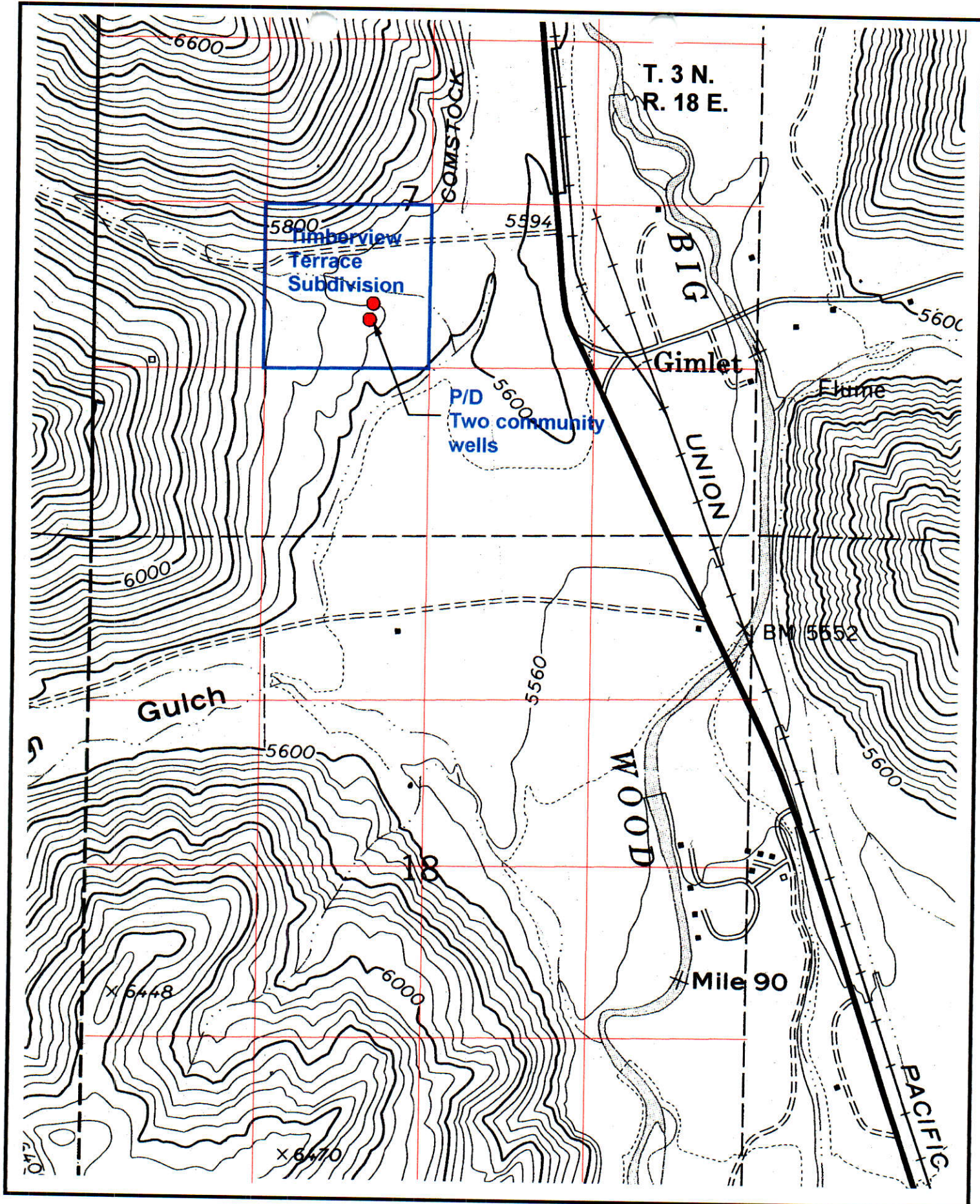




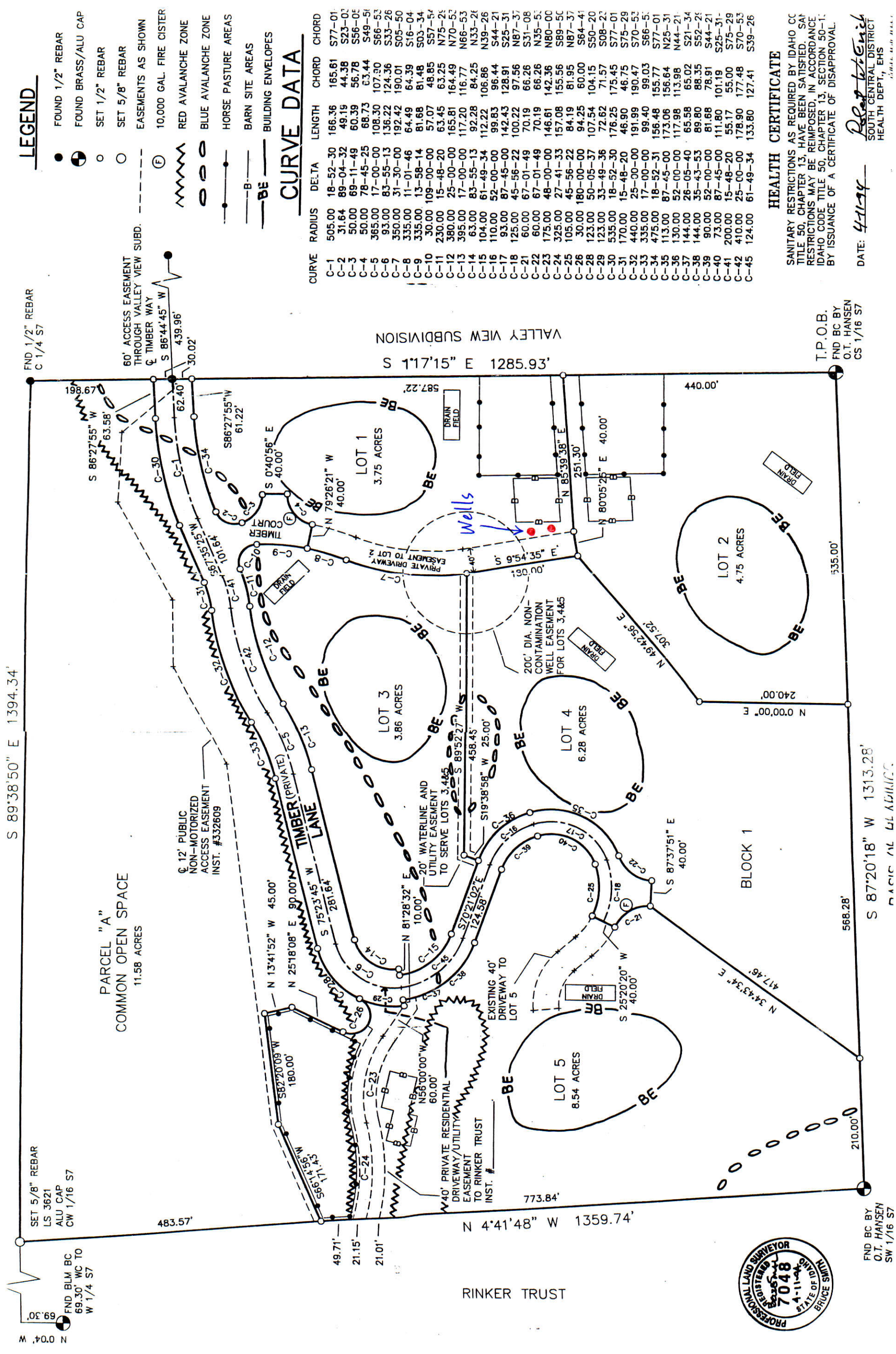
WATER RIGHT PERMIT APPLICATION - TIMBERVIEW TERRACE

MICROFILMED

OCT 20 2003

Brockway Engineering, PLLC
March 4, 2002

37-20837



LEGEND

- FOUND 1/2" REBAR
- ⊙ FOUND BRASS/ALU CAP
- SET 1/2" REBAR
- SET 5/8" REBAR
- EASEMENTS AS SHOWN
- ⓔ 10,000 GAL. FIRE CISTER
- 〰 RED AVALANCHE ZONE
- 〰 BLUE AVALANCHE ZONE
- HORSE PASTURE AREAS
- BARN SITE AREAS
- BUILDING ENVELOPES

CURVE DATA

CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD
C-1	505.00	18-52-30	166.36	165.61	S77-01
C-2	31.64	89-04-32	49.19	44.38	S23-02
C-3	50.00	69-11-49	60.39	56.78	S56-02
C-4	50.00	78-45-25	68.73	63.44	S49-51
C-5	365.00	17-00-00	108.30	107.30	S66-53
C-6	93.00	83-55-13	136.22	124.36	S33-26
C-7	350.00	31-30-00	192.42	190.01	S05-50
C-8	335.00	11-01-46	64.49	64.39	S16-04
C-9	335.00	13-58-14	81.68	81.48	S03-34
C-10	30.00	109-00-00	57.07	48.85	S57-54
C-11	230.00	15-48-20	63.45	63.25	N75-29
C-12	380.00	25-00-00	165.81	164.49	N70-53
C-13	395.00	17-00-00	117.20	116.77	N66-53
C-14	63.00	83-55-13	92.28	84.25	N33-26
C-15	104.00	61-49-34	112.22	106.86	N39-26
C-16	110.00	52-00-00	99.83	96.44	S44-21
C-17	93.00	87-45-00	142.43	128.91	S25-31
C-18	125.00	45-56-22	100.22	97.56	N87-37
C-21	60.00	67-01-49	70.19	66.26	S31-08
C-22	60.00	67-01-49	70.19	66.26	N35-52
C-23	175.00	48-00-00	146.61	142.36	N80-00
C-24	325.00	27-41-33	157.08	155.56	S89-50
C-25	105.00	45-56-22	84.19	81.95	N87-37
C-26	30.00	180-00-00	94.25	60.00	S64-41
C-28	123.00	50-05-37	107.54	104.15	S50-20
C-29	123.00	33-48-36	72.62	71.57	S08-22
C-30	535.00	18-52-30	176.25	175.45	S77-01
C-31	170.00	15-48-20	46.90	46.75	S75-29
C-32	440.00	25-00-00	191.99	190.47	S70-53
C-33	335.00	17-00-00	99.40	99.03	S66-53
C-34	475.00	18-52-31	156.48	155.77	S77-01
C-35	113.00	87-45-00	173.06	156.64	N25-31
C-36	130.00	52-00-00	117.98	113.98	N44-21
