use on March 12, 1990. An examination indicates that the works have a diversion capacity of .180 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	7.0 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
Totals		0.08 CFS	7.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 12, Township 04N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

TWN RGE SEC
04N 17E 12

ACRES
NWNE 2

ACRES

ACRES TOTAL
2

Total number of acres irrigated: 2

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide not more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Irrigation use under this right is authorized only in connection with a domestic use.

RECEIVED

DEC 06 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

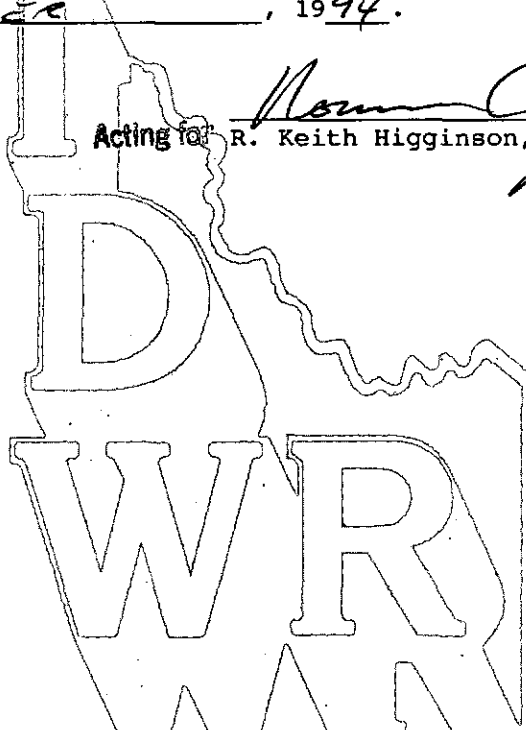
WATER RIGHT NO. 37-08398

CONDITIONS/REMARKS:

7. Place of use is located within Lot 2, Beaver Springs Subdivision.
8. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
9. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 25TH day of NOVEMBER, 1994.

Acting for R. Keith Higginson, Director



DEC 06 1994

08
RECEIVED
MAR 12 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. 37-08398Telephone No. CARETAKER
726-4991Name(s) of Permit Holder(s): WILLIAM A. FRUEHLINGPost Office Address: 233 WILSHIRE BLVD. #820, SANTA MONICA, CA 90401Source of Water: WELLIf ground water, well driller's name: WOOD RIVER DRILLING Date drilled: Nov. 10, 1984

Extent of Use:

Domestic <u>1</u> (No. of households)	Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock)	Other _____

Total rate and/or volume for which proof is submitted .02 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: DEC. 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: \$ N.A. (See License Examination Fee Schedule)

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

CURTIS P. KEMP

Name

726-4991

Telephone No.

Box 699, SUN VALLEY, ID 83353

Address

MICROFILMED

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.

APR 18 1990

Date FEB. 14, 1990Signature (and title if on behalf of a company or organization) CARETAKER

RECEIVED
Form 202
6/85

SEP 10 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 37-08398

Department of Water Resources

Southern Region Office

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant William A. Fruehling Phone (213)393-0317
Post office address 233 Wilshire Blvd, #820, Santa Monica, CA 90401

2. Source of water supply Ground Water which is a tributary of n/a

3. Location of point of diversion is SE 1/4 of NW 1/4 of NE 1/4, Govt. Lot *
Sec. 12 Township 4 North Range 17E B.M. Blaine County; additional
points of diversion if any: Lot 2 of Beaver Springs Subdivision

4. Water will be used for the following purposes:

Amount .06 cfs for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated is (a) .10 cfs and/or (b)
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 6" well and pump - irrigated by sprinkler system.

b. Height of storage dam n/a feet; active reservoir capacity n/a 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 year years (minimum 1 year).

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MAR 31 1989

* Determined from Subdivision Plat L4

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

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

9. Description of place of use:

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

See Plat Map

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	17E	12		2															2.00 Acres
From Subdivision Plat of																			

