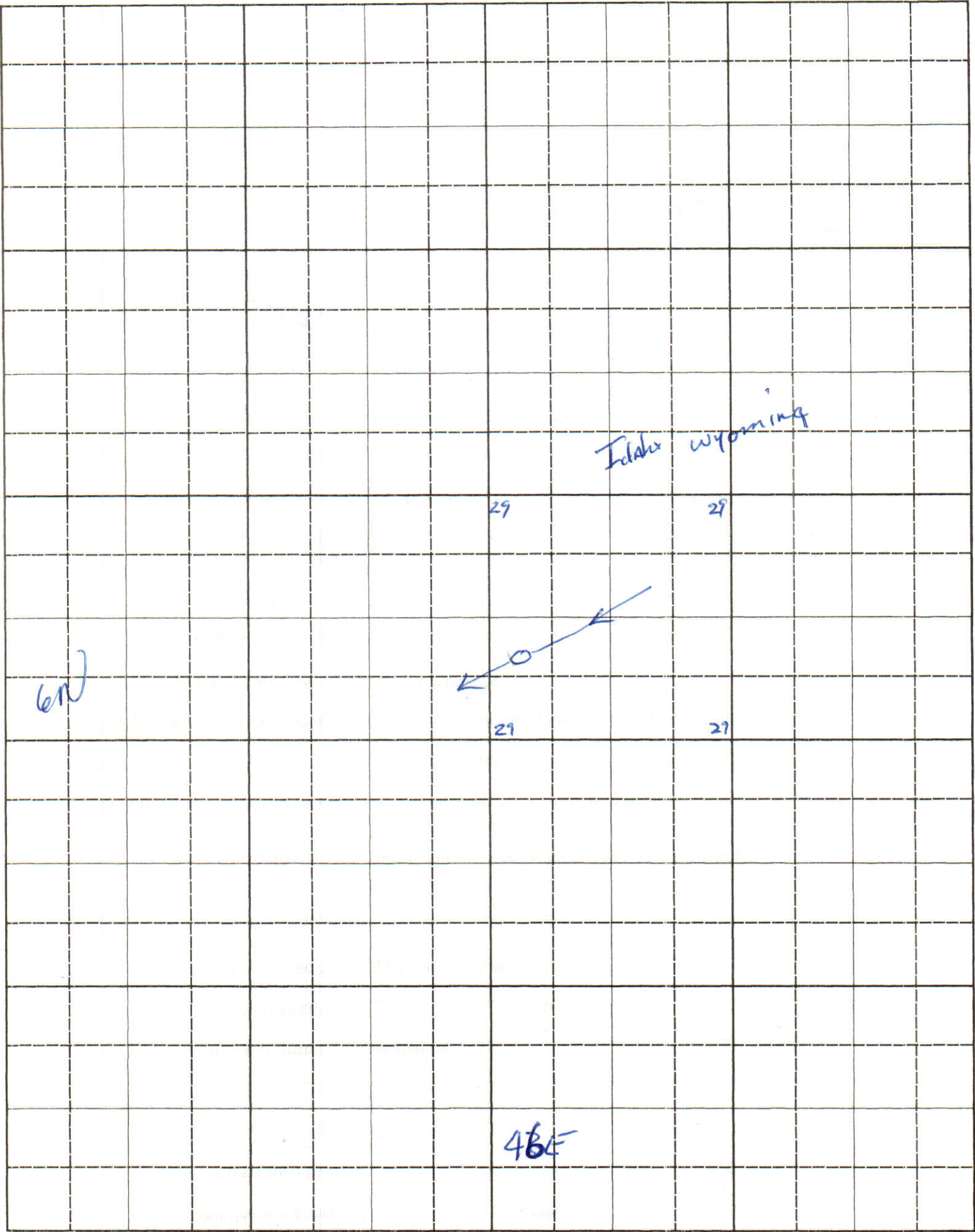


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

✓ John D. Brewer  
✓ Lee R. Mortimer (Applicant)  
✓ Robert  
✓ O. R. Mortimer

**AFFIDAVIT OF PUBLICATION**

State of Idaho )  
 ) ss  
County of Teton )

I, Sharon Hastings  
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

Galloway Property Group  
# 22-7305

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 2 consecutive issues thereof; first publication having been made on the 20 day of Dec, 1979, and last publication on the 27 day of Dec, 1979.

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 type matter, of at least sixteen inches deep.

Sharon Hastings

Subscribed in my presence and sworn to before me this 7 day of Jan, 1980.

(SEAL) Notary Public for the state of Idaho, residence and postoffice address, Driggs, Idaho.

Nathaniel C. Neilson  
My Commission expires

July 8, 1972

**NOTICE OF APPLICATION  
FOR WATER PERMIT**

Notice is hereby given that Galloway Property Group, Box 1560, Sun Valley, Idaho 83353 has on 9-04-79 submitted Application No. 22-7305 for a permit to appropriate 50 acre feet per annum of water from Little Dry Creek tributary of Teton River by means of an earth-fill dam within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 29, T. 6N, R. 46E, B.M., Teton Co. to be used from 1/1 to 12/31 for storage for recreation within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 29, T. 6N, R. 46E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before January 7, 1980.

C. Stephen Allred  
Director

Published in the Teton Valley News, Driggs, on December 20 and 27, 1979.

ok  
kw  
1/9/80

**RECEIVED**

JAN 7 1980

Department of Water Resources  
Eastern District Office

**MICKEL**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

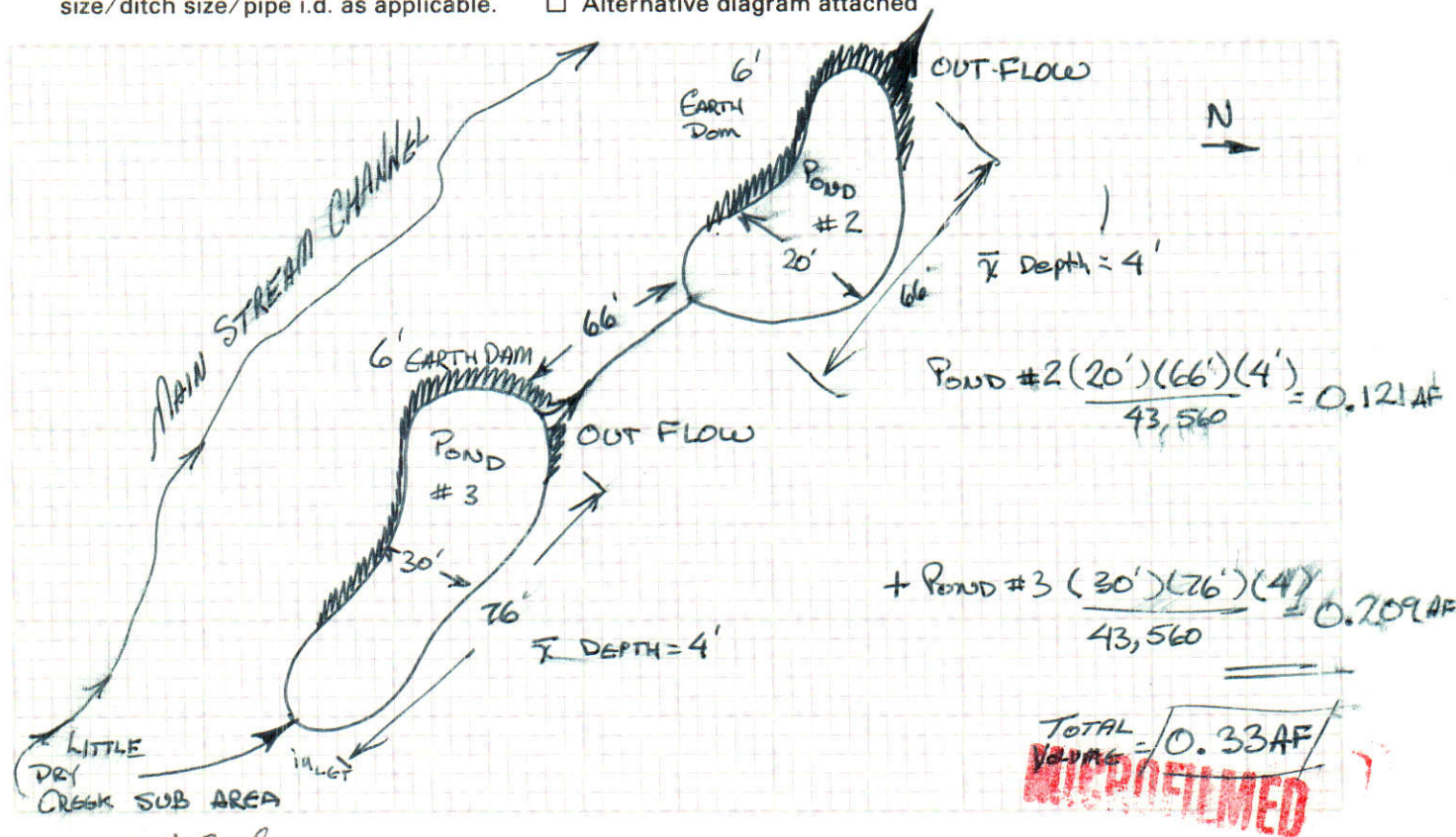
Permit No. 22-7305  
Phone No. 354-2348  
1. Owner: GALLOWAY PROPERTY GROUP  
Current Address: P.O. Box 1560, SUNNYSIDE, ID. 83353  
2. Accompanied by: BILL MURRAY EXAM. DATE: 3-AUG-1987  
Address: P.O. Box 40, DRIGGS, ID. 83422 Phone No. 456-2518  
Relationship to Permit Holder: \_\_\_\_\_  
3. Source: LITTLE DRY CREEK tributary to TETON RIVER

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: NONE ☐ Copies Attached  
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = No Scale

2. ☐ Copy of U.S.G.S. 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 or more).  
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

