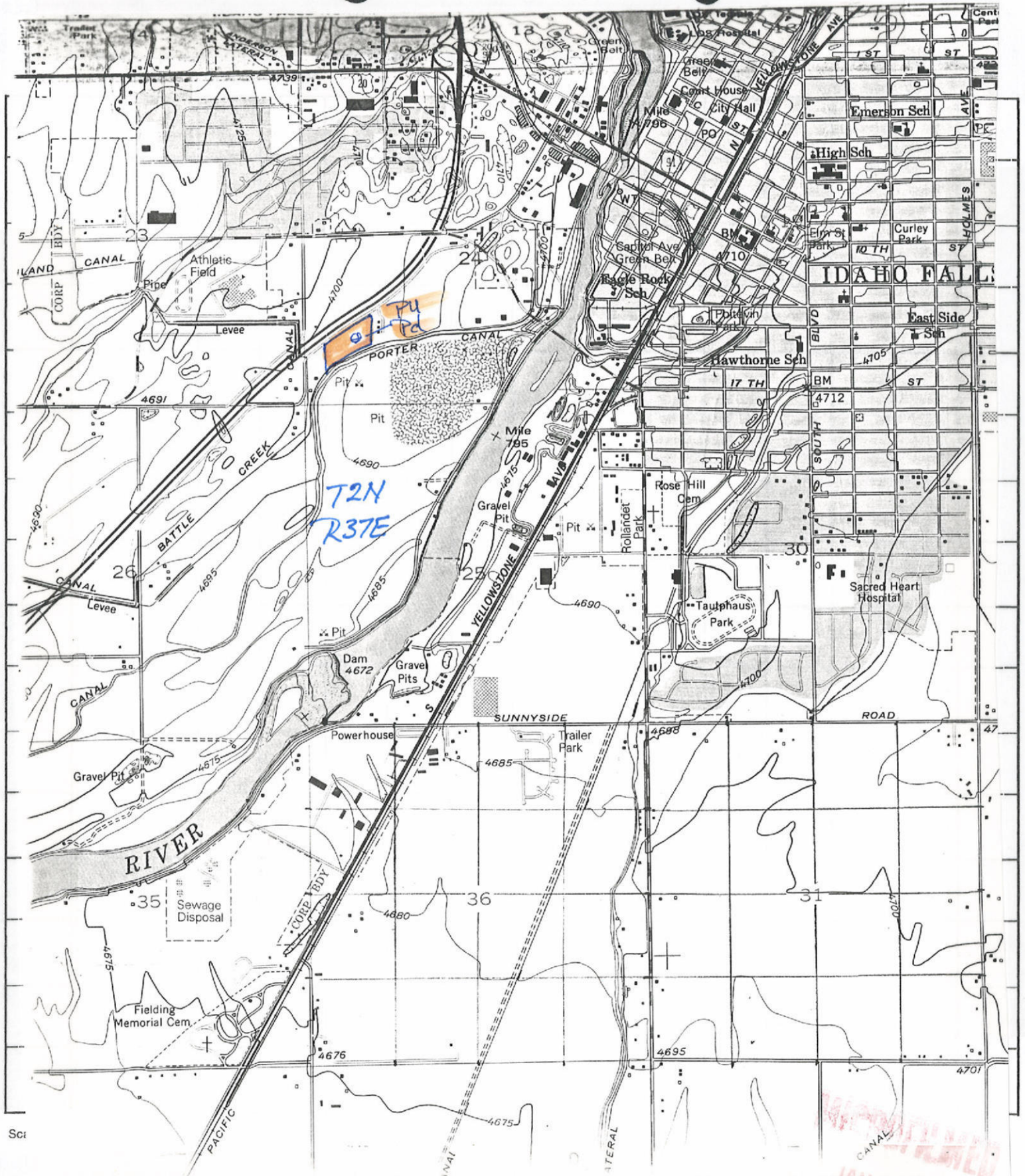




the State of Idaho as herein set forth.

