

MEMO

TO: File 29-8162

FROM: Cherie Padilla

DATE: April 27, 2011

RE: Phone Conversation

Today I spoke with Craig Lyons regarding his statement of completion for submitting proof of beneficial use form that he submitted to the department on April 25, 2011 along with the \$150 filing fee. Mr. Lyons did not complete "Other Conditions of Permit" #7 of the form which is required because condition of approval #3 of the permit states:

The permit holder or the Lava Hot Springs Foundation must establish and report to IDWR and to the protestants prior to diverting water under permit no. 29-8162 the quantity of water that must discharge from the bleeder valve to operate the Foundation's system. Diversion of waste water must be limited to the established waste flow from the bleeder valve.

Mr. Lyons said that he will fax over a request for extension of time for proof of beneficial use since he does not have the information pursuant to condition #3 compiled. I told him that we will apply \$50 that he paid already to the extension and issue a refund for \$100 and return his proof statement.

Mr. Lyons will mail in the original signed request for extension to replace the faxed copy.

RECEIVED

APR 25 2011

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY
Amt. of Fee \$: 150
Receipt No. 0092936
Receipt By: SR
Date Received: 4/25/2011

The Idaho Department of Water Resources considers this form a statement by the permit holder(s) that development of a water right has been **completed** and that water has been applied to beneficial use to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner.** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, please contact any Department office or visit the Department's website at: www.idwr.idaho.gov for an Assignment of Permit form. If you wish to relinquish your permit because you have not established the authorized use of the water and are not applying for an extension, please notify the Department in writing.

1. Permit No.: 29-8162 Telephone No.: (435) 744-2430 (801) 391-8333

2. Name of Permit Holder(s): CRAIG LYON VICKY LYON

3. Mailing Address: 2730 NORTH 2400 WEST City: BRIGHAM CITY

State: UT Zip: 84302 Email: CRAIG.LYON@HILL.AF.MIL

4. Source of Water: WASTE HOT WATER If **GROUND WATER** (well), Date Drilled: mo. NA / yr. NA

Well Driller: NA Drilling Permit Number: NA

5. Extent of use(s) completed (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: FISH PROPAGATION, STORAGE

6. Total rate of diversion or storage volume for which proof is submitted: 2.55 cfs OR _____ acre-feet.

7. Compliance with a measuring device requirement, lockable controlling device requirement, and/or other conditions of permit: **Refer to the approval conditions on your permit and respond accordingly. The Department will not issue a license if permit conditions are not met.**

Measuring Device: Is a measuring device required? Yes ☐ No ☒
If yes, has the measuring device been installed? Yes ☐ No ☐

Lockable Controlling Device: Is a lockable device required to control the diversion? Yes ☐ No ☒
If yes, has the lockable device been installed? Yes ☐ No ☐

Other Conditions of Permit: Do the approval conditions on your permit require you to submit additional information in connection with your proof of beneficial use? If yes, list the conditions below and attach documents with the required information.

Completed? Yes ☐ No ☒

8. Fee Enclosed: \$ 150.00 See fee schedule on back of the instructions for filing proof of beneficial use. Proofs filed without an appropriate fee, will be considered incomplete.

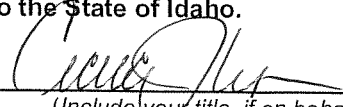
9. Person to contact to accompany the Department representative during field examination of the water system.

Name: CRAIG LYON Telephone Number: (435) 744-2430 (801) 391-8333

Mailing Address: 2730 NORTH 2400 WEST City: BRIGHAM CITY

State: UT Zip: 84302 Email: CRAIG.LYON@HILL.AF.MIL

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to a beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Signature of permit holder:  Date: April 20, 2011
(Include your title, if on behalf of company or organization)

Mail to: Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098