

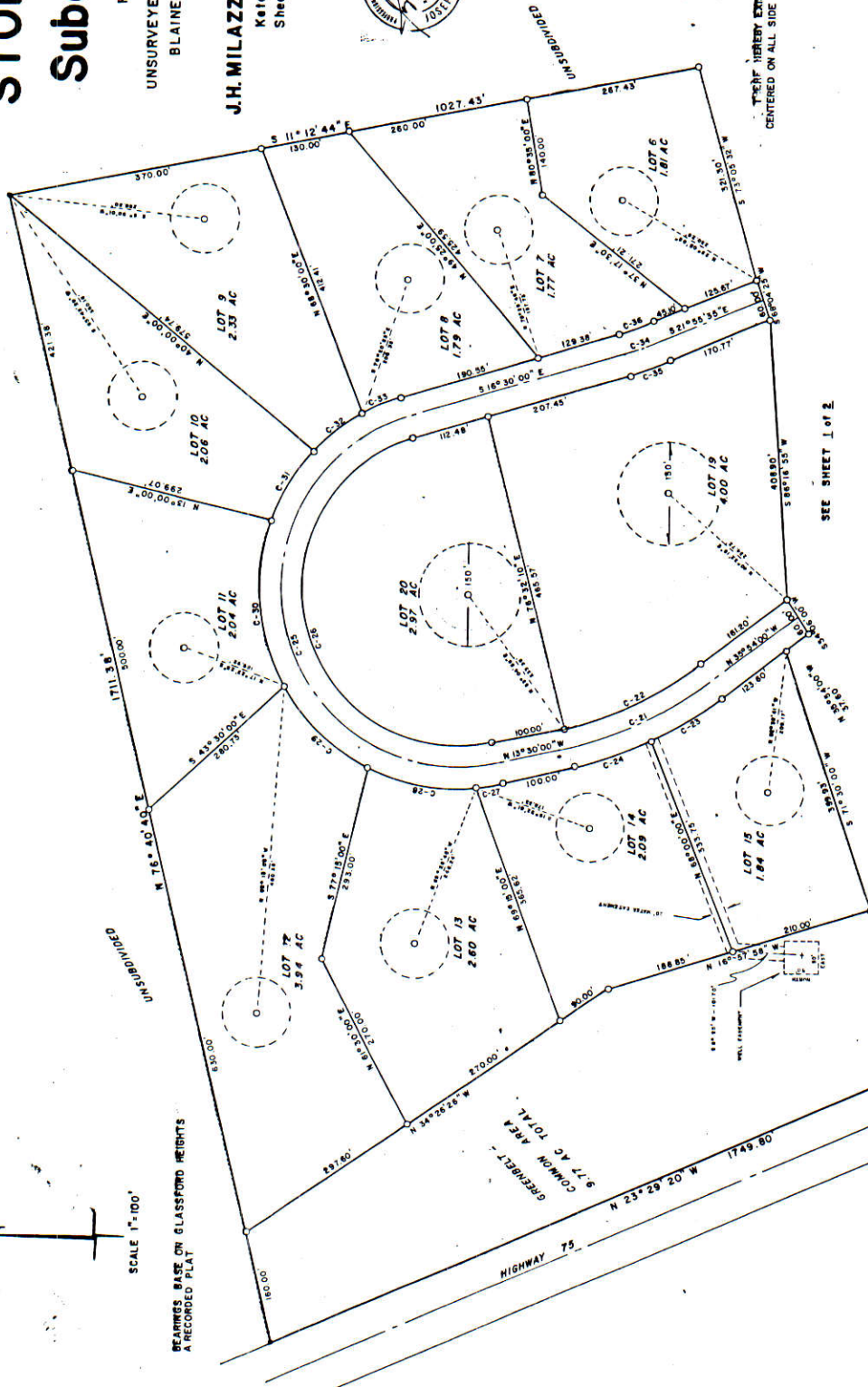
STONEGATE Subdivision

H.E.S. 127
in
UNSURVEYED T.S.N., R. 17E, B.M.
BLAINE COUNTY, IDAHO

by
J.H. MILAZZO & ASSOCIATES
Ketchum, Idaho
Sheet 2 of 3



THEREBY HEREBY EXIST A 10 FOOT UTILITY EASEMENT
CENTERED ON ALL SIDE AND REAR LOT LINES.



NO.	RAD.	DELTA	ARC	CHORD	TAN	NO.	RAD.	DELTA	ARC	CHORD	TAN
C-21	800.00	22° 24' 00"	234.37	233.08	118.80	C-29	290.00	33° 42' 51"	170.64	168.19	87.87
C-22	870.00	22° 24' 00"	222.84	221.43	112.86	C-30	290.00	48° 13' 41"	233.98	232.69	123.78
C-23	830.00	10° 28' 03"	118.10	114.94	57.71	C-31	290.00	23° 34' 57"	119.38	118.52	60.54
C-24	830.00	11° 53' 37"	131.20	130.97	65.84	C-32	290.00	18° 24' 19"	93.18	92.76	48.98
C-25	800.00	17° 00' 00"	803.80	518.82	982.00	C-33	290.00	15° 19' 21"	77.95	77.32	39.01
C-26	830.00	17° 00' 00"	710.92	459.84	878.35	C-34	800.00	5° 25' 35"	58.87	58.80	28.43
C-27	290.00	7° 45' 03"	39.28	39.20	19.84	C-35	830.00	5° 25' 35"	58.87	58.84	28.43
C-28	290.00	31° 39' 49"	161.95	159.85	83.15	C-36	270.00	5° 25' 35"	53.98	53.96	27.01
C-37						C-37	59.37	20° 15' 11"	107.83	106.86	54.90

LEGEND

- SUBDIVISION LINE
- LOT LINE
- 1/2" BAR FND
- 5/8" BAR W/ALUM CAP
- BUILDING ENVELOPE
- 100' DIA.