APR 11 1991

22-7305

IDAHO

WYOMING

R45E R46E

T  
6  
N

POINT OF DIVERSION  
PLACE OF USE

NOT FILMED  
APR 11 1991

Badger

Crook

29 WHEEL

North

32

T 45 N  
T 44 N

South

IDAHO  
WYOMING

24

6

5

Creek

CANAL

CANAL

CANAL

Creek

KILPACK

LEIGH

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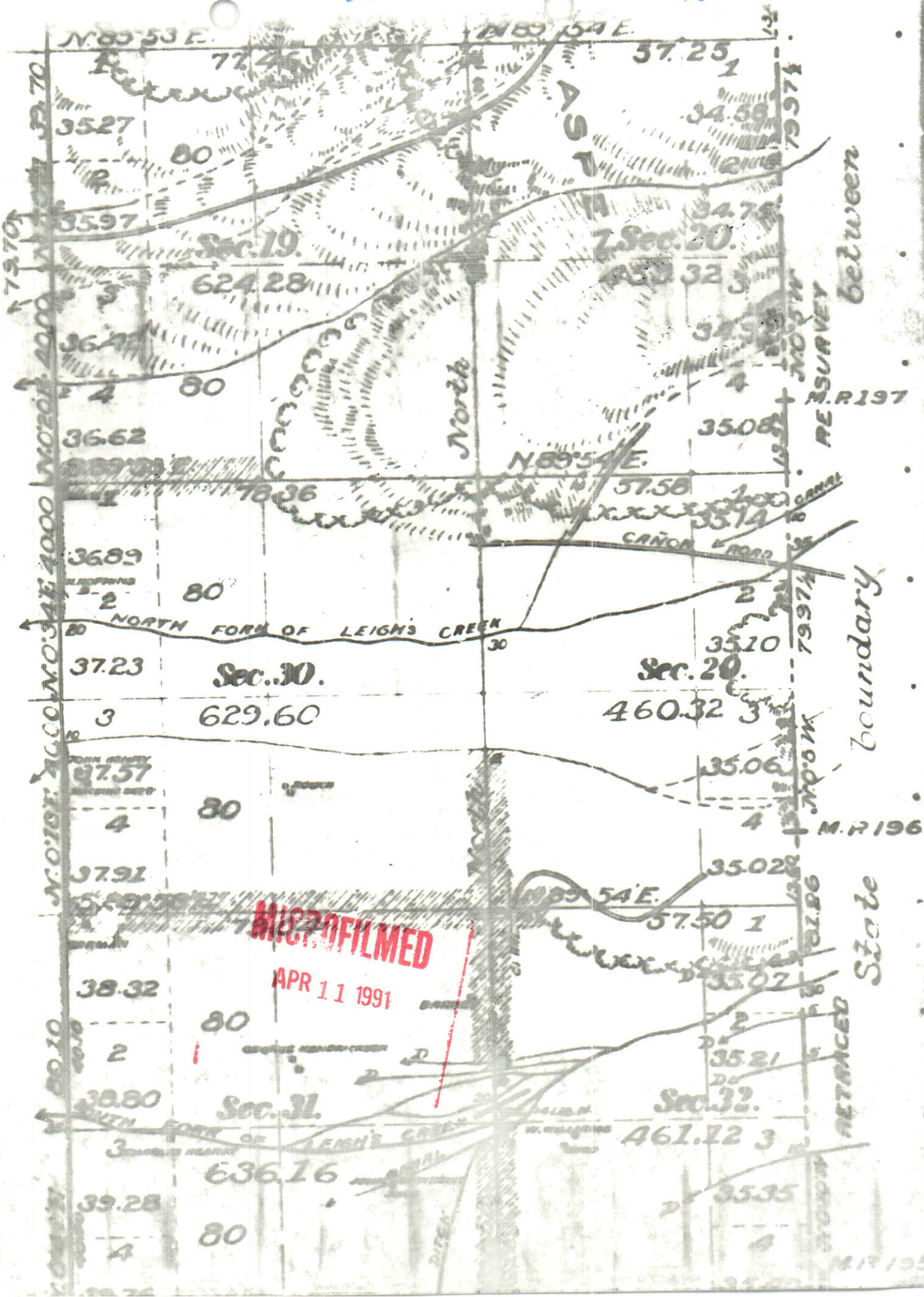
APR 11 1991

MICROFILMED

22-7305

22-7305 6N 46E

RETRAC



State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 22-07305

Priority: September 8, 1979 Maximum Storage Volume: 0.3 AF

This is to certify, that GALLOWAY PROPERTY GROUP  
P.O. BOX 1560

SUN VALLEY, ID 83353 has complied with the terms and conditions  
of the permit, issued pursuant to Application for Permit dated September 4, 1979; and  
has submitted Proof of Beneficial Use on January 14, 1985. An examination indicates  
that the works have a storage capacity of .300 af of water from:

LITTLE DRY CREEK tributary to TETON RIVER

source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| RECREATION STORAGE    | 01/01 to 12/31       |                          | 0.3 AF               |

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 29, Township 06N, Range 46E  
TETON County

PLACE OF USE: RECREATION STORAGE  
TWN RGE SEC

06N 46E 29 NWSW

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right is subject to control by the watermaster of State Water District No. 01

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this 26<sup>th</sup>  
day of March, 1991.

*David R. Tuttle*  
for R. Keith Higginson, Dir

**MICROFILMED**

APR 11 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING  
DEVICE REQUIREMENT FOR PERMIT NO. **22-7305**

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:  
"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1<sup>st</sup> day of June 1981.

  
GLEN SAXTON  
Chief, Operations Bureau

**MICROFILMED**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

**APPROVED**

1. Name of applicant Galloway Property Group Phone 354-2348

Post office address Box 1560, Sun Valley, Idaho 83353

2. Source of water supply Little Dry Creek which is a tributary of Teton River

3. Location of point of diversion is NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 29 Township 6N

Range 46E B.M. Teton County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

5 AF Storage for  
Amount 50 AF for Recreation purposes from 1/1 to 12/31 (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:

a. \_\_\_\_\_ cubic feet per second and/or b. Set. 12, 1980  
50 5 AF acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Earth-fill dams 4 ponds will be built

b. Height of storage dam 7 feet, active reservoir capacity 50 5 AF acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage 1/1 to 12/31 inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is five years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 29 Township 6N

Range 46E B.M.

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_.

(5) If water is to be used for other purposes describe: Common-water recreation area for housing subdivision.

**RECEIVED**

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

**Total number of acres to be irrigated**

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

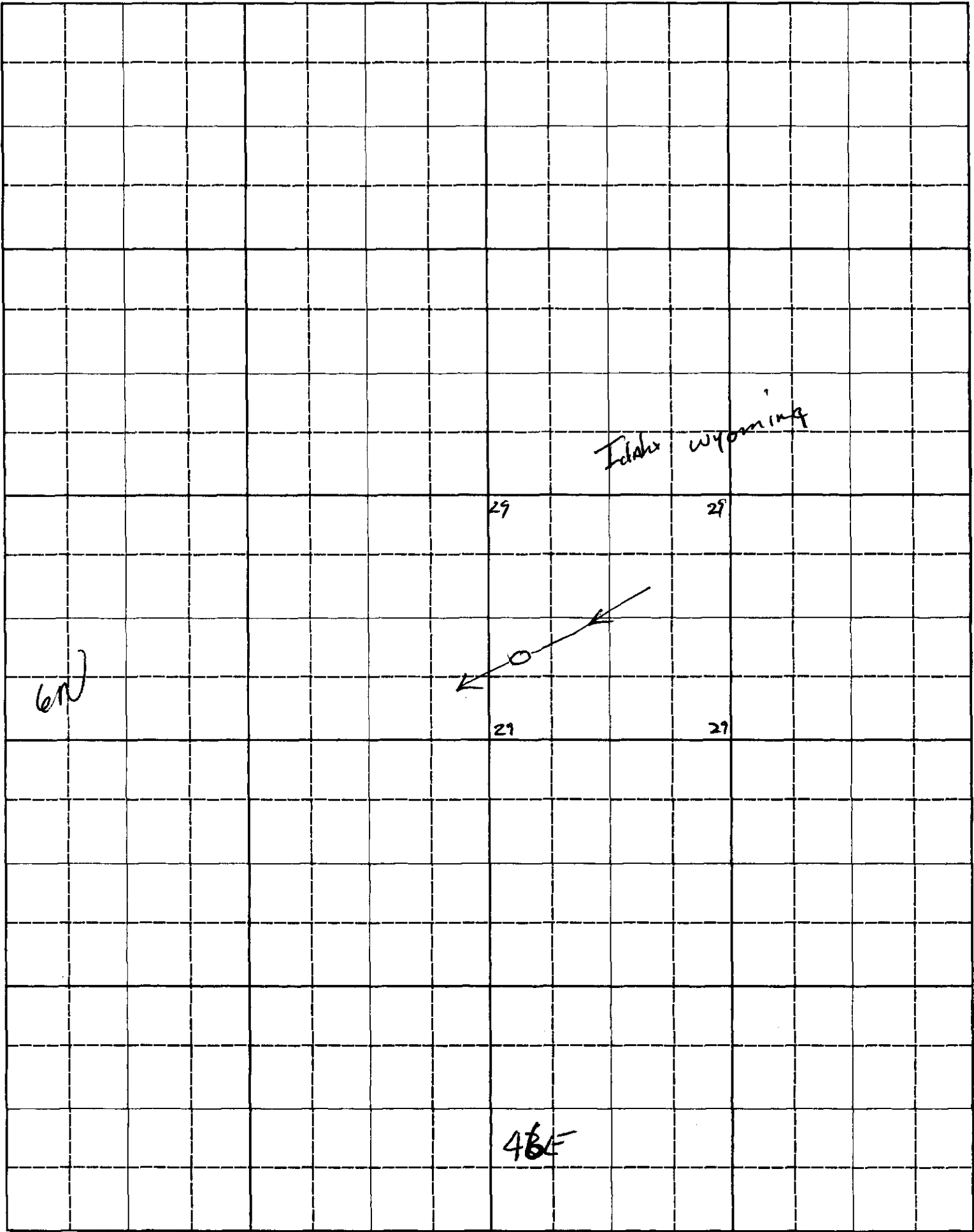
9. a. Who owns the property at the point of diversion Applicant

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

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

## 10. Remarks

11. 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.

✓ John D. Brewer  
✓ Lee R. Mortimer (Applicant)  
✓ Robert H. Mortimer  
✓ O. B. Mortimer

Proposed Priority 9/4/79 Received by dh Date 9-04-79 Time 11:30 a.m.  
Preliminary check by BR Fee \$ 35 92-239  
Receipted by dh Date 9-05-79 #13693  
Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_  
Published in Feton Valley News  
Publication dates 9/13 9/20/79  
Publication approved kw Date 1/9/80  
Protests filed by: Fremont-Madison Irr. District,  
Mary Smith attorney.  
protest withdrawn 2/12/80  
Copies of protests forwarded by kw  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by EMC

**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. 22-7305, and said application is hereby approved.

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 March 1, 19 85.
- 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. Other: (1) Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured. (2) Use of water under this permit is subject to control by the watermaster of State Water District # 01, Snake River.

Witness my hand this 3<sup>rd</sup> day of March, 19 80.

L. Glen Saxton  
Chief, Operations Bureau

SMITH, HANCOCK & MO.

