

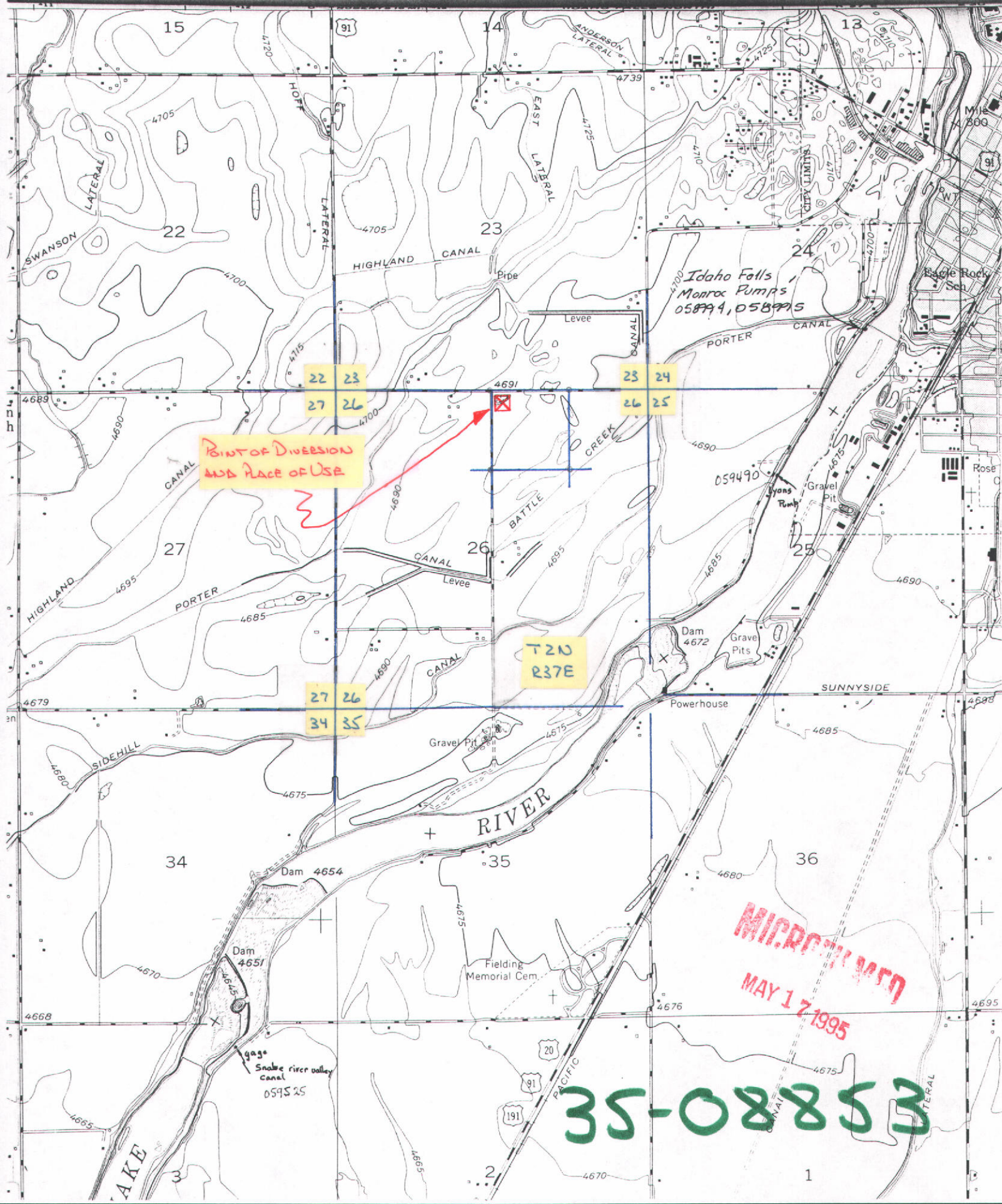




Fig. 1 - Point of diversion inside pumphouse.



Fig. 2 - Single-family place of use looking northwest.

35-08853



Fig. 3 - Four-plex apartment looking southeast.



Fig. 4 - Garden area behind apartment showing pumphouse.

