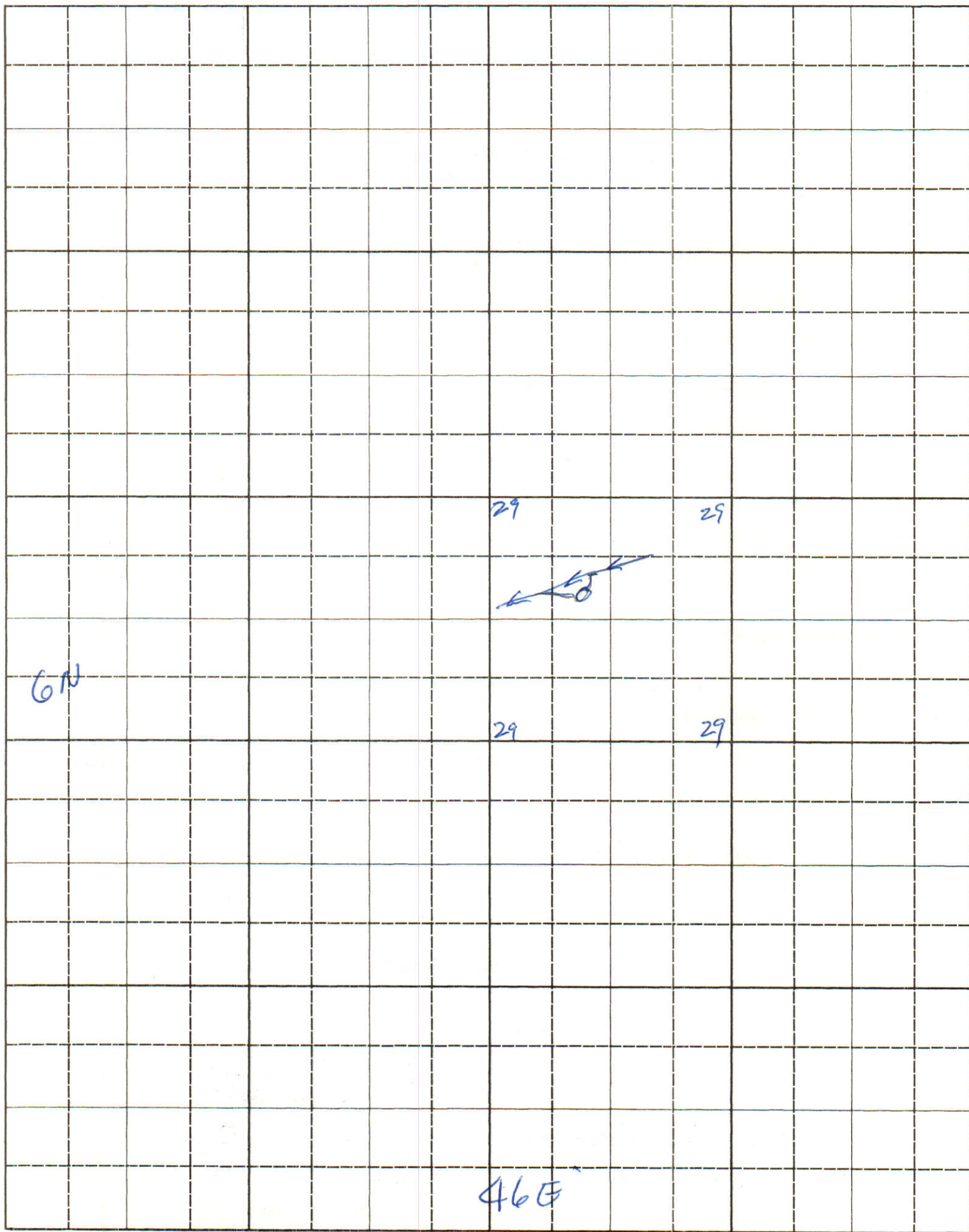


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

DEVELOPMENT

John D. Brewer
(Applicant)
Lee R. Markham
Tom H. Hall
D. R. Markham

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Teton)

Sharon Heston
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

Application for water right: Galloway
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 *Sept*, 19*79* and last publication on the *27* day of *Sept*, 19*79*.

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 Heston
Subscribed in my presence and sworn to before me this *20* day of *Sept*, 19*79*.
(SEAL) Notary Public for the state of Idaho, residence and postoffice address, Driggs, Idaho.

Notched C. Viburn
My Commission expires
July 7, 19*82*

RECEIVED

OCT 30 1979

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Galloway Property Group, Box 1560, Sun Valley, Idaho 83353 has on Sept. 10, 1979 submitted Application No. 22-7304 for a permit to appropriate 1.00 cubic feet per second and 15 acre feet per annum of water from North Leigh Creek

tributary of Teton River by means of ditch and earthen dam within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29. T. 6N, R. 46E, B.M., Teton Co. to be used from Jan. 1 to Dec. 31 for diversion to storage and storage for recreation within the SE $\frac{1}{4}$ -NW $\frac{1}{4}$, 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, Driggs, Idaho on September 20 & 27, 1979.

REPRODUCED

AFFIDAVIT OF PUBLICATIO

State of Idaho)
) ss
County of Teton)

I, Sharyn 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

Application for water
permit: Galloway Property
Group

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 Sept, 1979,
and last publication on the 27 day
of Sept, 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.

Sharyn Hastings

Subscribed in my presence and
sworn to before me this 13 day of
October, 1979

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

Mitchell C. Kibum
My Commission expires

July 7, 1982

RECEIVED

OCT 2 1979

Department of Water Resources
Eastern District Office

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that
Galloway Property Group, Box
1560, Sun Valley, Idaho 83353 has
on Sept. 10, 1979 submitted Appli-
cation No. 22-7304 for a permit to
appropriate 1.00 cubic feet per
second and 15 acre feet per annum
of water from North Leigh Creek
tributary of Teton River by means
of ditch and earthen dam within
the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29. T. 6N, R.
46E, B.M., Teton Co. to be used
from Jan. 1 to Dec. 31 for
diversion to storage and storage
for recreation within the SE $\frac{1}{4}$ -
NW $\frac{1}{4}$, 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 Re-
sources, 1515 Lincoln Road, Idaho
Falls, Idaho 83401 on or before
October 1, 1979.

C. Stephen Allred
Director

Published in the Teton Valley
News, Driggs, Idaho on Septem-
ber 20 & 27, 1979.

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	22-7304	Galloway Property Group	1.0 cfs 15 AF
Full Assignment	22-7304	Galloway Hills Association	1.0 cfs 15 AF

MICROFILMED

AUG 11 1989

MICROFILMED

RECEIVED

JUN 26 1985

State of Idaho

Department of Water Resources

RECEIVED

JUN 24 1985

ASSIGNMENT OF PERMIT

Department of Water Resources

Department of Water Resources
Eastern District Office

I, Galloway Property Group, hereby assign to Galloway Hills Association
of P. O. Box 1760, Teton, ID 83452
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 22-7304
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 10th day of August, 19 84.

Lee R. Martin
Permit Holder

Carol B. Martin
Spouse of Permit Holder

State of Idaho)

County of Blaine) ss.

On this 10th day of August, 19 84, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Lane A. Ryden
Notary Public residing at
Blaine County

My commission expires:

8/24/86

MICROFILMED

AUG 11 1989

duplicate
no acknowledgment
ment Reg'd.
kw
7/2/85

June 20, 1985

Lee R. Mortimer

Lee R. Mortimer
Permit Holder

Carol B. Mortimer

Carol B. Mortimer

STATE OF IDAHO)
) ss.
County of Blaine)

On this 20th day of June, 1985, personally appeared before me Lee R. Mortimer and Carol B. Mortimer, the signers of the above instrument, who duly acknowledged to me that they executed the same.

Laura A. Ryden
Notary Public residing at

Blaine County

Commission expires: 8/29/86

RECEIVED

JUN 24 1985

Department of Water Resources
Eastern District Office

MICROFILMED

AUG 11 1989

RECEIVED

JUN 26 1985

Department of Water Resources

State of Idaho
Department of Water Resources

RECEIVED
MAY 14 1985

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Galloway Property Group, hereby assign to Galloway Hills Association
of P. O. Box 1760, Teton, ID 83452
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 22-7304
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 10th day of August, 19 84.

Lee R. Mortimer
Permit Holder

Carol B. Mortimer
Spouse of Permit Holder

State of Idaho)
County of Blaine) ss.

On this 10th day of August, 19 84, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Lana A. Ryden
Notary Public residing at
Blaine County

My commission expires:
8/24/86

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Galloway Property Group Phone 456-2581 354-2245 2560

Post office address Box 1560, Sun Valley, Idaho 83353

2. Source of water supply North Laigh Creek which is a tributary of Teton River

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

Amount 15 AF for Storage for Recreation purposes from 1/1 to 12/31 (both dates inclusive)

Amount *1.00 cfs for Diversion to Storage purposes from 1/1 to 12/31 (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

a. *1.00 cubic feet per second and/or b. 15 acre-feet per annum.

