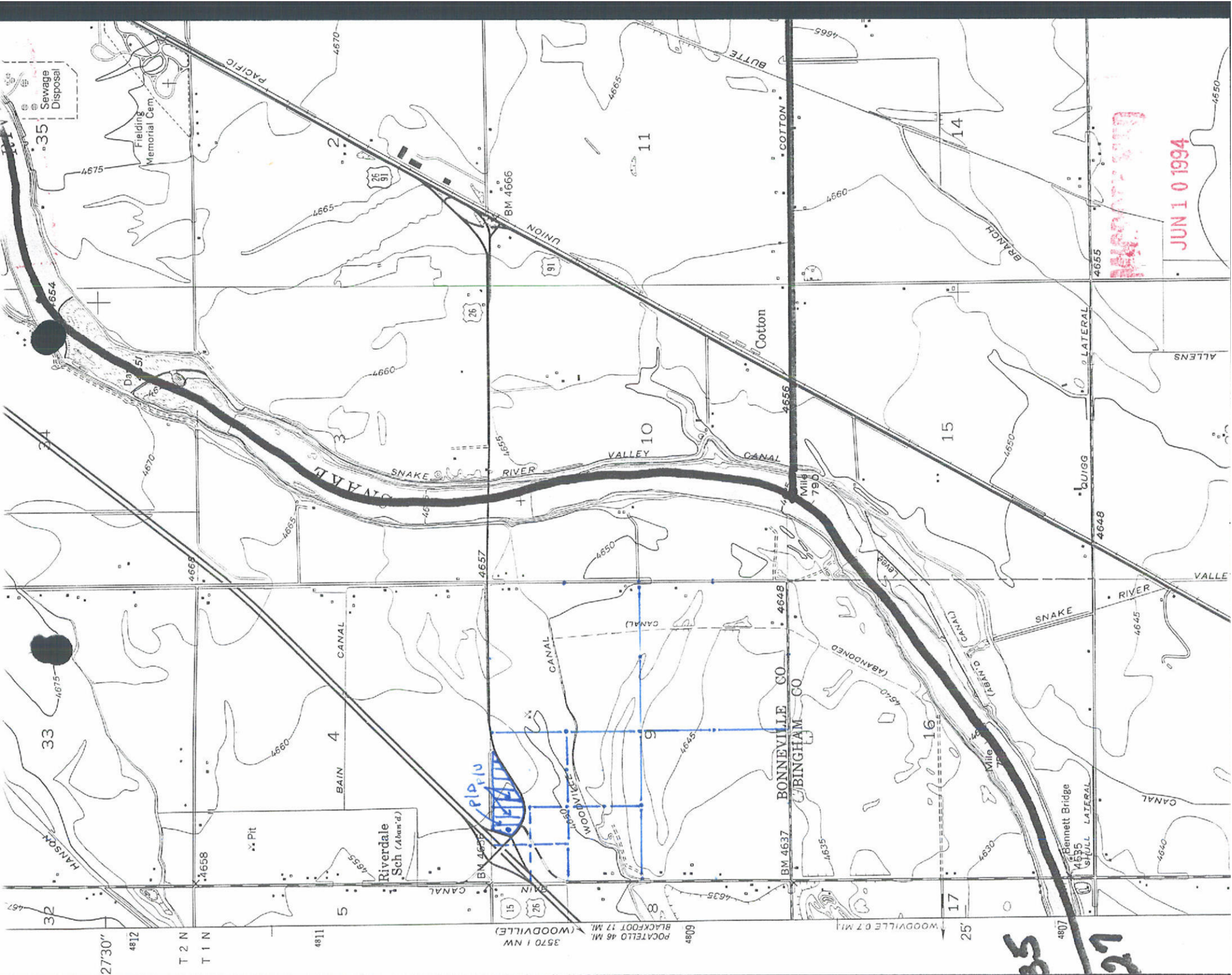




13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Roughs in Andrews Jr
(Applicant)

