

NOTICE

This file has been REPRODUCED
from MICROFICHE [REDACTED]

due to reinstatement

of permit.

Emalee Rushing

Person Recreating File

4-29-09

Date

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 25-07583

Proposed Priority: February 4, 1991

Maximum Diversion Rate:

0.88 CFS

This is to certify, that **MELVIN FIELDING**
290 E. 13TH ST.

IDAHO FALLS, ID 83404

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.72 CFS
DOMESTIC	01/01 to 12/31	0.16 CFS
	Totals	0.86 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENNWN Sec. 6, Township 01N, Range 38E
BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	38E	6	NENW 5	NWNW 25	SWNW 4	
			SEnw 2			36

Total number of acres irrigated: 36

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1994.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Permit To Appropriate Water

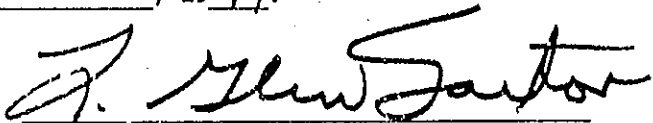
NO. 25-07583

CONDITIONS/REMARKS:

7. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
9. Domestic use is for 12 homes.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

18th day of April, 1991.

for 
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources
Eastern District Office

To appropriate the public waters of the State of Idaho

1. Name of applicant Melvin Fielding Phone (208) 523-1280
Post office address 290 E. 13th St., Idaho Falls, ID 83404
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 6 Township 1N Range 38E B.M. Bonneville County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.16 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.72 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.88 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well & pump to 12 homes and acreages
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 10 inches; proposed depth of well is 280 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
3 years (minimum 1 year).

8. Description of proposed use: *(If irrigation only, go to item 9):*

- 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. _____
- d. Domestic; show number of households. 12
- e. Other; describe fully. _____

9. 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	38E	6					5	25	4	2									36
							D	D	D	D									

Total number of acres to be irrigated 36

10. Describe any other water rights used for the same purposes as described above. None

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

12. Remarks: _____

A detailed topographic map of a section of Idaho, showing a grid of land parcels, canals, roads, and elevation contours. The map includes labels for 'Aerhouse', 'Trailer Park', 'York Sch', 'GERMAN ROAD', 'CANAL', 'LATERAL', 'IDaho', 'R38E', 'P.O.', and various section numbers (1, 5, 7, 8, 12, 31, 32, 36). Elevation contours are marked with numbers like 4680, 4685, 4690, 4695, 4700, 4705, and 4710. A scale bar at the bottom indicates '1 inch equals 1 mile'.

Steven F. Fickling
(Applicant)

Received by HWT Date 2-4-91 Time 10:48 am Preliminary check by _____
Fee \$ 45.65 Receipted by HWT # E015651 Date 2-4-91
Publication prepared by AB Date 3-7-91 Published in Post-Register
Publication approved AB Date 3-20-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

NOTICE

This file has been REPRODUCED
from MICROFICHE [REDACTED]

due to reinstatement

of permit.

Emalee Rushing
Person Recreating File

4-29-09
Date

I certify that file No. 25-07583

has been reviewed and is ready to be

MICROFILMED and DESTROYED.

The attached proof report is the water right as it appeared in the database prior to final status entry and deletion from the database.

S. Curtis

Reviewer

10/31/95

Date

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

10/31/95 08:31:06
Page 1

Water Right Number - 25-07583

Prefix Translation: WATER RIGHT

Old (0) Number -

Last Name -

First Name -

Address -

*** C - CURRENT OWNER ***
FIELDING

MELVIN

1 - 290 E. 13TH ST.

2 -

3 -

City- IDAHO FALLS

Phone - 208-523-1280

State- ID Zip- 83404

Priority Date -
02/04/1991

Region -
15 EASTERN

Stage -
P - PERMIT

Status -

Source -
GROUNDWATER

Tributary -

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
01N	38E	6	SE NW NW			(19) BONNEVILLE				

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01		
43 - DOMESTIC		01/01	12/31	0.720	0.160

Total Div. Rate - 0.880
Total Div. Volume -
Total Div. Capacity -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
01N	38E	6	NE NW		5.0	01	IRRIGATION	(19) BONNEVILLE
01N	38E	6	NW NW		25.0	01	IRRIGATION	(19) BONNEVILLE
01N	38E	6	SW NW		4.0	01	IRRIGATION	(19) BONNEVILLE
01N	38E	6	SE NW		2.0	01	IRRIGATION	(19) BONNEVILLE
Total Acres:					36.0			

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks -
Domestic use is for 12 homes.

Old Water Right Numbers -
No Old Water Right Numbers found.

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

10/31/95 08:31:06
Page 2

Water right number - 25-07583

Prefix Translation: WATER RIGHT

----- Conditions of Approval -----

- 26A - Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
- 01G - Prior to the diversion of water under this right a flow measurement point or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 048 - The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
- 049 - The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
- 03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +

00/00/0000

----- Comments -----

Date: 04/07/1994 User Id: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent
Date: 08/01/1994 User Id: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd
Date: 10/25/1995 User Id: JYARBROU Subject: Lapse Notice Sent
Lapse Notice Sent

+ - - Audit Fields - 02/23/91 BODELL 04/15/91 LUKE 04/09/91 SKAGGS 04/15/91 SKAGGS 04/07/94 COMMENTS
08/01/94 COMMENTS 10/25/95 COMMENTS

----- Water Rights Dates and Flags Area -----

Proof Due Date	- 04/01/1994	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 04/18/1991	Protested Date	- 00/00/0000	Swan Falls	- 1
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- E015651	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 02/04/1991	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	-
Presumption Flag	-				



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 25, 1995

Melvin Fielding
290 E. 13th Street
Idaho Falls, ID 83404

RE: LAPSED PERMIT NO. 25-07583

Dear Mr. Fielding:

The above referenced lapsed permit came to my attention as one of the permits in process to be filmed and destroyed, since the permit is no longer of any force nor effect.

The reason for this letter is that the file indicates that in November 1994, you submitted a letter to the department in an effort to have the permit reinstated but did not complete the submittal.

Enclosed is a copy of Julie Yarbrough's August 19, 1994, letter which advised you of the steps to follow in seeking reinstatement of a lapsed permit. Until the permit is reinstated or you obtain or develop a different water right, you are not authorized to divert and use water from the well as contemplated under the lapsed permit. Section 42-352, Idaho Code, provides civil penalties for unauthorized diversion and use of water.

If the department can assist you with a new filing or provide additional information, please feel free to contact us. We have an office in Idaho Falls which likely is the most convenient for you to contact if you seek to develop a water right. The phone number in Idaho Falls is 525-7161.

Sincerely,


L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - E. Region



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 28, 1995

Melvin Fielding
290 E. 13th St.
Idaho Falls, ID 83404

RE: Lapsed Permit No. 25-07583

Dear Mr. Fielding:

On November 14, 1994, the department received your letter concerning the reinstatement of lapsed Permit No. 25-07583. You stated that you could not file proof in a timely manner since you were in the process of opening a business. When I spoke with you on the telephone prior to you sending the letter, I informed you that in order to reinstate the permit, you would need to submit two (2) pieces of evidence showing that water was put to beneficial use prior to the permit lapsing, and, a reasonable explanation why the proof was not filed timely. The letter you sent alone will not allow the department to reinstate the permit.

In order for the department to reinstate the permit, you still will need to submit two (2) pieces of evidence to show that water was being put to beneficial use prior to the permit lapsing.

I apologize that my response is so late. I hope this will not cause any inconvenience.

If you have any questions regarding this matter, please do not hesitate to contact me at (208)327-7900.

Sincerely,

A handwritten signature in cursive script that reads 'Julie L. Yarbrough'.

JULIE L. YARBROUGH
Senior Secretary

November 3, 1994

RECEIVED

NOV 14 1994

Department of Water Resources

Julie L. Yarbrough

State of Idaho

Department of Water Resources

1301 N. Orchard St.

Boise, Idaho 83720-9000

RE: D. W. No. 25-07583

Dear Ms. Yarbrough:

We have been unable to file proof of beneficial use in a timely manner due to the time required to build and open a new business, namely a restaurant, in the Idaho Falls area.

Please let us know if there are any further steps required to complete this permit process.

Sincerely,

James D. Fielding

(208) 529-4817

Malvin O. Fielding



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRIS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 27, 1994

Melvin Fielding
290 E 13th St.
Idaho Falls, ID 83404

RE: Lapsed Permit No. 25-07583

Dear Mr. Fielding:

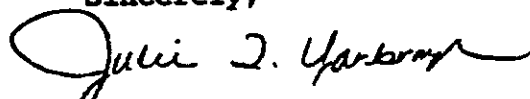
On August 19, 1994, I sent you a letter explaining that since you submitted proof of beneficial use for the above referenced permit late the Department could not accept the proof until you provided us with some additional information. To this date the Department has not received the requested information.

Please be aware that this water right permit is lapsed and is of no further force nor effect unless it is reinstated.

If the Department does not receive the requested information within thirty (30) days of receipt of this letter, I will begin the process to refund the \$100.00 license examination you submitted with the proof and the file will be destroyed.

If you have any questions regarding this matter, please call me directly at (208) 327-7953.