* Per telecon 9-4-79 EMC

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Ditch from Creek to storage pond with earthen dam

b. Height of storage dam 7 feet, active reservoir capacity 15 acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: earth-fill

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: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ 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 sub-division

RECEIVED

西

[illegible]

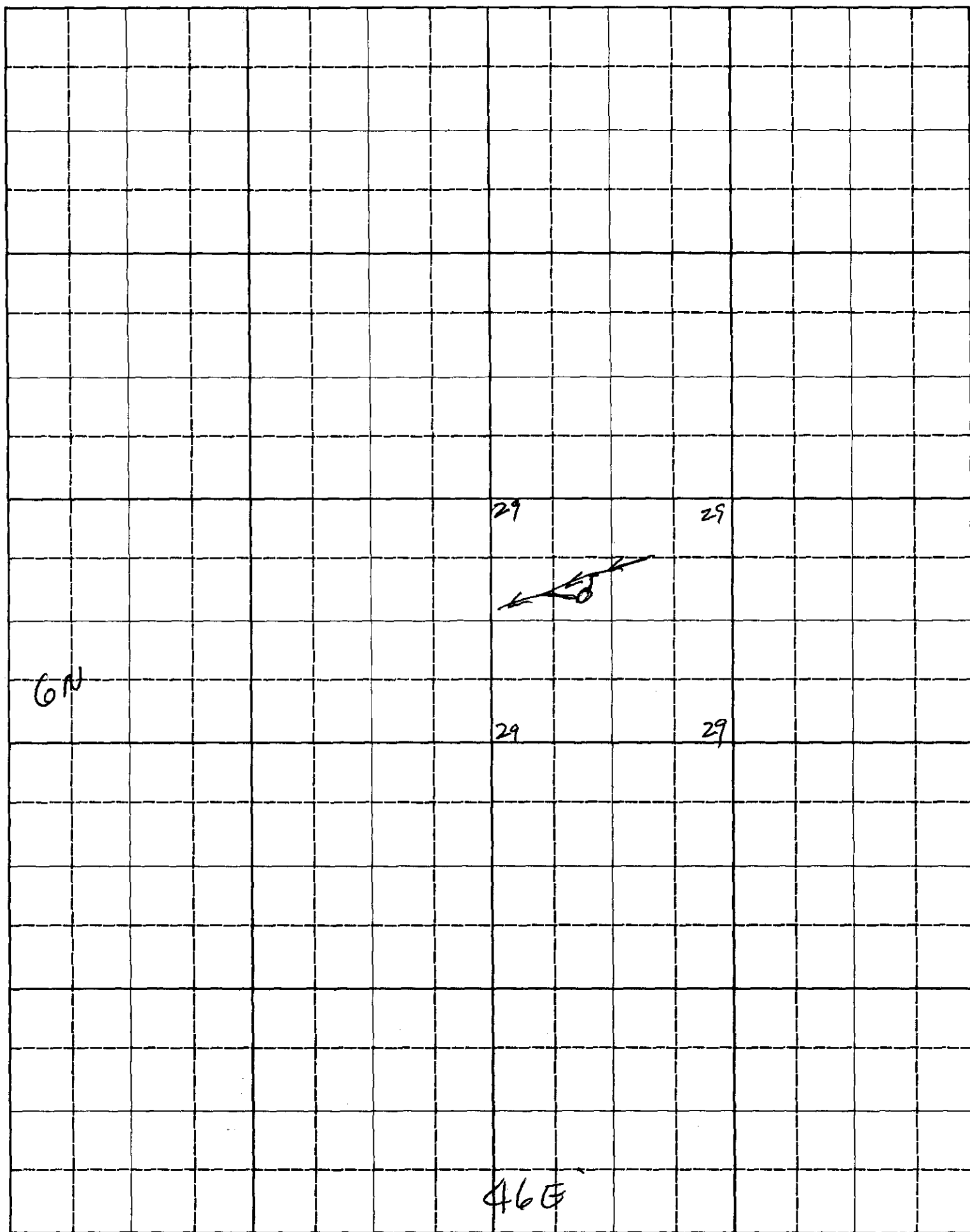
None

Applicant

Applicant

applicant to make this filing

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.

RECEIVED

John D. Brewer
(Applicant)
Lee B. Markmer
For H. H. H. H.
J. B. H. H.

Proposed Priority 9/10/79

Received by dh Date 9-04-79 Time 11:30 a.m.

Preliminary check by BR Fee \$ 20.00 92-239

Receipted by dh Date 9-10-79 #13701 (\$15) 35.00
9-05-89 #13693 (\$20)

Publication prepared by dh Date 9-14-79

Published in Teton Valley News

Publication dates 9/20 & 9/27/79

Publication approved OW Date 10-09-79

Protests filed by: Darwin R. & Barbara Ann Brown (Terry Crapo, Atty.) withdrawn 7-84

~~J. Max Mortenson, Chairman, Fremont-Madison Irrig. Dist. (Mary Smith, Atty.)~~ withdrawn 12-79

Copies of protests forwarded by OW

Hearing held by _____ Date _____

Recommended for approval denial by EMC kw

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. 22-7304, 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 July 1, 19 89.

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: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Use of water under this permit shall be non-consumptive.

A lockable headgate and a measuring device of a type approved by this Department shall be permanently installed and maintained at the point of diversion and a measuring device shall be installed at the point where water is returned to North Leigh Creek.

Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River.

Witness my hand this 30 day of July, 1984.

David R. Tuttle
Acting Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Teton)

Sharon W. Hedberg
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

Application for water right: Gallowsay

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 *Sept*, 19*81* and last publication on the *22* day of *Sept*, 19*81*

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 W. Hedberg

Subscribed in my presence and sworn to before me this *20* day of *Sept*, 19*81*
(SEAL) Notary Public for the state of Idaho, residence and postoffice address, Driggs, Idaho.

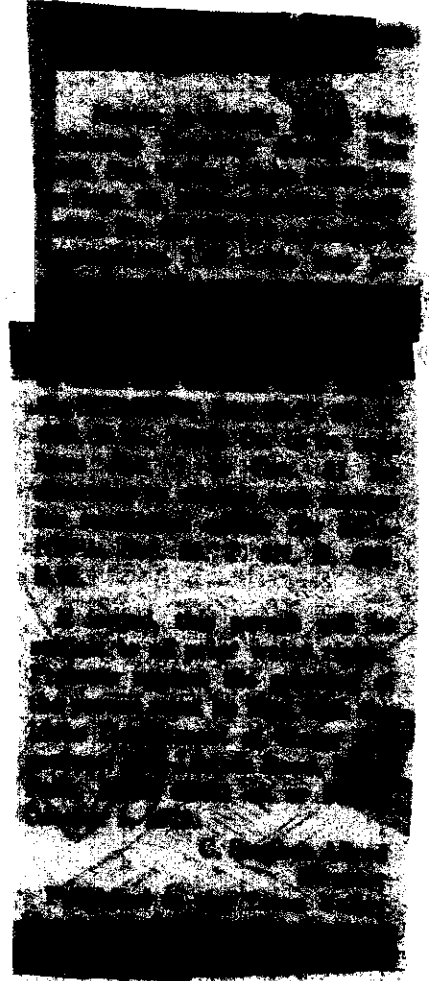
Walter C. Nelson
My Commission expires

July 7, 1982

RECEIVED

OCT 30 1981

Department of Water Resources
Eastern District Office



RECEIVED

AFFIDAVIT OF PUBLICATIO

State of Idaho)
) ss
County of Teton)

I, Harvey 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

Application for water
permit: Gallows Property
Group

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

Harvey Hastings

Subscribed in my presence and
sworn to before me this 13 day of
October, 1979

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

Mitchell C. Kibaur

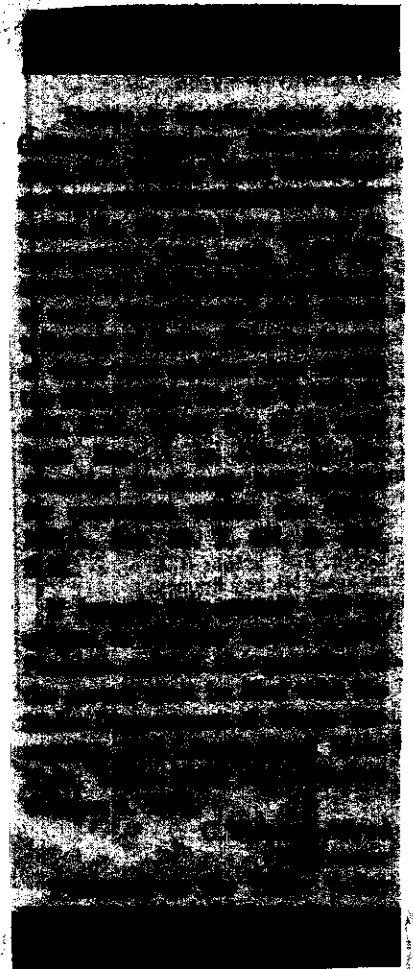
My Commission expires

July 7, 1982

RECEIVED

OCT 2 1979

Department of Water Resources
Eastern District Office



UNRECORDED

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO Office of State Auditor

AGENCY USE

6451
Date 08/22/89
Code 193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY
NAME:

DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	06 30 122	1238	8831		REF. #22-7304 PER RITA FLECK 7/27/89 25.00	25.00	
TOTAL						25.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

August 9, 1989

Permit No. 22-7304

Galloway Hills Assn.
P.O. Box 396
Driggs, ID 83422

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 examiner will contact you to arrange to examine your system.

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,

KEITH C. WILSON
Sr. Resource Agent

KCW:lk

Copy

MEMORANDUM

DATE: July 27, 1989

TO: ACCOUNTING SECTION - Nancy C.

FROM: Rita Fleck

RE: REFUND - PERMIT NO. 22-7304

Please prepare a refund of \$25.00 (receipt No. C007816). Attached is a copy of a letter which explains why a refund is necessary.

Also, please reference the water right identification number on any papers returned to me for the file. Thanks.

Attachments: Letter

MICROFILMED

AUG 11 1989

July 26, 1989

Galloway Hills Assn.
P. O. Box 396
Driggs, ID 83422

Gentlemen:

Re: Permit No. 22-7304

I have reviewed the proof of beneficial use form submitted to this office on June 27, 1989 and note an overpayment of the licensing exam fee. For the diversion of one cfs, the licensing exam fee is \$100.00. You submitted a fee of \$125.00. Thus, an overpayment of \$25.00.

I have requested the Accounting Section to prepare a refund. It will be sent to you in a couple of weeks.

The next step is for the department to conduct a field inspection to determine the extent of beneficial use for licensing purposes. I cannot tell just when this inspection will take place, but the regional office will contact you to schedule a convenient time.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

c: Accounting Section
S. Region

MICROFILMED

AUG 11 1989

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 22-02304

Date: 7-7-89

General Considerations:

N Name same as permit
Y Signature the same as permit holder
Y Address change _____ If yes, prepare a data entry
Y Proof received timely _____
_____ Reinstated

Source of Water:

Y Surface water
Y Groundwater
N/A 1. well log in file
N/A 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y N Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

Y Is a measuring device or access port required?
Y Has one been installed?
N Waiver or modification of measuring device requested

Remarks:

refund required
Proof acceptable

Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	-
No. of days late	_____	=
Priority date	_____	+
NEW PRIORITY DATE	_____	=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

JUN 27 1989

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received 125.00

Date 6/27/89

Receipt # C607816

Receipt by R. Young

Reviewed by JS

Sent to region 302-4

Refunded \$25

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

Permit No. 22-07304

Name(s) of Permit Holder: Galloway Hills Assn.

Post Office Address: P.O. Box 396 Driggs ID 83422

Telephone No. (307)-353-8567

Source of Water: North Leigh Creek

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark storage for recreation

Total rate and/or volume for which proof is submitted 1.00 cfs 15 acre-feet

Show the date water was first diverted and beneficially used under this permit: Aug. 1984

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

Fee enclosed \$ _____
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Person to contact to accompany the Department representative during the field examination:

Debra McGregor
(Name)

307-353-8567
(Telephone Number)

Rt. 1 Box 3650 P.O. Box 396 Driggs ID 83422
(Address)

The above information is my true statement of the extent to which the above numbered permit holder has developed the permit. I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

AUG 11 1989

6-23-89
Date

Lee R. Mortimer, President
Signature of Permit Holder (and title, if appropriate)

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

[Handwritten mark]

Receipt No: C007B16

Date: 06/27/89
Time: 13:46:09

Received
From: GALLOWAY HILLS ASSN.

