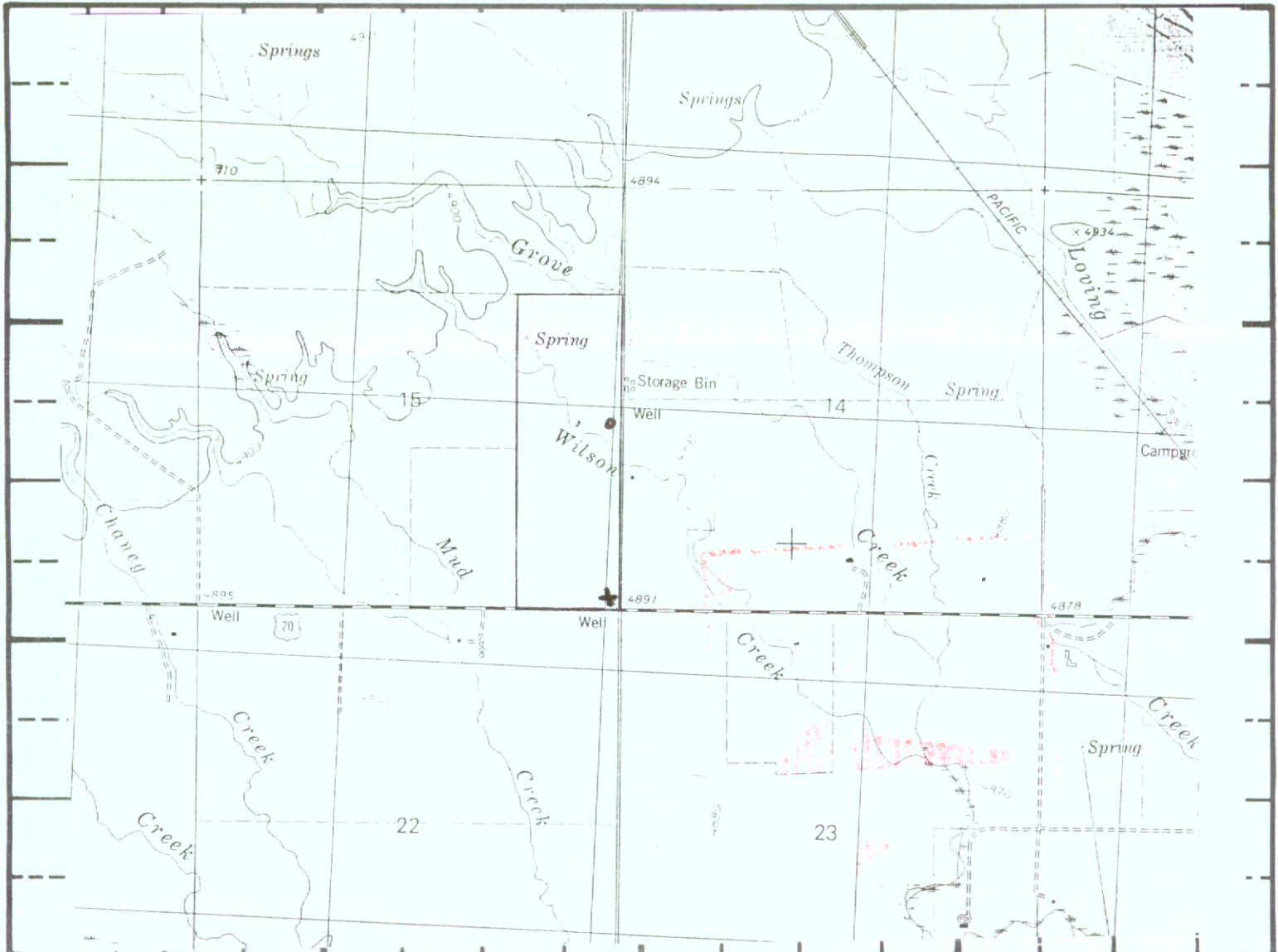


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

* Signed at BELLVUE, this 2 day of MAY, 1990.

* S. Martin Okeefe
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by AD Fee = \$20.00 ✓

Received by JS Date 5-10-90 SO/2287

Publication prepared by MB Date 6/2/90

Published in Wood River Journal

Publication dates 6/20 + 6/27/90

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby

approved the above referenced application for amendment provided the conditions as set forth in permit NO. 37-07812 are met.

SEP 12 1990

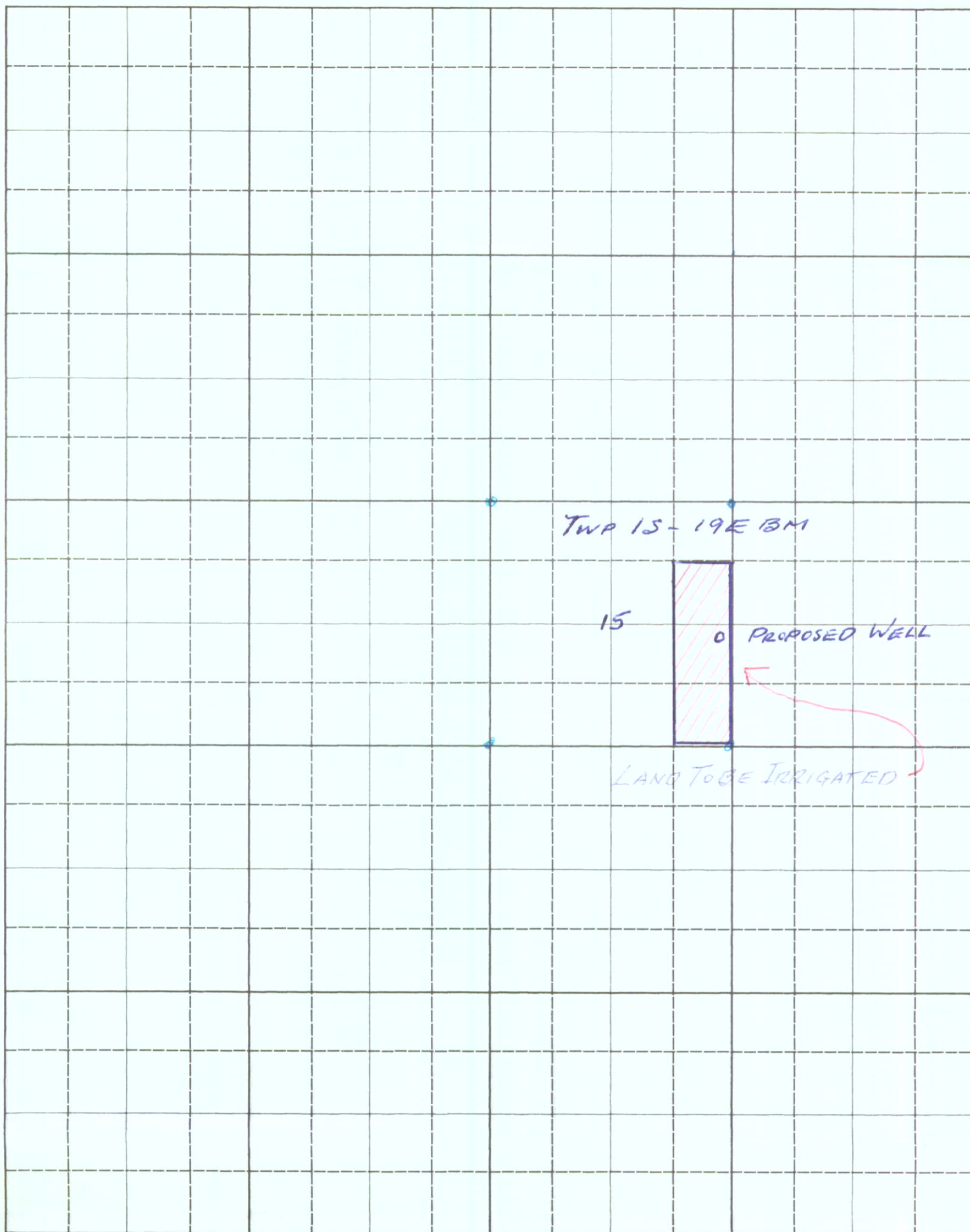
Witness my hand this

16th day of

August, 1990

L. Glen Saxton
Chief, Water Alloc. Bureau

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.

Kenneth L. Kelly
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 21 1994

Department of Water Resources

A. GENERAL INFORMATION

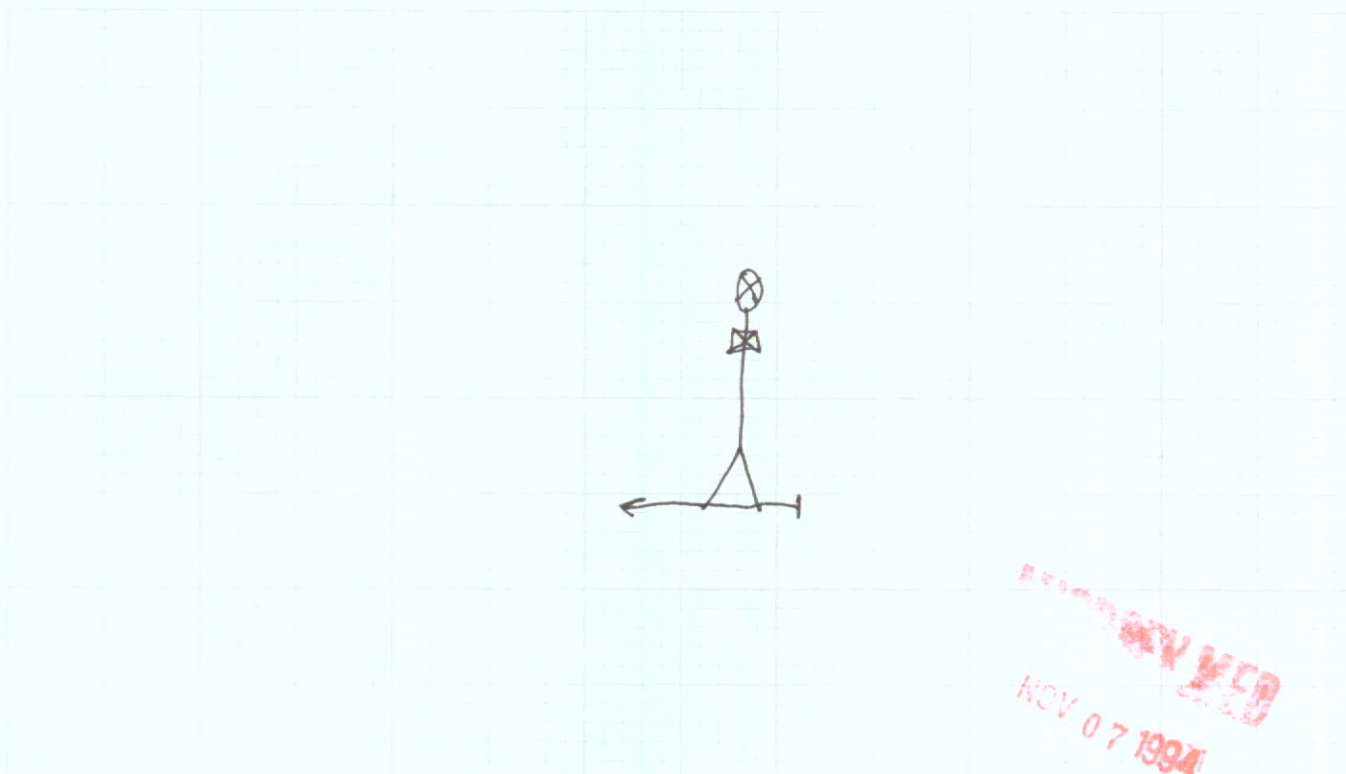
1. Owner: Martin Akeyson Permit No. 37-7812
Current Address: #10 Bayberry Place, Hillsborough, CA Phone No. 94010
2. Accompanied by: Rocky Sherbine EXAM. DATE: 10-7-91
Address: 149 1/2 Baseline Road, Bellevue, ID 83313 Phone No. 788-4846
Relationship to Permit Holder: Farm Lessee/operator
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
_____ ☐ 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