Home O. B. B. B.
(Applicant)

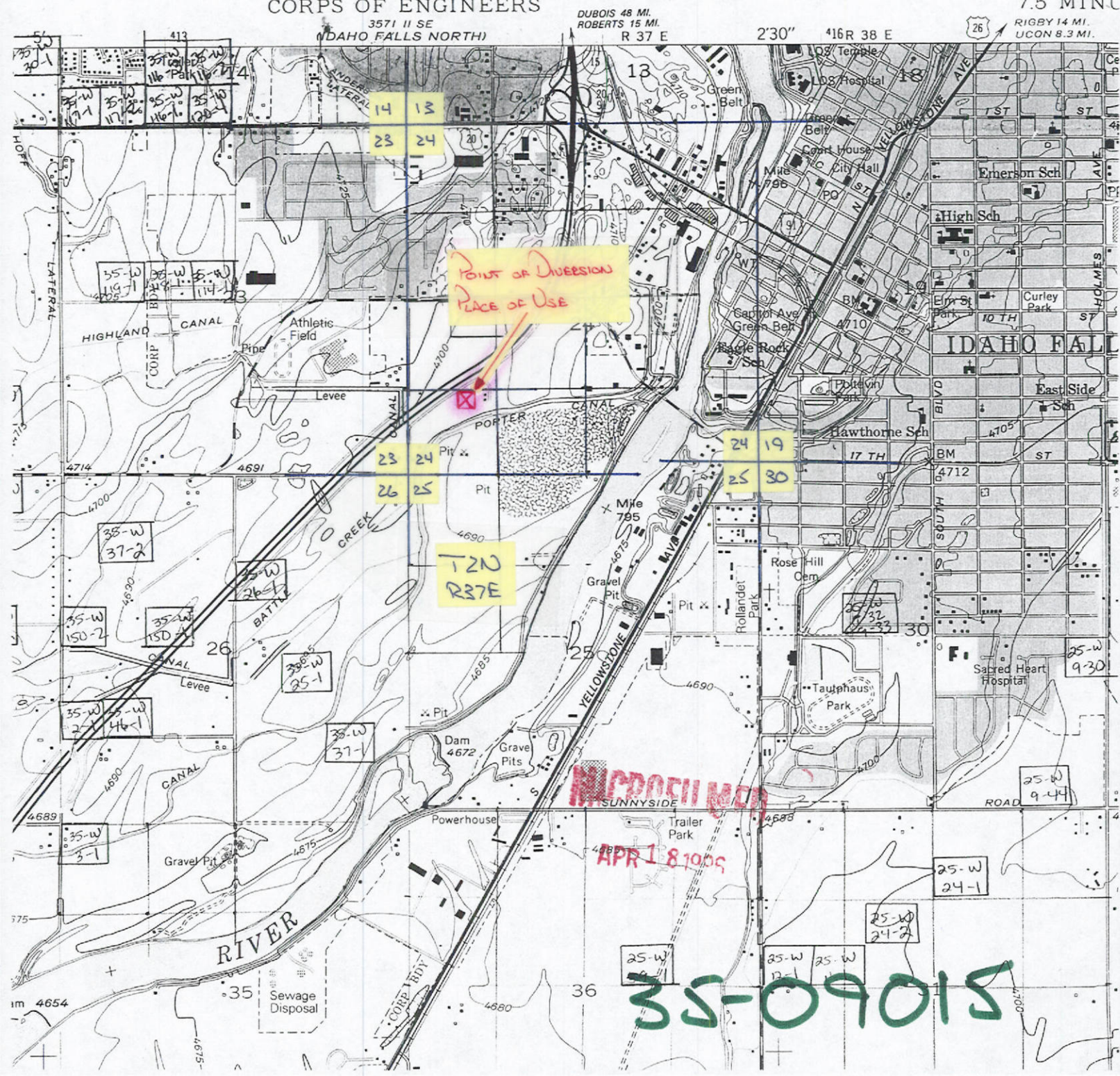
RECORDED
JAN 26 1993

Y-42

UNITED STATES
DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS

IDAHO FALLS

7.5 MIN



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-09015

Priority: October 15, 1992

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that HOMER BIGGERS

1333 S PIONEER RD

IDAHO FALLS ID 83402

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 15, 1992; and has submitted Proof of Beneficial Use on December 20, 1993. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

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

DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
----------	----------------	----------	--------

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 24, Township 02N, Range 37E
BONNEVILLE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

02N 37E 24

SWSW

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. Domestic use is for 1 home.