Total number of acres to be irrigated 2.00 Acres

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

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

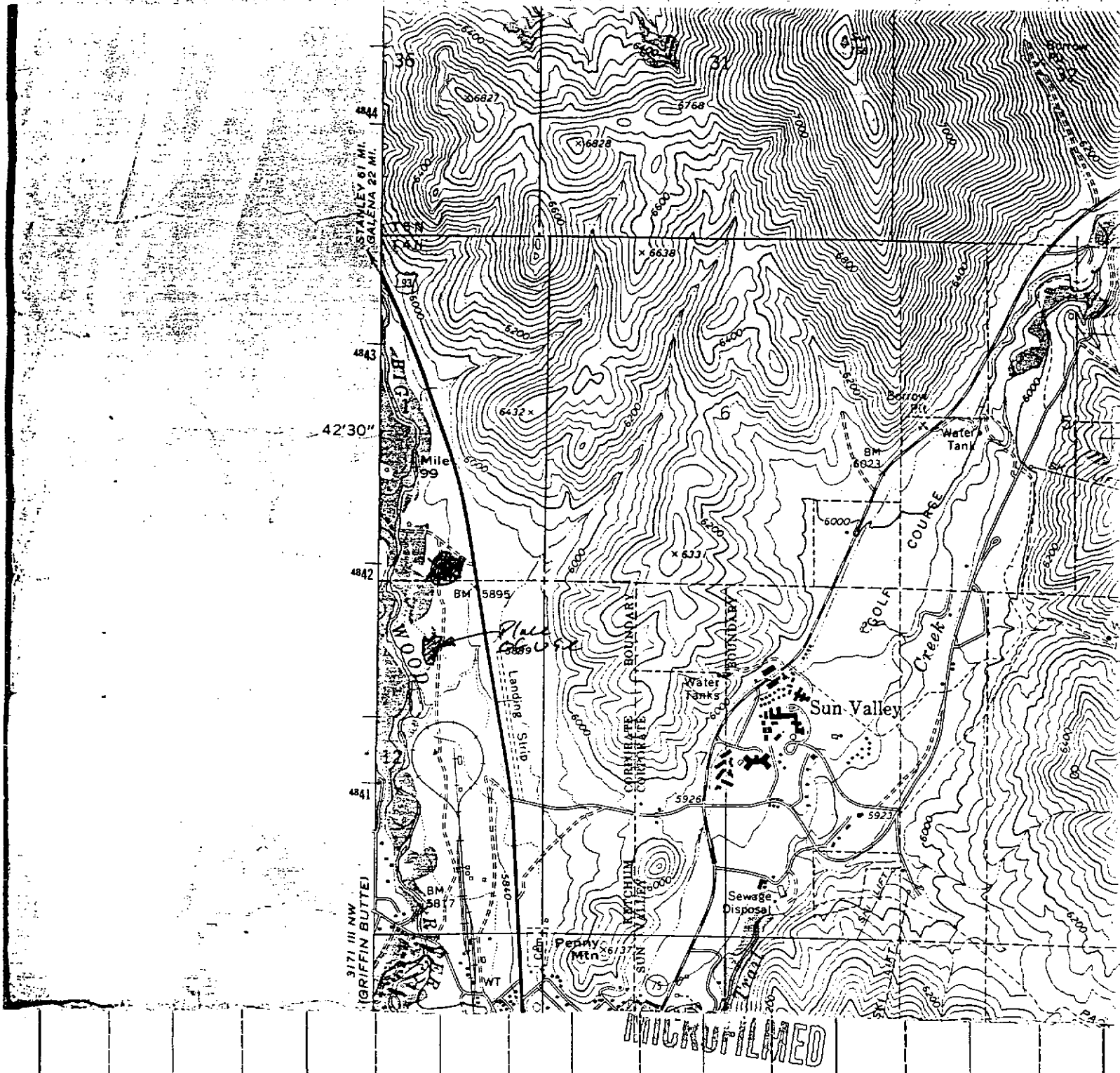
12. Remarks: n/a

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MAR 31 1989

See Plat Map

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.

MAR 31 1989

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

(Applicant)

Proposed Priority 9/19/88

9/14/88

Received by T. Gasper Date 9/14/88 Time 2:20 pm Preliminary check by T.H.

Fee \$ 30.00 Received by M. Baldwin # 5004094 Date 11/30/88

Publication prepared by M. Baldwin Date 12/12/88 Published in Wood River Journal

Publication approved TJ Date 12/30/88

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. 37-8398, 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 April 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 10th day of March, 1989.

J. Glen Saxton

MICROFILMED

MAR 31 1989

Subject Property

CURVE DATA

Case	#	Δ	T	C ₁	C ₂ (range)
1-1	25.6	27.4	6.8	2000	1.2-2000
1-2	36.6	38.4	11.8	2000	1.2-2000
1-3	47.6	49.4	16.8	2000	1.2-2000
2-1	27.6	29.4	7.8	1000	1.2-1000
2-2	38.6	40.4	12.8	1000	1.2-1000
2-3	49.6	51.4	17.8	1000	1.2-1000
3-1	28.6	30.4	8.8	500	1.2-500
3-2	39.6	41.4	13.8	500	1.2-500
3-3	50.6	52.4	18.8	500	1.2-500
4-1	29.6	31.4	9.8	100	1.2-100
4-2	40.6	42.4	14.8	100	1.2-100
4-3	51.6	53.4	19.8	100	1.2-100
5-1	30.6	32.4	10.8	50	1.2-50
5-2	41.6	43.4	15.8	50	1.2-50
5-3	52.6	54.4	20.8	50	1.2-50