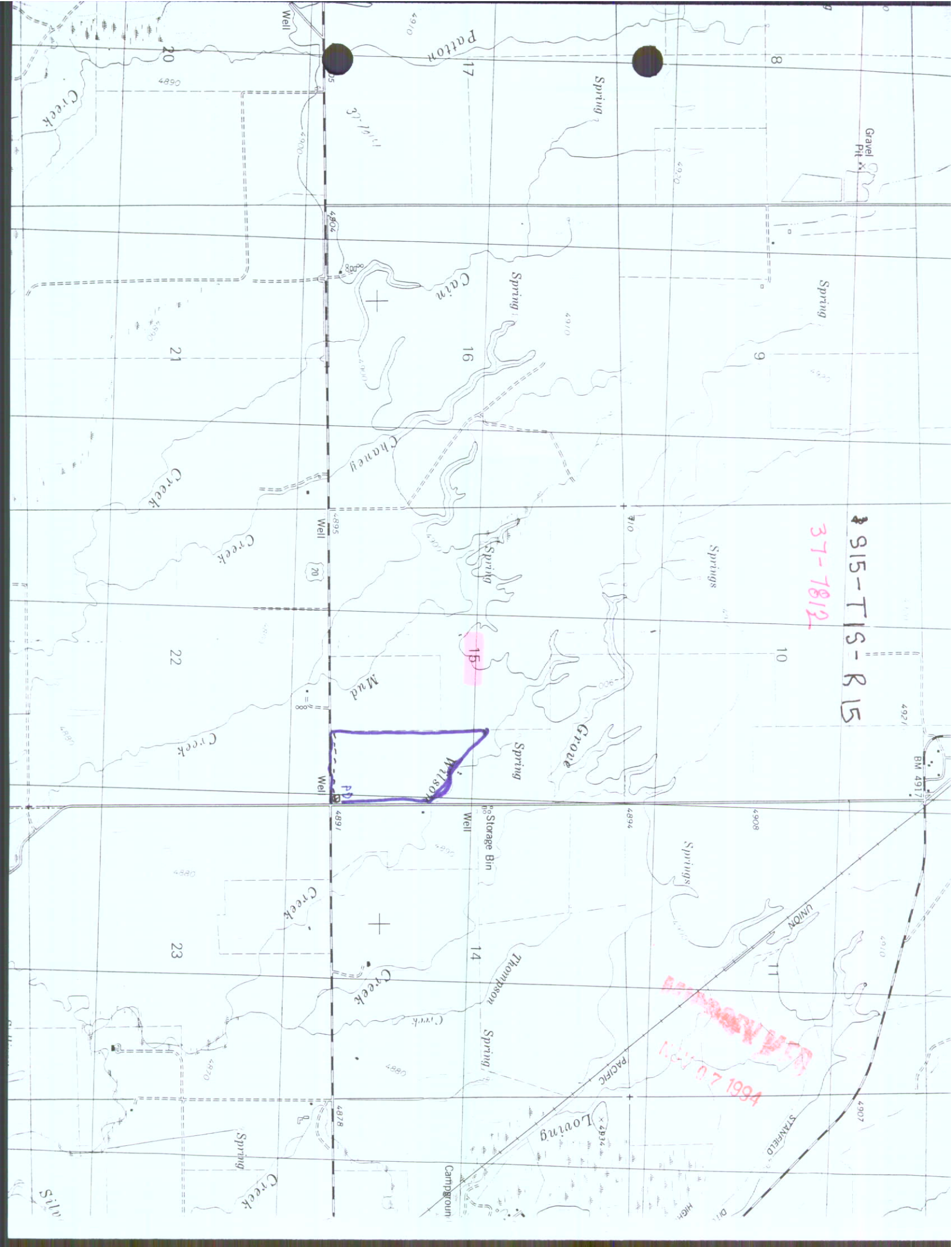
Scale: 1" = _____

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

915-TIS-R15

37-7812

RECEIVED
JUN 20 1994



5
30.1

9/10
16/15

T117

73.1

3
42.9

10/5

2
77.1

3
56.8

4
17.5

P

5
9.1

T120

2
31.3

3
35.4

2
24.1

8
29.6

B

+

T107

1
72.6

T109

1
92.6

2

82.0

3
9.3

T108

1
28.5



16/15

T110

2

38.9

87.4

22

T122

28.9

1

65.2

54.5

63x115m

5
32.6

6
60.4

NOV 07 1994

RECEIVED
NOV 6 7 1994

PD

37-7812



North Well



Dry Pasture

BIOLOGY MUSEUM
NOV 07 1994

37-7812



P/D & P/U
South Well

P/U

NOV 07 1994

AFFIDAVIT of PUBLICATION

RECEIVED

JUL 6 1990

Department of Water Resources
Southern Region Office

State of Idaho, }
County of Blaine } ss.

DANIEL J. GORHAM

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

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

publication of said advertisement was on the 20th day of June, 1990, and

the date of the last publication was on the 27th day of June, 1990.

Daniel J. Gorham

Subscribed and sworn to before me this 27th day of June, 1990.
(SEAL)

Roberta McKee

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 40.5
Number of Insertions 2
Lines tabular at _____ 6c / Pica
40.5 Lines straight at 22.28 5c / Pica
40.5 Subsequent lines at 17.82 4c / Pica
TOTAL COST 40.10

COPY OF NOTICE
(Paste Here)

Amendment #37-07812 (Akeyson)
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res. TF
BILL TO

Akeyson seeks amended permit

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 37-07812

Notice is hereby given that Martin Akeyson of Hillsborough, CA is the holder of Approved Permit No. 37-07812 authorizing the diversion of 2.0 cubic feet per second of water from groundwater in the NE1/4SE1/4, S15, T1S, R19E, County of Blaine, to be used for irrigation on 120 acres within SE1/4NE1/4, E1/2SE1/4, S15, T1S, R19E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to add a Point of Diversion as follows:

Amount: No change

Period of Use: No change

Point of Diversion: SE1/4SE1/4, S15, T1S, R19E; NE1/4SE1/4, S15, T1S, R19E; Blaine County.

Place of Use: No change

Any protest against approval of the amending of Permit No. 37-07812 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301, on or before July 9, 1990.

R. Keith Higginson, Director
Publish: Wood River Journal-
June 20 & 27, 1990.

MICROFILMED

SEP 12 1990

Publication Rates
As of Jan., 1990
(Idaho Code,
Rev. Statutes 1984)
7-8 pt. / line straight: .5 / pica
7-8 pt. / line tabular: .6 / pica
7-8 pt. / line successive
insertion: .4 / pica

No 7082

Beebe seeks water right permit

NOTICE OF EXISTING WATER RIGHT PERMIT

PERMIT NO. 37-7812

Presently Recorded as Follows:

Name: GORDON &
LOUISE BEEBE &
GORDAN S.

& SANDRA BEEBE
Address: 1918 MONTCLAIR DR.
BOISE ID 83702

Source: GROUNDWATER
Diversion Pt.: NESE SEC. 15 T1S

R19E, BLAINE COUNTY
Use: IRRIGATION (2.0 CFS)

Priority: 12/5/1979

Place of Use: SENE, E1/2SE SEC.
15 T1S R19E

Total Acres: 120

This permit was not developed by
July 1, 1985, and is being
reprocessed in compliance with
Section 42-203D, Idaho Code.

Protests against the continuance
of the permit must be filed with
the Director, Dept. of Water
Resources, Statehouse Mail,
Boise, ID 83720, on or before
June 26, 1989. A protest must
overcome the presumption of
Water Appropriation Rule 5,2,1.

R. Keith Higginson, Director

Publish: Wood River Journal-
June 7 & 14, 1989.

05/11/1989

261 1 2 1989

**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:

37-7812

Hellyer, Kenneth F.

P.O. Box 37, Port Ludlow, Wa., 98365

Source: Groundwater

Date Filed: 12/05/1979

Amount: 2.00 cfs

Diversion Point: NESE Sec 15 T 01S R 19E, Blaine Co.

Use: Irrigation--(2.00 cfs) from 04/01 to 10/15

Place of Use: SENE NESE SESE Sec 15 T 01S R 19E for 120 acres

Diversion Means: Well and 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 January 7, 1980.

C. Stephen Allred
Director

PUBLISH: Wood River Journal--
December 20, 27, 1979.

RECEIVED

RECEIVED



AUG 28 1996

NEW PROPERTY OWNER

AUG 22 1996

Department of Water Resources

Please print or type
(see instructions on back of page)Department of Water Resources
Southern Region

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____ 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: _____
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Joan Akeyson, Trustee
- ☐ New Owner/Claimant (Purchaser): Richard Springs, III
- ☐ New Mailing Address: 121 PUNKIN CENTER RD.
888 Succor Creek Road
GANNETT ID
Adrian, Oregon 97901 83313
- ☐ New Telephone Number: () _____
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) [Signature] Date 8/15/96
- ☐ Signature of Former Owner/Claimant(s) [Signature] Date 9/12/96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

JAN 07 1998

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

MICROFILMED

JAN 07 1988

Order No. 22185

WARRANTY DEED

FOR VALUE RECEIVED

Joan Akeyson, Trustee of The Martin Akeyson and Joan Akeyson 1984 Family Trust

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Richard A. Springs, III, a single man

GRANTEE(s) whose address is: 888 Suecor Creek Road, Adrian, ID 87004

121 Punkin Center Rd.

Gannett, ID.
83313

the following described real property in Blaine County, Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subject To: Taxes, easements, restrictions and encumbrances of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: August 12, 1996

Joan Akeyson, Trustee

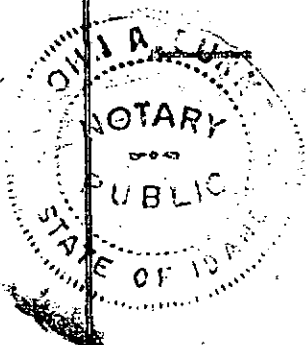
State of Idaho

County of Blaine

On this 12th day of August in the year 96 before me, the undersigned, personally appeared Joan Akeyson, known or identified to me to be the person(s) whose name is subscribed to the within instrument as trustee(s) of The Martin Akeyson and Joan Akeyson 1984 Family Trust, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal.

John A. Burke
Notary Public
Residing at Ketchikan, Idaho
Commission Expires:



BLAINE CO. REQUEST
SAWTOOTH TITLE
AUG 16 A 9:48
393351
MARY GREEN, CLERK
8-16-96
6.00
Deed

MICROFILMED

JAN 07 1998

EXHIBIT "A"

TOWNSHIP 1 SOUTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 15: A parcel of land located within the SE1/4 NE1/4 and the E1/2 SE1/4, more particularly described as follows:

COMMENCING at the east one-quarter corner of said Section 15, from which the southeast corner of said Section 15 bears S. 0° 17' 57" E., 2,654.73 feet, which point is the REAL POINT OF BEGINNING; thence

S. 0° 17' 57" E., 2,566.51 feet along the east boundary of said Section 15 to a 5/8" rebar on the north boundary of Idaho State Highway No. 20; thence

S. 89° 49' 34" W., 1,320.24 feet along the north boundary of said Highway No. 20 to a 5/8" rebar on the west boundary of said E1/2 SE1/4, Section 15; thence

N. 0° 24' 04" W., 2,564.55 feet along the west boundary of said E1/2 SE1/4, Section 15 to a 5/8" rebar marking the northwest corner of said E1/2 SE1/4, Section 15; thence

N. 0° 27' 35" W., 1,326.48 feet along the west boundary of said SE1/4 NE1/4, Section 15 to a 5/8" rebar marking the northwest corner of said SE1/4 NE1/4, Section 15; thence

N. 89° 44' 24" E., 1,325.80 feet along the north boundary of said SE1/4 NE1/4, Section 15 to a 5/8" rebar marking the northeast corner of said SE1/4 NE1/4, Section 15; thence

S. 0° 24' 58" E., 1,326.49 feet along the east boundary of said Section 15 to the TRUE POINT OF BEGINNING.

**MICROFILMED
JAN 07 1998**

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07812

Priority: January 1, 1980

Maximum Diversion Rate: 1.26 CFS
Maximum Diversion Volume: 220.5 AF

This is to certify, that MARTIN AKEYSON
AKEYSON 1984 FAMILY TRUST
JOAN AKEYSON

10 BAYBERRY PLACE
HILLSBOROUGH CA 94010

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 5, 1979; and has submitted Proof of Beneficial Use on November 9, 1990. An examination indicates that the works have a diversion capacity of 1.680 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	1.26 CFS	220.5 AF

LOCATION OF POINT(S) OF DIVERSION: SESE, Sec. 15, Township 01S, Range 19E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	19E	15	NESE 24	SESE 39		63

Total number of acres irrigated: 63

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 that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.