35-08853

MINNESOTA
MAY 17 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08853

Priority: August 28, 1989

Maximum Diversion Rate:

0.09 CFS

Maximum Diversion Volume:

9.5 AF

This is to certify, that BEVERLY CUTLER
MARION L CUTLER

1723 S GRIZZLY AVE

IDAHO FALLS ID 83402

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 28, 1989; and has submitted Proof of Beneficial Use on March 15, 1990. An examination indicates that the works have a diversion capacity of 0.090 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>
IRRIGATION	04/01 to 10/31	0.05 CFS	6.0 AF
DOMESTIC	01/01 to 12/31	0.09 CFS	3.5 AF
	Totals	0.09 CFS	9.5 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 26, Township 02N, Range 37E
BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	37E	26	NWNE	1.5		1.5

Total number of acres irrigated: 1.5

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS/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.

MAY 17 1995

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 35-08853

CONDITIONS/REMARKS:

6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.
8. Domestic use is for 1 home and a 4-plex apartment building.
9. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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 6TH
day of MAY, 1995.

Acting for R. Keith Higginson, Director

RECEIVED
MAY 17 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-08853 Telephone No. 522-1281

Name(s) of Permit Holder(s): MARION OR BEVERLY CUTLER

Post Office Address: 1723 S. GRIZZLY AVE, IDAHO FALLS, ID 83402

Source of Water: GROUNDWATER

If ground water, well driller's name: UNKNOWN Date drilled: ~ 1965

Extent of Use:
Domestic 12 (No. of households) Irrigation 1 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.17 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: ~ 1965

One of the following may be a condition of approval of your permit:

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

OR

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

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

MARION OR BEVERLY CUTLER 522-1281
Name Telephone No.

1723 S. GRIZZLY AVE., IDAHO FALLS, ID 83402
Address

MICROFILMED

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.

APR 19 1990

3-15-90
Date

Beverly Cutler
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08853

Proposed Priority: August 28, 1989 Maximum Diversion Rate: 0.17 CFS

This is to certify, that **BEVERLY CUTLER**
MARION L. CUTLER
1723 S. GRIZZLY AVE.
IDAHO FALLS, ID 83402

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>
IRRIGATION	04/01 to 11/01	0.03 CFS
DOMESTIC	01/01 to 12/31	0.14 CFS
	Totals	0.17 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNWNE Sec. 26, Township 02N, Range 37E
BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	37E	26	NWNE	1		1

Total number of acres irrigated: 1

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1991.**
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit 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.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
7. Domestic use is for 12 homes.

MICROFILMED

FEB 15 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08853

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

17th day of January, 19 90

for 
R. Keith Higginson, Director



FEB 15 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Dorothy or Marion L. Cutler Phone 522-1281
Post office address 1723 So. Griggly Ave. Idaho Falls, Idaho
83402
2. Source of water supply Ground water which is a tributary of _____
3. Location of point of diversion is NW 1/4 of NW 1/4 of NE 1/4, Govt. Lot _____
Sec. 26 Township 2N Range 37E B.M. Bonneville County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .14 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .03 for Irrigation purposes from April 1 to Nov 1 (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) .17 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. well located in well house
supply water to 1 family + 1 house. Well + house were constructed in 1967.
SYSTEM IS DESIGNED FOR 12 HOMES (AS PER PHON/CON WITH MRS. CUTLER 10-19-89 PERM)
 - 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.
(AS PER PHON/CON WITH MRS. CUTLER 10-19-89 PERM)
 - c. Proposed well diameter is 3 1/2 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).
(AS PER PHON/CON WITH MRS. CUTLER 10-19-89 PERM)

FEB 15 1990

100

applicant to make this filing.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

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

11. a. Who owns the property at the point of diversion? 125

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

Total number of acres to be irrigated

[illegible]

ponding place of use below. See instructions for standard symbols.

b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding column.

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

9. Description of place of use:

e. Other; describe fully, -

d. Domestic; show number of households.

c. Municipal; show name of municipality.

b. Stockwatering; list number and kind of livestock.

a. Hydropower; show total feet of head and proposed capacity in kW.

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

SYSTEM IS DESIGNED FOR
12 HOWERS
AS THE PUMP/CANARY
MRS. COLLE 10-17-89 (new)

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

37E

T
2
N

RD

26

RECEIVED

FEB 15 1990

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.

Deverly Cutler
(Applicant)

FEB 15 1990

RECEIVED

e. Other:

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.

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.

19

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. _____, and said application is hereby _____

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by gac Date 8/30/89 Time 16:37 Preliminary check by _____

Fee \$ 30.00 Received by gac # 0004058 Date 8/30/89

Publication prepared by RB Date 12-7-89 Published in lost-Register

Publication approved RB Date 12-26-89



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

May 8, 1995

BEVERLY CUTLER
MARION L CUTLER
1723 S GRIZZLY AVE
IDAHO FALLS ID 83402

RE: WATER RIGHT NO. 35-08853

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,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

MAY 17 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08853 DATE 5/4/95



NAME Change OK Or Address Change?

