

RECEIVED

AUG 12 1994

For Office Use Only
\$15 Fee Received by RI
Date 8/12/94
Receipt No. 402139

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 27-07456

Name(s) of Permit Holder: Merald Bartanuk

Mailing Address: 310 E 200 N Blackfoot, Id 83221

Date Proof Is Due June 7 1994 Telephone No. 785-1837

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

None We have added a low pressure
system to the pivot

Costing \$ 2500.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

We plan to add more acreage to this
pivot which will increase pivot itself but
are unable to complete it at this time for lack
of funds

Permit holder(s) request an extension to June, 19 94.

FEE: \$15.00

Merald Bartanuk
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

Signed this _____ day _____, 19 _____

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	27-07456	Virginia Rollison Estate	4.00
~~Full Assignment~~	~~27-07456~~	~~Gerald Bartauský~~ ~~Kyle Edwards~~	~~4.00~~
~~Full Assignment~~	~~27-07456~~	~~Gerald Bartauský~~	~~4.00~~
Full Assignment	27-07456	Gerald Bartauský Northwest Farm Credit Services	4.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

RECEIVED

DEC 4 1992

Department of Water Resources

I, Gerald J. Bartauský, hereby assign to Gerald J. Bartauský and Northwest Farm
of 310 East 200 North, Blackfoot, ID 83221; and PO Box 10, Blackfoot, ID 83221 (respectively)
Address

Check One:

- ☒ 1. All my right, title, and interest in and to Permit No. 27-07456
to appropriate the public waters of the State of Idaho.
- ☐ 2. 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 23rd day of November, 1992.

Gerald J. Bartauský
Water Right Holder Gerald J. Bartauský

Water Right Holder (Spouse, etc.)

State of Idaho)
County of Blaine) ss

On this 23rd day of November, 1992, personally appeared
before me the signer(s) of the above instrument, who duly acknowledged to
me that he (she) (they) executed the same.

Ernie J. Jungs
Notary Public residing at
Blackfoot

seal

My commission expires:

7-28-97

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

RECEIVED

DEC 4 1992

Idaho Department of Water Resources

I, Kyle Edwards, hereby assign to Gerald J. Bartauský
of 310 East 200 North, Blackfoot, ID 83221
Address

Check One:

- X 1. All my right, title, and interest in and to Permit No. 27-07456
to appropriate the public waters of the State of Idaho.
2. 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 1 day of December, 1992.

Kyle Edwards
Water Right Holder Kyle Edwards

Water Right Holder (Spouse, etc.)

State of Idaho)
County of Bingham) ss

On this 1 day of December, 1992, personally appeared
before me the signer(s) of the above instrument, who duly acknowledged to
me that he (she) (they) executed the same.

J. Paul Trumble
Notary Public residing at Blackfoot

s e a l

My commission expires:

6-12-97

RECEIVED
MAY 28 1992

For Office Use Only
\$15 Fee Received by 642
Date 5-28-92
Receipt No. 000305

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 37-07456

Name(s) of Permit Holder: GERALD BRITNISKY & KYLE EDWARDS

Mailing Address: SIDE 200 N BLACKFOOT, ID 83221

Date Proof is Due JUNE 1, 1992

Telephone No. 785-1837

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Pump Drilled - Irrigating 90 acres

Costing \$ 15,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Want to irrigate 60 more acres, therefore need
to develop irrigation system to meet these capacities

Permit holder(s) request an extension to June 1, 19 92

FEE: \$15.00

(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED
and the time within which to submit proof of beneficial use is
extended to June 1, 1994.

Signed this 1st day June, 19 92

A. Glen Saylor
Chief, Water Allocation Bureau

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	27-7456	Virginia Rollison Estate	4.00
Full Assignment	27-7456	Gerald Bartauskys Kyle Edwards	4.00

RECEIVED
SEP 06 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

ASSIGNMENT OF APPLICATION FOR PERMIT

Bonnie George, individually and Gerald Bartauskys and
I, as Personal Representative of, hereby assign to Kyle Edwards
Virginia E. Rollison estate
Of, 1041 W 200 N, Blackfoot, Idaho 83221
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 27-07456 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

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

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Entire

Made this 22nd day of August, 1991

Bonnie George
Applicant

State of Idaho)
County of Bingham) ss

On this 22nd day of August, 1991 personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Virginia E. Rollison
Notary Public
Blackfoot, Idaho

seal

My commission expires: 12-3-93

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 27-07456

Proposed Priority: June 8, 1989 Maximum Diversion Rate: 4.00 CFS

This is to certify, that VIRGINIA ROYLISON ESTATE
79 W. 100 N.

