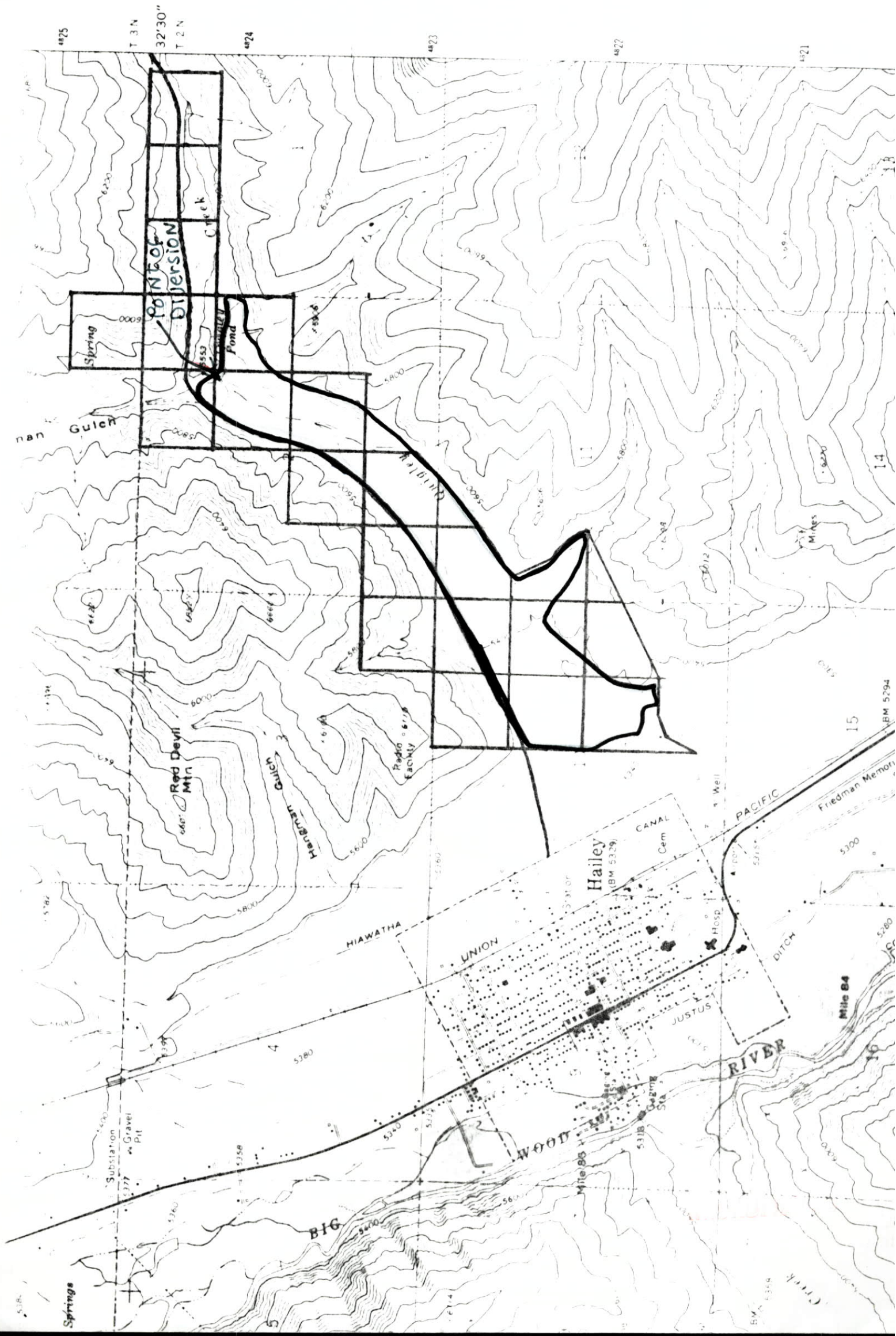




# AFFIDAVIT of PUBLICATION

State of Idaho, }  
County of Blaine } SS.

RECEIVED

JAN 9 1978

GORDON O. GLASMANN

Department of Water Resources  
Southern District Office

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 29 day of December,

1977, and the date of the last publication was on the 5

day of January, 1978

Subscribed and sworn to before me this 9<sup>th</sup>

day of January, 1978.

(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

## COST OF PUBLICATION

Number of Lines in Notice ..... 31

Number of Insertions ..... 2

Lines tabular at ..... 315c

31 Lines straight at ..... 26 8.06

31 Subsequent lines at ..... 15c 4.65

TOTAL COST .... 12.71

## COPY OF NOTICE

(Paste Here)

Permit #37-7693

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 John A. Burke and Fredrick E. Judd, Sun Valley, Idaho 83353, has on 12-16-77 submitted Application No. 37-7693 for a permit to appropriate 6 cubic feet per second of water from Quigley Creek Tributary to Big Wood River by means of on-stream storage reservoir with pump and gravity sprinkler system within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 2, Twp. 2N, Rge. 18E, B.M. Blaine County to be used from Apr. 1 to Nov. 1 for irrigation purposes of 300 acres and from Mar. 1 to Sept. 30 for storage within the S $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 2; NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 10; N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 11, Twp. 2N, Rge. 18E, B.M.

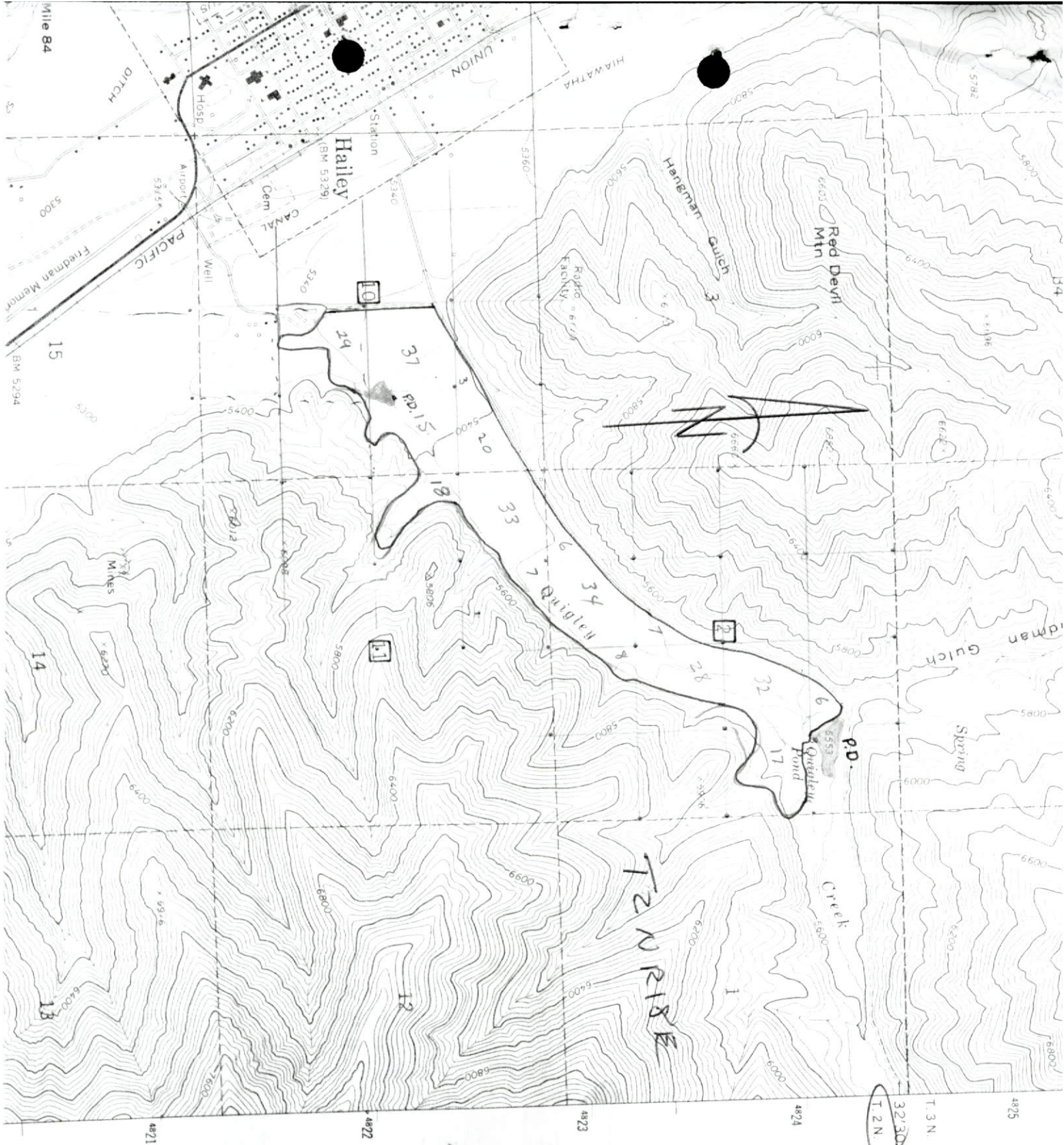
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho 83301, on or before January 16, 1978.

C. Stephen Allred  
Director

Publish: Wood River Journal Dec. 29, 1977 and Jan. 5, 1978.

