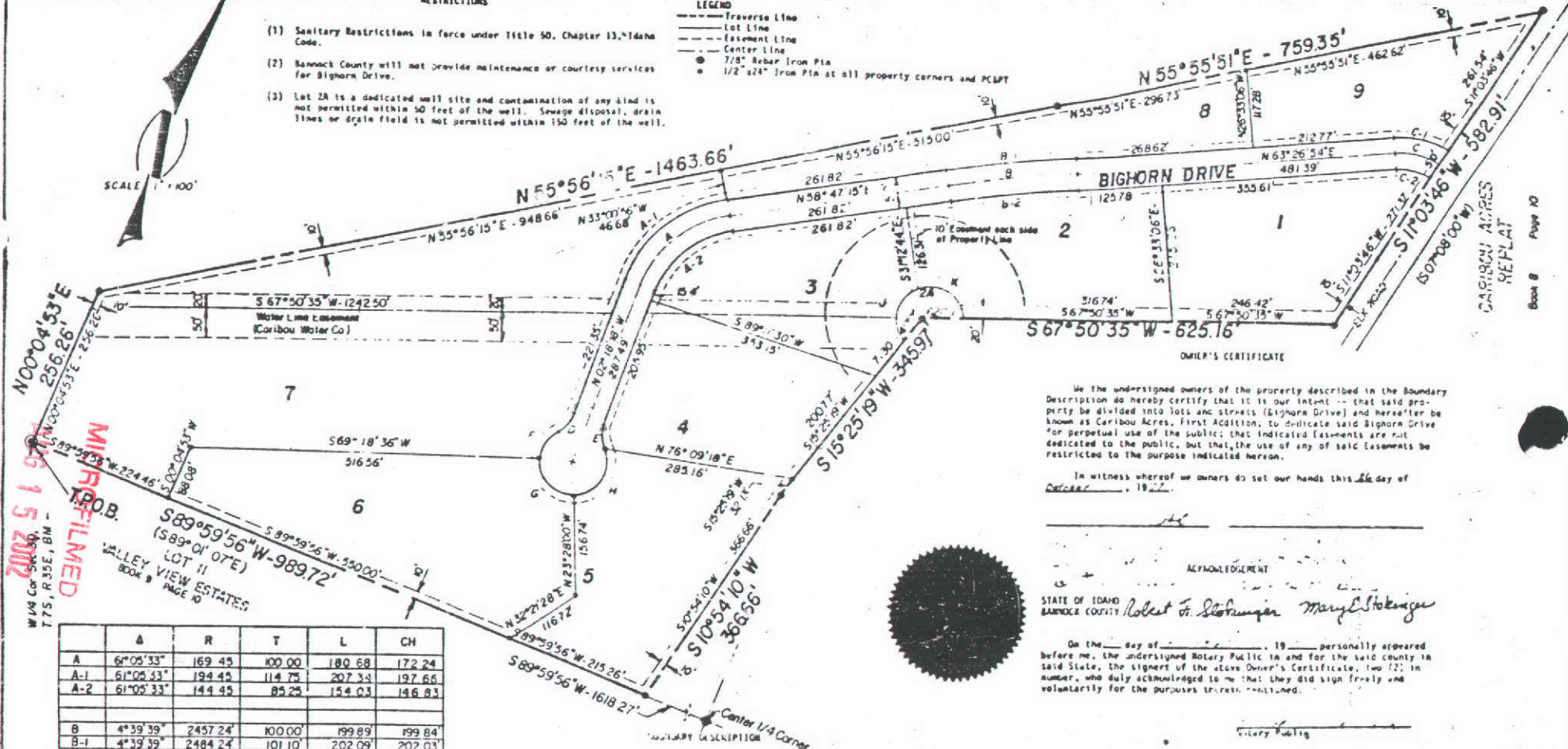


RESTRICTIONS

- (1) Sanitary Restrictions in force under Title 50, Chapter 13, Idaho Code.
- (2) Bannock County will not provide maintenance or courtesy services for Bighorn Drive.
- (3) Lot 2A is a dedicated well site and contamination of any kind is not permitted within 50 feet of the well. Sewage disposal, drain lines or drain field is not permitted within 150 feet of the well.