BLACKFOOT, ID 83221

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	4.00 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNESW Sec. 22, Township 02S, Range 36E
BINGHAM County

<u>PLACE OF USE: IRRIGATION</u>		<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>	
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>				
02S	36E	22	SESW 40	NESW 40	NWSW 40	200
			SWSW 40	SESW 40		

Total number of acres irrigated: 200

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1992.
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

PAGE 2

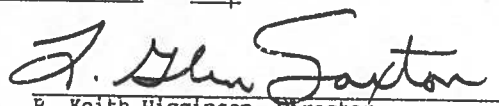
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 27-07456

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

20 day of June, 1991.


for R. Keith Higginson, Director

Ident. No. 27-07456

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: VIRGINIA ROLLISON ESTATE
Address: 7812 103rd.
BLACKFOOT, ID 00000

2. Source: GROUNDWATER Trib. to:

3. Location of point of diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	36E	22	SW	NE	SW		BINGHAM

4. Water will be used for the following purposes:

Purpose.	From	To	CFS	(or)	AFA
IRRIGATION	04/01	11/01		4.000	

5. Total quantity appropriated is:
4.000 CFS (and/or) AFA

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
WELL W/ PUMP INTO MAINLINE TO CENTER PIVOT, HANDLINES
- Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
- Proposed well diameter is 16 inches; proposed depth of well is 200
feet.
- Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.

8. Description of proposed uses:
IRRIGATION OF 200 ACRES

9. Description of place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
02S	36E	22	SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
Total Section Acres							200.0
Total Acres							200.0

10. Describe any other water rights used for the same purposes.
NONE 01-00248 (Blackfoot Irrigation)

11. a. Who owns the property at the point of diversion?

APPLICANT

b. Who owns the land to be irrigated or place of use?

APPLICANT

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

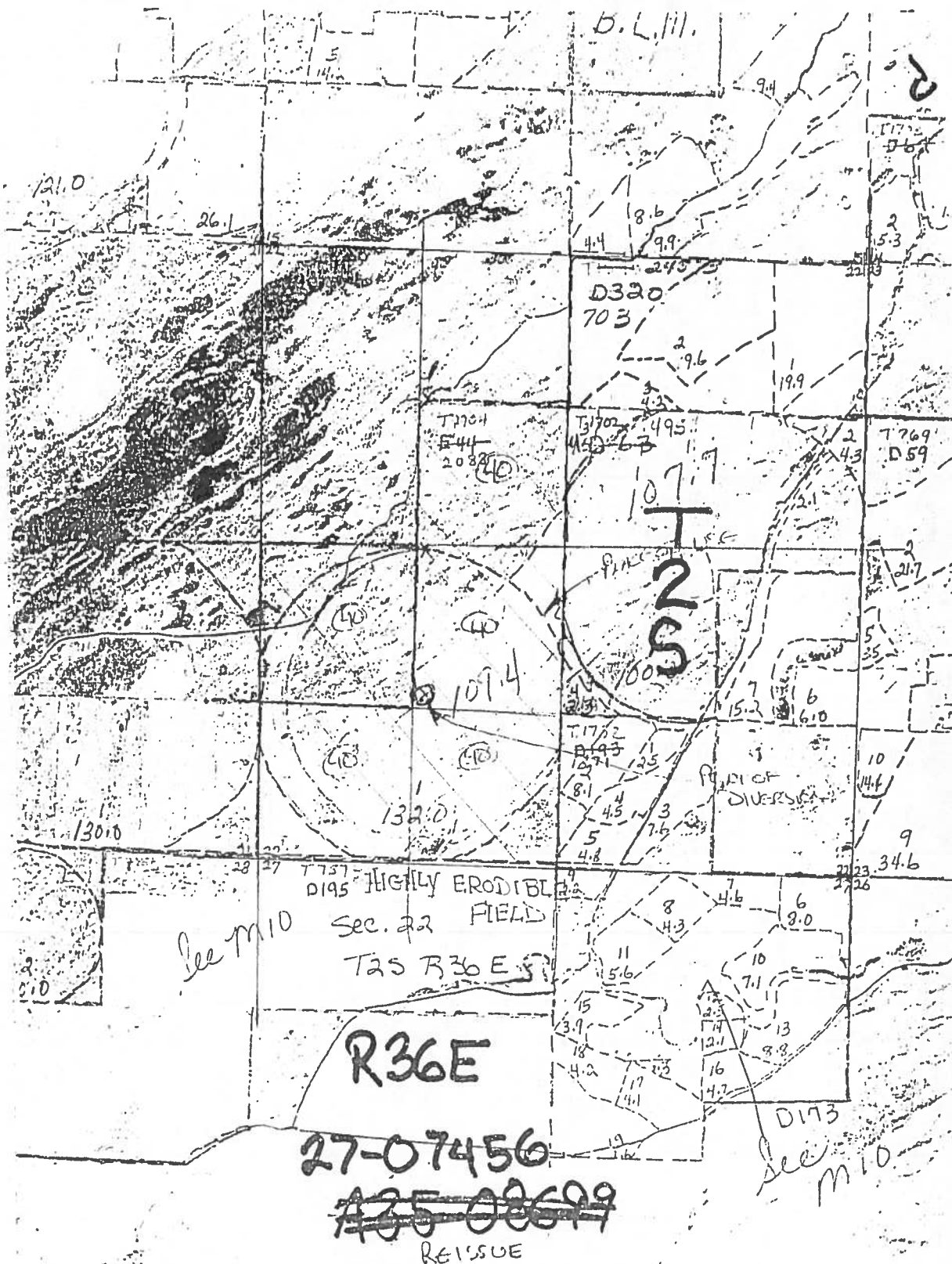
12. Remarks:

