

Department of Water Resources Eastern Region

AUG 13 2013

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**

Ident. No. 25-14390

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) South Lands LLC Phone (208)529-0833  
Name connector (check one)  and  or  and/or
- Mailing address: 3007 E 49th N City Idaho Falls  
 State ID Zip 83401 Email \_\_\_\_\_
2. Source of water supply Ground Water which is a tributary of NA
3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>3N</u>	<u>38E</u>	<u>34</u>			<u>SE</u>	<u>SW</u>	<u>Bonnaville</u>	<u>Ground Water</u>	

4. Water will be used for the following purposes:
- Amount 0.5 for Commercial purposes from Jan 1 to Dec 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) 0.5 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. 2009pm pump currently installed per original plan.
  - b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total reservoir capacity NA 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  No
  - c. Proposed well diameter is 8 inches; proposed depth of well is 265 feet.
  - d. Is ground water with a temperature of greater than 85°F being sought?  Yes  No
  - e. If well is already drilled, when? 8/14/08; drilling firm Volmer Well Drilling  
 Well was drilled for (well owner) Barry South (Southlands LLC); Drilling Permit No. 771204

7. Description of proposed uses (if irrigation only, go to item 8):
- a. Hydropower; show total feet of head and proposed capacity in kW. NA
  - b. Stockwatering; list number and kind of livestock. NA
  - c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. NA
  - d. Domestic; show number of households \_\_\_\_\_
  - e. Other; describe fully. Commercial ~~Dev~~ Developments Near 3007 E 49th N up to and including 40 Commercial Lots

8. Description of place of use

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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			
3N	38E	34											C		C	C					

Total number of acres to be irrigated: NA

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? \_\_\_\_\_


- 10. a. Who owns the property at the point of diversion? South Lands LLC
- b. Who owns the land to be irrigated or place of use? Southlands LLC, OWNERS OF EVOLUTION PLAZA LOTS
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: D&C Electric has made arrangements with South Lands to use water. \* D&C Electric

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The water system for Evolution Plaza needs to be expanded to provide water service to the developments surrounded by the subdivision. Existing water right No. 25-14219. The amount of water would stay the same, the location of water service to be expanded to proposed developments.

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.

  
 \_\_\_\_\_  
 Signature of Applicant  
Rod South  
 \_\_\_\_\_  
 Print Name (and title, if applicable)

Benny South  
 \_\_\_\_\_  
 Signature of Applicant  
Benny South  
 \_\_\_\_\_  
 Print Name (and title, if applicable)

For Department Use:

Received by SB Date 5-20-13 Time \_\_\_\_\_ Preliminary check by SB  
 Fee \$ 250.00 Received by SB Receipt No. E038704 Date 5-20

25-14390

SECTION 34  
TOWNSHIP 3 N  
RANGE 38 E  
BONNEVILLE COUNTY, ID

•N1W5W

•N1E5W

•S1W5W

•S1E5W

PLACE OF USE

PLACE OF USE

POINT OF DIVERGENCE

TELFORD ROAD



05/13/2013

Idaho Department of Water Resources

To Whom It May Concern:

I Dale Clements understand that South Lands LLC is applying for my property to be included in the acreage for water right.

If there are any questions or concerns for either party, please contact:

Dale Clements 208.521.9933 or David Adams 208.520.1514

Sincerely,

Dale Clements



25-14390

RECEIVED

JUN 27 2013

Department of Water Resources  
Eastern Region

I own property in Evolution Plaza and I understand that a water right application has been filed for my property.

*Mike Kindro* 6-25-2013

Signature

Date

Mike Kindro 6-25-2013

Printed Name

Date

FARM STUFF

Lot 1 Block 3  
w 13,096 ft<sup>2</sup> Lot 3 Block 3

25-14390

RECEIVED

JUN 27 2013

Department of Water Resources  
Eastern Region

I own property in Evolution Plaza and I understand that a water right application has been filed for my property.

  
Signature                      Date

  
Printed Name                      Date

D&F STEEL

Subt investments

25-14390

RECEIVED

JUN 27 2013

Department of Water Resources  
Eastern Region

I own property in Evolution Plaza and I understand that a water right application has been filed for my property.

  
Signature

6-12-13

Date

JUSTIN JUOY 6-12-13

Printed Name

Date

ES2

3EN7

25-14390







**Blake Jolley**

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**From:** Bergendorf, Scott <Scott.Bergendorf@idwr.idaho.gov>  
**Sent:** Wednesday, July 10, 2013 2:09 PM  
**To:** bjolley@hleinc.com  
**Subject:** South Lands Permit info  
**Attachments:** South Lands Permit.pdf; \_Certification\_.htm

The list of names I have for one or more of the properties:

Dale Clements\*\*

Richard Skaar - *Property North of Evolution Plaza*

Debra Clements ✓ *Not included.*

Barry South ✓ *Filed Application*

CNL North Properties - *DNF steel*

DWH Investments ✓

Michael Kimbro\*\* ✓

3ENG ✓

FS Building—

*Barry is purchased/ 40 Acres Traded*

\*\* indicates the names I've already matched to the signed letters.

Scott Bergendorf  
Water Resource Agent  
Idaho Department of Water Resources - Eastern Region  
900 N. Skyline Dr. Ste A  
Idaho Falls, ID 83402  
(208) 525-7161  
[scott.bergendorf@idwr.idaho.gov](mailto:scott.bergendorf@idwr.idaho.gov)



**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](http://www.idwr.idaho.gov)

**C.L. "BUTCH" OTIER**  
Governor

**GARY SPACKMAN**  
Director

August 28, 2013

SOUTH LANDS LLC  
3007 E 49TH N  
IDAHO FALLS, ID 83401

Application For Permit No. 25-14390

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 POST REGISTER on September 5 and 12, 2013. 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,

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

August 28, 2013

C.L. "BUTCH" OTTIER  
Governor

GARY SPACKMAN  
Director

Idaho Department of Environmental Quality  
900 North Skyline, Suite B  
Idaho Falls, ID 83402

Application to Permit No. 25-14390

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 cursive script that reads "Sharla Cox". The signature is written in black ink and is positioned above the printed name and title.

Sharla Cox  
Administrative Assistance

Enclosure(s)

SCANNED  
AUG 28 2013

## Cox, Sharla

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**From:** Cox, Sharla  
**Sent:** Wednesday, August 28, 2013 10:07 AM  
**To:** 'Post Register (legalnotices@postregister.com)'  
**Subject:** Legal Notice for your paper  
**Attachments:** Post Register E-Mail.doc

**Contacts:** Post Register

### *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](mailto: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:

**23-7175**

DONALD H RINDE

ESTHER M RINDE

PO BOX 96

IRWIN, ID 83428

Point of Diversion

NENW S35 T01N R44E

BONNEVILLE County

Source BURTON SPRING Tributary PALISADES CREEK

Use: DOMESTIC

01/01 to 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 10/23/1998

Place Of Use: DOMESTIC

T01N R44E S35 NENW

**25-14390**

SOUTH LANDS LLC

3007 E 49TH N

IDAHO FALLS, ID 83401

Point of Diversion

SESW S34 T03N R38E

BONNEVILLE County

Source GROUND WATER Tributary

Use: COMMERCIAL

01/01 to 12/31 0.5 CFS

Total Diversion: 0.5 CFS

Date Filed: 5/13/2013

Place Of Use: COMMERCIAL

T03N R38E S34 NESW SWSW SESW

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 September 23, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on September 4 and 12, 2013