C-37	144.00	26-05-40	65.58	65.02	S21-34
C-38	144.00	35-43-53	89.80	88.35	S52-29
C-39	90.00	52-00-00	81.68	78.91	S44-21
C-40	73.00	87-45-00	111.80	101.19	S25-31
C-41	200.00	15-48-20	55.17	55.00	S75-29
C-42	410.00	25-00-00	178.90	177.48	S70-53
C-45	124.00	61-49-34	133.80	127.41	S39-26

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CC TITLE 50, CHAPTER 13, HAVE BEEN SATISFIED. SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH IDAHO CODE TITLE 50, CHAPTER 13, SECTION 50-1, BY ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

DATE: 4/1/94
O.T. HANSEN
SOUTH CENTRAL DISTRICT
HEALTH DEPT., EHS

BLOCK 1



RINKER TRUST

FND BC BY O.T. HANSEN SW 1/16 S7
S 87°20'18" W 1313.28'
568.28'
T.P.O.B. FND BC BY O.T. HANSEN CS 1/16 S7

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 37-20837

Priority: November 22, 2002

Maximum Diversion Rate: 0.23 CFS

This is to certify, that TIMBERVIEW TERRACE HOMEOWNERS ASSOCIATION
C/O JEFFREY BATES
PO BOX 3455
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	0.23 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, Twp 03N, Rge 18E, B.M., BLAINE County
GROUND WATER SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, Twp 03N, Rge 18E, 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	
03N	18E	7																	X

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2008**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. 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 &/or the South Central Health District.
7. The domestic use authorized under this right shall not exceed 13,000 gallons per day per platted subdivision lot.
8. 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.
9. Points of diversion are located within Lot 1, Timberview Terrace Subdivision.
10. Place of use is located within Lots 1-5, Timberview Terrace Subdivision.