MICROFILMED

MAR 26 2003

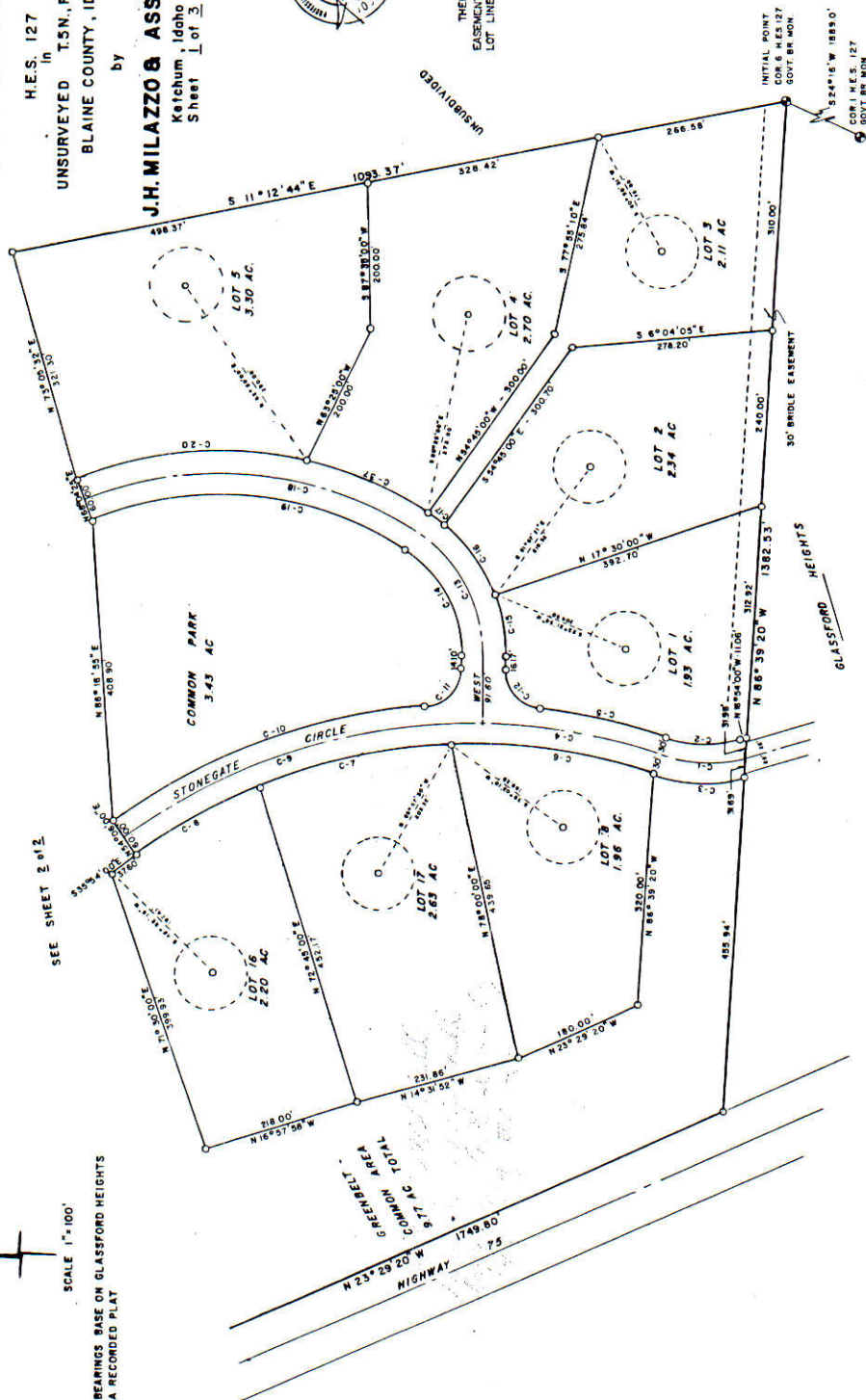
STONEGATE Subdivision

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in
UNSURVEYED T.S.N., R.17E, B.M.
BLAINE COUNTY, IDAHO

J.H. MILAZZO & ASSOCIATES
Ketchum, Idaho
Sheet 1 of 3



THERE HEREBY EXISTS A 10 FOOT UTILITY
EASEMENT CENTERED ON ALL SIDE AND REAR
LOT LINES.



LEGEND

SUBDIVISION LINE
LOT LINE
BRASS MONUMENT
5/8" BAR WALUM CAP
BUILDING ENVELOPE -
100' DIA.

NO	NO	DELTA	ARC	CHD	TAN	NO	NO	DELTA	ARC	CHD	TAN
C-1	100.00	33° 00' 00"	102.24	102.24	53.00	C-11	30.00	88° 40' 07"	74.76	87.99	48.36
C-2	170.00	33° 00' 00"	103.85	102.24	53.00	C-12	50.00	84° 11' 18"	75.47	87.03	45.17
C-3	230.00	33° 00' 00"	109.35	127.82	66.33	C-13	200.00	57° 08' 45"	199.48	181.31	108.92
C-4	825.00	17° 17' 27"	248.97	248.05	125.44	C-14	170.00	57° 08' 45"	169.50	162.61	92.58
C-5	855.00	12° 17' 16"	183.36	183.01	92.03	C-15	230.00	29° 44' 48"	93.32	94.64	48.36
C-6	795.00	20° 07' 51"	279.32	277.89	141.12	C-16	230.00	29° 35' 08"	104.04	103.16	52.93
C-7	795.00	18° 48' 26"	274.37	273.01	138.56	C-17	230.00	7° 28' 51"	30.03	30.01	15.04
C-8	795.00	14° 05' 43"	195.56	195.08	98.28	C-18	50.37	54° 48' 50"	47.96	48.13	25.78
C-9	825.00	38° 42' 33"	528.37	519.58	273.71	C-19	47.37	54° 48' 50"	45.08	43.37	24.42
C-10	825.00	31° 34' 07"	471.08	465.14	246.69	C-20	51.37	34° 31' 19"	32.02	31.39	16.12

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MAR 26 2003

P/D - well house

Section 23
Section 26

Section 24
Section 25

Greenbelt -
Common
Area

Lot 12

Lot 11

Lot 10

Lot 9

Lot 13

Lot 20

Lot 8

Lot 14

Lot 19

Lot 7

Lot 6

Lot 15

Lot 16

Common
Park

Lot 4

Lot 17

Lot 18

Lot 1

Lot 2

Lot 3

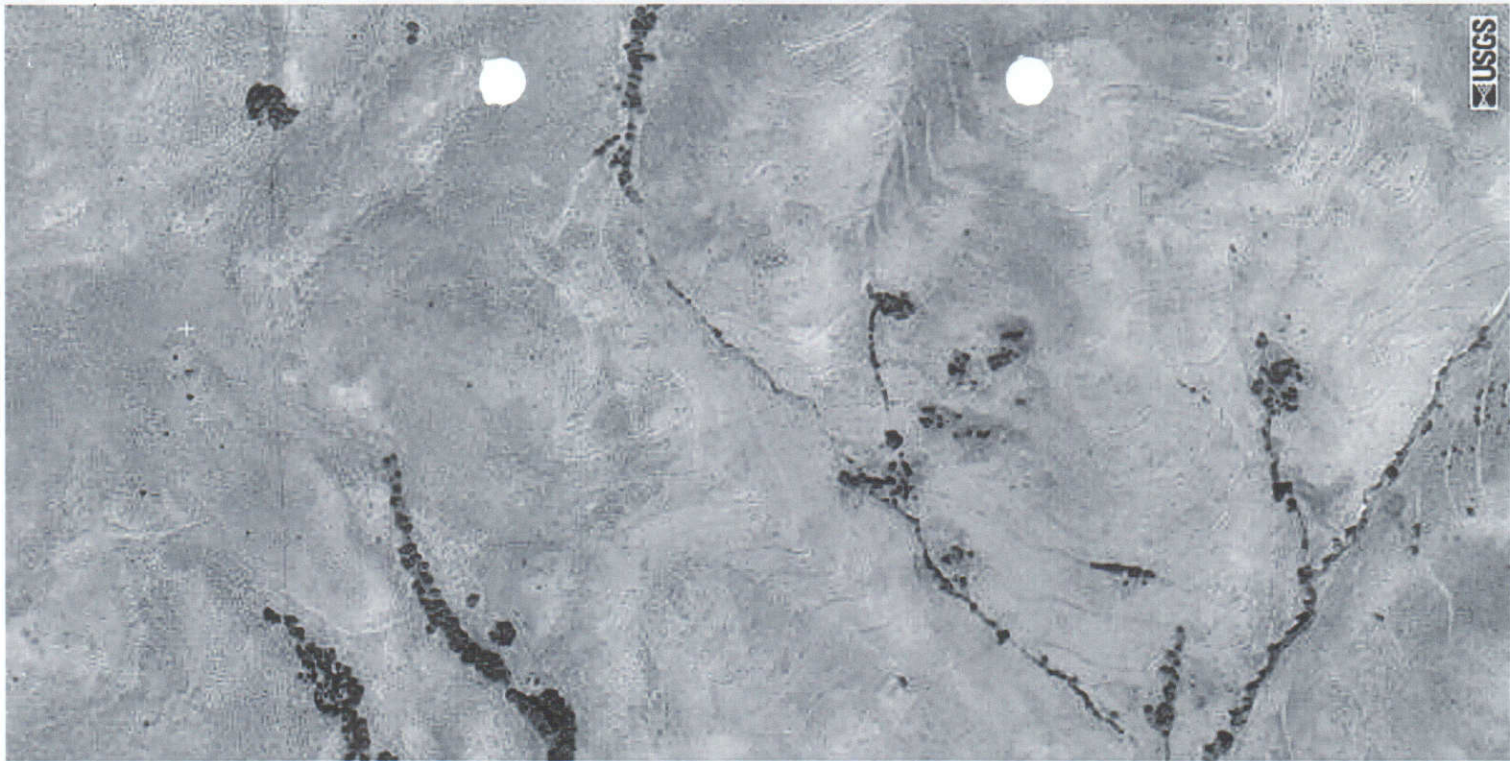
Stonegate
Subdivision
T05N, R17E

600 0 600 1200 1800 Feet

Brockway Engineering, PLLC.
MLA 12/10/2002

2000 Rectified FSA Aerial Photo

MICROFILMED



MICROFILMED

MAR 26 2003

MAR 26 2003

PER DEQ
RECORDS

8" well 44 feet
deep

Amt. of Fee \$: 135.00
Receipt No. 200863
Receipt By: [Signature]
Date Received: 4-18-03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

