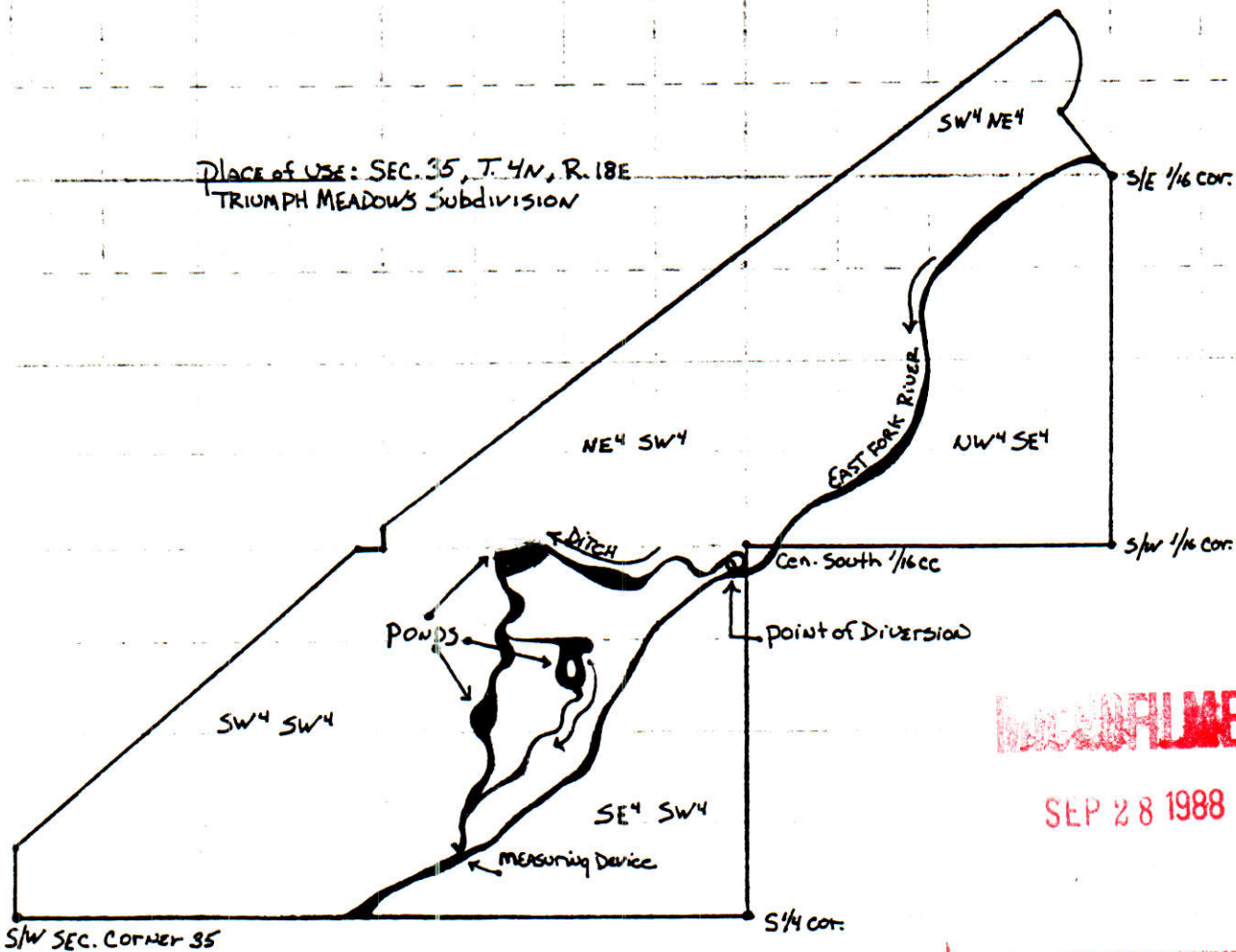


PLACE OF USE: SEC. 35, T. 4N, R. 18E
TRIUMPH MEADOWS SUBDIVISION



RECORDED

SEP 28 1988

SCALE: 2 inches equal 1 mile. Draw plan in ink.

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.

[Signature]
(Applicant)

TRIBUNE PUBLISHING COMPANY, INC
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 031088 INVOICE No. L00127692

Account No. 44662

Description 27692NOTIC

Times 2 Lines 25

Tab Lines _____

LEGAL ADVERTISING INVOICE

SOLD TO:

STATE OF IDAHO
DEPT. OF WATER RESOURCES
1041 BLUE LAKES BLVD. N.
TWIN FALLS,
ID 83301

\$ 21.88

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

C. M. Viers, being duly sworn,

deposes and says, I am the Legal Clerk
of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the

NOTICE OF APPLICATION

attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 030388, or once a
WEEK for 2 consecutive WEEKS, the first
publication thereof being on the 030388, and the last pub-
lication thereof being on the 031088, and said

NOTICE OF APPLICATION

was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above.

C. M. Viers

SUBSCRIBED AND SWORN BEFORE ME THIS THE 10
day of March 1988

Sheral M. Lintz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-8330

SHERIDAN, DAVID
P.O. BOX 20, KETCHUM, ID 83340
Source: BIG WOOD RIVER, EAST
FORK trib. to BIG WOOD RIVER
Diversion Pt: NESESW Sec 35 T 04N
R 18E; 3 miles South & 5 miles East
of Ketchum.

Use: WILDLIFE (10.0 CFS)

Date Filed: 02/09/1988

In: SESW Sec 35 T 04N R 18E

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Southern Region,
2148 4th Avenue East, Twin Falls,
Idaho 83301 on or before MARCH 21,
1988.

R. KEITH HIGGINSON, Director

RECEIVED

MAR 21 1988

Department of Water Resources
Southern Region Office

NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
37-8330
SHERIDAN, DAVID
P.O. Box 20
Ketchum, ID 83340
Source: BIG WOOD RIVER, EAST FORK trib. to BIG WOOD RIVER
Diversion Pt: NESESW Sec 35 T 04N R 18E; 3 miles South & 5 miles East of Ketchum.
Use: WILDLIFE
(10.0 CFS)
Date Filed: 02/09/1988
In: SESW Sec 35 T 04N R 18E
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before MARCH 21, 1988.
R. KEITH HIGGINSON, Director
PUBLISH: Thursday, March 03, and 10, 1988.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

No 18358

I, Linda Capps McSwain, being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated March 3, 19 88, and ending with the issue dated March 10, 19 88.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, in said city and county continuously and uninterruptedly.
And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this 10 day of March, 19 88.

Brenda Parker
Notary Public in and for the County of Twin Falls, State of Idaho, residing at Twin Falls, Idaho

Proof of Publication
The Post-Register

State of Idaho,
County of Bonneville } ss

I, Richard Hardy, first being duly sworn, depose and say: That I am the Asst. Foreman of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 3rd day of March, 19 88, last publication having been made on the 10th day of March, 19 88, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 14th day of March, 19 88.

Deon K. Napier
Notary Public

My commission expires September 30, 19 88.

B10

NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
37-8330
SHERIDAN, DAVID
P.O. BOX 20, KETCHUM, ID 83340
Source: BIG WOOD RIVER, EAST FORK trib. to BIG WOOD RIVER
Diversion Pt: NESESW Sec 35 T 04N R 18E; 3 miles South & 5 miles East of Ketchum.
Use: WILDLIFE (10.0 CFS)
Date Filed: 02/09/1988
In: SESW Sec 35 T 04N R 18E
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before MARCH 21, 1988.
R. KEITH HIGGINSON, Director
Published: March 3, 10, 1988

RECEIVED

MAR 17 1988

Department of Water Resources
Southern Region Office

RECEIVED

SEP 28 1988

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

30.26

Account Name Idaho Dept. Water Resources (Souther Div.)		Account Number #100632	
Address 2148 4th Avenue East		City/State Twin Falls, ID	Zip 83301
Ordered By Mary A. Baldwin	P.O. Number	Rate nt	Run Dates 1988 Mar. 3, 10
Identification Water Right: David Sheridan		Estimated Inches	Real Inches
1 Number of Affidavits Requested			Legal Number #7743

RECEIVED

MAR 11 1988

Department of Water Resources
State of Idaho Office

MAILED

SEP 28 1988

OK MB
3/11/88

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-8330
David Sheridan
P.O. Box 20
Ketchum, ID 83440
Source: Big Wood River, East Fork trib. to Big Wood River
Diversion Pt: NESESW Sec 35 T 04N R 18E; 3 miles South & 5 miles East of Ketchum.
Use: Wildlife(10.0 CFS)
Date Filed: 02/09/1988
In: SESW Sec 35 T 04N R 18E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 Fourth Avenue East, Twin Falls, Idaho 83301 on, or before, March 21, 1988.

R. KEITH HIGGINSON
Director
Pub. Feb. 3, 10, 1988 7743

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Deborah Gregory, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for Two (2) ☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of March 3, 19 88
and ending with the issue of March 10, 19 88

Deborah Gregory

Subscribed and sworn to before me this 10th
day of March, 19 88

Amela Gully 12/93
Notary Public for Idaho, Residing at Boise, Idaho

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

RECEIVED

MAR 11 1988

Department of Water Resources
DANIEL J. GORHAM, Regional Office

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

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

publication of said advertisement was on the 2nd day of Mar, 1988, and

the date of the last publication was on the 9th day of Mar, 1988.

Daniel J. Gorham

Subscribed and sworn to before me this 9th day of Mar, 1988.
(SEAL)

Roberta Drake

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 34
Number of Insertions 2
Lines tabular at 5¢/Pica
34 Lines straight at 14.96 4¢/Pica
34 Subsequent lines at 11.22 3¢/Pica
TOTAL COST 26.18

RECEIVED

SEP 28 1988

COPY OF NOTICE

(Paste Here)

Not. of Application #37-8330
TITLE OF NOTICE Sheridan

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Water right sought by Sheridan

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-8330

SHERIDAN, DAVID

P.O. BOX 20

KETCHUM, ID 83340

Source: BIG WOOD RIVER, EAST FORK trib. to BIG WOOD RIVER

Diversion Pt: NESESW Sec 35 T 04N R 18E; 3 miles South & 5 miles East of Ketchum.

Use: WILDLIFE (10.0 CFS)

Date Filed: 02/09/1988

In: SESW Sec 35 T 04N R 18E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before MARCH 21, 1988.

R. Keith Higginson, Director

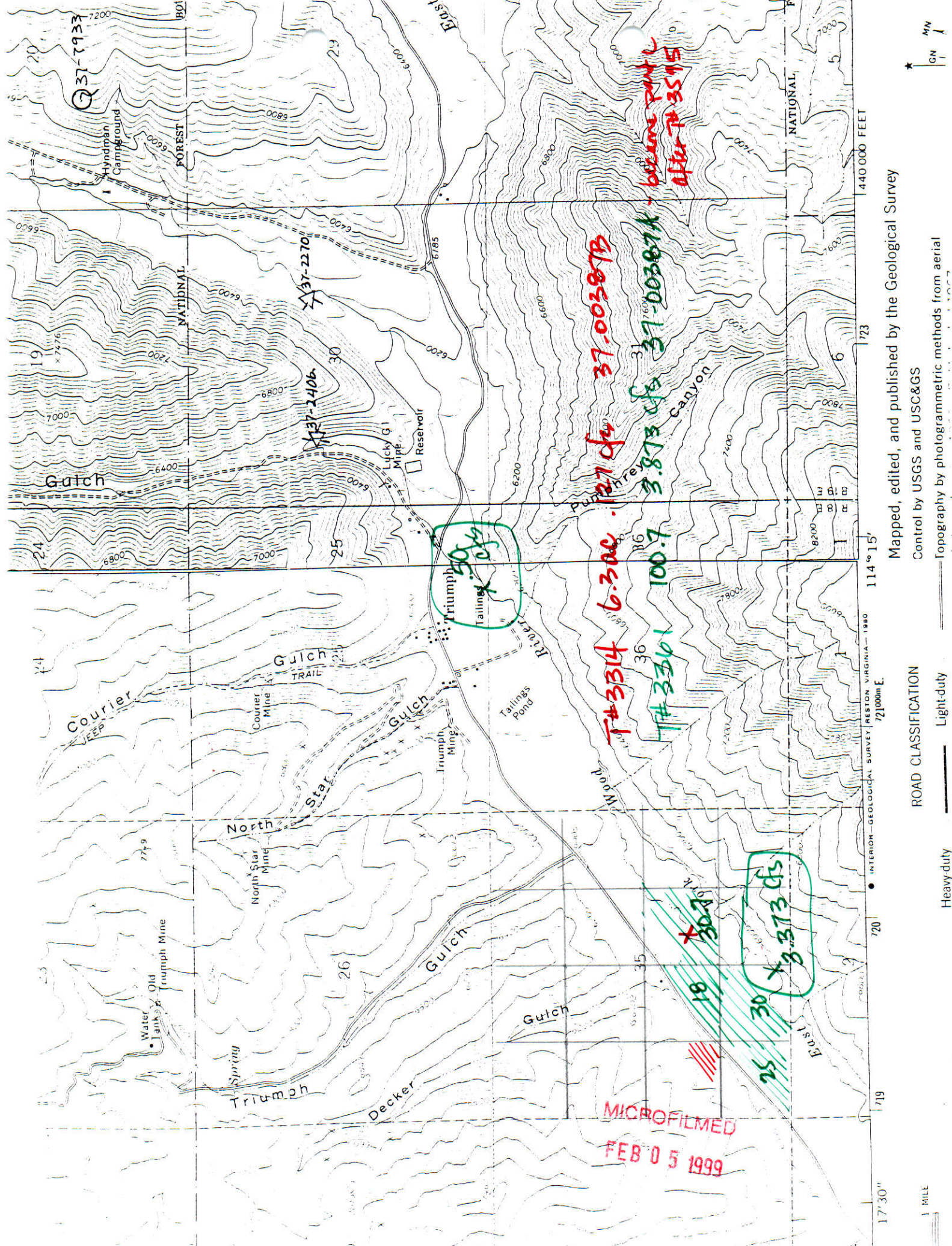
Publish: Wood River Journal—March 2 & 9, 1988.

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight.....4¢/Pica
7-8 pt. per line tabular.....5¢/Pica
7-8 pt. per line successive
insertions.....3¢/Pica

No 5825



Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial

ROAD CLASSIFICATION

Heavy-duty

Light-duty

1 MILE

17'30"

440 000 FEET

123

114°15'

721000m E

721000m E

120

120

120

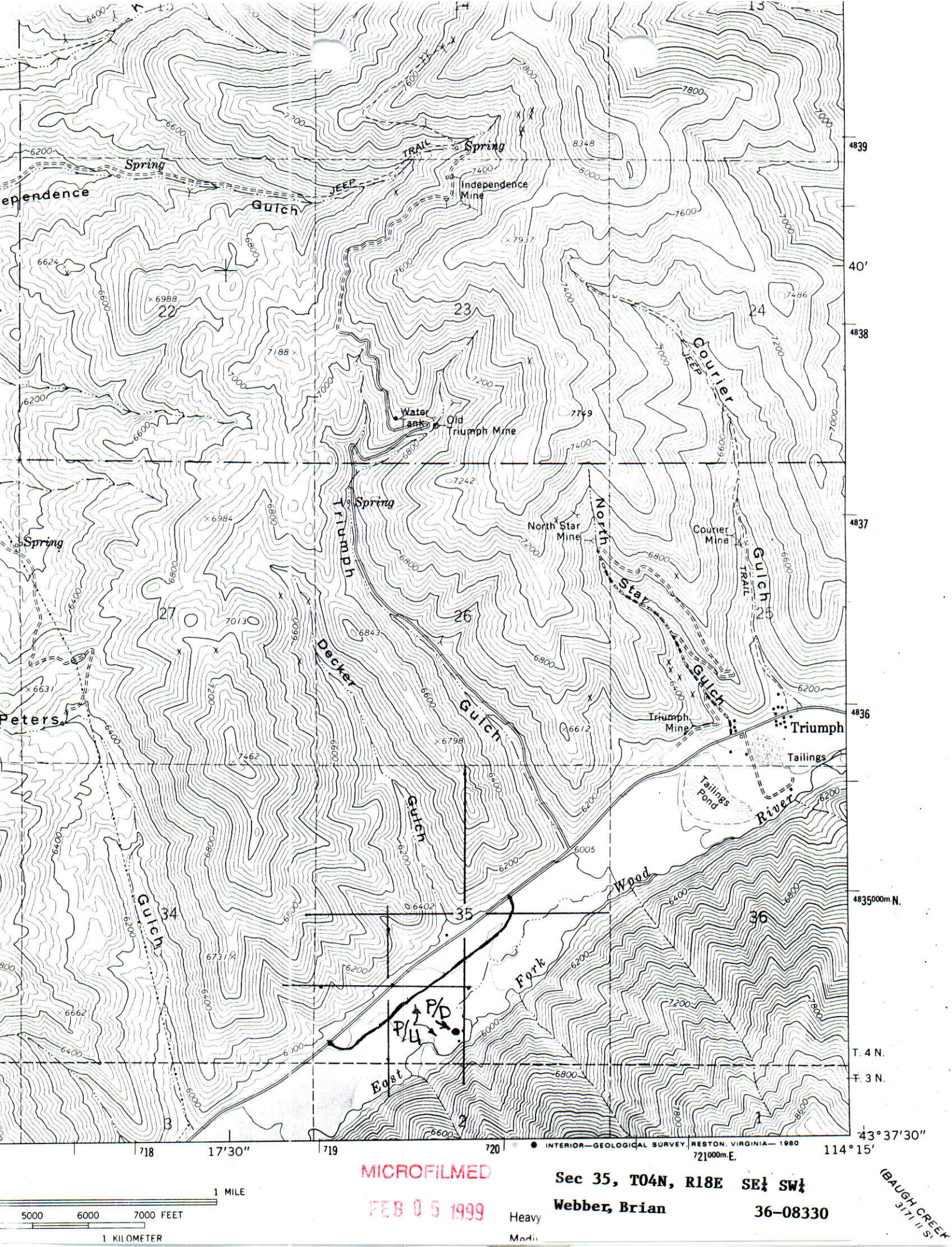
120

120

120

120

120



--- Buried Culvert

#1 Settling Pond

#2 Pond

#3 Pond

#4 Pond

#5 Pond

#6 Pond

#7 Pond

#8 Pond

Sec 35, T4N, R18E
NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

East Fork Rd.

Meadowbrook Rd.

Knights Headgate #18

Thunder Meadows Subd.

Webber House

East Fork Big Wood River

flow

MICROFILMED
FEB 03 1999

Webber, Brian William
17 Sept 1997 0900 hrs
1987 ASCS flight

37-08330

N
T
S

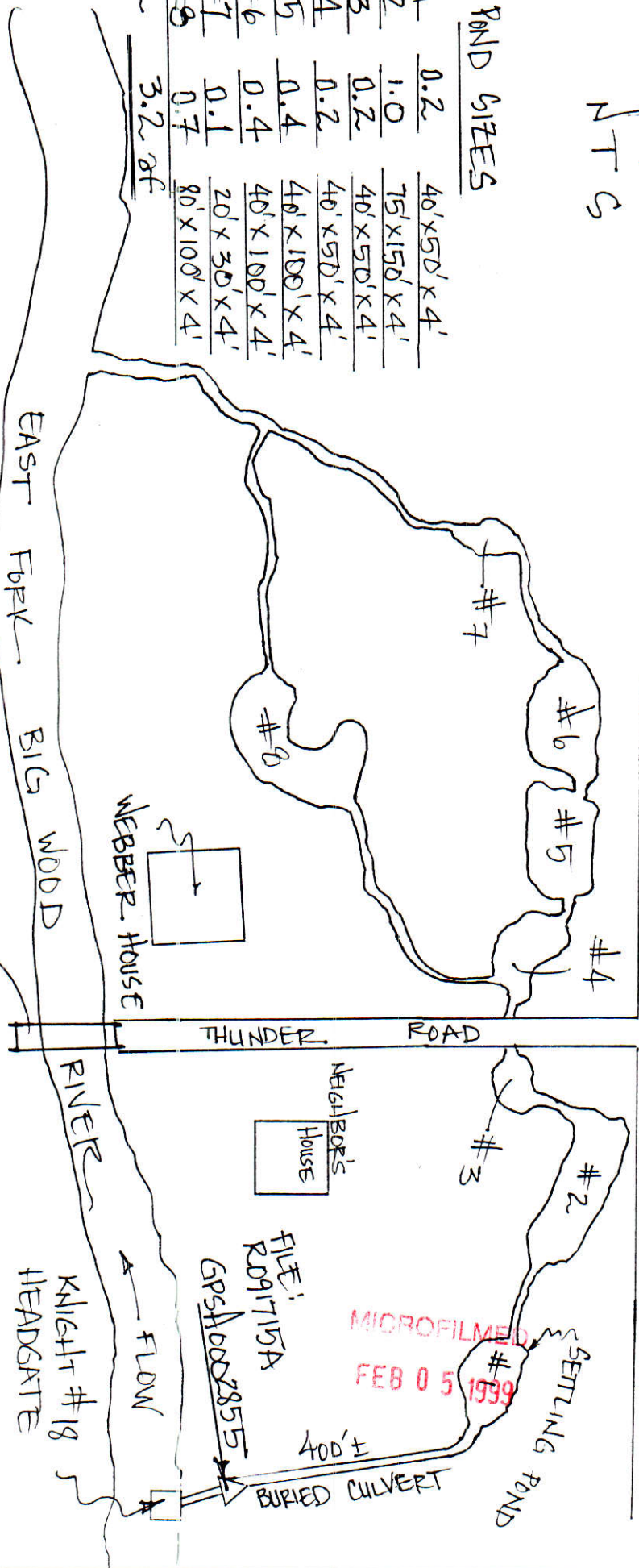
EAST FORK RD.

MEADOW BROOK ROAD

ROAD

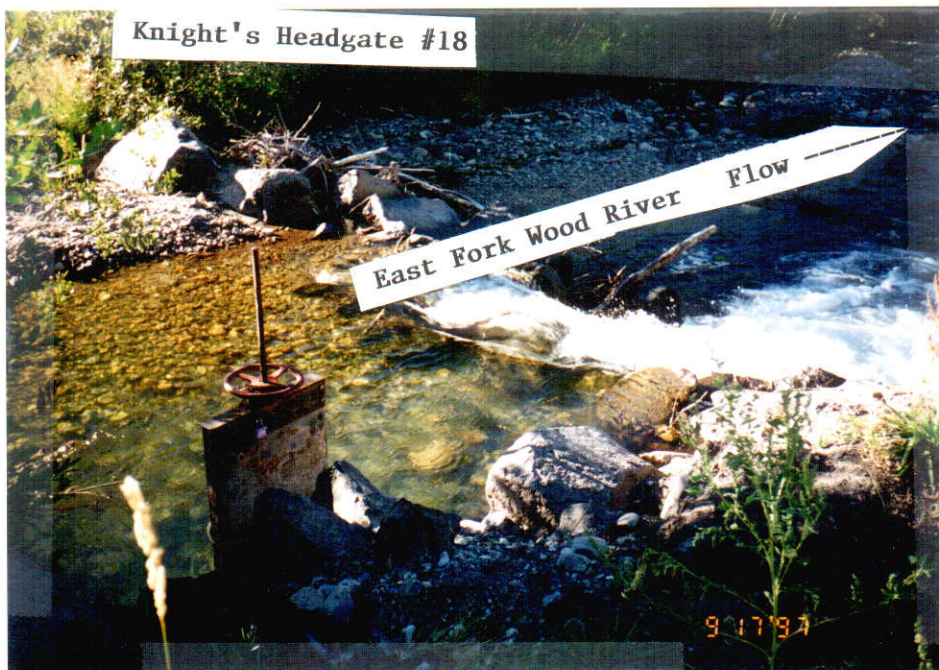
POND SIZES

#1	0.2	40'x50'x4'
#2	1.0	75'x150'x4'
#3	0.2	40'x50'x4'
#4	0.2	40'x50'x4'
#5	0.4	40'x100'x4'
#6	0.4	40'x100'x4'
#7	0.1	20'x30'x4'
#8	0.7	80'x100'x4'
TOTAL	3.2 af	



SEC 35, T04N, R18E, S61/4 SW1/4

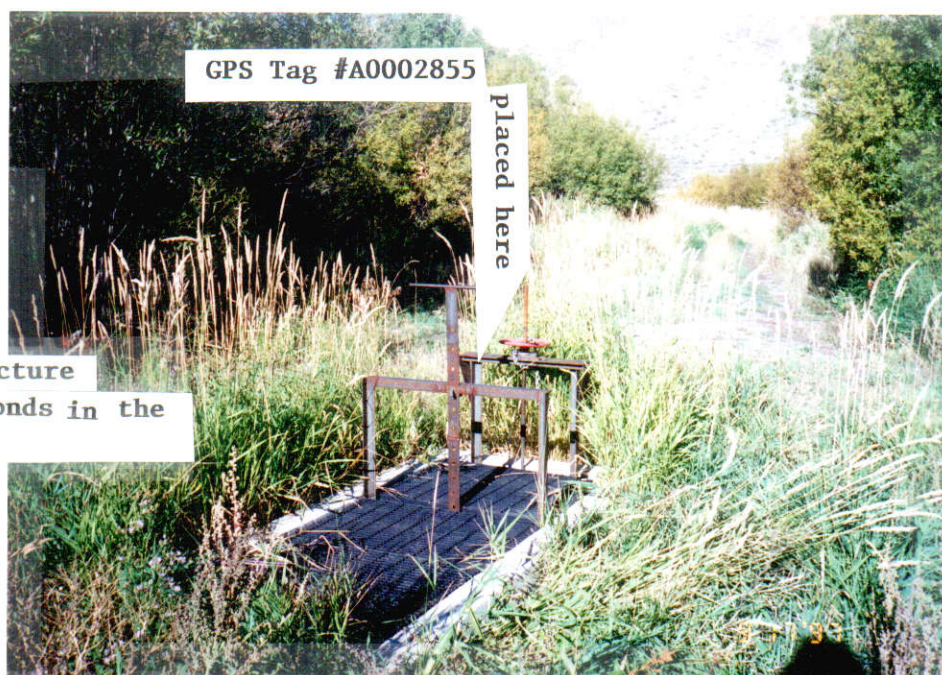
△ = #1 SUBMERGED ORIFICE
□ = #2 KNIGHTS HEADGATE #18



Knight's Headgate #18

Photo looking S'ly

The headgate and concrete diversion structure are approx. 25' apart



GPS Tag #A0002855

placed here

Concrete Diversion Structure
Diverts water to the ponds in the
Thunder Meadows Subd.