8 pt. per line, successive  
Insertions ..... 15c

OK 1/11/78  
N<sup>o</sup> 1977



RECORDED

FEB 21 1990

P/D #1

124A

14.9

56.5

125A

T.2N,  
R.18E,

**MICROFILMED**

FEB 21 1990

NOT TO SCALE

A-99

126A

Lower System

45.7

19.7

5.5

9.7

10.5

P/D #2

21.5

A-88

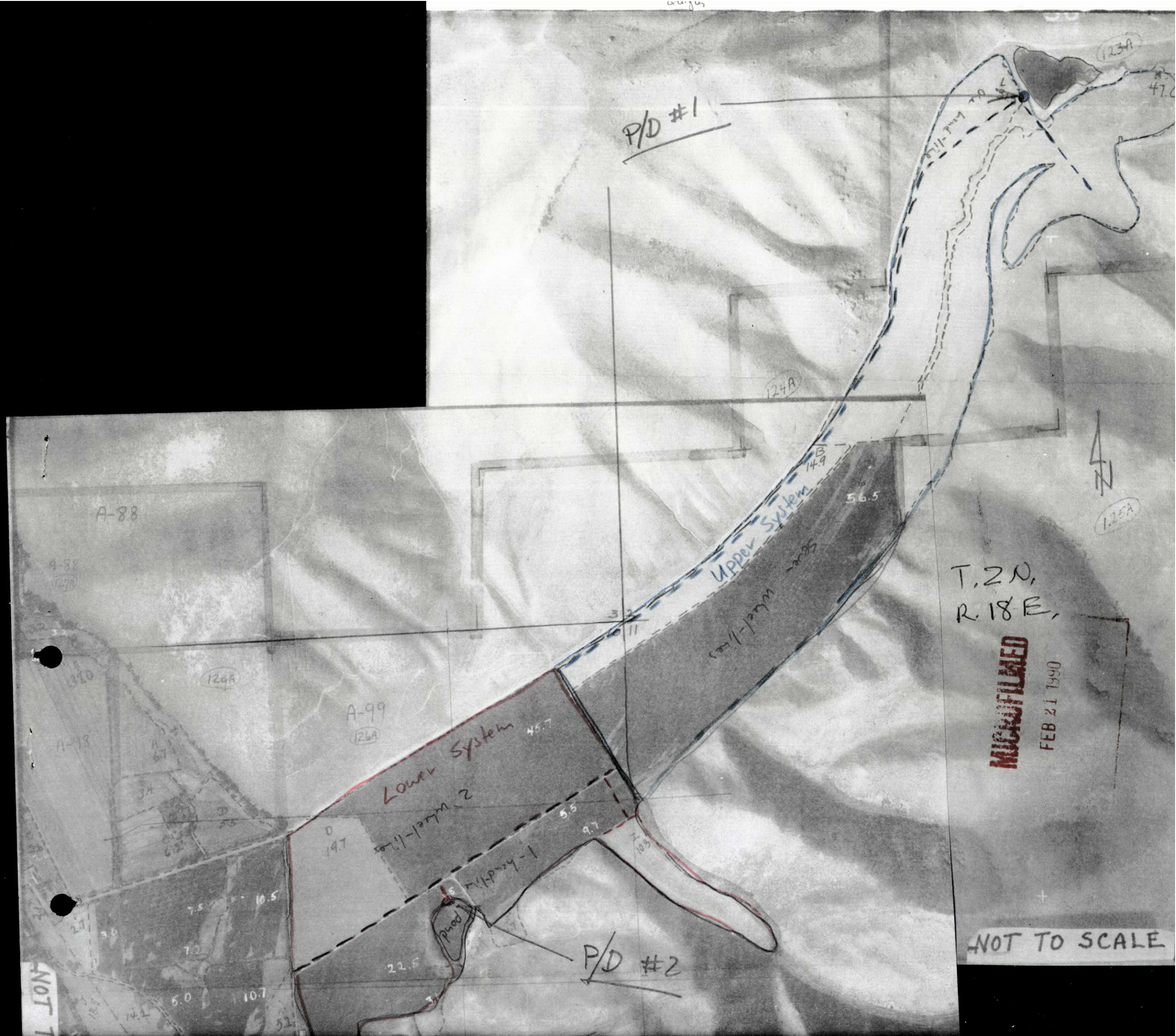
A-88

127A

A-98

127A

NOT TO SCALE



Permit # 37-7693

Louder Reservoir & System



Motor & pump @ Louder Reservoir.



MICROFILMED

FEB 21 1990

Permit # 27-1693

Pumping System @ Upper Reservoir



MICROFILMED

FEB 21 1990



Permit # 37-7693  
Lands being Inv  
from upper Res:

**MICROFILMED**  
FEB 21 1990

Upper Reservoir



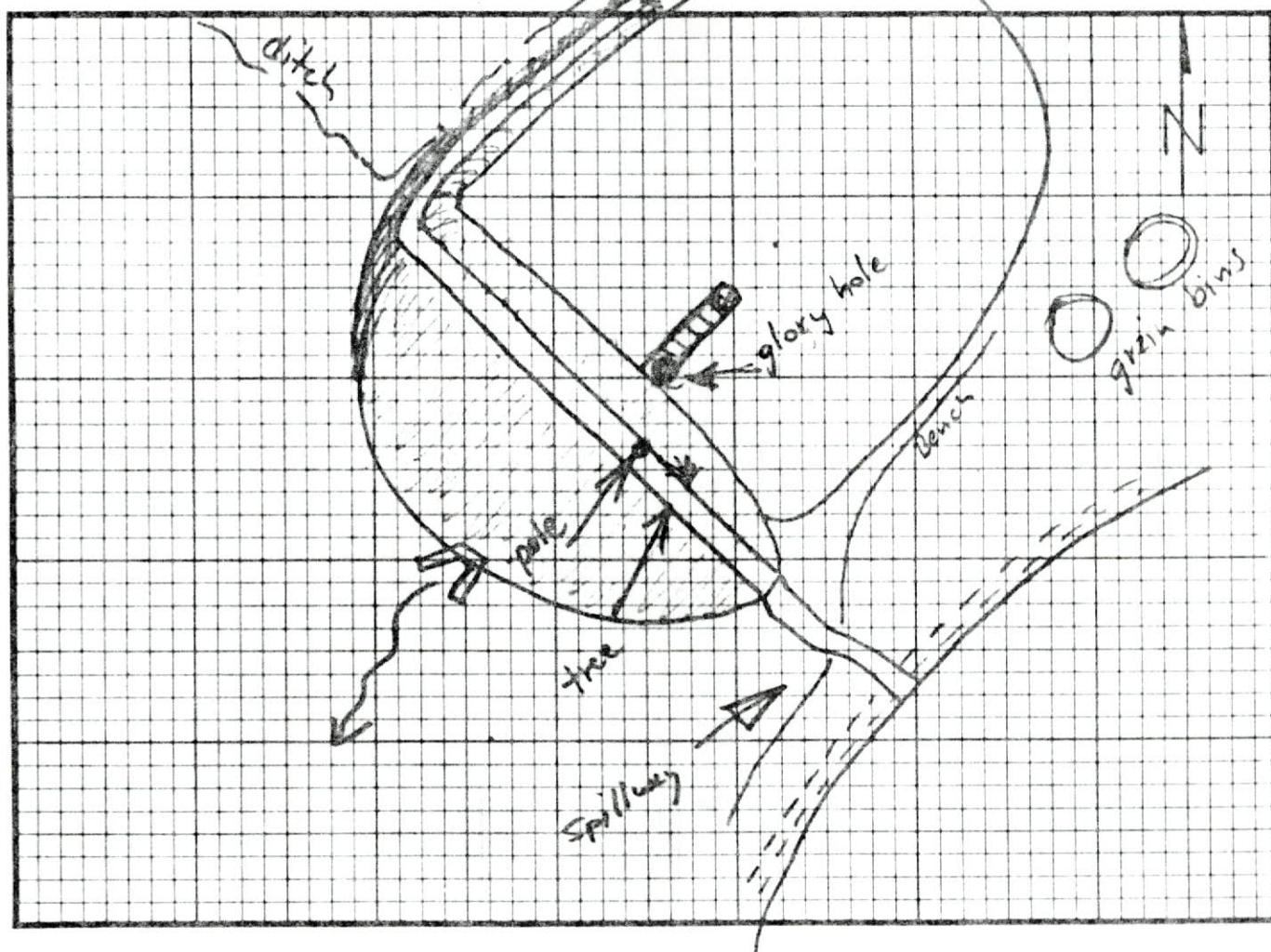
GENERAL CONDITION AND DESCRIPTION OF DAM:

27m gravity concrete dam  
Owners have modified spillway as required (See attached)

INSTRUMENTATION READINGS (Piezometer, Seepage measurement, Alignment, Elevation, etc.)

None

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS:

Remove trees & large growth of weeds & grass from abutment.

**MICROFILMED**

Issue Cont. for 2 yrs.

**FEB 21 1990**

Date:

8/9/84

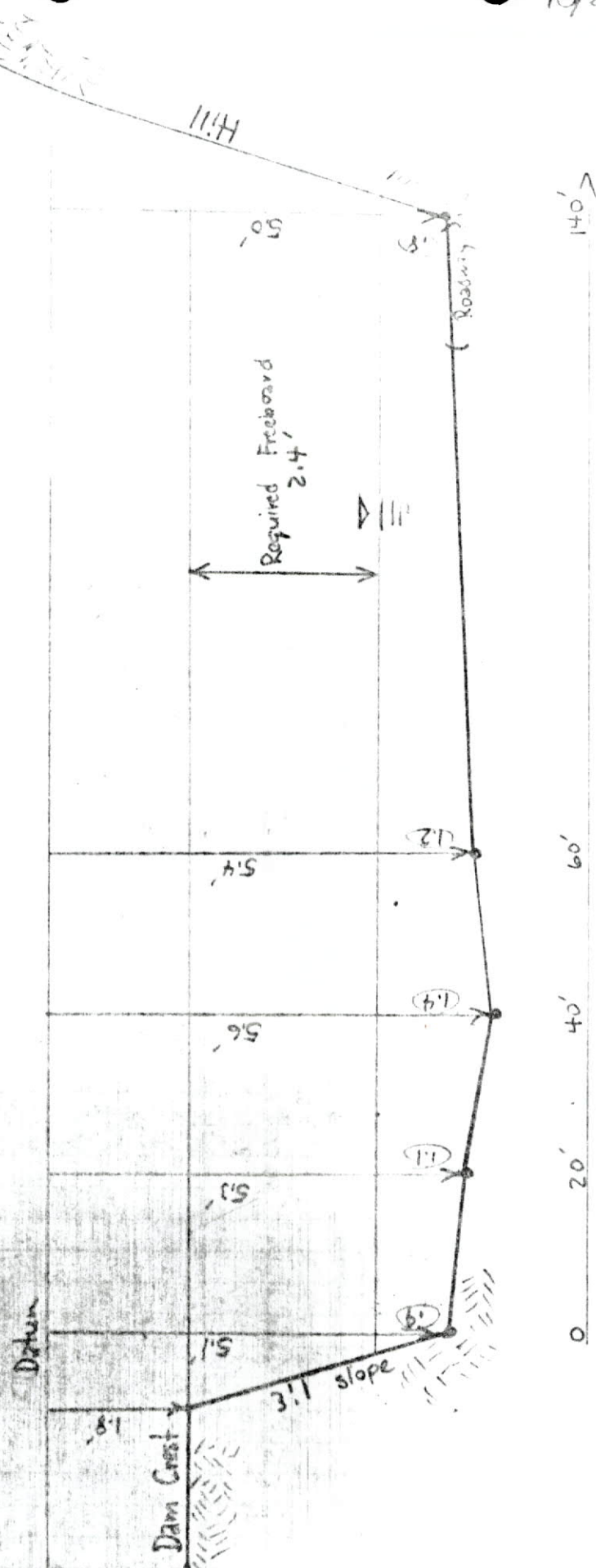
, 19

Inspected by:

Allen Merrill

2. Spillway X-Section Quigley Creek  
Splitway Analysis (Lower)

5/9/84  
10/2/84



Ave depth = 1.08'

Using Egn.  $Q = CLH^{3/2}$  est.  $Q = (3.32)(140')(1.08')^{3/2} = 520.6 \text{ cfs} > 269$

∴ It appears spillway is adequate.

