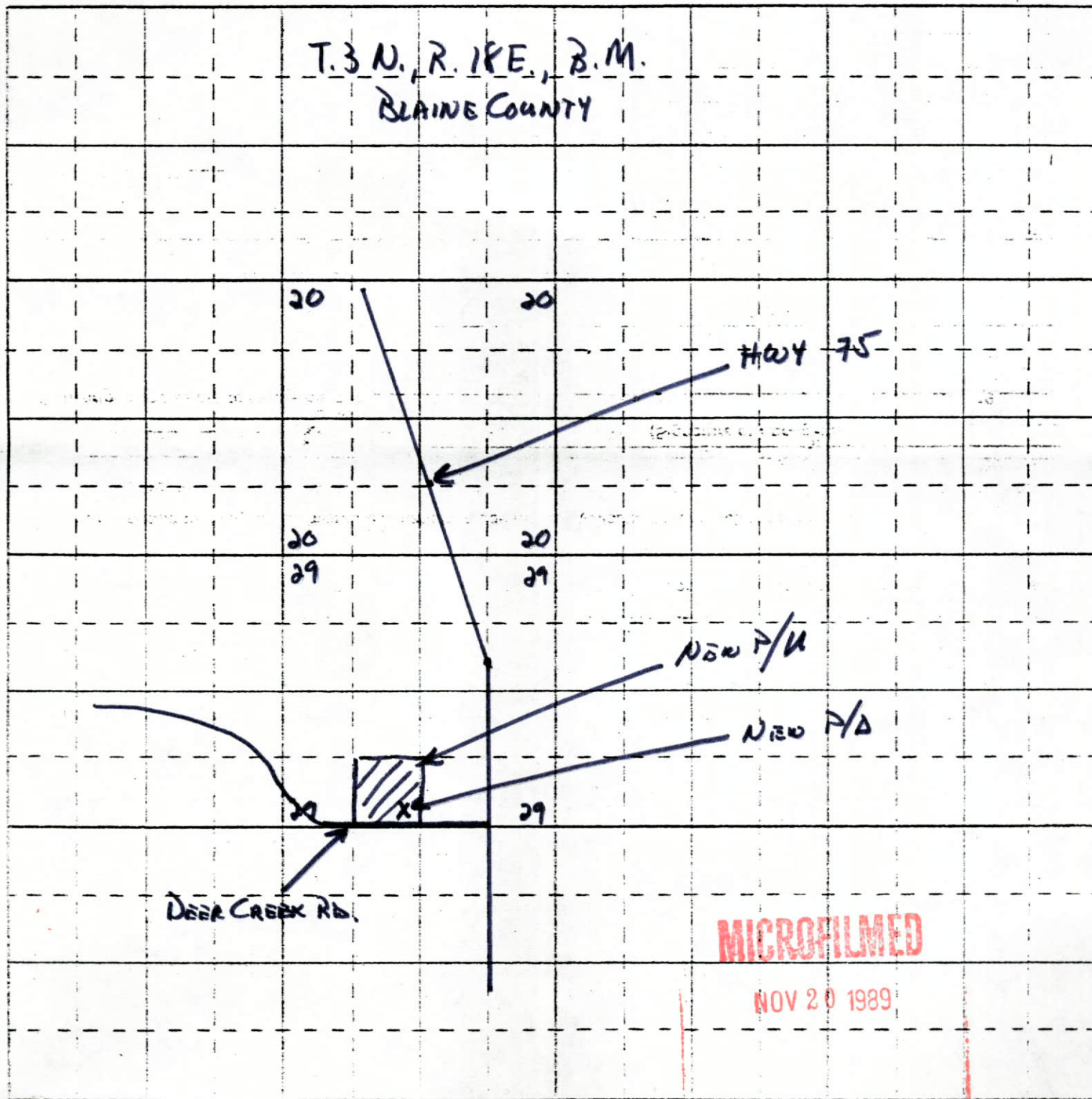


STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



# AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }  
County of Blaine } SS.

JUN 2 1989

Department of Water Resources  
Southern Region Office

**DANIEL J. GORHAM**

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

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

publication of said advertisement was on the 24<sup>th</sup> day of May, 1989, and

the date of the last publication was on the 31<sup>st</sup> day of May, 1989.

*Daniel J. Gorham*

Subscribed and sworn to before me this 31<sup>st</sup> day of May, 1989.  
(SEAL)

*Roberta H. Haggard*

NOTARY PUBLIC

WOOD RIVER JOURNAL  
Hailey, Idaho

## COST OF PUBLICATION

Number of Picas per Line 11  
Number of Lines in Notice 49.5  
Number of Insertions 2  
Lines tabular at 5¢/Pica  
49.5 Lines straight at 24.50 4¢/Pica  
49.5 Subsequent lines at 19.06 3¢/Pica  
TOTAL COST 43.56

#6546

## COPY OF NOTICE

(Paste Here)

Proposed Change #37-07017  
TITLE OF NOTICE Campion

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources  
BILL TO

## Campion seeks water right change

### NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-07017

Notice is hereby given that Thomas B. &/or Lynn H. Campion, c/o James P. Speck, Esquire, of Ketchum, ID, have applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No. 37-07017  
Basis of right: License  
Source: Groundwater  
Priority Date: 5/6/1968  
Amount of water: 0.60 cfs  
Water use: Irrigation  
Point(s) of diversion: SE1/4-SW1/4, S12, T4N, R17E; Blaine County.  
Place of use: 35 acres within E1/2SW1/4, W1/2SE1/4, S12, T4N, R17E.

TO BE CHANGED AS FOLLOWS  
Water right No.: 37-07017  
Amount: 0.60 cfs

Total amount being transferred: 0.60 cfs  
Source: Groundwater  
Point of diversion: SE1/4SE1/4-SW1/4, S29, T3N, R18E; Blaine County.

- 7- Place of use: 30 acres within SE1/4SW1/4, S29, T3N, R18E.
- 7- Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301, on or before June 10, 1989.

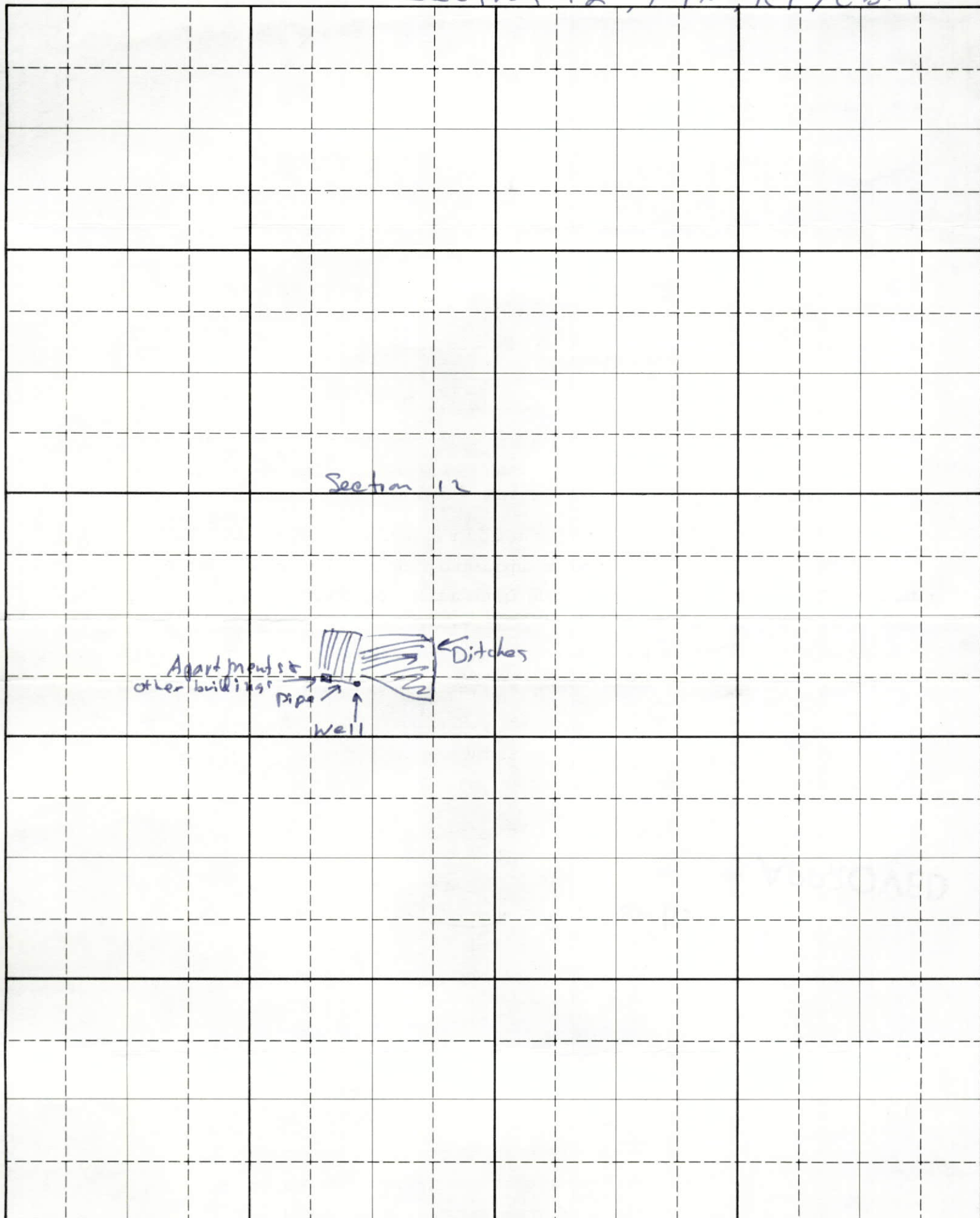
R. Keith Higginson, Director

Publish: Wood River Journal—May 24 & 31, 1989.

NOV 20 1989

11. Map of proposed project:

Section 12, T4N, R17E, B1M



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.

Theodore Gunn  
(Applicant)

37 2017

Identification No. 37-7017  
Application No. 42411

LICENSE ISSUED FOR 60 SEC. FT.  
LICENSE PAG. NO. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Theodore Gruener  
post office address Box 125, Ketchum, Idaho 83340
2. Source of water supply underground water which is a tributary of -
3. a. Location of point of diversion is SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 12 Township 4 N  
Range 17 E. 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. Quantity to be appropriated:  
a. six-tenths .60 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum will be stored.
5. Water will be used for the following purposes:  
Irrigation purpose from April 1 to October 15 (both dates inclusive)  
Domestic purpose from January 1 to December 31 (both dates inclusive)  
\_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. drilled well; irrigation ditches;  
sprinkler system; electric pump.  
\_\_\_\_\_  
\_\_\_\_\_  
b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet; materials used in storage dam: \_\_\_\_\_  
\_\_\_\_\_  
c. Proposed well diameter is 12 inches; proposed depth of well is 150 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is 3 years.  
b. Estimated construction cost is \$3000.00.
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 six horses  
\_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water 4.  
(5) If water is to be used for other purposes describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECEIVED

JUN 8 1968

Department of Reclamation

## Affidavit of Publication

STATE OF IDAHO, } ss.  
County of Blaine,

NEAL R. NYBLAD, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Managing Editor of The Hailey Times, which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey Times, and not in any supplement thereof, for.....  
.....2..... consecutive weeks commencing with the first publication thereof on the .....25<sup>th</sup>..... day of APRIL....., 19 68.....  
and ending with the last publication thereof on the .....2nd..... day of MAY..... 19 68.....

Cost of this publication is \$ 7.68

*Neal R. Nyblad*  
NEAL R. NYBLAD

Subscribed and sworn to before me, this .....16<sup>th</sup>..... day  
of .....MAY....., 19 68..

*[Signature]*  
Notary Public for Idaho  
Residing at Hailey,  
Blaine County, Idaho.

### NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Theodore Gruener, Box 125, Ketchum, Idaho 83340 has on April 3, 1968 applied for permit to divert 60 cubic feet per second of water from a subterranean source under application No. 37-7017. Water will be diverted by a well, ditch, spring, or pump within the SE 1/4 SW 1/4, sec. 12, T. 4N, R. 17E, B.M., Blaine County and is to be used from April 1 to October 15 for irrigation and from January 1 to December 31 for domestic purposes in the E 1/4 SW 1/4, sec. 12, T. 4N, R. 17E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

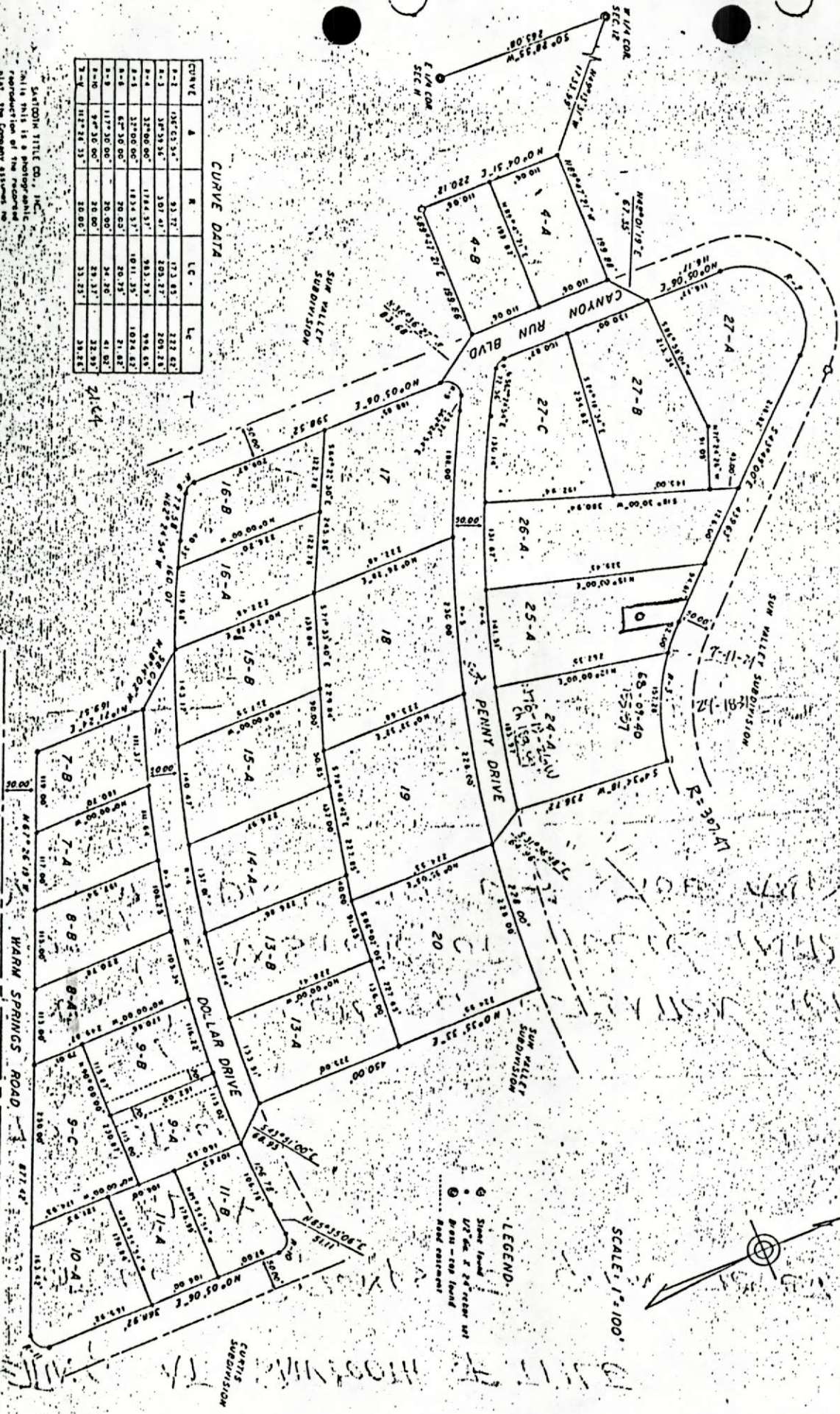
R. KEITH HIGGINSON  
State Reclamation Engineer  
Published in the Hailey Times, Hailey, Idaho, on April 25 and May 2.

# RESUBDIVISION OF LOTS 4,7,8,9,10,11,13,14,15,16,17,18,19, 20, W 1/2 24, 25, 26 & 27, SUN VALLEY SUBDIVISION

SEC. 12, T4N, R17E, B.M.  
KETCHUM, BLAINE COUNTY, IDAHO

CURVE DATA

| CURVE  | A           | R       | LC       | Lc       |
|--------|-------------|---------|----------|----------|
| 1-2    | 155' 63.34" | 93.37'  | 173.83'  | 222.62'  |
| 2-3    | 387' 39.36" | 301.41' | 203.27'  | 209.28'  |
| 3-4    | 375' 00.00" | 184.37' | 983.73'  | 794.64'  |
| 4-5    | 375' 00.00" | 184.37' | 1011.35' | 1024.62' |
| 5-6    | 67' 30.00"  | 20.00'  | 24.26'   | 21.62'   |
| 6-7    | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 7-8    | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 8-9    | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 9-10   | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 10-11  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 11-12  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 12-13  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 13-14  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 14-15  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 15-16  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 16-17  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 17-18  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 18-19  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 19-20  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 20-21  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 21-22  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 22-23  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 23-24  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 24-25  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 25-26  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 26-27  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 27-28  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 28-29  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 29-30  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 30-31  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 31-32  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 32-33  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 33-34  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 34-35  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 35-36  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 36-37  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 37-38  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 38-39  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 39-40  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 40-41  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 41-42  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 42-43  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 43-44  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 44-45  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 45-46  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 46-47  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 47-48  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 48-49  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 49-50  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 50-51  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 51-52  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 52-53  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 53-54  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 54-55  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 55-56  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 56-57  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 57-58  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 58-59  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 59-60  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 60-61  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 61-62  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 62-63  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 63-64  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 64-65  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 65-66  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 66-67  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 67-68  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 68-69  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 69-70  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 70-71  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 71-72  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 72-73  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 73-74  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 74-75  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 75-76  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 76-77  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 77-78  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 78-79  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 79-80  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 80-81  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 81-82  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 82-83  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 83-84  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 84-85  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 85-86  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 86-87  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 87-88  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 88-89  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 89-90  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 90-91  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 91-92  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 92-93  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 93-94  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 94-95  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 95-96  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 96-97  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 97-98  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 98-99  | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |
| 99-100 | 117' 30.00" | 20.00'  | 24.26'   | 21.62'   |



SATDOW TITLE CO., INC.  
This is a photostatic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