Photo looking N'ly

MICROFILMED
FEB 05 1999

Webber, Brian Z Sheridan
17 Sept 1997 1000 hrs.
Examiner: Satterlee, G.

37-08330

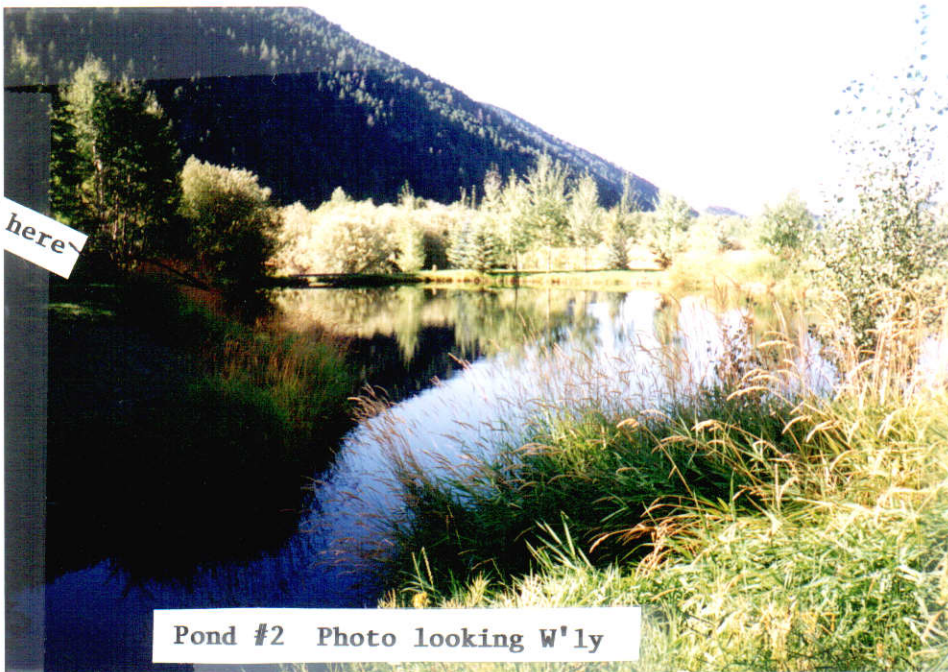
#1 Settling Pond approx. 400' N'ly of concrete diversion structure, fed by buried culvert.



#1 Settling Pond

Photo looking W'ly

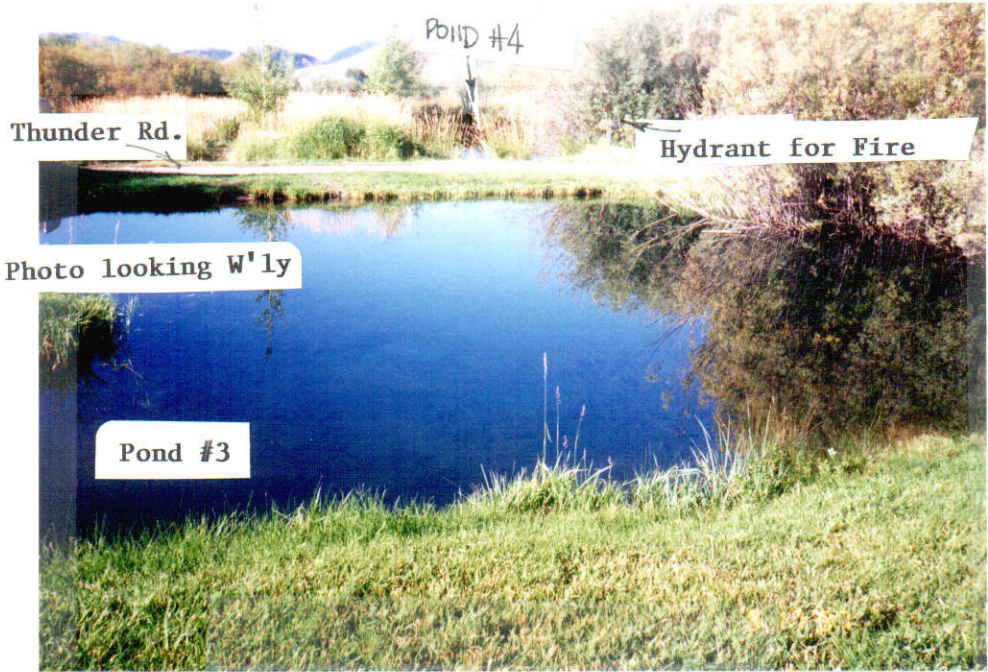
Pond #2 diverts to Pond #3 here



Pond #2 Photo looking W'ly

MICROFILMED
FEB 05 1999

Webber, Brian & Sheridan
17 Sept 1997 1000 hrs.
Examiner: Satterlee, G.



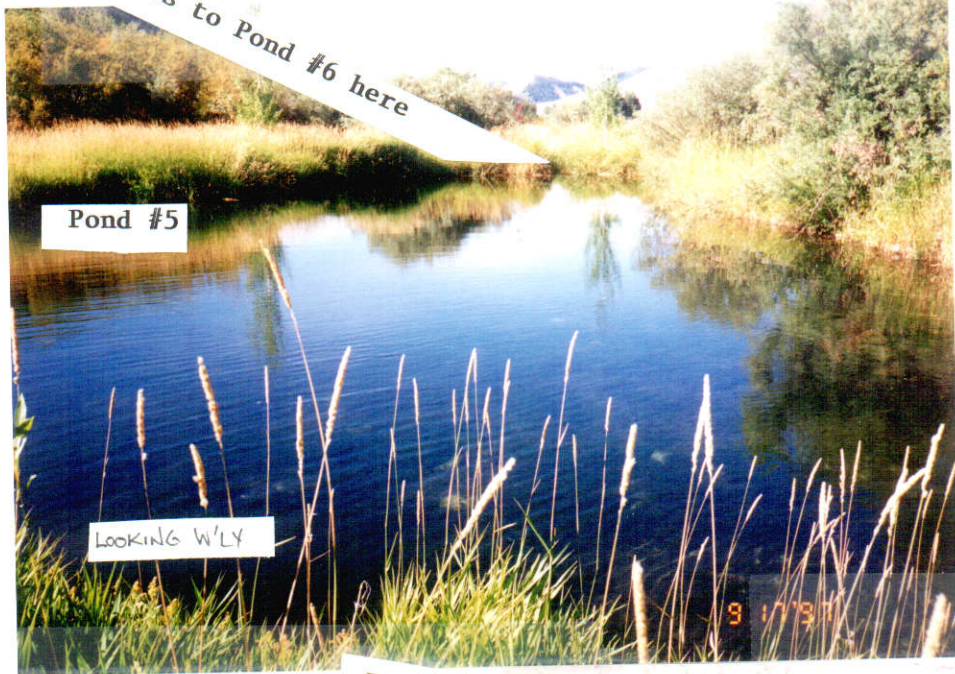
MICROFILMED
FEB 05 1999

Webber, Brian & Sheridan
17 Sept 1997 1000 hrs.
Examiner: Satterlee, G.

37-08330

4/4

diverts to Pond #6 here



Pond #5

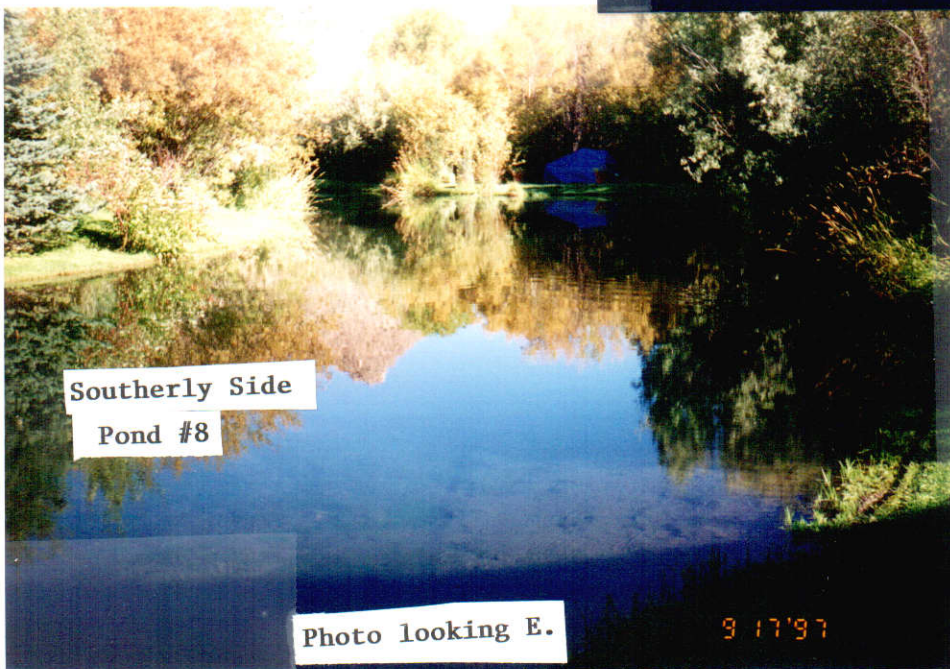
Looking W'ly

East Fork Rd.

Meadowbrook Rd.



Pond #6 Photo looking NE'ly



Southerly Side

Pond #8

Photo looking E.

NO PHOTOS TAKEN OF POND #7.

MICROFILMED
FEB 05 1999

Webber, Brian & Sheridan
17 Sept 1997 1000 hrs.
Examiner: Satterlee, G.

37-08330

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

37-8330

SHERIDAN, DAVID

P.O. BOX 20

KETCHUM, ID 83340

Source: BIG WOOD RIVER, EAST FORK trib. to BIG WOOD RIVER

Diversion Pt: NESESW Sec 35 T 04N R 18E; 3 miles South & 5 miles East of Ketchum.

Use: WILDLIFE (10.0 CFS)

Date Filed: 02/09/1988

In: SESW Sec 35 T 04N R 18E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before MARCH 21, 1988.

R. Keith Higginson, Director

Publish: Wood River Journal—
March 2 & 9, 1988.

OK
MB
2/17/88

RECEIVED

SEP 28 1988

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 37-08330

Priority: February 9, 1988

Maximum Diversion Rate:

6.36 CFS

Maximum Diversion Volume:

1637.2 AF

This is to certify, that DAVID SHERIDAN
PO BOX 20

KETCHUM ID 83340 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 9, 1988; and has submitted Proof of Beneficial Use on November 2, 1994. An examination indicates that the works have a diversion capacity of 6.360 cfs of water from:

BIG WOOD RIVER, EAST FORK

tributary to BIG WOOD RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
WILDLIFE	01/01 to 12/31	6.36 CFS	1637.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 35, Township 04N, Range 18E
BLAINE County

PLACE OF USE: WILDLIFE

TWN RGE SEC

04N 18E 35

SESW

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. Rights 37-00387C and 37-08330 when combined shall not exceed a total diversion rate of 6.36 cfs and a total annual maximum diversion volume of 1637.2 af.
4. Right 37-00387C is also diverted through the point of diversion described above.
5. This right is subject to the agreement dated 6/7/88 between the right holder and protestant(s) to the extent such agreement covers matters within the jurisdiction of the Department of Water Resources.
6. Use of water under this right shall be non-consumptive. Stream flow augmentation is required to compensate for loss of water resulting from diversion and use of water under this right.

MICROFILMED

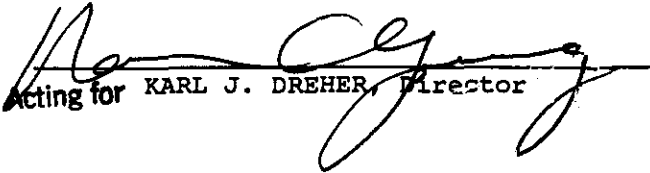
FEB 05 1999

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08330

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 18th day of

JANUARY, 1999.


Acting for KARL J. DREHER, Director

MICROFILMED
FEB 05 1999

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF PERMIT NO. 37-08330)	
IN THE NAME OF CODY WALDEN ACTING)	
FOR DAVID SHERIDAN)	ORDER OF
_____)	REINSTATEMENT

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On August 3, 1988, the Department issued Permit No. 37-08330 with a condition of approval that proof of construction of works and application of water to beneficial use (proof) be submitted on or before August 1, 1989. On July 7, 1989, the Department extended the proof due date to August 1, 1994.
2. On May 31, 1994, the Department sent a proof due notice to the permit holder. The notice was returned to the Department as undeliverable.
3. On August 8, 1994, the Department sent a lapse notice to the permit holder which was also returned to the Department marked "not deliverable".
4. On November 2, 1994, James P. Speck contacted the Department concerning the permit and submitted proof of beneficial use for the permit. Mr. Speck pointed out that the mailing address used by the Department was not the address of record in Department files and may have been the reason the post office in Ketchum, Idaho returned the proof due notice and lapse notice marked as "not deliverable".
5. During review of the water right file for licensing purposes, it was determined that the matter of lapsing and reinstatement of the permit had not been thoroughly documented resulting in the issuance of this reinstatement order.

CONCLUSIONS OF LAW

1. Section 42-218a.3, Idaho Code, provides that the Department may reinstate the original priority of a permit upon a showing of error by the department.
2. The Department erred in not sending the proof due notice and lapse notice to the address of record.

3. The Department should reinstate the permit with no advance in priority.

ORDER

IT IS HEREBY ORDERED that Permit No. 37-08330 is **REINSTATED** with no advance in priority.

DATED this 4th day of January, 1999.



L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED

NOV 04 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 37-08330 Telephone No. 208-726-8988

2. Name(s) of Permit Holder(s): Cody Walden acting for David Sheridan

3. Mailing Address: P.O. Box 20, Ketchum, Idaho 83340

4. Source of Water: East Fork

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

OPTIONAL:

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

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

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

Irrigation _____ (No. of acres) Other Wildlife Habitat

6. Total rate and/or volume for which proof is submitted 10 cfs OR _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ 325.00 (See License Fee Schedule on back of Instruction Sheet)

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

James P. Speck 208/726-4421
Name Telephone No.

Hogue, Speck & Aarstad, P.A. P.O. Box 987, Ketchum, Idaho 83340
Address

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

MAR 23 1995

10-28-94
Date

J. P. Speck, attorney
Signature (and title, if on behalf of a company or organization)

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFor Office Use Only
\$15 FEE Received by C.W.
Date 6/23/89
Receipt # COO 7761

JUN 22 1989

REQUEST FOR EXTENSION OF TIME

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

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

Permit No. 37-08330Name(s) of Permit Holder: Cody Walden acting for David SheridanPost Office Address: PO Box 20, Ketchum, Idaho 83340Telephone No. 208-726-8988Date Proof is Due: August 1, 1989

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

Engineering; Biological wildlife planning; Hydrological profile; Two instream "Staff Gauge"
measuring devices installed above and below works; Headgate w/measuring device and lockable
controlling works; pipeline; road culvert; excavation of ponds, ditch and spanning channels.

Costing \$ 50,000.00

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

Address and integrate U.S. Dept. of Fish & Game Study (Spring/Summer 1988); extensive
litigation time, and cooperation with subsequent requirements for permit approval. Limited
construction season. Revegetation and initial operational time necessary prior to demonstration
of beneficial use.

Permit holder(s) request an extension to August 1, 19 94.
(1 yr. minimum)

(Signature)*

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

FEE: \$15.00

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time in which to submit proof of beneficial use is extended to August 1, 1994.

MICROFILMED

AUG 22 1989

Signed this 7th day of July, 19 89.

[Signature]
Chief, Water Allocations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Cody Walden acting for David Sheridan Phone 208-726-8988
Post office address P.O. Box 20, Ketchum, ID 83340

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

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 35 Township 4N Range 18E B.M. Blaine County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 10 for Wildlife 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)

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

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

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Headgate with measuring device at inlet
and outlet, ditch with series of ponds for waterfowl habitat.

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

c. Proposed well diameter is n/a 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).

SEP 26 1988

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. _____
- Other; describe fully. Wildlife. We are participating with the Idaho Dept. of Fish & Game in re-establishing waterfowl habitat in Blaine County. A series of native ponds

with cover and perennial food sources exist for waterfowl habitat improvement. The 10CFS of non-consumptive water is proposed for use to flow through approx. 10 acre-feet of ponds.

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.

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	18E	35												W					

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? David Sheridan

b. Who owns the land to be irrigated or place of use? David Sheridan/Cody Walden

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Power of Attorney

12. Remarks: this is an application for 10CFS of NON-COMSUMPTIVE water. We currently hold 3.373CFS of consumptive water in this diversion (Transfer No. 3361), a portion of which will be used to absorb any loss of NON-COMSUMPTIVE water in this diversion.

Place of Use: SEC. 35, T.4N., R.18E
TRIUMPH MEADOWS Subdivision

SW 1/4 NE 1/4

NE 1/4 SW 1/4

NW 1/4 SE 1/4

SW 1/4 SW 1/4

SE 1/4 SW 1/4

EAST FORK RIVER

DITCH

Ponds

point of Diversion

measuring Device

SEP 28 1988

SEP 28 1988

[illegible]

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 2/9/88

Received by M. Baldwin Date 2/9/88 Time 10:00 am Preliminary check by ADM

Fee \$225 Receipted by M. Baldwin # 45486 Date 2/10/88

Publication prepared by M. Baldwin Date 2/10/88 Published in Wood River Journal
Statewide

Publication approved M. Baldwin Date 3/11/88, 3/23/88

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. 37-8330, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 89.

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: Prior to placing water to beneficial use under this permit, the permit holder must determine the rate of loss within his facilities using a procedure approved by the Director of the Department of Water Resources, and provide a source of augmentation water to mitigate all losses.

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

A separate stream alteration permit from the IDWR is required for any activity in the stream channel other than construction and/or maintenance of the diversion structure. If your proposed construction or operation involves construction of an outfall or any other work in the stream channel other than a water diversion, you must contact the Department and obtain a Stream Channel Alteration permit prior to the start of construction.

This permit is subject to the agreement dated 6/7/88 between permit holder and protestant(s) to the extent such agreement covers matters within the jurisdiction of the Department of Water Resources.

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this permit.

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

Witness my hand this 3rd day of August, 1988.

R. Paul Higgins
Director

RECEIVED
SEP 28 1988

RECEIVED

SEP 6 1988

Department of Public Resources
City of Los Angeles Office

DAVID SHERIDAN

July 7, 1987

TO WHOM IT MAY CONCERN:

I, David Sheridan, General Partner of Sheridan Brothers Development Company, hereby authorize Cody Walden to act as Attorney-In-Fact to apply for and/or transfer water rights appurtenant to Triumph Meadows. Reference: State Water Right: #37-0387

Date: 7-7-87

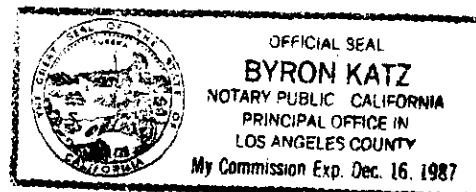
David Sheridan
David Sheridan

JUL 7 1987

APPEARED AND IS KNOWN TO ME, OR PROVED
ON THE BASIS OF SATISFACTORY EVIDENCE
TO BE THE PERSON WHOSE NAME IS SUBSCRIBED
TO THE WITHIN INSTRUMENT

Byron Katz NOTARY PUBLIC
IN AND FOR THE COUNTY OF LOS ANGELES STATE OF CALIFORNIA

SEP 28 1988



37-8330

STATE OF IDAHO

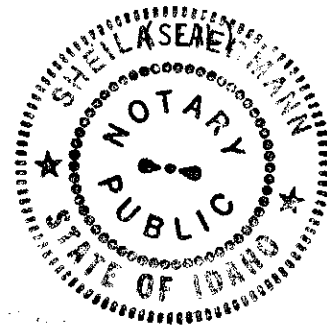
COUNTY OF BLAINE

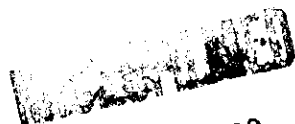
On this 2nd day of February, 19 88, before me,
the undersigned, a Notary Public, in and for said State, personally
appeared CODY WALDEN

known to me and/or identified to me on the basis of satisfactory
evidence to be the person(s) whose name is/are subscribed to the
within instrument and acknowledged to me that he executed
the same.



NOTARY PUBLIC
Residing at: Blaine County, Idaho
Commission Expires: May 20, 1992




SEP 28 1988

RECEIVED

FFB 9 1988

Department of Water Resources
Southern Region Office

INDIVIDUAL NOTARY ACKNOWLEDGEMENT

37-8330

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 031088 INVOICE No. L00127692

Account No. 44662

Description 27692NOTIC

Times 2 Lines 25

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO: STATE OF IDAHO
DEPT. OF WATER RESOURCES
1041 BLUE LAKES BLVD. N.
TWIN FALLS,
ID 83301

\$ 21.88

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

C. M. Viers, being duly sworn,
deposes and says, I am the Legal Clerk
of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the

27692
**NOTICE OF APPLICATION
FOR WATER RIGHT**
The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
37-8339
SHERIDAN, DAVID
P.O. BOX 20, KETCHUM, ID 83340
Source: BIG WOOD RIVER, EAST
FORK trib. to BIG WOOD RIVER
Diversion Pt: NESESW Sec 35 T 04N
R 18E; 3 miles South & 5 miles East
of Ketchum.
Use: WILL BE (10.0 CFS)
Date Filed: 02/07/88
In: SESW Sec 35 T 04N R 18E
The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Southern Region,
2148 4th Avenue East, Twin Falls,
Idaho 83301 on or before MARCH 21,
1988.
R. KEITH HIGGINSON, Director

OK
NB
3/23/88

NOTICE OF APPLICATION
attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 030388, or once a
WEEK for 2 consecutive WEEKS, the first
publication thereof being on the 030388, and the last pub-
lication thereof being on the 031088, and said

NOTICE OF APPLICATION
was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above.

C. M. Viers

SUBSCRIBED AND SWORN BEFORE ME THIS THE 10
day of March 1988

Sheral Dr Lentz
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

RECEIVED

MAR 21 1988

Department of Water Resources
Southern Region Office

NOTICE OF
APPLICATION FOR
WATER RIGHT
The following applica-
tions have been filed to
appropriate the public
waters of the State of
Idaho:

37-8330

APPLICANT: DAVID
Box 20
Ketchum, ID 83340
Source: BIG WOOD
RIVER, EAST FORK TRIB.
OF BIG WOOD RIVER
Drainage PC NESESW
SEC 35 T 44N R 18E 3
miles South & 5 miles
East of Ketchum.
Use: WILDLIFE

10.0 CFS

Date Filed: 02/16/1988
In: SESW SEC 35 T 44N R
18E

The permit(s) will be
subject to all prior water
rights. Protests must be
filed with the Director,
Dept. of Water
Resources, Southern
Region, 2148 4th Avenue
East, Twin Falls, Idaho
83301 on or before
MARCH 21, 1988.

R. KEITH HIGGINSON,
Director
PUBLISH: Thursday,
March 03, and 10, 1988.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

No. 18358

I, Linda Capps McSwine, being first duly sworn upon
oath, depose and say that I am Print Clerk of the TIMES-NEWS,
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of
the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for Two -----
consecutive weeks, commencing with the issue dated
March 3, 19 88, and ending with the issue dated
March 10, 19 88.

And I do further certify that said newspaper is a consolidation, effective February 16,
1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin
Falls News, published theretofore daily except Monday, both of which newspapers prior to
consolidation had been published under said names in said city and county continuously and
uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday,
until July 31, 1978, at which time said newspaper began daily publication under said name
in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week
has been designated as the day on which legal notice by law or by order of any court of com-
petent jurisdiction within the state of Idaho, to be published weekly, will be published; and
that at the head of the editorial column of said combined newspapers, and in each issue there-
of, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this 10 day of

SEP 4 1988

March, 19 88

Brenda Parker

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss

I, .. Richard Hardy, first being duly sworn, depose and say: That I am the
... Asst. Foreman of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except
Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in
the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903,
such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been
published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and
said Post-Register having been published continuously and uninterruptedly from the date of such consolidation,
up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in
said Post-Register for ... two consecutive weeks, first publication having been made
on the ... 3rd day of March 19. 88., last publication
having been made on the ... 10th day of March 19.88., and that the
said notice was published in the regular and entire issue of said paper on the respective dates of publication, and
that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this ... 14th day of March 19. 88.

Richard Hardy
Deon K. Napier
Notary Public

My commission expires . September . 30., ... 19.88..

