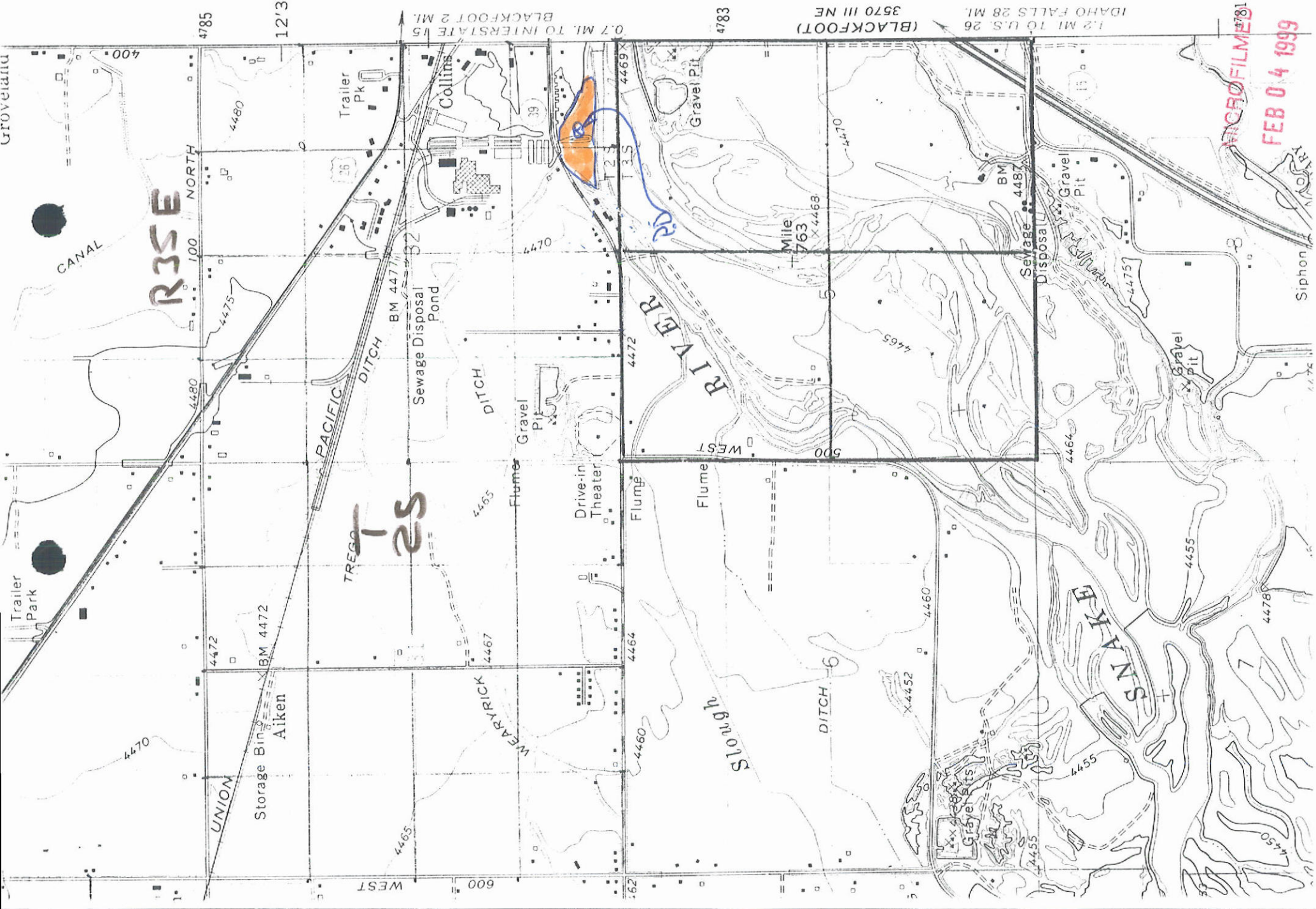
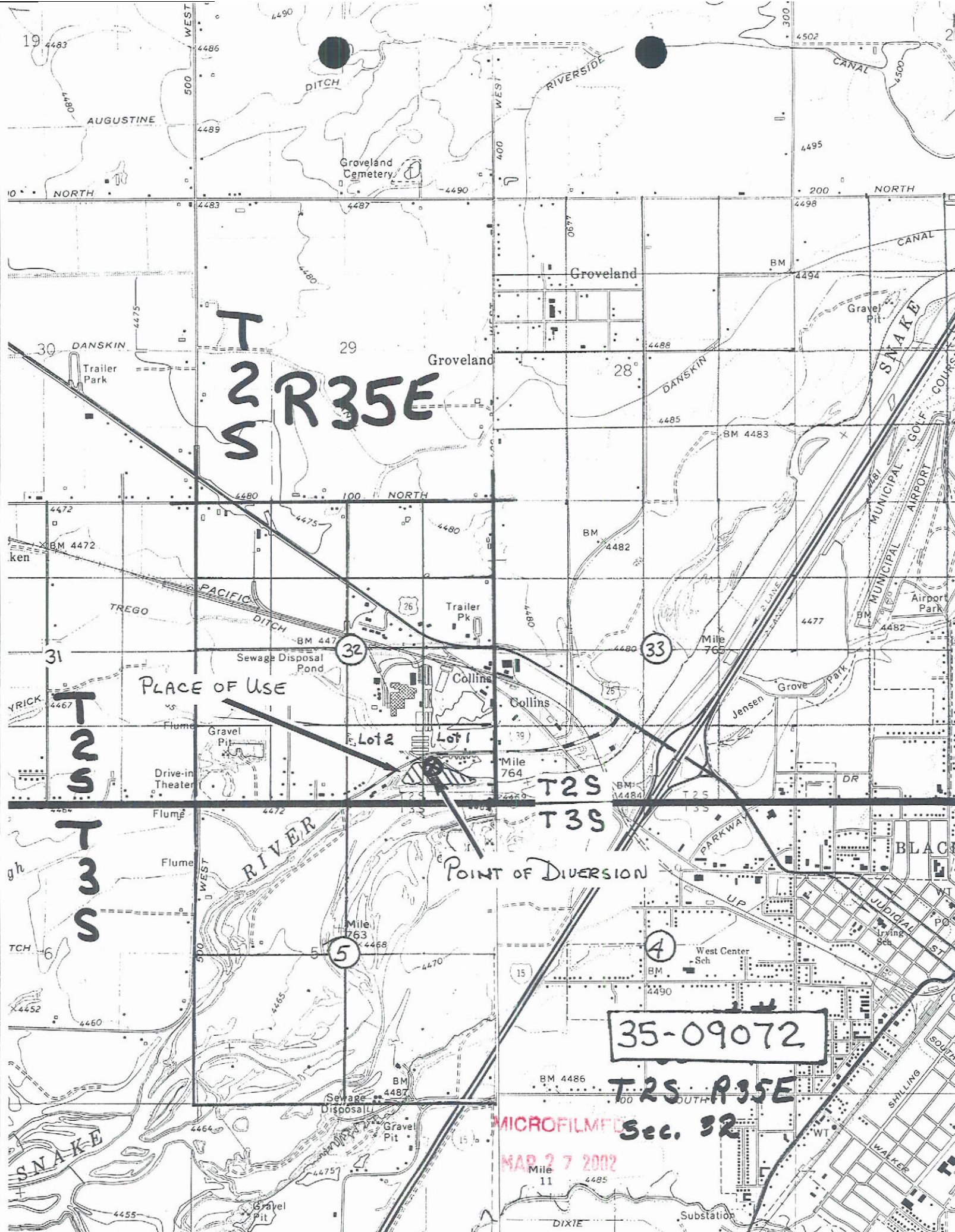