Type of Payment	Program Acct Class	Amount
BENEFICIAL USE (22-7304)	0630122 123B 6490	\$125.00
	Total	\$125.00

CHECK 141

Idaho Department of Water Resources

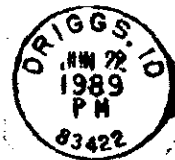
Region: STATE

Signature: *K. Young*

MICROFILMED

AUG 11 1989

P.O. Box 396
Driggs, ID



Department of Water Resources
1301 N. Orchard St.
Statehouse Mail
Boise, ID 83720

GALLOWAY HILLS ASSN.
P.O. BOX 1760
TETONIA, ID 83452

April 30, 1989

138152

PROOF DUE NOTICE

RE: PERMIT NO. 22-07304

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1989. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

AUG 11 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 22-7304

Name(s) of Permit Holder(s):

Post Office Address:

Sum Valley ID.

Box 1560
83353

Tel. No.

726-3384

☒ I hereby certify that construction of diversion works for the above referenced permit began on Nov. 1984 and I understand that I must

continue to develop the water within due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

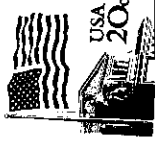
*Note: A financing difficulty is not an acceptable reason.

Date

Signature of Permit Holder

Patricia

P.O. Box 1563
Sun Valley, Idaho 83353



MICROFILMED



Department of Water Resources

JUL 8 1982

AUG 11 1989

RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 22-7304
Name(s) of Permit Holder(s): Galloway Hills Association
Post Office Address: Box 1760, Jetmore, Idaho 83452
P.O. # 28361

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on APRIL 25, 1985 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

*Note: A financing difficulty is
not an acceptable reason.

5-10-85

Date

John D. Gruver
Signature of Permit Holder
Galloway Hills Assoc.

PLACE
STAMP
HERE

RECEIVED

MAY 14 1985



MICROFILMED

AUG 11 1989

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

Department of Water Resources
BOISE, IDAHO 83720



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

MICROFILMED

AUG 11 1989



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.

MICROFILMED

AUG 11 1989

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

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.
(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

AUG 11 1989

May 24, 1985

RE: Permit No. 22-7304

Galloway Hills Assoc.
Box 1760
Tetonia, ID 83452

Dear Permit Holder:

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

KAY WALKER
Chief Clerk

KW:sc
Enclosure

MICROFILMED

Permit No. 22-7304

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? ☒
2. Notary? ☒
3. a. Full Assign? ☒
b/ Partial Assign?
4. "No assignment" condition on permit? NO
5. Commencement of works received? yes
 - a. Commencement of works requested?
 - b. Show Cause Order drafted & sent?
 - c. Cancellation necessary?
6. Affidavit of Residency required? NO

1. Type Permit Summary Sheet ☒
2. Coding Sheet ☒
3. Acknowledgement letter type # 1 (1.36)
4. Copy to region ☒

Date: 5-16-85
Employee: H. Walker

MICROFILMED

August 1, 1984

RE: Permit No. 22-7304

Galloway Property Group
Box 1560
Sun Valley, ID 83353

Dear Permit Holder:

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

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control your rate of diversion.

The 1982 Idaho Legislature added a requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

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

DRT:sc
Enclosures

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

22 7304

INITIAL REVIEW BY: Ernest

APPLICATION NUMBER:

CHECK:

- ☒ Source. OFF STREAM
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee. - insufficient by 15⁰⁰
☐ 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: _____

AS PER TELECON WITH JOHN BREWER - \$15⁰⁰ WILL BE SENT FOR REMAINDER OF FILING FEE. Ernest 7/4/79

No W.D. #1 Diversion Number has assigned.

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☒ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other W.D. #1

PROCESSING:

- ☒ Yes ☐ No Platted by: Ernest Map No. W-100
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: October 8, 1979
☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 10-02-79
☒ 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? WD #1
9-10-79 Date of priority recommended.
Special conditions of approval or cover letter. _____

file copy destroyed
EW

of a type by
approved by
the water master
permanent
installation and
maintained

01E, 05, 26

A Lockable headgate & measuring device at p.s. and a measuring device at the point of discharge for water returning to North Fork Creek.

By: Ernest Carlson.

Date: July 12, 1984

STATE OFFICE REVIEW:

108,417

26 27 05(01) RECEIVED
condition on memo

- ☐ See attached sheet for more information.

By: EW

Date: 7-26-84

JUL 26 1984

in Swan Falls area - nonconsumptive
OK to process.

Copy sent to Job Fleener

IDENT. NO. 22-7304

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT DATA ENTRY LOG

[illegible]

OK WATER RIGHT NUMBER 22-7304

OWNER LAST NAME - GALLOWAY PROPERTY GROUP FIRST NAME - ORIG OWNER -
ADDRESS LINE 1 - BOX 1560 ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - SUN VALLEY STATE - ID ZIP CODE - 83353
SOURCE - NORTH LEIGH CREEK TRIBUTARY OF - TETON RIVER
STAGE - APPLICATION STATUS - PRIORITY - 09-10-1979 COUNTY - TETON TOTAL DIV. RATE - 1.0000 -CFS
TOTAL DIV. VOLUME - 15.00 AFA TRFR/AMEND - WATER DIST. - DLE/CARFY ACT - RIGHT BASIS -
DIVERSION POINT - SENW 29 06N 46E LOT REDIV - 272.0 489.0 10.0 6.0 2.0 0.0 0.0 0.0 0.0 0.0 4.5
FROM - 01-01 TO - 12-31 USE - RECREATION STORAGE USE DIV. RATE - .0000 CFS USE DIV. VOLUME - 15.00 AFA
FROM - 01-01 TO - 12-31 USE - DIVERSION TO STORAGE USE DIV. RATE - 1.0000 CFS USE DIV. VOLUME - .00 AFA
USE - RECREATION STORAGE PLACE OF USE - TWN 06N RNG 46E SEC 29 TRACT SENW LOT AC
DECREE NAME - DATE - TOTAL ACRES 0
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - 09-27-1971 HEARING - 07-20-1983 OLD NO. -
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS - DITCH, EARTH-FILL DAM

July 20, 1984

RE: Applicatinn for Permit No. 22-7304 GALLOWAY PROPERTY GROUP

Barbara Ann Brown
350 East 4th South
Rexburg, ID 83440

Dear Mrs. Brown:

This is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

cc: Galloway Property Group

MACRA
JUL 21 1984

IN THE MATTER OF)

APPLICATION FOR) WITHDRAWAL OF

PERMIT 22-7304) PROTEST

GALLOWAY PROPERTY)

GROUP)

Based upon the information presented at the conference held in Driggs Idaho July 12, 1984, it appears that this proposed project will not result in additional consumption of North Leigh Creek water. We therefore agree to withdraw our protest against approval of this application

Signed at Driggs Idaho this
12th day of July 1984.

Bertha Ann Brown

RECEIVED
JUL 15 1984

GALLOWAY PROPERTY GROUP July 12, 1984
22-7304

Applicant Represented by John Brewer
Protestant Barbara Brown

APPLICANT

John Brewer 11% interest in Galloway
Property group
(Four signatures including Brewers on
application)

Pond fills up with sub each year
has been there for 3 years

Pond is part of the landscaping
plan for the Galloway Subdivision
Inlet from North Leigh has not
been constructed.

PROTESTANT

Applicant purchased property from
Roland Barber.

This is the first property irrigated
from North Leigh.

Applicant has J.O. Christensen 1916
water right.

RECORDED

22-7304 - Galloway Property Group

Commissioner's Room, Teton County Courthouse, Driggs, Idaho
Thursday, July 12, 1984 - 10:00 a.m.

ROSTER OF ATTENDANCE

Hearing Officer _____

Name	Address	Representing
<i>Jan Brewer for Galloway</i>	<i>Box 448 Driggs ID</i>	<i>Galloway Property Group</i>
<i>Barbara Brown wife of (Dwain R. Brown)</i>	<i>350 E 4th St Rexburg, Idaho 83440</i> <i>or</i> <i>Box 167 % Saudia Airline Jeddah, Saudi Arabia</i>	
<i>Lee O'Brien Deputy watermaster</i>	<i>Box 331 Driggs, Idaho 83422</i>	

RECEIVED
JUL 13 1984
TETON COUNTY CLERK

July 3, 1984

Teton County Clerk
Teton County Courthouse
Driggs, ID 83422

ATTN: Betty Hill

Dear Betty:

This is to confirm the use of the Commissioner's Room for
water right hearings to be held by this department on July 12,
1984 beginning at 10:00 a.m.

We appreciate your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

PS Form 3811, July 1982

- 22-7344
- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO"
space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered \$☐ Show to whom, date, and address of delivery .. \$

- 2.
- ☐
- RESTRICTED DELIVERY**
- \$

*(The restricted delivery fee is charged in addition
to the return receipt fee.)***TOTAL \$**

- 3.
- ARTICLE ADDRESSED TO:**

Darwin R. Brown
350 E. 4th South
Reuberg ID 83440

- 4.
- TYPE OF SERVICE:**

☐ REGISTERED☐ INSURED☒ CERTIFIED☐ COD☐ EXPRESS MAIL**ARTICLE NUMBER**

13212

(Always obtain signature of addressee or agent)

I have received the article described above.

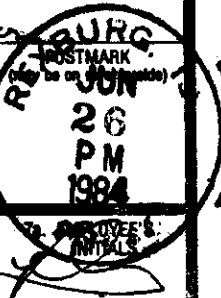
SIGNATURE ☐ Addressee ☐ Authorized agent*X Barbara Brown*

- 5.
- DATE OF DELIVERY**

6-26-84

- 6.
- ADDRESSEE'S ADDRESS**
- (Only if requested)*

- 7.
- UNABLE TO DELIVER BECAUSE:**



RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE
USE, \$300

SENDER INSTRUCTIONS

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

- Complete Items 1, 2, 3, and 4 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.