B10

**NOTICE OF APPLICATION
FOR WATER RIGHT**
The following application(s) have been filed
to appropriate the public waters of the State of
Idaho: **33-4380**
SHERIDAN DAVIES
P.O. BOX 20, KETCHIKAN, AL 99901
Source: BIG WOOD RIVER, EAST FORK
trib. to BIG WOOD RIVER
Diversion Pt: NESESW Sec 35 T 04N R 18E; 3
miles South & 1/2 miles East of Ketchikan.
User: WILSON PAPER CO. 200,000 cfs
Date Filed: 09/13/82
In: 33-4380
The following notice is hereby given to all persons
who may be interested in the above described water
right, that the same has been filed for record with the
Director, Department of Lands, Bureau of Reclamation,
Region, 2144 4th Avenue East, Boise Falls,
Idaho 83304 on or before March 21, 1988.
K. KIRBY HARRISON, Director
Published: March 1, 10, 1988

OK
MB
3/23/88

RECEIVED

MAR 17 1988

Department of Lands, Bureau of Reclamation
Boise Region Office

RECEIVED

SEP 28 1983

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

30.26

Account Name Idaho Dept. Water Resources (Souther Div.)		Account Number #100632	
Address 2148 4th Avenue East		City/State Twin Falls, ID	Zip 83301
Ordered By Mary A. Baldwin	P.O. Number	Rate nt	Run Dates 1988 Mar. 3, 10
Identification Water Right: David Sheridan		Estimated Inches	Real Inches
1 Number of Affidavits Requested			Legal Number #7743

RECEIVED

MAR 11 1988

DEPARTMENT OF WATER RESOURCES
TWIN FALLS, IDAHO

SEP 28 1988

OK MB
3/11/88

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Deborah Gregory, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for Two (2) ☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of March 3, 19 88
and ending with the issue of March 10, 19 88

Deborah Gregory

Subscribed and sworn to before me this 10th
day of March, 19 88

Anna Gully 12/93
Notary Public for Idaho, Residing at Boise, Idaho

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

MAR 22 1988

DANIEL J. GORHAM

Depositor, 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 2nd day of Mar, 1988, and

the date of the last publication was on the 9th day of Mar, 1988.

Daniel J. Gorham

Subscribed and sworn to before me this 9th day of Mar, 1988.
(SEAL)

Roberta Draper

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 34
Number of Insertions 2
Lines tabular at 5¢/Pica
34 Lines straight at 14.96 4¢/Pica
34 Subsequent lines at 11.22 3¢/Pica
TOTAL COST 26.18

COPY OF NOTICE

(Paste Here)

Not. of Application #37-8330
TITLE OF NOTICE *Sheridan*

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

Water right sought by Sheridan

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-8330

SHERIDAN, DAVID

P.O. BOX 20

KETCHUM, ID 83340

Source: BIG WOOD RIVER, EAST

FORK trib. to BIG WOOD RIVER

Diversion Pt: NESESW Sec 36 T

04N R 18E; 3 miles South & 5

miles East of Ketchum

Use: WILDLIFE (10.0 CFS)

Date Filed: 02/09/1988

In: SESW Sec 36 T 04N R 18E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before MARCH 21, 1988.

R. Keith Higginson, Director

Publish: Wood River Journal

March 2 & 9, 1988.

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight 4¢/Pica

7-8 pt. per line tabular 5¢/Pica

7-8 pt. per line successive

insertions 3¢/Pica

No 5825

SEP 28 1988

IDAHO DEPARTMENT OF WATER RESOURCES

1301 North Orchard St.

P.O. Box 83720

Boise, ID 83720-0098

(208) 327-7900

TO

RECEIVED
JAN 25 1999

Department of Water Resources

NOT DELIVERED
AS ADDRESS UNKNOWN
UNABLE TO FORWARD

LOT-09220
DAVID SHERIDAN
PO BOX 20
KETCHUM

ID 83240



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 www.idwr.state.id.us/idwr/idwrhome.htm

January 19, 1999

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DAVID SHERIDAN
PO BOX 20
KETCHUM ID 83340

RE: WATER RIGHT NO. 37-08330

Dear Water Right Holder(s):

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

MICROFILMED

FEB 05 1999

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

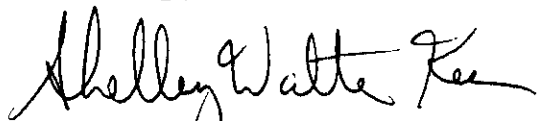
MICROFILMED

2 FEB 05 1999

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.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

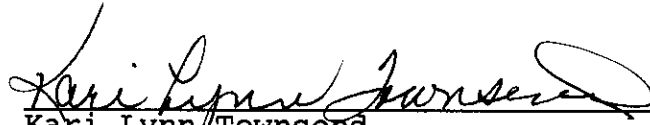
FEB 05 1999

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of January, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 37-08330

DAVID SHERIDAN
PO BOX 20
KETCHUM ID 83340


Kari Lynn Townsend
Secretary

MICROFILMED

FEB 05 1999

MEMORANDUM

DATE: January 14, 1999

TO: Water Right File 37-08330

FROM: Shelley W. Keen *(SK)*

RE: Inquiry from Jim Speck

Yesterday I spoke on the telephone with Jim Speck to answer the questions he posed in his 1/11/99 letter to me. I told Jim that the license will not include the storage use because the right is for a non-consumptive use, which precludes the retention of water in a storage reservoir to the detriment of the flow in the river. I also explained to him that the small reservoir would generally fill in less than 24 hours anyway, so they will be viewed not as storage but as "wide spots in the ditch." I also explained to Mr. Speck that the license cannot be issued for 7.38 cfs because that rate was not delivered prior to the submission of proof of beneficial use. The highest rate prior to submission of proof is 6.36 cfs.

This morning I had Georgia Satterlee fax me diversion data for 1989 through 1991 to be sure there was no delivery higher than 6.36 cfs in those years. There was not. There is no data for 1988.

*Called Jim Speck on 1/14/99 and
informed him of the content of the 1989-1991 data (on
his voice mail.)
S.W. Keen*

MICROFILMED

FEB 05 1999

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

RECEIVED

JAN 14 1999

Department of Water Resources
TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

January 13, 1999

Mr. Shelly Keen
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise ID 83720-9000

RE: Permit No. 37-08330
Thunder Meadows Owners Association

Dear Shelly:

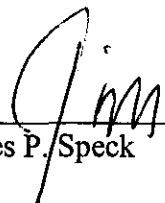
This letter will confirm our telephone conversation earlier today. You explained the proposed diversion rate of 6.36 cfs is based on watermaster delivery records in 1992 and 1993 which are prior to the filing of the Proof of Beneficial Use in 1994. I ask that you also go back and look at the diversion records for 1989 through 1991 since the Permit was issued in 1988. You have agreed to have the field examiner do this.

With respect to a storage element for the pond in the project, you explained that as long as the pond fills in less than 24 hours at the recommended diversion rate, it is not necessary to include a storage element. I understand this project qualifies for that exception.

Thank you again for working with us on this water right. I look forward to hearing from you soon on the diversion rate.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
cc: Brian Webber

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FEB 05 1999

DATE	TIME	DRIFT	CHART NUMBER	1971
1	0.00	0.00	0.00	0.00
2	0.00	0.00	0.00	0.00
3	0.00	0.00	0.00	0.00
4	0.00	0.00	0.00	0.00
5	0.00	0.00	0.00	0.00
6	0.00	0.00	0.00	0.00
7	0.00	0.00	0.00	0.00
8	0.00	0.00	0.00	0.00
9	0.00	0.00	0.00	0.00
10	0.00	0.00	0.00	0.00
11	0.00	0.00	0.00	0.00
12	0.00	0.00	0.00	0.00
13	0.00	0.00	0.00	0.00
14	0.00	0.00	0.00	0.00
15	0.00	0.00	0.00	0.00
16	0.00	0.00	0.00	0.00
17	0.00	0.00	0.00	0.00
18	0.00	0.00	0.00	0.00
19	0.00	0.00	0.00	0.00
20	0.00	0.00	0.00	0.00
21	0.00	0.00	0.00	0.00
22	0.00	0.00	0.00	0.00
23	0.00	0.00	0.00	0.00
24	0.00	0.00	0.00	0.00
25	0.00	0.00	0.00	0.00
26	0.00	0.00	0.00	0.00
27	0.00	0.00	0.00	0.00
28	0.00	0.00	0.00	0.00
29	0.00	0.00	0.00	0.00
30	0.00	0.00	0.00	0.00
31	0.00	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00	0.00
REMARKS	375.20			
WINDY ACROSS FEET	782.6%			
TOTAL NO. OF DAYS	122			
WINDY BELOW	3.71			

Post-it® Fax Note		7671	Date	JUN	# of pages	2
To	SHELLEY		From	SOUTHERN		
Co./Dept.	S.O.		Co.	GLS		
Phone #			Phone #			
Fax #			Fax #			

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FEB 05 1999

No Use In 1988

WATER DISTRICT 837 & 37-11

CIVIL NAME: TONGAT CIVIL NUMBER 10 1989

OWNER: LLOYD SHERIDON

DATE: APRIL MAY JUNE JULY AUG. SEPT. DATE

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1							1
2							2
3							3
4							4
5							5
6							6
7							7
8							8
9							9
10							10
11							11
12							12
13							13
14							14
15							15
16							16
17							17
18							18
19							19
20							20
21							21
22							22
23							23
24							24
25							25
26							26
27							27
28							28
29							29
30							30
31							31
TOTAL	0.00	0.00	0.00	15.00	13.40	36.60	

WEIRLY C.F.S.

83.00

WEIRLY ROPE FEET

169.3

TOTAL NO. OF DAYS

48

WEIRLY WEIR

1.77

WATER DISTRICT 837 & 37-11

CIVIL NAME: TONGAT CIVIL NUMBER 10 1990

OWNER: LLOYD SHERIDON

DATE: APRIL MAY JUNE JULY AUG. SEPT. DATE

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1							1
2							2
3							3
4							4
5							5
6							6
7							7
8							8
9							9
10							10
11							11
12							12
13							13
14							14
15							15
16							16
17							17
18							18
19							19
20							20
21							21
22							22
23							23
24							24
25							25
26							26
27							27
28							28
29							29
30							30
31							31
TOTAL	0.00	26.70	31.46	61.30	69.00	71.00	

WEIRLY C.F.S.

261.40

WEIRLY ROPE FEET

417.572

TOTAL NO. OF DAYS

152

WEIRLY WEIR

1.72

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FEB 05 1999

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

January 11, 1999

**VIA FACSIMILE (208) 327-7866
NO ORIGINAL WILL FOLLOW**

Mr. Shelly Keen
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise ID 83720-9000

RE: Proposed License for Water Right No. 37-08330

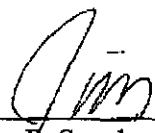
Dear Shelly:

Thank you for faxing me a copy of the proposed license for water right no. 37-08330. The license examiner recommended 7.38 cfs which is the maximum amount shown diverted in the Watermaster records accompanying the Beneficial Use Field Report. Why are you proposing this cut back to 6.36 cfs? The license examiner also recommended that a storage component of 3.2 acre feet, which is the capacity of the ponds, be added to the license. Why was this not done?

Please call me as soon as you can to discuss these matters. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
cc: Brian Webber, w/encl. (via fax)

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FEB 05 1999

WR0749NP
No. L37-08330

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/31/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID SHERIDAN PO BOX 20 KETCHUM ID 833400000 (208) 726-8988	02/09/1988	WILDLIFE	01/01 12/31	6.360 CFS	1637.20 AFA
TOTAL DIVERSION:					6.360 CFS	1637.20 AFA

Water Source: BIG WOOD RIVER, EAST FORK

Tributary to: BIG WOOD RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 6.360 CFS

Point(s) of Diversion: T04N R18E S35 SESW

BLAINE County

Place of use Legal Description for: WILDLIFE

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
04N 18E 35 :															

Pou County: BLAINE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

37-00387C T37-00387E T37-00387G

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

37-00387C T37-00387E T37-00387G T37-00387H

Conditions of Approval:

- 027 - Use of water under this right shall be non-consumptive.
- R43 - The right holder shall maintain a measuring device and lockable
- controlling works of a type approved by the Department in a
- manner that will provide the watermaster suitable control of the
- diversion.
- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 37.

Remarks: GEN Rights 37-00387C and 37-08330 when combined shall not exceed a total diversion rate of 6.36 cfs and a total annual maximum diversion volume of 1637.2 af.
Right 37-00387C is also diverted through the point of diversion described above.
This right is subject to the agreement dated 6/7/88 between the right holder and protestant(s) to the extent such agreement covers matters within the jurisdiction of the Department of Water Resources.

Dates: App. Received: 02/09/1988 Priority Date: 02/09/1988 (Priority Date Advanced.)
Proof Due Date: 08/01/1994 Proof Made Date: 11/02/1994 (Proof Received Late.)
Exam Made Date: 10/17/1997 Exam Sent to S.O.: 10/21/1997
Licensed Date:

WR0749NP
No. L37-08330

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/31/98
PAGE: 2

=====

Misc: Water District Number: 37 Field Exam Fee:

Comments: Date: 08/08/1994 User-ID: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

Date: 10/20/1997 User-ID: MBALDWIN Subject: FIELD EXAMINATION
A field examination was conducted on 10/17/97 by Georgia Satter-
lee and forwarded to State Office on 10/20/97.

Audit: 12/09/98 SCURTIS 12/18/98 SCURTIS 12/29/98 SCURTIS 12/30/98 SCURTIS

MEMORANDUM

TO: File 37-08330

FROM: Sharla

DATE: December 18, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 37-08330 are as follows:

C. DIVERSION AND DELIVERY SYSTEM

1. Point of Diversion: NESW, S35, T4N, R18E (headgate only)

H. RECOMMENDATIONS

Wildlife	1/1 – 12/31	6.36 cfs	1637.2 afa
----------	-------------	----------	------------

The point of diversion is described only from the diversion from the river at the headgate.

The highest rate assessed by the watermaster per the records included in the file prior to the filing of proof of beneficial use was 6.36 cfs. This is the rate to be listed on the license. The volume is based on the data from the same reports, with the greatest volume diverted as 1637.2 af.

Diversion to storage and storage uses are not necessary; the size of the ponds is small and all would fill in less than 24 hrs at a diversion rate of 6.36 cfs. Thus, these ponds can be considered as "wide spots in the ditch".

Any use of water other than wildlife under this right and irrigation under 37-00387C requires a new filing.

Exam Date: September 17, 1997
Examiner: Georgia Satterlee

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FEB 05 1999

MEMORANDUM

TO: File 37-08330

FROM: Sharla

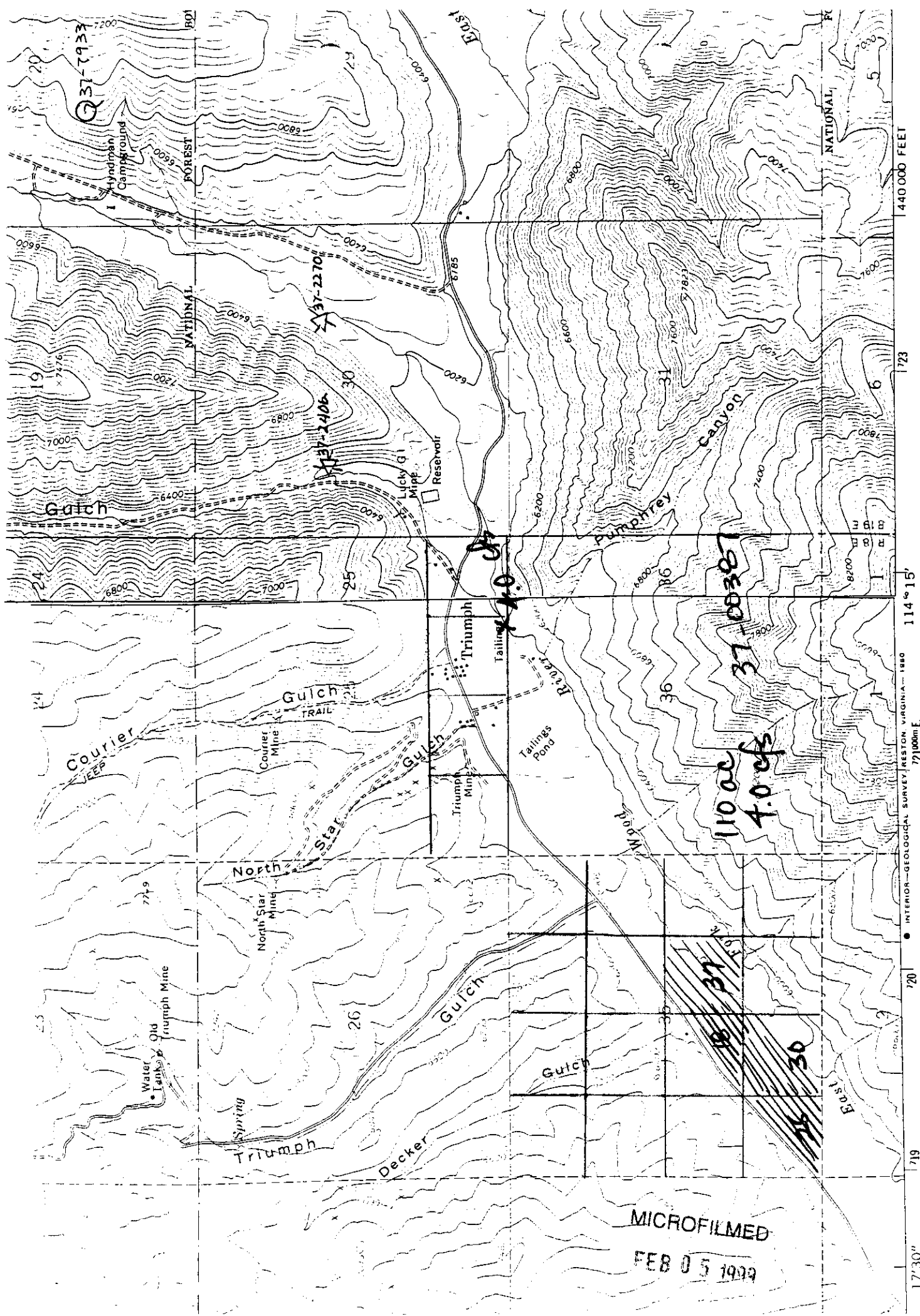
DATE: December 16, 1998

RE: Telecon

On December 11, I sent a fax to Lee Peterson (watermaster) asking for information on the location of the point(s) of diversion known as Knight's #18 headgate. I also asked about the number of users at this headgate and asked him if he could tell me the delivery rate proposed by the examiner for licensing included the water used by the right holder for irrigation under 37-00387C.

On December 16, Lee called me back and told me the headgate is in the SESW, S35. He stated that the rate proposed by the examiner based on the highest delivery assessed is probably as accurate as we can get because he doubted the ditch could handle any more water than that. He also confirmed that this non-consumptive right and the irrigation right 37-00387C are for the same water delivery assessment, with no other users from that headgate.

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FEB 05 1999



Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial

ROAD CLASSIFICATION

Light-duty

Heavy-duty

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FEB 05 1979

1 MILE

17° 30"

119

120

114° 15'

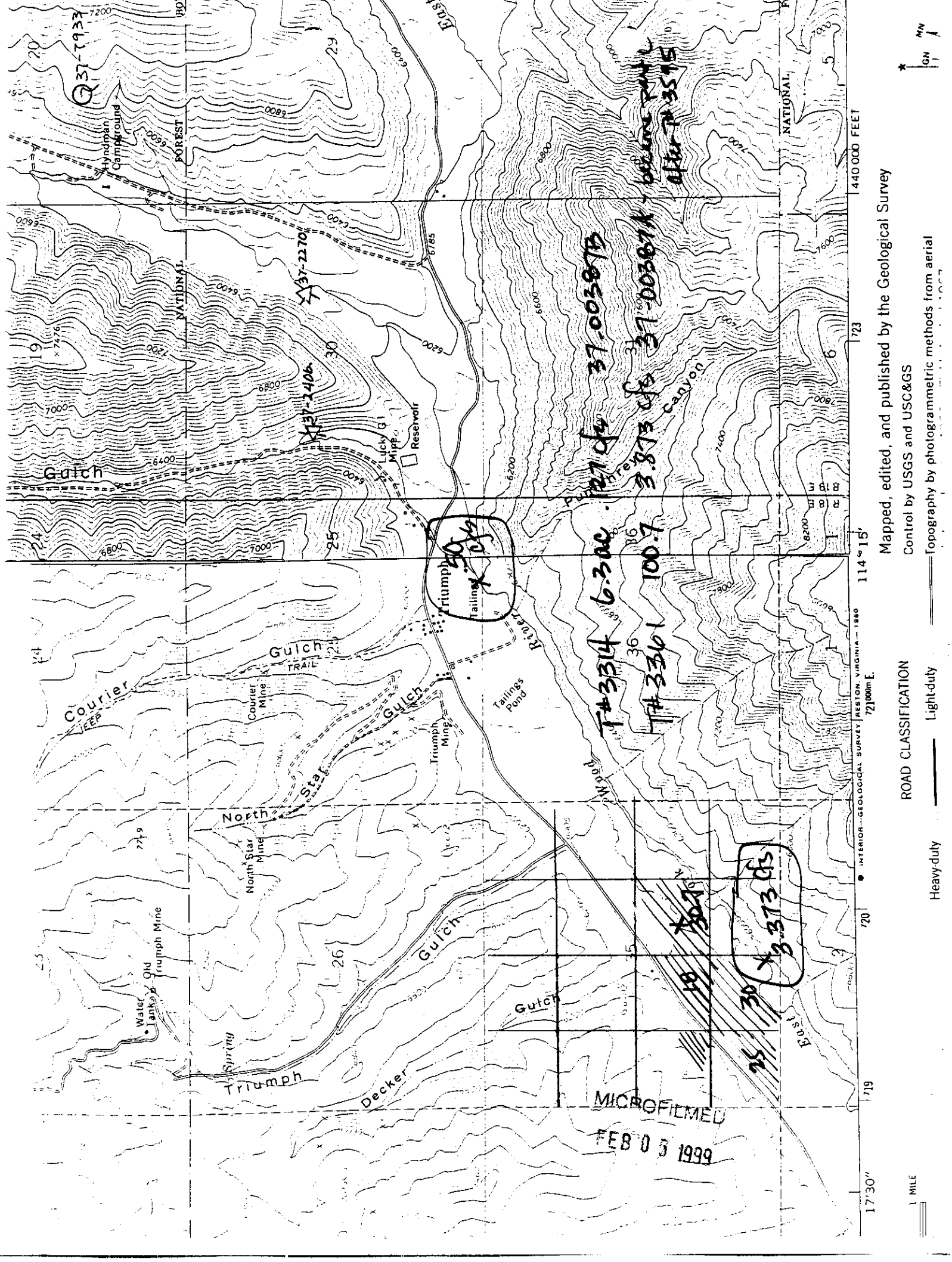
123

440 000 FEET

NATIONAL

FOREST

Q 37-7933



Mapped, edited, and published by the Geological Survey

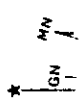
Control by USGS and USC&GS

Topography by photogrammetric methods from aerial

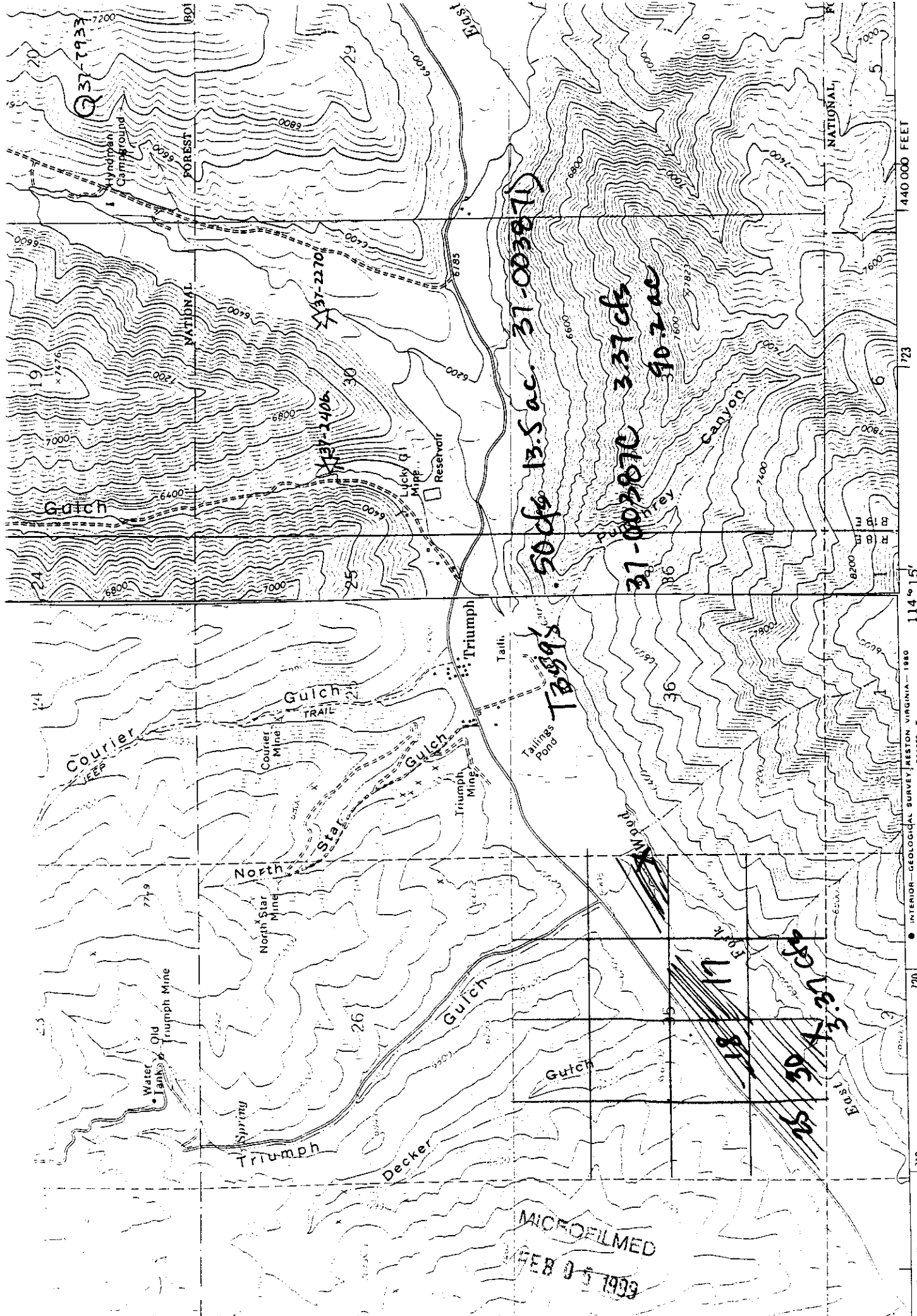
ROAD CLASSIFICATION

Heavy-duty Light-duty

1 MILE



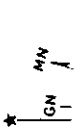
MICROFILMED
FEB 03 1999



MICROFILMED
FEB 05 1993

Maped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography by photogrammetric methods from aerial