APR 18 2003

Department of Water Resources

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

1. Permit No. 37-20863 Telephone No. (208) 726-4421

2. Name of Permit Holder(s): Stonegate Homeowners Assn Inc.

3. Mailing Address: P.O. Box 987,

City Ketchum State ID Zip 83340

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. / yr. 1966

Well Driller: George Roessler Drilling Permit Number: Unknown

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 32 Stockwater (No. and type of stock):

Irrigation (No. of acres): Other: Fire Protection

6. Total rate of diversion and/or volume for which proof is submitted: 1.2 cfs OR acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No X
Has the measuring device been installed? Yes or No

8. Fee Enclosed: \$ 125.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Dick Nelson Telephone Number: (208) 726-1250

Address: Post Office Box 2550, Sun Valley, Idaho 83353

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Richard C Nelson, President Date: 4/14/03
(include your title, if on behalf of company or organization)

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APR 21 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 37-20863

Priority: January 24, 2003

Maximum Diversion Rate: 1.20 CFS

This is to certify, that STONEGATE HOMEOWNERS ASSN INC
C/O JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.46 CFS
FIRE PROTECTION	01/01 to 12/31	1.20 CFS

LOCATION OF POINT(S) OF DIVERSION:GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26, Twp 05N, Rge 17E, B.M. BLAINE County**PLACE OF USE:** DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 17E 23																X	
05N 17E 24											X						
05N 17E 25					X	X	X	X									
05N 17E 26	X																

PLACE OF USE: FIRE PROTECTION – Same as Domestic**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **April 1, 2004**.
2. Subject to all prior water rights.
3. The place of use for the domestic use is located within Lots 1-4, 6-8, 10, 11, 13, 14, 16-20; Stonegate Subdivision. The place of use for fire protection purposes is within Lots 1-20 and the common areas of Stonegate Subdivision.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day per subdivision lot.
5. Domestic use is for up to 32 homes.

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MAR 2 5 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 37-20863

CONDITIONS OF APPROVAL CONTINUED

6. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
9. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
10. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 20th day of March, 20 03


for KARL J DREHER, Director

MICROFILMED

MAR 28 2003

RECEIVED
JAN 24 2003
Department of Water Resources
Southern Region

ORM 202
2/99
RECEIVED
MAR 18 2003
Department of Water Resources

Ident. No. 37-20863

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Stonegate Homeowners Association, Inc. Phone (208) 726-4421
Mailing address c/o James P. Speck, Speck & Aanestad, P.O. Box 987, Ketchum, ID 83340
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is Township 5N Range 17E Sec. 26, in the NE $\frac{1}{4}$,
NE $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot _____, B.M., Blaine County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.3 cfs for domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.2 cfs for irrigation purposes from May 1 to Oct 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1.2 cfs for fire protection purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 1.2 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source well, two 15 hp pumps, mainline and stubouts to lots in Stonegate Subdivision.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Existing Proposed well diameter is unknown inches; Existing proposed depth of well is unknown feet
 - d. Is ground water with a temperature of greater than 85°F being sought? no
 - e. If well is already drilled, when? 1966; Drilling firm George Roessler;
Well was drilled for (well owner) John Feldheusen; Drilling Permit No. unknown
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 32
 - e. Other; describe fully. _____

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1997 JUL 11 10:00

Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	17E	24											2.0						2.0
5N	17E	25						6.0											6.0
5N	17E	24											D/F						
5N	17E	25						D/F											

total number of acres to be irrigated 8

0. Describe any other water rights used for the same purposes as described above. 37-8746 is for a backup well on Lot 6

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant's members
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

2. Remarks: Central water system for Stonegate Subdivision constructed in 1979. 16 lots with potential for 16 main homes and 16 accessory dwellings. 4 lots within the subdivision (Lots 5, 9, 12 and 15) obtained partial decrees for domestic use in the SRBA and are not part of this Application. System is stubbed out to each lot. 1/2 acre of irrigation per lot. Attachment A - aerial photo/map; Attachment B - 1992 aerial photo; Attachment C - Stonegate Subdivision Plat; Attachment D - 2002 Annual Report for Applicant.

- MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

STONEGATE HOMEOWNERS ASSOCIATION, INC.

By: Richard C. Nelson, President
Signature of Applicant (and title, if applicable)
Richard C. Nelson, President

Received by P. SKINNER Date 01/24/2003 Time A.M. Preliminary check by P. SKINNER
Fee \$ 290.00 Receipted by P. SKINNER # 5025471 Date 01/24/2003
Publication prepared by MB Date 7/1/03 Published in Wood River Journal
Publication approved MB Date 3/19/03

