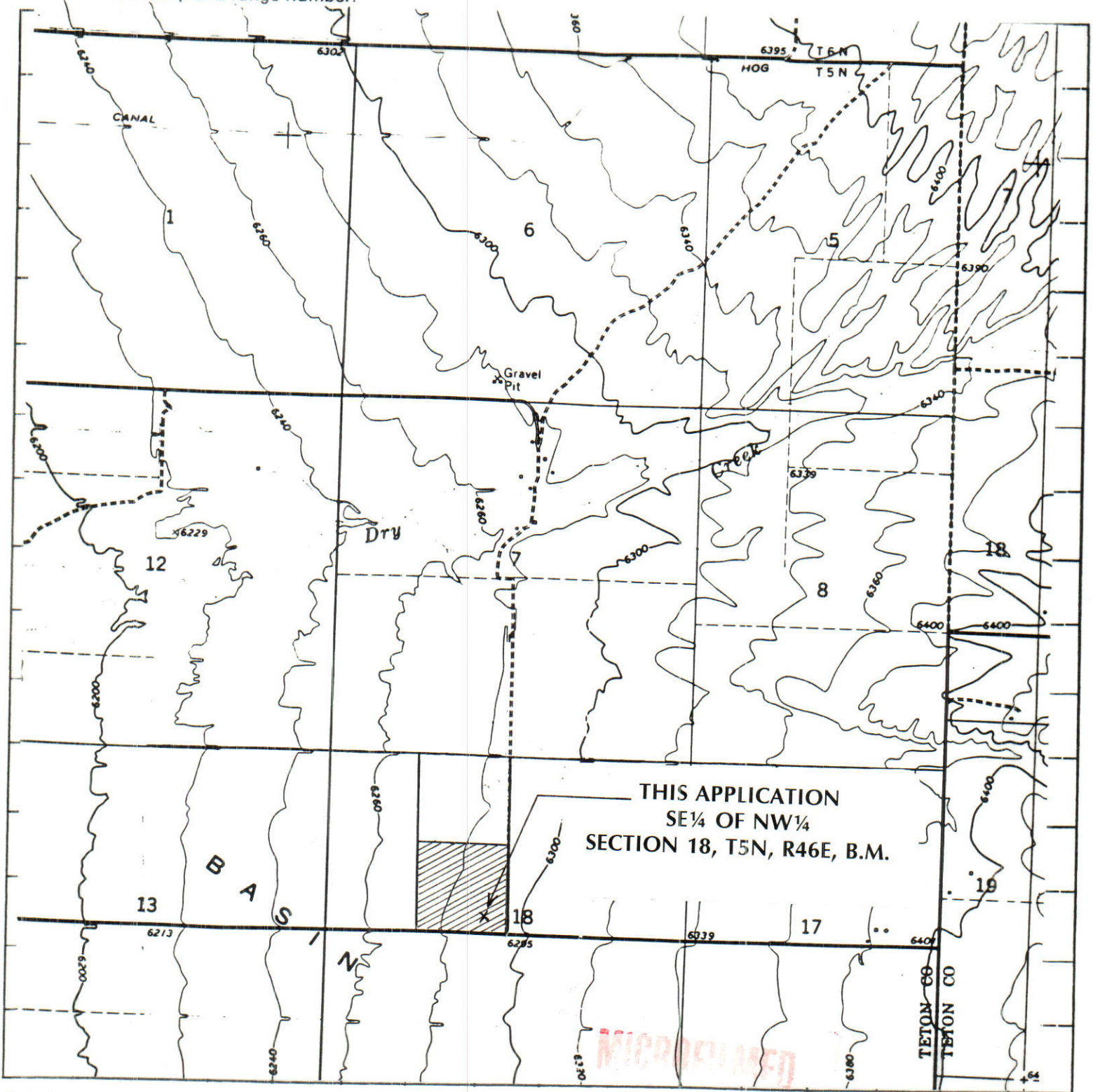


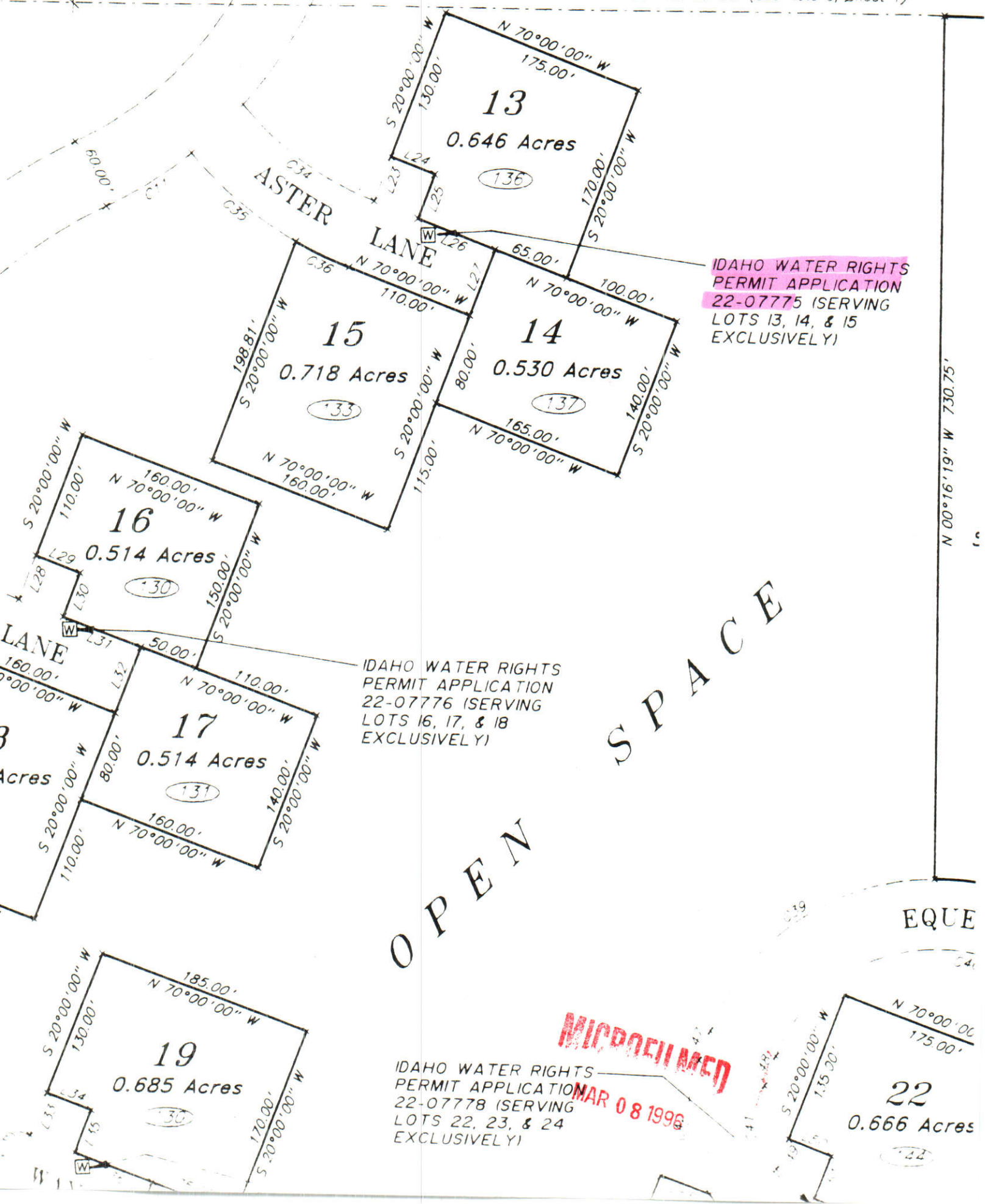
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Kenneth J. Gunn, President
(Applicant)



IDAHO WATER RIGHTS
PERMIT APPLICATION
22-07775 (SERVING
LOTS 13, 14, & 15
EXCLUSIVELY)

IDAHO WATER RIGHTS
PERMIT APPLICATION
22-07776 (SERVING
LOTS 16, 17, & 18
EXCLUSIVELY)

OPEN SPACE

MICROFILMED
MAR 08 1996

IDAHO WATER RIGHTS
PERMIT APPLICATION
22-07778 (SERVING
LOTS 22, 23, & 24
EXCLUSIVELY)