THIS WELL HAS BEEN IN PLACE SINCE 1981. APPLICATION IS FILED
TO RECORD USE OF WATER FROM THIS WELL.

13. Map of proposed point of diversion and place of use attached? ☒

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.

x Bernard J. George
Applicant
Adjoint State of Idaho
of the Department of Agriculture



Ident. No. 27-07456
Page 3

Received by HWT Date 6-8-89 Time 1:20 pm Preliminary check by DMD
Fee \$ 105 Receipted by HWT # EA08973 Date 6-8-89
Publication prepared by PB Date 4-5-90 Published in Morning News
Publication approved 11-11-90 Date 5-14-90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7181

NOTICE OF APPLICATION
FOR WATER RIGHT

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

27-07450
VIRGINIA HOLLISON ESTATE
78 W. 100 N.
BLACKFOOT, ID 83221
Source: GROUNDWATER
Diversion Pt: SWNE SW Sec. 22 T 02S R 36E
Use: IRRIGATION (4,000 CFS)
Total Diversion: (4,000 CFS)
Date Filed: 2/13/1989
In: T02S R36E S22 SENW NESE NWSE
SWSW SESE
200.0 ACRES TOTAL

27-07459
WASIA, DICK
WASIA, LINDA
54 N. 50 E.
BLACKFOOT, ID 83221
Source: GROUNDWATER
Diversion Pt: SENW Sec. 31 T 02S R 36E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.080 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (.140 CFS)
Date Filed: 4/24/1989
In: T02S R36E S31 SENW
4.0 ACRES TOTAL

27-07473
BARTAUSKY, EDWARD P.
P.O. BOX 28
BLACKFOOT, ID 83221
Source: GROUNDWATER
Diversion Pt: NWSE Sec. 25 T 02S R 35E
Use: IRRIGATION (1,400 CFS)
Total Diversion: (1,400 CFS)
Date Filed: 5/30/1989
In: T02S R35E S25 NWSE NESE NWSE
70.0 ACRES TOTAL

27-07475
BERLIN, TERRY F.
734 STEVENS
P.O. BOX 205
AMERICAN FALLS, ID 83211
Source: GROUNDWATER
Diversion Pt: NWSE Sec. 25 T 02S R 35E
Use: IRRIGATION (1,400 CFS)
Total Diversion: (1,400 CFS)
Date Filed: 6/20/1989
In: T04S R31E S21 SWNE SESE NWSE
SWSE SESE
240.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted bas-
ed on the criteria of Sec. 42-203A, Idaho Code
and/or the new public interest criteria of Sec.
42-203C, Idaho Code. Protests must be filed
with the Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls, Idaho
83402 on or before APRIL 23, 1990.