MICROFILMED

JUN 11 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 37-20837

11. Domestic use is for up to 10 homes.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 16th day of June, 2003.


for
KARL J DREHER, Director

MICROFILMED

OCT 20 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 37-20837

RECEIVED

JUN 12 2003

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

NOV 22 2002

Department of Water Resources
Southern Region

Department of Water Resources

1. Name of applicant Timberview Terrace Homeowners Assoc. Phone (208) 726-3763
Post Office address c/o Jeffrey Bates, P.O. Box 3455, Ketchum, ID 83340
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is 1/4 of NE 1/4 of SW 1/4, Govt. Lot
Sec. 7 Township 03N Range 18E B.M. Blaine County; additional
points of diversion, if any: Two wells in this 40.
4. Water will be used for the following purposes:
Amount 0.15 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.15 for Irrigation purposes from 4/15 to 10/31 (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)
5. Total quantity being appropriated is (a) 0.30 and/or (b) _____
cubic feet per second acre-feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Two wells to common water system
serving 5 lots in Timberview Terrace Subdivision.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 8 inches; proposed depth of well is 225 feet
 - d. Is groundwater with a temperature of greater than 85 degrees being sought? No
 - e. If well is already drilled, when? 1994; Drilling firm Scott Drilling Co.;
Well was drilled for (well owner) William J. Swanson (former owner)
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 yr)
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 5 lots, 1 house + guest house on each (10 total);
 - e. Other; describe fully. _____

MICROFILMED

NOV 22 2003

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
03N	18E	7									D								
03N	18E	7									5.0								5.0

Total number of acres to be irrigated 5.0

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

11. a. Who owns the property at the point of diversion? Applicant

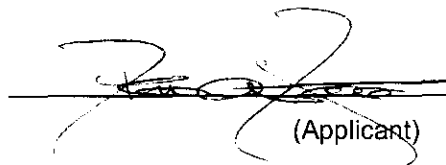
b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: Two wells are located in NESW Sec 7, T3N, R18E. Water use is within
Timberview Terrace subdivision. A community water system serves each residence
with in-house water and 0.5 acre of irrigation under I.C. 42-111(a).

13. MAP OF PROPOSED PROJECT ATTACHED X show clearly the proposed point of diversion, place of use, section number, township and range number.

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.


 (Applicant)
 MICRONEMEL

Received by P. SKINNER Date 11/22/2002 Time NOONISH Preliminary check by P. SKINNER
 Fee \$ 250.00 Received by P. SKINNER # 5025332 Date 11/22/2002
 Publication prepared by INB Date 12/2/02 Published in Wood River Journal
 Publication approved _____ Date _____

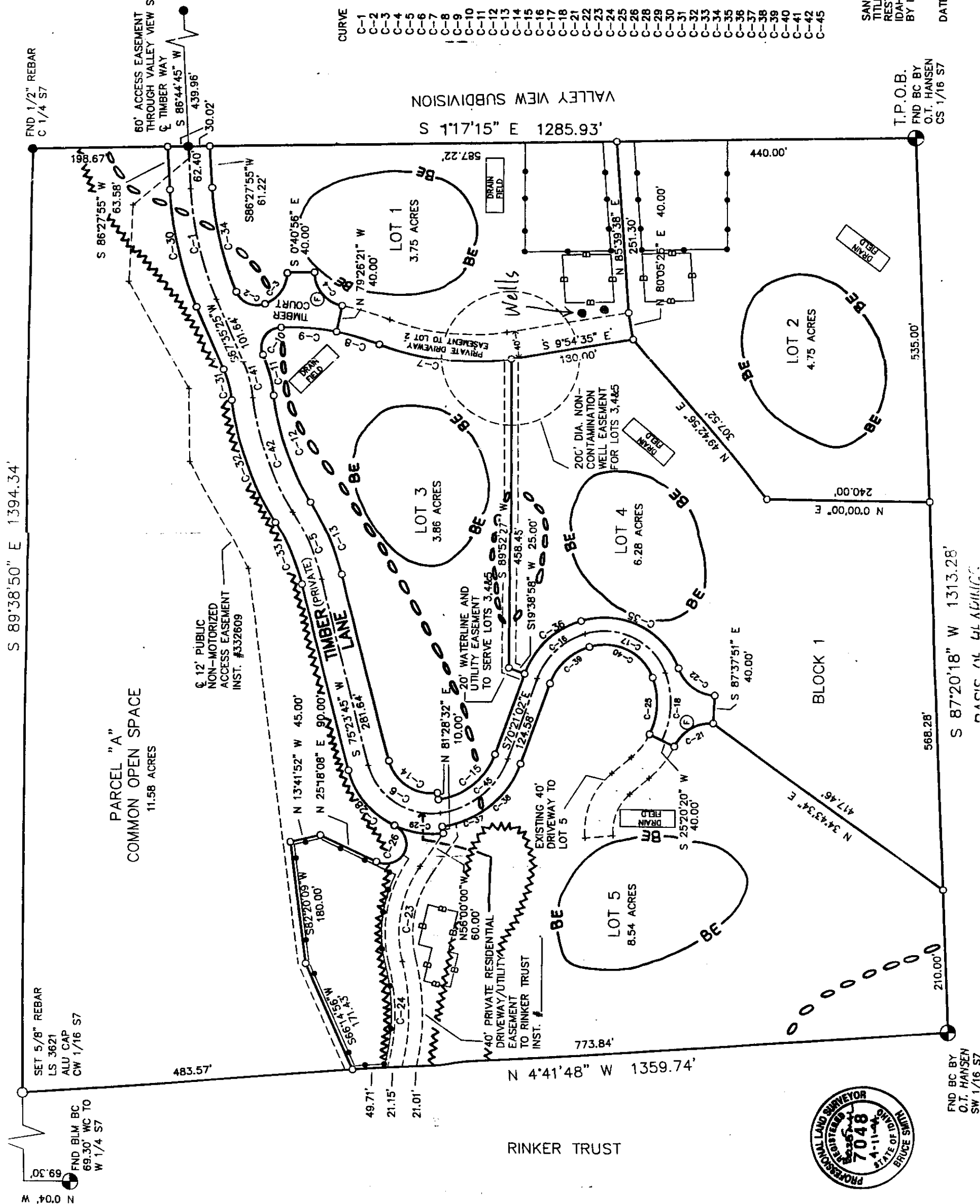
FOUND 1/2" REBAR
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 SET 1/2" REBAR
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 RED AVALANCHE ZONE
 BLUE AVALANCHE ZONE
 HORSE PASTURE AREAS
 BARN SITE AREAS
 BUILDING ENVELOPES

CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD
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C-2	31.64	89-04-32	49.19	44.38	S23-02
C-3	50.00	69-11-49	60.39	56.78	S56-06
C-4	50.00	78-45-25	68.73	63.44	S49-05
C-5	365.00	17-00-00	108.30	107.30	S66-53
C-6	93.00	83-59-13	136.22	124.36	S33-26
C-7	350.00	31-30-00	192.42	190.01	S05-50
C-8	335.00	11-01-46	64.49	64.39	S16-04
C-9	335.00	13-38-14	81.68	81.48	S03-34
C-10	30.00	109-00-00	57.07	48.85	S57-54
C-11	230.00	15-48-20	63.45	63.25	N75-28
C-12	380.00	25-00-00	165.81	164.49	N70-53
C-13	395.00	17-00-00	117.20	116.77	N66-53
C-14	63.00	83-55-13	92.28	84.25	N33-26
C-15	104.00	61-49-34	112.22	106.86	N39-26
C-16	110.00	52-00-00	99.83	96.44	S44-21
C-17	93.00	87-45-00	142.43	128.91	S25-31
C-18	125.00	45-56-22	100.22	97.56	N87-37
C-21	60.00	67-01-49	70.19	66.26	S31-08
C-22	60.00	67-01-49	70.19	66.26	N35-53
C-23	175.00	48-00-00	146.61	142.36	N80-00
C-24	325.00	27-41-33	157.08	155.56	S89-50
C-25	105.00	45-56-22	84.19	81.95	N87-37
C-26	30.00	180-00-00	94.25	60.00	S64-41
C-28	123.00	50-05-37	107.54	104.15	S60-22
C-29	123.00	33-49-36	72.62	71.57	S08-22
C-30	335.00	18-52-30	176.25	175.45	S77-01
C-31	170.00	15-48-20	46.90	46.75	S75-29
C-32	440.00	25-00-00	191.99	190.47	S70-53
C-33	335.00	17-00-00	99.40	99.03	S66-53
C-34	475.00	18-52-31	156.48	155.77	S77-01
C-35	113.00	87-45-00	173.06	156.64	N25-31
C-36	130.00	52-00-00	117.98	113.98	N44-21
C-37	144.00	26-05-40	65.58	65.02	S21-34
C-38	144.00	35-43-53	89.80	88.35	S52-28
C-39	90.00	52-00-00	81.68	78.91	S44-21
C-40	73.00	87-45-00	111.80	101.19	S25-31
C-41	200.00	15-48-20	55.17	55.00	S75-29
C-42	410.00	25-00-00	178.90	177.48	S70-53
C-45	124.00	61-49-34	133.80	127.41	S39-26

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CC TITLE 50, CHAPTER 13, HAVE BEEN SATISFIED. SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH IDAHO CODE TITLE 50, CHAPTER 13, SECTION 50-1, BY ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

DATE: 4-11-94 Relay to Enid
SOUTH CENTRAL DISTRICT
HEALTH DEPT., ENS



No. C 136281		Due no later than Nov 30, 2002 Annual Report Form		2. Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		TIMBERVIEW TERRACE SUBDIVISION HOME BECKY KLASSEN BOX 254 411 LEADVILLE AVE STE 1 KETCHUM, ID 83340		BECKY KLASSEN BOX 254 411 LEADVILLE AVE STE 1 KETCHUM, ID 83340	
NO FILING FEE IF RECEIVED BY DUE DATE				3. New Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.					
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
PRES	J. BATES	PO BOX 3455, KETCHUM, ID	83340		
VP/TREA	J. LANE	3739 N. VERSAILLES AVE, DALLAS, TX	75209		
SEC	H. RINKER	PO BOX 7250, NEWPORT BEACH, CA	92658		
5. Organized Under the Laws of: IDAHO C 136281			6. Signature <i>Becky Klassen</i> Date <i>9/9/02</i> Name <i>BECKY KLASSEN</i> Title <i>ASSOC. ADMIN.</i>		
			Do Not Tape or Staple		
			2539		

MICROFILMED

SEP 10 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: TIMBERVIEW TERRACE HOMEOWNERS ASSOCIATION

C/O JEFFREY BATES
PO BOX 3455
KETCHUM ID 83340
(208)726-3763

2. Source: GROUND WATER

3. Location of Point of Diversion:

- | | | |
|-----------------|------------|--------------------------------|
| #1 GROUND WATER | NE1/4SW1/4 | Sec. 7, Twp 03N, Rge 18E, B.M. |
| BLAINE County | | |
| #2 GROUND WATER | NE1/4SW1/4 | Sec. 7, Twp 03N, Rge 18E, 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	0.15 CFS	
IRRIGATION	04/15 to 10/31	0.15 CFS	

5. Total quantity to be appropriated is: 0.30 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source: EXISTING 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?
- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

MICACHECKED
OCT 24 2009

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

POINT OF DIVERSION #2

- a. Type and size of devices used to divert water from the source: EXISTING 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?
- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8.

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	18E	7	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
											X								

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	18E	7	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
											5.0								5.0

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:

MICROC, LLC
APR 26 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

Two wells are located in NESW Sec 7, T3N, R18E. Water use is within Timberview Terrace subdivision. A community water system serves each residence with in-house water and 0.5 acre of irrigation under I.C. 42-111(a).