PRIORITY DATE Advance? Advanced to:
Order to reinstate needed?
Incorrect fee for rate recommended? NO

SOURCE Changes or just clarification of originally intended source?
Notice of Intent to Void necessary?

POINT OF DIV Amendment needed?
Overlaps?

PLACE OF USE Amendment needed?
Overlaps?

DIV RATE Permit/fee limits: .17 CFS
Meas Q = Theo Q = .09 Recommend: .09
Go with (1/2 acre irr) x .03 = .05 CFS
All houses @ .09
Combined rates exceed capacity

ANNUAL VOLUME Volume Limit: Season: 4.0 (4-1 to 10-31) NEW
Calculations: COMPLEX @ 934400 GAL/YR = 2.9 AF
SINGLE DOM = .6 1.5 x 4 = 6 AF
Flow limit: cfs x x 1.9835 =
Combined volumes exceed capacity/allowable

USES Change in Nature of Use or additional uses?
Amendment necessary?

ADDITIONAL INFO Supplemental Groundwater NO PPU Scenario NO
Irr/Dom Combination YES Shared G/W System NO

NEW REMARKS NO Multiple p/d(s) in 1/4 1/4?
WB5 Other 1 home + 1 1/4 play

NEW CONDITIONS NO Watermaster control - District
NO Measuring/Locking Devices
RSI Irrigation Overlap
NO Other Keep NON-TRUST 043 & 049
NO Water Quality Heat/Cool/Fish verified

COMMENTS: No reference to any surface water used.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	Adjustment Memo Needed
<u>DOMESTIC</u>	<u>.09</u>	<u>3.5</u>	<u>NO</u>	<u>YES</u>
<u>IRRIGATION</u>	<u>.05</u>	<u>6.0</u>	<u>LICENSE</u>	<u>✓</u>
<u>Totals</u>	<u>.09</u>	<u>9.5</u>	<u>1ST AMEND LETTER</u>	<u>2ND AMEND LETTER</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 05 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-08853

1. Owner: MARION AND BEVERLY CURLEE Phone No. 522-1281

Current Address: 1723 S. GRIZZLY AVE., IDAHO FALLS, ID 83402

2. Accompanied by: MR. CURLEE EXAM DATE: 7-18-1990

Address: _____ Phone No. _____

Relationship to Permit Holder: HOLDER

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	NE	26	2N	37E	BONN.	USGS, ON SITE

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	26		D/1														1	
																		1	