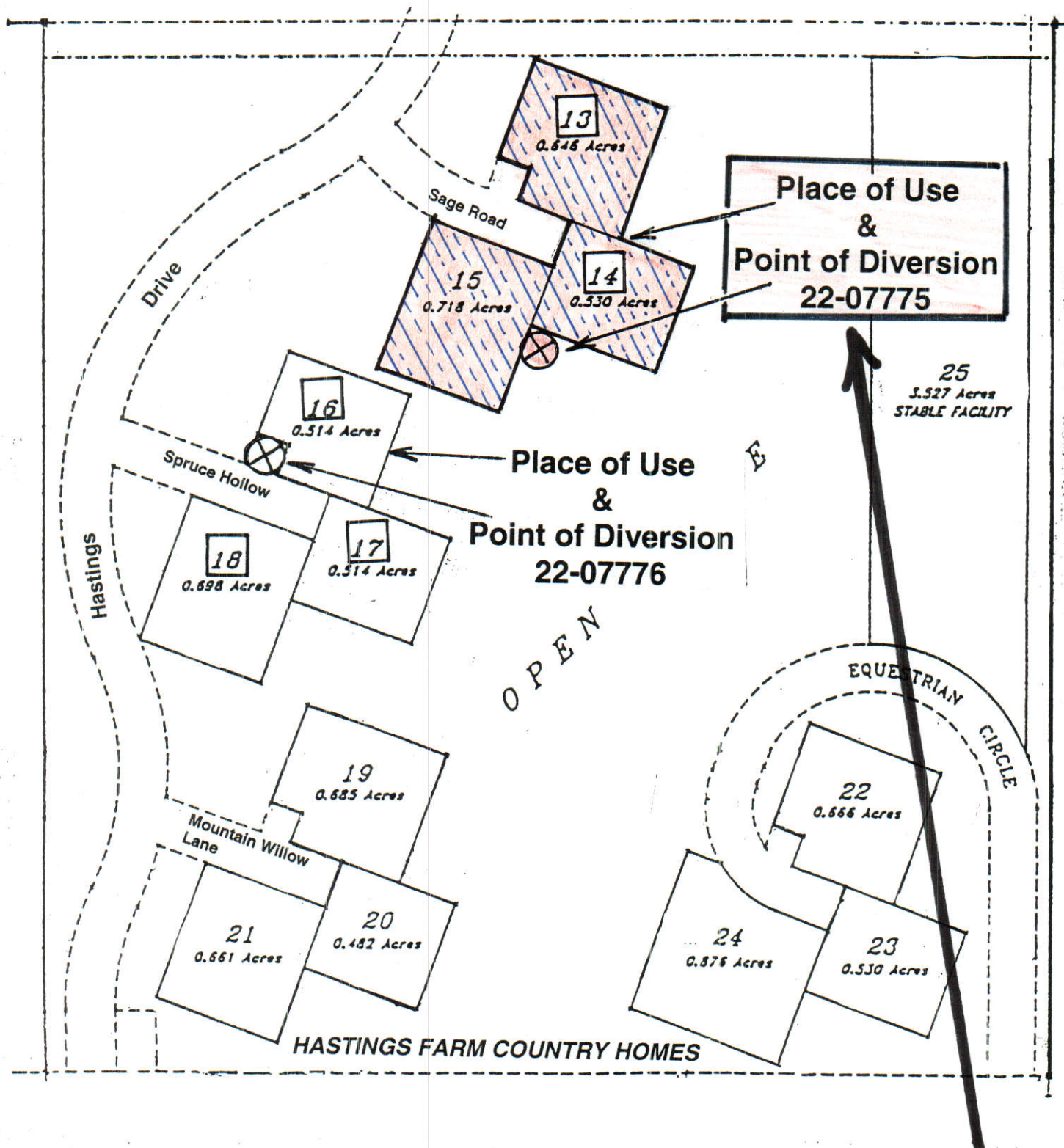
22
0.666 Acres

EQU

Idaho Dept. of Water Resources
Place of Use Comparison Report

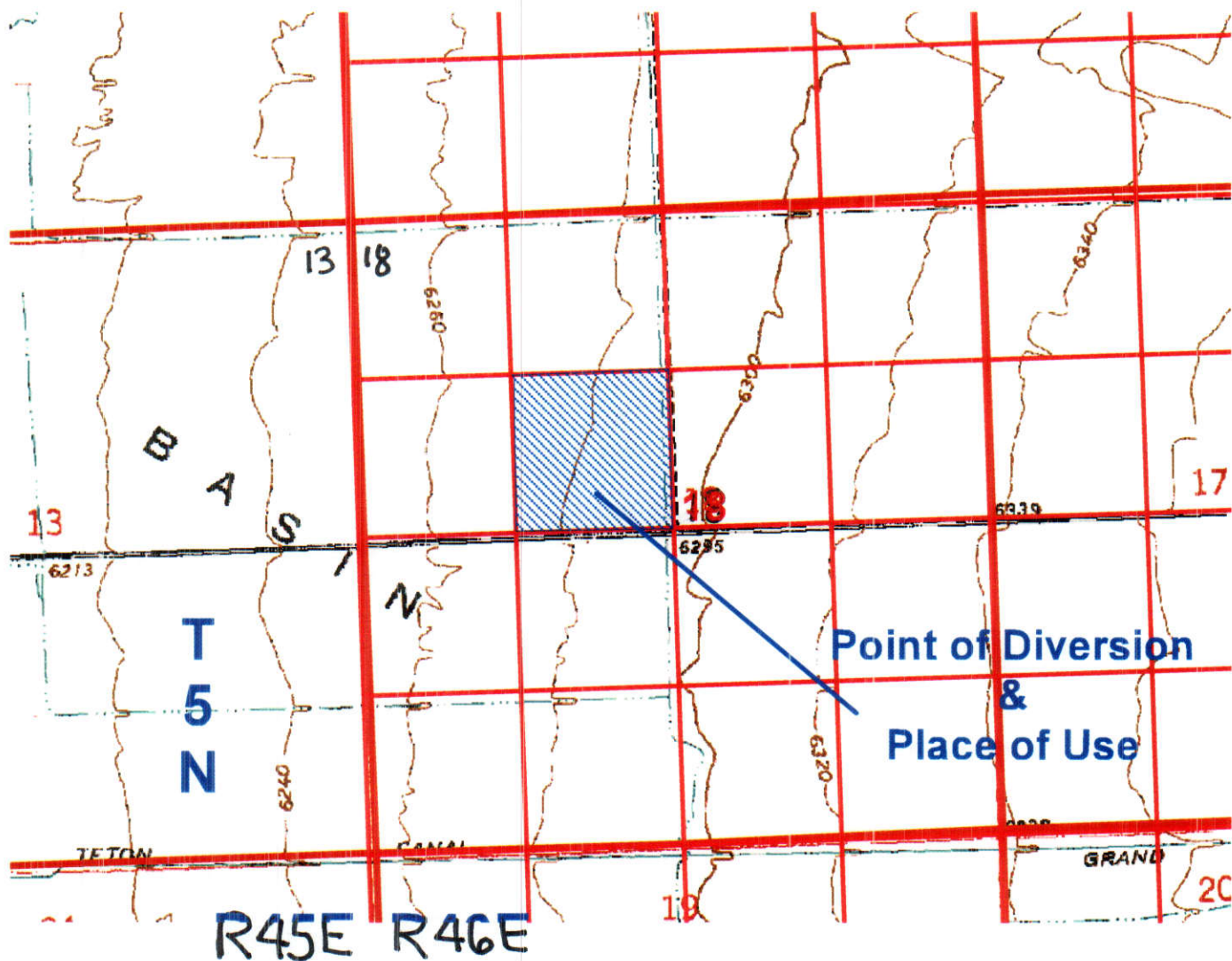
Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	22 10947	CHARLES D WINTERS, PATRICIA WINTERS,	GROUND WATER	05N46E18			0														0
Claim	22 11806	WILLIAM DANFORD,	GROUND WATER	05N46E18				0													0
Claim	22 11807	RICHARD T KNIGHT,	GROUND WATER	05N46E18				0													0
Claim	22 12470	STANKA JOVANOVIC, DRASKO JOVANOVIC,	GROUND WATER	05N46E18				0													0
Claim	22 13059	LORIA A SOLOMON, MICHAEL J SOLOMON,	GROUND WATER	05N46E18				0													0
Claim	22 7319	THE ALLEN BALL AND CONNIE BALL LIVING TRUST,	GROUND WATER	05N46E18									40	40	40	40					160
Permit	22 7319	VALLEY BANK,	GROUND WATER	05N46E18									40	40	40	40					160
Permit	22 7775	DUNN DEVELOPMENT INC,	GROUND WATER	05N46E18								0	0								0
Permit	22 7776	DUNN DEVELOPMENT INC,	GROUND WATER	05N46E18								0	0								0
Permit	22 7777	DUNN DEVELOPMENT INC,	GROUND WATER	05N46E18								0	0								0
Permit	22 7778	DUNN DEVELOPMENT INC,	GROUND WATER	05N46E18								0	0								0
Permit	22 7779	DUNN DEVELOPMENT INC,	GROUND WATER	05N46E18					0												0
Permit	22 7780	DUNN DEVELOPMENT INC,	GROUND WATER	05N46E18					0												0
Permit	22 7781	DUNN DEVELOPMENT INC,	GROUND WATER	05N46E18					0												0
Permit	22 7782	DUNN DEVELOPMENT INC,	GROUND WATER	05N46E18					0												0
Permit	22 7783	DUNN DEVELOPMENT INC,	GROUND WATER	05N46E18					0												0
Right	22 10947	CHARLES D WINTERS, PATRICIA WINTERS,	GROUND WATER	05N46E18								0									0
Right	22 12470	DRASKO JOVANOVIC, STANKA JOVANOVIC,	GROUND WATER	05N46E18			0														0
Right	22 7729	TEEWINOT PARTNERSHIP,	GROUND WATER	05N46E18				0													0
Right	22 7775	DUNN DEVELOPMENT INC,	GROUND WATER	05N46E18																	0
Right	22 7776	DUNN DEVELOPMENT INC,	GROUND WATER	05N46E18								X									0
Right	22 7783	DUNN DEVELOPMENT INC,	GROUND WATER	05N46E18							X										0
Right	22 277	GRAND TETON CANAL CO,	TETON CREEK	05N46E18							X										0





