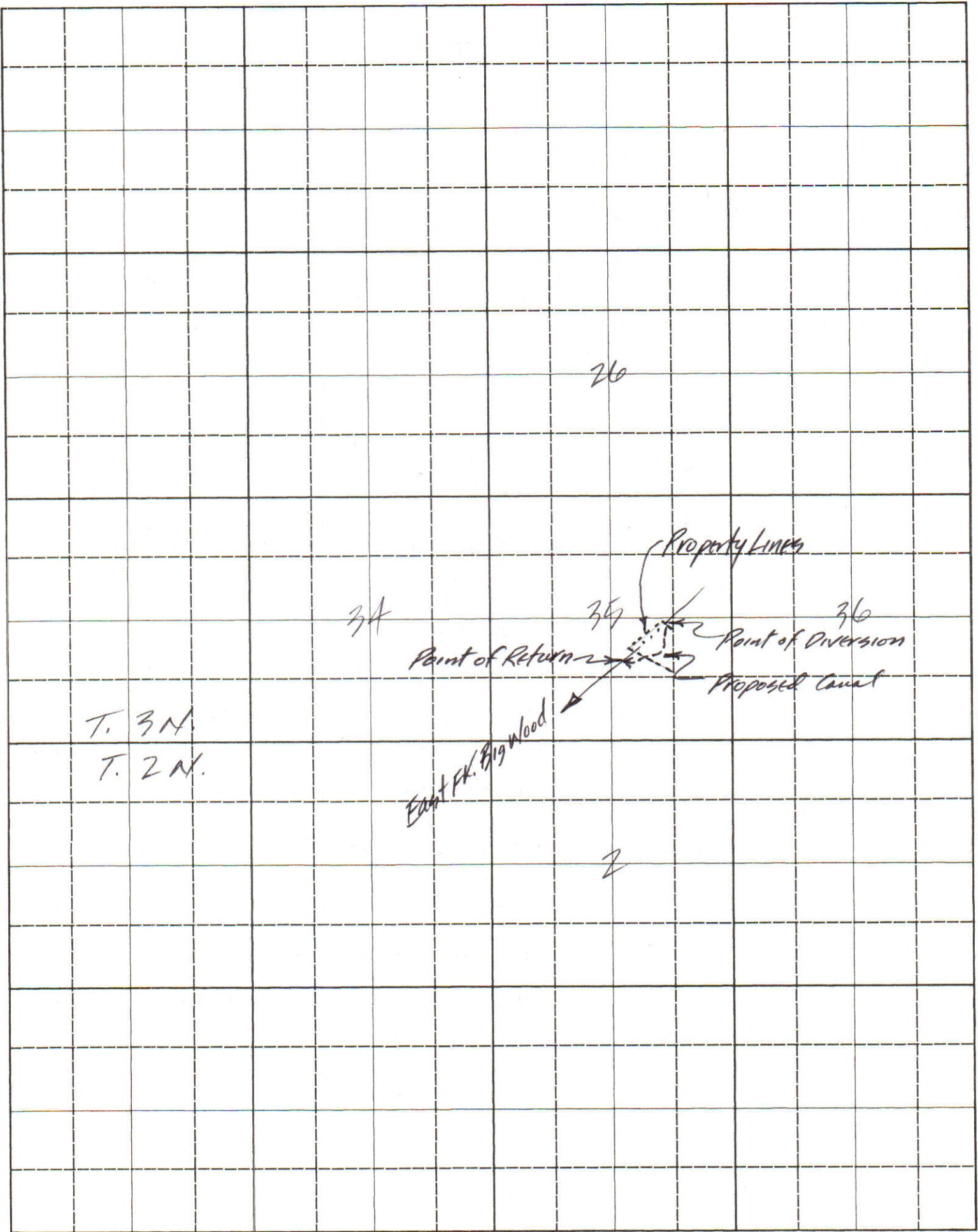


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Edward (Ted) Dale

Edward (Ted) Dale (Applicant)

MICROFILMED

*per memo from Loren Holmes of 8/21/1986.

AFFIDAVIT ; PUBLICATION

State of Idaho, }
County of Blaine } SS.

CLINT STENNETT, 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 26th day of Dec. 19 85, and the date of the last publication was on the 2nd day of Jan. 19 86

Subscribed and sworn to before me this 2nd day of January, 1986.
(SEAL)

Ralph M. Jordan
NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 11
Number of Lines in Notice 36
Number of Insertions 2
Lines tabular at 5°/Pica
36 Lines straight at 15.84 4°/Pica
36 Subsequent lines at 11.88 3°/Pica
TOTAL COST 27.72

COPY OF NOTICE

(Paste Here)

Not. of Application
TITLE OF NOTICE
#37-8252 Dale

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res.
BILL TO

Water right app. filed by Dale

NOTICE OF APPLICATION FOR WATER RIGHT

NOTICE IS HEREBY GIVEN, That the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

37-8252

DALE, TED
c/o GALENA ENGINEERING, INC.
P.O. BOX 425
KETCHUM, ID 83340

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

Diversion Pt: NWSE Sec 35 T 03N R 18E

Use: AESTHETICS (10.0 CFS)

Date Filed: 11/25/1985

In: NWSE Sec 35 T 03N R 18E

The permit will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720, on or before JANUARY 13, 1986.

KEN DUNN, Dir.

Publish: Wood River Journal-December 26, 1985, and January 2, 1986.

7-8 pt. per line tabular..... 5°/Pica

7-8 pt. per line successive

insertions..... 3°/Pica

4481

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

37.01

Account Name ID Dept. of Water Resources, Southern Region		Account Number #100632	
Address 1041 Blue Lakes Blvd . N.		City/State Twin Falls, ID	Zip 83301
Ordered By Mary Newby	P.O. Number	Rate nt	Run Dates Dec. 26, 1985; Jan. 2, 1986
Identification Applications 37-8252, 47-8021			Legal Number #9890

☒ Number of Affidavits Requested

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Laura Gay Barnes, 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 December 26, 1985
and ending with the issue of January 2, 1986

Laura Gay Barnes

Subscribed and sworn to before me this 2nd
day of January, 1986

Jeanne M Hawk
Notary Public for Idaho, Residing at Boise, Idaho.

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-8252

Dale, Ted
c/o Galena Engineering, Inc.
P.O. Box 425
Ketchum, Idaho 83340
Source: East Fork Big Wood River trib. to Big Wood River
Diversion Pt: NWSE Sec. 35 T 03N R 18E
Use: Aesthetics (10.0 CFS)
Date Filed: 11/25/1985
In: NWSE Sec. 35 T 03N R 18E

47-8021

Diamond Ranch LTD
P.O. Box 82
Gooding, ID 83330
Source: Salmon Falls Creek trib. to Snake River
Diversion Pt: SWSE Sec. 31 T 08S R 14E
Use: Fish Prop. (150.0 CFS)
Date Filed: 12/06/1985
In: SENW Sec. 31 T 08S R 14E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on, or before, January 13, 1986.