MAY 17 1995

ESTIMATE 30-40 PSI

2. Measurements: Estimate static water at 136' - See Remarks -

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

D. FLOW MEASUREMENTS

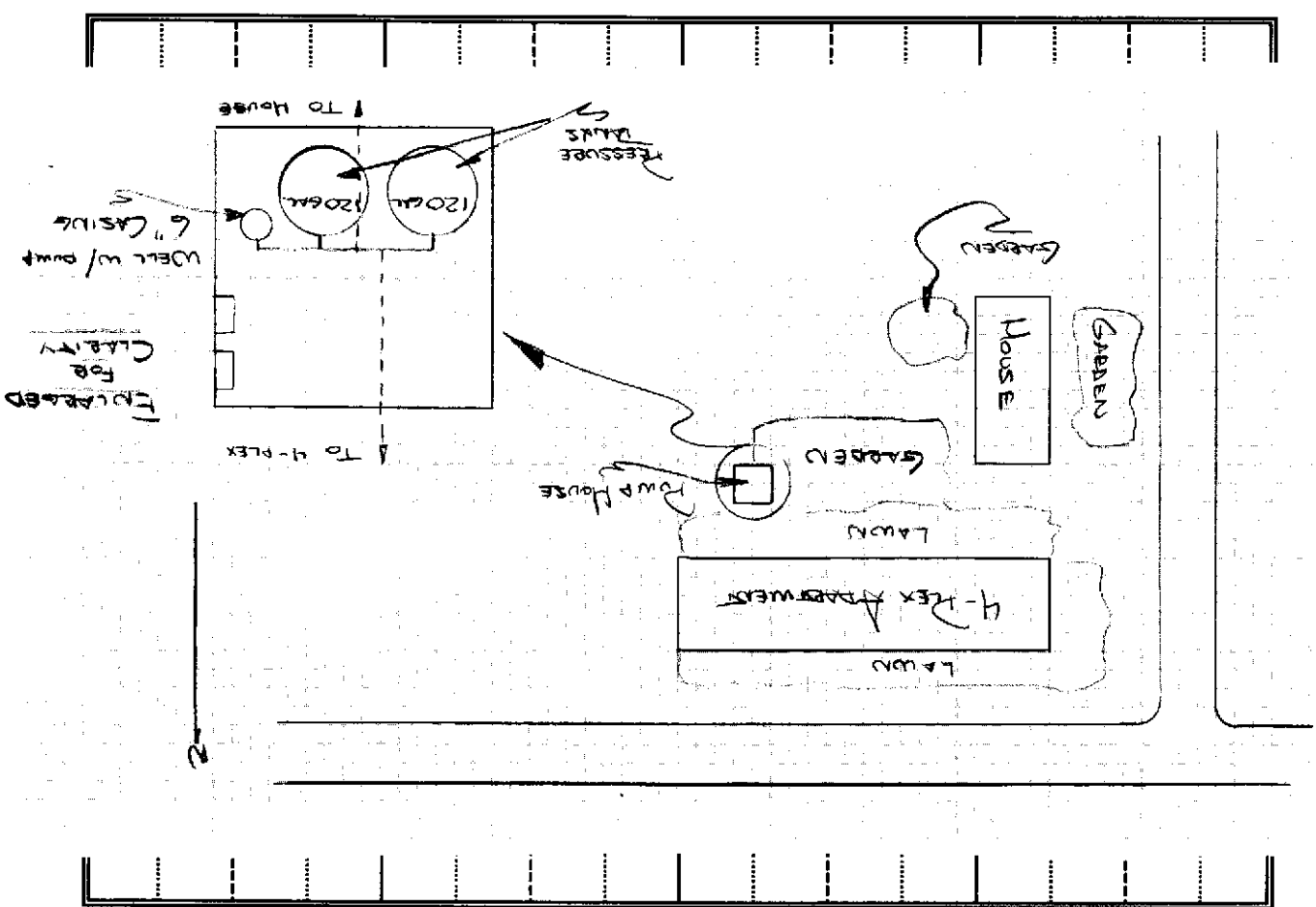
*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	TEARUKU	3	2321022100	TEARUKU	2"

4.

_____ 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

Scale 1 =



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

E. NARRATIVE/REMARKS/COMMENTS

WELL, PUMP AND PIPELINES TO SINGLE FAMILY DOMESTIC HOME WITH
APPROX. $\frac{1}{2}$ ACRE GARDEN AREA AND 4-plex APARTMENT COMPLEX WITH
APPROX 1 ACRE LAWN AND GARDEN AREA.

* FIVE WELL LOGS IN SURROUNDING AREA SHOW WATER AT 110' TO 170'
 $\Sigma = 680$ $\bar{X} = 136$ FT TO WATER.

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

RECEIVED

MAY 17 1995

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

SEE ATTACHMENT

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.0 \times 4.0 \text{ cfs/acre} = 4.0$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.03 (214) 1.9835 = 12.73$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 4.0$$

2. Volume Calculations for Other Uses:

SEE ATTACHMENT

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic

Irrigation

From	To	Period of Use	Rate of Diversion Q (cfs)	Annual Volume V (afa)
1-1	12-31		0.09	3.7
4-1	10-31		0.03	4.0
Totals:				
			0.09	7.7

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 John E. Miller Date 12-29-94

Reviewer KEITH C. WILLSON Date 12/31/94

SEAL

* See attached adjustment explanation memo. BC

MAY 17 1995

MEMORANDUM

TO: File 35-08853 / Marion Cutler
FROM: Brenda Chapman
DATE: May 4, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

F. FLOW CALCULATIONS

The irrigation rate has been adjusted. The $\frac{1}{2}$ acre for the single domestic's lawn and garden has been added to the irrigated acres for a total of 1.5 acres. This conforms the recommendation with the current guidelines for processing combination domestic and irrigation rights.