MICROFILMED

APR 18 1996

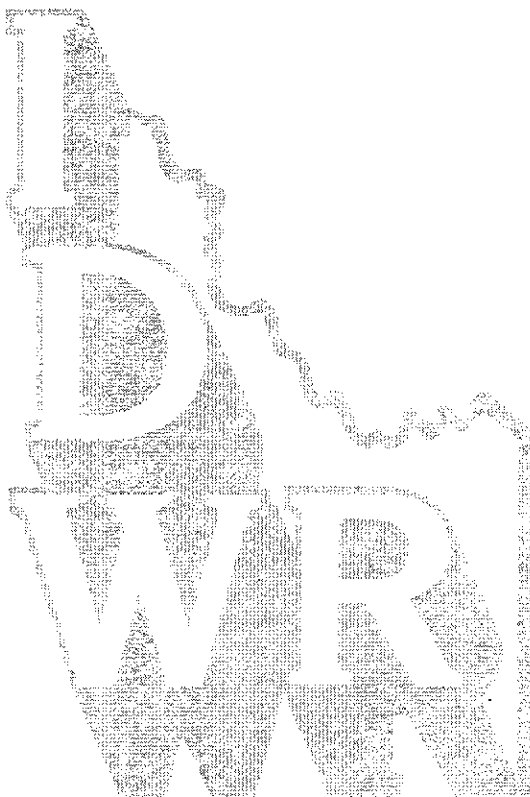
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-09015

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 2ND
day of APRIL, 1996.


Acting for KARL J. DREHER, Director



RECEIVED
APR 18 1996

RECEIVED
DEC 20 1993
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee \$ _____
Date _____
Receipt No. _____
Receipt by _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 35-09015 Telephone No. 208 524-0758
2. Name(s) of Permit Holder(s): Access Controlled Storage, Inc.
3. Mailing Address: 1333 So Pioneer Road, Idaho Falls, ID 83402
4. Source of Water: Ground water
- If GROUNDWATER, Well Driller's Name: Morris Drilling Date Drilled: 6-93

OPTIONAL:

Pump horsepower: 5 Pressure (psi): 40 Dynamic pumping level (ft.): 158

5. Extent of Use (as authorized by the permit):

Domestic (No. of households) Stockwater (No. and type of stock)
Irrigation (No. of acres) Other

6. Total rate and/or volume for which proof is submitted 1.04 cfs OR acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes X No Installed? Yes No

Flow Measurement Port: Required? Yes X No Installed? Yes No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

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

Homer Biggers 208 524 0758
Name Telephone No.
1333 So Pioneer Road Idaho Falls, ID 83402
Address

10. The above information 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.

JAN 11 1994

Dec 16, 1993
Date

Homer Biggers Secretary
Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-09015

Proposed Priority: October 15, 1992 Maximum Diversion Rate: 0.11 CFS
This is to certify, that HOMER BIGGERS

2271 MESA
IDAHO FALLS ID 83401

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	0.11 CFS

LOCATION OF POINT(S) OF DIVERSION: NESWSW , Sec. 24, Township 02N, Range 37E
BONNEVILLE County

PLACE OF USE: DOMESTIC
TWN RGE SEC

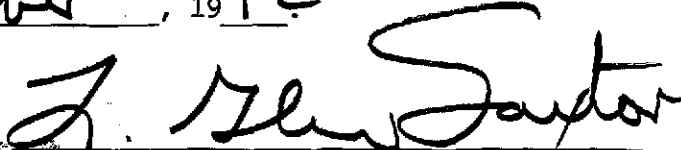
02N 37E 24 SWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1994.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
5. Construction of the well must comply with Idaho well construction standards.
6. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
7. The Director retains jurisdiction of the right and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
8. Domestic use is for 8 office buildings.

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

23rd day of December, 1992


R. Keith Higginson, Director

JAN 26 1993

30⁰⁰

Form 202
6/85

35 9015

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Homer Biggers Phone 208 524 0758
Post office address 2271 Mesa, Idaho Falls, Idaho 83401
2. Source of water supply Ground Water which is a tributary of N/A
3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 24 Township 2 N Range 37 E B.M. Bonnaville County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
.11 cfs
Amount 50 gal/min for Culinary/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) .11 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. well, pump, 2 50 gallon storage tanks for distribution to eight office buildings - (the plat has 8 lots)
 - 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 180' feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

JAN 26 1993

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. Offices - estimated 8
- Other; describe fully. 8 office buildings

