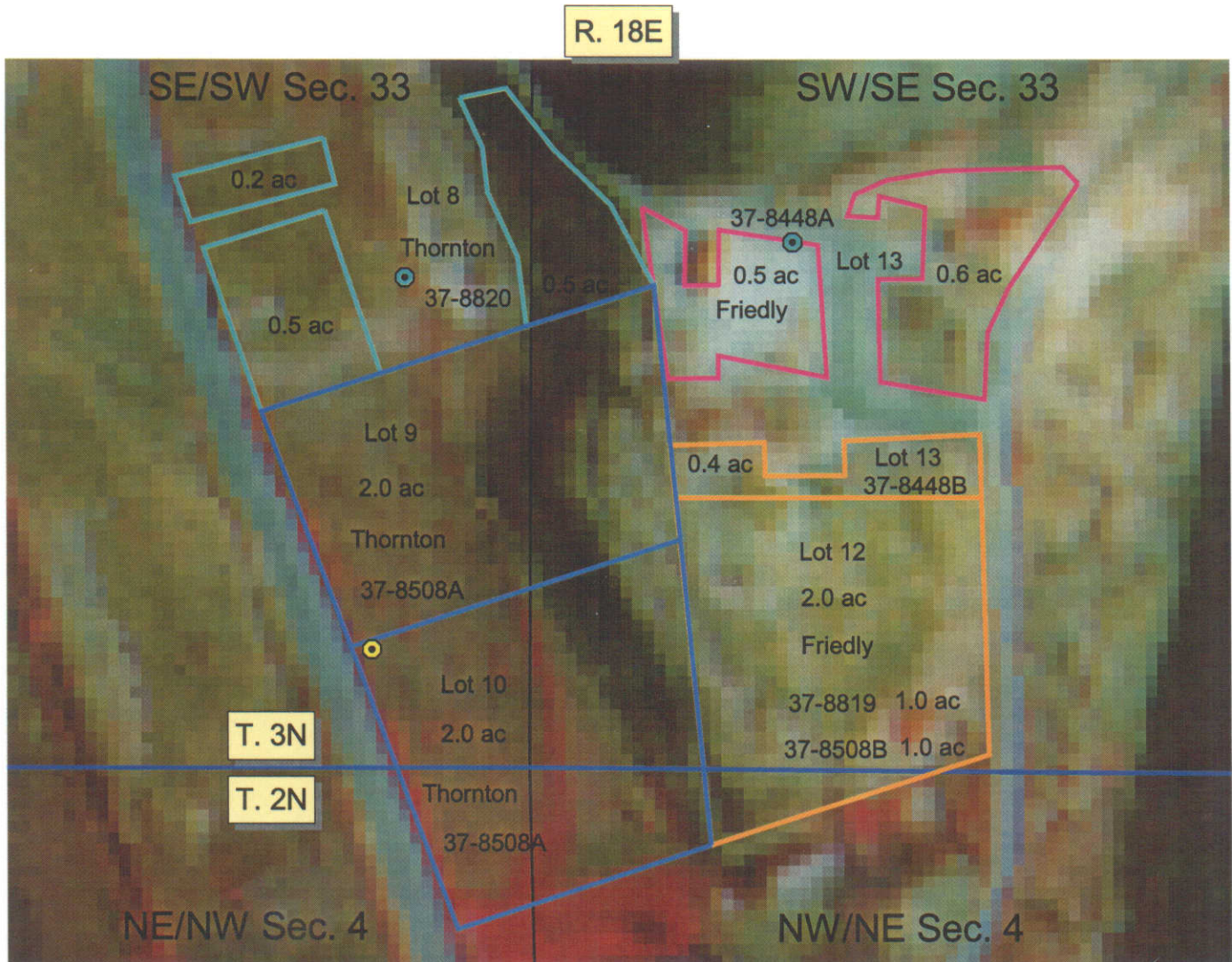


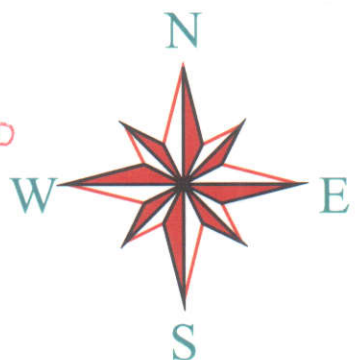
P/U & P/D, 37-8448, 8508, 8819, 8820



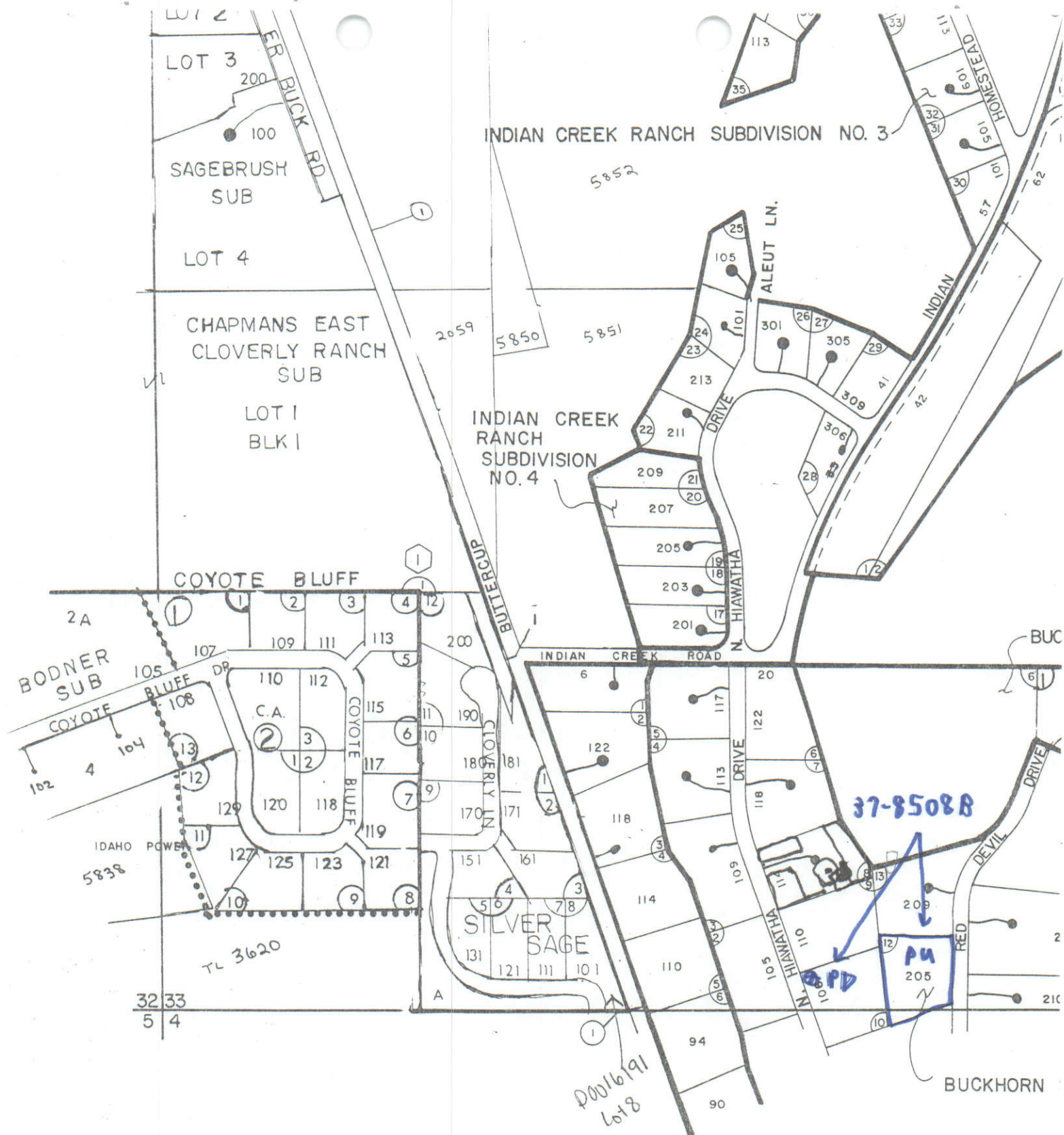
● Private Irrigation Well

● Well For Lots 9, 10, 12 & Part of Lot 13

MICROFILMED
JUN 14 2001



Prepared By J E Stanton 1-17-01



MICROFILMED
JUN 14 2001

SEC. 33, T. 3 N., R. 1





State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-20376

Priority: May 22, 1989

Maximum Diversion Rate: 0.05 CFS
Maximum Diversion Volume: 4.1 AF

It is hereby certified that JOHN MILEY And CYNTHIA MILEY
PO BOX 3010
HAILEY ID 83333 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 22, 1989; and have
submitted Proof of Beneficial Use on October 29, 1990. An examination indicates that the works have a
diversion capacity of 0.2 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
IRRIGATION	04/15 to 10/31	0.03 CFS	3.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, Twp 03N, Rge 18E, B.M., BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 18E 4			.2														.2
			L 2														
03N 18E 33															1.8		1.8

Total Acres: 2

PLACE OF USE: DOMESTIC - Same as Irrigation

CONDITIONS OF APPROVAL

1. Irrigation use under this right is authorized only in connection with a domestic use.
2. This right is limited to the irrigation of 1 acre within the place of use described above in a single irrigation season.
