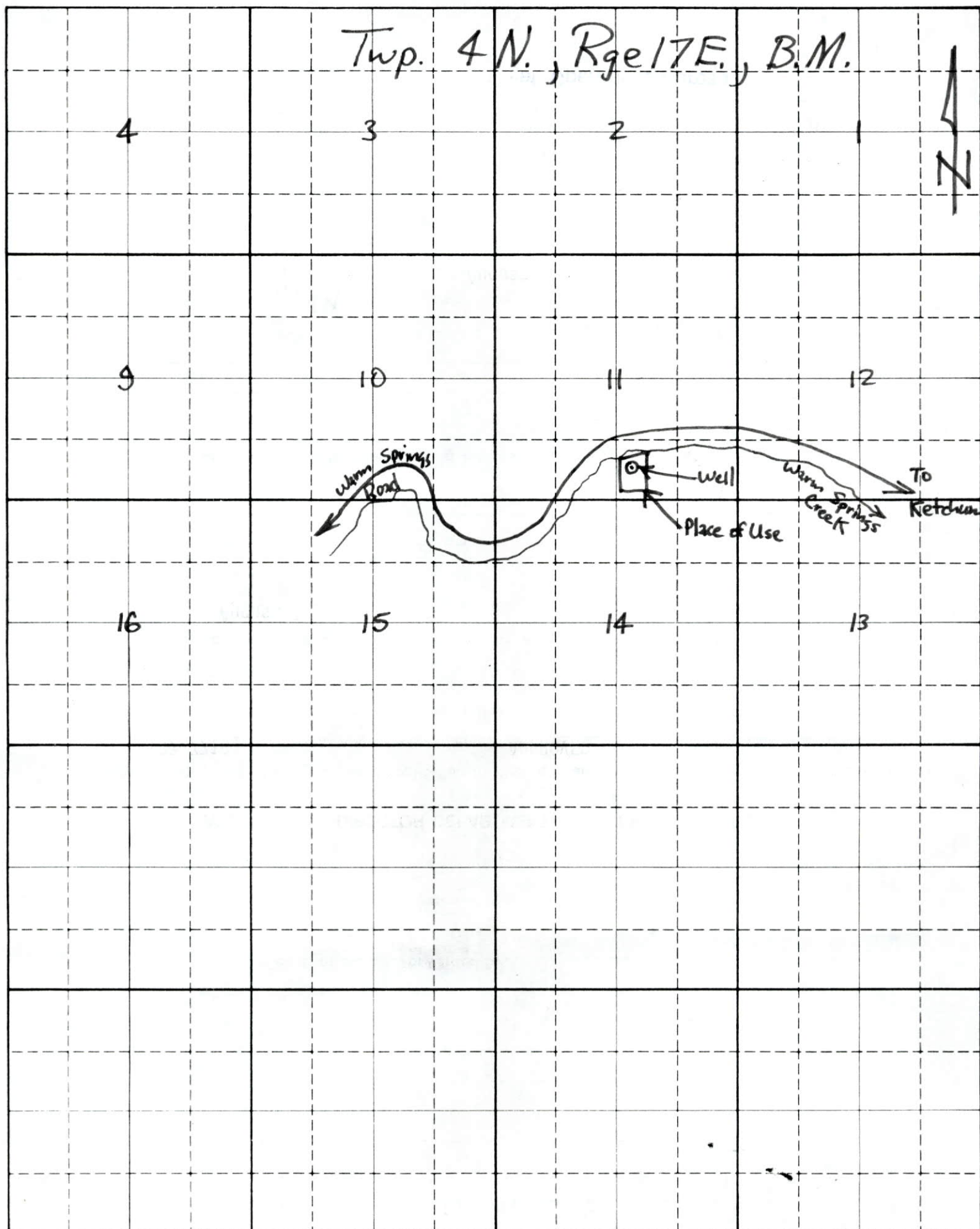


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

J. D. Limino
(Applicant)

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
 Connty of Blaine } SS.

JUN 27 1978

Department of Water Resources
 Southern District Office

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 15 day of June, 1978, and the date of the last publication was on the 22 day of June, 1978.