- LEGEND
- Traverse Line
 - Lot Line
 - Easement Line
 - Center Line
 - 7/8" Arbor Iron Pin
 - 1/2" x 24" Iron Pin at all property corners and PC&PT

SCALE 1" = 100'



We the undersigned owners of the property described in the Boundary Description do hereby certify that it is our intent - that said property be divided into lots and streets (Bighorn Drive) and hereafter be known as Caribou Acres, First Addition, to dedicate said Bighorn Drive for perpetual use of the public; that indicated easements are not dedicated to the public, but that the use of any of said easements be restricted to the purpose indicated hereon.

In witness whereof we owners do set our hands this 16 day of October, 1977.

ACKNOWLEDGEMENT

STATE OF IDAHO
BANNOCK COUNTY
Robert A. Stokinger Mary C. Stokinger

On the 16 day of October, 1977, personally appeared before me, the undersigned Notary Public in and for the said county in said State, the signers of the above Owner's Certificate, two (2) in number, who duly acknowledged to me that they did sign freely and voluntarily for the purposes therein mentioned.

Notary Public

Caribou Acres

STATE OF IDAHO
BANNOCK COUNTY

Recorded and filed at the request of:

Hamilton & Vassallo

Date 5-8-78
Book 10
Instrument 382404

REPLAT



CARIBOU ACRES, FIRST ADD

LOCATED IN SEC. 30, T.7S., R.35E., B.M.

Hereinafter Bannock County Idaho

75-304

	A	R	T	L	CH
A	6°05'33"	169.45	100.00	180.68	172.24
A-1	61°08'33"	194.45	114.75	207.34	197.66
A-2	61°08'33"	144.45	85.25	154.03	146.83
B	4°39'39"	2457.24	100.00	199.89	199.84
B-1	4°39'39"	2484.24	101.10	202.09	202.03
B-2	4°39'39"	2434.23	99.06	198.02	197.96
C	37°36'52"	116.30	39.61	76.35	74.99
C-1	37°36'52"	141.30	48.12	92.76	91.11
C-2	37°36'52"	91.30	31.09	59.94	58.87
D	41°24'35"	50.00	18.90	36.14	35.36
E	41°24'35"	50.00	18.90	36.14	35.36
F	29°41'31"	50.00	28.75	52.18	49.85
G	92°46'39"	50.00	52.48	80.96	72.40
H	110°14'53"	50.00	71.74	96.21	82.04
J	110°40'44"	50.00	72.32	96.58	82.25
K	112°45'56"	50.00	75.21	98.41	83.28

NOTE:
HEREAFTER THE NAME OF CARIBOU ACRES, FIRST ADDITION, SHALL BE KNOWN AS CARIBOU ACRES, FIRST ADDITION REPLAT.
COUNTY RECORDER'S CERTIFICATE
I, Tim Erikson, Clerk, Auditor, and Recorder of Bannock County, Idaho, do hereby certify that this is a true copy of the Plat of Caribou Acres, First Addition Replat, as same as is filed in the Records of said Bannock County.
Date 5-8-78
Tim Erikson

While this is a scale reproduction of the recorded plat, this company assumes no liability for variations, if any, with a re-survey.
AMERICAN LAND TITLE CO.

Amt. of Fee \$ 50.00
Receipt No. 2069471
Receipt By: [Signature]
Date Received: 6-9-03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN - 9 2003

PROOF OF BENEFICIAL USE

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. 29-13355 Telephone No. 208-234-0677

2. Name of Permit Holder(s): Slate Mountain Water Users Assn

3. Mailing Address: 9727 W. Bighorn Dr

City Pocatello State Id Zip 83204

4. Source of Water: well If **GROUNDWATER** (well), Date Drilled: mo. 7 / yr. 1976

Well Driller: Doug Anderson Drilling Permit Number: _____

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

Domestic (No. of households): 7 Stockwater (No. and type of stock): no

Irrigation (No. of acres): no Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.13 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 _____ or No ✓

Has the measuring device been installed?

