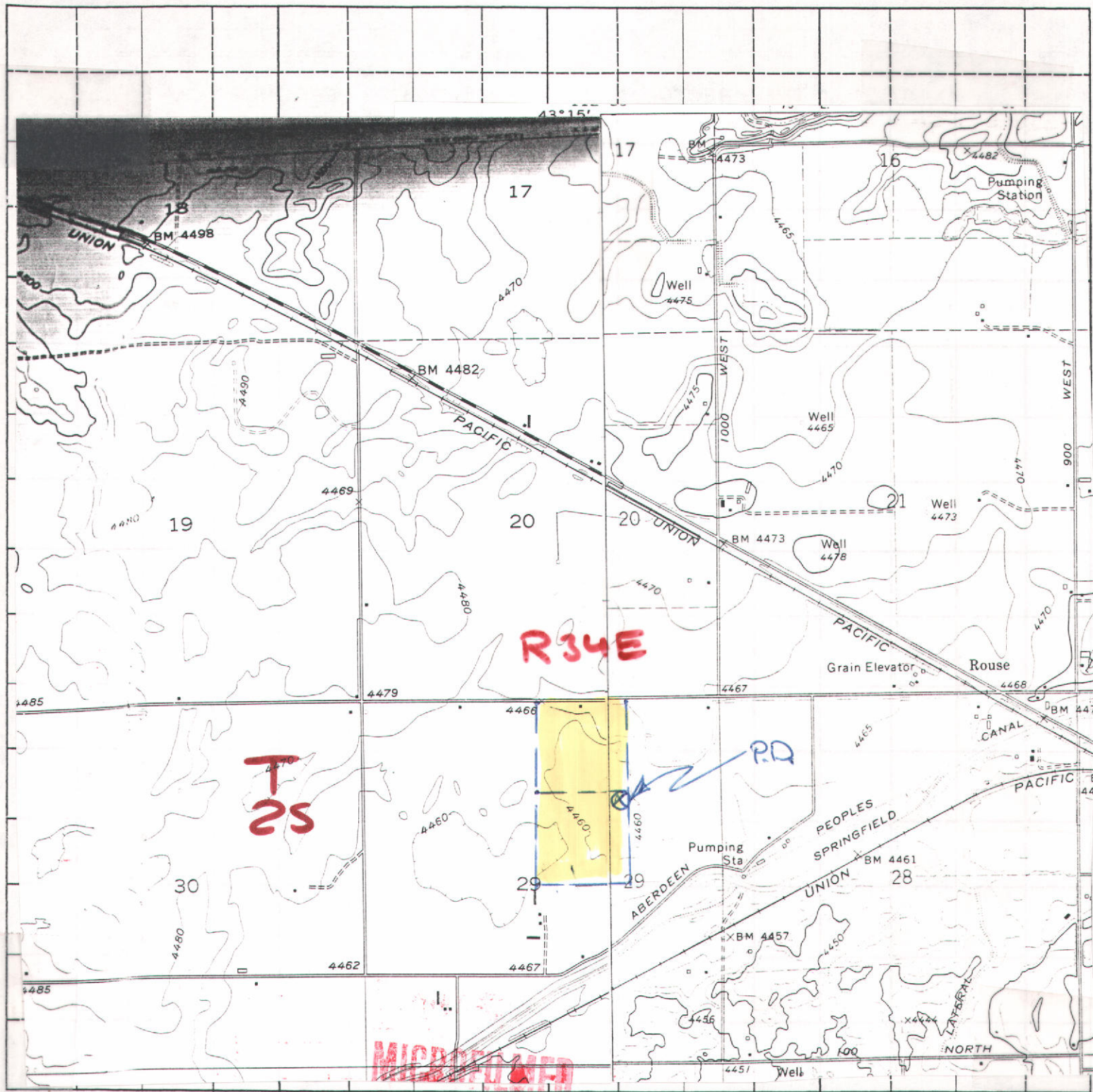


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



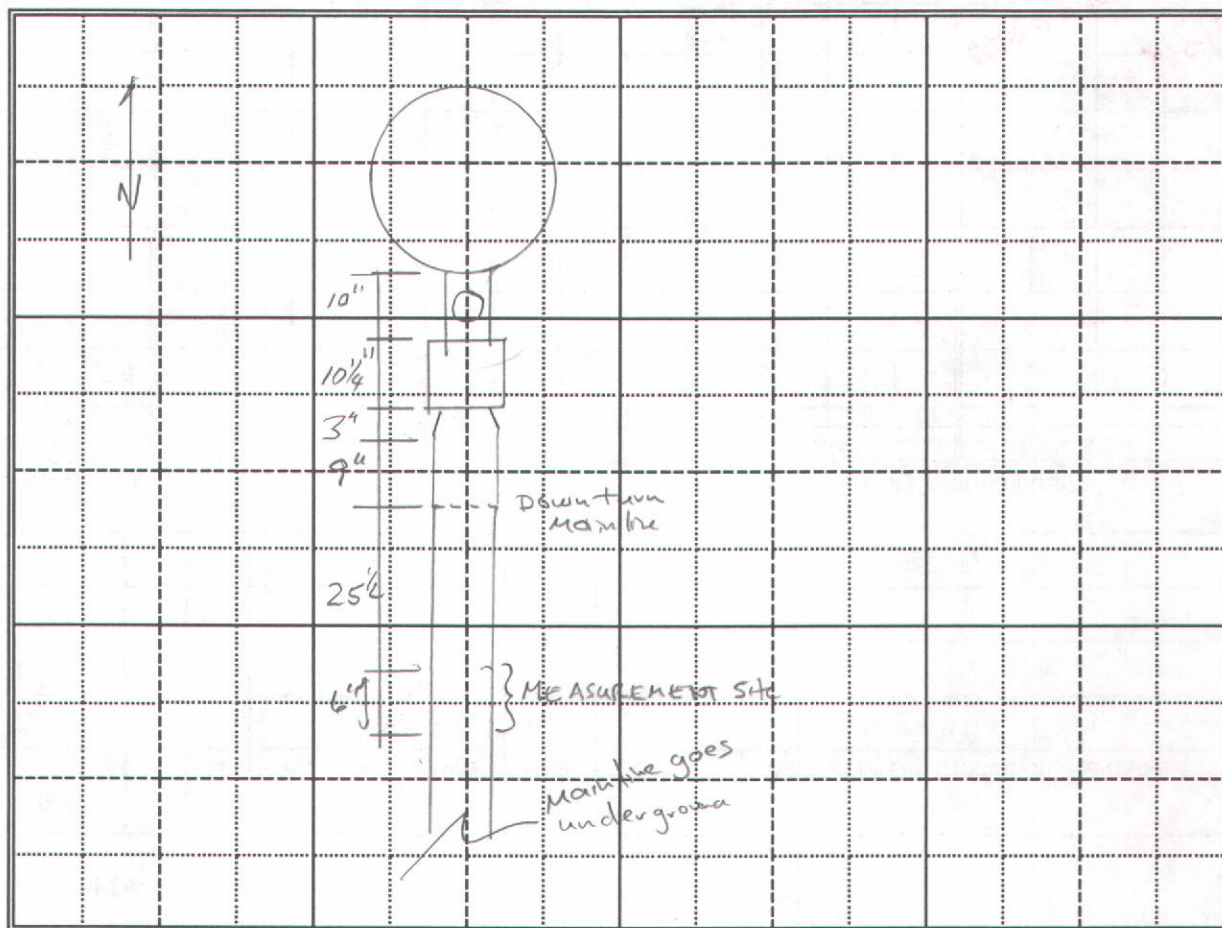
Scale: 2 inches equal 1 mile.