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2003 JUL 11

MIDWESTERN

1997-1998

ATTACHMENT A

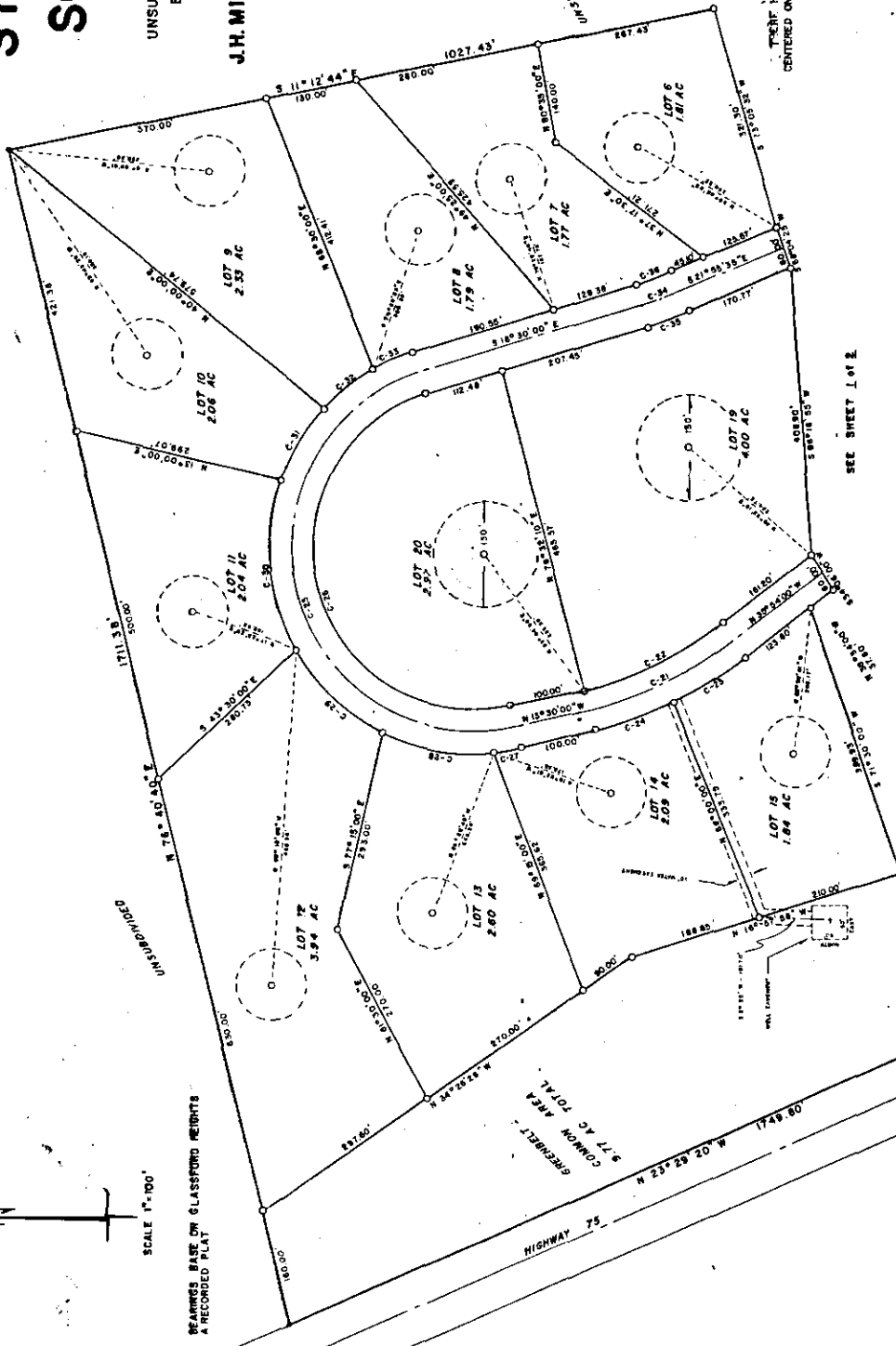
STONEGATE Subdivision

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UNSURVEYED T.S.N., R. 17E, B.M.
BLAINE COUNTY, IDAHO

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J.H. MILAZZO & ASSOCIATES
Ketchum, Idaho
Sheet 2 of 3



THEY HEREBY EXIST 10 FOOT UTILITY EASEMENT
CENTERED ON ALL SIDE AND REAR LOT LINES.



LEGEND

- SUBDIVISION LINE
- LOT LINE
- 1/2" BAR FWD
- 5/8" BAR W/ALUM CAP
- BUILDING ENVELOPE
- 100' DIA.

NO	RAD	DELTA	ARC	CHORD	TAN	NO	RAD	DELTA	ARC	CHORD	TAN
C-21	800.00	27° 24' 00"	234.37	233.05	118.90	C-29	280.00	35° 42' 51"	170.64	169.15	87.97
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C-27	280.00	7° 45' 03"	39.25	38.20	18.64	C-35	650.00	5° 25' 35"	53.96	53.95	27.95
C-28	280.00	51° 59' 49"	161.85	158.12	83.10	C-36	570.00	5° 18' 35"	53.96	53.95	27.95
						C-37	530.37	20° 18' 11"	187.63	186.88	94.80

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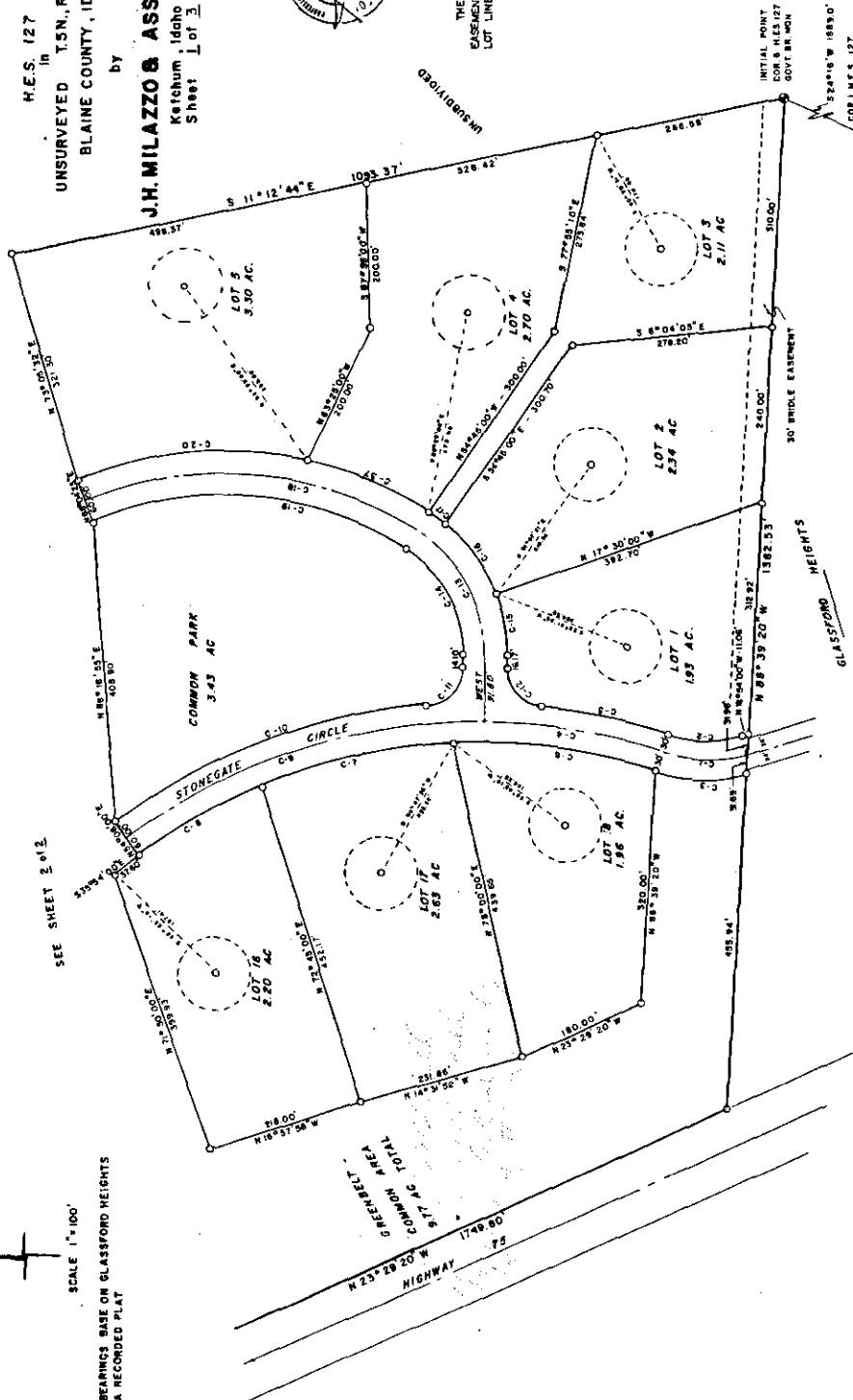
STONEGATE Subdivision

H.E.S. 127
In T.3N., R.17E. B.M.
BLAINE COUNTY, IDAHO

J.H. MILAZZO & ASSOCIATES
Ketchum, Idaho
Sheet 1 of 3



THERE HEREBY EXISTS A 10 FOOT UTILITY
EASEMENT CENTERED ON ALL SIDE AND NEAR
LOT LINES.



LEGEND

SUBDIVISION LINE

LOT LINE

BRASS MONUMENT

5/8" BAR WALDOX CAP

BUILDING ENVELOPE - 100' DIA.