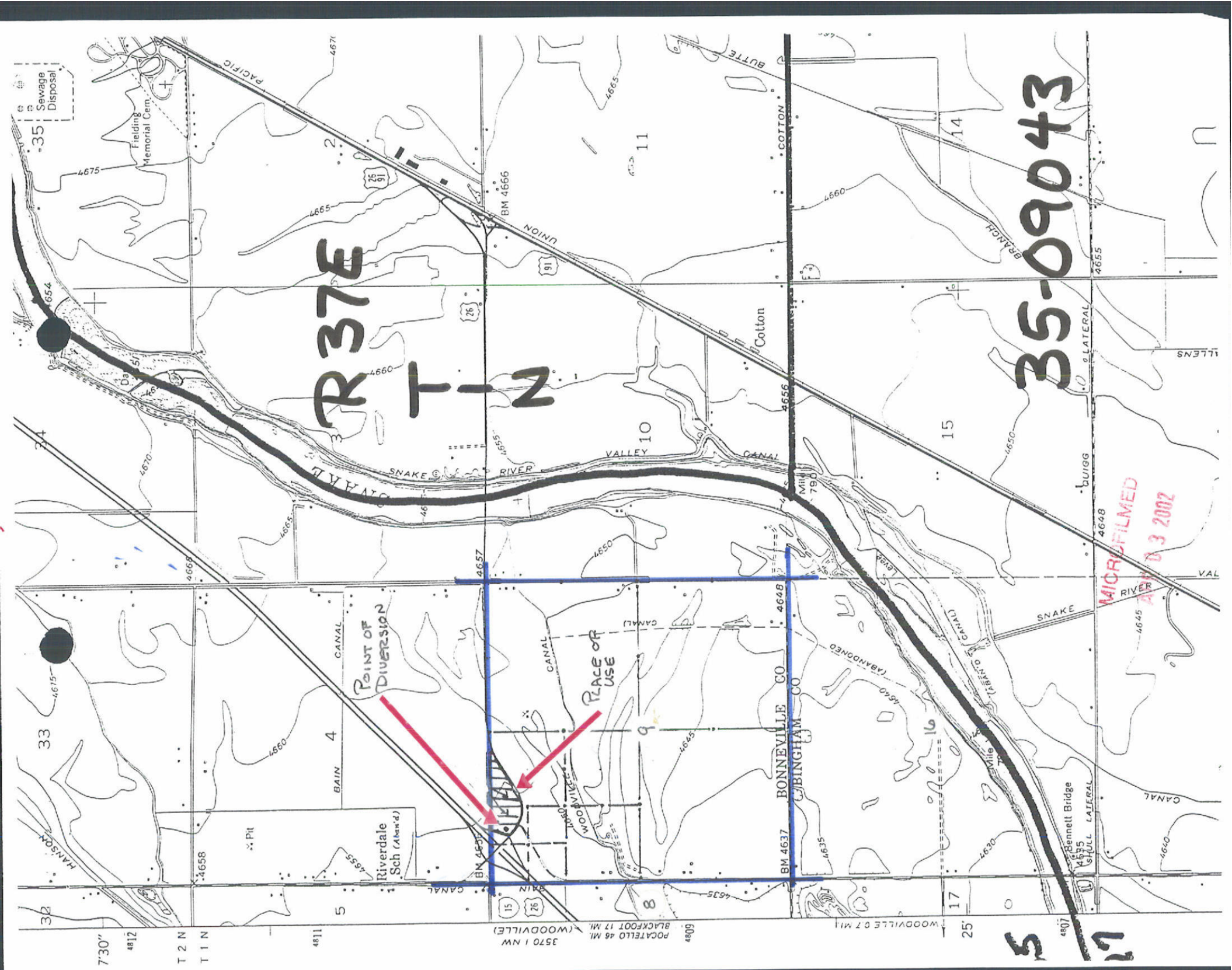
Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Rec	35 13074	WILLIAM JAMES MC CULLOUGH,	GROUND WATER	01N37E9			31	2					15	24	9	37	8	40	31	2	199
Rec	35 2878A	WILLIAM JAMES MC CULLOUGH,	GROUND WATER	01N37E9	8	2	9	32									25		8	14	98
Rec	35 2878B	WILLIAM JAMES MC CULLOUGH,	GROUND WATER	01N37E9				4													4
Rec	35 7396A	WILLIAM JAMES MC CULLOUGH,	GROUND WATER	01N37E9										5	28	2					35
Rec	35 7397A	WILLIAM JAMES MC CULLOUGH,	GROUND WATER	01N37E9	8	2	9	32									25		8	14	98
Right	35 2878	WILLIAM JAMES MC CULLOUGH,	GROUND WATER	01N37E9	8	2	39	38													87
Right	35 7396	WILLIAM JAMES MC CULLOUGH JR.,	GROUND WATER	01N37E9									23	19	38	39					119
Right	35 7397	WILLIAM JAMES MC CULLOUGH,	GROUND WATER	01N37E9													38	40	39	13	130
Right	35 7527	WILLIAM JAMES MC CULLOUGH JR.,	GROUND WATER	01N37E9				2									2				4
Right	35 8628	WILLIAM JAMES MC CULLOUGH,	GROUND WATER	01N37E9			31	2			13	36	40	24	9	37	8	40	31	2	273
Right	1 265A	NEW SWEDEN IRRIGATION DISTRICT,	SNAKE RIVER	01N37E9					X	X	X	X									0
Right	1 265B	NEW SWEDEN IRRIGATION DISTRICT,	SNAKE RIVER	01N37E9					X	X	X	X									0
Right	1 320	NEW SWEDEN IRRIGATION DISTRICT,	SNAKE RIVER	01N37E9																	0