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
2N	37E	24												D					

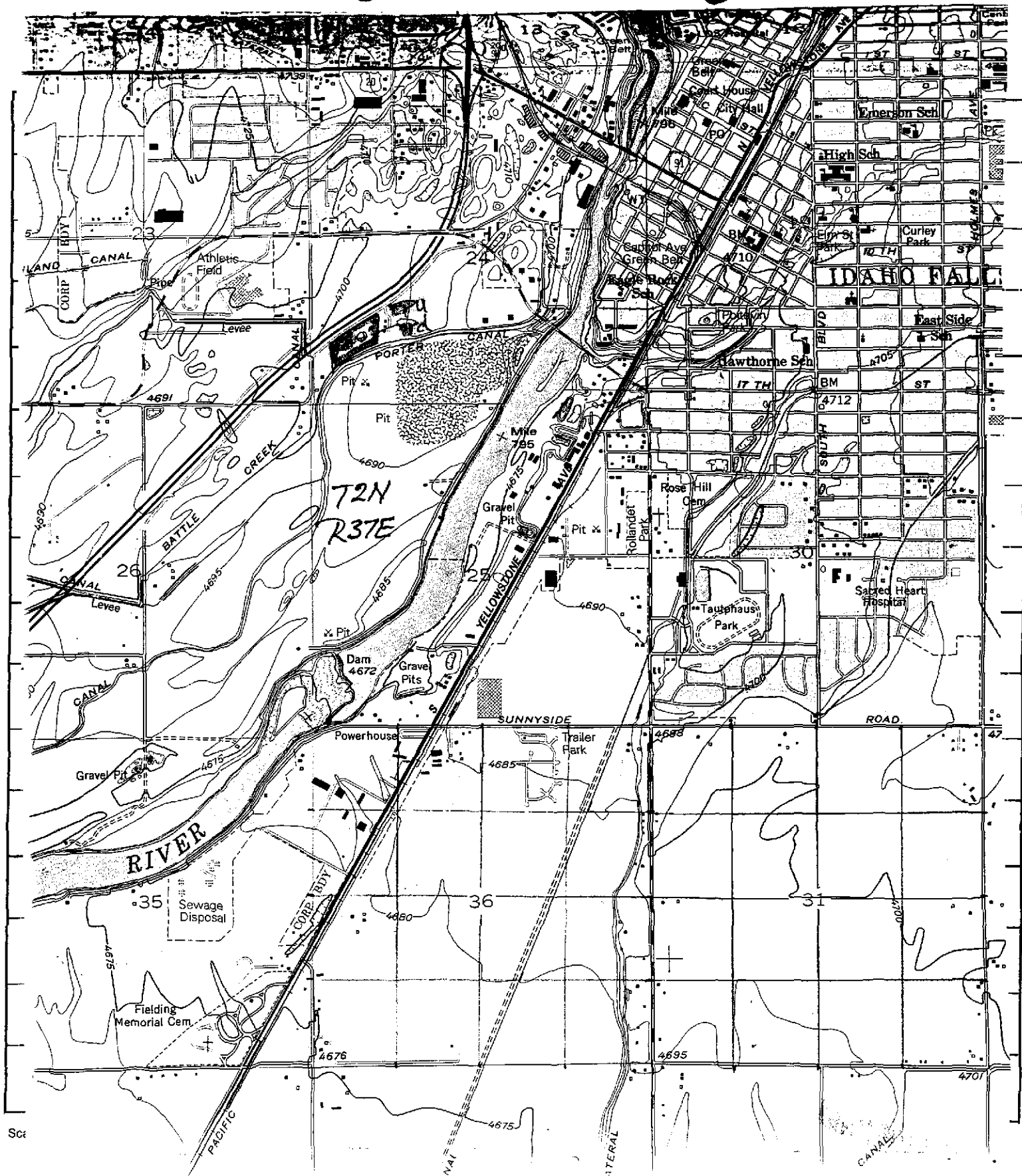
Total number of acres to be irrigated _____

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

- Who owns the property at the point of diversion? Homer Biggers
- Who owns the land to be irrigated or place of use? Homer Biggers
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: The water will be used in restrooms and breakrooms - wastewater will be returned to a septic system(s)

JAN 26 1993



the State of Idaho as herein set forth.

Handwritten Signature
(Applicant)

Received by jg Date 10-15-92 Time 2:54 pm Preliminary check by _____
Fee \$ 30. Received by jg # EO17990 Date 10-15-92
Publication prepared by LB Date 11-19-92 Published in _____
Publication approved LB Date 12-9-92

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:

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JAN 26 1993

Proof of Publication The Post-Register

State of Idaho, }
County of Bonneville } ss

I, S. BOB BRIGHT or TED 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 19th day of November, 1992, last publication having been made on the 26th day of November, 1992, 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 2nd day of December, 1992.

Susan Meghan
Notary Public

My commission expires July 1st, 1997.

