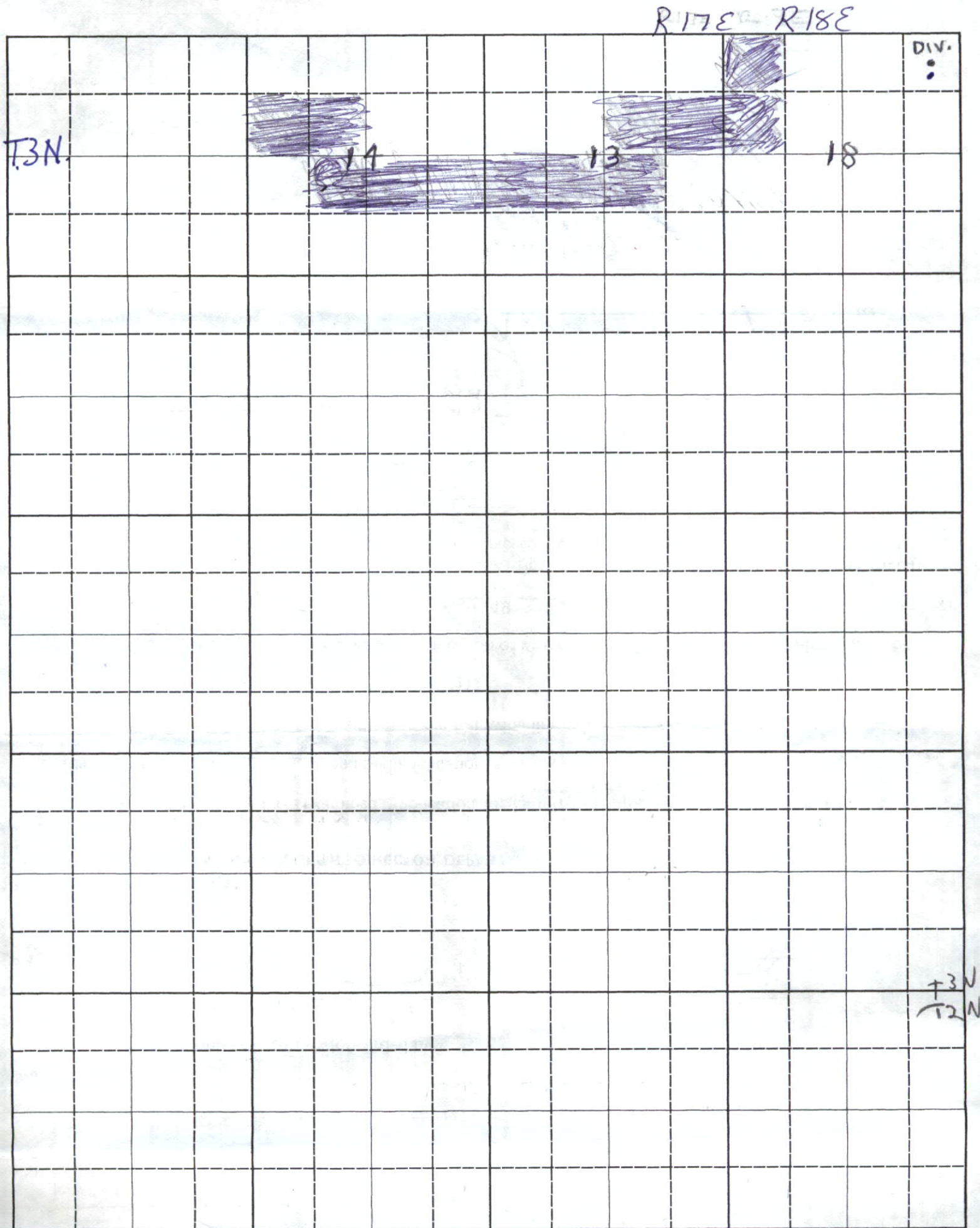


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Robert A. Merriam
(Applicant)
for Smoky Mountain Association

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

37-7935

Name: Smoky Mountain Associates
Address: Box 2188, Sun Valley, Id., 83353

Source: Groundwater

Date Filed: 08/07/1981

Amount: 0.28 cfs

Diversion Point: NENE Sec 18 T 03N R 18E, Blaine County

Use: Domestic-- (0.28 cfs)
from 01/01 to 12/31

Place of Use: Sec 13 T 03N R 17E
Sec 14 T 03N R 17E Sec 18 T 03N R 18E

Diversion Means: Well & pump

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, and received on or before September 20, 1981.

A. Kenneth Dunn
Director

Publish: Wood River Journal--
September 3, 10, 1981.

RECEIVED

FEB 14 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

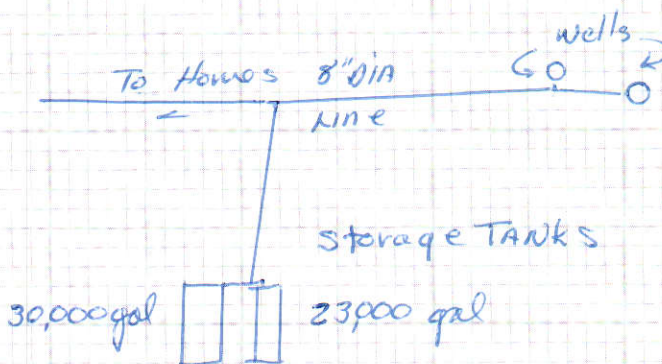
1. Owner: Smoky Mtn. Ass Permit No. 37-7935
Current Address: P.O. 2188 Sun Valley, Idaho Phone No. 788-2583
2. Accompanied by: John Wedum EXAM. DATE: 6/2/1985
Address: _____ 12:26 PM
Relationship to Permit Holder: Manager Phone No. _____
3. Source: groundwater tributary to ✓

B. OVERLAP REVIEW

1. Other water rights with same place of use: no ☐ Copies Attached
2. Other water rights with same point of diversion: no ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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