NOV 07 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

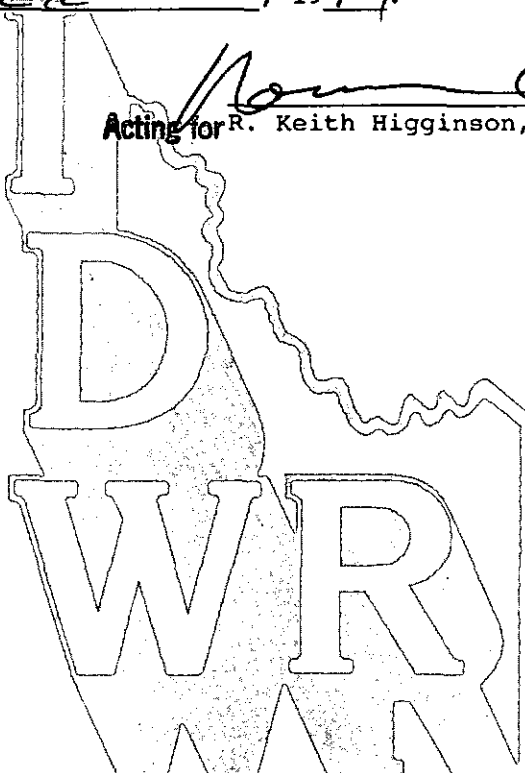
WATER RIGHT NO. 37-07812

CONDITIONS/REMARKS:

8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

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 26TH day of OCTOBER, 1994.

Acting for R. Keith Higginson, Director



NOV 07 1994

RECEIVED

NOV 9 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Department of Water Resources

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

Permit No. 37-781Z Telephone No. (415) 348-2529
Name(s) of Permit Holder(s): S. MARTIN AKEYSON + JOAN AKEYSON

Post Office Address: 10 BAYBERRY PL HILLSBOROUGH CA 94010

Source of Water: GROUNDWATER

If ground water, well driller's name: JIM SCOTT Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) ☒ Irrigation 120 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 2.0 cfs 200 acre/feet

Show date water was first diverted and beneficially used under this permit: June, 1990

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

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

Fee Enclosed: \$ 125.00 (See License Examination Fee Schedule)

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

S. MARTIN AKEYSON (415) 348-2529
Name Telephone No.
10 BAYBERRY PL HILLSBOROUGH CA 94010
Address

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

MICROFILMED

DEC 11 1990

10/10/90
Date

S. Martin Akeyson
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO

RECEIVED

APPROVED

RECEIVED

MAY 3 1990

To change the point of diversion and/or the place of use.

MAY 15 1990

Department of Water Resources
Southern Region Office

Department of Water Resources
Southern Region Office

Comes now Martin A Keyson

Phone

of (address) 10 Bayberry Place, Hillsborough, CA 94010, 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. 37-7812, and requests that the permit and permit map be changed as follows:

- *1. Point of diversion: ^(New) SE 1/4 SE 1/4, Section 15, Township 1S, Range 19E, B.M.,
County of Blaine. Other points of diversion: ^(Old) NE SE 15 T1S R19E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 2.00 for Irrigation purposes from 4/1 to 10/15 (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)

3. Place of use or land to be irrigated: No change

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	
1S	19E	15				40									40			40	120
		15																	

Total number of acres to be irrigated = 120

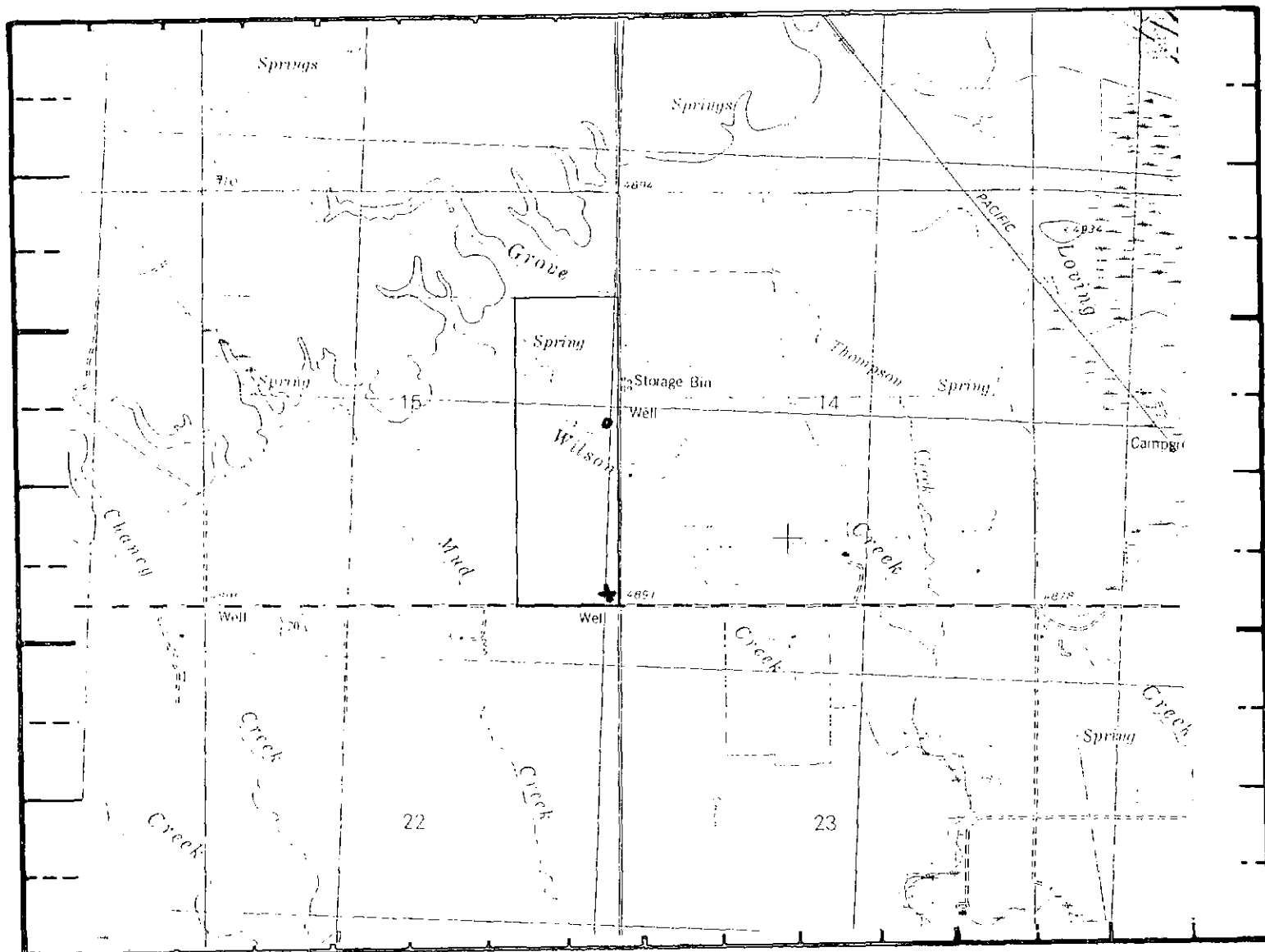
4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the place of use? "
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

MICROFILMED

SEP 12 1990

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at BEAVER, this 2 day of MAY, 1990.

S. Martin Okeefe
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by AS Fee - \$20.00 ☒

Received by JS Date 5-10-90 50/2887

Publication prepared by MB Date 6/7/90

Published in Wood River Journal

Publication dates 6/20 + 6/27/90

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby approved the above referenced application for amendment provided the conditions as set forth in permit NO. 37-07812 are met.

MICROFILMED

SEP 12 1990

Witness my hand this

16th day of

August, 1990

L. Glen Saxton
Chief, Water Alloc. Bureau

RECEIVED

FEB 5 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

For Office Use Only
\$15 FEE Received by J. Danner
Date 2/5/90
Receipt # 2014429

Department of Water Resources

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

Permit No. 37-07812

Name(s) of Permit Holder: MARTIN & JOAN AKEYSON

Post Office Address: 10 BAYBERRY PL

HILLSBOROUGH, CA 94010 Telephone No. (415) 348-2529

Date Proof is Due: JAN 1 1990

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

WELL HAS BEEN DRILLED, HAVE NOT BEEN
ABLE TO COMPLETE TESTING OR INSTALL
PUMP

Costing \$ 3893⁹⁰

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

DUE TO WEATHER CONDITIONS WE HAVE
NOT BEEN ABLE TO COMPLETE THIS WELL

Permit holder(s) request an extension to JAN 1, 19 91. Stuart Akeyson
(1 yr. minimum) (Signature)*

FEE: \$15.00

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to January 1, 1991.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to January 1, 1980, pursuant to Section 42-218a, Idaho Code.

Signed this 19th day of March, 19 90.

J. Glen Saxton
Chief, Water Allocation Bureau

MICROFILMED

SEP 12 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT
NO. 37-7812, IN THE NAME
OF MARTIN & JOAN AKEYSON,

CONTINUATION ORDER

This matter having come before the Idaho Department of Water Resources (IDWR) as a requirement of Section 42-203D, Idaho Code, the Department Finds, Concludes and Orders as follows:

FINDINGS OF FACT

1. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, located within the Swan Falls Trust Water Area, to determine if water was beneficially used prior to said date.

2. If water was not beneficially used until after July 1, 1985, Section 42-203D further directs IDWR to review the permit under the provisions of Section 42-203C, Idaho Code.

3. Section 42-203C requires IDWR to determine whether diversion of water under a permit issued prior to July 1, 1985, causes a significant reduction of trust water available for power production and, if there is a significant reduction, to determine whether the reduction is in the public interest.

4. Permit No. 37-7812 (permit) was issued to Martin & Joan Akeyson (permit holder) authorizing the diversion of 2.0 cfs of groundwater for irrigation of 120 acres.

5. Information submitted by the permit holder shows that the irrigation of the 120 acres authorized under this permit did not occur prior to July 1, 1985.

SEP 19 1989

6. The development and use of groundwater authorized under this permit does not cause a significant reduction of trust water.

CONCLUSIONS OF LAW

1. The water authorized for diversion under Permit No. 37-7812 is trust water.

2. The use of water under the permit satisfies the provisions of Sections 42-203C and 42-203D, Idaho Code.

3. An order continuing the permit shall be issued.

ORDER

IT IS HEREBY ORDERED that Permit No. 37-7812 is valid and may CONTINUE as provided in Section 42-203D, Idaho Code, subject to the following additional conditions and limitations:

1. Proof of construction of works and application of water to beneficial use shall be submitted to IDWR on or before January 1, 1990.

2. The use of trust water authorized by this right is subject to review 20 years after the date of this order to determine availability of trust water and to reevaluate the public interest.

3. Diversion and use of trust water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

4. The Director retains jurisdiction of this right to change, add or remove any requirement as determined to be appropriate.

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SEP 19 1989

5. All conditions of approval contained on the permit are incorporated into and made part of this order.

Dated this 31st day of August, 1989.