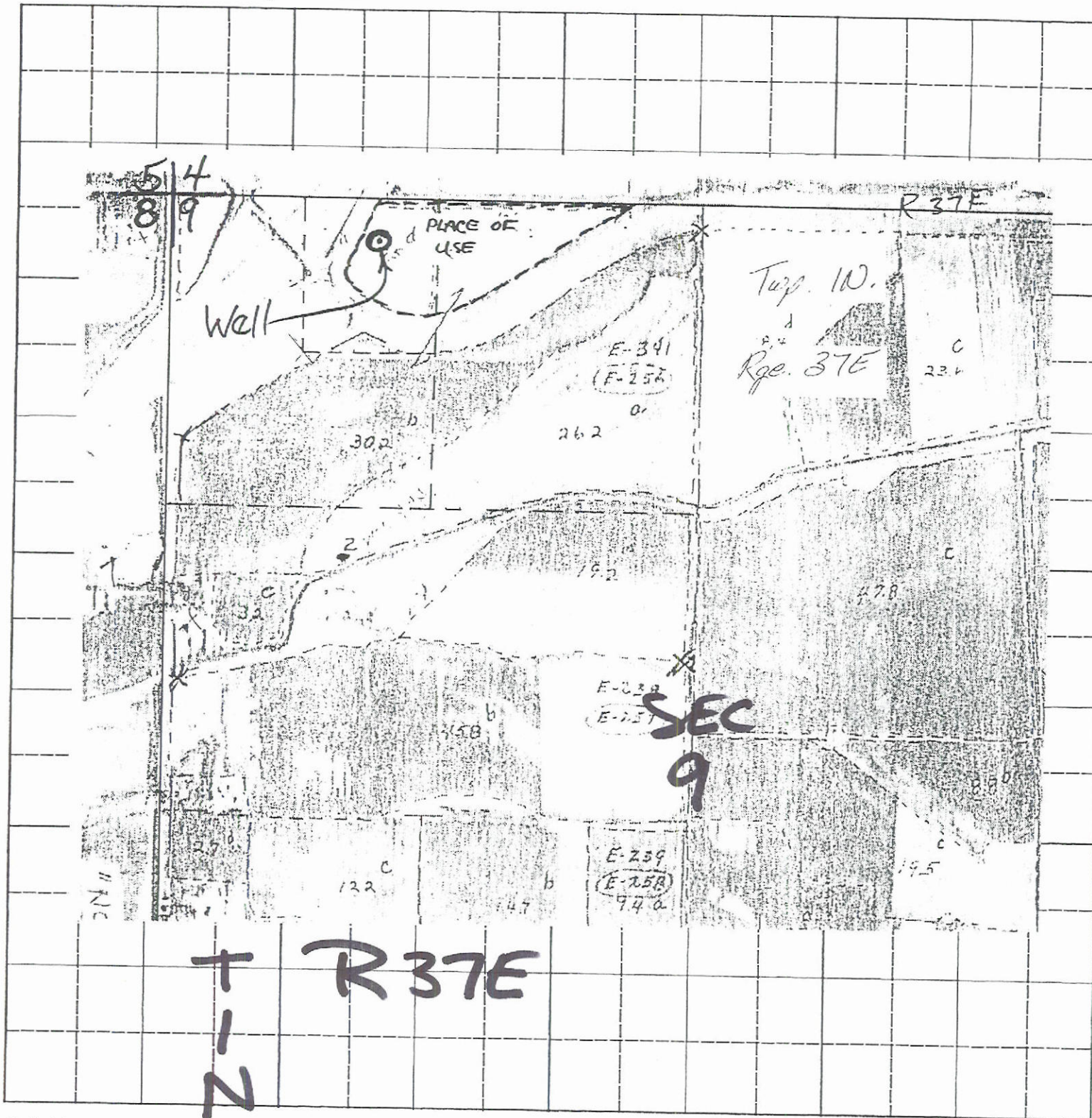


no use from New
Sweden since business
complex went in -
see phone con w/Doug
at 523-1034 3/1/02
kw

MICROFILMED
APR 03 2002



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



Scale: 2 inches equal 1 mile.

35-9043

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

APR 03 2002

Roughs M. Andrews Jr.
(Applicant)



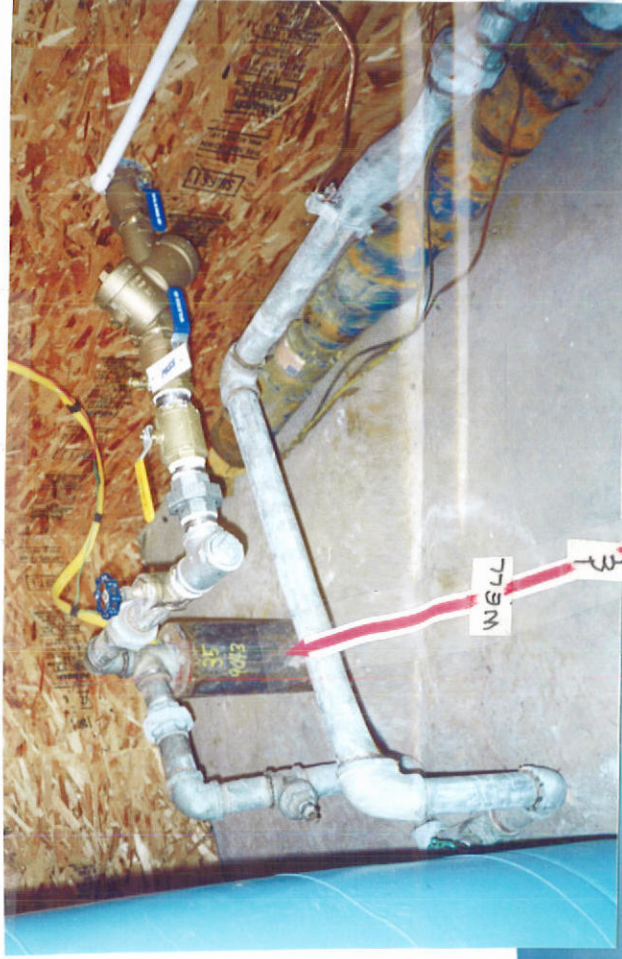
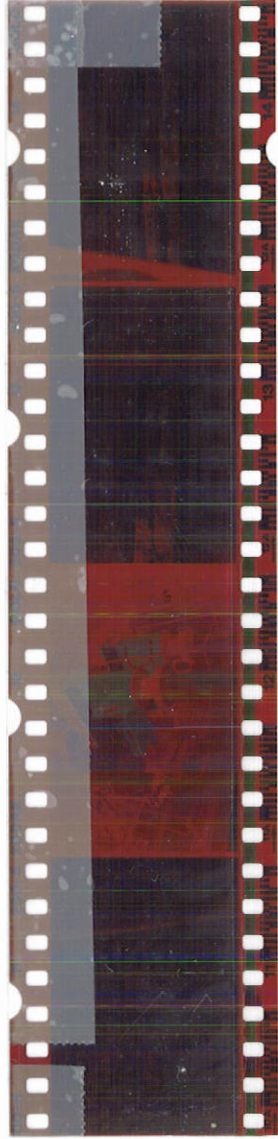
PRESSURE WASH @ TRUCK WASH
RECLAIMED WATER TANK under
FLOOR

MICROFILMED
APR 03 2002

35-09043

state size and quantity of reprints or enlargements in the blocks under desired negatives. Please indicate

KODAK is a trademark.



PLACE OF USE



NOTE: Sprinklers

35-09043

MICROFILMED

APP 0 3 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-09043

Priority: February 16, 1994

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 2.1 AF

It is hereby certified that DOUG ANDRUS DISTRIBUTING INC
1820 W BROADWAY
IDAHO FALLS ID 83404 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 16, 1994; and has
submitted Proof of Beneficial Use on March 08, 1996. An examination indicates that the works have a
diversion capacity of 0.28 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	0.04 CFS	2.1 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9, Twp 01N, Rge 37E, B.M., BONNEVILLE 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	
01N 37E 9					X	X											

CONDITIONS OF APPROVAL

- Domestic use is for restrooms in 3 businesses, maintenance shop and irrigation of lawn surrounding businesses.
- The domestic use authorized under this right shall not exceed 2,500 gallons per day.