*Attorneys at Law*

MARY SMITH•

J. D. HANCOCK

BRENT J. MOSS

W. LLOYD ADAMS (1885-1969)

January 4, 1980

30 SOUTH 2nd WEST  
REXBURG, IDAHO 83440  
PHONE: 208 - 356-5493

529-4390

Mr. Ronald D. Carlson  
Eastern Region Supervisor  
1515 Lincoln Road  
Idaho Falls, Idaho 83401

Dear Mr. Carlson:

I am enclosing for filing, the protest of the  
Fremont Madison Irrigation District against application  
22-7305, Galloway Property Group.

Yours very truly,

*Mary Smith*  
Mary Smith

k1

Enclosure

**RECEIVED**

JAN 7 1980

Department of Water Resources  
Eastern District Office

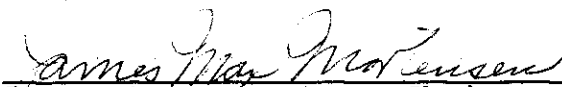
BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF

WATER ADMINISTRATION  
-----

IN THE MATTER OF THE APPLICATION :  
OF GALLOWAY PROPERTY GROUP, NUMBER : PROTEST OF THE FREMONT-  
22-7305 FOR A PERMIT TO APPROPRIATE : MADISON IRRIGATION  
50 ACRE FEET PER ANNUM FROM LITTLE : DISTRICT.  
DRY CREEK TRIBUTARY OF TETON RIVER. :  
-----

Comes now the Fremont-Madison Irrigation District, a quasi-municipal corporation of the State of Idaho, with its office and post office address at St. Anthony, Idaho, and in response to notice given that Galloway Property Group, Box 1560, Sun Valley, Idaho 83353 made application No. 22-7305 for a permit to appropriate 50 acre feet per annum of water from Little Dry Creek Tributary of Teton River by means of an earth fill dam within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 29, Township 6 North, Range 46 E.B.M., Teton County, to be used from January 1, to December 31 for storage for recreation within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 29, Township 6 North, Range 46 E.B.M., and makes the following Protest against the approval of such application:

1. That the proposed diversion will reduce the quantity of water under existing water rights.
2. That the supply of water in Little Dry Creek Tributary of Teton River is not sufficient to warrant appropriation from January 1 to December 31 for the proposed diversion.
3. That the application for said permit is made for speculative purposes.
4. That such diversion will conflict with local public interest.

  
James Max Mortensen, Chairman  
Board of Directors of the Fremont-  
Madison Irrigation District.

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JAN 7 1980

Department of Water Resources  
Eastern District Office

STATE OF IDAHO,     )  
                              (SS  
County of Madison.)

JAMES MAX MORTENSEN, being first duly sworn, says that he is the Chairman of the Board of Directors of the Fremont-Madison Irrigation District and he makes this verification for and on behalf of said District; that affiant has read the foregoing Protest and knows the contents thereof and as to the matters and things therein alleged, affiant believes the same to be true.

James Max Mortensen

Subscribed and sworn to before me this 4th day of  
January, 1980.

Mary Smith  
Notary Public, residing at  
Rexburg, Idaho. My commission  
expires: Life.

(Seal)

**RECEIVED**

JAN 7 1980

Department of Water Resources  
Eastern District Office

**MIT-10**

AFFIDAVIT OF PUBLICA N

State of Idaho )  
 ) ss  
County of Teton )

I, Sherry Hastings  
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  
that 78 consecutive weeks prior to  
the first publication of the attached  
notice, advertisement or publica-  
tion of

Callaway Property Group  
#22-7305

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 2  
consecutive issues thereof; first  
publication having been made on  
the 27 day of Dec, 1979,  
and last publication on the 27 day  
of Dec, 1979.

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 type matter, of  
at least sixteen inches deep.

Sherry Hastings

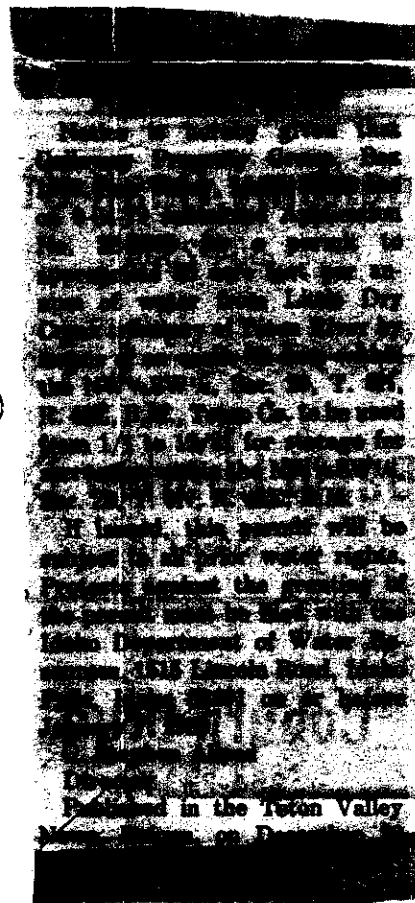
Subscribed in my presence and  
sworn to before me this 3 day of  
Jan, 1980.

(SEAL) Notary Public for the state  
of Idaho, residence and postoffice  
address, Driggs, Idaho.

Nathaniel C. Neilson  
My Commission expires

July 8, 1972

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kw  
1/9/80



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JAN 7 1980

Department of Water Resources  
Eastern District Office

MICROFILMED

April 1, 1991

GALLOWAY PROPERTY GROUP  
P.O. BOX 1560  
SUN VALLEY, ID 83353

RE: WATER RIGHT NO. 22-07305

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED  
APR 11 1991

March 13, 1991

GALLOWAY PROPERTY GROUP  
P.O. BOX 1560  
SUN VALLEY, ID 83353

RE: WATER RIGHT NO. 22-07305

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right. The draft reflects the actual use of water found by a representative of our department at the time of the field examination. Please review the draft and if you do not concur with the information or if you have any questions, let me know within 10 days.

The claim you filed on this right under the ongoing Snake River Basin Adjudication contains the same information that you listed on the original permit. Before the Department will issue a license reflecting the actual development occurring under this right, you should amend your claim to match the information on the proposed license. Enclosed for your signature is the Amended Claim form with the license information already listed.

Once I receive the signed amended claim, the water right license will be issued and your claim to this right will be included in the Director's Report summarizing the water uses in the Snake River Basin. (See the attached table for a summary of the water appropriation process.)

Sincerely,

SHARLA CURTIS  
Technical Records Specialist

SC:blm

Enclosure

**MICROFILMED**  
**APR 11 1991**

# LICENSE REVIEW CHECKLIST

Permit No. 22-7305

Name/Address change? ok ☒

Priority date Advance? yes ☒ no ☐  
Memo to advance ☒ ROXANE

Order to reinstate needed? yes ☐ no ☒

Total cfs Limited by fee ☐

Limited by capacity ☒

Total volume Limited by flow ☐

Capacity Chart checked for AF rate/ac N/A

Actual measurement checked STORAGE

Theoretical checked ☐

If greater than permit, check for other rts ☐

Source Changed? yes ☐ no ☒  
If so, is memo needed to clarify? ☐

P/D Verify with map ☒ permit ☒  
More than one per 1/4? Remember remark ☐  
Check p/d overlap N/A

Uses Check irrigation period of use w/ chart N/A

P/U Verify with map ☒ permit ☒  
> 5 acres irrigated, run overlap N/A

Remarks More than one p/d in 1/4  
Description of non-irrig uses ☐  
Special overlap condition ☐

## Conditions -

Measuring device Box  
W.Master control Box  
Overlap Box  
Water quality Box  
Other Box

## Dates/Misc. -

Water Dist 01  
App Rec'd ☒  
Proof Rec'd ☒

## CHECK FOR ADJ. CLAIM

Needed according to proof filed ☒  
Filed - needs amended ☒  
Add'l fee required ☒  
Not filed - ☐  
Not needed ☐

APR 11 1991

## Comments/Changes to Examiner's Recommendations:

License 10-day ☒ 30-day ☐

Back of field report signed? ☒  
Reviewer SCutter Date 3/8/91 Review time 7 min.

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 22-7305

FROM: ROXANNE MC CARTHY

RE: PRIORITY ADVANCE REVIEW

DATE: 6-APR-1990

=====

This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

|                                    | <u>DATE</u>       | <u>JULIAN</u> |
|------------------------------------|-------------------|---------------|
| <b>PERMIT</b>                      |                   |               |
| Permit priority Date:              | SEPTEMBER 04 1979 | 247           |
| <b>EXAM FEE NOTICE</b>             |                   |               |
| Exam Fee Notice Date:              | JANUARY 26 1987   | 26            |
| Exam Fee/Info Sheet Received Date: | MARCH 31 1987     | 90            |
| Exam Fee or Info Due Date:         | MARCH 27 1987     | 86            |
| Days Late:                         |                   | 4 DAY(S)      |
| <b>NEW PRIORITY DATE</b>           |                   |               |
| Original Priority Date:            | SEPTEMBER 04 1979 | 247           |
| Total Days Late:                   |                   | 4 DAY(S)      |
| New Priority Date:                 | SEPTEMBER 08 1979 | 251           |

**MICROFILMED**  
APR 11 1991

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet  
for  
Beneficial Use Field Report

22-7305  
Permit No.