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. S025332 S025333

Date: _____

Receipted by: _____

MICROFILMED

APR 24 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 37-20837

WATER RIGHT NUMBER: 37-20837

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TIMBERVIEW TERRACE HOMEOWNERS ASSOCIATION C/O JEFFREY BATES PO BOX 3455 KETCHUM, ID 83340 (208)726-3763

Priority Date: 11/22/2002

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.150 CFS	+ 0.08 cfs (2 1/2 acres @ 0.03 cfs = 0.075 cfs)
~~IRRIGATION~~	~~04/15 to 10/31~~	~~0.150 CFS~~	
<u>Total Diversion:</u>		~~0.300 CFS~~	0.23 cfs

standard for fire (5) none

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4	Sec. 7, Twp 03N, Rge 18E, B.M.
BLAINE County		
GROUND WATER	NE1/4SW1/4	Sec. 7, Twp 03N, Rge 18E, 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	
03N	18E	7									X								

IRRIGATION *for lots @ 0.5 acres → 2.5 acres*

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	7									5.0								5.0

MICROFILMED

APR 17 2003

IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report 37-20837

Conditions of Approval:

Remarks:

Comments:

1. cskinner 11/25/2002 3:55:16 PM Special Administration Area Notes
Comment: Special Administration Areas : Eastern Snake River Plain Area (Moratorium Area)
Exempt: Y
Reason:
Doc Attached:
Explanation: Domestic subdivision use

Special Administration Areas : Big Wood River (Groundwater Management Area)
Exempt: Y
Reason:
Doc Attached:
Explanation: domestic subdivision use

2. cskinner 11/25/2002 3:56:07 PM Additional Information Supporting Application
Comment: Residency affidavit for hydropower development: N/A
Additional hydropower project information: N/A
Additional fish propagation project information: N/A
Appropriation Rule 40.05.c information: N/A
Mitigation Plan or acceptance form: N/A
Evidence of Pre-1987 development: N/A

3. cskinner 11/25/2002 Comment/Analysis
Comment: Application proposes to develop domestic and irrigation use for 5 lots within Timberview Terrace Subdivision. Each lot may have a guesthouse, for a possible total of 10 homes. Proposed irrigation use is based on ½ acre per each home (includes guest houses) for a total of 5 acres. Irrigation diversion rate is based on small acreage allowance (0.03 cfs per acre).

Currently, surface water right 37-30030 (portion of W.T. Riley right from Big Wood River) exists at the Timberview Terrace Subdivision. However, pending transfers 70090 and 70109 propose moving this right off of the Timberview Terrace Subdivision. In addition, pending transfer 70110 proposes moving part of ground water right 37-2632 to the Timberview Terrace Subdivision in exchange for transferring 37-30030 via transfers 70090 and 70109. There are issues that affect all three of these transfers.

4. cskinner 11/25/2002 Legal Notice Remarks
Comment: Application proposes to develop domestic and irrigation use within Timberview Terrace Subdivision located near the mouth of Greenhorn Gulch approximately 2 miles west and 6 miles north of Hailey. The application proposes diverting water from two existing wells for 10 homes within the five-lot subdivision. The 5 acres of proposed irrigation use is based on a ½ acre allowance per home.

MICROFILMED

APR 17 2003

IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report 37-20837

Dates and Other Information:

Application Received Date: 11/22/2002
Application Denied Date:
Last Date of Beneficial Use:
Extension End Date:
Protest Deadline Date: 1/6/2003
Number of Protests: 0
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Application Type: New Appropriation
Applicant Remarks: Two wells are located in NESW Sec 7, T3N, R18E. Water use is within Timberview Terrace subdivision. A community water system serves each residence with in-house water and 0.5 acre of irrigation under I.C. 42-111(a).
Other Water Rights: None
Time to Complete Works: 5
Transfer Affected Description:
Transfer Affected Contracts:
Old Transfer Number:
Transfer Reason:
Transfer Return Flows:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

MICROFILMED

APR 16 2003



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

June 17, 2003

TIMBERVIEW TERRACE HOMEOWNERS ASSOCIATION
C/O JEFFREY BATES
PO BOX 3455
KETCHUM ID 83340

RE: Permit No. 37-20837

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

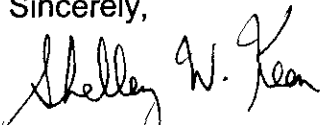
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened 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

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, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

MICROFILMED

SEP 14 2009

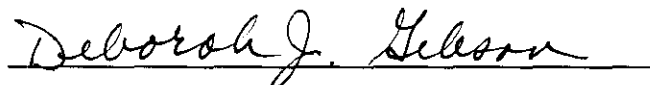
CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

37-20837

**TIMBERVIEW TERRACE HOMEOWNERS ASSOCIATION
C/O JEFFREY BATES
PO BOX 3455
KETCHUM ID 83340**

A handwritten signature in cursive script, reading "Deborah J. Gibson", is written over a horizontal line.

**Deborah J. Gibson
Administrative Assistant**

**MICROFILMED
JUN 17 2003**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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 Water Resource 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.

FORM NO.202A
REVISED 10/29/02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 12 2003

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY C. SKINNER DATE 11/25/2002

APPLICATION NO. 37-20837

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)
- ☒ 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 11/22 19 20 02

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back.
- ☒ Overlapping point of diversion. NONE
- ☐ Yes ☒ No Field check required
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical Ground water area
- ☒ Yes ___ No Groundwater management area BIG WOODS
- ☐ 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.

CURRENTLY BIG WOOD SURFACE
RIGHT 37-36030 FOR IRRIGATION
BUT PROPOSED TO BE TRANSFERRED
OFF THROUGH PENDING TRANSFERS
70090 AND # 70109.
PENDING TRANSFER # 70110
PROPOSES MOVING PART OF
GROUNDWATER RIGHT 37-2632
TO TIMBERVIEW FOR IRRIGATION
OUT OF SAME WELLS

* 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 _____

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 11/22, 19 02
By AD Date 6/11/11, 20 05

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 _____

PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE _____, 20____

JUN 11 1962

FILE PROGRESS SUMMARY

FILE PROGRESS SUMMARY

APPLICANT: Timberview Terrace Homeowners Assoc. WATER RIGHT NO. 37-20837

INIT.	DATE	COMMENT
MB	11/22/02	Stuffed to Carey Skinner
CS	11/25/02	GAVE TO MARY FOR ADVERTISING
MB	12/2/02	Adv Sch WIT 12/18 & 12/24/02; 1/6/2003
MB	12/13/02	Ltr to APP & WM & DEQ
MB	1/9/03	Pub. off rec 12/27/02; to ADM for signoff
CS	5/5/03	RECEIVED ~~OK~~ FROM SHARLA ON RELATED RINKER TRANSFERS FORWARDED PACKAGE TO ALLEN FOR FINAL REGIONAL REVIEW AND SIGNOFF.
MB	6/11/03	Review & Recommendation
MB	6/11/03	To MB to forward.