G. VOLUME CALCULATIONS

The domestic and irrigation volumes have been adjusted to cover 1.5 acres of irrigation and internal domestic use for the home and the 4-plex apartment.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-01 to 10-31	.05	6.0
Domestic	1-01 to 12-31	.09	3.5

RECEIVED
MAY 17 1995

$$Q_{THEOR} = \frac{3HP (8.814) \cdot 7EFF}{136' + (2.308 \times 30 PSI)} = 0.09 CFS$$

$$Q_{IRR} = IDWR STD. FOR < 3AC = 0.03 CFS/AC$$

$$1AC \times 0.03 CFS/AC = \underline{0.03 CFS}$$

$$Q_{DOM1} = \text{FROM EXHIBIT 14, FIELD EXAMINEES' HANDBOOK}$$

APARTMENTS WITH ~ 25-30 FIXTURES ~ 21 GPM

$$21 GPM / 418.8 = 0.05 CFS$$

$$Q_{DOM2} = IDWR STD FOR SINGLE FAMILY DOMESTIC WITH 1/2 AC.$$

$$STANDARD = 0.04 CFS$$

$$Q_{DOMT} = Q_{DOM1} + Q_{DOM2} = 0.05 CFS + 0.04 CFS = \underline{0.09 CFS}$$

$$Q_{TOTAL} = \text{LIMITED BY THEORETICAL } Q \text{ TO } \underline{0.09 CFS}$$

$$AFA_{DOM1} = \text{ESTIMATE 2 HR/DAY DIVERSION}$$

$$2 HR/DAY \times 7 DAY/WK = 14 HR/WK$$

$$21 GPM \times 60 MIN/HR \times 14 HR/WK \times 52 WK/YR = 917280 GAL/YR$$

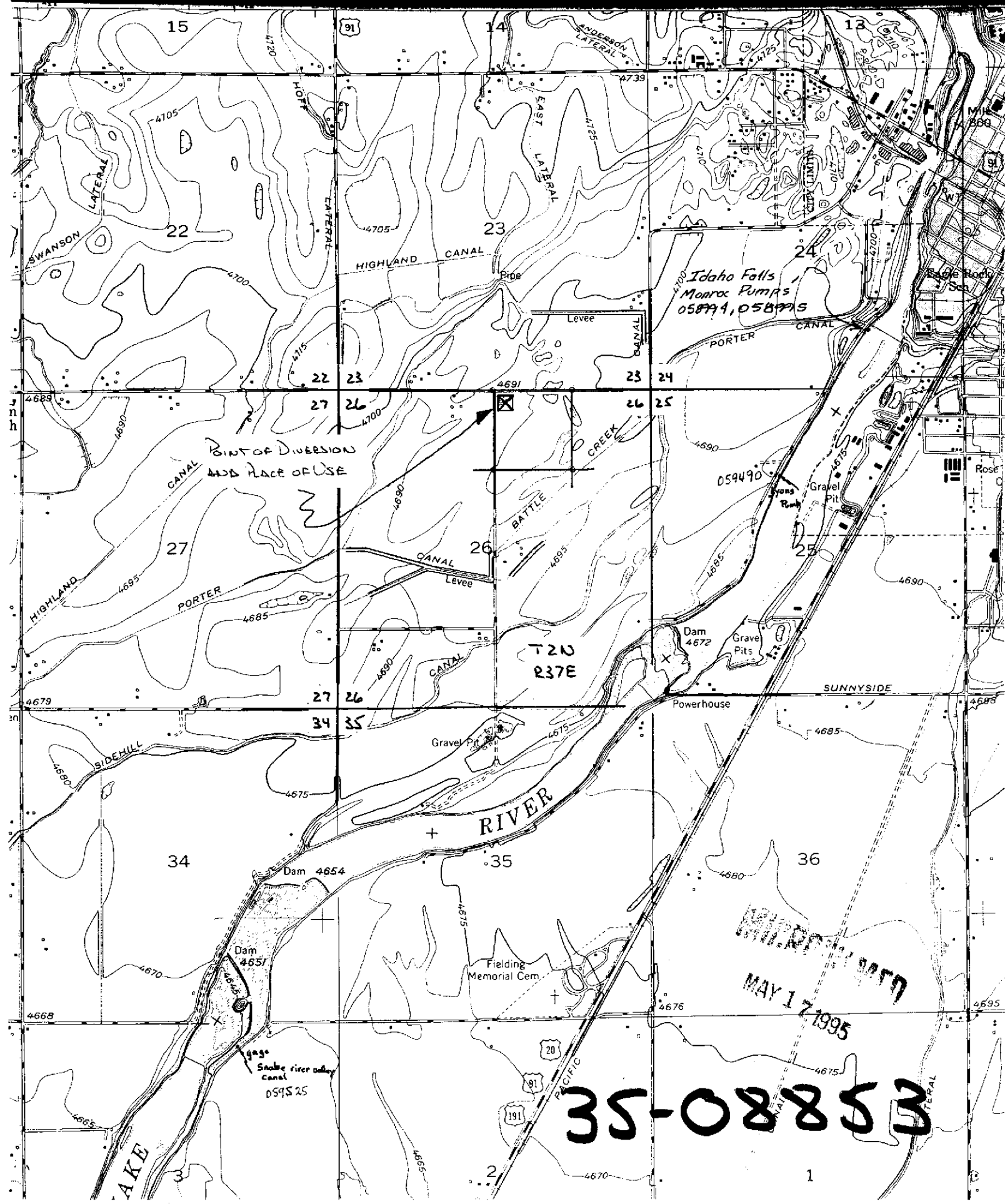
$$917280 GPM / 374400 GAL/AC = 2.5 AFA$$