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 ST1ST day of MARCH, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED

APR 03 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 08 1996

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 who has been appointed by the department.

1. Permit No. 35-09043 Telephone No. 523-1034 (W)

2. Name(s) of Permit Holder(s): Doug Andrus Distributing Inc.

3. Mailing Address: 1820 W Broadway Idaho Falls, ID 83404

4. Source of Water: groundwater If **GROUNDWATER** (well), Date Drilled: mo. EXISTING / yr. 1

a. Well Driller: _____ Drilling Permit Number: _____

b. **OPTIONAL:**
Pump Horsepower: 25 Hp. Pressure (psi): _____ Dynamic pumping level (ft): _____

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: Maintenance Shop & truck wash

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 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 X

Has the measuring device been installed? Yes _____ or No X

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No X

Has the measurement port been installed? Yes _____ or No X

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: Doug Andrus Telephone Number: 523-1034

Address: 1820 W. Broadway, Idaho Falls, ID 83404

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

MAR 28 1996

Signature of permit holder: Doug Andrus Date: 3/6/96
(include your title, if on behalf of company or organization)

RECEIVED
MAR 13 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

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

Permit No. 35-09043

Name(s) of Permit Holder: DOUG ANDRUS DISTRIBUTING INC.

Mailing Address: 1820 W BROADWAY IDAHO FALLS ID 83404

Date Proof is Due: MAY 1, 1995 Telephone No. _____

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

We are beginning the process of developing the property for our business. The actual building to be constructed won't start till May or June. Costing \$ _____

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

The building of our business on this property required obtaining an access permit to change the original way of entering the property. State approval was granted but there was a length of time required.
Permit holder(s) request an extension to May 1, 1996

FEE: \$50.00

(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MAR 23 1995

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to May 1, 1996.

Signed this 17th day of March, 19 95

J. Glen Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-09043

Proposed Priority: February 16, 1994 Maximum Diversion Rate: 0.04 CFS

This is to certify, that DOUG ANDRUS DISTRIBUTING INC
1820 W BROADWAY
IDHAO FALLS ID 83404

has applied for a permit to appropriate water from: GROUNDWATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: NENWNW , Sec. 9, Township 01N, Range 37E
BONNEVILLE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

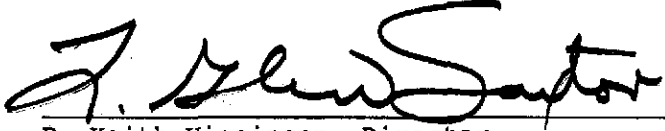
01N 37E 9 NENW NWNW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1995.
2. Subject to all prior water rights.
3. Domestic use is for restrooms and maintenance shop.

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

25th day of May, 1994.

for

R. Keith Higginson, Director

MICROFILMED

JUN 10 1994

RECEIVED
APR 25 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 35-9043

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant DOUG ANDRUS DISTRIBUTING, INC. Phone 208-523-1034
Post office address 1820 W. BROADWAY IDAHO FALLS ID 83404

2. Source of water supply GROUNDWATER which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 9 Township 1N. Range 37E B.M. BOONEVILLE County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 cfs. for DOMESTIC purposes from JAN 1 to DEC 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)

5. Total quantity to be appropriated is (a) 0.04 cfs. and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. EXISTING WELL & DISTRIBUTION
SYSTEM.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 8" inches; proposed depth of well is 115-120 feet.

d. Is ground water with a temperature of greater than 85°F being sought? NO.

e. If well is already drilled, when? 1985?; Drilling firm UNKNOWN.

Well was drilled for (well owner) UNKNOWN.

7. Time required for the completion of the works and application of the water to be proposed beneficial use is
ONE. years (minimum 1 year).

JUN 10 1994

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. CULINARY SERVICE TO RESTROOMS IN
- e. Other; describe fully. OFFICES & USE IN MAINTENANCE SHOP.

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
IN	37E	9					D	D											

Total number of acres to be irrigated _____

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

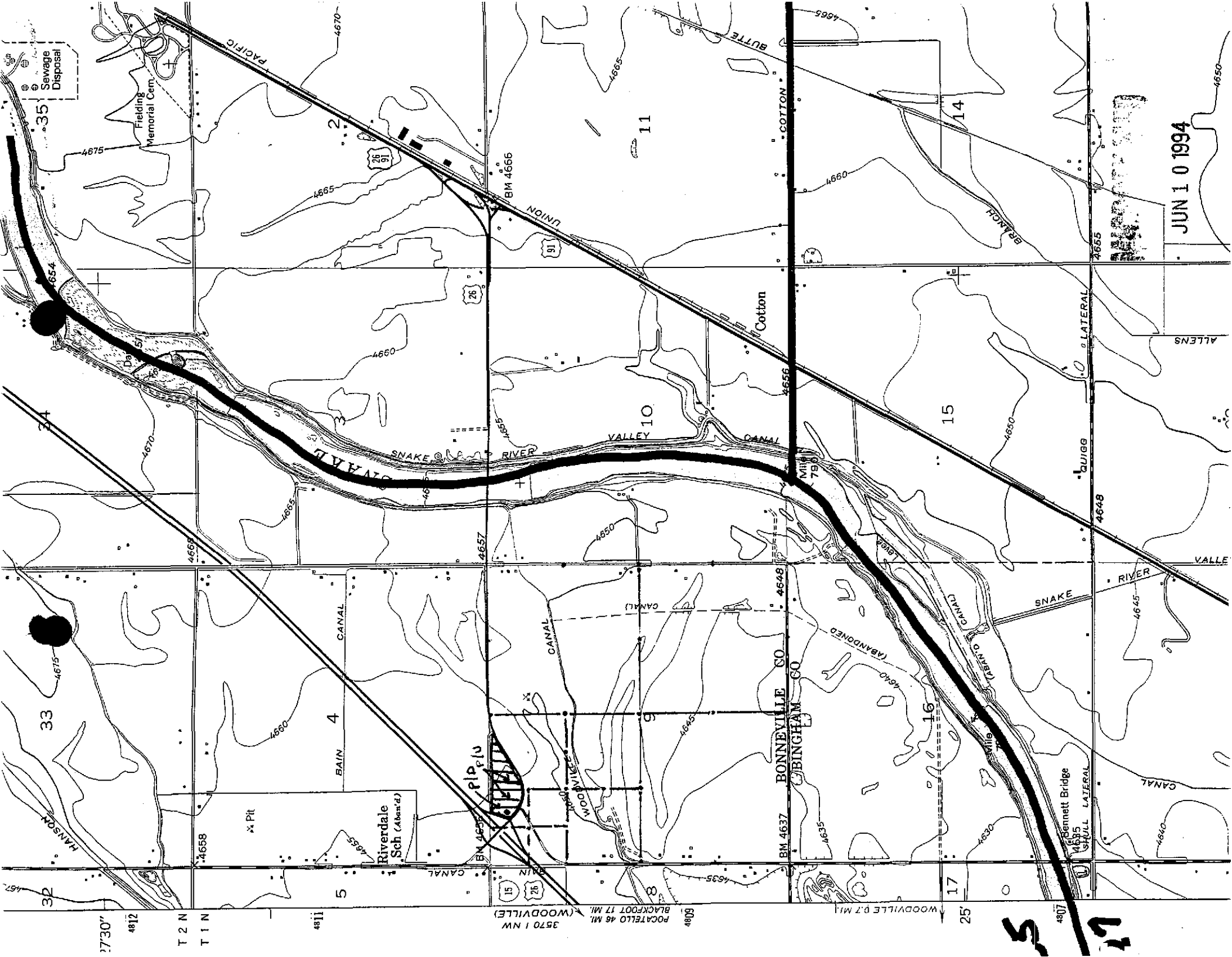
11. a. Who owns the property at the point of diversion? APPLICANT