Sincerely,


JULIE L. YARBROUGH
Senior Secretary

August 19, 1994

Melvin Fielding
290 E 13th St
Idaho Falls, ID 83404

RE: Permit No. 25-07583

Dear Permit Holder:

The Department received your proof of beneficial use statement for the above referenced permit on July 26, 1994. The permit lapsed on April 1, 1994, so the 60-day late period during which the permit can be readily reinstated has passed.

Because you failed to file the proof of beneficial use in a timely manner, and pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can be reinstated only if you submit the following:

- a) Two pieces of evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date, and
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use statement along with any information which may have been submitted with it, will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

You should also be aware, that since the proof was filed late, your priority date has been penalized. Provided you supply the requested information, your priority date of February 4, 1991 will be advanced to July 26, 1994.

If you have any questions or if I can be of any further assistance, please feel free to contact me at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: 8020100

Date: 7/26/1994
Time: 11:54:20

Received
From: FIELDING, JAMES

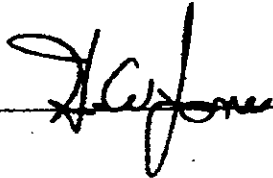
Type of Payment	Program Acct	Amount
EXAM FEE- 25-07583	63104 229 21 1155	100.00

Total

\$100.00

CHECK 153

Region: EASTERN

Signature: 

April 7, 1994

MELVIN FIELDING
290 E. 13TH ST.
IDAHO FALLS ID 83404

LAPSE NOTICE

RE: PERMIT NO. 25-07583

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated January 31, 1994. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.


L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 4-7-94
~~a copy~~/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



MELVIN FIELDING
290 E. 13TH ST.
IDAHO FALLS ID 83404

January 31, 1994

RE: PERMIT NO. 25-07583 PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

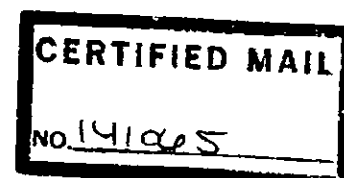
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PEN

JUL 12 1991

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>James Fielding</u> Address <u>1926 E. 19th St. Boise, ID 83704</u> Drilling Permit No. <u>25912068</u> Water Right Permit No. <u>2507583</u>		7. WATER LEVEL Static water level <u>130</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____ Describe artesian or temperature zones below.																																																																	
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA ☐ Pump ☐ Baller ☐ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped																																																													
Discharge G.P.M.	Pumping Level	Hours Pumped																																																																	
3. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☒ Other <u>Non Domestic</u> (specify type)		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Bore Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>8</td><td>0</td><td>3</td><td>Overburden</td><td> </td><td> </td></tr><tr><td> </td><td>3</td><td>36</td><td>Gravel</td><td> </td><td> </td></tr><tr><td> </td><td>36</td><td>110</td><td>Basalt</td><td> </td><td> </td></tr><tr><td> </td><td>110</td><td>120</td><td>Broken</td><td> </td><td> </td></tr><tr><td> </td><td>120</td><td>185</td><td>Basalt (Rubble Area)</td><td> </td><td> </td></tr><tr><td> </td><td>185</td><td>195</td><td>Soft</td><td> </td><td> </td></tr><tr><td> </td><td>195</td><td>210</td><td>Basalt</td><td> </td><td> </td></tr><tr><td> </td><td>210</td><td>230</td><td>Broken (CAVING)</td><td> </td><td> </td></tr><tr><td> </td><td>230</td><td>240</td><td>Solid</td><td> </td><td> </td></tr></tbody></table>		Bore Diam.	Depth		Material	Water		From	To	Yes	No	8	0	3	Overburden				3	36	Gravel				36	110	Basalt				110	120	Broken				120	185	Basalt (Rubble Area)				185	195	Soft				195	210	Basalt				210	230	Broken (CAVING)				230	240	Solid		
Bore Diam.	Depth		Material		Water																																																														
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	230	240	Solid																																																																
4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____		RECEIVED JUL 17 1991 Department of Water Resources RECEIVED JUL 19 1991 Department of Water Resources Eastern District Office																																																																	
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>4.50</td><td>Inches 8</td><td>feet 2</td><td>feet 37</td></tr><tr><td>4</td><td>Inches 6</td><td>feet 20</td><td>feet 203</td></tr><tr><td> </td><td>Inches </td><td>feet </td><td>feet </td></tr><tr><td> </td><td>Inches </td><td>feet </td><td>feet </td></tr></tbody></table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun Size of perforation _____ inches by _____ inches Number _____ From _____ To _____ _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>20</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld _____ ☐ Cemented between strata Describe access port _____				Thickness	Diameter	From	To	4.50	Inches 8	feet 2	feet 37	4	Inches 6	feet 20	feet 203		Inches	feet	feet		Inches	feet	feet																																												
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6. LOCATION OF WELL Sketch map location must agree with written location. <table border="1"><tr><td>N</td><td></td><td>E</td></tr><tr><td>W</td><td></td><td>E</td></tr><tr><td>S</td><td></td><td>E</td></tr></table> Subdivision Name <u>APR 09 1992</u> Lot No. _____ Block No. _____ County <u>Bonneville</u> <u>NW 1/4 NW 1/4 Sec. 6, T. 1 N R. 38 E</u>		N		E	W		E	S		E																																																									
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11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Erving J. Williams</u> Firm No. <u>10</u> Address <u>Box 480 Union</u> Date <u>July 29</u> Signed by (Firm Official) <u>Erving J. Williams</u> and (Operator) <u>John D. Erving</u>																																																																			