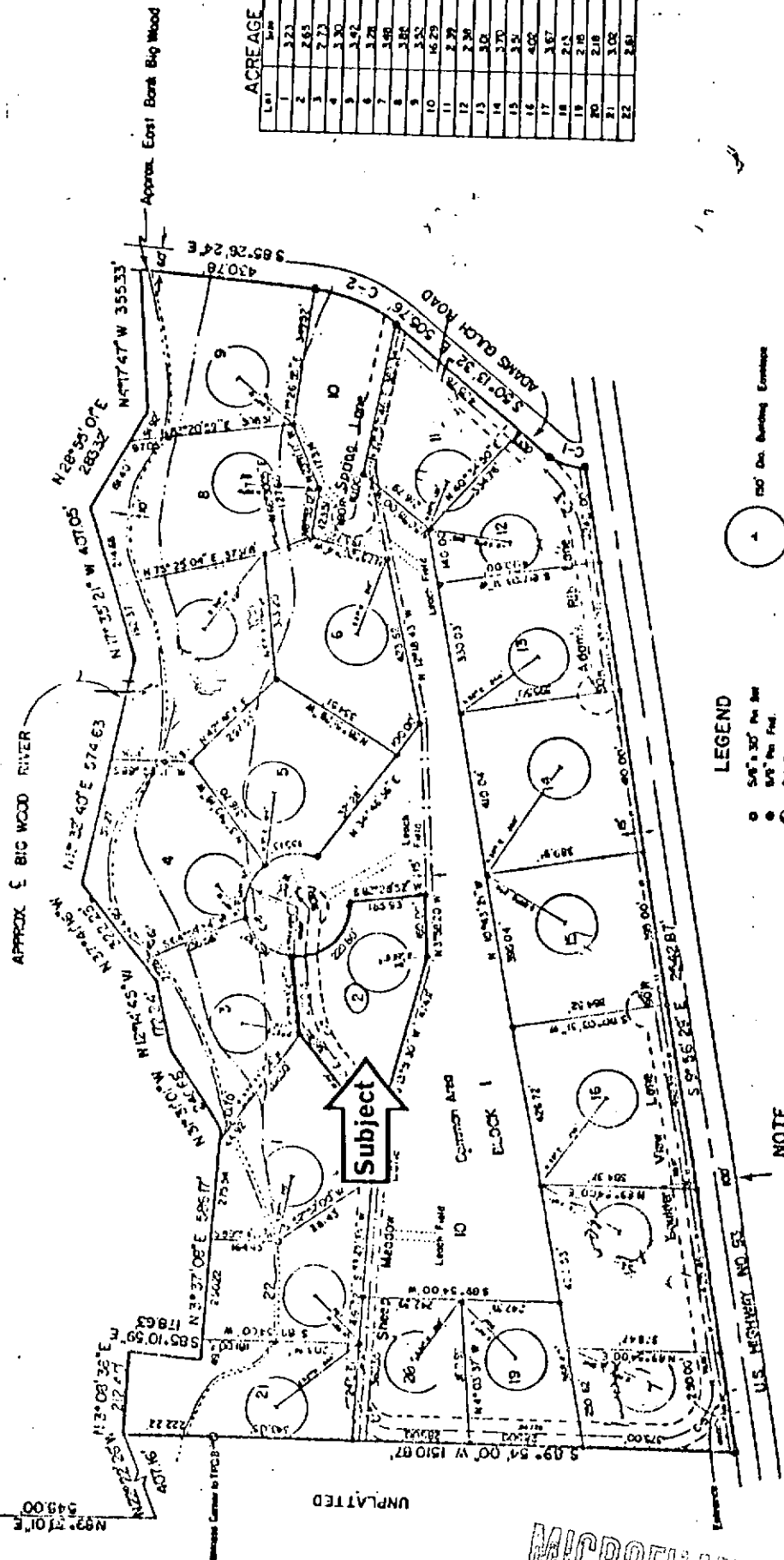


SCOMBER RIVER WOODS SUPERDIVISION

APPROX 1/2 BIG WOOD RIVER

— Appra. Ears! Bank Big Wood

Lot	Acres
1	3.23
2	2.65
3	7.13
4	3.30
5	3.92
6	3.28
7	3.88
8	3.84
9	3.52
10	16.79
11	2.39
12	2.36
13	3.02
14	3.70
15	3.50
16	4.02
17	3.87
18	2.14
19	2.16
20	2.16
21	3.02
22	2.61



LEGEND

NOTE

1. Approx. average ground elev. at center of envelopes on Lots 3, 4, 7, 8 and 10 is certified to be above URF by the engineer.
2. The 20' 6" wide private roadway easements shown hereon are also designated pressure sewer line easements to reach fields for Lots 21, 22, 1, 3, 4, 5, 6, 7, 8, 9.