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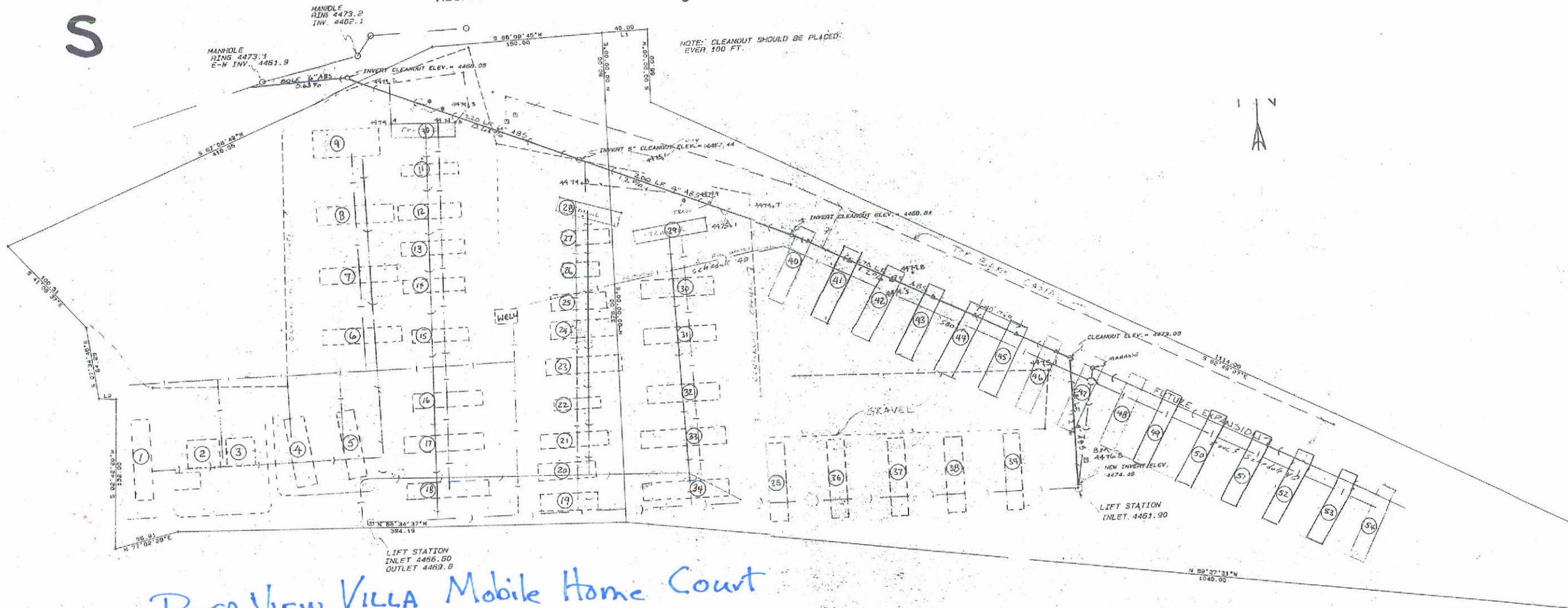


T
2
S

R35E

S $\frac{1}{2}$ SE $\frac{1}{4}$ SEC 32
(LATS 1 $\frac{1}{2}$ 2)

HIGHWAY 39



RIVER VIEW VILLA Mobile Home Court

35-9072



Large well.

Looking North of pump house. Large well behind concrete protector

Small well
in pump house



Looking West at large well.

Permit # 35-9072-

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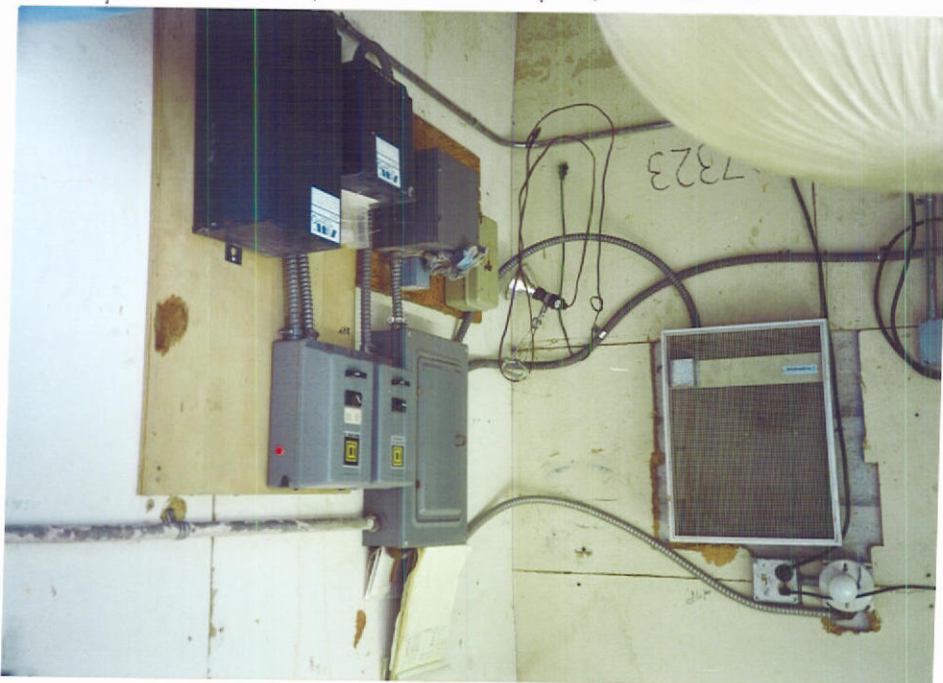
MAR 27 2002

MAR 27 2002

MICROFILMED

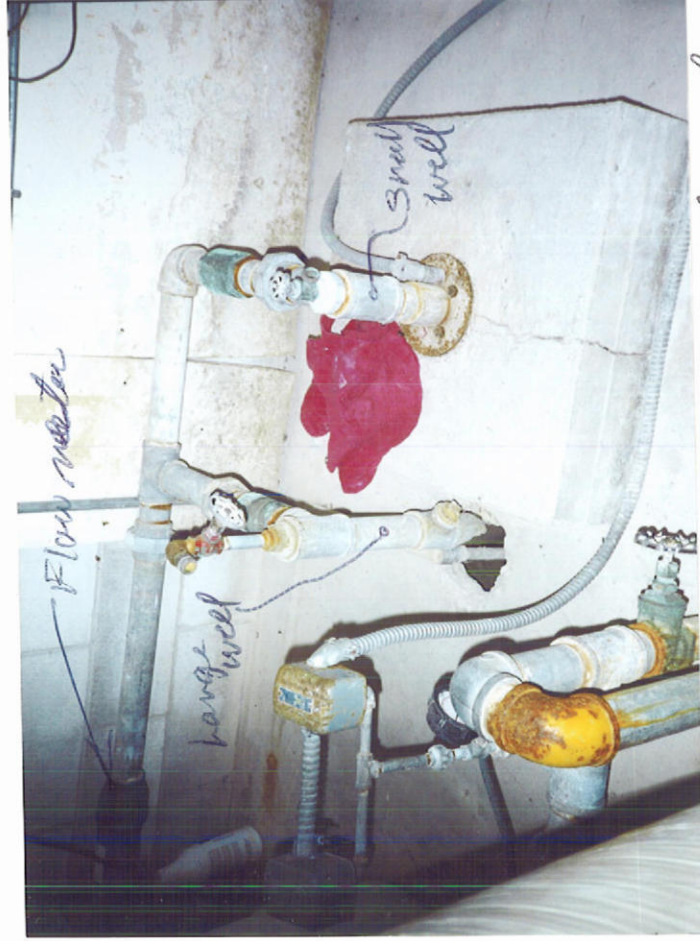
Permit # 35-9072

looking North west at pump control panel



looking West at large well





having South at the wells entering the pump house.
notice flow meter on upper left.