B10

NOTICE OF APPLICATION FOR WATER RIGHT

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

35-09015

BIGGERS, HOMER

2271 MESA

IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: NESWSW Sec 24 T 02N R

37E in BONNEVILLE County.

Use: DOMESTIC (.110 CFS)

Total Diversion: (.110 CFS)

Date Filed: 10/15/1992

In: BONNEVILLE County

T02N R37E S24 SWSW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before DECEMBER 7, 1992.

R. KEITH HIGGINSON, Director

Published: November 19, 26, 1992

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NOV 26 1992
88 1992



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

April 2, 1996

HOMER BIGGERS
1333 S PIONEER RD
IDAHO FALLS ID 83402

RE: WATER RIGHT NO. 35-09015

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MICROFILMED

APR 18 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 02 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-09015

1. Owner: ACCESS CONTROLLED STORAGE, INC. Phone No. 523-7867

Current Address: 1333 S PIONEER RD TOSHO FALLS ID 83402

2. Accompanied by: HOWARD BIGGERS EXAM DATE: 8-17-94

Address: — Phone No. 524-0758

Relationship to Permit Holder: OWNER

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
		NE	SW	SW	24	2N	37E	BOONVILLE	USGS, ONSITE

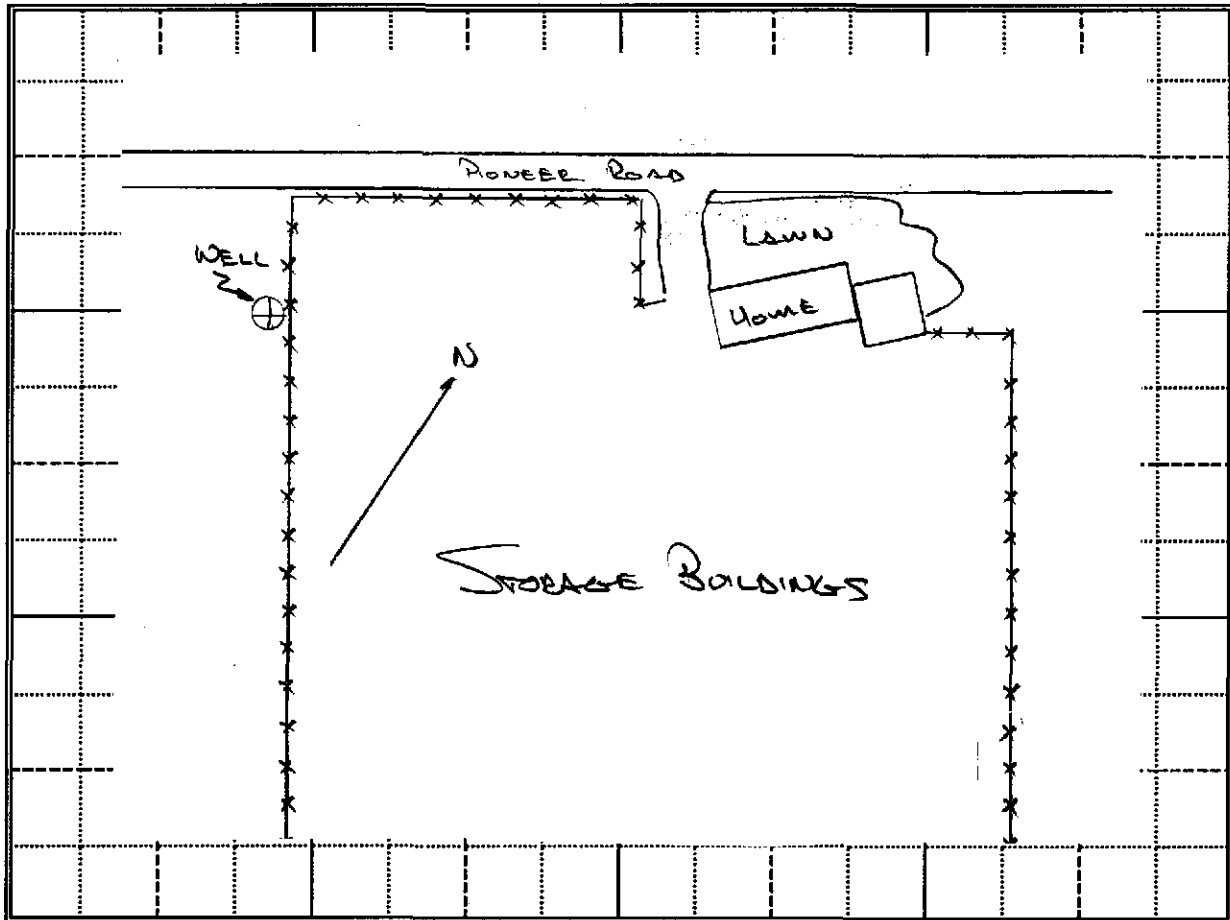
2. Place(s) of Use:

