

RECEIVED**MAR 13 2019**

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

Eastern Region

1. Name of applicant(s) Crippled Couple Investments, LLC, G. David Dalling Phone 208-403-0405
 Name connector (check one): ☐ and ☒ or ☐ and/or
 Mailing address 2677 E. 17th St., Ste. 600 City Idaho Falls
 State Idaho ZIP 83406 Email kipp@manwaringlaw.com
2. Name of representative, if any Kipp Manwaring Phone 208-403-0405
 Mailing address 2677 E. 17th St., Ste. 600 City Idaho Falls
 State Idaho ZIP 83406 Email kipp@manwaringlaw.com
- a. ☒ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply groundwater which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
1N	31E	9		SE	NW		Bingham	groundwater	421980

5. Water will be used for the following purposes:
- Amount .04 for stockwater purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) .04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. existing well
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 1975; drilling firm Paul Vollmer & Sons
 well was drilled for (well owner) Leo Rogers; Drilling Permit No. 852200

For Department Use

Received by _____ Date 2/27/2019 Time 2:00 Preliminary check by _____
 Fee \$ 100.00 Received by JB Receipt No. E044740 Date 2/27/2019

35-14634

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. 4000 sheep
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - Domestic; show number of households _____
 - Other; describe fully. _____

9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	31E	9								S	S								

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____
11. a. Who owns the property at the point of diversion? Crippled Couple Investments, LLC
- b. Who owns the land to be irrigated or place of use? Crippled Couple Investments, LLC
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. applying use of existing well for stockwatering purposes
13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

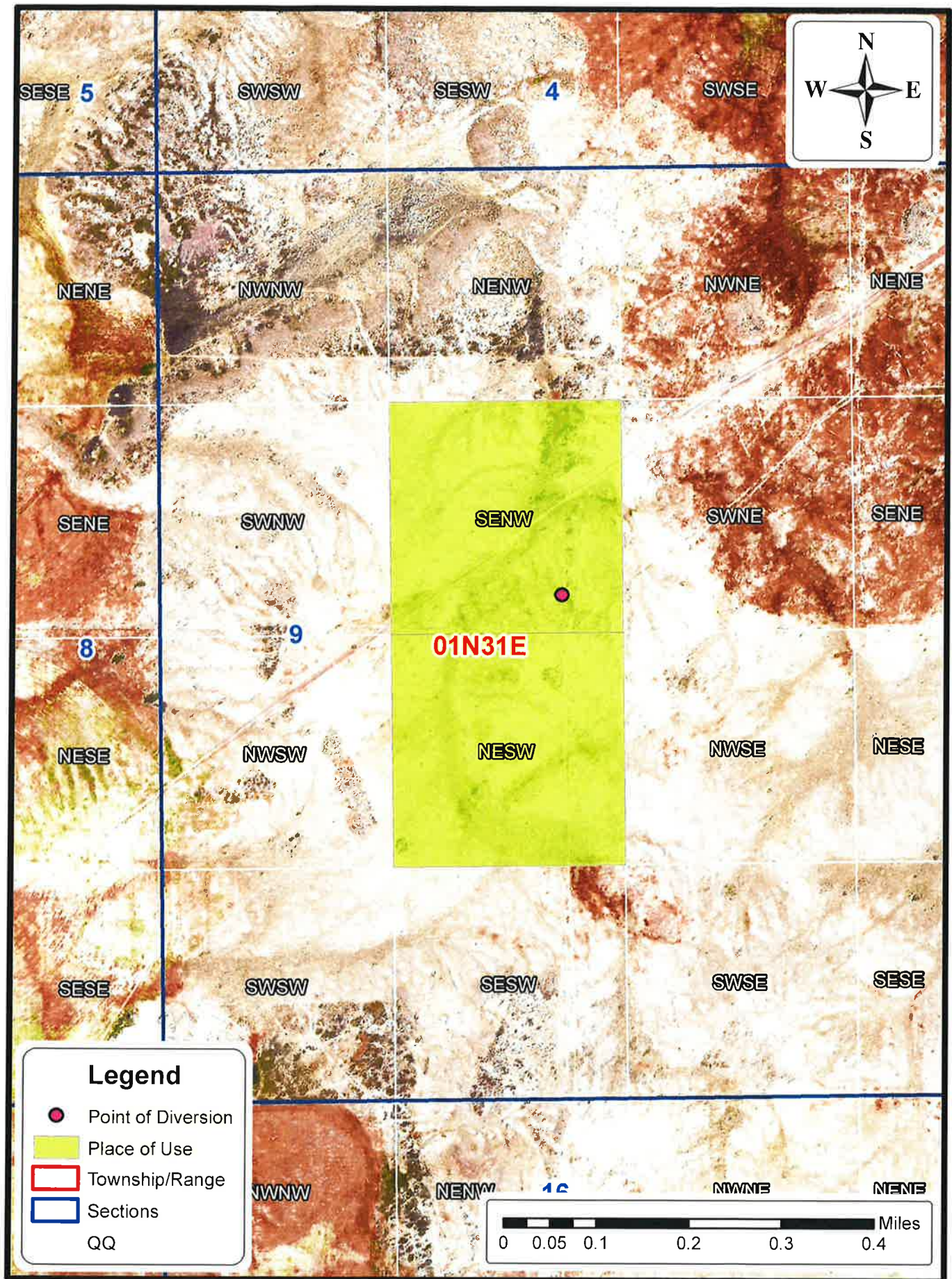
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Steven B. Rhodes Signature of Applicant