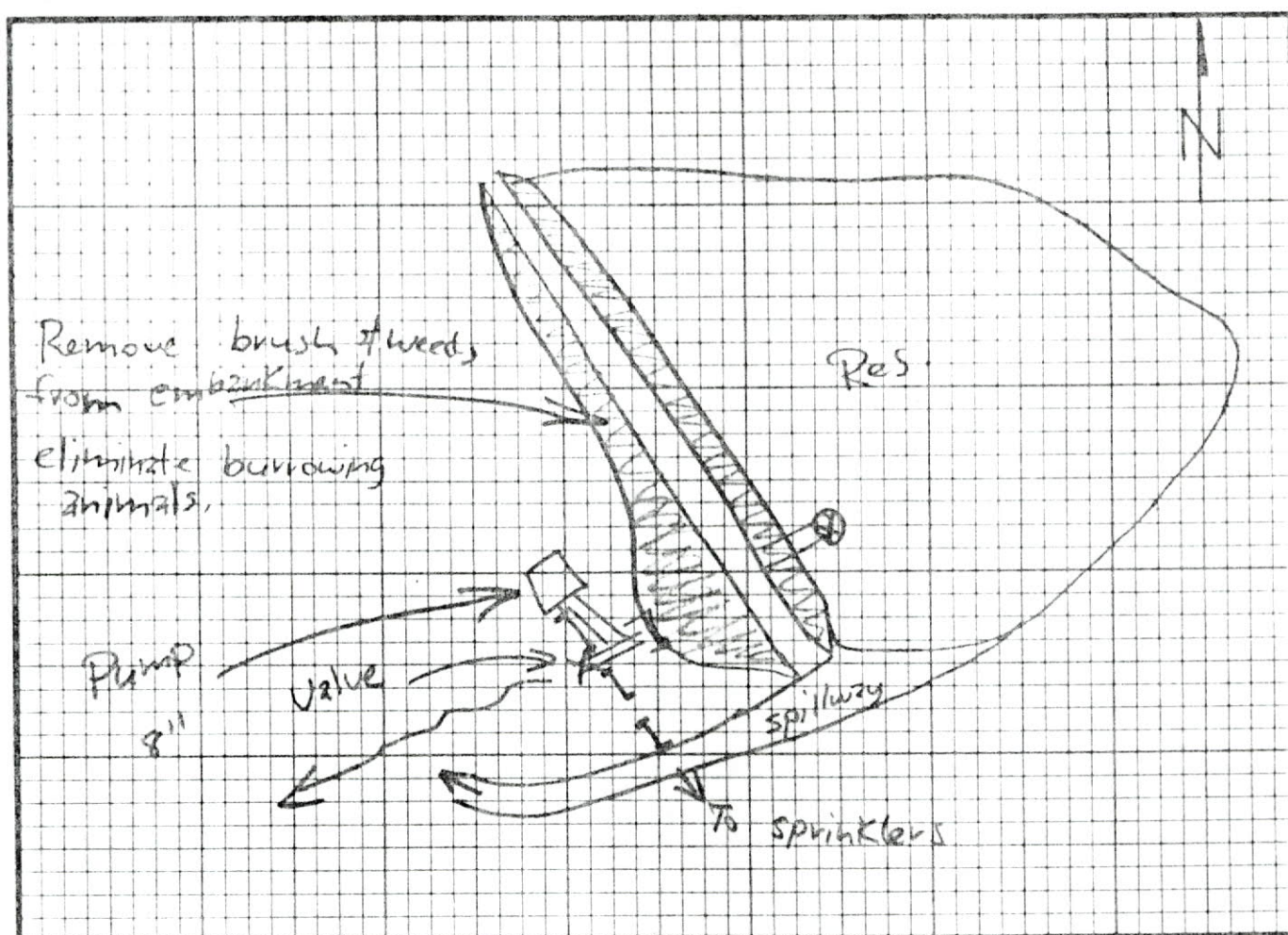
Note: During flood flows it is expected that spillway would scour and erode to pass additional water or provide more freeboard.

MICROFILMED  
FEB 21 1990

GENERAL CONDITION AND DESCRIPTION OF DAM: Dam generally in good condition.

INSTRUMENTATION READINGS (Piezometer, Seepage measurement, Alignment, Elevation, etc.) None

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS: Routine Maint. including removal of brush & weeds, and elimination of burrowing animals.

Issue Certificate.

MAINTAINED

FEB 21 1982

Date: 7/19, 19 82

Inspected by: ADH

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 37-07693

Priority: December 16, 1977

Maximum Diversion Rate: 5.27 CFS  
Maximum Diversion Volume:<sup>1</sup> 900.0 AF

This is to certify, that JOHN A. BURKE  
FREDERICK E. JUDD

P.O. BOX 326

SUN VALLEY, ID 83353

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 16, 1977; and has submitted Proof of Beneficial Use on January 20, 1983. An examination indicates that the works have a diversion capacity of 5.270 cfs of water from:

QUIGLEY CREEK

tributary to BIG WOOD RIVER

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       | 5.27 CFS                 | 900.0 AF             |
| IRRIGATION STORAGE      | 03/01 to 09/30       |                          | 30.0 AF              |
| IRRIGATION FROM STORAGE | 03/01 to 09/30       |                          | 30.0 AF              |
| Totals                  |                      | 5.27 CFS                 | 900.0 AF             |

LOCATION OF POINT(S) OF DIVERSION:

SENE, Sec. 10, Township 02N, Range 18E  
LOT 1( NENE), Sec. 2, Township 02N, Range 18E  
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> |
|------------|------------|------------|---------------|--------------|--------------|--------------|
| 02N        | 18E        | 2          | LOT 2(NWNE) 6 | SWNE 32      | SENE 17      |              |
|            |            |            | NESW 7        | SWSW 6       | SESW 34      |              |
|            |            |            | NWSE 28       | SWSE 8       |              | 138          |
|            | 10         |            | NENE 20       | NWNE 3       | SWNE 37      |              |
|            |            |            | SENE 15       | NWSE 29      |              | 104          |
|            | 11         |            | NENW 7        | NWNW 33      | SWNW 18      | 58           |

Total number of acres irrigated: 300

PLACE OF USE: IRRIGATION STORAGE, same as IRRIGATION use

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

MICROFILMED

FEB 21 1990

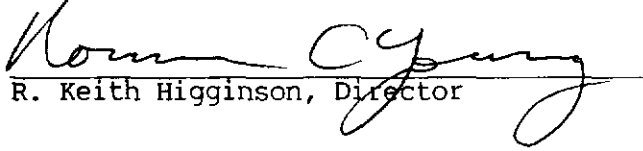
**WATER RIGHT LICENSE**

WATER RIGHT NO. 37-07693

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
6. Use of water under this water right is subject to control by the watermaster of State Water District No. 37

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 13<sup>TH</sup>  
day of FEBRUARY, 1990.

  
R. Keith Higginson, Director

RECEIVED

FEB 21 1990

State of Idaho  
Department of Water Resources

RECEIVED  
JAN 31 1990

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 37-07693

Department of Water Resources

Date of Priority: December 16, 1977      Maximum Diversion Rate: 5.27 CFS  
Maximum Diversion Volume: 900.0 AF

Comes now      JOHN A. BURKE  
FREDERICK E. JUDD

P.O. BOX 326  
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. 37-07693, and requests that the permit be changed as follows:

Source: QUIGLEY CREEK      tributary to BIG WOOD RIVER

| <u>BENEFICIAL USE</u>   | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-------------------------|----------------------|--------------------------|----------------------|
| IRRIGATION              | 04/01 to 11/01       | 5.27 CFS                 | 900.0 AF             |
| IRRIGATION STORAGE      | 03/01 to 09/30       |                          | 30.0 AF              |
| IRRIGATION FROM STORAGE | 03/01 to 09/30       |                          | 30.0 AF              |
| Totals                  |                      | 5.27 CFS                 | 900.0 AF             |

LOCATION OF POINT(S) OF DIVERSION:      SENE, Sec. 10, Township 02N, Range 18E  
LOT 1( NENE), Sec. 2, Township 02N, Range 18E  
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> |
|------------|------------|------------|---------------|--------------|--------------|--------------|
| 02N        | 18E        | 2          | LOT 2(NWNE) 6 | SWNE 32      | SENE 17      |              |
|            |            |            | NESW 7        | SWSW 6       | SESW 34      |              |
|            |            |            | NWSE 28       | SWSE 8       |              | 138          |
|            | 10         |            | NENE 20       | NWNE 3       | SWNE 37      |              |
|            |            |            | SENE 15       | NWSE 29      |              | 104          |
|            | 11         |            | NENW 7        | NWNW 33      | SWNW 18      | 58           |

Total number of acres irrigated: 300

PLACE OF USE: IRRIGATION STORAGE, same as IRRIGATION use  
PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

MICROFILMED

FEB 21 1990

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

Signed at Ketchum, Idaho, this 30<sup>th</sup> day of January, 1990.

John A. Burke  
(Signature)

State of Idaho  
Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 37-07693

\*\*\*\*\*

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 ✓ Received by Garvin Date 1/31/90 #C014332

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-07693 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to 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 when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

Witness my hand this 13<sup>TH</sup> day of FEBRUARY, 1990.

R. Keith Higginson  
R. Keith Higginson, Director

RECORDED

FEB 21 1990

Identification No. \_\_\_\_\_  
Application No. 37-7693

**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 John A. Burke and Frederick E. Judd Phone: 726-5355 & 622-3986  
post office address Box 476, Sun Valley, ID 83353
2. Source of water supply Quigley Creek which is a tributary of Big Wood River
3. a. Location of point of diversion is NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 2 Township 2N  
Range 18E., B.M. Blaine County; additional points of diversion if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b. If water is not consumed, it will be discharged into Quigley Creek at a point in NW  $\frac{1}{4}$   
of SE  $\frac{1}{4}$  of Section 10 Township 3N Range 18E., B.M. \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 6 cfs for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 30 AF for storage purpose from Mar. 1 to Sept. 30 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:  
a. 6 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. existing reservoir, booster pump  
from reservoir for a portion of land; the balance to be irrigated by gravity  
flow sprinkler system.  
\_\_\_\_\_  
\_\_\_\_\_  
b. Height of storage dam 18 feet, active reservoir capacity 30 acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet, materials used in storage dam: \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo. Day) (Mo. Day)  
c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ 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 \$ \_\_\_\_\_.
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: \_\_\_\_\_ hp 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 |        |
| 2N   | 18E   | 2    |        |        | 32     | 17     |        |        |        |        | 7      |        | 6      | 34     |        | 28     | 8      |        | 132    |
|      |       | 10   | 20     | 3      | 37     | 15     |        |        |        |        |        |        |        |        |        | 29     |        |        | 104    |
|      |       | 11   |        |        |        |        | 7      | 33     | 24     |        |        |        |        |        |        |        |        |        | 64     |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated 300

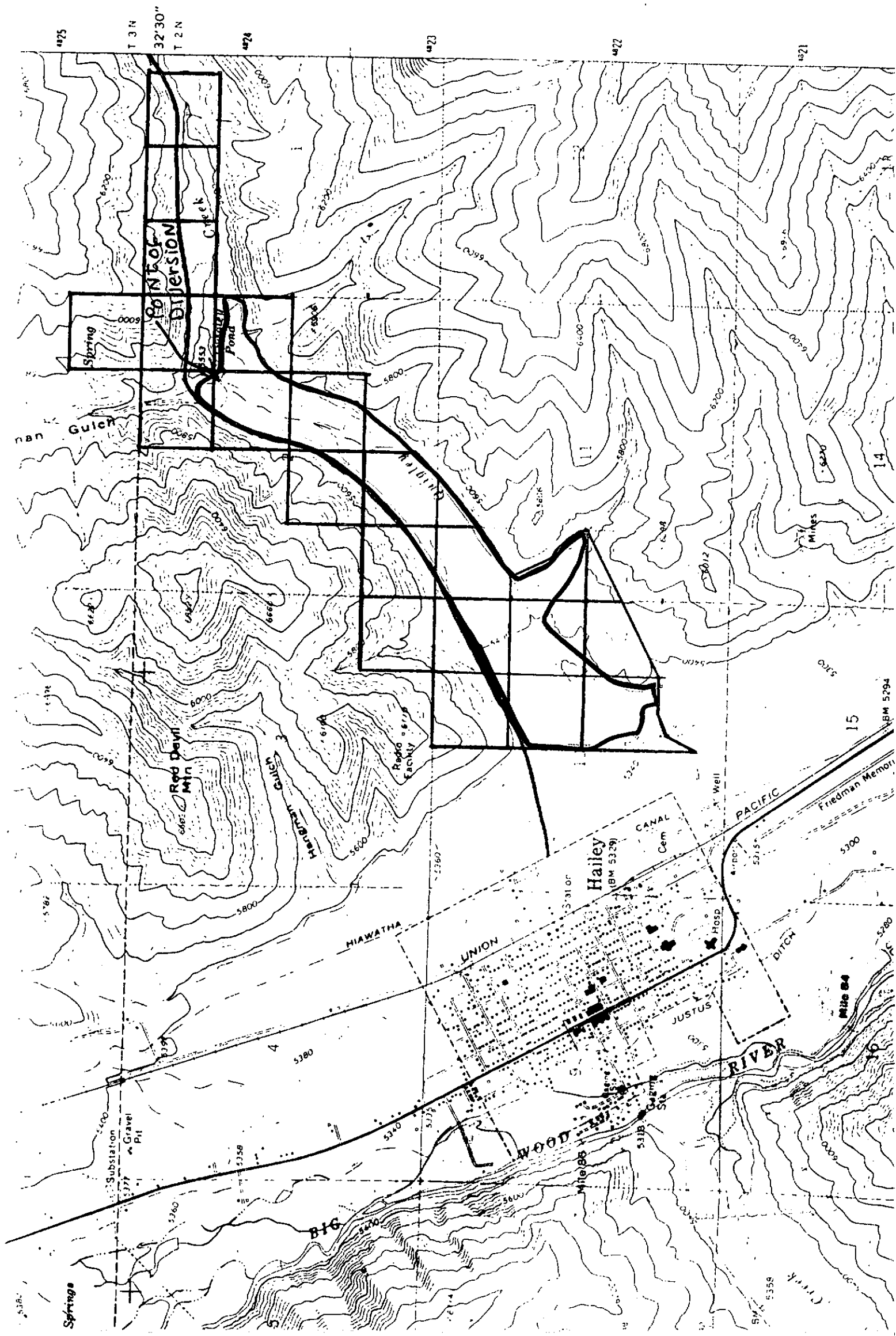
c. Describe any other water rights used for the same purposes as described above. storage right No. 37-2784

