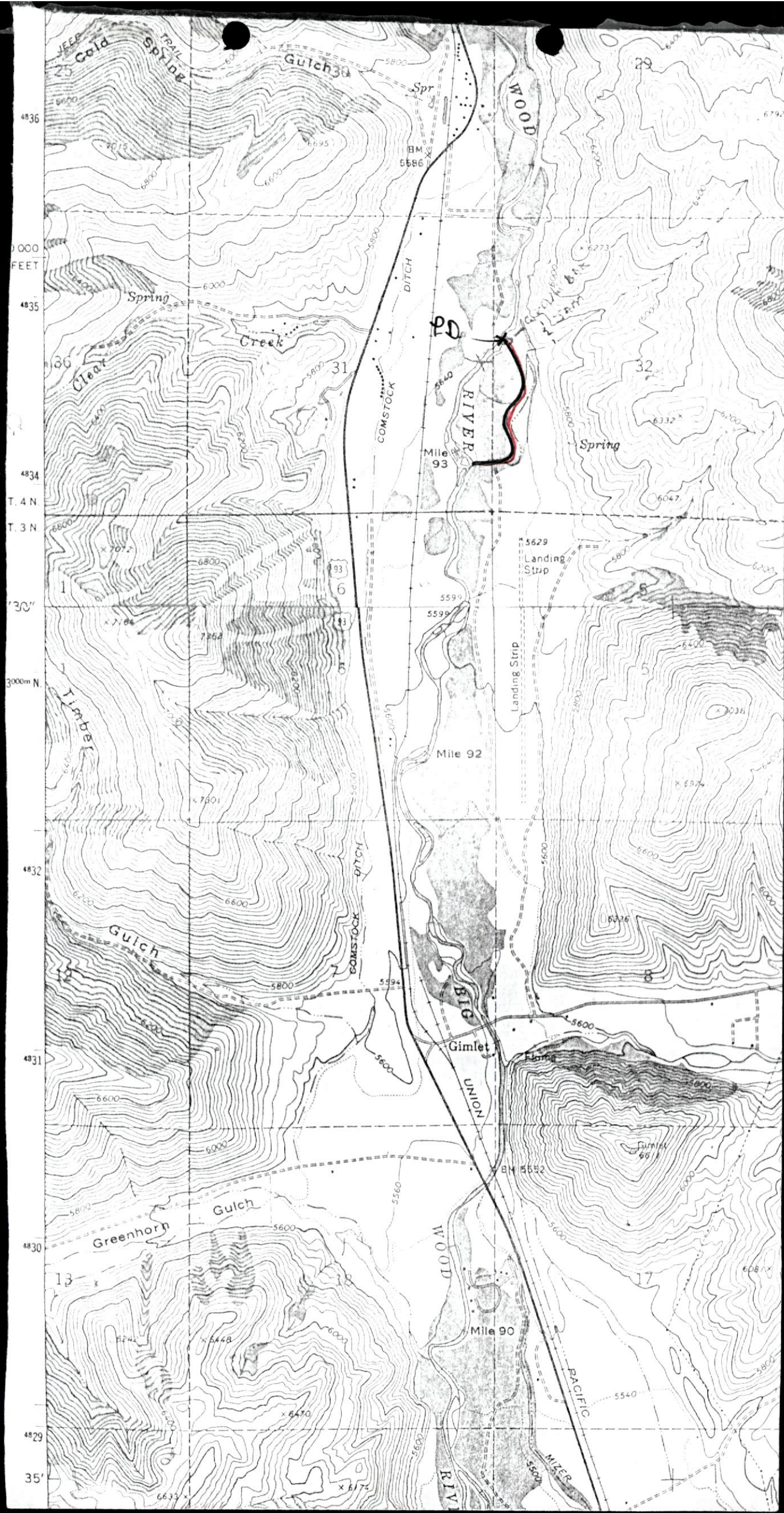




**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

37-7836

GIMLET PROPERTY OWNERS
ASSN., INC.

P.O. Box 985, Sun Valley, Idaho
83353

Source: BIG WOOD RIVER
tributary to SNAKE RIVER

Date Filed: 06/04/1980

Amount: 10.00 CFS

Diversion Point: SWNW Sec 32 T
04N R 18E, Blaine Co.

Use: RECREATION (10.00 CFS)
from 0101 to 1231

Place of Use: NWSW Sec 32 T 04N
R 18E, NWSW SESE Sec 31 T 04N
R 18E

Diversion Means: STEEL
HEADGATE & CIPPOLLETTI
WIRE.

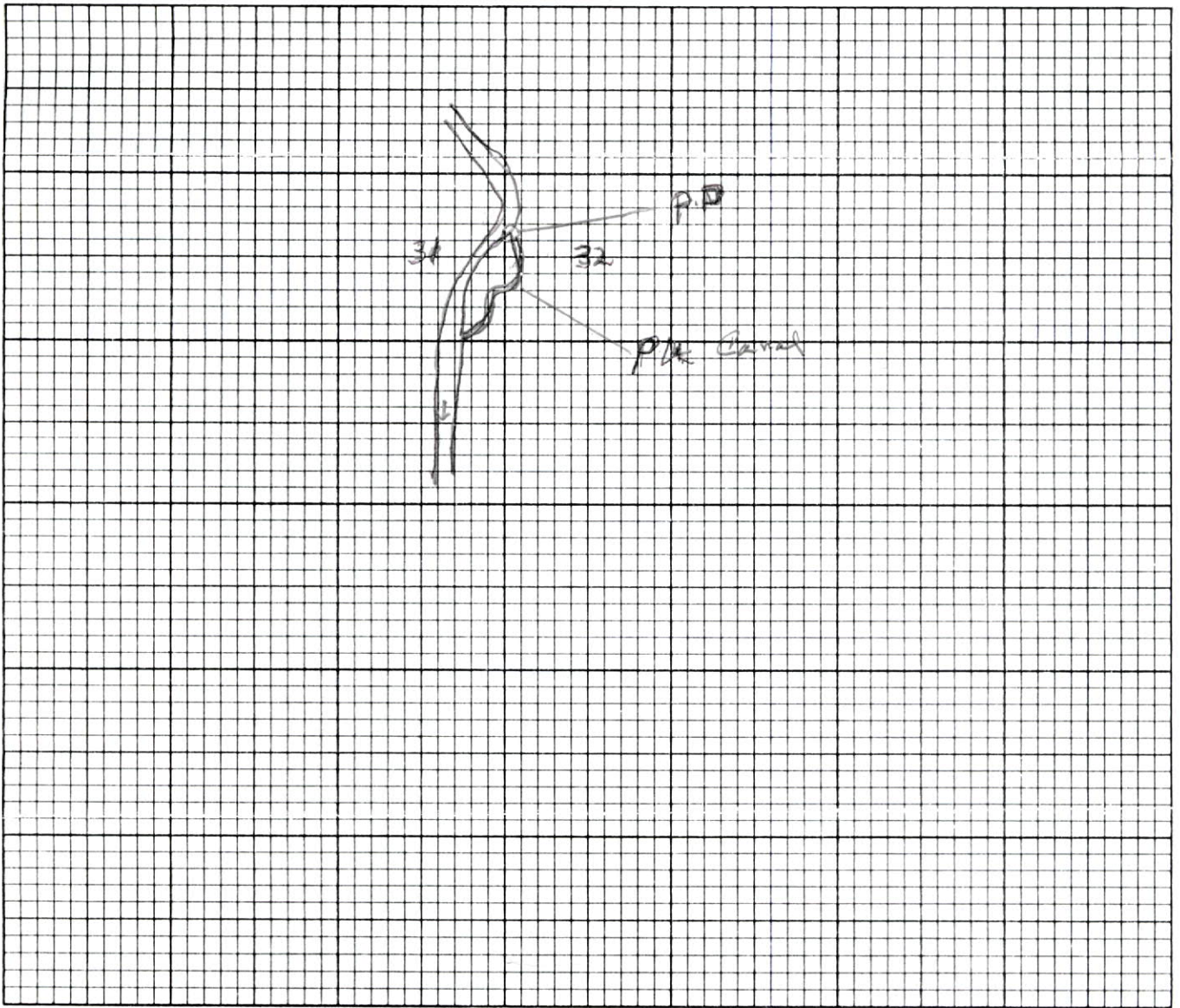
If issued, the permit will be sub-
ject to all prior water rights. Pro-
tests against the granting of any
permit must be filed with the Direc-
tor of the Idaho Department of
Water Resources, 1041 Blue Lakes
Blvd. North, Twin Falls, Idaho
83301 and received ON OR
BEFORE JULY 21, 1980.