Jim H. Koonce
Consulting Engineer
Hickory, Idaho

MICROFILMED

MAR 31 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 28, 1994

WILLIAM A FRUEHLING
233 WILSHIRE BLVD #820
SANTA MONICA CA 90401

RE: WATER RIGHT NO. 37-08398

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

RECEIVED

DEC 06 1994

MEMORANDUM

TO: File 37-08398 / William A. Fruehling
FROM: Brenda Chapman
DATE: November 4, 1994
RE: Recommendation Adjustment

=====

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-15 to 10-15	.06	7.0
Domestic	1-01 to 12-31	.02	.6

The additional fee for a higher rate (.10 cfs) was solicited and paid for prior to the change to the preferred "in-house use only" for domestics when irrigation and domestic uses are both listed on a right. Therefore, the domestic rate was reduced from .04 to .02 cfs.

(current preferred standard - effective 10/25/94)

The irrigation season dates were adjusted to the currently used Field Headgate Requirement and Season of Use chart.

DEC 06 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 4, 1994

WILLIAM A FRUEHLING
233 WILSHIRE BLVD #820
SANTA MONICA CA 90401

RE: WATER RIGHT 37-08398

Dear Mr. Fruehling:

We are in the process of reviewing the above referenced permit for licensing. Because you submitted your Proof of Beneficial Use form in 1990 (a copy of which is included for your reference) for .02 cfs (there is no fee up to .04 cfs), the Department has no alternative but to issue the license for less than the amount actually diverted unless the fee required for the rate of diversion for the irrigation and domestic uses the examiner found is received. The amount of water to be licensed will be limited to .04 cfs rather than .10 cfs.

You can submit the additional exam fee along with a late payment penalty. The priority of the right will be advanced according to the number of days from the date of this letter to the date we receive the extra fee.

The exam fee required to cover the additional .06 cfs is \$50 and the late penalty is \$25.00, for a total of \$75.00.

The Department will hold action on licensing this right for 30 days to allow you to submit the above fees. Please direct the payment to my attention. If we do not receive them, we will proceed with licensing the water right for the limited amount of water.

Sincerely,

BRENDA L. CHAPMAN
Water Resource Agent

Enclosure

DEC 06 1994

LICENS REVIEW CHECKLIST

PERMIT NO. 37-8398 DATE 10-4-94



NAME	Yes <u> </u> No <u>✓</u>	Or Address Change?
PRIORITY DATE	<u> </u> <u>✓</u>	Advance? <u> </u> Advanced to: <u> </u>
SUBMITTED PROOF FOR	<u> </u> <u>✓</u>	Order to reinstate needed? <u> </u>
.02 FOR DOMESTIC - NO	<u> </u> <u>✓</u>	Incorrect fee for rate recommended? <u>YES</u>
FEE PAID	<u> </u> <u>✓</u>	
SOURCE	<u> </u> <u>✓</u>	Changes or just clarification of originally intended source? <u> </u>
		Notice of Intent to Void necessary? <u> </u>
POINT OF DIV	<u> </u> <u>✓</u>	Amendment needed? <u> </u>
	<u> </u> <u>✓</u>	Overlaps? <u> </u>
PLACE OF USE	<u> </u> <u>✓</u>	Amendment needed? <u> </u>
	<u> </u> <u>✓</u>	Overlaps? <u> </u>
DIV RATE	<u> </u> <u>✓</u>	Permit/fee limits: <u>.10 CFS</u> FEE LIMIT ^(PAID) <u>(NONE)</u> <u>.04</u>
		Meas Q = <u> </u> Theo Q = <u>.18</u> Recommend: <u>.10</u>
		<u>Domestic @ .04</u>
		<u>IRR @ .06</u>
		Combined rates exceed capacity <u> </u>
ANNUAL VOLUME	<u> </u> <u>✓</u>	Season of use: <u>B/3.5 (4-15 to 10-15)</u> <u>(new)</u>
		Calculations: <u>Dom @ .6</u>
		<u>2 x 3.5 = 7 af</u>
		Flow limit: <u> </u> cfs x <u> </u> x 1.9835 = <u> </u>
		Combined volumes exceed capacity/allowable <u> </u>
USES	<u> </u> <u>✓</u>	Change in Nature of Use or additional uses? <u> </u>
		Amendment necessary? <u> </u>
REMARKS	<u>✓</u> <u> </u>	Multiple p/d(s) in 1/4 1/4? <u> </u>
		Other <u>Plu located in LOT 2 BEAVER SPRINGS SUBDIVISION</u>
CONDITIONS	<u> </u> <u>✓</u>	Measuring/Locking Devices <u> </u>
	<u>(04)</u> <u>R50</u>	Watermaster control - District <u> </u>
	<u>Σ</u> <u> </u>	Irrigation Overlap <u> </u>
		Water Quality <u> </u>
		Other <u>(DOM IRR ONLY)</u> Heat/Cool/ Fish verified <u> </u>