**MICROFILMED**  
NOV 20 1989

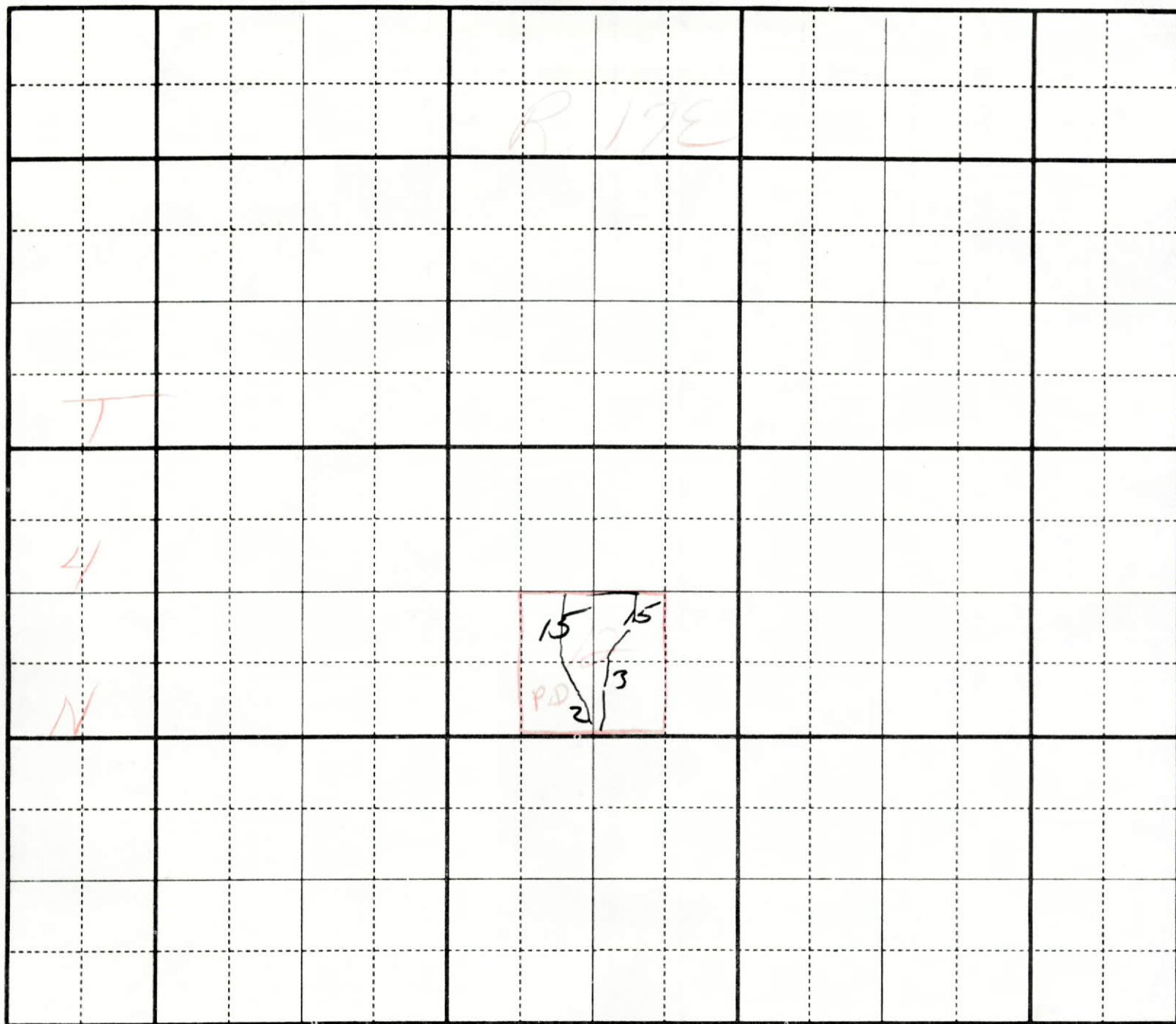


Diagram of System

DATE

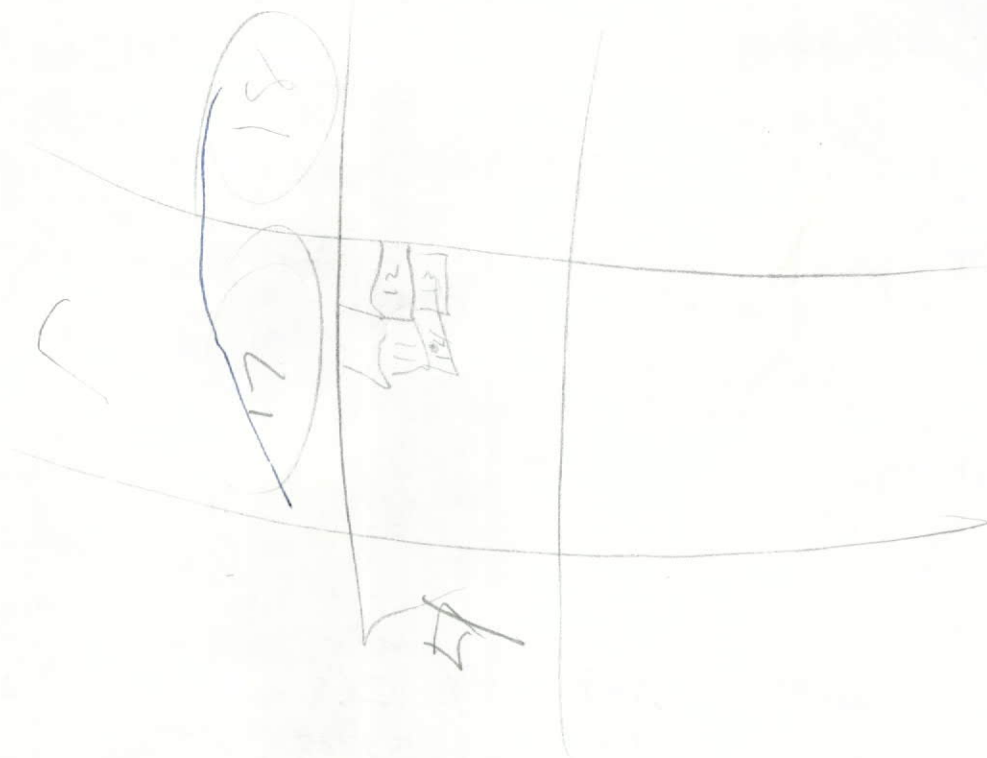
EXAMINATION RECORDS

|       |                 |
|-------|-----------------|
| _____ | _____           |
| _____ | _____           |
| _____ | _____ by: _____ |
| _____ | _____           |
| _____ | _____ by: _____ |
| _____ | _____           |
| _____ | _____ by: _____ |
| _____ | _____           |
| _____ | _____ by: _____ |

Badger Meter

m0437858 6" -

400 gal/min.



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No.

3562

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Name of applicant Thomas B and/or Lynn H. Campion Phone (208)726-4421  
Post Office address c/o James P. Speck, Hogue, Speck & Aanestad, P.O. Box 987,  
Ketchum, ID 83340

## A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_

2. Describe the reason for the proposed changes Applicant has agreed to purchase the water right contingent upon approval of the transfer of the point of diversion and place of use.

## B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

| 1. Right Number | Priority        | Amount<br>(cfs/ac-ft) | Nature<br>of Use      | Period of Use            |
|-----------------|-----------------|-----------------------|-----------------------|--------------------------|
| <u>37-07017</u> | <u>5/6/1968</u> | <u>0.6 cfs/105</u>    | <u>AFA irrigation</u> | <u>April 1 to Nov. 1</u> |
| _____           | _____           | _____                 | _____                 | to _____                 |
| _____           | _____           | _____                 | _____                 | to _____                 |
| _____           | _____           | _____                 | _____                 | to _____                 |

2. Total amount of water being transferred 0.6 cubic feet per second and/or 105.0 acre-feet per annum.

3. Source of water groundwater tributary to \_\_\_\_\_

4. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|----|----|----|------|------|------|--------|--------------------------|
|     | SE | SE | SW | 29   | 3N   | 18E  | Blaine | None                     |
|     |    |    |    |      |      |      |        |                          |
|     |    |    |    |      |      |      |        |                          |
|     |    |    |    |      |      |      |        |                          |

5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 3N   | 18E  | 29   |      |      |      |      |      |      |      |      |      |      | 30   |      |      |      |      |      | 30     |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres 30

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes If yes, describe See Remarks

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place 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 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place 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 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 37-07017 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Groundwater tributary to \_\_\_\_\_

4. Date or priority 5-6-1968

5. Water is used for the following purpose:

amount 0.60 cfs for Irrig. purposes from Apr 1 to Oct 15  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right 0.60 cubic feet per second and/or 105 acre-feet per annum.

7. Point(s) of Diversion:

| Lot | ¼ | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|----|----|------|------|------|--------|--------------------------|
|     |   | SE | SW | 12   | 4N   | 17E  | Blaine |                          |
|     |   |    |    |      |      |      |        |                          |
|     |   |    |    |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 4N   | 17E  | 12   |      |      |      |      |      |      |      |      | 15   |      |      | 2    |      | 15   | 3    |      | 35     |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

NOV 20 1989

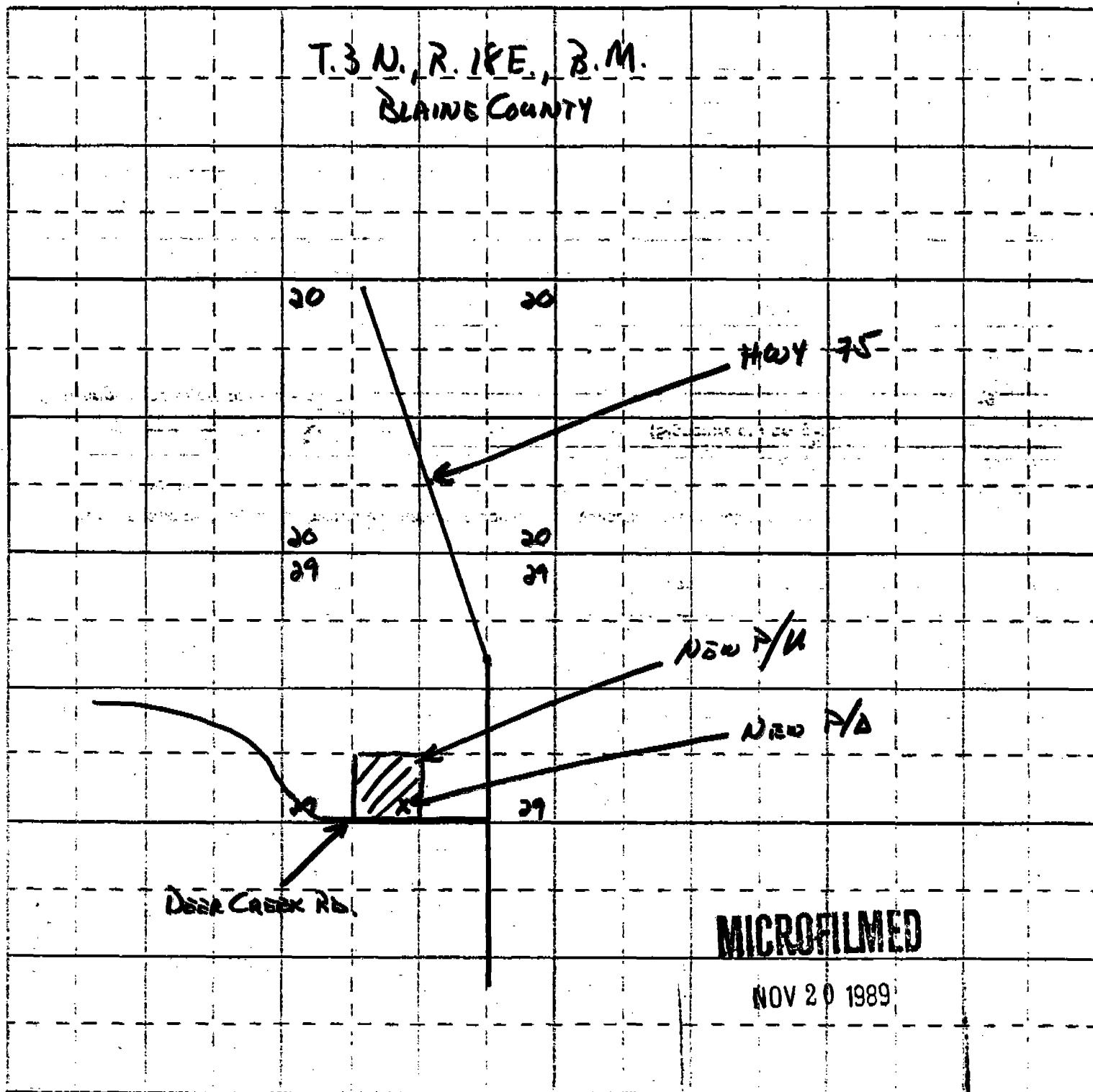
Total acres 35

9. Describe any other water rights used for the same purpose as described above

37-00574

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



### PART 3

#### B. CHANGES IN NATURE OF USE

| 1. | <u>New Nature of Use</u> | <u>Amount<br/>(cfs/ac-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|-------------------------------|------------------------|----------------------|
|    | _____                    | _____                         | _____                  | _____ to _____       |
|    | _____                    | _____                         | _____                  | _____ to _____       |

2. Quantity and quality of return flows and location of discharge:

\_\_\_\_\_

\_\_\_\_\_

3. Describe effects on other water uses resulting from the proposed change:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Wm B. Cr  
(Signature of Applicant)

Subscribed and sworn to before me this 10<sup>th</sup> day of March, 19 89.

James P. Sped  
(Notary Public)

My commission expires \_\_\_\_\_

#### FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by SG Date 3/14/89 *ck attached* Protest filed by \_\_\_\_\_

Prelim. check by J. F. Patton Fee 50.00 500.6550

Receipted by M. Baldwin Date 3/14/89

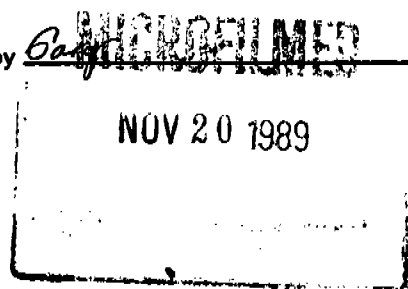
Published in Wood River Journal Copies of protest forwarded by \_\_\_\_\_

Pub. dates 5/24 & 5/31/89 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by Galt

Copy of transfer sent to lien holder \_\_\_\_\_



**PART 1****6. General Information:**

- a. Description of diversion system 50 ft. well, 10 in. casing and 2 HP pump to wheelines and handlines
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
Place of use not currently irrigated by this right
- d. Remarks:  
Entire 35A place of use under license last irrigated in 1960's;  
then approximately 20 A irrigated until approximately 1981-83;  
well has not been used since then. Sellers of this right own 17 acres of the  
original 35 acres, but have had exclusive of this well for many years.

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. 37-7017

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. 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. 2. The use of water on the lands to which the above referenced water right was appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right. 3. The priority date of this right is set to the date of approval of this transfer and shall be junior to all existing water rights in use on the same of said approval.

NOV 20 1989

Witness my hand this

31<sup>st</sup> day ofOctober, 19 89

J. Glen Saxton  
Chief, Water Alloc. Bureau

**CONSOLIDATED TAX NOTICE AND RECEIPT**  
**BLAINE COUNTY TAX COLLECTOR**  
**HAILEY, IDAHO 83333**  
**1988**  
**CBDT**  
**REAL PROPERTY**

| MARKET VALUE | TAX CODE AREA | PARCEL NUMBER   | BILL NUMBER |
|--------------|---------------|-----------------|-------------|
| 563147       | 9-00          | RP006450020010A | 13271       |

ZINC SPUR SUB # 4  
 LOT 1 BLK 2

L 120503  
 I 442644

43.384 @

1.000 CAMPION, THOMAS & LYNN H  
 TOT LOTS BOX 538  
 DELINQUENT CERT. KETCHUM, ID 83340

| TAXING DISTRICT | RATE    | AMOUNT   | RECEIPT         |
|-----------------|---------|----------|-----------------|
| STATE           |         |          | FULL PAYMENT    |
| COUNTY          | .001974 | 1,111.66 | TAX 5,204.6     |
| RECREATION      | .000375 | 211.18   | PEN.            |
| AMBULANCE       | .000400 | 225.26   | SUB TOT.        |
| SCHOOL DIST #61 | .004164 | 2,344.94 | INT.            |
| SCHOOL OVERRIDE | .001426 | 803.06   | TOT.            |
| HAILEY CEM      | .000165 | 92.92    | 1ST INSTALLMENT |
| RURAL FIRE      | .000681 | 383.50   | TAX 2,602.3     |
| FLOOD #9        | .000057 | 32.10    | PEN.            |
|                 |         |          | SUB TOT.        |
|                 |         |          | INT.            |
|                 |         |          | TOT.            |
|                 |         |          | 3RD INSTALLMENT |
|                 |         |          | TAX 2,602.3     |
|                 |         |          | PEN.            |
|                 |         |          | SUB TOT.        |
|                 |         |          | INT.            |
|                 |         |          | TOT.            |
| TOTAL           | .009242 | 5,204.62 |                 |

PLEASE DIRECT TAX QUESTIONS TO THE TREASURER'S  
 OFFICE 788-4100. RETURN TAX STUBS WITH PAYMENT.