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

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

12. Remarks: DAILY USE WILL NOT EXCEED 2500 gal/day.

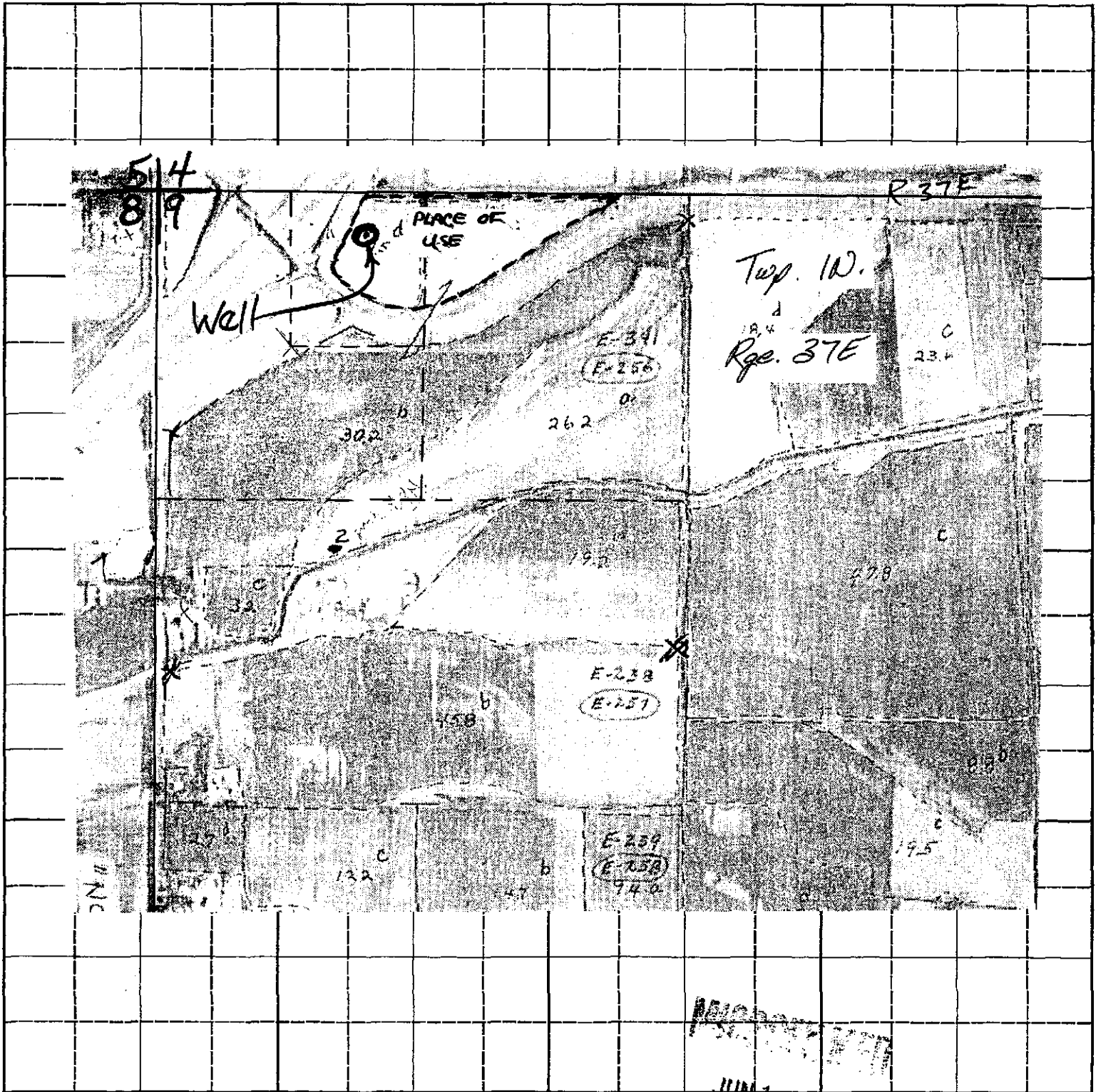
JUN 10 1994



JUN 10 1994

5
17

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



Scale: 2 inches equal 1 mile.