* COMMENTS: Letter necessary for fees due. Reduce to .04 if no fees are paid

RECOMMENDED	CFS	VOL	SRBA Claim Filed	Adjustment Memo Needed	NO/NA
<u>Irrigation</u>	<u>.06</u>	<u>7.0</u>			<u>Yes</u>
<u>Domestic</u>	<u>.04</u>	<u>.6</u>			
<u> </u>	<u> </u>	<u> </u>	LICENSE		<u>✓</u>
<u> </u>	<u> </u>	<u> </u>	1ST AMENDMENT LETTER		
<u>Total</u>	<u>.10</u>	<u>7.6</u>	FINAL AMENDMENT LETTER		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 21 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08398

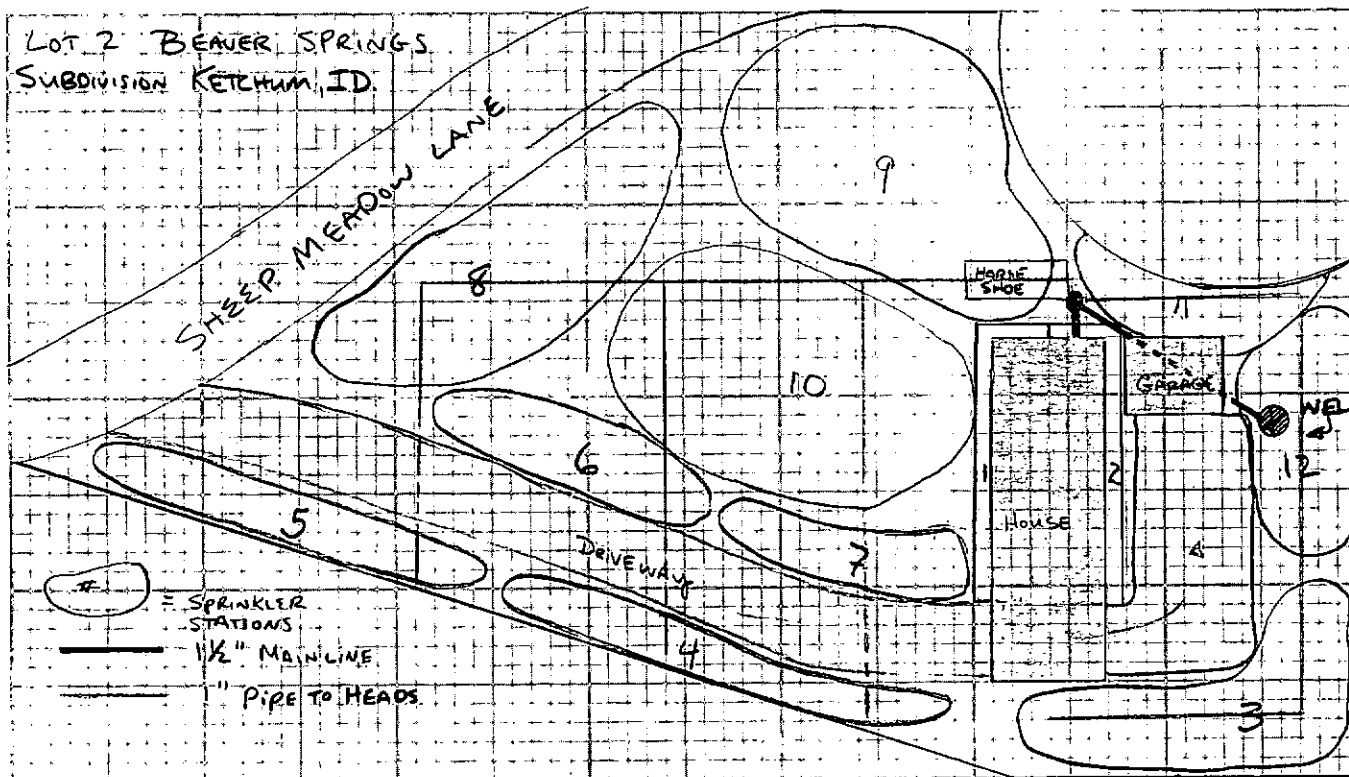
1. Owner: William A. FRUEHLING Phone No. (213) 393-0317
Current Address: 233 WILSHIRE BLVD. #820 SANTA MONICA, CA 90401
2. Accompanied by: _____ EXAM. DATE: 8/6/91
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: GROUNOWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ 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



Scale: 1" = NOT TO SCALE. LOT COVERS APPROXIMATELY 2 ACRES

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

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System Description (continued)

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

SYSTEM OPERATING AT TIME OF FIELD EXAM
 3HP STA-RITE MOTOR, Pumping From $\approx$ 10ft. (H₂O level) - 3-50 gal Pressure.
 OPERATING PRESSURE 60 PSI.
 SYSTEM CONTAINS $1\frac{1}{2}$ " MAINLINE FROM WELL TO HOUSE, SPRINKLER SYSTEM
 RUNS OFF OF 1" LINE. SPRINKLER SYSTEM CONTAINS 12 STATIONS. SEE
 ATTACHED SPRINKLER SHEET.