KEN DUNN
Director

Pub. Dec. 26, 1985; Jan. 2, 1986 9890

RECEIVED

JAN 3 1986

Department of Water Resources
Boise, Idaho 83720

SEC. 35, T 4 N, R 18 E, B.M.
WHEREIN THE NAME TRIUMPH MEADOWS
SUBDIVISION IS CHANGED TO THUNDER
MEADOWS SUBDIVISION

DECEMBER, 1994

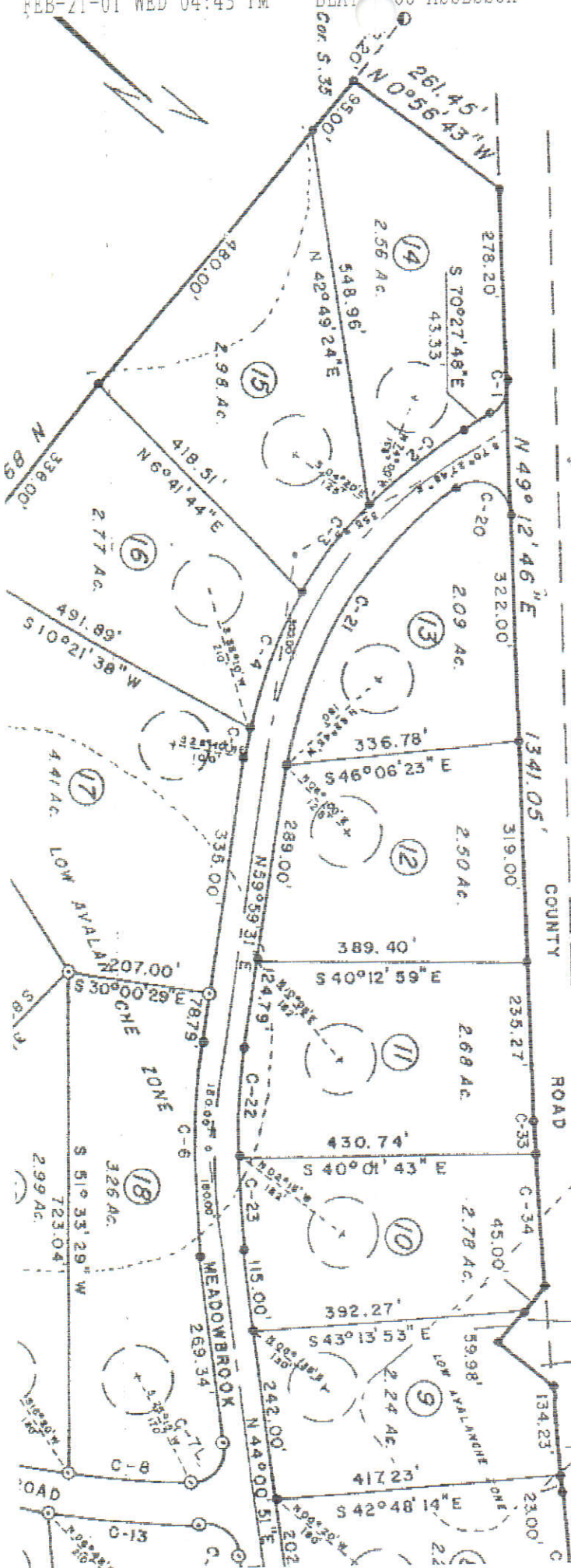
UNPLATTED

J.H. MILAZZO & ASSOCIATES
KETCHUM, IDAHO

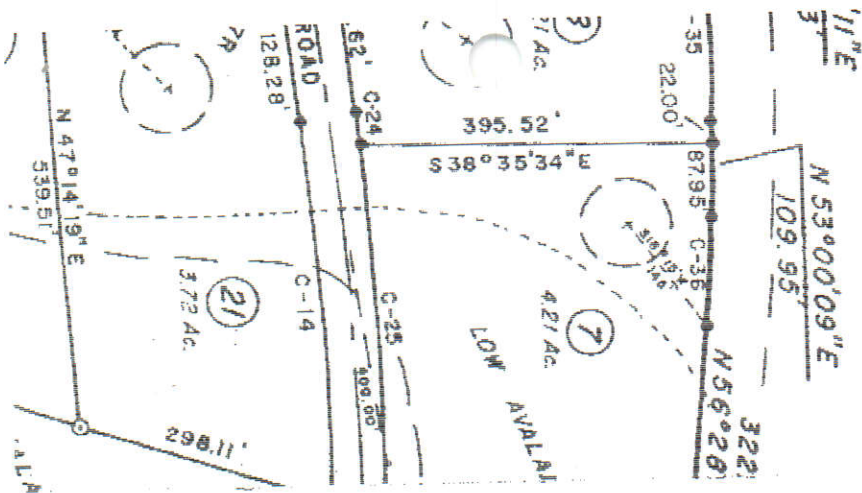
by

MICROFILMED
MAR 29 2001

THUNDER Meadows Forced Replat

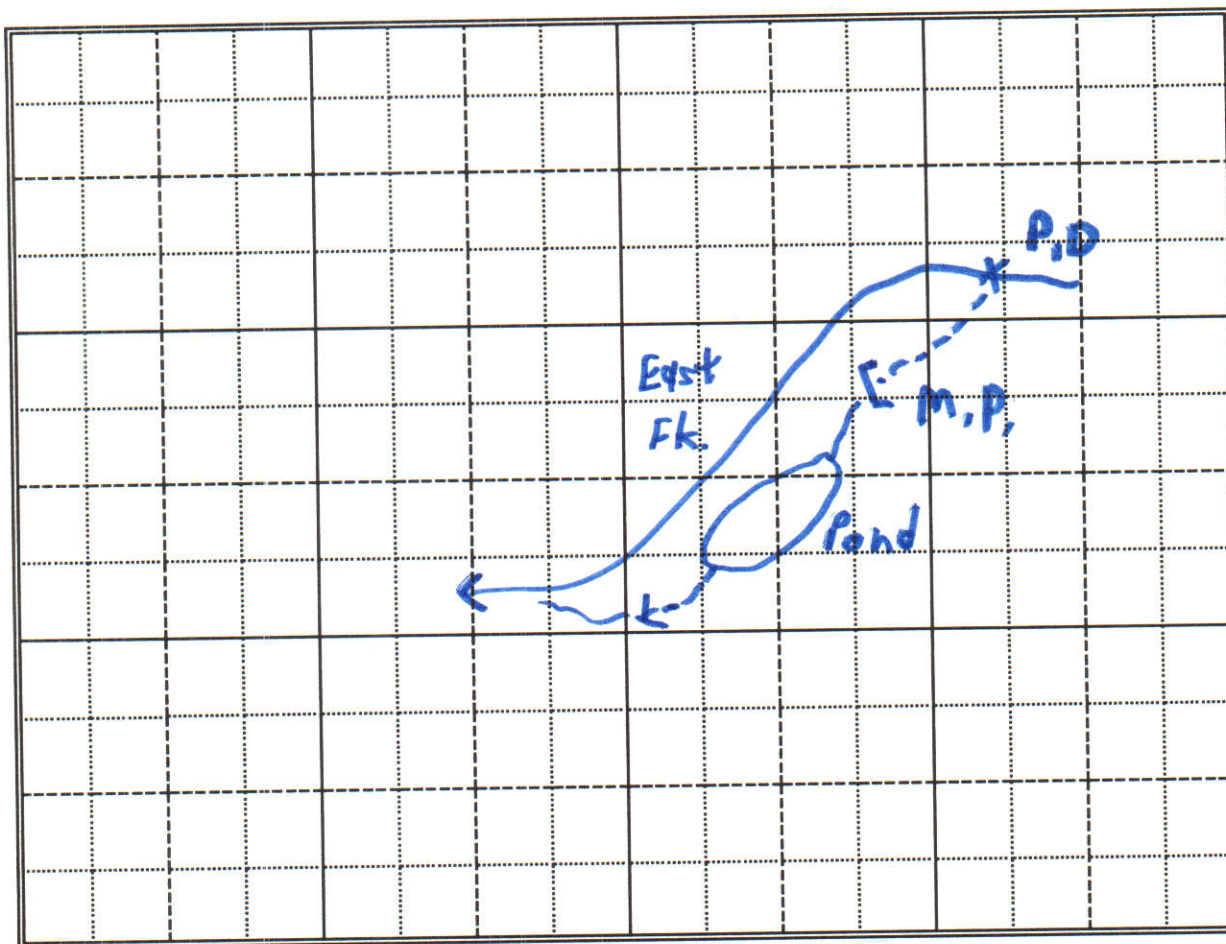


CLATSOP COUNTY



MICROFILMED
MAR 29 2001

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



Scale: 1" = _____



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



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



Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
4' Gippoletti Weir						

2. Measurements: Measured 0.28' head

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MAR 29 2001

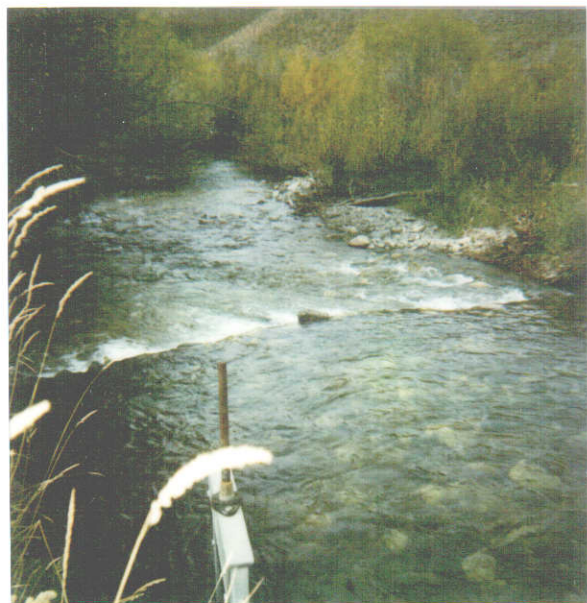
Inlet Canal
Below ~~the~~ Weir



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MAR 23 2001

Pond

37-8252



Check Dam & Headgate (Looking downstream)

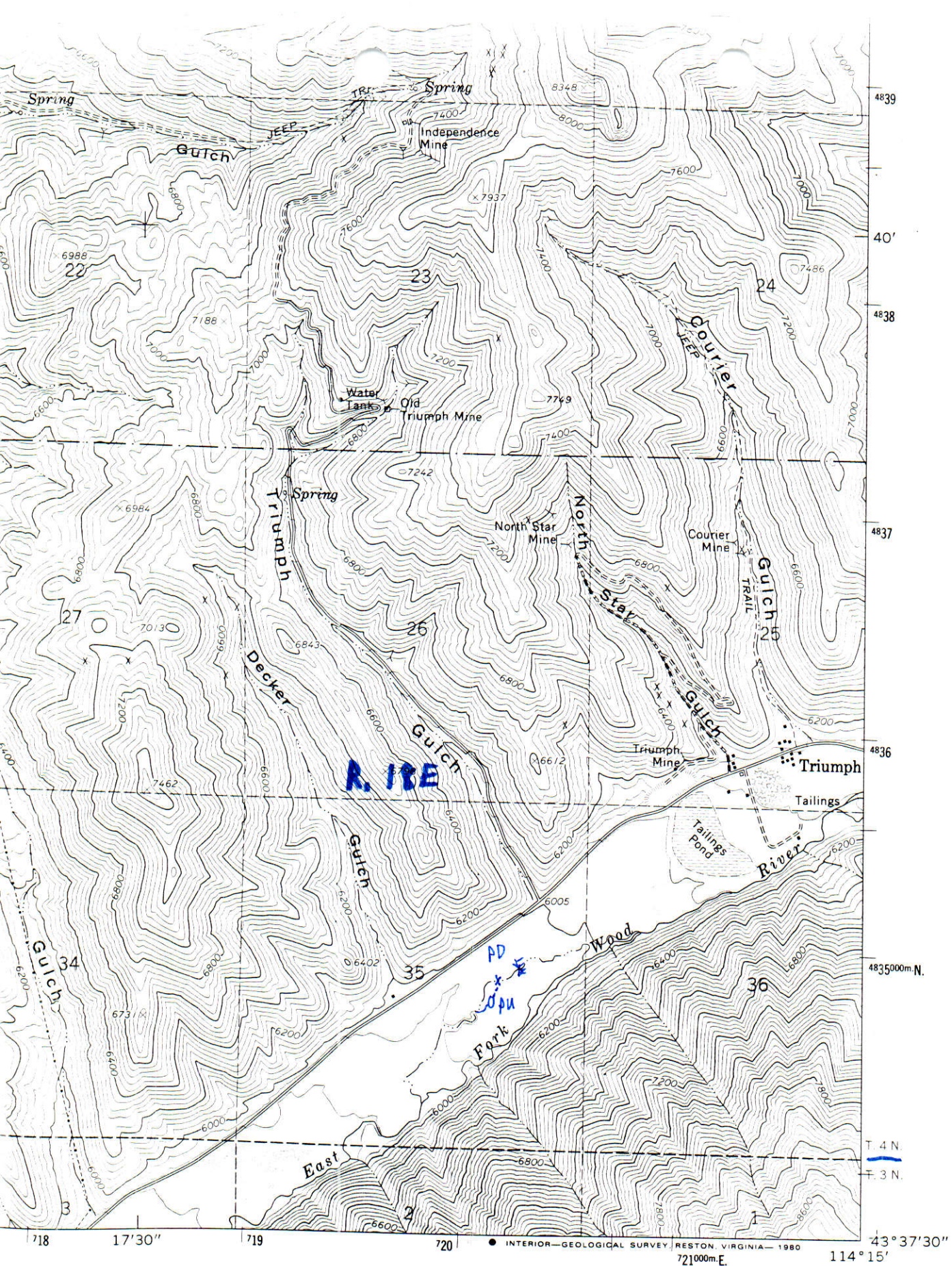
Headgate



Measuring Device In Ditch

MICROFILMED
MAR 29 2001

37-8252



MICROFILMED

MAR 23 2001

ROAD CLASSIFICATION

Heavy-duty

Medium-duty

Light-duty

Unimproved dirt

U. S. Route

State Route

(BAUGH CREEK SW)
51711 SW

37-8252

DALE, TED
C/O GALENA ENGINEERING, INC.,
P.O. BOX 425, KETCHUM, ID 83340

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

Diversion Pt: NWSE Sec 35 T 03N R 18E

Use: AESTHETICS (10.0 CFS)

Date Filed: 11/25/1985
In: NWSE Sec 35 T 03N R 18E

The Permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before JANUARY 13, 1986.

KEN DUNN

Director

PUBLISH: Thursdays,
December 26, 1985, and
January 2, 1986.

*timis
musa
ok
marga
12/16/85*

Disk: Patty-14/378252

Water right app. filed by Dale

NOTICE OF APPLICATION FOR WATER RIGHT

NOTICE IS HEREBY GIVEN,
That the following application has
been submitted for permit to ap-
propriate the public waters of the
State of Idaho:

37-8252

DALE, TED
c/o GALENA ENGINEERING, INC.
P.O. BOX 425
KETCHUM, ID 83340

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

Diversion Pt: NWSE Sec 35 T 03N R 18E

Use: AESTHETICS (10.0 CFS)

Date Filed: 11/25/1985

In: NWSE Sec 35 T 03N R 18E

The permit will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720, on or before JANUARY 13, 1986.

KEN DUNN, Dir.

Publish: Wood River Journal-
December 26, 1985, and January
2, 1986.

*ok
marga
12/16/85*

37-8252

DALE, TED
C/O GALENA ENGINEERING,
INC., P.O. BOX 425, KETCHUM, ID.
83340

Source: EAST FORK BIG WOOD RIVER trib. to BIG WOOD RIVER
Diversion Pt: NWSE Sec 35 T 03N R 18E

Use: AESTHETICS (10.0 CFS)

Date Filed: 11/25/1985

In: NWSE Sec 35 T 03N R 18E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before January 13, 1986.

KEN DUNN, Dir.

*ok
marga*

MICROFILMED

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08252

Priority: January 06, 1986

Maximum Diversion Rate: 2.00 CFS
Maximum Diversion Volume: 1,448.0 AF

It is hereby certified that TED DALE
210 MEADOWBROOK RD
HAILEY ID 83333 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated November 25, 1985; and has
submitted Proof of Beneficial Use on October 13, 1988. An examination indicates that the works have a
diversion capacity of 2 cfs of water from:

SOURCE

EAST FORK WOOD RIVER Tributary: BIG WOOD RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
AESTHETIC	01/01 to 12/31	2.00 CFS	1,448.0 AF

LOCATION OF POINT(S) OF DIVERSION:

EAST FORK WOOD RIVER NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, Twp 04N, Rge 18E, B.M., BLAINE County

PLACE OF USE: AESTHETIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 18E 35														X			

CONDITIONS OF APPROVAL

1. Use of water under this right shall be non-consumptive.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. 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.
4. Right 37-00387B is also diverted through the point of diversion described above.
5. Rights 37-00387B and 37-08252 when combined shall not exceed a total diversion rate of 2.0 cfs.

MICROFILMED

MAR 29 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08252

6. Point of diversion and place of use are located within Lots 4 and 5a, Thunder Meadows Subdivision.

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

Signed and sealed this 26TH day of FEBRUARY, 2001.