Indicate Method of Determination SAME

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	37E	24											2						

APR 18 1996

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
UNKNOWN					

*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
N/A						

2. Measurements:

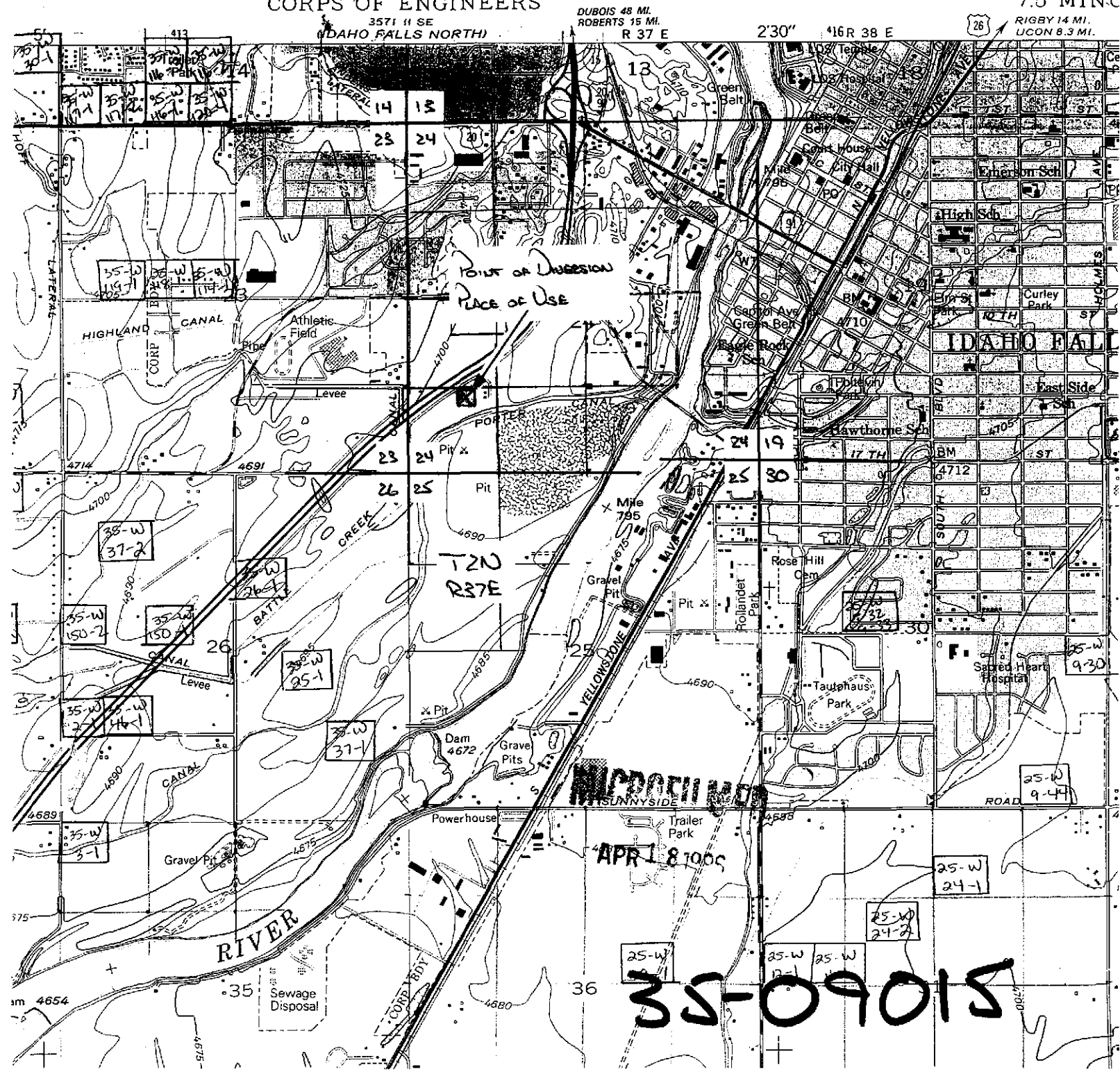
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Y-42

UNITED STATES
DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS

IDAHO FALLS

7.5 MIN.



E. NARRATIVE/REMARKS/COMMENTS

WELL, PUMP AND PIPELINES TO SINGLE FAMILY DOMESTIC HOME
WITH 1/2 ACRE LAWN AND GARDEN. WATER ALSO USED ON A MINIMUM
BASIS TO SUPPLY HYDRANTS FOR STORAGE UNITS. HOME IS ON
SITE OF STORAGE FACILITY AND IS USED AS PART OF BUSINESS.

