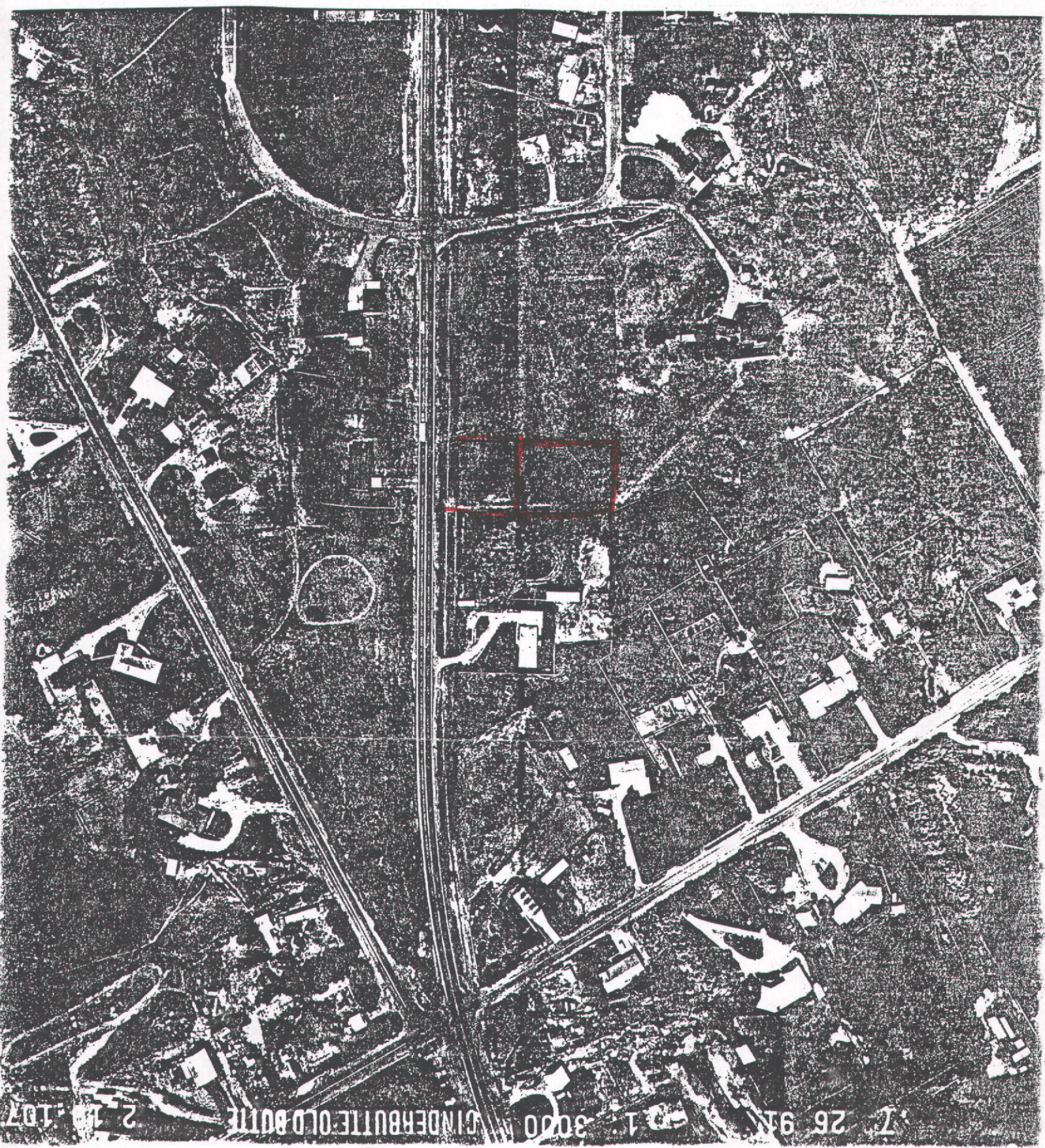