JUN 19 1990

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.

Ed Bastausky
(Applicant)

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 Quadrange 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
	US Electric	50	6232/ T12T226R150R-17	Western Land Roller Co.	

*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: 56 psi

MICROFILMED

MAR 27 1995

4469

20

20

UNION

BM 4473

W
44

R34E

4480

4470

POINT OF DIVERSION

4479

4467

4466

PLACE OF
USE

T
2
S

4460

4460

4460

Pumping
Sta

PEO
SPRI

UNION

229

ABERDEEN

BM 4457

4462

4467

4450

4456

4451

Well

4450

35-8837

MAR 27 1995

4440

4440

CANAL

83.0

T624
1893

NHEL
72.4

POINT OF DIVERSION

Parks Rd. 200N

20 21
29 28

T724
906
HEL

T1558
3505

PLACE OF USE

R34E

T
2
S

40

HEL
145.9

29

RECORDED

MAR 27 1995

Aberdeen Springfield Canal
Peoples Canal

UPPER

HEL
86.0

35-8837

al Rd 125 N

Pioneer Rd. 100N

29 28

32 33



Same well



35-8837
REMOVED
MAR 27 1995

WELL DRILLER'S REPORT

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 Ed Bertousky
Address 1037 West 200 North
Blackfoot Idaho 83304
Owner's Permit No. 35-91-E-012

7. WATER LEVEL

Static water level 91 FT feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure NA p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 61 °F. Quality good
Describe artesian or temperature zones below.

2. NATURE OF WORK

WR # 35-8837

- ☒
- New well
- ☐
- Deepened
- ☐
- Replacement
-
- ☐
- Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☒ Air ☐ Other _____

Discharge G.P.M.

250 APP

Pumping Level

65 TO 70 FT

Hours Pumped

2 Hours

3. PROPOSED USE

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

4. METHOD DRILLED

- ☒
- Rotary
- ☒
- Air
- ☐
- Hydraulic
- ☐
- Reverse rotary
-
- ☐
- Cable
- ☐
- Dug
- ☐
- Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>.025</u> inches	<u>14</u> inches	<u>0.0</u> feet	<u>38</u> feet
_____ inches	_____ inches	_____ feet	_____ 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? NA ☐ Factory ☐ Knife ☐ TorchSize of perforation NA inches by _____ inches

Number	From	To
<u>NA</u> perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ NoManufacturer's name NAType NA Model No. _____Diameter NA Slot size _____ Set from _____ feet to _____ feet

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

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____Placed from NA feet to _____ feetSurface seal depth 6 FT Material used in seal: ☐ Cement grout☒ Bentonite ☐ Puddling 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 _____

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
16.5	0.0	15	DIRT & Clay		
21	15	25	Basalt Rock Hard		
1	25	35	Red Clayey DIRT		
15.5	35	38	Basalt Rock		
12.4	38	75	Basalt Rock		
12.4	75	94	Red Clayey DIRT		
12.4	94	100	Red Clayey DIRT		

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APR 12 1991
Department of Water Resources

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APR 1991
Department of Water Resources
Eastern District Office

MAR 27 1995

10.

Work started March 25 finished March 30 1991

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name Hawley Brothers Drilling Firm No. 461Address 625 S. Shilling Date April 5, 1991Signed by (Firm Official) Dan C. Hawleyand
(Operator) Dan C. Hawley

6. LOCATION OF WELL

Sketch map location must agree with written location.

N
W E
Subdivision Name _____
Lot No. _____ Block No. _____

MAILED
MAY 05 1992

County BinghamSW 1/4 NE 1/4 Sec. 29 T. 2 N. S. R. 3 E. W.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08837

Priority: July 11, 1989

Maximum Diversion Rate:

1.54 CFS

This is to certify, that ED BARTAUSKY
1037 W 200 N

BLACKFOOT ID 83221 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 3, 1989; and has submitted Proof of Beneficial Use on July 9, 1991. An examination indicates that the works have a diversion capacity of 1.710 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	1.54 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 29, Township 02S, Range 34E
BINGHAM 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>
02S	34E	29	NWNE 37	SWNE 40		77

Total number of acres irrigated: 77

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. 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.
6. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
7. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 308.0 af for the lands above.