RETURN
TO
RECEIVED

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE

150 SHOUP AVE. Suite 15

IDAHO FALLS, IDAHO 83401
(Name of Sender)

JUN 28 1984

(Street or P.O. Box)

Department of Water Resources
Eastern District Office

(City, State, and ZIP Code)

PS Form 3811, July 1982

- 22-7304
- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered \$☐ Show to whom, date, and address of delivery .. \$

- 2.
- ☐
- RESTRICTED DELIVERY**
- \$

(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

- 3.
- ARTICLE ADDRESSED TO:**

FREMONT MADISON IRR. DIST
 R.O. Box 5
 St. Anthony 83405

- 4.
- TYPE OF SERVICE:**

☐ REGISTERED☐ INSURED☒ CERTIFIED☐ COD☐ EXPRESS MAIL**ARTICLE NUMBER**

13213

(Always obtain signature of addressee or agent.)

I have received the article described above.

SIGNATURE☐ Addressee☐ Authorized agent

D. L. A. Wenson

- 5.
- DATE OF DELIVERY**

6/26/84

- 6.
- ADDRESSEE'S ADDRESS**
- (Only if requested)

- 7.
- UNABLE TO DELIVER BECAUSE:**

7. **EMPLOYEE'S INITIALS**

RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE
USE, \$300

SENDER INSTRUCTIONS

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

- Complete Items 1, 2, 3, and 4 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.

RETURN
TO



DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE

150 SHOUR AVE. Suite 15

IDAHO FALLS, ID 83401

RECEIVED

JUN 27 1984

(Street or P.O. Box)

Department of Water Resources
Eastern District Office

(City, State, and ZIP Code)

PS Form 3811, July 1982

- 22-7304
- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO"
space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered \$

☐ Show to whom, date, and address of delivery \$

- 2.
- ☐
- RESTRICTED DELIVERY**
- \$

(The restricted delivery fee is charged in addition
to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO:

Mary Smith
30. South 269 West
Rayburg, Id 83440

4. TYPE OF SERVICE:

☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

13211

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

5. DATE OF DELIVERY

POSTMARK

(may be on reverse side)

6. ADDRESSEE'S ADDRESS (Only if required)

7. UNABLE TO DELIVER REASON

8. EMPLOYEE'S INITIALS

RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

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

- Complete items 1, 2, 3, and 4 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, \$300

RETURN
RECEIVED

JUN 27 1984

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 SHoup AVE. Suite 15

(Name of Sender) IDAHO 83401

Department of Water Resources
Eastern District Office

(Street or P.O. Box)

(City, State, and ZIP Code)

PS Form 3811, July 1982

- 22-7304
- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
- ☒ Show to whom and date delivered \$
- ☐ Show to whom, date, and address of delivery .. \$
2. ☐ **RESTRICTED DELIVERY** \$
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO:

Halloway Property Group
Box 1560
Sun Valley Id 83353

4. TYPE OF SERVICE:

- ☐ REGISTERED ☐ INSURED
- ☒ CERTIFIED ☐ COD
- ☐ EXPRESS MAIL

ARTICLE NUMBER

13210

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Carl Mottman

5. DATE OF DELIVERY

JUN 28 1984

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

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

- Complete items 1, 2, 3, and 4 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, \$300

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE

100 CHURCH AVE. Suite 15
IDAHO FALLS, IDAHO 83401

RETURN
TO



RECEIVED
JUN 29 1984

(Name of Sender)

(Street or P.O. Box)

Department of Water Resources
Eastern District Office

(City, State, and ZIP Code)

MAILED JUN 29 1984

EASTERN DISTRICT OFFICE
150 SHOUT AVE.
IDAHO FALLS, IDAHO 83401

Indicate type of mail:
☐ Registered
☐ Insured
☒ COD
☐ Certified

I certify that we have:
☐ Commercial Insurance
☐ A deductible clause of \$

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

NAME AND ADDRESS OF SENDER	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (if Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S.H. FEE	REST. DEL. FEE	REMARKS
	1	Quincy McKee 11848. 1900 E. Maryland St.	20	75				60			75-2003	
	2	Elaine Cook 90804 107 Salmon St.									"	
	3	Sharon City 70804 1037 Salmon St.									75-2305	
	4	Robert J. Muto Rt #1 80806 E. Chapman									75-2306	
	5	John H. Neal 804135 (Garmon, Rd)									75-2304	
	6	Charles R. Muto 804133 (Garmon)									"	
	7	Emile (Spencer) 434 Morgan St. 804133									22-0265	
	8	Barry (Spencer) 32380 3rd St. 804133									22-0265	
	9	William (Spencer) 804133 1560 Broadway									22-2304	
	10	Mary Smith 3080 2nd St. 804133									"	
	11	William (Spencer) 350 E. 4th St. 804133									"	
	12	Therese M. Muto 804133 1560 Broadway									22-2304	
	13	Quincy McKee 11848. 1900 E. Maryland St.										
	14	Elaine Cook 90804 107 Salmon St.										
	15	Sharon City 70804 1037 Salmon St.										
TOTAL NUMBER OF PIECES LISTED BY SENDER	13	Twelve										
TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE												
POSTMASTER, PER (Name of receiving employee)		Betty Lundquist										

The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable on registered mail, \$400 for COD and \$400 for insured mail. Special delivery service includes special handling service.

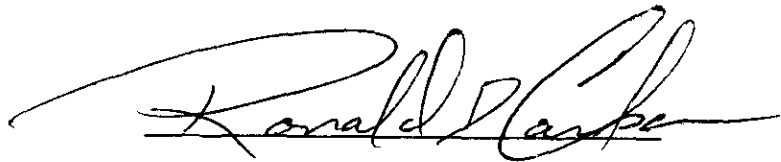
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT	)	
NO. 22-7304 IN THE NAME OF GALLOWAY	)	NOTICE OF HEARING
PROPERTY GROUP	)	AND/OR CONFERENCE
	)	
	)	

On September 4, 1979, Galloway Property Group, Sun Valley, Idaho filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On September 28, 1979, the Department received a protest against approval of said application from Darwin R. and Barbara Ann Brown. On October 1, 1979, an additional protest was received from Fremont Madison Irrigation District.

The Department has set the matter of protest for hearing for Thursday, July 12, 1984, at 10:00 a.m. in the Commissioner's Room, Teton County Courthouse, Driggs, Idaho. The hearing will be held in accordance with provisions of Chapter 2, Title 42, 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.

Dated this 25th day of June, 1984.



RONALD D. CARLSON

Eastern Regional Supervisor

RECEIVED
JUN 27 1984
WATER RESOURCES
DIVISION

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO
IDAHO FIRST NATIONAL BANK BUILDING
P.O. BOX 129
IDAHO FALLS, IDAHO 83402
—
TELEPHONE 523-0620
AREA CODE 208

WILLIAM S. HOLDEN
R. VERN KIDWELL, P.A.
FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER, P.A.
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEKLE
CURT R. THOMSEN
RANDALL K. BARTON
MICHAEL D. CRAPO

JAMES D. HOLMAN
GAYLE A. SORENSON
DONALD L. HARRIS
BRUCE T. SMITH
GREGOR S. CHVISUK

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)

June 11, 1984

RECEIVED

JUN 11 1984

Department of Water Resources
Eastern District Office

Mr. Ernest Carlsen
Assistant Regional Supervisor
State of Idaho
Department of Water Resources
150 Shoup--Suite 15
Idaho Falls, Idaho 83402

RE: Administrative Hearing on Application
No. 22-7304; Galloway Property Group

Dear Mr. Carlsen:

This letter is to advise you that our firm hereby
withdraws as counsel of record in the above entitled matter for
Mr. and Mrs. Darwin Brown.

You will notice that we have sent a copy of this letter to
the Browns, and assume that they will either be in touch with
you directly or will have another attorney respond on their
behalf in this matter.

If there is anything else we can do, please let us know.

Yours very truly,

Kent W. Foster
Kent W. Foster *cl*

KWF/cl
777/10,202
cc: Mr. and Mrs. Darwin Brown

10-11-84

May 29, 1984

RE: Administrative Hearing on Application for Permit No. 22-7304.

Darwin Brown
c/o Saudia Arabian Airlines
CC942
P.O. Box 167 Jeddah
Saudia Arabia 21411

Dear Mr. Brown:

To recommend final action on the above captioned application an administrative hearing must be held to examine the issues of protest against granting the permit. Wednesday, July 11, 1984 has initially been selected for the date of the hearing which will be held in Rexburg.

Certified notices confirming the date, place and time will be mailed two weeks before the hearing. Please notify this office prior to the mailing of these notices if you can not attend a hearing on the date specified.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Letter sent to Kent Foster, Max Mortensen, Marv Smith

May 24, 1984

RE: Administrative Hearing on Application No. 22-7304

Galloway Property Group
Box 1560
Sun Valley, ID 83353

Gentlemen:

To recommend final action on the above captioned application an administrative hearing must be held to examine the issues of protest against granting the permit. Wednesday, July 11, 1984 has initially been selected for the date of the hearing which will be held in Rexburg.

Certified notices confirming the date, place and time will be mailed two weeks before the hearing. Please notify this office prior to the mailing of these notices if you can not attend a hearing on the date specified.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw



February 21, 1978

Holden, Milwell, Hahn & Grapo
Attn: Kent Foster
P.O. Box 129
Idaho Falls, ID 83402

RE: Application for Permit No. 22-7304, CALLOUAY PROPERTY GROUP

Dear ~~Kent~~Foster:

In September of 1978 your office protested the above captioned application on behalf of Marvin Brown who owns property in Teton Basin but presently works as an airline pilot in Saudi Arabia. To date the Department has been prevented from conducting an administrative hearing because Mr. Brown has not been available to participate. Mr. Brown, however, does return to this area a couple times a year and in fairness to the applicant the decision needs to be made concerning the application.

To successfully hold a hearing we need to know if your firm is still representing Mr. Brown in this matter and the dates of his next visit to this area.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:ba

43



February 7, 1984

RECEIVED

FEB 13 1984

Department of Water Resources
Eastern District Office

Ernest M. Carlsen
Dept. of Water Resources
State of Idaho
1515 Lincoln Rd.
Idaho Falls, Idaho 83401

Dear Ernest:

I notice that Galloway Property Group, Water Rights 22-7304 and 7305, is listed as a defendant in the Idaho Power Company lawsuit.

Does that mean our protestors have given up and we own the rights free and clear? I don't find any official notification although it may have been sent to Sun Valley. I would appreciate something for my file.

Best regards.