☐ 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
	STA-RITE	3	C85X	STARITE	VIP4H02-01

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NN	NE	12	04N	17E	BLAINE	TOPOGRAPHIC MAP / IOWA Proof REP.

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE $\frac{1}{4}$			NW $\frac{1}{4}$			SW $\frac{1}{4}$			SE $\frac{1}{4}$			Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	
04N	17E	12	D												
04N	17E	12	2												2
															2

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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:

DOMESTIC - NOT MEASURED < .2 cfs

IRRIGATION - OPERATING 60 PSI → .12 cfs

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

THEORETICAL (HORSEPOWER EQ.)

2. Alternate Method for Checking Purposes:

IRrig. - Allow 2 gals x 0.03 cfs/gal = 0.06 cfs

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 40 psi x 2.31 = 92.4 ft (1); Dynamic pumping level: 10 ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: 0.18 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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (2.0 \text{ acres}) (3.0 \text{ af/a/season}) = 6.0 \text{ af}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.06 \text{ cfs}) (214 \text{ days}) (1.9835) = 25.5 \text{ af}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 6.0 \text{ af}$

2. Volume Calculations for Other Uses:

DOMESTIC - 112 af STANDARD → .04 cfs
0.6

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

PERMIT - .06 cfs IRRIGATION

- .04 cfs DOMESTIC

EXAM - .12 cfs IRRIGATION

- .04 cfs DOMESTIC

RECOMMEND - .06 cfs IRRIGATION

- .04 cfs DOMESTIC

NOTE - SYSTEM: OVERPOWERED, WOULD RECOMMEND LICENSING
.06 cfs FOR IRRIGATION AND .04 cfs FOR DOMESTIC PURPOSES AS
PER PERMIT.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOMESTIC	1/1	12/31	.04 cfs	0.6 m ³ /afa
IRRIGATION	4/15	10/15	.06 cfs	7.0 m ³ /afa
Totals:			.10 cfs	7.6 afa

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

JUSTIN BOLLES

Signature

Justin Bolles

Certification Date

Field Report Preparation Date

8/6/91

CONSULTANT SEAL

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

DEC 06 1994

SPRWKLER DATA

STATION #					
1	24	RAWBIRD	1809	- 10H-LA HEADS	} SPRAY
2	24	RAWBIRD	1809	- 10H-LA HEADS	
3	13	RAWBIRD	MAXIPAW	2045 $\frac{1}{8}$ " NOZZLE	} CAN
4	13	RAWBIRD	MAXIPAW	2045 $\frac{1}{8}$ " NOZZLE	
5	12	RAWBIRD	MAXIPAW	2045 $\frac{1}{8}$ " NOZZLE	
6	12	RAWBIRD	MAXIPAW	2045 $\frac{1}{8}$ " NOZZLE	
7	12	RAWBIRD	MAXIPAW	2045 $\frac{1}{8}$ " NOZZLE	
8	13	RAWBIRD	MAXIPAW	2045 $\frac{1}{8}$ " NOZZLE	
9	13	RAWBIRD	MAXIPAW	2045 $\frac{1}{8}$ " NOZZLE	
10	13	RAWBIRD	MAXIPAW	2045 $\frac{1}{8}$ " NOZZLE	
11	13	RAWBIRD	MAXIPAW	2045 $\frac{1}{8}$ " NOZZLE	
12	13	RAWBIRD	MAXIPAW	2045 $\frac{1}{8}$ " NOZZLE	

MAXIPAW 2045 $\frac{1}{8}$ " - 9 gpm HEADS.