C. STEPHEN ALLRED

Director

Publish; Wood River Journal-July
3rd & 10th, 1980.

10. Other water rights on these lands None
11. Other water right diverted from same p.d. None
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks Asthetic & Recreation Use only

15. 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

16. Examiner's/Consultant's Signature Sheryl Chapman Date 6/20/86

Consultant's License Number 21

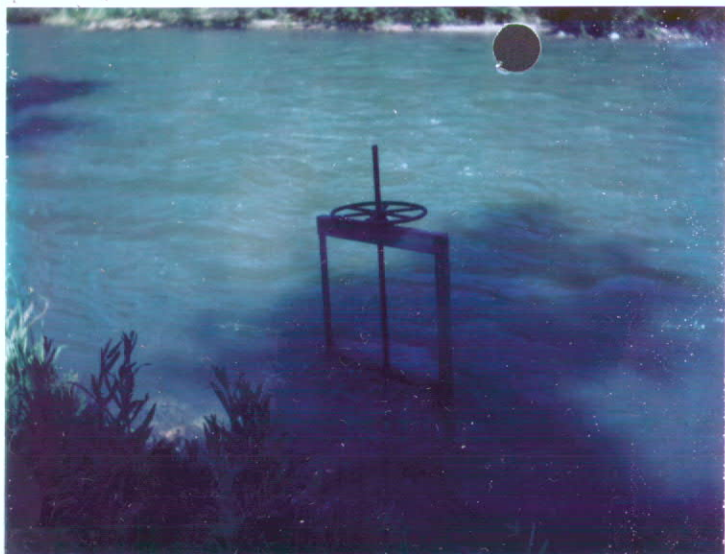
IDWR Director's Authorization to Conduct

Beneficial Use Examination 6/5/86

Date

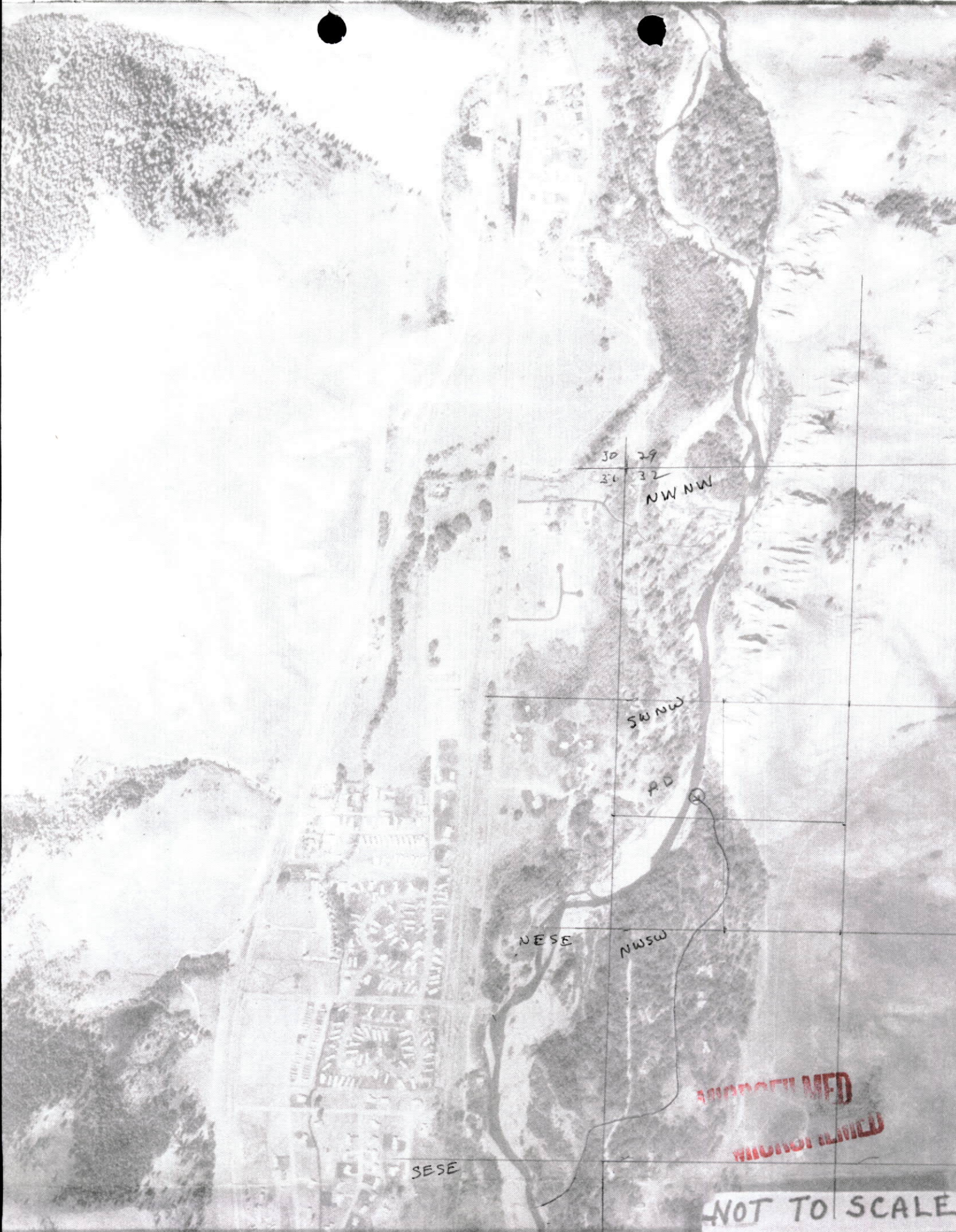
UNRECORDED











State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7836 Priority June 4, 1980 Amount 10.0 cfs

THIS IS TO CERTIFY, that Gimlet Property Owners Association Inc.
of Sun Valley, Idaho, has complied with the terms and conditions of Permit
No. 37-7836 issued pursuant to Application for Permit dated June 4, 1980,
and has submitted proof to the Department of Water Resources on July 23, 1985,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 11.69 cfs of water from Big Wood River,
tributary to Snake River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Aesthetic	from <u>January 1</u> to <u>December 31</u>	at <u>10.0</u> cfs and	<u>N/A</u>
Recreation	from <u>January 1</u> to <u>December 31</u>	at <u>10.0</u> cfs and	<u>N/A</u>
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 10.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
N/A acre feet per year, said waters to be diverted within the SW1/4 NW1/4 Section 32,
Twp 4N, Rge 18E in the County of Blaine

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	18E	32							X			X							
		31													X			X	

MICROFILMED

Total number of acres irrigated _____

NOV 11 2003

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

This project shall be operated in a manner that will not conflict or interfere with the future upstream diversion of water for irrigation or other beneficial consumption.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of SEPTEMBER, 19 86.