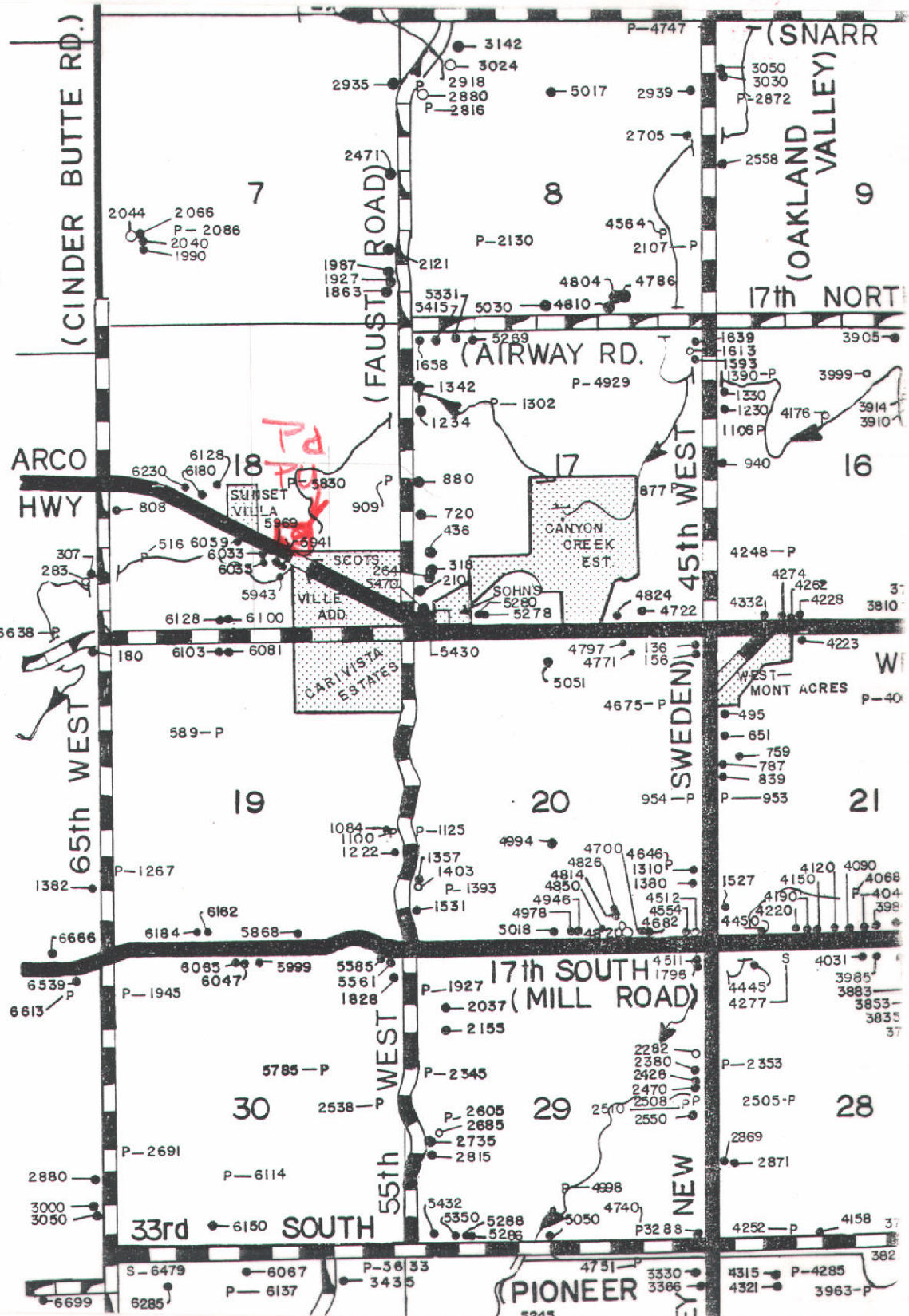




