

STARTING LEFT SIDE OF FILE

SCANNED
MAR 05 2008

NOTICE

This file has been REPRODUCED
from MICROFICHE [REDACTED]

for Reinstatement

Paula J. Bloch
Person Recreating File

Aug 02 2005
Date

Form 204
4/85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by C. Wang
Date 11/13/90
Receipt # 018838

JAN 13 1991

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 22-07536

Name(s) of Permit Holder: Bob Bagley

Post Office Address: Box 121, Teton, Idaho 83452

Telephone No. 208-354-2461

Date Proof is Due: July 1, 1991

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Well is drilled. Plans have been drawn by the Engineer, Arnold Woolstenhulme,
for a community water system. Plans are in the process of being sent to the State

Idaho Dept. of Environmental & Conservation, Planning Office.

Costing \$ \$12,000.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Plans not approved by State D.E.Q.

Permit holder(s) request an extension to October 1, 1991
(1 yr. minimum)

William R. Bagley
(Signature)

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to February 1, 1992.
IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to September 1, 1988 pursuant to Sec. 42-218a, Idaho Code.

Signed this 31st day of January, 1991.

J. Glen Saxton
Chief, Water Allocation Bureau

SEP 13 1990

STATE OF IDAHO

Ident. No. 22-07536

State Resource
Eastern District Office

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Bob Bagley Phone 2354-2461
of (address) P.O. Box 121 Teton, ID 83452, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 22-07536, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE 1/4 NW 1/4, Section 23, Township 5N, Range 4SE, B.M.,
County of Teton Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.15 for Domestic purposes from 1-1 to 12-31 (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)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>5N</u>	<u>4SE</u>	<u>23</u>					<u>D</u>	<u>D</u>											

Total number of acres to be irrigated =

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

Applicant building up to 20 homes for sale instead of trailer park.

Complete the following map by showing land and point of diversion proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.

Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at *Teton County*, this *11* day of *Sept.*, 19 *90*.
William D. Bagley
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by *HWS* Fee: \$20.00 # *6015233* Received by *HWS* Date *9-14-90*

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

L. GLEN SAXTON

_____, of the Department of Water Resources hereby

approved the above referenced application for amendment provided the conditions as set forth in permit No. 22-07536 are met.

Witness my hand this *31st* day of _____

January

91

L. Glen Saxton
Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Bob Bagley or Steve Kolle Phone 787-2477
Post office address P.O. Box 5400 Victor, Id 83455
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Govt. Lot _____
Sec. 23 Township 5N Range 45E B.M. Teton County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .15 for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-foot per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)
5. Total quantity to be appropriated is (a) .15 and/or (b) _____
cubic feet per second acre-foot per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well & Pump

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 8 inches; proposed depth of well is 80 feet.
d. Is ground water with a temperature of greater than 90°F being sought? no
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

8. Description of proposed uses (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. _____
- e. Other; describe fully. Commercial use at a recreational trailer park. (15 units)

