

RECEIVED

MAR 13 2012

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 13-78471. Name of applicant(s) Kevin Ashby and/or Sarah Ashby Phone (208) 747-3649
Name connector (check one) ☐ and ☐ or ☒ and/orMailing address: 3293 South 5600 West City WestonState Idaho Zip 83286 Email: _____2. Source of water supply ground water which is a tributary of n/a

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
16S	38E	16		NW	NE	NE	Franklin	well	D0037262

4. Water will be used for the following purposes:

Amount .04 cfs for Domestic 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) .04 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. Diverted by 2 hp pump in existing 6" domestic well to applicant's waterline

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 ☐ 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 ☒ Noe. If well is already drilled, when? 7/11/2005; drilling firm Westlake Drilling;Well was drilled for (well owner) Travis Ashby; Drilling Permit No. 834393

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 1

e. Other; describe fully. _____

13- 7847

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.

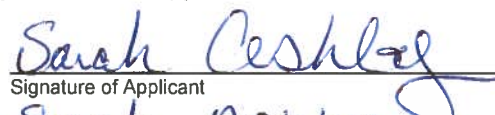
TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	38E	15						D											

Total number of acres to be irrigated: _____

- 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? The applicant intends to use both this domestic right and, if available, shares from Weston Creek Irrigation Co. to irrigate applicant's lawn and garden.
Water Rights associated with Weston Creek Irrigation Co.: 13-948, 13-949, 13-2293
- Who owns the property at the point of diversion? Travis Ashby and Dawn Ashby
 - Who owns the land to be irrigated or place of use? Kevin Ashby and Sarah Ashby
 - If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: See attached "Authorization to File Application for Permit" and "Waterline Easement"
- Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The applicant's domestic well is failing. It has been used since 1996 (see attached Well Driller Report). This application is not a new use. The applicant only seeks to continue established domestic uses by connecting to his son's domestic well adjacent to the applicant's property.
- Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
- 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
 Kevin Ashby
 Print Name (and title, if applicable)


 Signature of Applicant
 Sarah Ashby
 Print Name (and title, if applicable)

For Department Use:

Received by _____ Date 3/13/12 Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by DK Receipt No. E037443 Date _____