R. KEITH HIGGINSON
DIRECTOR

(748)
Pub. 4/5, 12

RECEIVED

APR 27 1990

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)
State of Idaho)
I, Ted Townsend do
solemnly

swear that I am the Publisher of
The Morning News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
151 of the Session Laws of Idaho of 1911, approved
March 11, 1911, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court of
competent jurisdiction within the State of
Idaho shall be published to-wit: of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was
published in said issue or said

newspaper two consecutive weeks

the first publication having been made on the
5th day of April, 1990

and the last publication having been made on the
12th day of April, 1990;
that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

On this 23rd day of April, 1990, in
the year 1990 before me a Notary Public of said State,
personally appeared

Ted Townsend
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true and acknowledged to me that he ex-
ecuted the same.

Kate Kington
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee \$5.00

WR5803NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

10/21/94 16:32:53
Page 1

Water Right Number - 27-07456

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BARTAUSKY

GERALD

1 - 310 E 200 W

2 -

3 -

City- BLACKFOOT

Phone - 208-000-0000

State- ID Zip- 83221

*** L - LEINHOLDER ***
NORTHWEST FARM CREDIT SERVICES ACA

1 - PO BOX 10

2 -

3 -

City- BLACKFOOT

Phone - 208-785-0820

State- ID Zip- 83221

*** O - ORIGINAL OWNER ***
VIRGINIA ROLLISON ESTATE

1 - 78 W 100 N

2 -

3 -

City- BLACKFOOT

Phone - 208-000-0000

State- ID Zip- 83221

+ - - Priority Date - - +
06/08/1989

+ - - Region - - - +
15 EASTERN

+ - - Stage - - - +
P - PERMIT

+ - - Status - - - +

+ - - Source - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

Tw	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
02S	36E	22	SW NE SW			(11) BINGHAM				

Code	Description	Period From	Water Use Period to	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01	4.000	
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Div. Capacity - +	
4.000					

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
02S	36E	22	SE NW		40.0	01	IRRIGATION	(11) BINGHAM
02S	36E	22	NE SW		40.0	01	IRRIGATION	(11) BINGHAM
02S	36E	22	NW SW		40.0	01	IRRIGATION	(11) BINGHAM
02S	36E	22	SW SW		40.0	01	IRRIGATION	(11) BINGHAM
02S	36E	22	SE SW		40.0	01	IRRIGATION	(11) BINGHAM
Total Acres:					200.0			

+ - - Diversion Means - WELL, PUMP, MAINLINE TO CENTER PIVOT, HANDLINES

WR5908NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

10/21/94 16:32:53
Page 2

Water right number - 27-07456

Prefix Translation: WATER RIGHT

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 01-00298

+ Remarks
No Remarks found.

+ Old Water Right Numbers
No Old Water Right Numbers found.

+ Conditions of Approval

- 01C - A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 048 - The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
- 049 - The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
- 03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ Comments
Date: 05/28/1992 User Id: VAULT Subject: Extension of Time Received
Extension of Time Received

Date: 06/07/1994 User Id: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent
Date: 08/19/1994 User Id: VAULT Subject: Extension of Time Received
Extension of Time Received

+ - - Audit Fields - 02/15/89 VERNER 0 14/89 BODELL 09/27/89 BODELL 05/16/90 BODELL 06/14/91 SKAGGS
09/11/91 MILLER 05/28/92 COMMENTS 06/01/92 GUSTAFSO 12/11/92 MILLER 06/07/94 COMMENTS
08/19/94 COMMENTS

+ Water Rights Dates and Flags Area

Proof Due Date	- 06/01/1994	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 06/20/1991	Protested Date	- 00/00/0000	Swan Falls	- 1
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- E008973	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 06/08/1939	Transfer/Amended	-

WR5000NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

10/21/94 16:32:53
Page 3

Water right number - 27-07456

Prefix Translation: WATER RIGHT

+ Water Rights Dates and Flags Area +

Decree Date - 00/00/0000 Name Connector -
Presumption Flag - PCU Ownership Flag-

August 23, 1994

Gerald Bartauskys
310 E 200 N
Blackfoot, ID 83211

RE: Permit No. 27-07456

Dear Mr. Bartauskys:

I am in receipt of the extension of time request which was received by this department on August 12, 1994. When your water right permit lapsed on June 7, 1994, you had sixty (60) days to reinstate the permit by either submitting an acceptable proof of beneficial use or an extension of time request.