MICROFILMED

Acting for the Director

Norman C Young

RECEIVED

AUG 29 1986

Ident. No. _____

STATE OF IDAHO

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)

APPROVED

Comes now Gimlet Property Owners Assn. Inc. Phone 7263276
of (address) Box 485 Sun Valley, ID 83353, 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. 37-7836, and requests that the permit be changed as follows:

1a. Point of diversion: SW 1/4 NW 1/4, Section 32, Township 4N, Range 18E,
B.M., County of Blaine. Other points of diversion: _____

1b. Source: Big Wood River tributary to Snake River

2a. Period and nature of use:

Amount 10.0 for Aesthetics purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum)

Amount 10.0 for Recreation 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)

2b. The maximum quantity diverted shall not exceed 10.0 cfs or 10.0 acre feet
per year.

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE				NW				SW				SE				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	
4N	18E	32							X			X							
		31													X			X	

Total number of acres to be irrigated = _____

4. Date of priority: June 4, 1980

MICROFILMED

5. Conditions (if any): A measuring device of a type approved by the Department shall be permanently installed & maintained as part of the diverting works.

This project shall be operated in a manner that will not conflict or interfere with the future upstream diversion of water for irrigation or other beneficial consumption.

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

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 GIMLET, this 28 day of AUGUST, 1986.

Walter Wright
(Signature)
President - for permit.

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 ✓ Received by if Date 8-29-86 # 38962

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby Approve the above Application for Amendment for Permit No. 37-7836.

Witness my hand this 29th day of September, 1986.

Norman C. Young
Acting for the Director

RECEIVED

ok

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 37-7836

RECEIVED
APPROVED

To appropriate the public waters of the State of Idaho
Department of Water Resources
Southern District Office

1. Name of applicant GIMLET PROPERTY OWNERS ASSOCIATION INC. Phone 726-3276

Post office address: P.O. BOX 985 SUN VALLEY IDA. 83353

2. Source of water supply BIA WOOD RIVER which is a tributary of SPAICE RIVER

3. Location of point of diversion is SW 1/4 of NW 1/4 of Section 32 Township 4N

Range 18E B.M. BLAINE COUNTY County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 10.0 CFS for ASTHETIC RECREATION purposes from JAN. 1 to DEC. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 10.0 CFS cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. STEEL HEADGATE
CIPPOLLETTI WEIR

b. Height of storage dam _____ 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 _____ 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: SE 1/4 SW 1/4 31
(1) Give the place of use of water: NW 1/4 of SW 1/4 of Section 32 Township 4N

Range 18E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

MICROFILMED

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.

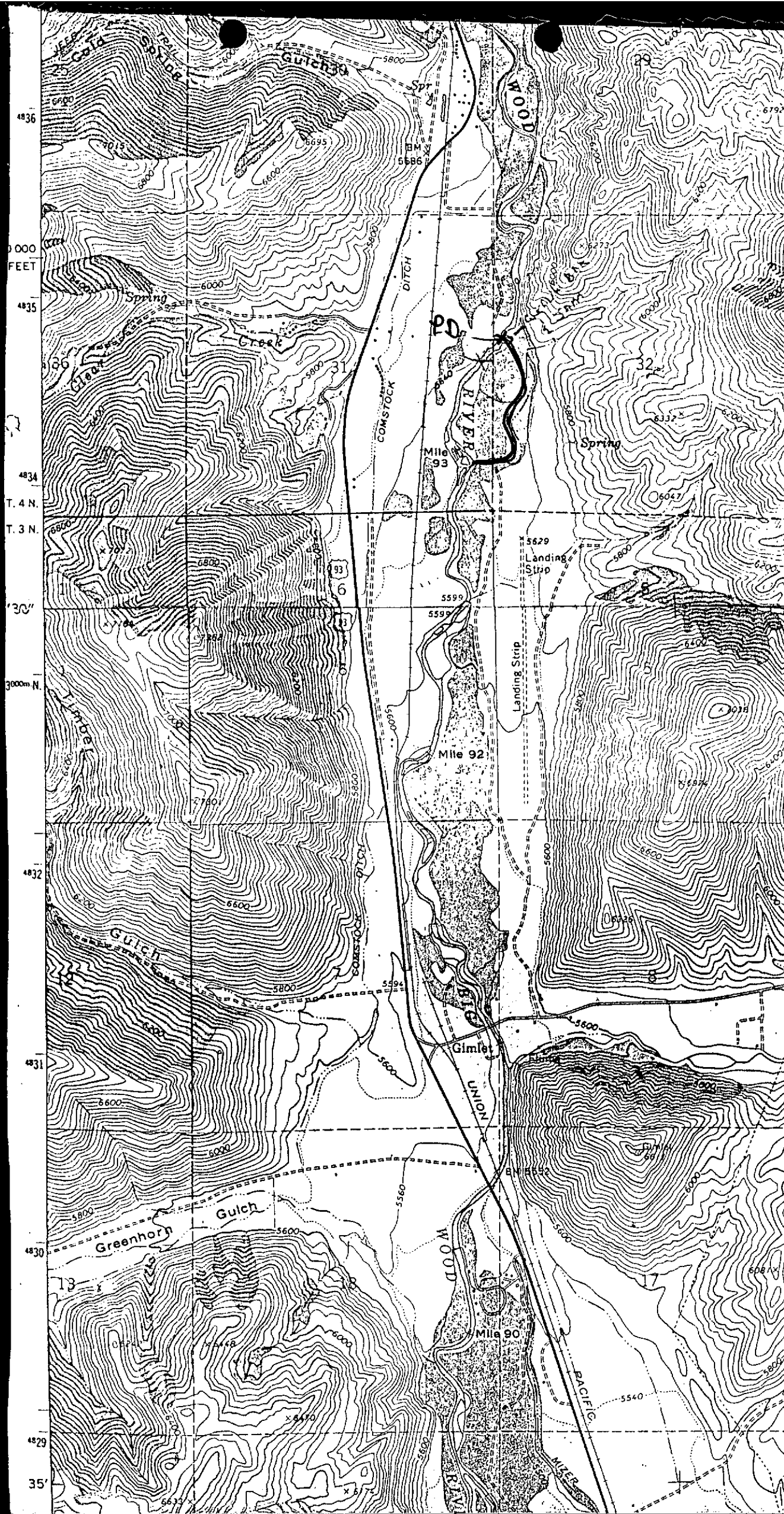
9. a. Who owns the property at the point of diversion GIMLET PROP. OWNERS

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

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

10. Remarks

1



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

Proposed Priority

6/4/80

Received by manya Date 6/4/80 Time 2:30 PM Fee \$ 18.00

Preliminary check by TCB Fee \$ 18.00

Received by manya Date 6/6/80

Publication prepared by man Date 6-23-80

Published in Quinn Publishing Company

Publication dates 7/3 + 7/10

Publication approved manya Date 7/21/80

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by man

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. 37-7836, 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 be-

fore August 1, 19 85.