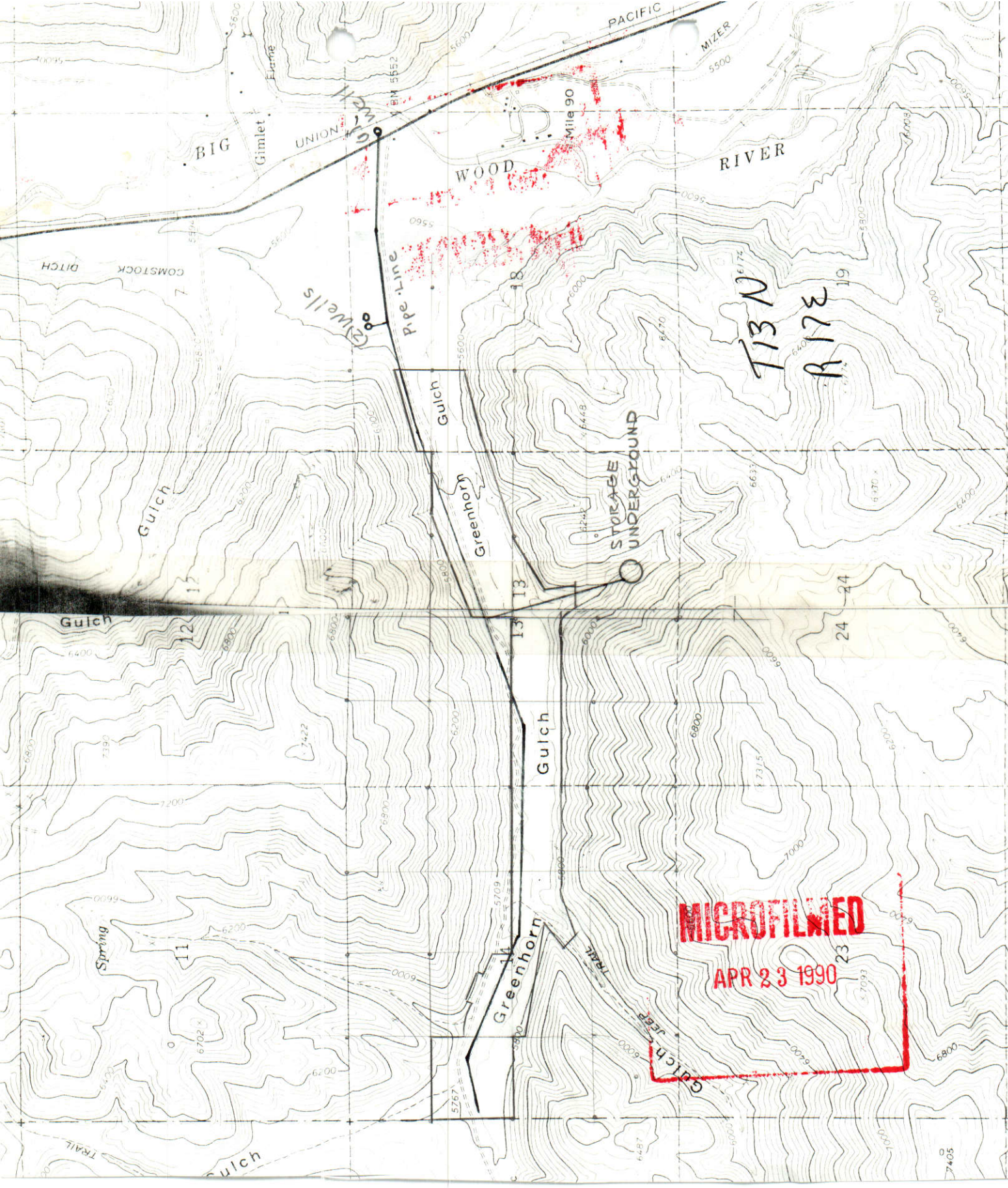


Scale: 1" = _____

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

MICROFILMED

APR 23 1990



MICROFILMED

APR 23 1990

WELL HOUSE



WELL



BURIED STORAGE TANK





Inside Well house #2 ↑ Well
Inlet of #1 Well

UNRECORDED
APR 23 1990

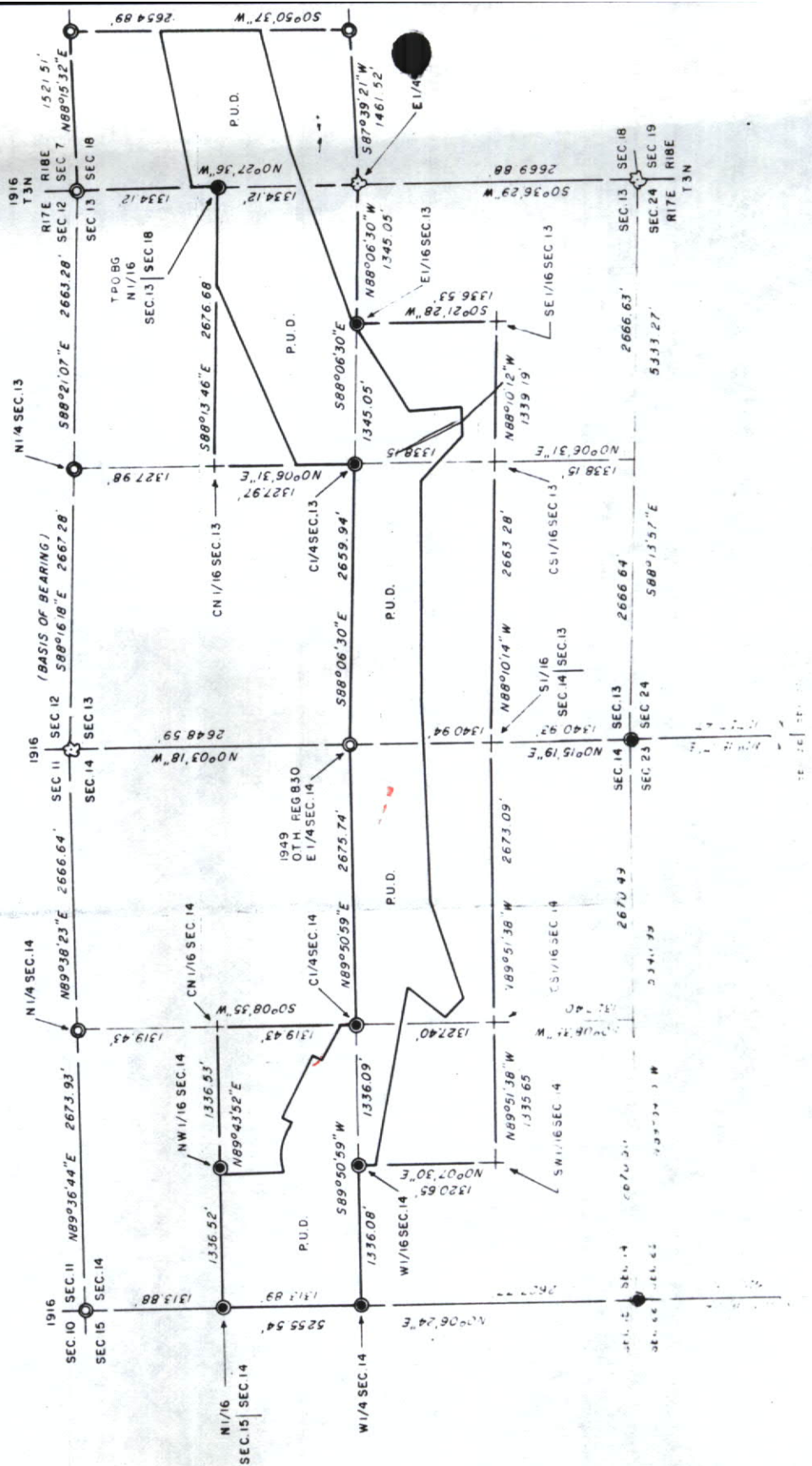
GREENHORN

A PLAN

SUBDIVISION PLAT

SECS. 13 & 14, T3N, R17E, AND SEC. 18, T3N, R18E
BLAINE COUNTY, IDAHO

SEPTEMBER 1980



RECORDED

APR 23 1990

VICINITY MAP

HWY. 75

BIG WOOD RIVER

T3N

R17E R18E

EAST FORK R

GREENHORN ROAD

SEC. 14

SEC. 13

SEC. 18

PROJECT AREA

TO HAILEY



SCALE: 1" = 2000'

MICROFILMED

APR 23 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07935

Priority: November 16, 1981

Maximum Diversion Rate:

0.28 CFS

Maximum Diversion Volume:¹

43.2 AF

This is to certify, that GREENHORN OWNERS ASSN.

C/O JAMES P. SPECK, ATTY.

P.O. BOX 987

KETCHUM, ID 83340

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 7, 1981; and has submitted Proof of Beneficial Use on November 4, 1983. An examination indicates that the works have a diversion capacity of .590 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.28 CFS	43.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 18, Township 03N, Range 18E
NENE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03N 17E 13	SWNE	SENE	NESW
	NWSW	NWSE	
14	SWNW	SENW	NESW
	NESE	NWSE	
18E 18	NWNW	SWNW	

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 36 homes within Greenhorn Subd.

MICROFILMED

APR 23 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07935

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 19th
day of April, 1990.

Acting for R. Keith Higginson, Director

MICROFILMED

APR 23 1990

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07935

Date of Priority: November 16, 1981

Maximum Diversion Rate:

0.28 CFS

Maximum Diversion Volume

43.2 AF

Comes now Greenhorn Homeowner's Association

P.O. Box 3534

Ketchum, Idaho 83340

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. 37-07935, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.28 CFS	43.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 18, Township 03N, Range 18E
NENE , Sec. 18, Township 03N, Range 18E
BLAINE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03N 17E 13	SWNE	SENE	NESW
	NWSW	NWSE	
14	SWNW	SENW	NESW
	NESE	NWSE	
18E 18	NWNW	SWNW	

MICROFILMED

APR 23 1990

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Ketchum, ID, this 15 day of March, 1990.

Ketchum, ID

[Signature]
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07935

FOR DEPARTMENT USE ONLY

#C015983

Preliminary check by kw Fee = \$20.00 ✓ Received by kw Date 3/28/90

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-07935 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
- ✓ 5. Domestic use is for 36 homes within Greenhorn Subd.

Witness my hand this 19th day of April, 1990.

Norman C. Young
Acting for R. Keith Higginson, Director

MICROFILMED

APR 23 1990

ORIGINAL IN RE.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

SMOKEY MOUNTAIN ASSOCIATES, a partnership, (the "Assignor"), hereby assigns to GREENHORN OWNERS ASSOCIATION, INC., an Idaho non-profit corporation (the "Assignee"), whose address is c/o James P. Speck, Hogue, Speck & Aanestad, P. O. Box 987, Ketchum, ID 83340, all of its right, title and interest in and to Idaho Water Permit No. 37-07935 to appropriate the public waters of the State of Idaho.

IN WITNESS WHEREOF, the Assignor has signed and executed this Assignment of Permit on the 3 day of NOVEMBER, 1989.

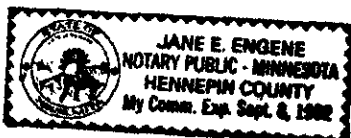
SMOKEY MOUNTAIN ASSOCIATES

By: John Wedum
John Wedum, general partner

STATE OF Minnesota)
County of Hennepin) ss.

On this 3 day of NOVEMBER, 1989, before me the undersigned notary public in and for said state, personally appeared John Wedum, known or identified to me to be one of the partners of Smokey Mountain Associates and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Jane E. Engene
Notary Public for Minnesota
Residing at: Hennepin County

MICROFILMED

ASSIGNMENT OF PERMIT - 1

APR 23 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-7935 IN THE)
NAME OF SMOKY MOUNTAIN ASSOCIATES) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before November 1, 1983; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit 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 as to why said permit should be reinstated by submitting proof of beneficial use on November 4, 1983;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-7935 be REINSTATED and the priority advanced to November 16, 1981.