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 It has not at this time been determined if there are any other existing rights on Quigley Creek.



[illegible]

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.

John A. Burke Frederick E. Gault

4111

12/16/77  
Proposed Priority

Received by TB Date 12-16-77 Time 3:00  
Preliminary check by JA Fee \$ 75.00 # 7458  
Received by TB Date 12/16/77  
Publication prepared by DJ Date 12/23/77  
Published in Wood River Journal  
Publication dates 12/29/77 + 1/5/78  
Publication approved DJ Date 1/11/78  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by mls

#### 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. 37-7693, 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 March 1, 1983.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water. (2) Use of water under this permit is subject to control by the watermaster of State Water District No. 37, Big Wood River.

Witness my hand this 8 day of March, 19 78.

  
\_\_\_\_\_  
Director  
Deputy

# AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }  
 Connty of Blaine } SS.

JAN 9 1978

GORDON O. GLASMANN

Department of Water Resources  
 being first District Office

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 29 day of December 1977, and the date of the last publication was on the 5 day of January 1978

Subscribed and sworn to before me this 9th day of January 1978.  
 (SEAL)

*Roberta McFarland*

NOTARY PUBLIC

WOOD RIVER JOURNAL  
 Hailey, Idaho

## COST OF PUBLICATION

|                                     |            |              |
|-------------------------------------|------------|--------------|
| Number of Lines in Notice .....     | <u>31</u>  |              |
| Number of Insertions .....          | <u>2</u>   |              |
| Lines tabular at .....              | 315c       |              |
| <u>31</u> Lines straight at .....   | <u>21c</u> | <u>8.06</u>  |
| <u>31</u> Subsequent lines at ..... | <u>15c</u> | <u>4.65</u>  |
| TOTAL COST ....                     |            | <u>12.71</u> |

## COPY OF NOTICE

(Paste Here)

Permit #37-7693  
 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 John A. Burke and Fredrick E. Judd, Sun Valley, Idaho 83353, has on 12-16-77 submitted Application No. 37-7693 for a permit to appropriate 6 cubic feet per second of water from Quigley Creek Tributary to Big Wood River by means of on-stream storage reservoir with pump and gravity sprinkler system within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 2, Twp. 2N, Rge. 18E, B.M. Blaine County to be used from Apr. 1 to Nov. 1 for irrigation purposes of 300 acres and from Mar. 1 to Sept. 30 for storage within the S $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 2; NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 10; N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 11, Twp. 2N, Rge. 18E, 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 January 16, 1978.

C. Stephen Allred  
 Director

Publish: Wood River Journal, Dec. 29, 1977, and Jan. 5, 1978.

8 pt. per line, successive  
 insertions 15c

*OK 1/11/78*  
**Nº 1977**



January 8, 1990

JOHN A. BURKE  
FREDERICK E. JUDD  
P.O. BOX 326  
SUN VALLEY, ID 83353

RE: PERMIT NO. 37-07693

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

**MICROFILMED**

FEB 21 1990

## POINT OF DIVERSION OVER

| WR-NUMBER | TWP | RNG | SC | TRACT       | LT | #SOURCE       | #NAME          |
|-----------|-----|-----|----|-------------|----|---------------|----------------|
|           |     |     |    | 1\4 1\4 1\4 |    |               |                |
| 3707693   | 02N | 18E | 2  | NE NE       |    | QUIGLEY CREEK | BURKE, JOHN A. |
| 3708283   |     |     |    |             |    | QUIGLEY CREEK | BURKE, JOHN A. |

\ Application, permit for junior right, different BU

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**FEB 21 1990**

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MAR 3 1986

Department of Water Resources

Permit No. 37-7693

Phone No.

1. Owner: John Burk, Fred Judd Permit No. 37773  
Phone No. \_\_\_\_\_  
Current Address: \_\_\_\_\_
2. Accompanied by: Fred Judd EXAM. DATE: 8-6-85  
Address: \_\_\_\_\_ Phone No. \_\_\_\_\_  
Relationship to Permit Holder: owner
3. Source: Quincy Cr. tributary to Big Wood River

| Well/Diversion*<br>No. | Motor<br>Make | HP | Motor<br>Serial No. | Pump<br>Make | Pump Serial No. or<br>Discharge Size |
|------------------------|---------------|----|---------------------|--------------|--------------------------------------|
| 1                      | Deutz Diesel  | 60 | 7830869             | Berkeley     | 18' <del>20'</del> 18                |
| 2                      | Westinghouse  | 60 | 2990730650          | Berkeley     | 7840336                              |
|                        |               |    |                     |              |                                      |
|                        |               |    |                     |              |                                      |

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

5. **System Description** (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

7 Wheel lines  
7 Hand lines total of Hds 177 Hds Running

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| Manometer/A.B         |      |      |           |            | 2.98 |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

7. Measurements ☐ Additional data/computation sheets attached

|                    |                   |                    |                   |
|--------------------|-------------------|--------------------|-------------------|
| 1. upper Reservoir | 2.68 c.f.s.       | Reading from chart | Acc. Math = 2.70  |
| 2. lower Reservoir | 2.56 c.f.s.       | " " "              | 2.57              |
|                    | <u>5.24 c.f.s</u> |                    | <u>5.27 c.f.s</u> |

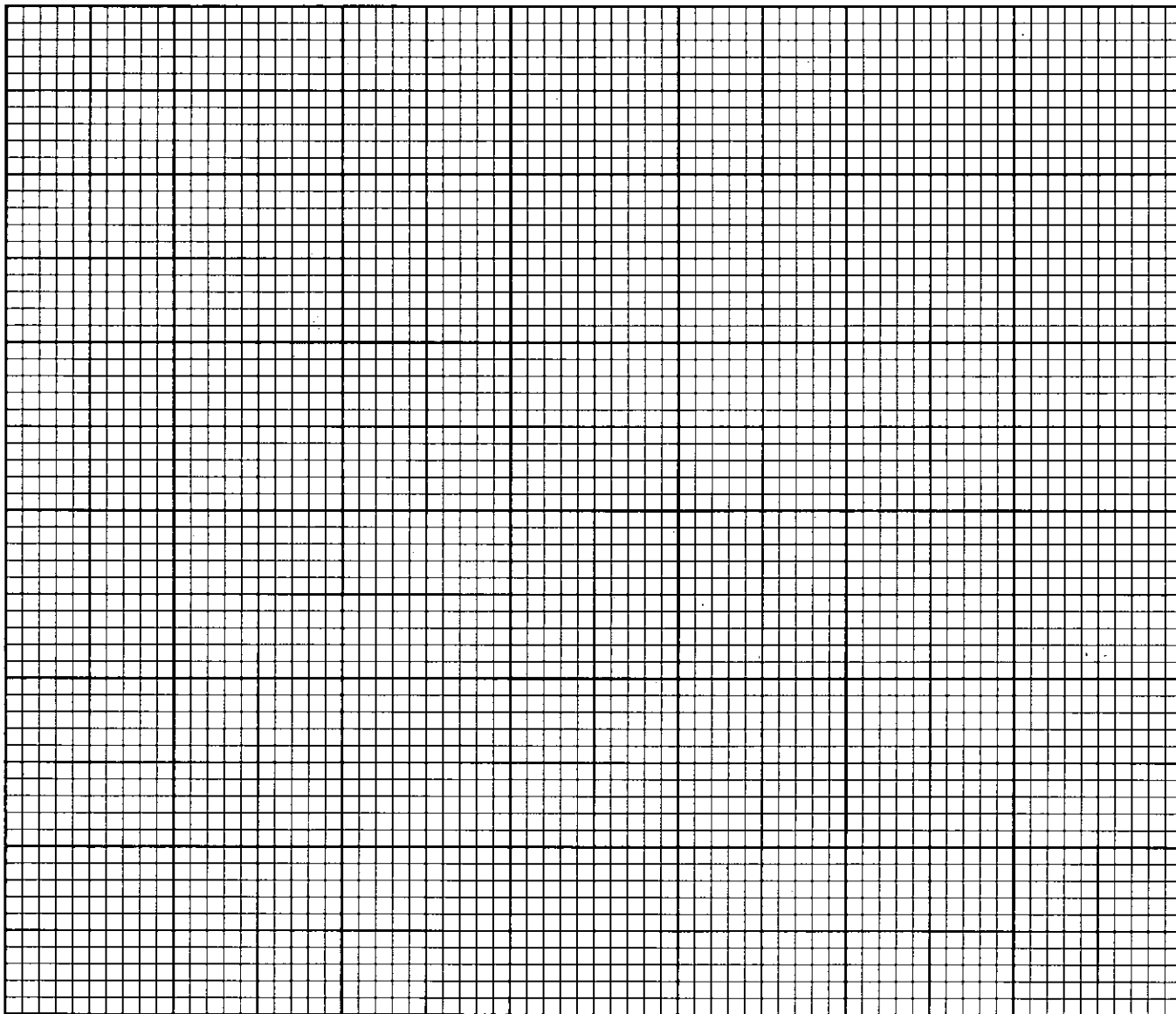
- | 8. Point(s) of Diversion: | Indicate Method of Determination |
|---------------------------|----------------------------------|
|---------------------------|----------------------------------|

[illegible]

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

[illegible]

10. Other water rights on these lands 37-2787, 37-2741, 37-0905, 37-1243
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 Estimation of Capacity of Reservoirs from  
Dam Engineers Files.  
Upper Dam - 20.0 Ac.Ft.  
Lower Dam - 10.0 Ac.Ft.  
30.0 Ac.Ft.