NO.	RAD.	DELTA	ARC	CHD	PAW	AD	PAZ	DELTA	ARC	CHD	PAW
C-1	200.00	35° 00' 00"	22.17	120.28	83.06	C-11	50.00	88° 40' 07"	74.76	87.99	46.30
C-2	175.00	33° 00' 00"	10.81	102.14	53.80	C-12	50.00	84° 11' 18"	73.47	87.03	43.17
C-3	250.00	31° 18' 00"	12.83	127.12	84.33	C-13	200.00	57° 08' 45"	189.48	181.31	109.92
C-4	825.00	17° 17' 27"	24.89	248.05	123.44	C-14	170.00	57° 08' 45"	189.48	181.31	109.92
C-5	825.00	12° 17' 18"	13.35	183.01	82.03	C-15	230.00	28° 44' 48"	333.2	314.64	42.35
C-6	785.00	20° 00' 31"	24.32	277.89	141.12	C-16	230.00	28° 44' 48"	333.2	314.64	42.35
C-7	785.00	14° 48' 44"	17.43	272.01	138.82	C-17	230.00	28° 44' 48"	333.2	314.64	42.35
C-8	825.00	38° 42' 33"	33.87	318.18	273.71	C-18	200.00	57° 08' 45"	189.48	181.31	109.92
C-9	825.00	51° 34' 07"	47.08	485.14	248.85	C-19	51' 37"	34° 3' 38"	32.01	313.31	163.15

MICRO

10/10/2011

ATTACHMENT B

P/D - well house

Section 23

Section 26

Section 24

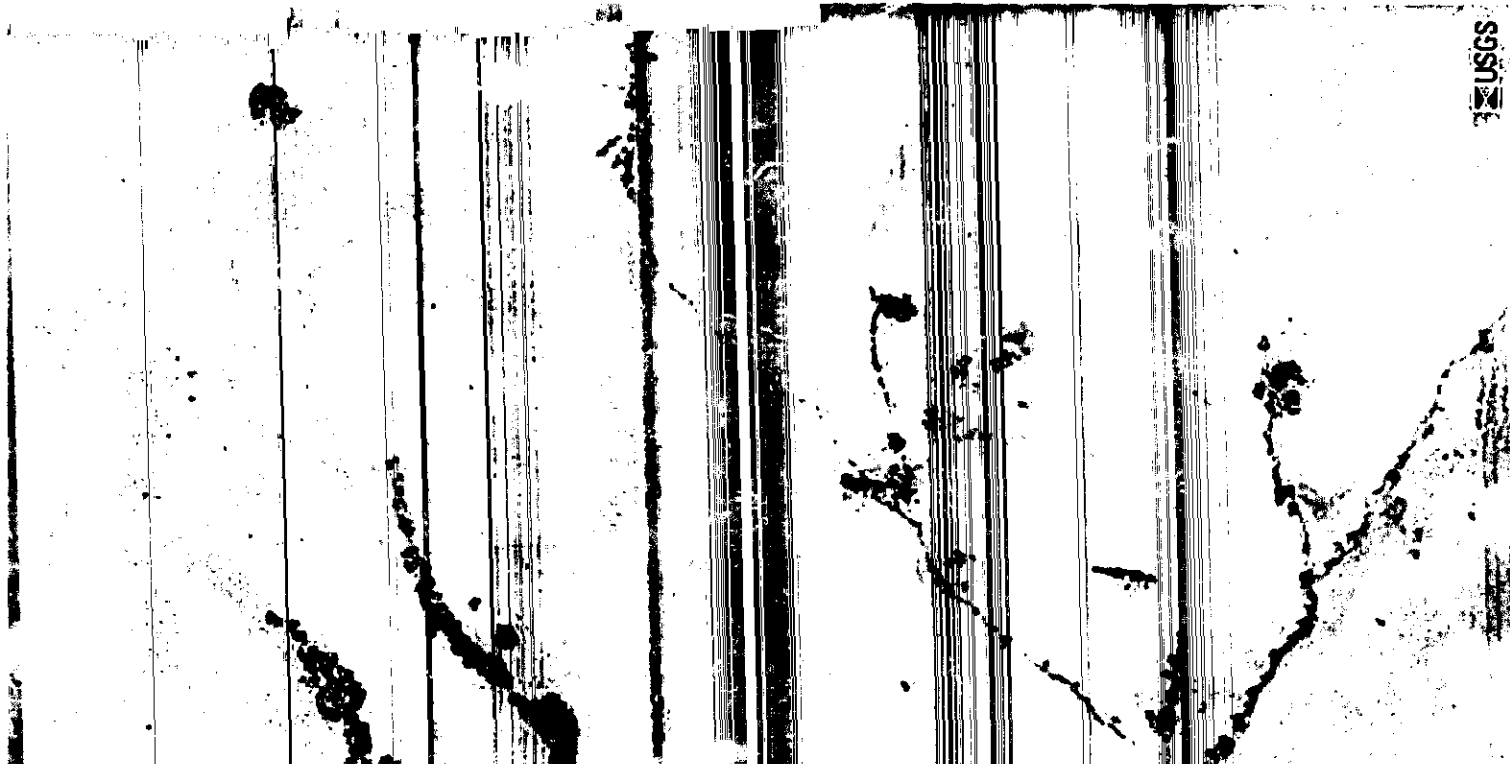
Section 25

**Stonegate
Subdivision
T05N, R17E**

600 0 600 1200 1800 Feet

Brockway Engineering, PLLC.
MLA 12/10/2002

2000 Rectified FSA Aerial Photo



MICROFILMED

1987

1987

MICRO

MAY 20 1991

ATTACHMENT C

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT _____ DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE FOLLOWING DESCRIBED PARCEL:

A PARCEL OF LAND SITUATED IN H.E.S. IN UNSURVEYED TOWNSHIP 5 NORTH, RANGE 17 EAST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT CORNER 6 OF SAID RES. 127 A BRASS MONUMENT BEING THE INITIAL POINT; THENCE N 86° 35' 20" W ALONG THE NORTH BOUNDARY OF SAID TOWNSHIP 5 NORTH, DISTANCE 174.80 FEET TO A 1/2" BAR; THENCE N 23° 23' 20" W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 174.80 FEET TO A 1/2" BAR; THENCE N 76° 40' 40" E A DISTANCE OF 171.38 FEET TO A 1/2" BAR ON THE EASTERLY BOUNDARY OF SAID H.E.S. 127; THENCE S 11° 12' 44" E A DISTANCE OF 2120.80 FEET TO THE INITIAL POINT.

THE PURCHASER AND/OR OWNER OF THESE LOTS OR PARCEL UNDERSTANDS THAT PRIVATE ROAD CONSTRUCTION, MAINTENANCE AND SNOW REMOVAL SHALL BE THE OBLIGATION OF THE OWNER, HIS SUCCESSORS IN INTEREST, OR HOMEOWNERS ASSOCIATION, AND THAT BLAINE COUNTY IS IN NO WAY OBLIGATED TO ACCEPT, MAINTAIN OR IMPROVE THESE ROADS UNTIL THESE ROADS ARE BROUGHT UP TO COUNTY STANDARDS, DEDICATED AND ACCEPTED BY THE COUNTY, AND THAT EACH OWNER SHALL NOTIFY IN WRITING ANY SUCCESSOR IN INTEREST OF THESE FACTS.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 9 DAY OF July, 1978 A.D.

Robert Mitchell
REGISTERED PARTNERSHIP
by Edgar A. Redman Attorney
Robert Mitchell
Edgar A. Redman

ACKNOWLEDGEMENT

STATE OF IDAHO)
COUNTY OF BLAINE) ss
ON THIS 9 DAY OF July, 1978 A.D. BEFORE ME, A NOTARY PUBLIC FOR IDAHO, PERSONALLY APPEARED Robert Mitchell KNOWN TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE ABOVE INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST WRITTEN ABOVE

David E. McMiller
NOTARY PUBLIC
MY COMMISSION EXPIRES December 7, 1979

PROTECTIVE COVENANTS

PROTECTIVE COVENANTS FILED AS INST. NO. _____ IN VOL. _____
ON _____, 1978 A.D. BY STONEGATE PARTNERSHIP

RECORDED

SANITARY RESTRICTION

ENGINEER'S CERTIFICATE

I, JOSEPH H. MILAZZO, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS PLAT OF STONEGATE SUBDIVISION IS A TRUE AND ACCURATE MAP OF LANDS SURVEYED BY ME, THAT THE LOT CORNERS ARE MARKED AS SHOWN AND THE SURVEY WAS DONE IN STRICT ACCORDANCE WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS

JOSEPH H. MILAZZO P.E.