Dated this 8th day of May, 1984.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

For Office Use Only	
Fee Received	15.00
Date	2-8-83
Receipt #	25885

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

RECEIVED

FEB 7 1983

Department of Water Resources

John Wedum/Smoky Mountain Associates of P. O. Box 2188, Sun Valley

(Name)

(Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 37-7935.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before November 1, 1982.

That he has heretofore performed the following work described under said permit: We have drilled the

(This must be filled out! If no work has been completed put none.)

wells, laid all of the water service lines, and constructed a 30,000-gallon

storage tank costing approximately \$220,000

Costing \$ 220,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

Additional fire protection was provided to the homeowners and as a result the State Department of Health and Welfare has requested an additional 30,000-gallon storage tank be constructed adjacent to our present reservoir for final approval of the water system's completion will be granted. Note attached letters.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to (1 year) November 1, 1983.
(1 yr. minimum, 5 yrs. maximum)

NOTE

AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.


(Signature)*

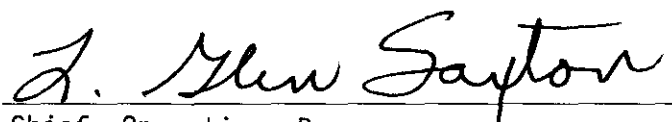
*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to November 1, 1983.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to November 13, 1981, pursuant to Sec. 42-218a, Idaho Code.

Signed this 11th day of February, 1983.


Chief, Operations Bureau

AUG 7 1981

Department of Water Resources
Southern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant Smoky Mountain Associates Phone 208-788-2583Post office address PO 2188 Sun Valley Idaho 833532. Source of water supply Ground which is a tributary of _____3. Location of point of diversion is 2 pts div. NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18 Township 3NRange 18E B.M. Blaine County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount ~~1746~~ for 36 Domestic Homes purposes from year to around (both dates inclusive)
(cfs or acre-feet per annum)* Amount 0.28 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a Same as above cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2 wells, one pump houseb. Height of storage dam NA feet, active reservoir capacity NA acre-feet; total reservoir capacity NA acre-feet, materials used in storage dam: NAPeriod of year when water will be diverted to storage NA to NA inclusive.
(Month/Day) (Month/Day)c. Proposed well diameter is 12" case inches; proposed depth of well is 60' feet.7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation: Greenhorn sub-division
(1) Give the place of use of water: Greenhorn sub-division $\frac{1}{4}$ of 13 & 14 $\frac{1}{4}$ of Section 13 & 14 Township 3N
Range 17E B.M. Sec. 18 T.3N., R. 18E., B.M. * (See map)Amount of power to be generated: NA horsepower under NA 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 36.(5) If water is to be used for other purposes describe: No

* Changes per phone conv. with Cal Merriman 8/24/81 ADm

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

[illegible]

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion Smoky Mountain Associates

b. Who owns the land to be irrigated or place of use Greenhorn Subdivision

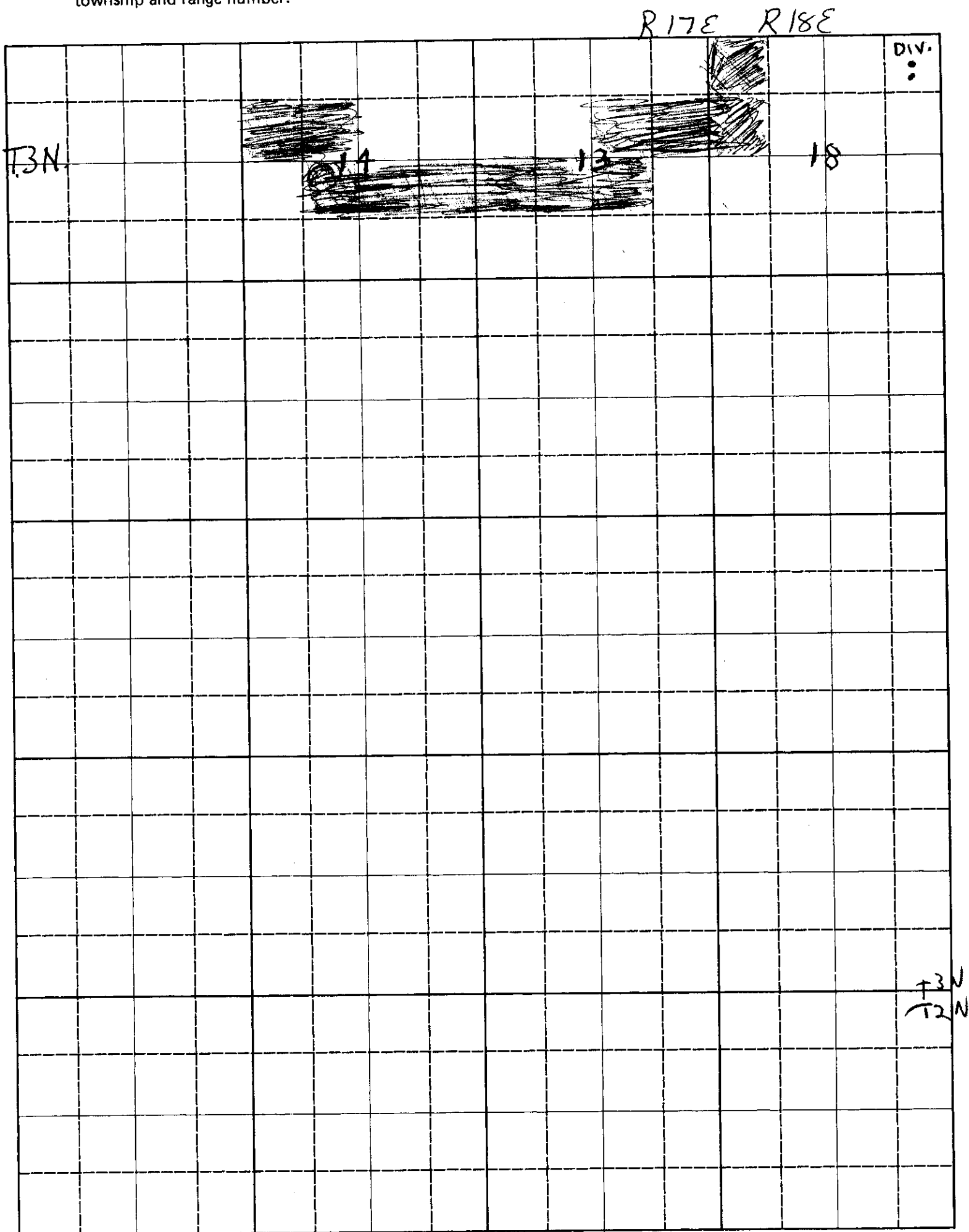
b. Who owns the land to be irrigated or place of use Greenhorn Sub Division
36 homesites under Homeowners Association

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

Smoky Mountain Associates is the developer of the
Greenhorn Sub-Division and as such is constructing the
water system.

10. Remarks

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.

Calvin Q. Messman
(Applicant)
for Smoky Mountain Associates

Proposed Priority 8/7/1981

Received by marpa Date 8/1/81 Time 2:30 p
Preliminary check by TGB Fee \$ 45.00 # 18714
Receipted by marpa Date 8/7/81
Publication prepared by marpa Date 8/25/81
Published in Wood River Journal
Publication dates 9/3 + 9/10/81
Publication approved marpa Date 8/27/81
Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ADM RC

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. 37-7935, 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 November 1, 19 82.
 - 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: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 22nd day of October, 1981.

L. Glen Saxton
Chief, Operations Bureau

AFFIDAVIT of PUBLICATION

COPY OF NOTICE

(Paste Here)

Dept. Water Resources
TITLE OF NOTICE

State of Idaho, }
County of Blaine } SS.

RECEIVED

SEP 17 1981

Department of Water Resources
Southern District Office

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. Water Resources
BILL TO

GORDON O. GLASMAN

, 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 3 day of Sept.

19 81, and the date of the last publication was on the 10

day of Sept., 19 81.

[Signature of Gordon O. Glasman]

Subscribed and sworn to before me this 10th

day of September, 1981.
(SEAL)

[Signature of Notary Public]

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 13
Number of Lines in Notice 37
Number of Insertions 2

Lines tabular at 4¢ / Pica
37 Lines straight at 14.43 3¢ / Pica
37 Subsequent lines at 9.62 2¢ / Pica

TOTAL COST 24.05

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1980)

7-8 pt. per line, straight	3¢ / Pica
7-8 pt. per line, tabular	4¢ / Pica
7-8 pt. per line successive insertions	2¢ / Pica

No 736

RECEIVED

[Handwritten initials]

the following applications have been
submitted for permit to appropriate
the public waters of the State of
Idaho:

87-7836

R 18

Use:

Place of Use: Sec 13 T 03N R 17E
Sec 14 T 03N R 17E, Sec 15 T 03N R
18E

Diversion Means: Well & pump

If issued, the permit will be sub-
ject to all prior water rights. Protests
against the granting of any permit
must be filed with the Director of the
Idaho Department of Water
Resources, 1041 Ellis Lakes Blvd.
North, Twin Falls, Idaho 83401, and
received on or before September 30,
1987.