Acting for


KARL J. DREHER
Director

MICROFILMED

MAR 29 2001

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FEB 20 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)

WATER RIGHT NO. 37-08252

Date of Priority: January 06, 1986

Maximum Diversion Rate: 2.00 CFS

Maximum Diversion Volume: 1,448.0 AF

Comes now TED DALE

210 MEADOWBROOK RD

HAILEY ID 83333 and represents to the Director of the Idaho Department

of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08252, and requests that the permit be changed as follows:

Source: EAST FORK WOOD RIVER Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
AESTHETIC	01/01 to 12/31	2.00 CFS	1,448.0 AF

LOCATION OF POINT(S) OF DIVERSION:EAST FORK WOOD RIVER NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, Twp 04N, Rge 18E, B.M., BLAINE CountyPLACE OF USE: AESTHETIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 18E 35														X			

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 16th day of February, 2001.

Edward M. [Signature]
(Signature)

MICROFILMED

MAR 23 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08252

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50.00 Received by jm # C05237 Date 2/20/01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-08252 with the following:

CONDITIONS OF APPROVAL

1. Use of water under this right shall be non-consumptive.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. 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.
4. Right 37-00387B is also diverted through the point of diversion described above.
5. Rights 37-00387B and 37-08252 when combined shall not exceed a total diversion rate of 2.0 cfs.
6. Point of diversion and place of use are located within Lots 4 and 5a, Thunder Meadows Subdivision.

Witness my hand this 26TH day of FEBRUARY, 2001.


KARL J. DREHER
Director

MICROFILMED
MAR 29 2001

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-8252 IN THE)
NAME OF TED DALE C/O GALENA ENGINEERS) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before September 1, 1988; and,

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

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

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on October 13, 1988;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-8252 be REINSTATED and the priority advanced to January 6, 1986.

Dated this 31st day of October, 1988.

MAILED
DEC 07 1988

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

RECEIVED

OCT 23 1988

Department of Water Resources
Southern Region Office

RECEIVED

OCT 24 1988

Department of Water Resources

5003129

X4

\$125.00

50

10/7/88

X

Handwritten signature

DEC 07 1988

RECEIVED
OCT 10 1985

Department of Water Resources
Southwest District Office

APPROVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

Ident. No. 37-8252

RECEIVED
OCT 7 1985

to appropriate the public waters of the State of Idaho

no record
Department of Water Resources

1. Name of applicant Ted Dale c/o Galena Engineering, Inc. Phone 208-726-4729
Post office address P.O. Box 425, Ketchum, Idaho 83340
2. Source of water supply East Fork of Big Wood River which is a tributary of Bigwood & Snake River
3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 35 Township 3 N.
Range 18 E.B.M. Blaine County County, additional points of diversion if any: _____
4. Water will be used for the following purposes:
 * 2 Aesthetic & Recreation purposes from Jan. 1 to Dec. 31 (both dates inclusive)
 Amount 10 cfs for Recreation 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)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
5. Total quantity to be appropriated: * See agreement dated 6/19/86 LA
 a. * 2 10 cubic feet per second and/or b. _____ acre-feet per annum.
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. canal and headgate as needed.
 - b. Height of storage dam N/A feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
 Period of year when water will be diverted to storage _____ to _____ inclusive.
 (Month/Day) (Month/Day)
 - c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).
8. Description of proposed uses:
 - a. If water is not for irrigation:
 - (1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 35 Township 3 N.
Range 18 E. B.M.
 - (2) Amount of power to be generated: none horsepower under _____ feet of head.
 - (3) List number of each kind of livestock to be watered none
 - (4) Name of municipality to be served none, or number of families to be supplied with domestic water _____.
 - (5) If water is to be used for other purposes describe: Non-consumptive use, diverted from creek to existing over-flow channels and returned to river, for esthetic (recreation) purposes.

RECEIVED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. none

9. a. Who owns the property at the point of diversion Ted Dale

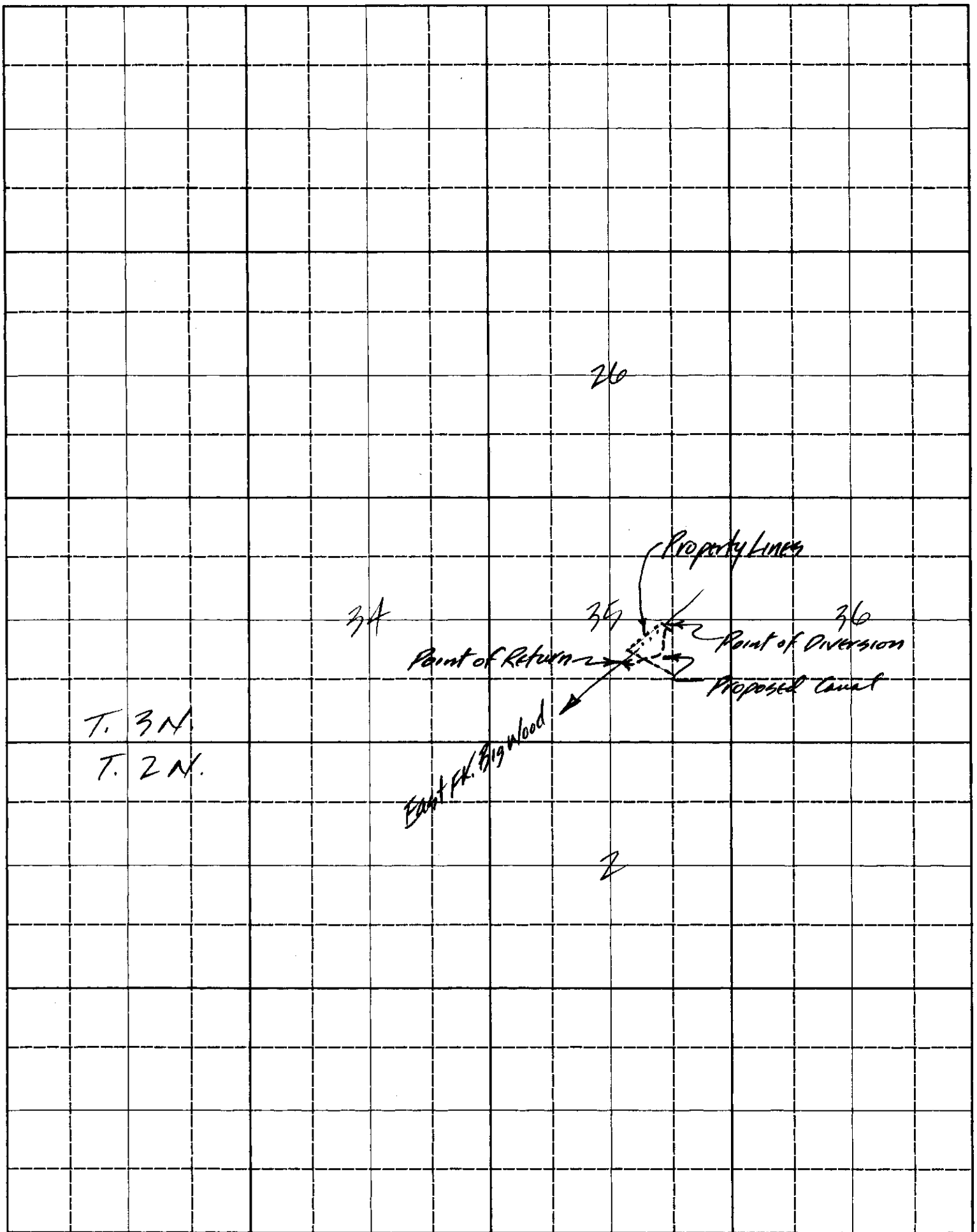
b. Who owns the land to be irrigated or place of use Ted Dale

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing N/A

10. Remarks The application is made for esthetic and recreation purposes in connection with proposed adjacent development by applicant. Channels for conveyance will be existing flood channels, typically 4-10 feet wide and 4-6 feet deep which will be cleaned and cleared (minor) as required. Water surface in channels will be essentially at the water table and coincident with natural ground-water underflow so there will be essentially no seepage loss at any time of the year and any minor losses will return immediately to the main river channel. The proposed use is non-consumptive and will not result in any diminution of flow downstream. There are no existing diversions between the proposed point(s) of diversion and point of return; no existing appropriators will be affected. The proposed diversion rate represents only a small percentage of normal flow in the main river channel.

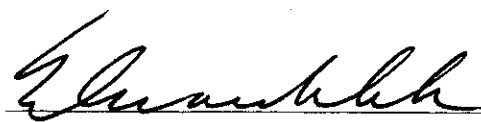
WICR 07/17/07

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



Scale: 2 inches equal 1 mile.

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



Edward (Ted) Dale* (Applicant)

*per memo from Loren Holmes of 8/21/1986.

kw



Proposed Priority 11/25/85

Received by marja Date 10/7/85 Time 9:00 am

Preliminary check by TB Fee \$ 225.00 # 36781

Received by marja Date 11/25/85

Publication prepared by marja Date 12/10/85

Published in state wide

Publication dates 12/26 & 1/2/86

Publication approved marja Date 12/16/85

Protests filed by: Helaine Co. p 42 withdrawn 6/19/86

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LH kw

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. 37-8252, 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 September 1, 19 88.
- 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. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

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.

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.

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

The maximum rate of diversion for aesthetic and recreation purposes under this permit shall not exceed 2.0 cfs.

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

Witness my hand this 27th day of August, 1986.

L. Glen Saxton
Chief, Operations Bureau

MICROFILMED

**APPLICATION FOR
WATER RIGHT**

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

47-8020
ELGAN, DOUGLAS L.
P.O. Box 82, Gooding, ID 83330
Source: UNNAMED
STREAM trib. to SALMON FALLS CREEK
Diversion Pt: NWSENE
Sec 31 T 08S R 14E
Use: POWER (2.0 CFS)
Date Filed: 12/06/1985
In: NENE Sec 31 T 08S R 14E

47-8021
DIAMOND RANCH LTD
P.O. Box 82, Gooding, ID 83330
Source: SALMON FALLS CREEK trib. to SNAKE RIVER
Diversion Pt: SWSENW Sec 31 T 08S R 14E
Use: FISH PROP. (150.0 CFS)
Date Filed: 12/06/85
In: SENW Sec 31 T 08S R 14E

37-8252
DALE, TED
C/O GALENA ENGINEERING, INC.,
P.O. BOX 425, KETCHUM, ID 83340
Source: EAST FORK BIG WOOD RIVER trib. to BIG WOOD RIVER
Diversion Pt: NWSE
Sec 35 T 03N R 18E
Use: AESTHETICS (10.0 CFS)
Date Filed: 11/25/1985
In: NWSE Sec 35 T 03N R 18E

The Permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before JANUARY 13, 1986.

KEN DUNN
Director
PUBLISH: Thursdays,
December 26, 1985, and
January 2, 1986.

Affidavit of Publication

STATE OF IDAHO, _____
COUNTY OF TWIN FALLS _____ ss.

No 15826

I, Belinda Jean Capps, being first duly sworn upon oath, depose and say that I am Quinn Clerk of the TIMES-NEW 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 December 26, 1985, and ending with the issue dated January 2, 1986.

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, 1983, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

I do 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.

RECEIVED
JAN 20 1986

Belinda Jean Capps
Subscribed and sworn to before me on this 6th day of January, 1986.

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

NOT RECORDED

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

Date 010286 INVOICE No. L00064860

Account No. 44662

Description 64860NOTIC

Times 2 Lines 34

Tab Lines

**LEGAL ADVERTISING
INVOICE**

OLD TO: STATE OF IDAHO
DEPT. OF WATER RESOURCES1
041 BLUE LAKES BLVD. N.
TWIN FALLS
ID 83301

\$ 29.75

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

S. L. Stone

, 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 regularly 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 FOR WATER RIGHT

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication beginning on 122685

week for two consecutive weeks, the first

publication thereof being on the 122685, and the last publication thereof being on the 010286, and said

NOTICE OF APPLICATION FOR WATER RIGHT

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.