26 91 1 3000 GINDERBUTTE OLD BUTTE 2 10 107

T2N
R37E

(SHEET 23)



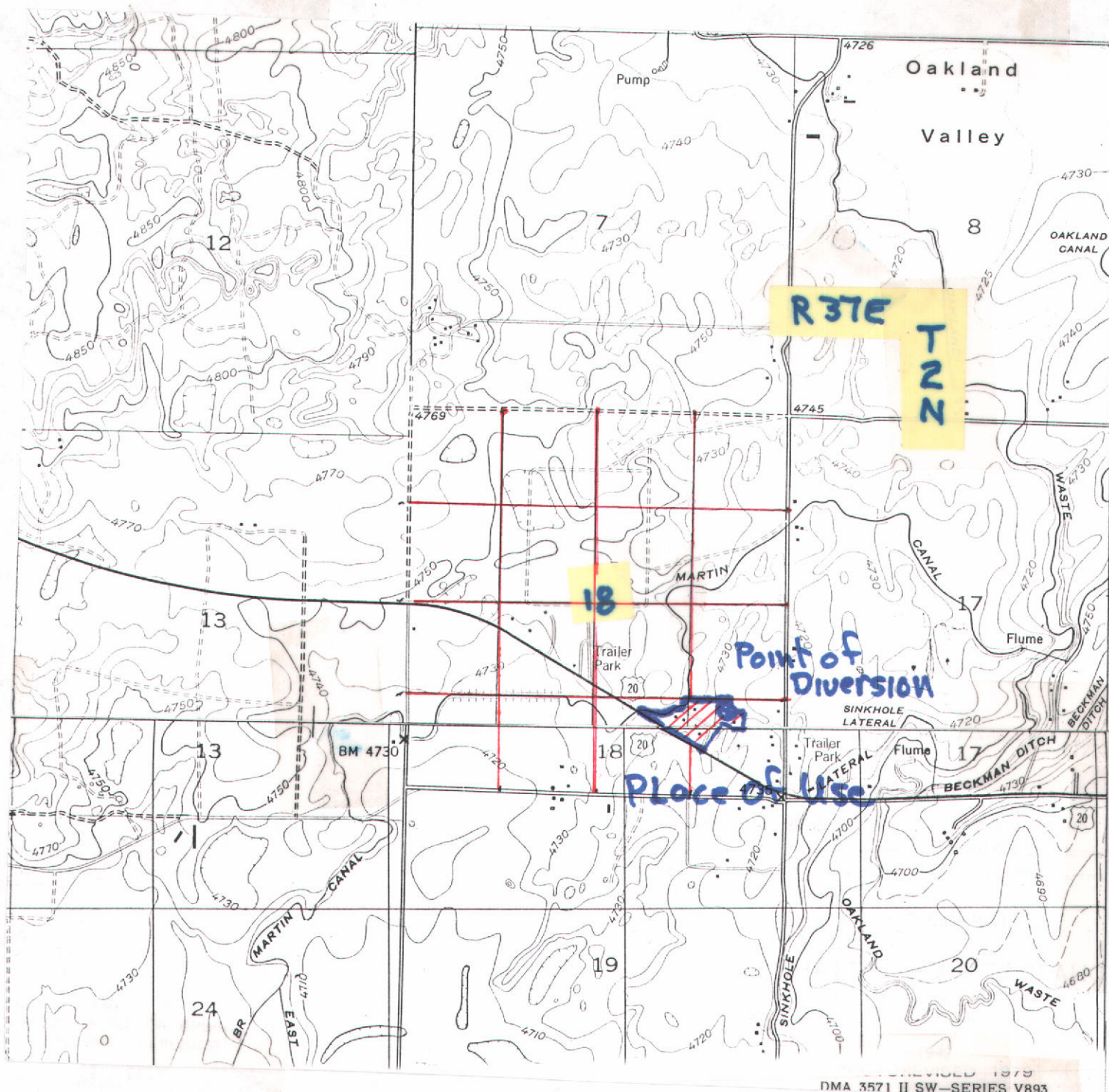
Scale: 2 inches equal 1 mile.

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.