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 Anderson Date 11-28-85
- Consultant's License Number \_\_\_\_\_
- IDWR Director's Authorization to Conduct Beneficial Use Examination \_\_\_\_\_

Date

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CONSULTANT SEAL

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State of Idaho  
DEPARTMENT OF WATER RESOURCES  
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: GARY Fonderburg

Date: 8-6-85

Owner: \_\_\_\_\_

Permit No. 37-7693

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

Diesel Engine w/pump - pumping from Reservoir  
w/wheel lines & Handlines

Measured inside diameter of pipe in inches

(A) 8" dia.

Size of Annubar used in test 7.98

State ID No. 091410

Model No. of Annubar Meter Used 894410 75  
(Model No. = 75 for 6" and larger)  
(Model No. = 73 for 4")

Size Eagle Eye Meter Used Maximeter.

State ID No. \_\_\_\_\_

Date of Last Calibration of Meter \_\_\_\_\_

Observed inches of H<sub>2</sub>O read on Meter

(B) 24"

Flow Correction Factor (From Calibration Graph)  
(Use 1 if Error is  $\pm 2\%$  at observed pressure)

(K) 1 ✓

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

If Model No. = 73, then C = 4.14

(C) 3.85

CALCULATION:  $K \frac{(A^2) (\sqrt{B}) C}{448.8} =$

= 2.7 cfs measured

SKETCH (If not shown on Field Report):

$$\begin{aligned}(A^2) &= \cancel{25} \cancel{64} 64 \\ \sqrt{B} &= 4.9 \\ C &= 3.85 \\ 2.7 \text{ cfs} &= 1267.36 / 448.8 =\end{aligned}$$

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#2

Form 219-Supp.  
6/83

State of Idaho  
DEPARTMENT OF WATER RESOURCES  
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: GARY FunderburgDate ~~4-28-85~~ 6-85

Owner: \_\_\_\_\_

Permit No. 37-7693

## Description of well &amp;/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

Berkley pump  
Westinghouse motor w/wheel lines & hand lines  
8" dia Intake

Measured inside diameter of pipe in inches

(A) 8" diaSize of Annubar used in test 7.98"State ID No. 091410

Model No. of Annubar Meter Used \_\_\_\_\_

(Model No. = 75 for 6" and larger)

(Model No. = 73 for 4")

Size Eagle Eye Meter Used Mannometer

State ID No. \_\_\_\_\_

Date of Last Calibration of Meter \_\_\_\_\_

Observed inches of H<sub>2</sub>O read on Meter(B) 22Flow Correction Factor (From Calibration Graph)  
(Use 1 if Error is  $\pm 2\%$  at observed pressure)(K) 1 ✓

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

If Model No. = 73, then C = 4.14

(C) 3.85CALCULATION:  $K \frac{(A^2) (\sqrt{B})}{448.8} C =$ = 2.57 cfs measured

SKETCH (If not shown on Field Report):

$$\begin{aligned} (A^2) &= 64 \\ \sqrt{B} &= 22" = 4.69 \\ C &= 3.85 \\ &= 2.57 \end{aligned}$$

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FEB 21 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37M  
P.O. Box T  
Shoshone, Idaho 83352  
886-2451



REID J. NEWBY  
Watermaster

November 25, 1985

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

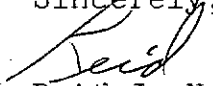
Attention: Gary Funderberg

Re: State WR #37-7693  
John A. Burke & Frederick E. Judd

Dear Gary:

I inspected this permit which is in Quigley Creek and find that this water does not reach Big Wood River during the irrigation season, therefore, I feel that a measuring device or control gate would not be required at this time by Water Dist. #37. However, a measuring device and control gate may be required in the future.

Sincerely,

  
Reid J. Newby  
Watermaster

RJN:ic

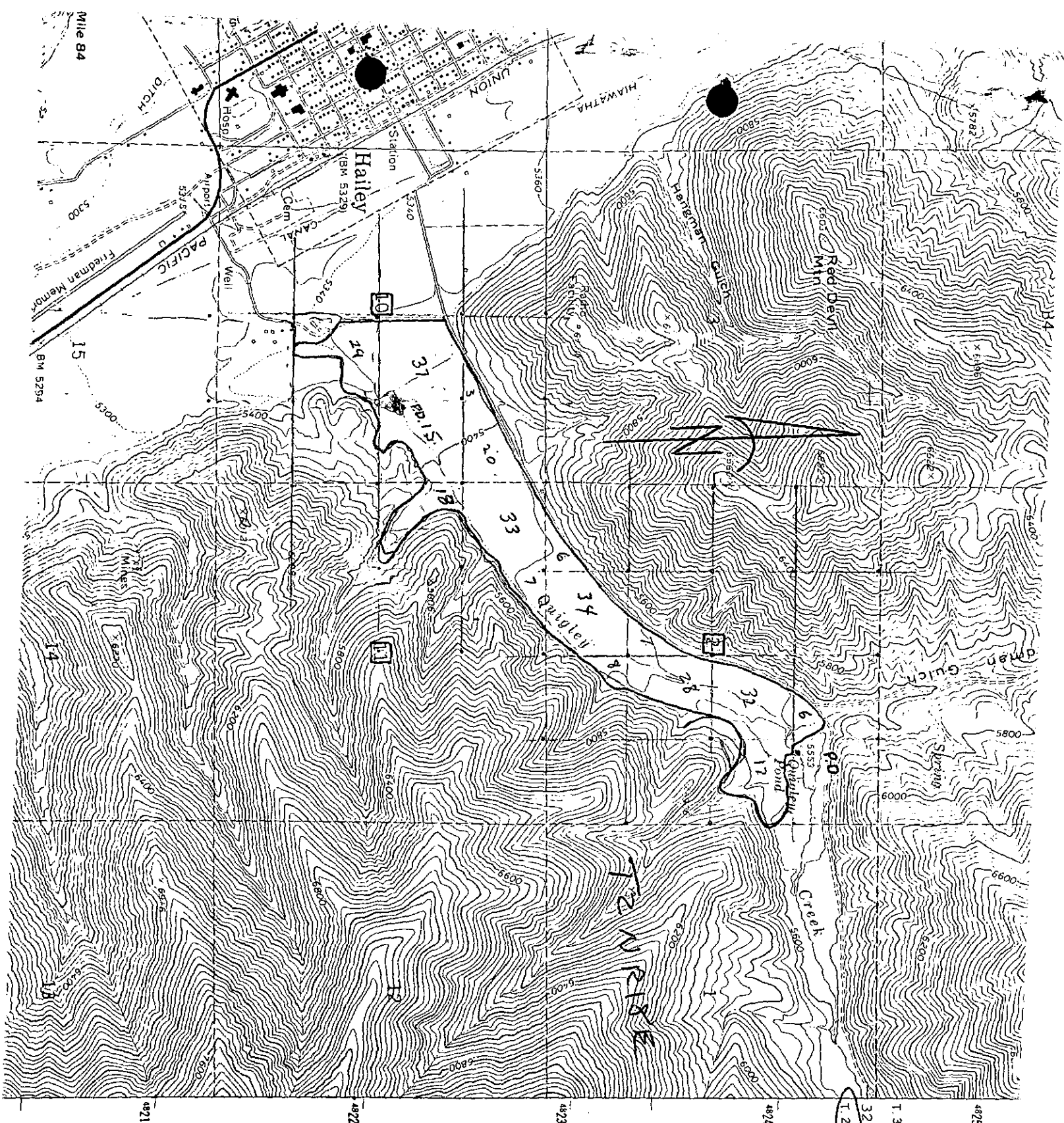
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NOV 27 1985