$$AFA_{DOM1} = IDWR STD FOR SINGLE FAM. DOM. WITH 1/2 AC = 1.20 AFA$$

$$AFA_{DOMT} = AFA_{DOM1} + AFA_{DOM2} = 2.5 AFA + 1.2 AFA = \underline{3.7 AFA}$$

REPRODUCED
MAY 17 1995

35-08853



MAY 17 1995

35-08853

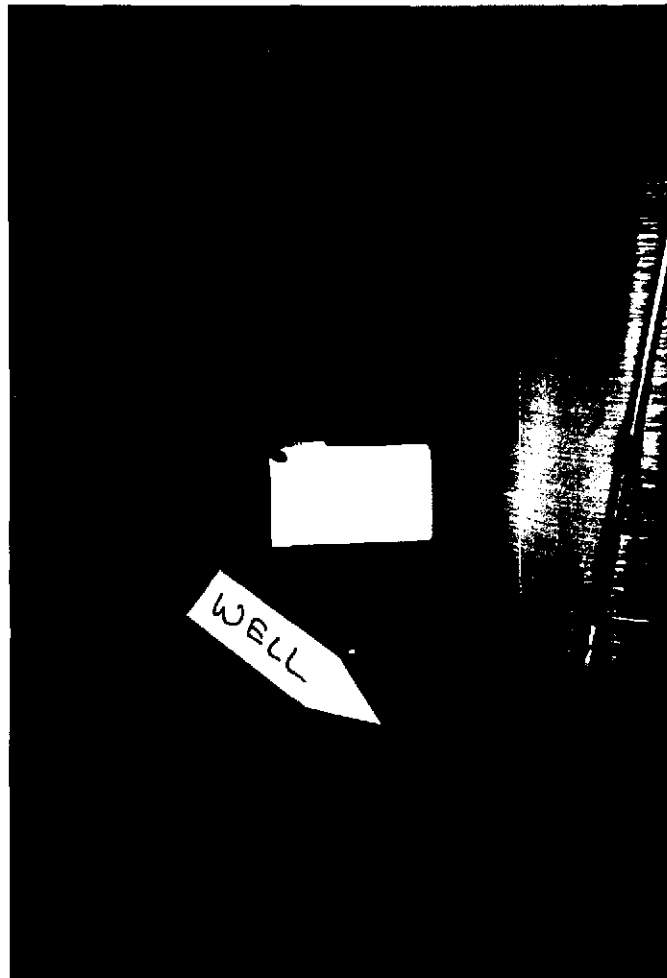


Fig. 1 - Point of diversion inside pumphouse.



Fig. 2 - Single-family place of use looking northwest.

RECEIVED
APR 17 1995

35-08853



Fig. 3 - Four-plex apartment looking southeast.



Fig. 4 - Garden area behind apartment showing pumphouse.

35-08853

RECEIVED
MAY 17 1995

April 18, 1990

BEVERLY CUTLER
MARION L. CUTLER
1723 S. GRIZZLY AVE.
IDAHO FALLS, ID 83402

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08853

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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

APR 19 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
January 18, 1990

BEVERLY CUTLER
MARION L. CUTLER
1723 S. GRIZZLY AVE.
IDAHO FALLS, ID 83402

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P35-08853

Dear Permit Holder:

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

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference. ✓

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.