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

Rouge M. Anderson
(Applicant)

Received by RB Date 2-16-94 Time _____ Preliminary check by _____
Fee \$ 30 Receipted by RB # E019505 Date 2-16-94
Publication prepared by RB Date 3-17-94 Published in Past-Register
Publication approved RB Date 4-11-94

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

e. Other:

RECEIVED

JUN 10 1994



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

March 4, 2002

DOUG ANDRUS DISTRIBUTING INC
1820 W BROADWAY
IDAHO FALLS ID 83404

RE: License No. 35-9043 - 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

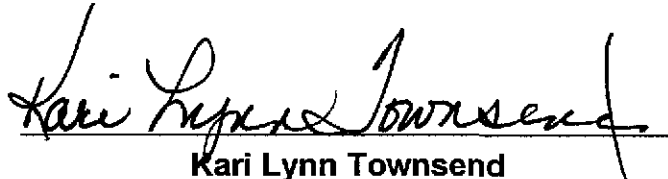
APR 03 2002

CERTIFICATE OF SERVICE

I hereby certify that on March 4, 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. 35-9043

**DOUG ANDRUS DISTRIBUTING INC
1820 W BROADWAY
IDAHO FALLS ID 83404**


Kari Lynn Townsend
Secretary

MICROFILMED

APR 03 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
APR 03 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.

MICROFILMED
APR 03 2002

LICENSE REVIEW CHECKLIST

Permit No. 35-9043 Date: 2-22-02 Reviewer: Kay Walker

Change/OK

Name/Address ok

Source ok
Point of Diversion: ok

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use ok

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): none
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.04 cfs
Fee Limit 0.20 cfs
Measured _____ cfs
Theoretical 0.28 cfs

Recommended Total Diversion Rate 0.04

Water Uses ok

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic 0.04 cfs 2.1 af
_____ cfs _____ af
_____ cfs _____ af
Total 0.04 cfs 2.1 af

~~Irrigation~~ - overlap(R58-R61, R62-R65, R66-R69)
~~supp. Gw~~ (WB7/065/104)
~~overlap spec combined rts~~ (W35)
~~<1 acre~~ (W31)
~~Domestic~~ (W01/wb5/070/071/075)
~~Power~~ (W42 or W43/025/027/R22 or R23)
~~Fish~~ (042)
~~Fire~~ (077)
~~Water Quality~~ (106/R07)
~~Payette~~ - (W22/047/27A)
~~Stockwater for US~~ (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: _____

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? NO - not req'd

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

[illegible]

no we from New
Sweden since business
complex went in -
see phone con w/Doug
at 523-1034 3/1/02
ku

MICROFILMED
APR 03 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

[Handwritten: 11-1-10]
[Handwritten: 11-1-10]
[Handwritten: 11-1-10]

A. GENERAL INFORMATION

Permit No. 35-09043

1. Owner: DOUG ANDRUS DISTRIBUTING INC Phone No. 523-1034

Current Address: 1820 W BROADWAY, IDAHO FALLS, ID. 83404

2. Accompanied by: SHAWN LEZHINGTON EXAM DATE: 5-19-1998

Address: 4527 ANDCO DR, IDAHO FALLS, ID 83402 Phone No. 521-4043

Relationship to Permit Holder: MANAGER (The Truck Wash)

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. 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
			NW	NW	9	1N	37E	Bonneville	On Site / USGS QUAD

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	
1N	37E	9					D	D											

MICROFILMED

APR 03 2002

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
	FRANKLIN ELECTRIC	10	MODEL # 2366529020		

*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: Pump Pressure 40 - 70 psi

MICROFILMED

APR 03 2002

E. NARRATIVE/REMARKS/COMMENTS

Well pump mainline to three (3) businesses:

Idaho Falls Peterbilt, 4490 Andco Dr (18 employees)

ANDCO, 4530 Andco Dr (1 employee)

THE TRUCK WASH, 4527 Andco Dr (8 employees)

Idaho Falls Peterbilt & Andco use water only for bathroom facilities

The Truck Wash - uses ~~reclaimed~~ reclaimed water to wash trucks
fresh water used only for rinse and bathroom facilities for employees

Hours of operation:

The Truck Wash - 0700 - 2200 hrs Mon-Fri

0700 - 1700 hrs Sat

IRRIGATION AROUND all three businesses accomplished with 95 (30 ft
nozzles) T40 Rainbird sprinklers. Sprinklers set up to run in sets.

Approximate width of IRRIGATION $\approx 20'$ Spacing between sprinklers

~~20~~ 25-35'

$$\text{IRRIGATION } \left(\frac{15}{20} \times \frac{1097 \text{ (ft)}}{43560} \right) = 16455 \text{ ft}^2 / 43560 = 0.4 \text{ ac}$$

MICROFILMED

Have conditions of permit approval been met? APR 03 2002 yes no

THEORETICAL PUMP FLOW CALCULATIONS

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

Hp = Horsepower = 10

Eff. = Efficiency = 70% (Usually 70.0%)

Lift = Static Water Level + Draw down

Static Water Level = 120 ft.

Assumed Draw down = 20 ft.

Lift = 140 ft.

OR

Measured Dynamic Water Level = _____ ft.

Psi = Operating Pressure = 35 psi

$$Q_{cfs} = [\frac{10}{HP} \times 8.814 \times \frac{0.70}{EFF}] \div [\frac{140}{LIFT} + (\frac{35}{PSI} \times 2.308)]$$