FEB 14 1990

Paul Z. Butler

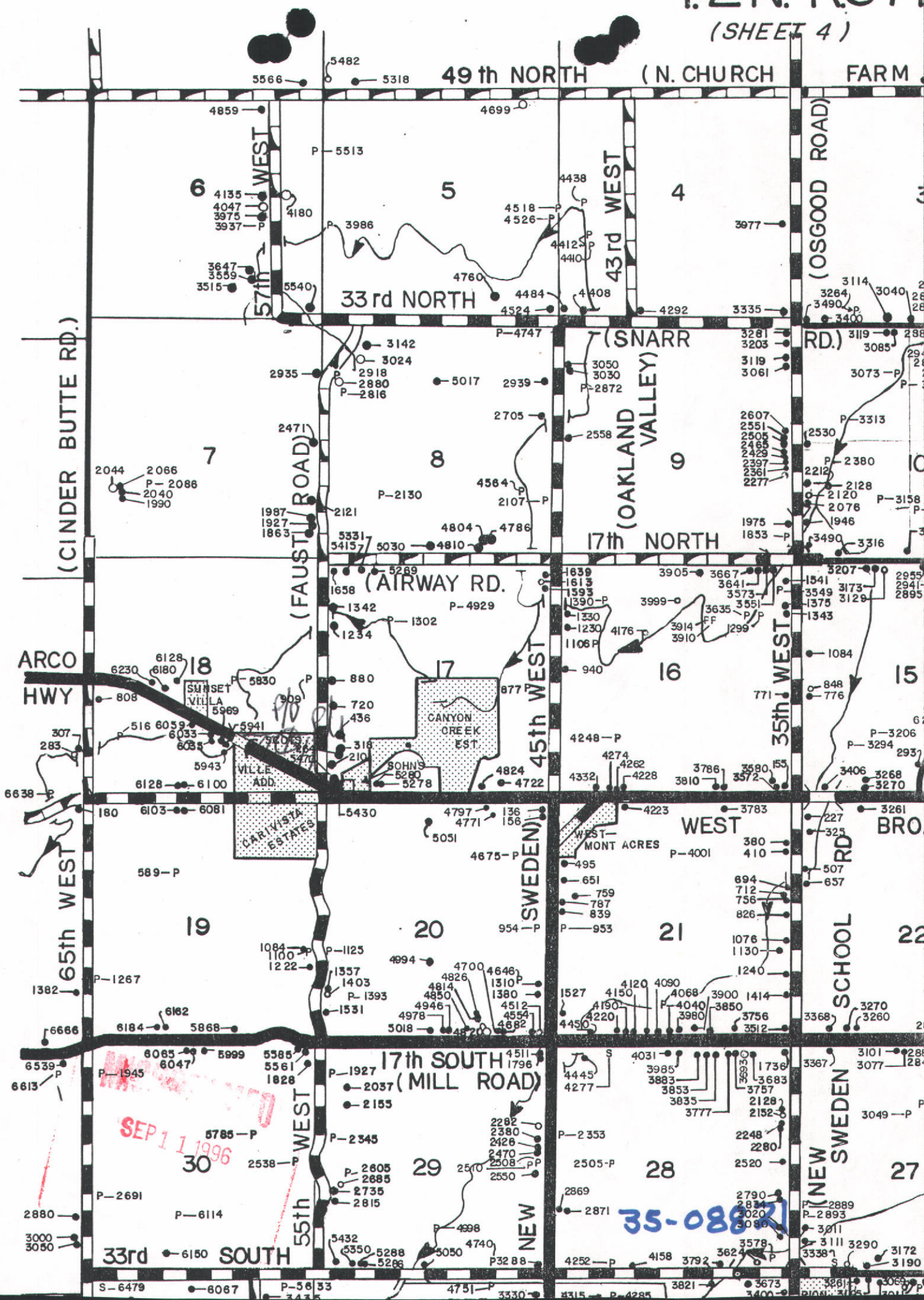
(Applicant)



SEP 11 1996

35-08821

(SHEET 23)





1120-1117

SEP 11 1996

35-8821

R37E



STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
SEP 12 1996

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) 35-08821
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) DUANE STODDART
5833 ARCO Highway, IDAHO FALLS, ID 83402
4. New Owner/Claimant(s) RANDY D ELLIS AND PAM K ELLIS
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 380 N KAREY LANE
City, State and ZIP Code IDAHO FALLS, IDAHO 83402
New Telephone Number (208) 529-1998
5. Date you acquired the property MAY 1993
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated 5 Number and type of stock DOMESTIC
Diversion rate in CFS 0.04 Number of homes 1 Other uses NONE
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Randy D Ellis Date 9/9/96

Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

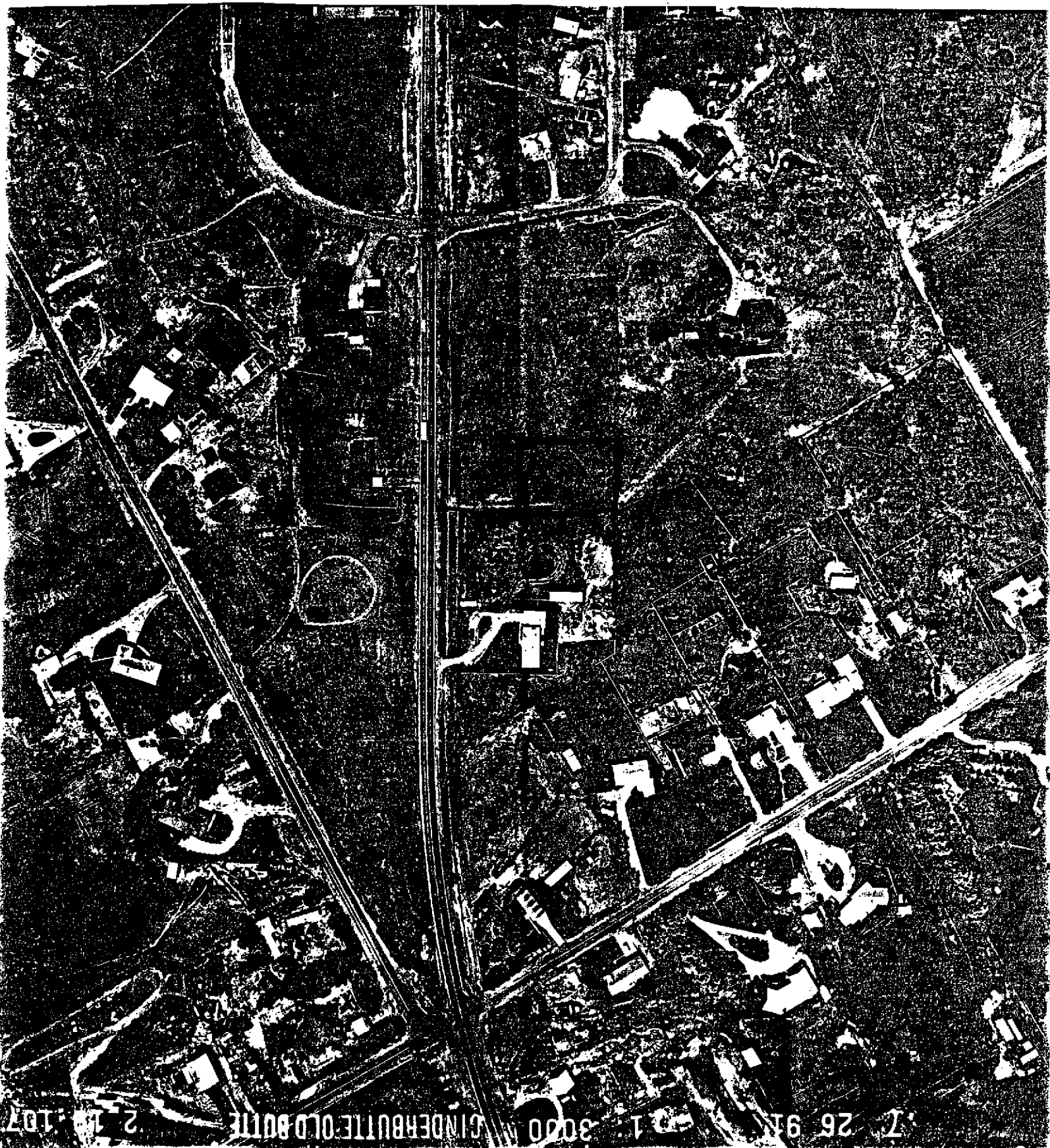
7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161



7 26 91 3020 W. GINDEHUTTE OLD ROUTE 2 10 107

File Number: 22,589

Instrument No. _____

850286

WARRANTY DEED

INDIVIDUAL

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

DUANE A. STODDART and COLLEEN STODDART, husband and wife

hereinafter called the Grantor, does hereby grant, bargain, sell and convey unto

RANDY D. ELLIS and PAMELA K. ELLIS, husband and wife

hereinafter called the Grantee, whose address is: 380 NORTH KAREY LANE, Idaho Falls, ID 83402

the following described real property in the city of Idaho Falls, County of Bonneville, State of Idaho:

The Property described in Exhibit 'A' attached hereto and made a part hereof.

SUBJECT TO: all easements, rights of way, covenants, restrictions, patent reservations, applicable building and zoning ordinances and use regulations and restrictions and accruing taxes, of record.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenants to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and defend the same from all lawful claims whatsoever. In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

Duane A. Stoddart

DUANE A. STODDART

Colleen Stoddart

COLLEEN STODDART

850286

DATED: May 7, 1993

STATE OF IDAHO, COUNTY OF BONNEVILLE

On this 7th day of May, 1993, before me, the undersigned, a Notary Public in and for the said State, personally appeared

DUANE A. STODDART, COLLEEN STODDART

known to me to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledges to me that he/she/they executed the same.

Brian Stafford
Notary Public for Idaho

Residing at: IONA, IDAHO

Commission Expires: February 24, 1999

INSTRUMENT NO. 850286
DATE 5-7-93
INST. CODE 356
FICHE NO. 8745-52
FEE 90

STATE OF IDAHO)
COUNTY OF BONNEVILLE) SS

I hereby certify that the within instrument was recorded.

Ronald Long
County Recorder
By *Paula Selling* Deputy
Request of

93 MAY -7 PM 4:32

THIS FORM PROVIDED BY IDAHO TITLE AND TRUST COMPANY

IDAHO TITLE & TRUST CO.
P.O. BOX 50367
IDAHO FALLS, ID 83405

EXHIBIT 'A'

Beginning at a point that is N0°47'27"W 1038.00 feet along the Section line from the Southeast Corner of Section 18, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho, said point being on the South line extended of property owned or formerly owned by Clarence R. Moore (Bonneville County Instrument No. 349580); thence S89°24'46"W 520.00 feet along said line to the Southwest corner of property owned or formerly owned by Clarence R. Moore; thence N0°35'12"W 293.20 feet; thence S89°24'48"W 211.43 feet; thence S29°33'W 456.96 feet; thence S60°27'E 400.00 feet; thence N29°33'E 118.90 feet; thence N89°24'48"E 555.93 feet; thence N0°47'27"W 200.00 feet to the POINT OF BEGINNING.

Commencing at the South 1/4 corner of Section 18, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho; thence North0°27'W 1588.73 feet to a point at the Northerly highway Right-of-Way fence; thence S60°27'E along the said Right-of-Way fence 1820.70 feet to a POINT OF BEGINNING, said point being at the Western corner of the property formerly owned by Alva Burton (Deed--Bk. 349 P110) and running thence N29°33'E along the Western line of said Burton Property 729.21 feet to a point on the Northern property line of the Grace Arave Property; thence S89°24'48"W 1452.58 feet to a point on the Northern highway Right-of-Way fence; thence S60°27'E 1256.14 feet along said highway Right-of-Way fence to the POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM: those portions within Scottsville Subdivision, Divisions 1 and 2.

ALSO EXCEPTING: Beginning at a 1/2" x 24" iron rod placed at the Southeasterly Corner of Lot 6 of the Scottsville Subdivision, Division No. 1, Bonneville County, Idaho, and running thence N28°10'50"E 350.67 feet to a found, original, 1/2" iron rod near the Northeasterly Corner of said Lot 6; thence S88°31'30"E 17.75 feet along an old existing fence line to a 1/2" x 24" iron rod; thence S30°42'43"W 359.00 feet to the POINT OF BEGINNING.

ALSO EXCEPTING: Beginning at a 1/2" x 24" iron rod placed at the Southeasterly Corner of Lot 6, of the Scottsville Subdivision, Division No. 1, Bonneville County, Idaho, and running thence N30°42'43"E 359.00 feet to an old fence line; thence S13°30'56"W 248.87 feet to the Northwesterly side of an existing private roadway; thence Southwesterly following said roadway the following 3 courses; S73°48'39"W 27.54 feet, S52°02'56"W 40.56 feet and S31°55'49"W 72.01 feet to a point on a curve on the Northerly line of Steven Lane, as originally staked; said curve having a radius of 83.55 feet and a tangent that bears N33°00'29"W; thence to the left along said curve 39.81 feet to the POINT OF BEGINNING.