R. L. Stone

SUBSCRIBED AND SWORN BEFORE ME THIS THE 13

day of January 1986

Sheral M. Lantz

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.

47-8021

DIAMOND RANCH LTD.
P.O. BOX 82, GOODING, ID 83330
Source: SALMON FALLS
CREEK, trib. to SNAKE RIVER
Diversion Pt: SWSNW Sec 31 T 08S R 14E

Use: FISH PROP. (150.0 CFS)
Date Filed: 12/06/1985
In: SENW Sec 31 T 08S R 14E
37-8252

DALE, TED
C/O GALENA ENGINEERING,
INC., P.O. BOX 425, KETCHUM, ID.
83340

Source: EAST FORK BIG WOOD
RIVER trib. to BIG WOOD RIVER
Diversion Pt: NWSE Sec 35 T 03N R 18E

Use: AESTHETICS (10.0 CFS)
Date Filed: 11/25/1985
In: NWSE Sec 35 T 03N R 18E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before January 13, 1986.

KEN DUNN, Dir.

RECEIVED

JAN 15 1986

Department of Water Resources
SPECIAL DISTRICT CLERK

AFFIDAVIT ; PUBLICATION

State of Idaho, }
County of Blaine } SS.

CLINT STENNETT

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 26th day of Dec. 19 85, and the date of the last publication was on the 2nd day of Jan 19 86

Subscribed and sworn to before me this 2nd

day of January, 1986.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 11
Number of Lines in Notice 36
Number of Insertions 2
Lines tabular at 5¢/Pica
36 Lines straight at 15.84 4¢/Pica
36 Subsequent lines at 11.88 3¢/Pica
TOTAL COST 27.72

COPY OF NOTICE

(Paste Here)

Not. of Application
TITLE OF NOTICE
#37-8252 Date

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res.
BILL TO

WOOD RIVER JOURNAL

NOTICE OF APPLICATION FOR WATER RIGHT

NOTICE IS HEREBY GIVEN, That the following application has been submitted for permit to appropriate the public waters of the State of Idaho

DALE, TED
c/o GALENA ENGINEERING, INC.
P.O. BOX 425
KETCHUM, ID 83340

Source: EAST FORK BIG WOOD RIVER and TO BIG WOOD RIVER
Division: NWSE Sec 35 T 03N R 18E

Use: AESTHETICS (10.0 CFS)

Date Filed: 11/28/1985

In: NWSE Sec 35 T 03N R 18E

The permit will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse Boise, Idaho 83720, on or before JANUARY 13, 1986.

CEN GARR, Dir.
Public: Wood River Journal
December 28, 1985, and January 2, 1986.

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

Nº 4481

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

37.01

Account Name ID Dept. of Water Resources, Southern Region		Account Number #100632	
Address 1041 Blue Lakes Blvd . N.		City/State Twin Falls, ID	Zip 83301
Ordered By Mary Newby	P.O. Number	Rate nt	Run Dates Dec. 26, 1985; Jan. 2, 1986
Identification Applications 37-8252, 47-8021			Legal Number #9890

☒ Number of Affidavits Requested

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Laura Gay Barnes, 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 December 26, 1985
and ending with the issue of January 2, 1986

Laura Gay Barnes

Subscribed and sworn to before me this 2nd
day of January, 1986

Jeanne M. Hawk
Notary Public for Idaho, Residing at Boise, Idaho.

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-8252

Dale, Ted
c/o Galena Engineering, Inc.
P.O. Box 425
Ketchum, Idaho 83340
Source: East Fork Big Wood River trib. to Big Wood River
Diversion Pt: NWSE Sec. 35
T 03N R 18E
Use: Aesthetics (10.0 CFS)
Date Filed: 11/25/1985
In: NWSE Sec. 35 T 03N R 18E

47-8021

Diamond Ranch LTD
P.O. Box 82
Gooding, ID 83330
Source: Salmon Falls Creek trib. to Snake River
Diversion Pt: SWSE Sec. 31
T 08S R 14E
Use: Fish Prop. (150.0 CFS)
Date Filed: 12/06/1985
In: SENW Sec. 31 T 08S R 14E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on, or before, January 13, 1986.

KEN DUNN
Director

Pub. Dec. 26, 1985; Jan. 2, 1986 9890

RECEIVED

JAN 3 1986

Department of Water Resources
Boise, Idaho Office

The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk 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 having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (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 27th day of December, 1985, last publication having been made on the 3rd day of January, 1986, 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 6th day of January, 1986.

[Signature]
Notary Public

My commission expires September 30, 1988.

B10, 1M,

NOTICE OF APPLICATION FOR WATER RIGHT

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

47-8021
DIAMOND RANCH LTD
P.O. BOX 82, GOODING, ID 83330
Source: SALMON FALLS CREEK trib. to
SNAKE RIVER
Diversion Pt: SWSE 31 T 08 S R 14E
Use: FISH PROP. (150.0 CFS)
Date Filed: 12/06/1985
In: SENW Sec 31 T 09 S R 14E
37-8252

DALE, TED
C/O GALENA ENGINEERING, INC., P.O.
BOX 425, KETCHUM, ID 83340
Source: EAST FORK BIG WOOD RIVER trib.
to BIG WOOD RIVER
Diversion Pt: NWSE Sec 35 T 03 N R 18E
Use: AESTHETICS (10.0 CFS)
Date Filed: 11/25/1985
In: NWSE Sec 35 T 03 N R 18E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before JANUARY 13, 1986.

KEN DUNN, Dir.

Published: December 27, 1985, January 3, 1986



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 27, 2001

TED DALE
210 MEADOWBROOK RD
HAILEY ID 83333

RE: License No. 37-8252 - Issuance of License

Dear Water Right Holder(s):

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

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

Also enclosed is a copy of your approved Application for Amendment.

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:kit

Enclosure(s)

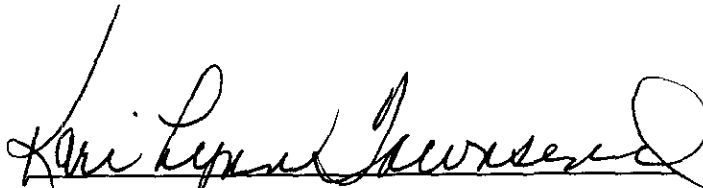
MICROFILMED
MAR 29 2001

CERTIFICATE OF MAILING

I hereby certify that on February 27, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 37-8252

**TED DALE
210 MEADOWBROOK RD
HAILEY ID 83333**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
MAR 29 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

BLAINE COUNTY ASSESSOR 206 1st Avenue, Ste. 105, Hailey, Idaho 83333
Phone: Office (208) 788-5535 FAX (208) 788-5542

IMPORTANT
FAX
TRANSMISSION

To: <u>Kay Walker</u>	Date: _____
FAX #: <u>(208) 327-7866</u>	_____ pages
From: <u>Carma Angelo</u>	(Including cover)
Subject: _____	

NOTE:

I just copied the top part of
plat, cannot send all of plat
thru the fax machine, only
the name has changed -

Carma

MICROFILMED

MAR 29 2001

THUNDER Meadows SUBDIVISION *Forced Replat*

SEC. 35, T 4N, R 18E, B.M.

19

J.H. MILAZZO & ASSOCIATES
KETCHUM, IDAHO

KETCHUM, IDAHO

MICROFILMED
MAR 29 2004

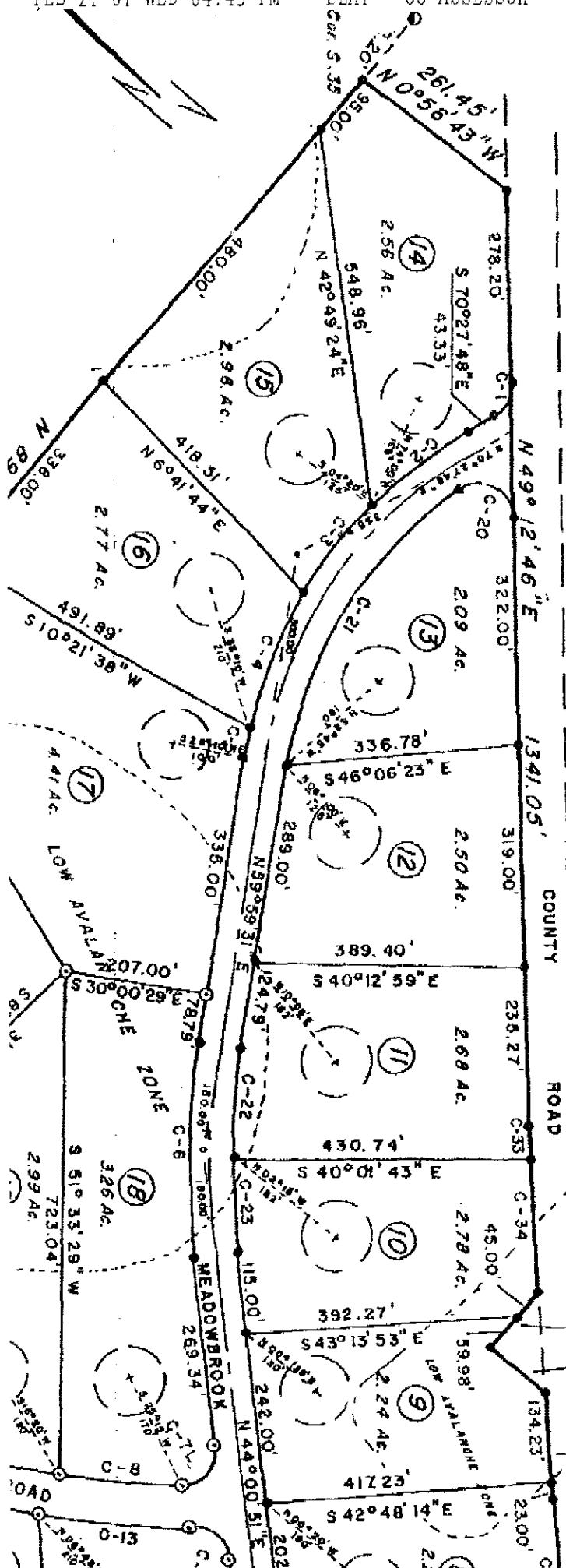
MAR 29 2000

On

WHEREIN THE NAME TRIUMPH MEADOWS
SUBDIVISION IS CHANGED TO THUNDER
MEADOWS SUBDIVISION

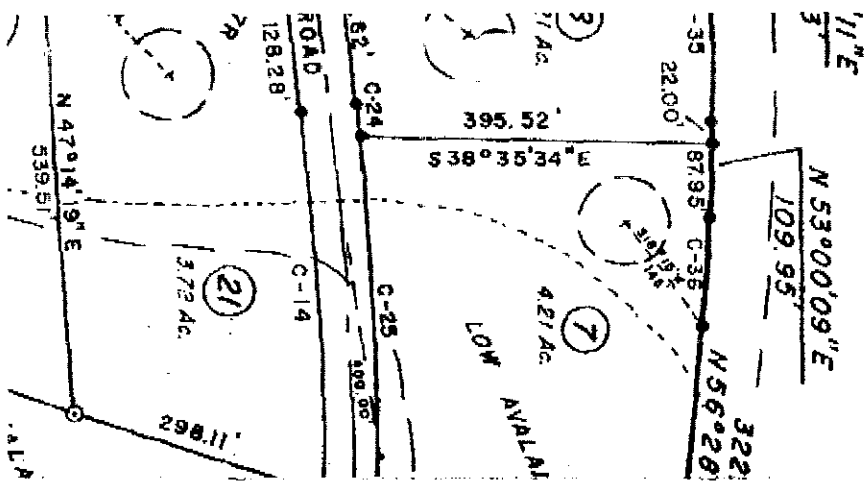
DECEMBER , 1994

UNPLATTED



VISION

PLAINE COUNTY



MICROFILMED
MAR 29 2001

Dear Ms Walker -

Lots 5 and 6 have
been combined as Lot
5A (same acreage, same
location) and the
name of the subdivision
was changed to:

Thunder Meadows
in 1996.