Subscribed and sworn to before me this 23rd day of June, 1978.
 (SEAL)

Robert D. [Signature]

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 27
 Number of Insertions 2
 _____ Lines tabular at 39c
27 Lines straight at 26c 7.02
27 Subsequent lines at 15c 4.05
 TOTAL COST 11.07

COPY OF NOTICE

(Paste Here)

Permit # 37-7718

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
 1041 Blue Lakes Blvd N
 Twin Falls, Idaho 83301

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that James N. Cimino, Sun Valley, Idaho, 83353, has on June 1, 1978 submitted Application No. 37-7718 for a permit to appropriate 0.156 cubic feet per second of water from ground water by means of well, pump, motor, sprinkler system, watering troughs within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, Twp. 4N, Rge. 17E, B.M. Blaine County to be used from April 1 to Nov. 1 for irrigation purposes of 6.8 acres and from Jan. 1 to Dec. 31 for livestock within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, Twp. 4N, Rge. 17E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of this permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before July 3, 1978.

C. Stephen Allred
 Director

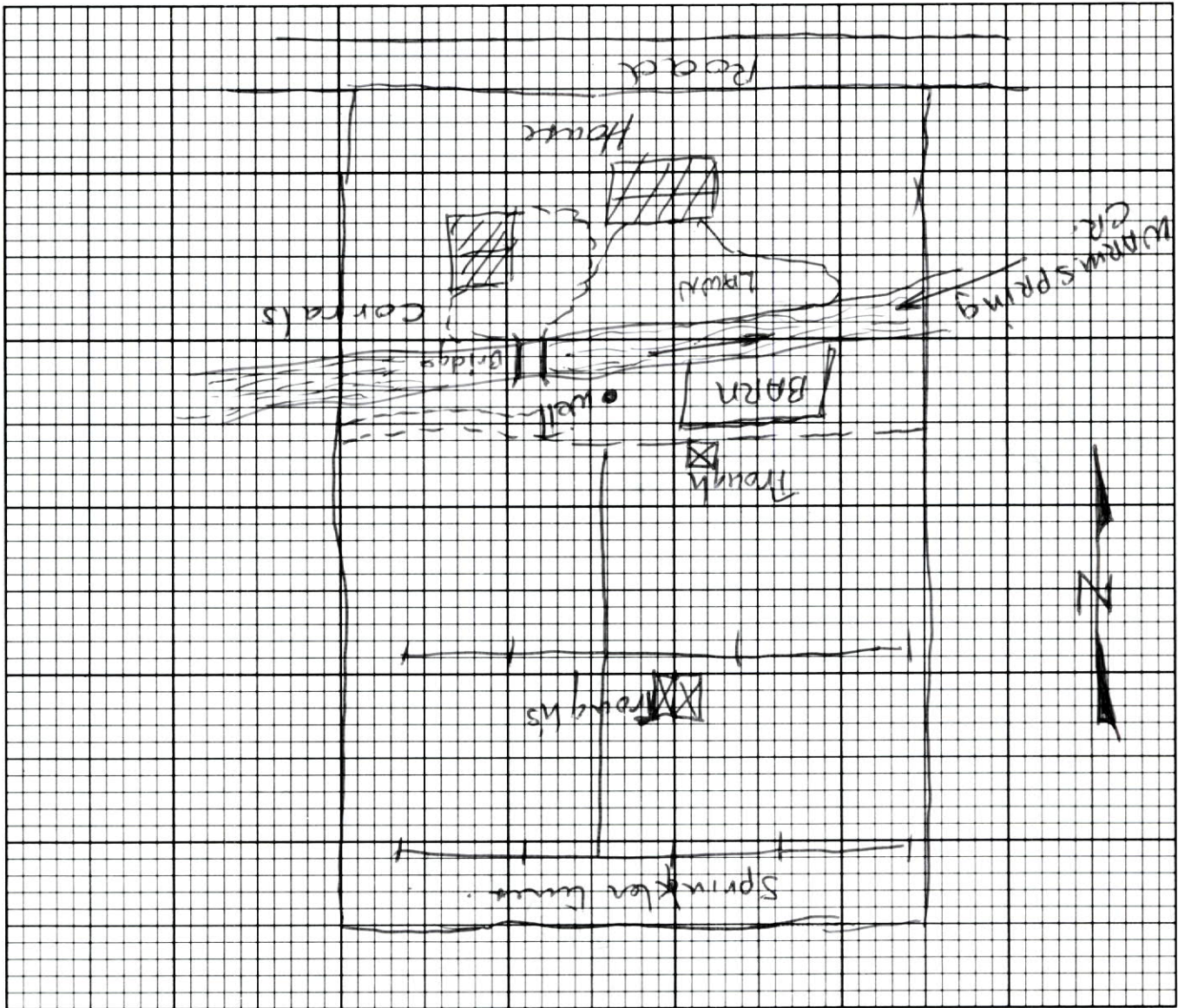
Publish: Wood River Journal, June 15, 22, 1978.