Legend



ESPA



GCDB Township/Range



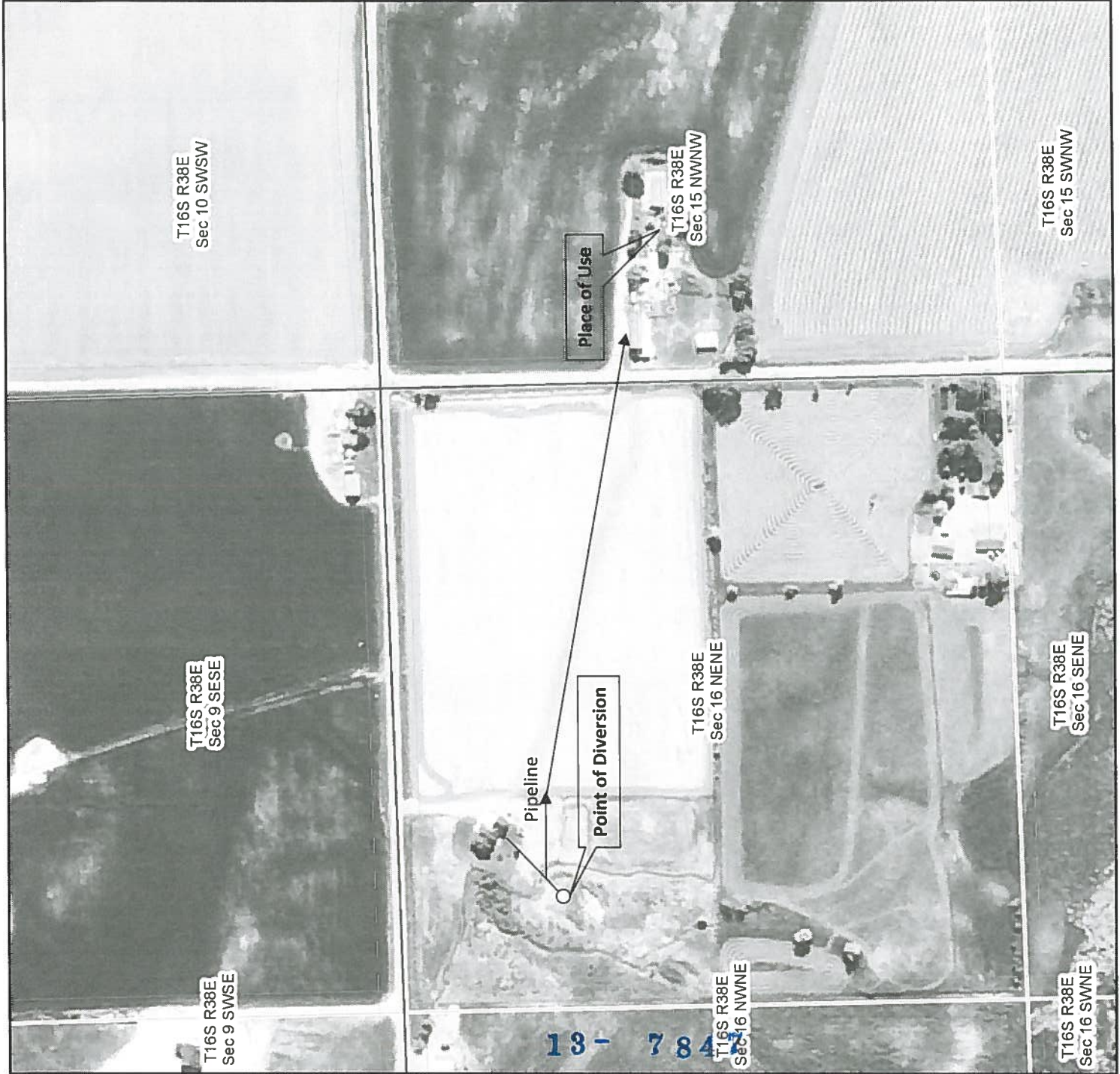
GCDB Section



GCDB Quarter-Quarter



Counties



AUTHORITY TO FILE APPLICATION FOR PERMIT

TRAVIS K. ASHBY and DAWN ASHBY, owners of the property situated

in the NW¼ NE¼ NE¼, Section 16, T. 16 S., R. 38 E., Boise Meridian, Franklin County, Idaho, associated with the street address of 5775 West Highway 36, Weston, ID 83286

and to which a domestic well (Tag No. D0037262; Drilling Permit No. 834393) is currently appurtenant, hereby agree to the proposed application for permit filed with the Idaho Department of Water Resources by KEVIN ASHBY and/or SARAH ASHBY (Applicants) and described as follows:

Permit to divert .04 cubic feet per second for domestic purposes from owners well with a point of diversion in the NW¼ NE¼ NE¼, Section 16, T. 16 S., R. 38 E., and place of use in the NW¼ NW¼, Section 15, T. 16 S., R. 38 E.



Travis K. Ashby

3-2-2012
Date



Dawn Ashby

3-2-2012
Date

WATERLINE EASEMENT

THIS EASEMENT is made this 2nd day of March, 2012 between Travis K. Ashby and Dawn Ashby, husband and wife (Grantors), and Kevin Ashby and Sarah Ashby, husband and wife (Grantees).

STATEMENT OF PURPOSE

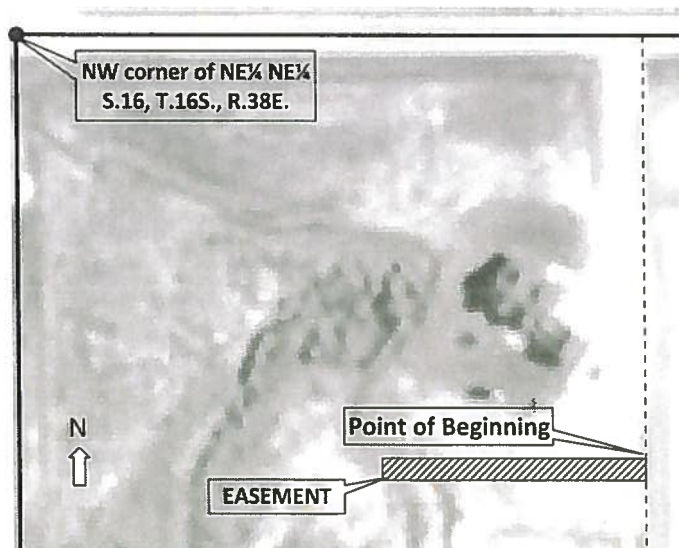
Grantors desire to provide a right-of-way across their property for the purpose of an underground waterline connecting to Grantors groundwater system.