Thanks for your
help. If you have
questions, you can
call me at 788-2412

MICROFILMED

MAR 29 2001

Edward Dale
or Ted Dale (same person)



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

February 14, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TED DALE (*Edward Dale - same person*)
210 MEADOWBROOK RD
HAILEY ID 83333

RECEIVED

FEB 20 2001

Department of Water Resources

RE: Water Right Permit No. 37-08252

Dear Permit Holder:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

- ☒ Point(s) of Diversion
- ☒ Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

Kay Walker
KAY WALKER
Sr. Water Resource Agent

See note on Page 2

Enclosure

MICROFILMED

MAR 29 2001



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

February 14, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TED DALE
210 MEADOWBROOK RD
HAILEY ID 83333

RE: Water Right Permit No. 37-08252

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If you have any questions, please call me at 208-327-7944.

Sincerely,

A handwritten signature in cursive script that reads 'Kay Walker'.
KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED

MAR 29 2001

LICENSE REVIEW CHECKLIST

Permit No. 37-08252 Date: 2-14-2001 Reviewer: Kay Walker

Change/OK

Name/Address

change address per exam

Source

Point of Diversion:

ok
change

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

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

Place of Use

change

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

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): 37-00387B @ POP
File reviewed _____ Profile reports printed ✓

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

Rate of Diversion:

Permitted rate 2.0 cfs
Fee Limit 2.0 cfs
Measured 2.0 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 2.0

Water Uses

ok Change (P46)

Season of Use per new Standards

N/A

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
Aesthetic 2.0 cfs 1448 af
Total 2.0 cfs 1448 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
> 1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (081/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

2.0 cfs x 1.9835 x 365 days = 1448 af (vs) _____ acres x _____ (FHR) = _____ af

Remarks:

V Pond = 90' x 120' x 3.5' = 90' x 120' = 0.2 AF x 3.5' = 0.9 AF
43560

Additional Conditions

yes Watermaster Control 37
yes GW Measurement/Measuring Device
_____ Other
Trust 052/R55 - remove 051)
Non-trust (048/049)

GW Dist? 0
Water Msmt. Dist? 0
Crit. GWMA? 0
GWMA? yes - Big Wood River
Government Lots? NO

Advance Priority? _____ yes

If yes, explain why below.

no

SRBA Claim?

yes - pending

Adjust memo _____

Amend Letters

P87, S06

Second Amendment Notice

S06

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 37-387B

Owner Type Name and Address
Current Owner EDWARD R DALE
 533 FREMONT 10TH FLOOR
 LOS ANGELES, CA 90071

Original Owner GEORGE H KNIGHT

Priority Date: 06/01/1888
Basis: Decreed
Status: Active

Source Tributary to
EAST FORK WOOD RIVER BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	/	/	0.13 CFS		
Total Diversion			0.13 CFS		

Location of Point(s) of Diversion:

WOOD RIVER NWSE Sec. 35 Township 04N Range 18E BLAINE County

IRRIGATION Use:
Acre Limit: 6

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	18E	35		NWSW	6									

Total Acres: 6

Conditions of Approval:

1. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

Remarks:

1. General AC. IRR. = 6.3.

Dates:

Licensed Date:
Decreed Date: 12/13/1909
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date:

Protest Deadline Date:
Number of Protests: 0

Other Information:

Receipt Number(s):
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

02/13/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 37-387B

Owner Type Name and Address
Current Owner EDWARD R DALE
533 FREMONT 10TH FLOOR
LOS ANGELES, CA 90071

Original Owner GEORGE H KNIGHT
XXXXXXXX, ID 000000

Priority Date: 06/01/1888
Basis: Decreed
Status: Active

Source Tributary to
EAST FORK WOOD RIVER BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	/	/	0.13 CFS		
Total Diversion			0.13 CFS		

Location of Point(s) of Diversion:

WOOD RIVER NWSE Sec. 35 Township 04N Range 18E BLAINE County

IRRIGATION Use:
Acre Limit: 6

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	18E	35		NWSE	6									

Total Acres: 6

Conditions of Approval:

1. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37 .

Remarks:

1. General AC. IRR. = 6.3.

Dates:

Licensed Date:
Claim Received Date:
Decreed Date: 12/13/1909

Water Right 37-387B

Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): S003569
State or Federal: S
Owner Name Connector:
Water District Number: 37
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

POD Overlap

	<u>Basin Sequence</u>		<u>Split Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Diversion Source List</u>	<u>Water Use List</u>
Not used per exam	37	387 B	Decreed	Active	1888-06-01	0.13 WOOD RIVER EAST FORK	IRRIGATION
	37	387 B	Decreed	Active	1888-06-01	0.13 WOOD RIVER EAST FORK	IRRIGATION
	37	8252	Permit	Active	11/25/85	2 WOOD RIVER EAST FORK	AESTHETIC, RECREATION
	37	8252	License	DRAFT Active	1/6/86	2 WOOD RIVER EAST FORK	AESTHETIC
diff	37	12122	Beneficial Use	Active	9/25/84	0.04 GROUND WATER	DOMESTIC
source	37	12122	Beneficial Use	Active	9/25/84	0.04 GROUND WATER	DOMESTIC

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	37 12122	EDWARD DALE,	GROUND WATER	04N18E35														0			0
																		0			0
Claim	37 8252	EDWARD DALE,	WOOD RIVER	04N18E35														0			0
Claim	37 8252	EDWARD DALE,	WOOD RIVER	04N18E35														0			0
Claim	37 387B	EDWARD R DALE,	WOOD RIVER	04N18E35														6			6
Right	37 387C	DAVID SHERIDAN,	WOOD RIVER	04N18E35									18		25	30		17.2			90.2
Claim	37 387A	DAVID SHERIDAN,	WOOD RIVER	04N18E35									18		25	30		30.7			103.7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 17 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08252

1. Owner: Ted Dale Phone No. 788-2412

Current Address: 210 Meadowbrook Rd, Hailey, ID 83333

2. Accompanied by: Mr. Dale EXAM DATE: 10-11-95

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: East Fork Big Wood River tributary to Big Wood River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: 37-00387B see Remarks

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NW	SE	35	4N	18E	Blaine	Subdivision plat. Headgate 18-A

2. Place(s) of Use:

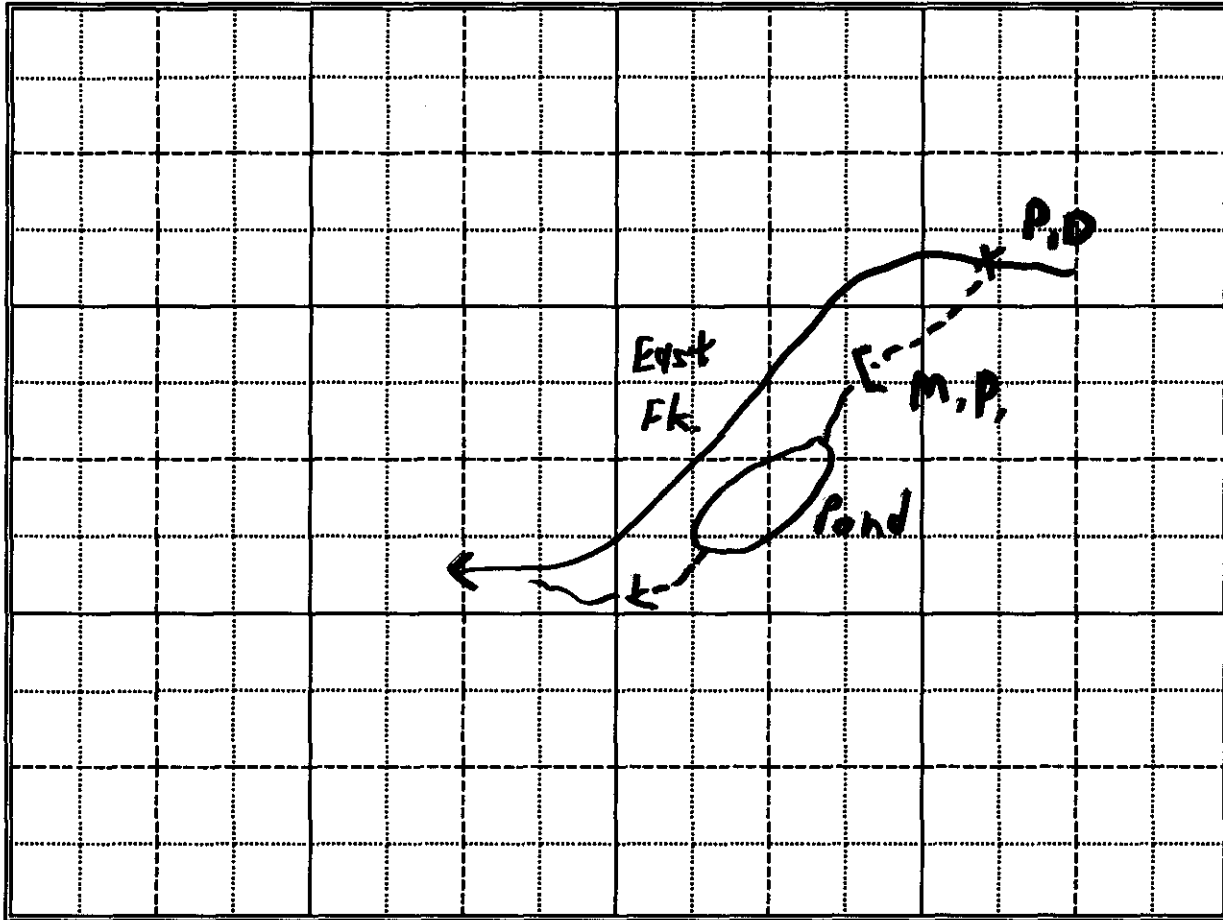
Indicate Method of Determination

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														X			

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MAR 23 2001

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
4' Cippolatti Weir						

2. Measurements: Measured 0.28' head

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E. NARRATIVE/REMARKS/COMMENTS

Transverse gation across stream creates head for lockable headgate.
Ditch feeds pond ($\approx 90' \times 120' \times 3\frac{1}{2}'$ average depth - owner figures).
Surface irrigation water stays in system to cover losses - is not used
for irrigation. Domestic well supplies water to buried sprinkler system.
Owner plans to file Transfer to change PD of irrigation right to his
domestic well.

Water runs back into East Fork via buried pipeline & open ditch.
The East Fork is wider & shallower than the ditch & pond, so may
actually lose more water to evaporation than Mr. Dale's system.
He also stated that some water comes up in the pond itself. There
was no place to measure water flowing out of the pond. Pond is
well shaded to minimize evaporation loss. Usage appears to be essentially
non consumptive.

This is mainly a "pretty pond" for aesthetic purposes. Although
there are trout in the pond, recreation use appears to be minimal.
Pond provides habitat for waterfowl & other critters.

System is located on Lots 4, 5 & 6 of Triumph Meadows Subdivision
#1. Property is in Twp. 4N, not 3N as stated on permit.
Proof was filed 9 years ago - please license ASAP.

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

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MAR 29 2001

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

0.28' head = 1.995 cfs, Allow 2.0 cfs permitted amount.