STATIONS 1-2 OPERATE 20 MIN. EVERY OTHER DAY

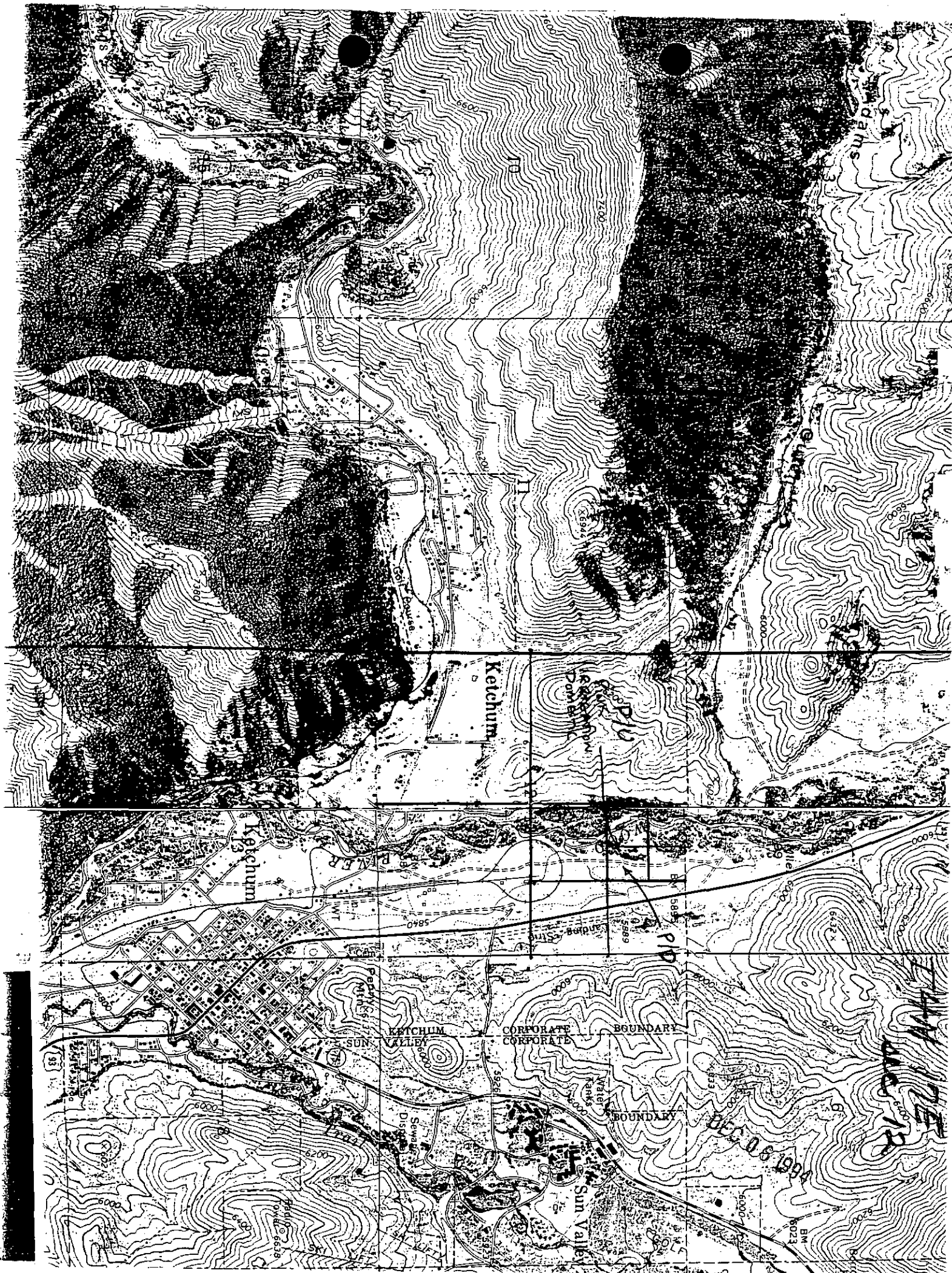
STATIONS 3-12 OPERATE 1 HR EVERY OTHER DAY

EACH STATION CALIBRATED TO (60 PSI) - ONLY ONE STATION OPERATES AT A TIME.

- $1\frac{1}{2}$ " MAINLINE FROM WELL TO CONTROL "PIT" (METAL)
- 1" PIPE TO HEADS (POLY)

SYSTEM INSTALLED AND MAINTAINED BY WEBB LANDSCAPING
KETCHUM, IDAHO.

DEC 06 1984



37- 8398



POINT OF DIVERSION



PLACE OF USE - DOMESTIC
Looking South

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DEC 06 1994



PLACE OF USE - IRRIGATION
LOOKING SOUTHWEST DOWN DRIVEWAY



PLACE OF USE - IRRIGATION
LOOKING WEST NEAR FRONT DECK

RECEIVED
DEC 06 1994

April 13, 1990

WILLIAM A. FRUEHLING
233 WILSHIRE BLVD. #820
SANTA MONICA, CA 90401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08398

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

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APR 18 1990

WILLIAM A. FRUEHLING
233 WILSHIRE BOULEVARD, SUITE 820
SANTA MONICA, CALIFORNIA 90401

March 7, 1990

Rita Flack, Records Manager
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RECEIVED
MAR 12 1990

Department of Water Resources

Re: Permit No. 37-08398

Dear Ms. Flack:

Pursuant to your letter dated January 31, 1990, enclosed please find your form, Proof of Beneficial Use which has been filled out and executed.