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APR 26 2001

22-07775



-  Place of use.shp
-  T05n46e.shp
-  Sections.shp

Hastings Farm Country Homes
Lots 13, 14, & 15

22-07775

MICROFILMED
 APR 26 2001

Home on
Lot 13



Home on
Lot 14

Lot 15
(Empty)

Point of Diversion



Dunn Development Inc.

Hastings Farm Country Homes Lots 13, 14, & 15

22-07775

MICROFILMED
APR 26 2001

AFFIDAVIT OF PUBLICATION

State of Idaho

County of Teton

I, Nadine Loose.....
being first duly sworn, depose and say that I am
the secretary of the Teton Valley News,
a newspaper as defined by Idaho Codes An-
notated, Section 58-106, as amended, and that
said newspaper is a weekly newspaper printed and
published at Driggs, in Teton County, Idaho,
having a general circulation in said county, and
that said newspaper has been printed in said
county for more than 78 consecutive weeks prior
to the first publication of the attached notice, ad-
vertisement, or publication of

Public Notice

And affiant further says that said attached notice,
advertisement, or publication, as per clipping at-
tached, was published in said newspaper, in the
regular and entire issue thereof, and not in any
supplement issue thereof, for two consecutive
issues thereof; first publication having been
made on the 17 day of Aug.....
, 1995.

And affiant further says that at the times herein
mentioned said newspaper was made up of at
least eight pages of at least five columns each,
printed from typed matter, of at least sixteen in-
ches deep.

Nadine Loose

State of Idaho

County of Teton

On this 19 day of September
in the year of 1995, before me, a Notary Public,
personally appeared Nadine Loose.....
known or identified to me to be the person whose
name subscribed to 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.

Bonnie Zoller

Notary Public for Idaho

Residing at Driggs Idaho

My commission expires 10/24/98

RECEIVED
SEP 27 1995

Department of Water Resources

Date filed: 7/27/1995
In: TETON County
T05N R46E S18 SENW

22-07779
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: NENW Section
18 T 05N R 46E in TETON

County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 NENW

22-07780
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: NENW Section
18 T 05N R 46E in TETON

County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 NENW

22-07781
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: NENW Section
18 T 05N R 46E in TETON

County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 NENW

22-07782
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: NENW Section
18 T 05N R 46E in TETON

County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 NENW

22-07783
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: SENW Section
18 T 05N R 46E in TETON

County.
Use: DOMESTIC (0.050 CFS)
Total Diversion: (0.050 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 SENW

PUBLIC NOTICE

The following application (s)
have been filed to appropriate the
public waters of the state of Idaho:

22-07775
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: SENW Sec 18 T
05N R 46E in TETON County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 SENW

22-07776
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: SENW Section
18 T05N R 46E in TETON
County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 SENW

22-07777
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: SENW Section
18 T 05N R 46E in TETON
County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 SENW

22-07778
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: SENW Section
18 T 05N R 46E in TETON
County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)

The permit (s) will be subject to
all prior water rights. Protests must
be filed with the applicant and the
Director, Dept. of Water Resources,
along with a \$25.00 filing fee, East-
ern Region, 900 N Skyline, Idaho
Falls, Idaho 83402 on or before Sep-
tember 4, 1995.

Karl J. Dreher,
Director

Published in the Teton Valley
News August 17, and 24, 1995

MICROFILMED

MAR 08 1998

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07775

Priority: September 14, 1995

Maximum Diversion Rate: 0.08 CFS
Maximum Diversion Volume: 3.6 AF

It is hereby certified that DUNN DEVELOPMENT INC
C/O KATHRYN T DUNN
PO BOX 237
DRIGGS ID 83422-0237 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated July 27, 1995; and has
submitted Proof of Beneficial Use on April 19, 1999. An examination indicates that the works have a
diversion capacity of 0.11 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	0.08 CFS	3.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE 1/4 NW 1/4 Sec. 18, Twp 05N, Rge 46E, B.M., TETON County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	46E	18																	

CONDITIONS OF APPROVAL

1. Place of use is located within Lots 13, 14 and 15, Hastings Farm Country Homes.
2. Domestic use is for 3 homes.
3. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
4. 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 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 23RD day of APRIL, 2001.

MICROFILMED

APR 25 2001

Acting for

KARL J. DREHER
Director

IN THE MATTER OF PERMIT NO. 22-07775) **ORDER OF**
)
IN THE NAME OF DUNN DEVELOPMENT) **REINSTATEMENT**
INC.)
)

MICROFILMED
AUG 23 1999

13-14-15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 19 1999

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 22-07775 Telephone No. 208-354-8552

2. Name(s) of Permit Holder(s): DUNN Development

3. Mailing Address: P.O. Box 231, Driggs ID 83422

4. Source of Water: Well If GROUNDWATER (well), Date Drilled: mo. APRIL / yr. 98 -

a. Well Driller: DENNIS WELL DRILLING Drilling Permit Number: D-0004560

b. OPTIONAL:

Pump Horsepower: 5 Pressure (psi): 50 Dynamic pumping level (ft): 170

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

Domestic (No. of households): 3 Stockwater (No. and type of stock): N/A

Irrigation (No. of acres): 1/2 Other: N/A

6. Total rate of diversion and/or volume for which proof is submitted: .08 cfs OR 45 GAL PER MIN. acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes	or	No	<u>X</u>
	Has the measuring device been installed?	Yes	or	No	<u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes	or	No	<u>X</u>
	Has the measurement port been installed?	Yes	or	No	<u>X</u>

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Brent Thompson Telephone Number: 354-8552

Address: #10 ASHLEY AVE DRIGGS IDAHO, 83422

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

Signature of permit holder: Dennis Development by Brent Thompson Date: 4-15-99
(include your title, if on behalf of company or organization)

MICROFILMED
AUG 23 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 22-07775

Proposed Priority: July 27, 1995

Maximum Diversion Rate:

0.08 CFS

This is to certify, that **DUNN DEVELOPMENT INC**

PO BOX 58455

SALT LAKE CITY UT 84158-8455

has applied for a permit to appropriate water from: **GROUNDWATER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 18, Township 05N, Range 46E
TETON County

PLACE OF USE: DOMESTIC

TWN RGE SEC

05N 46E 18

SENW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 1999**.
2. Subject to all prior water rights.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Construction of the well must comply with Idaho well construction standards.
6. Place of use is located within Lots 13-15, Hastings Country Homes P.U.D.
7. Domestic use is for 3 homes.
8. The domestic use authorized under this right shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
9. The irrigation use occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed.

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

29th day of February, 1996

MICROFILMED

MAR 08 1996

for *Karl J. Dreher*
Karl J. Dreher, Director

RECEIVED
SEP 27 1995

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 22-7725

To appropriate the public waters of the State of Idaho

1. Name of applicant Dunn Development, Inc. Phone 208-354-2400

Post office address P.O. Box 58455; Salt Lake City, Utah 84158

2. Source of water supply Ground Water which is a tributary of N/A

3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Govt. Lot

Sec. 18 Township 5N Range 46E B.M. Teton County; additional
points of diversion if any: None

4. Water will be used for the following purposes:

Amount 0.08 cfs for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.08 cfs and/or (b)
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. One 4.5 HP Well Pump

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 eight (8) inches; proposed depth of well is 300 feet.

