

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 29-14116

1. Name of applicant(s) Moose Mountain Subdivision Property Owners Assoc., INC Phone (208) 775-4957
Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: PO Box 576 City InkomState ID Zip 83245 Email: _____

RECEIVED

2. Source of water supply Ground Water which is a tributary of _____

JUN 23 2014

3. Location of point(s) of diversion:

Department of Water Resources
Eastern Region

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
7S	36E	23			NE	NE	Bannock	Ground Water	
7S	36E	23			NE	NE	Bannock	Ground Water	

4. Water will be used for the following purposes:

Amount 0.40 for Domestic purposes from 1/1 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)

5. Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Two pumps to a 23,000 gallon storage tank to 22 homes.

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 11.

For dams 10 feet or more in height OR reservoirs with a total 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 ☐ Noc. Proposed well diameter is 10 inches; proposed depth of well is 300-350 feet.d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ Noe. If well is already drilled, when? 2002; drilling firm Vollmer Well Drilling;Well was drilled for (well owner) Stewart Nelson; Drilling Permit No. 778945.

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households 22 homes.

e. Other; describe fully. _____

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8. 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	
7S	36E	23	D	D						D									

Total number of acres to be irrigated: _____

9. 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? Water rights 29-13350 and 29-13712.
Up to 1/2 acre of irrigation per subdivision lot.

10. a. Who owns the property at the point of diversion? Moose Mountain Subdivision (existing POD); Ron Ward (new POD)
b. Who owns the land to be irrigated or place of use? Moose Mountain Subdivision property owners.
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: An easement from the property owners is in the process of being described.

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. This permit is for additional rate only. The domestic use will be for the same 22 homes as described under water rights 29-13350 and 29-13712. The current well produces approximately 40 gpm which is not sufficient for the 22 lots. Several times each year the storage tank goes dry creating the risk of contamination to the system. Moose Mountain is proposing an additional well that will provide adequate water to the homeowners. The new well will be added to the current system and should provide sufficient water to the homeowners as well as meet all the requirements for community water systems.

12. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

John Knight
Signature of Applicant
John Knight President
Print Name (and title, if applicable)

Verrilee Brower
Signature of Applicant
Verrilee Brower Secretary
Print Name (and title, if applicable)

For Department Use:

Received by _____ Date _____ Time _____ Preliminary check by Blum
Fee \$ 250.00 Received by Blum Receipt No. E039961 Date 6/23/2014

29-14116

RECORDING REQUEST BY:

21218557

AND WHEN RECORDED MAIL TO:

2-1

RECORD BY 960
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
FILE 13 DEPUTY Bm

Moose Mountain
Homeowners Assoc.

21218557

2012 OCT 29 A 11:13

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: ()

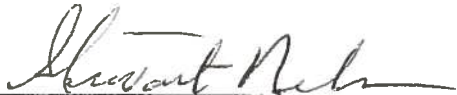
Date: August 24, 2012

For Value Received, **Stewart Nelson and Cynthia Nelson, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Moose Mountain Home Owner's Association**, hereinafter called the Grantee, whose current address is PO Box 576
Inkom, Id 83245, the following described premises, situated in **Bannock County, Idaho**, to-wit:

Lot 14, Block 1, Moose Mountain Subdivision, Bannock County, Idaho, as the same appears on the official plat thereof, recorded July 16, 2003 as Instrument No. 20318882

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.


Stewart Nelson


Cynthia Nelson

Date: 08/24/2012

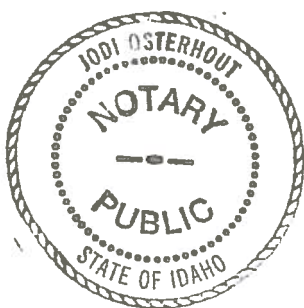
2-2

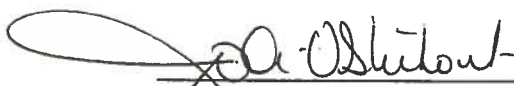
Warranty Deed
- continued

21218557

STATE OF Idaho)
COUNTY OF Bannock)
SS.

On this 30 day of August, 2012, before me, a Notary Public in and for said State, personally appeared **Stewart Nelson and Cynthia Nelson**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.





Notary Public of Idaho
Residing at: Tr. Kom
Commission Expires: 11/16/2012

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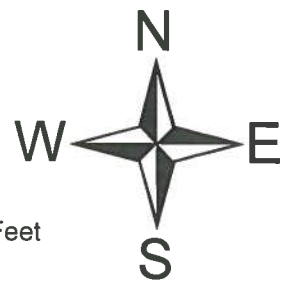