In order for the department to accept your extension request it would have had to be submitted to this office on or before August 7, 1994. Since the extension was not received within the sixty (60) day time frame after the permit lapsed, the department cannot accept it. Your only option at this point is to submit proof of beneficial use on the portion of the water right you have developed. Since the proof would be submitted after the sixty (60) day simple reinstatement period, it will be necessary for you to submit two (2) pieces of evidence which show that the water right was developed during the authorized development period from June 20, 1991, to June 1, 1994 (affidavit by neighbor of water use, power records etc). You will also need to provide the department with a reasonable explanation of why the proof was not filed in a timely manner. If you do decide to submit the proof, your priority date will be advance to the date of which the proof is received.

Please be advised that at the present time your water right permit is lapsed and is of no further force nor effect. You are not authorized to do any further development until the permit is reinstated.

If you have any questions or I can be of any assistance, please do not hesitate to contact me at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

GERALD BARTAUSKY
310 E 200 N
BLACKFOOT ID 83221

June 7, 1994

RE: PERMIT NO. 27-07456 LAPSE NOTICE

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated March 31, 1994. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

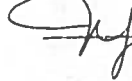
Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring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

L. GLEN SAXTON
Chief, Water Allocation Bureau

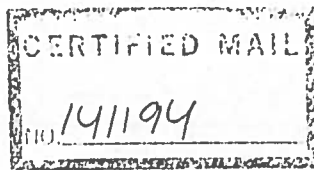
Enclosures

CERTIFICATION OF MAILING

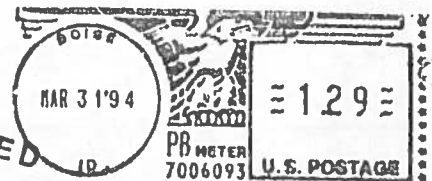
I hereby certify that on 6-7-94
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237



RECEIVED
APR 18 1994
Department of Water Resources



GERALD BARTAUSKY
310 E 200 N
BLACKFOOT ID 83221

4-2-94
GAT

APR - 7 1994



RE: PERMIT NO. 27-07456 PROOF DUE NOTIC



GERALD BARTAUSKY
310 E 200 N
BLACKFOOT ID 83221

March 31, 1994

RE: PERMIT NO. 27-07456 PROOF DUE NOTICE

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 June 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

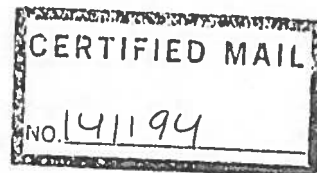
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

December 22, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

GERALD BARTAUSKY
310 E 200 N
BLACKFOOT ID 83221

AND

NORTHWEST FARM CREDIT SERVICES
PO BOX 10
BLACKFOOT ID 83221-0010

Re: Permit No. 27-07456

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

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

Sincerely,

BRENDA L. MILLER
Water Resource Agent

BLM:cz



Farm Credit Services

10 West Judicial
P.O. Box 10
Blackfoot, Idaho 83221-0010
208/785-0820 FAX 208/785-0878

December 1, 1992

Karen Gustafson
Idaho Dept. of Water Resources
1301 N Orchard Street
Boise, ID 83706

RE: Permit # 27-07456

RECEIVED

DEC 4 1992

Dear Karen:

Department of Water Resources

Enclosed are two Assignment of Permits in reference to Permit #27-07456. Please file the Assignment from Kyle Edwards to Gerald J. Bartauskys first, and then file the Assignment from Gerald to himself and Northwest Farm Credit Services, ACA.

Please acknowledge receipt of these Assignments by signing the bottom portion on the copy of this letter and returning it to our office in the envelope provided. Farm Credit Services has an interest in this permit as security for a loan, and we need to receive copies of all notices and correspondence concerning this permit, along with Gerald.

Sincerely,

Jan Gamble
Operations Assistant

The undersigned hereby acknowledges receipt of Assignment of Permit #27-07456 and hereby agrees that Northwest Farm Credit Services, ACA and Gerald J. Bartauskys will be informed of any action taken or ended in reference to said permit.