ROAD CLASSIFICATION
Heavy-duty
Light-duty



LICENSE REVIEW CHECKLIST

PERMIT NO. 37-08330 DATE 12/8/98 REVIEWER: SHARLA

NAME Change/OK
 Address / no assignment rec'd
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK headgate from river
 Change (P89/P47) Add (P45/P42) Feds - P40

W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

37-00387 4.0 cfs Knight #18 headgate

4N, 18E, S35 NESW 18
 S2SW 25/30
 NWSE 37
 110

T3314
 diff. fld
 T3595
 3361

Overlaps: Right(s):
 File reviewed Profile reports printed

PLACE OF USE OK Change (P41/P47) Add (P41/P42) Feds - P43

W60 (subd. desc)
 W27 (ppu acre limit)

T3595
 .50 cfs

Overlaps: Right(s):
 File reviewed Profile reports printed

NWSE 17.2

T4945/4997
 gw gw
 NESW 7.3 - 16.1
 .056 cfs .055 cfs
 S2SW 25.5

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate 10.0 cfs

Fee limit 10.0 cfs \$325.00

Measured 7.38 cfs 6.36

Theoretical cfs

Recommended Total Div Rate 7.38 cfs

WATER USES

~~Wild~~
~~Hay~~
~~Fire~~
~~Wild~~

Change (P46)

7.38 cfs 5348.0 af

3.38 cfs af

3.38 cfs af

3.38 cfs af

3.38 cfs af

3.38 cfs af

TOTALS

7.38 cfs 5348.0 af

Irrig -

overlap (R58-R61, R62-R65, R66-R69)

supp. gw (WB7/065/079)

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)

Wtr Quality (081/R07)

Flow rate 7.38 cfs X 365 days X 1.98 = 5348.0 af

5333.5

REMARKS W36 (37-00387C)

ADD'L CONDITIONS

Watermaster Control WD#

GW Measurement/Measuring Device

020

027

Others Trust (052/R55 - remove 051)

Non-trust (048/049)

Advance Priority yes ☒ no

SRBA Claim N/A

Adjust Memo

Amend letters

rate
 single pld
 uses - flow through
 P46, 738
 P42

ponds small & fill w/in 24 hrs -
 view as wide bottom ditches

SWSE, S2S
 SESW, S3S

886-2451

to be
 denied

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

RECEIVED

OCT 21 1997

Department of Water Resources

OCT 24 1997

A. GENERAL INFORMATION

1. Owner: BRIAN WILLIAM WEBBER Permit No. 37-08330
Department of Water Resources Phone No. (208) 788-9339
Current Address: PO BOX 1330, KETCHUM, ID. 83340
2. Accompanied by: SEE ABOVE EXAM DATE: 17 SEPT 97
Address: _____ Phone No. _____
Relationship to Permit Holder: SELF
3. Source: BIG WOOD RIVER, EAST FRK tributary to BIG WOOD RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: PORTIONS OF 37-00387
2. Other water rights with the same point of diversion: " " " "

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1		NE	SE	SW	35	4N	18E	BLAINE	FIELD EXAMINATION
									SUBMERGED ORifice
									GPS LOCATION
									#1 & #2, 25' APART
#2		NE	SE	SW	35	4N	18E	BLAINE	KNIGHTS HEADGATE #18

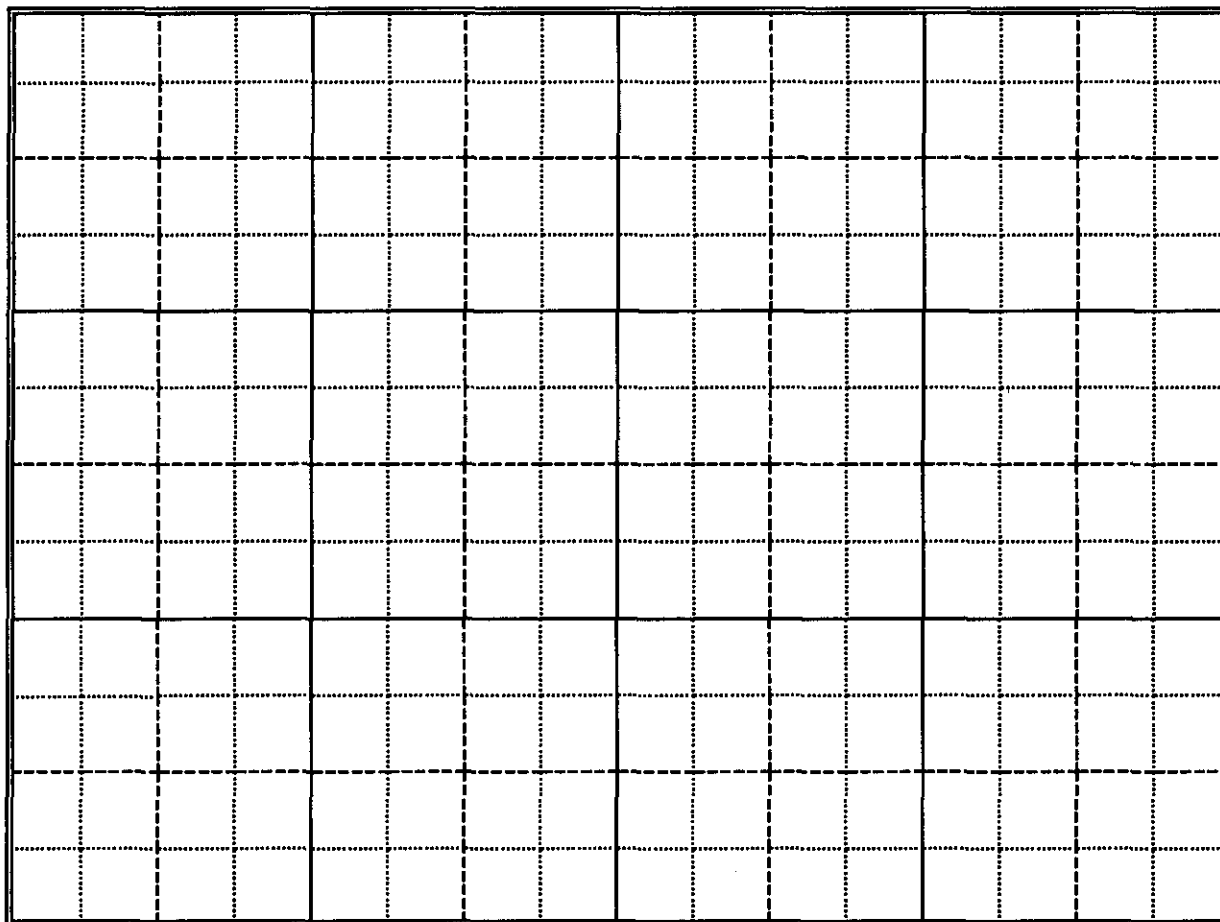
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	18E	35																	

RECORDED
FEB 05 1998

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



Scale: 1" = _____

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

☒ 1987 AECs Flight
Aerial Photo Attached
(required for Irrigation of 10+ acres)

☒ Photo of Diversion and System Attached
Pg 1/4 Photo Page

☒ POND SCHEMATIC

4.

Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#2 A0002855					

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
SUBMERGED ORIFICE						

RECORDS FROM 2. Measurements: WATER MEASUREMENT FROM DISTRICT 37 & 37M
RCD. 16 OCT 97 / 17 OCT 97

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E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 17 October 1997
RE: 37-08330

Met with Brian Webber on 17 September 1997 at 0900 hrs. The permit is year round use for wildlife, aesthetic, and fire protection from a series of ponds. I obtained an ASCS 1987 photo showing the ponds.

The point of diversion is the Knights Headgate #18 located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T04N, R18E. From the headgate the water travels approximately 25 feet to a submerged orifice.

I obtained the records (1992-1997) of water delivered from Water District 37 office. The season of delivery is from April to September. Water is delivered through out the year but not monitored. I used the highest rate delivered (1996) since Proof of Beneficial Use was filed (1994).

There are approximately 8 off-stream ponds. From the orifice, the water is diverted into the first pond (settling pond) from an underground culvert. The water dumps into pond #2 (the largest pond) and then into pond #3. From #3 the water goes under Thunder Road and into pond #4.

From Pond #4, water is diverted to the south, which feeds pond #8, and also diverts to the west, which feeds ponds 5-7. Ponds #7 and #8 converge before dumping back into river.

According to Mr. Webber the average depth of the ponds is 4 feet. I obtained surface dimensions while in the field. See schematic of the ponds with the pond volume calculations.

I recommend the permit be licensed with the rate of the maximum water delivered (1996) since Proof of Beneficial Use was filed (1994).

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

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F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

MEASUREMENTS FROM WATER DISTRICT 37 & 37M
INCLUDED IN FILE

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days In Irrigation Season}) \times 1.9835 = \underline{\text{N/A}}$$

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

2. Volume Calculations for Other Uses:

POND SCHEMATIC INCLUDED
(WITH SIZE OF PONDS)

PERMIT RATE = 10 cfs
EXAM LIMIT = 11 cfs
MEASURED = 7.4 cfs

See 1996 Measurement
Table from Water Dist 37

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
WILDLIFE STORAGE	1/1	12/31	7.4 cfs	3.2 af
FIRE PROTECTION	1/1	12/31	↓	↓
STORAGE	1/1	12/31	↓	↓
Totals:			7.4 cfs	3.2 af

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 Add Uses

I. AUTHENTICATION

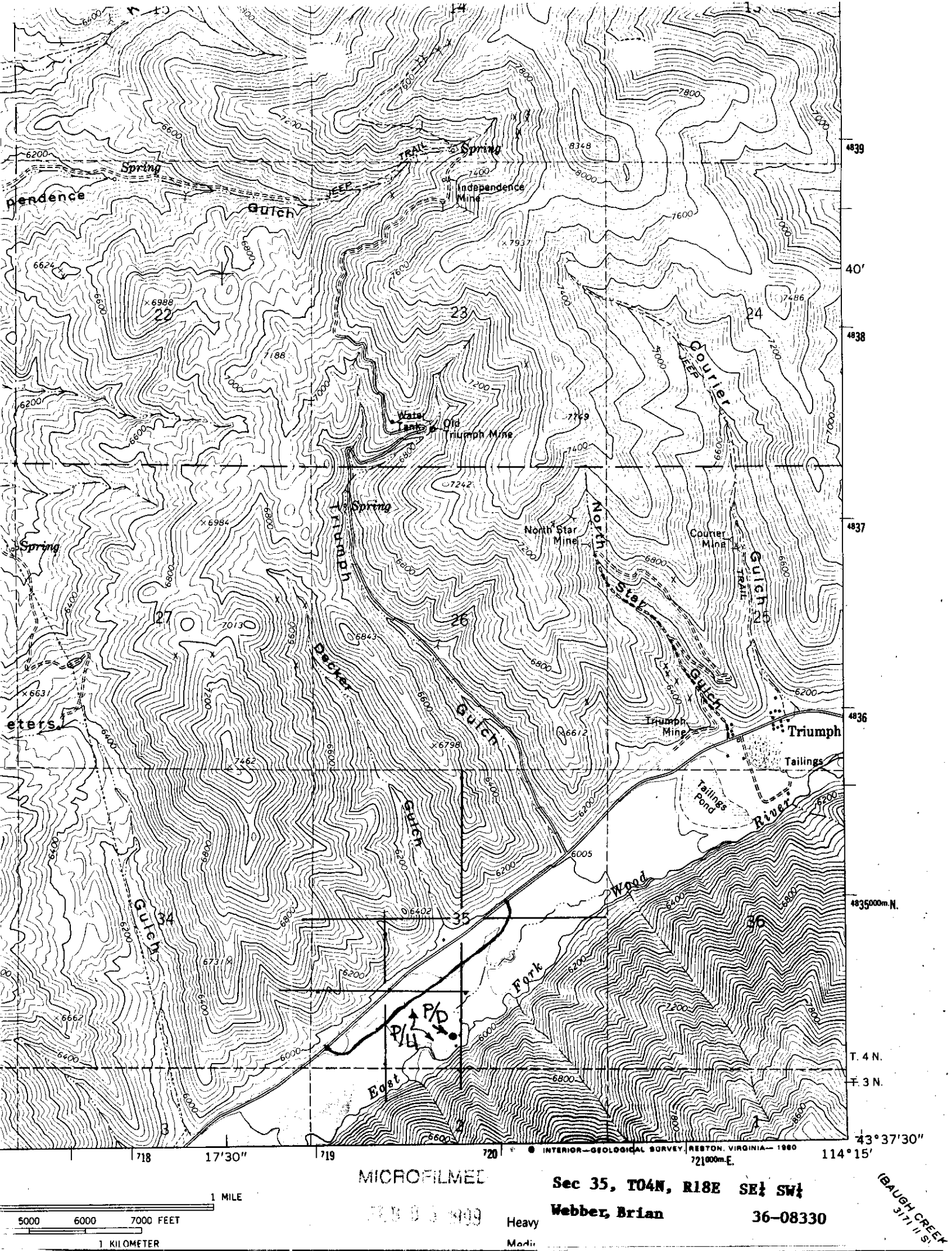
Field Examiner's Name Gerrija Satterlee Date 17 Oct 97

Reviewer _____ Date _____

SEAL

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FEB 05 1999



--- Buried Culvert

#1 Settling Pond

#2 Pond

#3 Pond

#4 Pond

#5 Pond

#6 Pond

#7 Pond

#8 Pond

Sec 35, T4N, R18E
NE¼ SE¼ SW¼

East Fork Rd.

Meadowbrook Rd.

Knights Headgate #18

Thunder Meadows Subd.

Webber House

East Fork Big Wood River

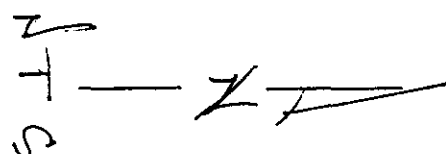
Flow

MICROFILM

SEP 03 1997

Webber, Brian William
17 Sept 1997 0900 hrs
1987 ASCS flight

37-08330

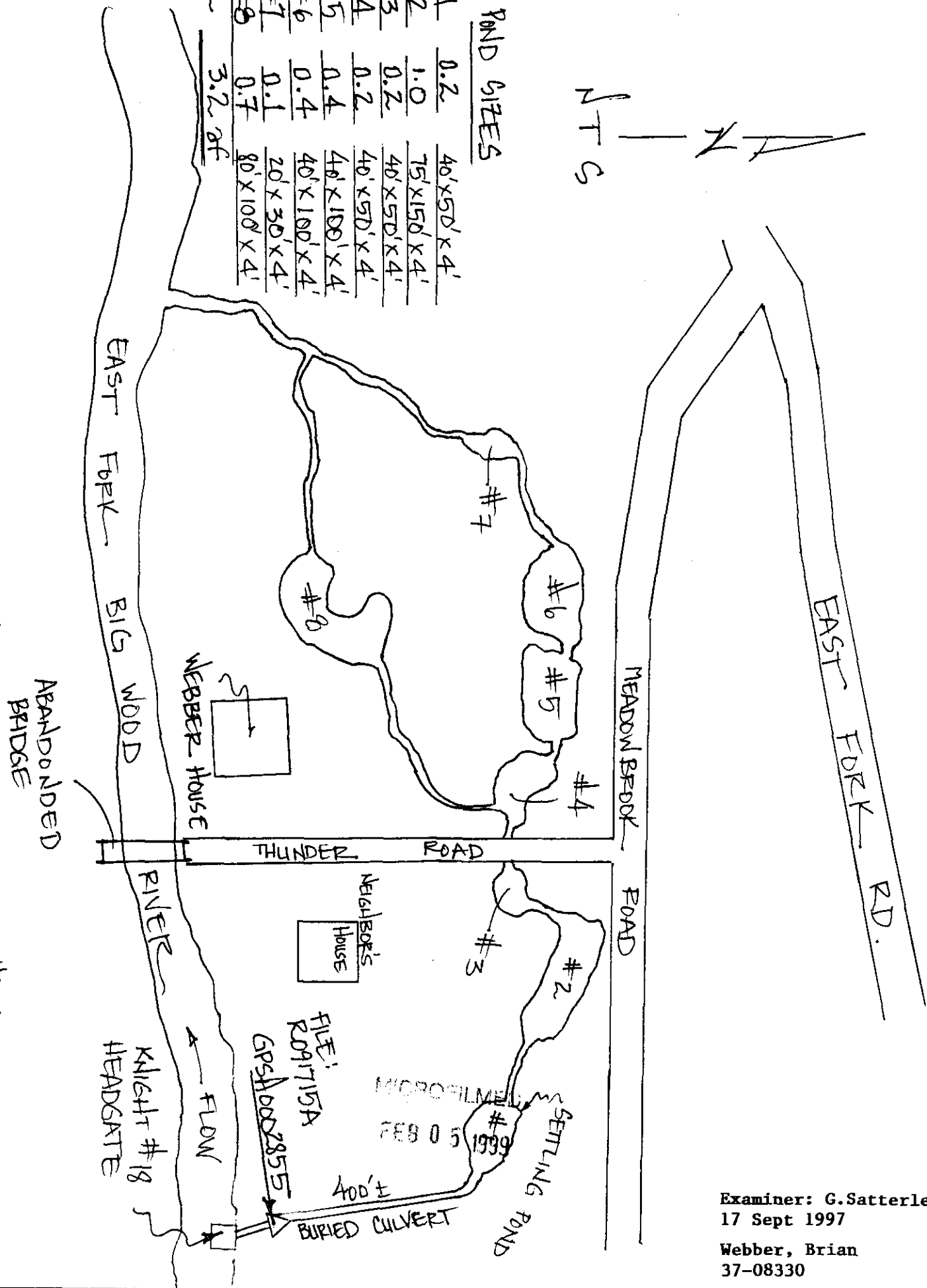


Road Sizes

#1	0.2	40'x50'x4'
#2	1.0	75'x150'x4'
#3	0.2	40'x50'x4'
#4	0.2	40'x50'x4'
#5	0.4	40'x100'x4'
#6	0.4	40'x100'x4'
#7	0.1	20'x30'x4'
#8	0.7	80'x100'x4'
TOTAL	3.2 af	

SEC 35, T04N, R18E, S4 3W 1/4

Δ = #1 SUBMERGED ORIFICE
 □ = #2 KNIGHTS HEADGATE #18

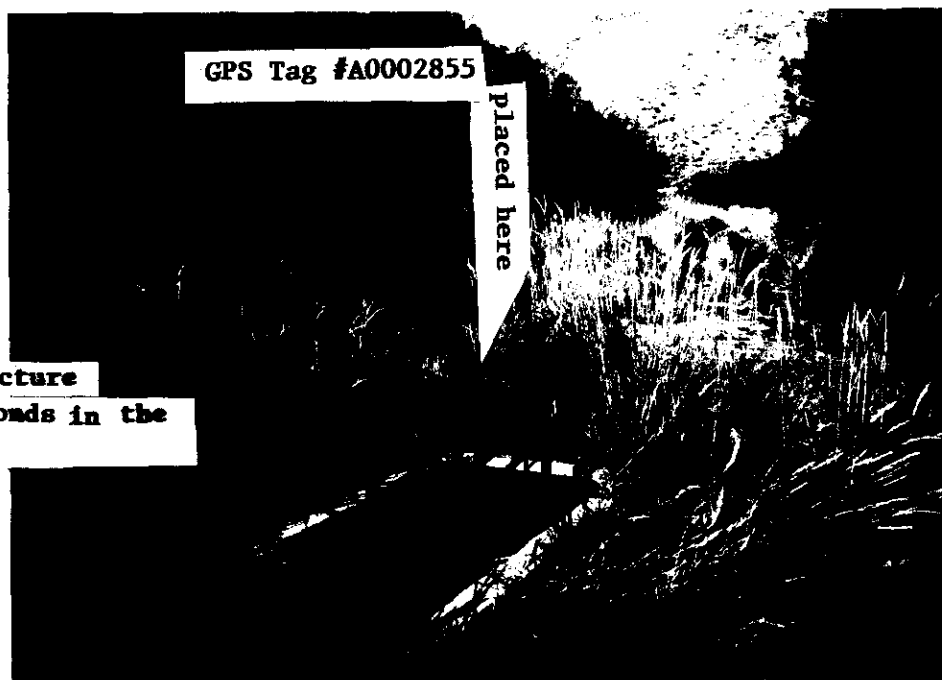


Examiner: G.Satterlee
 17 Sept 1997
 Webber, Brian
 37-08330



Photo looking S'ly

The headgate and concrete diversion structure are approx. 25' apart



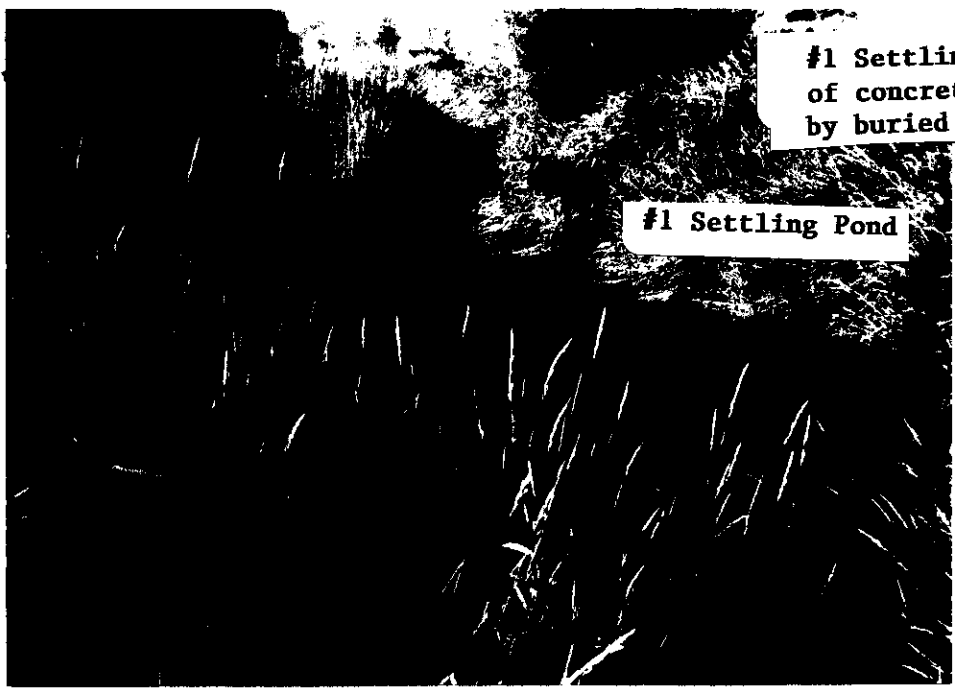
Concrete Diversion Structure
Diverts water to the ponds in the
Thunder Meadows Subd.

Photo looking N'ly

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FEB 05 1999

Webber, Brian Z Sheridan
17 Sept 1997 1000 hrs.
Examiner: Satterlee, G.

2/4



#1 Settling Pond approx. 400' N'ly
of concrete diversion structure, fed
by buried culvert.