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

Nº 0226

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

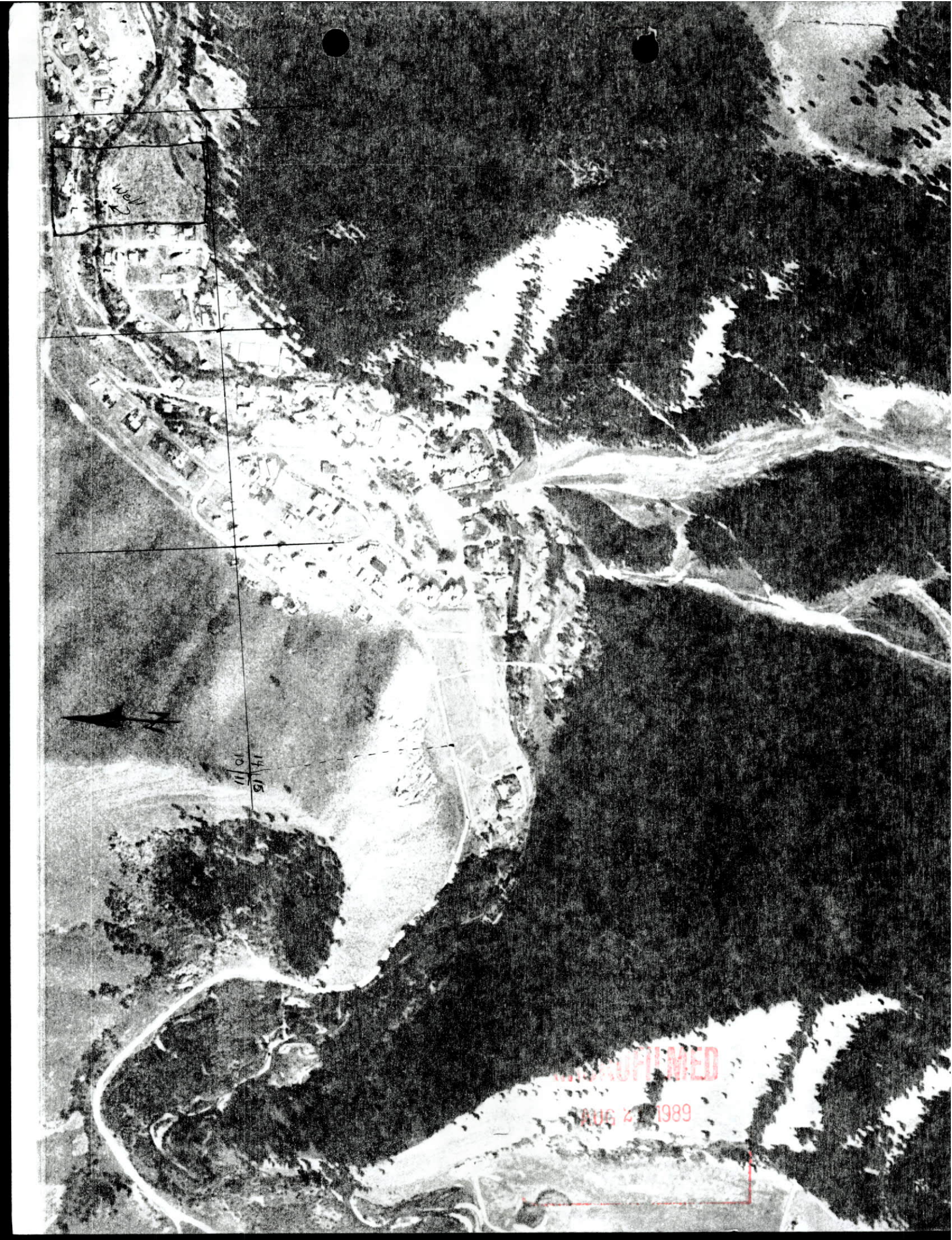


13. ☐ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks _____
15. Recommended Amendments
- | | | |
|---|--|--|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☒ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |
16. Examiner's/Consultant's Signature Gary J. Jendryak Date _____
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct Beneficial Use Examination _____