A. Kenneth Dunn
Director

Publish: Wood River Journal-
September 3, 10, 1987.

April 20, 1990

GREENHORN OWNERS ASSN.
C/O JAMES P. SPECK, ATTY.
P.O. BOX 987
KETCHUM, ID 83340

RE: PERMIT NO. 37-07935

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
APR 23 1990

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

March 13, 1990

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3567

TERRY G. HOGUE

JAMES P. SPECK

DOUGLAS J. AANESTAD

J. STEPHEN CRABTREE

TRACY DUNLAP

VIA CERTIFIED MAIL

Mr. Jim Johnson
Water Rights Supervisor
Department of Water Resources
1301 N. Orchard St.
Statehouse Mail
Boise, Idaho 83720

RECEIVED
MAR 16 1990

RE: Greenhorn Owners Association
Idaho Water Permit No. 37-07935

Department of Water Resources

Dear Jim:

As we discussed by telephone on March 8, 1990, enclosed you will find the following for licensing the above-referenced permit:

1. Assignment of Permit;
2. Application for Amendment (for licensing purposes);
3. Our check payable to the Department in the sum of \$20.00.

When the License is issued, please make arrangements to send it directly to me. Thank you again for your continuing cooperation and assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD

Jim
James P. Speck

JPS:rlk

RECEIVED
APR 23 1990

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Calibratt
IDAHO
1890-CENTENNIAL-1990
c/o Greenhorn Homeowners Assn.
Box 3534
Ketchum, ID ~~P.O. Box 343~~
Ketchum

37-7935

POSTAGE
FIRST CLASS



RECEIVED
AUG 23 1989
Department of Water Resources

SEP 08 1989

Returned to Sender

REASON CHECKED

ned _____ Refused _____

tee unknown _____

ent Address _____

street _____ number _____

office in state _____

mail in this envelope _____

August 30, 1989

SMOKY MOUNTAIN ASSOC.
P.O. BOX 2188
SUN VALLEY, ID 83353

RE: PERMIT NO. 37-07935

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

APR 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

37-7935
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

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

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

Check of P/D index AS 1/18/84 (Initial and date)

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

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

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index AS 1/18/84 (Initial and date)

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

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

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

Scheduling Letter sent? AS (Initial and date)

No ☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

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

C. Review and Processing:

Exam Completed AS 6/2/1985 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent DR 1-18-89 (Initial and date)

Exam Reviewed by Manager of Regional Office DR 2/10/89 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

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

DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE EXAMINATION

CHECKLIST

WATER RIGHT 37-7935

REVIEWER DRJ

DATE 1-17-89

[EACH RULE MUST BE CHECKED]

SEE FOOTNOTE FOR SYMBOLS

RULE 5 EXAMINATION FOR BENEFICIAL USE;

1,2. <u>✓</u>	1,3. <u>✓</u> [‡]	1,4. <u>N/A</u>	1,5. <u>N/A</u>
1,6. <u>✓</u>	1,7. <u>N/A</u>	1,8. <u>N/A</u>	1,9. <u>N/A</u>
1,10. <u>✓</u>	1,11. <u>N/A</u>	1,12. <u>✓</u>	1,13. <u>✓</u>
1,14. <u>N/A</u>	1,15. <u>✓</u>	1,16. <u>✓</u>	1,17. <u>N/A</u>

RULE 6 MEASUREMENT TERMINOLOGY;

1,1. <u>✓</u>	1,2. <u>✓</u>	2. <u>✓</u>	3. <u>✓</u>
4. <u>✓</u>	5. <u>✓</u>		

RULE 7 DRAWINGS, MAP, AND SCHEMATIC DIAGRAM;

1,1. <u>✓</u>	1,2. <u>***</u>	1,3. <u>✓</u>	1,4. <u>✓</u>
1,5. <u>✓</u>			

RULE 5,2. FIELD REPORT ACCEPTABILITY [STATE OFFICE REVIEW]

2,1. <u> </u>	2,2. <u> </u>	2,3. <u> </u>	2,4. <u> </u>
--------------------	--------------------	--------------------	--------------------

Reviewer

Date

MICROFILMED

APR 23 1990

N/A = NOT APPLICABLE

** = SEE ATTACHMENT NO.

* = SEE ITEM IN BENEFICIAL USE RE

*** = SEE REMARKS ATTACHED

‡ 4 requests for information from Assoc. about pumps, etc were not answered.

*** Photos on two sides of 8 1/2 x 11 are permanently mounted, couldn't change it.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 14 1989

Department of Water Resources

A. GENERAL INFORMATION

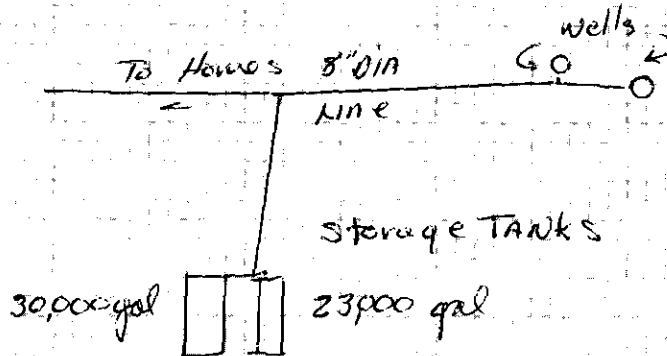
1. Owner: Smoky Mtn. Ass. Permit No. 37-7935
Current Address: P.O. 2188 Sun Valley, Idaho Phone No. 258-2583
2. Accompanied by: John Wedum EXAM. DATE: 6/2/1985
Address: _____ 12:26 PM
Relationship to Permit Holder: Manager Phone No. _____
3. Source: groundwater tributary to L

B. OVERLAP REVIEW

1. Other water rights with same place of use: no ☐ Copies Attached
2. Other water rights with same point of diversion: no ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

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

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APR 23 1986

System Description (continued)

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

(2) wells, Motor & pump - 8" dia Submersible wells, Motor & pump
water is pumped from well to a large underground
(2) storage tanks 30,000 gal. Storage tank. 23,000 gal

4. This Information Not Available

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Peabody pumps.					
Barnes		440 Volts -			

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

5. Point(s) of Diversion:

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

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13N	17E	13			X	X					X	X				X			
		14						X	X	X					X	X			
13N	18E	18					X	X											

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
1 M ^c Crometer				82-3-545	4"	
2 M ^c Crometer				82-3-546	4"	

2. Measurements:

open 185 PSI
 #1 Well - 290 gal/m 135 gal/m =
 #2 Well - 287 gal/m 130 gal/m =
 265 gal/m = 0.59 cfs.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

Meter Input HP: (6) x 1.34 = _____ (7)

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.28 \text{ cfs}) \times (365 \text{ days}) \times (1.9835) = 202.7$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 202.7 \text{ Ac Ft/ANN.}$

2. Volume Calculations for Other Uses:

Allow 0.28 cfs, this is the amount Applied for.
 only one well is used to fill 19 storage Tank
 at a time.
 36 Home sites -

H. REMARKS AND OVERLAP REVIEW ANALYSIS

REMARKS AND OVERLAP REVIEW ANALYSIS
This Exam Was done before the date.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Damster	1-1	12-31	0.28	202.71
		Totals:	.28	202.71

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name GARY TUNDERBURG
Signature GARY TUNDERBURG
Certification Date 5/15/87
Field Report Preparation Date 6/2/85