#1 Settling Pond

Photo looking W'ly

Pond #2 diverts to Pond #3 here~



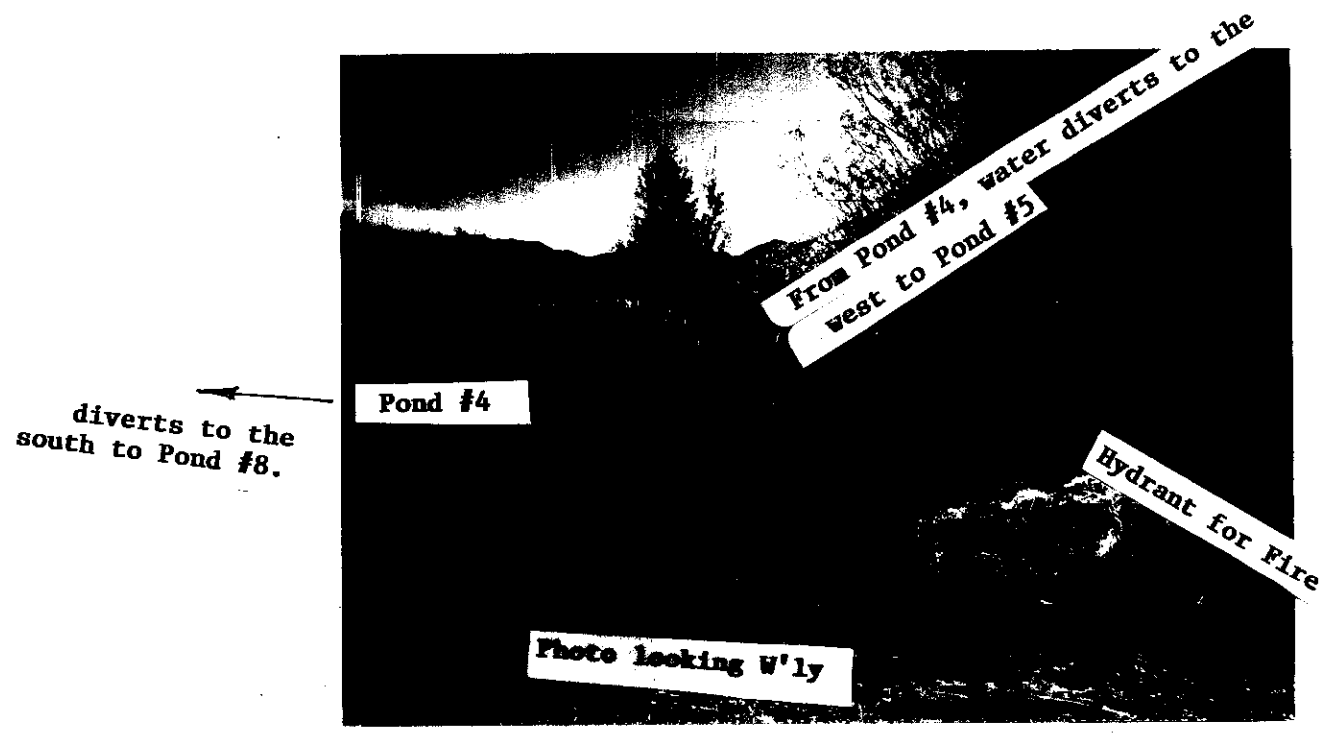
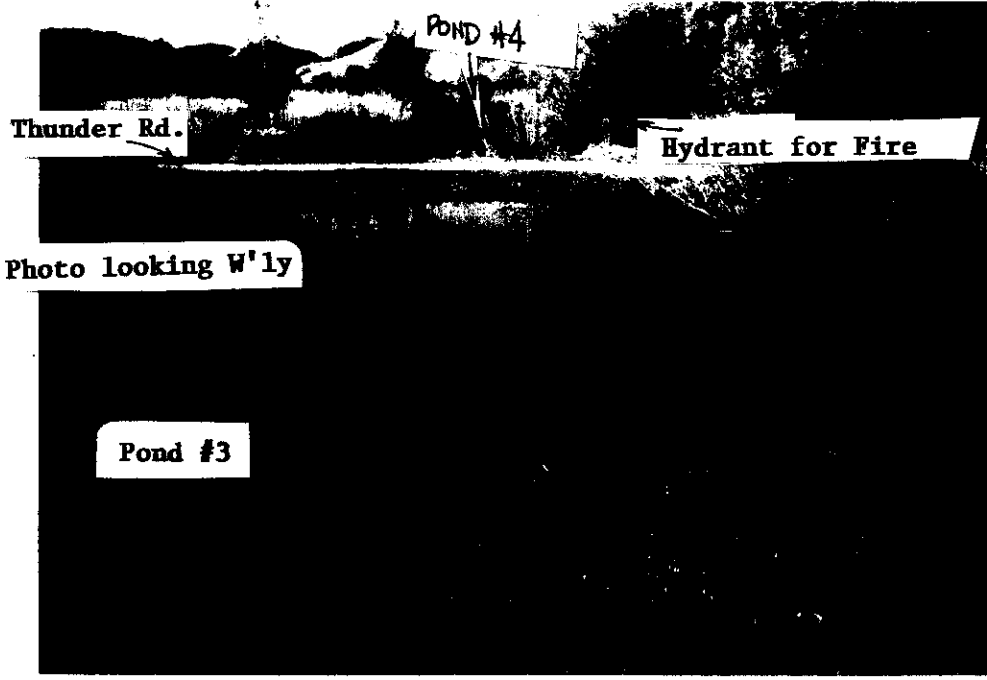
Pond #2 Photo looking W'ly

MICROFILMED
FEB 05 1999

Webber, Brian Z Sheridan
17 Sept 1997 1000 hrs.
Examiner: Satterlee, G.

37-08330

3/4



MICROFILMED
FEB 05 1999

Webber, Brian & Sheridan
17 Sept 1997 1000 hrs.
Examiner: Satterlee, G.

37-08330

diverts to Pond #6 here

Pond #5

Looking W'ly

East Fork Rd.

Meadowbrook Rd.

Pond #6 Photo looking NE'ly

Southerly Side

Pond #8

Photo looking E.

NO PHOTOS TAKEN OF POND #7.

MICROFILMED

FEB 05 1993

Webber, Brian & Sheridan
17 Sept 1997 1000 hrs.
Examiner: Satterlee, G.

37-08330

9/9/97

Jim Speck phoned & requests this
etc be completed soon. He
indicated the contact person
is:

Called 10 Sept
0755 hrs

→ Brian Webber

788-9339 @ 4m early in morning

Wed. 17 Sept 97 0900 hrs.

4mi. E. Fork Rd. @ Meadowbrook Rd. Rt.

1/4 mile Thunder Rd.

MICROFILMED

FEB 05 1999

WATER DISTRICT 37 & 37M

CANAL NAME	KNIGHT			CANAL NO.			18	1997
OWNER	THUNDER MEADOWS							
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE	
1	3.20	5.22	4.26	4.80	5.64	6.02	1	
2	3.20	4.80	5.64	4.80	5.64	6.02	2	
3	3.20	4.80	5.64	4.80	5.64	5.64	3	
4	3.20	4.80	5.22	4.80	5.64	5.64	4	
5	3.20	6.02	5.22	4.80	5.64	6.02	5	
6	3.20	6.02	4.26	4.80	5.22	6.02	6	
7	3.20	6.02	4.26	4.80	5.22	6.02	7	
8	3.20	6.02	4.26	4.80	4.26	5.22	8	
9	3.20	6.02	4.80	6.74	4.26	5.22	9	
10	3.20	6.02	4.80	6.74	4.26	5.22	10	
11	3.20	6.02	5.22	6.74	4.80	5.22	11	
12	3.20	5.22	5.22	6.74	4.80	5.64	12	
13	3.20	5.22	5.22	6.74	5.22	5.64	13	
14	3.20	5.22	5.22	6.42	5.22	5.64	14	
15	3.20	5.22	5.22	6.42	6.74	4.80	15	
16	4.80	6.74	6.42	6.42	6.74	4.80	16	
17	4.80	6.74	6.42	6.42	6.74	4.80	17	
18	5.22	6.74	6.02	6.74	5.22	4.80	18	
19	5.22	6.74	6.02	6.74	5.22	4.80	19	
20	5.22	6.74	5.22	6.74	5.22	4.80	20	
21	6.74	6.74	5.22	6.74	5.22	4.80	21	
22	6.74	6.74	5.22	6.74	6.02	4.26	22	
23	6.74	6.74	5.22	6.42	6.02	4.26	23	
24	6.74	6.74	5.22	6.42	6.02	4.26	24	
25	5.64	6.74	4.80	6.42	6.02	4.26	25	
26	5.64	5.22	4.80	6.42	6.02	4.26	26	
27	5.64	5.22	4.80	6.42	6.02	4.26	27	
28	5.22	5.22	4.80	6.02	6.02	4.26	28	
29	5.22	5.22	4.80	6.02	6.02	3.69	29	
30	5.22	4.26	4.80	6.02	6.02	3.69	30	
31		4.26		6.02	6.02		31	
TOTAL	132.80	179.44	154.24	187.66	172.76	149.98		

YEARLY C F S 977
 YEARLY ACRE FEET 1934
 TOTAL NO OF DAYS 183
 YEARLY MEAN 5

5.34

MICROFILMED

FEB 05 1999

RECEIVED

OCT 17 1997

Department of Water Resources
Southern Region

WATER DISTRICT #37 & 37-M

=====

CANAL NAME	KNIGHT	CANAL NUMBER 18	1996
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=====

OWNER THUNDER MEADOWS SUBDIVISION NON-CONSUMPTIVE

=====

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	4.26	7.38	7.38	5.22	6.74	5.64	1
2	4.26	7.38	7.38	5.22	6.74	5.64	2
3	4.26	6.74	7.38	5.22	6.74	5.64	3
4	4.26	6.74	7.38	5.22	6.74	5.22	4
5	4.26	6.74	7.38	5.22	6.40	5.22	5
6	4.26	6.74	7.38	5.22	6.40	5.22	6
7	4.26	6.74	6.74	5.22	6.40	5.22	7
8	6.02	6.74	6.74	5.22	6.40	5.22	8
9	6.02	6.74	6.74	5.22	3.48	5.22	9
10	6.02	6.74	4.80	5.22	3.48	5.22	10
11	6.02	6.74	4.80	5.22	3.48	5.23	11
12	6.02	6.74	4.80	4.26	6.02	5.23	12
13	6.02	7.08	4.80	4.26	6.02	5.23	13
14	6.02	7.08	4.80	4.26	6.02	5.23	14
15	6.02	6.02	4.80	4.26	6.02	5.23	15
16	6.02	6.02	4.80	4.26	6.02	5.23	16
17	6.02	6.02	4.80	4.26	6.02	5.23	17
18	6.02	6.02	4.80	4.26	6.02	5.23	18
19	6.02	6.02	4.26	5.22	6.02	5.23	19
20	6.02	6.02	4.26	5.22	6.02	6.42	20
21	6.02	6.02	4.26	5.22	5.84	6.42	21
22	5.64	6.02	4.26	7.38	5.84	6.42	22
23	5.64	6.02	4.26	7.38	5.84	6.42	23
24	5.64	7.38	4.26	7.38	5.84	6.42	24
25	5.64	7.38	4.26	7.38	5.84		25
26	7.38	7.38	4.26	7.38	5.84		26
27	7.38	7.38	4.26	7.38	5.84	6.42	27
28	7.38	7.38	4.26	7.38	5.64	6.42	28
29	7.38	7.38	4.26	6.74	5.64	6.42	29
30	7.38	7.38	4.26	6.74	5.64	6.42	30
31		7.38		6.74	5.64		31
=====							
TOTAL	173.56	209.54	158.82	174.78	180.62	158.31	

YEARLY C.F.S. 1055.63

YEARLY ACRE FEET 2090.15

TOTAL NO. OF DAYS 181

YEARLY MEAN 5.83

RECEIVED

OCT 17 1997

Department of Water Resources
Southern Region

MICROFILMED

FEB 05 1999

WATER DISTRICT #37 & 37-M

=====

CANAL NAME	KNIGHT	CANAL NUMBER 18	1995
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=====

OWNER THUNDER MEADOWS SUBDIVISION

=====

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1		4.80	3.69	4.26	5.22	2.61	1
2		4.80	3.69	4.26	5.22	2.61	2
3		6.02	3.69	4.26	5.22	2.61	3
4		6.02	3.69	4.26	4.26	2.61	4
5		6.02	4.26	4.26	4.26	2.61	5
6		6.02	4.26	4.26	4.26	3.36	6
7		6.02	3.00	4.26	4.26	3.36	7
8		4.80	3.00	4.26	4.26	3.69	8
9		4.80	3.00	4.26	4.26	3.69	9
10		4.80	3.00	4.26	4.26	3.69	10
11		4.80	3.00	4.26	4.26	3.69	11
12		4.26	3.69	4.26	4.26	3.69	12
13		4.26	3.69	4.26	4.26	3.69	13
14		4.26	4.26	4.26	4.00	3.69	14
15		4.26	4.26	4.26	4.00	3.16	15
16		4.26	4.26	4.26	4.00	3.16	16
17	4.52	4.26	4.26	4.26	4.00	3.16	17
18	4.52	4.26	4.26	4.26	3.69	3.16	18
19	4.52	4.00	4.26	4.26	3.69	3.16	19
20	4.52	4.00	4.26	4.26	3.69	3.16	20
21	4.52	4.00	4.26	4.26	3.69	3.16	21
22	4.52	3.00	4.26	4.26	3.69	5.22	22
23	4.52	3.00	4.26	4.26	3.00	5.22	23
24	4.52	3.69	4.26	6.02	3.00	5.22	24
25	4.52	3.69	4.26	6.02	3.00	5.22	25
26	4.80	3.69	4.26	6.02	3.00	5.22	26
27	4.80	3.69	4.26	6.02	3.00	5.22	27
28	4.80	3.69	4.26	6.02	2.61	5.22	28
29	4.80	3.69	4.26	6.02	2.61	5.22	29
30	4.80	3.69	4.26	6.02	2.61	5.22	30
31		3.69		5.22	2.61		31
=====							
TOTAL	64.68	136.24	118.08	145.34	118.15	114.70	

YEARLY C.F.S. 697.19

YEARLY ACRE FEET 1380.44

TOTAL NO. OF DAYS 167

YEARLY MEAN 4.17

RECEIVED

OCT 17 1997

Department of Water Resources
Southern Region

MICROFILMED

FEB 05 1999 31

WATER DISTRICT #37 & 37-M

CANAL NAME KN. IT CANAL NUMBER 18 1994

OWNER THUNDER MEADOWS HOMEOWNERS

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	4.92		5.24	5.64	4.80	4.80	1
2	4.92		5.24	5.64	4.80	4.80	2
3	4.92		4.76	5.64	4.52	4.80	3
4	4.92	6.36	4.76	5.64	4.52	4.80	4
5	4.92	6.36	4.76	5.64	4.52	5.22	5
6	4.92	6.36	4.76	3.48	4.52	5.22	6
7	4.92	6.36	4.76	3.48	4.52	5.22	7
8	4.83	6.36	4.76	3.48	4.52	5.22	8
9	4.83	6.36	4.76	3.48	4.52	4.80	9
10	4.83	6.36	4.52	3.48	4.26	4.80	10
11	4.83	4.76	4.52	4.02	4.26	4.80	11
12	4.83	4.76	4.52	4.02	4.26	4.26	12
13	4.83	4.76	4.52	4.02	4.26	4.26	13
14	4.83	4.76	4.52	4.02	4.26	4.26	14
15	4.92	4.76	4.52	4.02	4.26	4.26	15
16	4.92	4.76	4.52	4.02	4.26	4.26	16
17	4.92	4.76	4.52	4.02	4.26	4.26	17
18	4.92	4.26	4.52	3.48	4.26	4.26	18
19	4.92	4.26	4.52	3.48	5.22	4.26	19
20	4.92	4.26	4.52	3.48	5.22	4.26	20
21	4.92	4.26	4.52	3.48	5.22	4.26	21
22	4.92	4.26	4.52	4.26	5.22	4.26	22
23	4.92	4.26	4.52	4.26	5.22	4.00	23
24	4.92	4.26	4.52	4.26	5.22	4.00	24
25	4.92	5.24	4.52	4.26	5.22	4.00	25
26	4.92	5.24	4.52	4.26	4.80	4.00	26
27		5.24	5.84	4.80	4.80	4.00	27
28		5.24	5.84	4.80	4.80	4.00	28
29		5.24	5.84	4.80	4.80	4.00	29
30		5.24	5.84	4.80	4.80	4.00	30
31		5.24		4.80	4.80		31
TOTAL	127.29	144.34	144.00	132.96	144.92	133.34	

YEARLY C.F.S. 826.85

YEARLY ACRE FEET 1637.16

TOTAL NO. OF DAYS 176

YEARLY MEAN 4.70

RECEIVED

OCT 17 1997

Department of Water Resources
Southern Region

MICROFILMED
FEB 05 1999

WATER DISTRICT #37 & 37-M

=====

CANAL NAME KNIGHT CANAL NUMBER 18 1993

=====

OWNER DAVID SHERIDAN NON-CONSUMPTIVE

=====

DATE APRIL MAY JUNE JULY AUG. SEPT. DATE

1		2.05	3.20	3.81	3.25	2.75	1
2	2.05	2.05	3.20	5.58	2.65	2.75	2
3	2.05	2.05	3.20	5.58	2.65	2.75	3
4	2.05	2.05	3.20	5.58	2.05	2.75	4
5	2.05	2.05	3.20	5.58	2.05	2.75	5
6	2.05	2.05	3.20	5.58	2.00	2.75	6
7	2.05	2.05	3.20	5.58	2.00	2.75	7
8	2.05	2.05	3.20	5.58	2.00	3.92	8
9	2.05	2.05	3.20	5.58	2.25	3.92	9
10	2.05	2.05	3.20	5.58	2.25	3.92	10
11	2.05	2.05	3.05	5.58	2.25	3.92	11
12	2.05	1.33	3.05	2.82	2.25	3.92	12
13	2.05	1.33	3.05	2.82	2.25	3.92	13
14	2.05	4.33	3.05	2.82	2.25	3.92	14
15	2.05	4.33	3.05	2.82	2.25	3.88	15
16	2.05	4.33	3.15	2.82	2.25	3.88	16
17	2.05	3.00	3.15	2.82	2.25	3.88	17
18	2.05	3.00	3.75	2.82	2.50	3.88	18
19	2.05	3.00	3.75	2.82	2.50	3.88	19
20	2.05	3.00	3.75	2.82	2.50	3.83	20
21	2.05	3.22	3.75	4.00	2.50	3.83	21
22	2.05	3.22	3.75	4.00	2.50	3.83	22
23	2.05	3.22	3.75	4.00	2.67	3.83	23
24	2.05	3.16	3.75	4.00	2.67	3.83	24
25	2.05	3.16	3.85	4.00	2.75	3.83	25
26	2.05	3.12	3.85	4.00	2.75	3.83	26
27	2.05	3.12	3.85	4.00	2.75	3.83	27
28	2.05	3.20	3.81	3.58	2.75	3.83	28
29	2.05	3.20	3.81	3.58	2.75	3.83	29
30	2.05	3.20	3.81	3.25	2.75	3.83	30
31		3.20		3.25	2.75		31

=====

TOTAL 59.45 85.22 102.78 126.65 75.99 108.22

YEARLY C.F.S. 558.31

YEARLY ACRE FEET 1105.4538

TOTAL NO. OF DAYS 182

YEARLY MEAN 3.07

RECEIVED

OCT 17 1997

Department of Water Resources
Southern Region

MICROFILMED
FEB 05 1999

WATER DISTRICT #37 & 37-M

=====

CANAL NAME KNIGHT CANAL NUMBER 18 1992

=====

OWNER DAVID SHERIDAN NON-CONSUMPTIVE

=====

DATE APRIL MAY JUNE JULY AUG. SEPT. DATE

1			5.00	3.42	3.90	3.33	1
2			5.00	3.42	3.90	3.33	2
3			5.00	3.33	3.75	3.33	3
4			5.00	3.33	3.75	0.98	4
5			4.00	3.28	3.75	0.98	5
6			4.00	3.28	3.75	0.98	6
7			4.00	3.28	2.40	0.98	7
8			4.00	3.28	2.40	0.98	8
9			4.00	3.28	2.40	0.90	9
10			4.00	3.28	2.40	0.90	10
11			4.00	3.28	2.40	0.90	11
12			4.00	3.28	3.75	0.90	12
13			4.00	3.25	3.75	0.90	13
14			4.00	3.25	3.75	0.90	14
15		5.00	4.00	3.77	3.75	0.90	15
16		5.00	4.00	3.77	3.75	0.90	16
17		5.00	3.45	3.77	3.73	0.90	17
18		3.67	3.45	3.77	3.73	1.00	18
19		3.67	3.48	3.77	3.73	1.00	19
20		4.00	3.48	3.92	3.73	1.00	20
21		4.00	3.48	3.92	3.73	1.00	21
22		4.00	3.43	3.90	3.73	1.00	22
23		4.00	3.43	3.90	3.73	1.00	23
24		4.00	3.45	3.87	3.73	1.00	24
25		4.00	3.45	3.87	3.73	1.00	25
26		4.00	2.26	3.87	3.73	1.00	26
27		4.00	2.26	3.90	3.73	1.00	27
28		4.00	2.26	3.90	3.73	1.00	28
29		5.00	2.31	3.90	3.73	1.00	29
30		5.00	2.31	3.90	3.73	1.00	30
31		5.00		3.90	3.33		31

=====

TOTAL 0.00 73.34 110.50 111.84 109.10 35.99

YEARLY C.F.S. 440.77

YEARLY ACRE FEET 872.7246

TOTAL NO. OF DAYS 139

YEARLY MEAN 3.17

RECEIVED

OCT 17 1997

Department of Water Resources
Southern Region

MICROFILMED

FEB 05 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37 M

P.O. Box T
Shoshone, Idaho 83352
(208) 886-2451



LEE R. PETERSON
Watermaster

OCT 16 1997

De

Southern Region

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

October 14, 1997

Dear Georgia,

Here is the additional information you requested. At the time of your first request we did not have all the delivery slips for this year. I reprinted 1997's delivery which contains all of September. As for October through March we do not monitor the delivery our season ends September 30.

If you need further information feel free to call us.

Sincerely,

Norma Peterson
Secretary/Treasurer

MICROFILMED

FEB 05 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 9, 1997

Lee and Norma Peterson @
Water District 37 & 37M
PO Box T
Shoshone, ID. 83333

RE: Water Distribution Records for Thunder Meadows

Dear Norma,

Thank you for sending the 1997 water delivery record for Thunder Meadows Subdivision. I am concluding my analysis for the field examination I performed regarding the ponds being fed from the Knight's Headgate #18. I hope it is not too much trouble to ask for the delivery records from past years, possibly 1992-1996. The comparison between the years would be most useful.

Also, the 1997 record shows delivery of water from April to mid-September. The permit for the ponds is for year round use. What is the procedure at the headgate for the months of October through March? Is water still being delivered but not measured? I appreciate your help with my request and questions.

Cordially,

Georgia Satterlee
Water Resource Agent

MICROFILMED

FEB 05 1999

RECEIVED

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

SEP 16 1998

Department of Water Resources

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

September 15, 1998

Mr. Jim Johnson
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise ID 83720-9000

Re: Permit No. 37-08330

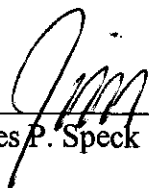
Dear Jim:

I represent Thunder Meadow's Owner's Association. The above-referenced permit is for the diversion of water from the East Fork of the Big Wood River for non-consumptive uses within the Thunder Meadows Subdivision. The permit was never assigned by the record owner, David Sheridan, who was also the developer of the subdivision, to the Association. We believe Mr. Sheridan is deceased but do not know how to locate any representative. It is our intention to file a claim in the SRBA once the license has been issued and resolve the ownership issue in that forum. Will you please check on the status of licensing of the permit. The Beneficial Use Field Report was done in the fall of 1997.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
cc: Brian Webber

MICROFILMED

FEB 05 1999

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 37-08330 Reviewed by JW Date 11/18/94

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
no yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

wildlife
Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit

☐ Well log in the file?

_____ Correct?

LICENSE EXAMINATION FEE

yes Required?
325.00 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
_____ Waiver requested?

PRIORITY CALCULATION

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

Cannot find proof
Due notice or
Lapse notice. accept
proof on time

DEFICIENCIES OR ACTION ITEMS

Return + Request proof of
ownership + Proof of use prior to Aug. 1, 1994

2/28 - Proof acceptable

DATA ENTRY

New Address mail to Jim Speck Proof Made 11-2-94



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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 28, 1995

CODY WALDEN FOR DAVID SHERIDAN
C O JAMES P SPECK
HOGUE SPECK & ANESTAD
P O BOX 987
KETCHUM ID 83340

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 37-08330

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 Idaho Falls, at (208) 736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MAR 23 1995

RECEIVED

FEB 17 1995

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

Department of Water Resources

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
JOHN A. SEILLER

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

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

February 16, 1995

Mr. Glen Saxton
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise ID 83720-9000

Re: Permit No. 37-08330
Thunder Meadows Owner's Association

Dear Glen:

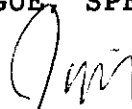
In response to our telephone conversation of February 7, 1995, I have determined the following:

First, there is a measuring device installed at the point of return to the East Fork of the Big Wood River. Second, the Association also owns and diverts at the same point of diversion a portion of Water Right No. 37-00387 in the amount of 2.82 cfs for irrigation. A portion of this right is available to be dedicated to compensating for any losses under the Permit. I believe the only possible losses would be through evapotranspiration since the water table is very high in that area and any seepage into the aquifer is promptly returned to the East Fork. I am enclosing a copy of Loren Holmes' February 21, 1990 letter to Cody Walden indicating this Right has not been cut for priority for approximately 50 years due to the conditions in that area.

Please let me know what if any additional information you need at this time to proceed with the licensing of the permit. Thank you for your continuing cooperation in this matter.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.


James P. Speck

JPS:sab
enclosure

MAR 23 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

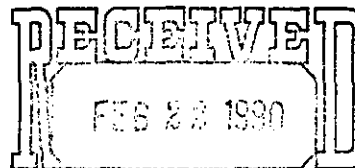
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

21-Feb-1990

Cody Walden
P.O. Box 20
Ketchum, ID 83340



WATERMASTER SHOSHONE

Re: Water right No. 37-00387

Dear Cody:

Attached is a printout of our current record of the water right as changed by transfers subsequent to the Frost Decree.

You have asked me whether this right is subject to a priority cut.