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: (1) A measuring device of a type approved by the Department shall be

permanently installed and maintained as part of the diverting works. (2) The

issuance of this permit in no way grants any right-of-way or easement across

the land of another. (3) Use of water under this permit is subject to control

by the watermaster of State Water District # 37, Big Wood River. (4) This

project shall be operated in a manner that will not conflict or interfere with

the future upstream diversion of water for irrigation or other beneficial

consumption.

Witness my hand this 13 day of August, 1980.

David R. J. J. J.
Supervisor, Water Allocation Section

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

GORDON O. GLASMANN, 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 July, 1980, and the date of the last publication was on the 10 day of July, 1980.

Subscribed and sworn to before me this 16th day of July, 1980.
(SEAL)
Roberta Proffender
NOTARY PUBLIC

WOOD RIVER JOURNAL Hailey, Idaho COST OF PUBLICATION

Number of Picas per Line 12
Number of Lines in Notice 39
Number of Insertions 2
Lines tabular at _____ 4¢ / Pica
39 Lines straight at 14.04 3¢ / Pica
39 Subsequent lines at 9.36 2¢ / Pica
TOTAL COST 23.40

COPY OF NOTICE

(Paste Here)

Permit 37-7836
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept Water Resources
BILL TO

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

RECEIVED
No 028

JUL 21 1980

Department of Water Resources
Southern District Office

MICROFILMED

**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:

37-7836

GIMLET PROPERTY OWNERS
ASSN., INC.

P.O. Box 985, Sun Valley, Idaho
83353

Source: BIG WOOD RIVER
tributary to SNAKE RIVER

Date Filed: 0604/1980

Amount: 10.00 CFS

Diversion Point: SWNW Sec 32 T
04N R 18E, Blaine Co.

Use: RECREATION (10.00 CFS)
from 0101 to 1231

Place of Use: NWSW Sec 32 T 04N
R 18E, NWSW SESE Sec 31 T 04N
R 18E

Diversion Means: STEEL
HEADGATE & CIPPOLLETTI
WIRE.

If issued, the permit will be sub-
ject to all prior water rights. Pro-
tests against the granting of any
permit must be filed with the Direc-
tor of the Idaho Department of
Water Resources, 1041 Blue Lakes
Blvd. North, Twin Falls, Idaho
83301 and received ON OR
BEFORE JULY 21, 1980.

C. STEPHEN ALLRED

Director

Publish: Wood River Journal-July
3rd & 10th, 1980.

FROM Loten Holmes FFI
TO Norm Young (NY)
SUBJECT Attached Correspondence.

DATE 9/6/91

The lawyers keep chipping away at this subject, and I may be getting socked in here.

This may need some review to determine how to test when an application is required.

SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

05-Sep-1991

R. KEITH HIGGINSON
Director

James P. Speck
P.O. Box 987
Ketchum, ID 83340

Re: Earl Cohen, Water right 37-07836

Dear Jim:

In my opinion, based on the information and proposed action in your Aug. 22, 1991 letter, the project proposed by Mr. Cohen can be put in terms of a change of ditch under Section 42-1207.

Sincerely,

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

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

SCANNED
NOV 11 2003

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

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

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

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

August 22, 1991

RECEIVED

AUG 29 1991

Department of Water Resources
Southern Region Office

VIA FAX - 1-736-3037
ORIGINAL TO FOLLOW BY MAIL

Mr. Loren O. Holmes
Idaho Department of Water Resources
2148 4th Ave. East
Twin Falls, ID 83301

Re: Water Right No. 37-07836 - Gimlet Property Owners
Association, Inc. - Mr. and Mrs. Earl Cohen

Dear Loren:

Thank you for sending me copies of your April and May, 1988 correspondence with Gary Slette concerning the above-referenced matter. As we discussed by phone, I now represent Mr. and Mrs. Cohen and they are now ready to proceed with the project and we wish to confirm the Department's position.

My clients own Lot 10, Gimlet Subdivision No. 9 ("Lot 10") and are members of the Gimlet Property Owners Association, Inc. (the "Association"). Water Right No. 37-07836 is a licensed right authorizing the diversion of 10 cfs for aesthetic and recreation uses by the Association. Water is delivered from the Big Wood River into a ditch which traverses lots owned by members of the Association and then is returned to the River. Lot 10 is the last lot along the ditch and the point of return to the River is also located on Lot 10.

My clients now desire to construct another ditch on Lot 10 to convey across Lot 10 and return to the River all or a portion of Water Right No. 37-07836. Measuring devices will be installed at the point of removal from the existing ditch and the point of return to the River. This point of return will be approximately 215 feet downstream from the existing point of return. Stream channel alteration permits will be obtained for any work done below the mean high water level of the River.

It is my understanding the Department will agree this work does not require a change of any of the elements of Water Right No. 37-07836 nor the obtaining of a new water right by my

Mr. Loren O. Holmes
August 22, 1991
Page 2

clients. Instead, the work constitutes a "change of ditch" under the provisions of Idaho Code §42-1207, which requires the change

. . . must be made in such a manner as to not impede the flow of the water therein, or to otherwise injure any person or persons using or interested in such lateral ditch.

In addition, as stated in your May 4, 1988 letter to Mr. Slette, the change must not constitute any extension of the beneficial uses under Water Right No. 37-07836 or establish any property interest therein, and must not interfere with Watermaster regulation of this or other water rights.

I believe all of these conditions are readily met. The beneficial use of Water Right No. 37-07836 will not be extended to any additional property or property owners in the Gimlet area, nor are any new or different beneficial uses added to the Right. No other water rights are diverted from the Big Wood River at any point between the existing and proposed points of return to the River. The addition of measuring devices should assist the Watermaster in his regulation of Water Right No. 37-07836.