Department of Water Resources  
Southern District Office

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FEB 21 1990



REPRODUCED

FEB 21 1990

P/D #1

A-88

A-88  
1277

124A

B  
14.9

Upper System

56.5

4 N

125A

T. 2N  
R. 18-E

45.7

5.5

9.7

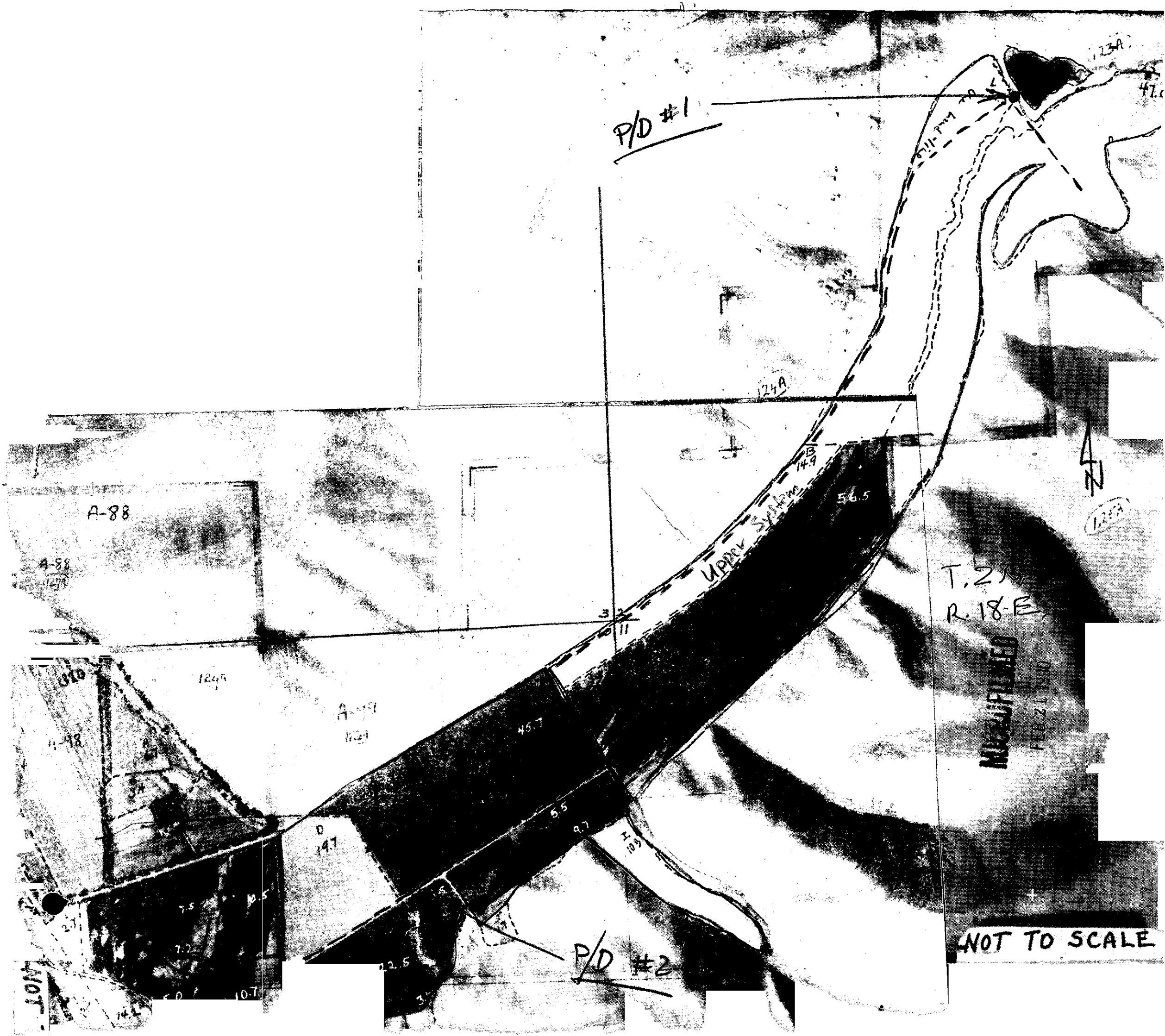
D  
14.7

22.5

P/D #2

NOT TO SCALE

NOT TO SCALE



Permit # 37-7693

Lower Reservoir & System



Motor & pump (a) lower Reservoir

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Permit # 37-7693

Pumping System @ Upper Reservoir



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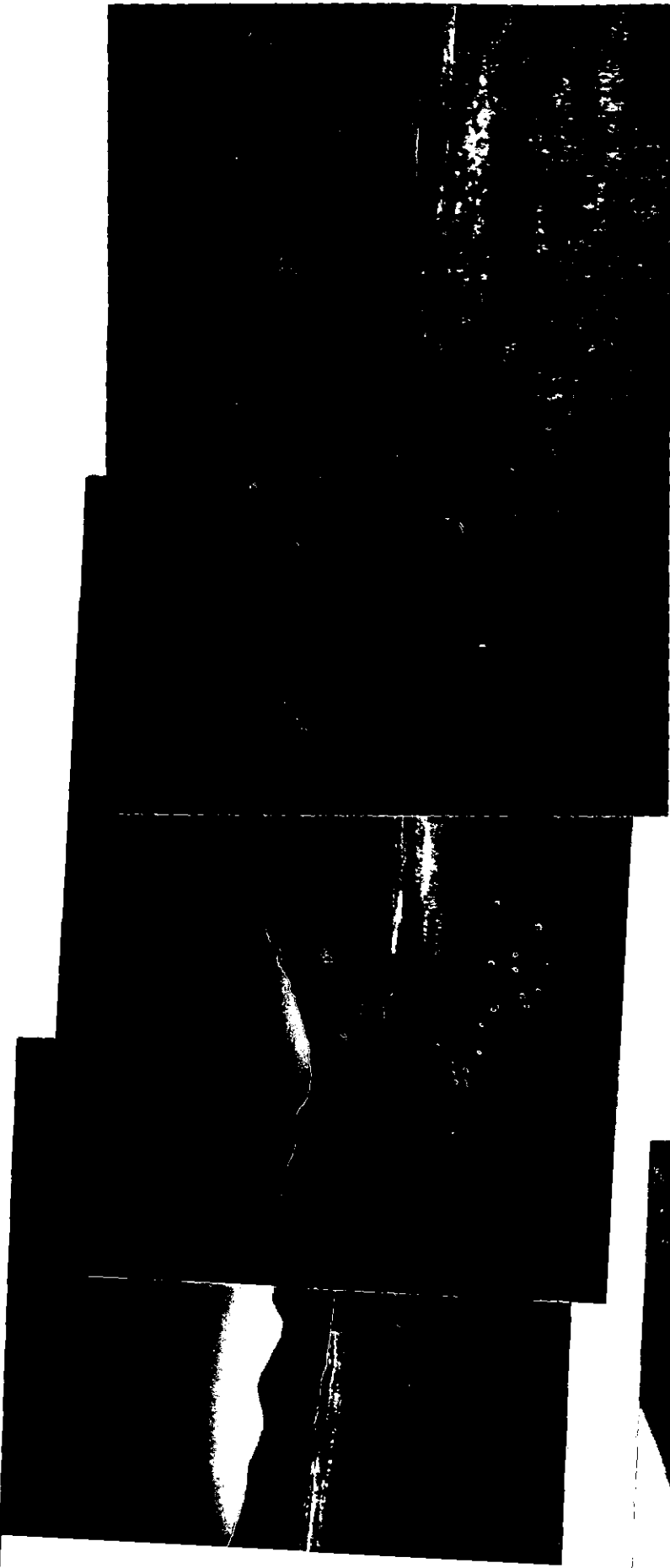
Permit # 37-7693

Lands being In-  
from upper Res:

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FEB 21 1990

Upper Reservoir



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## RECORD OF INSPECTION OF DAM

offstream Big Hole  
the weather was

Name of dam: Quigley Creek (Lower) Stream: Quigley Creek ☐ Offstream  
Name of owner: Quigley Creek Ranch Location: Sec. 10, T.2N., R.18E., B.1  
Individuals accompanying inspector: Mr. Judd notified of inspection but could not attend so inspection conducted without owners pres  
Reservoir characteristics: Dam height 11.5' Surface area 2.3 A. Storage capacity 10 A.F.  
Hazard class: Slightly Significant Photographs: Yes

CONDITION OF EMBANKMENT OR STRUCTURE: ☐ Poor ☐ Fair ☒ Good ☐ ExcellentType: ☒ Earth ☐ Rockfill ☐ Conc. arch ☐ Conc. gravity ☐ Timber crib ☐ Other

|                                    | UPSTREAM SLOPE              | CREST              | DOWNSTREAM SLOPE     | TOE AREA |
|------------------------------------|-----------------------------|--------------------|----------------------|----------|
| Surface cover material             | <u>Earth</u>                |                    |                      |          |
| Growth                             | <u>Grass - weeds (tree)</u> | <u>Grass weeds</u> | <u>Grass - weeds</u> |          |
| Settlement or cracks               | <u>None noted</u>           |                    |                      |          |
| Surface erosion                    | <u>Minor wave</u>           | <u>None</u>        |                      |          |
| Debris                             | <u>None noted</u>           |                    |                      |          |
| Animal burrows                     | <u>None noted</u>           |                    |                      |          |
| Crest width and slope measurements | <u>27%</u>                  | <u>18'-20'</u>     | <u>16%</u>           |          |

CONDITION OF OUTLET WORKS: ☐ Poor ☐ Fair ☒ Good ☐ ExcellentLocation: ☐ Left side ☒ Center ☐ Right side ☐ OtherDescription and condition: 12" CMPGate hoist: ☒ Manual ☐ Electric ☐ OtherStem: ☐ Inclined from entrance to crest ☒ Vertical on tower at entrance  
☐ Vertical through dam from crest ☐ Downstream valveEntrance: Submerged Outlet: OKAlso 16" glass hole beneath catwalk delivering to outlet pipe. Crest of glass hole 4 1/2' below dam crest.CONDITION OF SPILLWAY: ☐ Poor ☐ Fair ☒ Good ☐ ExcellentLocation: ☒ Left abutment ☐ Right abutment ☐ Away from dam ☐ OtherBase width 140' Freeboard at crest 3.8' Sideslope See X-Section attached. Channel slope Fetch 300'Overflow channel: ☒ Well defined ☒ Flow directed away from toe ☐ Flow could reach toeErosion control present: None Erosion present: NoneMaintenance condition: Debris None Growth Some weeds

## SEEPAGE:

Reservoir level during inspection: Approx 2" spilling over glass hole

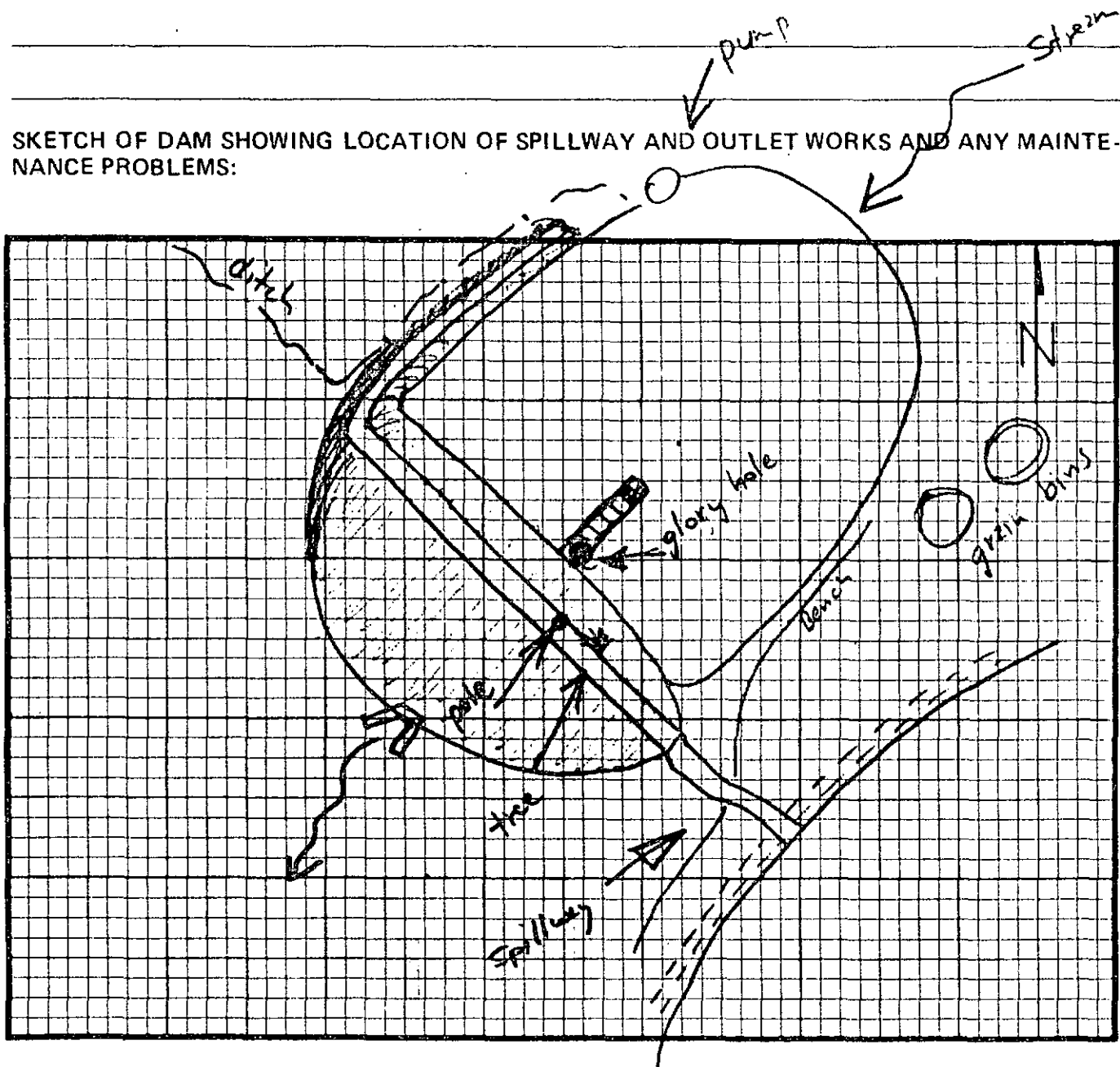
|                                          | TOE AREA | DOWNSTREAM SLOPE | ABUTMENTS | OTHER |
|------------------------------------------|----------|------------------|-----------|-------|
| Piping of material evident (Est. G.P.M.) |          |                  |           |       |
| Flowing water (Est. G.P.M.)              |          |                  |           |       |
| Marshy or standing water                 |          | <u>Dry</u>       |           |       |
| Damp                                     |          |                  |           |       |
| Evident from growth present              |          |                  |           |       |

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GENERAL CONDITION AND DESCRIPTION OF DAM: Dm severely in need of repair  
Owners have modified spillway as requested (see sketch attached)

INSTRUMENTATION READINGS (Piezometer, Seepage measurement, Alignment, Elevation, etc.)  
None

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS: Remove trees & large growth of weeds & grass from embankment.