The district 37 watermaster has indicated that it has been the practice since the mid-1940s not to cut this right by priority, although neither he nor I have been able to find any basis in record for the practice.

The right has a priority date of June 1, 1888, and is subject to any right with a date earlier than that, provided that cutting this right would make water available to the senior right.

I'm guessing, but I think the reason for the practice of not cutting this right may be based on a finding by a former watermaster that cutting this right did not benefit any senior rights.

Please let me know if I can be of any further assistance.

Very Truly yours,

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

RECEIVED
OCT 14 1994

Hogue, Speck & Associates

Encl

CC: Reid Newby

1995

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
JOHN A. SEILLER

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

January 12, 1995

Julie L. Yarbrough
State of Idaho
Dept. of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RECEIVED

JAN 13 1995

Department of Water Resources

Re: Permit No. 37-08330
Thunder Meadows Owner's Association
(fka Triumph Meadows Owner's Association)

Dear Ms. Yarbrough:

This letter is in response to your letter to me of January 3, 1995. Enclosed you will find copies of the watermaster's records for the delivery of water pursuant to this permit from 1990 through 1994. This clearly shows that the water was put to beneficial use prior to the August 1, 1994 deadline for proof of beneficial use.

IDWR mailed its "lapse notice" for the permit on August 8, 1994 to "David Sheridan, P.O. Box 20, Ketchum, ID 83340-0000". The notice was returned by the Post Office, received by IDWR on August 11, 1994. The Ketchum Postmaster has explained that P.O. Box 20 is in the name of Mr. Cody Walden and the letter may have been returned because it was not addressed to Mr. Walden. A simple telephone call by someone at IDWR to the Post Office would have determined this. In addition, the watermaster records indicate that, for 1994, it was carrying "Triumph Meadows Subdivision" as the owner of the water right. Again, a simple call by IDWR to the watermaster could have obtained this information and the name of the proper representative from the subdivision to contact. None of this was done. Therefore, it is our position that notice of lapse of the permit was never properly given. Accordingly, we believe that proof of beneficial use has been timely submitted and my client is entitled to retain the February 9, 1988 priority date.

Finally, I am enclosing a copy of the current plat for Thunder Meadows Subdivision, filed in December, 1994. As you can see from the certificate of ownership, the Triumph Meadows Owner's Association (now known as Thunder Meadows Owner's Association) is the owner of the common area within the

MAR 23 1995

subdivision, and the common area is the location of the pond and stream system where this permit is beneficially used. This should constitute adequate evidence of ownership of the lands to which the permitted water right is appurtenant.

If IDWR disagrees with our position on the priority date and ownership of this permit, please contact me immediately. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.


James P. Speck

JPS:sab
enclosures
cc: client (w/encl.)
Glen Saxton/IDWR (w.encl.)

23 1995

WATER DISTRICT #37 & 37-H

CANAL NAME KNIGHT CANAL NUMBER 18 1990

OWNER DAVID SHERIDAN

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1			1.00	1.60	2.70	2.70	1
2		0.90	1.00	1.50	2.70	2.60	2
3		0.90	1.00	1.50	2.50	2.60	3
4		0.90	0.90	1.50	2.50	2.60	4
5		0.90	0.90	1.50	2.50	2.60	5
6		0.90	0.90	1.80	2.50	2.60	6
7		1.10	0.90	1.80	2.50	2.60	7
8		1.10	0.90	1.80	2.50	2.60	8
9		1.10	0.90	1.80	2.50	2.60	9
10		1.10	0.90	1.80	2.50	2.70	10
11		1.00	1.00	1.70	2.50	2.70	11
12		1.00	1.00	1.70	2.50	2.70	12
13		1.00	1.00	1.70	2.50	2.70	13
14		0.90	1.00	1.70	2.50	2.60	14
15		0.90	1.00	1.70	2.00	2.60	15
16		0.90	1.00	1.60	2.00	2.60	16
17		0.90	1.00	1.60	1.60	2.20	17
18		0.90	1.00	1.50	1.60	2.20	18
19		0.90	1.00	1.50	1.50	2.10	19
20		0.90	1.10	1.50	1.80	2.10	20
21		1.10	1.10	1.50	1.80	2.10	21
22		1.10	1.10	1.50	1.80	2.10	22
23		0.90	1.10	3.00	1.80	2.10	23
24		0.90	1.10	3.00	1.80	2.00	24
25		0.90	1.10	3.00	1.80	2.00	25
26		0.90	1.10	3.00	1.80	2.00	26
27		0.90	1.10	2.70	2.40	2.00	27
28		0.90	1.10	2.70	2.40	2.00	28
29		0.90	1.60	2.70	2.40	2.00	29
30		1.00	1.60	2.70	2.40	2.00	30
31		1.00		2.70	2.70		31
TOTAL	0.00	28.70	31.40	61.30	69.00	71.00	

YEARLY C.F.S. 261.40

YEARLY ACRE FEET 317.572

TOTAL NO. OF DAYS 152

YEARLY MEAN 1.72

RECEIVED

JAN 13 1995

Department of Water Resources

MAR 23 1995

CANAL NAME		KNIGHT		CANAL NUMBER 18		1991	
OWNER DAVID SHERIDAN							
DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1			0.88	5.00	4.23	2.60	1
2			0.88	5.00	4.17	2.60	2
3			1.00	4.47	4.17	2.60	3
4			1.00	4.47	4.17	2.56	4
5			1.09	4.52	4.08	2.56	5
6			1.09	4.52	4.08	2.25	6
7			1.53	4.52	3.95	2.25	7
8			1.53	4.37	3.95	2.25	8
9			1.53	4.37	3.92	2.30	9
10			2.00	4.33	3.92	2.30	10
11			2.00	4.33	3.92	3.53	11
12			2.17	4.83	4.50	3.53	12
13			2.17	4.83	4.50	3.48	13
14			1.59	4.83	4.50	3.48	14
15			1.59	4.78	4.50	3.48	15
16			1.59	4.78	4.50	3.27	16
17			2.61	4.75	4.50	3.27	17
18			2.61	4.75	4.50	3.25	18
19			2.57	4.68	3.17	3.25	19
20			2.57	4.68	3.17	2.38	20
21			2.76	4.68	2.82	2.38	21
22			2.76	4.65	2.82	2.38	22
23			2.76	4.65	2.78	2.35	23
24			2.84	4.47	2.78	2.35	24
25			2.84	4.47	2.78	2.35	25
26			2.81	4.53	2.75	2.35	26
27			2.81	4.53	2.75	1.78	27
28			2.85	4.53	2.63	1.78	28
29			2.85	4.28	2.63	1.78	29
30			2.85	4.28	2.60	1.15	30
31		0.88		4.23	2.60		31
TOTAL	0.00	0.88	62.13	142.11	112.34	77.84	
YEARLY C.F.S.			395.30				
YEARLY ACRE FEET			782.694				
TOTAL NO. OF DAYS			123				
YEARLY MEAN			3.21				

RECEIVED

JAN 13 1995

MAR 23 1995

WATER DISTRICT #37 & 37-M

CANAL NAME		KNIGHT		CANAL NUMBER 18		1992	
OWNER DAVID SHERIDAN				NON-CONSUMPTIVE			
DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1			5.00	3.42	3.90	3.33	1
2			5.00	3.42	3.90	3.33	2
3			5.00	3.33	3.75	3.33	3
4			5.00	3.33	3.75	0.98	4
5			4.00	3.28	3.75	0.98	5
6			4.00	3.28	3.75	0.98	6
7			4.00	3.28	2.40	0.98	7
8			4.00	3.28	2.40	0.98	8
9			4.00	3.28	2.40	0.90	9
10			4.00	3.28	2.40	0.90	10
11			4.00	3.28	2.40	0.90	11
12			4.00	3.28	3.75	0.90	12
13			4.00	3.25	3.75	0.90	13
14			4.00	3.25	3.75	0.90	14
15		5.00	4.00	3.77	3.75	0.90	15
16		5.00	4.00	3.77	3.75	0.90	16
17		5.00	3.45	3.77	3.73	0.90	17
18		3.67	3.45	3.77	3.73	1.00	18
19		3.67	3.48	3.77	3.73	1.00	19
20		4.00	3.48	3.92	3.73	1.00	20
21		4.00	3.48	3.92	3.73	1.00	21
22		4.00	3.43	3.90	3.73	1.00	22
23		4.00	3.43	3.90	3.73	1.00	23
24		4.00	3.45	3.87	3.73	1.00	24
25		4.00	3.45	3.87	3.73	1.00	25
26		4.00	2.26	3.87	3.73	1.00	26
27		4.00	2.26	3.90	3.73	1.00	27
28		4.00	2.26	3.90	3.73	1.00	28
29		5.00	2.31	3.90	3.73	1.00	29
30		5.00	2.31	3.90	3.73	1.00	30
31		5.00		3.90	3.33		31
TOTAL	0.00	73.34	110.50	111.84	109.10	35.99	

YEARLY C.F.S. 440.77

YEARLY ACRE FEET 872.7246

TOTAL NO. OF DAYS 139

YEARLY MEAN 3.17

RECEIVED

JAN 13 1995

Department of Water Resources

RECEIVED
JAN 13 1995

WATER DISTRICT							
CANAL NAME		KNIGHT		CANAL NUMBER			
OWNER DAVID SHERIDAN				NON-CONSUMPTIVE			
DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1		2.05	3.20	3.81	3.25	2.75	1
2	2.05	2.05	3.20	5.58	2.65	2.75	2
3	2.05	2.05	3.20	5.58	2.65	2.75	3
4	2.05	2.05	3.20	5.58	2.05	2.75	4
5	2.05	2.05	3.20	5.58	2.05	2.75	5
6	2.05	2.05	3.20	5.58	2.00	2.75	6
7	2.05	2.05	3.20	5.58	2.00	2.75	7
8	2.05	2.05	3.20	5.58	2.00	3.92	8
9	2.05	2.05	3.20	5.58	2.25	3.92	9
10	2.05	2.05	3.20	5.58	2.25	3.92	10
11	2.05	2.05	3.05	5.58	2.25	3.92	11
12	2.05	1.33	3.05	2.82	2.25	3.92	12
13	2.05	1.33	3.05	2.82	2.25	3.92	13
14	2.05	4.33	3.05	2.82	2.25	3.92	14
15	2.05	4.33	3.05	2.82	2.25	3.88	15
16	2.05	4.33	3.15	2.82	2.25	3.88	16
17	2.05	3.00	3.15	2.82	2.25	3.88	17
18	2.05	3.00	3.75	2.82	2.50	3.88	18
19	2.05	3.00	3.75	2.82	2.50	3.88	19
20	2.05	3.00	3.75	2.82	2.50	3.83	20
21	2.05	3.22	3.75	4.00	2.50	3.83	21
22	2.05	3.22	3.75	4.00	2.50	3.83	22
23	2.05	3.22	3.75	4.00	2.67	3.83	23
24	2.05	3.16	3.75	4.00	2.67	3.83	24
25	2.05	3.16	3.85	4.00	2.75	3.83	25
26	2.05	3.12	3.85	4.00	2.75	3.83	26
27	2.05	3.12	3.85	4.00	2.75	3.83	27
28	2.05	3.20	3.81	3.58	2.75	3.83	28
29	2.05	3.20	3.81	3.58	2.75	3.83	29
30	2.05	3.20	3.81	3.25	2.75	3.83	30
31		3.20		3.25	2.75		31
=====							
TOTAL	59.45	85.22	102.78	126.65	75.99	108.22	

YEARLY C.F.S. 558.31

YEARLY ACRE FEET 1105.4538

TOTAL NO. OF DAYS 182

YEARLY MEAN 3.07

RECEIVED

JAN 13 1995

Department of Water Resources

MAR 23 1995

WATER DISTRICT #37 & 37-M

=====

CANAL NAME	KNIGHT	CANAL NUMBER 18	1994
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=====

OWNER TRIUMPH MEADOWS SUBDIVISION

=====

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	4.92		5.24	5.64	4.80	4.80	1
2	4.92		5.24	5.64	4.80	4.80	2
3	4.92		4.76	5.64	4.52	4.80	3
4	4.92	6.36	4.76	5.64	4.52	4.80	4
5	4.92	6.36	4.76	5.64	4.52	5.22	5
6	4.92	6.36	4.76	3.48	4.52	5.22	6
7	4.92	6.36	4.76	3.48	4.52	5.22	7
8	4.83	6.36	4.76	3.48	4.52	5.22	8
9	4.83	6.36	4.76	3.48	4.52	4.80	9
10	4.83	6.36	4.52	3.48	4.26	4.80	10
11	4.83	4.76	4.52	4.02	4.26	4.80	11
12	4.83	4.76	4.52	4.02	4.26	4.26	12
13	4.83	4.76	4.52	4.02	4.26	4.26	13
14	4.83	4.76	4.52	4.02	4.26	4.26	14
15	4.92	4.76	4.52	4.02	4.26	4.26	15
16	4.92	4.76	4.52	4.02	4.26	4.26	16
17	4.92	4.76	4.52	4.02	4.26	4.26	17
18	4.92	4.26	4.52	3.48	4.26	4.26	18
19	4.92	4.26	4.52	3.48	5.22	4.26	19
20	4.92	4.26	4.52	3.48	5.22	4.26	20
21	4.92	4.26	4.52	3.48	5.22	4.26	21
22	4.92	4.26	4.52	4.26	5.22	4.26	22
23	4.92	4.26	4.52	4.26	5.22	4.00	23
24	4.92	4.26	4.52	4.26	5.22	4.00	24
25	4.92	5.24	4.52	4.26	5.22	4.00	25
26	4.92	5.24	4.52	4.26	4.80	4.00	26
27		5.24	5.84	4.80	4.80	4.00	27
28		5.24	5.84	4.80	4.80	4.00	28
29		5.24	5.84	4.80	4.80	4.00	29
30		5.24	5.84	4.80	4.80	4.00	30
31		5.24		4.80	4.80		31

=====

TOTAL	127.29	144.34	144.00	132.96	144.92	133.34
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YEARLY C.F.S. 626.65

YEARLY ACRE FEET 1637.16

TOTAL NO. OF DAYS 176

YEARLY MEAN 4.70

RECEIVED
JAN 13 1995
NIPROCAL

MAR 23 1995

01/03/95

11:29

☎ 1 208 327 7866

ID WATER RESOURS

001

*** ACTIVITY REPORT ***

TRANSMISSION OK

TX/RX NO.	0938
CONNECTION TEL	6p912087260752
CONNECTION ID	
START TIME	01/03 11:27
USAGE TIME	01'35
PAGES	4
RESULT	OK

MAR 23 1995



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

TRANSMITTAL COVER SHEET

FAX NUMBER: (208) 327-7866

DATE: 1-3-95

TO: Jim
Speck

FROM: Julie
Yarbrough

DOCUMENT DESCRIPTION: _____

COVER SHEET + 3 PAGES

CONTACT: 327-7953 IF YOU DO NOT RECEIVE ALL THE PAGES

RECORDED
MAR 23 1995



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

January 3, 1995

VIA FACSIMILE

James P. Speck
HOGUE SPECK & AANESTAD
P.O. Box 987
Ketchum, ID 83340

RE: Permit No. 37-08330

Dear Mr. Speck:

The Department received your proof of beneficial use statement for the above referenced permit on November 2, 1994. The permit lapsed on August 1, 1994, so the 60-day late period during which the permit can be readily reinstated has passed.

Because you failed to file the proof of beneficial use in a timely manner, and pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can be reinstated only if you submit the following:

- a) Two pieces of evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date, and
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use statement along with any information which may have been submitted with it, will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

You should also be aware, that since the proof was filed late,

MAR 23 1995

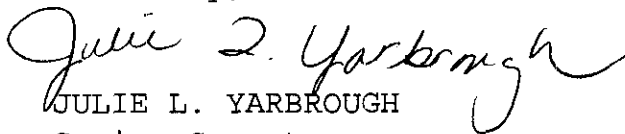
James P. Speck
Page 2
January 3, 1995

your priority date has been penalized. Provided you supply the requested information, your priority date of February 9, 1988, will be advanced to November 2, 1994

Additionally, in order for the Triumph Meadows Owners Association to maintain this permit and file proof, it must show some possessory interest in the property that this water right pertains to.

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

Sincerely,


JULIE L. YARBROUGH
Senior Secretary

Enclosure


MAR 23 1995

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION OF
ATTORNEYS

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

120 EAST AVENUE
P. O. BOX 987
KETCHUM, IDAHO 83340
(208)726-4421
FAX (208)726-0752

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

December 29, 1994

VIA FACSIMILE - 1-208-327-7866

Mr. L. Glen Saxton
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Triumph Meadows Owners Association - Permit No. 37-08330

Dear Glen:

Confirming our telephone conversation of December 22, 1994, you are checking the status of the matters I raised relating to Permit No. 37-08330 in my October 31, 1994 letter to you. Please contact me as soon as possible with an update. Happy New Year!

Sincerely yours,

HOGUE, SPECK & AANESTAD



James P. Speck

JPS/j

cc: client

RECEIVED

MAR 23 1995

RECEIVED

NOV 02 1994

Department of Water Resources
TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
JOHN A. SEILLER

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

October 31, 1994

RECEIVED

NOV 2 1994

Department of Water Resources

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

Mr. Glen Saxton, Chief
Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Permit No. 37-08330
Triumph Meadows Owners Association, Inc.

Dear Glen:

I represent Triumph Meadows Owners Association, Inc., an Idaho Non-profit corporation whose members are the owners of lots within Triumph Meadows Subdivision in the East Fork area of Blaine County. Permit No. 37-08330 was obtained by Mr. David Sheridan, the developer of the subdivision, through his agent, Cody Walden, in 1988. The permit provides for the diversion of water from the East Fork of the Bog Wood River through a series of ditches and ponds, finally returning to the East Fork. The ditches and ponds are located on lands within the Triumph Meadows Subdivision.

Unfortunately, Mr. Sheridan never assigned the permit to the Association. Proof of Beneficial Use was due August 1, 1994. The records in the IDWR files indicate the lapse notice was mailed to Mr. Sheridan, but returned as undeliverable. Mr. Sheridan is now deceased and we have not yet been able to determine where his estate is being probated. The project has been completed for several years and I am certain the watermaster's records will confirm delivery of this right prior to the deadline for submitting Proof of Beneficial Use. The watermaster's records have been changed to reflect ownership of the permit by the Association. Since we have not yet been able to obtain an Assignment of Permit, I am submitting on behalf of the Association Proof of Beneficial Use in the name of the current permit holder together with the license fee in the amount of Three Hundred Twenty Five Dollars (\$325). Please send all future correspondence and documentation concerning this permit directly to me. If we are unsuccessful in our attempts to locate a personal representative or executor of Mr. Sheridan's estate, we can resolve the ownership of the license issued through the SRBA.

RECEIVED

MAR 23 1995

Glen Saxton, Chief
Water Allocation Bureau
Idaho Department of Water Resources
October 31, 1994
Page 2

Please call me if you have any questions concerning this matter. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS:jl

enclosure

cc: Brian Weber
Ted Dale



NOV 23 1995

M E M O R A N D U M

Date: November 3, 1994
From: Julie L. Yarbrough
To: File No. 37-08330
Subject: Missing Original File

Proof of Beneficial use was mailed to the permit holder (David Sheridan) at P.O. Box 20, Ketchum, ID 83340, on May 31, 1994, by certified mail # 141364. The proof was returned undeliverable. A lapse notice was sent out on August 8, 1994, and returned undelivered on August 11, 1994. After the lapse notice was sent out, the original file was apparently misfiled or misplaced in the vault and a new file was re-created from microfilm.

[Faint, illegible handwritten or stamped text]



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

WA
VS
8-9-94

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RECEIVED

AUG 11 1994

Department of Water Resources

August 8, 1994

DAVID SHERIDAN
P.O. BOX 20
KETCHUM ID 833400000

LAPSE NOTICE

RE: PERMIT NO. 37-08330

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 May 31, 1994. 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 fifty dollar (\$50.00) 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

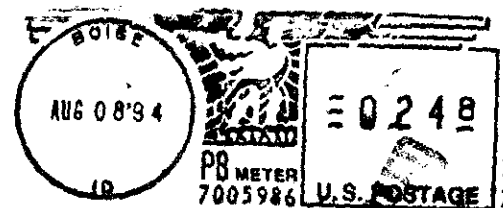
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

North Orchard Street
Boise, Idaho 83706-2237

PRESORTED
FIRST CLASS

NOT DELIVERABLE
AS ADDRESSED —
UNABLE TO FORWARD



RECEIVED
AUG 11 1994
Department of Water Resources

Handwritten:
No address
from 2555555555

Handwritten:
Is address

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.

~~RESTRICTED~~

August 8, 1994

DAVID SHERIDAN
P.O. BOX 20
KETCHUM ID 833400000

LAPSE NOTICE

RE: PERMIT NO. 37-08330

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 May 31, 1994. No further construction or additional development is authorized under this permit unless it is reinstated.

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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

CERTIFICATION OF MAILING
I hereby certify that on 8/8/94
~~a copy~~/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



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

May 31, 1994

DAVID SHERIDAN
P.O. BOX 20
KETCHUM ID 833400000

PROOF DUE NOTICE

RE: PERMIT NO. 37-08330

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1994. (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,

A handwritten signature in cursive script that reads "Julie L. Yarbrough".

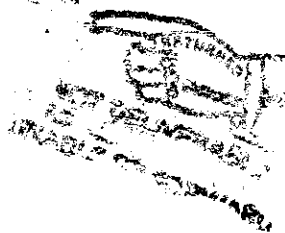
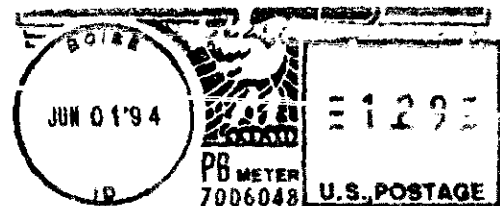
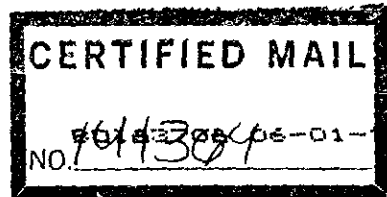
JULIE L. YARBROUGH
Senior Secretary

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

North Orchard Street
Idaho 83706-2237

RECEIVED
JUN 10 1994
Department of Water Resources



Name _____
1st Notice 6-2
2nd Notice 6-7
Return 6-17

83346-0020



May 31, 1994

DAVID SHERIDAN
P.O. BOX 20
KETCHUM ID 833400000

PROOF DUE NOTICE

RE: PERMIT NO. 37-08330

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1994. (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.

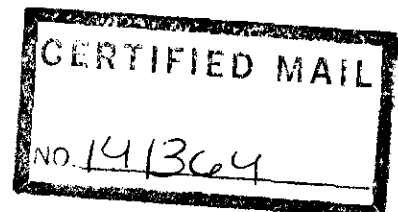
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

JULIE L. YARBROUGH
Senior Secretary

Enclosures



July 12, 1989

Cody Walden acting for David Sheridan
P. O. Box 20
Ketchum, ID 83340

Gentlemen:

Re: Permit No. 37-8330

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to August 1, 1994.

If you have any questions concerning this permit, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED
AUG 22 1989

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 37-8350Reviewed by [Signature]Date 7-7-1989

BASIC INFORMATION

Y Date stamp received
Y Extension received timely
(not prior to 6 month before proof due date or after reinstatement period)
Y Fee received and receipted
Y Name and signature same as permit
N Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

Y Has adequate work been completed to demonstrate due diligence?
Y Has the cost incurred been adequate to demonstrate an intent to complete the project?
N/A Has the permit been involved in litigation?
a. Swan Falls _____ Dismissed from Swan Falls _____
Other _____ Identify _____
b. Is supporting documentation needed to complete the file? _____
Requested _____
c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

N/A Is delay by a government agency?
Is supporting documentation needed to complete the file? _____
Requested? _____

ACTION TAKEN

Recommend approval based on due diligence for 5 years.

Special conditions or remarks:

N/A Reinstate Date extension received _____ = _____
Proof due date _____ = _____
No. of days late _____ = _____
Priority date _____ = + _____
ADJUSTED PRIORITY DATE _____ = _____

Y Prepare coding sheet
Y Change rolodex card

David Sheridan
c/o Cody Walden
P. O. Box 20
Ketchum, ID 83340

138261
May 31, 1989

RE: PERMIT NO. 37-08330 PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1989. (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

MAIL ROOM

AUG 22 1989

August 25, 1988

Cody Walden
P.O. Box 20
Ketchum, ID 83340

RE: PERMIT 37-8330

Dear Mr. Walden:

As a follow up to your phone call today, enclosed is a copy of the above referenced approved application for permit. We direct your attention to the conditions of approval on the final page. A copy was sent to David Sheridan on August 8, 1988 apparently to your address.

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is the statement of beneficial use (proof) that must be submitted when the project is completed.

I hope the mix up in the prior mailing of the permit copy has not caused you unnecessary inconvenience. Please feel free to contact this office if you have additional questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Encl:

MICROFILMED

SEP 28 1988

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
August 8, 1988

DAVID SHERIDAN
P.O. BOX 20
KETCHUM, ID 833400000

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

RE: PERMIT NO. 37-08330

Dear Permit Holder:

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

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control your rate of diversion.

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

Sincerely,

Gary Spackman
Supervisor, Water Allocation Section

GS: SC
Enclosures

RECORDED

AUG 22 1989

MEMORANDUM

TO: File No. 37-8330

FROM: Bob Fleenor *BDF*

RE: MOTION TO GRANT COSTS

On May 23, 1988 a petition was received from Bruce Collier to grant costs to the applicant for failure of the protestant to come prepared for the hearing on MAY 10, 1988.