Please reply to confirm that, under these terms and conditions, my clients have the approval of the Department to proceed with their project of relocating the ditch.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/j
cc: Clients
Dr. Charles Brockway
Doug Clemens

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

Boise Office

1020 MAIN ST., SUITE 400

P.O. BOX 2139

BOISE, IDAHO 83701-2139

TELEPHONE (208) 336-0700

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
MICK HODGES

RECEIVED

APR 21 1988

April 20, 1988

Department of Water Resources
Southern Region Office

Mr. Loren Holmes
Department of Water Resources
2148 Fourth Avenue East
Twin Falls, ID 83301

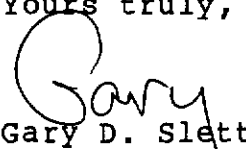
RE: Earl Cohen Property Near Gimlet

Dear Loren:

This letter is to confirm our conversation in which we discussed the necessity to apply for a water right on the above property. As I explained to you, Walter Wright, Jr., currently holds a Big Wood River water right for 10 c/f/s for aesthetic purposes. The water discharges back into the Big Wood River on my client's property. Approximately two to three hundred feet south of the point of discharge, there is an existing pond created by subwater. Mr. Cohen intends to relocate the ditch, at his own expense, and discharge the flow back to the Big Wood at a different point. He does not desire to apply for a water right, but merely desires only a relocation of the ditch. The discharge structure has already been completed after securing the required state and federal permits. I have advised Doug Clemens, Mr. Cohen's representative, that in the event Mr. Cohen wished to actually have a water right appurtenant to the property for aesthetic purposes, it would be necessary for him to apply to the Department. Since he understands that Mr. Cohen is not interested in obtaining such a water right, he intends only to proceed with the relocation of the ditch. That being the case, I understand that it is unnecessary for Mr. Cohen to file an application for a water right.

Please contact me if you wish to further discuss this matter. Thank you for your assistance.

Yours truly,


Gary D. Slette

GDS/kk

cc: Reid Newby
Doug Clemens



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

May 4, 1988

Gary Slette
P.O. Box 1906
Twin Falls, ID 83301

Re: Earl Cohen property near Gimlet

Dear Gary:

I have reviewed License 37-7836 issued in the name of Gimlet Property Owners Association Inc. The license authorizes the diversion of 10 cfs of water for aesthetic and recreation purposes in the channel which your client, Mr. Cohen, proposes to relocate a portion of.

If your client wishes to proceed with action as a change of ditch under Section 42-1207 of the Idaho Code, the following conditions, at a minimum, must apply:

- 1) The action does not constitute any extension of the beneficial uses under License 37-7836 or establish any property interest in the license.
- 2) Stream Channel alteration permits are required for all work done below the mean high water level.
- 3) The action must not interfere with watermaster regulation of License 37-7836 or any other water rights.

Please contact me if you if you have any additional questions.

Very Truly yours,

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

LH
cc: Reid Newby

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 37-7836

Name(s) of Permit Holder(s): GIMLET PROP. OWNERS ASSOC.

Post Office Address: Box 485

SUN VALLEY 83353 Tel. No. 262-3276

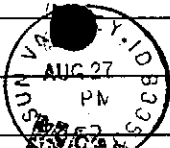
☒ I hereby certify that construction of diversion works on the above referenced permit began on Summer (date) 1982. I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

*Note: A financing difficulty is not an acceptable reason.

08-27-82
Date

W. Wright
Signature of Permit Holder



MICROFILM

JUL 26 1988



RECEIVED

AUG 30 1982

Department of Water Resources

**IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

May 4, 1988

Gary Slette
P.O. Box 1906
Twin Falls, ID 83301

Re: Earl Cohen property near Gimlet

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- 1) The action does not constitute any extension of the beneficial uses under License 37-7836 or establish any property interest in the license.
- 2) Stream Channel alteration permits are required for all work done below the mean high water level.
- 3) The action must not interfere with watermaster regulation of License 37-7836 or any other water rights.

Please contact me if you if you have any additional questions.

Very Truly yours,

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

LH
cc: Reid Newby

MICROFILMED

JUN 21 1988

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
MICK HODGES

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

RECEIVED

APR 21 1988

April 20, 1988

Department of Water Resources
Southern Region Office

Mr. Loren Holmes
Department of Water Resources
2148 Fourth Avenue East
Twin Falls, ID 83301

RE: Earl Cohen Property Near Gimlet

Dear Loren:

This letter is to confirm our conversation in which we discussed the necessity to apply for a water right on the above property. As I explained to you, Walter Wright, Jr., currently holds a Big Wood River water right for 10 c/f/s for aesthetic purposes. The water discharges back into the Big Wood River on my client's property. Approximately two to three hundred feet south of the point of discharge, there is an existing pond created by subwater. Mr. Cohen intends to relocate the ditch, at his own expense, and discharge the flow back to the Big Wood at a different point. He does not desire to apply for a water right, but merely desires only a relocation of the ditch. The discharge structure has already been completed after securing the required state and federal permits. I have advised Doug Clemens, Mr. Cohen's representative, that in the event Mr. Cohen wished to actually have a water right appurtenant to the property for aesthetic purposes, it would be necessary for him to apply to the Department. Since he understands that Mr. Cohen is not interested in obtaining such a water right, he intends only to proceed with the relocation of the ditch. That being the case, I understand that it is unnecessary for Mr. Cohen to file an application for a water right.

Please contact me if you wish to further discuss this matter. Thank you for your assistance.

Yours truly,

Gary
Gary D. Slette

MICROFILMED

GDS/kk

cc: Reid Newby
Doug Clemens

JUN 21 1988

October 3, 1986

RE: Permit No. 37-7836

Gimlet Property Owners Assn. Inc.
Box 485
Sun Valley, ID 83353

Dear Permit Holder(s):

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment. Also enclosed is Departmental Receipt No. 38962 in the amount of \$20.00.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosures

RECEIVED
OCT 10 1986
SUN VALLEY, ID



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

August 26, 1986

RE: Permit No. 37-7836

Gimlet Property Owners Assn. Inc.
Box 485
Sun Valley, ID 83353

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 all of the 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
AUG 29 1986
WATER RIGHTS DIVISION

RECEIVED

JUL 8 1986

Department of Water Resources
Permit No. 37-7836
Phone No. 723-3276

1. **Owner:** Gimlet Property Owners Association Inc. **Phone No.** 723-3276
Current Address: P.O. Box 485 Sun Valley, Idaho 83353
2. **Accompanied by:** Wally Wright **EXAM. DATE:** June 18, 1986
Address: P.O. Box 485 Sun Valley, Idaho **Phone No.** 726-3276
Relationship to Permit Holder: Same
3. **Source:** Big Wood River tributary to Malad River

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Gimlet # 9	—	—	—	—	—

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
Diverting Water From Big Wood River at capacity

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Gurley Flow Meter	AA			6059		

7. **Measurements** 11.69 C.F.S. ☐ Additional data/computation sheets attached
- 6 Foot Cippletti Weir Measurment 11.48 C.F.S.