AFFIDAVIT of PUBLICATION

RECEIVED

DEC 27 2002

State of Idaho, } SS.
County of Blaine }

Department of Water Resources
Southern Region

On this 24 day of December, in the year 2002, 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 18 day of December 2002, and the date of the last publication was on the 24 day of December 2002.

Subscribed and sworn to before me this 24 day of Dec. 2002

(SEAL) JANE M. STONE
NOTARY PUBLIC
STATE OF IDAHO

Janet M Stone
NOTARY PUBLIC

#11765
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 153
Number of Insertions 2
Lines tabular at - 7¢ / Pica
153 Lines straight at 771.43 6¢ / Pica
Subsequent lines at - 5¢ / Pica
TOTAL COST 122.80 ~~80~~ 223.79

COPY OF NOTICE
(Paste Here)

Application for Water Rights
TITLE OF NOTICE

Walker Sam and Gabel
PLAINTIFF ATTORNEY

DEFENDANT

24620

PLAINTIFF

Idaho Dept of Water
BILL TO

Twin Falls Resources

MICROFILMED

OCT 26 2003

(over)

The following applications have been filed concerning the public waters of the State of Idaho, Blaine County: WALKER SAND & GRAVEL LTD CO., PO BOX 400; BELLEVUE ID 83313 Application for Permit No. 37-20833 Source: GROUND WATER Point of Diversion: SWNESW S24 T01N R18E

Use: 04/15 To 10/31

IRRIGATION (0.5 CFS)

Date Filed: 11/15/2002

Place Of Use: 25 acres within E1/2SW S24 T01N R18E

Remark: This application records a pre-1987 development for irrigation of 25 acres from a well. The well and land irrigated is located approximately 4.5 miles south of Bellevue between the Big Wood River and Hwy 75.

Application for Permit No. 37-20834

Source GROUND WATER

Point(s) of Diversion SWNESW, (2 points) SENWSW S24 T01N R18E

Use: 01/01 To 12/31

Industrial (3.47 CFS)

Date Filed: 11/15/2002

Place Of Use: SW S24 T01N R18E

Remark: This application proposes to add diversion capacity to three existing wells used for industrial use of washing rock and sand. Use is non-consumptive, water will be returned to aquifer through loss in existing pond. The wells and industrial use are located approximately 4.5 south of Bellevue between the Big Wood River and Hwy 75.

ROY R. WOODS, C/O JAMES P. SPECK, SPECK & AANESTAD, PO BOX 987; KETCHUM ID 83340 filed an Amended Application for Permit No. 37-20809 on 12/4/02 as follows:

Point of Diversion: SESENE, S15, T05N, R17E

Source: GROUNDWATER

Use: 05/01 To 10/31

Place Of Use: IRRIGATION (0.05 CFS) of 1.8 Acres within E1/2, S15, T05N, R17E

The application proposes to divert groundwater from the "Eastern Snake River Plain Aquifer" presently under a moratorium order dated April 30th, 1993. The order allows the Director to consider on a case-by-case basis applications; if it can be shown the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the applicant to offset injury to other rights. The applicant has submitted material as evidence of pre-1987 development as part of the application

TIMBERVIEW TERRACE HOMEOWNERS ASSOCIATION, C/O JEFFREY BATES, PO BOX 3455; KETCHUM ID 83340

Application for Permit No. 37-20837

Source: GROUNDWATER

Points of Diversion: (2 Points) NESW S7 T03N R18E

Use: IRRIGATION 04/15 To 10/31 (0.15 CFS)

Use: DOMESTIC 01/01 To 12/31 (0.15 CFS)

Total Diversion: 0.3 CFS

Date Filed: 11/22/2002

Place Of Use: Domestic and 5 acres within NESW S7 T03N R18E

Remark: Application proposes to develop domestic and irrigation use within Timberview Terrace Subdivision located near the mouth of Greenhorn Gulch approximately 2 miles west and 6 miles north of Hailey. The application proposes diverting water from two existing wells for 10 homes within the five-lot subdivision. The 5 acres of proposed irrigation use is based on a 1/2 acre allowance per home.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

AIRPORT WEST PARTNERS, C/O JAMES P SPECK, SPECK & AANESTAD, PO BOX 987; KETCHUM ID 83340 filed Application No. 70260 on 9/19/02. Transfer application proposes changing the place of use of a 0.21 cfs and 8.82 acre portion of water right 37-7683. The changed portion will be diverted from an existing irrigation well and used to irrigate landscaping within the Airport West Subdivision. The subdivision is located between Broadford Road and the airport, approximately 1.0 mile south and 0.5 miles east of the center of Hailey. Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. An Extension of Time to Avoid Forfeiture of A Water Right was filed by Robert J. Struthers, Jr., 388 Gannett Rd; BELLEVUE ID 83313 on 10/23/02. The extension is requested to avoid loss of the water right due to non-use because portions of the appurtenant place of use has been sold.

Water Right No. 37-2593

Priority Date: February 1, 1957

Source: groundwater

Use: Irrigation (6.34 cfs) 4/15-10/31

Point(s) of Diversion: SWNW S20 T01N R19E

Place of Use: Portions of S20 T01N R19E.

Any protest against the approval of these applications must be filed with the Director, Dept. of Water Resource, 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 01/06/2003. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

MICROFILMED

NOV 17 2002

Publish: Wood River Journal-December 18 & 24, 2002.



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

601 Pole Line Road, Suite 2 • Twin Falls, Idaho 83301-3035 • (208) 736-2190

December 20, 2002

RECEIVED

DEC 23 2002

Department of Water Resources
Southern Region

Dirk Kempthorne, Governor
C. Stephen Allred, Director

Mary A. Baldwin
Administrative Assistant
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

Re: Comments, Application for Permit No. 37-20837 filed in the name of Timberview
Terrace Homeowners Association

Dear Mary:

This office has received your letter seeking comments and/or recommendations for the above referenced application for permit.

It appears the application is for two wells to be used for irrigation and domestic water. It is unclear as to whether one well will be used for domestic and one for irrigation or if the two wells will be common for the combined uses. This should be clarified.

If the wells are existing, the well logs will need to be submitted to determine if the well construction is suitable for use as a potable water supply well. Requirements include casing and seal to a minimum of 60 feet or an impermeable layer.

The well site will need to be inspected by this office to determine if the site is suitable for use as a potable water source.