We have enclosed 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 for your convenience is a form entitled "Proof of

RECEIVED

FEB 15 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

FEB 15 1990

29-Nov-1989

Beverly Cutler
1723 S. Grizzley Ave.
Idaho Falls, ID 83402

RE: Application for Permit No. 35-8853

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. 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
Water Rights Supervisor

HWJ/rb

RECEIVED

FEB 15 1990

25-07526

SKAAR, KEITH
SKAAR, CHERIE
1826 E. 49TH N.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NENW Sec 4 T 02N R 38E
Use: STOCKWATER (.900 CFS)
Date Filed: 9/27/1989
In: T02N R38E S04 NENW

25-07549

LATTA, FRANCIS A.
177 E. 49 S., TOWNSHIP RD.
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversion Pt: SESWSE Sec 31 T 02N R 38E
Use: IRRIGATION (.040 CFS)
STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Date Filed: 9/27/1989
In: T02N R38E S31 SWSE
2.0 ACRES TOTAL

25-07552

ARNOLD FEED LOT, INC.
3488 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNW Sec 15 T 02N R 38E
Use: STOCKWATER (.150 CFS)
COMMERCIAL (.020 CFS)
DOMESTIC (.080 CFS)
Date Filed: 8/15/1989
In: T02N R38E S15 NWNW

25-07553

SUNNYSIDE ESTATES WATER USERS
C/O MARGARET CONANT
1882 E. SUNNYSIDE
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversion Pt: NENENW Sec 33 T 02N R 38E
Use: DOMESTIC (.110 CFS)
Date Filed: 9/27/1989
In: T02N R38E S33 NENW

25-07554

CRM CO.
3004 WESTMORELAND CIRCLE
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWNWNW Sec 9 T 02N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 9/08/1989
In: T02N R38E S09 NWNW

25-07555

B & F DISTRIBUTING CO.
1095 IONA RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWSWSE Sec 5 T 02N R 38E
Use: COMMERCIAL (.080 CFS)
Date Filed: 9/28/1989
In: T02N R38E S05 SWSE

25-07556

DUFFEY, ROMNEY B.
DUFFEY, VICTORIA G.
6990 RIMROCK DR.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NENW Sec 29 T 02N R 39E
Use: IRRIGATION (.060 CFS)
STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Date Filed: 9/18/1989
In: T02N R39E S29 NENW
3.0 ACRES TOTAL

35-08831

JOHNSON, J. WARD
JOHNSON, MARY V.
246 HARTERT DR.
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversion Pt: NENENW Sec 26 T 02N R 36E
Use: STOCKWATER (.220 CFS)
DOMESTIC (.040 CFS)
Date Filed: 8/15/1989
In: T02N R36E S26 NENW

35-08849

STEEL, J. C.

NOTICE OF APPLICATION FOR WATER RIGHT

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

23-07134

DEMITROPOULOS, ALEX
DEMITROPOULOS, ILA
431 3 RD ST.
IDAHO FALLS, ID 83401
Source: PALISADES CREEK; Tributary:
SNAKE RIVER
Diversion Pt: SWSE Sec 26 T 01N R 44E
Use: IRRIGATION (.030 CFS)
Date Filed: 11/08/1989
In: T01N R44E S26 SWSE
1.0 ACRES TOTAL

23-07141

RUUD, DOUG
P.O. BOX 564
PALISADES, ID 83437
Source: GROUNDWATER
Diversion Pt: SENW Sec 25 T 01S R 45E
Use: DOMESTIC (.200 CFS)
Date Filed: 9/29/1989
In: T01S R45E S23 NESE
S24 NESW NWSW SWSW SESW
S25 NENW NWNW SENW NESW

23-07142

QUAKER HAVEN WELL ASSOCIA-
TION
1285 CORINNE
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: SENW Sec 25 T 01S R 45E
Use: DOMESTIC (.180 CFS)
Date Filed: 9/07/1989
In: T01S R45E S25 SENW

24-07173

BUDGE, JR., THOMAS A.
P.O. BOX 488
NEW CANAAN, CT 06840
Source: UNNAMED SPRINGS; Tributary:
NEWSWANDER CREEK
Diversion Pt: NWNWNW Sec 16 T 04S R 46E
SESENE Sec 17 T 04S R 46E
Use: DOMESTIC (.040 CFS)
Date Filed: 9/28/1989
In: T04S R46E S16 NWNW

1615 W. 49TH N.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: SWSENE Sec 4 T 03N R 36E
Use: IRRIGATION (3.900 CFS)
Date Filed: 8/25/1989
In: T03N R36E S03 NWNW SWNE NENW
NWNW SWNW SENW NESW NWSW
SWSW SESW NWSE SWSE
S04 NENE NWNE SWNE SENE NESE
NWSE SWSE NESE
780.0 ACRES TOTAL
This is a supplemental water right applica-
tion. Lands under this application are irriga-
ted with existing rights from groundwa-
ter.