- | 8. Point(s) of Diversion: | Indicate Method of Determination |
|---------------------------|----------------------------------|
|---------------------------|----------------------------------|

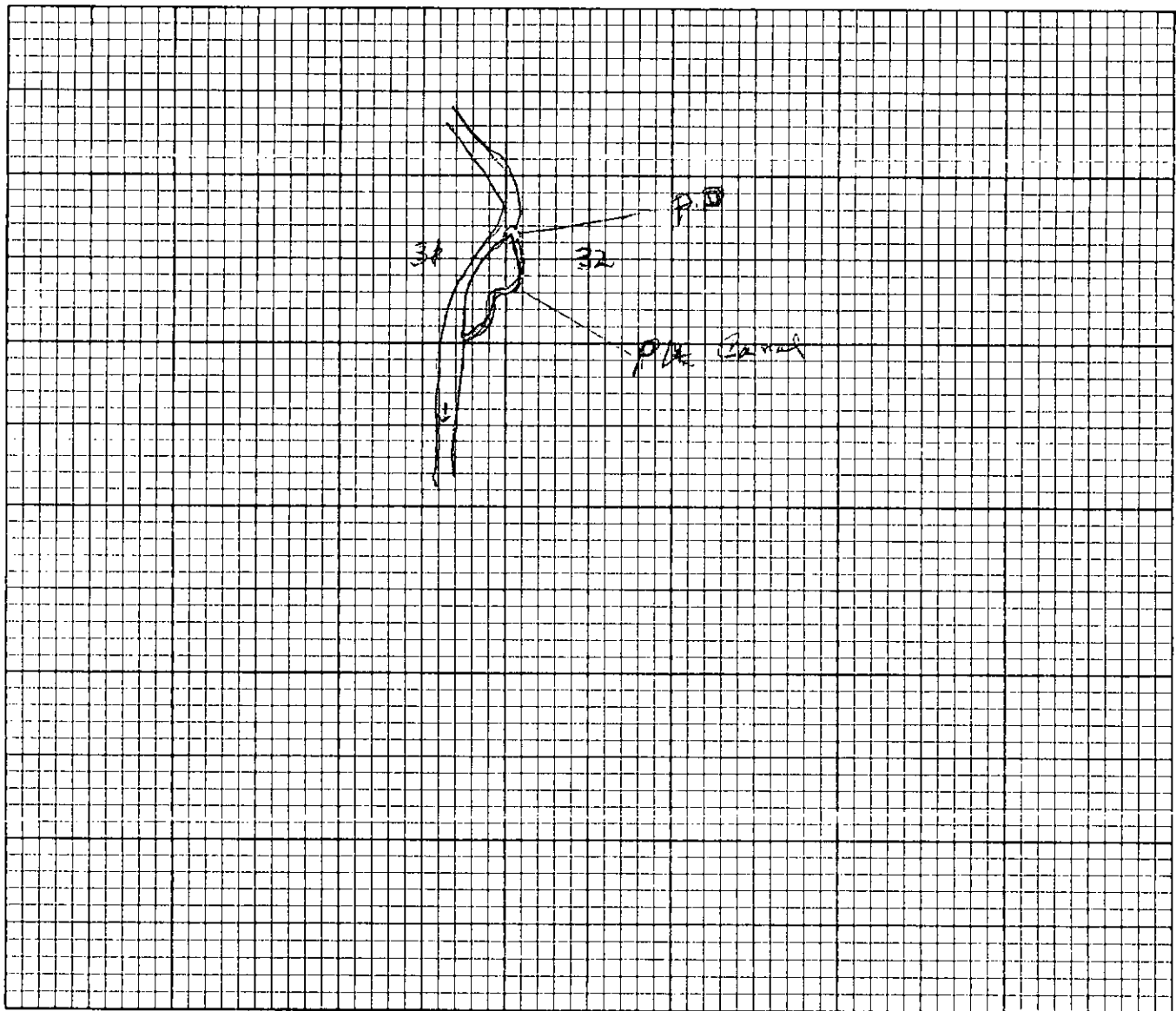
[illegible]

- | 9. | Place(s) of Use: | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination |
|----|------------------|---|
| | | |

[illegible]

10. Other water rights on these lands None
11. Other water right diverted from same p.d. None

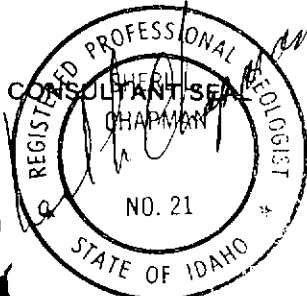
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

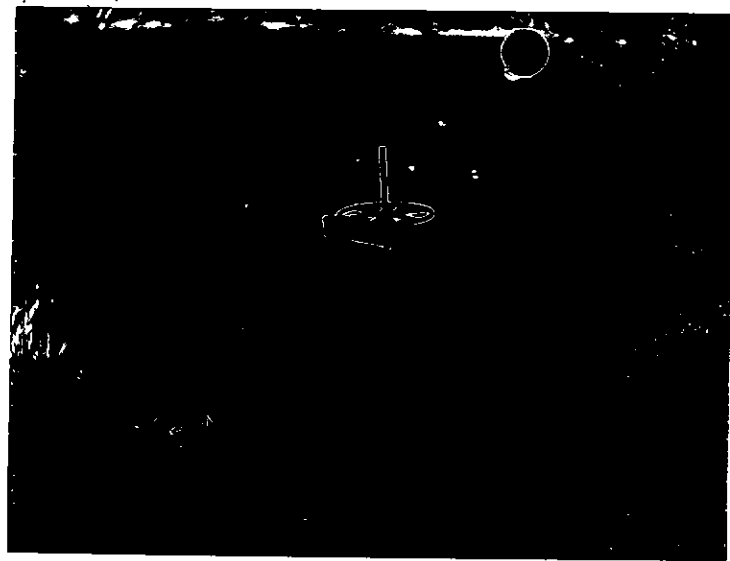


13. ☒ **Photo of Diversion & System Attached** ☒ **Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached**

14. **Remarks** Asthetic & Recreation Use only

15. **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 |
16. **Examiner's/Consultant's Signature** Sherry Chapman **Date** 6/20/86
- Consultant's License Number** 21
- IDWR Director's Authorization to Conduct Beneficial Use Examination** 6/5/86 **Date**