Sincerely,

John Brewer

ss

RECEIVED

MEMORANDUM

FROM: Ernest Carlsen

DATE: Sept. 22, 1983

TO: File No. 22-7304

The local address for Darwin Brown, protestant, is now D.R. Brown, 350 E. 4th St, Rexburg, Idaho, 83440, phone 356-7801. Mr. Brown's overseas address is: Darwin Brown, c/o Saudia-Arabian Airlines, CC942, P.O. Box 167 Jeddah, Saudi Arabia, 21411.

I spoke with Mr. Brown this afternoon concerning his protest of application for permit 22-7304. Mr. Brown indicated he was still concerned about losses that could result from the proposed pond. Since he will be leaving for Saudi Arabia on Sunday, I asked if he could possibly come in and discuss the application with me. He thought he could possibly visit the office on Friday. It should be noted that Mr. Brown did not make it to the office on Friday and that no further discussions have taken place concerning his protest of application 22-7304.

01*



RECEIVED
SEP 16 1983

Department of Water Resources
Eastern District Office

September 9, 1983

Ernest M. Carlsen
Dept. of Water Resources
State of Idaho
1515 Lincoln Rd.
Idaho Falls, ID 83401

Weaver's ditch.

ref: Permit No. 22-7304

Dear Ernest:

I passed Darwin Brown, the protestor, on the highway today north of Driggs.

This will serve, therefore, as our request for a final ruling on this bothersome matter. Mr. Brown has been here and distance cannot be reason for further delay in our opinion.

Sincerely,

John Brewer
for Galloway Property Group.

sh

456-2054 - 3rd page

Adrian Fitt. 456-2096 - Tota Ranch.

D.R. Brown - ~~856-6852~~ 356-7801.

350 E 4th S.

U-170

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

M E M O

Date: 7 22-83

In response to the notice of hearing, Kent Foster, who initially represented the protestant, contacted Ron to advise us that he was not able to notify Mr. Brown of the hearing. In fact, Mr. Foster was not even certain he was still being retained as counsel and he did not have a current address for Mr. Brown.

As expected, the Brown's did not appear at the conference/hearing nor were they represented. Numerous attempts by the applicant to correspond with the protestant resulted in no response from the protestant.

Previous discussions between the applicant and Mr. Foster indicated there was a likelihood the protest could be withdrawn. However, all attempts to secure a written withdrawal have failed.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Eastern District Office
150 Church St.
Idaho Falls, Idaho

CASH CHECK 3402

001858

☐ HOLD

DATE

1ST NOTICE

2ND NOTICE

RETURN

Dispatched from
PS Form 3840-A
Oct. 1980

CERTIFIED MAIL

13095

RETURN RECEIPT REQUESTED

22-2304

RETURNED TO SENDER OR, or Barbara Ann Brown
Reason: Not at address, 3rd South
Address: unknown, 83440
No such street, Pumper
No such office in state
No mail in this envelope
8/2/81
Cady

IDAHO
JUL 26 1981

PS Form 3811, Dec. 1980

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered
☐ Show to whom, date, and address of delivery..
2. ☐ **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to
the return receipt fee.)

TOTAL \$

3. **ARTICLE ADDRESSED TO:**
*Darwin R. Brown
351 East 3rd South
Reklung, Id. 83440*

4. **TYPE OF SERVICE:**
☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
13095

(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

5. **DATE OF DELIVERY** **POSTMARK**

6. **ADDRESSEE'S ADDRESS (Only if requested)**

7. **UNABLE TO DELIVER BECAUSE:** **7a. EMPLOYEE'S INITIALS**

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

22-7304 - Galloway Property Group

Courtroom, Fremont County Courthouse, St. Anthony, ID

Wednesday, July 20, 1983 (3:00 p.m.)

ROSTER OF ATTENDANCE

Hearing Officer _____

<u>Name</u>	<u>Address</u>	<u>Representing</u>
CHARUE PETERSON	Box 8, DRIGGS, ID 83422	GALLOWAY HILLS JOINT VENTURE
John D Brewer	Box 448 Driggs ID	Galloway Hills Joint Venture

July 15, 1983

Fremont County Clerk
Fremont County Courthouse
St. Anthony, Idaho 83455

ATTN: Betty Hill

Dear Ms. Hill:

This is to confirm the use of the Courtroom for conference and/or hearing to be held by this office on Wednesday, July 20, 1983 for the complete day and on Thursday, July 21, 1983 from 9:00 a.m. until 4:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

RECEIVED
JUL 17 1983

LAW OFFICES

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 129

IDAHO FALLS, IDAHO 83402

TELEPHONE 523-0620

AREA CODE 208

July 13, 1983

WILLIAM S. HOLDEN
R. VERN KIDWELL, P. A.
FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER, P. A.
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
CURT R. THOMSEN
RANDALL K. BARTON
MICHAEL D. CRAPO

JAMES D. HOLMAN
GAYLE A. SORENSON
DONALD L. HARRIS
BRUCE T. SMITH

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)

RECEIVED

JUL 13 1983

Department of Water Resources
Eastern District Office

HAND DELIVERED

Mr. Ron Carlson
STATE OF IDAHO
Department of Water Resources
150 Shoup
Idaho Falls, Idaho 83402

Dear Mr. Carlson:

We have just received the Notice of Hearing scheduling the hearing on the protests filed by our firm on behalf of the Browns and by Mrs. Smith on behalf of Fremont-Madison Irrigation District for Wednesday, July 20, 1983, at 3:00 o'clock p.m. As I advised you by telephone, I have a trial setting in the District Court here in Bonneville County on that day and am certain that I will be unavailable for the hearing. We are therefore requesting a continuance.

Since we have not heard from our clients on this matter for quite some time, we are writing to them and will make an attempt to contact them by telephone immediately to determine what dates might be convenient for hearing time. As soon as we have heard from them, we will contact you with that information.

Thank you for your kind attention to this matter.

Yours very truly,



Kent W. Foster

KWF:vm

cc: Darwin and Barbara Brown

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☐ Show to whom and date delivered —¢
☐ Show to whom, date, and address of delivery .. —¢
 2. ☐ **RESTRICTED DELIVERY** —¢
 (The restricted delivery fee is charged in addition to
the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO:

Falloway Property Group
Box 1560
Sun Valley, Cal. 94086

4. TYPE OF SERVICE:

- ☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

13093

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

John B. Mortimer

5. DATE OF DELIVERY

POSTMARK

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1, 2, 3, and 4 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**



**RETURN
TO**



DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE *Suite 15*

150 SHOUP AVE.

IDAHO FALLS, IDAHO 83401

RECEIVED

(Name of Sender)

JUL 15 1983

(Street or P.O. Box)

Department of Water Resources
Eastern District Office

Idaho Falls, Idaho

(City, State, and ZIP Code)

PS Form 3825, Dec. 1953

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

① **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
- ☒ Show to whom and date delivered —¢
- ☐ Show to whom, date, and address of delivery.. —¢
2. ☐ **RESTRICTED DELIVERY** —¢
(The restricted delivery fee is charged in addition to
the return receipt fee.)

TOTAL \$ _____

3. **ARTICLE ADDRESSED TO:**

Kent W Foster
P.O. Box 129
Idaho Falls Id. 83401

4. **TYPE OF SERVICE:**

- ☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

13094

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Gerrit Crapo

5. **DATE OF DELIVERY**

POSTMARK

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**

[Signature]

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1, 2, 3, and 4 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**



**RETURN
TO**



DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 SHOUP AVE.

IDAHO FALLS, IDAHO 83401

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

U.S. MAIL

ACCEPTANCE OF REGISTERED MAIL, C.O.D. AND CERTIFIED MAIL

PS Form 3877, Sept. 1979

NAME AND ADDRESS OF SENDER

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ Certified

I certify that we have
☐ Commercial Insurance
☐ A deductible clause of \$

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

1	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
1	13071	Edna Hanson P.O. Box 97, Iduna, Ia.	20	75				60				21-2156-157
2	13072	Mama Linnarson Rt #1 Sugar City										
3	13073	Gertrude Matheson P.O. Box 5 St Anthony										22-7304 21-7315-16
4	13074	Mary Smith 372nd W Kelburg										22-7304 21-7315-16
5	13075	Ellen Wickman Rt #4 Box 192 Kelburg										
6	13076	Harold Schmitt Rt #2 St Anthony										
7	13077	Lloyd Sargent Rt #2 St Anthony										
8	13078	Neal Tucker 236 E Main St Anthony										
9	13079	Reuben Linnarson Iduna, Ia.										
10	13080	Iduna Linnarson Iduna, Ia.										
11	13081	Iduna Linnarson Rt #2 Kelburg										
12	13082	Ida Lindbacker Rt #2 Box 172 Kelburg										
13	13083	Robert Orma Rt #2 Box 144 Kelburg										
14	13084	Ronda Larson Box 326 Sugar City										
15	13085	Bill Palmer Sugar City										

TOTAL NUMBER OF PIECES LISTED BY SENDER

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER/PER (Name of receiving employee)

The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401

NAME AND ADDRESS OF SENDER

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ Certified

I certify that we have
☐ Commercial Insurance
☐ A deductible clause of \$

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

1 No.	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
1	13086	Mar. Brown, 215 E. 1st St., Idaho Falls	20	75				60				
2	13087	Paul Jensen, Rt #2 Box 297 Reburg										
3	13088	Paul Jensen, Rt #4 Box 75 St. Anthony										
4	13089	Paul Jensen, Rt #1 St. Anthony										
5	13090	Paul Jensen, Rt #2 Box 26 Reburg										
6	13091	Paul Jensen, Rt #1 Box 134 Reburg										22-7-58
7	13092	William Jensen, Rt #1 Box 75 St. Anthony										
8	13093	William Jensen, Rt #1 Box 150 St. Anthony										22-7-58
9	13094	Paul Jensen, Rt #1 Box 103 St. Anthony										
10	13095	Paul Jensen, Rt #1 Box 25 St. Anthony										
11	13096	Paul Jensen, Rt #1 Box 103 St. Anthony										21-7-58
12	13097	Paul Jensen, Rt #1 Box 103 St. Anthony										21-7-58
13	13098	Paul Jensen, Rt #1 Box 25 St. Anthony										
14	13099	Paul Jensen, Rt #1 Box 103 St. Anthony										
15	13100	Paul Jensen, Rt #1 Box 103 St. Anthony										21-7-58

TOTAL NUMBER OF PIECES LISTED BY SENDER

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER, PER (Name of receiving employee)

The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. GOVERNMENT PRINTING OFFICE: 1979-301-994

PS Form 3877, Sept. 1978

ACCEPTANCE OF REGISTERED, INSURED, C.O.D. AND CERTIFIED MAIL

IN THE MATTER OF PROTESTS AGAINST)
APPROVAL OF APPLICATION FOR PERMIT)
NO. 22-7304 IN THE NAME OF)
GALLOWAY PROPERTY GROUP)

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 September 28, 1979, the Department received a protest against approval of said application from Holden, Kidwell, Hahn and Crapo in behalf of Darwin R. and Barbara Ann Brown. On October 1, 1979, an additional protest was received from Mary Smith, Attorney at Law, in behalf of Fremont Madison Irrigation District.

