

01/05/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 25-7100

NAME AND ADDRESS: PANORAMA HILLS WATER CO
ATTN: BRADY BELLISTON
1009 WEST 500 SOUTH
WEST BOUNTIFUL UT 84087

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.310 CFS

PRIORITY DATE: 12/16/1977

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

POINT OF DIVERSION:

T03N R39E S31 SWNE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	2.340 CFS
DOMESTIC	01/01 12/31	1.970 CFS

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T03N R39E S29	NWSW	40.0	T03N R39E S29	SWSW	39.2
T03N R39E S32	NWNW	33.6	T03N R39E S32	SWNW	4.2

DOMESTIC Within BONNEVILLE County

T03N R39E S31	SWNE	T03N R39E S31	SENE
T03N R39E S32	NESW	T03N R39E S32	NWSW

117 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Permit

08/13/2004

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PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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ATTN: BRADY BELLISTON
1009 WEST 500 SOUTH
WEST BOUNTIFUL UT 84087

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.310 CFS

PRIORITY DATE: 01/20/1977

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EXPLANATORY MATERIAL: Permit

SCANNED

NOV 12 2004

PRODUCED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 25-7100
Date Received: 9/14/1989
Receipt No: E010437
Received By: E 030088

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Amended

1. Name of Claimant(s)

PANORAMA HILLS WATER CO Phone: (208) 529-9410
PO BOX 252
IONA ID USA 83427

2. Date of Priority: 01/20/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	39E	31	SW NE	BONNEVILLE	

5. Description of diverting works:

WELL, PUMP, AND PIPELINES & TANKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	2.34	
DOMESTIC	01/01	12/31	1.97	

7. Total Quantity Appropriated is:

4.31 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
03N	39E	29	NW SW	IRRIGATION	40
			SW SW	IRRIGATION	39.2

SCANNED
NOV 12 2004

					Section Acres	79.2
03N	39E	31	SW	NE	DOMESTIC	
			SE	NE	DOMESTIC	
03N	39E	32	NE	SW	DOMESTIC	
			NW	SW	DOMESTIC	
			NW	NW	IRRIGATION	33.6
			SW	NW	IRRIGATION	4.2
					Section Acres	37.8
					Total Acres	117

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

REINSTATED 3-12-1982.

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

See remarks for additional conditions of approval.

15. Basis of Claim: Permit

SCANNED

NOV 12 2004

FILED

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Designee Representative
Title
Panorama Hills Water Co., that I have signed the foregoing
Organization
document in the space below as Designee Representative
Title
Panorama Hills Water Co. and that the statements contained in the
Organization
foregoing document are true and correct.

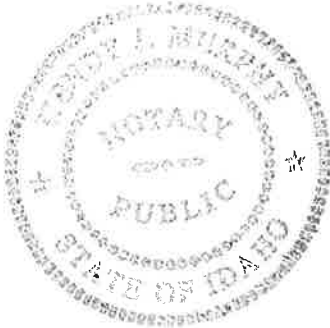
Don Hyman
Signature of Authorized Agent
Designee Representative
Title and Organization
7/28/04
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 28th
of July 2004

Wendy J. Murphy
Notary Public

Residing at Idaho Falls
My commission Expires 6/23/06



SCANNED

NOV 12 2004

PROFILED

SCANNED

JUL 25 2000

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A25-07100
Date Received: 9/14/1989
Receipt No: EOI 6437
Received By: HLN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PANORAMA HILLS WATER CO.
Address: BOX 252
IONA, ID

208-529-9410

83427

2. Date of Priority: JAN 20, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	39E	31	SW	SW	NE		BONNEVILLE

5. Description of diverting works:
WELL, PUMP, AND PIPELINES & TANKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.220		

7. Total Quantity Appropriated is:
0.220 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acres Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC FOR 24 HOMES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	39E	31	SW	NE		DOMEST	
			SE	NE		DOMEST	
		32	NE	SW		DOMEST	

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Date: 09/14/89

MICROFILMED
NOV 10 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	39E	32	NW	SW		DOMEST	

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
REINSTATED 3-12-1982.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

For Organizations:

I do solemnly swear or affirm that I am President of
Panorama Hills Water Comp. that I have signed the foregoing
Organization Title
document in the space below as President of
Panorama Hills Water Comp. and that the statements contained in the
Organization Title
foregoing document are true and correct.
Leslie D. Bayham
Signature of Authorized Agent
President Panorama Hills Water
Title and Organization
9/14/89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of Sept 19 89