G. VOLUME CALCULATIONS *Aesthetic*

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2 \times 365 \times 1.9835 = 1448$ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1448 \text{ AFA}$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Aesthetics</i>	<i>1-1</i>	<i>12-31</i>	<i>2.0</i>	<i>1448</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<i>2.0</i>	<i>1448</i>

2. Recommended Amendments

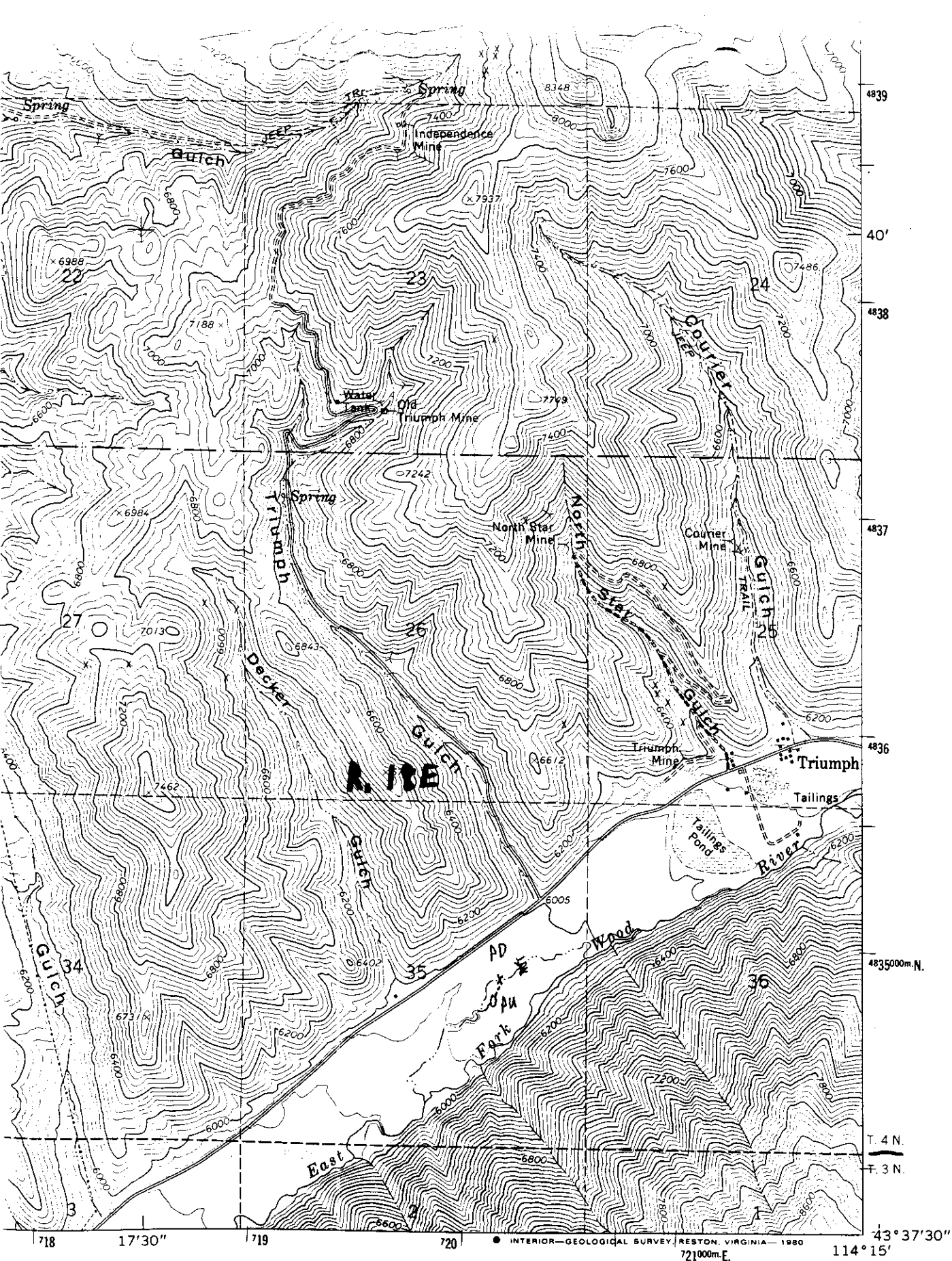
☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name J E Stanton Date 10-13-95

Reviewer _____ Date _____

SEAL

MICROFILMED
MAR 29 2001



1 MILE
7000 FEET
KILOMETER

MICROFILMED
Heavy-duty

ROAD CLASSIFICATION

MAR 29 1981
Medium-duty

Light-duty

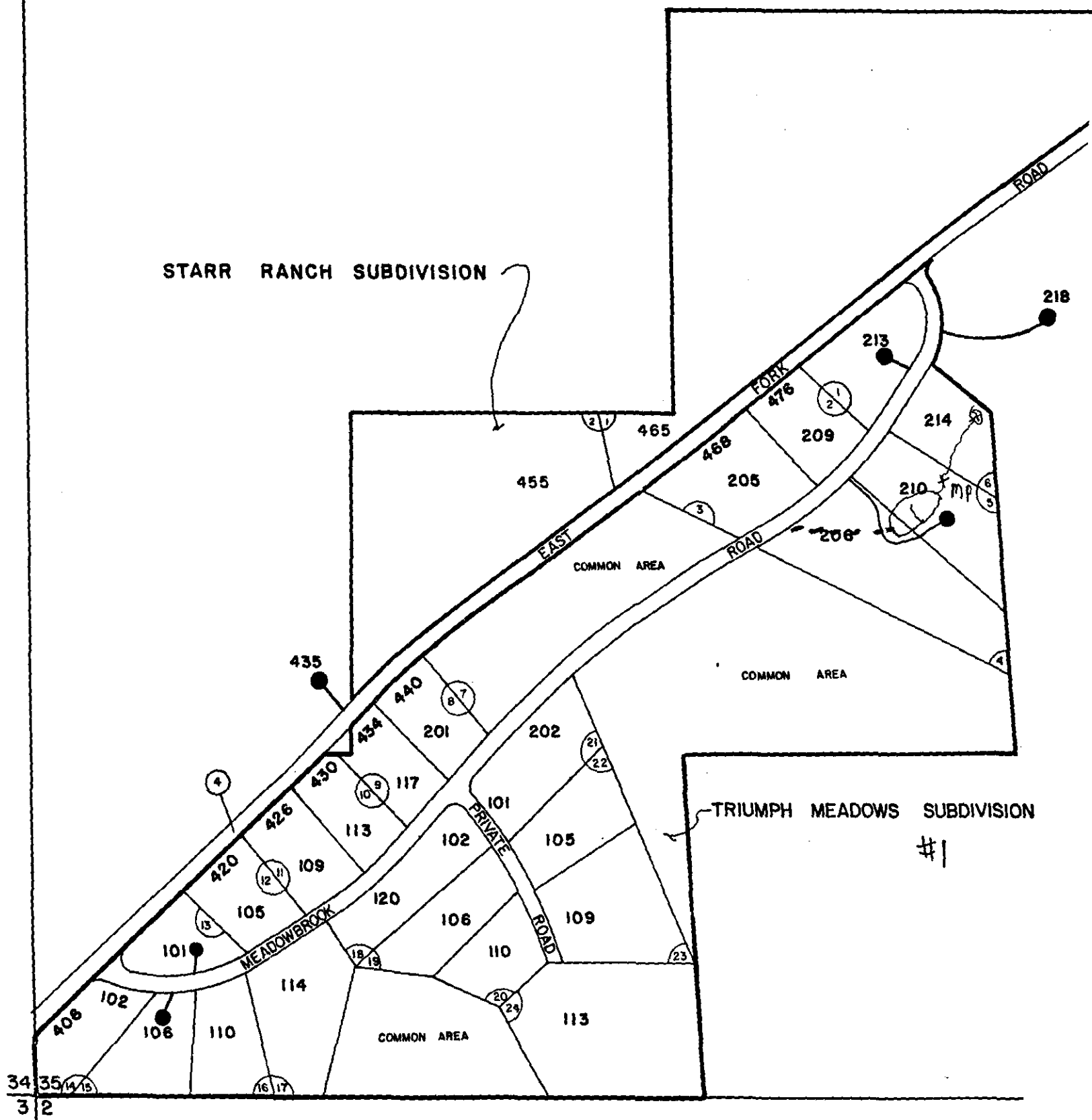
Unimproved dirt

U. S. Route

State Route



(BAUGH CREEK SW)
317.11 SW



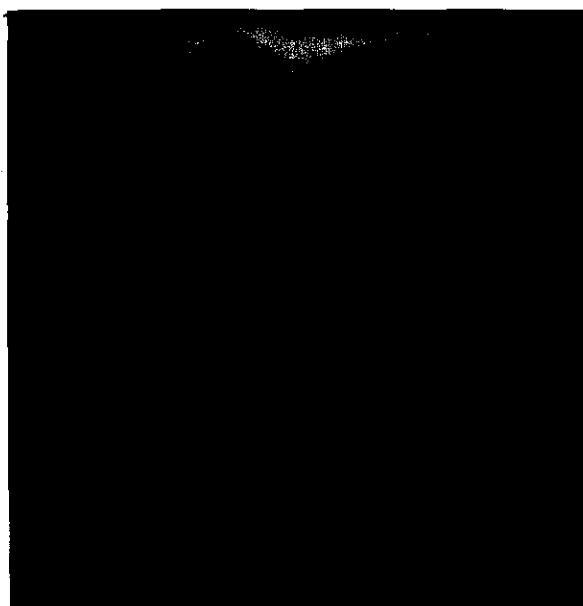
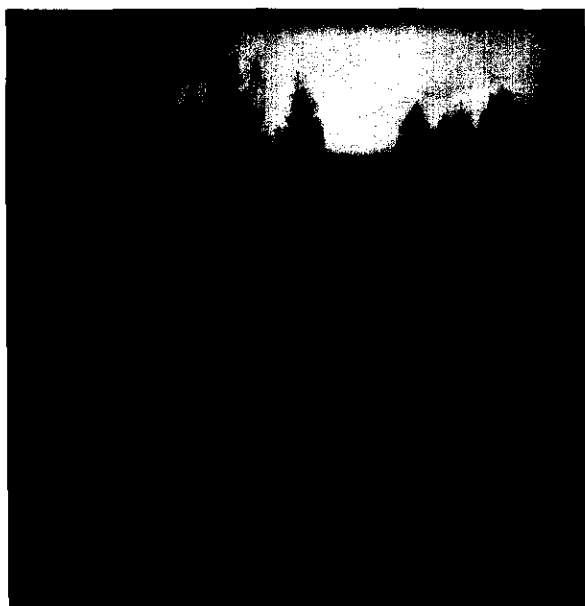
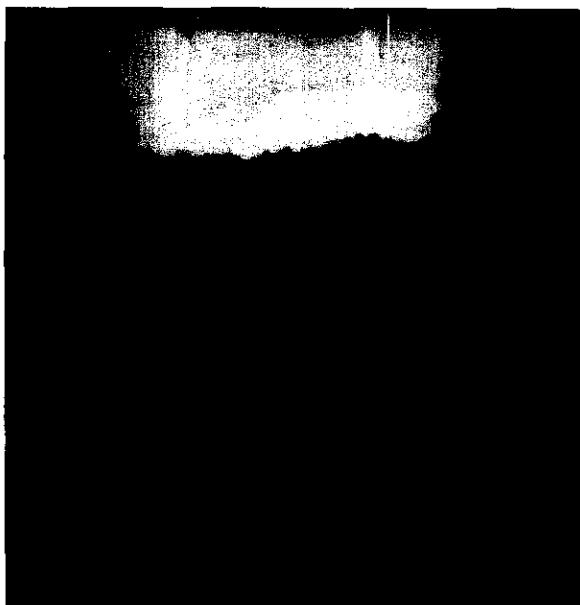
STARR RANCH SUBDIVISION

TRIUMPH MEADOWS SUBDIVISION
#1

SEC. 35, T. 4 N., R. 18 E.