Galloway

**RECEIVED**

NOV 19 1987

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index CG 9-25-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: \_\_\_\_\_

Check of P/U index CG 9-25-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: \_\_\_\_\_

Aerial Photo

Required? ☒ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? \_\_\_\_\_ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ ~~Corrected Computer Data~~ Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed 8-3-87 ES (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent JLH 11-3-87 (Initial and date)

Exam Reviewed by Manager of Regional Office SMO 11-13-87 (Initial and date)

Exam Date Entered in Computer \_\_\_\_\_ (Initial and date)

Exam sent to State Office \_\_\_\_\_ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original  
Refiled in White File \_\_\_\_\_ (Initial and date)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

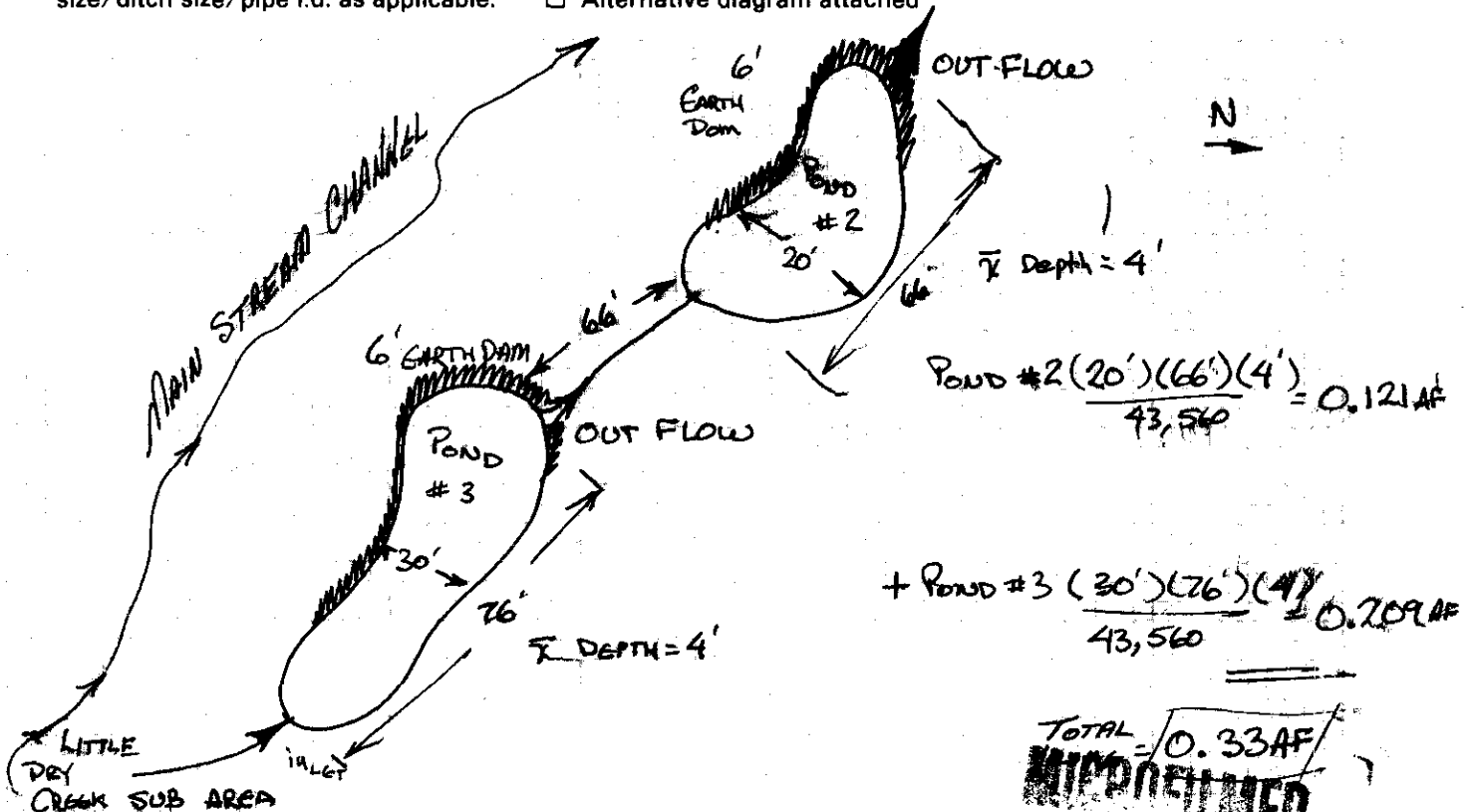
1. Owner: GALLOWAY PROPERTY GROUP Permit No. 22-7305  
Current Address: P.O. Box 1560, SUMMIT VALLEY, ID. 83353 Phone No. 354-2348  
2. Accompanied by: BILL MURRAY EXAM. DATE: 3-AUG-1987  
Address: P.O. Box 40, DRIGGS, ID. 83422 Phone No. 456-2518  
Relationship to Permit Holder: \_\_\_\_\_  
3. Source: LITTLE DRY CREEK tributary to TETON RIVER

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: NONE ☐ Copies Attached  
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = No Scale

2. ☐ Copy of U.S.G.S. 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 or more).  
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

TOTAL = 0.33 AF  
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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

THESE PONDS WERE BUILT FOR SCENIC & RECREATIONAL PURPOSE FOR USE BY HOMEOWNERS w/1 SUB-DIVISION. AT TIME OF EXAM 3 HOMES WERE OCCUPIED.

THE PONDS ARE FILLED BY WATER PASSING THROUGH MARSHY AREA FED BY LITTLE DRY CREEK. AT TIME OF EXAM DROUGHT CONDITIONS CREATED LOW STREAM FLOW AND NO WATER WAS FLOWING INTO PONDS THROUGH MARSHY MEADOWS. PONDS WERE EMPTY.

☒ See Remarks on page 4 for continuation

- 4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

5. Point(s) of Diversion:

| Ident. No. | Gov't. Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|------------|------------|-----|-----|-----|------|------|------|--------|---------------------------------|
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |

6. Place(s) of Use:

Indicate Method of Determination

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 6N   | 46E  | 29   |        |        |        |        |        |        |        |        | RS     |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

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Do not use this space

Do not use this space

**D. FLOW MEASUREMENTS**

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

100' TAP - ESTIMATED BOND DEPTH BY VISUAL INSPECTION

SEE ITEM C1 FOR CALCULATIONS.

**E. FLOW CALCULATIONS**

☐ Additional Computation Sheets Attached

1. Measured Method:

CAPACITY MAX = 0.33 ACRE FEET.

2. Alternate Method for Checking Purposes:

**F. PUMP EFFICIENCY DATA (Optional)**

Discharge Pressure: \_\_\_\_\_ psi x 2.31 = \_\_\_\_\_ ft (1); Dynamic pumping level: \_\_\_\_\_ ft (2)

Total Head: (1) + (2) = \_\_\_\_\_ (3) ; Flow rate: \_\_\_\_\_ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = \_\_\_\_\_ (5)

Meter Input KW: 3.6 x \_\_\_\_\_ KH x \_\_\_\_\_ CTR or \_\_\_\_\_ MULT x \_\_\_\_\_ PTR x \_\_\_\_\_ N/ \_\_\_\_\_ T = \_\_\_\_\_ (6)

Meter Input HP: (6) x 1.34 = \_\_\_\_\_ (7)

Panel Input KW: \_\_\_\_\_ Ave PF x \_\_\_\_\_ Ave Volts x \_\_\_\_\_ Ave Amps x .001732 = \_\_\_\_\_ (6)

Panel Input HP: (6) x 1.34 = \_\_\_\_\_ (7) Efficiency: (5)/(7) x 100 = \_\_\_\_\_ %

**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

APR 11 1991

Allow MAX CAPACITY OF BONDS @ 0.33 AFA

# H. REMARKS AND OVERLAP REVIEW ANALYSIS

PONDS WERE FORMED BY A DOZER DIGGING OUT A DEPRESSION IN MEADOW AND FORMING EARTH DAMS ON DOWN STREAM SIDE. NO MEASURING DEVICES WERE IN PLACE FOR THE OFF STREAM STORAGE AND INFLOW WAS FROM NATURAL DRAINAGE (NO DIVERSION FROM MAIN CHANNEL OF STREAM).  
 "BUILT"

POND #1 IS COVERED UNDER PERMIT 22-7304. ~~AND IS~~

~~POND #2 & #3 ARE~~

# I. RECOMMENDATIONS

## 1. Recommended Amounts

| Beneficial Use         | Period of Use |       | Rate of Diversion | Annual Volume |
|------------------------|---------------|-------|-------------------|---------------|
|                        | From          | To    | Q (cfs)           | V (afa)       |
| STORAGE FOR RECREATION | 1/1           | 12/31 | ---               | 0.33 AFA      |
|                        |               |       |                   |               |
|                        |               |       |                   |               |
| Totals:                |               |       | ---               | 0.33 AFA      |

## 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

# J. AUTHENTICATION

Field Examiner's Name ERIC S. VERVER  
 Signature [Signature]  
 Certification Date NOV 13, 1987  
 Field Report Preparation Date 25-Sept.-1987

[Signature]

CONSULTANT SEAL

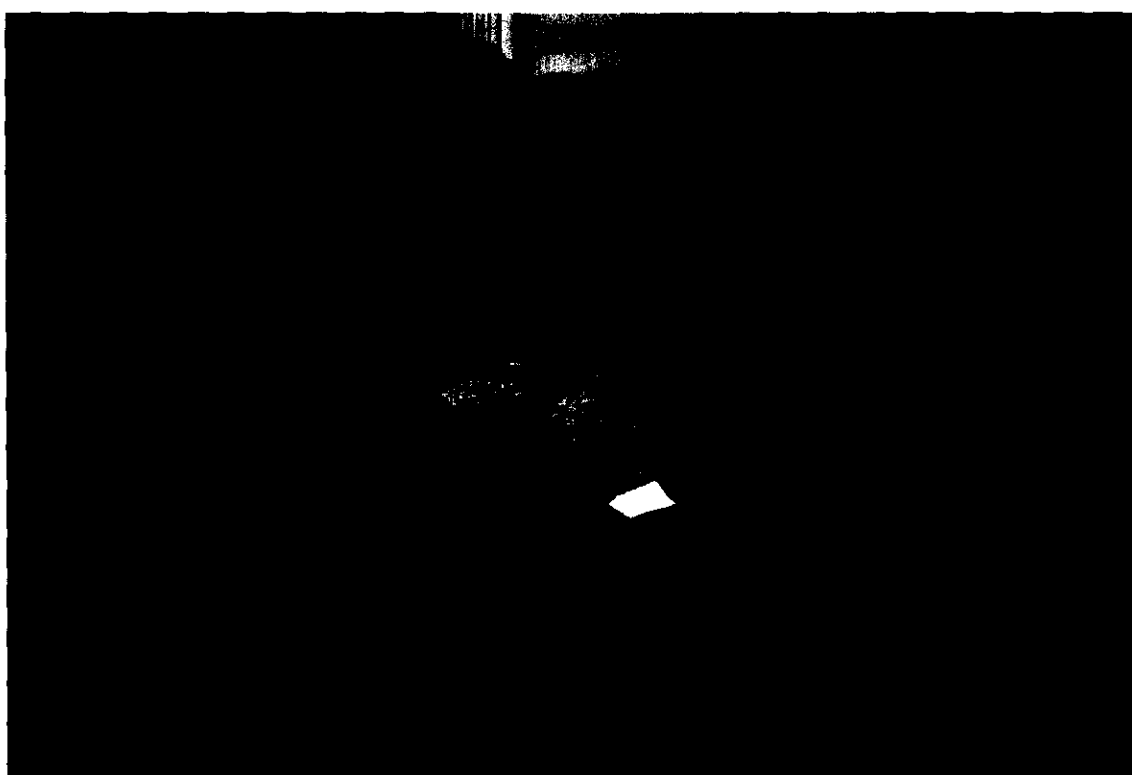
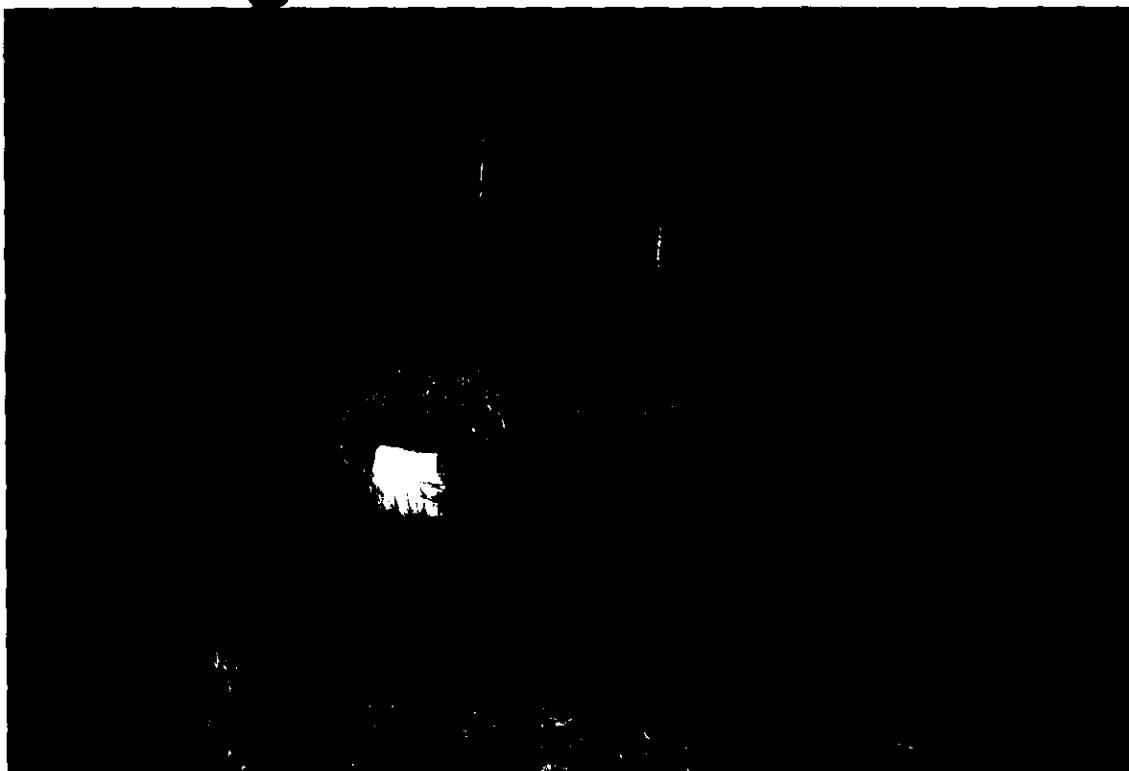
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