out let to Trailers

Permit 35-9072-

MICRO

MAR 2

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Loe*

No.: 35-09072 Name: Brown Date: 1/15/99 Ad OK? ☒ ☒ Gvmt Lts: _____

AREA OF CONCERN: - No/Yes: ESRP Mor/ _____ GWMA / Trust / Non-trust w/in ESRP Aquifer

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year - 26A-P17

≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT:

All wells (✓ WDQ3) - 046-P23

In Basin 34? - 085

Irr. within WD - P05 (new well location)

WMD (✓ MAP) - North / East / West

> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

WMD Supplemental use - 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5 acres - 01M (report when notified)

≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that *doesn't sink* is regulated):

FISH & GAME CONTACTED: - YES / No; WHEN: _____ RESPONSE: _____

IN/ABOVE MIN. STR. FLOW (✓ MAP) - *WB9

WD (✓ MAP & LISTING) - R04 (WD # _____)

> 0.10 cfs - 01J-P08 (MD & LD)

≤ 0.10 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

In-stream dev. - P52 (stream channel alteration)

RIVER BASINS: (*Surface water):

Snake R (01) - *W22 -P04, NA

(02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's) - 029 (fish screens), NA

Weiser R (67) - 086, 087

USE:

Storage (✓ 3 compo.)

~~18A~~ ≤ 5 acres - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

> 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Stockwater - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining - R37 (BLM/USFS); NA

Fish Propagation - 054(req) -081-P10

Heating/Cooling - 029(70's only)-007-042(req)-081 (WQ)-P10

Power - R07 (injection well)

Municipal - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

Domestic surface >1 in rest. area - 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Fire Protection - 022, 075, 004 (+memo?), NA (not in restricted area)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

- 071-079 010

- 077

LOCATION:

Boise Front LoGeo - 058 (<85° GW temp only)

Mitigation - 120

42-248 area - P84 (in 20/30/40/50/60/70/80 (87) basin)

SWAN FALLS FLAG (See Code Chart)

Trust - I

Non-Trust (1) - 051-052-053-P74 (Consumptive Uses), NA

OWNERSHIP: - 048-049 (Consumptive Uses), NA

OTHER CONDITIONS: - 004 (PD/PU)

STANDARD REMARKS: - ① w32 ② w01/16 M# ③ River view Villa M.H. Park

BENEFICIAL USE DUE: - 2 /1 2000

COMMENTS:

Dept. of Water Resources
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718
(208) 525-7161
Fax: (208) 525-7177

**NOTICE OF APPLICATION
FOR TRUST WATER RIGHT**

Brown, Patricia
BROWN LIVING TRUST, Jack C.
525 Polk Street
American Falls, Idaho 83211
Source: GROUNDWATER
Diversion Pt: Lot 1(SESE) Sec. 32, T. 02S,
R. 35E, in Bingham County.
Use: DOMESTIC (0.180 CFS)
Total Diversion: (0.180 CFS)
Date Filed: 12/7/1998
In: Bingham County
T02S, R35E, S32, Lot 2 (SWSE), Lot 1
(SESE).

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, 900 N. Skyline Drive, Idaho Falls, Idaho, 83402, on or before January 4, 1999.

KARL J. DREHER, Director

(3989)
Pub.:12/17, 24

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FEB 04 1999

RECEIVED

DEC 31 1998

Department of Water Resources
Eastern Region

Legals

**AFFIDAVIT OF
PUBLICATION**

County of Bingham)

ss

State of Idaho)

I, Jacqueline Graham do solemnly swear that I am the Legal Coordinator of The Morning News, which is a daily newspaper of general circulation, published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue of said

newspaper 2 consecutive Weeks the first publication having been made on the 17th day of Dec 1998; and the last publication having been made on the 24th day of Dec 1998; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published, in the newspaper and not in a supplement.

Jacqueline Graham
On this 24th day of Dec, in the year of 1998, before me a Notary Public of the State, personally appeared Jacqueline Graham, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me the first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:
June 19, 2004

Affidavit Processing Fee.....\$5.00

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-09072

Priority: December 7, 1998

Maximum Diversion Rate: 0.18 CFS
Maximum Diversion Volume: 9.0 AF

It is hereby certified that PATRICIA BROWN LIVING TRUST Or
JACK C BROWN LIVING TRUST
525 POLK ST
AMERICAN FALLS ID 83211 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated December 7, 1998; and has
submitted Proof of Beneficial Use on February 08, 1999. An examination indicates that the works have
a diversion capacity of 0.36 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.18 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L1 SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, Twp 2S, Rge 35E, B.M. BINGHAM County
GROUND WATER L1 SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, Twp 2S, Rge 35E, B.M. BINGHAM County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S 35E 32															X	X	
															L2	L1	

CONDITIONS OF APPROVAL

1. Domestic use is for 15 mobile homes in River View Villa Mobile Home Court.
2. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
3. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each dwelling lot. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been erected.
4. Right 35-8015 is also diverted through the point(s) of diversion described above.
5. Rights 35-8015 and 35-9072 when combined shall not exceed a total diversion rate of 0.36 cfs.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 120.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 26TH day of FEBRUARY, 2002.

MICROFILMED
MAR 27 2002

Acting for 
KARL J. DREHER
Director

MAY 03 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-09072

Proposed Priority: December 7, 1998 Maximum Diversion Rate: 0.18 CFS

This is to certify, that JACK C BROWN LIVING TRUST
PATRICIA BROWN LIVING TRUST
525 POLK ST
AMERICAN FALLS ID 83211

has applied for a permit to appropriate water from: GROUNDWATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

DOMESTIC	01/01 to 12/31	0.18 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: Lot 1(SESE), Sec. 32, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: DOMESTIC

TWN RGE SEC

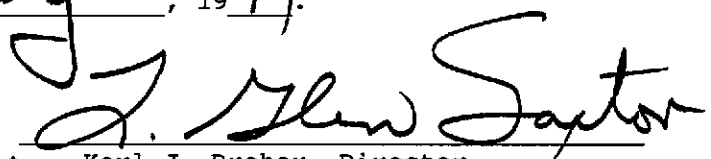
02S 35E 32 Lot 2(SWSE) Lot 1(SESE)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 2000.
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 domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
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. Two points of diversion are located within Lot 1 (SESE), S32, T02S, R35E.
7. Domestic use is for 16 mobile homes located within Riverview Villa Mobile Home Park.

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

21st day of January, 1999.


for Karl J. Dreher, Director

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FEB 04 1999

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JAN 08 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of Applicant Jack C. or Patricia E. Brown Living Trust Phone (208) 226-2597
Mailing address 525 Polk St American Falls, ID 83211
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 2S Range 3SE Sec. 32 in the _____ 1/4,
(2 points) SE 1/4, SE 1/4, Govt. Lot 1, B.M., Bingham County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.18 cfs for Domestic purposes from 01-01 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) 0.18 cfs 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 2 wells + pumps to
mobile home park
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? 1940's; Drilling firm _____
Well was drilled for (well owner) original Mobile H. owner; 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. 16 mobile homes
e. Other; describe fully. _____

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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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2S	35R	32															D	D	
																	L-2	L-1	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 35-08015 on adjacent lots

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

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

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: Same points of diversion as for license 35-08015 with 39 units. This application for 16 additional mobile home spaces. These have been in operation since approximately 1990.