BAR 27 1995

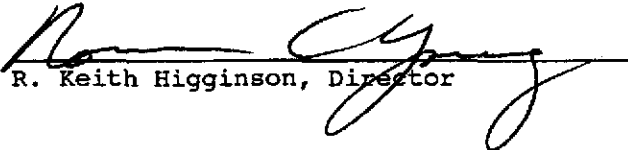
State of Idaho
Department of Water Resources

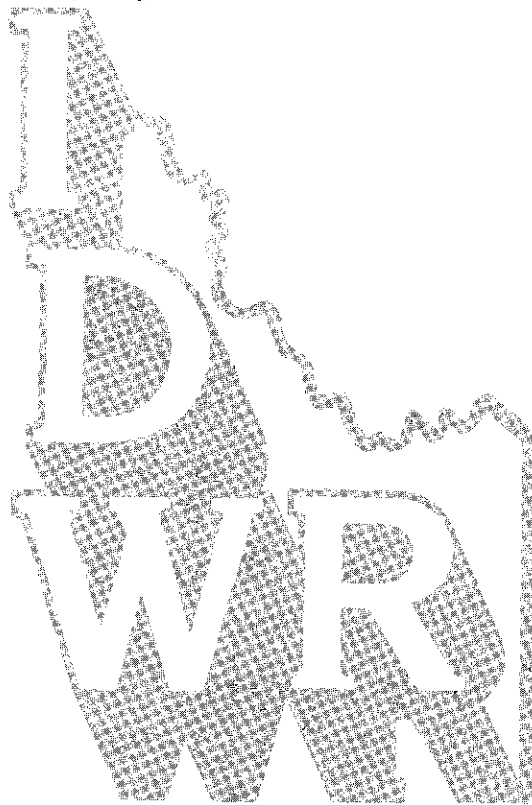
WATER RIGHT LICENSE

WATER RIGHT NO. 35-08837

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 24TH
day of MARCH, 1995.

Acting for


R. Keith Higginson, Director



RECORDED
MAR 22 1995

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
MAR 16 1995
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08837

Date of Priority: July 11, 1989 Maximum Diversion Rate: 1.54 CFS
Comes now ED BARTAUSKY
1037 W 200 N
BLACKFOOT ID 83221

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 35-08837, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.54 CFS	

LOCATION OF POINT(S) OF DIVERSION: NWNE , Sec. 29, Township 02S, Range 34E
BINGHAM 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>
02S	34E	29	NWNE 37	SWNE 40		77

Total number of acres irrigated: 77

RECEIVED

MAR 27 1995

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at BLACKFOOT, IDAHO, this 13 day of MARCH, 1995.

Ed Bartauskay
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08837

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50⁰⁰ Received by RT # C032325 Date 3-16-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-08837 with the following;

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. 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.
6. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
7. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 308.0 af for the lands above.

Witness my hand this 24TH day of MARCH, 1995.

Acting for

R. Keith Higginson, Director

MAR 27 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-08837 IN THE)
NAME OF ED BARTASKY) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before July 1, 1991; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

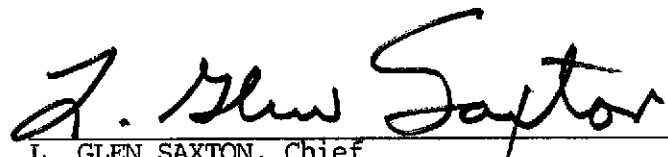
WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on July 8, 1991;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-08837 be REINSTATED and the priority advanced to July 11, 1989.

Dated this 12th day of August, 1991.


L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED
AUG 21 1991

RECEIVED

166 CFS
JUL 9 - 1991

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 125.00
Date 9 July 91
Receipt No. E016311
Received by KAD

RECEIVED
JUL 15 1991

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.

1. Permit No. 35-08837 Telephone No. 684-4042
2. Name(s) of Permit Holder(s): Ed Bastausky
3. Post Office Address: 1037-W-200-N Blackfoot 83221
4. Source of Water: Under Ground
 - a. If ground water, well driller's name: Hawley Bros Date drilled: Mar 30 April 5, 1991
 - b. Pump horsepower: 50 Pressure (psi): _____ Dynamic pumping level (ft.): 65
5. Extent of Use:

Domestic _____ (No. of households)

Irrigation 80 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

6. Total rate and/or volume for which proof is submitted 1.60 cfs _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

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

Name

Same as above

Telephone No.

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.

9 July 91
Date

Ed Bastausky
Signature (and title if on behalf of a company or organization)

AUG 21 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08837

Proposed Priority: July 3, 1989 Maximum Diversion Rate: 1.60 CFS

This is to certify, that **ED BARTAUSKY**
1037 W. 200 N.
BLACKFOOT, ID 83221

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	1.60 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SWNE Sec. 29, Township 02S, Range 34E
BINGHAM 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>
02S 34E 29	NWNE 40	SWNE 40		80

Total number of acres irrigated: 80

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1991.
2. Subject to all prior water rights.
3. 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.
4. 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.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

7th day of June, 1990

NOT FILMED

JUN 19 1990

for

R. Keith Higginson
R. Keith Higginson, Director

6500

35-8837

Form 202
6/85

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 Ed Bartauský Phone 684-4042
Post office address 1037 W. 200 N., Blackfoot, ID 83221

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

3. Location of point of diversion is _____ ¼ of SW ¼ of NE ¼, Govt. Lot _____
Sec. 29 Township 2S Range 34E B.M. Bingham County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.60 for Irrig. purposes from 4-1 to 11-1 (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)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 1.60 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 to sprinklers

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 16 inches; proposed depth of well is 100 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).

NO
MICROFILMED
JUN 19 1990

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. _____
- Other; describe fully. _____

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	
2S	34E	29		40	40														80

Total number of acres to be irrigated 80

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

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

12. Remarks: _____

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JUN 18 1990

This is a topographic map of a section of the Pacific Northwest, likely in Washington or Oregon. The map features a grid system with section numbers (17, 19, 20, 21, 28, 29, 30) and township/range markings (T2S, R34E). Key features include:

- Roads:** Union, Pacific, Aberdeen, and Peoples Springfield.
- Water Features:** Rouse, Peoples Springfield, and a canal.
- Landmarks:** Rouse, Peoples Springfield, and a grain elevator.
- Infrastructure:** Wells (4475, 4465, 4478, 4457, 4451), BM 4498, BM 4482, BM 4473, BM 4461, and a pumping station.
- Grid and Elevation:** Elevation contours are shown, with values ranging from 4450 to 4485. Grid lines are marked with section numbers and township/range coordinates.