**MICROFILMED**

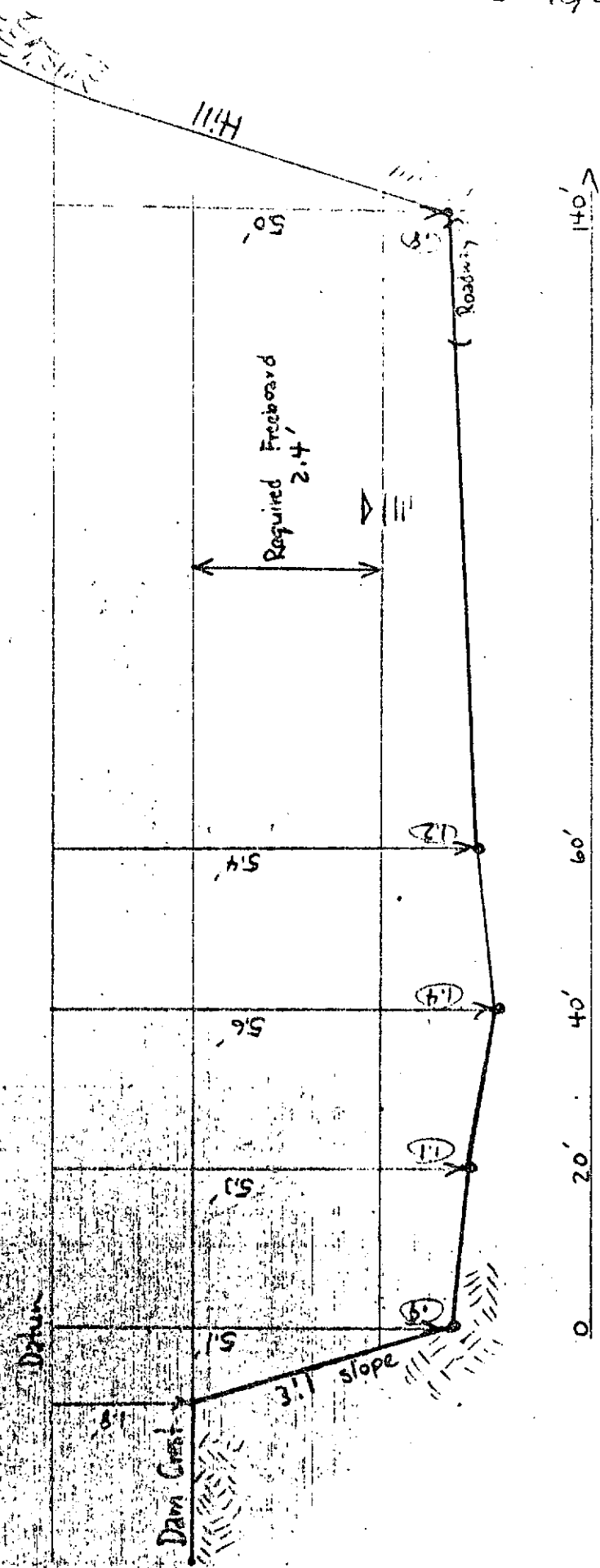
Issue Cont. for 2 yrs, FEB 21 1990

Date: 8/9/84, 19

Inspected by: Allen Merrill

Spillway X-Section  
Spillway Analysis  
Whigley Creek  
(Lower)

5/9/84  
10/2/84



Ave depth = 1.08'

using Eqn.  $Q = CLH^{3/2}$  est.  $Q = (3.32)(140')(1.08')^{3/2} = 520.6 \text{ cfs} > 269$

∴ It appears spillway is adequate.

Note: During flood flows it is expected that spillway would scour 2-3' on rise to pass additional water or provide entire freeboard.

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FEB 21 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

# RECORD OF INSPECTION OF DAM

Name of dam: Quigley Creek (Upper) Stream: Quigley Creek ☐ Offstream  
 Name of owner: Quigley Canyon Ranch Location: Sec. 2, T.2N, R.18E, B.M.  
 Individuals accompanying inspector: 96 Stoney Burke None - Contacted Mr. Burke after inspection  
 Reservoir characteristics: Dam height 12' Surface area 4.3 A. Storage capacity 20 A.F. <sup>Est.</sup>  
 Hazard class: Low Photographs: Yes

CONDITION OF EMBANKMENT OR STRUCTURE: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Type: ☒ Earth ☐ Rockfill ☐ Conc. arch ☐ Conc. gravity ☐ Timber crib ☐ Other \_\_\_\_\_

|                                    | UPSTREAM SLOPE              | CREST                       | DOWNSTREAM SLOPE            | TOE AREA |
|------------------------------------|-----------------------------|-----------------------------|-----------------------------|----------|
| Surface cover material             | <u>Earth</u>                |                             |                             |          |
| Growth                             | <u>Sage Brush weeds</u>     |                             |                             |          |
| Settlement or cracks               | <u>None noted</u>           |                             |                             |          |
| Surface erosion                    | <u>Minor Benching</u>       | <u>None</u>                 |                             |          |
| Debris                             | <u>None noted</u>           |                             |                             |          |
| Animal burrows                     | <u>None</u>                 |                             | <u>Few</u>                  |          |
| Crest width and slope measurements | <u>33%</u> <sup>meas.</sup> | <u>12'</u> <sup>meas.</sup> | <u>50%</u> <sup>meas.</sup> |          |

CONDITION OF OUTLET WORKS: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Location: ☐ Left side ☒ <sup>Left</sup> Center ☐ Right side ☐ Other \_\_\_\_\_

Description and condition: 8" steel pipe possibly lined with concrete.

Gate hoist: ☒ Manual ☐ Electric ☒ Other Diesel Powered Pump

Stem: ☐ Inclined from entrance to crest ☒ Vertical on tower at entrance  
☐ Vertical through dam from crest ☒ Downstream valve 8" Butterfly valve

Entrance: Submerged (It has screened entrance) Outlet: OK (See photo)

CONDITION OF SPILLWAY: ☐ Poor ☒ Fair ☐ Good ☐ Excellent

Location: ☒ Left abutment ☐ Right abutment ☐ Away from dam ☐ Other \_\_\_\_\_

Base width 30' Freeboard at crest 5' Sideslope 1 1/2:1 Channel slope \_\_\_\_\_ Fetch \_\_\_\_\_

Overflow channel: ☒ Well defined ☒ Flow directed away from toe ☐ Flow could reach toe

Erosion control present: Small rocks Erosion present: Minor at lower end

Maintenance condition: Debris None Growth sage brush - weeds

SEEPAGE:

Reservoir level during inspection: Small flow thru spillway

|                                          | TOE AREA | DOWNSTREAM SLOPE | ABUTMENTS | OTHER |
|------------------------------------------|----------|------------------|-----------|-------|
| Piping of material evident (Est. G.P.M.) |          |                  |           |       |
| Flowing water (Est. G.P.M.)              |          |                  |           |       |
| Marshy or standing water                 |          |                  |           |       |
| Damp                                     |          |                  |           |       |
| Evident from growth present              |          |                  |           |       |

Dry

**MICROFILMED**

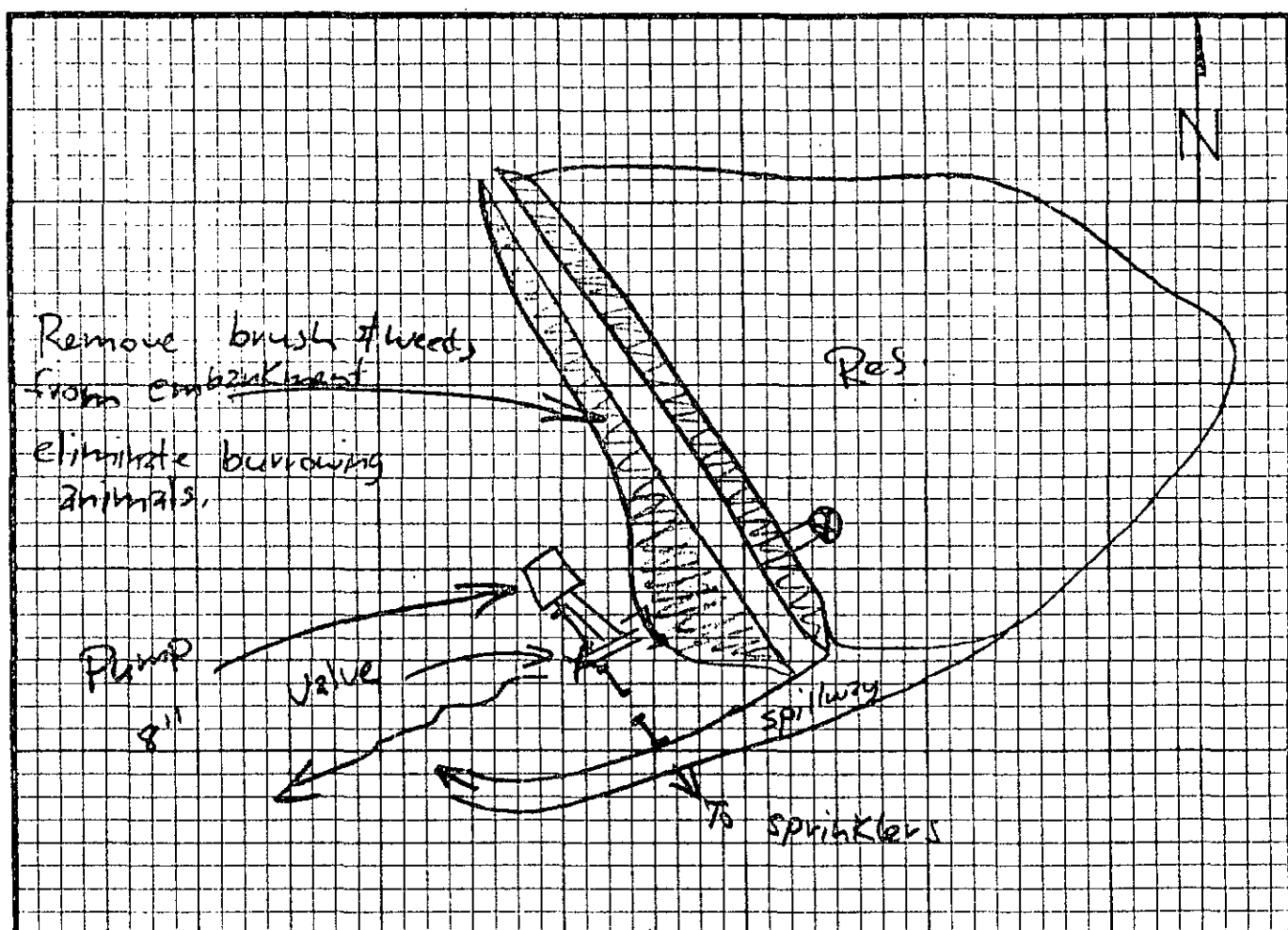
**FEB 21 1990**

GENERAL CONDITION AND DESCRIPTION OF DAM: Dam generally in good condition.

INSTRUMENTATION READINGS (Piezometer, Seepage measurement, Alignment, Elevation, etc.)

None

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS: Routine Maint. including removal of brush & weeds, and elimination of burrowing animals.

Issue Certificate.

**MAINTAINED**

**FEB 21 1980**

Date: 7/19, 19 82

Inspected by: ADH

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
LICENSING REPORT

RECEIVED  
MAR 3 1986

37-7693  
Permit No.