Place of use is within Riverside Villa Mobile Home Park per telecon w/ Patricia Brown 1/15/99 cz.

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.

Jack C Brown
Signature of Applicant (and title, if applicable)

Received by HUT Date 12-7-98 Time _____ Preliminary check by _____
Fee \$ 50.00 Received by HUT # EX-4661 Date 12-7-98
Publication prepared by SC Date 12/17 & 12/24/98 Published in Morning News
Publication approved SC Date 12/21/98

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FEB 04 1999



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 27, 2002

JACK C BROWN LIVING TRUST
PATRICIA BROWN LIVING TRUST
525 POLK ST
AMERICAN FALLS ID 83211

RE: License No. 35-9072 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

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,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

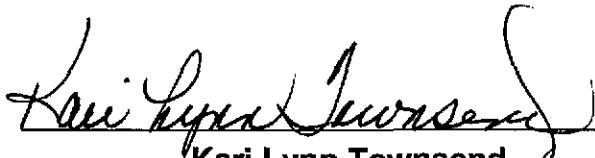
MICROFILMED
MAR 27 2002

CERTIFICATE OF MAILING

I hereby certify that on February 27, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 35-9072

**JACK C BROWN LIVING TRUST
PATRICIA BROWN LIVING TRUST
525 POLK ST
AMERICAN FALLS ID 83211**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
MAR 27 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).

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MAR 27 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.

Comment Report

35-9072

1. skeen 02/25/2002 License Review

Comment: Licensing review and data entry by S. Keen on 2/25/2002. Points of diversion and place of use overlap with decreed right 35-8015.

2. VAULT 02/09/1999 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

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MAR 27 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

DEC 24 2001

Department of Water Resources

A. GENERAL INFORMATIONPermit No. 35-090721. Owner: Jack C Brown Living Trust Phone No. 208-226-2597
Patricia Brown Living Trust
Current Address: 525 Polk St, American Falls, ID 832112. Accompanied by: Jack C Brown EXAM DATE: 6-26-99
Address: 525 Polk St, American Falls, ID 83211 Phone No. (208) 226-2597Relationship to Permit Holder: Owner3. Source: Groundwater tributary to _____**B. OVERLAP REVIEW**

- Other water rights with the same place of use: _____
- Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SE	32	02S	35E	Bingham	USGS maps / GPS

2. Place(s) of Use:

Indicate Method of Determination

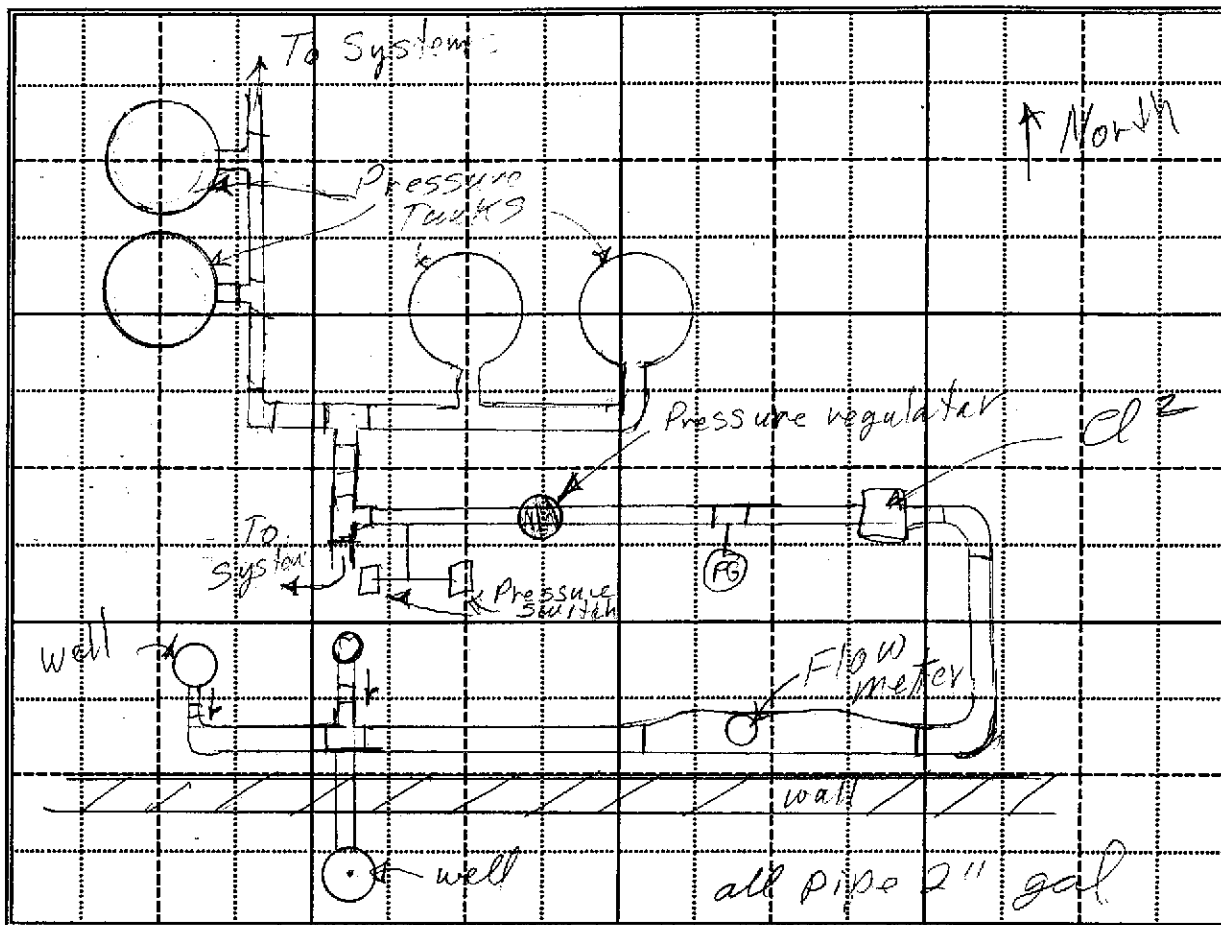
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2S	35E	32															D	D	
																	L-2	L-1	

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MAR 27 2002

35-9072

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for Irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Eφφφ 7323	Flint & Walling	2	74 day	F & M	2"
Eφφφ 7324	" "	5	76 day	F & M	2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: DEQ measurement 53 gal/min

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35-9072

MAR 27 2002

E. NARRATIVE/REMARKS/COMMENTS

Two pumps supply water to the trailer court. One is a 2 HP pump and the larger is 5 HP. The outlet of the pump is registered through a flow meter - flow values are attached. El² is added and pumped to 54 trailers in the park. Lawns are very small. The delivery system to the trailers is shown in blue print included in the file.