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT  
 REAL PROPERTY 1988 RP006450020010A  
 CAMPION, THOMAS & LYNN H CBDT  
 BOX 538 13271

| SPECIAL CODE | TAX | CODE AREA TAX | 2ND INSTALLMENT |
|--------------|-----|---------------|-----------------|
|              |     | 2,602.31      | 2,502.31 9-00   |
|              |     |               | PEN.            |
|              |     |               | SUB TOT.        |
|              |     |               | INT.            |
|              |     |               | TOT.            |

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE  
 MAKE CHECKS PAYABLE TO

MARILYN LANIER  
 BLAINE COUNTY TAX COLLECTOR  
 P.O. BOX 905  
 HAILEY, IDAHO 83333

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1989

DATE PAID  
 PAID BY

CHECK #  
 CASH

NOV 20 1989

MICROFILMED

# AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }  
County of Blaine } SS.

JUN 2 1989

Department of Water Resources  
Southern Region Office

**DANIEL J. GORHAM**

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

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

publication of said advertisement was on the 24<sup>th</sup> day of May, 1989, and

the date of the last publication was on the 31<sup>st</sup> day of May, 1989.

*Daniel J. Gorham*

Subscribed and sworn to before me this 31<sup>st</sup> day of May, 1989.  
(SEAL)

*Roberta M. Ketchum*

NOTARY PUBLIC

WOOD RIVER JOURNAL  
Hailey, Idaho

## COST OF PUBLICATION

Number of Picas per Line 11  
Number of Lines in Notice 49.5  
Number of Insertions 2  
Lines tabular at 5¢/Pica  
49.5 Lines straight at 24.50 4¢/Pica  
49.5 Subsequent lines at 19.06 3¢/Pica  
TOTAL COST 43.56

#6546

## COPY OF NOTICE

(Paste Here)

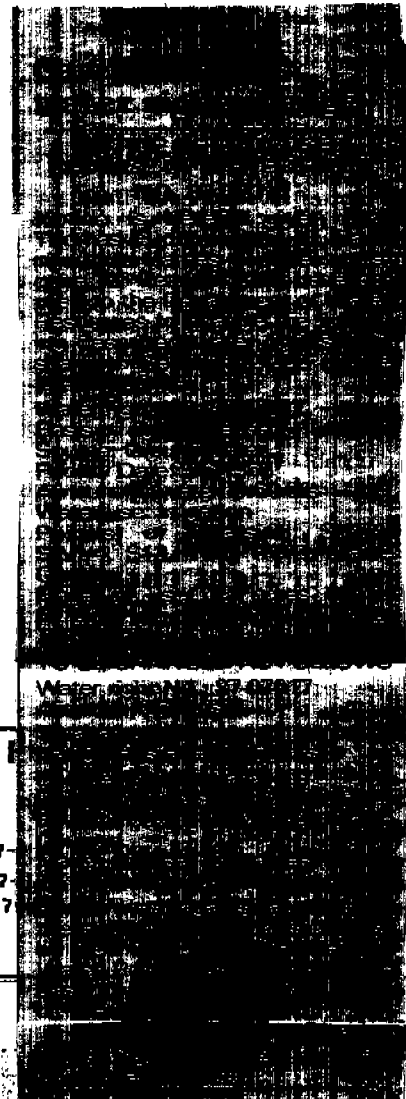
Proposed Change #37-07017  
TITLE OF NOTICE Campion

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources  
BILL TO



NOV 20 1989

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7017 Priority May 6, 1968 Amount 0.60 cfs

THIS IS TO CERTIFY, that THEODORE GRUENER  
of Ketchum, Idaho, has complied with the terms and conditions of Permit  
No. 37-7017 issued pursuant to Application for Permit dated April 3, 1968,  
and has submitted proof to the Department of Water Resources on September 3, 1971 (late proof),  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 0.89 cfs of water from a ground water source,  
tributary to \_\_\_\_\_, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows:

| Beneficial Use    | Period of Use                         | Rate of Diversion      | Annual Volume           |
|-------------------|---------------------------------------|------------------------|-------------------------|
| <u>Irrigation</u> | from <u>April 1</u> to <u>Oct. 15</u> | at <u>0.60</u> cfs and | <u>105 acre feet or</u> |
|                   | from _____                            | _____ cfs and          | <u>3.0 af per acre</u>  |
|                   | from _____                            | _____ cfs and          |                         |
|                   | (both dates inclusive)                |                        |                         |

Subject, however, to the condition that no more than 0.60 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
105 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 12,  
Twp. 4 N, Rge. 17 E, B.M. in the County of Blaine

Description and location of place of use:

| Twp. | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 4 N  | 17 E  | 12   |                  |                  |                  |                  |                  |                  |                  |                  | 15               |                  |                  | 2                |                  |                  | 15               | 3                | 35     |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 35

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

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 12 day of  
May, 19 75.

Director

Identification No. 37-7017  
Application No. 42411

LIC. USE PERMITTED FOR 60 SEC. FT.,  
LICENSE PAS NO. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
APPLICATION FOR PERMIT

**APPROVED**

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Theodore Gruener  
post office address Box 125, Ketchum, Idaho 83340
2. Source of water supply underground water which is a tributary of -
3. a. Location of point of diversion is SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 12 Township 4 N  
Range 17 E. 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. Quantity to be appropriated:  
a. six-tenths cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum will be stored.
5. Water will be used for the following purposes:  
Irrigation purpose from April 1 to October 15 (both dates inclusive)  
Domestic purpose from January 1 to December 31 (both dates inclusive)  
\_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. drilled well; irrigation ditches;  
sprinkler system; electric pump.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet; materials used in storage dam: \_\_\_\_\_  
\_\_\_\_\_  
c. Proposed well diameter is 12 inches; proposed depth of well is 150 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is 3 years.  
b. Estimated construction cost is \$3000.00.
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 six horses  
\_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water 4.  
(5) If water is to be used for other purposes describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

37 7017

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

| TWP. | RANGE | SEC. | NE1/4 |       |       |       | NW1/4 |       |       |       | SW1/4 |       |       |       | SE1/4 |       |       |       | TOTALS |
|------|-------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
|      |       |      | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 |        |
| 4N   | 17 E  | 12   |       |       |       |       |       |       |       |       | 15    |       |       | 2     |       | 15    | 3     |       | 35     |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |

Total number of acres to be irrigated 35

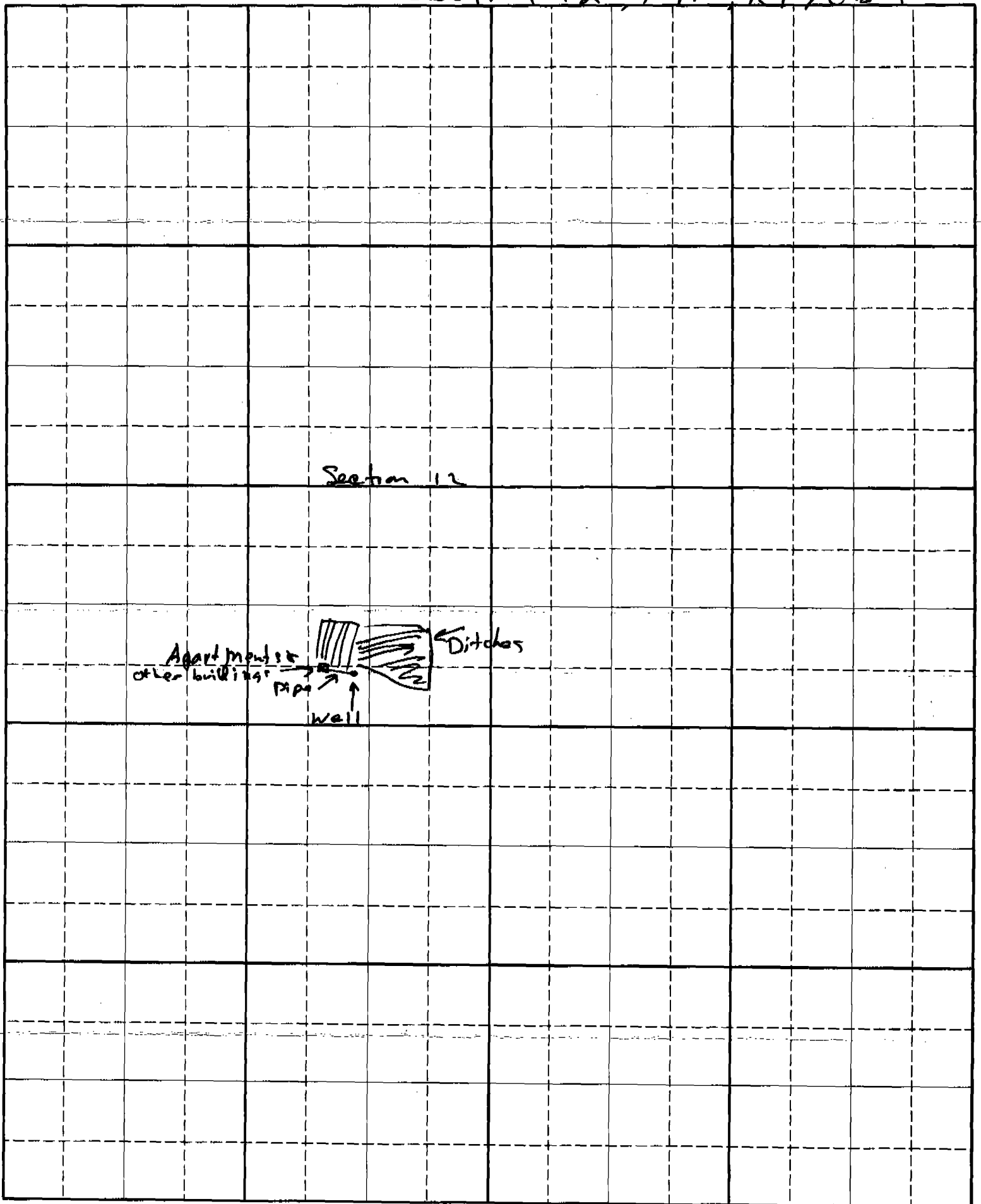
c. Describe any other water rights used for the same purposes Permit #G.25677 for 29"  
10" Bypass, Big Wood River, Dec. 1952; 250" Big Wood River, 1894.

9. a. Who owns the property at the point of diversion Theodore Gruener  
b. Who owns the land to be irrigated or place of use Theodore Gruener  
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 The 1894 right is usually cut off at end of Spring.

11. Map of proposed project:

Section 12, T4N, R17E3M



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.

*Theodore Gruener*  
(Applicant)

37 7017

Received by ef Date 4-3-68 Time 9:00 a.m.