The Department has set the matter of protest for hearing for Wednesday, July 20, 1983, at 3:00 p.m. in the Courtroom, Fremont County Courthouse, St. Anthony, Idaho. The hearing will be held in accordance with provisions of Chapter 2, Title 42, 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.

Dated this 7th day of July,
1983.

Ronald D. Carson

RONALD D. CARLSON

Eastern Regional Supervisor

CONVERSATION MEMORANDUM

DATE 10-2-1980

FILE 22-7304

NAME OF PARTY John Brower

EMPLOYEE Ernest

RE: During a telecon today with Mr. Brower, it was confirmed he met
with Mr. Brown back in May. At that time it was agreed the protest
would be withdrawn. Unfortunately Mr. Brown neglected to follow
through on the withdrawal prior to leaving the States. Mr. Brower
is attempting to communicate with Mr. Brown and requested that the
Department refrain from scheduling a conference in the matter until
otherwise advised.

023

CONVERSATION MEMORANDUM

DATE 10-2-1980

FILE 22-7304

NAME OF PARTY Kent Foster

EMPLOYEE Ernest Carlsen

RE: Telephone Conversation

Mr. Foster's clients, Darwin & Barbara Brown, have met with Mr. Brown
back in May, 1980. Although it appears the protest has been resolved, it
was never withdrawn. Mr. Brown is presently working in Saudia Arabia and is
virtually impossible to contact. Mrs. Brown may still be in Rexburg.

SMITH, HANCOCK & MOSS

Attorneys at Law

MARY SMITH
J. D. HANCOCK
BRENT J. MOSS
W. LLOYD ADAMS (1885-1969)

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

January 10, 1980

Mr. John Brewer
Galloway Property Group
American Realty West
~~20 South Main Street~~ P.O. Box 17
Driggs, Idaho 83422

Dear Mr. Brewer

Re: Application of Galloway Property
Group, Number 22-7304

The Fremont-Madison Irrigation District filed its protest against your application for a permit to appropriate 50 acre feet per annum from Little Dry Creek, a Tributary of Teton River. The Directors were disappointed in that you didn't mention this to them when you met with us. If you would care to meet with the Board and go over it with them, I am sure they would appreciate it.

Yours very truly,

Mary Smith

rs

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

RECEIVED

JAN 11 1980

Department of Water Resources
Eastern District Office

January 9, 1980

RE: Application for Permit No. 22-7304

Galloway Property Group
ATTN: John Brewer
Box 1560
Sun Valley, ID 83353

Dear Mr. Brewer:

Subsequent to our telephone conversation on December 18, 1979, concerning the cancellation of the conference and/or hearing on your protested application, it is the Department's understanding you have contacted Kent Foster, attorney for the protestants, and steps are being taken to correspond with them in an effort to resolve their objections. Based on this understanding, the Department will delay any further action on your application until we have been advised the protest has been withdrawn or that you wish to have another conference and/or hearing scheduled.

Respectfully submitted,

ERNEST M. CARLSEN
Sr. Resource Analyst

EMC:kw

***** AMERICAN REALTY WEST

20 SOUTH MAIN STREET, DRIGGS, IDAHO 83422
TELEPHONE: (208) 354-2348

JOHN A. MCKELLAR, BROKER
JOHN BREWER, ASSOCIATE BROKER

December 17, 1979

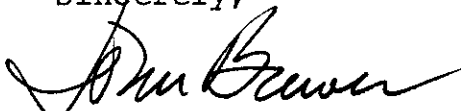
Ernest Carlson
Dept. of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Mr. Carlson:

In the matter of the hearing on our request for pond water in Galloway Hills Subdivision on North Leigh Creek in Teton County, it would be helpful and constructive if a delay could be granted. This would enable us to get together with the attorney for the Darwin Browns to reach a settlement unassisted, so to speak.

Please advise if this presents a problem.

Sincerely,


John D. Brewer

JDB/bs

RECEIVED

DEC 18 1979

Department of Water Resources
Eastern District Office

RECEIVED
DEC 18 1979



BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

In the Matter of Protest Against Approval)
)
of Application for Permit No. 22-7304)
)
in the Name of Galloway Property Group)

)

NOTICE OF CANCELLATION

Notice is hereby given that the Department of Water Resources has cancelled the conference and/or hearing concerning the above application at the request of the protestant's attorney, Kent W. Foster and the applicant.

The Department will reschedule the conference and/or hearing in the near future, at which time all interested parties will again be notified.

Dated this 17th day of December, 1979.


RONALD D. CARLSON
Supervisor, Eastern Region

cc: Galloway Property Group
Mr. and Mrs. Darwin Brown
Kent W. Foster

MEMO

TO: File

FROM: Ron Carlson

RE: Application for Permit No. 22-7304 - Galloway Property Group

DATE: December 10, 1979

The notices scheduling a hearing in the matter of protests filed against application for permit No. 22-7304 were mailed on November 26, 1979. Shortly after receiving his hearing notice, Kent Foster called me to explain that his clients, Darwin R. and Barbara N. Brown, were in Saudi Arabia and could not be present at the hearing until May of 1980. I did not have the application file in front of me during this conversation and I remembered the Browns to be part of the Galloway Property Group. I instructed Kent that if he would write a letter requesting a continuation of the hearing it could probably be granted.

I later reviewed the file and discovered that Browns were, in fact, protesting the Galloway application and subsequently called John Brewer to determine if they were willing to have the hearing date postponed until May. They were reluctant to consider a postponement because of the escalating development costs they will incur between now and May. Mr. Brewer indicated that he had met with Fremont-Madison Irrigation District and it was his impression that their protest could be resolved without holding a hearing. I contacted Kent Foster again, discussed our earlier conversation and my misunderstanding and recommended that he and Mr. Brewer get together and discuss the problems involved and advise me of their decision. Mr. Brewer is scheduled to meet with Kent Foster some time during December 7th.

RECEIVED
DEC 11 1979

LAW OFFICES

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 129

IDAHO FALLS, IDAHO 83401

TELEPHONE 523-0620

AREA CODE 208

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)

WILLIAM S. HOLDEN
R. VERN KIDWELL
FRED J. HAHN
TERRY L. CRAPO
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
CURT R. THOMSEN
RANDALL K. BARTON
MICHAEL D. CRAPO

November 30, 1979

RECEIVED

DEC 8 1979

Department of Water Resources
Eastern District Office

Mr. Ronald D. Carlson
Department of Water Resources
Eastern District Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Protest of Darwin R. and Barbara Ann Brown to
Application No. 22-7304 of the Galloway Property Group

Dear Mr. Carlson:

As we indicated in our recent telephone conversation, we have just received a copy of the Notice of Conference and/or Hearing in the above matter. This letter will serve as our request for a continuance.

The Browns presently reside in Saudi Arabia where Mr. Brown is employed as an airline captain. It is our understanding from the schedule given to us sometime ago by Mrs. Brown, that except for a possible brief visit of Mrs. Brown alone, the Browns will not be able to be present in the United States together until probably mid May of 1980. Their current plan is that they will be here for an extended visit of perhaps several weeks at that time, so that if the conference and/or hearing could be tentatively scheduled for sometime after the middle of May, it appears that they would be able to be present.

A letter was recently received from the Galloway Property Group by the Browns, indicating a desire to get together to see whether this matter could be resolved through discussion anyway, and the Browns are very desirous of doing this as soon as it is possible for them. They, of course, would have every hope that it might be possible to resolve the matter without the necessity of a hearing.

We are aware from the news media that the state of political affairs in Saudi Arabia may have some effect upon the schedule of our clients. In the event that there is a substantial change and we are notified by our clients, we will promptly advise the Department and the applicant, so that the matter might be adjusted appropriately.

Thank you for your kind consideration to this matter.

Yours very truly,

Kent W. Foster
Kent W. Foster

KWF:jt

December 7, 1979

RE: Application for Permit No. 22-7304

Galloway Property Group
Box 1560
Sun Valley, ID 83353

Gentlemen:

This is to advise you that Fremont-Madison Irrigation District has withdrawn their protest against approval of the above referenced application.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw

11/22/79

December 7, 1979

RE: Application for Permit No. 22-7304

Fremont-Madison
P. O. Box 5
St. Anthony, ID 83445

Gentlemen:

This is to acknowledge receipt of your withdrawal of protest dated December 5, 1979, against approval of the above referenced application.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw



December 7, 1979

RE: Application for Permit No. 22-7304

Mayy Smith
Attorney at Law
30 South 2nd West
Rexburg, ID 83440

Dear Ms. Smith:

This is to acknowledge receipt of your withdrawal of protest dated December 5, 1979, against approval of the above referenced application.

If you have any questions concerning this matter, please feel free to contact this office.

Since ~~rely~~,

ERNEST CARLSEN
Sr. Resource Analyst

EC 7: kw

11-10-1964

SMITH, HANCOCK & MOSS

Attorneys at Law

MARY SMITH
J. D. HANCOCK
BRENT J. MOSS
W. LLOYD ADAMS (1885-1969)

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

December 5, 1979

RECEIVED

DEC 6 1979

Department of Water Resources
Eastern District Office

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

Dear Mr. Carlson:

Re: Application of Galloway Property
Group, Number 22-7304

The Board of Directors of the Fremont-Madison Irrigation District has instructed me to advise you that the District withdraws its Protest against the granting of the above application with the understanding, of course, that the permit, if issued, would be subject to all prior water rights. The District would also like to have it understood that the Application, if granted, does not carry with it any storage water or rights in the Island Park Reservoir.

Season's greetings,

Mary Smith
Mary Smith

rs

cc - Mr. John Brewer
Galloway Property Group
American Realty West
20 South Main Street
Driggs, Idaho 83422

DEC 11 1979



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

November 28, 1979

Teton County Courthouse
Clerk of the District Court
Driggs, ID 83422

Dear Sir:

This is to confirm the use of the Courtroom for conference and/or hearing to be held by this office on Thursday, December 20th, 1979, at 10:30 a.m.

Thank you for your cooperation in this matter.