STEVEN B. RHODES, MEMBER
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)



Application for Permit: Crippled Couple Investments

35-14634

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS that I, Steven B. Rhodes, of Idaho Falls, Bonneville County, State of Idaho, do constitute and appoint Kipp L. Manwaring of Idaho Falls, Bonneville County, State of Idaho, to be my true and lawful attorney with full power in my name and stead and on my behalf to do the following:

1. To manage my affairs, handle my investments, arrange for the investment, reinvestment and disposition of funds, exercise all rights with respect to my investments, accept remittances of income and disperse them, including authority to open bank or other financial accounts in my name and to endorse checks for deposit in them or in any bank, financial institution or brokerage where I may at any time have money or securities on deposit and sign checks covering withdrawals from them;
2. To endorse and deliver certificates for transfer of bonds or other securities, including but not limited to money market accounts, mutual funds, and any and all other such securities or funds I may possess, and cause them to be sold, invested, reinvested, or disposed of, and receive the proceeds of any sale or disposition;
3. To sign, execute, acknowledge and deliver on my behalf any deed of transfer or conveyance covering personal property or real property wherever situated;
4. To sign or execute on my behalf as sole member of Crippled Couple Investments, LLC, any applications, deeds, agreements, or documents pertaining to such company;
5. To make all tax returns and pay all taxes required by law, including federal and state returns, and to file all claims for abatement, refund or other papers relating to them;
6. To demand, collect, sue for, receive and receipt for any money, debts, or property of any kind, now or later payable, due or deliverable to me, to pay or contest claims against me, to settle claims by compromise, arbitration or otherwise and to release claims;
7. To expend or distribute income or principle of my estate for the support, education, care or benefit of me;
8. To employ brokers, accountants, appraisers, attorneys at law, or other agents, as deemed necessary or desirable and to pay such persons, firms or organizations reasonable compensation and to determine whether or not to act on the advice of any agent without liability for acting or failing to act.

9. In general I give to my attorney full power to act in the management and disposition of all my estate, affairs and property of every kind and wherever located in such manner and with such authority as I myself might exercise if personally present; provided, however, my attorney shall not have power to:

- (a) Execute, modify or amend a will or codicil on my behalf.
- (b) Divert my assets to my attorney's creditors or estate.
- (c) Possess or create by this instrument a general or limited power of appointment.

10. This instrument is to be construed and interpreted as a general power of attorney for all purposes and the laws of the State of Idaho shall govern all questions as to the validity of this power and the construction of its provisions. This power of attorney shall be binding on me and my heirs, executors and administrators and shall remain in force until my attorney receives a written revocation signed by me. With the execution of this instrument I hereby revoke all prior general, limited and durable powers of attorney dated prior to the date of this instrument.