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? N/A; Drilling firm N/A;

Well was drilled for (well owner) N/A

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

APPROVED
MAR 08 1996

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. three (3)
- e. Other; describe fully. _____

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.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	46E	18								D									

Total number of acres to be irrigated 0

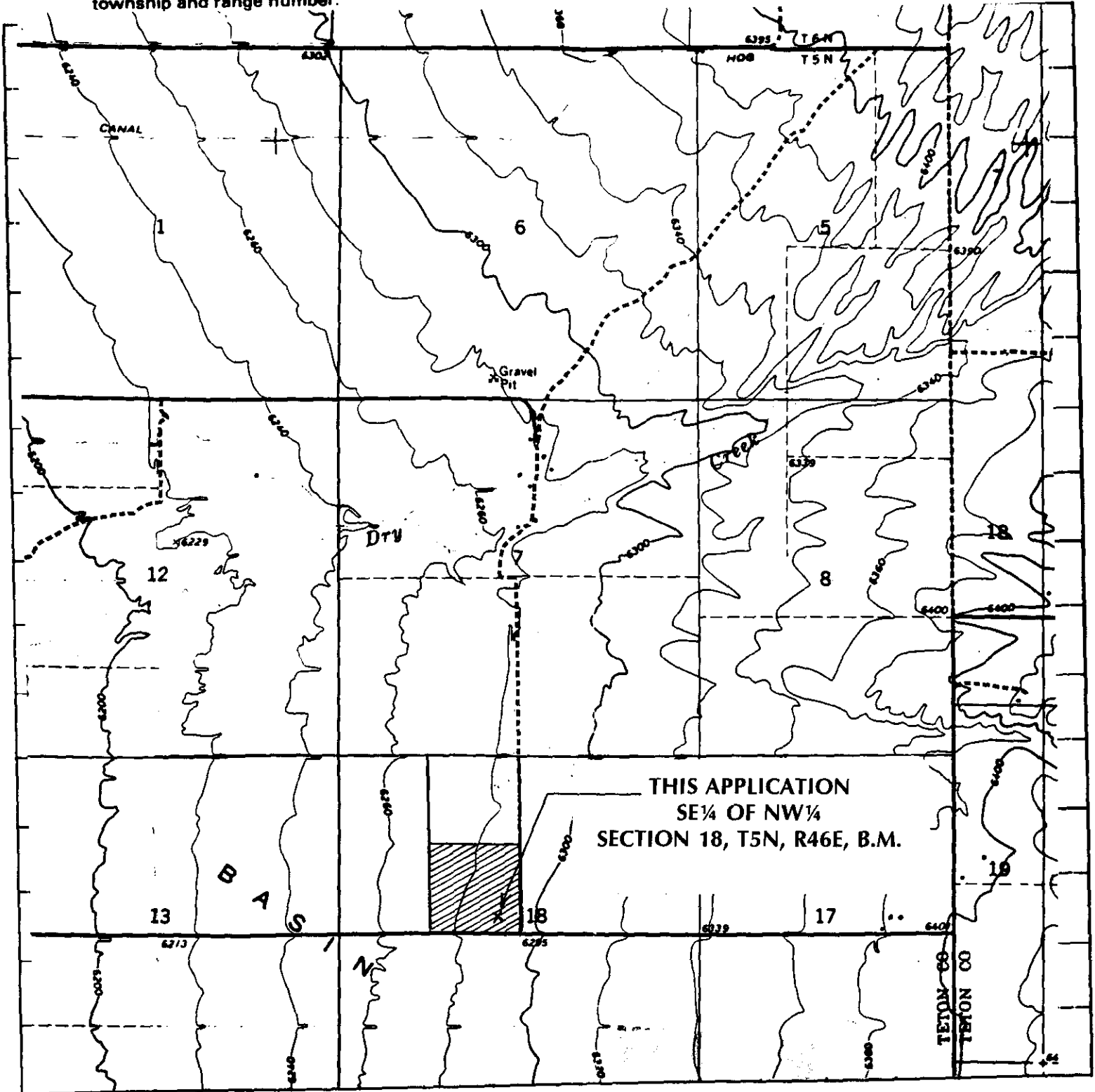
10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? _____
- b. Who owns the land to be irrigated or place of use? _____
- 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: This 60-gpm (0.08 cfs) well will serve three homes and be operated and maintained by the homeowners association per Article VII, Declaration of Covenants, Conditions, and Restrictions for Hastings Farm Country Homes P.U.D.

MAR 08 1996

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Kenneth J. Gunn, President
(Applicant)

Received by WM Date 7-21-95 Time 10:52 CK # 32 \$ 50.00
Fee \$ 50.00 Received by HWT # E021326 Date 7-27-95
Publication prepared by RB Date 8-17-95 Published in Teton Valley News
Publication approved RB Date 9-22-95

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:



MAR 08 1996

Dunn Development, Inc.
P.O. Box 58455
Salt Lake City, Utah 84158

Listing of Corporate Officers

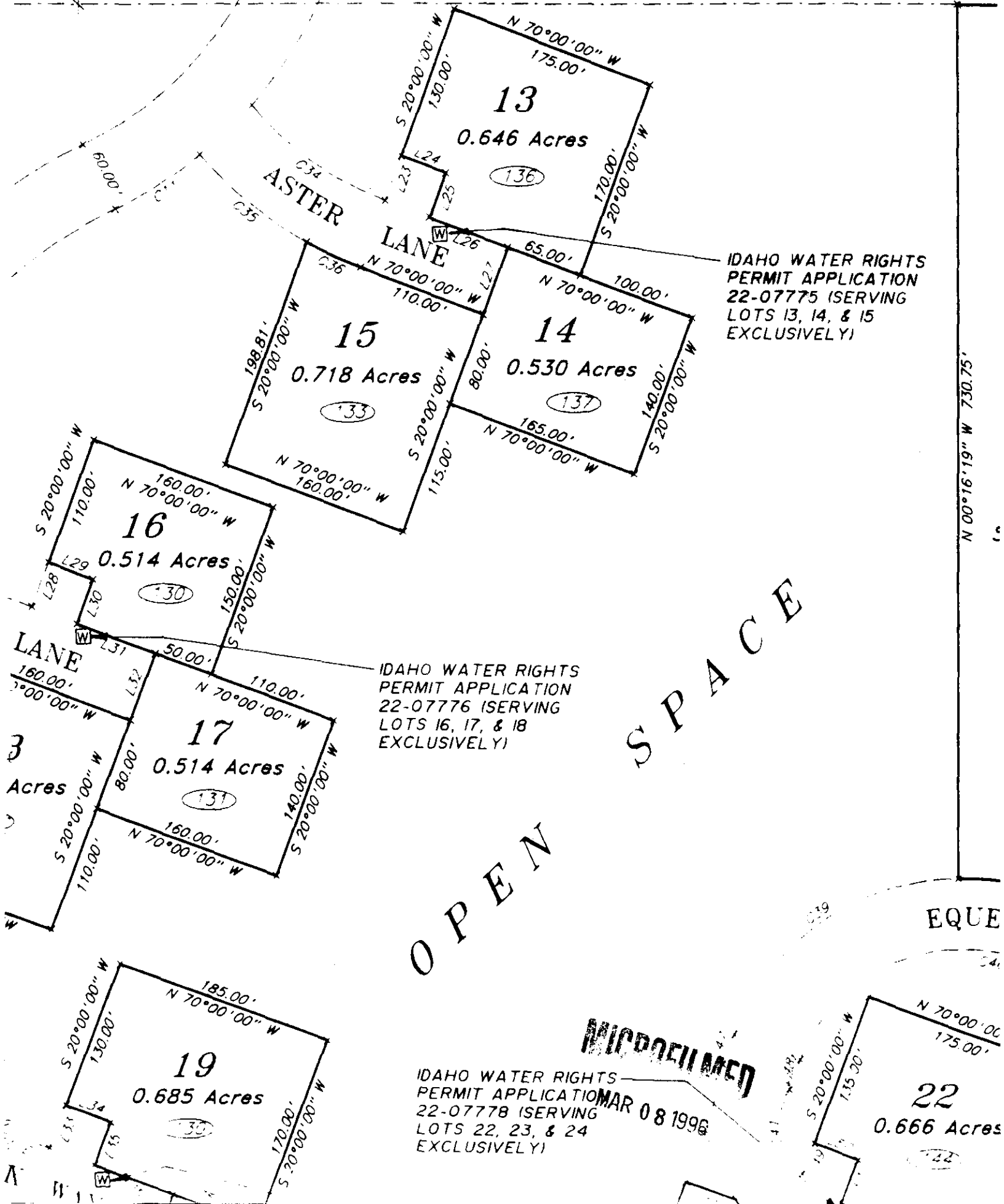
to accompany

Application for Permit
To Appropriate the Public Waters of the State of Idaho

President: K. T. Dunn

MICROFILMED

MAR 08 1996





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 24, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DUNN DEVELOPMENT INC
C/O KATHRYN T DUNN
PO BOX 237
DRIGGS ID 83422-0237

RE: License No. 22-7775 - 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)

MICROFILMED

APR 26 2001

CERTIFICATE OF MAILING

I hereby certify that on April 24, 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. 22-7775

**DUNN DEVELOPMENT INC
C/O KATHRYN T DUNN
PO BOX 237
DRIGGS ID 83422-0237**

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

**Kari Lynn Townsend
Secretary**

MICROFILMED

APR 26 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).