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

SEP 19 1989

DECEMBER

State of Idaho

JUN 16 1989

Department of Water Resources

ASSIGNMENT OF PERMIT

Department of Water Resources

I, GORDON S BEEBE & SANDRA Y BEEBE, hereby assign to MARTIN AKEYSON & JOAN AKEYSON
of 10 BAYBERRY PL HILLSBOROUGH CA 94010
Address

All my right, title, and interest in and to Permit No. 37-7812
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. 37-7812 to appropriate the public waters of the
State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

LOCATION OF POINT OF DIVERSION IS NE 1/4 OF S.E 1/4 OF SECTION 15
TOWNSHIP 15 RANGE 19 E B.M. BLAINE COUNTY

PROPERTY IS 117.5 ACRES

WATER WILL BE USED FOR IRRIGATION, 2.00 CFS FROM APRIL 1
TO OCT 15 (BOTH DATES INCLUSIVE)

Made this 8 day of June, 1989.

Gordon S Beebe
Permit Holder

Sandra Y. Beebe
Spouse of Permit Holder

State of Idaho)
County of Ada) ss

On this 8th day of June, 1989, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Linda K. Gray

Notary Public residing at
Laurel, Idaho

MICROFILMED

My commission expires:
12/1/93

SEP 19 1989

For Office Use Only
Fee Received 12 4/5
Date 12-31-84
Receipt # 35938

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

DEC 31 1984

Department of Water Resources

Gordon S. Beebe

(Name)

of 1918 Montclair Dr. Boise

(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. 37-7812

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

JAN 1, 19 85

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

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

none Well Drilling Consultation

Costing \$ —

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

We have not performed the work because of the Swan Falls moratorium & litigation

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to Jan. 1, 19 90.
(1 yr. minimum, 5 yrs. maximum)

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

Gordon S. Beebe

(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 proof of beneficial use is extended to January 1, 1990. IT IS FURTHER
ORDERED the following condition be added: The Department reserves jurisdiction of
the permit for the purpose of adding any applicable conditions to protect the public
interest.

Signed this 2nd day of January, 19 85.

J. Glen Sayton
Chief, Operations Bureau

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RECEIVED

APR 14 1982

State of Idaho

ORIGINAL

Department of Water Resources
Southern District Office

Department of Water Resources

ASSIGNMENT OF PERMIT

OK to RC
5/4/82
Proced

I, K.F. & Marjorie P. Hellyer, hereby assign to Gordan & Louise Beebe and
Gordan S. and Sandra Y. Beebe
of P.O. Box 168 The Sea Ranch, California 95497
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 37-7812
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this _____ day of April, 19 82.

RECEIVED

APR 19 1982

Department of Water Resources

K.F. Hellyer
Permit Holder K.F. Hellyer

Marjorie P. Hellyer
Spouse of Permit Holder
Marjorie P. Hellyer

State of Idaho

County of Blaine) ss.

On this 9th day of April, 19 82, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

John A. Burke

Notary Public residing at

Hailey, Idaho

My commission expires:
5-14-85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Permit No. 37-7812
RECEIVED

APPROVED
DEC 5 1979
Department of Water
Southern District Office

1. Name of applicant KENNETH F. HELLYER Phone 206-437-2625
Post office address P.O. Box 37 - PORTLAND, WA 98365

2. Source of water supply WELL which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15 Township 15
Range 19E B.M. BLAINE County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.0 cfs for IRRIGATION purposes from APRIL 1 to OCT. 15 (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. 2.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. UNKNOWN AT THIS TIME

(Well and pump) gl 12-6-79

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 12 inches; proposed depth of well is UNKNOWN feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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: _____

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

[illegible]

Total number of acres to be irrigated 120

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

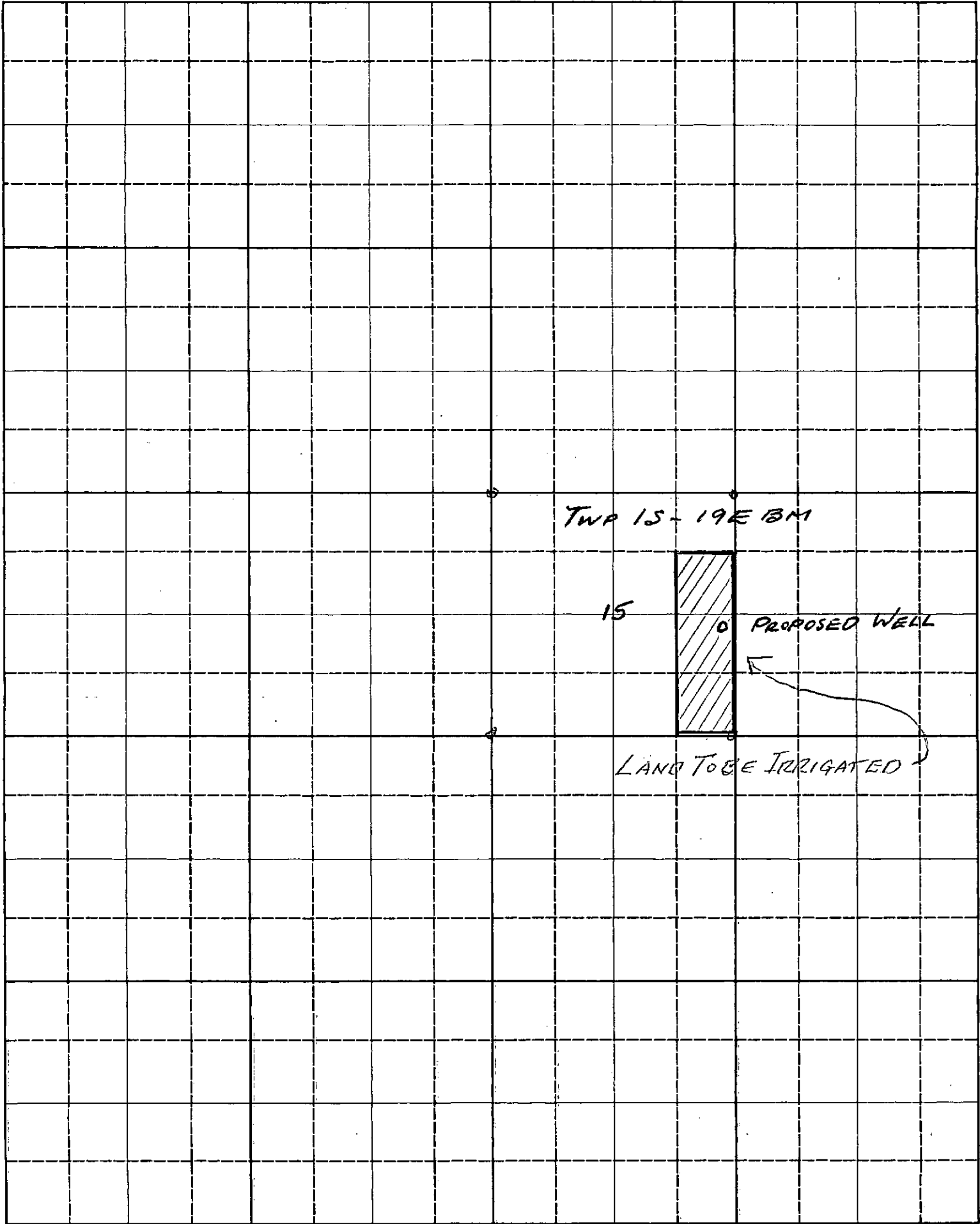
9. a. Who owns the property at the point of diversion APPLICANT - KENNETH F. HELLYER

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

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 _____

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.

Bennett J. Kelly
(Applicant)

12/5/79

Received by maga Date 12/5/79 Time 1:00 pm
Preliminary check by JA Fee \$ 45.00 ~~17009~~
Receipted by maga Date 12/5/79
Publication prepared by maga Date 12/7/79
Published in Wood River Journal
Publication dates 12/20 + 12/27/79
Publication approved maga Date 12/13/79
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by LA Jim

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. 37-7812 , 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 January 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) An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 22nd day of January , 19 80 .

L. Glen Saxton
DIRECTOR



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 6, 1998

Richard Springs III
121 Punkin Center Rd.
Gannett, Idaho
83313

RE: OWNERSHIP OF WATER RIGHT NO. 37-07812

Dear Mr. Springs

I have modified our computer records and filed the ownership change document in the above referenced permanent water right file to reflect the ownership change of the water right to you.

Please note water right owners are required to report any change in water right ownership and any change of mailing address to the department.

Failure to report these changes in a timely manner could result in a \$100 late filing fee.

You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208)327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:kl
Enclosure

MICROFILMED

JAN 07 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 28, 1994

MARTIN AKEYSON
AKEYSON 1984 FAMILY TRUST
JOAN AKEYSON
10 BAYBERRY PLACE
HILLSBOROUGH CA 94010

RE: WATER RIGHT NO. 37-07812

Dear Water Right Holder(s):

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

RECEIVED

NOV 07 1994

LICENSE REVIEW CHECKLIST

PERMIT NO. 377812 DATE 9-30-94



NAME	Yes ☐ No ☒	Or Address Change?
PRIORITY DATE	☒	Advance? ☒ Advanced to: <u>1-1-1980</u>
by EXT OF Time FORM		Order to reinstate needed? <u>DONE WITH EXTENSION</u>
		Incorrect fee for rate recommended? <u>NO</u> FORM
SOURCE	☒	Changes or just clarification of originally intended source? _____
		Notice of Intent to Void necessary? _____
POINT OF DIV	☒	Amendment needed? _____
	☒	Overlaps? _____
PLACE OF USE	☒	Amendment needed? <u>Delete SENE 1/4</u>
	☒	Overlaps? _____
DIV RATE	☒	Permit/fee limits: <u>2.0 CFS</u>
		Meas Q = _____ Theo Q = <u>1.68</u> Recommend: <u>1.26</u>
		<u>63 X .02 = 1.26</u>
		Combined rates exceed capacity _____
ANNUAL VOLUME	☒	Season of use: <u>B/3.5 (4-15 to 10-15) (new)</u>
		Calculations: <u>63 X 3.5 = 220.5</u>
		Flow limit: _____ cfs x _____ x 1.9835 = _____
		Combined volumes exceed capacity/allowable _____
USES	☒	Change in Nature of Use or additional uses? _____
		Amendment necessary? _____
REMARKS	☒	Multiple p/d(s) in 1/4 1/4? _____
	☒	Other _____
CONDITIONS	☒	Measuring/Locking Devices _____
	☒	Watermaster control - District _____
	<u>R30</u>	Irrigation Overlap _____
	☒	Water Quality _____
	☒	Other <u>TRUST COND</u> Heat/Cool/ Fish verified _____
COMMENTS:	<u>Reduce across a rate R-55/R56/R57</u>	

RECOMMENDED	CFS	VOL	SRBA Claim Filed	NO-N/A
<u>Irrigation</u>	<u>1.26</u>	<u>220.5</u>	Adjustment Memo Needed	<u>YES</u>
			<u>STANDARD</u>	
			LICENSE	☒
			1ST AMENDMENT LETTER	
			FINAL AMENDMENT LETTER	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 21 1994