50/30/91

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APR 11 1991



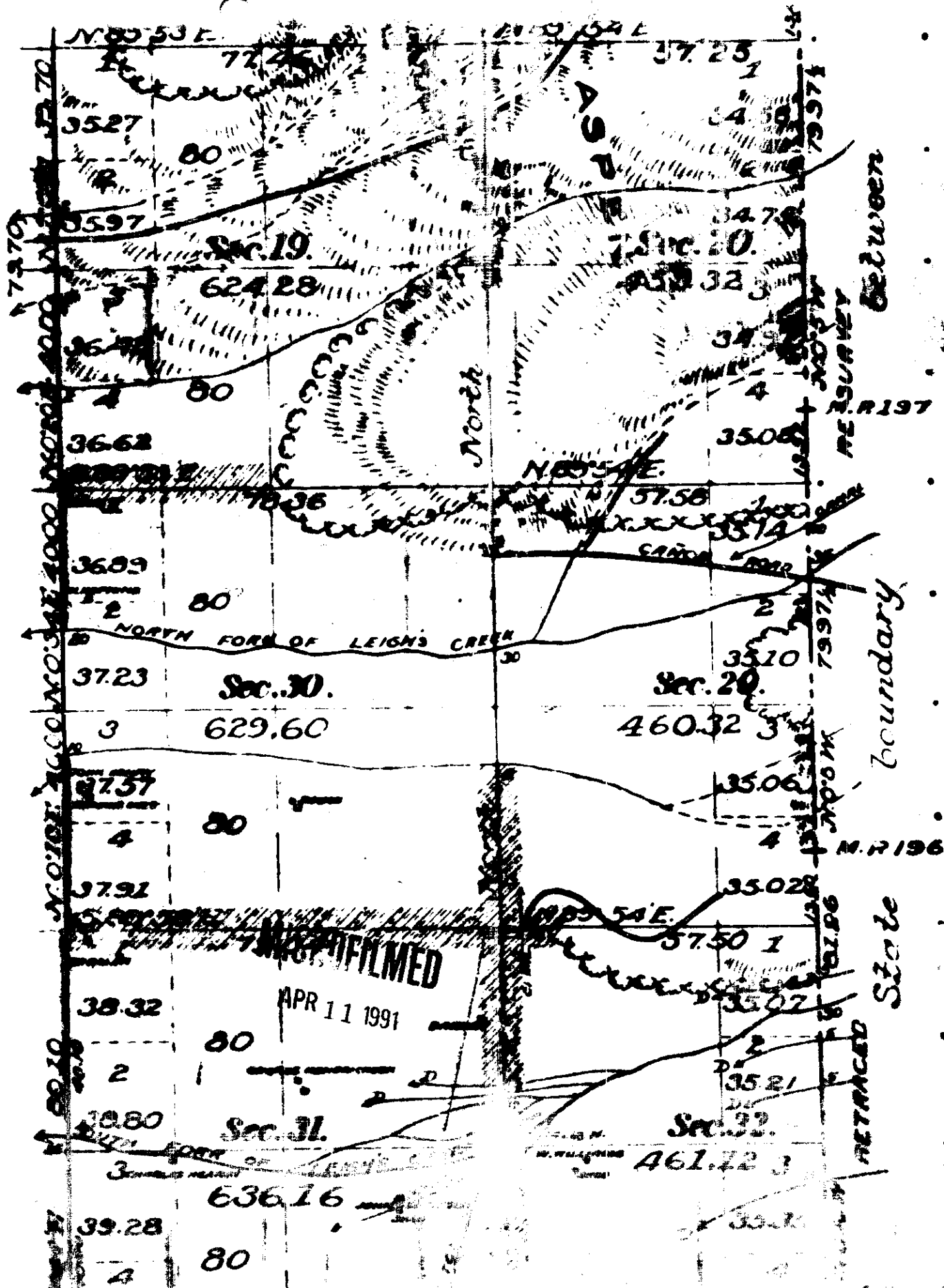


APR 11 1991

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22-7305

**RETAC**



4/86

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MAR 31 1987

Department of Water Resources  
Eastern District Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EXAMINATION FEE INFORMATION

APR 13 1987

For Office Use Only  
Fee Received 50.00  
Date 3-31-87  
Receipt # 41137  
Receipt by MP  
S.O. \_\_\_\_\_

1. Permit No. 22 7305 Department of Water Resources

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Galloway Hills Homeowners Assoc

3. Post Office Address: P.O. Box 1560

Sun Valley, ID Telephone No. \_\_\_\_\_

4. Source of Water: \_\_\_\_\_

5. Extent of Use:

Domestic \_\_\_\_\_ (No. of households) Stockwater \_\_\_\_\_ (No. and type of stock)

Irrigation \_\_\_\_\_ (acres) Other/Remark ☒

6. Total rate &/or volume for which proof is submitted \_\_\_\_\_ cfs 5 acre-feet

7. Show the date water was first diverted and beneficially used under this permit: \_\_\_\_\_

8. Person to contact to accompany the department representative during the field examination:

Bill Murray (Name)

Driggs, Idaho 83422 (Address) 456- (Telephone Number)

☐ I choose to have the field examination conducted by \_\_\_\_\_ right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

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APR 11 1987

3-20-87  
Date

Bill Murray president  
Signature of Permit Holder (and title, if appropriate)

copy retained

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second  
AF = acre feet)

| cfs          | AF          | Fee    |
|--------------|-------------|--------|
| 0 - 0.04     | 0 - 4       | \$ 0   |
| .05 - 0.20   | 5 - 20      | 50.00  |
| .21 - 1.0    | 21 - 100    | 100.00 |
| 1.01 - 2.0   | 101 - 200   | 125.00 |
| 2.01 - 3.0   | 201 - 300   | 150.00 |
| 3.01 - 4.0   | 301 - 400   | 175.00 |
| 4.01 - 5.0   | 401 - 500   | 200.00 |
| 5.01 - 6.0   | 501 - 600   | 225.00 |
| 6.01 - 7.0   | 601 - 700   | 250.00 |
| 7.01 - 8.0   | 701 - 800   | 275.00 |
| 8.01 - 9.0   | 801 - 900   | 300.00 |
| 9.01 - 10.0  | 901 - 1000  | 325.00 |
| 10.01 - 11.0 | 1001 - 1100 | 350.00 |
| 11.01 - 12.0 | 1101 - 1200 | 375.00 |
| 12.01 - 13.0 | 1201 - 1300 | 400.00 |
| 13.01 - 14.0 | 1301 - 1400 | 425.00 |
| 14.01 - 15.0 | 1401 - 1500 | 450.00 |
| 15.01 - 16.0 | 1501 - 1600 | 475.00 |
| 16.01 - 17.0 | 1601 - 1700 | 500.00 |
| 17.01 - 18.0 | 1701 - 1800 | 525.00 |
| 18.01 - 19.0 | 1801 - 1900 | 550.00 |
| 19.01 - 20.0 | 1901 - 2000 | 575.00 |
| 20.01 & over | 2001 & over | 600.00 |

Checks should be made payable to the  
Department of Water Resources

No fee is required for single family  
domestic use or stockwater use.

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APR 11 1994



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

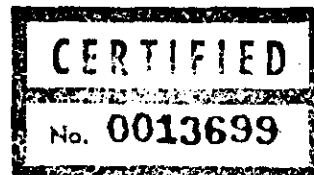
150 Shoup — Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

A. Kenneth Dunn  
Director

22-7305  
GALLOWAY PROPERTY GROUP  
BOX 1560  
SUN VALLEY, ID 83353

January 26, 1987

EXAMINATION FEE NOTICE



Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the Department, but you must within sixty (60) days of the date of this letter return to the Department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the Department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the Department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water right examiners will be available from this Department when examiners have been certified.

