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FORM 202 03/10 Print form as a 2 page, single-sided document

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NOV 17 2010

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 13-77631. Name of applicant(s) Mid Way Water AssociationName connector (check one): ☐ and ☐ or ☐ and/orPhone 208 747 3570 HomeMailing address: Lyon Bingham, 2535 N 4000 WCity DaytonState ID Zip 83232

Email: _____

2. Source of water supply Groundwater

which is a tributary of _____

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
15S	38E	2		~~SW~~	SW	NW	Franklin		
				EA					
				LB					

4. Water will be used for the following purposes:

Amount 0.13 for inhouse 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) 0.13 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. Well and Pump - 7.5HP

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 8" inches; proposed depth of well is 200 feet.d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ Noe. If well is already drilled, when? Dec 1992; drilling firm _____Well was drilled for (well owner) Mid way Water Assoc.; Drilling Permit No. 13 7499

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 eight households

e. Other; describe fully. _____

13 - 7763

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	
15S	38E	2		D				D					D						
		12						AK					KL				D		
		1						D											
15S	39E	7							D										
14S	38E	35															D	D	

Total number of acres to be irrigated: 0

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? Twin Lakes Canal Co. water shares are used for irrigation

10. a. Who owns the property at the point of diversion? _____
- b. Who owns the land to be irrigated or place of use? _____
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Connect 8 homes to Midway Water Association for in house domestic use of water

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

Kent C. Howell
 Signature of Applicant
Kent Howell
 Print Name (and title, if applicable)

Lynn R. Bingham
 Signature of Applicant
Lynn Bingham
 Print Name (and title, if applicable)

For Department Use:

Received by Blake Date 11/17/2010 Time _____ Preliminary check by B/K
 Fee \$ 10.00 Receipted by Blake Receipt No. 8036274 Date 11/17/2010

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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

November 23, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

MIDWAY WATER ASSOC
2535 N 4000 W
DAYTON, ID 83232

Application For Permit No. 13-7763

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 December 2 and 9, 2010. 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.

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

Sincerely,

Sharla Cox
Administrative Assistant



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

November 23, 2010

STATE OF IDAHO
DEPT OF ENVIRONMENTAL QUALITY
444 HOSPITAL WAY #300
POCATELLO, ID 83201

Application to Permit No. 13-7763

STATE OF IDAHO :

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,

Sharla Cox
Administrative Assistant

Enclosure(s)

Cox, Sharla

From: Cox, Sharla
Sent: Tuesday, November 23, 2010 10:12 AM
To: 'copy@prestoncitizen.com'
Subject: Legal ad for your paper

Contacts: Preston Citizen



Preston Citizen
E-Mail.doc

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

November 23, 2010

LEGAL NOTICE DEPARTMENT
PRESTON CITIZEN
PO BOX 472
PRESTON, ID 83263

RE: Application For Permit No(s): 13-7761, 13-7763

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 12/20/2010. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)

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

13-7761

JAY WILDE
7188 E BIRCH CREEK RD
PRESTON, ID 83263

Point of Diversion NENESE S8 T14S R41E FRANKLIN County Source SPRING Tributary SINKS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 11/2/2010

Place Of Use: STOCKWATER

T14S R41E S8 NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESE NWSE SWSE SESE

13-7763

MIDWAY WATER ASSOC
2535 N 4000 W
DAYTON, ID 83232

Point of Diversion SWNW S2 T15S R38E FRANKLIN County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.13 CFS

Total Diversion: 0.13 CFS

Date Filed: 11/17/2010

Place Of Use: DOMESTIC

T14S R38E S35 SWSE SESE
T15S R38E S1 L4(NWNW)
T15S R38E S2 L2(NWNE) NESE
T15S R38E S12 NWSE
T15S R39E S7 L2(SWNW)

Permits will be subject to all prior water rights. 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 December 20, 2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on December 2 and 9, 2010