Department of Water Resources

A. GENERAL INFORMATION

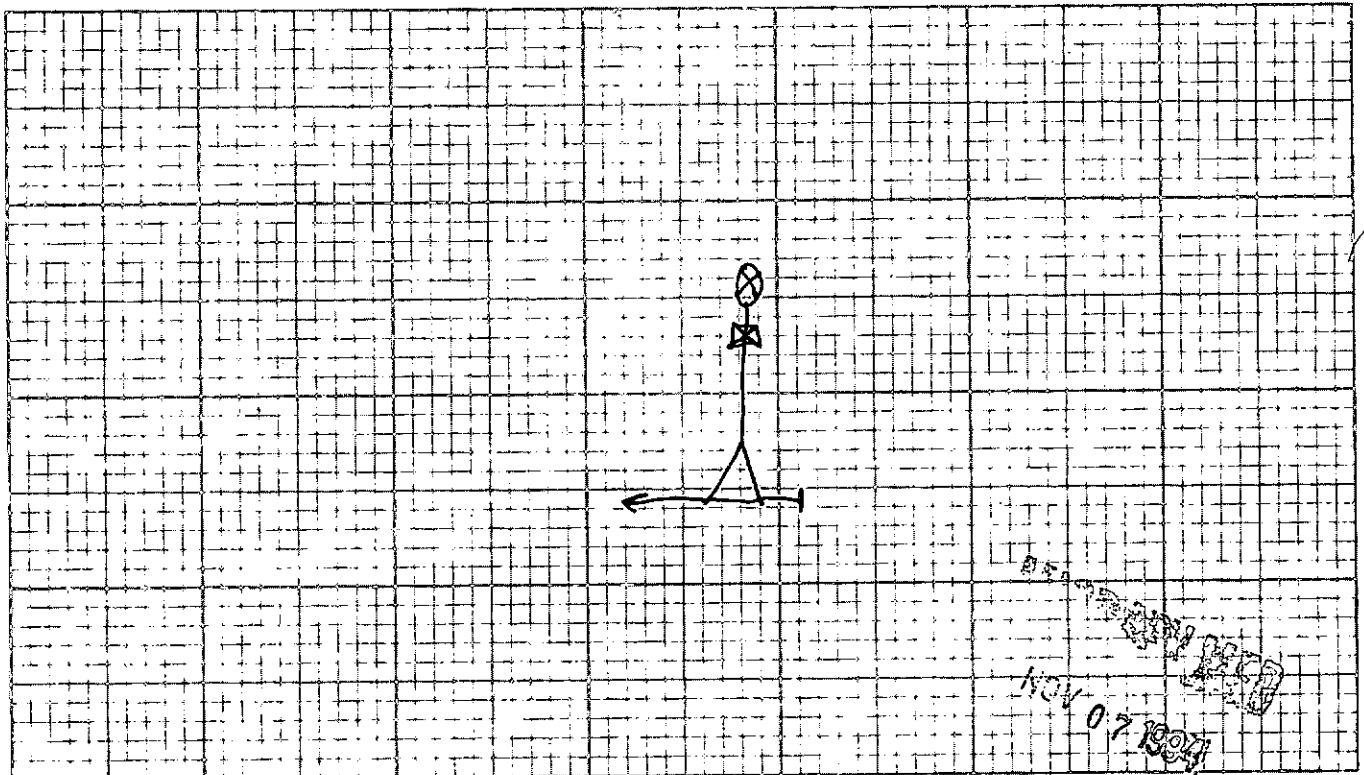
1. Owner: Martin Akeyson Permit No. 37-7812
Current Address: #10 Blyberry Place, Hillsborough, CA Phone No. 94010
2. Accompanied by: Rocky Sherline EXAM. DATE: 10-7-91
Address: 149 1/2 Baseline Road, Bellevue, ID 83313 Phone No. 788-4846
Relationship to Permit Holder: Farm Lessee/Operator
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____ ☐ 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 Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

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

Well, pump, mainline to 1 long ~~handline~~, wheel line & some short handlines on land south of Wilson Creek.

A well was drilled just north of Wilson Creek, but well is capped with steel plate.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	40	HNJ817467	Aurora	9072255
					rated 700 gpm at 190' head

*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
		SE	SE	SE	15	15	19E	Algine	

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	
15	19E	15													29			39	63

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Not measured. Well off for season during exam.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

63 gpm x 0.02 cfs/gpm = 1.26 cfs

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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 63 \times 3 = 189$

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

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 189 \text{ AFA}$

2. Volume Calculations for Other Uses:

* See attached memo. BC

NOV 07 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

There are two wells on this property, but only the south well has ever been used according to Mr. Sherbine. Land north of Wilson Creek is dry pasture. Talked to Mr. Akeyson by telecon 10-10-91. He stated that the land north of Wilson Creek is in wetlands & permanent dry pasture. Well was artesian when drilled (300 gpm), but water level was measured at 8' below LSD earlier this year (according to Mr. Sherbine). No measurement required per Memo #51.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* Irrigation	4-1	11-1	1.26	189
Totals:			1.26	189

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 J. E. Stenton
Signature J. E. Stenton
Certification Date _____
Field Report Preparation Date 10-10-91

CONSULTANT SEAL

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

* See attached memo. BC

NOV 09 1991

MEMORANDUM

TO: File 37-0 7812
FROM: Brenda Chapman
DATE: September 30, 1994
RE: Adjustments Made

=====

A season of use, diversion rate or annual volume adjustment was recommended based upon the following information:

- ☐ The stockwater rate was adjusted to the currently used Field Examiner's Handbook guideline.
- ☒ The irrigation season dates and/or annual volume diversion were adjusted to the currently used Field Headgate Requirement and Season of Use chart. *

* Per Licensing Administrative Memorandum No. 9, 4/27/92.

RECEIVED
NOV 07 1994

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-7812
DATE: 10-9-91
BY: J.E. Senter

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (40) \times (0.70)}{[(8) + (60 \times 2.31)]} = 1.68$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement (X)	measurement ()	Motor Make, Serial or ID
owner ()	owner (X)	
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well logs (X)	owner gage ()	
Booster (Y) (N)		
REMARKS		

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

$$POTENTIAL = \frac{215 \times (1.98) \times (1.68)}{63}$$

$$POTENTIAL = 11.3$$

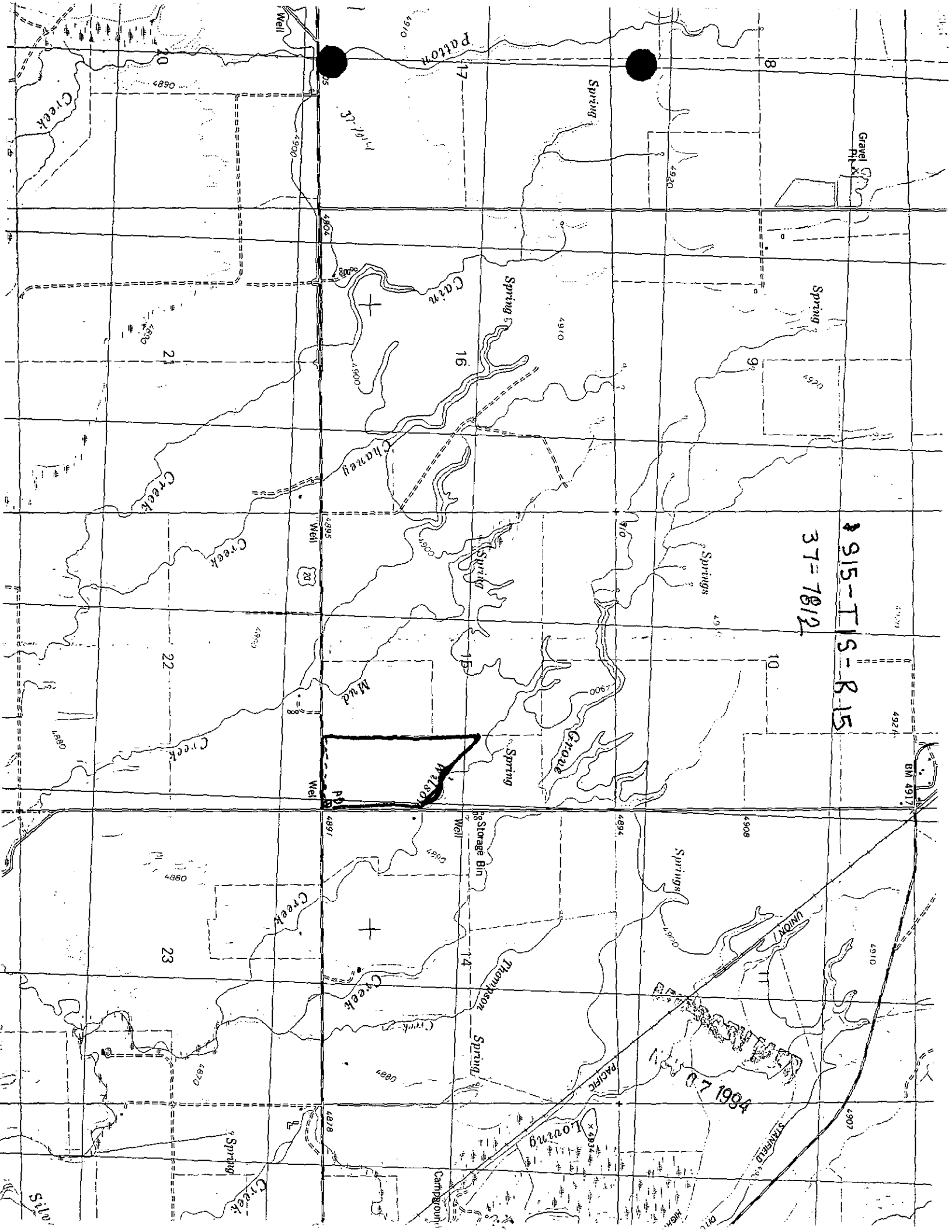
REQUIRED Acre Feet/Acre/Annum = 4.0
(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY (X)

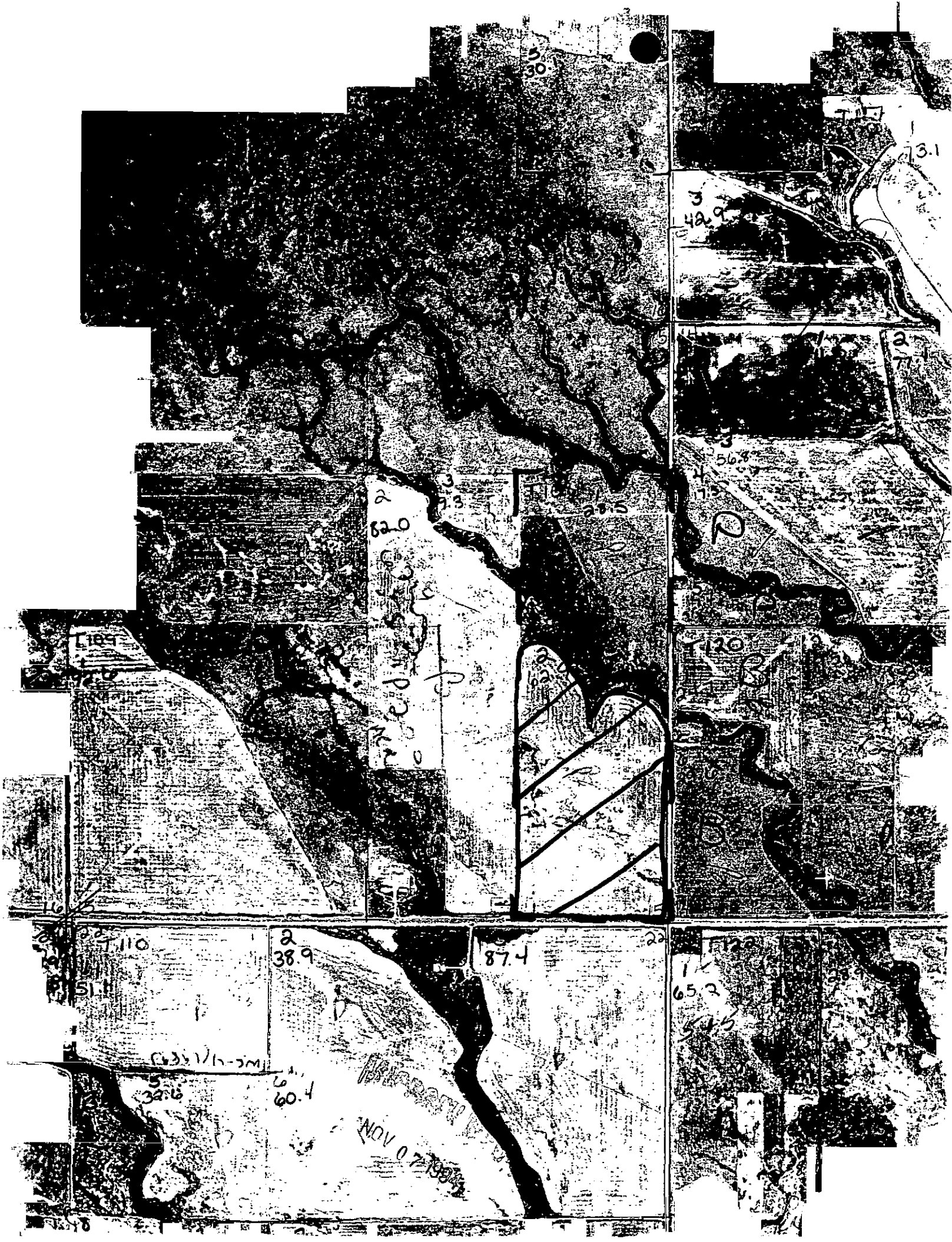
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