Ed Bastausky
(Applicant)

Received by AW Date 7-23-89 Time 1:45P Preliminary check by DMD
Fee \$ 65⁰⁰ Receipted by AWJ # E009385 Date 7-3-89
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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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JUN 19 1990

DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.
Statehouse Mall
Boise, Idaho 83720
(208) 327-7900

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

27-07485

JOHNSTON, James S.
P.O. Box 698
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversión Pt: NENWNE, Sec. 35, T. 02S,
35E.
Use: IRRIGATION (.800 CFS)
DOMESTIC (.350 CFS)
Total Diversión: (.1.000 CFS).
Date Filed: 8/2/1989.
In: T02S, R35E, S35, NENE, NWNW
SWNE.
40.0 ACRES TOTAL.

27-07486

MALM, Wallace E.
MALM, Barbara
349 N. 100 E.
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversión Pt: SWNE, Sec. 19, T. 02S, R.
36E.
Use: IRRIGATION (1.940 CFS).
Total Diversión: (1.940 CFS).
Date Filed: 10/4/1989.
In: T02S, R36E, S19, SWNE, SENE,
NESW, NESE, NWSE.
97.0 ACRES TOTAL.

35-08154

LEBRECHT, Wulf
Sterling, Id. 83279
Source: GROUNDWATER
Diversión Pt: NESW, Sec. 27, T. 03S, R.
31E.
Use: IRRIGATION (3.200 CFS).
Total Diversión: (3.200 CFS).
Date Filed: 6/13/1983.
In: T03S, R31E, S27, NESW, SESW,
NWSE, SWSE.
160.0 ACRES TOTAL.

35-08160

YANCEY, Brice Orley
1264 S. 2700 W.
Aberdeen, Id. 83210
Source: GROUNDWATER
Diversión Pt: NESE, Sec. 4, T. 05S, R. 31E.
Use: IRRIGATION (1.700 CFS).
Total Diversión: (1.700 CFS).
Date Filed: 6/14/1983.
In: T05S, R31E, S04, SWNE, SENE,
SWNW, SENW, NESW, NESE, NWSE.
280.0 ACRES TOTAL.

35-08225

HAROLDSEN, James
79 N. 2200 W.
Pingree, Id. 83262
Source: GROUNDWATER
Diversión Pt: NWNW, Sec. 33, T. 02S, R.
32E.
Use: IRRIGATION (1.700 CFS).
Total Diversión: (1.700 CFS).
Date Filed: 11/7/1983.
In: T02S, R32E, S33, NENW, NWNW,
SWNW, SENW.
160.0 ACRES TOTAL.

35-08790
MARTIN, Wayne J.
P.O. Box 149
Moreland, Id. 83256
Source: GROUNDWATER
Diversión Pt: NENE, Sec. 4, T. 02S, R. 34E.
Use: IRRIGATION (1.400 CFS).
Total Diversión: (1.400 CFS).
Date Filed: 5/26/1989.
In: T02S, R34E, S04, NENE, SENE, NESE,
SESE.
70.0 ACRES TOTAL.

35-08791

NEUMAN, Estate of John
NEUMAN, Sam
2033 S. 2900 W.
Aberdeen, Id. 83210
Source: GROUNDWATER
Diversión Pt: NWNW, Sec. 17, T. 06S, R.
31E.
Use: IRRIGATION (1.600 CFS).
Total Diversión: (1.600 CFS).
Date Filed: 6/2/1989.
In: T06S, R31E, S17, NWSW, SWSW.
80.0 ACRES TOTAL.

35-08797

GIBBS, Marjorie M.
P.O. Box 127
Springfield, Id. 83277
Source: GROUNDWATER
Diversión Pt: SWSWNW, Sec. 12, T. 04S,
R. 32E.
Use: IRRIGATION (2.400 CFS).
Total Diversión: (2.400 CFS).
Date Filed: 6/19/1989.
In: T04S, R32E, S11, NENE, SENE, S12,
NWNW, SWNW, NESW, NWSW.
120.0 ACRES TOTAL.

35-08799

BRENT STOLWORTHY FAMILY
LTD. PARTNERSHIP
3669 S. Holmes
Idaho Falls, Id. 83404
Source: GROUNDWATER
Diversión Pt: SENWNW, Sec. 23, T. 01N,
R. 36E.
Use: IRRIGATION (2.640 CFS).
Total Diversión: (2.640 CFS).
Date Filed: 6/9/1989.
In: T01N, R36E, S23, NENW, NWNW,
SWNW, SENW.
132.0 ACRES TOTAL.

35-08800

BRENT STOLWORTHY FAMILY
LTD. PARTNERSHIP
3669 S. Holmes
Idaho Falls, Id. 83404
Source: GROUNDWATER
Diversión Pt: SENWSW, Sec. 14, T. 01N,
R. 36E.
Use: IRRIGATION (3.000 CFS).
Total Diversión: (3.000 CFS).
Date Filed: 6/9/1989.
In: T01N, R36E, S14, SWNW, SENW,
NESW, NWSW, SWSW, SESW, S15 NESE,
SESE.
168.0 ACRES TOTAL.

35-08801

WILLIAMS, J. Stanley
WILLIAMS, Nancy
1286 W. 200 S.
Pingree, Id. 83262
Source: GROUNDWATER
Diversión Pt: NESWSE, Sec. 16, T. 03S, R.
34E.
Use: IRRIGATION (.780 CFS).
Total Diversión: (.780 CFS).
Date Filed: 8/19/1989.
In: T03S, R34E, S16, NWSE, SWSE.
39.0 ACRES TOTAL.

RECEIVED
APR 27 1990

Department of Water Resources

RECEIVED

MAY - 2 1990

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Ted Townsend do
solemnly

swear that I am the Publisher of
The Morning News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court of
competent jurisdiction within the State of
Idaho shall be published to-wit: of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was
published in said issue or said

newspaper two consecutive weeks

the first publication having been made on the

5th day of April, 1990;

and the last publication having been made on the
12th day of April, 1990;
that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

On this 23rd day of April, in
the year 1990 before me a Notary Public of said State,
personally appeared

Ted Townsend
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true and acknowledged to me that he ex-
ecuted the same.