The applicant and the protestants have subsequent to that time reached an agreement in this matter and the protest has been withdrawn. The agreement also withdrew this motion for costs.

No further order is needed or expected by the parties in this matter.

RECEIVED

SEP 28 1988

LAW OFFICE
KNEELAND, KORB, COLLIER & BENJAMIN

G. R. KNEELAND
ROBERT KORB III

KNEELAND PROFESSIONAL BUILDING
SADDLE ROAD
P. O. BOX 249
KETCHUM, IDAHO 83340

208-726-9311
FAX 208-726-4515

BRUCE COLLIER
WILLIS B. BENJAMIN
ANN LEGG

RECEIVED
MAY 23 1988

May 20, 1988

Department of Water Resources

Mr. Robert Fleenor
Hearing Examiner
Department of Water Resources
State Office
Third Floor Towers Building
450 W. State Street
Boise, ID 83720

Re: In the Matter of Application for Permit to
Appropriate Water No. 37-8330

Dear Mr. Fleenor:

We are enclosing for filing a Motion for Order Granting Costs to
the Applicant in this case.

Would you please inform us whether the Department will schedule a
hearing in connection with our Motion.

Sincerely yours,

KNEELAND, KORB,
COLLIER & BENJAMIN


BRUCE COLLIER

BC:pr/bcc
Enc.

cc: Loren O. Holmes, w/enc.
Steve Goddard, Esq., w/enc.
Cody Walden, w/enc.

INDEXED
SEP 28 1988

RECEIVED

MAY 23 1988

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

Department of Water Resources

IN THE MATTER OF APPLICATION)	MOTION FOR ORDER GRANTING
FOR PERMIT TO APPROPRIATE)	COSTS TO THE APPLICANT
WATER NO. 37-8330)	
DAVID SHERIDAN)	SOURCE: Big Wood River
Applicant)	COUNTY: Blaine
IDAHO DEPT. OF FISH & GAME,)	
FRIENDS OF THE BIG WOOD RIVER)	
Protestants)	

COMES NOW the Applicant, through its counsel of record, and pursuant to Rule 9, to Rules and Regulations for Practice and Procedure Before the State of Idaho Department of Water Resources (1983) and moves the Court for an order assessing costs against the Idaho Department of Fish & Game for the reason that the hearing scheduled for May 10, 1988, was vacated at the request of the Department of Fish & Game and the Applicant suffered certain expenses as a result of that vacation of the hearing.

This Motion is supported by certain statements for the Applicant's representative fisheries biologist and legal counsel which are attached and incorporated hereto. Those statements refer to the services incurred in preparation for the vacated hearing.

RECEIVED

SEP 28 1988

DATED this 20 day of May, 1988.

KNEELAND, KORB,
COLLIER & BENJAMIN

By Bruce Collier
BRUCE COLLIER
Attorneys for the Applicant

CERTIFICATE OF MAILING

I hereby certify that I served a true and correct copy of the within and foregoing document upon:

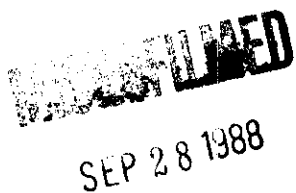
Steve Goddard, Esq.
600 S. Walnut
Box 25
Boise, ID 83707

by depositing copies of the same in the United States mail, postage prepaid, at the post office at Ketchum, Idaho, on the 20 day of May, 1988.



BRUCE COLLIER

BCP3/pr


RECEIVED
SEP 28 1988



WALDEN ECOSYSTEMS

P.O. Box 20 • Ketchum, Idaho 83340 • 208-726-8988

STATEMENT

Cody Walden
WALDEN ECOSYSTEMS

In the Matter of application for permit to appropriate
water No. 37-8330; For hearing with Department of Water
Resources on 5-10-88.

EXPENSES:

RATE \$20.00/HR

5-5-88	Conference w/ George Kneeland	2.0	\$ 40.00
5-6-88	Conference w/ Bruce Collier	2.0	\$ 40.00
5-7-88	Conference w/ Bill Coulthard	8.0	\$160.00
5-9-88	Hearing Preparation w/ Bruce Collier	10.0	\$200.00
5-10-88	Hearing Preparation w/ Bruce Collier	3.0	\$ 60.00
5-10-88	Attendance at Hearing	4.0	\$ 80.00
	Re-Scheduling	4.0	\$ 80.00
TOTAL EXPENSES:		33.0	\$660.00
TOTAL AMOUNT DUE:			\$660.00

PAID

SEP 28 1988



Statement

PLEASE SUBMIT REMITTANCE TO:

1718 W. MAIN, SUITE 4 • BOZEMAN, MT 59715 • (406) 566-6926

Mr. Cody Walden
Walden Ecosystems
P.O. Box 20
Ketchum, ID 83340

Client Acct. No.
Billing Date

88-05-01
May 19, 1988

Description of Services Provided			Balance Due
RE: Triumph Meadows, Habitat Improvement Program			
TOTAL AMOUNT DUE (as follows)			<u>\$ 1,573.09</u>
FEES:			
<u>Date</u>	<u>Item</u>	<u>Hours</u>	
4/28	Phone conversation	0.33	
4/30	Phone conversation	0.42	
5/2	Phone conversation	0.25	
5/5	Phone conversation	0.42	
5/7	Phone conversation	0.50	
5/7	Literature Review	3.00	
5/9	Travel time (1/2 time)	4.00	
5/9	Strategy meeting	3.50	
5/10	Strategy meeting	2.00	
5/10	Hearing/conference IDWR	3.50	
5/10	Travel time (1/2 time)	4.00	
5/18	Phone conversation	0.42	
5/19	Phone conversation	0.50	
TOTAL HOURS @ \$50.00/hr		22.84	<u>\$ 1,142.00</u>
EXPENSES:			
Airfare			\$ 237.00
Car Rental and gasoline			\$ 96.50
Meals			\$ 36.56
Fed Ex postage (4/29)			\$ 11.00
Printing (work examples)			\$ 15.00
Fed Ex postage (5/6)			\$ 14.50
Handling (5%)			\$ 20.53
TOTAL EXPENSES			<u>\$431.09</u>

UNPAID

SEP 28 1988

LAW OFFICE
KNEELAND, KORB, COLLIER & BENJAMIN

G.R. KNEELAND
ROBERT KORB III
BRUCE COLLIER

KNEELAND PROFESSIONAL BUILDING
P.O. BOX 249
KETCHUM, IDAHO 83340

WILLIS B. BENJAMIN
ANN LEGG

208-726-9311

May 20, 1988

Cody Walden
% WALDEN ECOSYSTEMS
P.O. Box 20
Ketchum, Idaho 83340

5-6-88	Conference with Mr. Coulthard and Mr. Walden.	2.5	\$225.00
5-9-88	Conference with Mr. Walden,	8.0	\$720.00
	Phone Conference with Mr. Fleenor	.2	\$ 18.00
	Cost Advanced: Phone/Twin Falls		\$ 2.50
	Cost Advanced: Phone/Boise		\$ 2.50
5-10-88	Preparation for Hearing; Hearing; Conference	5.5	\$495.00

Services this Period:	\$1458.00
Disbursements:	<u>\$ 5.00</u>

AMOUNT NOW DUE: \$1463.00

PAID
SEP 28 1988

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: ADN

APPLICATION NUMBER: 37-8330

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☐ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: Fish & Game has studied
This stream reach & entered into
an agreement w/applicant.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☒ Idaho Fish and Game Department. MB 2/10/88
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service. Blaine Co. P&Z
☒ Other Reid Newby WD-37 MB 2/10/88

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: _____
☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3/27/88
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 37
2-9-1988 Date of priority recommended.
Special conditions of approval or cover letter.

01E, 05 (37, Big Wood River) 20A (June 7, 1988), 27, 30

file copy
discarded-

By: Larry O. Halpern Date: 7/1/88

STATE OFFICE REVIEW:

45, 20A (June 7, 1988)
30, 27 01J, 05 (37, Big Wood River)
P08 P16

- ☐ See attached sheet for more information.

By: KW Date: 7/15/88

JUL 07 1988

MEMORANDUM

DATE: July 1, 1988

FROM: Loren Holmes *LH*

TO: File 37-8330, Sheridan

SUBJECT: Final disposition of protests at hearing

All parties appeared for hearing on June 7, 1988, however, no hearing was held.

Instead, the applicant entered into agreements with the Dept. of Fish & Game and the Friends of the Big Wood River which resolved the protests.

The Fish and Game agreement sets the following schedule of flows to be diverted under watermaster regulation:

RIVER FLOW AT DIVERSION	DIVERTED FLOW
More than 70 cfs	10 cfs
28 to 70 cfs	5 cfs
12 to 28 cfs	3 cfs
Less than 12 cfs	1.63 cfs

The agreement with Friends of the Big Wood River contains the following points, quoted from the document:

- 1) Bound by permit to use as much of his consumptive water to make correct return flow.
- 2) Natural riparian setback of at least 50'.
- 3) He would use the current up to date devices for monitoring proper flow to the project.
- 4) Documentation of project progress.
- 5) Flow regime as determined by Fish & Game Dept. be under the authority of Reid Newby (Watermaster).

RECORDED
SEP 28 1988

June 7, 1988

To Idaho Water Resources
Board.

The following are conditions
we ask be on record
for the Sheridan Water
Right & Walden project in
order for the Friends of
the Big Wood River to
drop our protest in ^{this} matter.

- 1) Bound by permit to
use as much of his
deeded (consumptive water to
make correct return flow.
- 2) Natural riparian setback **REQUIRED**
at least 50'.
SEP 28 1988
- 3) He would use the
existing riparian date devices

- for monitoring proper flow
to the project.
- 4) Documentation of project
progress.
- 5) Flow regime '02
determined by Fish &
Some Dept be under
the authority of Reid
Newby (Water master)

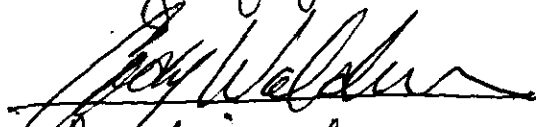
MICROFILMED

SEP 28 1988

Dr. Bruce Linn

President, Friends of
the Big Wood River,
Inc.

Approved this 7th day of June, 1988


Applicant

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	STIPULATION FOR
FOR PERMIT TO APPROPRIATE	)	WITHDRAWAL OF PROTEST
WATER NO. 37-8330	)	
	)	
DAVID SHERIDAN	)	
	)	SOURCE: Big Wood River
Applicant	)	
	)	COUNTY: Blaine
IDAHO DEPT. OF FISH & GAME,	)	
	)	
FRIENDS OF THE BIG WOOD	)	
RIVER, INC.	)	
	)	
Protestants	)	

This Agreement for Withdrawal of Protest
(hereinafter referred to as the "Agreement") is made and
entered this 6th day of June, 1988, by and between CODY
WALDEN acting on his own behalf and as agent for William L.
Coulthard, Brian Weber, Patrick Collins and Sheridan
Brothers Development Company (a partnership) (hereinafter
collectively referred to as "Applicant") and the IDAHO
DEPARTMENT OF FISH & GAME (hereinafter referred to as "Fish
& Game").

RECITALS

1. The Applicant has submitted an application
for permit to the State of Idaho Department of Water
Resources (hereinafter referred to as the "Department") to
appropriate ten (10) CFS of water from the East Fork of the
Big Wood River. That application is identified by No.
37-8330.

RECORDED

SEP 28 1988

2. Fish & Game has filed protest with the Department, protesting the requested permit.

3. A hearing was scheduled to occur on May 10, 1988, in connection with the application. A conference occurred, but the hearing was continued at the request of Fish & Game and Friends and over the objections of the Applicant.

4. A Motion for Order Granting Costs to the Applicant was filed by the Applicant and is presently pending before the Department.

5. The parties have come to an agreement regarding the withdrawal of the protest filed by the Fish & Game; and the Applicant has agreed to withdraw and dismiss its Motion for Order Granting Costs to the Applicant.

6. The parties desire to manifest their intentions in this agreement.

NOW, THEREFORE, the parties stipulate and agree as follows:

1. Approval of Application for Permit. The parties agree that the Department shall issue a permit to the Applicant to appropriate the public waters of the State of Idaho from the East Fork of the Big Wood River from that diversion point located in the Northeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 35, Township 4 North, Range 18 East, Bench Mark, Blaine County, according to the following conditions:

SEP 28 1988

(a) So long as the quantity of water in the East Fork of the Big Wood River is 70 CFS or more, as measured at the upstream measuring gauge recently installed by the Department at a point approximately 100 yards above the Sheridan diversion point, a staff gauge referred to as the Sheridan No. 1 Measuring Gauge installed by Water Master Reid Newby, the Applicant shall be entitled to divert 10 CFS of water into a ditch with a series of ponds for fish and waterfowl habitat. In addition, measuring devices shall be installed at the Sheridan diversion point and the point of out flow, subject to the approval of the Water Master Reid Newby.

(b) So long as the quantity of water in the East Fork of the Big Wood River is less than 70 CFS, but not less than 28 CFS, as measured at the upstream measuring gauge recently installed by the Department at a point approximately 100 yards above the Sheridan diversion point, a staff gauge referred to as the Sheridan No. 1 Measuring Gauge installed by Water Master Reid Newby, the Applicant shall be entitled to divert 5 CFS of water into a ditch with its series of ponds for fish and waterfowl habitat. In addition, measuring devices shall be installed at the Sheridan diversion point and the point of out flow, subject to the approval of the Water Master Reid Newby.

(c) So long as the quantity of water in the East Fork of the Big Wood River is less than 28 CFS, but greater than 12 CFS, as measured at the upstream measuring

Assisted by Loren Holmes

ROSTER OF ATTENDANCE

[illegible]

G. R. KNEELAND
ROBERT KORB III

LAW OFFICE
KNEELAND, KORB, COLLIER & BENJAMIN

KNEELAND PROFESSIONAL BUILDING

SADDLE ROAD

P. O. BOX 249

KETCHUM, IDAHO 83340

208-726-9311

FAX 208-726-4515

BRUCE COLLIER
WILLIS B. BENJAMIN
ANN LEGG

RECEIVED

MAY 23 1988

May 20, 1988

Department of Water Resources
Southern Region Office

Mr. Robert Fleenor .
Hearing Examiner
Department of Water Resources
State Office
Third Floor Towers Building
450 W. State Street
Boise, ID 83720

Re: In the Matter of Application for Permit to
Appropriate Water No. 37-8330

Dear Mr. Fleenor:

We are enclosing for filing a Motion for Order Granting Costs to
the Applicant in this case.

Would you please inform us whether the Department will schedule a
hearing in connection with our Motion.

Sincerely yours,

KNEELAND, KORB,
COLLIER & BENJAMIN

BRUCE COLLIER

BC:pr/bcc
Enc.

cc: ✓Loren O. Holmes, w/enc.
Steve Goddard, Esq., w/enc.
Cody Walden, w/enc.

RECEIVED

SEP 28 1988

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION) FOR PERMIT TO APPROPRIATE) WATER NO. 37-8330)) DAVID SHERIDAN)) Applicant)) IDAHO DEPT. OF FISH & GAME,)) FRIENDS OF THE BIG WOOD RIVER)) Protestants) _____)	MOTION FOR ORDER GRANTING COSTS TO THE APPLICANT SOURCE: Big Wood River COUNTY: Blaine
--	---

COMES NOW the Applicant, through its counsel of record, and pursuant to Rule 9, to Rules and Regulations for Practice and Procedure Before the State of Idaho Department of Water Resources (1983) and moves the Court for an order assessing costs against the Idaho Department of Fish & Game for the reason that the hearing scheduled for May 10, 1988, was vacated at the request of the Department of Fish & Game and the Applicant suffered certain expenses as a result of that vacation of the hearing.

This Motion is supported by certain statements for the Applicant's representative fisheries biologist and legal counsel which are attached and incorporated hereto. Those statements refer to the services incurred in preparation for the vacated hearing.

DATED this 20 day of May, 1988.

KNEELAND, KORB,
COLLIER & BENJAMIN

By Bruce Collier
BRUCE COLLIER
Attorneys for the Applicant

CERTIFICATE OF MAILING

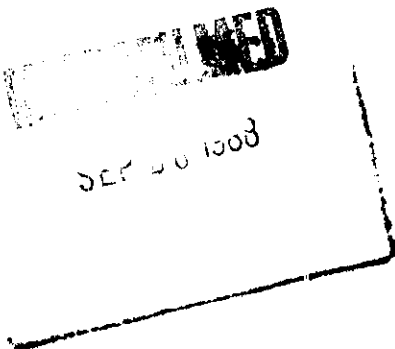
I hereby certify that I served a true and correct copy of the within and foregoing document upon:

Steve Goddard, Esq.
600 S. Walnut
Box 25
Boise, ID 83707

by depositing copies of the same in the United States mail, postage prepaid, at the post office at Ketchum, Idaho, on the 20 day of May, 1988.

Bruce Collier
BRUCE COLLIER

BCP3/pr





WALDEN ECOSYSTEMS

P.O. Box 20 • Ketchum, Idaho 83340 • 208-726-8988

STATEMENT

Cody Walden
WALDEN ECOSYSTEMS

In the Matter of application for permit to appropriate
water No. 37-8830; For hearing with Department of Water
Resources on 5-10-88.

EXPENSES:

RATE \$20.00/HR

5-5-88	Conference w/ George Kneeland	2.0	\$ 40.00
5-6-88	Conference w/ Bruce Collier	2.0	\$ 40.00
5-7-88	Conference w/ Bill Coulthard	8.0	\$160.00
5-9-88	Hearing Preparation w/ Bruce Collier	10.0	\$200.00
5-10-88	Hearing Preparation w/ Bruce Collier	3.0	\$ 60.00
5-10-88	Attendance at Hearing	4.0	\$ 80.00
	Re-Scheduling	4.0	\$ 80.00

TOTAL EXPENSES: 33.0 \$660.00

TOTAL AMOUNT DUE: \$660.00



Statement

PLEASE SUBMIT REMITTANCE TO:

1716 W. MAIN, SUITE 4 • BOZEMAN, MT 58715 • (406) 586-8826

Mr. Cody Walden
Walden Ecosystems
P.O. Box 20
Ketchum, ID 83340

Client Acct. No.
Billing Date

88-05-01
May 19, 1988

Description of Services Provided			Balance Due
RE: Triumph Meadows, Habitat Improvement Program			
TOTAL AMOUNT DUE (as follows)			<u>\$ 1,573.09</u>
FEES:			
<u>Date</u>	<u>Item</u>	<u>Hours</u>	
4/28	Phone conversation	0.33	
4/30	Phone conversation	0.42	
5/2	Phone conversation	0.25	
5/5	Phone conversation	0.42	
5/7	Phone conversation	0.50	
5/7	Literature Review	3.00	
5/9	Travel time (1/2 time)	4.00	
5/9	Strategy meeting	3.50	
5/10	Strategy meeting	2.00	
5/10	Hearing/conference IDWR	3.50	
5/10	Travel time (1/2 time)	4.00	
5/18	Phone conversation	0.42	
5/19	Phone conversation	0.50	
TOTAL HOURS @ \$50.00/hr		22.84	<u>\$ 1,142.00</u>
EXPENSES:			
Airfare			\$ 237.00
Car Rental and gasoline			\$ 96.50
Meals			\$ 36.56
Fed Ex postage (4/29)			\$ 11.00
Printing (work examples)			\$ 15.00
Fed Ex postage (5/6)			\$ 14.50
Handling (5%)			\$ 20.53
TOTAL EXPENSES			<u>\$431.09</u>

G.R. KNEELAND
ROBERT KORB III
BRUCE COLLIER

LAW OFFICE
KNEELAND, KORB, COLLIER & BENJAMIN
KNEELAND PROFESSIONAL BUILDING
P.O. BOX 249
KETCHUM, IDAHO 83340

WILLIS B. BENJAMIN
ANN LEGG

208-726-9311

May 20, 1988

Cody Walden
% WALDEN ECOSYSTEMS
P.O. Box 20
Ketchum, Idaho 83340

5-6-88	Conference with Mr. Coulthard and Mr. Walden.	2.5	\$225.00
5-9-88	Conference with Mr. Walden,	8.0	\$720.00
	Phone Conference with Mr. Fleenor	.2	\$ 18.00
	Cost Advanced: Phone/Twin Falls		\$ 2.50
	Cost Advanced: Phone/Boise		\$ 2.50
5-10-88	Preparation for Hearing; Hearing; Conference	5.5	\$495.00

Services this Period:	\$1458.00
Disbursements:	<u>\$ 5.00</u>

AMOUNT NOW DUE:	\$1463.00
-----------------	-----------

PAID

SEP 28 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-May-1988

Blaine County Planning & Zoning Commission
Attention: Roberta
Box 149
Hailey, ID 83333

Dear Roberta:

This is to confirm the use of the Planning & Zoning Meeting Room for conference and/or hearing to be held by this office on Tuesday, June 7, 1988 from 1:00-5:00 p.m. regarding Application for Permit No. 37-8330 and on Wednesday, June 8, 1988 from 10:00-5:00 p.m. regarding Application for Permit No. 37-8329.

Thank you very much for your cooperation.

Very truly yours,

A handwritten signature in cursive script that reads "Loren O. Holmes".

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

LH:MB

MAILED
SEP 28 1988

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TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2148 4th AVENUE EAST
TWIN FALLS, IDAHO 83301



SEP 28 1988



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USE \$300

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DEPARTMENT OF WATER RESOURCES

2748 4th AVENUE EAST

TWIN FALLS, IDAHO 83301

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DEPARTMENT OF WATER RESOURCES

2148 4th AVENUE EAST

TWIN FALLS, IDAHO 83301

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3. Article Addressed to: Attn: Attorney General U.S. Dept. of Fish & Game P.O. Box 35 Boise, ID 83707	4. Article Number 410
	Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED
5. Signature — Addressee X	8. Addressee's Address (ONLY if requested and fee paid) MAY 18 1988 Department of Motor Resources Southern Region Office
6. Signature — Agent X	
7. Date of Delivery MAY 18 1988	

37-8330

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- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

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TO



Print Sender's name, address, and ZIP Code in the space below.



PENALTY FOR PRIVATE
USE, \$300

DEPARTMENT OF WATER RESOURCES

2148 4th AVENUE EAST

TWIN FALLS, IDAHO 83301

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. <u>The return receipt fee will provide you the name of the person delivered to and the date of delivery.</u> For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery ↑(Extra charge)↑ ↑(Extra charge)↑	
3. Article Addressed to: Estate Collector P.O. Box 249 Ketchum, ID 83340	4. Article Number 414
	Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail
	Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature — Addressee X	8. Addressee's Address (ONLY if requested and fee paid) MAY 11 1988 Post Office, Ketchum, Idaho
6. Signature — Agent X <i>Debra West</i>	
7. Date of Delivery 5-17-88	

PS Form 3811, Mar. 1987

★ U.S.G.P.O. 1987-178-268

DOMESTIC RETURN RECEIPT

57-8330

UNITED STATES POSTAL SERVICE

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Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
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- Endorse article "Return Receipt Requested" adjacent to number.

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TO

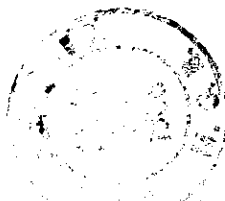


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Print sender's name, address, and ZIP Code in the space below.

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DEPARTMENT OF WATER RESOURCES
2148 4th AVENUE EAST
BOULDER, CO 80501



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USE, \$300

PS Form 3877 April 1980
ACCEPTANCE OF REGISTERED, INSURED, C.O.D. AND CERTIFIED MAIL

NAME AND ADDRESS OF SENDER

IDWR

5/16/88

Re: 37-8330

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ Certified

I certify that we have
☐ Commercial Insurance
☐ A deductible clause of \$

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
 POSTMARK AND DATE OF RECEIPT

1 No	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
1	410 ✓	Id. F.46 - Deputy Attorney General	.25	.85	.45							
2	411 ✓	Id. F46										
3	412 ✓	Bruce Lium, Pres. Friends of Big Wood										
4	413 ✓	David Sheridan c/o Cody Walden										
5	414 ✓	Bruce Collier										
6												
7												
8												
9												
10												
11												
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13												
14												
15												

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TOTAL NUMBER OF PIECES LISTED BY SENDER

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TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER, PER (Name of receiving employee)

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The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

★ U.S. GOVERNMENT PRINTING OFFICE : 1980 O - 57-81

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT TO APPROPRIATE)
WATER NO. 37-8330)
_____)

DAVID SHERIDAN)

Applicant)

IDAHO DEPT. OF FISH & GAME,)

FRIENDS OF THE BIG WOOD RIVER)

Protestants)
_____)

NOTICE OF HEARING

SOURCE: Big Wood River

COUNTY: Blaine

On February 9, 1988, Cody Walden, acting for David Sheridan, applicant, filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On March 18, 1988, the Department received a protest against the approval of said application from the Idaho Department of Fish & Game. An additional protest was received from the Friends of The Big Wood River, Bruce Lium, President on March 21, 1988.

A pre-hearing conference in the matter was held on May 10, 1988.

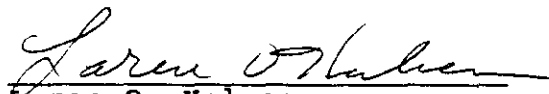
The Department has set the matter of protest for hearing for 1:00 PM, Tuesday, June 7, 1988, in the Planning & Zoning hearing room in the Old Courthouse, First & Croy Streets, Hailey.