Sincerely,

Kay Walker
Secretary

KW:K



PS Form 3811, Jul. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.								
1. The following service is requested (check one.) ☐ Show to whom and date delivered. ¢ ☐ Show to whom, date and address of delivery. ¢ ☐ RESTRICTED DELIVERY Show to whom and date delivered. ¢ ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery. \$ ____ (CONSULT POSTMASTER FOR FEES)								
2. ARTICLE ADDRESSED TO: <i>Barbara Brown</i> <i>3518 3rd St.</i> <i>Ketchikan, Id.</i>								
3. ARTICLE DESCRIPTION: <table border="1"> <tr> <td>REGISTERED NO.</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td><i>1307</i></td> <td></td> </tr> </table> (Always obtain signature of addressee or agent)			REGISTERED NO.	CERTIFIED NO.	INSURED NO.		<i>1307</i>	
REGISTERED NO.	CERTIFIED NO.	INSURED NO.						
	<i>1307</i>							
I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent <i>Barbara Brown</i>								
4. DATE OF DELIVERY <i>11/27/79</i>		POSTMARK						
5. ADDRESS (Complete only if requested) <i>UNDELIVERED</i>								
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS <i>K. 105</i>						

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.



RETURN
TO



RECEIVED

NOV 28 1979

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
IDAHO FALLS, IDAHO

(City, State, and ZIP Code)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

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

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



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TO

RECEIVED

NOV 28 1979

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

1515 LINDLEY ROAD

IDAHO FALLS, IDAHO 83401

(Name of Sender)

(Street or P.O. Box)

Department of Water Resources
Eastern District Office

(City, State, and ZIP Code)

RECEIVED

PS Form 3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.								
1. The following service is requested (check one.) ☒ Show to whom and date delivered.....¢ ☐ Show to whom, date and address of delivery.....¢ ☐ RESTRICTED DELIVERY Show to whom and date delivered.....¢ ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery.\$ ____ (CONSULT POSTMASTER FOR FEES)								
2. ARTICLE ADDRESSED TO: <i>Harry Chapin</i> <i>P.O. Box 129</i> <i>Id. Falls Id.</i>								
3. ARTICLE DESCRIPTION: <table border="1"> <tr> <td>REGISTERED NO.</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td><i>1396</i></td> <td></td> </tr> </table> (Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent <i>[Signature]</i>			REGISTERED NO.	CERTIFIED NO.	INSURED NO.		<i>1396</i>	
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	<i>1396</i>							
4. DATE OF DELIVERY		POSTMARK <i>6/67</i> <i>28</i> <i>NON</i>						
5. ADDRESS (Complete only if requested)								
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS						

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

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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



**RETURN
TO
RECEIVED**

NOV 28 1979

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)

PS Form 3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.		
1. The following service is requested (check one.) ☒ Show to whom and date delivered. \$ ☐ Show to whom, date and address of delivery. \$ ☐ RESTRICTED DELIVERY Show to whom and date delivered. \$ ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery. \$ ____ (CONSULT POSTMASTER FOR FEES)		
2. ARTICLE ADDRESSED TO: <i>1. General Madison</i> <i>P.O. 2015</i> <i>St. Anthony, Id.</i>		
3. ARTICLE DESCRIPTION:		
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	1094	
(Always obtain signature of addressee or agent)		
I have received the article described above. SIGNATURE ☐ Addressee ☒ Authorized agent		
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5. ADDRESS (Complete only if requested)		
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

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



**RETURN
TO
RECEIVED**

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

(Name of Sender)

NOV 28 1979

Department of Water Resources
Eastern District Office

(Street or P.O. Box)

(City, State, and ZIP Code)

PS Form 3811, Jan 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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1. The following service is requested (check one.) ☒ Show to whom and date delivered..... \$ ☐ Show to whom, date and address of delivery..... \$ ☐ RESTRICTED DELIVERY Show to whom and date delivered..... \$ ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery. \$ ____								
(CONSULT POSTMASTER FOR FEES)								
2. ARTICLE ADDRESSED TO: <i>Yellow River, Ind</i> <i>Box 15601</i> <i>Valley Id IN 43353</i>								
3. ARTICLE DESCRIPTION: <table border="1" style="width: 100%;"> <tr> <td style="width: 33%;">REGISTERED NO.</td> <td style="width: 33%;">CERTIFIED NO.</td> <td style="width: 33%;">INSURED NO.</td> </tr> <tr> <td></td> <td style="text-align: center;">1323</td> <td></td> </tr> </table>			REGISTERED NO.	CERTIFIED NO.	INSURED NO.		1323	
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4. DATE OF DELIVERY <i>Nov 27 1979</i>								
5. ADDRESS (Complete only if requested)								
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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.

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OF POSTAGE, \$300



**RETURN
TO**

RECEIVED

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

1515 LINCOLN ROAD

IDAHO FALLS, IDAHO 83401

(Name of Sender)

NOV 28 1979

(Street or P.O. Box)

Department of Water Resources

Eastern District Office

(City, State, and ZIP Code)

PS Form 3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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1. The following service is requested (check one.) ☒ Show to whom and date delivered. ☐ Show to whom, date and address of delivery. ☐ RESTRICTED DELIVERY Show to whom and date delivered. ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)								
2. ARTICLE ADDRESSED TO: <i>Mary Smith</i> <i>30 S. 6th Ave</i> <i>Peekskill, NY</i>								
3. ARTICLE DESCRIPTION: <table border="1"> <tr> <td>REGISTERED NO.</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td>595</td> <td></td> </tr> </table> (Always obtain signature of addressee or agent)			REGISTERED NO.	CERTIFIED NO.	INSURED NO.		595	
REGISTERED NO.	CERTIFIED NO.	INSURED NO.						
	595							
I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent <i>Mary Smith</i>								
4. DATE OF DELIVERY <i>11-27-79</i>		POSTMARK <i>NOV 27 1979</i>						
5. ADDRESS (Complete only if requested)								
6. REASON TO DELIVER BECAUSE: <i>Out of order</i>		CLERK'S INITIALS <i>W</i>						

name and
Address
Sender

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

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

After stamp here if issued as certificate of mailing or for additional
copies of this bill
POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	NET DUE	ACTUAL VALUE	REMARKS
1387	John N. Magee, 7516 Soots St., Rexburg	15	80	45			
1388	John F. Ziegler, 532 N. Lincoln Ave., ID	15	80	45			
1389	Macee, Thomas Inc. P.O. Box 332, ID	15	80	45			
1390	Shirley E. Eide, P.O. Box 910, IF	15	80	45			
1391	Edgar, Harold, P.O. Box 36, Rigby	15	80	45			
1392	Quinn, Robert, P.O. Box 184, Pinedale, Wyo	15	80	45			
1393	Walter, Charles, P.O. Box 1560, Lewiston						
1394	Walter, Charles, P.O. Box 1560, Lewiston						
1395	Walter, Charles, P.O. Box 1560, Lewiston						
1396	Walter, Charles, P.O. Box 1560, Lewiston						
1397	Walter, Charles, P.O. Box 1560, Lewiston						
1398	Walter, Charles, P.O. Box 1560, Lewiston						
1399	Walter, Charles, P.O. Box 1560, Lewiston						
1400	Walter, Charles, P.O. Box 1560, Lewiston						
1401	Walter, Charles, P.O. Box 1560, Lewiston						
1402	Walter, Charles, P.O. Box 1560, Lewiston						
1403	Walter, Charles, P.O. Box 1560, Lewiston						
1404	Walter, Charles, P.O. Box 1560, Lewiston						
1405	Walter, Charles, P.O. Box 1560, Lewiston						
1406	Walter, Charles, P.O. Box 1560, Lewiston						
20	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

(Declaration of value is required on international registered mail)

U. S. GOVERNMENT PRINTING OFFICE: 1974-0-333-725

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

FORM 3877, Dec. 1973

FORM MUST BE MADE OUT IN INK OR BALL POINT PEN

NEW HAVEN

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

IN THE MATTER OF PROTEST(S) AGAINST APPROVAL)
)
OF APPLICATION FOR PERMIT NO. 22-7304 IN)
)
THE NAME OF GALLOWAY PROPERTY GROUP)
)
_____)

NOTICE OF CONFERENCE
AND/OR HEARING

On September 10, 1979, Galloway Property Group filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On September 28, 1979 the Department received a protest against approval of said application from Terry L. Crapo, Attorney at Law, in behalf of Darwin R. and Barbara Ann Brown. On October 1, 1979, the Department received an additional protest from Fremont-Madison Irrigation District.

The Department has set the matter of protest(s) for conference and/or hearing for Thursday, December 20, 1979, at 10:30 a.m., in the Courtroom of the Teton County Courthouse, Driggs, 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 purposes 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?

RECEIVED
DEC 21 1979
WATER RESOURCES
DIVISION

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.

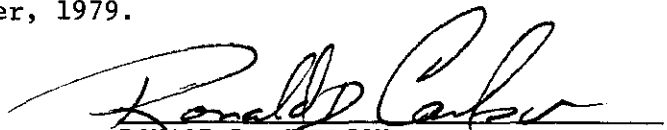
If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties will be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director 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 26 day of November, 1979.


RONALD D. CARLSON
Eastern Region Supervisor

CONFIDENTIAL

WATERMASTER COMMENTS

I have reviewed application for permit No. 22-7304 and have

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

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

if the applicant will pass all
inflow through his reservoir
between July 1 & Nov 1

10/18/79

DATE

Ronald D. Carlson

RONALD D. CARLSON - WATERMASTER

WATER DISTRICT # 01

RECEIVED
OCT 22 1979

***** AMERICAN REALTY WEST

20 SOUTH MAIN STREET, DRIGGS, IDAHO 83422
TELEPHONE: (208) 354-2348

JOHN A. MCKELLAR, BROKER
JOHN BREWER, ASSOCIATE BROKER

RECEIVED

OCT 12 1979

Department of Water Resources
Eastern District Office

October 11, 1979

Mr. and Mrs. Darwin R. Brown
351 East 3rd South
Rexburg, Idaho 83440

Dear Darwin and Barbara:

We have a copy of Mr. Crapo's letter to the Idaho Department of Water Resources dated September 27, 1979 and asking that the Application #22-7304 for water storage in the Galloway Hills property on North Leigh Creek be denied.

It is our wish to put a pond in the stream for: gravel source, fish stocking, beautification. We have no wish to interfere with agricultural usage and, in fact, we are assured that we may well increase the supply of water for downstream use.