Yes _____ or No ✓

8. Fee Enclosed: \$ 50.00 (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: Dean Perry Telephone Number: 208-234-0677

Address: 9727 W. Bighorn Drive

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: Dean Perry Date: June 5-2003
(include your title, if on behalf of company or organization)

MICROFILMED
AUG 11 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 29-13355

Priority: 05/10/2002

Maximum Diversion Rate: 0.13 CFS

This is to certify, that SLATE MOUNTAIN WATER USERS ASSN
9727 W BIGHORN DR
POCATELLO ID 83204

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>
DOMESTIC	01/01 to 12/31	0.13 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30, Twp 07S, Rge 35E, B.M. BANNOCK County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	35E	30																	

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before July 1, 2003.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
7. Irrigation of large projects such as parks, golf courses, or sports activities fields is not authorized under this right.
8. Domestic use is for 8 homes.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 5th day of July, 2002


for
KARL J DREHER, Director

MICROFILMED

AUG 15 2002

Ident. No. 29-13355
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

JUL - 3 2002

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Slate Mountain Water Assn Phone 208-234-0677
Mailing address 9727 W. Bighorn Dr. Pocatello, Id 83204
2. Source of water supply Ground water which is a tributary of _____
3. Location of point of diversion is Township 7S Range 35E Sec. 30 in the _____ ¼, SW ¼, NW ¼, Govt. Lot _____, B.M., Bannock County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.13 cfs 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)
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) 0.13 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source well + pump to 8 homes
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is 8 inches; proposed depth of well is 235 feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? 7/1977; Drilling firm Doug Andrus;
Well was drilled for (well owner) yes; Drilling Permit No. _____
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. 8 homes
e. Other; describe fully. _____

MICROFILMED

AUG 15 2002

3. 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	
7	35E	30							D	D									

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? Dean Perry
- b. Who owns the land to be irrigated or place of use? Assn. members
- 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: Assn Officers -

President. Daniel Green

Vice President Charles R Burt.

Sec/Treasurer Dean Perry

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.

Dean Perry Sec/Treasurer
Signature of Applicant (and title, if applicable)