GRANT OF EASEMENT

For valuable consideration received and other benefits, the Grantors do hereby grant to Grantees a nonexclusive right-of-way for an easement to construct, operate, maintain, repair and/or replace an underground waterline and related appurtenances across the following described property:

A 10 foot wide waterline easement situated in the Northeast Quarter of the Northeast Quarter of Section 16, Township 16 South, Range 38 East, Boise Meridian, Franklin County, Idaho, associated with the street address of 5775 West Highway 36, Weston, ID 83286, and more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of the Northeast Quarter of Section 16, and running thence East 450 feet along the North line of Section 16; thence leaving said North line to the South 295 feet to the Point of Beginning; thence continuing South 10 feet; thence West 180 feet; thence North 10 feet; thence East 180 feet to the Point of Beginning as shown below, more or less.



Recorded at the request of

Tyler Olson
Time 1:21

MAR 12 2012

SHAUNA T GEDDES, RECORDER
BY C. Hansen Deputy
FRANKLIN COUNTY IDAHO

Grantees are granted the above rights, together with the right to ingress and egress to and from the described property for the above stated purposes.

After any construction, repairs, or other maintenance or replacement activities, Grantees shall restore the property to its prior condition.

Grantors, reserve the right to improve the described easement area as long as such improvements shall not unreasonably interfere with the construction, operation, maintenance, repair and/or replacement of the waterline and related appurtenances.

It is expressly intended that this easement be in gross for the benefit of the Grantees and Grantees only and shall not run with the land.

GRANTORS:

Travis K. Ashby

Travis K. Ashby

Dawn Ashby

Dawn Ashby

ACKNOWLEDGEMENT

STATE OF Utah)
) ss
 County of Cache)
 County of Franklin)

On this 2nd day of March, 2012, before me, a Notary Public of the State of Utah, personally appeared TRAVIS K. ASHBY, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.



Lorie A. Naegle
 NOTARY PUBLIC FOR IDAHO Utah
 Residing at: Lewiston UT
 Commission expires: 9-28-13

STATE OF Utah)
) ss
 County of Cache)
 County of Franklin)

On this 2nd day of March, 2012, before me, a Notary Public of the State of Utah, personally appeared DAWN ASHBY, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.



Lorie A. Naegle
 NOTARY PUBLIC FOR IDAHO Utah
 Residing at: Lewiston UT
 Commission expires: 9-28-13

Form 238-7
6/02

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

13

Office Use Only			
Well ID No.			
Inspected by			
Twp	Rge	Sec	
1/4	1/4	1/4	
Lat:	:	Long:	:

1. WELL TAG NO. D 0037262
 DRILLING PERMIT NO. _____
 Water Right or Injection Well No. _____

2. OWNER:

Name Travis Ashby
 Address 5775 West HWY 36
 City Weston State ID Zip 83286

3. LOCATION OF WELL by legal description:

You must provide address or Lot, Blk, Sub. or Directions to well.

Twp. 16 North ☐ or South ☒
 Rge. 38 East ☒ or West ☐
 Sec. 16 NW 1/4 NE 1/4 NE 1/4
 Gov't Lot _____ County Franklin

Lat: 42 : 02: 28.4 Long: 112: 00: 59.1
 Address of Well Site 5775 West HWY 36

City Weston

(Give at least name of road - Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

Seal Material	From	To	Weight / Volume	Seal Placement Method
bentonite	0	36	31 bags	chips

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 180'

Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2	180	1/4	steel	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

Packer ☐ Y ☐ N Type _____

9. PERFORATIONS/SCREENS PACKER TYPE

Perforation Method Knife, Holte

Screen Type & Method of Installation _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
167	173	1/2 x 1 1/2	96			☒	☐

10. FILTER PACK

Filter Material	From	To	Weight / Volume	Placement Method
-----------------	------	----	-----------------	------------------

11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

25 ft. below ground Artesian pressure _____ lb.

Depth flow encountered _____ ft. Describe access port or control devices: _____

well cap

12. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal / min	Drawdown	Pumping Level	Time
50	55	80'	3 hrs

Water Temp. 56 F

Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encounter _____

13. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
10	0	25			
8	25	50			
6	50	180			
	0	19	gravel clay		
	19	21	gravel		x
	21	28	gravel clay		
	28	56	clay		
	56	58	sand		
	58	69	clay		
	69	71	sand		
	71	108	clay		
	108	112	sand		
	112	127	clay		
	127	131	sand		
	131	150	clay		
	150	153	sand		
	153	159	clay		
	159	161	sand, gravel		
	161	180	gravel, sand		x

RECEIVED

JUL 14 2005

Department of Water Resources
Eastern Region

Completed Depth 180 (Measurable)

Date: Started 07/05/05 Completed 07/11/05

14. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Westlake Drilling Firm No. 114

Principal Driller [Signature] Date 07/12/05

and Driller or Operator II _____ Date _____

Operator I _____ Date _____

Principal Driller and Rig Operator Required.
Operator I must have signature of Driller/Operator II.