Wayne A. Taylor
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee \$5.00



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 24, 1995

ED BARTAUSKY
1037 W 200 N
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08837

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECORDED

MAR 27 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08837 DATE 2-13-95



NAME	Yes ☐ No ☒	Or Address Change?
PRIORITY DATE	☒ ☐	Advance? <u>YES</u> Advanced to: <u>JULY 11, 1989</u> Order to reinstate needed? <u> </u> Incorrect fee for rate recommended? <u> </u>
SOURCE	☐ ☒	Changes or just clarification of originally intended source? <u> </u> Notice of Intent to Void necessary? <u> </u>
POINT OF DIV	☒ ☐	Amendment needed? <u>Change to NWNE of SEC 29</u> Overlaps? <u> </u>
PLACE OF USE	☐ ☒	Amendment needed? <u> </u> Overlaps? <u>(PEOPLE'S CANAL SHARES)</u>
DIV RATE	☐ ☒	Permit/fee limits: <u>1.16 CFS</u> Meas Q = <u>1.71</u> Theo Q = <u>1.71</u> Recommend: <u>1.54</u> <u>77 x .02 =</u> <u>used</u> <u>(Corrected theoretical) pumping level rather than static</u> Combined rates exceed capacity <u> </u> NEW
ANNUAL VOLUME	☐ ☒	Volume Limit: <u> </u> Season: <u>CH.0 (4-1 to 10-31)</u> Calculations: <u>77 x 4 = 308</u> Flow limit: <u> </u> cfs x <u> </u> x 1.9835 = <u> </u> Combined volumes exceed capacity/allowable <u> </u>
USES	☐ ☒	Change in Nature of Use or additional uses? <u> </u> Amendment necessary? <u> </u>
REMARKS	<u>WB3 WB3 WB3</u> Multiple p/d(s) in 1/4 1/4? <u> </u> <u>Other 308 AF</u>	
CONDITIONS	☐ ☒	Measuring/Locking Devices <u> </u> ☐ ☒ Watermaster control - District <u> </u> ☐ ☒ Irrigation Overlap <u> </u> ☒ ☒ Water Quality <u> </u> ☐ ☒ Other <u>048 049</u> Heat/Cool/ Fish verified <u> </u> <u>NO-D-TRUST</u>
COMMENTS:	<u>Reduce ACRES & rate accordingly</u> <u>Amend p/d</u>	

RECOMMENDED	CFS	VOL	SRBA Claim Filed	<u>NO</u>
<u>Irrigation</u>	<u>1.54</u>	<u>308</u>	Adjustment Memo Needed	<u>NO</u>
<u> </u>	<u> </u>	<u>list in</u>	LICENSE	
<u> </u>	<u> </u>	<u>REMARKS</u>	1ST AMENDMENT LETTER	<u>P39+P38+SOS</u>
<u> </u>	<u> </u>	<u> </u>	FINAL AMENDMENT LETTER	<u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 10 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-8837

1. Owner: Ed Bartausky Phone No. 684-4042

Current Address: 1037 W 200N Blackfoot ID

2. Accompanied by: NO ONE EXAM DATE: 8-31-1994

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Shares Peoples Canal

2. Other water rights with the same point of diversion: NONE

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	NE	29	2S	34E	Bingham	ASCS Aerial, USGS MAP, ONSITE

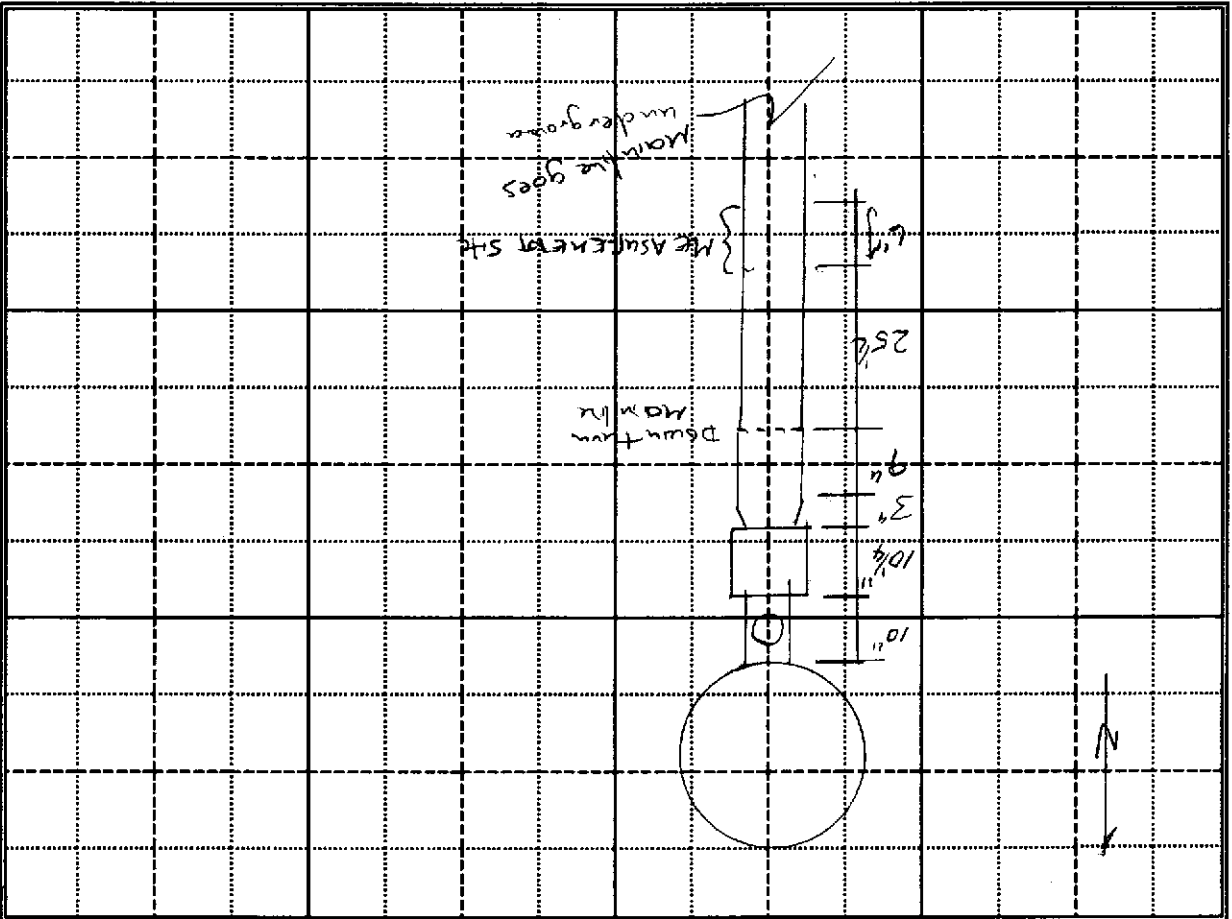
2. Place(s) of Use:

Indicate Method of Determination ASCS Aerial

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2S	34E	29		37	40														77

MAR 27 1995

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe f.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 of _____
 _____ (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
	US Electric	50	62321 T12T226R150R-7	Western Land Roller Co.	

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

D. FLOW MEASUREMENTS

1.

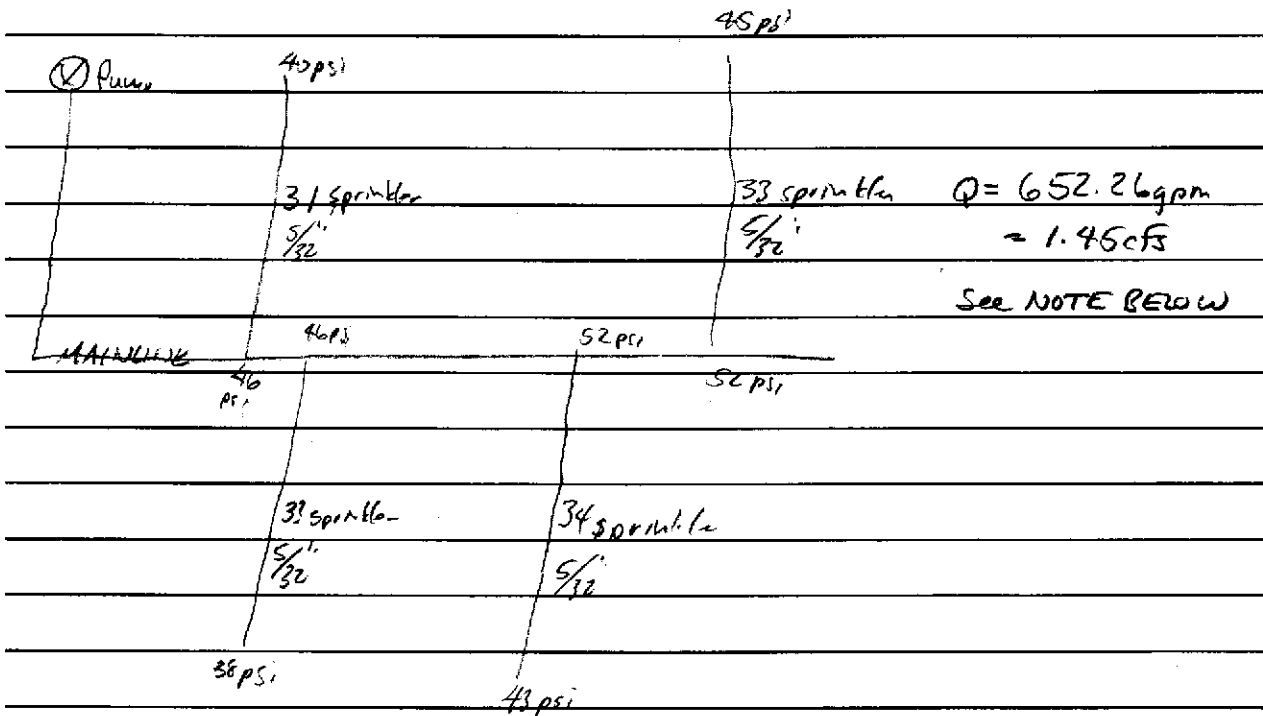
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: 56 psi

E. NARRATIVE/REMARKS/COMMENTS

0.098" thickness static water level 41'

8' od



Note: there were numerous leaks in the lines

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

MAR 27 1995

F. FLOW CALCULATIONS

Measured Method: psi = 50 psi dynamic pumping depth = 4' off = 70%
 Additional Computation Sheets Attached

$$Q = \frac{hp(8.814) \cdot ft}{50(8.814)(1.7)} = \frac{41 + (52 \times 2.305)}{41 + (81 \times 2.305)} = 1.81 cfs$$

Polysaric $Q = 767.155 gpm = 1.71 cfs$

$$\text{Limit to } 0.02 cfs/ac \quad Q = 1.54 cfs$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4(77) = 308 acft$$

$$V_{dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.54(214)(1.9835) = 605.3.7$$

$$V = \text{Smaller of } V_{ir} \text{ and } V_{dr} = 308 acft$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

IRRIGATION

From

4/1

Period of Use

To

10/31

Rate of Diversion

Q (cfs)

1.54 cfs

Annual Volume

V (afa)

308 acft

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

Keith Cullen

Date

8/31/1994

Reviewer

2/10/94

Date

12-12-94

SEAL

MAR 27 1995

MODE SELECT
DATA SET

DATA SET MODE
? PRINTER

08-31 14:3000 *R
+751.041E 0GPM

0300.8 MMSEC
102.03 % T0

08-31 14:3400 *R
+758.965E 0GPM

0299.9 MMSEC
101.13 % T0

08-31 14:3500 *R
+003.00 % AI2

08-31 14:3500 *R
+756.824E 0GPM

PRINTER USE
? YES

MODE SELECT
? INPUT

OUTER DIAMETER
8.0000 IN

PIPE MATERIAL
? CS/SS

WALL THICKNESS
0.0980 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1450 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
5.622 IN U