Legend

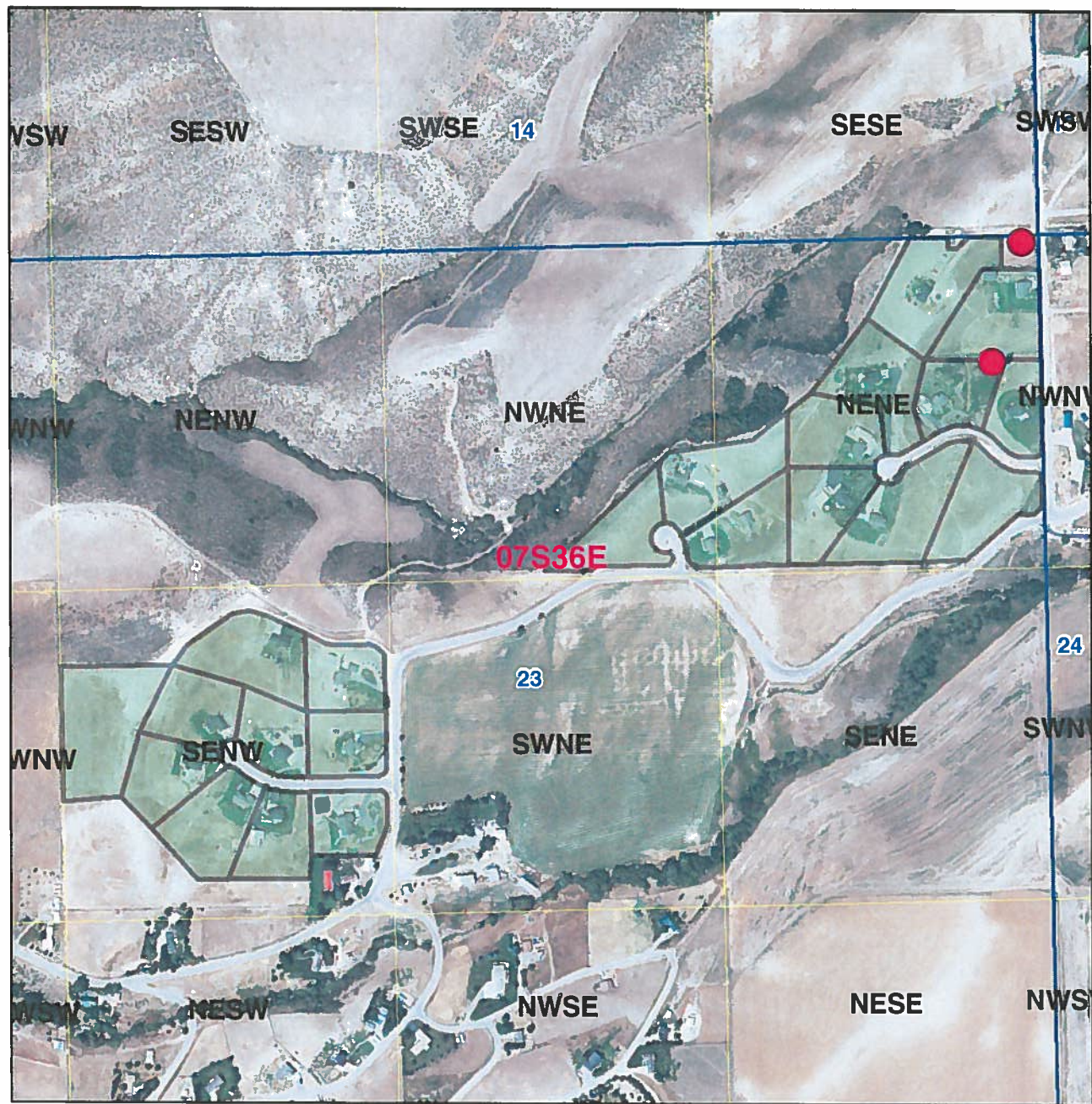
- Point of Diversion
- Township/Range
- Sections
- QQ

0 200 400 800 Feet

1 inch = 329 feet



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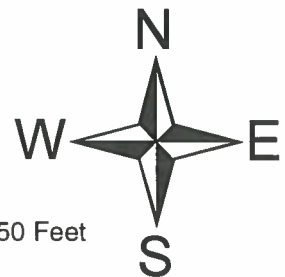


Legend

- Point of Diversion
- Domestic_Place_of_Use
- Township/Range
- Sections
- QQ

0 387.5 775 1,550 Feet

1 inch = 649 feet



29-14116



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

June 25, 2014

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

MOOSE MOUNTAIN SUBDIVISION PROPERTY OWNERS ASSOC. INC
PO BOX 576
INKOM, ID 83245

Application For Permit No. 29-14116

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 IDAHO STATE JOURNAL on July 3 and 10, 2014. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

A handwritten signature in blue ink that reads "Sharla Cox". The signature is fluid and cursive, with the first name being more prominent.

Sharla Cox
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 25, 2014

Idaho Department of Environmental Quality
444 Hospital Way #300
Pocatello ID 83201

Application to Permit No. 29-14116

DEQ:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Sincerely,

A handwritten signature in blue ink that reads "Sharla Cox".

Sharla Cox
Administrative Assistance

Enclosure(s)

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, June 25, 2014 3:38 PM
To: 'ID State Journal (stubbs@journalnet.com)'
Subject: Legal Notice for your paper
Attachments: Id State Journal Cover Ltr.RTF

Contacts: Idaho State Journal

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*

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

29-14116

MOOSE MOUNTAIN SUBDIVISION PROPERTY OWNERS ASSOC. INC

PO BOX 576

INKOM, ID 83245

Point of Diversion

NENE S23 T07S R36E

NENE S23 T07S R36E

BANNOCK County

Source GROUND WATER Tributary

Use: DOMESTIC

01/01 to 12/31 0.4 CFS

Total Diversion: 0.4 CFS

Date Filed: 6/23/2014

Place Of Use: DOMESTIC

T07S R36E S23 NENE NWNE SENW

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 together with a protest fee of \$25.00 for each application on or before July 21, 2014. The protestant must also send a copy of the protest to the applicant.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79392

US FOREST SERVICE, 1405 HOLLIPARK DR, IDAHO FALLS, ID 83401; has filed Application No. 79392 for changes to the following water rights within BANNOCK County(s): Right No(s). 29-7814; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. The purpose of the transfer is to change a portion of the above rights as follows: The applicant proposes to add a point of diversion, The points of diversion are in the SENWSW, SENWSW and NWNWSW Sec 29 T7S R37E for 0.31 cfs from Green Canyon Creek. The place 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 together with a protest fee of \$25.00 for each application on or before July 21, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on July 3 and 10, 2014