NOV 07 1994



315-T15-R15
37-7812

07 1994



30

73.1

3
42.9

2
7.1

56.8

D

2
82.0

3
9.3

20.5

120

8

8

109

110

51.1

103.1/15-5m

32.6

2
38.9

60.4

87.4

22

120

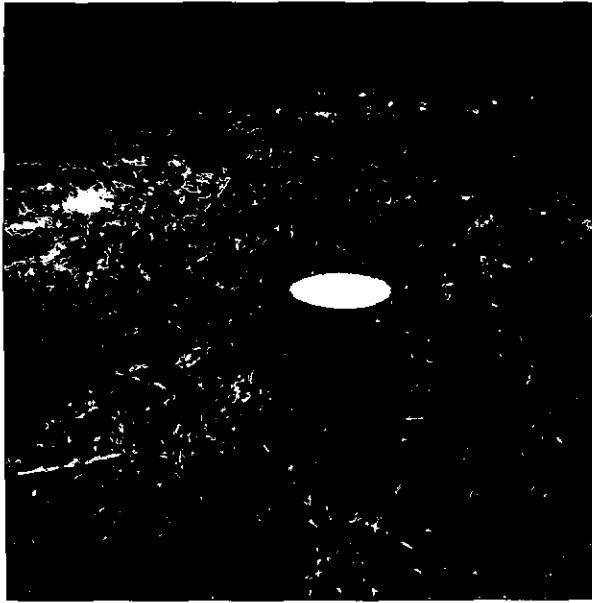
65.2

54.5

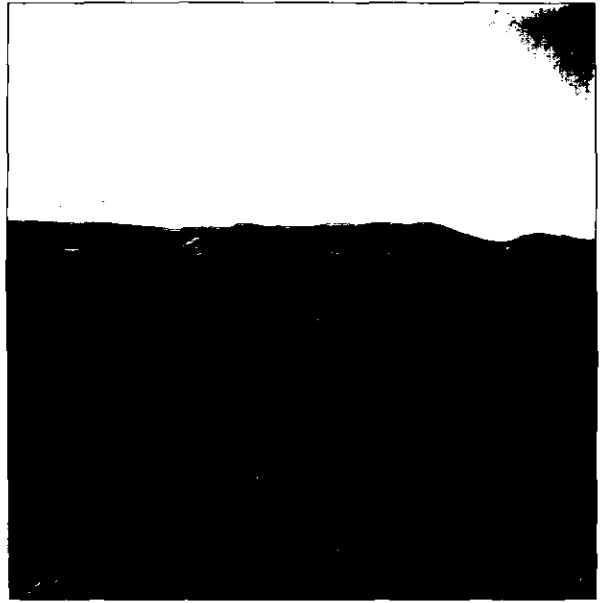
NOV 07 1994



37-7812



North Well



Dry Pasture

NOV 07 1994

37-7812



P/D • P/U
South Well



P/U

NOV 07 1934

9/89

Drilling Permit No. 37-90-S-003 065Water Right Permit No. 37-7812

Injection Permit No. _____

RECEIVED

APR 13 1990

Department of Water Resources
Southern Region OfficeState of Idaho
Department of Water Resources

DRILLING PERMIT

RECEIVED

APR 2 1990

Department of Water Resources
Southern Region Office

1. Applicant Martin A Keyson
2. Mailing Address 10 Bayberry Place, Hillsborough, Calif 94010
Scott Drilling Co.
P.O. Box 577 Hailey, Ida 83333 Telephone 788-5019

☒ Well Owner () Well Operator () Other, specify _____

3. Proposed well location SE NW 1/4 SE NE 1/4, or Gov't lot No. _____

Sec. 23 15, Twp. 1 S, Rge. 19 E, County Blaine

Street Address of Well Site _____

Lot, block and subdivision _____

4. Proposed use of well:

() Single family or stockwater use (less than 13,000 gallons per day)

☒ Irrigation (more than 1/2 acre)

() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

() Other (describe fully) _____

5. Well construction information:

A. ☒ New well () Deepen () Replace - See Condition 9.

B. Proposed surface diameter 12" Maximum depth 150-200'

C. Anticipated bottom hole temperature: _____

- ☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)

NOV 07 1994

6. Construction Start Date April 10, 1990 within 60 days

7. Anticipated Well Driller Scott Drilling Co. P.O. Box 577

NOTE: The actual well driller must be identified prior to drilling. Hailey, Ida

8. Applicant's signature James A. Keyson Date 3-30-90

Title Agent - Scott Drilling Co. #327
(Owner, Firm Representative, Other)

ACT OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 5/10/90

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Loren O. Hansen
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 5012065 Received by go Fee \$100. Date 4-13-90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

RECEIVED

Drilling permit No. 37-90-S-D65

APR 13 1990

Water right No. 37-07812

Department of Water Resources
Southern Region Office

MAY 3 1990 REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Water Resources

Region Office

MARTIN AKEGSON, Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

TO drill additional well to supply water to
irrigate 70 acre Agrium field across Silver creek.

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date 4-10-90

Signature

Applicant

NOV 07 1994

November 23, 1990

MARTIN AKEYSON
JOAN AKEYSON
AKEYSON 1984 FAMILY TRUST
10 BAYBERRY PLACE
HILLSBOROUGH, CA 94010

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-07812

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

INDEXED
FILMED
DEC 11 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 5, 1990

CERTIFIED MAIL

Martin A. Keyson
10 Bayberry Place
Hillsborough, CA 94010

138755

PROOF DUE NOTICE

RE: PERMIT NO. 37-7812

Dear Permit Holder(s):

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1991. Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time provided the delay is for reasonable cause as described in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

RECEIVED

DEC 11 1990

August 16, 1990

RE: Permit No. 37-7812

Martin A. Keyson
10 Bayberry Place
Hillsborough, CA 94010

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

RECEIVED
SEP 12 1990

07-Jun-1990

MARTIN AKEYSON
10 BAYBERRY PLACE
HILLSBOROUGH CA 94010

Re: Application for Amendment, 37-07812

Dear Mr. Akeyson:

The Department of Water Resources acknowledges receipt of your application for amendment of a permit.

This office will be advertising the application in the Wood River Journal on 6/20 & 6/27/90. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. A typical processing time for an unprotested application is about eight weeks.

Final regional review cannot be completed until we receive evidence of ownership of the place of use.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

MICROFILMED

GF:MB

SEP 12 1990

AFFIDAVIT of PUBLICATION

RECEIVED

JUL - 6 1990

State of Idaho, }
County of Blaine } ss.

Department of Water Resources
Southern Region Office

DANIEL J. GORHAM

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

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

publication of said advertisement was on the 20th day of June 19 90, and

the date of the last publication was on the 27th day of June 19 90.

Daniel J. Gorham

Subscribed and sworn to before me this 27th day of June 1990.
(SEAL)

Roberta J. Kach

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 40.5
Number of Insertions 2
Lines tabular at 6c / Pica
40.5 Lines straight at 22.28 5c / Pica
40.5 Subsequent lines at 17.82 4c / Pica
TOTAL COST 40.10

COPY OF NOTICE
(Paste Here)

Amendment #37-07812 (AKeysbr)
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Rec. TF
BILL TO

Akeyson seeks amended permit

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 37-07812

Notice is hereby given that Martin Akeyson of Hillsborough, CA is the holder of Approved Permit No. 37-07812 authorizing the diversion of 2.0 cubic feet per second of water from groundwater in the NE1/4SE1/4, S15, T1S, R19E, County of Blaine, to be used for irrigation on 120 acres within SE1/4NE1/4, E1/2SE1/4, S15, T1S, R19E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to add a Point of Diversion as follows:

Amount: No change

Period of Use: No change

Point of Diversion: SE1/4SE1/4, S15, T1S, R19E; NE1/4SE1/4, S15, T1S, R19E; Blaine County.

Place of Use: No change

Any protest against approval of the amending of Permit No. 37-07812 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301, on or before July 9, 1990.

R. Keith Higginson, Director
Publish: Wood River Journal-
June 20 & 27, 1990.

MICROFILMED

SEP 12 1990

Publication Rates
As of Jan., 1990
(Idaho Code,
Rev. Statutes 1984)
7-8 pt./line straight: .5/pica
7-8 pt./line tabular: .6/pica
7-8 pt./line successive
insertion: .4/pica

No 7082

07-Jun-1990

Wood River Journal
P.O. Box 988
Hailey, ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

SEP 12 1990

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 37-07812

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Period of Use: No change

Point of Diversion: SE1/4SE1/4, S15, T1S, R19E; NE1/4SE1/4, S15, T1S, R19E; Blaine County.

Place of Use: No change

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R. Keith Higginson, Director

Published in the Wood River Journal on 6/20 & 6/27/90.

MICROFILMED

SEP 12 1990

Disk: Patty-14/1Amend

Akeyson seeks amended permit

NOTICE OF AMENDMENT TO A WATER PERMIT

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The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to add a Point of Diversion as follows:

Amount: No change

Period of Use: No change

Point of Diversion: SE1/4SE1/4, S15, T1S, R19E; NE1/4SE1/4, S15, T1S, R19E; Blaine County.

Place of Use: No change

Any protest against approval of the amending of Permit No. 37-07812 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301, on or before July 9, 1990.

R. Keith Higginson, Director

Publish: Wood River Journal-
June 20 & 27, 1990.

Rec. 6/18/90

*OK
7-2-90
A.K.*

*✓
NB
6/18/90*

FILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Scott Drilling Co.
P. O. Box 577
Hailey, ID
83333

May 10, 1990

Dear Mr. Scott;

Since we still have not received payment for the Martin Akeyson amendment for permit and the Tim Gillett drilling permit, we are returning these documents to you. Mr. Akeyson's drilling permit cannot be approved until the amendment and \$20. fee are received in this office. \$10. is due for the Gillett drilling permit. A receipt for the Akeyson drilling permit fee is enclosed. We are holding the Akeyson drilling permit in this office.

Sincerely,

James E. Stanton
James E. Stanton
Sr. Water Resource Agent

MICROFILMED

SEP 12 1990

Scott Drilling & Pump Co.

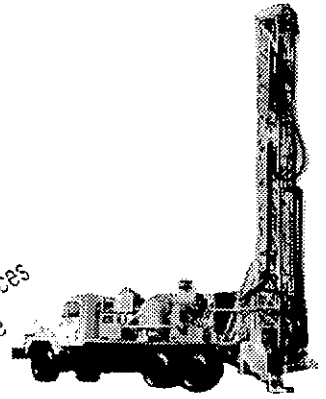
Well Drilling & Pumps

4050 BLACK OAK DRIVE • P.O. BOX 577 • HAILEY, IDAHO 83333
(208) 788-5019

RECEIVED

MAY 10 1990

Department of Water Resources
Southern Region Office



Jim:

Please find ck. for 30⁰⁰

10⁰⁰ - still want for Silletti

20⁰⁰ for amendment keyson

MICROFILMED

SEP 12 1990

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: 5012287

Date: 05/10/90
Time: 16:45:48

Received
From: SCOTT DRILLING CO.