**MICROFILMED
APR 26 2001**

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. 22-7775 Date: 4-23-01 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 K

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 0.08 cfs

Fee Limit 0.20 cfs

Measured 0.11 cfs

Theoretical 0.11 cfs

Recommended Total Diversion Rate 0.08

Water Uses ✓

Change (P46)

Season of Use per new Standards

Irrigation cfs af

Stockwater cfs af

Domestic 0.08 cfs 3.6 af

cfs af

cfs af

Total 0.08 cfs 3.6 af

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

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W34)

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

cfs x 1.9835 x days = af (vs) acres x (FHR) = af

Remarks:

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

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

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

Contact:

Brooke Saindon (208) 354-2348
C/O American Realty West
195 N Main
P.O. Box 87
Driggs, ID 83422

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Owner:

Kathryn T. Dunn (K•Dunn Land Company)
P.O. Box 237 (208) 354-2888
Driggs, ID 83422

- OR -

Kathryn T. Dunn
350 N 425 W
Tetonia, ID 83422

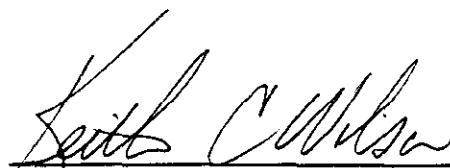
- OR -

Kathryn T. Dunn (208) 533-8119
662 N Saddle Hill Rd
Salt Lake City, UT 84103

NOTE



Owner would appreciate if a copy of all correspondence could be sent to the Driggs, Tetonia, & Salt Lake City addresses.


Keith C. Wilson
Senior Resource Agent

01/18/2001
Date

copy
from →

22-07783

MICROFILMED

APR 26 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 29 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-07775
208-354-2348
Phone No. 801-533-8119

1. Owner: DUNN DEVELOPMENT INC. % AMERICAN REALTY WEST

Current Address: P.O. Box 83 DRIGGS ID 83422

2. Accompanied by: No One EXAM DATE: 09/28/2000

Address: _____ Phone No. _____

Relationship to Permit Holder: -

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion: HASTINGS FARM COUNTRY HOMES

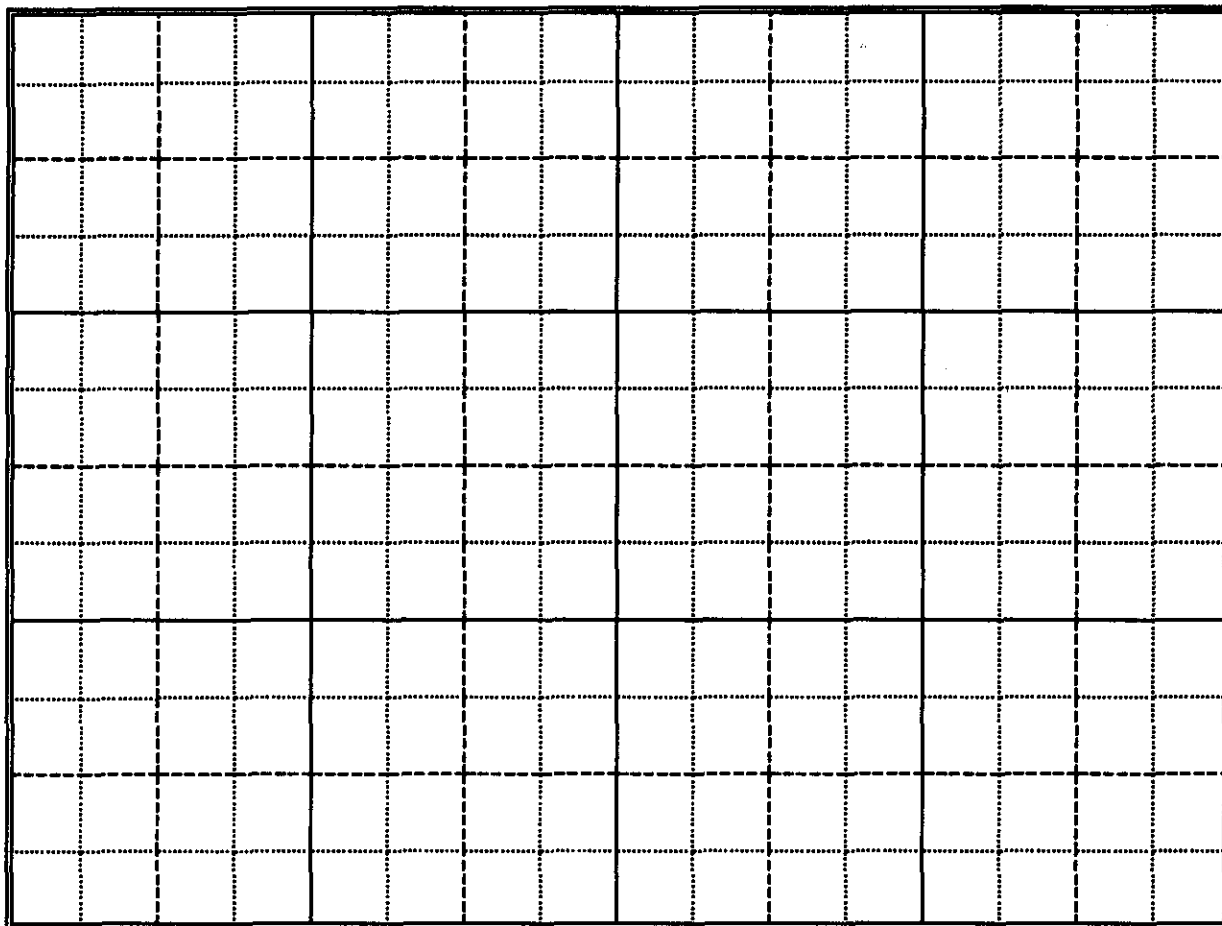
Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NW	18	5N	46E	Teton	On site / USGS Quad / Subdivision plat

2. Place(s) of Use: AKA Lots 13, 14, 15 Hastings Farm Country Homes Indicate Method of Determination On Site Subdivision Plat

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	46E	18																	

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APR 26 2001

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



Scale: 1" = _____

_____ 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
	UNKNOWN	5**		UNKNOWN	

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

** INFORMATION FROM PROOF OF BENEFICIAL USE

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Theoretical Q = 0.11 cfs

Dynamic pumping depth = 170ft **

SYSTEM PRESSURE 50 PSI

APR 26 2001

E. NARRATIVE/REMARKS/COMMENTS

CONTACT: BROOKE SAINDON % American Realty West

195 N Main

P.O. Box 87

DRIGGS Id 83422

PLACE OF USE aka Lots 13, 14 & 15 Hastings Farm Country Homes
ONLY Lots 13 & 14 occupied @ time of exam

* I talked w/ BROOKE SAINDON on 9/28/2000, she had no problem
with me going on-site. She knew nothing about the systems

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

MICROFILMED

APR 26 2001

F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached

$$Q = \frac{hp(8.814)(eff)}{Lft + (PSI \times 2.308)} = 0.11 cfs$$

Q LIMITED TO 0.08 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

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

2. Volume Calculations for Other Uses:

$$V_{DOM} = 1.2 cfs \times 3 = 3.6 cfs$$

H. RECOMMENDATIONS *HASTINGS FARM COUNTRY HOMES Lots 13, 14, & 15*

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>DOMESTIC (3 units)</i>	<i>1/1</i>	<i>12/31</i>	<i>0.08 cfs</i>	<i>3.6 cfs</i>
Totals:			<i>0.08 cfs</i>	<i>3.6 cfs</i>

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. AUTHENTICATION

Field Examiner's Name *Keith C Wilson* Date *9/28/2000*

Reviewer _____ Date _____

SEAL
MICROFILMED
APR 26 2001

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$\begin{aligned} Hp &= \text{Horsepower} = \underline{5}^* \\ Eff &= \text{Efficiency} = \underline{70\%} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Draw down}) \\ &\text{Static Water Level} = \underline{140} \text{ ft.} \\ &\text{Assumed Draw down} = + \underline{\quad} \text{ ft.} \\ &\text{Lift} = \underline{170}^* \end{aligned}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\quad} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{50}^* \text{ psi}$$