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KETH HIGGINSON
DIRECTOR

April 25, 1991

MELVIN FIELDING
290 E. 13TH ST.
IDAHO FALLS, ID 83404

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 25-07583

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

APPLICATION FOR PERMIT REVIEW

Application #: 25-7583
 Date: 4-16-91

Reviewer: Pam Skaggs

Existing:

☒ No - 26A-P17
 Complete in 1 year - P16

Yes

Proof not submitted - P16
 Proof submitted - N/A

Groundwater:

☒ GT. 0.7 cfs - 01G-P03 01C-P03(existing well)
☒ LT. 0.7 cfs - N/A

Drilling Permit:

Approved w/permit - P99
 Not included - 046-P23 (All GW, even existing wells)

Location:

☒ Water Districts - WD No. 61
 Surface water - 005, 005-01H-P01(LT.7 w/pump)
 005-01J-P08(GT.7)

☒ Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

☒ Swan Falls Flag - 1 (1, Blank or Other)

Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr
 or Irr & Dom)

☒ Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 05A & 11E

Payette (65) - 047-P04, 059-P71

SNAKE (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
 042(req.), 002-P06(MD), 07A(Spec.),
 044(Policy 5G)

Power

Mining

Storage

Use Power Review

- 06A or 010, 09E-P10 & 054(req.)

- 18A-for multiple measuring devices(In WD),
 18B-P09(Size)

- 027(Non-Consumptive)

- 021(restricted areas)

Rec. & Aesthetic

Domestic

Ownership:

Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

☒ Beneficial Use Due Date: - 04-01-1994
 Other Conditions Recommended

27-Feb-1991

DEPT OF HEALTH & WELFARE DIVISION OF ENVIRONMENTAL QUALITY
224 S ARTHUR
POCATELLO ID 83204

RE: Application NO. 25-07583

Dear Sir:

We are enclosing a copy of the applications that may be of interest to your department. Please review the applications and submit any comments you may have to our Department as soon as possible. The last date of protest is March 25, 1991, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb
enc.

27-Feb-1991

MELVIN FIELDING
290 E 13TH ST
IDAHO FALLS ID 83404

RE: Application No. 25-07583

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in POST-REGISTER on March 7 & 14, 1991. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

Proof of Publication

RECEIVED

The Post-Register

MAR 15 1991

Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss

I, ... Ted Delezene, first being duly sworn, depose and say: That I am the Foreman of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for Two Issues consecutive weeks, first publication having been made on the 7th day of March 19. 91 .., last publication having been made on the 14th day of March 19. 91 .., and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this

14th day of March 19. 91
Ted Delezene
Cathy Van Bortel
Notary Public

My commission expires March 5, 19. 96

B10

25-07583
FIELDING, MELVIN
290 E. 13TH ST.
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Division: Pt. SENWNW Sec. 6 T. 01N R.
38E
Use: IRRIGATION (.720 CFS)
DOMESTIC (.160 CFS)
Total Diversion: (.880 CFS)
Date Filed: 2/4/1991
In: T01N R38E S06 NENW NWNW
SWNW SENW
36.0 ACRES TOTAL
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 25, 1991.
R. Keith Higginson, Director
Published: March 7, 14, 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 26, 1991

THE POST-REGISTER
P.O. BOX 1800
IDAHO FALLS, ID 83403

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 25, 1991.

Yours truly,

Rita Bodell
Secretary

Encl.

25-07583

FIELDING, MELVIN
290 E. 13TH ST.
IDAHO FALLS, ID 83404

Source: GROUNDWATER

Diversion Pt: SENWNW Sec 6 T 01N R 38E

Use: IRRIGATION (.720 CFS)
DOMESTIC (.160 CFS)
Total Diversion: (.880 CFS)

Date Filed: 2/ 4/ 1991

In: T01N R38E S06 NENW NWNW SWNW SENW

36.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-20 , Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 25, 1991.

R. Keith Higginson, Director

Published 3/ 7/1991 & 3/14/1991