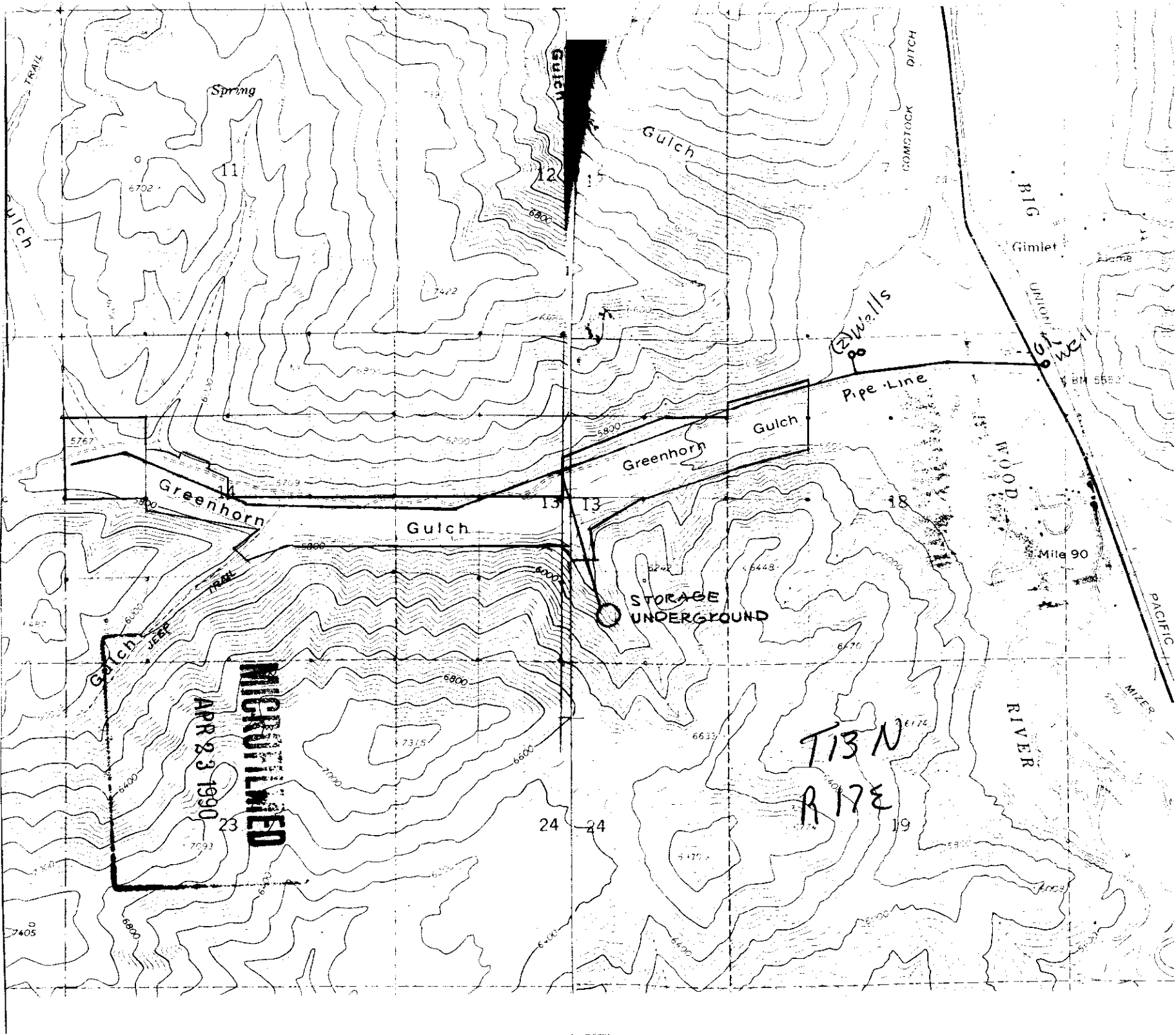
CONSULTANT SEAL

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

MICROFILMED

APR 23 1990

36 homes x 1.2 AFA



Spring

11

12

Gulch

COMSTOCK DITCH

R16

Gimlet

21 Walls

Pipe Line

Gulch

Greenhorn

Greenhorn

Gulch

13

13

18

STORAGE UNDERGROUND

Mile 90

WOOD RIVER

T13N
R17E

APR 23 1990

MICROFILMED

23

24

24

19

WELL HOUSE



WELL



BURIED STORAGE TANK



MICROFILMED

APR 2 8 1963



Inside Wellhouse #2 ↑ Well
Inlet of #1 Well

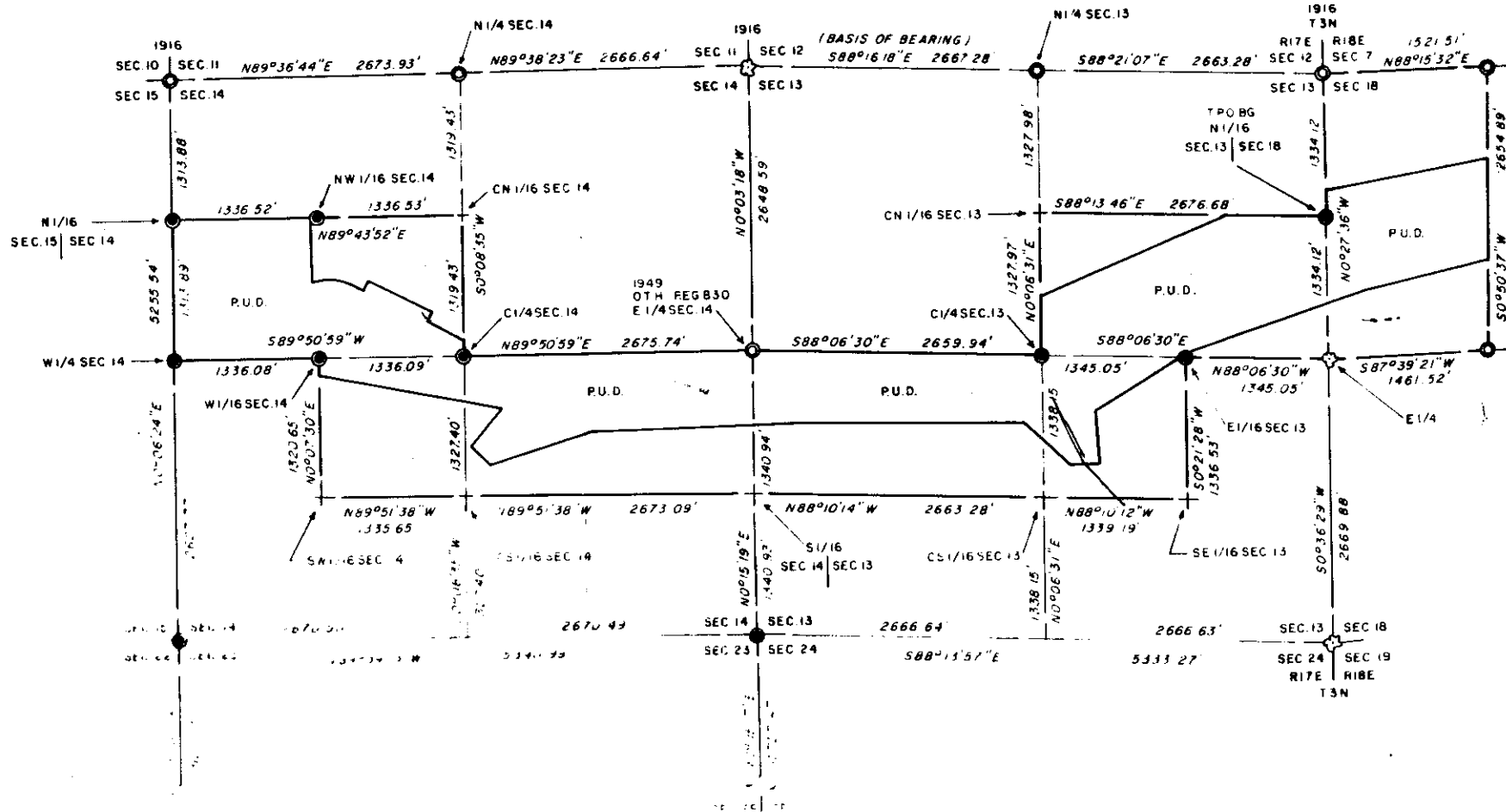