The hearing will be held in accordance with chapter 2, Title 42 of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded to all parties to respond and present evidence and argument on all issues involved.

Dated this 16 day of May, 1988.

RECEIVED

SEP 28 1988


Loren O. Holmes
Southern Region Manager

APPLICATION FOR PERMIT 37-8330
HEARING MAILING LIST
5/16/88

David Sheridan
c/o Cody Walden
P.O. Box 20
Ketchum, ID 83340

Bruce Collier
P.O. Box 249
Ketchum, ID 83340

Bruce Lium, President
Friends of the Big Wood River
P.O. Box 2679
Ketchum, ID 83340

Idaho Dept. of Fish & Game Region 4
P.O. Box 428
Jerome, ID 83338

Deputy Attorney General
Idaho Dept. of Fish & Game
P.O. Box 25
Boise, ID 83707

Reid Newby
Watermaster, Water Dist. 37
Box N
Shoshone, ID 83352

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SEP 28 1988

Habitat in main channel would be improved -

Study may not be valid -

→ Applicant → Showing of the amount needed for the project -
→ Applicant → " " " " of water at the P.D.
→ Protester → Showing of the impact on the stretch of the stream - of Q

→ Base Flow - $Q =$

→ Mr. Koonce -

- Could work be done in the EF

→ Discuss mitigation with F & G -

- No possible agreement →

→ Attorneys not available →

→ Concerned about making an adequate record -

→ Will be prejudice to the Applicant →

→ I'm distressed by F & G's lack of attorney →

RECEIVED
SEP 28 1988

5-10-88

> Applicant

David Sheridan

Attorney Bruce Collier —

Cody Walton, present

Protestant

Friends of Big Wood River — President  —
Bruce Lium —

Idaho Dept of Fish & Game — Carl Nellis — Region Supervisor

Project Description —

Has lived here since 1980 —

About 4 miles above confluence with Big Wood —

1200 feet from POD to Return along River

1 miles below triumph

Questions —

Expect 8 dwelling

10 cfs would be about $\frac{1}{3}$ of the low 1986 flow

10 Af of ponds 3 acres of area —

10 cfs is the optimum amount —

low flow Aug thru March —

7 of 11 meads would take $\frac{1}{2}$ the flow in 1987

2 of 11 " " " " " " " 1986

Concerns of Friends of Big Wood River —)

Agree with F & G —)

Concerned about the amount of flow —)

The existing channel has little habitat value —

Assisted by Loren Holmes

ROSTER OF ATTENDANCE

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 21, 1988

Blaine County Planning and Zoning Comm.
Attn: Roberta Rich
P.O. Box 149
Hailey, ID 83333

Dear Roberta:

This is to confirm and thank you for the use of the Planning and Zoning hearing room for the afternoon of Tuesday, May 10, 1988 for a department hearing.

Very Truly yours,

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

LH

OFFICIAL BUSINESS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

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TO



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*PENALTY FOR PRIVATE
USE, \$300

SEP 28 1996

~~DECLASSIFIED BY AUCR RESOURCES~~

NOTE: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. <u>The return receipt fee will provide you the name of the person delivered to and the date of delivery.</u> For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional services requested. 1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery ↑(Extra charge)↑ ↑(Extra charge)↑	
3. Article Addressed to:	4. Article Number
Bruce Lion, President Friends of the Big Wood River P.O. Box 2679 Ketchum, ID 83340	988 403
5. Signature - Addressee	Type of Service:
X <i>Bruce Lion</i>	☐ Registered ☐ Insured
6. Signature - Agent	☒ Certified ☐ COD
X	☐ Express Mail
7. Date of Delivery	Always obtain signature of addressee or agent and DATE DELIVERED
4-26-88	8. Addressee's Address (ONLY if requested and fee paid)
	APR 26 1988
	Domestic Return Receipt

37-8330

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2142 8th AVENUE EAST
TWIN FALLS, IDAHO 83301

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. <u>The return receipt fee will provide you the name of the person delivered to and the date of delivery.</u> For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery ↑(Extra charge)↑ ↑(Extra charge)↑	
3. Article Addressed to: John A. Nellis, Supervisor Dept. of Fish & Game Box 428 Denver, CO 80208	4. Article Number 404 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED 5. Signature - Addressee X 6. Signature - Agent X <i>John A. Nellis</i> 7. <i>1-25-88</i> of Delivery
8. Addressee's Address (ONLY if requested and fee paid) APR 26 1988 Department of Water Resources Southern Region Office	

37-8330

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2148 4th AVENUE EAST
TWIN FALLS, IDAHO 83301

SENDER: Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
↑(Extra charge)↑ ↑(Extra charge)↑

3. Article Addressed to: David Sheridan c/o Gary Walder P.O. Box 20 Ketchikan, AK 99901	4. Article Number 405 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature — Addressee X	Addressee's Address (ONLY if requested and fee paid) APR 22 1988 KETCHIKAN, AK
6. Signature — Agent X	DATE OF DELIVERY APR 25 1988
7. Date of Delivery	

37-8330

NAME AND ADDRESS OF SENDER		NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS		POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S.H. FEE	REMARKS
1	403	Bruce Linn, Friends of Big Wood River		.25	.85	45						
2	404	Carl Nellis, ID. F & G										
3	405	David Sheridan C/o Cody children										
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												

Re: 37-8330

Indicate type of mail:
☐ Registered
☐ Insured
☒ COD
☐ Certified

Certify that we have:
☐ Commercial Insurance
☐ A deductible clause of \$

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
 POSTMARK AND DATE OF RECEIPT

RECEIVED

SEP 28 1988

55

#1 20

TOTAL NUMBER OF PIECES LISTED BY SENDER

13

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER, PER (Name of receiving employee)

The full declaration of value is required on all domestic and international mail. Commercial insurance—Payment of the full registry fee is required if valued up to \$1,000 or the full amount of the deductible if the deductible is \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$10,000 for insured mail, and \$400 for insured mail. Special handling charges apply only to third class parcels. Special delivery service also includes special handling service.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT TO APPROPRIATE)
WATER NO. 37-8330)
_____)

NOTICE OF CONFERENCE
AND/OR HEARING

DAVID SHERIDAN)

SOURCE: Big Wood River

Applicant)

COUNTY: Blaine

IDAHO DEPT. OF FISH & GAME,)

FRIENDS OF THE BIG WOOD RIVER)

Protestants)
_____)

On February 9, 1988, Cody Walden, acting for David Sheridan, applicant, filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On March 18, 1988, the Department received a protest against the approval of said application from the Idaho Department of Fish & Game. An additional protest was received from the Friends of The Big Wood River, Bruce Lium, President on March 21, 1988.

The Department has set the matter of protest for conference and/or hearing for 1:00 PM, Tuesday, May 10, 1988, in the Planning & Zoning hearing room in the Old Courthouse, First & Croy Streets, Hailey.

The hearing will be held in accordance with chapter 2, Title 42 of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded to all parties to respond and present evidence and argument on all issues involved.

Dated this 21 day of April, 1988

RECEIVED

SEP 28 1988


Loren O. Holmes
Southern Region Manager



FRIENDS OF THE BIG WOOD RIVER, INC.

RECEIVED

APR 19 1988

Department of Water Resources
Southern Region Office

April 18, 1988

Mr. Loren Holmes, P.E.
Southern Region Manager
Department of Water Resources
2148 4th Avenue East
Twin Falls, ID 83301

Dear Mr. Holmes,

Thank you for your letter of April 12th. Our Board *a total of 5 c.f.s. see note below.*
of Directors has recommended that 5 c.f.s. be allowed
for the Sheridan Water Right Application (No. 37-8330).

This information was presented to Mr. Walden on April
12, 1988.

Regards,

Bruce Lium
Bruce Lium
President

*5/10/88 -
FOR CLARIFICATION
OF 5 C.F.S. AND*

cc: Ed Simon

5 Total in letter.

*This means a
total of 5 CFS be*

*allowed - (3.4 consumptive &
1.6 non consumptive)*

Bruce Lium

RECEIVED

SEP 28 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 12, 1988

David Sheridan
c/o Cody Walden
P.O. Box 20
Ketchum, ID 83340

Re: application for permit No. 37-8330, David Sheridan

Dear Mr. Walden:

This office is tentatively planning to schedule a conference and/or hearing in the matter of the above referenced permit for May 10, 1988 in Hailey.

Notices giving the exact time and place for the hearing will be mailed about April 20.

If you have any questions or if we can be of assistance, please contact us.

Very Truly yours,

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

LH

INDEXED

SEP 28 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 12, 1988

Carl H. Nellis, Supervisor
Idaho Dept. of Fish & Game
P.O. Box 428
Jerome, ID 83338

Re: application for permit No. 37-8330, David Sheridan

Dear Mr Nellis:

This office is tentatively planning to schedule a conference and/or hearing in the matter of the above referenced permit for May 10, 1988 in Hailey.

Notices giving the exact time and place for the hearing will be mailed about April 20.

If you have any questions or if we can be of assistance, please contact us.

Very Truly yours,

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

LH

RECEIVED

SEP 28 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 12, 1988

Bruce Lium, President
Friends of the big Wood River
P.O. Box 2679
Ketchum, ID 83340

Re: application for permit No. 37-8330, David Sheridan

Dear Mr. Lium:

This office is tentatively planning to schedule a conference and/or hearing in the matter of the above referenced permit for May 10, 1988 in Hailey.

Notices giving the exact time and place for the hearing will be mailed about April 20.

If you have any questions or if we can be of assistance, please contact us.

Very Truly yours,

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

LH

RECEIVED
SEP 28 1988



FRIENDS OF THE BIG WOOD RIVER, INC.

April 6, 1988

Mr. Loren Holmes
Southern Region Manager
Department of Water Resources
2148 4th Avenue East
Twin Falls, ID 83301

Dear Mr. Holmes,

This letter is in response to your request of March 23, 1988, regarding an attempt to resolve our protest of the Sheridan Water Right Permit #37-8330. Mr. Walden and I have discussed this matter. I feel he would like to work this out, however, I also have the impression that he will not provide all the information that we need to further evaluate the project.

Please feel free to call me at 788-2860.

Regards,

Bruce W. Lium
President

BWL/lc

cc: Ed Simon

RECEIVED

APR 7 1988

RECEIVED

SEP 28 1988

Department of Water Resources
Southern Region Office

Loen Thomas,

Please find Enclosed letter from the
Department of Health & Welfare in reference
to application # 37-830. I am currently
working on addressing their concerns.

Carl Walden

RECEIVED

MAR 29 1983

Department of Water Resources
Southern Region Office

RECEIVED

SEP 28 1988



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

DIVISION OF ENVIRONMENTAL QUALITY

P. O. Box 1626

Twin Falls, Idaho 83303-1626

March 21, 1988

Cody Walden
Walden Ecosystems
P.O. Box 20
Ketchum, ID 83340

Re: East Fork of the Big Wood River Wildlife Habitat Enhancement Project.

Dear Mr. Walden:

Thank you for your time this past week to meet and discuss your proposed wildlife habitat enhancement project. We have also received your letter dated March 16, 1988. We have completed our review of the information that you have provided, and offer the following comments concerning potential impacts on water quality resulting from the project. Activities that might affect water quality and thereby impact protected beneficial uses include construction of the headgate to divert water from the East Fork and diversion of non-consumptive water during low flow periods.

Construction activities should be designed to minimize erosion and potential turbidity increases in the East Fork. For example, diversion structures should be utilized where possible to avoid working in the free-flowing stream. Also, construction should occur during low flow periods, and the headgate should be protected with sufficiently sized materials to provide stability and ensure erosion protection. Materials used for temporary diversions, excavated materials, and debris generated as a result of the construction should be disposed of in such a manner that they cannot enter the East Fork.

With regard to operation of the pond series, since the pond series will be part of an existing high water channel, they should be designed and operated to pass flood flows if needed. Preventing this would encourage erosion in the main channel downstream, and possibly result in turbidity problems, some sedimentation, and thereby impacts on resident salmonid populations.

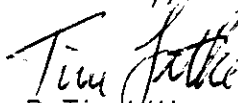
EQUAL OPPORTUNITY EMPLOYER

According to Idaho Water Quality Standards and Wastewater Treatment Requirements, the East Fork of the Big Wood River is a special resource water that is protected for all beneficial uses including cold water biota and salmonid spawning. The non-consumptive water right that has been applied for is for 10 cfs from January 1st to December 31st (both dates inclusive). The limited flow data for the East Fork indicate that during the fall and winter months flows may be only 10-15 cfs at the confluence with the Big Wood River; flows in the project area are likely less during these periods. It would seem then that the water right application should be modified to propose diversion of non-consumptive water only during certain peak flow periods of the year, or only when flows are above a given instream flow that will protect cold water biota and salmonid spawning in the East Fork. During our meeting the Department of Fish and Game indicated that they would investigate performing an "optimum instream flow analysis" for the East Fork throughout the project reach. We support this research in order to ensure protection of designated beneficial uses of the East Fork. The diversion of East Fork water for non-consumptive purposes to support the proposed pond series should not occur if there will be a negative impact on protected beneficial uses of this stream segment.

Also, during our meeting last week we briefly discussed potential changes in water quality (thermal and/or chemical) as the non-consumptive water passes through the pond series. Although specific data were not available, the detention time for flows through the pond series must be considerably greater than the flow time through the bypassed reach. During low flow periods, under the proposed operating plan for the pond series, a substantial portion of East Fork flows might be diverted through the pond series to support the created wetland habitat. This diversion, and the water quality of the subsequent discharge to the East Fork from the pond series should not negatively impact protected beneficial uses in the bypassed reach or downstream.

Thank you for the opportunity to review and comment upon this proposal. If you have any questions concerning the above comments, please call us at 734-9520.

Sincerely,


R. Tim Witke

Sr. Water Quality Specialist

RTL/ta



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 23, 1988

David Sheridan
c/o Cody Walden
P.O. Box 20
Ketchum, ID 83340

Re: Application for Permit No. 37-8330

Dear Mr. Sheridan:

Enclosed are copies of protests filed against the issuance of a permit pursuant to your above referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, IDAHO CODE):

- 1) Will the proposed use reduce the quantity of water under existing rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the project?
- 5) Will the proposed use conflict with the local public interest?

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

Very truly yours,

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 23, 1988

Bruce Lium, President
Friends of the Big Wood River, Inc.
P.O. Box 2679
Ketchum, ID 83340

Re: Application for Permit No. 37-8330

Dear Mr. Lium:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, IDAHO CODE):

- 1) Will the proposed use reduce the quantity of water under existing rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the project?
- 5) Will the proposed use conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

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

SEP 26 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 23, 1988

Carl H. Nellis, Supervisor
Idaho Dept. of Fish & Game
P.O. Box 428
Jerome, ID 83338

Re: Application for Permit No. 37-833 .

Dear Mr. Nellis:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, IDAHO CODE):

- 1) Will the proposed use reduce the quantity of water under existing rights?
- 2) Is the proposed water supply insufficient for the purposes intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the project?
- 5) Will the proposed use conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

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



FRIENDS OF THE BIG WOOD RIVER, INC.

March 21, 1988

RECEIVED

MAR 21 1988

Department of Water Resources
Sheridan Region Office

Mr. Loren Holmes
IDAHO DEPARTMENT OF WATER RESOURCES
2148 4th Avenue
Twin Falls, ID 83301

Dear Mr. Holmes,

Based on an initial review by our Board of Directors, we believe that the Sheridan Water Right Application (37-8330) for removal of 10 c.f.s from the East Fork, a tributary of the Big Wood River, Blaine County, Idaho may not be in the best public interest. We are concerned about maintaining the hydrological integrity of the river system, the ecology of the subject area, the fisheries and water quality in this reach of the East Fork.

The application for the water right and associated project as proposed by Mr. Walden was brought to our attention late in the legal comment period. We would, therefore, certainly appreciate your consideration of the following:

- 1) A thorough review of the ecological and hydrological implications of the application.
- 2) Do not allow diversions from the Big Wood River system which would have any flavor of setting a precedent for similar diversions by other parties.
- 3) Your early notification to us in the future, of applications in regards to water rights for the Big Wood River system. We encourage individuals, parties and agencies to notify us of any river related activities and new projects.

The primary character of our organization is to seek the protection and enhancement of the Big Wood River. We would be glad to meet with you for further discussion of the application as related to our interests.

Sincerely,

Bruce Lium

Dr. Bruce Lium
President

RECEIVED

SEP 28 1988

cc: Board of Directors - Friends of the Big Wood River, Inc.



Region 4
868 E. Main, P.O. Box 428
Jerome, Idaho 83338
Telephone: (208) 324-4350

March 18, 1988

Mr. Loren O. Holmes
Department of Water Resources
Southern Region
2148 Fourth Ave. E.
Twin Falls, ID 83301

Re: Application for Permit No. 37-8330

Dear Loren:

We protest Application No. 37-8330 for diversion of 10 c.f.s. of water from the East Fork of the Big Wood River. Past flow records indicate withdrawal of this amount of water would have an adverse impact on fisheries and wildlife habitat.

Since the proposed use is totally on private land and our biologists conclude it would have only minimal wildlife values, we feel the project is definitely not in the best public interest.

Sincerely,

Carl H. Nellis
Supervisor, Region 4

CHN:RJB:ar

cc: Bureau of Fisheries
Bureau of Program Coordination

RECEIVED

MAR 18 1988

Department of Water Resources
Southern Region Office

MAILED
SEP 28 1988

EQUAL OPPORTUNITY EMPLOYER

RECEIVED

MAR 17 1988

Department of Water Resources
Southern Region Office

Deaprtment of Water Resources:

Blaine County acknowledges the permit for water rights for Cody Walden/David Sheridan. In that an existing high water overflow channel will be utilized for the diversion ditch, minimum impact should be realized from the construction. In fact, it appears that the engineering of this system suggests relief from erosive flood waters on the stream bank, as well as an introduction of waterfowl habitat by the existing pond areas that will be watered by this water right. It has also been made known that areas of riparian revegetation will complement this habitat improvement program. The operation of this program will be subject to control by the water master of State Water Distrcit No. 37, Big Wood River.

DATED March 1, 1988

Alan Reynolds 3/3/88
ALAN REYNOLDS
Blaine County Commissioner

SEP 28 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

February 12, 1988

Cody Walden acting for David Sheridan
P.O. Box 20
Ketchum, ID 83340

Re: Application for Permit No. 37-8330

Dear Mr Walden:

The Department of Water Resources acknowledges receipt of your application for a water right permit. The application has been assigned identification No. 37-8330. Please refer to this number in all further correspondence.

This office is currently reviewing and processing the application pursuant to Idaho statutes and the department's Rules and Regulations for Water Appropriation.

A legal notice of the application is being prepared for publication in the Wood River Journal, Idaho Statesman, Lewiston Morning Tribune, Idaho Falls Post Register, and Twin Falls Times News. The ads will appear in the Wood River Journal on March 2 & 9 and in the other papers on March 3 & 10. The last date for receiving protests against granting of the application will be March 21, 1988.

If the application is protested you will be notified and sent a copy of all protests filed. Protests must be resolved either by hearing before the department or agreement among the parties before the application is approved or denied.

Review of your application indicates the following additional information is required to be made part of the application file pursuant to the Rules and Regulations for Water Appropriation:

- 1) You must seek comment on the effects of the construction and operation of the proposed project from the city and/or county within which the project is to be located, the Idaho Department of Fish and Game, the Idaho Department of Health and Welfare, Division of Environment, and any irrigation district or canal company within which the project is to be located. (Rule 4,5,3,5,1)

SEP 28 1988

Page 2
February 12, 1988

The required additional information must be submitted within 30 days after the final date for receiving protests (March 21, 1988). The time may be extended upon request and showing of good cause that additional time is required to submit the information.

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

Very Truly yours,

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

LH

SEP 26 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 10, 1988

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

Bob Bell
Idaho Department of Fish & Game
P.O. 428
Jerome, ID 83338

Re: Application for Permit No. 37-8330

Dear Mr. Bell:

Please find enclosed a copy of the above referenced
Application for Permit for your information and files.

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

Very truly yours,

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

LH:MB

Enclosure

SEP 28 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 10, 1988

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

Reid J. Newby, Watermaster
Water District #37
Box T
Shoshone, ID 83352

Re: Application for Permit No. 37-8330

Dear Mr. Newby:

Please find enclosed a copy of the above referenced
Application for Permit for your information and files.

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

Very truly yours,

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

LH:MB

Enclosure

SEP 28 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 10, 1988

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

Jenny Femling, Zoning Administrator
Blaine County Planning & Zoning Commission
P.O. Box 140
Hailey, ID 83333

Re: Application for Permit No. 37-8330

Dear Ms. Femling:

Please find enclosed a copy of the above referenced
Application for Permit for your information and files.

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

Very truly yours,

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

LH:MB

Enclosure

RECEIVED
FEB 16 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

2148 4th Avenue East
Twin Falls, Idaho 83301
(208) 734-3578

FEBRUARY 10, 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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 MARCH 21, 1988.

Yours truly,

Mary A. Baldwin

Mary A. Baldwin
Secretary/Office Coordinator

Encl.



SEP 26 1988

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-8230

SHERIDAN, DAVID

P.O. BOX 20, KETCHUM, ID 83340

Source: BIG WOOD RIVER, EAST FORK trib. to BIG WOOD RIVER

Diversion Pt: NESESW Sec 35 T 04N R 18E; 3 miles South & 5 miles East of Ketchum.

Use: WILDLIFE (10.0 CFS)

Date Filed: 02/09/1988

In: SESEW Sec 35 T 04N R 18E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before MARCH 21, 1988.

R. KEITH HIGGINSON, Director

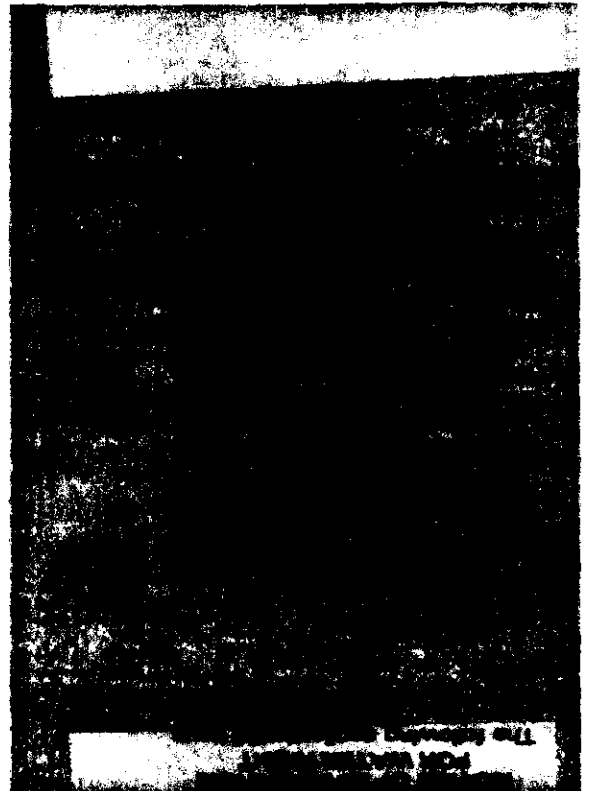
Published 3/2 & 3/9/88.

SEP 28 1988

Wood River
J
only

SEP 28 1988

10-10-10



OK
MB
2/17/88

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

2148 4th Avenue East
Twin Falls, Idaho 83301
(208) 734-3578

FEBRUARY 10, 1988

Times News
P. O. Box 548
Twin Falls, Idaho 83301

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 MARCH 21, 1988.

Yours truly,


Mary A. Baldwin
Secretary/Office Coordinator

Encl.


SEP 28 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

2148 4th Avenue East
Twin Falls, Idaho 83301
(208) 734-3578

FEBRUARY 10, 1988

Post Register
P. O. Box 1800
Idaho Falls, ID 83402

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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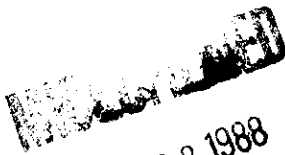
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Yours truly,



Mary A. Baldwin
Secretary/Office Coordinator

Encl.



SEP 28 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

2148 4th Avenue East
Twin Falls, Idaho 83301
(208) 734-3578

FEBRUARY 10, 1988

Lewiston Morning Tribune
505 C Street
Lewiston, ID 83501

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Yours truly,



Mary A. Baldwin
Secretary/Office Coordinator

Encl.

RECEIVED

SEP 28 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

2148 4th Avenue East
Twin Falls, Idaho 83301
(208) 734-3578

FEBRUARY 10, 1988

Idaho Statesman
Box 40
Boise, ID 83707

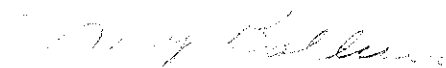
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Yours truly,


Mary R. Baldwin
Secretary/Office Coordinator

Encl.

MICROFILMED

SEP 28 1988

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-8330

SHERIDAN, DAVID

P.O. BOX 20, KETCHUM, ID 83340

Source: BIG WOOD RIVER, EAST FORK trib. to BIG WOOD RIVER

Diversion Pt: NESESW Sec 35 T 04N R 18E; 3 miles South & 5 miles East of Ketchum.

Use: WILDLIFE (10.0 CFS)

Date Filed: 02/09/1988

In: SESEW Sec 35 T 04N R 18E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before MARCH 21, 1988.

R. KEITH HIGGINSON, Director

Published 3/3 & 3/10/88.

SEP 28 1988

1) Water District 37 Basin # 37

2) Local Description: (of one ?/O)

☐

At the above street address

☒

3 miles N/S S and 5 miles E/W E
of Ketchum, Idaho (City or landmark).

☐

Other (describe) _____