08-31 14:3600 *R
+745.229E 0GPM

MODE SELECT
? T0 CHECK

0299.9 MMSEC
101.13 % T0

08-31 14:3700 *R
+003.00 % AI2

08-31 14:3700 *R
+745.229E 0GPM

ZERO MODE
AUT ZERO

08-31 14:3900 *R
+749.984E 0GPM

08-31 14:4000 *R
+763.193E 0GPM

08-31 14:4000 *R
+767.155E 0GPM

08-31 14:4100 *R
+753.418E 0GPM

08-31 14:4100 *R
+753.418E 0GPM

08-31 14:4100 *R
+756.060E 0GPM

08-31 14:4200 *R
+756.060E 0GPM

08-31 14:4200 *R
+763.721E 0GPM

35-8837

1000 11 1300

Polysonic
Measurement
Tape

837

35-8837

MAR 27 1995

4469

20

20

UNION

BM 4473

W.
44

R34E

4480

4470

POINT OF DIVERSION

4479

4467

4466

70

T
2
S

PLACE OF
USE

4460

4460

4460

Pumping
Sta

PEO
SPRI

UNION

229

ABERDEEN

BM 4457

4450

4462

4467

4456

4451

Well

35-8837

4450

4440

4440

CANAL

T624
1893

NHEL

72.4

POINT OF DIVERSION

20 21

29 28

T724
906

HEL

37

T1558
3505

PLACE OF USE

R34E

T
2
S

40

HEL

145.9

29

APR 27 1893

Abbeiden Springfield Canal

HEL

86.0

35-8837

al Rd 125

Pioneer Rd. 100N

29 28



Same well



35-8837

APR 27 1995

WELL DRILLER'S REPORT

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 Ed Bortousky
Address 1032 West 200 North
Blackfoot Idaho 83301
Owner's Permit No. 35-91-E-012

2. NATURE OF WORK

WR # 35-8837

- ☒
- New well
- ☐
- Deepened
- ☐
- Replacement
-
- ☐
- Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

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

4. METHOD DRILLED

- ☒
- Rotary
- ☒
- Air
- ☐
- Hydraulic
- ☐
- Reverse rotary
-
- ☐
- Cable
- ☐
- Dug
- ☐
- Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
0.25 inches	14 inches	0.0 feet	38 feet
_____ inches	_____ inches	_____ feet	_____ 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? ☒ NA ☐ Factory ☐ Knife ☐ TorchSize of perforation NA inches by _____ inches

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

Well screen installed? ☐ Yes ☒ NoManufacturer's name NAType NA Model No. _____Diameter NA Slot size _____ Set from _____ feet to _____ feet

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

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____Placed from NA feet to _____ feetSurface seal depth 6 ft Material used in seal: ☐ Cement grout☒ Bentonite ☐ Puddling 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 Bingham

SW 1/4 NE 1/4 Sec. 29 T. 2 N. S. R. 31 E. W.

7. WATER LEVEL

Static water level 91 ft feet below land surface.Flowing? ☐ Yes ☒ No G.P.M. flow _____Artesian closed-in pressure NA p.s.i.Controlled by: ☐ Valve ☐ Cap ☐ PlugTemperature 61 °F. Quality good

Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☒ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
250 GPM	65 to 70 ft	2 hours

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
16.5	0.0	15	DIAT & Clay		
21	15	25	Basalt Rock Hard		
1	25	35	Red clayey Diat		
16.5	35	38	Basalt Rock		
12.4	38	75	Basalt Rock		
12.4	75	94	Red clayey Diat		
12.4	94	100	Red clayey Diat		

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APR 12 1991

Department of Water Resources

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APR 1991

Department of Water Resources

Eastern District Office

MAR 27 1995

10.

Work started March 25 finished March 30 1991

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name Hawley Brothers Drilling Firm No. 461Address 625 S. Shilling Date April 5/91Signed by (Firm Official) Dan C. Hawleyand
(Operator) Dan C. Hawley

August 15, 1991

ED BARTAUSKY
1037 W. 200 N.
BLACKFOOT, ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08837

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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

Enclosure

RECEIVED

AUG 21 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 35-8837

Date 8-9-91

GENERAL CONSIDERATIONS

Y Name same as permit?
Y Address same as permit? If no, indicate below.
NO Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

 Surface water source
Y Ground water source
Y Drill permit req'd?
 Copy in file? Drill permit no.
 Amt paid for drilling permit? Correct?
 Well log in file?

LICENSE EXAMINATION FEE

Y Required?
125.00 Amount submitted?
Y Correct amount?

MEASURING DEVICE

 Measuring device or access port required?
 Installed?
 Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Reinstate

PRIORITY CALCULATION

Date proof received July 9
Date proof due July 1 -
No. of days late = 8
Priority date July 3 +
NEW PRIORITY DATE July 11, 89 =

LB

State of Idaho
Department of Water Resources

RECEIVED

MAR 01 1991

APPLICATION FOR DRILLING PERMIT

Department of Water Resources

1. Applicant (please print) ED BARTAUSKY
2. Mailing Address 1037 W 200 N BLACKFOOT 83221

Telephone _____

☒ Well Owner () Well Operator () Other, specify _____

3. Proposed well location SW 1/4 NE 1/4, or Gov't Lot No. _____

Sec. 29, Twp. 02S, Rge. 34E, County BINGHAM

Street Address of Well Site _____

Lot, block and subdivision _____

4. Proposed use of well:

() Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

☒ Non-Domestic: Any beneficial use not included within the definition of domestic. Irrig. 80 ac.

() Injection

() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

5. Well construction information:

A. ☒ New well () Deepen () Replace - See Condition 9

B. Proposed Surface Diameter 18" Proposed Maximum Depth 110'

C. Anticipated bottom hole temperature:

☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212° or more (Geothermal well)

6. Construction Start Date ASAP

7. Anticipated Well Driller Hawley

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Ed Bartausky Date 2/27/91

Title _____

(Owner, Firm Representative, Other)

AUG 21 1991

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 27 February 1991

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Dennis W. Dunn
Signature of Authorized Department Representative

Sr Water Resource Agent
Title

Receipt No. E015731 Received by LK Fee 200.00 Date 2/27/91 AUG 21 1991

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

July 5, 1991

ED BARTAUSKY
1037 W. 200 N.
BLACKFOOT, ID 83221

LAPSE NOTICE

RE: PERMIT NO. 35-08837

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated April 30, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

AUG 21 1991

CERTIFICATION OF MAILING

I hereby certify that on 7-8-91
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

10488
April 30, 1991

ED BARTAUSKY
1037 W. 200 N.
BLACKFOOT, ID 83221

PROOF DUE NOTICE

RE: PERMIT NO. 35-08837

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1991. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

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AUG 21 1991

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
June 7, 1990

ED BARTAUSKY
1037 W. 200 N.
BLACKFOOT, ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P35-08837

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

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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

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35-08841

WEBB, Jr., Edward M.
134 S. 1900 W.
Pingree, Id. 83262
Source: GROUNDWATER
Diversión Pt: NESE, Sec. 10, T. 03S, R.
32E.
Use: IRRIGATION (1.240 CFS).
Total Diversión: (1.240 CFS).
Date Filed: 7/3/1989.
In: T03S, R32E, S10, SWNE, SENE, NESE,
NWSE, SWSE, SESE.
200.0 ACRES TOTAL.