Very truly yours,

William A. Fruehling
William A. Fruehling

WAF:tc:35

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APR 18 1990

/38/2/
January 31, 1990

WILLIAM A. FRUEHLING
233 WILSHIRE BLVD. #820
SANTA MONICA, CA 90401

PROOF DUE NOTICE
RE: PERMIT NO. 37-08398

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 April 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

RECEIVED

APR 18 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 28, 1989

William A. Fruehling
233 Wilshire Boulevard
Santa Monica, CA 90401

RE: Permit to appropriate water no. 37-08398

Dear Mr. Fruehling:

Thank you for advising us that your well was constructed prior to July 1, 1987. Wells constructed before that date do not require the approval of a drilling permit application.

Every water right permit requires filing of a proof of beneficial use upon completion. If your construction and beneficial use is complete, you must still file a proof of beneficial use form along with any necessary fees.

Sincerely,

Gary Spackman, Manager
Water Right Permits Section

cc: Southern Region

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MAR 31 1989

WILLIAM A. FRUEHLING
233 WILSHIRE BOULEVARD
SANTA MONICA, CALIFORNIA 90401

RECEIVED
MAR 24 1989

March 21, 1989

Don't forget Resources

Gary Spackman
Water Right Permits Section
Statehouse
Boise, Idaho 83720

Re: Permit No. 37-08398

Dear Mr. Spackman:

I acknowledged receipt of your letter dated March 15, 1989 regarding the above referenced permit number.

Please be advised that my well was constructed before July 1, 19887. With this in mind, I would appreciate if you would advise me whether or not it is necessary for me to fill out the "Proof of Beneficial Use" form.

Your earliest attention to this is greatly appreciated.

Very truly yours,


William A. Fruehling

WAF:tc:71

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MAR 31 1989

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
March 15, 1989

WILLIAM A. FRUEHLING
233 WILSHIRE BLVD. #820
SANTA MONICA, CA 90401

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

RE: PERMIT NO. 37-08398

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.

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.

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.

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

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MAR 31 1989

enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

Microfilm

MAR 31 1989

13-Dec-1988

William A. Fruehling
233 Wilshire Blvd, #820
Santa Monica, CA 90401

Re: Application for Permit No. 37-08398

Dear Mr. Fruehling:

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 12/21 & 12/28/88. 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

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MAR 31 1989

LH:MB

AFFIDAVIT of PUBLICATION

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DEC 30 1988

State of Idaho, }
County of Blaine } SS.

Department of Water Resources
Southern Region Office

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 21st day of Dec., 1988, and

the date of the last publication was on the 28th day of Dec., 1988.

Daniel J. Gorham
Subscribed and sworn to before me this 28th day of Dec., 1988.
(SEAL)

Roberta K. Kender
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line	<u>11</u>
Number of Lines in Notice	<u>38</u>
Number of Insertions	<u>2</u>
Lines tabular at	<u>5¢/Pica</u>
<u>38</u> Lines straight at	<u>18.81</u> 4¢/Pica
<u>38</u> Subsequent lines at	<u>14.63</u> 3¢/Pica
TOTAL COST	<u>33.44</u>

COPY OF NOTICE (Paste Here)

Not. of Application #37-08398
TITLE OF NOTICE Fruehling

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Water right sought by Fruehling

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08398

FRUEHLING, WILLIAM A.
233 WILSHIRE BLVD., #820
SANTA MONICA, CA 90401

Source: GROUNDWATER

Diversion Pt: SENWNE Sec 12 T
04N R 17E; Blaine County; 1 1/2
miles NW of Ketchum City Center
in the Beaver Springs Subdivision.

Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)

Date Filed: 9/19/1988

In: T04N R17E S12 NWNE
2.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before JANUARY 9, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal-
December 21 & 28, 1988.

tion.....3.5/pica

No 6276
MICROFILMED

MAR 31 1989

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

DECEMBER 13, 1988

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 JANUARY 9, 1988.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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MAR 31 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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MAR 21 1988
RECEIVED

37-08398

FRUEHLING, WILLIAM A.
233 WILSHIRE BLVD.
#820
SANTA MONICA, CA 90401

Source: GROUNDWATER

Diversion Pt: SENWNE Sec 12 T 04N R 17E; Blaine County; 1 1/2 miles NW
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R. Keith Higginson, Director

Published 12/21/1988 & 12/28/1988

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MAR 31 1989

**Water right
sought by Fruehling**

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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FRUEHLING, WILLIAM A.
233 WILSHIRE BLVD., #820
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R. Keith Higginson, Director

Publish: Wood River Journal-
December 21 & 28, 1988.

OK
mjb
12/20/88

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MAR 31 1989