UNCLASSIFIED
APR 23 1990

GREENHORN A PLANI

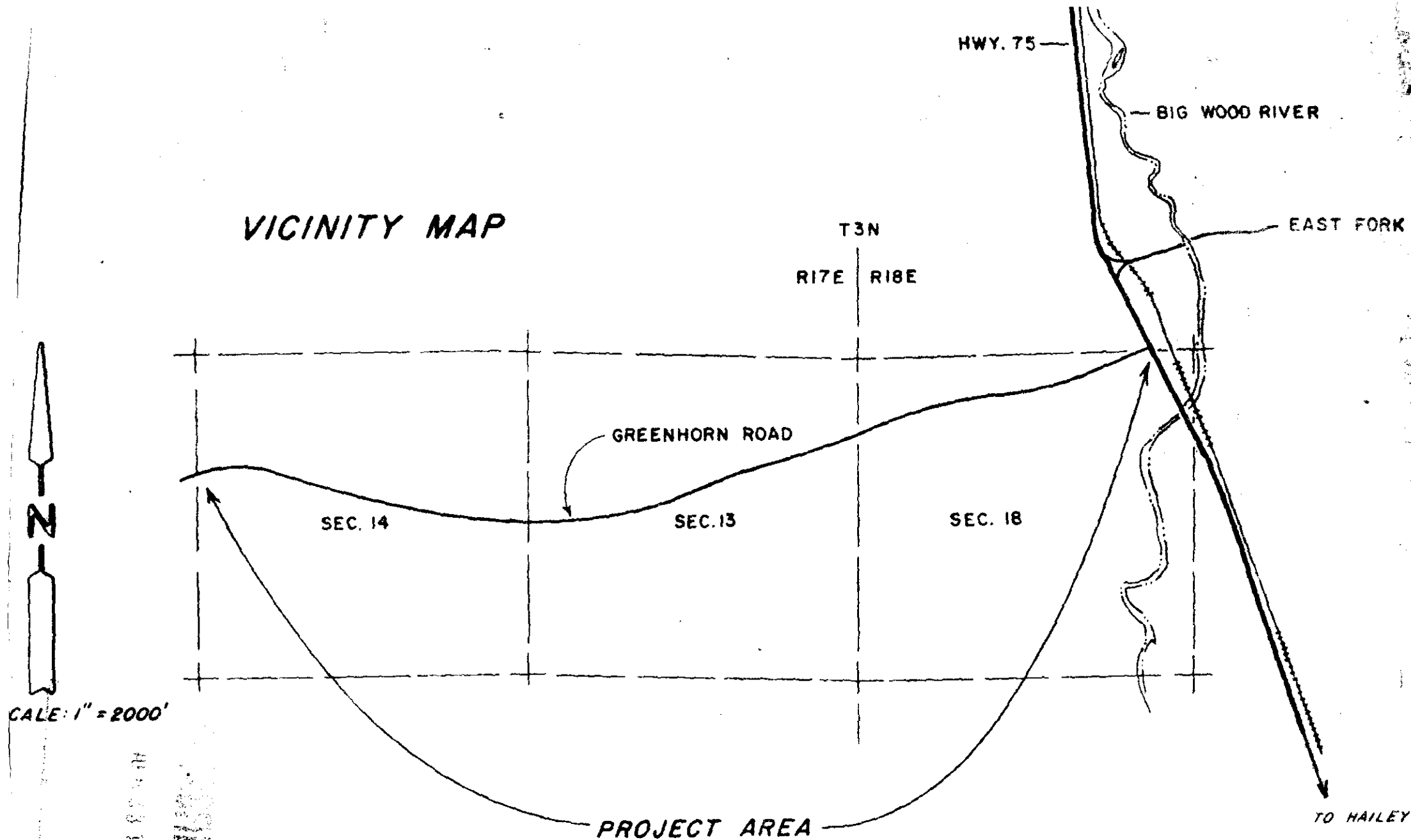
SUBDIVISION PLAT

SECS. 13 & 14, T3N, R17E, AND SEC. 18, T3N, R18E
BLAINE COUNTY, IDAHO

SEPTEMBER 1980



VICINITY MAP



APR 13 1990

RECEIVED

Sheet 8 of 9

GREENHORN

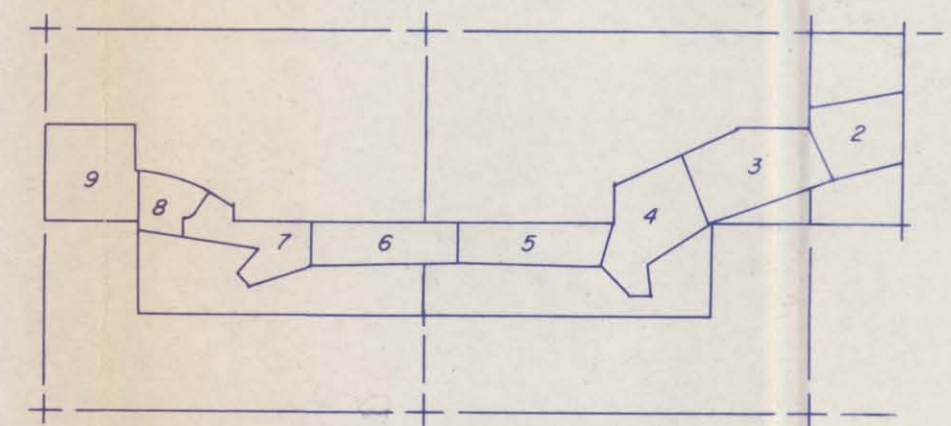
A PLANNED UNIT DEVELOPMENT

SUBDIVISION PLAT

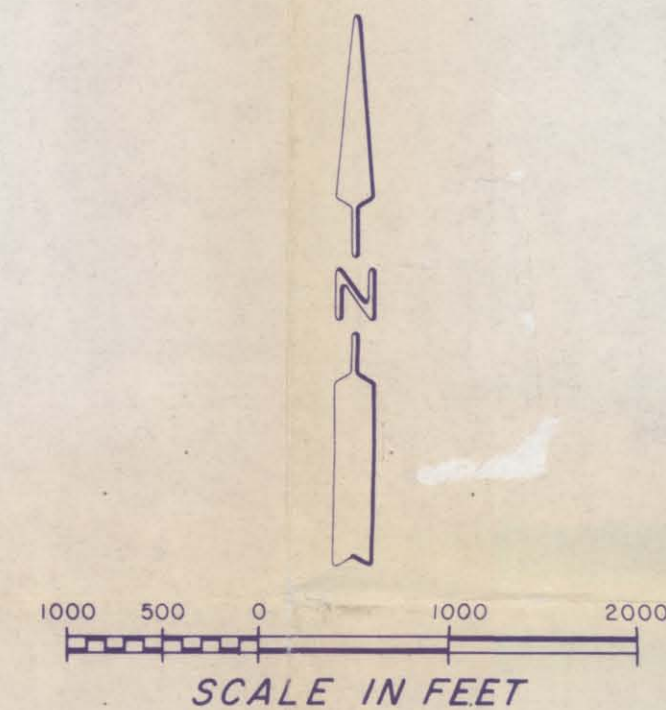
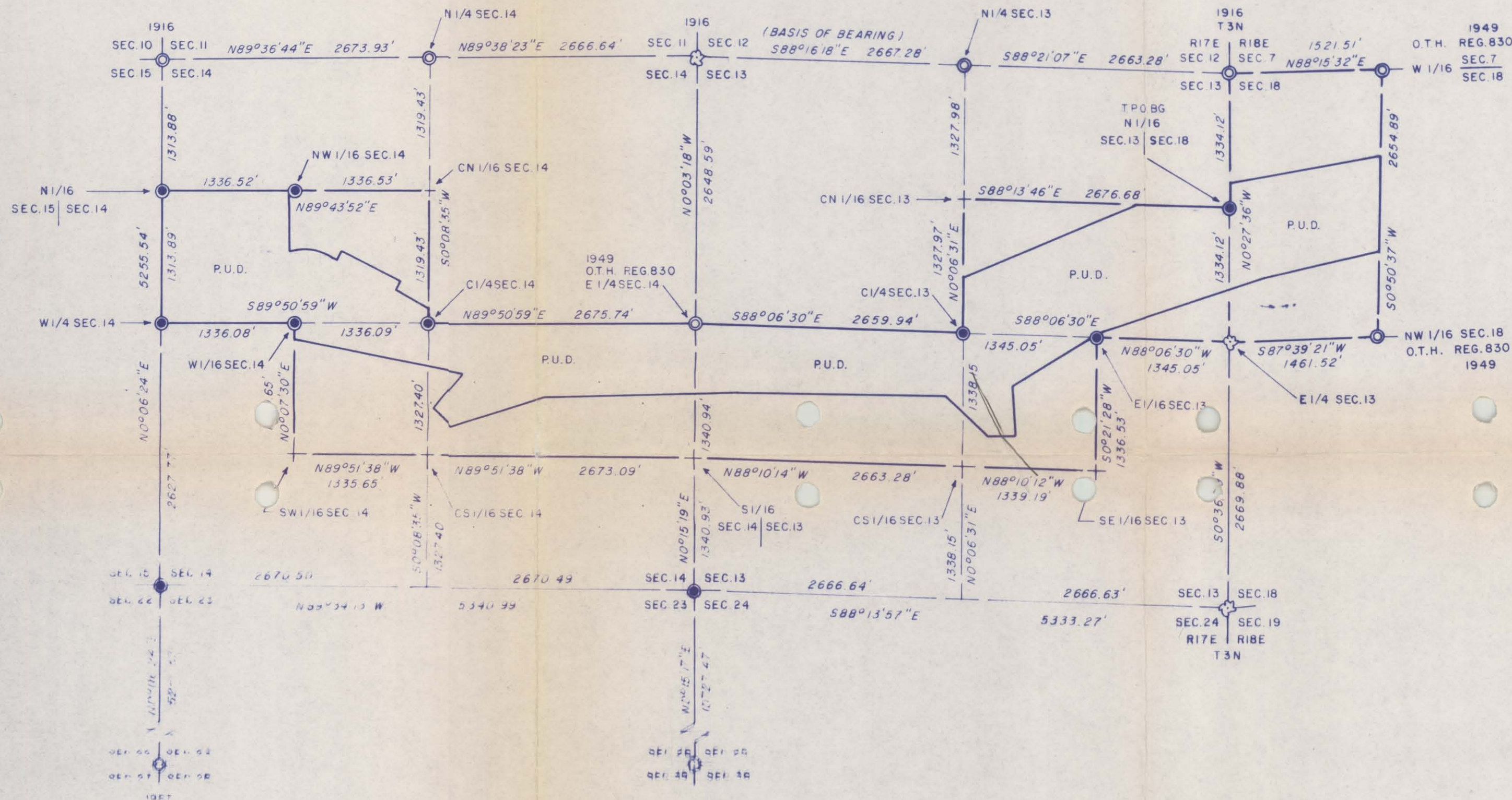
SECS. 13 & 14, T3N, R17E, AND SEC. 18, T3N, R18E, B.M.
BLAINE COUNTY, IDAHO