Preliminary check by Duke Fee \$ 20.00

Received by \_\_\_\_\_ Date \_\_\_\_\_

Publication prepared by MS Date 4-17-68

Published in Hailey Times

Publication dates 4-25 & 5-2-68

Publication approved MS Date 4-10-68

Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: None

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

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

Recommended for approval denial by MS Duke

**APPROVED**

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7017, 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 71.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.  
This permit is supplemental to all prior rights.

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

Witness my hand this 8 day of July, 19 68.

Josh A. Barnett  
State Reclamation Engineer

RECEIVED

JUN 8 1968

Department of Reclamation

## Affidavit of Publication

STATE OF IDAHO, }  
County of Blaine, } ss.

NEAL R. NYBLAD, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Managing Editor of The Hailey Times, which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey Times, and not in any supplement thereof, for.....  
.....2..... consecutive weeks commencing with the first publication thereof on the .....25<sup>th</sup>..... day of APRIL.....19.68.....  
and ending with the last publication thereof on the .....2nd..... day of MAY.....19.68.....

Cost of this publication is \$.....7.68.....

*Neal R. Nyblad*  
NEAL R. NYBLAD

Subscribed and sworn to before me, this .....16<sup>th</sup>..... day  
of .....MAY....., 19 68.

*[Signature]*

Notary Public for Idaho  
Residing at Hailey,  
Blaine County, Idaho.

Notice is hereby given that Theodore G. Gerner, Box 125, Ketchum, Idaho 83240 has on April 3, 1968 applied for permit to divert 10 cubic feet per second of water from a subterranean source under application No. 37-2017. Water will be diverted by a well, ditch, siphon and pump within the S.W. 1/4 sec. 12, T. 14 N., R. 2 E., Blaine County and is to be used from April 1 to October 15 for irrigation and from January 1 to December 31 for domestic purposes.

Any person against this application who has filed a protest within 10 days from the last date of publication of this notice.

R. KEITH HIGGINSON

Notary Public for Idaho  
Residing at Hailey,  
Blaine County, Idaho, on April 8, 1968.



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 2, 1989

RE: Transfer of Water Right No. 37-7017

Thomas B. &/or Lynn H. Campion  
c/o James P. Speck, Esq.  
P.O. Box 987  
Ketchum, ID 83340

Dear Water Right Holders:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3562). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MICROFILMED**

NOV 20 1989

MEMORANDUM

TO: FILE 37-7017

FROM: JIM JOHNSON

RE: CONDITION TO ADVANCE PRIORITY DATE

DATE: October 31, 1989

=====

The condition to advance the priority date of the water right was added because the transfer application proposed to move the point of diversion of this right approximately 9 nine miles downstream from the original location. There is insufficient information available to determine if the proposed transfer would adversely impact the existing groundwater water rights at the new location therefore the condition is imposed to protect these users.

**MICROFILMED**

NOV 21 1989

MEMORANDUM

TO: FILE 37-7017  
FROM: JIM JOHNSON  
RE: TRANSFER APPLICATION REVIEW  
DATE: October 3, 1989

=====

CONDITIONS OF APPROVAL

<<R29>> 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.

<<T05>> The use of water on the lands to which the above referenced water right(s) were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right(s).

The priority date of this right is set to the date of approval of this transfer and shall be junior to all existing water rights in use at the time of said approval.

INDEXED

NOV 20 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: J. G. Stanton

1. Right number 37-07017 Applicant Campion, Thomas / Lynn
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Other \_\_\_\_\_

4. Check:

- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

- a. ☒ All of right.
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- c. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- f. ☒ Check for correct signature, notarization, and fee.
- g. ☐ Check proof of ownership of right &/or land from which water is transferred. requested 3-20-89
- h. ☒ Check for expansion in use of right. Comments right may have been lost thru non-use.  
Both original & new P/U have other recorded rights (surface water).
- i. ☒ Check for existing water rights from same source, on land water is being transferred to.  
Right number(s) 37-0657, 0658, 0659 (Watermaster records show applicant has 27" of  
37-0659
- j. ☐ Is use within a Watermaster District? ☐ Yes ☒ No  
If yes, what district? \_\_\_\_\_

FINAL PROCESSING REVIEW BY: \_\_\_\_\_

1. Watermaster recommendation requested on \_\_\_\_\_ Received on \_\_\_\_\_
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions\* 03A-

4. By Loren D. Halum Date 6/14/89

RECEIVED  
JUN 23 1989

Jim 10-3-89

\* All uses within Watermaster Districts require special conditions.

Department of Water Resources

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-07017

Notice is hereby given that Thomas B. &/or Lynn H. Campion, c/o James P. Speck, Esquire of Ketchum, ID have applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

Water right No. 37-07017

Basis of right: License

Source: Groundwater

Priority Date: 5/6/1968

Amount of water: 0.60 cfs

Water use: Irrigation

Point(s) of diversion: SE1/4SW1/4, S12, T4N, R17E; Blaine County.

Place of use: 35 acres within E1/2SW1/4, W1/2SE1/4, S12, T4N, R17E.

TO BE CHANGED AS FOLLOWS

Water right No.: 37-07017

Amount: 0.60 cfs

Total amount being transferred: 0.60 cfs

Source: Groundwater

Point of diversion: SE1/4SE1/4SW1/4, S29, T3N, R18E; Blaine County.

Place of use: 30 acres within SE1/4SW1/4, S29, T3N, R18E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301 on or before June 10, 1989.

R. Keith Higginson, Director

Published in Wood River Journal on 5/24 & 5/31/89.

**RECEIVED**

NOV 20 1989

TERRY 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

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

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AUG 02 1989

Department of Water Resources

July 31, 1989

RECEIVED

AUG - 1 1989

Department of Water Resources  
Southern Region Office

Mr. Jim Statton  
Department of Water Resources  
2148 4th Avenue East  
Twin Falls, Idaho 83301

RE: Thomas B. and Lynn H. Campion  
Application for Transfer of Water Right - 37-7017

Dear Jim:

Enclosed you will find the following documents to be  
filed in support of the above-referenced application:

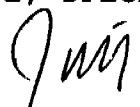
1. Affidavit of Elmar W. Grabher;
2. Letter agreement between Elmar Grabher and Joe and  
Sandra Koenig and Tom Campion.

I believe Mr. Grabher's application establishes their retention  
of the right to use all of the water under License No. 37-7017.

Please let me know if you need any further information  
to continue processing this Application.

Sincerely yours,

HOGUE, SPECK & AANESTAD

  
James P. Speck

JPS:cm  
cc: Mr. Thomas Campion

MICROFILMED

NOV 10 1989

AFFIDAVIT

STATE OF IDAHO           )  
                              )  
County of Blaine        )       ss.

I, ELMAR W. GRABHER, being duly sworn, depose and state as follows:

1. I have been a resident of Blaine County, Idaho for 20 years.

2. Joe and Sandra Koenig and I have entered into an agreement to sell all of our interest in Idaho Water Right No. 37-7017 to Tom and Lynn Campion, who wish to transfer this water right to their land in the Deer Creek area south of Ketchum, Idaho. I am making this Affidavit to be filed in support of the Campions' Application for Transfer of Water Right to transfer the point of diversion and place of use of 37-7017. If this Application is approved, the sale to the Campions will be closed and completed.

3. On April 2, 1975, Joe and Sandra Koenig, my ex-wife Rigmor and I entered into a Memorandum Agreement with Elizabeth B. Gruener, the widow of Theodore Gruener, for the purchase of certain lands in the Warm Springs area of Ketchum, Idaho. A copy of this Agreement is attached as Exhibit A to this Affidavit.

4. On that same day, we acquired title to a portion of the lands which were the subject of the Agreement. A copy of the Warranty Deed transferring title to these lands is attached as Exhibit B to this Affidavit. A large irrigation well was

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AFFIDAVIT - 1

NOV 20 1989

located on Lot 8, which we acquired at the time. This is referred to in the Deed and paragraph 1 of the Agreement. It was our understanding and intent that we could use the well to irrigate the lands we acquired at that time, but Mrs. Gruener retained the right to irrigate the remaining lands with water from the well. However, if and when we exercised the option to purchase the remaining lands from Mrs. Gruener, we were to get the entire water right from the well. This water right is Idaho Water Right No. 37-7017.

5. On March 31, 1977, we exercised our option and Mrs. Gruener conveyed to us the remaining lands by Warranty Deed, a copy of which is attached as Exhibit C to this Affidavit. It was everyone's intent that this transfer would include all of the water right from the large irrigation well - as stated in paragraph 1 of the Agreement, "... legal title to the well shall pass to the Buyers at that time." The agricultural well referred to in the March 31, 1977 Warranty Deed is located on other property and is NOT the large irrigation well referred to in paragraph 4, above. However, we did not acquire any right to use the water from that well as we had the entire right from the large irrigation well.

6. Although we have since sold off portions of the lands described in the two Warranty Deeds, we have never sold any portion of the water right from the large irrigation well; instead, we have retained the entire right and continued to use all of it to irrigate approximately 20 acres (as described in the Application for Transfer) until the early 1980's. The well has

**MICROFILMED**

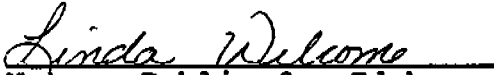
NOV 20 1989

not been used since then, and we have never sold any portion of the water rights from the well.

DATED this 12 day of <sup>July</sup>~~June~~, 1989.

  
ELMAR W. GRABHER

SUBSCRIBED AND SWORN to before me this \_\_\_ day of June, 1989.

  
Notary Public for Idaho  
Residing at: Ketchum, Id  
Commission expires: 6/13/95

j:\cmpntrfr.aff  
6/19/89



MEMORANDUM AGREEMENT

THIS MEMORANDUM AGREEMENT is made this 2<sup>nd</sup> day of April, 1975, between JOSEF G. KOENIG and SANDRA LOU KOENIG, husband and wife, of Ketchum, Idaho, and ELMAR W. GRABHER and RIGMOR GRABHER, husband and wife, of Ketchum, Idaho, hereinafter referred to as Buyers and ELIZABETH B. GRUENER, of Ketchum, Idaho, hereinafter referred to as Seller.

This Agreement is in connection with the sale of Lots 7 through 11, and 4, 16, 17, 26 and a portion of Lots 25 and 24, in Sun Valley Subdivision, Ketchum, Idaho.

The parties have this date executed a Deed and Deed of Trust concerning said property and have heretofore entered into an option agreement, covering Lots 13, 14, 15, 18, 19, 20 and 27, in said Sun Valley Subdivision.

As part of said transaction, and in consideration of the mutual agreements and covenants contained therein and herein, the parties mutually agree as follows:

1. There is an irrigation well situated upon one of the lots transferred to the Buyer which Seller retains the ownership of, subject to Buyer's rights to use the water for domestic and irrigation purposes on the lots purchased by Buyers and with the further agreement that in the event Buyers exercise their option to purchase the balance of the lots, the legal title to the well shall pass to the Buyers at that time. Cost of operating and maintaining the well during the joint use of the parties hereto shall be prorated on an equitable agreed basis, depending upon use made by each party.

2. The Seller shall have the property sold surveyed and the corners located by stakes as early as possible after the winter season, but no later than June 1, 1975.

3. Upon the payment of the down payment on the lots sold in the transaction made herewith, the Buyer is entitled to the release of two lots from the Deed of Trust securing the payment of the unpaid balance and one or both of those lots may be released at any time from any of the lots hereinabove referred to as having been sold, upon notice from Buyer to Seller, the balance at one acre per \$15,000.00 paid on principal.

4. Sewer assessments for the City of Ketchum sewer installation shall be prorated as of the date of the sale closing as to both property sold, and property optioned, so that the assessments on optioned property shall be prorated as of the date of closing of the option sale.

5. The Seller acknowledges receipt of \$7,000.00 herewith as an option for the purchase of the above referred to lots.

6. There may be a credit due the Buyer from the Seller concerning a portion of Lot 25, upon which a well is situated, which is retained by the Seller; in the event there is a credit due, it may be deducted from the next installment to become due from Buyer to Seller.