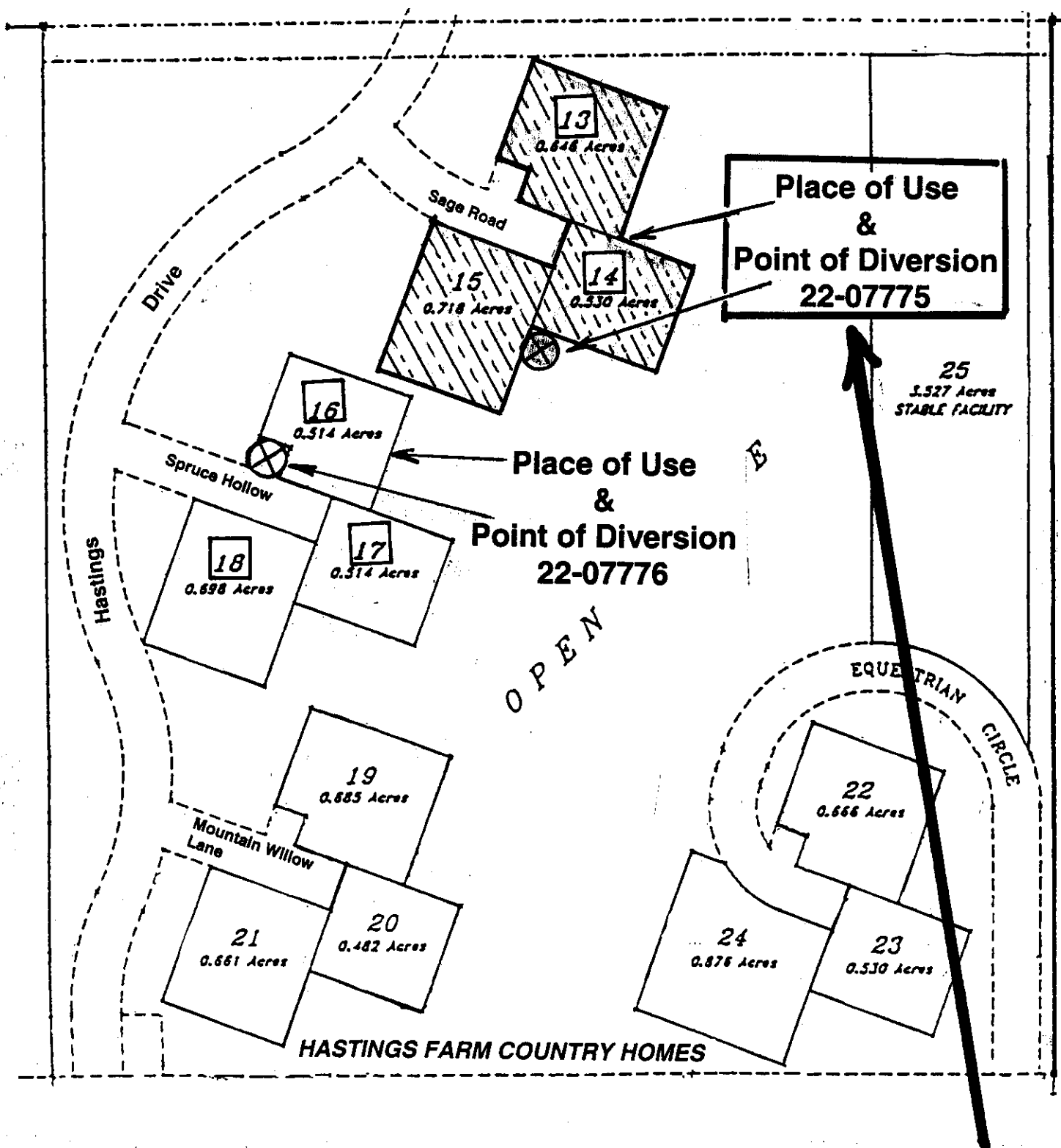
$$Q_{cfs} = \left[\frac{5}{Hp} \times 8.814 \times \frac{0.70}{Eff} \right] \div \left[\frac{170}{Lift} + \left(\frac{50}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{30.849} \right] \div \left[\underline{285.4} \right]$$

$$Q_{cfs} = \underline{0.11} \text{ cfs}$$

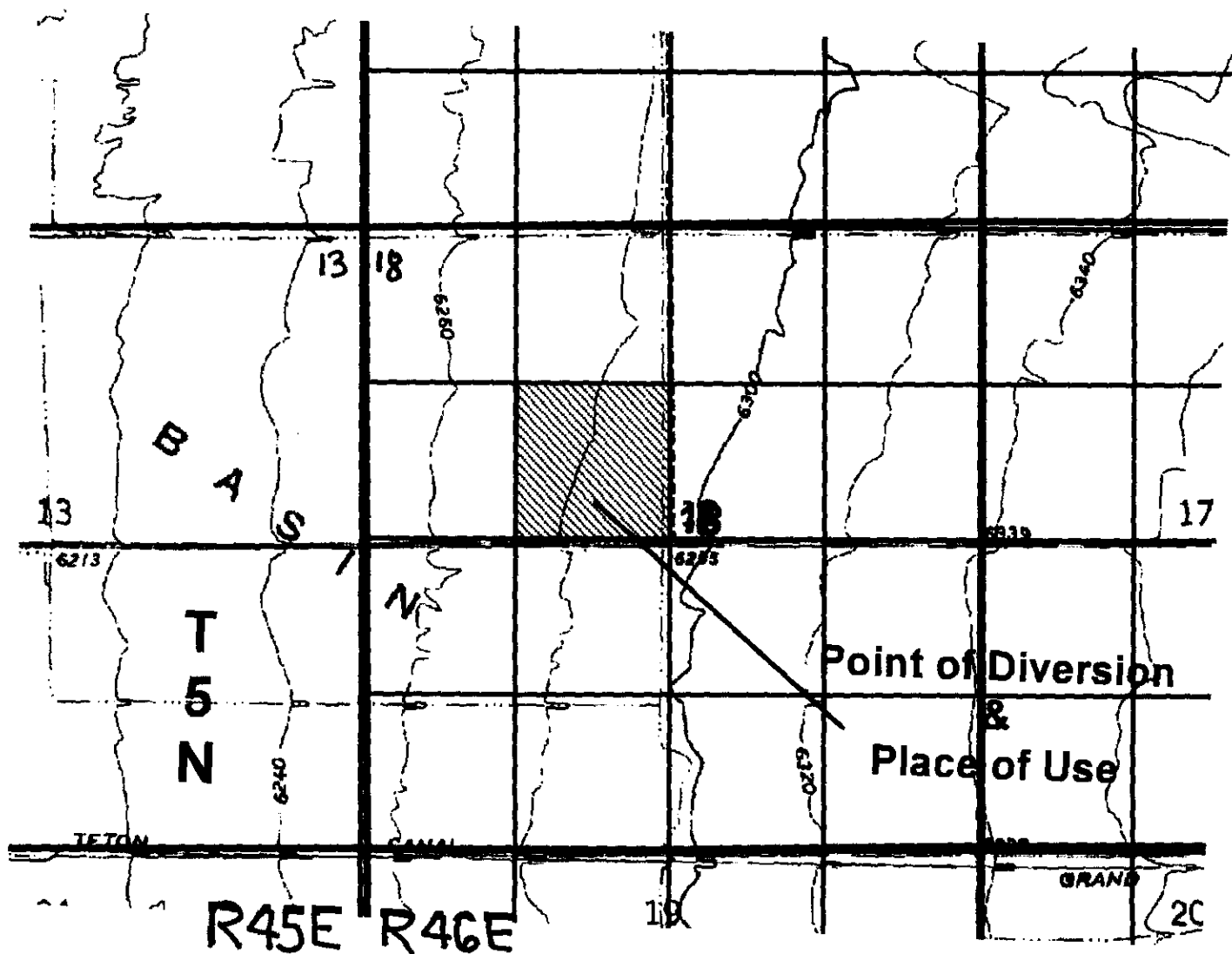
* Values from Proof of Beneficial
Use

MICROFILMED NO. **22-07775**
APR 26 2001



MICROFILMED
APR 26 2001

22-07775



-  Place of use.shp
-  T05n46e.shp
-  Sections.shp

Hastings Farm Country Homes
Lots 13, 14, & 15

22-07775

MICROFILMED
 APR 26 2001

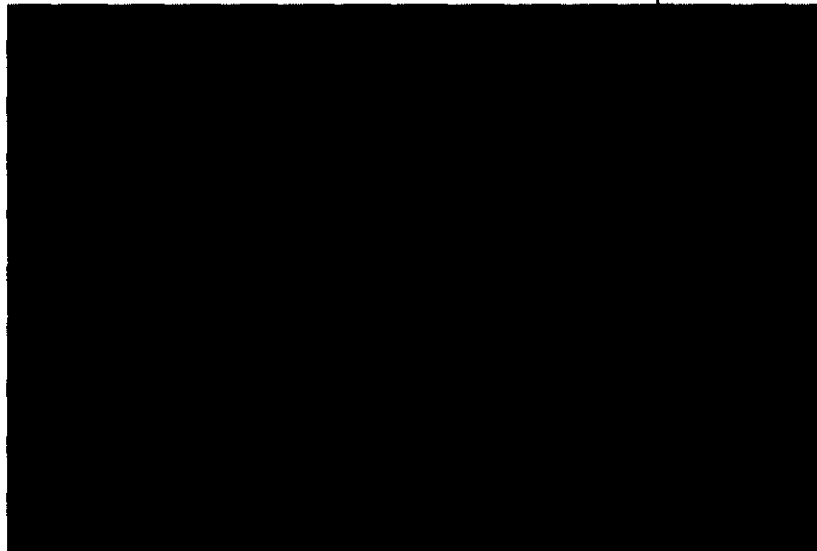
Home on
Lot 13



Home on
Lot 14

Lot 15
(Empty)

Point of Diversion



Dunn Development Inc.