ASSIGNMENT TO ACCESS CONTROLLED STORAGE, INX. NEEDED

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

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APR 18 1996

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

DE MINIMUS DOMESTIC WITH 1/2 ACRE LAWN = 0.04 cfs**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:

DE MINIMUS DOMESTIC WITH 1/2 AC. LAWN = 1.2 AFA**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>DOMESTIC</u>	<u>1-1</u>	<u>12-31</u>	<u>0.04</u>	<u>1.2</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.04</u>	<u>1.2</u>

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. AUTHENTICATIONField Examiner's Name SDM Date 1-23-95Reviewer KEITH C WILSON Date 1-31-95

SEAL

MICROFILMED

APR 18 1996

WELL DRILLER'S REPORT

JUN 28 1993

State law requires that this report be filed with the Director, Department of Water Resources,
within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name HOMER BIGGERS
Address 2271 MESA IDAHO FALLS 83401
Drilling Permit No. 35-93E-012-000
Water Right Permit No. 359015

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures
such as liners, screen, materials, plug depths, etc. in lithologic
log, section 9.)

3. PROPOSED USE

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

4. METHOD DRILLED

- ☐ Rotary ☐ Air ☐ Auger ☐ Reverse rotary
☒ Cable ☐ Mud ☐ Other _____
(backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>.250</u> inches	<u>8 7/8</u> inches	<u>1</u> feet	<u>28</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun

Size of perforation? _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer _____ Type _____

Top Packer or Headpipe _____

Bottom of Tailpipe _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 12 Material used in seal: ☐ Cement grout☒ Bentonite ☐ Pudding clay ☐ _____Sealing procedure used: ☐ Slurry pit☐ Temp. surface casing ☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded☐ Solvent Weld ☐ Cemented between strata

Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.

Subdivision Name _____
Lot No. _____ Block No. _____
County Bonanza
Address of Well Site Pinner road, 1333 South
(give at least name of road)

T. 02 N ☒ or S ☐
SW 1/4 SE 1/4 Sec. 24, R. 37 E ☒ or W ☐

7. WATER LEVEL

Static water level 160 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☒ Bailor ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
8"	1	28	gravel		X
"	28	40	Basalt		X
"	40	60	Basalt		X
"	60	78	Basalt		X
"	78	90	Clay Basalt		X
"	90	100	sandstone		X
"	100	120	sandstone		X
"	120	140	sandstone		X
"	140	145	Basalt		X
"	145	150	Cinders		X
"	150	160	Basalt		X
"	160	170	Basalt	X	
"	170	175	Cinders	X	

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JUN 03 1993

Department of Water Resources
Eastern District Office

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APR 18 1996

10.

Work started 3-19-93 finished _____

11. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name A.C. Monis Inc. Firm No. 20Address RIGBY ID Date 6/31/93Signed by Drilling Supervisor Doug Monisand
(Operator) Allen Monis
(if different than the Drilling Supervisor)

January 7, 1994

HOMER BIGGERS
1333 S PIONEER RD
IDAHO FALLS ID 83402

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 35-09015

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.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls, at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECORDED

JAN 11 1994

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-09015

Reviewed by [Signature]

Date 1-5-94

GENERAL CONSIDERATIONS

TYPES OF USE

no Name same as permit?

Dom.

no 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

yes Drilling permit required?

no Copy in the file? Drilling Permit No. 35-93-E-0012-000

35.00 Amount paid for permit yes Correct?

no Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

no Required?

1 Amount Submitted

 Correct?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

-

=

+

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

Homer Biggers is Rep. for access controlled
Storage inc.

DATA ENTRY

New Address 1333 S. Pioneer Rd.

Id. Falls 83402

Proof Made 12-20-93

November 30, 1993

HOMER BIGGERS
2271 MESA
IDAHO FALLS ID 83401

PROOF DUE NOTICE

RE: PERMIT NO. 35-09015

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 1994. (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.