NOT RECORDED

APR 11 1991

If your permitted use, in fact, has already been examined by the Department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the Department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

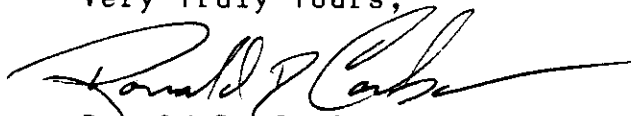
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following Department office:

Eastern Region  
Idaho Dept. of Water Resources  
150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83401  
Phone: 525-7161

Very Truly Yours,



Ronald D. Carlson  
Eastern Regional Manager

Enclosures

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APR 11 1991



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

December 30, 1985

RE: Permit Nos. 22-7304 & 22-7305

John D. Brewer  
P.O. Box 448  
Driggs, ID 83422

Dear Mr. Brewer:

Pursuant to your letter of December 17, 1985, I contacted our regional office in Idaho Falls since they have seen the development that you referenced. They are reviewing the matter and will submit recommended action, which accordingly I will pass on to you.

If I can be of further assistance, please let me know.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

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**APR 11 1991**



RECEIVED  
DEC 18 1985

Department of Water Resources

December 17, 1985

L. Glen Saxton  
Chief, Operations Bureau  
Idaho Dept. of Water Resources  
Statehouse  
Boise, Idaho 83720

Ref: Permit No. 22-7304, -7305

Dear Sir:

We need guidance to straighten out the status of the small recreation ponds created in our Galloway Hills Subdivision here in Teton County under the above permits.

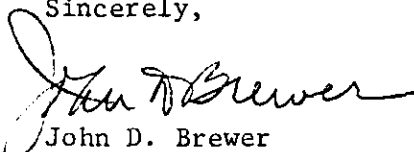
Permit 22-7304 - a short diversion from North Leigh Creek via 8" conduit and ditch to 15 acre-feet pond spilling right back into North Leigh; Keith Wilson inspected this summer and recommended flume or weir; developers unable to procure adequate flume prior to onset of winter from Jack Powlus Mfg. Co.; must construct Cipalletti weir Spring '86

Permit 22-7305 - a sub-water area on Little Dry Creek feeding 2 small ponds containing 5 acre-feet when full; man made ponds do not hold water into fall season

We do not know how to measure flow because ponds fill and drain from non-channeled sources. Apparently your form notice of 9/1/85 referred to this permit and we thought it was -7304

Both of these projects are directed at beautification. There is no other commercial purpose and it is regrettable if a great amount of supervisory time is called for. It would be pointless to withdraw the permit because of oversight during the transfer of responsibility to the lotowners. Perhaps you could suggest the simplest procedure to resolve our confusion.

Sincerely,

  
John D. Brewer  
Galloway Homeowners Assoc.

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APR 11 1991

ss

P.O.Box 448 78 North Main Driggs, Idaho 83422 208-354-8141

AGENT FOR SELLERS AND BUYERS OF FARM, RANCH, RECREATIONAL & COMMERCIAL PROPERTIES IN THE ROCKY MOUNTAIN WEST

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup, Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

MAY 17, 1985

GALLOWAY PROPERTY GROUP  
BOX 1560  
SUN VALLEY ID 83353

RE: Permit No. 22-7305

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examination for your system has been scheduled for:

If this time is not convenient for you, please contact this office as soon as possible.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,  
s/HAROLD W. JONES  
Sr. Resource Agent

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APR 11 1991

# DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 22-7305

Name(s) of Permit Holder: GALLOWAY PROPERTY GROUP / HOMEOWNERS ASSO

Post Office Address: Box 1560  
SUN VALLEY, ID. 83353 Tel. No. 208-726-3384

Source of Water: N. LEIGH CREEK

Extent of Use: ☐ Domestic (number of households)  
☐ Stockwater (number and type of stock)  
☐ Irrigation (acres)  
☒ Other RECREATION

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No  
Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

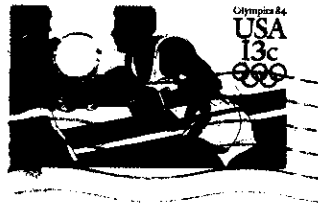
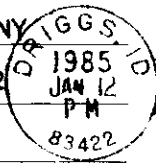
4/7/85

Date

**MICROFILMED**

John D. Sigler  
Galloway Property Group  
Signature of Permit Holder

BREWER LAND COMPANY  
Box 448 78 N. Main  
DRIGGS, IDAHO 83422



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JAN 14 1985

IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

Department of Water Resources

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

-----

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440  
CERTIFIED MAIL

138530

GALLOWAY PROPERTY GROUP  
BOX 1560  
SUN VALLEY, ID 83353

PROOF DUE NOTICE

DECEMBER 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 22-7305 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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,

RITA FLECK  
SECRETARY/RECORDS MANAGER

ENCLOSURES

**MICROFILMED**



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

October 28, 1981

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

DAVID R. TUTHILL JR., P. E.  
Supervisor, Water Allocations Section

DRT:jg

Enclosures

NORTHERN REGION OFFICE  
Route #5, Box 203, Government Way  
Coeur d'Alene, Idaho 83814  
Telephone 667-6484

SOUTHERN REGION OFFICE  
1041 Blue Lake Boulevard North  
Twin Falls, Idaho 83301  
Telephone 734-3578

EASTERN REGION OFFICE  
150 Shoup Avenue  
Idaho Falls, Idaho 83401  
Telephone 525-7161

WESTERN REGION OFFICE  
92 South Cole Road  
Boise, Idaho 83709  
Telephone 334-2190

**MICROFILMED**



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

March 3, 1980

Galloway Property Group  
Box 1560  
Sun Valley, Idaho 83353

Dear Sirs,

RE: Permit No. 22-7305

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note the special condition requiring you to install and maintain a measuring device at your point of diversion prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

*David R. Tuthill, Jr.*

DAVID R. TUTHILL, JR.  
Supervisor, Water Allocations Section

DRT:mr

Enclosure

**MICROFILMED**

In the matter of Application for )  
Permit No 22-7305 in the )  
name of Galloway Property Group )

Withdrawal of Protest

We hereby withdraw our protest against application for  
permit no. 22-7305 with the reduction of the amount of  
storage to 5 AF.

Signed at Idaho Falls this 12<sup>th</sup> day of February.

Max Mortensen  
Norman Willom  
Mary Smith

MICROFILMED

22-7305

FEB 12, 1980

GALLOWAY PROPERTY GROUP

- 1 SOURCE LITTLE DRY CK TRIB TETON
- 50 AF for Recreation
- Little dry creek may be food by leakage from North Leigh creek ditch
- Ponds will actually cover ~ 1 acre to a depth of ~ 3 feet.
- Flow would have to be supplemented by a well or other source.

MICROFILMED

01-0336,

Glen Davis' land was ruined by the Teton Flood

The Fall River Canal Co.

Concern of the Protestants

1. This right may not be good on the Teton  
An 1889 right is not good in many years

A gate will be installed

~~11/11/11~~

~~11/11/11~~

22-7305 - Galloway Property Group

Conference Room, City Electric Building, Idaho Falls, Idaho

February 12, 1980 - 11:00 a.m.

ROSTER OF ATTENDANCE

HEARING OFFICER Bob Fleenor & Ron Carlson

| <u>Name</u>       | <u>Address</u>        | <u>Representing</u> |
|-------------------|-----------------------|---------------------|
| Mary Smith        | P.O. Box 427, Rexburg | Fremont-Madison     |
| Joe Max Mortensen | P.O. Box 87, Rexburg  | " "                 |
| Norman Hillman    | Box 156 Ashton        | " "                 |
| Dale L. Swensen   | Rt. #1 St. Anthony    | " "                 |
| John A. Brewer    | Box 305 Driggs        | Galloway            |

MICROFILMED

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**OFFICIAL BUSINESS**

**SENDER INSTRUCTIONS**

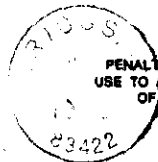
Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

Department of Water Resources  
Eastern District Office

FEB 4 1980

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PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300



DEPARTMENT OF WATER RESOURCES  
EASTERN DISTRICT OFFICE  
1515 LINCOLN ROAD  
IDAHO FALLS, IDAHO 83401

\_\_\_\_\_  
(Name of Sender)

\_\_\_\_\_  
(Street or P.O. Box)

\_\_\_\_\_  
(City, State, and ZIP Code)

|                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| <b>SENDER:</b> Complete items 1, 2, and 3.<br>Add your address in the "RETURN TO" space on reverse.                                                                                                                                                                                                                                                                                                       |                                                                                             |
| 1. The following service is requested (check one.)<br><input checked="" type="checkbox"/> Show to whom and date delivered.....<br><input type="checkbox"/> Show to whom, date and address of delivery.....<br><input type="checkbox"/> RESTRICTED DELIVERY<br>Show to whom and date delivered.....<br><input type="checkbox"/> RESTRICTED DELIVERY.<br>Show to whom, date, and address of delivery.\$____ |                                                                                             |
| (CONSULT POSTMASTER FOR FEES)                                                                                                                                                                                                                                                                                                                                                                             |                                                                                             |
| 2. ARTICLE ADDRESSED TO:<br><i>Wm J. Brown 22-7305</i><br><i>Box 1, Miami 33422</i>                                                                                                                                                                                                                                                                                                                       |                                                                                             |
| 3. ARTICLE DESCRIPTION:<br>REGISTERED NO. <i>1459</i>                                                                                                                                                                                                                                                                                                                                                     | CERTIFIED NO. _____<br>INSURED NO. _____<br>(Always obtain signature of addressee or agent) |
| I have received the article described above.<br>SIGNATURE <i>John Brown</i> <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent                                                                                                                                                                                                                                                  |                                                                                             |
| 4. DATE OF DELIVERY<br><i>Feb 1 1980</i>                                                                                                                                                                                                                                                                                                                                                                  | POSTMARK<br><b>1</b><br><b>1980</b><br><i>03422</i>                                         |
| 5. ADDRESS (Complete only if requested)                                                                                                                                                                                                                                                                                                                                                                   |                                                                                             |
| 6. UNABLE TO DELIVER BECAUSE:                                                                                                                                                                                                                                                                                                                                                                             |                                                                                             |
| CLERK'S INITIALS<br><i>J. N.</i>                                                                                                                                                                                                                                                                                                                                                                          |                                                                                             |

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- Endorse article "Return Receipt Requested" adjacent to number.

**PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300**



DEPARTMENT OF WATER RESOURCES  
EASTERN DISTRICT OFFICE  
1515 LINCOLN ROAD  
IDAHO FALLS, IDAHO 83401

Department of Water Resources  
Eastern District Office

FEB 4 1980

RETURN  
TO  
RECEIVED



\_\_\_\_\_  
(Name of Sender)

\_\_\_\_\_  
(Street or P.O. Box)

\_\_\_\_\_  
(City, State, and ZIP Code)

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| <b>SENDER:</b> Complete items 1, 2, and 3.<br>Add your address in the "RETURN TO" space on reverse.                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                    |
| 1. The following service is requested (check one.)<br><input checked="" type="checkbox"/> Show to whom and date delivered.....<br><input type="checkbox"/> Show to whom, date and address of delivery.....<br><input type="checkbox"/> RESTRICTED DELIVERY<br>Show to whom and date delivered.....<br><input type="checkbox"/> RESTRICTED DELIVERY.<br>Show to whom, date, and address of delivery. |                                                                                                                                                                                                                                                                                                    |
| (CONSULT POSTMASTER FOR FEES)                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                    |
| 2. ARTICLE ADDRESSED TO:<br><i>Margaret Madison 27-7305</i><br><i>P.O. Box 2</i><br><i>St. Anthony, La.</i>                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                    |
| 3. ARTICLE DESCRIPTION:<br>REGISTERED NO. <i>1446</i>                                                                                                                                                                                                                                                                                                                                               | CERTIFIED NO. _____<br>INSURED NO. _____<br>(Always obtain signatures of addressee or agent)<br>I have received the article described above.<br>SIGNATURE <input checked="" type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent<br><i>D. L. Jensen</i><br>DATE OF DELIVERY _____ |
| 5. ADDRESS (Complete only if requested)                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                    |
| 6. UNABLE TO DELIVER BECAUSE:                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                    |
| ATTENTION<br>FEB 1 1980<br>U.S. MAIL<br>CLERK'S INITIALS <i>WJH</i>                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                    |

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

**UNITED STATES POSTAL SERVICE**  
**OFFICIAL BUSINESS**

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- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

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USE TO AVOID PAYMENT  
OF POSTAGE, \$300**



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**FEB 5 1980**

**RETURN**  
Department of Water Resources  
Eastern District Office



**IN PARTITIONED LAND RESOURCES**

**1615 LINCOLN ROAD  
IDAHO FALLS, IDAHO 83401**

\_\_\_\_\_  
(Name of Sender)

\_\_\_\_\_  
(Street or P.O. Box)

\_\_\_\_\_  
(City, State, and ZIP Code)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| <p>① <b>SENDER:</b> Complete items 1, 2, and 3.<br/>Add your address in the "RETURN TO" space on reverse.</p>                                                                                                                                                                                                                                                                                                                                                |                                                     |
| <p>1. The following service is requested (check one.)<br/> <input checked="" type="checkbox"/> Show to whom and date delivered.<br/> <input type="checkbox"/> Show to whom, date and address of delivery.<br/> <input type="checkbox"/> RESTRICTED DELIVERY<br/> <input type="checkbox"/> Show to whom and date delivered.<br/> <input type="checkbox"/> RESTRICTED DELIVERY.<br/> <input type="checkbox"/> Show to whom, date, and address of delivery.</p> |                                                     |
| <p>(CONSULT POSTMASTER FOR FEES)</p>                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                     |
| <p>2. <b>ARTICLE ADDRESSED TO:</b><br/> <i>Mary Smith</i><br/> <i>3025 1st St W.</i><br/> <i>Redwood, ID</i></p>                                                                                                                                                                                                                                                                                                                                             |                                                     |
| <p>3. <b>ARTICLE DESCRIPTION:</b><br/>                 REGISTERED NO. <i>1447</i></p>                                                                                                                                                                                                                                                                                                                                                                        | <p>CERTIFIED NO. <i>1447</i></p> <p>INSURED NO.</p> |
| <p>(Always obtain signature of addressee or agent)<br/>                 I have received the article described above.<br/>                 SIGNATURE <input type="checkbox"/> Addressee <input checked="" type="checkbox"/> Authorized agent<br/> <i>[Signature]</i></p>                                                                                                                                                                                      |                                                     |
| <p>4. <b>DATE OF DELIVERY</b><br/> <i>Feb 4 1980</i></p>                                                                                                                                                                                                                                                                                                                                                                                                     | <p><b>POSTMARK</b></p>                              |
| <p>5. <b>UNABLE TO DELIVER BECAUSE:</b><br/> <i>32-7305</i></p>                                                                                                                                                                                                                                                                                                                                                                                              |                                                     |
| <p>6. <b>CLERK'S INITIALS</b><br/> <i>[Initials]</i></p>                                                                                                                                                                                                                                                                                                                                                                                                     |                                                     |

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE \$300



RECEIVED

FEB 5 1980

RETURN  
Department of Water Resources  
Eastern District Office



DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

1515 LINCOLN ROAD

IDAHO FALLS, IDAHO 83401

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

|                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                               |
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| ① <b>SENDER:</b> Complete items 1, 2, and 3.<br>Add your address in the "RETURN TO" space on reverse.                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                               |
| 1. The following service is requested (check one.)<br><input checked="" type="checkbox"/> Show to whom and date delivered.....<br><input type="checkbox"/> Show to whom, date and address of delivery.....<br><input type="checkbox"/> RESTRICTED DELIVERY<br>Show to whom and date delivered.....<br><input type="checkbox"/> RESTRICTED DELIVERY.<br>Show to whom, date, and address of delivery.\$ ____ |                                                                                                                                                                                                                                                               |
| (CONSULT POSTMASTER FOR FEES)                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                               |
| 2. <b>ARTICLE ADDRESSED TO:</b><br><i>Holloway Property Group</i><br><i>Box 41560</i><br><i>Sun Valley, CA</i>                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                               |
| 3. <b>ARTICLE DESCRIPTION:</b><br>REGISTERED NO. <i>1445</i>                                                                                                                                                                                                                                                                                                                                               | CERTIFIED NO. _____<br>INSURED NO. _____<br>(Always obtain signature of addressee or agent)<br>I have received the article described above.<br>SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent<br><i>Paul Mortimer</i> |
| 4. <b>DATE OF DELIVERY</b><br>_____                                                                                                                                                                                                                                                                                                                                                                        | <b>POSTMARK</b><br>                                                                                                                                                                                                                                           |
| 5. <b>ADDRESS</b> (Complete only if requested)<br>_____                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                               |
| 6. <b>UNABLE TO DELIVER BECAUSE:</b><br><i>32-7305</i>                                                                                                                                                                                                                                                                                                                                                     | <b>CLERK'S INITIALS</b><br><i>A</i>                                                                                                                                                                                                                           |

Certified  
mail  
Receipts

MICROFILMED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

|                                              |                      |
|----------------------------------------------|----------------------|
| IN THE MATTER OF PROTESTS AGAINST APPROVAL ) |                      |
| OF APPLICATION FOR PERMIT NO. 22-7305 IN )   |                      |
| THE NAME OF GALLOWAY PROPERTY GROUP )        |                      |
| _____ )                                      | NOTICE OF CONFERENCE |
|                                              | AND/OR HEARING       |

On September 4, 1979, Galloway Property Group filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On January 7, 1980, the Department received a protest against approval of said application from Fremont-Madison Irrigation District.

The Department has set the matter of protest for conference and/or hearing for Tuesday, February 12, 1980, at 11:00 a.m., in the Conference Room of the Idaho Falls City Electric Building, Idaho Falls, Idaho. Any hearing will be held in accordance with provisions of Chapter 2, Title 42, and Chapter 52, Title 67, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

In accordance with Idaho Code, Section 42-203, the following issues are involved in the consideration of the application and protest(s):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

**RECORDED**

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

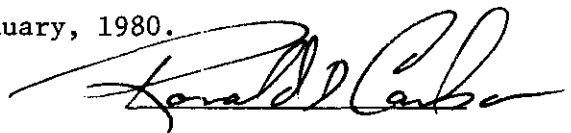
If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties will be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by Idaho Code, Section 67-5211.

By written stipulation, the parties may waive compliance with Idaho Code, Section 57-5211. If the hearing is conducted by a hearing officer, the hearing office will ask the parties at the close of the hearing whether they would like to make such a stipulation.

Failure to waive compliance with Idaho Code, Section 67-5211 will not prejudice the Director's review of the party's evidence and arguments. However, such a waiver will shorten the decision-making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 67-5211 is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to Rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the District Court.

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 31<sup>st</sup> day of January, 1980.



RONALD D. CARLSON  
Eastern Region Supervisor

**MAILED**

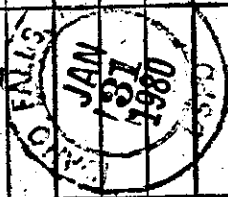
# DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE  
1515 LINCOLN ROAD  
IDAHO FALLS, IDAHO 83401

Name and Address of Sender

Indicate type of mail:  
☐ REGISTERED ☐ REGISTERED C.O.D.  
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for collection of this bill. POSTMARK AND DATE OF RECEIPT



| NUMBER OF ARTICLE | NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS  | POSTAGE | FEE | R.R. FEE | REPT. DEL. FEE | ACTUAL VALUE | HANDLING CHARGE | REMARKS   |
|-------------------|----------------------------------------------------|---------|-----|----------|----------------|--------------|-----------------|-----------|
| 1                 | 1443 Freshwater, P.O. Box 129, J.F.                | 15      | 80  | 45       |                |              |                 | 51-2272   |
| 2                 | 1444 1921 W. 11th St. Coeur d'Alene, Idaho         |         |     |          |                |              |                 | "         |
| 3                 | 1445 Pullman, Coeur d'Alene, Idaho 1560 Quail Hill |         |     |          |                |              |                 | ✓ 51-2272 |
| 4                 | 1446 Summit Station, Coeur d'Alene, Idaho 5150     |         |     |          |                |              |                 | ✓ 51-2272 |
| 5                 | 1447 Pullman, Coeur d'Alene, Idaho                 |         |     |          |                |              |                 | ✓ 51-2272 |
| 6                 | 1448 Pullman, Coeur d'Alene, Idaho                 |         |     |          |                |              |                 | ✓ 51-2272 |
| 7                 | 1449 Pullman, Coeur d'Alene, Idaho                 |         |     |          |                |              |                 | ✓ 51-2272 |
| 8                 | 1450 Pullman, Coeur d'Alene, Idaho                 |         |     |          |                |              |                 | ✓ 51-2272 |
| 9                 | 1451 Pullman, Coeur d'Alene, Idaho                 |         |     |          |                |              |                 | ✓ 51-2272 |
| 10                | 1452 Pullman, Coeur d'Alene, Idaho                 |         |     |          |                |              |                 | ✓ 51-2272 |
| 11                | 1453 Pullman, Coeur d'Alene, Idaho                 |         |     |          |                |              |                 | ✓ 51-2272 |
| 12                | 1454 Pullman, Coeur d'Alene, Idaho                 |         |     |          |                |              |                 | ✓ 51-2272 |
| 13                | 1455 Pullman, Coeur d'Alene, Idaho                 |         |     |          |                |              |                 | ✓ 51-2272 |
| 14                | 1456 Pullman, Coeur d'Alene, Idaho                 |         |     |          |                |              |                 | ✓ 51-2272 |
| 15                | 1457 Pullman, Coeur d'Alene, Idaho                 |         |     |          |                |              |                 | ✓ 51-2272 |
| 16                | 1458 Pullman, Coeur d'Alene, Idaho                 |         |     |          |                |              |                 | ✓ 51-2272 |
| 17                | 1459 Pullman, Coeur d'Alene, Idaho                 |         |     |          |                |              |                 | ✓ 51-2272 |
| 18                |                                                    |         |     |          |                |              |                 |           |
| 19                |                                                    |         |     |          |                |              |                 |           |
| 20                |                                                    |         |     |          |                |              |                 |           |

TOTAL NO. OF PIECES LISTED BY SENDER

TOTAL NO. OF PIECES RECD. AT P.O.