FORWARD WHITE COPY TO WATER RESOURCES

13-7847

Form 238-7
3/95

DMO

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

057746

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 1/4 1/4
Lat: : : Long: : :
☒ Air ☐ Flowing Artesian

1. DRILLING PERMIT NO. 13-96-E-0132-000
Other IDWR No. _____

2. OWNER:

Name KEVIN Ashby
Address 3293 S. 5600 W.
City WESTON State Id Zip 83286

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
W
E
S
Twp. 10 North ☐ or South ☒
Rge. 38 East ☒ or West ☐
Sec. 15 1/4 NW 1/4 NW 1/4
Gov't Lot _____ County Franklin
Lat: : : Long: : :
Address of Well Site SAME
City _____
(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Bk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT		METHOD
Material	From	To	Sacks or Pounds		
<u>BENTONITE CHIPS</u>	<u>0</u>	<u>19</u>	<u>550 lbs.</u>	<u>OVERBORE</u>	

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____
Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>8</u>	<u>+1</u>	<u>19</u>	<u>.250</u>	<u>Steel</u>	☒	☐	☐	☐
<u>6</u>	<u>+1</u>	<u>100</u>	<u>"</u>	<u>"</u>	☐	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations Method DOWN HOLE
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
<u>35</u>	<u>45</u>	<u>1/2 x 3</u>	<u>150</u>			☒	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

33 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: _____

11. WELL TESTS:

☐ Pump ☐ Bailer

Yield gal./min.	Drawdown	Pumping Level	Time
<u>10</u>		<u>50</u>	<u>3 hrs</u>

Water Temp. 52° Bottom hole temp. 52°

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>12 1/4</u>	<u>0</u>	<u>2</u>	<u>overburden</u>		☒
<u>12 1/4</u>	<u>2</u>	<u>13</u>	<u>Powdered Ash + Gravel</u>		☒
<u>12 1/4</u>	<u>13</u>	<u>19</u>	<u>Gravel w/ some ash</u>		☒
<u>12 1/4</u>	<u>19</u>	<u>50</u>	<u>"</u>		☒
<u>12 1/4</u>	<u>50</u>	<u>90</u>	<u>Soupy Clay</u>		☒
<u>12 1/4</u>	<u>90</u>	<u>100</u>	<u>Shale</u>		☒
<u>12 1/4</u>	<u>100</u>	<u>200</u>	<u>Is.</u>		☒

RECEIVED

NOV 13 1996

Department of Water Resources
Eastern District Office

RECEIVED

NOV 18 1996

Department of Water Resources

MICROFILMED

FEB 05 1997

Completed Depth 200 (Measurable)
Date: Started 10-21-96 Completed 10-23-96

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Nelson Drilling Inc Firm No. 215