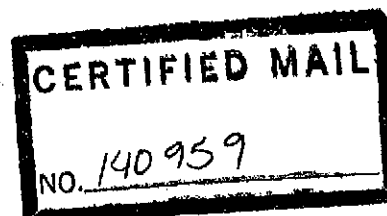
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

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JAN 11 1994





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

December 23, 1992

HOMER BIGGERS
2271 MESA
IDAHO FALLS ID 83401

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-09015

Dear Permit Holder(s):

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

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.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as

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JAN 26 1993

far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

Brenda L. Miller

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosure



APPLICATION FOR PERMIT REVIEW

BAM

Application #: 35-9015 Date: 12-22-92 Reviewer: Brenda Miller

SYSTEM COMPLETED:

- No - 26A-P17
- Complete in 1 year - P16
- Yes
- Proof not submitted - P16
- Proof submitted - N/A

AREA OF CONCERN?

YES
SNAKE RIVER BASIN

GROUNDWATER:

- GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
- No measurement required <flow chart>
- LT. 0.2 cfs - No measurement required <flow chart>

Drilling Permit:

- Approved w/permit - P99 Permit No. 01
- Not included - 046-46A-46B-P23 (after 7/1/87), N/A

SURFACE WATER: not in w/d - 01C-P03 (=GT.2 w/pump), NMR <flow chart>

LOCATION:

- Water Districts - WD No. 01
- Surface water - R04, R04-01H-P01 (LT.2 w/pump)
- R04-01J-P08 (GT.2), NMR <flow chart>
- Groundwater - P05
- Irrigation Districts - 023
- Canal Co. Areas - 023
- Drainage Districts - 024
- Boise Front (63) - 058 (Groundwater)
- Swan Falls Flag - 1 (1, Blank or Other)
- Trust - 051-052-053-P74 (Consumptive Uses)
- Non Trust <1> - 048-049

RIVER BASINS:

- (Surface Water) Water District Control Condition &....
- Boise (63) - 05A & 11E
- Payette (65) - 047-P04, 059-P71
- Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

USE:

- Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One), 042(req.), 002-P06(MD), 07A(Spec.), 044(Policy 5G)
- Power - Use Power Review
- Mining - 06A, 010, or 09E-P10 & 054(req.)
- Storage - 18A-for multiple measuring devices(In WD), 18B-P09(Size)
- Rec/Wildlf/Aes - 027(Non-Consumptive)
- Domestic - 021 (Boise River - upstream from L Peak)
- (restricted areas) 27A (Payette River & main tributaries)

OWNERSHIP:

- Non land owner - 004

PROTESTED:

- Agreement - 020

Beneficial Use Due Date - 02-01-1994

Other Conditions/Remarks: -

Domestic - Exempt

Form No. 202a
1/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWT DATE 10-26-92 APPLICATION NUMBER 35-9015REQUIRED INFORMATION

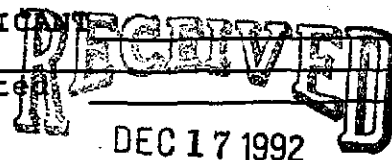
- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or 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.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____


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DEC 17 1992

Department of Water Resources

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

12-Nov-1992

HOMER BIGGERS
2271 MESA
IDAHO FALLS ID 83401

RE: Application No. 35-09015

Dear Water Right Applicant:

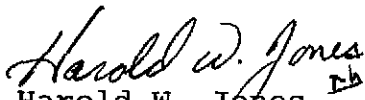
The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Post-Register on November 19 & 26, 1992. The advertisement will be published for two consecutive weeks, and a period of ten days following the 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

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JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 10, 1992

IDAHO STATE JOURNAL
P.O. BOX 431
POCATELLO, ID 83204

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 DECEMBER 7, 1992.

Yours truly,

Rita Bodell
Secretary

Encl.

JAN 26 1993

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECORDED
JAN 26 1983

35-09015

BIGGERS, HOMER
2271 MESA
IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: NESWSW Sec 24 T 02N R 37E in BONNEVILLE County.

Use: DOMESTIC (.110 CFS)
Total Diversion: (.110 CFS)

Date Filed: 10/15/1992

In: BONNEVILLE County
T02N R37E S24 SWSW

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JAN 26 1993

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before DECEMBER 7, 1992.

R. KEITH HIGGINSON, Director

Published: 11/19/1992 & 11/26/1992

[Faint, illegible stamp]
JAN 26 1993