COUNTY ENGINEER'S CERTIFICATE

THIS IS TO CERTIFY THAT I, JIM W. KOONCE, COUNTY ENGINEER OF BLAINE COUNTY, IDAHO HAVE CHECKED THE FOREGOING PLAT AND COMPUTATIONS FOR MAKING THE SAME AND HAVE DETERMINED THAT THEY COMPLY WITH THE LAWS OF THE STATE OF IDAHO RELATED THERETO.

JIM W. KOONCE P.E.

BLAINE COUNTY COMMISSIONER'S APPROVAL

THE FOREGOING PLAT OF STONEGATE SUBDIVISION WAS APPROVED AND ACCEPTED THIS 9th DAY OF July, 1978 A.D., BY THE BOARD OF COUNTY COMMISSIONERS, BLAINE COUNTY, IDAHO.

BY: Ray Sweet

BLAINE COUNTY PLANNING AND ZONING COMMISSION'S APPROVAL

THE FOREGOING PLAT OF STONEGATE SUBDIVISION WAS APPROVED AND ACCEPTED THIS 12th DAY OF Sept, 1978 A.D., BY THE BLAINE COUNTY PLANNING AND ZONING COMMISSION

BY: Stan D. Slette

COUNTY RECORDER'S CERTIFICATE

I, CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF _____ AT _____ MINUTES PAST _____ O'CLOCK _____ M. THIS 12 DAY OF Sept, 1978 A.D. IN MY OFFICE AND DULY RECORDED IN BOOK _____ OF PLATS ON PAGE _____

Sub No 195800

MICHELLE

09/21/2021

ATTACHMENT D

No. C 61132 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	Due no later than May 31, 2002 Annual Report Form 1. Mailing Address: Put in this box if you change STONEGATE HOMEOWNERS' ASSOCIATION, PO BOX 87 SUN VALLEY, ID 83353	2. Registered Agent and Office NO PO BOX ELIZABETH BOSTED 291 SUN VALLEY RD WEST KETCHUM, ID 83340 3. New Registered Agent Signature																								
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors. <table border="1"> <thead> <tr> <th>Office held</th> <th>Name</th> <th>Street or P.O. Address</th> <th>City</th> <th>State</th> <th>Zip</th> </tr> </thead> <tbody> <tr> <td>Director & President</td> <td>Richard Nelson</td> <td>PO Box 2559</td> <td>Sun Valley</td> <td>ID</td> <td>83353</td> </tr> <tr> <td>Director</td> <td>Ed Watson</td> <td>PO Box 5509</td> <td>Ketchum</td> <td>ID</td> <td>83340</td> </tr> <tr> <td>Director</td> <td>George Brandon</td> <td>PO Box 3276</td> <td>Ketchum</td> <td>ID</td> <td>83340</td> </tr> </tbody> </table>			Office held	Name	Street or P.O. Address	City	State	Zip	Director & President	Richard Nelson	PO Box 2559	Sun Valley	ID	83353	Director	Ed Watson	PO Box 5509	Ketchum	ID	83340	Director	George Brandon	PO Box 3276	Ketchum	ID	83340
Office held	Name	Street or P.O. Address	City	State	Zip																					
Director & President	Richard Nelson	PO Box 2559	Sun Valley	ID	83353																					
Director	Ed Watson	PO Box 5509	Ketchum	ID	83340																					
Director	George Brandon	PO Box 3276	Ketchum	ID	83340																					
5. Organized Under the Laws of: IDAHO C 61132	6. Signature <u>Richard C. Nelson</u> Date <u>3/28/02</u> Name (Typed or Printed) <u>Richard C. Nelson</u> Title <u>President</u>																									

Issued 03/01/2002

Do Not Tape or Staple

1553

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: STONEGATE HOMEOWNERS ASSOCIATION, INC
C/O JAMES P. SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340
(208)726-4421

2. Source: GROUND WATER

3. Location of Point of Diversion:

#1 GROUND WATER NE1/4NE1/4NE1/4 Sec. 26, Twp 05N, Rge 17E, B.M.
BLAINE County

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.30 CFS	
FIRE PROTECTION	01/01 to 12/31	1.20 CFS	
IRRIGATION	05/01 to 10/31	0.20 CFS	

5. Total quantity to be appropriated is: 1.20 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source: EXISITNG WELL
- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;.
- c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85F being sought? N
- e. If well is already drilled, when? 1/1/1966;
Drilling Firm: GEORGE ROESSLER;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

- 8.

MICROFILMED

MAR 2 1981

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
05N 17E 24											X						
05N 17E 25						X											

PLACE OF USE: FIRE PROTECTION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
05N 17E 24											X						
05N 17E 25						X											

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
05N 17E 24											2.0						2.0
05N 17E 25						6.0											6.0

Total Acres: 8

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

Central water system for Stonegate Subdivision constructed in 1979. 16 lots with potential for 16 main homes and 16 accessory dwellings. 4 lots within the subdivision (lots 5, 9, 12, and 15) obtained partial decrees for domestic use in the SRBA and are not part of this application. System is stubbed out to each lot. ½ acre of irrigation per lot. Attachment A- aerial photo/map; attachment B - 1992 aerial photo; Attachment C - Stonegate Subdivision Plat; Attachment D - 2002 Annual Report for Applicant.

MICROFILMED
MAR 24 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

11. Map of proposed point of diversion and place of use attached? ☐

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.

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

Receipt No. S025471

Date: _____

Receipted by: _____

MICROFILMED
MAR 24 1981

RECEIVED

JUN 23 2003

Department of Water Resources

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

June 19, 2003

RECEIVED
JUN 23 2003
DEPARTMENT OF WATER RESOURCES

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

Re: Stonegate Homeowners Association, Inc.
Our File No.: 020118

Dear Allen:

As a follow up to our telephone conversation of this date, please be advised that the address for Dick Nelson which was listed on the Proof of Beneficial Use form is incorrect. Dick's address is P.O. Box 2559, Sun Valley, Idaho. 83153

Please call me if you have questions.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: JAL
Jean A. Latham, Assistant to
James P. Speck

:jal

MICROFILMED

JUN 23 2003

Database updated - Kari Lynn - 6.30.03



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 2, 2003

STONEGATE HOMEOWNERS ASSN INC
PO BOX 987
KETCHUM ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-20863

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Southern** Regional Office of the department in Twin Falls (208) 736-3033.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

MAY 1 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 37-20863

Reviewed By: dgibson

Date: May 1, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		S025471, C068662	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		04/18/2003
Date proof due	-	04/01/2004
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	01/24/2003
New priority date	=	01/24/2003

Deficiencies of Actions Items

Acknowledge proof.

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jimspeck@cox-internet.com

DOUGLAS J. AANESTAD
aanestad@cox-internet.com

RECEIVED
APR 18 2003
Department of Water Resources

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

April 15, 2003

Mr. Shelly Keen
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise ID 83720-9000

**Re: Stonegate Homeowners Assn. Inc. -
Permit No. 37-20863
Our File No.; 020118**

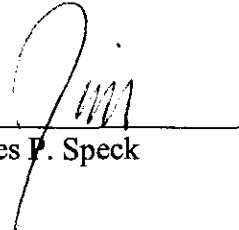
Dear Shelly:

Enclosed you will find the original and one copy of the Proof of Beneficial use for the above-referenced Permit issued to Stonegate Homeowners Association, Inc. together with my firm's check payable to the Department for the \$125 examination fee. Will you please have your secretary receipt date stamp the copy and return it to me in the enclosed self-addressed postage, pre-paid envelope. Please call me right away if there are any questions. *Jim*

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal
Enclosures
cc: Client (w/encl.)