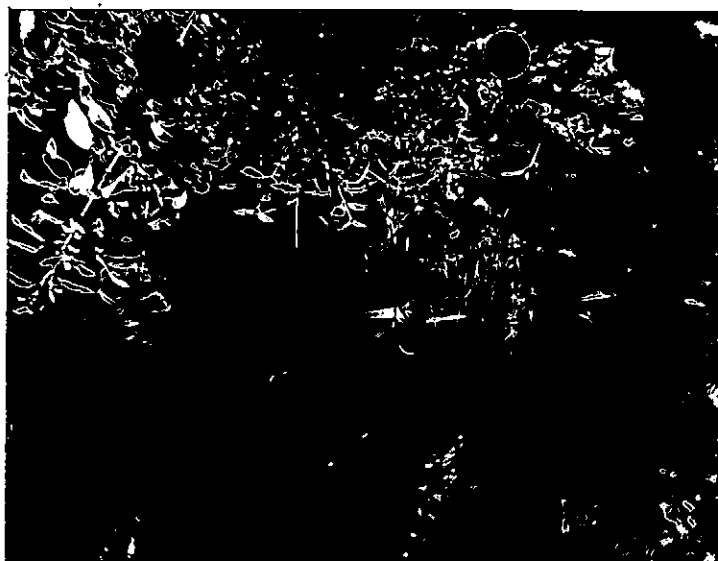


36" ~~in~~ 25' cut long
Green Bank

Weir 40' Below End of Pore

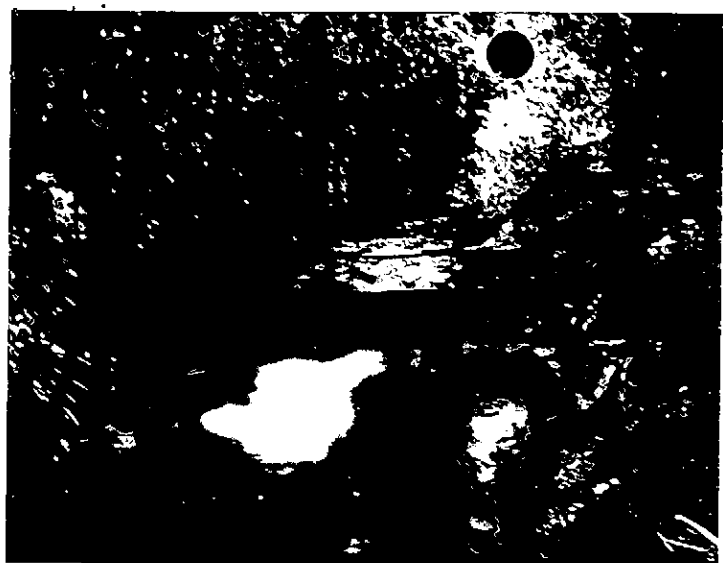
POLACOLOR

L512741E



Looking
up stream

POLACOLOR LS12741E



Looking
Downstream

POLACOLOR

L512741E



NWN

SESE

RD

SESE

NWSW

SESE

UNCLASSIFIED

NOT TO SCALE

Permit # 37-7836

Station Number Gimlet 9 diversion

Date 6-18, 1986 Party R. L. Newby

Width Area Vel. G.H. Disch.

Method No. secs. G. H. change in hrs. Susp. Red

Method coef. Hor. angle coef. Susp. coef. Meter No. 6059

[illegible]

Date rated 7-85 Used rating

for rod susp. Meter ft.

above bottom of wt.

Wading, cable, ice, boat, upstr., downstr.,

side bridge 30 feet, mile, above,

below gage, Weir

Measurement rated excellent (2%) good (5%), fair (8%), poor (over 8%), based on

following conditions: Cross section Cables & Mud

Flow Steady - Weather clear - cool

Other _____ Air _____ °F @ _____

Gage None Water °F @

Record removed None Intake flushed None

Control Weir Clean

Remarks Owner - Gimlet Property Inc

9. Wally Wright -

Permit No. 37-9836

G. H. of zero flow ft.

RECORDED

ANGLE CO-EFFICIENT	DIST. FROM INITIAL POINT	WIDTH	DEPTH	REVOLUTIONS	TIME IN SECONDS	VELOCITY		ADJUSTED FOR HOR. ANGLE OR	AREA	DISCHARGE
						AT POINT	MEAN IN VERTICAL			
	L.B	11:25 Am								
	1.00	.50	0				0		0	0
	2.00	1.00	.80				.40		.80	.32
	3.00	1.0	1.35				.90		1.35	1.21
	4.00	1.0	1.70				1.10		1.70	1.87
	5.00	1.0	1.60				1.05		1.60	1.68
	6.00	1.0	1.55				1.30		1.55	2.02
	7.00	1.0	1.50				1.30		1.50	1.95
	8.00	1.0	1.40				1.00		1.40	1.40
	9.00	1.0	1.15				.70		1.15	.80
	10.00	1.0	1.05				.40		1.05	.42
	11.00	.5	0				0		0	0
										11.67
										1.00
	• R.S	11:45 Am								
	11:40 Am	6' Cipollatt. Weir	7 3/4" Head	=	11.48 cfs					
	12:00 Noon	6" Cipollatt Weir	7 3/4" Head	=	11.48 cfs					

Gimlet # 9

L.B. = 12:5 pm

6-18-46

1.00 .50 0

0

0

0

2.00 1.00 .80

.40

.80

.32

3.00 1.0 1.35

.90

1.35

1.21

4.00 1.0 1.70

1.00

1.70

1.70

5.00 1.0 1.60

1.10

1.60

1.76

6.00 1.0 1.60

1.30

1.60

2.08

7.00 1.0 1.60

1.25

1.60

2.00

8.00 1.0 1.50

1.00

1.50

1.50

9.00 1.0 1.20

.65

1.20

.78

10.00 1.0 1.15

.30

1.15

.34

11.00 .50 0

0

0

0

R.B. 12:20 pm

11.69 cfs

12:25 pm

7 3/4"

Head on 6" inlet =

11.48 cfs.

STANDARD ELECTRIC

4/86

RECEIVED

JUL 6 1986

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Sent to S.O. _____

Department of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

1. Permit No. 37-7836

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Gimlet Property Owners Association Inc.

3. Post Office Address: P.O. Box 485 Sun Valley, Idaho 83353
Telephone No. 726-3276

4. Source of Water: Big Wood River

5. Extent of Use:
Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
Irrigation _____ (acres) Other/Remark Aesthetic & Recreation

6. Total rate &/or volume for which proof is submitted 10.00 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:
June 4, 1980

8. Person to contact to accompany the department representative during the field examination:

(Name)

(Address) (Telephone Number)

☒ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

June 19, 1986
Date

X Walter Wright
Signature of Permit Holder (and title, if appropriate)

RECEIVED

Sherd L. Chapman

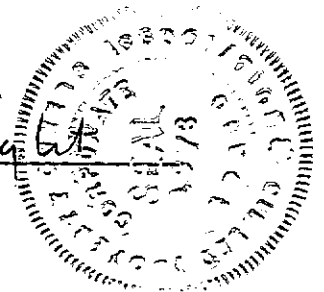
CONSULTANT

410 S. ORCHARD / SUITE 144 / BOISE, IDAHO 83705 / PHONE 344-6690

I Gimlet Property Owners Association Inc. By _____, holder of water right permit number 37-7836, do hereby certify that I have retained the firm of Chapman Consulting, 410 S. Orchard, Suite 144, Boise, Idaho 83705, to conduct the water right examination required by law for licensing of my water right permit.

Signed this 19 day of JUNE, 1986.

Walter Wright





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

Mailing address:

Statehouse

Boise, Idaho 83720

A. KENNETH DUNN

Director

37-7836

GIMLET PROPERTY OWNERS ASSOCIATION

P.O. BOX 985

SUN VALLEY, ID 83353

138735

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

MICROFILMED

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely, ,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECEIVED
JAN 10 1980



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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

FEBRUARY 11, 1986

GIMLET PROPERTY OWNERS ASSOCIATION, INC.
BOX 485
SUN VALLEY ID 83353

RE: Permit No. 37-7836

Dear Permit Holder:

We acknowledge receipt of your statement 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.

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

RECEIVED
FEB 12 1986
SUN VALLEY, IDAHO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
JUL 23 1985

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 37-7836

Name(s) of Permit Holder: GIMLET PROPERTY OWNERS ASSOC. INC.