Betty J. Thompson
Notary Public

Seal

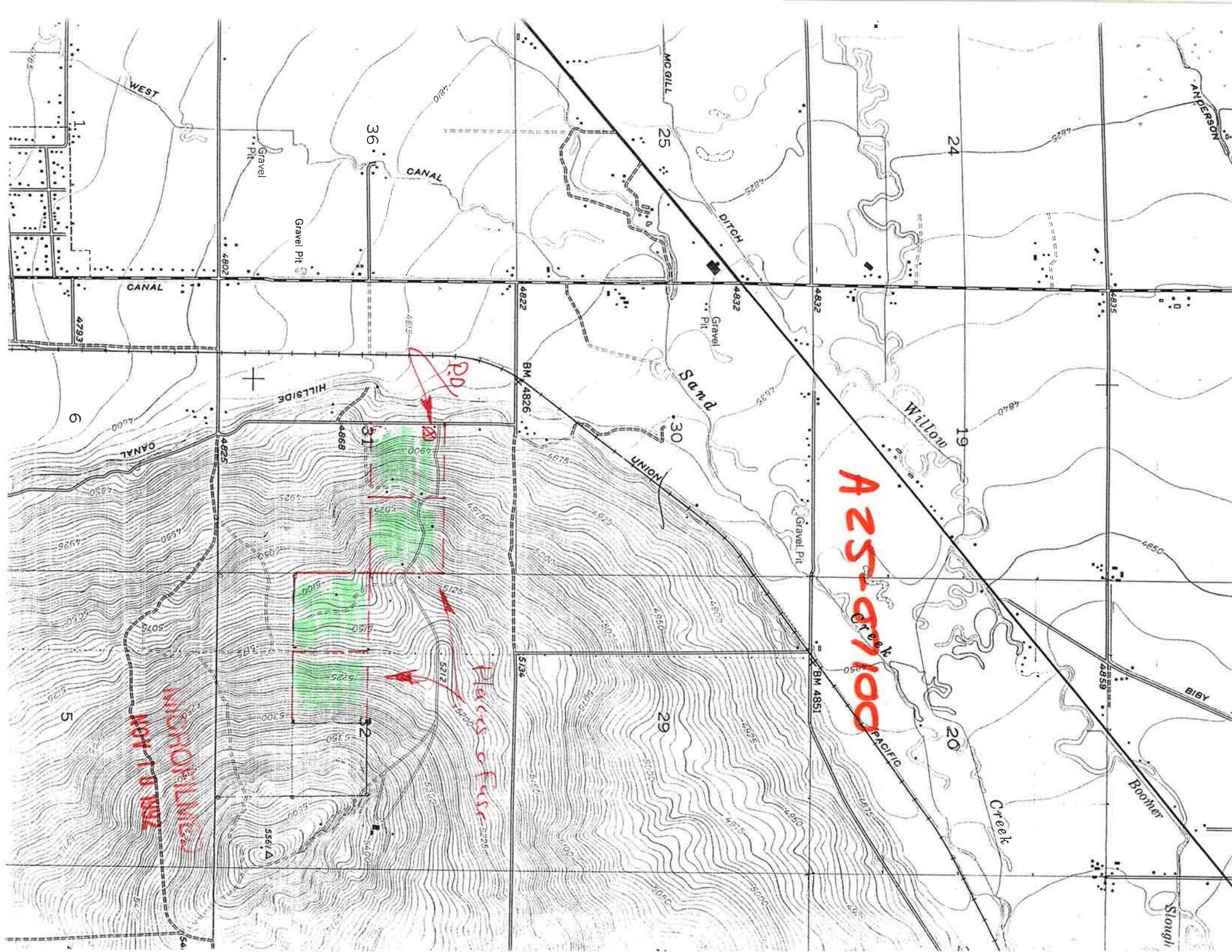
Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires 6-30-94
Date: 09/14/89

A25-07100

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MICROFILMED
NOV 10 1992



IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 25-7100

WATER RIGHT NUMBER: 25-7100

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PANORAMA HILLS WATER CO BOX 252 IONA, ID 83427

Priority Date: 01/20/1977

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	5.060 CFS	
IRRIGATION	4/01 to 11/01	7.680 CFS	
<u>Total Diversion:</u>		12.740 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 32, Twp 03N, Rge 39E, B.M.
BONNEVILLE County		
GROUND WATER	SW1/4SW1/4	Sec. 29, Twp 03N, Rge 39E, B.M.
BONNEVILLE County		
GROUND WATER	SW1/4NW1/4	Sec. 32, Twp 03N, Rge 39E, B.M.
BONNEVILLE County		
GROUND WATER	SW1/4NE1/4	Sec. 31, Twp 03N, Rge 39E, B.M.
BONNEVILLE County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	39E	31	X	X			

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	39E	29			40.0	40.0	80.0
03N	39E	32	40.0	40.0	40.0	40.0	400.0

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 25-7100

Total Acres: 480

Conditions of Approval:

1. 001 A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
2. 016 See remarks for additional conditions of approval.