11. This general power of attorney shall become immediately and shall continue through any subsequent disability or incapacity I may suffer or experience.

IN WITNESS WHEREOF, I set my hand on this 16th day of October 2018.

Steven B. Rhodes

STATE OF IDAHO)
 ss:
County of Bonneville)

On this 16th day of October 2018, before me, a Notary Public, in and for said State, personally appeared Steven B. Rhodes, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Notary Public for Idaho
Commission Expires: 7/14/20



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 28, 2019

CRIPPLED COUPLE INVESTMENTS LLC
C/O G DAVID DALLING
2677 E 17TH ST STE 600
AMMON, ID 83406-6619

Application For Permit No. 35-14634

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the MORNING NEWS on April 4 and 11, 2019. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**on April 22, 2019 at 5:00 pm**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Sharla Cox
Administrative Assistant

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, March 28, 2019 12:52 PM
To: 'legals@am-news.com'
Subject: Legal Notice for your paper
Attachments: Morning News E-Mail.doc

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

March 28, 2019

MAY CONTAIN MORE THAN 1 PAGE

Legal Notice Department

Morning News
PO Box 70
Blackfoot ID 83221

RE: Legal Ads

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before **April 22, 2019**. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant
Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161
208-525-7177 – fax

PLEASE PUT IN NORMAL COLUMN AND NO BORDERS. THANK YOU.

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

35-14634
CRIPPLED COUPLE INVESTMENTS LLC
C/O G DAVID DALLING
2677 E 17TH ST STE 600
AMMON, ID 83406-6619
Point of Diversion
SEW S9 T01N R31E
BINGHAM County
Source GROUND WATER Tributary
Use: STOCKWATER
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 3/13/2019
Place Of Use: STOCKWATER
T01N R31E S9 SEW NESW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before April 22, 2019. The protestant must also send a copy of the protest to the applicant.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83078**

K TODD SHAWVER, 1272 W 600 S, PINGREE, ID 83262; has filed Application No. 83078 for changes to the following water rights within BINGHAM County(s): Right No(s). 27-7524; to see a full description of these rights and the proposed transfer, please see

www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and change place of use. The point of diversion is in NWNE Sec 11 T3S R33E for 1.71 cfs from ground water. The place of use is within Sec 2, 11 and 12 T3S R33E for 146 acres.

TRANSFER NO. 83103

JODDI E MURDOCK and O BRIAN MURDOCK, 1475 W HOFF RD, BLACKFOOT, ID 83221; has filed Application No. 83103 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-13391; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion. The point of diversion will be in SESE Sec 34 T2S R33E for 0.88 cfs from ground water. The place of use remains the same.

TRANSFER NO. 83102

JODDI E MURDOCK and O BRIAN MURDOCK, 1475 W HOFF RD, BLACKFOOT, ID 83221; has filed Application No. 83102 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-14316; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion. The point of diversion will be in Lot 3 (NENW) Sec 3 T3S R33E for 0.42 cfs from ground water. The place of use remains the same.

TRANSFER NO. 83096

ALBERT T WADA and CHRISTINE WADA, 326 S 1400 W, PINGREE, ID 83262-1137; has filed Application No. 83096 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-2178H; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: add point of diversion and rearrange place of use. Points of diversion are in NENE of Sec 22 T3S R33E. The place of use is within Sec 22 and 23 of T3S R33E for commercial use.

TRANSFER NO. 83105

ROBERT A MURDOCK, 1473 W HOFF RD, BLACKFOOT, ID 83221; O BRIAN MURDOCK, 1475 W HOFF RD, BLACKFOOT, ID 83221; has filed Application No. 83105 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-7432; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion. The point of diversion will be in Lot 3 (NENW) Sec 3 T3S R33E for 1.11 cfs from ground water. The place of use remains the same.

For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before April 22, 2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on April 4 and 11, 2019

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C/O G DAVID DALLING

2677 E 17TH ST STE 600

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Point of Diversion

SENW S9 T01N R31E

BINGHAM County

Source: GROUND WATER Tributary

Use: STOCKWATER

01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 3/13/2019

Place Of Use: STOCKWATER

T01N R31E S9 SENW NESW

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TRANSFER NO. 83102

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