NOTE: It appears that 35-8015 is for 39 trailers. The system delivers water to 54 trailers therefore this permit should be for 15 trailer spaces

Appears to be same well & pump system Q THEORETICAL = 0.31 cfs

PLACE OF USE AKA: RIVER VIEW VILLA MOBILE HOME COURT

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED

MAR 27 2002

35-9072

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

Total $Q_{THEORETICAL} (35-8015) = 0.31 \text{ cfs}$ $\rightarrow$ Appears to be max capacity
 $Q_{THEORETICAL} (35-9072) = 0.36 \text{ cfs}$
 $Q_{LIMITED BY PERMIT} Q = 0.18 \text{ cfs}$
 Recommend that 35-8015 in combination with 35-9072 limited to 0.36 cfs
 and 36.5 afa ($27.5 \text{ Af} + 9 \text{ af}$) of (35-9072) = 36.5 afa

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

$V_{DOM} = 0.6 \times 15 = 9 \text{ afa}$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/1	12/31	0.18 cfs	9.0
Totals:			0.18 cfs	9.0

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name KETH C WILSON 12/20/2001 Date 7/19/99

Reviewer _____ Date _____

SEAL

MICROFILMED

MAR 27 2002

35-9072

THEORETICAL PUMP FLOW CALCULATIONS

Formula: $Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$

SYSTEM: 2hp

Hp = Horsepower = 2
Eff = Efficiency = 70% (Usually 70%)

Lift: (Static Level + Assumed Drawdown)

Static Water Level = _____ ft.

Assumed Drawdown = + _____ ft.

Lift = 7

Bowls set at
74' assume Dynamic Pumping OR
Level is 24' above Bowls

~~Measured~~ Dynamic Water Level = 50 ft.

psi = Operating Pressure = 30 psi

$$Q_{cfs} = \left[\frac{2}{Hp} \times 8.814 \times \frac{0.7}{Eff} \right] \div \left[\frac{50}{Lift} + \left(\frac{30}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = [12.339] \div [119.24]$$

$$Q_{cfs} = 0.10 \text{ cfs SYSTEM } 2hp \text{ System}$$

SYSTEM: 5hp

Hp = Horsepower = 5
Eff = Efficiency = 70% (Usually 70%)

Lift: (Static Level + Assumed Drawdown)

Static Water Level = _____ ft.

Assumed Drawdown = + _____ ft.

Lift = _____

Bowls set @ 76' Assume,
Dynamic Pumping level is 26'
above bowls

Measured Dynamic Water Level = 50 ft.

psi = Operating Pressure = 30 psi

$$Q_{cfs} = \left[\frac{5}{Hp} \times 8.814 \times \frac{0.7}{Eff} \right] \div \left[\frac{50}{Lift} + \left(\frac{30}{psi} \times 2.308 \right) \right]$$