Received by EMC Date 10 May 2002 Time 3:20 P.M. Preliminary check by EMC

Fee \$ 100.00 Receipted by EMC # E027744 Date 10 May 2002

Publication prepared by SC Date 6/10 & 6/13/02 Published in Idaho State Journal

Publication approved SC Date 6/17/02

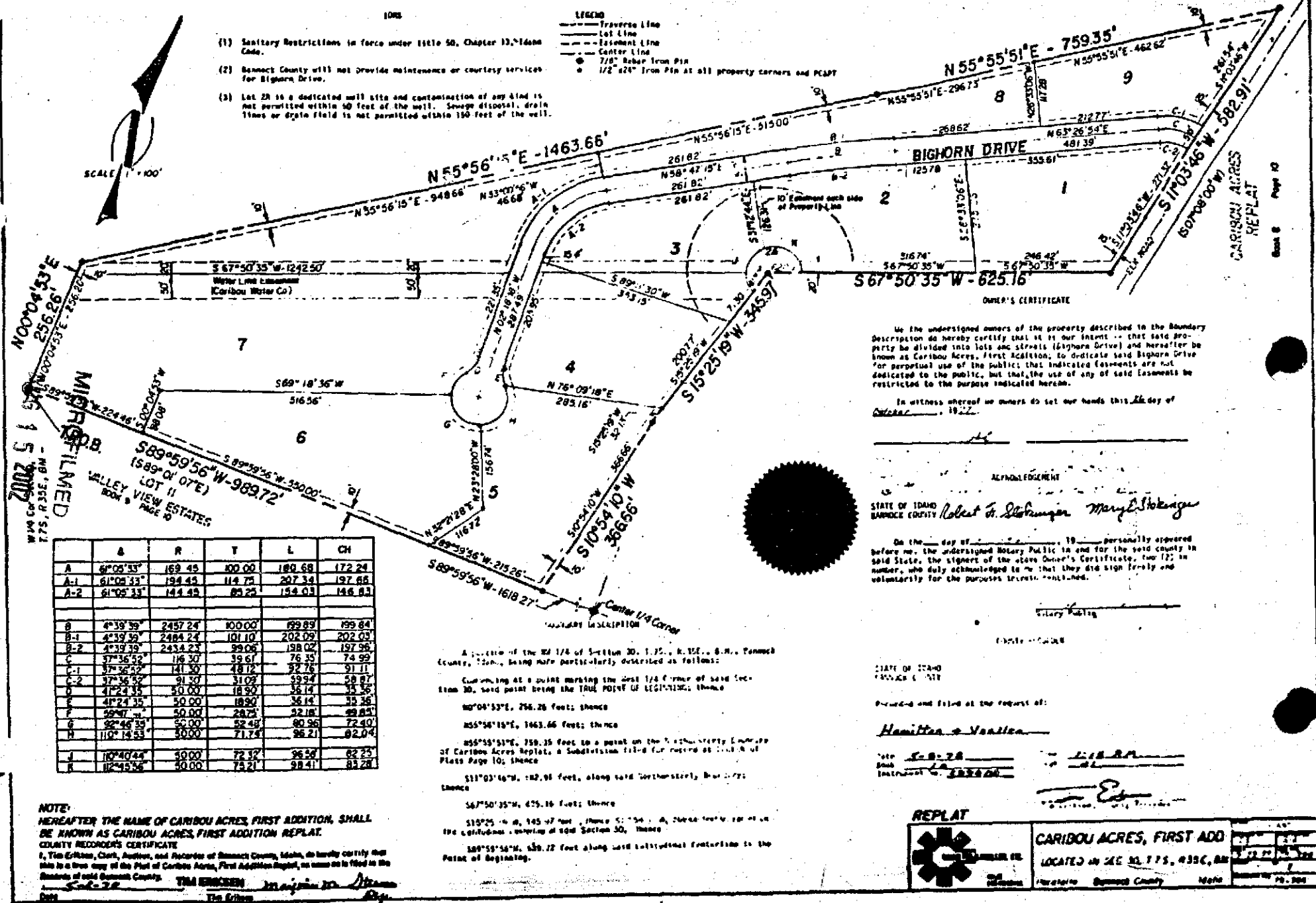
MICROFILMED

AUG 15 2002

- (1) Sanitary Restrictions in force under Title 50, Chapter 13, Idaho Code.
- (2) Blaine County will not provide maintenance or courtesy services for Bighorn Drive.
- (3) Lot 2A is a dedicated well site and contamination of any kind is not permitted within 50 feet of the well. Sewage disposal, drain lines or drain field is not permitted within 150 feet of the well.

LEGEND
 --- Traverse Line
 --- Lot Line
 --- Easement Line
 --- Center Line
 • 7/8" Rebar Iron Pin
 • 1/2" 424" Iron Pin at all property corners and PCAPT

SCALE 1" = 100'



	A	R	T	L	CH
A	6°05'33"	169.45	100.00	180.68	172.24
A-1	61°05'33"	194.45	114.75	207.34	197.66
A-2	61°05'33"	144.45	85.25	154.03	146.83
B	4°39'39"	2457.24	100.00	199.89	199.84
B-1	4°39'39"	2484.24	101.10	202.09	202.03
B-2	4°39'39"	2434.23	99.09	198.02	197.96
C-1	37°36'52"	116.30	39.61	76.35	74.99
C-2	37°36'52"	141.30	48.12	92.76	91.11
D-1	37°36'52"	91.30	31.09	59.94	58.87
D-2	37°36'52"	116.30	39.61	76.35	74.99
E	41°24'35"	50.00	18.30	36.14	35.36
F	39°47'11"	50.00	28.49	52.16	50.83
G	32°46'35"	50.00	28.49	52.16	50.83
H	110°14'33"	50.00	71.74	96.21	92.04
I	10°40'44"	50.00	72.12	96.50	92.23
J	12°45'56"	50.00	73.21	98.41	93.28

NOTE:

HEREAFTER THE NAME OF CARIBOU ACRES, FIRST ADDITION, SHALL BE KNOWN AS CARIBOU ACRES, FIRST ADDITION REPLAT.

COUNTY RECORDER'S CERTIFICATE

I, Tim Erickson, Clerk, Auditor, and Recorder of Blaine County, Idaho, do hereby certify that this is a true copy of the Plat of Caribou Acres, First Addition, as same is to be filed in the Records of said Blaine County.

Date

Tim Erickson

Tim Erickson

Notary Public

Notary Public

While this is a scale reproduction of the recorded plat, this company assumes no liability for variations, if any, with a re-survey.

AMERICAN LAND TITLE CO.