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MAR 29 2001

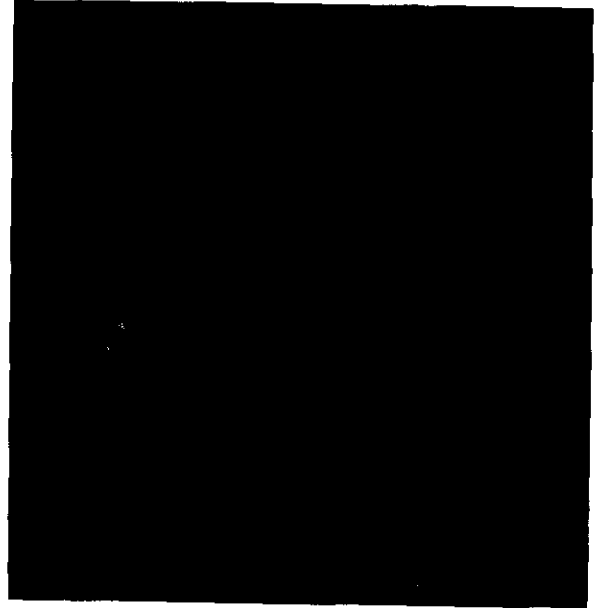
Inlet Canal
Below ~~the~~ Weir



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MAR 23 2001

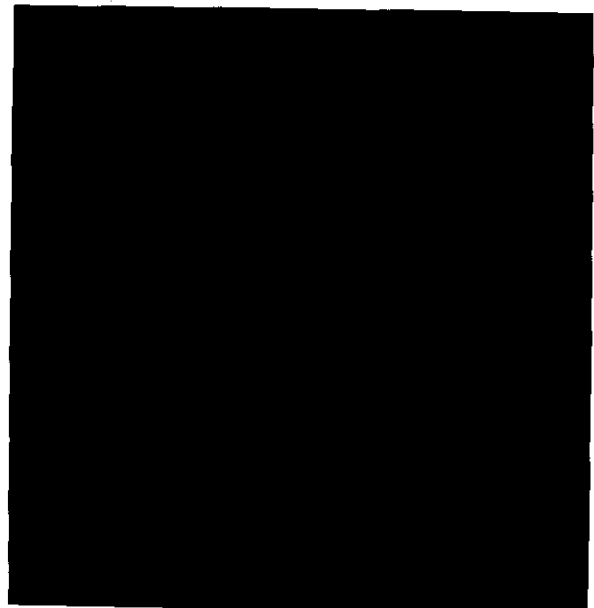
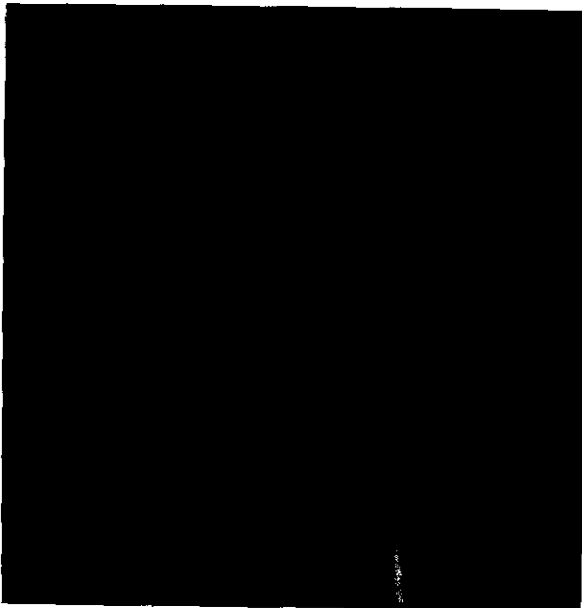
Pond

37-8252



Check Dam & Headgate (looking downstream)

Headgate



MICROFILMED
MAR 29 2001

Measuring Device In Ditch

37-8252

**MOUNTAIN WEST
EQUITIES**

RECEIVED

September 29, 1995

OCT 04 1995

Department of Water Resources
Southern Region

Alan Merritt
Department of Water Resources
222 Shoshone East
Twin Falls, ID 83301

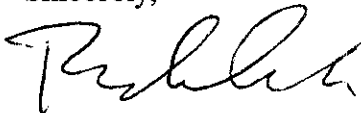
RE: PERMIT #37-8252

Dear Mr. Merritt:

In September 1986, I received approval for the permit referenced above, and in September 1988, I submitted proof of beneficial use after which I received the enclosed letter. I still have not heard from anyone regarding a field inspection and have not yet been issued a license.

Please check into this and contact me at your convenience.

Sincerely,



Ted Dale

MICROFILMED

MAR 29 2001

RECEIVED

OCT 04 1988

Department of Water Resources
Southern Region

21-Oct-1988

Ted Dale
Box 425
Ketchum, ID 83340

RE: Permit No.37-8252

Dear Mr. Dale:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

Enclosed please find Receipt No. S003129 in the amount of \$125.00 for examination fee for the above referenced permit.

If you have any questions regarding the field examination, please contact our office.

Very truly yours,

Twylla Jasper
Clerk

Encl:

MICROFILMED

MAR 23 2001

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY T. UHLING
TERRY R. McDANIEL
F. BRUCE COVINGTON
JERRY JENSEN
GARY D. SLETTE
CAROLYN M. MINDER
VICKI L. YRAZABAL
BRUCE M. SMITH
G. RICHARD BEVAN

RECEIVED

OCT 18 1988

Department of Water Resources
Southern Region Office

October 18, 1988

Boise Office
1020 MAIN ST., SUITE 400
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700

Mr. Loren Holmes
Area Supervisor
Idaho Department of Water Resources
Twin Falls Office -- Southern Region
2148 Fourth Avenue E.
Twin Falls ID 83301

RE: Edward Dale/Water Right No. 37-8252

Dear Loren:

As per our telephone conversation regarding Water Permit 37-08252, this letter is to document the need for an amendment to correctly identify the point of diversion for the uses identified in the permit.

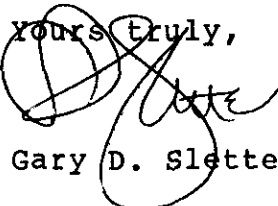
As you pointed out, the easiest time to correct this error would be in the process of the future beneficial use field examination. The point of diversion on the East Fork of the Big Wood River is incorrectly listed as:

NW1/4 SE1/4 of Section 35, T. 3N., R. 18E.,
B.M., Blaine County.

An adjudication claim is being prepared for filing in the Blaine County water rights filing. The adjudication claim will show the correct location of the point of diversion and a reference will be made to the incorrect information in the permit.

Thank you for your direction in this matter.

Yours truly,


Gary D. Slette

GDS/dcb
01311

cc: Ted Dale
Doug Clemens
Jim Koonce, Galena Engineers

MICROFILMED

MAR 29 2001

21-Oct-1988

Ted Dale
Box 425
Ketchum, ID 83340

RE: Permit No.37-8252

Dear Mr. Dale:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

Enclosed please find Receipt No. S003129 in the amount of \$125.00 for examination fee for the above referenced permit.

If you have any questions regarding the field examination, please contact our office.

Very truly yours,

Twylla Jasper
Clerk

Encl:

MICROFILMED

MAR 29 2001

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 37-8252

Date: 10/26/88

General Considerations:

☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change _____ If yes, prepare a data entry
☒ Proof received timely
☒ Reinstated

Source of Water:

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

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

Proof acceptable
Reinstate

☒ Priority Calculation:

Date proof received	<u>Oct. 13, '88</u>	<u>286</u>
Date proof due	<u>Sept. 1, '88</u>	<u>- 244</u>
No. of days late		<u>= 42</u>
Priority date	<u>Nov. 25, '85</u>	<u>+ 329</u>
NEW PRIORITY DATE	<u>Jan. 6, '86</u>	<u>= 371</u>
		<u>- 365</u>
		<u>6</u>

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

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.

September 23, 1988

TED DALE
C/O GALENA ENGINEERING, INC.
P.O. BOX 425
KETCHUM, ID 833400000

LAPSE NOTICE

RE: PERMIT NO. 37-08252

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper form in our proof due notice to you dated June 30, 1988.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. 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 governmental agency or by litigation which might bring title to the water in question.

L. Glen Saxton
Chief, Operations Bureau

Enclosures

LGS:RF

RECEIVED

DEC 07 1988

CERTIFICATION OF MAILING

I hereby certify that on 9-28-1988
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

John Fleck

138039
CERTIFIED MAIL
June 30, 1988

DALE, TED
C/O GALENA ENGINEERING, INC.
P.O. BOX 425
KETCHUM, ID 83340

PROOF DUE NOTICE

RE: Permit No. 37-8252

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 September 1, 1988. (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 completed 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

RECEIVED

DEC 07 1988

September 5, 1986

RE: Permit No. 37-8252

Ted Dale
c/o Galena Engineering, Inc.
Box 425
Ketchum, ID 83340

Dear Permit Holder:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth 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.

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

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN
Supervisor, Water Allocation Section

GS:sc
Enclosures

RECEIVED
SEP 11 1986
WATER ALLOCATION SECTION

RECEIVED

AUG 22 1986

INTER-DEPARTMENT MEMO — 1

FROM Loten Holmes - Southern
Department of Water Resources

DATE 8/21/86

TO File 37-8252, Kay

SUBJECT Signature on application

I called Jim Koonce of Galena Engineering, who told me that he prepared the application for Doug Clemens, a Planning Consultant for Ted Dale. Mr. Clemens had the application signed by Mr. Dale & filed it with his check for the fee.

The signature is that of the applicant, Edward (Ted) Dale.

RECEIVED

L.H.

SIGNATURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

TED DALE

INITIAL REVIEW BY: T.G. Blau

APPLICATION NUMBER: GALENA ENGINEERING, INC.
37-8252

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

- ☒ 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.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other Blaine P&Z

Copies sent by: _____

Date: _____

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: 1/13/86
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 1/20/86
☒ 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
☒ 11/25/85 Date of priority recommended.

Special conditions of approval or cover letter.

Applicant should not be allowed to construct headgate or other
obstructions in Flood Channel.
SCA Permit required for work in Flood Channel. See Rule 3.4

Protest withdrawn by agreement at Conference

Cond. of approval: OIE, DS (37, Big Wood R)

allow 2 years to develop B/C

By: Larry O. Thayer Date: 8/8/86

STATE OFFICE REVIEW:

30 27

05

(37, Big Wood R)

Department of Water Resources

LOB, L17

OIE 26 28

(Aesthetic & recreation)

2.0 cfs

- ☐ See attached sheet for more information.

By: LW

Date: 8/25/86

Department of Water Resources

In the matter of Application for)
Permit No. 37-8252 in the) Agreement & Withdrawal
name of Ted Dale) of Protest

I hereby withdraw my protest against application for permit no. 37-8252 if it is conditioned as follows:

1. That the rate of diversion is reduced to 2.0 cfs
2. That the diversion cease at any time that the flow of the Big Wood River is less than 70 cfs as identified in the existing minimum stream flow permit.

Signed at Hailey, Idaho on June 19, 1986

Edward V. Megor

Planning Director

I hereby agree that the above conditions shall be made a part of the permit issued on application 37-8252.

Signed at Hailey, Idaho on June 19, 1986

Gary D. Slette

Attorney for Ted Dale

RECEIVED
JUN 21 1986

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
ATTORNEYS AT LAW

GARY D. SLETTE

P.O. BOX 1906
142 3RD AVENUE NORTH
TWIN FALLS, ID 83303-1906
TELEPHONE (208) 734-0700

BOISE OFFICE:
P.O. BOX 1805
1020 MAIN ST., SUITE 320
BOISE, ID 83701-1805
TELEPHONE (208) 336-0700

(208) 726-5331

CLEMENS ASSOCIATES
PLANNING AND DESIGN CONSULTANTS

DOUG CLEMENS 101 Aspen Grove Lane
Box 300, Ketchum, Idaho 83340

Blaine County Planning & Zoning Commission

Box 149, Hailey, Idaho 83333
(208) 788-4665

RECEIVED

JUN 18 1986

June 13, 1986

Department of Water Resources
Southern District Office

Department of Water Resources
1041 Blue Lakes Blvd., North
Twin Falls, Idaho 83301

RE: Permit No. 37-8252
Ted Dale, applicant

Dear Sir:

The Blaine County Board of Commissioners has requested that I forward the following comments to you. They would have no problem with the approval of this application, provided that:

1. They understand the request is being reduced to 2 c.f.s.
2. This use would be subject to the 1902 decreed water rights and this non-consumptive use would be cut off at the proper time.

Please contact me if you have any questions.

Sincerely,

Ed Nigbor

Ed Nigbor
Planning Director

EN:rr

cc: Reid Newby, Watermaster
Doug Clemens

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

June 5, 1986

Galena Engineering
P.O. Box 425
Ketchum, ID 83340

Gentlemen:

Enclosed are transfer application forms and instructions.

Our records indicate no water rights appurtenant to the NW1/4SE1/4, Sec. 35, T3S, R18E other than Mr. Ted Dale's application, No. 37-8252.

If you have additional information such as priority date of the water right, we will be glad to research it further.