Department of Water Resources

1. Measurement Calculations

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

① meas. from A.B. w/ manometer (see Supplement/field Reports)  
$$\frac{8.8(60)(.70)}{(0) + (65 \times 2.3)} = 2.47 \text{ c.f.s.}$$

② 
$$\frac{8.8(60)(.70)}{0 + (80 \times 2.3)} = 2.00 \text{ c.f.s.}$$

b) Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \times 300 = 900$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (5.27)(215)(1.98) = 2243.4$$
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 900 \text{ AFA}$$

c) Volume Calculations for Other Uses:

2. Overlap Review

a) Other water rights with same place of use: \_\_\_\_\_

b) Other water rights with same point of diversion: \_\_\_\_\_

c) Analysis:

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FEB 21 1990

## RECOMMENDED AMOUNTS

|    |                   |                 |               |                  |                             |                        |
|----|-------------------|-----------------|---------------|------------------|-----------------------------|------------------------|
| 3. | <b>Permit No.</b> | <b>Priority</b> | <b>Amount</b> | <b>App. Date</b> | <b>Date Proof Submitted</b> | <b>System Capacity</b> |
|    | 37-7693           |                 |               |                  |                             |                        |

4. Permit Holder: \_\_\_\_\_

Address: \_\_\_\_\_

5. Source: Quigley Cr. tributary to Big Wood River.

| 6. Beneficial Use | Period of Use |      | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-------------------|---------------|------|------------------------------|--------------------------|
|                   | From          | To   |                              |                          |
| IRR -             | 4-1           | 11-1 | 5,27 cfs.                    | 900 Afa                  |
| Storage for Irr.  | 3-1           | 9-30 |                              | 30.0 Afa                 |
| Irr. from Storage | 3-1           | 9-30 |                              | 30.0 Afa                 |

Allowable Maximums: 5.27 cfs 900 AFA

**7. Point(s) of Diversion:**

[illegible]

**8. Place(s) of Use**

[illegible]

9. Recommended Conditions/Remarks: measuring device should be waived and allow only Access port requirement. Water-master doesnot control this water. Frost deuced this system as dry stream not reaching Bigwood River.

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FEB 21 1990

## 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 Samuel

Date 12-2-85

Checked in Regional Office by J. J. Kanton

Date 12-12-89

Approved in State Office by \_\_\_\_\_

Date 2/28/88



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

December 9, 1988

RE: Permit No. 37-7693

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

Dear Mr. Speck:

We received your letter dated 11/9/88 regarding the status of the above referenced permit.

The licensing examination has been conducted, however, because of the large backlog we are faced with, we cannot give an estimate of when the license will be issued.

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

Sincerely,

*Sharla Curtis*

for Sharla Curtis  
Clerical Specialist

SC:ky

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FEB 21 1990

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

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

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

November 9, 1988

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

RECEIVED  
NOV 10 1988

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

Department of Water Resources

Re: Quigley Ranch Partnership - Permit No. 37-7693

Dear Jim:

The field exam for the above-referenced Permit was done August 6, 1985. The Permit has not yet been licensed. Will you please write me a letter as to the status of the licensing process for this Permit.

Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD

*Jim*  
James P. Speck

JPS/jal

cc: Mr. John A. Burke  
Mr. Fred Judd  
Mr. Loren Holmes

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FEB 21 1990

## Department of Water Resources

SEE PROOF  
REVISIONS  
SUBMITTED



**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

February 2, 1983

John A. Burke  
Frederick E. Judd  
P. O. box 476  
Sun Valley, Idaho 83353  
Re: Permit 37-7693

Re: P  
Gentlemen:

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

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

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

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

Sincerely,

Gary L. Funderburg  
Sr. Water Resource Agent

LOH:GLF:marya

**MICROFILMED**

FEB 21 1990

377693

## 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. \_\_\_\_\_

Name(s) of Permit Holder: John A. Burke & Frederick E. Judd

Post Office Address: P.O. Box 476 Sun Valley, Idaho 83353

Tel. No. 622-4100

Source of Water: Quigley Creek

Extent of Use:

☐ Domestic

(number of households)

☒ Stockwater 1000 Sheep

(number and type of stock)

☒ Irrigation 300

(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.

January 18, 1983

John A. Burke

Signature of Permit Holder

QUIGLEY CANYON RANCH

P.O. Box 1113  
Hailey, Idaho 83333

Fire Pump

1870

USA 20



RECEIVED

JAN 23 1987

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

Dept of Water Resources

3/79

IDENT. NO. 87-7693

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]

November 21, 1978

Mr. John A. Burke  
Box 476  
Sun Valley, ID 83353

Dear Mr. Burke:

Pursuant to our telephone conversation of November 21, 1978, enclosed is the proof of beneficial use form you submitted in August.

As soon as you actually put the 84 acres to irrigation or you decide you don't want the 84 acres covered under this permit, you can return the proof. Please note that proof of beneficial use is not due until March 1, 1983.

If you have any questions, please contact me.

Sincerely,

RITA FLECK  
Secretary



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

Dear Wateruser:

Forwarded for your information in regard to your water permit is a self-explanatory letter which this office is now forwarding to holders of recently issued water right permits.

This is being mailed retroactively for informational purposes to persons who submitted applications on approximately December 30, 1977 and later.

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads "L. Glen Saxton".

L. GLEN SAXTON  
Chief, Operations Bureau

LGS:kw  
Enclosure

MICROFILMED



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

April 14, 1978

Re: Permit No. 37-7693

John A. Burke and Frederick E. Judd  
Box 476  
Sun Valley, ID 83353

Dear Sirs:

Your approved copy of Application for Permit No. 37-7693 is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

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,

A handwritten signature in cursive script that reads "L. Glen Saxton".

L. GLEN SAXTON  
Chief, Operations Bureau

LGS:kw  
Enclosure

11/10/60 10:11 AM



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

John V. Evans  
Governor

C. Stephen Allred  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2215

March 14, 1978

Re: Permit No. 37-7693

John A. Burke and Frederick E. Jodd  
Box 476  
Sun Valley, ID 83353

Dear Sirs:

Enclosed is a copy of your approved Application for Permit No. 37-7693. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

L. GLEN SAXTON  
Chief, Operations Bureau

LGS:KW

Enclosure

MICROFILMED

RECEIVED

APPLICATION FOR PERMIT TO A WATER RIGHT

DEC 23 1977

NO. 37-7693

Department of Water Resources  
Southern District Office

RECOMMENDATION OF WATERMASTER

I, Reid J. Newby, watermaster of Big Wood River,  
of Water District No. #37, County of Blaine, State of Idaho,  
whose address is \_\_\_\_\_  
have read the attached copy of the application for permit for John A.  
Burke & Frederick E. Judd, and to the best of my knowledge believe the  
(name)  
application to be true.

A. I hereby endorse the above numbered Application for Permit and re-  
commend that the Director of the Department of Water Resources approve the  
Application subject to the following reasons: There be a measuring  
device installed and maintained.

OR

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

Dated at Shoshone, Idaho, this 23 day of Dec., 19 77.

(signature)

Reid J. Newby

Watermaster Water District 37

Please use reverse side if needed.

RECEIVED

PRE-PERMIT SURFACE-WATER EXAMINATION DATA SHEET

Date 1/13/78 Examiner Gary Funderburg Application No. 37-7693

Applicant(s) Interviewed Fredrick E. Judd

Upstream Users Interviewed No

&/or Upstream Diversions Inspected No

Downstream Users Interviewed yes, Mrs. Wes Douby

&/or Downstream Diversions Inspected No

Legal Description Verified By Map (or give proper description) OK

Water Flow: Visual Estimate see note Channel Width \_\_\_\_\_ Average Depth \_\_\_\_\_

Water Velocity \_\_\_\_\_ Channel Slope \_\_\_\_\_

Do Additional Inflows Enter Downstream From This Diversion? \_\_\_\_\_

Does This Water Enter Canal-Company Waterways? No Canal Co. Approval? \_\_\_\_\_

Source Of Waste Water: Legal Description \_\_\_\_\_

Proportion Of Water Flow Arising On Applicant's Land \_\_\_\_\_

Does There Appear To Be Sufficient Water To Fulfill This Application Without Harming

Downstream Users? Yes \_\_\_\_\_ No see notes

Do Other Aspects Of The Application Appear To Be As Stated? Yes X No \_\_\_\_\_

Notes On 1/13/78, I made a field trip for surface water Application 37-7693

(John A. Burke & Fredrick Judd). I was unable to fully complete the exam,

The amount of snow would not allow me to check the point of diversion and

other uses of the stream. I talked to Mrs. Wes Douby, a resident at the

lower end of Qigley Creek. She informed me she did not use any of the water  
and knew of no other uses on Qigley Creek. Applicant was not available  
for comment

Signed

Gary Funderburg  
WIGGINS

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. 37-7693 - John A. Burke & Frederick E. Judd

☒ 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) JS 12-19-77

In form to receipt

(2) JS 12-19-77

Send Copies to:

☐ Idaho State Health Department  
☐ Idaho Fish and Game Department  
☐ Bureau of Land Management  
☒ Water Master Paid Newby, received JS  
☐ Request Special Use Permit from U.S.F.S.  
☐ Request Easement from B.L.M.  
☐ Request Information from Applicant

(3) JS 12-19-77

(4) JS 12-22-77

In form for advertising

(5) \_\_\_\_\_

Platted on Map No. \_\_\_\_\_

(6) \_\_\_\_\_

Located within Water District No. 37

(7) \_\_\_\_\_

Critical groundwater area: yes \_\_\_\_\_ no ☒

(8) \_\_\_\_\_

Groundwater levels:

\_\_\_\_\_ Declining, ☒ Stable, \_\_\_\_\_ Increasing

(comment) \_\_\_\_\_

(9) \_\_\_\_\_

Other rights on the same place of use

(10) \_\_\_\_\_

Comments: Storage right # 37-2784

(11) JS 1/11/78

Affidavit of Publication received (date) 1/10/78

(12) JS 12/22/77

Final date for protests 1/16/78  
Protests received: yes \_\_\_\_\_ no ☒

(13) \_\_\_\_\_

All requested information received from agencies or applicant: yes \_\_\_\_\_ no \_\_\_\_\_

(14) hls 1-18-78

Action recommended:

☒ Approve \_\_\_\_\_ Deny

12-16-77 Proposed Priority

Reason for Reduction \_\_\_\_\_

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District Southern By Michael Steele Date 1-18-78

cc Sent to Bse 12/22/77

Cond. #6  
Water Dist #37  
Big Wood River

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that John A. Burke & Fredrick E. Judd  
Sun Valley, Idaho 83353  
has on 12/16/77 submitted Application No. 37-7693  
for a permit to appropriate 6 cubic feet per second ~~NONE OF THE PERMIT~~  
of water from Quigley Creek Tributary to Big Wood River  
by means of on-stream storage reservoir with pump & gravity sprinkler system  
within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 2, Twp. 2N, Rge. 18E, B. M. Blaine County  
to be used from Apr. 1 to Nov. 1 for irrigation purposes of 300 acres &  
~~XXX~~ from Mar. 1 to Sept. 30 for storage  
within the S $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 2; NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 10;  
N $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 11, Twp. 2N, Rge. 18E, 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 January 16, 1978.

C. STEPHEN ALLRED

Director

Published in the Wood River Journal  
on 12/29/77 and 1/5/78

December 22, 1977

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

Re: Application for Permit No. 37-7693 - John A. Burke & Fredrick E. Judd

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,

Michael L. Steele  
Southern Region Supervisor

MLS:dj

Bill submitted: \_\_\_\_\_

RECEIVED  
DEC 23 1977