SEPTEMBER 1980

SHEET 1 OF 10 SHEETS

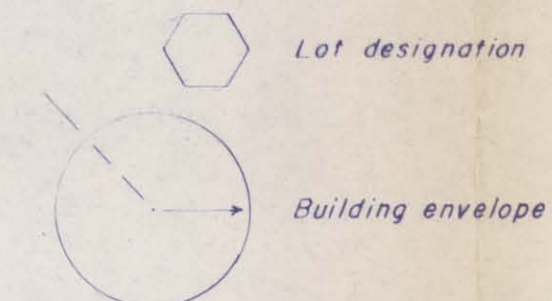


SHEET INDEX



LEGEND

- 1/2" Ø x 24" Rebar set
- 5/8" Ø x 30" Rebar set
- ⊙ Brass cap set
- ⊙ Brass cap found
- ⊙ Stone found
- - - Access easement
- - - Avalanche Red Zone
- - - Avalanche Blue Zone
- ⬡ Lot designation



Building envelope

- - - 40' wide drainage easement for Greenhorn Creek
- - - 20' wide underground power line easement.

NOTES

- Portions of this subdivision are in avalanche hazard areas. A detailed avalanche study of the area is available for inspection at the Blaine County Planning and Zoning office in Hailey, Idaho. Neither Blaine County or the owners or the developers take any responsibility for the accuracy of the study.
- Lots A, B, C, D, E, & F are Common Area Lots. There shall be no residential construction within Common Area.
- Concomitant with all public access easements, as shown on this plat, a 35' wide easement is granted for use as a stock drive way. All said public access easements are granted as utility easements.
- Ski, pedestrian, and equestrian easements are granted on all road right of ways and Common Area Lots.
- A ten foot wide utility easement is granted centered on all lot lines.
- Property fencing and walls above grade shall not exceed 3' above grade in order to permit game crossing.
- All homes must have a kennel designed and built when the home is originally constructed. All dogs must be kenneled or, when walked, be on a leash.

Public access easements through adjacent properties are warranted as per agreement filed as Blaine County Recorder's Instrument No. 201679.

PREPARED BY
PHILIP F. PUCHNER
CONSULTING ENGINEER
KETCHUM, IDAHO

Not
filed
4/23/90



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

November 16, 1988

RE: Permit No. 37-7935

James Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

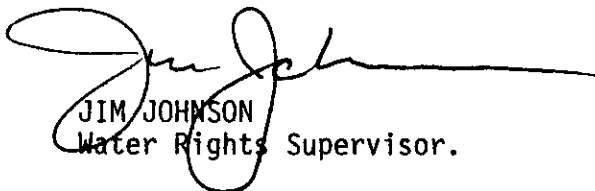
Dear Mr. Speck:

We have received your letter of November 8, 1988 in which you requested information on the licensing status of the above referenced permit.

The field examination is still pending from our Southern Regional Office. We suggest that you contact them to schedule the examination. Their phone number is 734-3578.

If you have any further questions, please feel free to contact our office.

Sincerely,


JIM JOHNSON
Water Rights Supervisor.

MICROFILMED

APR 23 1990

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3567

TERRY G. HOGUE

JAMES P. SPECK

DOUGLAS J. AANESTAD

J. STEPHEN CRABTREE

TRACY DUNLAP

November 8, 1988

RECEIVED
NOV 09 1988

Mr. Jim Johnson
Department of Water Resources
450 West State
Boise, Idaho 83701

Re: Greenhorn Owners Association, Inc. Department of Water Resources
Permit No. 37-7935

Dear Jim:

Would you please send me a letter on the status of licensing of the above-referenced Permit. I understand a field exam has not yet been conducted. Can arrangements be made to have this done next summer?

Please let me hear from you at your earliest convenience. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/jal

cc: Mr. Bill Lowe

Mr. Loren Holmes

MICROFILMED

APR 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

MAY 15, 1984

SMOKY MTN. ASSOC. GREENHORN SUBDIV.
BOX 2188
SUN VALLEY ID 83352

RE: Permit No. 37-7935

Dear Permit Holder:

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

Enclosed please find a copy of an order involving your permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 734-3578 or in person at our office at 1041 Blue Lakes Blvd. N. Twin Falls, Idaho.

Sincerely,

s/Mary A. Newby
Secretary

Mary A. Newby

Enclosure

MICROFILMED

APR 23 1990

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit _____

Name(s) of Permit Holder: SMOKY MTN ASSOCIATES

Post Office Address: P.O. 2188 SUN VALLEY ID

Tel. No. 208-788 2583

Source of Water: GROUND WATER

Extent of Use:

☒ Domestic	(number of households)
☐ Stockwater	(number and type of stock)
☐ Irrigation	(acres)
☐ Other	

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

12/1/83

Date

John Olmstead
Signature of Permit Holder
SMOKY MTN ASSOC

MICROFILMED



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PLACE
13 CENT
STAMP
HERE

RECEIVED

DEC 8 1983

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 37-7935.

Name(s) of Permit Holder: SMOKEY Mtn ASS. COLUMBIA SUB DIV.

Post Office Address: Box 2188

POW VALLBY ID. 83352 Tel. No. 208-788-2583

Source of Water: GROUND WATER

Extent of Use: ☒ Domestic 30 HOMES (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 30 Home SITES (acres) 1-3 HOMES
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
 Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

10/30/83
Date

SM
Signature of Permit Holder

Sandy  MT  MINNEAPOLIS, MN 55402
P.O. Box 2188 NOV 5 1983
Sun Valley ID 83353



MICROFILMED



NOV 4 1983

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

SMOKY MOUNTAIN ASSOCIATES

4721 Spring Circle, Minnetonka, MN 55345
(612) 935-8055

Mr. Glen Saxton
Chief, Operations Bureau
Department of Water Resources
State of Idaho
Statehouse
Boise, Idaho 83720

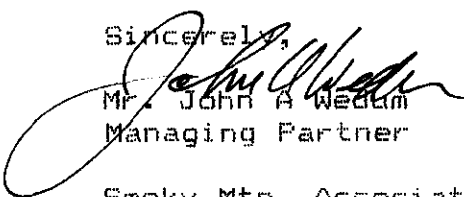
Dear Sir:

We have recently received this "Lapse Notice" which relates to a water permit for the Greenhorn Subdivision on the Deer Creek Ranch in Blaine Co.

We have previously forwarded a post card indicating the completion of the installation of the Greenhorn Water System in this Sub Division. Possibly the notice passed our reply in the mail as our operating base has been moved to the address below for the next six months.

If for any reason there is any additional action required of us relating to this matter kindly call or write us with specific instructions so that we may properly react to your request.

Sincerely,



Mr. John A. Wedem
Managing Partner

Smoky Mtn. Associates
4721 Spring Circle
Minnetonka, MN 55345

encl: Water Resources notice card and letter

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

SMOKY MOUNTAIN ASSOCIATES
BOX 2188
SUN VALLEY, ID 83352

LAPSE NOTICE

NOVEMBER 04, 1983

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 37-7935 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE NOTICE THAT YOU HAVE COMPLETED THE PROJECT (PROOF OF BENEFICIAL USE) BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED AUGUST 31, 1983.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND 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.

G. Glen Saxton

G. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RE

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

SMOKY MOUNTAIN ASSOCIATES
BOX 2188
SUN VALLEY, ID 83352

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YOUR PERMIT CANNOT BE REINSTITATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

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L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RE

CERTIFICATION OF MAILING

I hereby certify that on 11-17-1983
a copy of this document was
deposited in the United States mail,
postage prepaid addressed to the
recipient.

Peter Fleck

RECEIVED
NOV 17 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

SMOKY MOUNTAIN ASSOCIATES
BOX 2188
SUN VALLEY, ID 83352

138944

PROOF DUE NOTICE

AUGUST 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 37-7935 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

February 15, 1983

Smoky Mountain Associates
c/o John Wedum
P. O. Box 2188
Sun Valley, ID 83353

Gentlemen:

Re: Permit No. 37-7935

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to November 1, 1983. Please note that the permit has been reinstated with an advance in priority since the extension of time request was submitted after the proof due date.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later in time uses. The question of whether Idaho Power's 8,400 cfs water right at Swan Falls dam has been diminished by subsequent development, however, was remanded back to district court for determination. The findings of the district court could restrict water availability or require compensation to Idaho Power Company for uses developed later in time than Idaho Power Company's water right at Swan Falls dam.