Remarks:

1. General REINSTATED 3-12-1982.

Comments:

PANORAMA HILLS WATER CO.

PO BOX 252
IONA, ID 83427

Type of Business: CORPORATION, WATER USERS ASSOCIATION
Status: GOODSTANDING, ANREPT SENT 01 Dec 2003
State of Origin: IDAHO
Date of Origination/Authorization: 05 Feb 1973
Current Registered Agent: KEN WRIGHTSON
6665 HILLSIRE DR
IDAHO FALLS, ID 83401
Organizational ID / Filing Number: C46848
Number of Authorized Stock Shares:
Date of Last Annual Report: 12 Feb 2004

No. C 46848	Due no later than February 29, 2004 Annual Report Form	2. Registered Agent and Office NO PO BOX
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080	1. Filing Address - Corporate Office or Mailing Address PANORAMA HILLS WATER CO. KEN WRIGHTSON P.O. BOX 252 PO Box 252 IONA, ID 83427	KEN WRIGHTSON 6665 HILLSIRE DR IDAHO FALLS, ID 83401
NO FILING FEE IF RECEIVED BY DUE DATE		3. New Registered Agent Signature
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.		
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u> <u>City</u> <u>State</u> <u>Zip</u>
Board Member	Steve RORS	6845 E. Panorama Dr. Idaho Falls, ID 83401
Board Member	Bill Fairley	6050 N. FOOTHILL IDAHO FALLS, ID 83401
5. Organized Under the Laws of: IDAHO C 46848		
6. Signature <i>Ken Wrightson</i> Date 2/4/04		Name (Type or Print) <i>Ken Wrightson</i> Title <i>PRESIDENT</i>

Issued 12/01/2003

Do Not Tape or Staple

2884

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
25-7100 IN THE NAME OF)
PANORAMA HILLS WATER CO.)
_____)

REINSTATEMENT ORDER

This matter having come before the Department of Water Resources (Department) as a result of the payment of an examination fee, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On October 27, 1976, Panorama Hills Water Company applied to the Department for a permit to appropriate 12.74 cubic feet per second from a groundwater source for domestic use for 253 homes and to irrigate 480 acres in Bonneville County, Idaho.
2. On December 1, 1976, the Department approved the application submitted by Panorama Hills Water Company (permit holder) as Permit No. 25-7100 (permit).
3. On February 24, 1982, the Department received a request for extension of time in which to submit proof of beneficial use from the permit holder.
4. On March 12, 1982, the Department approved the request for extension of time and reinstated the permit, advancing the priority date of the permit to January 20, 1977.
5. On September 12, 1985, the Department received proof of beneficial use from the permit holder.
6. On May 28, 1986, the Department mailed the permit holder a notice that within 60 days it must submit to the Department an examination fee or a notice that a certified water right examiner had been retained to conduct an examination of the development accomplished in connection with the permit. The notice also informed the permit holder that failure to submit the required fee or information within 60 days would result in advancement of the priority date of the permit and that failure to submit the fee or a completed field report within one year would result in lapsing of the permit.
7. On May 28, 1987, the Department lapsed Permit 25-7100 for failure to submit the examination fee or a completed field report.

8. On June 22, 1987, the Department received a field examination fee from the permit holder.

9. Idaho Code § 42-217 says, in pertinent part:

Holders of permits who have submitted proof of beneficial use but have not had their project examined for beneficial use shall submit the fee required in § 42-221, Idaho Code, within sixty (60) days of notification by the director of the department of water resources that a license examination fee is required. Failure to submit the fee in the time allowed shall be cause for the director to advance the date of priority of the permit one (1) day for each day that the fee is late; provided that if the fee is not fully paid within one (1) year of the time it is due, the director of the department of water resources may consider the proof of beneficial use for the permit to be incomplete and lapse the permit, as provided in § 42-218a, Idaho Code.

CONCLUSIONS OF LAW

1. The examination fee for the permit was submitted 330 days late.
2. The Department should reinstate the permit and advance the priority date of the permit 330 days to December 16, 1977.

ORDER

IT IS HEREBY ORDERED, that Permit No. 25-7100 in the name of Panorama Hills Water Company, is **REINSTATED** with the priority date advanced to **December 16, 1977**.

DATED this 30th day of December, 2004.


GARY SPACKMAN