Post Office Address: BOX 485 SUN VALLEY 83353

Telephone No. 726 3276

Source of Water: Box Wood

Extent of Use:

Domestic TEN (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: 08-80

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

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

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

W. WRIGHT OR J. WRIGHT
(Name)

GIMLET

(Address)

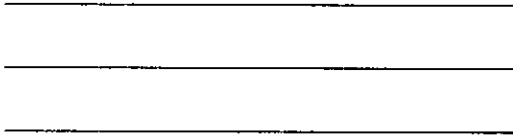
726 3276
(Telephone Number)

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

082285
Date

W. Wright PRES. GPOA
Signature of Permit Holder (and Title, if appropriate)

MICROFILMED



Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138022

GIMLET PROPERTY OWNERS ASSOCIATION INC.
P.O. BOX 985
SUN VALLEY, ID 83353

PROOF DUE NOTICE

MAY 31, 1985

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 37-7836 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A FORM 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 FORM 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

MICROFILMED

WATER RIGHT NUMBER 37-7836

VERIFIED DI

2-20-85

OWNER LAST NAME - GIMLET PROPERTY OWNERS ASSOCIATION INC. FIRST NAME - ORIG OWNER -
ADDRESS LINE 1 - P.O. BOX 985 ✓ ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - SUN VALLEY ✓ STATE - ID ZIP CODE - 83353 ✓
SOURCE - BIG WOOD RIVER ✓ TRIBUTARY OF - SNAKE RIVER ✓
STAGE - PERMIT ✓ STATUS - PRIORITY - 06-04-1980 ✓ COUNTY - BLAINE ✓ TOTAL DIV. RATE - 10.0000 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - 37 DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SWNW 32 04N 18E LOT REDIV - 272.0 386.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 93.5
FROM - 01-01 TO - 12-31 ✓ USE - RECREATION ✓ USE DIV. RATE - 10.0000 ✓ CFS USE DIV. VOLUME - .00 AFA
FROM - 01-01 TO - 12-31 ✓ USE - AESTHETICS ✓ USE DIV. RATE - .0000 CFS USE DIV. VOLUME - .00 AFA
USE - RECREATION ✓ PLACE OF USE - TWN 04N RNG 18E SEC 31 TRACT SESE LOT AC
USE - RECREATION ✓ PLACE OF USE - TWN 04N RNG 18E SEC 32 TRACT SWNW LOT AC TRACT NWSW LOT AC
DECREE NAME - DATE - 04 TOTAL ACRES 0
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - 08-01-1985 ✓ PERMIT/DENIED - 08-13-1980 ✓ PROTESTED -
PROOF MADE - FLD EXAM - COND. OF APPROVAL - 01 04 05 17
DIVERSION MEANS - STEEL HEADGATE & CIPPOLLETTI WEIR.

HEARING -

OLD NO. -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

GIMLET PROPERTY OWNERS ASSOCIATION INC.
P.O. BOX 985
SUN VALLEY, ID 83353

AUGUST 28, 1980

RE: PERMIT NO. 37-7836

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 AND MAINTAIN A MEASURING DEVICE AT YOUR POINT OF DIVERSION. WE HAVE ENCLOSED A DESCRIPTION OF THE DIFFERENT TYPES OF MEASURING DEVICES ACCEPTED BY THIS OFFICE.

PLEASE BE ADVISED THAT THERE IS INSUFFICIENT NATURAL FLOW AVAILABLE IN THE BIG WOOD RIVER AND TRIBUTARIES TO PROVIDE WATER FOR A NEW APPROPRIATION THROUGHOUT THE ENTIRE SEASON OF USE. DURING THE SPRING RUN-OFF EACH YEAR, THERE MAY BE A PERIOD OF TIME IN WHICH THE PRIOR RIGHTS TO THE USE OF THE NATURAL FLOW AND STORAGE ARE FILLED LEAVING WATER AVAILABLE FOR YOUR PERMIT. AS THE NATURAL FLOW DIMINISHES, HOWEVER, THERE MAY BE NO WATER AVAILABLE FOR YOUR RIGHT UNLESS YOU ARRANGE FOR AN ADDITIONAL SOURCE OF WATER AS A SUPPLEMENTAL SUPPLY.

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

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

37-7836

INITIAL REVIEW BY: TG. Blau

APPLICATION NUMBER: GIMLET PROPERTY OWNERS Association, Inc.

CHECK:

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

Field check by: TGB
Date: 6-20-80
Comments: Headgate is in place
There is sufficient flow in
River for yield. Right diversion
Applicant should be able to
demonstrate no or negligible loss.
Water should not be turned into
diversion for the first time during
the irrigation season

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☒ Other Reed Newby maria 6/23/80

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. X-24
☒ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. _____
Final date for protests: 7-21-80 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7/21/80 ✓
☒ 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
✓ 6-4-80 Date of priority recommended.
Special conditions of approval or cover letter. 05, 06, 17

By: Loren D. Halmer Date: 7-21-80

STATE OFFICE REVIEW:

- 04 17 01
LO4W/ B.D. cond
05 (37 Bg Wood R)
☐ See attached sheet for more information.
By: Robyn Jim Date: 7/28/80

RECEIVED

JUN 26 1980

Department of Water
Southern District Office

APPLICATION FOR PERMIT TO A WATER RIGHT

NO. 37-7836

RECOMMENDATION OF WATERMASTER

RECEIVED

Depart.

Southern District Office

I, Reid J. Newby, watermaster of Big Wood River,
of Water District No. #37, County of Blaine, State of Idaho,
whose address is Box T Shoshone, Idaho 83352
have read the attached copy of the application for permit for Gimlet Peoples
Properties Associated, Inc.; and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Permit and re-
commend that the Director of the Department of Water Resources approve the
Application subject to the following reasons: Subject to putting
in a measuring device and control gate. This water can only
be diverted from the river without any man-made check dams.

Per
telecon
by Reid Newby
8/11/80 Jim

OR

B. I do not endorse approval of the above numbered Application for
Permit as requested for the following reasons: _____

Dated at Shoshone, Idaho, this 24 day of June, 19 80

Reid J. Newby
(signature) Watermaster

Please use reverse side if needed.

APPROVED

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:

32-2836-

GIMLET PROPERTY OWNERS ASSOCIATION INC.

P.O. BOX 985, SUN VALLEY, ID 83353

Source: BIG WOOD RIVER tributary to SNAKE RIVER

Date Filed: 06/04/1980

Amount: 10.00 CFS

Diversion Point: SWNW Sec 32 T 04N R 18E, BLAINE Co.

Use: RECREATION (10.00 CFS) from 01/01 to 12/31

Place of Use: NWSW Sec 32 T 04N R 18E NWSW SESE Sec 31 T 04N R 18E

Diversion Means: STEEL HEADGATE & CIPPOLLETTI WEIR.

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 JULY 21, 1980.

C. STEPHEN ALLRED

Director

Published 7/03 & 7/10.

RECEIVED
JUL 11 1980
IDAHO DEPT. OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JUNE 25, 1980

Wood River Journal
P.O. Box 988
Hailer 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 JULY 21, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

JUN 25 1980



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

June 23, 1980

Mr. Reid Newby
Watermaster District 37
Box T
Shoshone, Idaho 83352

Re: Application for Permit No. 37-7836

Dear Mr. Newby:

Enclosed is a copy of the above referenced application. Please review it and submit any comments you may have.

If you have questions concerning this application, please contact this office.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

ENCLOSURE