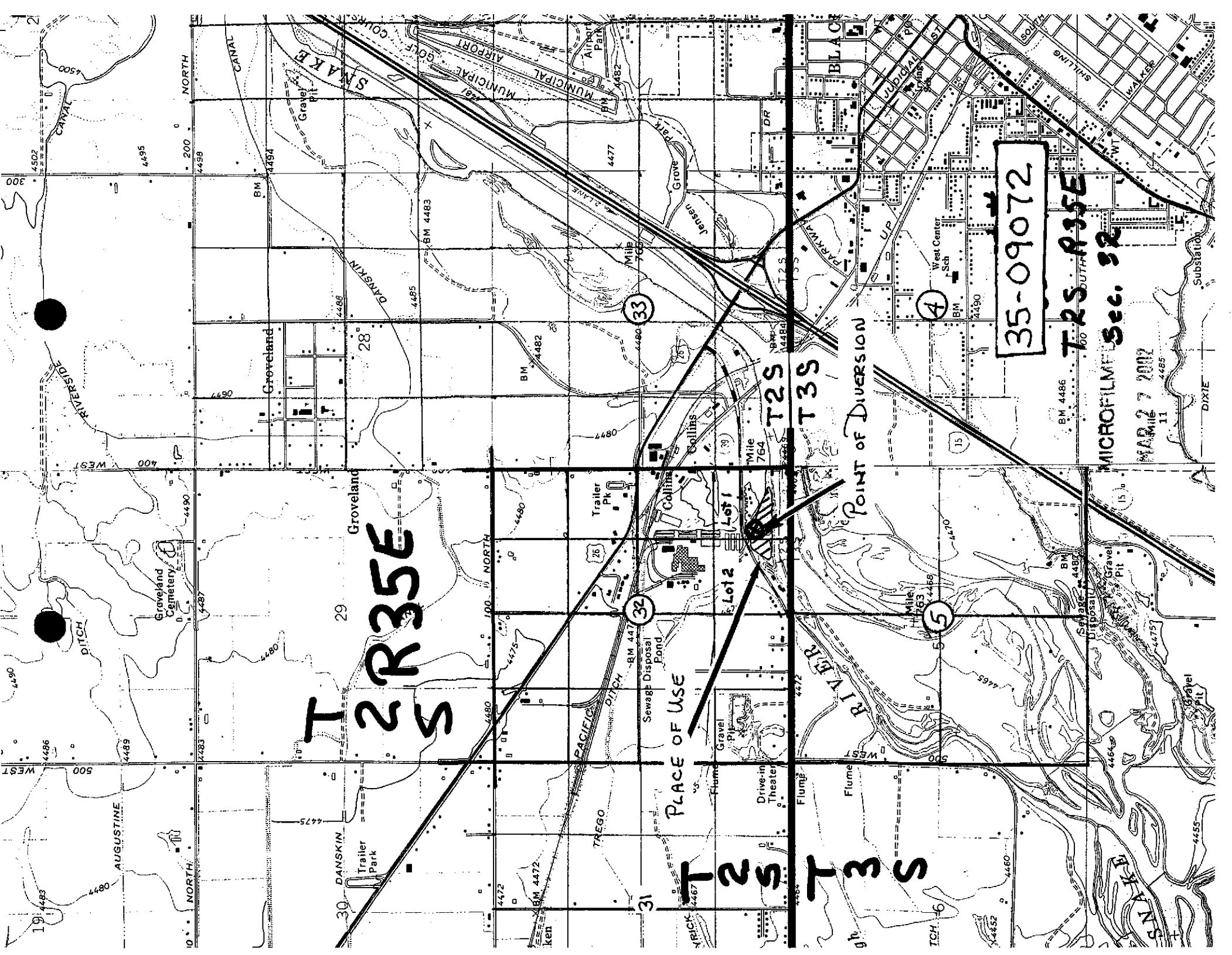
$$Q_{cfs} = [30.849] \div [119.24]$$

$$Q_{TOTAL} = 0.10 \text{ cfs} + 0.26 \text{ cfs} \\ = 0.36 \text{ cfs}$$

$$Q_{cfs} = 0.26 \text{ cfs SYSTEM } 5hp \text{ System}$$

MAR 27 2002

PERMIT NO. 35-9072



T2S R35E

T2S T3S

35-09072

T2S R35E

MICROFILM Sec. 32

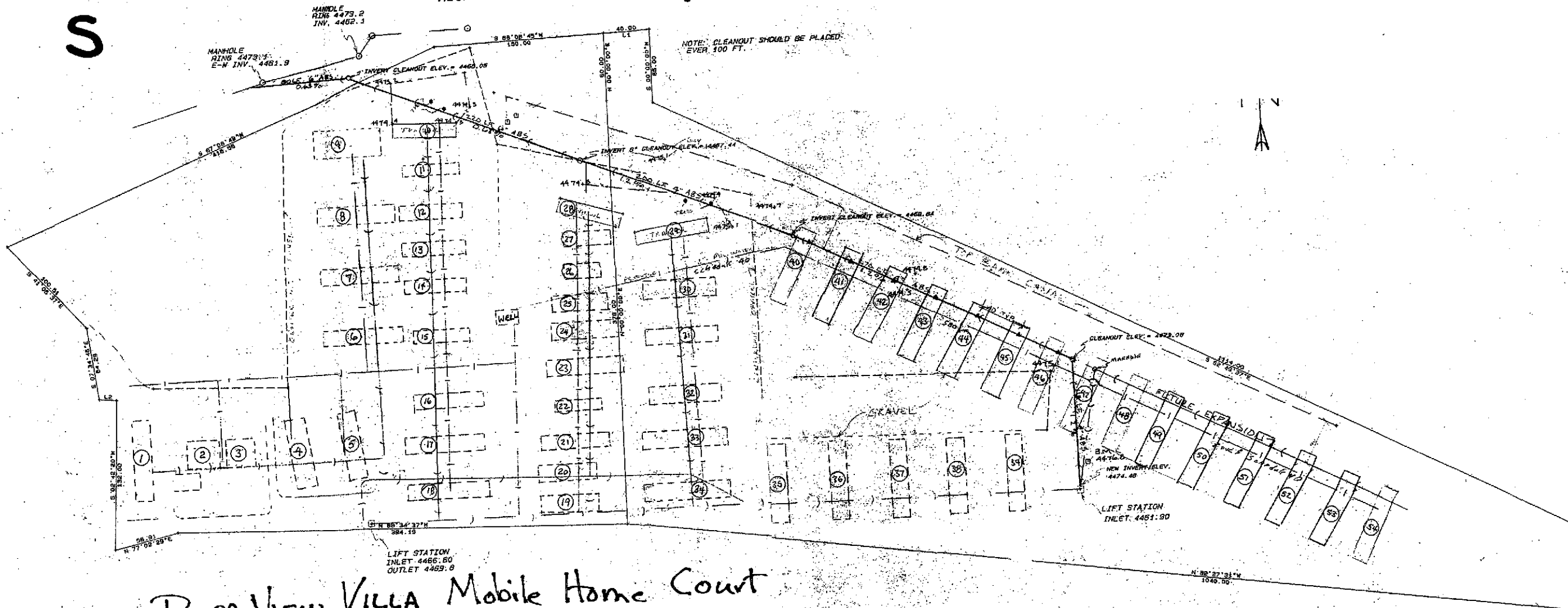
MAR 27 2002

S $\frac{1}{2}$ SE $\frac{1}{4}$ SEC 32
(LTS 1 $\frac{1}{2}$ 2)
HIGHWAY 39

MANHOLE
RING 4473.2
INV. 4462.1

MANHOLE
RING 4473.1
E-W INV. 4461.9

NOTE: CLEANOUT SHOULD BE PLACED
EVER 100 FT.