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	
5N	45E	23					C												

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

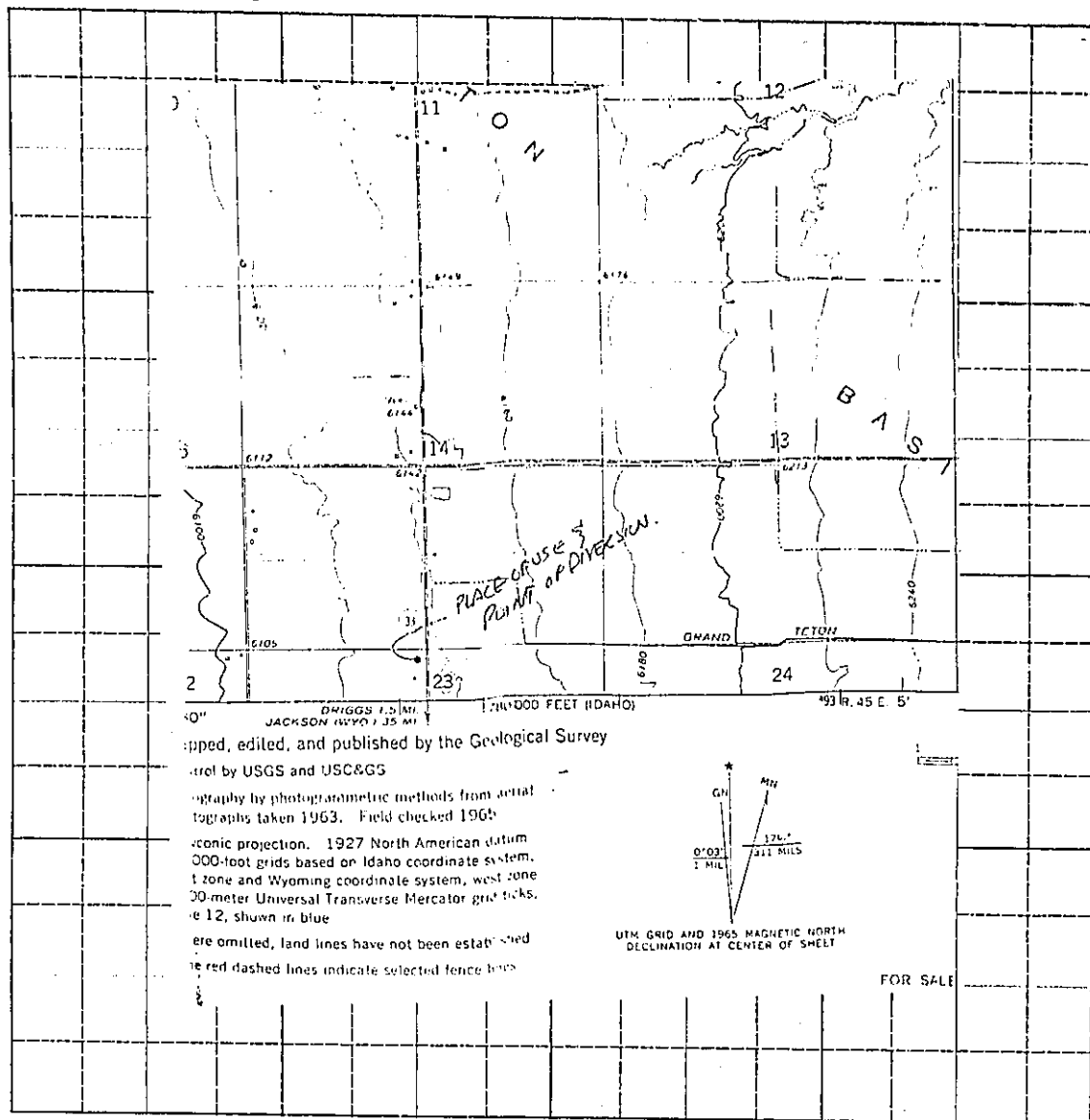
11. a. Who owns the property at the point of diversion? APPLICANT

b. Who owns the land to be irrigated or place of use? "

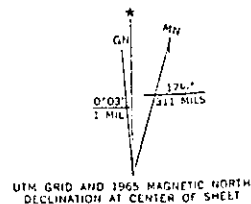
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Prepared, edited, and published by the Geological Survey
 Control by USGS and USC&GS
 Topography by photogrammetric methods from aerial
 photographs taken 1963. Field checked 1965
 Conic projection. 1927 North American datum
 600-foot grids based on Idaho coordinate system.
 1 zone and Wyoming coordinate system, west zone
 30-meter Universal Transverse Mercator grid ticks.
 Zone 12, shown in blue
 Elevation contours omitted, land lines have not been established
 Red dashed lines indicate selected fence lines



FOR SALE

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Steve Koll

(Applicant)

Received by S.M. Date 5-20-88 Time 12:00 Preliminary check by S.M. [initials]
Fee \$ 30⁰⁰ Receipted by S.M. # E000237 Date 5-20-88
Publication prepared by dog Date 5-25-88 Published in Idaho Valley News
Publication approved dog Date 6-13-88

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. 22-7536, and said application is hereby APPROVED

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 August 1, 19 90.
- 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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 3rd day of August, 1988.

[Signature]
Director

AFFIDAVIT OF PUBLICATION

State of Idaho)

County of Teton)

I, Madeline Soose
being first duly sworn depose and
say that I am the
of the Teton Valley News, a
newspaper as defined by Idaho
Codes Annotated, Section 58-106,
as amended, and that said
newspaper is a weekly newspaper
printed and published at Driggs, in
Teton County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed in said county for more
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or
publication of

application
for Water Right
And affiant further says that
said attached notice, adver-
tisement, or publication, as per
clipping attached, was published in
said newspaper, in the regular and
entire issue thereof, and not in any
supplement issue thereof, for 2
consecutive issues thereof; first
publication having been made on
the 2nd day of June, 1988.

And affiant further says that at
the times herein mentioned said
newspaper was made up of at least
eight pages of at least five columns
each, printed from type matter, of
at least sixteen inches deep.

Madeline Soose

Subscribed in my presence and
sworn to before me this 1st day of
June, 1988
(SEAL) Notary Public for the state
of Idaho, residence and postoffice
address, Driggs, Idaho.

Debra A. Ricks
My Commission expires

12-2, 1991

NOTICE OF APPLICATION
FOR WATER RIGHT

The following applications
have been filed to appropriate

the public waters of the State of
Idaho:

22-07536

BAGLEY, BOB
KOLLE, STEVE
P.O. BOX 540-C
VICTOR, ID 83455

Source: GROUNDWATER
Diversion Pt: NENENW Sec 23 T
05N R 45E
Use: COMMERCIAL (.150 cfs)
Date Filed: 5-20-88
In: T05N R45E S23 NENW

The permits 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 in-
terest 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 June 20,
1988.

R. Keith Higginson
Director

Published in the Teton Valley
News June 2 and 9, 1988.

JUN 10 1988

Department of Water Resources
Eastern District Office

**STARTING
RIGHT
SIDE OF
FILE**

NOTICE

This file has been REPRODUCED
from MICROFICHE [REDACTED]

for Reinstatement.

David J. Block
Person Recreating File

Aug. 02, 2005
Date

I certify that file No. 22-7536

has been reviewed and is ready to be MICROFILMED
and DESTROYED.

Brenda Miller
Signature

5-30-92
Date

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

WRS008NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

05/30/92 10:03:23
Page 1

Water Right Number - 22-07536

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BAGLEY

808

1 - P.O. BOX 121

2 -

3 -

City- TETONIA
Phone - 208-354-2461

State- ID Zip- 83451

KOLLE

STEVE

1 - P.O. BOX 540-C

2 -

3 -

City- VICTOR
Phone - 208-000-0000

State- ID Zip- 83455

+ - - Priority Date - - +
09/01/1988

+ - - Region - - - +
15 EASTERN

+ - - Stage - - - +
P - PERMIT

+ - - Status - - - +

+ - - - - Source - - - - +
GROUNDWATER

+ - - - - Tributary - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County Stream Index (Blank if no Index Code)

05N 45E 23 NE NW (81) TETON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.150

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.150

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

05N 45E 23 NE NW 43 DOMESTIC (81) TETON
05N 45E 23 NW NW 43 DOMESTIC (81) TETON

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
Domestic use is for 20 homes.

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

WR5008NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

05/30/92 10:03:23
Page 2

Water right number - 22-07536

Prefix Translation: WATER RIGHT

- Conditions of Approval
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
 - 026 - Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -

Date: 02/05/1992 User Id: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

+ - - Audit Fields - 06/02/88 GREEN 08/04/88 CURTIS 09/01/88 CURTIS 02/15/91 CURTIS 02/05/92 COMMENTS

..... Water Rights Dates and Flags Area

Proof Due Date	- 02/01/1992	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/03/1988	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/Carney Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- E000237	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 05/20/1988	Transfer/Amended	- A
Decree Date	- 00/00/0000	Presumption Flag	-		

BOB BAGLEY
STEVE KOLLE
P.O. BOX 121
TETONIA ID 83452

February 5, 1992

RE: PERMIT NO. 22-07536 LAPSE NOTICE

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 November 30, 1991. 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

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 2/5/92
a copy of this document was
deposited in the United States mail,
properly prepaid and addressed to the
individual named above.

KJ

BOB DAGLEY
STEVE KOLLE
P.O. BOX 121
TETONIA ID 83452

130154
November 30, 1991

RE: PERMIT NO. 22-07536 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 February 1, 1992. (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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

February 11, 1991

BOB BAGLEY
BOX 121
TETONIA ID 83452

Dear Mr. Bagley:

Re: Permit No. 22-7536

Enclosed is a copy of the approved application for amendment and the request for extension of time. The time within which to submit proof of beneficial use is extended to February 1, 1992. Note that the permit has been reinstated with an advance in priority, since the extension was received after the proof of beneficial use date.

Returned is the proof of beneficial use form submitted to this office with the request for extension of time. Either the proof of beneficial use form or the request for extension of time is required, but not both at the same time. Since the project is not complete, the department is taking action on the extension request.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

IDAHO DEPARTMENT OF HEALTH & WELFARE
DIVISION OF ENVIRONMENT

COVER SHEET TO PLAN REVIEW CHECKLIST

NOTE: Throughout checklist, fill in only those items that are applicable.

1. Administrative Information

A. Name of community and location of community or development:

EE-DAH-NOW Subdivision Lemile North Driggs,
Teton County, Idaho

B. Engineering firm/telephone number:

NEW Engineering, Box 139 Victor Idaho - 787-2952

C. Owner's name, address, telephone number: Brad Tidwell

& Bob Bagley, Route Tetonia, Idaho 83422, 354-2461

D. Community contact person/telephone number (if possible)

Frank Warner - Tetonia P&Z Adm., 354-2523

E. Are all plans signed, dated, and stamped? YES

F. Has operation and maintenance of the system been certified

by either:

1) Developer (Certified letter): Will be prepared as needed

2) Homeowner's Association (Provide a copy of the agreement):

private owned system (Classic Homes)

3) City: N/A

G. Has City certified capacity of water and/or sewer system? N/A

2. Project Description: Construction of well & water
system to serve 24 lots in EE-DAH-NOW
Subdivision.

COVER SHEET TO PLAN REVIEW CHECKLIST
Page Two

Is this project new or an extension? New Will the project
be phased? No How many units - past, present, future? 24
Flooding potential N/A None Geology (if applicable:)

Glacial Gravel Bed

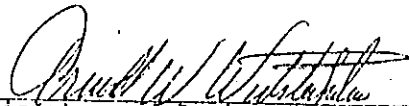
Alternative water production or waste treatment methods considered:

Dwigg's Municipal Water lines 1 mile South & they are
not interest for Now - or private wells -

Other pertinent information:

sewer System will be private septic tank
drain field systems.

3. Provide a plan for operation and maintenance:


Signature of Project Engineer

Nov 8, 1990
Date

NOV 13 1990

WELL LOT DEED
&

CERTIFICATE TO OWN & MAINTAIN WATER SYSTEM
FOR

EE-DAH-HOW ACRES

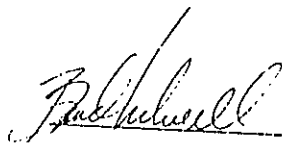
KNOW ALL MEN BY THESE PRESENTS that William R. Bagley (Bob Bagley), owner of Lot 2 in EE-DAH-HOW ACRES Subdivision, does hereby:

Deed and dedicate the Northeast corner measuring 60 ft. x 60 ft. as a Well Lot as shown on the EE-DAH-HOW ACRES Subdivision Amended Plat, to be filed in the Teton County Courthouse, to CLASSIC HOMES INC., to construct a Water Control Building, Well and Water System.

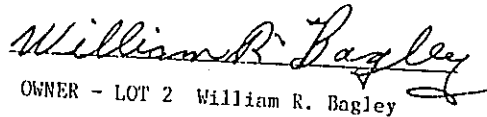
We do hereby certify that CLASSIC HOMES INC. does intend to construct the water system as shown on the Water Plans drawn by A-W Engineering. These are according to Title 1, Chapter 8 of IDAHO REGULATIONS FOR PUBLIC DRINKING WATER SYSTEMS.

We further certify that this system shall remain a privately owned and maintained system until such time as annexed or incorporated into a community water system.

We further intend to comply with all requirements and regulations of Teton County and the District Seven Health Department.



PRESIDENT OF CLASSIC HOMES INC.



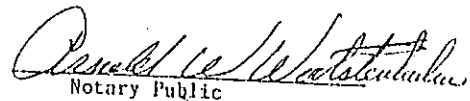
OWNER - LOT 2 William R. Bagley

ACKNOWLEDGEMENT

STATE OF Idaho)
COUNTY OF Teton) SS

The foregoing instrument was acknowledged before me by William R. Bagley and Brad Tidwell this 8 day of November, 1990.

Witness my hand and official seal.
My commission expires: MAY 1992


Notary Public

A-W Engineering

P.O. Box 139
VICTOR, ID. 83455

NOV 13 1990

Department of Public Works

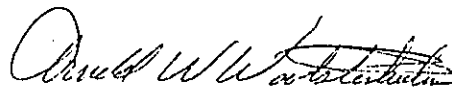
November 9, 1990

Bill Smith
Department of Environmental Quality
150 North 3rd Avenue
Pocatello, Idaho

Dear Bill:

Please find enclosed a set of drawings, specs, engineering report and check-list for EE-DAH-HOW ACRES. This project has been a subdivision for approximately 6 years with some of the lots having been sold. The owners of the majority of the lots have decided to split each lot and to install a central water system. As shown in the information, Mr. Bob Bagley, who owns 2/3 of the lots, has had a well drilled and will be installing the well building. He will then turn full ownership of the well lot and the entire water system over to Classic Homes Inc., with president Brad Tidwell being responsible for it from then on.

Please review and call if you have any questions.


Sincerely,

Arnold W. Woolstenhulme P.E./L.S.

c.c. Bill Skinner - District 7 Health Dept.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 • (208) 327-7900

Cecil D. Andrus

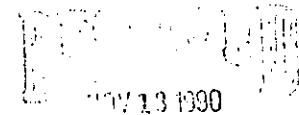
Governor

R. Keith Higginson

Director

August 13, 1990

BOB BAGLEY
STEVE KOLLE
22 ELMARINERO CIRCLE # 53
TIBURON, CA 94920



LAPSE NOTICE

RE: PERMIT NO. 22-07536

Idaho Department of Water Resources

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-210A, 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 May 31, 1990. 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.

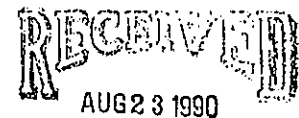
Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring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

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

LGS:RF



Department of Water Resources

INTER-DEPARTMENT MEMO

TO: Kilo
FROM: Illen

SUBJECT: _____
DATE: 9-28-70

- P. remail lapse notice to
Bob Bagley
P.O. Box 121
Helena, Id 83452
- the California address is for
Halle who is out of the matter.

() For your information

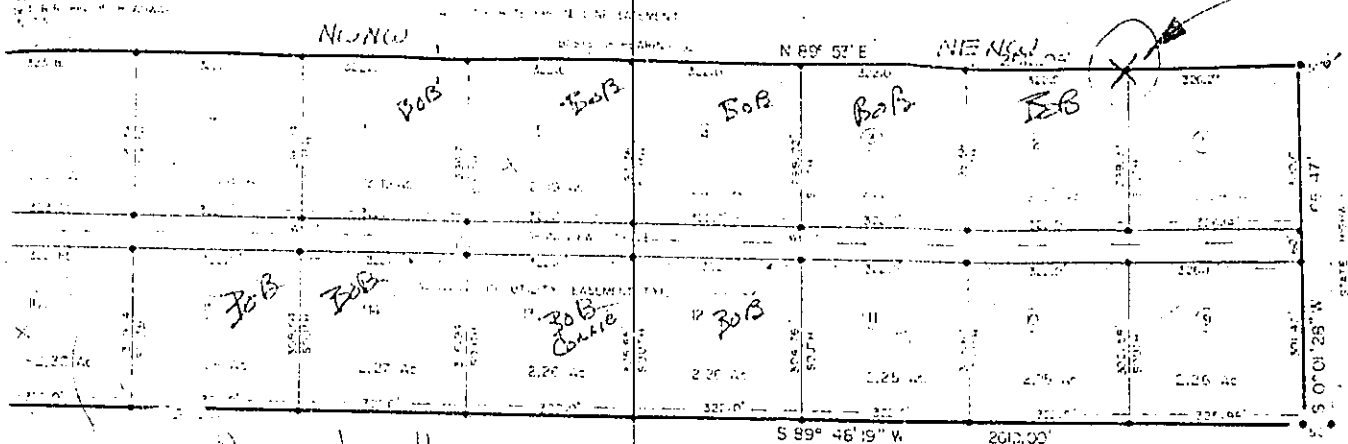
() Response required

Charles
Wing
signature

EE-DAH-HOW ACRES

N 1/2 N 1/2 NW 1/4, SEC. 23, T. 5 N., R. 45 E., B. M.,
TETON COUNTY, IDAHO
BLOCK 1

Proposed well



OWNERS' CERTIFICATE

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT THE LEGAL OWNER OF THE TRACT OF LAND DESCRIBED IN THE FOREGOING IS THE UNDERSIGNED, AND THAT WE HAVE FULL POWER AND AUTHORITY TO EXECUTE THIS CERTIFICATE.

[Signature]

PLANNING & ZONING APPROVAL

PRESENTED TO THE TETON COUNTY PLANNING & ZONING ON THE FOLLOWING DATE AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

6-14-82

[Signature]
CHAIRMAN

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES DUE HAVE BEEN PAID ON THE TRACT OF LAND SHOWN ON THIS PLAN.

5-24-82

[Signature]
COUNTY TREASURER

PROPERTY DESCRIPTION

6.12 ACRES, N 1/2 SEC. 23, T. 5 N., R. 45 E., B. M. BEGINNING AT THE NORTHWEST CORNER OF SEC. 23, T. 5 N., R. 45 E., B. M. TETON COUNTY, IDAHO, AND RUNNING THENCE N 89° 52' E, 2612.00' ALONG THE SECTION LINE TO THE STATE HIGHWAY RIGHT-OF-WAY LINE; THENCE S 0° 01' 28\"/>

SURVEYOR'S CERTIFICATE

I, ARNOLD W. WOOLSTENHOLME, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE TRACT OF LAND SHOWN ON THIS PLAN AND HAVE SUBMITTED SAID TRACT INTO LOT 1 TO BE KNOWN AS 6.12 ACRES, N 1/2 SEC. 23, T. 5 N., R. 45 E., B. M.

[Signature]
Dec. 12, 1981

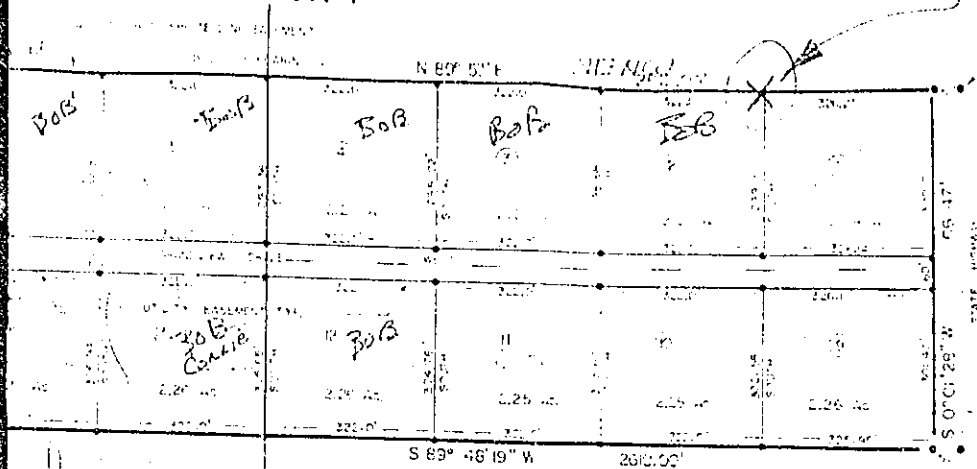
ACKNOWLEDGEMENT

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE LEGAL OWNER OF THE TRACT OF LAND DESCRIBED IN THE FOREGOING IS THE UNDERSIGNED, AND THAT WE HAVE FULL POWER AND AUTHORITY TO EXECUTE THIS CERTIFICATE.