Hastings Farm Country Homes Lots 13, 14, & 15

22-07775

MICROFILMED
APR 26 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Contact:

Brooke Saindon
C/O American Realty West
195 N Main
P.O. Box 87
Driggs, ID 83422

(208) 354-2348

Owner:

Dunn Development Inc
Kathryn T. Dunn (President)
P.O. Box 58455
Salt Lake City, UT 84158-8455

Additional Addresses:

350 N 425 W
Tetonia, ID 83452

662 N. Saddle Hill Rd
Salt Lake City, UT 84103
(801) 533-8119

22-07775

MICROFILMED
APR 26 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

August 10, 1999

DIRK KEMPTHORNE
GOVERNOR

DUNN DEVELOPMENT INC
PO BOX 237
DRIGGS ID 83422

KARL J. DREHER
DIRECTOR

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07775

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and \$100.00 license examination fee submitted for the above referenced permit.

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Please note that the priority date has been advanced to September 14, 1995, pursuant to Section 42-218a, Idaho Code.

Additionally, the license exam fee for a rate of diversion of 0.08 cfs is \$50.00. Therefore, you are entitled to a refund of the extra \$50.00 submitted with the proof form. I have initiated the refund process and you should receive it within seven (7) to ten (10) working days under separate cover.

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

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, please contact the **EASTERN** Regional Office of the department in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region, Fiscal

MICROFILMED

AUG 23 1999

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 22-01775 Reviewed by [Signature] Date 8-6-99

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? dom.
no Address same as permit?
no Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
yes Drilling permit required?
no Copy in the file? Drilling Permit No. 22-98-E-0030-000
200- Amount paid for permit yes Correct?
no Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required? no Required?
100- Amount Submitted + Installed?
no Correct? Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>4-19-99</u>	<u>109</u>	
Date proof due	<u>3-1-99</u>	<u>- 60</u>	
No. of days late		<u>= 49</u>	<u>> 9/14/95</u>
Priority Date	<u>7-27-95</u>	<u>+ 208</u>	
New Priority Date	<u>9-14-95</u>	<u>257</u>	

DEFICIENCIES OR ACTION ITEMS

Reinstate + advance priority to Sept. 14, 1995
Refund \$50.00 of lic. exam fee
proof Acceptance

DATA ENTRY

New Address P.O. Box 237 Proof Made 4/19/99
Driggs 83422

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

March 12, 1999

DUNN DEVELOPMENT INC
10 ASHLEY AVE
PO BOX 237
DRIGGS ID 834220237

LAPSE NOTICE

RE: PERMIT NO. 22-07775

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated December 31, 1998. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

MICROFILMED
AUG 23 1999

CERTIFICATION OF MAILING

I hereby certify that on 3-12-99
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

December 31, 1998

DUNN DEVELOPMENT INC
10 ASHLEY AVE
PO BOX 237
DRIGGS ID 834220237

PROOF DUE NOTICE

RE: PERMIT NO. 22-07775

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1999.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

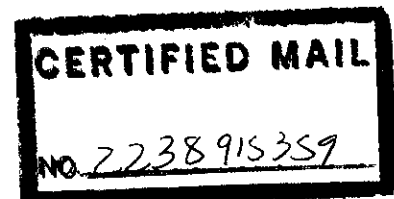
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
AUG 23 1999



MEMORANDUM

DATE: March 11, 1996
TO: Files 22-07775/7776/7777/7778/7779/7780/7781/7782
FROM: Cindy Zimmerman
SUBJECT: Address Correction

=====

Correspondence sent to the Salt Lake City post office box was returned "Box Closed, Unable to Forward, Return to Sender".

Per telecon today with Wendy of Dunn Land Development, the correct address is:

Dunn Development Inc
10 Ashley Ave
PO Box 237
Driggs ID 83422-0237

MICROFILMED

AUG 23 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 29, 1996

DUNN DEVELOPMENT INC
PO BOX 58455
SALT LAKE CITY UT 84158-8455

PERMIT APPROVAL NOTICE

RE: PERMIT NOS. 22-07775/22-07776/22-07777/22-07778/22-07779
22-07780/22-07781/22-07782

Dear Permit Holder:

Enclosed are copies of your approved applications for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permits.

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

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

If wells have not already been constructed you are required to obtain "drilling permits" from the department. The right to drill wells is not a part of these permits to appropriate water.

Please note these water rights limit irrigation occurring under the domestic use to one-half acre within each platted subdivision lot upon which a home has been constructed. These permits do not provide for irrigation of common areas or for irrigation of lots with no homes.

Sincerely,

Shelley W. Keen
Shelley W. Keen
Water Rights Supervisor

SK:rl
Enclosures

MICROFILMED

MAR 08 1996

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 22-7775 Name: Dunn Dev. Inc. Date: 2/23/96 Ad OK? ☒
Correct Fee? ☒ Receipt #: E02/326 Priority: 7/27/95 ☒ Gvmt Lts: ☒

AREA OF CONCERN? 42-111 exempt No/Yes ESRP Mor GWMA Trust/Non-trust
PROTESTED: - 020 (Protest Agr) or W19 (See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065 (if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. 016-46B-P23, P99
No WD permit? - 016-46B-P23 (post 7/1/87)
irr. in WD - P03 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):

Water District (dem) - 005 (req) WD # <SEE MAP & LISTING>
+ 0.2 cfs - 01J (meas dev) - P08
=/- 0.2 cfs - 01H (lock dev) - P01 or No MD
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (surface) - 021 (Boise R † Star Bridge); 27A (Payette R); NA
Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - P10; 044 (N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E - P10
Power - 08A-17K-025-027-01M-01F (P19) - 09E (P10);
+25 cfs - P18; 17G (FERC) or 17M (FERE); 18B-P09
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

W01/3 W04 W05 P53
PU = LT 13-15, Hastings Farm Country Home PUD.
3-1-1999

JORGENSEN ENGINEERING
and
LAND SURVEYING, P. C.

P.O. Box 1142
265 E. Simpson Ave.
Jackson, Wyoming 83001
Phone 307-733-5150
FAX 307-733-5187

February 20, 1996

Shelley Walter Keen
Water Rights Supervisor
Idaho Department of Water Resources
1301 North Orchard Street
State House Mall
Boise, Idaho 83720-9000

RECEIVED

FEB 21 1996

Department of Water Resources

VIA Federal Express

Re: Dunn Development
Water Rights Permit Applications 22-07775 through 22-07782
Project No. 94130.00

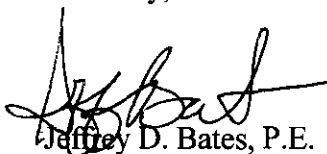
Dear Mr. Keen:

Enclosed please find the requested plat with the information detailing points of use, points of appropriation, and lot size for the referenced applications. Also enclosed are photocopies of each portion of the plat covering the individual applications.

Thank you for extending the deadline, referenced in your January 16, 1996 letter, to February 23, 1996.

Please call if you need further information or have any questions regarding these applications.

Sincerely,



Jeffrey D. Bates, P.E.

JDB/mw

Enclosures

cc: Jim Verdone, Verdone Landscape Architecture
Katherine Dunn, Dunn Development, Inc.

RECEIVED

MAR 08 1996

MEMORANDUM

DATE: February 14, 1996
TO: File No. 22-07775
FROM: Cindy Zimmerman *Cy.*
SUBJECT: Telephone Conversation

=====

Jeff Bates, architect for Dunn Development called today in response to Shelley's 1/26/96 'Notice of Intent to Deny Application for Permit' letter. Mr. Bates received a faxed copy of the notice from Kathryn Dunn today. Mr. Bates will provide the subdivision plats as requested but will not be able to meet the February 16, 1996 deadline. Mr. Bates is requesting an additional week to respond.

Shelley and I agree to extend the response period to February 23, 1996. Mr. Bates committed to having the subdivision plats in this office by then.