7. There may be a credit to either party as a result of a computation of the actual acreage of property being transferred on the basis of \$15,000.00 an acre and if there is a credit it shall be deduced or added to the first installment to become due.

DATED this 2nd day of April, 1975.

SELLER

Elizabeth B. Gruener  
ELIZABETH B. GRUENER

BUYER

Josef G. Koenig  
JOSEF G. KOENIG

Sandra Lou Koenig  
SANDRA LOU KOENIG

Elmar W. Grabher  
ELMAR W. GRABHER

Rigmar Grabher  
RIGMAR GRABHER

EELAND, LAGGIS  
AND KORB  
ATTORNEYS AT LAW  
P. O. BOX 258  
KETCHUM,  
IDAHO 83340

- 3 -

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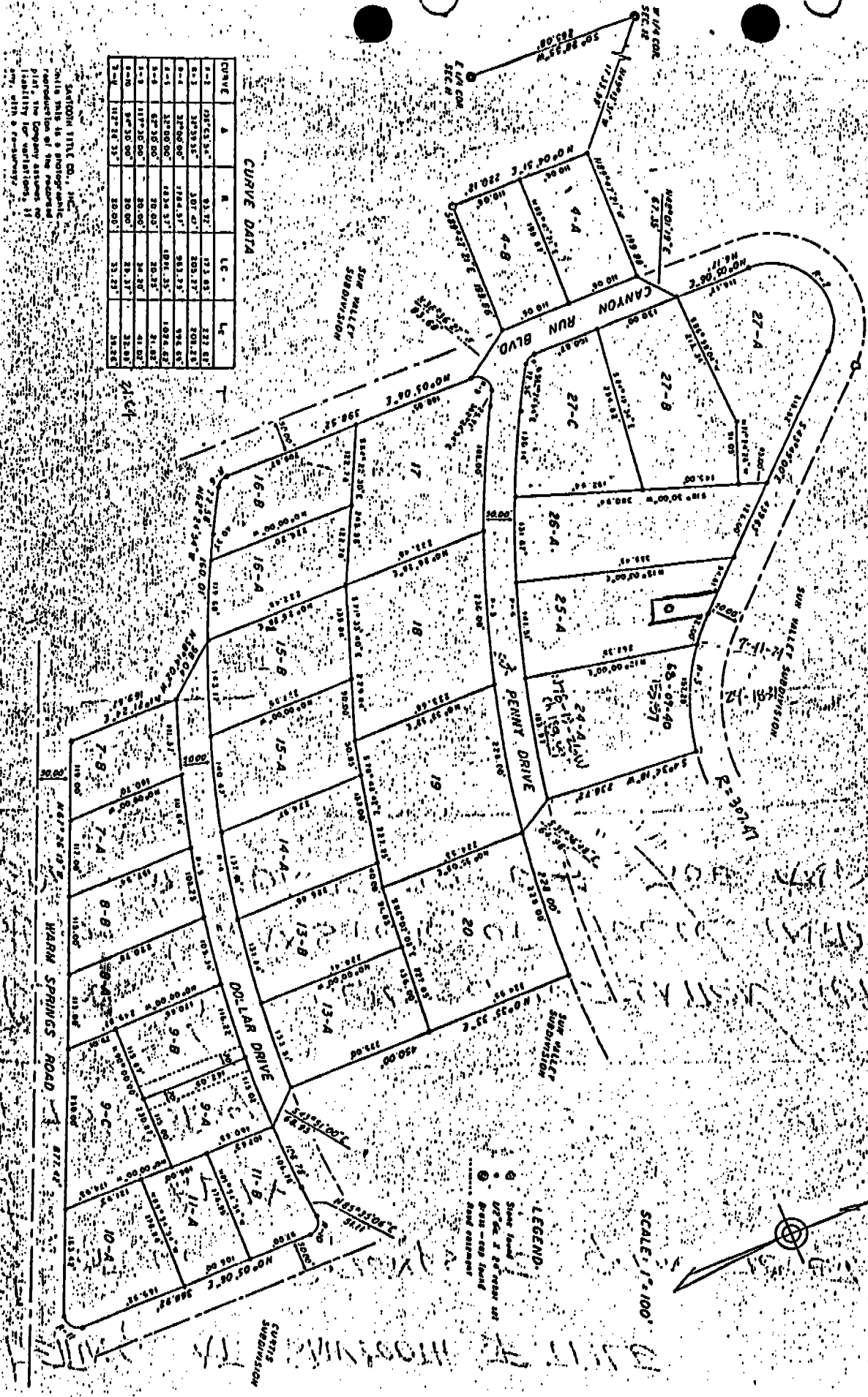
NOV 20 1989

# RESUBDIVISION OF LOTS 4,7,8,9,10,11,13,14,15,16,17,18,19,20,W/2 24,25,23 & 27, SUN VALLEY SUBDIVISION

SEC.12, T4N, R17E, B.M. KETCHUM, BLAINE COUNTY, IDAHO

CURVE DATA

| CURVE | A      | B     | LC     | L <sub>c</sub> |
|-------|--------|-------|--------|----------------|
| 1-1   | 101.43 | 31.72 | 123.85 | 227.87         |
| 2-1   | 101.43 | 31.72 | 123.85 | 227.87         |
| 3-1   | 101.43 | 31.72 | 123.85 | 227.87         |
| 4-1   | 101.43 | 31.72 | 123.85 | 227.87         |
| 5-1   | 101.43 | 31.72 | 123.85 | 227.87         |
| 6-1   | 101.43 | 31.72 | 123.85 | 227.87         |
| 7-1   | 101.43 | 31.72 | 123.85 | 227.87         |
| 8-1   | 101.43 | 31.72 | 123.85 | 227.87         |
| 9-1   | 101.43 | 31.72 | 123.85 | 227.87         |
| 10-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 11-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 12-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 13-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 14-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 15-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 16-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 17-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 18-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 19-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 20-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 21-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 22-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 23-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 24-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 25-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 26-1  | 101.43 | 31.72 | 123.85 | 227.87         |
| 27-1  | 101.43 | 31.72 | 123.85 | 227.87         |



MICROFILMED  
NOV 20 1989

4/2/75 deed

#1414

WARRANTY DEED

FOR VALUE RECEIVED, ELIZABETH B. GRUZZER, a widow, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto JOSEF G. KOENIG and SANDRA LOU KOENIG, husband and wife, of P. O. Box 486, Ketchum, Idaho, and ELMAR W. GRASHER and ELMOR GRASHER, husband and wife, of P. O. Box 486, Ketchum, Idaho, hereinafter called the Grantees, the following described premises situated in Sun Valley Subdivision, City of Ketchum, Blaine County, Idaho, according to the official plat of said subdivision on file with the office of the County Recorder of said County, to-wit:

Lots 10, 11, 9, 8, 7, 4, 16, 17 and 26;  
Lot 24, but excluding that portion of said lot described as follows:

Beginning at the Northeast corner of said Lot 24; thence Southwesterly 245.15 feet along the East line of said Lot 24 to the intersection with the South line of said Lot 24; thence Westerly 102.5 feet along said South line; thence Northeasterly 237.5 feet, more or less, to the intersection with the North line of said Lot 24; thence Easterly 37.75 feet along a curve to the left having a central angle of 46°02' and a radius of 282.47 feet; thence continuing along the North line of said Lot 24, S. 89°50' E. 49.50 feet to the point of beginning.

Lot 25, but excluding that portion of said lot described as follows:

Beginning at the Northwest corner of said Lot 25; thence S. 19°28' W. 96.9 feet along the line between said Lot 25 and Lot 24; thence S. 70°32' E. 37.0 feet; thence N. 19°28' E. 78.3 feet; thence N. 43° W. 41.4 feet to the place of beginning.

Subject to a fifteen foot bicycle path easement along the southerly portion of Lots 7, 8, 9 and 10, and,

Subject to sewer easement installments falling due after the date hereof.

Reserving to Grantor the irrigation well situated hereon.

KIRKLAND, LAGUNA  
AND KNOX  
ATTORNEYS AT LAW  
P. O. BOX 200  
KETCHUM,  
IDAHO 83740

EXHIBIT B

MICROFILMED

NOV 20 1989

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

DATED this 2nd day of April, 1975.

*Elizabeth B. Gruener*  
ELIZABETH B. GRUENER

ACKNOWLEDGEMENT

STATE OF IDAHO )  
County of Blaine ) ss.

On this 2nd day of April, 1975, before me, a Notary Public in and for said State, personally appeared ELIZABETH B. GRUENER, known to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

*[Signature]*  
NOTARY PUBLIC for Idaho  
Residing at *[Signature]*  
Commission expires *[Signature]*

PHOTOCOPYED  
ALL RIGHTS  
RESERVED  
BY THE  
COPYRIGHT  
OWNER

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NOV 20 1989

no: 159159

W. A. Smith

Engineer & Surveyor

to

Prof. A. H. Smith

1924

W. A. Smith  
April 3, 1924

Dr. A. H. Smith

1924

1924

MICROFILMED

NOV 20 1989

3/31/77 deed

WARRANTY DEED

FOR VALUE RECEIVED, ELIZABETH H. GRUENER, a widow, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto JOSEF G. KOENIG and SANDRA LOU KOENIG, husband and wife, of P. O. Box 466, Ketchum, ID 83340, and SIMAR W. GRABNER, a single man, of P. O. Box 466, Ketchum, ID 83340, hereinafter called the Grantee, the following described premises situated in Blaine County, State of Idaho, to wit:

Lots 13A, 13B, 14A, 15A, 15B, 18, 19, 20, 27A, 27B, and 27C of the re-subdivision of Lots 4, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, W $\frac{1}{4}$  of 24, 25, 26, and 27, of Sun Valley Subdivision, according to the official plat thereof, recorded in Book 15 of Plats, page 2, records of Blaine County, Idaho.

Subject to Seller's ownership of an agricultural well on said premises, together with right of access thereto, and an easement for pipes to Seller's remaining property.

Subject to sewer assessments which grantees assume.

Subject also to any other easements, reservations and conditions of record.

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

DATED this 31<sup>st</sup> day of March, 1977.

*Elizabeth H. Gruener*  
ELIZABETH H. GRUENER

AMELAND, LADDIS  
KORR AND COLLIER  
ATTORNEYS AT LAW  
P. O. BOX 100  
KETCHUM,  
IDAHO 83340  
TEL 1200-720 0511

- 1 -

MICROFILMED  
NOV 20 1989

2  
EXHIBIT C

April 27, 1989

Thomas B. Campion  
Post Office Box 538  
Ketchum, Idaho 83340

Re: Purchase of Grabher-Koenig Well Right

Dear Tom:

This letter confirms our recent conversations during which we have agreed to sell you all of our interest in the ground water well right known as Idaho Water Right No. 37-7017. You are free to provide the Department of Water Resources with a copy of this letter so that you can confirm to them our agreement to sell the water right to you.

Sincerely,

*Joseph G. Koenig*  
Joseph G. Koenig

*Sandra L. Koenig*  
Sandra L. Koenig

*Elmar W. Grabher*  
Elmar W. Grabher

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NOV 20 1989

16-May-1989

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the 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.

Very truly yours,

Mary Baldwin  
Secretary/Office Coordinator

Enclosure

**MICROFILMED**

NOV 20 1989



16-May-1989

Thomas B. &/or Lynn H. Campion  
c/o James P. Speck, Esquire  
P.O. Box 987  
Ketchum, ID 83340

Re: Two (2) Applications for Transfer (Campion)

Dear Mr. Speck:

The Department of Water Resources acknowledges receipt of the 2 Applications for Transfer on behalf of your clients, Thomas B. &/or Lynn Campion.