IDAHO DEPT. OF WATER RESOURCES

Authorized Agent

Northwest Farm Credit Services, Agricultural Credit Association



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 1, 1992

Gerald Bartauský
Kyke Edwards
310 East 200 North
Blackfoot, ID 83221

Re: Permit No. 27-07456

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to June 1, 1994. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

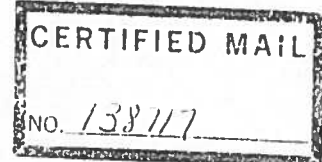
Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

GERALD BARTAUSKY
KYLE EDWARDS
1041 W 200 N
BLACKFOOT ID 83221

March 31, 1992



RE: PERMIT NO. 27-07456 PROOF DUE NOTICE

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 June 1, 1992. (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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

September 11, 1991

Re: Permit No. 27-07456

George Bartausky
Kyle Edwards
1041 W 200 N
Blackfoot ID 83221

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

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

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Law Offices of
McGRATH, BAKER & MAROTZ

199 West Bridge
P.O. Box 577
Blackfoot, Idaho 83221

Telephone (208) 785-2310
Fax (208) 785-6749

IDAHO FALLS OFFICE:

Stephen J. McGrath, P.C.
Scott W. Marotz
Karl H. Lewies*

*Admitted only in Utah

BLACKFOOT OFFICE

Dwight E. Baker

RECEIVED
SEP 06 1991

Department of Water Resources

September 5, 1991

State of Idaho
Department of Water Resources
1301 North Orchard Street,
Statehouse Mail
Boise, ID 83720-9000

Re: Permit No. 27-07456
Assignment of Application For Permit

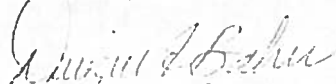
Dear Madam Clerk:

Enclosed please find an executed Assignment of Application For Permit regarding the above referenced permit.

Should you have any question regarding this, please don't hesitate to call this office.

Very truly yours,

McGRATH, BAKER & MAROTZ


Dwight E. Baker

DEB/ljs
Enclosure

cc: Bonnie George
Gerald Bartauskys

June 21, 1991

VIRGINIA ROLLISON ESTATE
78 W. 100 N.
BLACKFOOT, ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 27-07456

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

APPLICATION FOR PERMIT REVIEW

Application #: 27-7156
Date: 6-14-97

Reviewer: Pam Skaggs *CS*

Existing:
No - 26A-P17
Complete in 1 year - P16
Yes
✓Proof not submitted - P16
Proof submitted - N/A
✓Groundwater:
✓GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)
LT. 0.2 cfs - N/A
✓Drilling Permit:
Approved w/permit - P99
✓Not included - 046-P23(All GW, even existing wells)
✓Location:
✓Water Districts - WD No. 27
Surface water - 005, 005-01H-P01(LT.2 w/pump)
005-01J-P08(GT.2)
Groundwater *4/1/97* - P05
Irrigation Districts - 023
Canal Co. Areas - 023
Drainage Districts - 024
Boise Front (63) - 058 (Groundwater)
✓Swan Falls Flag - 1 (1, Blank or Other)
Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr
or Irr & Dom)
Non Trust - 048-049
River Basins:
(Surface Water) Water District Control Condition &....
Boise (63) - 05A & 11E
Payette (65) - 047-P04, 059-P71
Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)
Use:
Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)
Power - Use Power Review
Mining - 06A or 010, 09E-P10 & 054(req.)
Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)
Rec. & Aesthetic - 027(Non-Consumptive)
Domestic - 021(restricted areas)
Ownership:
Non land owner - 004
Protested:
Agreement - 020
Beneficial Use Due Date: - 6-1-1997
Other Conditions Recommended 6-1-1997 Date since does not exceed 200000.

II R-DEPARTMENT MEMO — 1

FROM H.W. JONES - Eastern

DATE 5-30-91

TO Jim Johnson - Boise

SUBJECT Rejection of Applica. 27-7400, (27-7521) 27-7456 & 22-7533

Attached are the 4 applic. named above. Applicants have not responded to request letters for Rule 4, 5, 3 data & I recommend that applic. be rejected.

Pam
27-7521's
data is in file
27-1522 in the
vault

H.W.J.
SIGNATURE

13-Mar-1990

Virginia Rollison Estate
78 W. 100 N.
Blackfoot, ID 83221

RE: Application for Permit No. 27-7456

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Morning News on April 5 & 12, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb