

sec 12

SW NW

POD



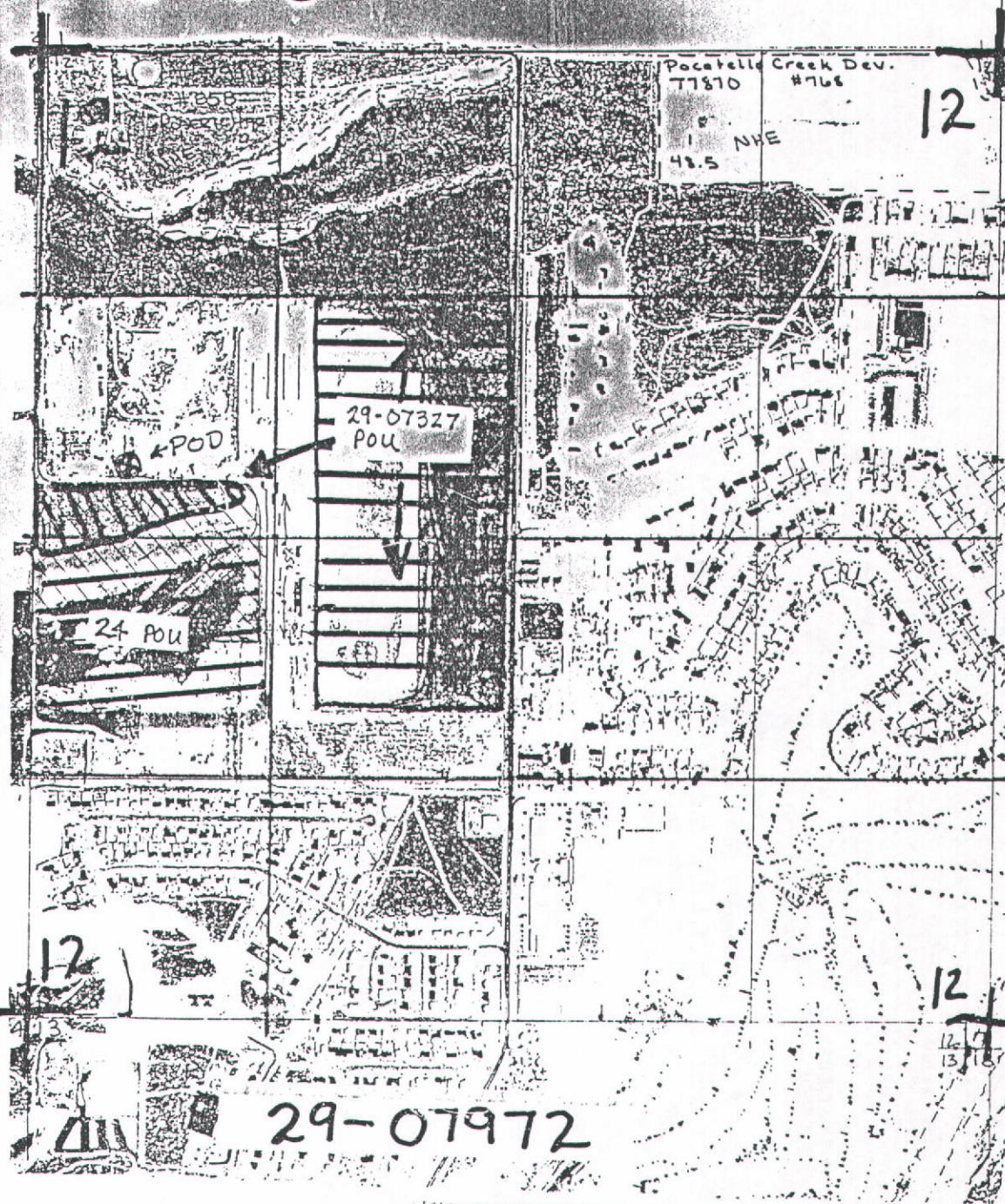
SE NW

NW SW

NE SW

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AUG. 1 1 2003

T65 R34E



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AUG 11 2003

T6S
R34E

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AUG 11 2003

[illegible]

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
29-13466 IN THE NAME OF) **REINSTATEMENT ORDER**
COUNTY OF BANNOCK)
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before June 1, 2003; and

WHEREAS, the Department notified the permit holder on March 31, 2003, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and

WHEREAS, the Department sent the permit holder a lapse notice on June 12, 2003, since the department had not received an acceptable proof of beneficial use statement or extension of time request; and

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on June 30, 2003.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 29-13466 is **REINSTATED** with an advance in priority to **January 14, 2003**.

DATED this 18th day of July, 2003.


L. GLEN SAXTON, Chief
Water Allocation Bureau

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AUG 11 2003

RECEIVED

JUL - 7 2003

FOR OFFICE USE ONLY
Amt. of Fee \$: 125⁰⁰
Receipt No. ED28942
Receipt By: KCW
Date Received: 6/30/03

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 30 2003

PROOF OF BENEFICIAL USE

Department of Water Resources
Eastern Region

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 29-13466 Telephone No. 237-1340

2. Name of Permit Holder(s): Bannock County

3. Mailing Address: Bannock County Fairgrounds P.O. Box 4055
City Pocatello State Id Zip 83205

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. 3 / yr. 77

Well Driller: Doug Cushman Drilling Drilling Permit Number: 674351

5. Use(s) (as authorized by the water right permit):

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

Irrigation (No. of acres): _____ Other: Commercial - Dust Control

6. Total rate of diversion and/or volume for which proof is submitted: 1.78 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?
Has the measuring device been installed?

Yes _____ or No X
Yes _____ or No X

8. Fee Enclosed: \$ 125.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Rick Fuhri man (Grounds Supervisor) Telephone Number: 221-2710

Address: 10588 Fairgrounds Road

10. 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. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Rick Fuhri man (Grounds Supervisor) Date: June 9, 2003
(include your title, if on behalf of company or organization)

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State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 29-13466

Priority: December 16, 2002

Maximum Diversion Rate: 1.78 CFS

This is to certify, that COUNTY OF BANNOCK
624 E CENTER ST
POCATELLO ID 83205

has applied for a permit to appropriate water from:

Source: GROUND WATER

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>
COMMERCIAL	01/01 to 12/31	1.78 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L5 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 12, Twp 06S, Rge 34E, B.M., BANNOCK County

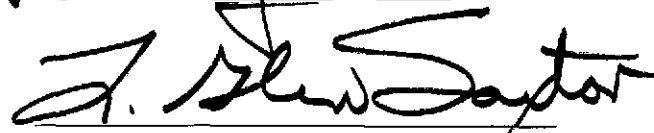
PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 34E 12							X	X	X		X						
							L5	L6	L11	L12							

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2003**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The Commercial use is for dust control at the Bannock County Fairgrounds for arenas, track, and excavation projects.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 31st day of January, 2003.



for KARL J DREHER, Director

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AUG 1 2003

RECEIVED

JAN 27 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

County of Bannock

RECEIVED
DEC 16 2002

290
254-7219
208-227-1340

1. Name of Applicant Bannock County Fairgrounds Phone (208) 227-1340
Mailing address P.O. Box 4055, Pocatello, Idaho 83205
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 6S Range 34E Sec. 12, in the SW 1/4, NW 1/4, _____ 1/4, Govt. Lot 5, B.M., Bannock County;
additional points of diversion if any: _____

4. Water will be used for the following purposes: commercial
- Amount 1.78 for dust control purposes from Jan 1 to Dec 30 (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)
- 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) 1.78 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source Turbine Pump 12 JKH 6 Stage
8" discharge
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? 3/10/77; Drilling firm Doug Cushman Drilling
Well was drilled for (well owner) Bannock County; Drilling Permit No. 674351

7. Time required for completion of works and application of water to proposed beneficial use is 1 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. Dust Control on Arena's, Track and excavation
projects, roping ARENA, dressage ARENA
6 days/week April - Oct - DUST CONTROL ON TRACK
some construction after or before

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AUG 11 2003

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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	34E	12							C	C	C	C							
									L5			105							

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Irrigation license #'s 29-07972, 29-7329

11. a. Who owns the property at the point of diversion? Bannock County
b. Who owns the land to be irrigated or place of use? Bannock County

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: pre-1987 Application
drilled in 1970s

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" 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.)

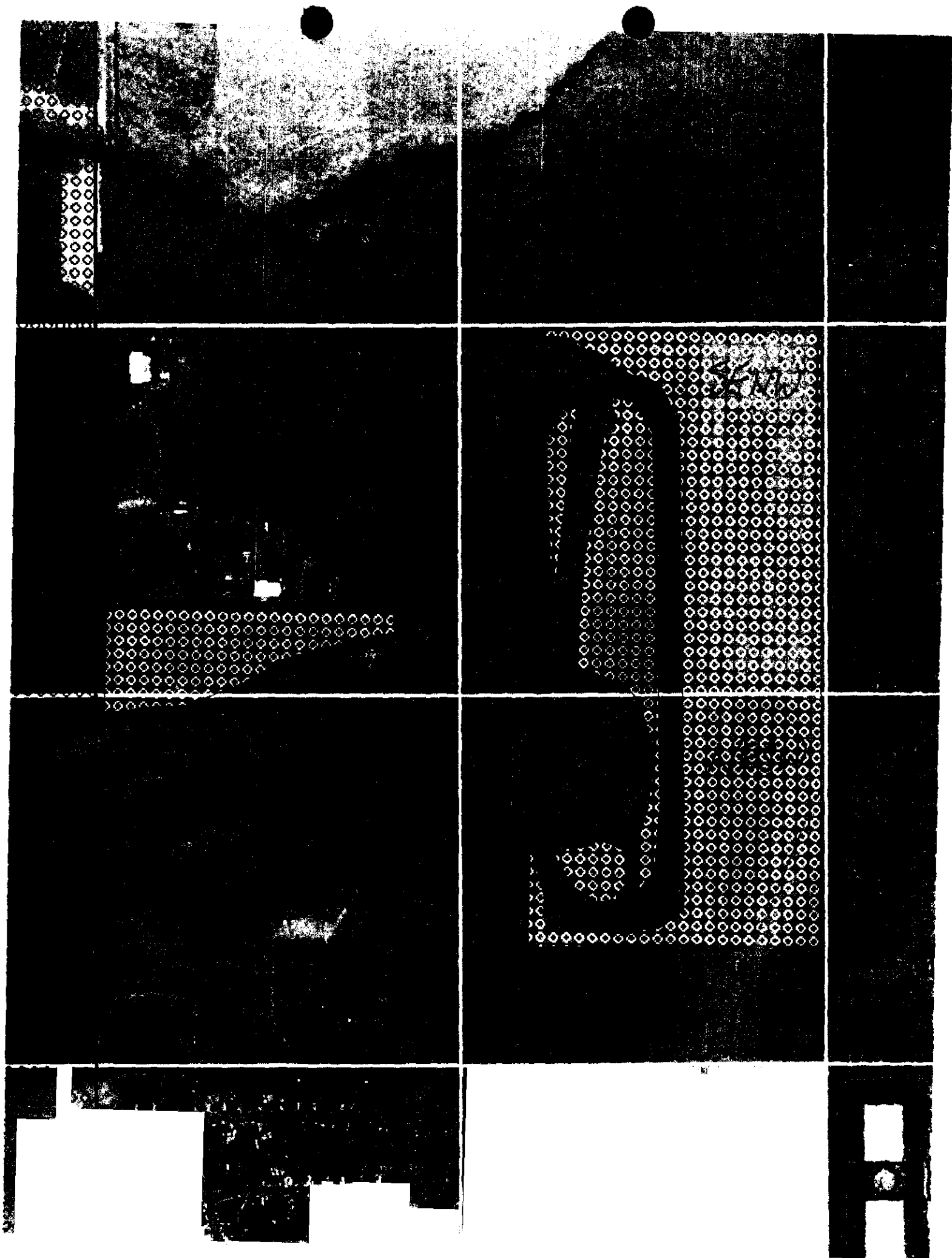
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Rich Fehman (Fairgrounds Supervisor)
Signature of Applicant (and title, if applicable)

405 11 2003

Received by HWT Date 12-16-02 Time _____ Preliminary check by _____

Fee \$ 290.00 Received by HWT # E028380 Date 12-16-02
Publication prepared by SL Date 1/2 & 1/9/03 Published in Idaho State Journal
Publication approved SL Date 1/13/03



BANNOCK COUNTY HIGHWAY DEPARTMENT

1893 BANNOCK COUNTY 1993

5500 South 5th Avenue
Pocatello, Idaho 83204
(208) 233-9591

November 20, 2002

To: Rick Fuhrman
Bannock County Fairgrounds

RE: Water Usage

In response to your questions about water usage at the fairgrounds I would like to provide the following; I have been employed by Bannock County Highway Dept. since 1962 and have worked at the fairgrounds building the race track, arenas, barns, and parking lots. All of these activities required the use of large quantities of water for dust control and compaction.

The water for these activities was taken from the Cities of Chubbuck and Pocatello until the county drilled their own well in 1978. Since that time the Bannock County Highway Dept. has used water from this well for road projects in the area.

If I can answer any further questions please contact me.

Thank you

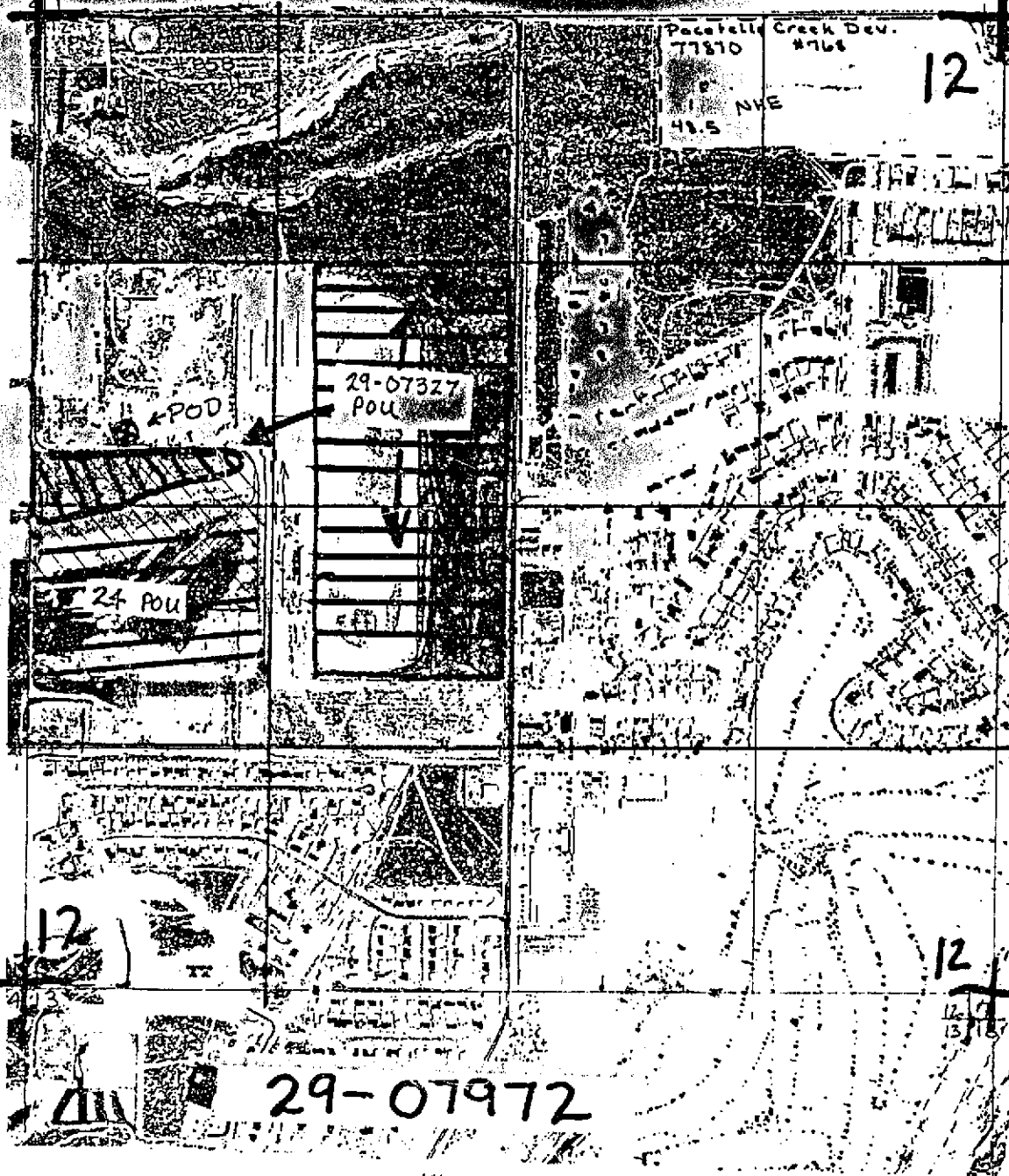
Bill Aller

Bill Aller
Road Supervisor for
Bannock County

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AUG 11 2003

T65 R34E



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AUG 1 1 2003

WELL DRILLER'S REPORT

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 BANNOCK COUNTY (Fairgrounds Well)
Address P. O. Box 4777, Pocatello, Idaho 83201
Owner's Permit No. _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test ☒ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Diameter of Hole 20" Total Depth 800'
Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☒ Knife ☐ Torch
Size of perforation 1/8 inches by x3" inches

Number	From	To
132 perforations	306 feet	328 feet
720 perforations	366 feet	456 feet
1,276 perforations	456 feet	770 feet
1,480 perforations	770 feet	790 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 18' Material used in seal: ☐ Cement grout

☒ Puddling clay ☐ Well cuttings

Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing

☐ Overbore to seal depth

Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent

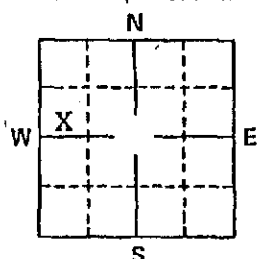
Weld

☐ Cemented between strata

Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location. MICROFILMED



Subdivision Name AUG 1

Lot No. _____ Block No. _____

County BANNOCK

7. WATER LEVEL

Static water level 248' 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 _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
	67'	

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
20"	0	58	Brown clay		
	58	72	Brown clay, little gravel		
	72	128	Brown clay, gravel		
	128	132	Brown sandstone		
	132	150	Brown and white sandstone		
	150	160	Cemented gravel		
	160	167	Cemented gravel, clay		
	167	187	Clay, gravel		
	187	203	Brown clay, little gravel		
	203	208	Brown sandy clay, boulders		
	208	214	Brown clay, little gravel, few boulders		
	214	218	Cemented gravel		
	218	228	Clay, gravel		
	228	250	Clay, little gravel		
	250	253	Clay, gravel		
	253	265	Sandy clay, gravel		
	265	267	Brown sandstone	X	
	267	272	Sand, gravel	X	
	272	275	Brown clay, gravel		
	275	278	Sandy clay, gravel		
	278	289	Red and brown clay, little gravel		X
	289	290	Sandy clay		X
	290	292	Sticky clay, little gravel		
	292	296	Little sticky clay, gravel	X	
	296	300	Red and brown very sticky clay		
	300	306	Red and brown clay, little gravel		
	306	312	Fine gravel, little clay		
	312	315	Sandy clay, small gravel		
	315	328	Clay, small gravel		
	328	338	Brown sandy clay		
	338	366	Brown sticky clay		
	366	367	Cemented gravel		
10.	367	372	Gravel, little clay		

Work started _____ finished _____

11. DRILLERS CERTIFICATION

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

2003 Firm Name DOUG CUSHMAN DRILLING CO. Firm No. 72

Address 945 S. Broadway, Blackfoot Date 3/10/77

Signed by (Firm Official) s/DOUG CUSHMAN

and

(Operator) s/KENNETH LAW

AREA WATERED FOR DUST CONTROL

Bannock County Fairgrounds Irrigation Information								
Acres chart	feet	feet	square feet	square feet in acre	acres	2001	2002	2003
North Soccer field	1150	380	437000	43560	10.03214	county	county	county
South Soccer field	500	200	100000	43560	2.295684	county	county	county
North Arbutum	120	400	48000	43560	1.101928	city	city	county
North Arbutum	50	350	17500	43560	0.401745	city	city	county
South Arbutum	375	85	31875	43560	0.731749	city	city	county
South Arbutum	60	370	22200	43560	0.509642	city	city	county
Office yard to barn 1	150	250	37500	43560	0.860882	city	city	county
Triangle Lawn	200	50	10000	43560	0.229568	county	county	county
Simulcast Lawn	270	110	29700	43560	0.681818	city	city	county
Commercial Lawn	40	250	10000	43560	0.229568	city	city	county
West lawn roping arena	125	500	62500	43560	1.434803	county	county	county
South of lower arenas	175	800	140000	43560	3.213958	non Irr	county	county
Top Cow Pasture	400	400	160000	43560	3.673095	county	county	county
Lower Cow Pasture	750	900	675000	43560	15.49587	county	county	county
Infield	1000	300	300000	43560	6.887052	non-Irr	county	county
upper arena	270	200	54000	43560	1.239669	county	county	county
roping arena	290	180	52200	43560	1.198347	county	county	county
dressage arena	240	120	28800	43560	0.661152	county	county	county
4-H arena	300	180	54000	43560	1.239669	county	county	county
RV Park	210	1050	220500	43560	5.061983	city	city	county
Track	60	4000	240000	43560	5.509642	county	county	county
					62.68997			
City watered						9.5793159	4.517332	
County watered						43.009642	53.11065	62.68997
Water license #29-7329	cfs	0.82	acres	41				
Water license #29-07972	cfs	0.48	acres	24				
total	cfs	1.3						
1 cfs =	gal/sec	7.48						
1cfs =	gal/min	448.8						
water right =	gal min	583.44						
total acres licensed to water				65				

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AUG 1 1 2002

Rick Fuhman
Fairgrounds
Shop #

237-2710



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 18, 2003

COUNTY OF BANNOCK
BANNOCK COUNTY FAIRGROUNDS
PO BOX 4055
POCATELLO ID 83205

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 29-13466

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and examination fee submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. The regional office staff will contact you when that examination is to be conducted. At the time the examination is conducted the system must be in operation, otherwise this permit will be of no force nor effect.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Eastern** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region (w/encl.)

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AUG 11 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 29-13466

Reviewed By: dgibson

Date: July 17, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?		X	Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		674351
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		E028380, E028942	Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?	X	
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		06/30/2003
Date proof due	-	06/01/2003
Lapse notice sent	-	06/12/2003
No. of days late	=	29
Holiday allowance	+	
Priority date	+	12/16/2002
New priority date	=	01/14/2003

Deficiencies of Actions Items

Acknowledge proof. Update mailing address. Reinstate permit and advance priority to 1/14/2003.

June 12, 2003

COUNTY OF BANNOCK
624 E CENTER ST
POCATELLO, ID 83205

LAPSE NOTICE

RE: PERMIT NO. 29-13466

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 the proof due notice dated March 31, 2003. 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 fifty dollar (\$50.00) 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.

Sincerely,

L. Glen Saxton, Chief
Water Allocation Bureau

Enclosures

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AUG 11 2003

CERTIFICATION OF MAILING
I hereby certify that on 6/12/03
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

dy



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 12, 2003

CHRIS ANDERSON
MAXIM TECHNOLOGIES INC
3380 AMERICANA TERRACE STE 201
BOISE ID 83706

Re: Proof of Beneficial Use

Dear Mr. Anderson:

Enclosed is the original Proof of Beneficial Use you filed with the department on March 24, 2003. I am returning this proof because the department cannot accept it based on the information provided, and that no filing fee accompanied this proof. During our telephone conversation on June 10, 2003, it became evident that this proof has information about another project not permitted under permit number 29-13466. I understand that the proof was filed with the department for an injection well permitted by the department with the County of Bannock, and that injection well agreements do not require proof of beneficial use be filed with the department.

Please call me at (208)327-7953, if you have any additional questions.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

Cc: Tim Shurtliff, Bannock County

MICROFILMED

AUG 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
MAR 24 2003
DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 29-13466 Telephone No. 208-389-1030
2. Name of Permit Holder(s): MAXIM TECHNOLOGIES INC.
3. Mailing Address: 3390 AMERICANA TERRACE, SUITE 201
City BOISE State ID Zip 83706
4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. 03-04 / yr. 2002
Well Driller: ANDREWS WELL DRILLING Drilling Permit Number: 0024151, 00024152, 0024153,
0024154, 0024155, 0024156, 0024157, 0024158
5. Use(s) (as authorized by the water right permit): 0024326
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: GROUNDWATER TREATMENT & REINJECTION TO
GROUNDWATER
6. Total rate of diversion and/or volume for which proof is submitted: .022 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes X or No _____
Has the measuring device been installed? Yes X or No _____
8. Fee Enclosed: \$ 0.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: THERESE WIGHT Telephone Number: (208) 236-0607
Address: 1500 N. FORT HALL MINE RD POCATELLO, IDAHO 83204
10. 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. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature]
(include your title, if on behalf of company or organization)

Date: 3-18-03

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AUG 11 2003

March 31, 2003

COUNTY OF BANNOCK
624 E CENTER ST
POCATELLO, ID 83205

PROOF DUE NOTICE

RE: PERMIT NO. 29-13466

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 June 01, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

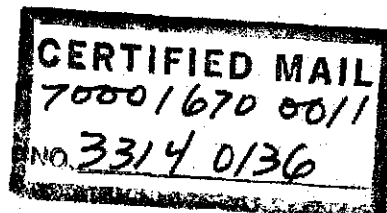
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures



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AUG 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 3, 2003

COUNTY OF BANNOCK
624 E CENTER ST
POCATELLO ID 83205

RE: Permit No. 29-13466

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is 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 licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

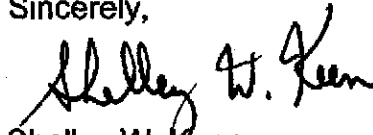
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AUG 11 2003

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

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AUG 11 2003

CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

29-13466

**COUNTY OF BANNOCK
624 E CENTER ST
POCATELLO ID 83205**


**Deborah J. Gibson
Administrative Assistant**

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AUG 11 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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AUG 11 2003

MEMORANDUM

Date: January 31, 2003
To: Water Right File 29-13466
From: dgibson
Re: Permit Review

This permit is for dust control at the Bannock County Fairgrounds for in the arenas, the track, and for excavation projects. There is a short development period since the well was drilled in March of 1977. Government lots were identified at the places of use.

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th. Range N^o 34 East. Boise Meridian

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RECEIVED

JAN 27 2003

Department of Water Resources

Dist for Staffing _____

Submitted for advertising _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT ANALYSIS PERMIT

Bannock County
INITIAL REVIEW BY HWT DATE 12-16-02 APPLICATION NO. 29-13466

REQUIRED INFORMATION:

- ☒ Name (if applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.) Should it just be Bannock County?
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivision, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Fee
- ☒ Yes ☒ No* In form to receipt

GIS Done
ADDITIONAL INFORMATION:

- ☒ Overlapping place of use (Describe source & relationship to present application on the back)
- ☒ Overlapping point of diversion
 - ☒ Yes ☒ No Critical groundwater area
 - ☒ Yes ☒ No Groundwater management area
 - ☒ Yes ☒ No Send dam safety information
 - ☒ Yes ☒ No Send fish farm requirement letter
 - ☒ Yes ☒ No Power residency affidavit
 - ☒ Yes ☒ No Within trust water boundary (if yes, attach trust water supplementary analysis sheet)
 - ☒ Yes ☒ No Public Water System
 - ☒ Yes ☒ No Planning section review
 - ☒ Yes ☒ No Moratorium Hold file
- See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____

PROCESSING:

- ☒ Yes ☒ No In form for advertising
- ☒ Yes ☒ No Statewide advertising
- ☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO:

- ☐ Id Dept of Environmental Quality ☐ U.S. BLM
- ☐ Id Dept of Fish & Game ☐ U.S. Forest Service
- ☐ Id Dept of Lands ☐ Water District
- ☐ Adjudication Bureau Unit ☐ Other _____

☒ Yes	☐ No	Affidavit of publication received
☒ Yes	☐ No	Application published correctly. If not, record action taken
☒ Yes	☐ No	Publication dates & paper, recorded on application
☐ Yes	☒ No	Protests received
		Final date for protest _____
☐ Yes	☐ No	Protests, dates, resolution of protest, recorded on application
☐ Yes	☐ No	Recommendations attached
☐ Yes	☐ No	Measuring device required
☐ Yes	☐ No	Access port required
☐ Yes	☐ No	Will water be delivered by watermaster? If yes, what District _____
☐ Yes	☐ No	Special conditions of approval or cover letter below.

STATE OFFICE REVIEW:

ADDITIONAL INFORMATION:

Comments received from:

_____ City	_____ Id Fish & Game	_____ Irrigation District
_____ County	_____ Id Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. Of Environment	_____ Other _____

COMMENTS

Same pd as 29-7972 & 29-7329

PROOF OF PUBLICATION

RECEIVED

JAN 13 2003

STATE OF IDAHO

County of Bannock

LN9124

KAREN MASON

Department of Water Resources
Eastern Region

NOTICE

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

29-13466

COUNTY OF BANNOCK
624 E. CENTER ST.
POCATELLO, ID
83205

Point(s) of Diversion
SWNW S12 T06S
R34E, BANNOCK
County

Use: COMMERCIAL
01/01 To 12/31 1.78
CFS

Total Diversion: 1.78
CFS

Date Filed: 12/17/2002

Place of Use: COMMERCIAL

T06S R34E S12
SWNW SENW
NESW NWSW

This application is a pre-1987. This well was drilled in the 1970's.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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 January 21, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
January 2, 9, 2003
LN9124

being first duly sworn on oath deposes and says: That SHE was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

JANUARY 2	, 2003	, 2003
JANUARY 9	, 2003	, 2002
	, 2003	, 2002

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice of advertisement and is a newspaper within the meaning of the laws of Idaho.

Karen Mason

STATE OF IDAHO
COUNTY OF BANNOCK

On this 9TH DAY of JAN. in the year of 2003, before me, a Notary Public, personally appeared KAREN MASON, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that she executed the same.

Lori A. Sekot
Notary Public for Idaho

Residing at POCATELLO

My commission expires :FEBRUARY 2003

MICROFILMED

2003 1 1 2003

FAX

December 30, 2002

To: Sharla Cox - IDWR - Eastern Regional Office
Fax # (208) 525-7177

From: Lin Buck - BLM - Idaho State Office
Fax # (208) 373-3839

Re: Application for Permit No. 29-13466, County of Bannock
Hi Sharla:

Our office reviewed the above water right application from the IDWR New Water Rights filing report dated December 23, 2002 (copy attached).

Our MTP (copy attached) shows:

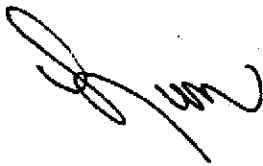
POD: T06S R34E S12 SWNW

POU: T06S R34E S12 SWNW, SENW, NESW, and NWSW may be missing lot numbers.

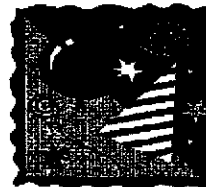
BLM does not have a problem with this claim; we are just providing this for your information.

Thank you.

Have a nice day!!



HAPPY NEW YEAR!!!!



Pages 4 (includes cover sheet)

cc: Deena Teel - Idaho Falls FO
FAX # (208) 524-7505

MICROFILMED
AUG 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION
December 20, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

COUNTY OF BANNOCK
624 E CENTER ST
POCATELLO ID 83205

RE: Application for Permit No 29-13466

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Idaho State Journal on January 2 and 9, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

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

Sincerely,

Harold W Jones
Water Right Supervisor

HWJ:sc

MICROFILMED

AUG 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 20, 2002

Legal Notice Department
IDAHO STATE JOURNAL
PO BOX 431
POCATELLO ID 83204

RE: Application for Permit No. 29-13466

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 January 21, 2003. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Maibet
12/20/02
SC*

MICROFILMED

AUG 11 2003

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COUNTY OF BANNOCK
624 E CENTER ST
POCATELLO ID 83205

Point(s) of Diversion SWNW S12 T06S R34E, BANNOCK County
Source GROUND WATER

Use: COMMERCIAL 01/01 To 12/31 1.78 CFS

Total Diversion: 1.78 CFS

Date Filed: 12/17/2002

Place Of Use: COMMERCIAL

T06S R34E S12 SWNW SENW NESW NWSW

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KARL J DREHER, Director

Published on January 2 and 9, 2003

MICROFILMED

AUG 11 2003