EE-DAH-HOW ACRES

N 1/2 N 1/2 NW 1/4, SEC. 23, T. 5 N., R. 45 E., B. M.,
TETON COUNTY, IDAHO
BLOCK 1

Proposed well



SCALE 1" = 20'

LEGEND

- 1/4" = 1' 0" 0"
- 1/4" = 1' 0" 0"

PLANNING & ZONING APPROVAL

PRESENTED TO THE TETON COUNTY PLANNING & ZONING ON THE
EXPIRATION DATE AT WHICH TIME THIS SUBDIVISION WAS APPROVED
AND ACCEPTED.

C-114-B2

10/1

ATTEST

[Signature]
CLERK

TREASURER'S CERTIFICATE

CERTIFY THAT ALL TAXES DUE HAVE BEEN PAID ON THE
TRACT OF LAND SHOWN ON THIS PLAT.

[Signature]
10/1

[Signature]
COUNTY TREASURER

PROPERTY DESCRIPTION

N 1/2 N 1/2 NW 1/4 SEC. 23, T. 5 N., R. 45 E., B. M.
BEGINNING AT THE NORTHWEST CORNER OF SEC. 23,
T. 5 N., R. 45 E., B. M. TETON COUNTY, IDAHO AND
RUNNING THENCE N 89° 55' E, 2610.00' ALONG THE
SECTION LINE TO THE STATE HIGHWAY RIGHT-OF-
WAY LINE; THENCE S 89° 01' 26" W, 664.47' FEET
ALONG THE STATE HIGHWAY RIGHT-OF-WAY; THENCE
S 89° 48' 19" W, 2610.00' FEET ALONG THE 1/4
LINE; THENCE N 0° 09' 26" W, 665.00' FEET TO
THE POINT OF BEGINNING, CONTAINS 30.70 ACRES
MORE OR LESS.

HEALTH DEPARTMENT

ALL SANITARY RESTRICTIONS AS RE-
QUIRED BY THE HEALTH DEPARTMENT
SHALL BE ENFORCED. THE HEALTH DEPARTMENT
RESERVED THE RIGHT TO RE-ENTRY AND RE-ENTRY
TO THE HEALTH DEPARTMENT.

THE SANITARY PROVISIONS FOR LOT
USE, APPROVED AND ARE NOT TO BE
LTS ARE SUBJECT TO THE FOLLOWING
REMARK: ACQUISITION AREA (DRAINAGE
FEET) UNDER THE EXISTING GRADE S.

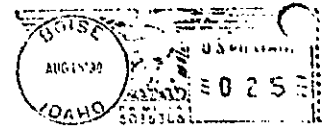
3 March 1982
DATE

SURVEYOR'S CERTIFICATE

I, ARNOLD W. WOOLSTENHOLME, BEING A REGISTERED
LAND SURVEYOR IN THE STATE OF IDAHO, DO
HEREBY CERTIFY THAT I HAVE SURVEYED THE
TRACT OF LAND SHOWN ON THIS PLAT AND HAVE
SUBDIVIDED SAID TRACT INTO LOTS TO BE KNOWN
AS 10 LOTS IN A 1/4 SECTION.