35-08853

CUTLER, BEVERLY
CUTLER, MARION L.
1723 S. GRIZZLY AVE.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: NWNWNW Sec 26 T 02N R 37E
Use: IRRIGATION (.030 CFS)
DOMESTIC (.140 CFS)
Date Filed: 8/28/1989
In: T02N R37E S26 NWNW
1.0 ACRES TOTAL

35-08854

AHLSTROM, FARRELL
ANDRUS, JR., DOUG
CHUMLEY, ORVILLE
HARRIEL, LADON
MATHERN, GRETCHEN
MATHERN, RUTH
2361 N. 35TH W.
IDAHO FALLS, ID 83401
Source: GROUNDWATER

24-07174

CLAUSEN, CHARLES P.
9814 S. CHYLENE DR.
SANDY, UT 84092
Source: UNNAMED SPRING; Tributary:
NEWSWANDER CREEK
Diversion Pt: SESENE Sec 17 T 04S R 46E
Use: DOMESTIC (.040 CFS)
Date Filed: 10/27/1989
In: T04S R46E S16 NWNW

24-07175

SINARSKI, JAMES J.
BOX 183
ALPINE, WY 83128
Source: SPRING; Tributary: NEWS-
WANDER CREEK
Diversion Pt: NWNWNW Sec 16 T 04S R 46E
Use: STOCKWATER (.020 CFS)
DOMESTIC (.060 CFS)
Date Filed: 8/04/1989
In: T04S R46E S16 NWNW

25-07509

GRAYSON SUBDIVISION WATER CO.
C/O ED GRAYSON
P.O. BOX 2511
IDAHO FALLS, ID 83403
Source: GROUNDWATER
Diversion Pt: NENWNW Sec 10 T 03N R 38E
Use: DOMESTIC (.170 CFS)
IRRIGATION (.060 CFS)
Date Filed: 8/10/1989
In: T03N R38E S10 NENE NWNW
2.0 ACRES TOTAL

25-07513

VERN CLARK & SONS CONSTRUC-
TION CO.
P.O. BOX 1529
IDAHO FALLS, ID 83403
Source: GROUNDWATER
Diversion Pt: NWNWNW Sec 8 T 02N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 8/21/1989
In: T02N R38E S08 NWNW

Diversion Pt: NESE Sec 9 T 02N R 37E
Use: IRRIGATION (.080 CFS)
DOMESTIC (.080 CFS)
Date Filed: 8/14/1989
In: T02N R37E S09 NESE
4.0 ACRES TOTAL

35-08855

SHURTLIFF, MERLENE
SHURTLIFF, RODNEY
3425 W. APRIL DR.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: NWNWNW Sec 34 T 02N R 37E
Use: STOCKWATER (.020 CFS)
DOMESTIC (.060 CFS)
Date Filed: 9/07/1989
In: T02N R37E S34 NWNW

35-08856

WAGNER, JR., KRISTIE L.
WAGNER, JR., EDWARD P.
331 N. 55TH W.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: SESE Sec 18 T 02N R 37E
Use: STOCKWATER (.020 CFS)
DOMESTIC (.110 CFS)
Date Filed: 8/08/1989
In: T02N R37E S18 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 cri-
teria of Sec. 42-203C, Idaho Code. Protests
must be filed with the Director, Dept. of
Water Resources, 150 Shoup Ave., Suite
15, Idaho Falls, Idaho 83402 on or before
DECEMBER 26, 1989.

R. Keith Higginson, Director

Published: December 7, 14, 1989

FEB 13 1990

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

Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 28, 1989

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 DECEMBER 26, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED
FEB 15 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED

FEB 18 1960

FILED

35-08853

CUTLER, BEVERLY
CUTLER, MARION L.
1723 S. GRIZZLY AVE.
IDAHO FALLS, ID 83402

Source: GROUNDWATER

Diversion Pt: NWNWNE Sec 26 T 02N R 37E

Use: IRRIGATION (.030 CFS)
DOMESTIC (.140 CFS)

Date Filed: 8/28/1989

In: T02N R37E S26 NWNE

1.0 ACRES TOTAL

RECEIVED

FEB 15 1990

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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before DECEMBER 26, 1989.

R. Keith Higginson, Director

Published 12/07/1989 & 12/14/1989

RECEIVED

FEB 15 1990