MICROFILMED
MAR 08 1996

MEMORANDUM

DATE: January 16, 1996
TO: Shelley Keen, File Nos. 22-07775 through 22-07782
FROM: Cindy Zimmerman 
SUBJECT: Request for additional information

=====

On September 28, 1995, I called the applicant and spoke with Kathryn Dunn, sole owner of Dunn Development Inc. I requested a subdivision map identifying the location of the wells, the lots served by each well, the location and size of each lot, and the location of any common areas. I was told by Kathryn that she would send me the subdivision plat.

On November 3, 1995, I wrote a letter requesting the subdivision plat. On November 30, 1995, I wrote another letter requesting the subdivision plat and notifying the applicant that if we did not receive the plat we would void these applications.

On December 29, 1995, at 11:45, I called Kathryn Dunn to again request the subdivision plats. Ms. Dunn was not in until the afternoon; I left a message with her secretary requesting the subdivision plat and that Ms. Dunn call me back.

As of today, I have not received the subdivision plat or any response to either of my letters or my 12/29/95 telephone call.

I recommend voiding these applications per 42-204, additional information was requested but not supplied within 30 days.

RECEIVED

MAR 08 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 16, 1996

DUNN DEVELOPMENT INC
PO BOX 58455
SALT LAKE CITY UT 84158

RE: Applications for Permit 22-07775, 22-07776, 22-07777, 22-07778, 22-07779, 22-07780, 22-07781, and 22-07782

NOTICE OF INTENT TO DENY APPLICATIONS FOR PERMIT

Dear Applicant:

On November 3, 1995, and again on November 30, 1995, the Department wrote you to request additional information in support of the Applications for Permit to Appropriate the Public Waters of the State of Idaho listed above. The Department has received no reply from you. If the following information is not submitted to the Department by February 16, 1996, the Department will deny the applications under the provisions of Idaho Code §42-204.

- For each application please submit a copy of the subdivision plat identifying the intended location of the well(s), the lots receiving water diverted from each well, the dimensions and size of each lot, and the dimensions and size of any common areas or lots for which no dwelling is intended.

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK

MICROFILMED

MAR 08 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

November 30, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KATHRYN T DUNN
DUNN DEVELOPMENT INC
PO BOX 58455
SALT LAKE CITY UT 84158-8455

RE: Applications for Permit Nos. 22-07775 through 22-07782

Dear Ms. Dunn:

In my letter of November 3, 1995, I requested additional information pertaining to these applications; specifically, I requested that you submit to the department a copy of the subdivision plat showing the location of the homes identified on the applications.

I have not received this requested information. I need the subdivision plat to clarify water diverted.

The purpose of this letter is to again request that you provide a subdivision plat identifying the location of the wells and lots served by each well, the location of housing and commercial lots, and any common or non-domestic areas, as well as the size of each lot.

I will hold processing on your applications for 30 days. If I do not receive the requested additional information within the 30-day period, I will start proceedings to void these applications.

If you have any questions, you may contact me directly at (208) 327-7944.

Respectfully,

Cindy Zimmerman
Water Resource Agent

RECEIVED

MAR 08 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

November 3, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KATHRYN T DUNN
DUNN DEVELOPMENT INC
PO BOX 58455
SALT LAKE CITY UT 84158

RE: Applications for Permit Nos. 22-07775 to 22-07782

Dear Ms. Dunn:

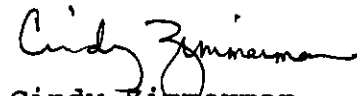
The above referenced applications have been sent to the State Office for final review and processing; however, before the application process can continue, I will need some additional information.

Each of the applications list a domestic use for 3 homes, but subdivision plats identifying the location of the homes were not included with the applications. I need the subdivision plats to clarify where water will be diverted. Please provide a copy of the subdivision plat for each application identifying the location of the well(s), the lots served by each well, the size of the lots, and the location of any common or non-domestic areas.

I will hold further processing on your applications for 14 days pending your response. Please submit this information as quickly as possible within the 14-day period to prevent any further undue delay in processing your applications.

If you have any questions, you may contact me directly at (208) 327-7944.

Sincerely,


Cindy Zimmerman
Water Resource Agent

RECEIVED
MAR 08 1996

RECEIVED
SEP 27 1995

Form No. Department of Water Resources
4/87

Dist. for staffing 7-31-95
Submitted for advertising 7-31-95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWS DATE 7-31-95 APPLICATION NO. 22-7775
Dunn Development
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 and/or volume)
☒ County
☒ Quantity (flow and/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

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☐ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water 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

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

SEND COPIES TO _____ Idaho Dept. of Health & Welfare _____ U.S. BLM
None _____ Idaho Dept. of Fish & Game _____ U.S. Forest Service
 _____ Idaho Dept. of Lands _____ Water District
 _____ Adjudication Bureau Unit _____ Other _____

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

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
 Final date for protest 9-4-95
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ 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 7-27-1995
By HWS Date 9-22-95

See below for additional information

By _____ Date _____

ADDITIONAL INFORMATION

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City	Idaho Fish & Game	Irrigation District
County	Idaho Health & Welfare	Canal Company
Reservations	Division of Environment	Other

Project impacts/implications report

COMMENTS

[illegible]

AFFIDAVIT OF PUBLICATION

State of Idaho

County of Teton

I, Nadine Soore, being first duly sworn, depose and say that I am the secretary of the Teton Valley News, a newspaper as defined by Idaho Codes Annotated, Section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at Driggs, in Teton County, Idaho, having a general circulation in said county, and that said newspaper has been printed in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement, or publication of

Public Notice

And affiant further says that said attached notice, advertisement, or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for two consecutive issues thereof; first publication having been made on the 17 day of Aug, 1975.

And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from typed matter, of at least sixteen inches deep.

Nadine Soore

State of Idaho

County of Teton

On this 19 day of September in the year of 1975, before me, a Notary Public, personally appeared Walter E. Soore, known or identified to me to be the person whose name subscribed to 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.

Bonnie Soore

Notary Public for Idaho

Residing at Driggs Idaho

My commission expires 10/24/78

RECEIVED
SEP 27 1975
Department of Water Resources

Date filed: 7/27/1995
In: TETON County
T05N R46E S18 SENW

22-07779
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: NENW Section
18 T 05N R 46E in TETON
County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 NENW

22-07780
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: NENW Section
18 T 05N R 46E in TETON
County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 NENW

22-07781
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: NENW Section
18 T 05N R 46E in TETON
County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 NENW

22-07782
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: NENW Section
18 T 05N R 46E in TETON
County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 NENW

22-07783
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: SENW Section
18 T 05N R 46E in TETON
County.
Use: DOMESTIC (0.050 CFS)
Total Diversion: (0.050 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 SENW

PUBLIC NOTICE

The following application(s) have been filed to appropriate the public waters of the state of Idaho:

22-07779
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: SENW Sec 18 T
05N R 46E in TETON County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 SENW

22-07776
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: SENW Section
18 T05N R 46E in TETON
County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 SENW

22-07777
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: SENW Section
18 T 05N R 46E in TETON
County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Date filed: 7/27/1995
In: TETON County
T05N R46E S18 SENW

22-07778
Dunn Development Inc
PO Box 58455
Salt Lake City, UT 84158

Source: GROUNDWATER
Diversion Pt: SENW Section
18 T 05N R 46E in TETON
County.
Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)

This ground(s) was/were subject to all prior water rights. Prospects must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before September 4, 1995.

Karl J. Dreher,
Director

Published in the Teton Valley News August 17, and 24, 1995

CONFIRMED

SEP 08 1975



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AUGUST 7, 1995

TETON VALLEY NEWS
P.O. BOX 509
DRIGGS, ID 83422

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 4, 1995.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED
MAR 08 1996

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

MICROFILMED

MAR 08 1986

22-07775

DUNN DEVELOPMENT INC
PO BOX 58455
SALT LAKE CITY, UT 84158

Source: GROUNDWATER

Diversion Pt: SENW Sec 18 T 05N R 46E in TETON County.

Use: DOMESTIC (0.080 CFS)

Total Diversion: (0.080 CFS)

Date Filed: 7/27/1995

In: TETON County
T05N R46E S18 SENW

RECEIVED

MAR 08 1996

August 7, 1995

DUNN DEVELOPMENT INC
PO BOX 58455
SALT LAKE CITY UT 84158

RE: Notice of Applications for Permit No.'s 22-07775, 22-07776, 22-07777, 22-07778, 22-07779, 22-07780, 22-07781, 22-07782, and 22-07783

Dear Applicant:

The Department of Water Resources acknowledges receipt of your water right applications. This office is currently in the process of advertising the application in the Teton Valley News on August 17 & 24, 1995. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the applications and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ/rb

RECEIVED

MAR 8 1996