Firm Official Ray Nelson Date 10-27-96

and Supervisor or Operator Lloyd Case Date 10-27-96

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

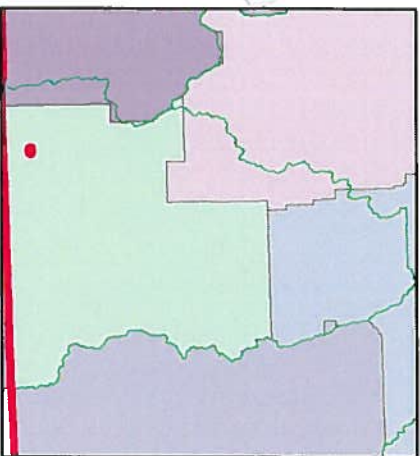
13- 7847



Idaho Department of Water Resources

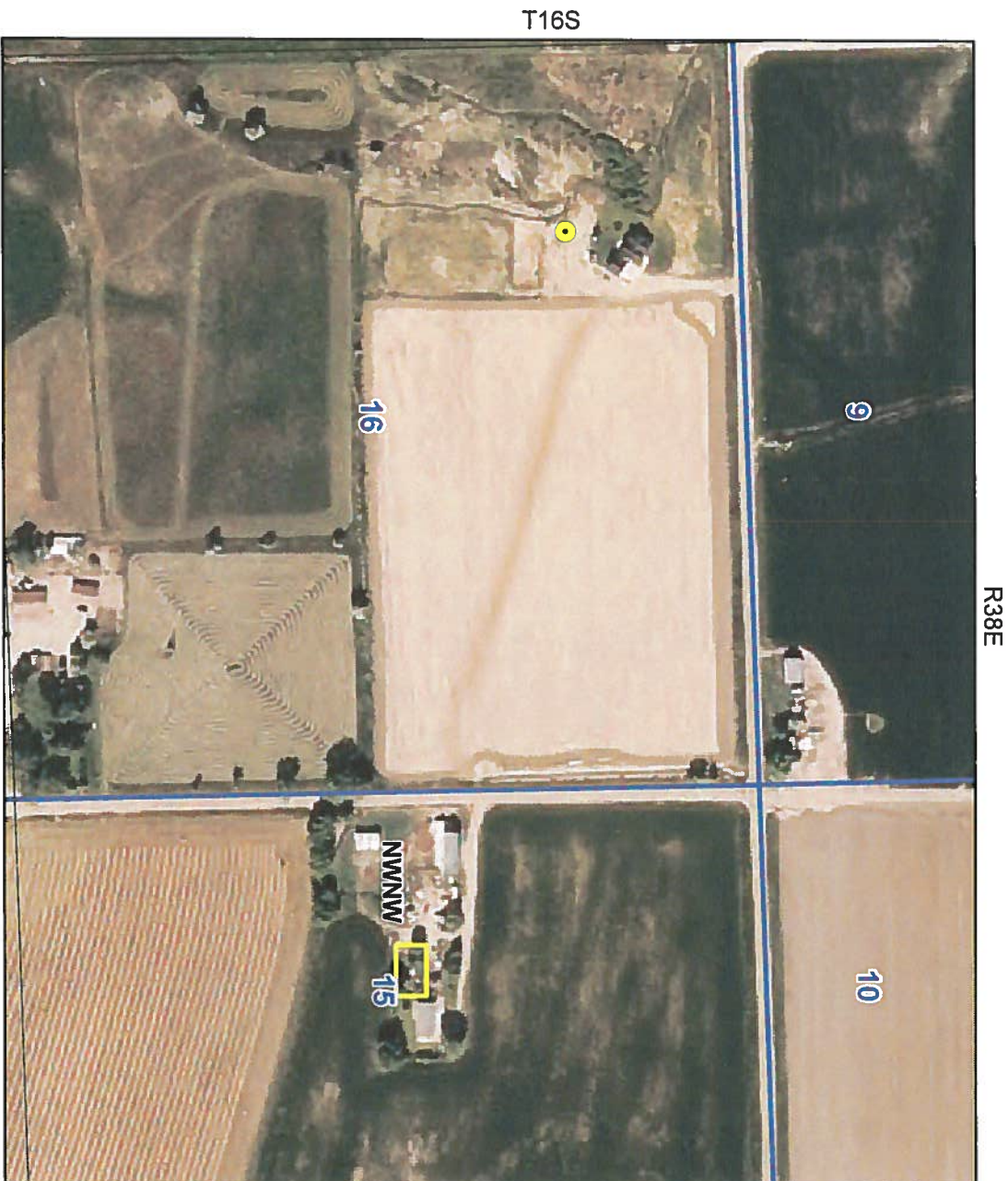
Application
13-7847
(DOMESTIC)

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Franklin County
IDWR Basin 13

Prepared by Kidman, Denise
On April 09, 2012
2009 Aerial Photography



13-7847



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

April 26, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

KEVIN ASHBY
SARAH ASHBY
3293 S 5600 W
WESTON, ID 83286

Application For Permit No. 13-7847

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 PRESTON CITIZEN on May 2 and 9, 2012. 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

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, April 26, 2012 11:48 AM
To: 'Preston Citizen (copy@prestoncitizen.com)'
Subject: Legal Notice for your paper
Attachments: Preston Citizen E-Mail.doc

Contacts: Preston Citizen

Sharla

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

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

13-7847

KEVIN ASHBY

SARAH ASHBY

3293 S 5600 W

WESTON, ID 83286

Point of Diversion NWNENE

S16 T16S R38E

FRANKLIN County

Source GROUND WATER Tributary

Use: DOMESTIC

01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 3/13/2012

Place Of Use: DOMESTIC

T16S R38E S15 NWNW

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 May 21, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on May 2 and 9, 2012