Date _____

MICROFILMED CONSULTANT SEAL

AUG 21 1989



Well

10
14
15
11

UNCLASSIFIED

AUG 27 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07718

Priority: June 1, 1978

Maximum Diversion Rate:

0.11 CFS

Maximum Diversion Volume:¹

18.1 AF

This is to certify, that JAMES N. CIMINO

P.O. BOX 223

SUN VALLEY, ID 83353

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 1, 1978; and has submitted Proof of Beneficial Use on June 6, 1983. An examination indicates that the works have a diversion capacity of .110 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	04/01 to 11/01	0.11 CFS	18.0 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
	Totals	0.11 CFS	18.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 11, Township 04N, Range 17E
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>
04N	17E	11	NWSE	6		6

Total number of acres irrigated:

6

PLACE OF USE: STOCKWATER, same as IRRIGATION use

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 right to use water confirmed by this license is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

MICROFILMED

AUG 21 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07718

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 25TH
day of July, 1989.

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

MICROFILMED

AUG 21 1989

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07718

RECEIVED
APR 18 1989

Department of Water Resources
APPROVED

Date of Priority: June 1, 1978

Comes now JAMES N. CIMINO
P.O. BOX 223
SUN VALLEY, ID 83353

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 37-07718, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 11/01	0.11 CFS	18.0 AFA
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AFA
	Totals	0.11 CFS	18.1 AFA

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 11, Township 04N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 17E 11	NWSE 6			6
		Total number of acres irrigated:		6

PLACE OF USE: STOCKWATER, same as IRRIGATION use

MICROFILMED
AUG 21 1989

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

Signed at Sun Valley, this 17th day of April, 19 89.

J. N. Cimino
(Signature)

State of Idaho
Department of Water ResourcesAPPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07718

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 ✓ Received by K Young Date 4/18/89

ACTION OF THE DEPARTMENT OF WATER RESOURCES

#006402

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-07718 with the following;

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 25th day of July, 1989.Norman C Young
Acting for (Director)

MICROFILMED

AUG 21 1989

Identification No. 37-7718

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant James N. Cimino Phone: 726-3485
post office address Box 223 Sun Valley, IDAHO 83353
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 4N
Range 17E B.M. Blaine County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.136 cfs for Irrigation purpose from April 1 to Nov. 1 (both dates inclusive)
Amount 0.02 cfs for Stock purpose from Jan 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
a. 0.156 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well with pump & motor delivering to sprinkler system and watering troughs
b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
c. Proposed well diameter is 6" inches; proposed depth of well is 60' feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 2000⁰⁰.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 4N,
Range 17E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 4 horses
(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: _____

APPROPRIATION

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

TWP.	RANGE	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	
4 N.	17 E.	11															6.8		6.8

Total number of acres to be irrigated 6.8

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

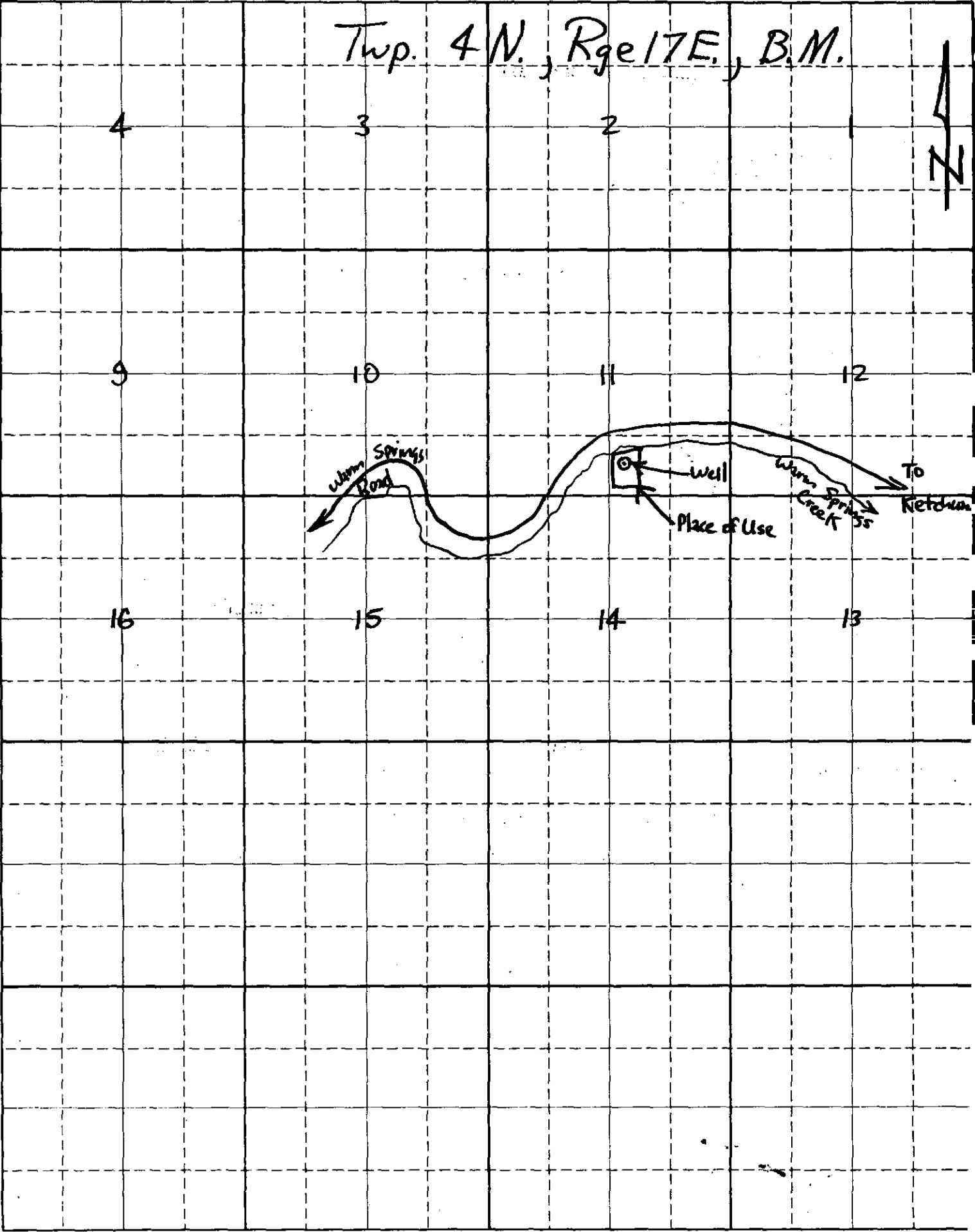
9. a. Who owns the property at the point of diversion Applicant

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

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.

J. D. Liming
(Applicant)

Proposed Priority 6/01/78

Received by ADM Date 6/1/78 Time 3:00 pm.
Preliminary check by JF Fee \$ 10.00 # 10450
Receipted by Sm Date 6/1/78
Publication prepared by Ry Date 6/2/78
Published in Wood River Journal
Publication dates 6/15/78 6/22/78
Publication approved Sm Date 6/27/78
Priority reduced to _____ Reason _____

Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JF

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. 37-7718, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 83.
- c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 11 day of August, 19 78.

L. Glen Saxton
Chief, Operations Bureau

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
 County of Blaine } SS.

JUN 27 1978

ok/sm
6/27/78

Department of Water Resources
 Southern District Office

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 15 day of June 1978, and the date of the last publication was on the 22 day of June, 1978.

Subscribed and sworn to before me this 23rd day of June, 1978.
 (SEAL)

Robert D. [Signature]

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 27
 Number of Insertions 2
 _____ Lines tabular at 39c
27 Lines straight at 26c 7.02
27 Subsequent lines at 15c 4.05
 TOTAL COST 11.07

MICROFILMED

COPY OF NOTICE

(Paste Here)

Permit # 37-7718
 TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
 1041 Blue Lakes Blvd N
 Twin Falls, Idaho 83301

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that James N. Cimino, Sun Valley, Idaho, 83353, has on June 1, 1978 submitted Application No. 37-7718 for a permit to appropriate 0.156 cubic feet per second of water from ground water by means of well, pump, motor, sprinkler system, watering troughs within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, Twp. 4N, Rge. 17E, B.M. Blaine County to be used from April 1 to Nov. 1 for irrigation purposes of 6.8 acres and from Jan. 1 to Dec. 31 for livestock within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, Twp. 4N, Rge. 17E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of this permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before July 3, 1978.

C. Stephen Allred
 Director

Publish: Wood River Journal, June 15, 22, 1978.

(Idaho Code, Rev. Statutes 1971)

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

Nº 0226

July 26, 1989

JAMES N. CIMINO
P.O. BOX 223
SUN VALLEY, ID 83353

RE: PERMIT NO. 37-07718

Dear Permit Holder(s):

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

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

INDEXED

AUG 21 1989

April 10, 1989

JAMES N. CIMINO
P.O. BOX 223
SUN VALLEY, ID 83353

RE: PERMIT NO. 37-07718

Dear Permit Holder(s):

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

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

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MAILED

AUG 21 1989

POINT OF DIVERSION OVER

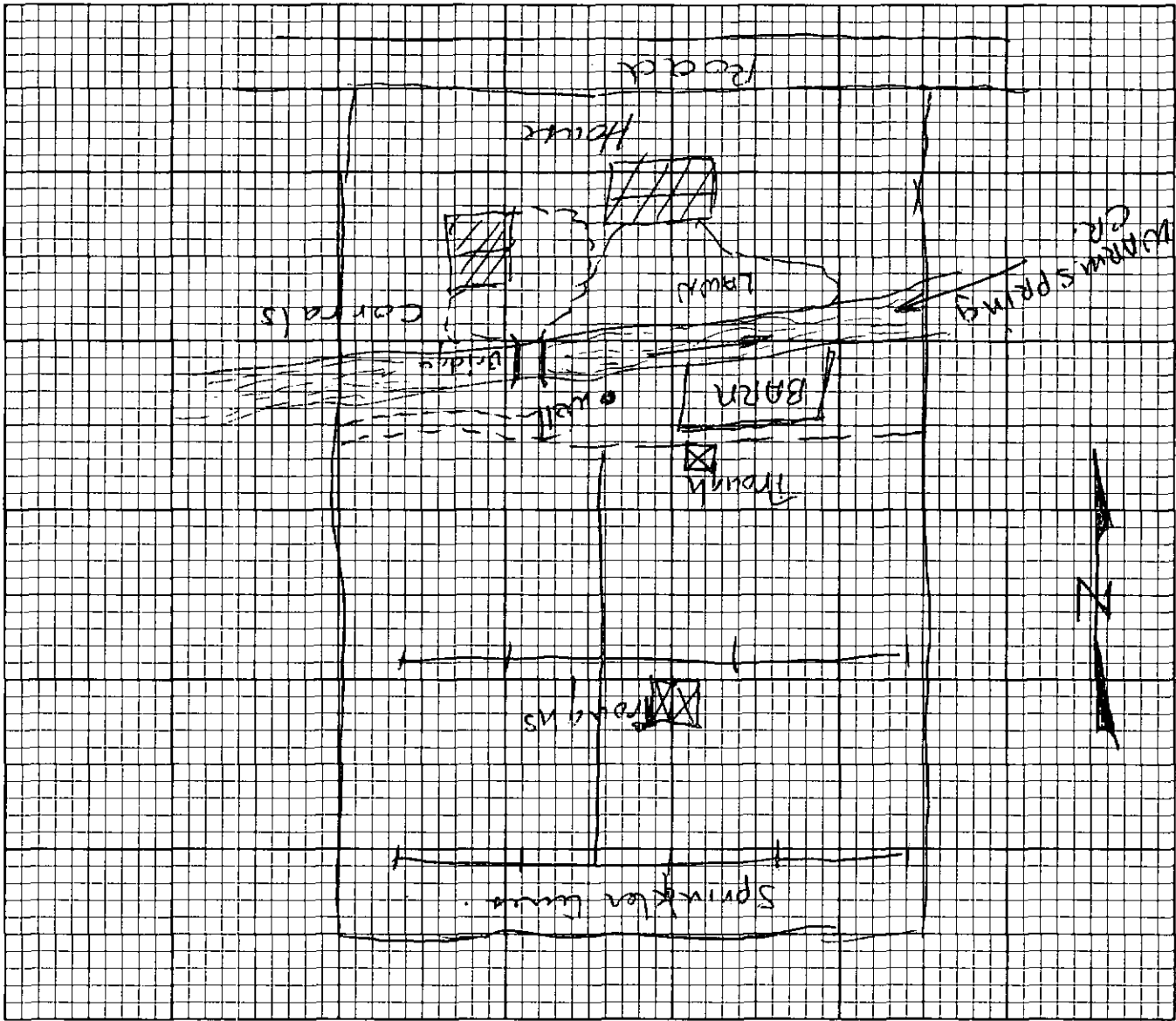
WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
3707718	04N	17E	11	SW SE		GROUNDWATER	CIMINO, JAMES
3700212						WARM SPRINGS CREEK	FARNLUN, AUGUS
3700574						WARM SPRINGS CREEK	RHODES, TRUSTE
3700833J						BIG WOOD RIVER	ROCKWELL, IRVI

Microfilm

AUG 21 1989

Total Acres 6.0

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks _____
15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None

☐ Other
16. Examiner's/Consultant's Signature *Gary J. Jendryak* Date _____
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct
- Beneficial Use Examination _____
- Date _____
- CONSULTANT SEAL



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

MAR 3 1986

32-7718
Permit No.

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

(11) lines, 9/64 No 33 2/s #10-30 Weather Tex Hd's A.U. P.S.I. 60
4.45

$$49.0 / 448.8 = .11 \text{ cfs, Irrigation}$$

$$6 \text{ horses} = 12 \text{ gal/dy/horse} = 72 \text{ gal/12 hr.} = .01 \text{ cfs}$$

$$8.8(1) .7 / (60) + (2.3 \times 60) = .03 \text{ cfs.}$$

- b) Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \times 6 = 18.0 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.11 \text{ cfs})(215 \text{ dys})(1.98) = 47 \text{ A}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 18.0 =$$

- c) Volume Calculations for Other Uses:

$$(6)(12)(365 \text{ dys}) / 325,200 = 0.08 \text{ A.f.n.}$$

2. Overlap Review

- a) Other water rights with same place of use: _____

- b) Other water rights with same point of diversion: _____

- c) Analysis: _____

MICROFILMED

AUG 21 1989

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	37-7718					

4. Permit Holder: James N. Cimino

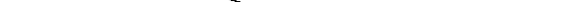
Address: Bx 8223 Sun Valley, IDAHO

5. Source: groundwater tributary to ✓

6. Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)

IRRIGATION	4-1	11-1	0.11 c.f.s.	0.18 A.C.A.
------------	-----	------	-------------	-------------

STOCK	1-1	12-31	0.01 cfs.	0.08 A.L.A.
-------	-----	-------	-----------	-------------



Allowable Maximums: 0.11 C.F.S. 0.26 AFR

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

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	
4N	17E	11															S		
																	6.0		6.0
Total Acres																		6.0	

9. Recommended Conditions/Remarks: _____

10. 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

11. Examiner's Signature Hans Junderburg

Date 12-2-1985

Checked in Regional Office by J. E. Stanton

Date 12-11-88

Approved in State Office by _____

Date _____

1934

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JULY 8, 1983

JAMES N. CIMINO
BOX 223
SUN VALLEY ID 83353

RE: Permit No. 37-7718

Dear Permit Holder:

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

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

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

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

Sincerely,
s/Mary R. Newby
Secretary

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 37-7718.