Sincerely,

RITA L. FLECK
Sr. Secretary

Enc: Ext. of Time

CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck

TO: File # 37-7935

DATE:

Date Ext. Received

Date proof was due

Number of days ext late

Priority date

Number of days Ext. late

New Priority date

Remarks

$$\begin{array}{r} 365 \\ + 38 \\ \hline 403 \end{array}$$

~~from Nov. 1 to Dec. 31~~

Feb. 7, 1983

Nov. 1, 1982

$$\begin{array}{r} 305 \\ \hline 98 \end{array}$$

219

Aug. 7, 1981

$$\begin{array}{r} 98 \\ \hline 317 \end{array}$$

= Nov. 13, 1981



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

February 8, 1983

**Smoky Mountain Associates
P. O. Box 2188
Sun Valley, ID 83353**

PERMIT NO. 37-7935

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. **25885.**

Robertta Garrett
Records Supervisor

Enclosure

Blaine County Planning & Zoning Commission

Box 140, Hailey, Idaho 83333

(208) 788-4685

November 18, 1982

Mr. John Wedum
Mr. Cal Merriman
Smoky Mountain Associates
c/o Deer Creek Ranch Company
Post Office Box 2188
Sun Valley, Idaho 83353

Dear John and Cal:

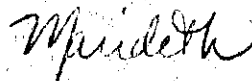
This letter is in regard to the status of the improvements for Greenhorn Subdivision. The date of our initial agreement was December 11, 1980. All improvements were to be completed by December 1, 1982. As you know, this agreement must be renegotiated every two years as long as the bonded or otherwise financially guaranteed improvements are not completed. (This mandate is from Chapter 9.01.5. of the Blaine County Subdivision Ordinance.

The two improvements which need to be completed are the water system and the transfer of the fire station property. The amount which must be financially guaranteed by you is 150% of the current costs of completing both projects. The water system cost must also include the additional 30,000 gallons of storage capacity, as required by the Idaho Department of Health and Welfare.

Please have Phil Puchner complete a list of those improvements which have not yet been completed and their estimated cost of construction. These should be checked by Jim Koonce, County Engineer, before being submitted to me. New bonding agreements will then be negotiated with the county. All of this legwork must be completed by November 29, 1982, to allow for Keith Roark to review the new agreement.

Thank you very much for your cooperation.

Sincerely,



Marideth J. Sandler
Director

MJS:ew

cc: Blaine County Board of Commissioners
R. Keith Roark
Greenhorn Homeowners Association
Phil Puchner
Jim Koonce

EXCAVATION SERVICE CO.

24 HOUR SERVICE

Box 750 • Heyburn Idaho 83336
(208) 678-7499

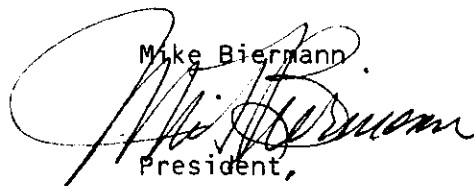
Nov. 23, 1982

To whom it may concern:

Excavation Service Co. has completed the installation of the Greenhorn water system as designed by the Puchner Engineering firm, from the pump house site to all property services, including fire hydrants and connected to the water storage tank.

This contract with Smoky Mountain Associates has been paid in full.

Mike Biernmann



President,
Excavation Service Co.



Box 1285, Sun Valley, Idaho 83353 (208)726-4702

November 26, 1982

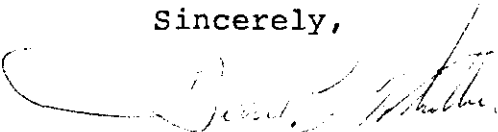
Smoky Mountain Associates
Box 2188
Sun Valley, Idaho 83353

Gentlemen:

The concrete storage reservoir for the Greenhorn Gulch water system was completed in August 1982, with final grading completed in October 1982. Total cost of construction for this water tank was \$12,320.00, and this amount has been paid in full.

The pump house is now completed. Total cost of construction was \$7,500.00, and this amount has also been paid in full.

Sincerely,



Terry L. Whittier
for KING CONSTRUCTION

TLW:ac



WALKER WATER SYSTEMS, INC.

624 Pierce Street • Twin Falls, Idaho 83301 •
Area Code 208 • 733-4744

November 29, 1982

To whom it may concern:

We have drilled two water wells, as designed, for domestic residential service to the Greenhorn Subdivision. These wells were pumped for eight hours each and produced 289 and 275 gallons per minute of sand free water. Each well was completed with a ten foot stainless steel well screen.

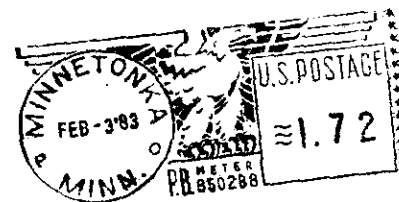
We also installed the pumps, delivery manifold, piping and control valves for this system, with the majority of the installed equipment supplied by Wedum Supply Company.

In our opinion this system meets or exceeds what would be suitable for a water system for this purpose.

We have been paid in full for the work accomplished and would expect no more additional service than would be normal during the initial operating period for such a system.

EUGENE W. WALKER
President,
Walker Water Systems, Inc.

Smoky Mountain Associates
P. O. Box 2188
Sun Valley, ID 83353



Department of Water Resources
State House
Boise, ID 83720



December 21, 1982

Smoky Mountain Associates
P. O. Box 2188
Sun Valley, ID 83353

Gentlemen:

Re: Permit No. 37-7935

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 37-7935 has lapsed. This office did not receive either a notice that you have completed the project by the date required on your permit or a request for an extension of time. You were provided the proper form in our notice to you dated August 31, 1982.

Your permit cannot be reinstated unless you submit the statement of beneficial use postcard or submit an extension of time request showing reasonable cause for delay. Either the completed postcard or the extension request must be received by this office within sixty days of the date of this lapse notice or the permit will no longer be of any force or effect.

A statement of beneficial use postcard and a request for extension of time form are enclosed for your use. Please note that a fee of \$15.00 must accompany an extension of time request.

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

LGS:rf

CERTIFICATION OF MAILING
15-22-1982
I hereby certify that the enclosed document was
deposited in the post office at the time and
place indicated above and that the
enclosed document was
[Signature]

CONVERSATION MEMORANDUM

DATE 11/29/1982FILE 37-7935

NAME OF PARTY _____

EMPLOYEE Rita Fleck

RE: _____

A representative from Smoky Mtn. Assoc. called today to say that he had hand delivered the postcard to the Health Dept. They returned it.

Upon further discussion, I advised him to submit the Ext. Request. I also told him that the permit had lapsed but that it could be reinstated.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138573

SMOKY MOUNTAIN ASSOCIATES
BOX 2188
SUN VALLEY, ID 83352

AUGUST 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 37-7935 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

SMOKY MOUNTAIN ASSOCIATES
BOX 2188
SUN VALLEY, ID 83352

OCTOBER 29, 1981

RE: PERMIT NO. 37-7935

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.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

ENCLOSURE



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

August 27, 1981

Mr. Alex Schaefer
Department of Health & Welfare
Division of Environment
P. O. Box 1626
Twin Falls, Idaho 83301

Re: Application for Permit No. 37-7935

Dear Mr. Schaefer:

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

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

RECEIVED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

32-2935-

SMOKY MOUNTAIN ASSOCIATES

BOX 2188, SUN VALLEY, ID 83352

Source: GROUNDWATER

Date Filed: 08/07/1981

Amount: 0.28 CFS

Diversion Point: NENE Sec 18 T 03N R 18E, BLAINE Co.

Use: DOMESTIC (0.28 CFS) from 01/01 to 12/31

Place of Use: Sec 13 T 03N R 17E Sec 14 T 03N R 17E Sec 18 T 03N R 18E

Diversion Means: WELL & PUMP

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before SEPTEMBER 20, 1981.

A. KENNETH DUNN

Director

Published 9/3 & 9/10/81.

MICROFILMED

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

37-7835

Name: Smoky Mountain Associates
Address: Box 2188, Sun Valley, Id.,
83353

Source: Groundwater
Date Filed: 08/07/1981

Amount: 0.28 cfs
Diversion Point: NENE Sec 18 T 03N
R 18E, Blaine County

Use: Domestic- (0.28 cfs)
from 01/01 to 12/31

Place of Use: Sec 13 T 03N R 17E
Sec 14 T 03N R 17E Sec 18 T 03N R
18E

Diversion Means: Well & pump

If issued, the permit(s) will be sub-
ject to all prior water rights. Protests
against the granting of any permit
must be filed with the Director of the
Idaho Department of Water
Resources, 1041 Blue Lakes Blvd.
North, Twin Falls, Idaho, 83301, and
received on or before September 20,
1981.

A. Kenneth Dunn
Director

Publish: Wood River Journal--
September 3, 10, 1981.

*ok
merye*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

AUGUST 25, 1981

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 SEPTEMBER 20, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

RECEIVED

IDENT. NO. 37-7935

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

WATER RIGHT
DATA ENTRY LOG

[illegible]