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 20, 2003

SLATE MOUNTAIN WATER USERS ASSN
9727 W BIGHORN DR
POCATELLO ID 83204

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-13355

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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, please contact the **Eastern** Regional Office of the department in Idaho Falls (208)525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

AUG 11 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 29-13355

Reviewed By: dgibson

Date: June 19, 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.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	E027744, C069471		Well driller's report filed?		X
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		06/09/2003
Date proof due	-	07/01/2003
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	05/10/2002
New priority date	=	05/10/2002

Deficiencies of Actions Items

Acknowledge proof.

April 30, 2003

SLATE MOUNTAIN WATER USERS ASSN
9727 W BIGHORN DR
POCATELLO, ID 83204

PROOF DUE NOTICE

RE: PERMIT NO. 29-13355

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 July 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.

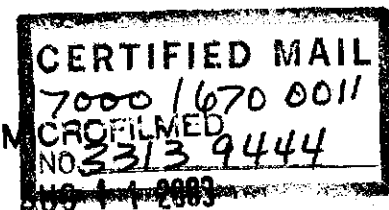
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
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

July 8, 2002

SLATE MOUNTAIN WATER USERS ASSN
9727 W BIGHORN DR
POCATELLO ID 83204

RE: Permit No. 29-13355

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.

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.

MICROFILMED

AUG 15 2002

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

Sincerely,

for *Sharla Curtis*
Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

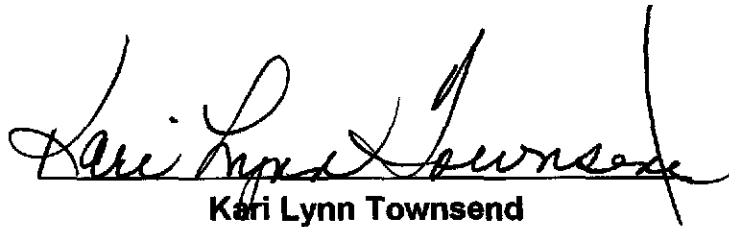
AUG 15 2002

CERTIFICATE OF SERVICE

I hereby certify that on July 8, 2002 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. 29-13355

**SLATE MOUNTAIN WATER USERS ASSN
9727 W BIGHORN DR
POCATELLO ID 83204**



**Kari Lynn Townsend
Secretary**

MICROFILMED

AUG 15 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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 Idaho Water Resource Board (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).

MICROFILMED
AUG 15 2002

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.

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on 7/5/02

No. 29-13355 Name: State Mtn Corp. Officers ☒ Ad ok ☒ Govt Lots

AREA OF CONCERN: No/Yes SR Moratorium dom. use ok GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048 (consumptive uses or non-cons. > 1.0 cfs)
NA

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

BENEFICIAL USE DUE: 7/01/2003

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9

PLANNING REVIEW/RESPONSE

WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL

Restricted area - 022,075
Irr, GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-122-106

DOMESTIC

Surface water W01/8 - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON - (Per updated map)

IRR VOLUME/ACRE

OTHER CONDITIONS/REMARKS

COMMENTS

Registered name @ SOS office = State Mtn Water Users Assn Inc
Entered at region that way also - leave it
that way even tho app left off users

RECEIVED

JUL - 3 2002

Department of Water Resources

Dist for Staffing 5-13-02
Submitted for advertising _____STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT ANALYSIS PERMITSlate Mtn Water Assn.
INITIAL REVIEW BY HWS DATE 5-15-02 APPLICATION NO. 29-13355

REQUIRED INFORMATION:

- ☒ Name (if applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ 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

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

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

LN8482

KAREN MASON

NOTICE

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

29-13355

SLATE MOUNTAIN
WATER USERS
ASSN
9727 W. BIGHORN
DR.
POCATELLO, ID
83204

Point(s) of Diversion:
SWNW S30 T07S
R35E, BANNOCK
County

Source: GROUND
WATER

Use: DOMESTIC

01/01 TO 12/31 0.13
CFS

Total Diversion: 0.13
CFS

Dated Filed:
05/15/2002

Place of Use: DOMESTIC

T07S R35E S30
SWNW SENW

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

Any protests against the approval of this application must be filed with the Director, Dept. of Water Resource, 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 June 24, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
June 6, 2002
June 13, 2002
LN8482

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:

<u>JUNE 6</u>	<u>2002</u>	<u>2002</u>
<u>JUNE 13</u>	<u>2002</u>	<u>2002</u>
<u> </u>	<u>2002</u>	<u>2002</u>
<u> </u>	<u>2002</u>	<u>2002</u>

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 13TH DAY of JUNE in the year of 2002, 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.