35-08841

TURPIN, Donald Bruce
907 W. 275 S.
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversión Pt: SESE, Sec. 16, T. 03S, R.
34E.
Use: IRRIGATION (.460 CFS).
Total Diversión: (.460 CFS).
Date Filed: 7/24/1989.
In: T03S, R34E, S16, SESE.
23.0 ACRES TOTAL.

35-08842

JOHNSON, L. Dean
619 W. Highway 26
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversión Pt: NENWNE, Sec. 25, T. 02S, R.
34E, NWNWNE, Sec. 25, T. 02S, R. 34E.
Use: IRRIGATION (.200 CFS).
COMMERCIAL (.340 CFS).
Total Diversión: (.540 CFS).
Date Filed: 5/26/1989.
In: T02S, R34E, S25, NWNE.

10.0 ACRES TOTAL.

35-08845

CIRCLE H. FARM
c/o Ralph Henderson
5118 Whitaker
Chubbuck, Id. 83202
Source: GROUNDWATER
Diversión Pt: SESE, Sec. 11, T. 04S, R.
33E.
Use: IRRIGATION (1.040 CFS).
Total Diversión: (1.040 CFS).
Date Filed: 9/6/1989.
In: T04S, R33E, S11, NESE, SWSE, SESE.
52.0 ACRES TOTAL.

35-08869

BURKMAN, Doug
285 W. 450 N.
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversión Pt: SENW, Sec. 10, T. 02S, R.
35E.
Use: IRRIGATION (.140 CFS).
Total Diversión: (.140 CFS).
Date Filed: 12/12/1989.
In: T02S, R35E, S10, NENW.
7.0 ACRES TOTAL.

The permit(s) will be subject to senior 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 23, 1990.

R. KEITH HIGGINSON
Director

(745)
Pub.: 4/5, 12

35-08802

VANORDEN, Larry E.
VANORDEN, Paunle T.
1054 W. 125 S.
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversión Pt: LOT 2 (NWNENW), Sec. 20,
T. 03S, R. 34E.
Use: IRRIGATION (.600 CFS).
Total Diversión: (.600 CFS).
Date Filed: 6/20/1989.
In: T03S, R34E, S20, Lot 8 (NWNE), Lot 9,
(SWNE).
30.0 ACRES TOTAL.

35-08806

DVORAK, Judith A.
1878 S. 2900 W.
Aberdeen, Id. 83210
Source: GROUNDWATER
Diversión Pt: SESW, Sec. 6, T. 06S, R.
31E.

Use: IRRIGATION (1.900 CFS).
Total Diversión: (1.900 CFS).
Date Filed: 6/30/1989.
In: T06S, R31E, S06, NESE, SWSE, SESE.
95.0 ACRES TOTAL.

35-08834

WEBB, Jr., Edward M.
134 S. 1900 W.
Pingree, Id. 83262
Source: GROUNDWATER
Diversión Pt: NENE, Sec. 10, T. 03S, R.
32E.
Use: IRRIGATION (1.500 CFS).
Total Diversión: (1.500 CFS).
Date Filed: 7/3/1989.
In: T03S, R32E, S10, NENE, NWNE,
SWNE, SENE, S11, NWNW, SWNW.
180.0 ACRES TOTAL.

35-08837

BARTAUŠKY, Ed
1037 W. 200 N.
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversión Pt: SWNE, Sec. 29, T. 02S, R. 34E.
Use: IRRIGATION (1.600 CFS).
Total Diversión: (1.600 CFS).
Date Filed: 7/3/1989.
In: T02S, R34E, S29, NWNE, SWNE.
80.0 ACRES TOTAL.

35-08838

PIEPER, George G.
P.O. Box 1174
Pocatello, Id. 83201
Source: GROUNDWATER
Diversión Pt: SWSWNW, Sec. 11, T. 03S,
R. 33E.
Use: IRRIGATION (1.300 CFS).
Total Diversión: (1.300 CFS).
Date Filed: 7/3/1989.
In: T03S, R33E, S10, SENE, NESE, S11,
SWNW, NWSW, SWSW.
188.0 ACRES TOTAL.

35-08839

WEBB, Jr., Edward M.
134 S. 1900 W.
Pingree, Id. 83262
Source: GROUNDWATER
Diversión Pt: SESE, Sec. 11, T. 03S, R.
32E.
Use: IRRIGATION (.680 CFS).
Total Diversión: (.680 CFS).
Date Filed: 7/3/1989.
In: T03S, R32E, S11, NENE, NWNE,
SWNE, SENE, NENW, SENW.
238.0 ACRES TOTAL.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

MARCH 27, 1990

The Morning News
Box 70
Blackfoot, ID 83221

Dear Legal Dept.:

Enclosed you will find legal notices 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 23, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

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NOTICE OF APPLICATION FOR WATER RIGHT

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

35-08837

BARTAUSKY, ED
1037 W. 200 N.
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: SWNE Sec 29 T 02S R 34E

Use: IRRIGATION (1.600 CFS)
Total Diversion: (1.600 CFS)

Date Filed: 7/ 3/ 1989

In: T02S R34E S29 NWNE SWNE

80.0 ACRES TOTAL

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 23, 1990.

Published 4/ 5/1990 & 4/12/1990 R. Keith Higginson, Director

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