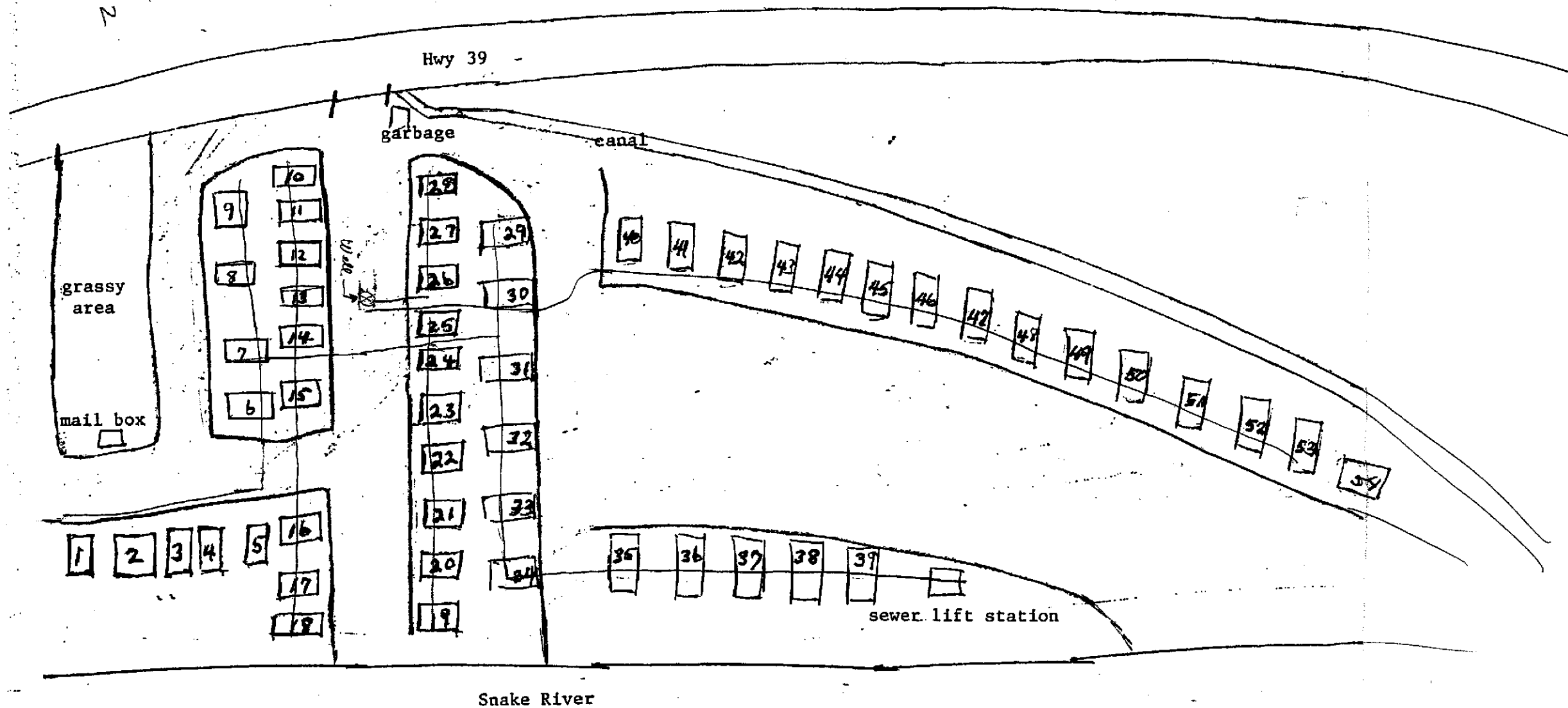


INLET 4486:80
OUTLET 4459:8

RIVER VIEW VILLA Mobile Home Court
35-9072

Permit #
35-09072

RIVER VIEW VILLA Mobile Home Court
429 W. Hwy 39, Blackfoot, Idaho 83221

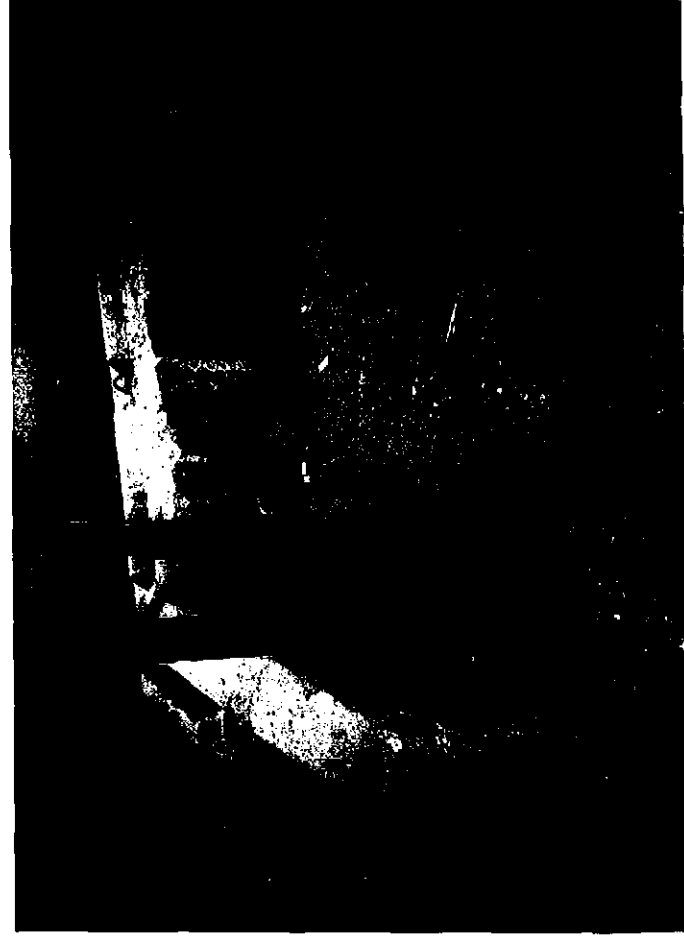


35-09072



Small well
in pump house

Looking North at pump house. Large well
behind concrete protector



Looking West at large well

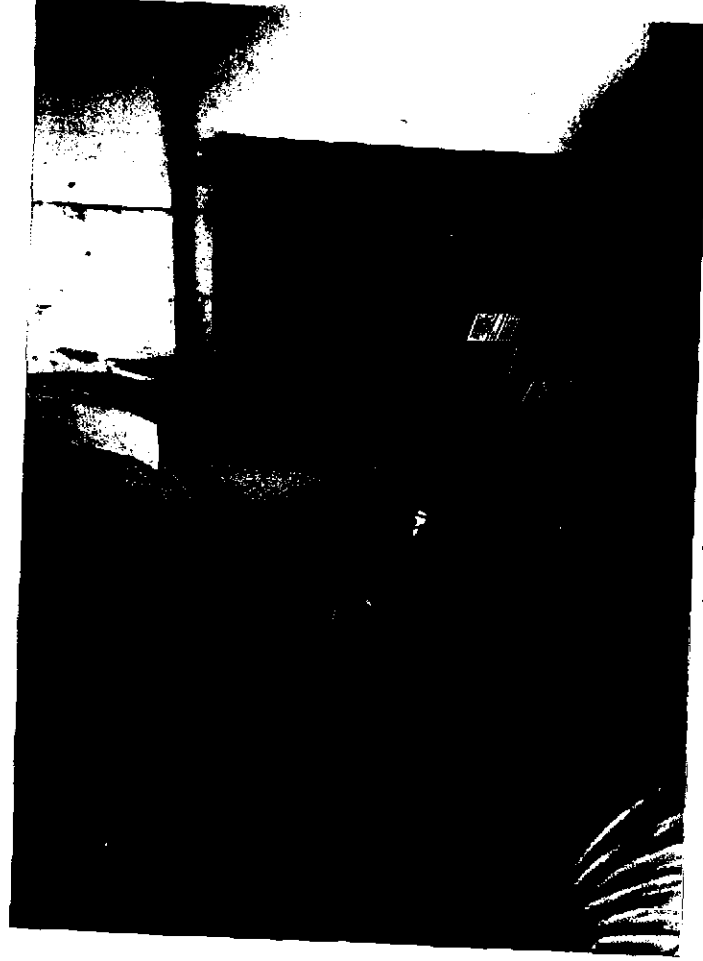
Permit # 35-9072-

MICROFILMED

MAR 27 2002



looking west at Lange well

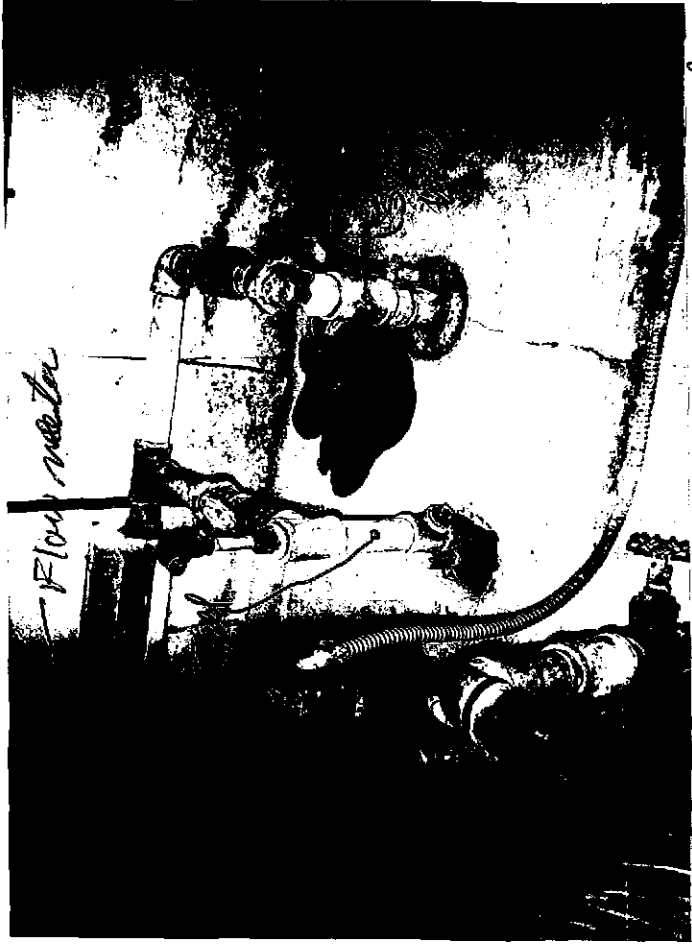


looking North west at pump control panel

Permit #35-9072

MICROFILMED

MAR 27 2002



having South at the wells entering the pump house.
notice flow meter on upper left.



out let to Trailers

Permit 35-9072

MICRO...

MAR 7

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 35-09072 Reviewed by [Signature] Date 4-15-99

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

mult. dom.
yes Correct Uses?

SOURCE OF WATER

 Surface water source

✓ Ground water source

NO Drilling permit required? - pre 87
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?

NO Required?
yes Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>
Date proof due	<u> </u>
No. of days late	<u> </u>
Priority Date	<u> </u>
New Priority Date	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X Proof Made 2-8-99



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 19, 1999

Jack C Brown Living Trust
Patricia Brown Living Trust
525 Polk St
American Falls ID 83211

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-09072

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 conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right 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,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

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MAY 03 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 22, 1999

DIRK KEMPTHORNE
GOVERNOR

JACK C BROWN LIVING TRUST
PATRICIA BROWN LIVING TRUST
525 POLK ST
AMERICAN FALLS ID 83211

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-09072

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED

FEB 04 1999

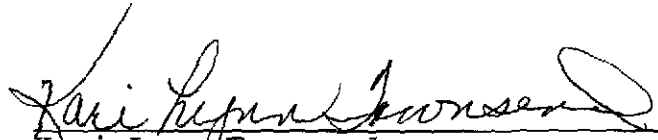
MICROFIL

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of January, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 35-09072

JACK C BROWN LIVING TRUST
PATRICIA BROWN LIVING TRUST
525 POLK ST
AMERICAN FALLS ID 83211


Kari Lynn Townsend
Secretary

MED
FEB 04 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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FEB 04 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

MICROFILMED

FEB 04 1999

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Jones*

No.: 35-09072 Name: Brown Date: 1/15/99 Ad OK? ☒ ☒ Gvmt Lts: _____

AREA OF CONCERN: No/Yes: ESRP Mor / _____ GWMA / Trust / Non-trust w/in ESRP Aquifer