An engineering report and plans and specifications prepared by an engineer licensed to practice in Idaho, for the proposed water supply well, pumphouse and distribution system will need to be submitted to this office for review and approval prior to construction. In the case of the previously drilled well, we will need to review the well construction. It is suggested that the well should be TV inspected.

Additionally, the developer must provide this office with a document that demonstrates Financial, Technical and Managerial Capacity for new public water systems in accordance with IDAPA 58.01.08.549.

Following construction, AS-BUILT Plans and monitoring analyses will need to be submitted to DEQ for review and approval.

MICROFILMED

DEC 23 2002



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

December 13, 2002

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

Re: Four Applications for Permit, one Transfer of Water Right and one Extension of Time To Avoid Forfeiture

Dear Mr. Peterson:

Enclosed are copies of various Applications within your District, 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)

MICROFILMED

JAN 20 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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 13, 2002

ATTN GREG MISBACH
ID DEPT OF DEQ
601 POLE LINE RD
TWIN FALLS ID 83301

Re: Application for Permit No. 37-20837 filed in the name of Timberview Terrace
Homeowners Association

Dear Mr. Misbach:

The Department is seeking your comment and/or recommendations regarding the above
referenced application; a copy is enclosed for your information and files.

Your prompt cooperation is appreciated. If you have any questions or if this office can be of
further assistance, please feel free to contact us.

Very Truly Yours,

Mary A. Baldwin
Administrative Assistant

Enclosure(s)

MICROFILMED

DEC 14 2002



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

December 13, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

TIMBERVIEW TERRACE HOMEOWNERS ASSOCIATION
C/O JEFFREY BATES
PO BOX 3455
KETCHUM ID 83340

RE: Application for Permit No. 37-20837

Dear Applicants:

The Department of Water Resources acknowledges receipt of your water right application. 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 12/18 & 12/24/02. Submittal of protests to the application will be allowed for a period ending ten days after the second publication. **(January 6, 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

cc: Brockway Engineering

MICROFILMED

DEC 17 2002

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

WALKER SAND & GRAVEL LTD CO., PO BOX 400; BELLEVUE ID 83313

Application for Permit No. 37-20833

Source: GROUND WATER

Point of Diversion: SWNESW S24 T01N R18E

Use: 04/15 To 10/31

IRRIGATION (0.5 CFS)

Date Filed: 11/15/2002

Place Of Use: 25 acres within E1/2SW S24 T01N R18E

Remark: This application records a pre-1987 development for irrigation of 25 acres from a well. The well and land irrigated is located approximately 4.5 miles south of Bellevue between the Big Wood River and Hwy 75.

Application for Permit No. 37-20834

Source GROUND WATER

Point(s) of Diversion SWNESW, (2 points) SENWSW S24 T01N R18E

Use: 01/01 To 12/31

Industrial (3.47 CFS)

Date Filed: 11/15/2002

Place Of Use: SW S24 T01N R18E

Remark: This application proposes to add diversion capacity to three existing wells used for industrial use of washing rock and sand. Use is non-consumptive, water will be returned to aquifer through loss in existing pond. The wells and industrial use are located approximately 4.5 south of Bellevue between the Big Wood River and Hwy 75.

ROY R. WOODS, C/O JAMES P. SPECK, SPECK & AANESTAD, PO BOX 987; KETCHUM ID 83340

filed an **Amended Application for Permit No. 37-20809** on 12/4/02 as follows:

Point of Diversion: SESENE, S15, T05N, R17E

Source: GROUNDWATER

Use: 05/01 To 10/31

Place Of Use: IRRIGATION (0.05 CFS) of 1.8 Acres within E1/2, S15, T05N, R17E

The application proposes to divert groundwater from the "Eastern Snake River Plain Aquifer" presently under a moratorium order dated April 30th, 1993. The order allows the Director to consider on a case-by-case basis applications; if it can be shown the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the applicant to offset injury to other rights. The applicant has submitted material as evidence of pre-1987 development as part of the application

TIMBERVIEW TERRACE HOMEOWNERS ASSOCIATION, C/O JEFFREY BATES, PO BOX 3455; KETCHUM ID 83340

Application for Permit No. 37-20837

Source: GROUNDWATER

Points of Diversion: (2 Points) NESW S7 T03N R18E

Use: IRRIGATION 04/15 To 10/31 (0.15 CFS)

Use: DOMESTIC 01/01 To 12/31 (0.15 CFS)

Total Diversion: 0.3 CFS

Date Filed: 11/22/2002

Place Of Use: Domestic and 5 acres within NESW S7 T03N R18E

Remark: Application proposes to develop domestic and irrigation use within Timberview Terrace Subdivision located near the mouth of Greenhorn Gulch approximately 2 miles west and 6 miles north of Hailey. The application proposes diverting water from two existing wells for 10 homes within the five-lot subdivision. The 5 acres of proposed irrigation use is based on a ½ acre allowance per home.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

AIRPORT WEST PARTNERS, C/O JAMES P SPECK, SPECK & AANESTAD, PO BOX 987;

KETCHUM ID 83340 filed **Application No. 70260** on 9/19/02. Transfer application proposes changing the place of use of a 0.21 cfs and 8.82 acre portion of water right 37-7683. The changed portion will be diverted from an existing irrigation well and used to irrigate landscaping within the Airport West

MICRO...

Subdivision. The subdivision is located between Broadford Road and the airport, approximately 1.0 mile south and 0.5 miles east of the center of Hailey. Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

An Extension of Time to Avoid Forfeiture of A Water Right was filed by Robert J. Struthers, Jr., 388 Gannett Rd; BELLEVUE ID 83313 on 10/23/02. The extension is requested to avoid loss of the water right due to non-use because portions of the appurtenant place of use has been sold.

Water Right No. 37-2593

Priority Date: February 1, 1957

Source: groundwater

Use: Irrigation (6.34 cfs) 4/15-10/31

Point(s) of Diversion: SWNW S20 T01N R19E

Place of Use: Portions of S20 T01N R19E.

Any protest against the approval of these applications must be filed with the Director, Dept. of Water Resource, 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 01/06/2003. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in the Wood River Journal on 12/18 & 12/24/02.

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OCT 24 2003

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

Phone: 736-3033

Fax# : 736-3037

December 10, 2002

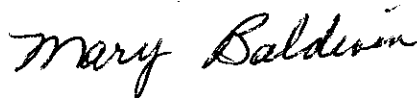
ATTN: Scott Kraus-LEGALS
WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

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.

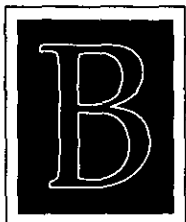
Sincerely



Mary A. Baldwin
Administrative Assistant

MICROFILMED

OCT 20 2003



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
NOV 22 2002
Department of Water Resources
Southern Region

November 22, 2002

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

Re: Timberview Terrace Homeowners – Permit Application
Project No. 128-18-1999

Dear Corey:

This letter is in response to your letter dated November 20, 2002 requesting additional information for the above-referenced permit application.

- The time for completion of beneficial use has been shown as 5 years on the application.
- It is likely that each lot will include both a main residence and a detached guest house. Therefore, the number of homes is listed as 10 on the application, and the irrigation is listed as 5.0 acres. This assumes that both the main residence and the guest house on a particular lot can be treated as separate domestic rights under I.C. 42-111(a). I realize there is a grey area here, but I would request that IDWR process this application, with conditions as necessary, and that the actual development under the permit be accounted for in the licensing process.
- The application now lists a diversion rate of 0.15 cfs for domestic, corresponding to the IDWR guideline for 10 houses. The irrigation diversion rate for 5.0 acres is 0.03 cfs per acre, or 0.15 cfs.
- I am enclosing a copy of the plat map for the subdivision, with the well locations noted. There are two wells located in the southwest corner of Lot 1. The places of use for in-house water in the main residences will be within the building envelopes on each lot. Guest houses may be within the building envelope or in other areas such as the barn sites. Irrigation will likely occur immediately around each residence and within the small horse pastures noted.
- The gentleman who signed the application is Jeffrey Bates, the president of the Timberview Terrace Homeowner's Association. This is evidenced

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

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NOV 22 2002

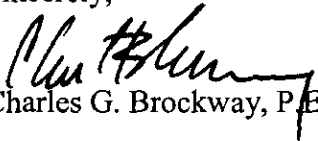
by the enclosed annual report form from the Idaho Secretary of State office.

- The two wells were drilled in 1994, as noted in the application.
- The irrigation season is now listed as 4/15 to 10/31.

Because the total diversion rate has increased to 0.30 cfs, I am enclosing Brockway Engineering check #4042 for an additional \$150 to bring the total fees submitted for this application to \$250.

Thanks for your work on this application so far. If there is anything else you need, please let me know.

Sincerely,


Charles G. Brockway, P.E.

Enc: Plat map
Revised Permit Application

cc: Jeffrey Bates
Harry Rinker

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OCT 18 2002



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

November 20, 2002

Charles G. Brockway
Brockway Engineering
2016 N Washington St, Suite 4
Twin Falls, ID 83301

Dear Mr. Brockway:

Enclosed is an Application for Permit, in the name of Timberview Terrace Homeowners Association, that you recently filed with our office. I have also enclosed the \$100.00 filing fee (Brockway Engineering check # 3850). The application is being returned so that the following items can be addressed prior to processing the application.

- The time required for completion of works and application of water to the proposed beneficial use was not provided (item #7 on application).
- Since the application is for water use in a subdivision, information relating to the locations of the points of diversion and places of use within the subdivision (lot numbers, block numbers, etc) need to be provided. This information can be provided in the remarks section, or via a copy of a subdivision plat identifying these locations.
- Item #8, Section d, of the application states "five lots, 1 house per lot + possible guest houses". An exact number of the maximum number of homes that could be served needs to be identified.
- If the applicant is a corporation, company, municipality, or other organization, an officer, elected official, or other individual authorized to sign on behalf of the organization, must sign the application. In addition, the signature's title must be shown with the signature and some sort of proof that the signing party can sign on behalf of the organization needs to be included with the application. Typically, a list of corporate officers or partners along with their addresses must be included. The easiest way to provide this information is to access the Idaho Secretary of State's website at the following address...

<http://www.accessidaho.org/public/sos/corp/search.html>

This website allows you to view and print articles of incorporation, annual reports, and other documents that should show who can sign on behalf of the applicant.

- If I recall correctly, the two wells that are to serve as the points of diversion for the application are already drilled, but I cannot remember for sure. Please

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NOV 21 2002

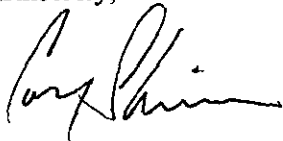
indicate on the application whether or not both of the wells are existing wells, or if one or both of the wells are new wells to be drilled. This helps the Department with knowing exactly what approval conditions to put on the permit, if the application is approved.

- It appears that the amounts of water described on the application (items #4 and #5) need some additional clarification and possible adjustment. The application lists 0.10 cfs for domestic and 0.075 cfs for irrigation, but identifies the total as 0.20 cfs. With regards to the domestic (in house) use, the Department could allow more than the 0.10 cfs listed on the application. I have included a chart entitled "Maximum Instantaneous Water Requirements for Domestic Use" for your reference. This chart shows the maximum amounts allowed by the Department for in house domestic use for varying amounts of homes served. If at least five homes are to be served, diversion rates above and beyond the 0.10 cfs listed on the application could be allowed. It appears that 0.03 cfs per acre was used to determine the amount of water for the irrigation use, which is acceptable, but you may want to change the wording in your cover letter to match the application. The volume sections on items #4 and #5 on the application are meant for storage volume amounts, so the volumes do not need to be listed on the application. For your information, for domestic licenses the Department is still using a volume allowance of 0.6 acre-feet per year for in house domestic use, and an additional 0.6 acre-feet per year for irrigation associated with the home (a home with a yard would be allowed a total diversion volume of 1.2 acre-feet).

It should also be noted that if the diversion rates are increased on the application for additional homes, the filing fee would change, if the total rate is above 0.20 cfs.

If you have any questions, or need any further assistance, feel free to contact me at your convenience.

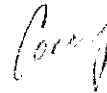
Sincerely,



Corey Skinner, PE
Water Resource Engineer

Enclosures

Chuck,
Also, the current irrigation
season for the area is
4/15 to 10/31



MICROFILMED

NOV 21 2002