$$= [61.698] \div [220.78]$$

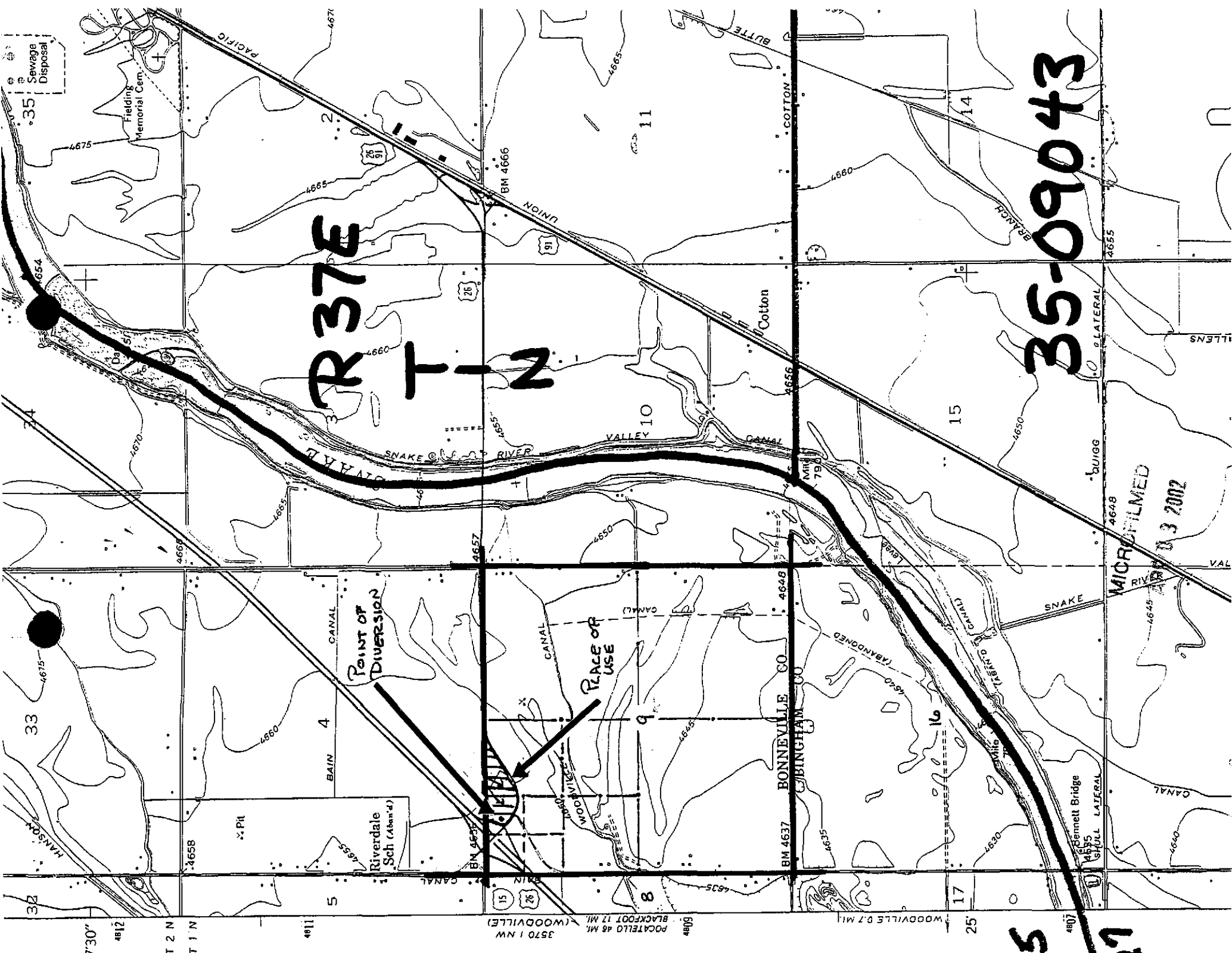
op / $Q_{cfs} = \underline{0.28} \text{ cfs}$

35-9043

Permit Number

MICROFILMED

APR 03 2002



R 37 E
T - 2

35-09043

MICROFILMED
JUN 3 2002

5
17

54
89

Well

PLACE OF USE

Twp. 10N.
Rge. 37E

E-341
(E-256)

30.2
26.2
19.2

23.4

E-238
(E-257)

SEC 9

E-239
(E-258)
74.0

13.2
19.5

T
-
N

R 37E

35-9043

APR 03 2002

Rouge in Underage
(Applicant)

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Depth	Time

By whom? _____

Water Quality (odor, etc.) _____

Bottom Hole Temperature _____

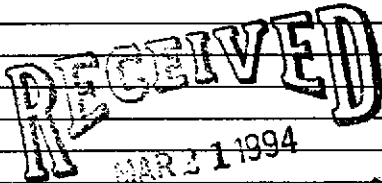
120 ft. below surface Depth artesian flow found

Artesian pressure _____ lb. Describe access port _____

Describe Controlling Devices: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	GPM	SW
8	0	4	Overburden		
	4	11	Gravel & Soil		
	11	22	Gravel & Sand		
	22	25	Clay		
	25	69	Basalt		
	69	83	Clay		
	83	160	Basalt + w/ fractures		
	160	165	Broken		
	165	189	Clay		
	189	195	Basalt		
	195	196	Clay		
	196	200	Basalt		



RECEIVED
MAR 1 1994
Department of Water Resources
Eastern District Office

Address of Well Site _____

(Give at least Direction + Distance to Road or Landmark)

Lot No. 3 Block No. 1 Subd. Name Com Dev Co

4. PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Burkrite	0	22	25 ⁰⁰	Overbore

Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Casting	Liner	Steel	Plastic	Welded	Threaded
8	+2	2.5	24.4			☒	☐	☐	☐
6	21	191	250			☒	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐

Final location of shoes _____

Top Packer or Headpipe _____ Bottom Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____

☐ Screens Type _____ Material _____

From	To	Slot Size	Number	Diameter	Tube/Pipe Size	Casting	Linear
						☐	☐
						☐	☐
						☐	☐
						☐	☐
						☐	☐

APR 03 2002

13. DRILLER'S CERTIFICATION

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

Firm Name Benning Drilling Firm No. 577

Firm Official Jack Downing Date 2/25/94

and

Supervisor or Operator 259013 Date 11/1/83

(Signature) _____ Firm Official & Operator

FORWARD WHITE COPY TO WATER RESOURCES



PRESSURE WASH @ TRUCK WASH
RECLAIMED WATER TANK UNDER
FLOOR

MICROFILMED

APR 03 2002

35-09043



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 19, 1996

Doug Andrus Distributing, Inc.
1820 N Broadway
Idaho Falls, ID 83404

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 35-09043

Dear Permit Holder:

The Department is in receipt of the proof of beneficial use statement and the \$50.00 license examination fee filed in connection with the above referenced permit.