This office will be advertising the applications in the Wood River Journal on 5/24 and 5/31/89. The advertisements will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

If the applications are not protested, they will be forwarded to our State Office in about five weeks. State Office personnel will conduct a complete review prior to final processing of the applications and will notify you of the outcome of this review.

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

Very truly yours,

James E. Stanton  
Sr. Water Resource Agent

JS:MB

**MICROFILMED**

NOV 20 1989

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3567

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

March 10, 1989

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

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

RE: Application for Transfer of Water Right  
Thomas B and/or Lynn H. Campion

Dear Loren:

Enclosed you will find an Application for Transfer of Water Right which I have prepared on behalf of Mr. and Mrs. Thomas B. Campion and a check payable to the Department in the sum of \$50.00 for the filing fee. The Application seeks to change the point of diversion and place of use of a groundwater right for irrigation purposes. My clients have entered into an agreement to purchase this water right contingent upon the successful approval of this Application.

At your earliest convenience, please let me know your anticipated schedule for publication of notice for this Application. If there are any questions, please do not hesitate to call me. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD

  
James P. Speck

JPS/rlk  
encl.

cc: Mr. Thomas B. Campion(w/encl.)

RECEIVED  
MAR 14 1989  
Department of Water Resources  
Southern Region Office

MAR 20 1989

C  
May 13, 1975

O  
Re: Permit No. 37-7017

P  
Mr. Theodore Gruener  
Box 125  
Rathdrum, Idaho 83340

Dear Mr. Gruener:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Y  
Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:jfr

Enclosure

RECEIVED

April 28, 1975

Mr. Theodore Gruener  
Box 125  
Ketchum, Idaho 83340

Dear Mr. Gruener:

A representative of this Department has made an examination of the works covered by your Permit No. 37-7017 and has found the following:

Quantity of water diverted: 0.89 cfs      Source: ground water

Amount of water that can be recognized as beneficially used under Idaho law: 0.60 cfs

The maximum quantity diverted shall not exceed 105 acre feet per year.

Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 12, Twp. 4 N, Rge. 17 E, B.M.

Beneficial use: Irrigation of 35 acres within the E $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 12, Twp. 4 N, Rge. 17 E, B.M.

Priority date established: May 6, 1968

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:DR

MAILED

104 D  
102 Fry

DEPARTMENT OF WATER ADMINISTRATION  
FIELD REPORT

1. Name of permit holder Theodore Gruener  
Post office address Box 125, Ketchum, Idaho 83340 Phone Unpublished  
Person to contact \_\_\_\_\_ Phone \_\_\_\_\_

2. Source of water supply: Groundwater ☒ Surface water ☐ \_\_\_\_\_  
(name spring, stream, etc.)  
Tributary to \_\_\_\_\_

3. Water will be used for the following purposes:

Amount .60 c.f.s. for Irrigation  
\_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from April 1 to October 15  
(mo.-day) inclusive (mo.-day)

Amount \_\_\_\_\_ c.f.s. for Domestic  
\_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from January 1 to December 31  
(mo.-day) inclusive (mo.-day)

Amount \_\_\_\_\_ c.f.s. for \_\_\_\_\_  
\_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from \_\_\_\_\_ to \_\_\_\_\_  
(mo.-day) inclusive (mo.-day)

Other uses: \_\_\_\_\_

Permit No. 37-7017  
Examination for R/U

4. Total amount to be appropriated:

Max Rate of Diversion .60 cubic feet per second and annual volume \_\_\_\_\_ AF/Annum.

5. Location of Point(s) of Diversion:

Township 4 N/S, Range 17 E/W, B.M., Section 12, Subdivision SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Blaine  
County

Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , \_\_\_\_\_  
County

Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , \_\_\_\_\_  
County

Other Points of Diversions: \_\_\_\_\_

Description of diverting works: Pump size - 6", Motor - 15 h.p., Well size 12", Depth - 92'

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 4N   | 17E   | 12   |                  |                  |                  |                  |                  |                  |                  |                  | 15               |                  |                  | 2                |                  | 15               | 3                |                  | 35     |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

TOTAL ACREAGE

35

by: \_\_\_\_\_

by: \_\_\_\_\_

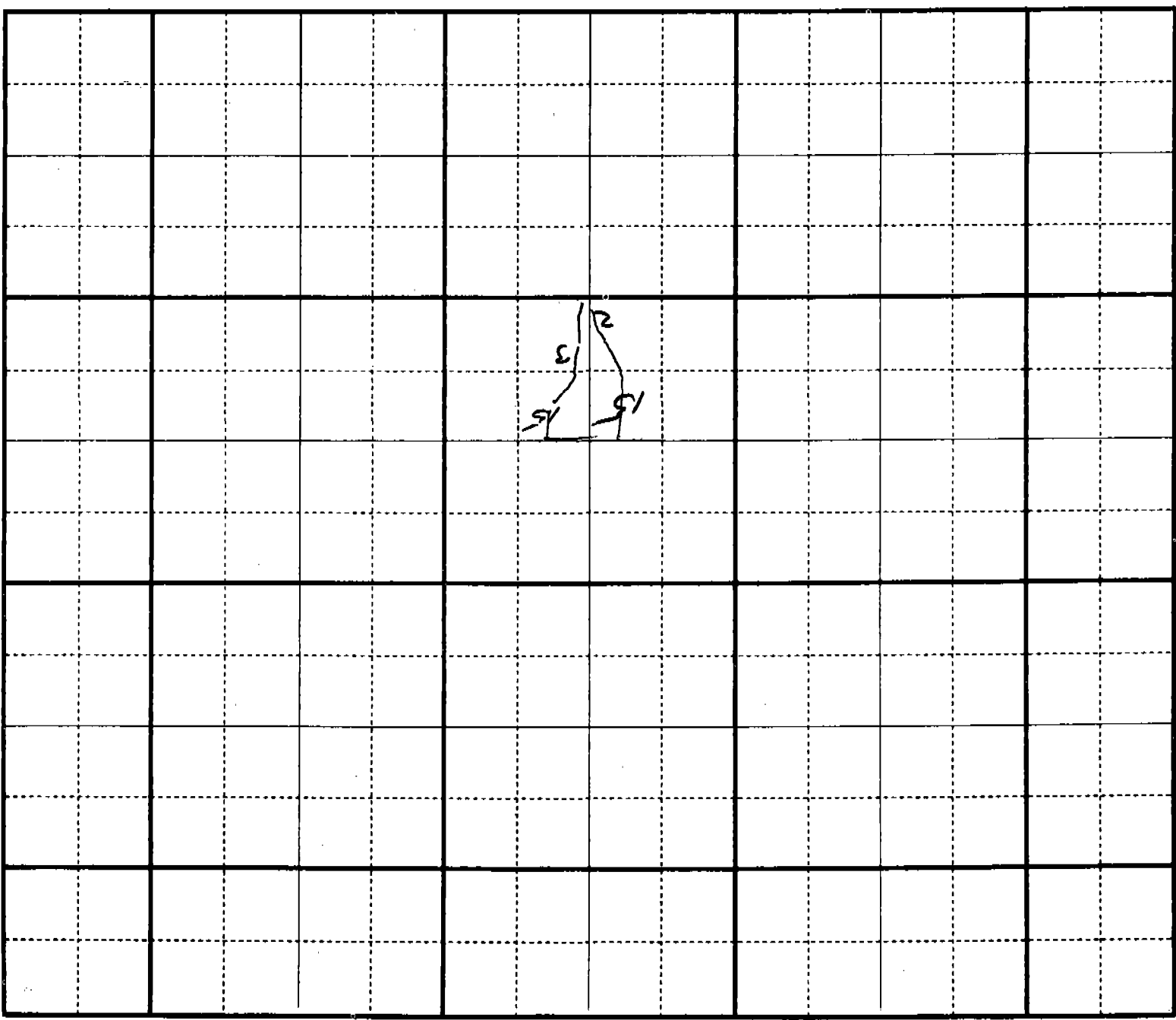
by: \_\_\_\_\_

by: \_\_\_\_\_

DATE

EXAMINATION RECORDS

Diagram of System



DATE OF EXAM 6-5-74

ACREAGE  
Found 35  
Recommended 35

Irrigation Requirement 3.0 Ac Ft/Ac

USE  
Irrigation Q = .60 c.f.s. V = 105 AF/Ann. from April 1 to Oct 15 <sup>198</sup>  
Domestic Q = - c.f.s. V = - AF/Ann. from - to -  
Livestock Q = - c.f.s. V = - AF/Ann. from - to -

Is water co-mingled? yes - no ✓

Name source: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Exchange? yes - no ✓

Name source exchanged with: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Point of injection: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Point of exchange: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Total Q measured 400 gal/min = 0.89 c.f.s. Method of measurement Badger Meter  
Total Q recommended .60 c.f.s. Meter No. MD437858 type 6" Condition good.  
Total V recommended 105 Ac Ft/ANN.

Recommended Amendments:

P.D. ✓  
Place of Use - No Domestic  
Other ✓  
None ✓

MEASUREMENT CALCULATION:

Q = .89 c.f.s. (400 gal/min) ÷ (448.8 gal/min = 1 c.f.s.)  
V = .60 c.f.s. Amount applied for.  
V = 105 Ac Ft/ANN. = (35 Acres × 3.0 Irr Req.)  
No Domestic Use.

SYSTEM DESCRIPTION:

Holloshaft Pump, 60 cycle 240 volt.  
1765 RPM Serial # HA1025664 from well to 6" main line  
equip w/ Badger mtr. But Not working - mtr. device required  
To have meter fixed - Holly Dept. in T.F.  
July-12-72 mtr not fixed

REMARKS:

To. WARM Springs Rd 6.6.72.  
Sec Cliff Knaxson - Mr. Grucner died week  
earlier property in state of limbo wells not in  
operation at present property with Atty  
#02131

Examiner's Signature Sam Sundbary Date 2-25-74

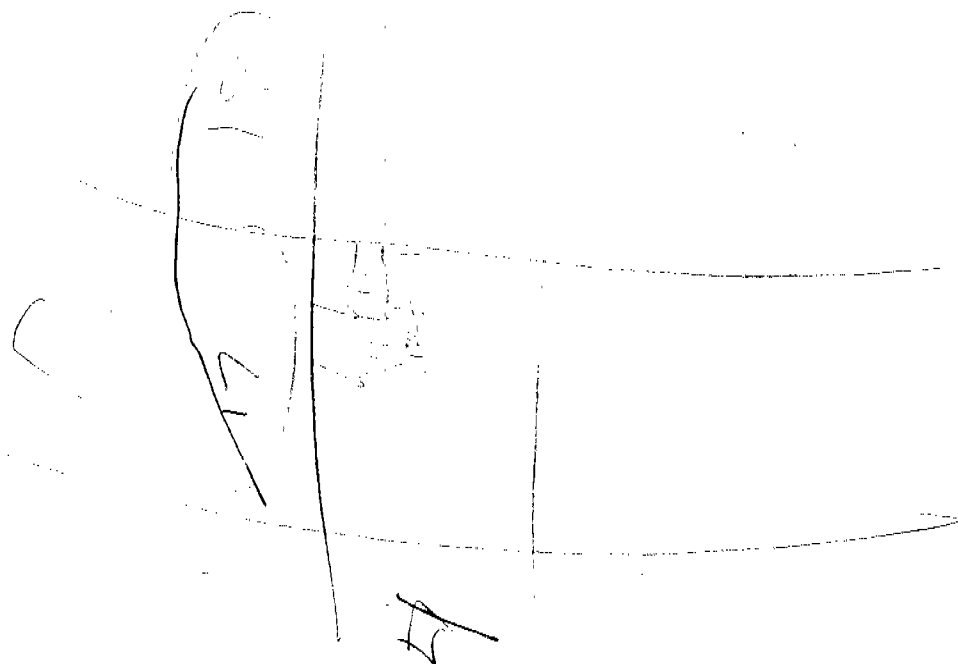
Checked by Michael Steele Date 7-26-74

Approved by \_\_\_\_\_ Date \_\_\_\_\_

Badger Meter

m0437858 6" -

400 gal/min.