PROTESTED: 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED: > 1 year - 26A-P17
≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT: All wells (✓ WDQ3) - P23
In Basin 34? - 085
Irr. within WD - P05 (new well location)
WMD (✓ MAP) - North / East / West
> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
≤ 0.24 cfs/5 acres - No MD
WMD Supplemental use - 065-079 (if GW use SW 1st-statewide) (cannot move SW off)
> 0.24 cfs/5 acres - 01M (report when notified)
≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that *doesn't sink* is regulated):

FISH & GAME CONTACTED: - Yes / No; WHEN: _____ RESPONSE: _____

IN/ABOVE MIN. STR. FLOW (✓ MAP) - *WB9

WD (✓ MAP & LISTING) - R04 (WD # _____)
> 0.10 cfs - 01J-P08 (MD & LD)
≤ 0.10 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP) - 067 or No MD (in-stream stock or power)
≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
≤ 0.24 cfs/5 acres - No MD
In-stream dev. - P52 (stream channel alteration)

RIVER BASINS: (*Surface water):

Snake R (01) - *W22-P04, NA
(02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
Payette R(65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
Salmon R (70's) - 029 (fish screens), NA
Weiser R (67) - 086, 087

USE:

Storage (✓ 3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA
~~18C~~ ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
> 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
Stockwater - R37 (BLM/USFS); NA
Mining - 054(req) - 081-P10
Fish Propagation - 029(70's only) - 007-042(req) - 081 (WQ) - P10
Heating/Cooling - R07 (injection well)
Power - 17H/17K(+uses) - 08A-025(P18) - 01N-028-081(P10) - 027 (if no other cons. use);
17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18
Municipal - 022, 075, 004 (+memo?), NA (not in restricted area)
Domestic surface - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
>1 in rest. area - ~~071-072~~
Fire Protection - 077

LOCATION:

Boise Front LoGeo - 058 (<85° GW temp only)
Mitigation - 120
42-248 area - P84 (in 20/30/40/50/60/70/80 (87) basin)
SWAN FALLS FLAG (See Code Chart) - 1
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust (1) - 048-049 (Consumptive Uses), NA
OWNERSHIP: - 004 (PD/PU)

OTHER CONDITIONS: _____

STANDARD REMARKS: ① w32 ② w01/1644 ③ River view Villa M.H. Park

BENEFICIAL USE DUE: 2/1/2000

COMMENTS: _____

RECEIVED

JAN 08 1999

DEPARTMENT OF WATER RESOURCES

Form No. 202
4/87

RECEIVED

JAN 08 1999

Department of Water Resources

Dist. for staffing

Submitted for advertising

12-7-98

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS PERMIT

BROWN

INITIAL REVIEW BY HWT DATE 12-7-98 APPLICATION NO. 35-09072

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 subdivisions, 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 Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
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

☒ Idaho Dept. of Health & Welfare, *12/9/98* *mailed* U.S. BLM
☐ Idaho Dept. of Fish & Game U.S. Forest Service
☐ Idaho Dept. of Lands Water District
☐ Adjudication Bureau Unit Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ 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 Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below.

Date of priority recommended 12-7-1998
By: [Signature] Date: 1-5-1999
STATE OFFICE REVIEW

By _____ Date: _____
ADDITIONAL INFORMATION

Same pd as License 35-08015

LOCAL PUBLIC INTEREST

Comments received from

_____ City	_____ Idaho Fish & Game	_____ Irrigation Dist.
_____ County	_____ Idaho Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. of Environment	_____ Other _____

Project impacts/implications report

COMMENTS

[illegible]

Dept. of Water Resources
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718
(208) 525-7161
Fax: (208) 525-7177

**NOTICE OF APPLICATION
FOR TRUST WATER RIGHT**

Brown, Patricia
BROWN LIVING TRUST, Jack C.
525 Polk Street
American Falls, Idaho 83211
Source: GROUNDWATER
Diversion Pt: Lot 1(SESE) Sec. 32, T. 02S,
R. 35E, in Bingham County.
Use: DOMESTIC (0.180 CFS)
Total Diversion: (0.180 CFS)
Date Filed: 12/7/1998
In: Bingham County
T02S, R35E, S32, Lot 2 (SWSE), Lot 1
(SESE).

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, 900 N. Skyline Drive, Idaho Falls, Idaho, 83402, on or before January 4, 1999.

KARL J. DREHER, Director

(3989)

Pub: 12/7/98

MICROFILMED

FEB 04 1999

RECEIVED

DEC 31 1998

Department of Water Resources
Eastern Region

**AFFIDAVIT OF
PUBLICATION**

County of Bingham)

ss

State of Idaho)

I, Jacqueline Graham do solemnly swear that I am the Legal Coordinator of The Morning News, which is a daily newspaper of general circulation, published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue of said newspaper 2 consecutive Weeks the first publication having been made on the 17th day of Dec 1998; and the last publication having been made on the 24th day of Dec 1998; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published, in the newspaper and not in a supplement.

Jacqueline Graham

On this 24th day of Dec, in the year of 1998, before me a Notary Public of the State, personally appeared Jacqueline Graham, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me the first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:
June 19, 2004

Affidavit Processing Fee.....\$5.00



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DECEMBER 8, 1998

Legal Notices Department
THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

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.

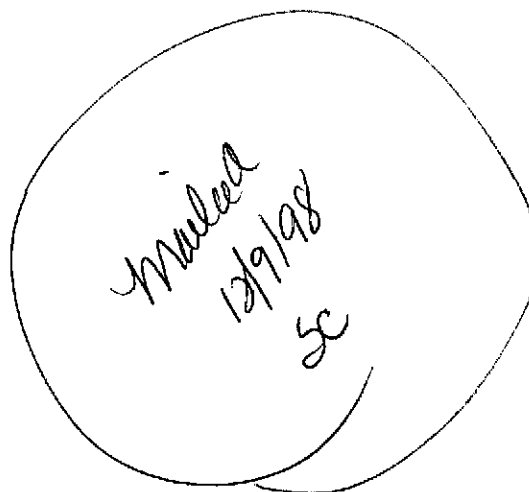
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 4, 1999.

Yours truly,

Sharla Cox
Secretary

Encl.



MICROFILMED

FEB 04 1999

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

35-09072

BROWN, PATRICIA
BROWN LIVING TRUST, JACK C
525 POLK ST
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt: LOT 1 (SESE) Sec 32 T 02S R 35E in BINGHAM County.

Use: DOMESTIC (0.180 CFS)
Total Diversion: (0.180 CFS)

Date Filed: 12/ 7/1998

In: BINGHAM County
T02S R35E S32 Lot 2(SWSE) Lot 1(SESE)

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, 900 N. Skyline Dr., Idaho Falls, ID, 83402, on or before JANUARY 4, 1999.

KARL J. DREHER, Director

Published: 12/17/1998 & 12/24/1998

MICROFILMED
FEB 04 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 8, 1998

JACK C OR PATRICIA E BROWN LIVING TRUST
525 POLK ST
AMERICAN FALLS ID 83211

RE: Application for Permit #35-09072

Dear Applicant:

This office is currently in the process of advertising the application in the Morning News on December 17 and 24, 1998. The advertisement will be published once a week 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.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

FEB 04 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 8, 1998

DEPARTMENT OF ENVIRONMENTAL QUALITY
224 S ARTHUR
POCATELLO ID 83204

RE: Application for Permit #35-09072

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 Jan 4, 1999, and we are required to take final action shortly thereafter.

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

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ:sc
enc.

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FEB 04 1999