Your proof statement indicates a rate of diversion of 0.04 cfs from a ground water source, however, if you are diverting 0.04 cfs or less from a ground water source you are exempt from paying the license examination fee. Therefore, I have initiated the process to refund the \$50.00 exam fee submitted. The refund process takes approximately seven (7) to ten (10) days and will arrive under separate cover.

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.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

C: IDWR - Region, Fiscal

MAR 28 1996

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 35-09043 Reviewed by [Signature] Date 3-15-96

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

 Surface water source
✓ Ground water source
no Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

no Required?
50- Amount Submitted
no Correct?
no Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Refund 50- lic. exam fee
Proof acceptable

DATA ENTRY

New Address X Proof Made 3-8-96

February 28, 1996

DOUG ANDRUS DISTRIBUTING INC
1820 W BROADWAY
IDAHO FALLS ID 83404

PROOF DUE NOTICE

RE: PERMIT NO. 35-09043

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 May 1, 1996.

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

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

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

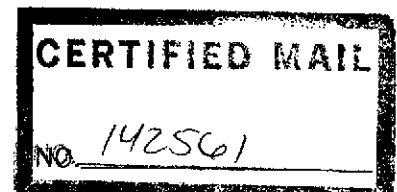
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

MAR 28 1996





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 17, 1995

Doug Andrus Distributing Inc.
1820 W. Broadway
Idaho Falls, ID 83404

RE: Permit No. 35-09043

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to **May 1, 1996**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

MICROFILMED

MAR 23 1995

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 35-09043 Reviewed by Jay Date 3-17-95

BASIC INFORMATION

3-13-95 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Recommend extend to may 1, 1996, on basis of due diligence.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X
Change Proof Due Date 5-1-96
Change Priority Date X

February 28, 1995

DOUG ANDRUS DISTRIBUTING INC
1820 W BROADWAY
IDAHO FALLS ID 83404

PROOF DUE NOTICE

RE: PERMIT NO. 35-09043

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 May 1, 1995.

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

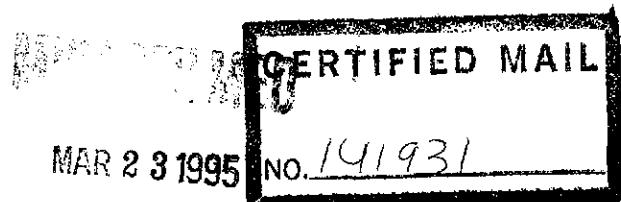
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 26, 1994

DOUG ANDRUS DISTRIBUTING INC
1820 W BROADWAY
IDAHO FALLS ID 83404

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-09043

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

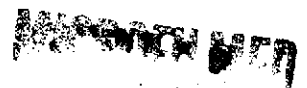
Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures



JUN 10 1994

by Cindy Zimmerman

COMMENTS: - DMOR Ex & Tw Ex (2) Div. Sec.

ok to advertise

Dist. for staffing 2-17-94
Submitted for advertising 2-17-94

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWT DATE 2-17-94 APPLICATION NO. _____
Doug Andrus Distributing, Inc.
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 signator 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
- _____ Yes ☐ No ☐ 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.)

RECEIVED
APR 25 1994

Department of Water Resources

See reverse side for additional information
*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

SEND COPIES TO _____ Idaho Dept. of Health & Welfare _____ U.S. BLM
None _____ Idaho Dept. of Fish & Game _____ U.S. Forest Service
 _____ Idaho 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.

☒	☐	No	Publication dates & paper, recorded on application
☐	☒	No	Protests received
			Final date for protest _____
☒	☐	No	Protests, dates, resolution of protest, recorded on application
☐	☐	No	Recommendations, attached
☐	☐	No	Measuring device required
☐	☐	No	Access port required
☐	☐	No	Will water be delivered by watermaster? If yes, what Dist. _____
☐	☐	No	Special conditions of approval or cover letter below.

Date of priority recommended 2-16-94
By HWT Dat

By _____ Date _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other _____

Project impacts/implications report

COMMENTS

[illegible]

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss

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

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for Two consecutive weeks, first publication having been made on the 17th day of March, 1994, last publication having been made on the 24th day of March, 1994, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 30th day of March, 1994.

Jed Delezene
Jessie Magnus
Notary Public

My commission expires July 1, 1997.

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

35-09043

DOUG ANDRUS DISTRIBUTING INC
1820 W BROADWAY
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversion Pt: NENWNW Sec 9 T 01N R
37E in BONNEVILLE County.
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 2/16/1994
In: BONNEVILLE County
T01N R37E S09 NENW NWNW

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources,

Statehouse Mail, Boise, Idaho 83720 on or before APRIL 4, 1994.

R. Keith Higginson, Director
Published: March 17, 24, 1994

MAILED

JUN 10 1994

B10

10-Mar-1994

DOUG ANDRUS DIST INC
1820 W BROADWAY
IDAHO FALLS ID 83404

RE: Application No. 35-09043

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Post Register on 3-17 & 24-94. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,


Harold W. Jones *rb*
Water Right Supervisor

HWJ:rb

JUN 10 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
900 N Skyline

Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 10, 1994

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before APRIL 4, 1994.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

JUN 10 1994

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

JUN 10 1994

35-09043

DOUG ANDRUS DISTRIBUTING INC
1820 W BROADWAY
IDHAO FALLS, ID 83404

Source: GROUNDWATER

Diversion Pt: NENWNW Sec 9 T 01N R 37E in BONNEVILLE County.

Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 2/16/1994

In: BONNEVILLE County
T01N R37E S09 NENW NWNW

RECORDED
JUN 10 1994

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before APRIL 4, 1994.

R. Keith Higginson, Director

Published: 3/17/1994 & 3/24/1994

APR 1 1994

APR 2 1994