[Signature]
Dec. 12, 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237



RECEIVED
DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO



August 13, 1990

BOB BAGLEY
STEVE KOLLE
22 ELMARINERO CIRCLE #53
TIBURON, CA 94920

LAPSE NOTICE

RE: PERMIT NO. 22-07536

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 May 31, 1990. 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

LGS:RF

CERTIFICATION OF MAILING

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

INTER-DEPARTMENT MEMO — 1

FROM

[Signature]

DATE 6-26-90

TO

File # 22-7536

SUBJECT

Returned mail

Tulson County assessor's office lists address

as :

22 Elmarinero Circle #53

Tiburon, CA 94920

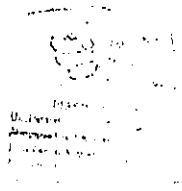
Sent out again

on 6-26-90

[Signature]

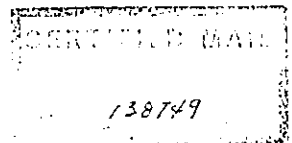
SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1 North Orchard Street
 Boise, Idaho 83706-2237



RECEIVED
JUN 11 1990

Department of Water Resources



138149

May 31, 1990

BOB BAGLEY
STEVE KOLLE
P.O. BOX 540-C
VICTOR, ID 83455

PROOF DUE NOTICE

RE: PERMIT NO. 22-07536

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 August 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
August 8, 1988

BOB BAGLEY
STEVE KOLLE
P.O. BOX 540-C
VICTOR, ID 83455

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 22-07536

Dear Permit Holder:

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

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

Gary Spackman
Supervisor, Water Allocation Section

GS: SC
Enclosures

Form 235-1
4/88

AMENDED
Drilling Permit No. 22-C8-E-025
Water Permit No. _____
Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

1. Applicant Bob Bagley or Steve Kelle
2. Address Rte 1 Box 540C, Victor, Id 83455
Telephone 787-2477
() Well Owner () Well Operator (X) Other, specify Driller
3. Proposed well location NE 1/4 NW 1/4, or Gov't lot No. _____,
Sec. 23, Twp. 5N, Rge. 45E, County Teton,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
51m Domestic () Stockwater () Monitoring
ENG Irrigation () Industrial () Municipal
() Injection (C) Other, Specify Commercial
5. Well construction information:
(X) New well () Deepen () Replace
Proposed surface diameter 8" Maximum depth 80 feet
Anticipated bottom hole temperature: _____
(X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Anticipated construction start date May 26 1989
7. Well Driller (if known) Red Feather Drilling Co.
Address Rte 1, Box 540 C Victor, Id 83455
8. Applicant's signature Steve Kelle
Title C-Driller
Date 5/20/88

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.

ACTION OF IDWR

(☒) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

SPECIFIC CONDITIONS: Issuance of this permit does not convey the right to divert water from the well until an approved Application for Permit is issued.

Dated this 20th day of MAY, 1988.

Signed [Signature]

Title REGIONAL MANAGER

Received by S.M. Fee \$100⁰⁰ Date 5-20-1988

Receipt No. E000237 Construction start extension to May 20, 1988

Extension approved by _____



State of Idaho
DEPARTMENT OF WATER RESOURCES
Eastern Region

CECIL D. ANDRUS
Governor

A. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

June 1, 1988

Dept. of Health & Welfare
Division of Environment
150 North 3rd
Pocatello, Idaho 83201

RE: Application for Permit No. 22-7536, Bagley or Kolle

Dear Sir:

This office is currently in the process of publishing notices that the above application was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received no later than June 20, 1988. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the application.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

EC/dg
Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES
Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

June 1, 1988

Bob Bagley or
Steve Kolle
P.O. Box 540-C
Victor, Idaho 83455

RE: Application for Permit No. 22-7536

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 22-7536. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Teton Valley News. 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,

Ernest Carlsen
Water Rights Supervisor

EC/dg

NOTICE OF APPLICATION

FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho:

The permits 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 June 20, 1988.

R. Keith Higginson
Director

Published June 2 and 9, 1988.

22-07536

BAGLEY, BOB
KOLLE, STEVE
P.O. BOX 540-C
VICTOR, ID 83455

Source: GROUNDWATER

Diversion Pt: NENENW Sec 23 T 05N R 45E

Use: COMMERCIAL (.150 CFS)

Date Filed: 5/20/1988

In: T05N R45E S23 NENW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

Idaho Falls, Idaho 834
(208) 525-7161

MAY 25, 1988

TETON VALLEY NEWS
P.O. BOX 509
DRIGGS, ID 83422

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 JUNE 20, 1988.

Yours truly,

Deena Green
Secretary

Encl.