3. Rights 37-08819, 37-20375, 37-20376 and 37-20378 when combined shall not exceed a total diversion rate of 0.15 cfs for irrigation purposes.

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JUN 14 1990

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 37-20376

4. Rights 37-08819, 37-20375 and 37-20378 are also diverted through the point of diversion described above.
5. Point of diversion is located within Lot 10, Buckhorn Subdivision First Addition.
6. Place of use is located within Lot 12, Buckhorn Subdivision First Addition.
7. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
8. Rights 37-08819 and 37-20376 when combined shall not exceed a total diversion rate of 0.03 cfs for irrigation purposes.
9. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 6TH day of JUNE, 2001.


Acting for KARL J. DREHER
Director

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JUN 14 2001

http://wene/appsWorkflow/Framebuild.asp - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Stop Refresh Home Search Favorites History Mail Print Edit

Address http://wene/appsWorkflow/Framebuild.asp Go

References

[System Help](#)

[Contact Help Desk](#)

[Document Management Search](#)

[Defect Tracking](#)

[Administrative Rules](#)

[Query Tools](#)

Enter Water Right Number

Basin # Sequence # Split Suffix

Total Acreage, Volume, & Rate for

Calculate Total

Parent Acreage Parent POU Acreage Parent Rate Parent Volume

Children Acreage Children POU Acreage Children Rates Children Volumes

Difference Difference Difference Difference