POSTMASTER (Name of receiving employee)

\*Show under "Remarks" class postage paid if other than first or if international

APPLICATION FOR REGISTERED, REGISTERED C.O.D. AND CERTIFIED MAIL

Declaration of value is required on international registered mail

January 16, 1980

RE: Application for Permit No. 22-7305 GALLOWAY PROPERTY GROUP

James Max Mortensen, Chairman  
Fremont-Madison Irrigation District  
P.O. Box 5  
St. Anthony, Idaho 83445

Dear Mr. Mortensen:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON  
Eastern Region Supervisor

RECEIVED  
JAN 21 1980

January 16, 1980

Galloway Property Group  
Box 1560  
Sun Valley, Idaho 83353

Gentlemen:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 22-7305. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON  
Eastern Region Supervisor

RDC:kw

Enclosure

RECORDED

January 14, 1980

RE: Application for Permit No. 22-7305

John D. Brewer  
Galloway Property Group  
Box 1560  
Sun Valley, ID 83353

Dear Mr. Brewer:

Subsequent to your filing application for water right 22-7305 for a storage facility on Little Dry Creek, the Department forwarded notice of this application on September 7, 1979 to the Teton Valley News for publication. Following the protest period, we repeatedly contacted the Teton Valley News in an effort to obtain the affidavit of publication and in December we were advised that it had failed to publish the notice. To rectify the situation the Department resubmitted the notice and it was published on December 20th and 27th, 1979, with the last day of protest being January 7th, 1980. On January 7th, 1980, the Department received a protest from Fremont Madison Irrigation District, a copy of which is enclosed along with a letter acknowledging receipt of the protest.

I hope the above provides an adequate explanation of why your application was recently protested even though it was filed several months ago. As always feel free to contact me should you have questions concerning this matter.

Respectfully submitted,

ERNEST M. CARLSEN  
Sr. Resource Analyst

EMC:kw  
Enclosures

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Kay Walker

DATE 1/09/1980

TO File No. 22-7305

SUBJECT Reason for delay in advertising.

This file had not been advertised as it should have been on 9/20 & 9/27/79. The paper kept sending affidavits for 22-7304 (also filed by Galloway Property Group) when I had asked for affidavit for 22-7305. During a telecon on December 17, 1979, with the paper it was finally determined that the notice of the app. had never been advertised.

*Kay Walker*  
MICROFILMED

GALLOWAY PROPERTY GROUP

BOX 1560, SUN VALLEY, ID 83353

Source: LITTLE DRY CREEK tributary to TETON RIVER

Date Filed: 09/04/1979

Amount: 50.0 AC-FT

Diversion Point: NWSW Sec 29 T 06N R 46E, TETON Co.

Use: RECREATION STORAGE (50.0 AC-FT) from 01/01 to 12/31

Place of Use: NWSW Sec 29 T 06N R 46E

Diversion Means: EARTH FILL DAM.

RECEIVED  
JAN 13 1980



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

1515 Lincoln Road  
Idaho Falls, Idaho 83401  
(208) 523-7186

Rec. 17  
~~September 7~~, 1979

Teton Valley News  
Driggs,  
Idaho 83422

Re: Application for Permit No. 22-7305

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

*Kay Walker*

DONNA HENRIQUES-  
Secretary

Bill submitted \_\_\_\_\_ by \_\_\_\_\_

Encl.

*Called  
p. 26-79*

MICROFILMED

**NOTICE OF APPLICATION  
FOR WATER PERMIT**

Notice is hereby given that Galloway Property Group, Box 1560, Sun Valley, Idaho 83353 has on 9-04-79 submitted Application No. 22-7305 for a permit to appropriate 50 acre feet per annum of water from Little Dry Creek tributary of Teton River by means of an earth-fill dam within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 29, T. 6N, R. 46E, B.M., Teton Co. to be used from 1/1 to 12/31 for storage for recreation within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 29, T. 6N, R. 46E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before January 7, 1980.

C. Stephen Allred  
Director

*ok*  
*kw* 12/19

Published in the Teton Valley News, Driggs, on December 20 and 27, 1979.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Galloway Property Group, Box 1560, Sun Valley,  
Idaho 83353

has on 9-04-79 submitted Application No. 22-7305  
for a permit to appropriate 50 ~~XXXXXXXXXXXXXXXXXXXX~~ acre feet per annum  
of water from Little Dry Creek tributary of Teton River  
by means of an earth-fill dam  
within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 29, T. 6N, R. 46E, B.M., Teton Co.

to be used from 1/1 to 12/31  
for storage for recreation

within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 29, T. 6N, R. 46E, B.M.

If issued, this permit will be subject to all prior water rights. Protests  
against the granting of the permit must be filed with the Idaho Department of  
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before \_\_\_\_\_

~~October 1, 1979~~

January 7, 1980

*JS*

C. STEPHEN ALLRED

Director

Teton Valley News, Driggs

Published in the

on ~~12/20~~ 12/20 and ~~12/27~~ 12/27/79

November 23, 1979

RE: Application No. 22-7305 - Galloway Property Group

Teton Valley News  
Driggs,  
Idaho 83422

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on September 13th and 20th, 1979.

Your cooperation in this matter is greatly appreciated.

Sincerely,

KAY WALKER  
Secretary

KW:k

*called  
12/11/79  
and (said  
they've sent 3.)*

*354-2242*

RECEIVED

RECEIVED

OCT 19 1979

Department of Water Resources  
Eastern District Office

WATERMASTER COMMENTS

I have reviewed application for permit No. 22-7325 and have

☒ (1) no objections to the approval of this permit.

☐ (2) the following objections to the approval of this permit:

*if the applicants will pass all  
inflow through their Reservoir  
between July 1 & Nov 1 of  
each year*

*Oct/18/1979*  
DATE

*Ronald D. Carlson*  
RONALD D. CARLSON - WATERMASTER

WATER DISTRICT # 01

RECEIVED

September 7, 1979

Teton Valley News  
Driggs,  
Idaho 83422

Re: Application for Permit No. 22-7305

*Recent  
pub. notice  
12/17 kw  
was never  
published.*

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

DONNA HENRIQUES  
Secretary

Bill submitted \_\_\_\_\_ by \_\_\_\_\_

Encl.

*Called  
9-26-79*

MICROFILMED

**NOTICE OF APPLICATION FOR  
WATER PERMIT**

Notice is hereby given that Galloway Property Group, Box 1560, Sun Valley, Idaho 83358 has on Sept. 4, 1979 submitted Application No. 22-7305 for a permit to appropriate 50 acre feet per annum of water from Little Dry Creek tributary of Teton River by means of and earth-fill dam within the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 29, T. 6N, R. 46E, B.M., Teton Co. to be used from Jan. 1 to Dec. 31 for storage for recreation within the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 29, T. 6N, R. 46E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before October 1, 1979.

C. STEPHEN ALLRED

Director

Published in the Teton Valley  
News on Sept. 13 and 20, 1979.

80  
7

# NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Galloway Property Group, Box 1560, Sun Valley,  
Idaho 83353

has on 9-04-79 submitted Application No. 22-7305  
for a permit to appropriate 50 ~~acres per second~~ cubic feet per second acre feet per annum  
of water from Little Dry Creek tributary of Teton River  
by means of an earth-fill dam  
within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 29, T. 6N, R. 46E, B.M., Teton Co.

to be used from 1/1 to 12/31  
for storage for recreation

NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 29, T. 6N, R. 46E, B.M.  
within the

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before \_\_\_\_\_  
October 1, 1979

C. STEPHEN ALLRED

Director

Published in the Teton Valley News, Driggs  
on 9/13 and 9/20/79

September 6, 1979

Galloway Property Group  
Box 1560  
Sun Valley, Idaho 83353

Gentlemen:

Re: (2) Applications for Permit

Attached herewith is Departmental receipt No. 13693 in the amount of \$35.00 for the above referenced applications. \$35.00 represents payment of one application in full and \$20.00 represents part payment of the second application, of which there is a balance owing of \$15.00. As per a telephone conversation September 4, 1979 with Ernest Carlson of this office, it is understood you will forward the balance owing in the near future.

Very truly,

**DONNA HENRIQUES**  
Secretary

Attachment

State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Emet

APPLICATION NUMBER: 01 22 7305

CHECK:

- ☒ Source.  
☒ Point of diversion. 01 STREKIL  
☒ County.  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map.  
☒ Signature.  
☒ Fee.  
☐ Yes ☒ No Field check required.  
☐ Yes ☒ No Critical groundwater area.  
☐ Yes ☐ No Request dam safety information. Sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☒ Yes ☐ No\* In form to receipt.

Field check by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

No W.D. 01 diversion number has been assigned.

SEND COPIES TO:

- ☐ Idaho State Health Department.  
☐ Idaho Fish and Game Department.  
☐ Idaho Department of Lands.  
☐ U.S. Bureau of Land Management.  
☐ U.S. Forest Service.  
☒ Other W.D. 01

Copies sent by: \_\_\_\_\_ Date: \_\_\_\_\_

PROCESSING:

- ☒ Yes ☐ No Platted by: Emet Map No. W-100  
☐ Yes ☒ No Other rights on same place of use. \_\_\_\_\_

- ☒ Yes ☐ No\* In form for advertising.

Final date for protests: DECEMBER 1, 1979

- ☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 1/2/80  
☒ Application published correctly. If not, record action taken: \_\_\_\_\_  
☒ Fee amount, receipt date & number, recorded on application.  
☒ Publication dates and paper, recorded on application.  
☒ Protests, dates, withdrawal, etc., recorded on application.  
☒ Recommendation & initial, recorded on application.

- ☒ Yes ☐ No Measuring device required.

- ☐ Yes ☒ No Access port required.

- ☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 01

9-04-79 Date of priority recommended.

Special conditions of approval or cover letter. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: Emet M. Carlson Date: 2/27/80

STATE OFFICE REVIEW:

01BA 05 (01, Snake River)

Short letter w/ measuring device

- ☐ See attached sheet for more information.

By: Juni Date: 2/28/80