In categorical response to Mr. Crapo's letter we offer the following:

1. The proposed use will not reduce the quantity of water and we will guarantee that the same amount will go out as comes in. By widening the streambed, instead of digging a pond next to the stream, we now expect to gather more water than would ordinarily run in the stream.
2. As described in Paragraph 1, the available supply will be sufficient for the usage applied for. The supply should be actually increased by excavating.
3. The application has no speculative purpose and will enhance both utilitarian and aesthetic values of the property. The jungle of willow undergrowth that will be removed certainly is a deterrent to stream flow as it now stands.

UNRECORDED



AMERICAN REALTY WEST

Mr. and Mrs. Darwin Brown
Page 2

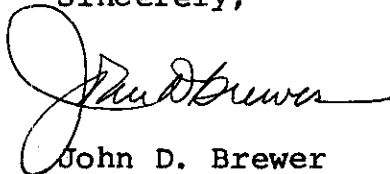
4. The Galloway Property Group has proven its financial soundness to the Teton County Commissioners

5. The proposed pond in North Leigh Creek in no way conflicts with the public interest and, in fact, will be compatible with the conservation of natural resources, wildlife and scenic improvement.

While we have no reservations about a hearing on this application, we would prefer to work it out mutually because there are no ulterior or damaging effects anticipated or desired. From a business standpoint, this type of expensive improvement is the sort of thing that will increase adjoining property values as well as ours.

Please let me know when we can get together, soon.

Sincerely,



John D. Brewer

JDB/bs

cc: Idaho Department of Resources
Terry L. Crapo
Rolland Baler, President, North Leigh Irrigation Co.

DEF
JAN 10 1964
FBI - BOZEMAN

October 9, 1979

Galloway Property Group
Box 1560
Sun Valley, Idaho 83353

Gentlemen:

Re: Your App/Permit 22-7304

Enclosed you will find an additional protest submitted
against approval of your above referenced application.

If you have any questions regarding this matter, feel
free to contact our office.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

Enclosure

01/10/1979

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7196

October 9, 1979

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

RE: App/Permit 22-7304

Dear Sir:

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 that 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 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 speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

RONALD D. CARLESON
Regional Supervisor

RDC:dh

cc: Mary Smith, Attorney

RECORDED

FILING OR RECORDING OF DOCUMENTS

Date: Sept. 31, 1979

Re: Application No. 22-7304, Galloway Property Group

The following documents are enclosed for filing or recording with your office.

Protect 7 Fremont Madison Irrigation

RECEIVED

OCT 1 1979

☐ Charge our account for fees

☐ Check enclosed to cover Department of Water Resources
Eastern District Office

TO Dept. of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho
83401

Mary Smith
SMITH, HANCOCK & MOSS

Attorneys at Law

30 SOUTH 2nd WEST REXBURG, IDAHO 83440

Phone: 208 - 356-5493

RECEIVED

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF OCT 1 1979

WATER ADMINISTRATION

Department of Water Resources
Eastern District Office

IN THE MATTER OF THE APPLICATION :
OF GALLOWAY PROPERTY GROUP, NUMBER : PROTEST OF THE FREMONT-
22-7304 FOR A PERMIT TO APPROPRIATE : MADISON IRRIGATION
1.00 CFS AND 15 ACRE FEET PER ANNUM : DISTRICT.
FROM NORTH LEIGH 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. 22-7304 for a permit to appropriate 1.00 cubic feet per second and 15 acre feet per annum of water from North Leigh Creek Tributary of Teton River by means of ditch and earthen dam within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 29, Township 6 North, Range 46 E.B.M., Teton County, to be used from January 1, to December 31 for diversion to storage and storage for recreation within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 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 North Leigh 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.

100-100000-100000

RECEIVED

OCT 1 1979

Department of Water Resources
Eastern District Office

STATE OF IDAHO,)
County of Madison.) SS

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 28th day of
September, 1979.

Bonnie J. Lofthouse
Notary Public residing at
Rexburg, Idaho. My commission
expires: Life.

(Seal)

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7195

September 28, 1979

Galloway Property Group
Box 1550
Sun Valley, Idaho 83353

RE: App/Permit 22-7304

Gentlemen:

Enclosed is a copy of a protest filed against the approval of a permit pursuant to the above-referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and 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 hearings. At such a conference and/or hearings, 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 purposes 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?

You will be notified at a later date of the time and place of the conference and/or hearings. If we can be of further assistance, please contact us.

Sincerely,

RONALD D. CARLSON
Supervisor, Eastern Region

RDC: dh

Encl.

UNRECORDED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

JOHN W. EVANS
Governor
C. STEPHEN ALLRED
Director

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7185

September 28, 1979

Terry L. Crapo, Attorney
Holden, Kidwell, Hahn & Crapo
P. O. Box 129
Idaho Falls, Idaho 83401

RE: App/Permit 22-7304

Dear Sir:

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 that 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 hearings. At such a conference and/or hearings, 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 speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearings. If we can be of any assistance, please contact us.

Sincerely,

RONALD D. CARLEON
Regional Supervisor

RDC:dh

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

JOHN W. EVANS
Governor
C. STEPHEN ALLRED
Director

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7185

September 28, 1979

Darwin R. Brown
Barbara Ann Brown
351 East 3rd South
Rexburg, Idaho 83440

RE: App/Permit 22-7304

Dear Mr. & Mrs. Brown:

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 that 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 hearings. At such a conference and/or hearings, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, IDAHO CODE):

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4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearings. If we can be of any assistance, please contact us.

Sincerely,

RONALD D. CARLSON
Regional Supervisor

RDC:dh

MICROFILMED

WILLIAM S. HOLDEN
R. VERN KIDWELL
FRED J. HAHN
TERRY L. CRAPO
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN

CHARLES A. HOMER
GARY L. MEIKLE
CURT R. THOMSEN
RANDALL K. BARTON
MICHAEL D. CRAPO

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FIRST NATIONAL BANK BUILDING
P. O. BOX 129
IDAHO FALLS, IDAHO 83401

TELEPHONE 523-0620
AREA CODE 208

September 27, 1979

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)

RECEIVED

SEP 28 1979

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Application No. 22-7304
Galloway Property Group Application
dated September 10, 1979, for Permit
to Appropriate Water from North Leigh
Creek, tributary of Teton River.

Gentlemen:

On behalf of our clients Darwin R. Brown, and his wife, Barbara Ann Brown, of 351 East 3rd South, Rexburg, Idaho 83440, we hereby submit a formal written protest against the approval of the Application No. 22-7304 of Galloway Property Group, Box 1560, Sun Valley, Idaho 83353, dated September 10, 1979, for a permit to appropriate 1.00 cubic feet per second and 15 acre feet per annum of water from North Leigh Creek, tributary of Teton River by means of ditch and earthen dam.

Protestants are the owners of the E $\frac{1}{2}$ SW $\frac{1}{4}$, the SE $\frac{1}{4}$ and Lots 3 and 4 of Section 30, Township 6 North, Range 46 East, Boise Meridian, Teton County, Idaho, and have both a decreed water right and a water right in high waters by constitutional appropriation in North Leigh Creek benefiting such lands. They protest the above application on the following grounds:

1. The proposed use is such that it will reduce the quantity of water under existing water rights of all types.

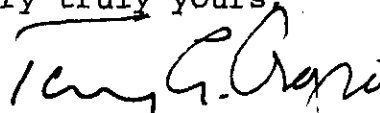
2. The available water supply in North Leigh Creek is inadequate for present uses and for the purpose for which it is sought to be appropriated.

3. The proposed use would interfere with the normal and proper irrigation of protestant's property under their existing water rights.

Idaho Department of Water Resources Re: Application No. 22-7304
September 27, 1979
Page Two

The protestants therefor request that the application be set for hearing as required by Idaho law and that upon hearing, the Director of the Department of Water Resources deny the application.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Terry L. Crapo". The signature is fluid and cursive, with the first name "Terry" and last name "Crapo" clearly distinguishable.

Terry L. Crapo
Attorney and Agent for
Darwin R. Brown and
Barbara Ann Brown

kh

September 27, 1979

Tom Reinecker, Supervisor
Region 6
Idaho State Fish & Game
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Sir:

Re: App/Permit 22-7304 GALLOWAY PROPERTY GROUP

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is October 8, 1979, and we are required to take final action shortly thereafter. If we may be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D, CARLSON
Supervisor
Eastern Region

RDC:dh

Enclosure

September 14, 1979

Teton Valley News
Driggs,
Idaho 83422

Re: Application for Permit 22-7304

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,

RONALD D. CARLSON
Supervisor
Eastern Region

Bill submitted _____ by _____

RDC:dh

Encl.

U177 11-10-79

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Galloway Property Group, Box 1500, Sun Valley, Idaho 83353 has on Sept. 10, 1979 submitted Application No. 22-7304 for a permit to appropriate 1.00 cubic feet per second and 15 acre feet per annum of water from North Leigh Creek tributary of Teton River by means of ditch and earthen dam within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 6N, R. 46E, B.M., Teton Co. to be used from Jan. 1 to Dec. 31 for diversion to storage and storage for recreation within the SE $\frac{1}{4}$ -NW $\frac{1}{4}$, 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, Driggs, Idaho on September 20 & 27, 1979.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Galloway Property Group, Box 1560, Sun Valley,
Idaho 83353
has on ~~9-05-79~~ 9-10-79 submitted Application No. 22-7304
for a permit to appropriate 1.00 cubic feet per second acre feet per annum
~~and 15 acre feet per annum~~
of water from North Leigh Creek tributary of Teton River
by means of ditch and earthen dam
within the SE¹/₄ NW¹/₄, Sec. 29. T. 6N, R. 46E, B.M., Teton Co.

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

SE¹/₄ NW¹/₄, 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
8

C. STEPHEN ALLRED

Director

Teton Valley News, Driggs, Idaho

Published in the 9/13
on 9/20/79 and 9/27/79

September 8, 1979

Dear Mr. Carlson:

At the suggestion of Mr. John
Brewer of American Realty West
in Driggs, I'm enclosing an
additional \$1500 to cover our
permit requests for ponds on
Little Dry Creek and North Leigh
Creek.

Please let me know if anything
additional is required.

RECEIVED

SEP 10 1979

Department of Water Resources
Eastern District Office

Cordially,

Lee R. Mortimer

September 10, 1979

Galloway Property Group
P. O. Box 1560
Sun Valley, Idaho 83353

Gentlemen:

Re: Application for Permit 22-7304

Attached herewith is Departmental receipt No. 13701 in the amount of \$15.00 for final payment for the filing fees of the above referenced application.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

Attachment

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 \$55.00 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 Carlsen of this office, it is understood you will forward the balance owing in the near future.

Very truly,

DONNA HENRIQUES
Secretary

Attachment

027 12/13/79