WATER RIGHT PEDIGREE

37-8508

37-20375

37-20376

Water Right #	Type	Owner List	Source	Packby Date	Water Use	Rate	Acre	Volu
WR 37-8508	Active		GROUND WAT	05/22/1989	43.01	0.23	5	
WR 37-20375	Active		GROUND WAT	05/22/1989	43.01	0.15	15.2	
WR 37-20376	Active		GROUND WAT	05/22/1989	43.01	0.05	4.1	

ADJUDICATION PEDIGREE

37-8508

Water Right #	Type	Owner List	Source	Packby Date	Water Use	Rate	Acre	Volu
AJ 37-8508								

Previous Steps

Done

Start Inbox Microsoft Microsoft Word http://wene/app...

Local Intranet 9:07 AM

See "parent"
right 37-08508
for prior information -
KW
5/30/01

MICROFILMED

114 1 1 1989



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 7, 2001

JOHN MILEY
CYNTHIA MILEY
PO BOX 3010
HAILEY ID 83333

RE: License No. 37-20376 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

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,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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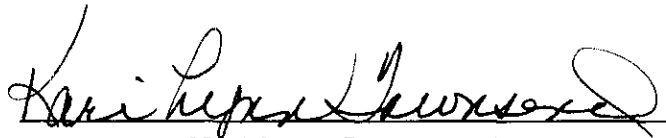
JUN 11 1991

CERTIFICATE OF MAILING

I hereby certify that on June 7, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 37-20376

**JOHN MILEY
CYNTHIA MILEY
PO BOX 3010
HAILEY ID 83333**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED
JUN 14 2002

**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).

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JUN 3 2 2004

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.

MICROFILMED
JUL 14 2009



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

April 20, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN B MILEY
PO BOX 3010
HAILEY ID 83333

RE: Permit Nos. 37-08819, 37-08448 and 37-8508

Dear Mr. Miley:

We are in receipt of the assignment of permit forms and licensing amendments that you submitted for Permits 37-08819, 37-08448, and a portion of 37-08508. We have changed the permits to reflect you as the current owner. Enclosed are five receipts for the fees you submitted.

We are prepared to issue licenses on all of your water rights as soon as we know that you have complied with the condition requiring a lockable device which will allow the watermaster control of the irrigation use under Permit No. 37-08819. This is the permit that we recently modified the measuring device and lockable controlling works requirement on. Please send us some documentation that you have complied with this condition. The documentation could be in the form of pictures or a statement from the watermaster that the device you have is acceptable to him for controlling your diversion.

If you have any questions in regard to this matter, please do not hesitate to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

MICROFILMED

John B. Miley
209 Red Devil Dr.
PO Box 3010
Hailey, ID 83333
Voice 208-578-7882 fax 208-578-9750

RECEIVED
APR 19 2001
Department of Water Resources

April 16, 2001

Ms. Kay Walker
Sr. Water Resource Agent
Idaho Department of Water Resources
1301 N. Orchard St.
P.O. Box 83720
Boise, ID 83720-0098

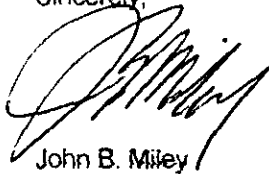
Dear Kay:

Thank you for your help, as I have said I am a novice at this business.

I have enclosed the assignment forms with Fee and the application for amendment with Fee.

If there is anything further required please let me know.

Sincerely,



John B. Miley

Enc: five

MICROFILMED
APR 16 2001

LICENSE REVIEW CHECKLIST

Permit No. 37-20376 Date: 3/29/2001 Reviewer: Kay Walker

Change/OK

Name/Address

Source

Point of Diversion:

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate cfs

Fee Limit cfs

Measured cfs

Theoretical cfs

Recommended Total Diversion Rate 0.05

Water Uses

Change (P46)

Season of Use per new Standards

4-15 10-31

Irrigation 0.03 cfs 3.5 af

Stockwater cfs af

Domestic 0.02 cfs 0.6 af

cfs af

cfs af

Total 0.05 cfs 4.1 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.03 cfs x 1.9835 x 200 days = 11.9 af (vs) 3.5 acres x 3.5 (FHR) = 3.5 af

Remarks: W27, W35, W36, W59, W60, R67, WB5

Additional Conditions _____ Watermaster Control
 _____ GW Measurement/Measuring Device
 _____ Other
 Trust R55 - remove 051)
 Non-trust (048/049)

GW Dist? _____
 Water Msmt. Dist? _____
 Crit. GWMA? _____
 GWMA? _____
 Government Lots? _____

Advance Priority? yes If yes, explain why below.

no

SRBA Claim?

not req'd

Adjust memo

Amend Letters P87, S06 Second Amendment Notice S06



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

March 19, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

John Miley
PO Box 3010
Hailey ID 83333

Dear Mr. Miley:

Pursuant to our telephone conversation this morning, enclosed are three proof reports of the water rights that we show in the name of Keith Friedly. Please note that I have partially completed three "assignment of permit" forms for your convenience. The forms must be completed as you want your name to show on your water rights and then Mr. Friedly must sign the forms in the presence of a notary public. There is a \$25.00 filing fee for the submittal of each of the assignment forms.

If you have any questions regarding the assignment forms, or the attached water right proof reports, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in dark ink and is positioned above the printed name and title.

KAY WALKER
Sr. Water Resource Agent

Enclosures

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APR 14 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 26 2001
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 37-8508B Re-Exam

1. Owner: Keith Friedly Phone No. 788-2114

Current Address: PO Box 1770, Hailey, ID 83333

2. Accompanied by: Greg Sturtevant EXAM DATE: 12-1-00

Address: PO Box 2924, Ketchum, ID 83340 Phone No. 726-3250

Relationship to Permit Holder: representative

3. Source: Ground Water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 37-8819

2. Other water rights with the same point of diversion: 37-8508A, 8448B, 8819

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

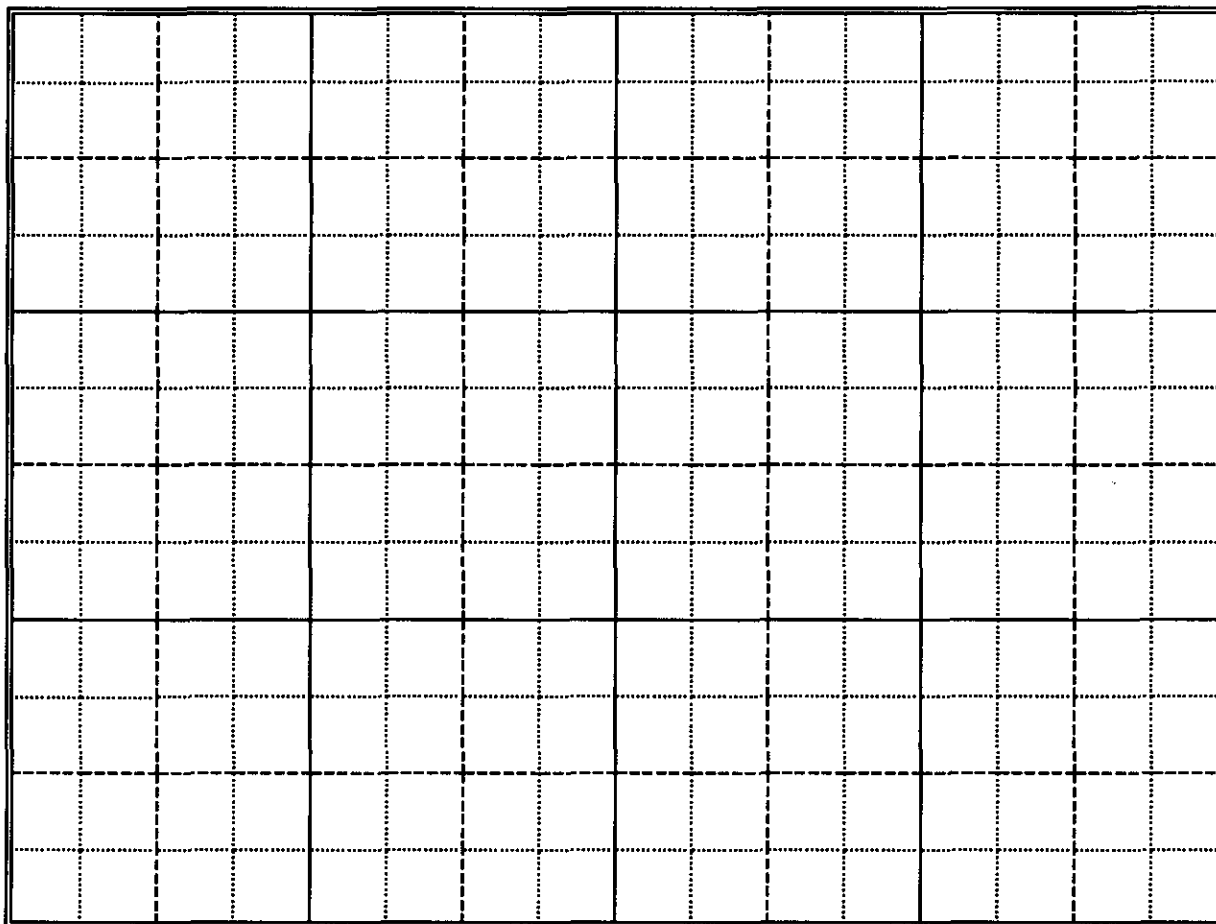
Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	SW	33	3N	18E	Blaine	G/S

2. Place(s) of Use: PPU of 1.0 ac/yr Indicate Method of Determination G/S

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	18E	33															1.8		1.8
2N	18E	4		0.2													0.2		0.2
				4.2															2.0

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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____ *GIS Map*

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☐ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	<i>Hitachi</i>	<i>7 1/2</i>	<i>CP6K02HC-04</i>	<i>Sta-Rite</i>	<i>-</i>

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: *Sprinkler capacity = 0.16 cfs* *Well capacity = 0.20 cfs Theoretical*
See 1792 exam for 97-8508

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1992 10 10

E. NARRATIVE/REMARKS/COMMENTS

This part of permit is recommended for use on Lot 12 Buckhorn Subdivision First Addition as a PPU with 37-8819. Each right can be used on 1 ac/yr within the 2-acre PPU.

Point of diversion is on Lot 10 of the subdivision.

Not to exceed 0.03 cfs for irrigation on Lot 12 when combined with 37-8819.

Not to exceed 0.20 cfs for all rights combined from the recommended P/D.

Right is subject to provisions of 1180 contract.

While no home has been built on this lot, a stub-in has been provided for domestic water. Under the stub-in rule, recommend domestic use on this property. Well capacity is 0.20 cfs at 70% efficiency. A flow of 0.15 cfs can be allowed for irrigation, leaving 0.05 cfs to be licensed for domestic use. Attorney Jim Speck represents both Frielty & Thornton. He has agreed with my suggestion that Lot 12 get 0.02 cfs for domestic use and that Lots 10 & 11 get 0.03 cfs for domestic use (total for both lots).

Have conditions of permit approval been met? ☐ yes ☐ no

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1987 11 13

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

Irrigation - Allow $0.03 \text{ cfs/4c} \times 1.0 \text{ 4c} = 0.03 \text{ cfs}$ Domestic - Allow 0.02 cfs **G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \times 3.5 = 3.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.03 \times 198 \times 1.9835 = 11.8$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 3.5$$

2. Volume Calculations for Other Uses:

Domestic - Allow 0.6 AFA in-house use for 1 home

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-15	10-31	0.03	3.5
Domestic	1-1	12-31	0.02	0.6
Totals:			0.05	4.1

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ☒ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATIONField Examiner's Name J.F. Stanton Date 1-22-01

Reviewer _____ Date _____

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SEAL

P/U & P/D, 37-8448, 8508, 8819, 8820

R. 18E

T. 3N

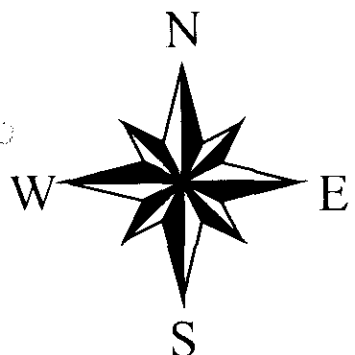
T. 2N

● Private Irrigation Well

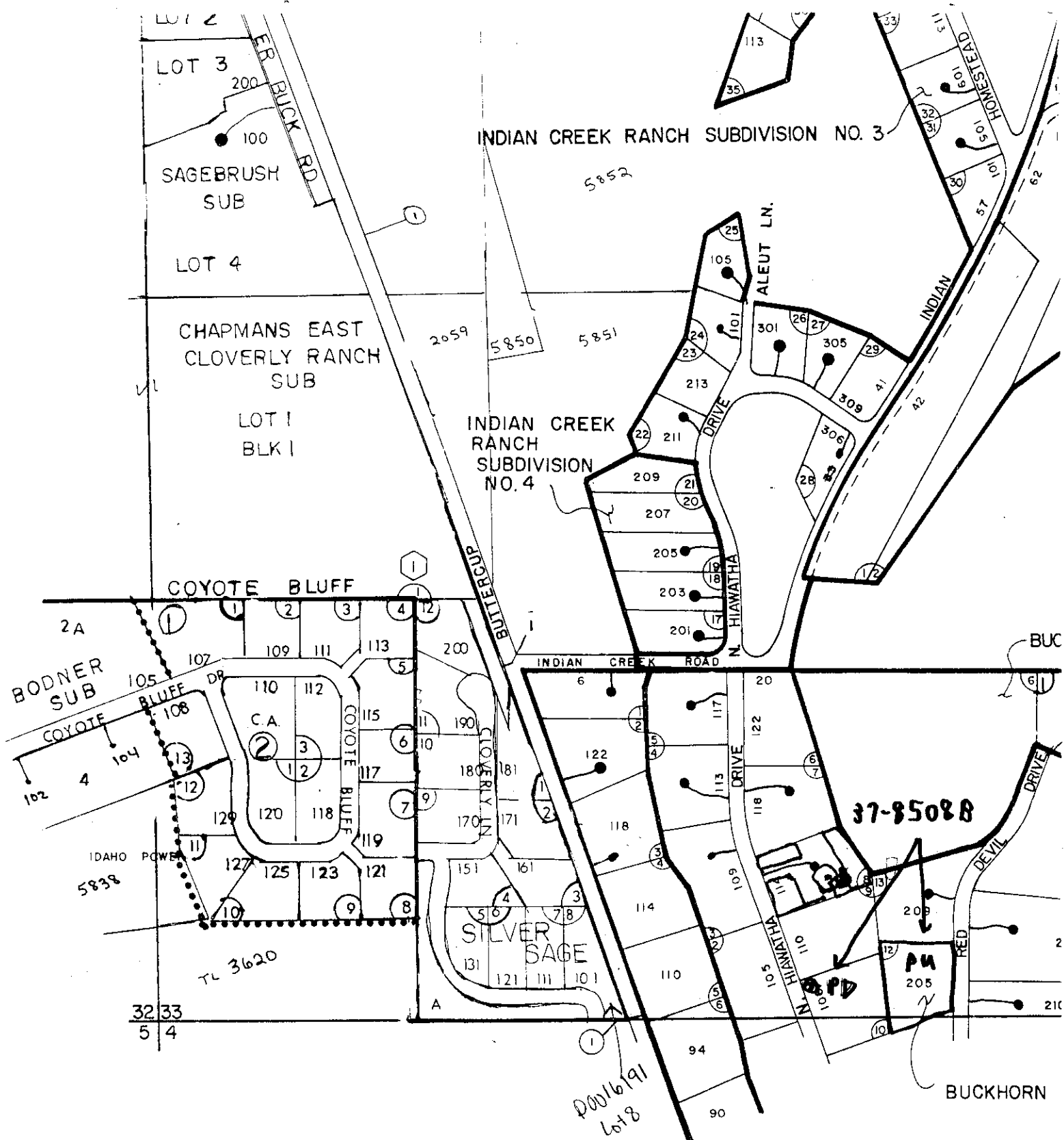
◎ Well For Lots 9, 10, 12 & Part of Lot 13

MICROFILMED

1982



Prepared By J E Stanton 1-17-01



MICROFILMED

SEC. 33, T. 3 N., R. 1



Order No. 18812

WARRANTY DEED

FOR VALUE RECEIVED

K. R. Buttram and Joy G. Buttram, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Kelth Friedly and Toni L. Leech, husband and wife

GRANTEE(s) whose address is: P. O. Box 1770, Halley, ID 83333

the following described real property in Blaine County, Idaho, to wit:

Lot 12, Block 2 of BUCKHORN SUBDIVISION, FIRST ADDITION, according to the official plat thereof, recorded as Instrument No. 217018, records of Blaine County, Idaho.

Also an undivided one-third interest in well, well casing, and pump located on Lot 10 Block 2 Buckhorn Subdivision First Addition together with a 15 Ft. Easement along the North and East line of said Lot 10 for maintenance of water pipelines.

Subject To: Taxes, easements, restrictions and encumbrances of record.

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

Dated: November 17, 1992

K. R. Buttram
K. R. Buttram

Joy G. Buttram
Joy G. Buttram

State of Idaho

County of Blaine

On this 16th day of Nov, 1992, before me, a notary public in and for said State, personally appeared K. R. Buttram and Joy G. Buttram personally known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Richard L. Smith
Notary Public
Residing at Halley
Commission Expires: 1-8-98

BLAINE CO. REQUEST

OF

NOV 20 P 3:55

NOTARY PUBLIC
FEB 5 3

307302

Deed

ILMER
red

~~MICROFILMED~~