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 20, 2003

STONEGATE HOMEOWNERS ASSN INC
C/O JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: Permit No. 37-20863

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

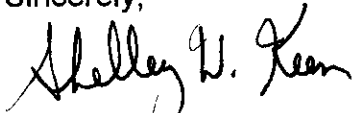
MICROFILMED

APR 1 1993

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive style with a large, stylized 'S' and 'K'.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICHAEL L. LEE

DEC 18 2007

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Keen, Shelley

To: James Speck (E-mail)
Subject: Stonegate Draft Permit

Jim,

To be consistent with the Big Wood River GWMA management plan and with the ESRP moratorium order, I am recommending that the irrigation use on Application 37-20863 for Stonegate Homeowners be incorporated into the domestic use. Rather than listing the irrigation use separately, the permit will list the domestic use with the diversion rate increased from 0.30 cfs to 0.46 cfs. The 0.16 cfs increase comes from the need for 0.02 cfs per acre for 8 acres, as described under the irrigation use on the application. The permit will also include a condition allowing irrigation of up to half an acre per lot under the domestic use. I consider this change to be a clarification of the nature of the domestic/irrigation use, not an increase in the domestic use. Therefore, an amended application is not required. However, I would appreciate an acknowledgement from you for inclusion in the water right file. If I have not heard from you by March 26, 2003, I will send the permit for approval as described above.

Shelley Keen
Water Right Permits Section
Idaho Dept. of Water Resources
208-327-7946
skeen@idwr.state.id.us



37-20863 Draft
permit.doc

3/19/03 10:00 A.M.

Jim Speck called to tell me that he sees no problem with the permit as I have presented it to him.

Shelley Keen

MICROFILMED

APR 15 2003

MEMORANDUM

Date: March 18, 2003
To: Water Right File 37-20863
From: S. Keen *SWK*
Re: Irrigation Use not Approved

Application 37-20863 requested 0.20 cfs for irrigation purposes within a subdivision. Because this application is within a moratorium area, the irrigation use cannot be approved except to the extent that each lot meets the 1/2 acre limit for domestic purposes. Therefore, I am removing the irrigation use and covering it under the conditions of approval. The domestic rate will be increased to 0.46 cfs (.30 in-house plus 0.16 for the 8 acres of irrigation) without amending the application because the irrigation use is not being recommended.

MICROFILMED

APR 16 2004

Stonegate Homeowners
Assoc.

FORM NO.202A
REVISED 10/29/02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 18 2003

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY A. SKINNER DATE 02/03/2003

APPLICATION NO. 37-20863

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.
☒ County
☒ Quantity (flow &/or volume) Domestic irrigation flow?
☒ Period of use
☒ Nature of proposed use (include description of use)
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ___ No* In form to receipt

++++PROPOSED PRIORITY DATE 1/29 19 20 03

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back.
☒ Overlapping point of diversion. * RIGHTS WITH SAME POD
___ Yes ☒ No Field check required
Field check by _____
___ Yes ☒ No Field report attached
___ Yes ☒ No Critical Ground water area
☒ Yes ___ No Groundwater management area
___ Yes ☒ No Send Dam safety information
___ Yes ☒ No Send power requirement letter
___ Yes ☒ No Send fish farm requirement letter
___ Yes ☒ No Power residency affidavit.
___ Yes ☒ No Power efficiency form
☒ Yes ___ No Within trustwater boundary(If yes, attach trustwater supplementary analysis sheet.
___ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.
___ See reverse side for additional information.

*37-12679 LOT #5
*37-13039 LOT #9
*37-12742 LOT #12
*37-12289 LOT #15

37-8746 BACKUP FOR LOT #6
DIFFERENT WELL THAN
SUBDIVISION WELL

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Date Requested _____, 20____

PROCESSING ☒ Yes ___ No In form for Advertising

☒ Yes ☒ No No Statewide Advertising

☒ Yes ___ No Fee amount, receipt date & No. recorded on app.

SEND COPIES TO: ☒ Idaho Dept of Health & Welfare ___ USDI BLM
___ Idaho Dept of Fish & Game ___ USFS
___ Idaho Dept of Lands ___ Water Dist.
___ Adjudication Bureau Unit ___ Other _____

DEQ

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received.
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates and paper, recorded on App.

☒ Yes ☐ No Protests received

Final date for protest _____

☒ Yes ☐ No Protests, dates, resolution of protest, recorded on app.

☒ Yes ☐ No Recommendations attached

☒ Yes ☐ No Measuring device required

☒ Yes ☐ No Access port required

☒ Yes ☐ No Will water be delivered by watermaster? If yes, what dist. _____

☒ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information:

Date of priority recommended 1/24 ~~1/24~~ 20 03

By [Signature] Date 3/17 20 03

STATE OFFICE REVIEW

Date _____, 20 _____

ADDITIONAL INFORMATION:

LOCAL PUBLIC INTEREST

Comments recieved from:

☐ City ☐ Idaho Fish & Game ☐ Irrigation Dist.
☐ County ☐ Idaho Health & welfare ☐ Canal Company
☐ Reservations ☐ Div. of Enviromental Quality

☒ Other WM 37

PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE 3/17/ 20 03

APPLICANT: Stonegate Homeowners' Assoc. WATER RIGHT NO. 37-20863

APPLICANT: Stonegate Homeowners' Assoc. WATER RIGHT NO. 37-20863

[illegible]

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

RECEIVED
MAR 04 2003
Department of Water Resources
Southern Region

On this 27 day of February in the year 2003, before me a Notary Public of said State, personally appeared _____, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and 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 19 day of February 2003, and the date of the last publication was on the 26 day of February 2003.

Subscribed and sworn to before me this 27 day of February 2003

NOTARY PUBLIC
STATE OF IDAHO

11841
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line	_____	11.1
Number of Lines in Notice	<u>71</u>	
Number of Insertions	<u>2</u>	
Lines tabular at	_____	7¢ / Pica
<u>71</u> Lines straight at	<u>143</u>	6¢ / Pica
Subsequent lines at	_____	5¢ / Pica
TOTAL COST	<u>106.53</u>	

COPY OF NOTICE (Paste Here)

Applications for water

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFEND

24628

**Applications for
water rights**

PLAIN

NOTICE OF APPLICATIONS

Ed

Dept

The following applications have been filed to appropriate the public waters of the State of Idaho, Blaine County:

BILL

37-20863
STONEGATE HOMEOWNERS ASSN INC
C/O JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340
Point(s) of Diversion: NENENE S26 T05N R17E
Source: GROUND WATER
Use: IRRIGATION 05/01 To 10/31 0.2 CFS
Use: DOMESTIC 01/01 To 12/31 0.3 CFS
Use: FIRE PROTECTION 01/01 To 12/31 1.2 CFS

Total Diversion: 1.2 CFS

Date Filed: 01/24/2003

Place of Use: SWSW, S24, T05N, R17E; NW/4, S25, T05N, R17E

Remark: Application is for a central water system for the Stonegate Subdivision for domestic and fire protection uses along with irrigation of 8 acres covering 16 lots limited to irrigated acre per lot. Water will be diverted from an existing well located on the subdivision property East of Highway 75, approximately 4.25 miles - 4.5 miles North and 1.0 - 1.25 miles West of Ketchum. The permit will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

A. W. MOLYNEUX, 1174 GANNETT PICABO RD; BELLEVUE ID 83313 filed Application No. 70147 on 9/9/02 for diversion of a combined total of 1.31 cfs from several ground water rights. The transfer involves 28 acres of irrigated land West of Hwy 75 owned by the applicant. A previous transfer split the land into 2 separate parcels, and designated a well location for each. Due to the 20-acre minimum parcel size allowed under Blaine County P & Z rules, the parcels are being recombined under a single well. The property is located 6 1/2 to 7 miles South of Bellevue.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the approval of an application must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St. Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before 03/10/2003. The protestant must also send a copy of the protest to the applicant.