Type of Payment	Program Acct Class	Amount
DRILLING PERMIT - TIM GILLETTE	0640350 1238 6390	\$10.00
APP. FOR AMENDMENT - 37-7812, AKEYSON	0640199 1238 6390	\$20.00
	Total	\$30.00

CHECK 2214

Idaho Department of Water Resources

Region: SOUTHERN

Signature: J E Stanton

MICROFILMED
SEP 12 1990

WHITE — State Auditor
 YELLOW — Remittance Advice
 PINK — State Auditor then Agency
 GOLDENROD — Agency Copy

EXPENDITURE VOUCHER

STATE OF IDAHO
 Office of State Auditor

AUDIT OR USE

AGENCY USE

8594
Date 04/02/90
Code 193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY TO DENNIS KAVANAGH
 DENNIS KAVANAGH CONSTRUCTION
 PO BOX 1604
 KETCHUM, ID 83340

CHECK ONE:

- (1) MISCELLANEOUS EXPENDITURE
 () STATE CONTRACT
 () PURCHASE ORDER
 () MISCELLANEOUS ENCUMBRANCE REQUISITION

PAYMENT () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	06 10 199	1238	8831		REFUNDS PER RITA FLECK RECEIPT #C014643 3/28/90 15.00 37-7812	15.00	
TOTAL						15.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

*Copy for
w/r file*

MEMORANDUM

DATE: March 28, 1990

TO: FISCAL SECTION

FROM: Nina Shields or Rita Fleck

RE: REFUND - Permit No. 37-7812

Please prepare a refund of \$15.00 (receipt No. C014643). Attached is a copy of a letter which explains why the refund is necessary along with the receipt.

Also, please reference the water right identification number on any papers returned to me for the files. Thanks.

Attachments: letter
Receipt

MICROFILMED

SEP 12 1990

March 28, 1990

Dennis Kavanagh
Dennis Kavanagh Construction
P. O. Box 1604
Ketchum, ID 83340

Dear Mr. Kavanagh:

Re: Permit No. 37-7812 - Martin & Joan Akeyson

On February 5, 1990, the department received a request for extension of time form from Mr. and Mrs. Akeyson. The department took action on their request and extended the proof due date to January 1, 1991.

Returned is the request form you submitted. I have completed the paperwork to start the refund process. You should receive the refund in two to four weeks.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

c: Fiscal Sec.

MICROFILMED

SEP 12 1990

DENNIS KAVANAGH

CONSTRUCTION

P.O. Box 1604, Ketchum, Idaho 83340 208-788-2155 Calif. Gen. Contractors Lic. No. 504272

February 10, 1990

Mr. Tim Luke
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RECEIVED
FEB 13 1990
Department of Water Resources

Re: Permit #37-7812

Dear Mr. Luke:

Following our phone discussion in January, I forwarded the request for an extension to Mr. Akeyson for his signature. Enclosed please find that signed request.

To recap the situation, the Akeysons acquired the involved property in the Spring of 1989 and began the transfer of the rights to the water and associated permit. By the time that assignment was complete the well was drilled capable of producing the water. It was at that time that I called you to ask direction on establishing proof of beneficial use. I was told that we had sixty days from January 1, 1990 to request an extension so that the proof could be established.

I have been functioning as Mr. Akeyson's contractor and will be happy to assist in any way but the formal extension should be mailed to Mr. Akeyson at his address in California.

I thank you for your attention to this matter.

Sincerely,

Dennis Kavanagh

Dennis P. Kavanagh

Encl.

DPK:sk
cc: S.M.Akeyson

MICROFILMED

SEP 12 1990

March 22, 1990

Martin and Joan Akeyson
10 Bayberry Place
Hillsborough, CA 94010

Dear Mr. and Mrs. Akeyson:

Re: Permit No. 37-7812

Enclosed is a copy of the approved request for extension of time. The time within which to submit the proof of beneficial use is extended to January 1, 1991. Note that the extension was received after the proof of beneficial use date.

Also, the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions concerning this filing, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

SEP 12 1990

January 10, 1990

MARTIN AKEYSON
JOAN AKEYSON
AKEYSON 1984 FAMILY TRUST
10 BAYBERRY PLACE
HILLSBOROUGH, CA 94010

LAPSE NOTICE

RE: PERMIT NO. 37-07812

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper form in our proof due notice to you dated October 31, 1989.

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

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

MICROFILMED

SEP 12 1990

CERTIFICATION OF MAILING

I hereby certify that on 1-15-90
a copy of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



FROM

Glen

TO

File 37-7812

DATE

1-9-90

MICROFILMED

SEP 12 1990

SUBJECT

- Permit holder's rep. called today and advised the well has been drilled but that an ext request will be submitted to allow the water to be applied to a ben. use.

- I should have inquired about drilling permit & the log, but didn't,

SIGNATURE

VJ

138799

October 31, 1989

MARTIN AKEYSON
JOAN AKEYSON
AKEYSON 1984 FAMILY TRUST
10 BAYBERRY PLACE
HILLSBOROUGH, CA 94010

PROOF DUE NOTICE

RE: PERMIT NO. 37-07812

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

SEP 12 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 7, 1989

RE: Permit No. 37-7812

Martin & Joan Akeyson
10 Bayberry Place
Hillsborough, CA 94010

Dear Mr. and Mrs. Akeyson:

Enclosed is an order that authorizes you to continue development under permit to appropriate water no. 37-7812. Please note the conditions of approval contained in both your permit and the continuation order. You must comply with the conditions to fully complete beneficial use. Note in particular that condition #1., page two of the order requires proof of construction of works and application of water to beneficial use be submitted on or before January 1, 1990.

The continuation order does not establish a new proof due date. The proof due date may be extended by submitting to the department a request for extension of time. The department will send you a proof due notice along with proof of beneficial use and extension of time forms approximately 60 days before the proof due date.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

Enclosure

MICROFILMED

SEP 14 1989

RECEIVED
JUN 16 1989

S. MARTIN AKEYSON, JR.
10 BAYBERRY PL.
HILLSBOROUGH, CA 94010

Department of Water Resources

JUNE 14 1989

STATE OF IDAHO
DEPT OF WATER RESOURCES
1301 NORTH ORCHARD STREET
STATEHOUSE MAIL
BOISE, IDAHO 83720

SUBJECT: PERMIT NO 37-7812

ATTN: GARY SPACKMAN

ENCLOSED IS THE "ASSIGNMENT OF
PERMIT" WHICH HAS BEEN SIGNED BY
MR & MRS BOBBE WHICH ASSIGNS THE
SUBJECT PERMIT TO MY WIFE & ME

THANKS FOR YOUR ASSISTANCE

S. Martin Akeyson

MICROFILMED

SEP 13 1989

WARRANTY DEED

For Value Received

GORDON S. BEEBE and SANDRA Y. BEEBE, husband and wife

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto

MARTIN AKEYSON and JOAN AKEYSON, Trustees of Martin Akeyson and Joan Akeyson 1984 Family Trust

whose address is: 10 Bayberry Place Hillsborough, CA 94010

Hereinafter called the grantee, the following described premises, in Blaine County, Idaho, to-wit:

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, Section 15: That part of the following described property lying West of the Pumpkin Center Road:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPT a parcel of land being on both sides of the centerline of State Highway No. 68, Project No. S-2809(13) Highway Survey as shown on the plans thereof now on file in the office of the Department of Highways of the State of Idaho, and being a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 1 South, Range 19 East, Boise Meridian, described as follows, to-wit:

BEGINNING at the Southeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 1 South, Range 19 East, Boise Meridian;

THENCE South 89°28'25" West along the South line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 1,321.59 feet to the Southwest corner thereof;

THENCE North 0°43'41" West along the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 88.05 feet to a point in a line parallel with and 60.00 feet Northwesterly from the centerline and opposite Station 273+18.80 of said State Highway No. 68, Project No. S-2809(13) Highway Survey;

THENCE North 89°27'59" East along said parallel line 1,321.70 feet to a point in the East line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ and opposite Station 286+40.50 of said Highway Survey;

THENCE South 0°39'01" East along said East line 88.22 feet to the PLACE OF BEGINNING.

SUBJECT TO Easements, Restrictions and Encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 6, 1989

Gordon S. Beebe

Sandra Y. Beebe

STATE OF Idaho, COUNTY OF Ada
On this 28th day of Feb., 19 89
before me, a notary public in and for said State, personally appeared

Gordon S. Beebe and Sandra Y. Beebe,
husband and wife

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they have executed the same.

Sandra Y. Beebe
Notary Public
Residing at *Idaho*, Idaho
Comm. Expires *12/1/93*

STATE OF IDAHO, COUNTY OF Blaine
I hereby certify that this instrument was filed for record at
the request of Sawtooth Title Co., Inc.

at 31 minutes past 4 o'clock P. m.,
this 7 day of March
19 89, in my office, and duly recorded in Book
of Deeds at page

Mary Green

Ex-Officio Recorder

By *J. Dudley*

Fees \$ 3.00
Mall to:

Deputy.

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

DANIEL J. GORHAM

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

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

publication of said advertisement was on the 7th day of June, 1989, and

the date of the last publication was on the 14th day of June, 1989.

Daniel J. Gorham
Subscribed and sworn to before me this 21st day of June, 1989.
(SEAL)

Ralston McGeehan
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 36
Number of Insertions 2
36 Lines tabular at 5¢/Pica
36 Lines straight at 17.82 4¢/Pica
36 Subsequent lines at 13.86 3¢/Pica
TOTAL COST 31.18

COPY OF NOTICE (Paste Here)

Existing Rights #37-7812
TITLE OF NOTICE Beebe

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO (Boise)

PUBLICATION RATES As of Oct. 1, 1988 (Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight....4.5/pica
7-8 pt. per line tabular....5.5/pica
7-8 pt. per line successive
insertion....3.5/pica

SEP 19 1989

JUN 22 1989

Department of Water Resources

**Beebe seeks
water right permit**

**NOTICE OF EXISTING
WATER RIGHT PERMIT**

PERMIT NO. 37-7812

Presently Recorded as Follows:

Name: GORDON &
LOUISE BEEBE &
GORDAN S.
& SANDRA BEEBE

Address: 1918 MONTCLAIR DR.
BOISE ID 83702

Source: GROUNDWATER

Diversion Pt.: NESE SEC. 15 T1S
R19E, BLAINE COUNTY

Use: IRRIGATION (2.0 CFS)

Priority: 12/5/1979

Place of Use: SENE, E1/2SE SEC.
15 T1S R19E

Total Acres: 120

This permit was not developed by
July 1, 1985, and is being
reprocessed in compliance with
Section 42-203D, Idaho Code.
Protests against the continuance
of the permit must be filed with
the Director, Dept. of Water
Resources, Statehouse Mail,
Boise, ID 83720, on or before
June 26, 1989. A protest must
overcome the presumption of
Water Appropriation Rule 5.2.1.

R. Keith Higginson, Director

Publish: Wood River Journal-
June 7 & 14, 1989.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

may 31
June 26, 1989

Wood River Journal
Box 988
Hailey, ID 83333

Dear Legal Department:

Enclosed you will find legal notices which we wish to have published on June 8 and June 15, 1989 (once a week for two consecutive weekly issues) in your newspaper. If your paper is published weekly, the notices must appear in the issue that is distributed during the weeks of June 5 and June 12. If you cannot publish the notices 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 billing to the office below before June 23, 1989.

Idaho Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, ID 83720

Sincerely,

HEIDI M. MIKEL
Secretary

MICROFILMED

SEP 14 1989

NOTICE OF EXISTING
WATER RIGHT PERMIT

PERMIT NO. 37-7812
Presently Recorded as Follows:

Name: GORDON & LOUISE BEEBE &
GORDAN S. & SANDRA BEEBE
Address: 1918 MONTCLAIR DR.
BOISE ID 83702

Source: GROUNDWATER
Diversion Pt.: NESE SEC. 15 T1S R19E
BLAINE COUNTY

Use: IRRIGATION (2.0 CFS)
Priority: 12/5/1979
Place of Use: SENE, E1/2SE SEC. 15
T1S R19E
Total Acres: 120

This permit was not developed by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before June 26, 1989. A protest must overcome the presumption of Water Appropriation Rule 5,2,1.