September 27, 1971

Re: Permit No. 37-7017

Mr. Theodore Gruener  
Box 125  
Ketchum, Idaho 83340

Dear Mr. Gruener:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed you will find an Order of Reinstatement; please note that the priority has been advanced.

Before a license can be issued, a field examination must be made by a representative from 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.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM:DR  
Enc: Order of Reinstatement

37 7017

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION  
OF THE  
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-7017 )  
in the name of THEODORE GRUENER )  
\_\_\_\_\_ )

ORDER OF REINSTATEMENT

WHEREAS, on April 3, 1968, Theodore Gruener applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 0.60 cubic feet per second of water from a ground water source within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 12, T. 4 N, R. 17 E, B.M., Blaine County, to be used for irrigation and domestic purposes; and,

WHEREAS, on July 8, 1968, the Department approved said application and issued Permit No. 37-7017 with the condition that proof of completion of works and application of the water to beneficial use be submitted to the Department on or before August 1, 1971; and the applicant permanently install and maintain a measuring device of a type approved by the Department as part of the diverting works; and,

WHEREAS, on June 1, 1971, the permit holder was notified by certified mail that he was required to submit proof of beneficial use and was instructed as to the steps to be taken to make said proof; and,

WHEREAS, on August 4, 1971, the Department notified the permit holder that Permit No. 37-7017 had lapsed for failure to submit the required proof of beneficial use; and,

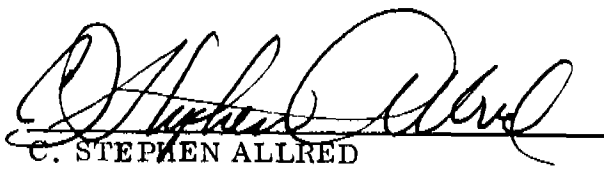
WHEREAS, the Department received the required proof of beneficial use on September 3, 1971; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-7017 be REINSTATED and the priority advanced to May 6, 1968.

Dated this 25 day of September, 1971.

  
C. STEPHEN ALLRED  
Deputy Director

37 7017

BDF:DR

Identification No. 37-7017

Permit No. 42411

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

**RECEIVED**

SEP 3 1971 *late*

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Administration

1. a) Name of Permit Holder Theodore Gruener  
b) Post Office Address Box 125  
2. Permit Number 42411  
3. Date of Priority that you are prepared to establish 4-3-68  
4. a) Source from which water was appropriated Underground Source  
b) Location of the point of diversion: S 8 1/4 SW 1/4 Section 12  
Township 4 N, Range 17 E Boise Meridian, Other points of diversion: Blaine Co

5. a) The amount of water and use to which the water has been applied:  
amount Six Tenths for Irrigation purposes from Apr 1 to Oct 15 incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
b) Total amount appropriated One cfs and/or acre feet per annum  
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: 450 G.P.M. by test pump  
3 hrs Duration By George J. Roessler W.D. Lic # 19

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:  
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: \_\_\_\_\_  
b) Describe the agreement or understanding by which you take water from the works: \_\_\_\_\_  
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pump size 6" Motor 15 HP. Well  
Size 12" Depth 92 ft  
b) Describe the type and size of measuring device which you have installed at your point of diversion: Badger Measuring M D 17m - 6" meter  
c) Give well drillers name and address and date the well was completed Geo. J. Roessler Shoshone Id  
Completed 12-12-67  
Tested 5-29-1968

37 7017

*Hand typed*  
*9-30-71*

37 7017

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: \_\_\_\_\_

| TWP. | RANGE | SEC. | NE1/4 |       |       |       | NW1/4 |       |       |       | SW1/4 |       |       |       | SE1/4 |       |       |       | TOTALS |
|------|-------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
|      |       |      | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 |        |
| 42   | 17E   | 12   |       |       |       |       |       |       |       |       | 15    |       |       | 2     |       | 15    | 3     |       | 35     |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |       |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |

Total number of acres irrigated 35

10. Remarks: \_\_\_\_\_

\_\_\_\_\_

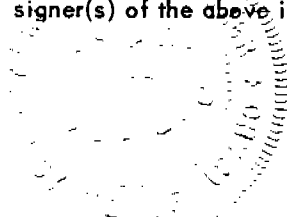
\_\_\_\_\_

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

Aug. 20, '71 (Date) *Richard J. Summer* (Signature)

State of Idaho)  
County of Blaine ss.)

On this 20th day of August, 1971, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



*Jeanine L. Stricker*  
Notary Public residing at Bellevue, Idaho

My commission expires 7-13-74

**STATE OF IDAHO**

**DEPARTMENT OF WATER ADMINISTRATION**

Statehouse — Annex 2

Boise, Idaho 83707

(208) 384-2215



**R. Keith Higginson**  
Director

Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Flood Plain Management  
Irrigation and  
Flood Control Districts

August 4, 1971

Re: Permit No. 37-7017

Theodore Gruener  
Box 125  
Ketchum, Idaho 83340

Dear Mr. Gruener:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit 37-7017 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.

C. STEPHEN ALLRED  
Deputy Director

CSA:DR

37 7017

|                                                                                   |                                                       |
|-----------------------------------------------------------------------------------|-------------------------------------------------------|
| PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).<br>REQUIRED FEE(S) PAID. |                                                       |
| <input type="checkbox"/> Show to whom, date and address<br>where delivered        | <input type="checkbox"/> Deliver ONLY<br>to addressee |

**RECEIPT**

*Received the numbered article described below.*

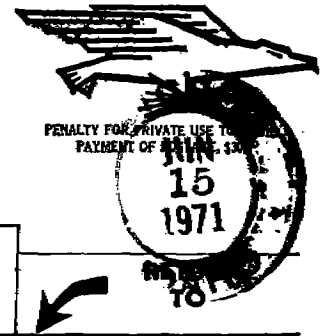
|                           |                                        |                                                                      |
|---------------------------|----------------------------------------|----------------------------------------------------------------------|
| REGISTERED NO.            | <div>1</div> <div>2</div> <div>3</div> | SIGNATURE OR NAME OF ADDRESSEE ( <i>Must always be filled in</i> )   |
| CERTIFIED NO.<br>22836    |                                        | SIGNATURE OF ADDRESSEE'S AGENT, IF ANY                               |
| INSURED NO.               |                                        |                                                                      |
| DATE DELIVERED<br>6-15-71 |                                        | SHOW WHERE DELIVERED ( <i>only if requested</i> )<br>37 7017 37-7017 |

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

POD Form 3611 Apr. 1969 655-16-71148-11

POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.



DEPARTMENT OF WATER ADMINISTRATION  
SILVER SPRING, MARYLAND  
BUILDING 1000

37 7017

June 1, 1971      CERTIFIED MAIL #22836

Re: Permit No. 37-7017

Theodore Gruener  
Box 125  
Ketchum, Idaho 83340

Dear Mr. Gruener:

One of the conditions of approval of your water Permit No. 37-7017 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before August 1, 1971. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

  
R. KEITH HIGGINSON  
Director

Enc: Proof affidavit  
dr

37 7017

**July 10, 1968**

**Re: Permit No. 37-7017**

**Theodore Gruener  
Box 125  
Ketchum, Idaho 83340**

**Dear Mr. Gruener:**

We enclose a copy of your approved application for permit 37-7017 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

**C. Stephen Allred, Assistant  
State Reclamation Engineer**

**CSA:kh**

**Enclosures: Copy of application  
Receipt No. 731 for \$20.00**

**37 7017**

**Form 4**

PHONE  
AREA CODE 208  
726-3301

LAW OFFICE  
OF  
**KNEELAND AND ZENER**  
BOX 258  
KETCHUM, IDAHO 83340

MILTON E. ZENER  
G. R. KNEELAND

June 21, 1968

RECEIVED

JUN 24 1968

Department of Reclamation

~~State Engineer's Office~~  
Department of Reclamation  
Boise, Idaho 83702

Re: Theodore Gruener

37-7017

Dear Sir:

Some time ago, I called to inquire about the water permit which Mr. Gruener applied for some months ago. We have not as yet received a permit and I would appreciate it if you could tell me what the status of the application is.

Sincerely yours,



GEORGE R. KNEELAND

GRK:cs

E

37 7017

May 29, 1968

Re: Application No. 37-7017  
Theodore Gruener

Hailey Times  
Hailey, Idaho 83333

Gentlemen:

As of the date of this letter we have not received the affidavit of publication or the bill of publication for the above referenced application for permit. It is very important that we receive these items promptly.

We are enclosing a copy of our transmittal letter to clarify our previous instructions in the matter. If we may be of further assistance, please contact us immediately.

Very truly yours,

Donald W. McBldowney  
Appropriation Examiner

DWM:ks

Enclosure: Copy of transmittal letter of 4-17-68

37 7017

HERE IS THE PROOF ON YOUR  
LEGAL NOTICE. THE NOTICE  
WILL BE PUBLISHED 4/25  
UNLESS OTHERWISE NOTIFIED.

**NOTICE OF APPLICATION  
FOR WATER**

Notice is hereby given that Theodore Gruener, Box 125, Ketchum, Idaho 83340 has on April 3, 1968 applied for permit to divert 60 cubic feet per second of water from a subterranean source under application No. 37-7017. Water will be diverted by a well, ditches, sprinklers and pump within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , sec. 12, T. 4N, R. 17E, B.M., Blaine County and is to be used from April 1 to October 15 for irrigation and from January 1 to December 31 for domestic purposes in the E $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , sec. 12, T. 4N, R. 17E, B. M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON  
State Reclamation Engineer  
Published in the Hailey  
Times, Hailey, Idaho, on April  
28 and May 2.

RECEIVED  
APR 24 1968

Department of Reclamation  
37 7017

April 17, 1963

Re: Application No. 37-7017  
Theodore Gruener

The Hailey Times  
Hailey,  
Idaho 83339

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 date. If you can not publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

(Do not sign letter)  
Signature of claimant

Very truly yours,

Donald W. McElldowney  
Appropriation Examiner

DWM:ks

Enclosure: legal notice

37 7017

Form 3

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Theodore Gruener, Box 125, Ketchum,  
Idaho 83340 has on April 3, 1968  
applied for permit to divert ~~store~~ .60 cubic feet per second ~~acre/feet~~  
of water from a subterranean source  
under application No. 37-7017. Water will be diverted by a well, ditches,  
sprinklers and pump within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , sec. 12, T. 4 N,  
R. 17 E, B.M., Blaine County  
and is to be used from April 1 to October 15 for irrigation and from  
January 1 to December 31 for domestic purposes  
in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , sec. 12, T. 4 N, R. 17 E, B.M.

Any protest against this application must be filed with the Department of  
Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON  
State Reclamation Engineer

Published in the Hailey Times, Hailey, Idaho  
on April 25 and May 2.

PHONE  
AREA CODE 208  
726-3301

LAW OFFICE  
OF  
**KNEELAND AND ZENER**  
BOX 258  
KETCHUM, IDAHO 83340

March 26, 1968

MILTON E. ZENER  
GEORGE R. KNEELAND  
**RECEIVED**  
APR 3 1968  
Department of Reclamation

Idaho Department of Reclamation  
Room 107  
State House  
Boise, Idaho 83701

Dear Sirs:

I am enclosing herewith Mr. Gruener's application for underground water, together with a check in the amount of \$20.00 to cover the application fee.

Sincerely yours,

  
GEORGE R. KNEELAND

GRK:cs

Enclosures

37 7017

37 70

IDENT. NO. 37-7012

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]