Pul

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KARL J. DREHER, Director

Publish: Wood River Journal—February 19 & 26, 2003.

State of Idaho
Department of Water Resources
Application For Permit

RECEIVED
FEB 27 2003
Department of Water Resources
Southern Region

RECOMMENDATION OF WATERMASTER

Application No: 37-20863

Water Right No(s): 37-20863

Applicant's Name: Stonegate Homeowners Assn.

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as follows.
A control gate and measuring system (Micrometer) be installed and a
right of way for the Watermaster and or Deputy
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional Comment:

Dated this 25th day of February, 2003.

Water District No. 37


Watermaster's Signature

MICROFILMED
OCT 14 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

February 13, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JAMES P. SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: Application for Permit No. 37-20863 (**STONEGATE HOMEOWNERS ASSN INC**).

Dear Mr. Speck:

The Department of Water Resources acknowledges receipt of the water right application on behalf of the applicant as listed above.. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared for publication in the **Wood River Journal** on **2/19 & 2/26/03**. Submittal of protests to the application will be allowed for a period ending ten days after the second publication. (**March 10, 2003**)

If an application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If an application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

Mary A. Baldwin
Administrative Assistant I

MICROFILMED

2003 2 13



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 13, 2003

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Application for Transfer of Water Right No. **70147** (A. W. MOLYNEUX) and Application for Permit No. 37-20863 (Stonegate Homeowners Association, Inc.)

Dear Mr. Peterson:

Enclosed are copies of Applications within your District as referenced above, and Watermaster's Recommendation Form(s).

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form(s) and return to this office.

Regional review of an unprotested application can be completed as soon as the final protest period is past; therefore, your prompt response to this request is appreciated.

If you have any questions about an application, please contact this office or the applicant.

Very truly yours,

Mary A. Baldwin
Administrative Assistant

Enclosure(s)

MICROFILM

MAR 13 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

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SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 13, 2003

ATTN GREG MISBACH
DIV OF ENVIRONMENTAL QUALITY
601 POLELINE RD-SUITE #2
TWIN FALLS ID 83301

Re: Application for Permit No. 37-20863 (Stonegate Homeowners Association, Inc.)

Dear Mr. Misbach:

The Department is seeking a written Comment &/or Recommendation from your agency regarding the above referenced application; a copy is enclosed for your information and reference.

Regional review of an un-protested application can be completed as soon as the final protest period is past; therefore, your prompt response to this request is appreciated.

If you have any questions about an application, please contact this office or the applicant.

Very truly yours,

Mary A. Baldwin
Administrative Assistant

Enclosure(s)

MICROFILMED
2003 FEB 13

NOTICE OF APPLICATIONS

The following applications have been filed to appropriate the public waters of the State of Idaho, Blaine County:

37-20863

STONEGATE HOMEOWNERS ASSN INC

C/O JAMES P SPECK

SPECK & AANESTAD

PO BOX 987

KETCHUM ID 83340

Point(s) of Diversion: NENENE S26 T05N R17E

Source: GROUND WATER

Use: IRRIGATION 05/01 To 10/31 0.2 CFS

Use: DOMESTIC 01/01 To 12/31 0.3 CFS

Use: FIRE PROTECTION 01/01 To 12/31 1.2 CFS

Total Diversion: 1.2 CFS

Date Filed: 01/24/2003

Place of Use: SWSW, S24, T05N, R17E ; NWNW, S25, T05N, R17E

Remark: Application is for a central water system for the Stonegate Subdivision for domestic and fire protection uses along with irrigation of 8 acres covering 16 lots limited to ½ irrigated acre per lot. Water will be diverted from an existing well located on the subdivision property East of Highway 75, approximately 4.25 miles - 4.5 miles North and 1.0 - 1.25 miles West of Ketchum. The permit will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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KARL J. DREHER, Director

Published in the Wood River Journal on 2/19 & 2/26/03.

MICHAEL J. DREHER

2/19/03

OK
ALM
2/10/03

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033

Fax#: 736-3037

February 12, 2003

ATTN: Scott Kraus-LEGALS
WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Dear Scott:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately at 736-3033. An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Sincerely



Mary A. Baldwin
Administrative Assistant

MAILED

FEB 12 2003

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

January 22, 2003

RECEIVED
JAN 24 2003
Department of Water Resources
Southern Region

Mr. Cory Skinner
Idaho Department of Water Resources
1341 Fillmore Street
Suite 200
Twin Falls ID 83301

**Re: Stonegate Homeowners Association, Inc. - Application for Permit
Our File No.: 020118**

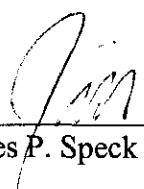
Dear Cory:

Enclosed you will find a revised Application for Permit together with our filing fee check in the amount of \$290.00. I believe I have addressed the points you raised in your January 6, 2003 letter. We have decided to exclude lots 5, 9, 12 and 15 from this application since, as you have pointed out, partial decrees for domestic water rights for each of those lots have been issued in the SRBA.

Please call me if you have any further questions. If not, please let me know when this Application will be advertised. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:sgg
cc: Client (w/enclosures)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 6, 2003

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

Dear Mr. Speck:

Please find enclosed an Application for Permit that you recently submitted to our office in the name of the Stonegate Homeowners Association, along with the \$290.00 filing fee (check #32069). The application is being returned so that the following items can be addressed...

- The time required for beneficial use of water (item #7) was not provided.
- The standard allowable irrigation season for the area is 05/01 through 10/31.
I have included a copy of a map that shows allowable irrigation seasons for your reference.
- The place of use for domestic and fire protection use was not provided on item #9 of the application. You need to include the domestic symbol (D) and the fire protection symbol (F) in the tracts where these uses will occur.

A review of Department records indicates that several of the 20 lots within the Stonegate Subdivision appear to have their own individual domestic water rights. A breakdown of these records is as follows...

Right Number	Current Owner	Subdivision Lot Number
37-12679 (decreed)	Mitchell	5
37-8746 (permit)	Olbum	6
37-13039 (decreed)	Van Ert	9
37-12742 (decreed)	Collette	12
37-12289 (decreed)	Diteman	15

MICHELLE

January 6, 2003

Page 2
Speck / Stonegate Subdivision Letter
January 6, 2003

I have enclosed copies of proof reports of the above-mentioned records for your reference. Note that right 37-8746 is in the permit stage, but the field exam has been completed, and the right is pending licensing in our State Office in Boise. Right 37-8746 is for a separate, back up, well on lot 6 and is independent of the common subdivision system described in the Stonegate Subdivision Application for Permit. However, rights 37-12679, 37-13039, 37-12742, and 37-12289 are decreed rights from the subdivision well, for domestic use (which would include ½ acre of irrigation in association with a house) for four of the twenty Stonegate Subdivision lots.

I have had an opportunity to discuss the Stonegate Subdivision Application for Permit and the existing decreed water rights with our State Office in Boise and was advised that the Department does not think it is advisable to duplicate water uses covered under an existing right with a new water right. It appears that if the Stonegate Subdivision Application for Permit is processed as currently described on the application, the Department may only approve the permit for amounts and use(s) that are not covered by the four existing decreed rights. This information may change the way you want to approach the Stonegate Subdivision Application for Permit.

If you have any questions, or if I can be of any assistance, feel free to contact me at your convenience.

Sincerely,



Corey Skinner, PE
Water Resource Engineer

Enclosures

MICHAEL

JAN 10 2003