Very truly yours,

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

LOH:MB

Enclosures: Transfer
Instructions

MICROFILMED

NAME AND ADDRESS OF SENDER

Ted Dale (37-8252)

6/3/86

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

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
1 260	Ted Dale	.22	.75	.75							
2 261	Blaine Co. Planning & Zoning	.22	.75	.75							
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											
13											
14											
15											

PS FORM 3877 APR 1980

2

TOTAL NUMBER OF PIECES LISTED BY SENDER

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 registered mail. Commercial Insurance—Payment of the full registry fee is required on article 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 insured mail, 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 - 39

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1, 2, and 3 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 TO AVOID PAYMENT
OF POSTAGE, \$300



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT OFFICE
1041 BLUE LAKES BLVD. NORTH
TWIN FALLS, IDAHO 83301

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

RECEIVED
JUN 5 1986
TWIN FALLS, IDAHO

RETURN
TO
SENDER



Department of Water Resources
Southern District Office

PS **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space
reverse.

1. The following service is requested (check one.)
☐ Show to whom and date delivered.....
☒ Show to whom, date and address of delivery.....
☐ **RESTRICTED DELIVERY**
 Show to whom and date delivered.....
☐ **RESTRICTED DELIVERY**
 Show to whom, date, and address of delivery. \$ ____
 (CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**
 Blaine Co. Planning & Zoning
 Box 149
 Hailey, ID 83333

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	261	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
J. Furling

4. **DATE OF DELIVERY**
 6-4 1988

5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE**
 MICROFILMED

CLERK'S INITIALS

HAILEY, ID 83333
 JUN 14 1988
 USPS

1811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

**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.

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT OFFICE
1041 BLUE LAKES BLVD. NORTH
TWIN FALLS, IDAHO 83301

UNRECORDED

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. 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.	
3. Article Addressed to: Ted Dale c/o Galena Engineering, Inc. P.O. Box 425 Ketchum, ID 83340	4. Article Number 260 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☒ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED .
5. Signature - Addressee X <i>[Signature]</i>	Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X	RECEIVED JUL 10 1986 Department of Water Resources Boise State Office
7. Date of Delivery	

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL) NOTICE OF HEARING
OF APPLICATION FOR PERMIT NO. 37-8252) AND/OR CONFERENCE
IN THE NAME OF TED DALE)
)
)
)

On November 25, 1985, Ted Dale filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On January 9, 1986, the Department received a protest against the approval of said application from The Blaine County Planning and Zoning commission, Ed Nigbor, Director.

The Department has set the matter of protest for hearing for June 19, 1986 at 10:00 AM in the Old County courthouse Planning and Zoning room, Hailey, Idaho.

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 3rd day of June, 1986.


Loren O. Holmes
Southern Region Supervisor

RECORDED

CONFERENCE AND HEARING INFORMATION

IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

In accordance with IDAHO CODE, Section 42-203, the following issues are involved in the consideration of the application and protest(s):

- 1) Will the proposed use reduce the quantity of water under existing water rights?
- 2) Is the water supply insufficient for the purpose 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?

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties may be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by IDAHO CODE, Section 42-1701A.

The parties by written stipulation may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the Director's review of party's evidence and arguments. However, such a waiver will shorten the decision-making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to Rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the district court.

Under the provisions of IDAHO CODE, Sections 42-1701A and 67-5215, any court review of the department's decision on appeal shall be confined to the record created before the department.

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

UNRECORDED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

June 3, 1986

Planning & Zoning Commission
Box 149
Hailey, ID 83333

Gentlemen:

This is to confirm the use of the Planning and Zoning room for a hearing to be held by this office on Thursday, June 19, 1986 at 10:00 a.m. in the Old County Courthouse in Hailey, ID.

Thank you very much for your cooperation.

Very truly yours,

Mary A. Baldwin
Sec/Office Coord.

RECEIVED
JUN 10 1986

Blaine County Planning & Zoning Commission

Box 149, Hailey, Idaho 83333

(208) 788-4665

May 14, 1986

RECEIVED
MAY 19 1986
Department of Water Resources
Southern District Office

Ted Dale
533 Fremont, 10th Floor
Los Angeles, California 90071

RE: Stream Alteration Permit - Triumph Meadows, Lots 5 & 6

Dear Mr. Dale:

On May 13, 1986, the Blaine County Board of Commissioners deferred taking any action on your application for a Stream Alteration Permit. Instead they instructed me to contact the County Prosecuting Attorney to see what actions could be taken on doing work within the river without a Stream Alteration Permit. I am contacting her, Sandra Shaw, and you will be kept notified.

If you have any questions, please contact me at 208/788-4665.

Sincerely,

Ed Nigbor

Ed Nigbor
Planning Director

EN:rr

cc: Doug Clemens
Galena Engineering, Dick Fosbury
Loren Holmes, DWR

RECEIVED

Blaine County Planning & Zoning Commission

Box 149, Hailey, Idaho 83333
(208) 788-4865

R

JAN 28 1986

January 24, 1986

Department of Water Resources
Southeast District Office

Loren Holmes
Department of Water Resources
1041 Blue Lakes Blvd., North
Twin Falls, Idaho 83301

RE: Permit No. 37-8252, Ted Dale

Dear Mr. Holmes:

The Board of County Commissioners has reviewed the Stream Alteration Permit for Mr. Dale, and no decision was made. Because the work was done before a permit was applied for, and may not have followed our regulations, they postponed further review until the snow had melted in the spring.

Therefore, we ask that you wait until the Blaine County Board of Commissioners make their decision before you make your final decision on the water right application.

Sincerely,

Ed Nigbor

Ed Nigbor
Planning Director

cc: Doug Clemens

RECEIVED
JAN 28 1986
PLANNING DEPARTMENT



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

January 14, 1986

Ted Dale
% Galena Engineering, Inc.
P. O. Box 425
Ketchum, Idaho 83340

Re: Application for Permit No. 37-8252

Dear Mr. Dale:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your above referenced application. The Department suggests you contact the protestant 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 this office can be of further assistance, please contact us.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

RECEIVED
JAN 16 1986



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

January 14, 1986

Ed Nigbor - Director
Blaine County Planning & Zoning Commission
Box 149
Hailey, Idaho 83333

Re: Application for Permit No. 37-8252

Dear Mr. Nigbor:

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
Southern Region Supervisor

LOH:marya

RECEIVED

Blaine County Planning & Zoning Commission

Box 149, Hailey, Idaho 83333
(208) 788-4665

RECEIVED
JAN 3 1986

Department of Water Resources
Western Regional Office

January 3, 1986

Director
Department of Water Resources, Western Region
Statehouse
Boise, Idaho 83720

RECEIVED

JAN 9 1986

Department of Water Resources
Southeastern District Office

RE: Application No. 37-8252
Ted Dale
East Fork Big Wood River

Dear Sir:

This is a formal protest against the above-mentioned application no. 37-8252 for 10 c.f.s. for aesthetic purposes.

The Blaine County Board of Commissioners has decided that a county permit may be issued for an aesthetic diversion provided that the county shall review the request and issue such conditions as may be required to protect the public interest, or the request may be denied.

Mr. Dale has applied for the necessary Stream Alteration Permit and it shall be heard during January. If the county decides to turn down the request then I shall forward their findings and conclusions to be added to this formal protest. If the county approves the application with conditions, then we will withdraw our protest and ask that our conditions be a part of your permit. Finally, if it is approved without conditions then this protest will be dropped.

Please give me a call at 788-4665 if you have any questions.

Sincerely,

Ed Nigbor

Ed Nigbor
Planning Director

EN:rr

cc: Robert Gardner
Galena Engineering

MAILED
JAN 10 1986

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

DECEMBER 11, 1985

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 JANUARY 13, 1986.

Yours truly,

Mary A. Newby
Secretary

Encl.

UNRECORDED

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

DECEMBER 11, 1985

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.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 13, 1986.

Yours truly,

Mary A. Newby
Secretary

Encl.

RECEIVED
DEC 12 1985

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

DECEMBER 11, 1985

Lewiston Morning Tribune
505 C Street
Lewiston, ID 83501

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 JANUARY 13, 1986.

Yours truly,

Mary A. Newby
Secretary

Encl.

RECEIVED
DEC 11 1985
MED

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

DECEMBER 11, 1985

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 billings to this office before JANUARY 13, 1986.

Yours truly,

Mary A. Newby
Secretary

Encl.

RECEIVED
DEC 11 1985
MED

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

DECEMBER 11, 1985

Idaho Statesman
Box 40
Boise, ID 83707

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 billings to this office before JANUARY 13, 1986.

Yours truly,

Mary A. Newby
Secretary

Encl.

RECEIVED
DEC 12 1985

NOTICE OF APPLICATION FOR WATER RIGHT

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

17-2252

DALE, TED

C/O GALENA ENGINEERING, INC., P.O. BOX 425, KETCHUM, ID 83345

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

Diversion Pt. NMSE Sec 35 T 03N R 18E

Use: AESTHETICS (10.0 CFS)

Date Filed: 11/25/1985

In: NMSE Sec 35 T 03N R 18E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before JANUARY 13, 1986.

KEN DUNN, Dir.

Published 12/25 & 1/2/1986.

UNRECORDED

*trans
memo
ok
memo
12/16/85*

37-8252

DALE, TED
C/O GALENA
ENGINEERING, INC.,
P.O. BOX 425, KET-
CHUM, ID 83340

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

Diversion Pt: NWSE
Sec 35 T 03N R 18E

Use: AESTHETICS
(10.0 CFS)

Date Filed: 11/25/1985
In: NWSE Sec 35 T 03N R
18E

The Permit(s) will be
subject to all prior water
rights. Protests must be
filed with the Director,
Dept. of Water
Resources, Western
Region, Statehouse,
Boise, Idaho 83720 on or
before JANUARY 13,
1986.

KEN DUNN

Director
PUBLISH: Thursdays,
December 26, 1985, and
January 2, 1986.

*de
memo*

37-8252

DALE, TED
C/O GALENA ENGINEERING,
INC., P.O. BOX 425, KETCHUM, ID.
83340

Source: EAST FORK BIG WOOD
RIVER trib. to BIG WOOD RIVER
Diversion Pt: NWSE Sec 35 T 03N
R 18E

Use: AESTHETICS (10.0 CFS)

Date Filed: 11/25/1985
In: NWSE Sec 35 T 03N R 18E

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Western Region,
Statehouse, Boise, Idaho 83720 on or
before January 13, 1986.

KEN DUNN, Dir.

**Water right app.
filed by Dale**

**NOTICE OF APPLICATION
FOR WATER RIGHT**

NOTICE IS HEREBY GIVEN,

That the following
been submitted
proposed
State

DALE, TED
c/o GALENA
P.O. BOX 425
KETCHUM, ID 83340

Source: EAST FORK
RIVER trib. to BIG WOOD RIVER

Diversion Pt: NWSE
03N R 18E

Use: AESTHETICS (10.0 CFS)

Date Filed: 11/25/1985
In: NWSE Sec 35 T 03N R 18E

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Western Region,
Statehouse, Boise, Idaho 83720, on or before JANUARY
13, 1986.

KEN DUNN, Dir.

Publish: Wood River Journal
December 26, 1985, and January
2, 1986.

NOT RECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

December 10, 1985

Ed Nigbor - Director
Blaine County Planning & Zoning
P. O. Box 149
Hailey, Idaho 83333

Re: Application for Permit No.37-8252

Dear Mr. Nigbor:

Please find enclosed a copy of the above referenced application for permit for your information and files.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED

18 November 1985

Department of Water Resources
Day House
Boise, Idaho 83702

RECEIVED

NOV 21 1985

Department of Water Resources
Southeast District Office

RECEIVED

NOV 21 1985

Department of Water Resources

Please find a check for \$225 enclosed to cover the application fee for the Dale property water appropriation permit request.

The application was originally completed by Galena Engineers of Ketchum, Idaho. I'm afraid that I dropped the ball on getting the fee to you earlier as the owner was out of town and I simply forgot to get it done. I am doing all the site work on the project for Mr. Dale and thought that I had better get you a check and keep the request moving.

If you have any questions, please feel free to contact me at the number below.

Yours truly,



Doug Clemens

DOUG CLEMENS/ASSOCIATES
BOX 300
KETCHUM, IDAHO 83340

RECEIVED