R. Keith Higginson, Director

MICROFILMED

SEP 19 1989

S. MARTIN AKEYSON, JR.
10 BAYBERRY PL.
HILLSBOROUGH, CA 94010

MAY 15 1989

STATE OF IDAHO
DEPT OF WATER RESOURCES
1301 NORTH ORCHARD STREET
STATEHOUSE MAIL
BOISE, IDAHO 83720

RECEIVED
MAY 18 1989

Department of Water Resources

SUBJECT: YOUR MEMO DATED APRIL 6, 1989
RE: PERMIT NO 37-7812

ATTN: GARY SPACKMAN

CONFIRMING OUR DISCUSSION, LAST
WEEK, ON THE ABOVE SUBJECT

IT IS MY UNDERSTANDING THE SUBJECT
PERMIT WAS ORIGINALLY ISSUED TO KENNETH
F HELLYER THEN TRANSFERRED TO MR
AND MRS BEEBE WHEN THEY PURCHASED THE
PROPERTY

MR & MRS BEEBE FORWARDED YOUR LETTER
OF APRIL 6 1989 TO US THRU OUR
REALTOR

MY WIFE AND I RECENTLY PURCHASED
THE PROPERTY (SEE ATTACHED WARRANTY
DEED)

SEP 19 1989

S. MARTIN AKEYSON, JR.,
10 BAYBERRY PL.
HILLSBOROUGH, CA 94010

WE WOULD LIKE TO CONTINUE HOLDING
THIS PERMIT AND IN ACCORDANCE
WITH YOUR INSTRUCTIONS I HAVE
COMPLETED THE "TRUST WATER INFORMATION
QUESTIONNAIRE" AND ENCLOSE OUR
CHECK IN THE AMOUNT OF \$20.00
TO COVER THE REQUIRED RE-ADVERTISEMENT
FEE

THANK YOU FOR YOUR ASSISTANCE
WITH THIS MATTER

VERY TRULY YOURS

S. Martin Akeyson

MICROFILMED

SEP 19 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
MAY 18 1989

PERMIT NO. 37-7812

Department of Water Resources

IF YOU ARE NOT INTERESTED IN HAVING YOUR PERMIT PROCESSED,
PLEASE COMPLETE AND RETURN THE ENCLOSED RELINQUISHMENT FORM.

INSTRUCTIONS: Please answer the following questions as
thoroughly as possible and submit the \$20.00 readvertisement
fee if applicable.

1. Did irrigation occur on the lands identified under your
permit prior to July 1, 1985? Yes _____ No X

If yes, you are requested to submit clear evidence that shows the
number and location of acres irrigated.

Aerial photographs taken prior to July 1, 1985, located in area
ASCS offices, are best forms of evidence. Photos submitted to the
the Department must be accompanied by a signed statement from an
ASCS representative which verifies the photo date and that the
lands were irrigated prior to July 1, 1985. If ASCS does not have
photos for the land and/or time in question, you must have the ASCS
provide the Department with a statement that photos are not avail-
lable and then proceed to submit other forms of suitable evidence.

2. Please state the number of acres you have irrigated under this
permit since July 1, 1985. None

3. If you have not irrigated lands under this permit, please
state the number of acres you plan to complete. 117

NOTE: You must submit the \$20.00 readvertisement fee if any or
all of the lands were not irrigated before July 1, 1985.

4. If the permit is a supplemental filing please identify other
water rights which are used on the same land.
None

Use the reverse side of this form if you wish to add any comments.

I hereby assert that the responses provided above are true to the
best of my knowledge. I understand that any willful misrepresentations
may result in voiding of the application.

Permit Holder

Samuel Aheya

MICROFILMED
Date SEP 15 1989

SEP 19 1989



5. REMARKS/COMMENTS:

[illegible]

66-10000-10000

1941

MEMORANDUM

TO:TIM

FROM:ROXANNE MCCARTHY

RE: OVERLAP ANALYSIS FOR FILE #37-7812

DATE: 19-MAY-1989

=====

We have no record of overlapping rights of any kind for these lands. This filing represents 120 new acres.

MICROFILMED

SEP 19 1989

MEMORANDUM

TO: File No. 37-7812, Tim Luke
FROM: Gary Spackman *Gary*
DATE: May 15, 1989
RE: Swan Falls correspondence and questionnaire

A Mr. Akeyson called me on Friday, May 12, and stated that he just recently received through mail forwarded to him a Swan Falls and questionnaire notice regarding permit no. 37-7812. He asked me several questions about what he needed to do to keep the permit active. I told him that he needed to complete the questionnaire that was sent to him. I also told him that he needed to send an assignment of the permit to change it to his name.

I suggest that action not be taken on this permit for another thirty (30) days, so Mr. Akeyson can submit the additional information.

S.M. Akeyson
1010 Bayberry Place
Hillsborough, CA 94010
(805) 434-1323

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SEP 19 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 6, 1989

RE: PERMIT NO. 37-7812

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

MICROFILMED

SEP 19 1989

Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke - Water Allocation/Trust Water

Please note that a copy of your permit is enclosed. The permit number is shown on the enclosed questionnaire.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED

SEP 19 1989



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

MICROFILMED

SEP 19 1989

Beebe

Box 168

The Sea Ranch, CA 95497



RETURNED



MICROFILMED

SEP 19 1989



RECEIVED

OCT 25 1982

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 37-7812

Name(s) of Permit Holder(s): Gordon & Louise Beebe, et al
Post Office Address: P.O. Box 168 The Sea Ranch Ca. 95497

Tel. No.: 707-785-2949

☐ I hereby certify that construction of diversion works for the above referenced permit began on _____ (date) 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*:

Idaho Power Co. moratorium

9-30-82

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

Date

Signature of Permit Holder

January 3, 1985

Gordon S. Beebe
1918 Montclair Drive
Boise, ID 83702

Dear Mr. Beebe:

Re: Extension of Time for Permit No. 37-7812

Enclosed is the approved extension of time in connection with the above referenced permit. The time within which to submit the statement of beneficial use is extended to January 1, 1990. The request has been approved with the following condition:

The Department reserves jurisdiction of this permit for the purpose of adding any applicable conditions to protect the public interest.

Such conditions may be necessary due to statutory or regulatory changes occurring after the date of the extension and before the date that beneficial use is made. However, if conditions are added to your permit, you will be given an opportunity to object to them.

In connection with the development of a water right under this permit, the Department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which could affect your future use of water.

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. Ongoing negotiations to resolve this water right controversy without further court action has resulted in the signing of a contract in October 1984, between the State of Idaho and Idaho Power Company. The contract essentially describes certain categories of water uses from which the

MICROFILMED

company will seek no restitution for depletion of water availability at Swan Falls Dam in exchange for certain concessions. In addition, an agreement was also signed by the Attorney General, Governor, and Idaho Power Company. The agreement outlines additional actions which could be implemented to further resolve the Swan Falls controversy. Some of the additional actions include suggested changes in legislation, suggested changes in the State Water Plan, and the reduction of Idaho Power Company's water rights provided certain concessions are made to the company.

The Department urges you to follow the actions taken relative to the contract and agreement, since your water use could be affected.

In 1982 the Idaho Legislature added a requirement that as a permit holder you should commence the excavation or construction of diverting works within one year of the date a permit is issued or in the case of this extension, within one year of the date the extension is signed. The enclosed blue postcard must be completed and returned to this office as soon as you commence construction. The commencement of works requirement and the approval of this extension of time should not, however, be considered as encouraging you to commence construction. The Swan Falls litigation is still pending and there are inherent risks in making expenditures on a project that is subject to litigation. Pending litigation will be considered as a cause for delaying the commencement of works construction and applying for and receiving additional extensions of time for the proof of beneficial use submittal if the Swan Falls matter is not resolved in the near future.

If you have questions on this extension approval, please feel free to contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138386

BEEBE, GORDON S. & SANDRA Y. &
BEEBE, GORDAN & LOUSIE
P.O. BOX 168
THE SEA RANCH, CA 95497

PROOF DUE NOTICE

OCTOBER 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 37-7812 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 01, 1985. (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

MICROFILMED

May 12, 1982

RE: Permit No. 37-7812

Gordan & Louise Beebe and
Gordan S. & Sandra Y. Beebe
P.O. Box 168
The Sea Ranch, CA 95497

Dear Ladies & Gentlemen:

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosures

RECORDED

changed -
this is the
wrong file

RECEIVED

APR 14 1982

Department of Water Resources
Southern District Office

April 13, 1982

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

Dear Sir:

Please find enclosed an assignment of permit regarding your permit No. 37-7812.
The appurtenant property has been sold and the current owner is now
Gordon Beebe. Should you have any questions please call me.

Yours truly,

NELSON REALTY, INC.

Stoney
Stoney Burke,
Broker

SB/mm
Encl/

Department of Water Resources
APR 19 1982

RECEIVED

N
nelson
realty
inc.

P. O. BOX 326	•	SUN VALLEY, IDAHO 83353	•	208 . 726.5355
P. O. BOX 598	•	HAILEY, IDAHO 83333	•	208 . 788.3417



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

January 22, 1980

Kenneth F. Hellyer
P. O. Box 37
Port Ludlow, Washington 98365

Dear Mr. Hellyer,

RE: Permit No.'s 37-7810, 37-7811 & 37-7812

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 an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are specifications for the installation of the access port, as well as a list of measuring device options.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

David R. Tutthill, Jr.

DAVID R. TUTTHILL, JR.
Supervisor, Water Allocations Section

Enclosures

MICROFILMED DRT:lr



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

December 6, 1979

Kenneth F. Hellyer
P. O. Box 37
Port Ludlow, Washington 98365

Re: Application for Permits No. 37-7810, 37-7811, 37-7812

Dear Mr. Hellyer:

Enclosed is your receipt No. 17009 for checks No. 19-2 in the amounts of \$45.00, \$65.00 and \$85.00 for the above referenced applications for permits which were received in this office December 5, 1979.

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

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED

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 20 day of December 19 79, and the date of the last publication was on the 27 day of December, 19 79

Subscribed and sworn to before me this 27th

day of December, 19 79.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL Hailey, Idaho COST OF PUBLICATION

Number of Lines in Notice 32
Number of Insertions 2
Lines tabular at 39c
32 Lines straight at 26c 8.32
32 Subsequent lines at 15c 4.80
TOTAL COST 13.12

COPY OF NOTICE

(Paste Here)

Permit 37-7812
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue^{BILL TO} Lakes Blvd N
Twain Falls, Idaho 83301

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

8 pt. per line, straight	26c
8 pt. per line, tabular	39c
8 pt. per line, successive insertions	15c

RECEIVED

JAN 1980 N° 1148

Department of Water Resources
Southern District Office

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:

37-7812

Hellyer, Kenneth F.
P.O. Box 37, Port Ludlow, Wa., 98365
Source: Groundwater
Date Filed: 12/05/1979
Amount: 2.00 cfs
Diversion Point: NESE Sec 15 T 01S R 19E, Blaine Co.
Use: Irrigation--(2.00 cfs) from 04/01 to 10/15
Place of Use: SENE NESE SESE Sec 15 T 01S R 19E for 120 acres
Diversion Means: Well and 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 January 7, 1980.

C. Stephen Alfred
Director

PUBLISH: Wood River Journal--
December 20, 27, 1979.

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:

3Z-2812-

HELLYER, KENNETH F.

P.O. BOX 37, PORT LUDLOW, WA 98365

Source: GROUNDWATER

Date Filed: 12/05/1979

Amount: 2.00 CFS

Diversion Point: NESE Sec 15 T 015 R 19E, BLAINE Co.

Use: IRRIGATION (2.00 CFS) from 04/01 to 10/15

Place of Use: SENE NESE SESE Sec 15 T 015 R 19E FOR 120 ACRES

Diversion Means: WELL AND 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 JANUARY 7, 1980.

C. STEPHEN ALLRED

Director

Published 12/20 & 12/27/79.

UNRECORDED

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:

37-7812

Hellyer, Kenneth F.
P.O. Box 37, Port Ludlow, Wa., 98365
Source: Groundwater
Date Filed: 12/05/1979
Amount: 2.00 cfs
Diversion Point: NESE Sec 15 T 01S R 19E, Blaine Co.
Use: Irrigation--(2.00 cfs) from 04/01 to 10/15
Place of Use: SENE NESE SESE Sec 15 T 01S R 19E for 120 acres
Diversion Means: Well and 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 January 7, 1980.

C. Stephen Allred
Director

PUBLISH: Wood River Journal--
December 20, 27, 1979.

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12/13/79

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

DECEMBER 7, 1979

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 billings to this office before JANUARY 7, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED