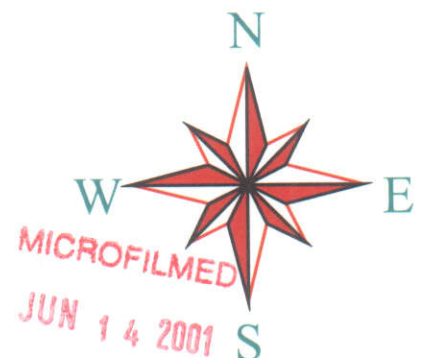


P/U & P/D, 37-8448, 8508, 8819, 8820

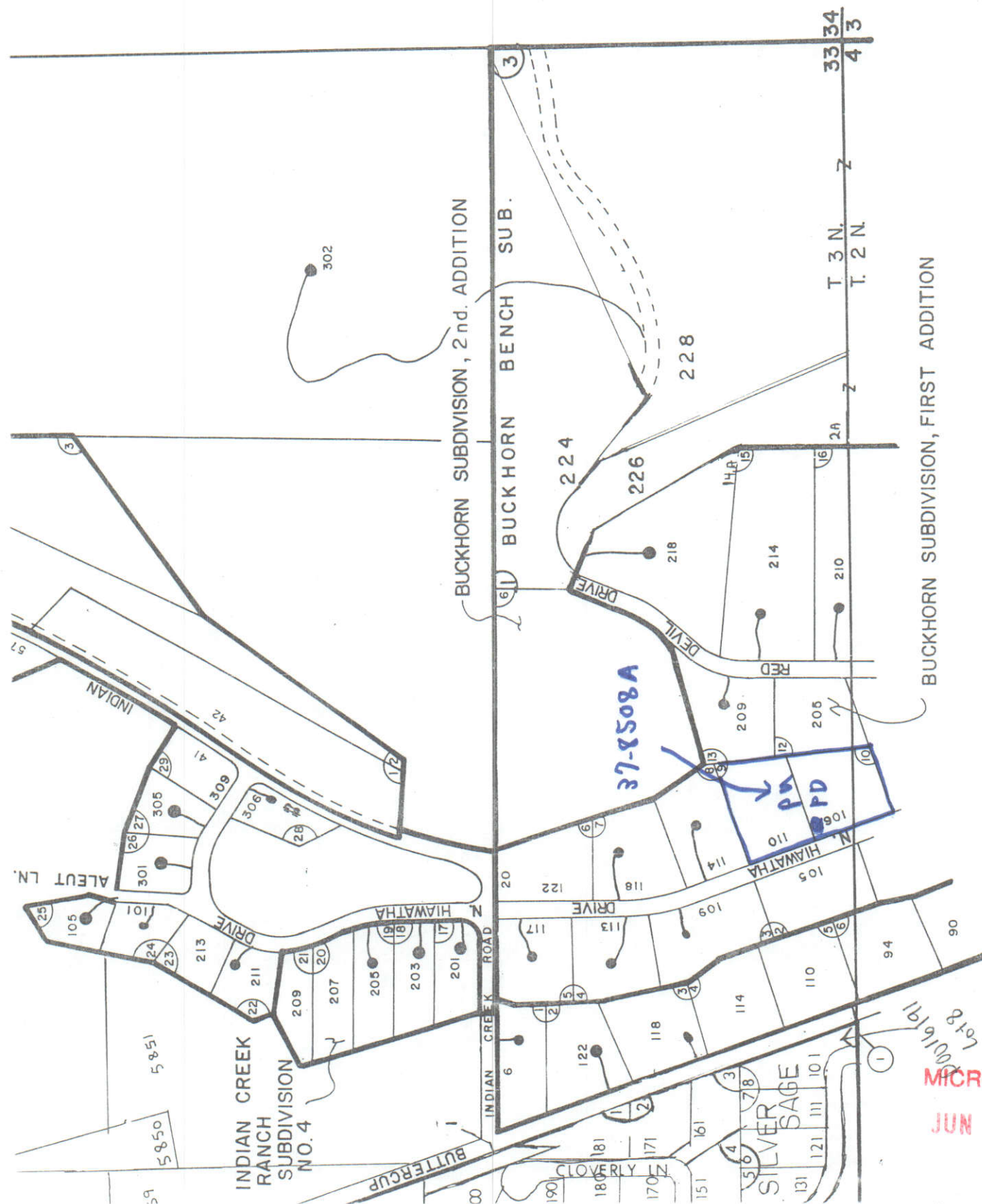


● Private Irrigation Well

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



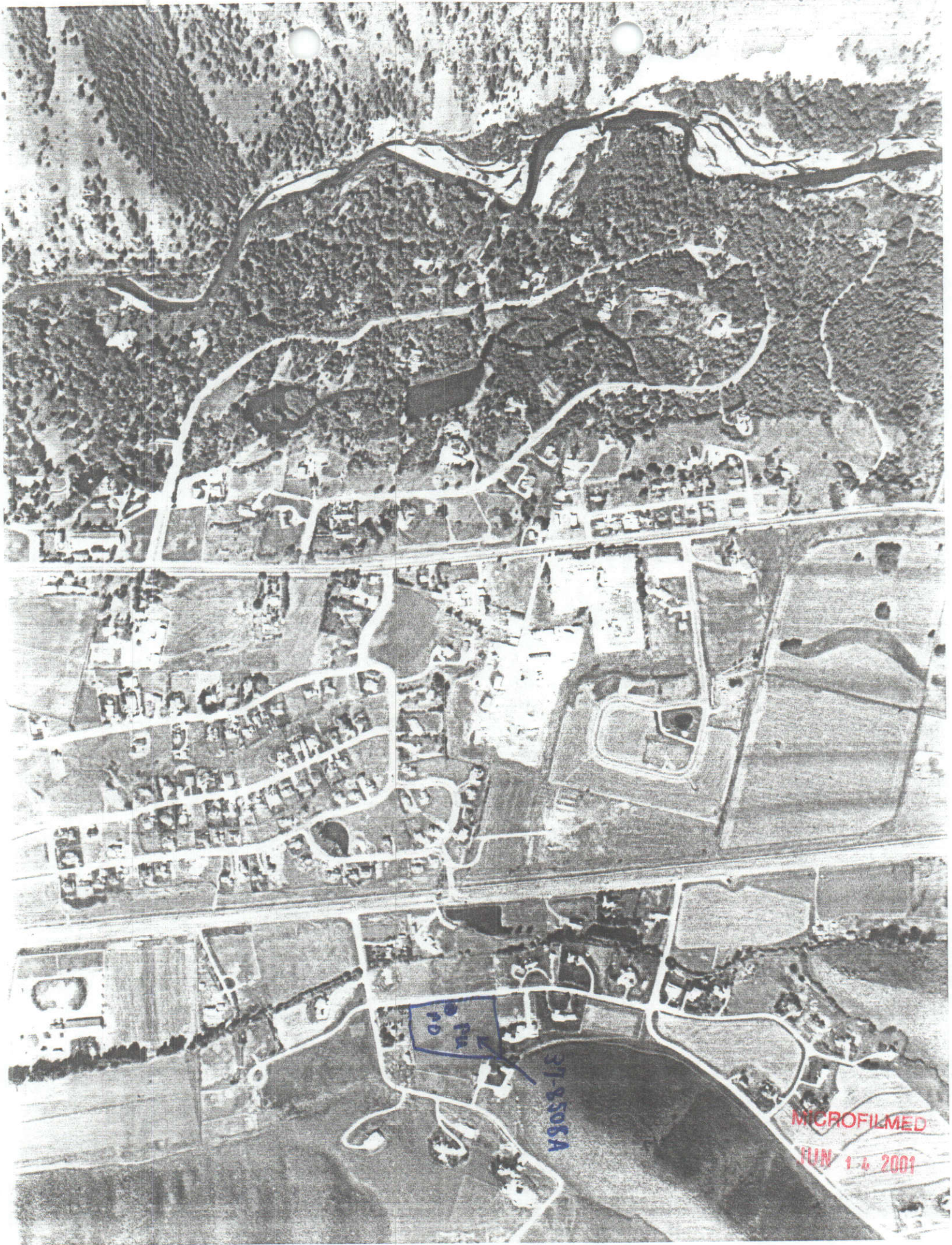
Prepared By J E Stanton 1-17-01



SEC. 33, T. 3 N., R. 18 E.

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JUN 14 2001







Diversion Works (Looking NE) (Lot 9 Behind Fence)



Lot 9 w/Horses (Looking ENE)

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JUN 14 2001

87-08508A Re-Exam

12-1-00

JE Stanton



Lot 10 Looking East (Buildings Are On Lot 11)

37-08508A Re-Exam
12-1-00
JE Stanton

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JUN 14 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-20375

Priority: May 22, 1989

Maximum Diversion Rate: 0.15 CFS
Maximum Diversion Volume: 15.2 AF

It is hereby certified that ROD THORNTON
PO BOX 246
KETCHUM ID 83340 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 22, 1989; and has
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	0.03 CFS	1.2 AF
IRRIGATION	04/15 to 10/31	0.12 CFS	14.0 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		.4			.4												.8
03N 18E 33											1.8				1.4		3.2

Total Acres: 4

PLACE OF USE: DOMESTIC – Same as Irrigation

CONDITIONS OF APPROVAL

1. Point of diversion is located within Lot 10, Buckhorn Subdivision First Addition.
2. Place of use is located within Lots 9 and 10, Buckhorn Subdivision First Addition.
3. Irrigation use under this right is authorized only in connection with a domestic use.
4. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

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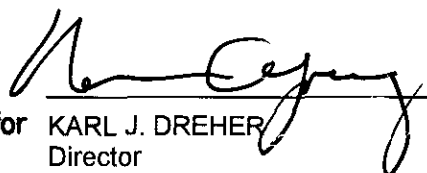
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-20375

5. 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.
6. Rights 37-08819, 37-20376 and 37-20378 are also diverted through the point of diversion described above.
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.

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

References

[System Help](#)

[Contact Help Desk](#)

[Document Management](#)

[Search](#)

[Defect Tracking](#)

[Administrative Rules](#)

[Query Tools](#)

Enter Water Right Number

Basin # Sequence # Split Suffix

[Find Pedigree](#)

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	Priority Date	Water Use	Rate	Acre	Volume
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	Priority Date	Water Use	Rate	Acre	Volume
AJ 37-8508-								

[Hide References](#)

[Next Step](#)

[Previous Steps:](#)

Screen ID: 401

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

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100 p u 7000



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

ROD THORNTON
PO BOX 246
KETCHUM ID 83340

RE: License No. 37-20375 - 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 14 2001

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. 37-20375

**ROD THORNTON
PO BOX 246
KETCHUM ID 83340**


**Kari Lynn Townsend
Secretary**

MICROFILMED

JUN 14 2001

**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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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.

LICENSE REVIEW CHECKLIST

Permit No. 37-20375 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 0.15

Water Uses

Change (P46)

Season of Use per new Standards

4-15 10-31

Irrigation 0.12 cfs 14.0 af

Stockwater cfs af

Domestic 0.03 cfs 1.2 af

cfs af

cfs af

Total 0.15 cfs 15.2 af

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

supp. GW (WB7/065/104)

overlap spec combined rts (W35)

21 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

0.12 cfs x 1.9835 x 200 days = 47.6 af (vs) 4 acres x 3.5 (FHR) = 14.0 af
2.5(con)

Remarks: W35, W36, W59, W60, R67

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? Big Wood River

Government Lots?

Advance Priority?

yes
no

If yes, explain why below.

SRBA Claim?

Not req'd

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 26 2001
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 37-08508A Ac-Exam

1. Owner: Rod Thornton Phone No. 788-2113

Current Address: PO Box 246, Ketchum, ID 83340

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

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

Relationship to Permit Holder: representative

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: 37-8448B, 8508B, 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	B/line	G/S. Lot 10 Buckhorn Sub. 1st Addn.

2. Place(s) of Use:

Indicate Method of Determination

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			1.4			3.2
2N	18E	4		0.4			0.4												0.8
				4.2			4.3												4.0

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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" =

615 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
	Hitachi	7 1/2	CP6K02HC-04	Sta-Rite	-

*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: Irrigation capacity = 0.16 cfs per 1992 exam.
Total theoretical capacity = 0.20 cfs per 1992 exam.
No change in system since then.

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E. NARRATIVE/REMARKS/COMMENTS

This permit was intended to cover Lots 9, 10 & 12 of Buckhorn Subdivision First Addition, which it does. Co-permittee Buttram owned and farmed this area for many years before subdividing it. Rod Thornton owns Lot 9 & 10 (he lives on Lot 8, which has its own well now). Keith Friedly owns Lot 12 & 13 (he lives on Lot 13, some of which is watered from his domestic well & some of which is watered from the 8508 well). Buttram is no longer involved, and has moved out of the area.

Land recommended under the A portion of this permit is Lots 9 & 10. Besides irrigation, stub-ins have been provided for domestic uses on these lots. Even though homes have not yet been built, domestic use is recommended based on stub-in rule.

Well capacity is 0.20 cfs at standard 70% efficiency. A flow of 0.15 cfs can be allowed for irrigation, leaving 0.05 cfs for 3 domestic uses. Attorney Jim Speck represents both Friedly & Thornton, & has agreed with my suggestion that Thornton get 0.03 cfs for his 2 lots & Friedly get 0.02 cfs for his 1 lot (in addition to irrigation allowance).

Not to exceed 0.20 cfs for all rights diverted from the well on Lot 10.

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

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1981 11 20

Additional Computation Sheets Attached

Allow $0.03 \text{ cfs/4c permitted} \times 4.0 \text{ ac} = 0.12 \text{ cfs}$ For irrigation
Domestic - Allow 0.03 cfs (See Remarks)

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4 \times 3.5 = 14.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.13 \times 198 \times 1.9835 = 47.1$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 14.0$$

Domestic - Allow 0.6 AFA/home for in-house use $\times 2$ homes = 1.2 AFA

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-15	10-31	0.12	14.0
Domestic	1-1	12-31	0.03	1.2
		Totals:	0.15	15.2

☐ 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

Field Examiner's Name J. F. Stanton Date Apr 1-22-01

Reviewer _____ Date _____

SEAL

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

R. 18E

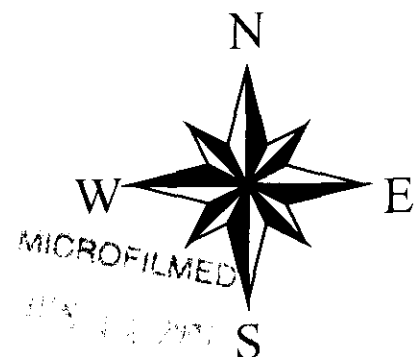
T. 3N

T. 2N

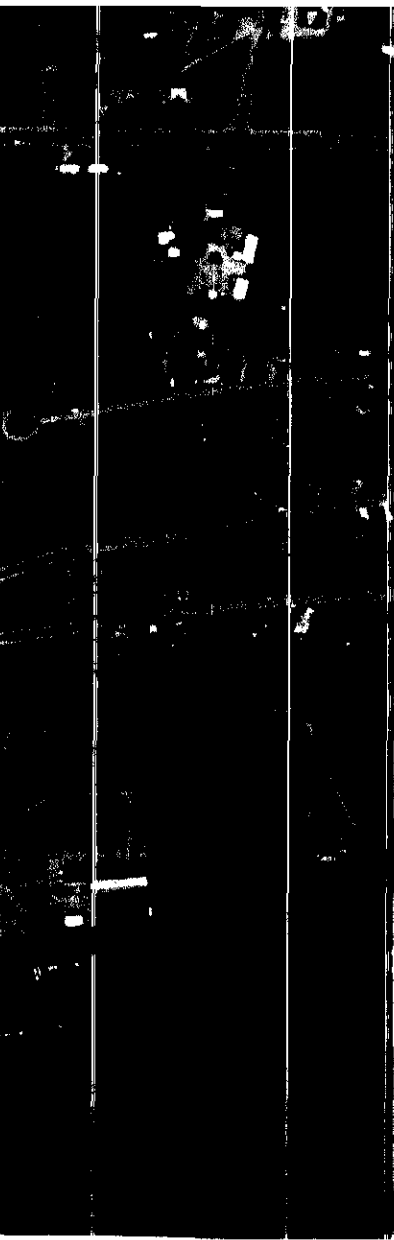
● Private Irrigation Well

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

Prepared By J E Stanton 1-17-01









Diversion Works (Looking NE) (Lot 9 Behind Fence)



Lot 9 w/Horses (Looking ENE)

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87-08508A Re-Exam
12-1-00
JE Stanton



Lot 10 Looking East (Buildings Are On Lot 11)

37-08508A Re-Exam
12-1-00
JE Stanton

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11/14/00

J. Stanton - Buttrum

PERMIT NO. 37-08508A Re-Exam

RECEIVED

JAN 26 2001

DEPARTMENT OF WATER RESOURCES

STAFF ANALYSIS SHEET FOR BENEFICIAL USE FIELD EXAMS:

A. Items To Be Placed In Exam File (Items A & B to be Completed by Compiler:

- (☒) Blank Field Report & Notice of Completed Exam
(☒) Copy of App. for Permit, Approved Permit, Amendments, Orders, Assignments.
Proof of Beneficial Use, SRBA Claim (Claim Filed? _____ Required? _____)
(☒) Well Inspection Form, Dairy Water-Use Worksheet (if applicable)
() Well Log(s) & Groundwater Measurement Analysis Form (if applicable)
(☒) Copy of Orthophotoquad Map
(☒) 660-Scale Aerial Photo (Examiner Will Obtain If Applicable)
() Government Lot Plats (If Applicable)

B.1. P/D Overlap - Yes or No? If Yes, Include Copy of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Add Acres or Uses to Existing System
() Increase Rate of Flow or Volume

B.2. P/U Overlap - Yes or No? If Yes, Include Copies of Overlapping Rights & Claims

- If Yes, Type of Overlap: () Increase Rate of Flow or Volume
() Add Supplemental Water Source
() Increase Acres Within Tracts

C. Field Exam Appointment Made:

Date 12-1-00

Time 10 am

Place P/D

Contact Person & Phone _____

D. Post-Exam Review & Processing

Exam Completed 12-1-00

Notice of Completion Turned In 1-22-01

Field Report Completed 1-22-01

J. Stanton 1-22-01
Signature of Examiner & Date

Field Report Reviewed by Sr. Agent _____ (Initial & Date)

Field Report Reviewed by Region Mgr. _____ (Initial & Date)

Field Report Sent to S.O. _____ Region Card File Updated _____