Name(s) of Permit Holder: James N. Cimino

Post Office Address: Box 223

SUN VALLEY, ID 83353 Tel. No. 726-3485

Source of Water: WELL

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 6 _____ (acres)
☐ Other _____

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

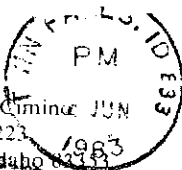
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

3 June 83
Date

J. N. Cimino
Signature of Permit Holder

James N. Ginn
Box 223
Sun Valley, Idaho 83753



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

CIMINO, JAMES N.
P.O. BOX 223
SUN VALLEY, ID 83353

138627

PROOF DUE NOTICE

MAY 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 37-7718 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

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

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

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

138627

3/79

IDENT. NO. 37-718

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

WATER RIGHT
DATA ENTRY LOG

[illegible]



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

August 16, 1978

Re: Permit No. 37-7718

James N. Cimino
Box 223
Sun Valley, ID 83353

Dear Mr. Cimino:

Your approved copy of Application for Permit No. 37-7718 is enclosed and we direct your attention to the conditions of approval on the fourth page.

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.

MICROFILMED

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,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

STAFF REVIEW - STATE OFFICE

1. ☒ Name vs. Signature
 2. G.W. Source
 3. ☒ Point of Diversion
 4. ☒ Amnt. & Period of Use
 5. ☒ Descrip. of Diverting Wrks.
 6. 5 Time req. for Proof of B/U

7. ☒ Place of Use for other than irrig.
 8. ☒ Place of Use for irrigation (add acres)
 9. App Property Owner at Pt. of Div. & Pl. of Use
 10. OK Map
 11. ☒ Fee & Rec't. No.

12. ☒ corrected $6.8 \times .02 = 1.36$

Copies Sent To:

Idaho Health Department
Idaho Fish & Game Dept.
Bureau of Land Management

U.S.F.S.
Dept. of Lands
Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ☒ no

Other rights on same land None

N/A Withdrawals of all protests received yes ☐ no

Conditions:

ID Power Co. Letter - Snake R. yes

ID Power Co. Letter - G.W. & Tribs. yes

Snake River Condition yes

Payette River Letter yes

Priority Date 6/1/78

Water Quality #16 yes

Water Quality #10 yes
 intrastate yes interstate yes

Meas. Dev. or Sc. Meas. yes

Totalizing meter yes

Supplemental yes

Right-of-Way Cond. yes

Watermaster Cond. yes

Wtr. Dist. No. yes

Meas. Dev. Cond. for apps within a Water Dist. yes

Juni Reviewer
8/8/78 Date

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 37-7718 - James N. Cimino

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) JP 6-1-78

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) ADM 6/2/78

In form for advertising

(5) _____

Platted on Map No. _____

(6) LH 8-2-78

NA Located within Water District No. _____

(7) LH 8-2-78

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) Sm 6/27/78

Affidavit of Publication received(date) 6/27/78

(12) 10j 6/2/78

Final date for protests 7/3/78
Protests received: yes _____ no _____

(13) _____

All requested information received from agencies or applicant: yes _____ no ☒

(14) LH 8-2-78

Action recommended:

☒ Approve _____ Deny

RECEIVED
AUG 7 1978

Department of Water Resources

6-1-78 Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District 5 By Loren O Halver Date 8-2-78

cc. Sent to Boise 6/21/78 Sm

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that James N. Cimino
Sun Valley, Idaho 83353
has on 6/1/78 submitted Application No. 37-7718
for a permit to appropriate 0.156 cubic feet per second ~~XXXXXX~~ acre feet per annum
of water from ground Water
by means of well, pump, motor, sprinkler system, watering troughs
within the SW 1/4 Sec. 11, Twp. 4N, Rge. 17E, B.M. Blaine County

to be used from Apr. 1 to Nov. 1 for irrigation purposes of 6.8 acres
~~for~~ and from Jan. 1 to Dec. 31 for livestock
within the SW 1/4 Sec. 11, Twp. 4N, Rge. 17E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before July 3, 1978.

C. STEPHEN ALLRED

Director

Published in the Wood River Journal
on 6/15 and 6/22/78

RECEIVED
JUN 15 1978
TWIN FALLS, IDAHO

June 2, 1978

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

Re: Application for Permit No. 37-7718 - James N. Cimino

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 publication dates allowing ample time for you to submit us 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.

Sincerely,

Terry G. Blau
Acting Southern Region Supervisor

TGB:dj

enc:

RECEIVED
JUN 14 1978
FBI - DENVER