Lore A. Sekot
Notary Public for Idaho

Residing at POCATELLO

My commission expires :FEBRUARY, 2003

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JUN 15 2002

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JUN 17 2002

Department of Water Resources
Eastern Region



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

RECEIVED
JUN 13 2002
Department of Water Resources
Eastern Region

224 South Arthur • Pocatello, Idaho 83204-3202 • (208) 236-6160

Dirk Kempthorne, Governor
C. Stephen Allred, Director

Idaho Department of Water Resources
Howard W. Jones, Water Rights Supervisor
900 North Skyline, Suite A
Idaho Falls, ID 83402-1718

June 12, 2002

RE: Slate Mountain Water Association and Bear lake Holdings

Dear ~~Mr. Jones~~:

The Department of Environmental Quality has reviewed the document from the above referenced party asking us to consider potential impacts of a proposed expanded land development activities. We have the following comments:

Slate Mountain Water Association, Application for Permit #29-13355

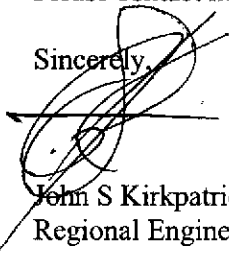
If requested by the District Health Department we will require the submittal of plans and specification for construction of water services for the proposed construction.

Bear Lake Holdings, Application for Transfer #69908

We will require the submittal for plans and specification for water services for the proposed construction. These plans will need to outline a plan that show how the installed system will meet the requirement of the enhanced surface water treatment rule. For more information on these rule and the associated requirements please consult our website that is located at www2.state.id.us/deq.

Please contact me if you have questions or need more information.

Sincerely,


John S Kirkpatrick
Regional Engineering Manager

Enclosures (1)

CC: Steve Pew, District 6 Health Dept Pocatello
File: Bear Lake County P/S FY02 & Bannock County P/S FY02p

MICROFILMED

JUN 15 2002

FAX

June 4, 2002

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

From: Lin Buck - BLM - Idaho State Office
Fax # (208) 373-4068

Re: Statutory Claim No. 29-13355 for Slate Mountain Water Users
Association

Hi Sharla:

Our office reviewed the above water right application from the IDWR New Water Rights filing report dated May 28, 2002 (copy attached).

Our MTP (copy attached) shows:

POD: T07S R35E S30 SWNW

POU: T07S R35E S30 SWNW

The above listed POD and POU may be missing lot #s.

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

Have a nice day!!



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

Pages 4 (includes cover sheet)

MICROFILMED
AUG 15 2002



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

May 22, 2002

State of Idaho
Dept of Environmental Quality
224 S Arthur
Pocatello Id 83204

RE: Application for Permit #29-13355 and Application for Transfer #69908

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is June 17, 2002, 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,

A handwritten signature in cursive script that reads "Harold W. Jones".

Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.

MICROFILMED
AUG 15 2002



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
May 22, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SLATE MOUNTAIN WATER USERS ASSN
9727 W BIGHORN DR
POCATELLO ID 83204

RE: Application for Permit No 29-13355

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 May 30 and June 6, 2002. 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.

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

Sincerely,

Harold W. Jones
Harold W Jones
Water Right Supervisor

HWJ:sc

MICROFILMED

AUG 15 2002



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

May 22, 2002

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

RE: Application for Permit No. 29-13355

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 June 17, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant



MICROFILMED

AUG 15 2002

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

29-13355

SLATE MOUNTAIN WATER USERS ASSN
9727 W BIGHORN DR
POCATELLO ID 83204

Point(s) of Diversion: SWNW S30 T07S R35E, BANNOCK County

Source GROUND WATER

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

Total Diversion: 0.13 CFS

Date Filed: 05/15/2002

Place Of Use: DOMESTIC

T07S R35E S30 SWNW SENW

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 Resource, 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 June ~~17~~²⁴, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on ~~May 30~~ and June ~~6~~, 2002

June 6 & June 13

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AUG 15 2002