ALSO EXCEPTING: that portion lying Easterly of a line being N29°33'E and being the Northerly extension of the East line of that tract of land as conveyed by Instrument No.743060 on January 18, 1988

TRACT 2:

Beginning at a point that is N. 0°47'27" W. 838.00 feet along the Section line from the Southeast corner of Section 18, Township 2 North, Range 37 E.B.M.; thence S. 89°24'48" W. 555.93 feet; thence S. 29°33' W 391.15 feet to the Northerly Right-of Way line of the existing Arco Highway; thence S 60°27' E 445.65 feet, more or less, to the Southwest corner of the Daniel P. Pruett property (Deed No. 383811); thence N 0°47'27" W 152.02 feet to the Northwest corner of the Daniel P. Pruett property; thence N 89°24'48" E 368.90 feet to the Saction Line; thence N 0°47'27" W 410.00 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM:

Beginning at point that is North 428.0 feet along the Section line and West 25.00 feet from the Southeast Corner of Section 18, Township 2 North, Range 37, East of the Boise Meridian, Bonneville County, Idaho, said point being the Northeast Corner of property owned or formerly owned by Herbert H. Sohn, and running thence South 89°24'48" West 343.90 feet along the North line of said Sohn property to the Northwest Corner of Daniel P. Pruett property, to the TRUE POINT OF BEGINNING; and running thence South 0°47'27" East 152.02 feet, more or less, to the North Right-of-Way line of the Arco Highway; thence North 60°27' West along said Right-of-Way line 395.65 feet; thence North 29°33' East 272.25 feet; thence South 60°27' East 225.0 feet, more or less, to a point that is North 0°47'27" West 165.00 feet, more or less, from the True Point of beginning; thence South 0°47'27" East 165.00 feet, more or less, to the True Point of Beginning.

ALSO LESS AND EXCEPTING:

Said piece of property to extend starting from the Northeast corner of Sherman's property (where it intersects West property line of Scottsville #2), West 190 feet to the Northwest corner of Sherman's property; extending North approximately 340 feet to the Southwest corner of the Deaton property; extending East to the Northwest corner of the Lot # 5, Scottsville #2; extending South to Northeast corner of Sherman's property.

ALSO LESS AND EXCEPTING:

Scottsville Subdivision, Division No. 2

DUANE A. STODDART, COLLEEN STODDART

known to me to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledges to me that he/she/they executed the same.

Barbara Stoddart
Notary Public for Idaho
Residing at: IONA, IDAHO
Commission Expires: February 24, 1999

STATE OF IDAHO)
COUNTY OF LATAH) ss
I hereby certify that the within
instrument was recorded.
Ronald Long
County Recorder
By *April Celling* Deputy
Request of

AY-7 PM 4:32

THIS FORM PROVIDED BY IDAHO TITLE AND TRUST COMPANY

IDAHO TITLE & TRUST CO.
P.O. BOX 50367
IDAHO FALLS, ID 83405

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08821

Priority: September 13, 1989

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

4.2 AF

This is to certify, that VERL L BITTER
DUANE A STODDART
BLISS WHEELER
LARRY SIMMONS
RICKY SMITH
KENNETH HAINES
ROGER SMITH

425 N KAREY LANE
IDAHO FALLS ID 83402

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 13, 1989; and has submitted Proof of Beneficial Use on December 20, 1990. 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	4.2 AF

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 18, Township 02N, Range 37E
BONNEVILLE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

02N 37E 18

SWSE

SESE

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, and the applicable Idaho law.

SEP 11 1996

State of Idaho
Department of Water Resources

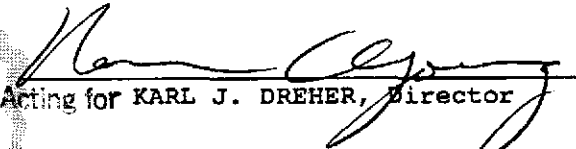
WATER RIGHT LICENSE

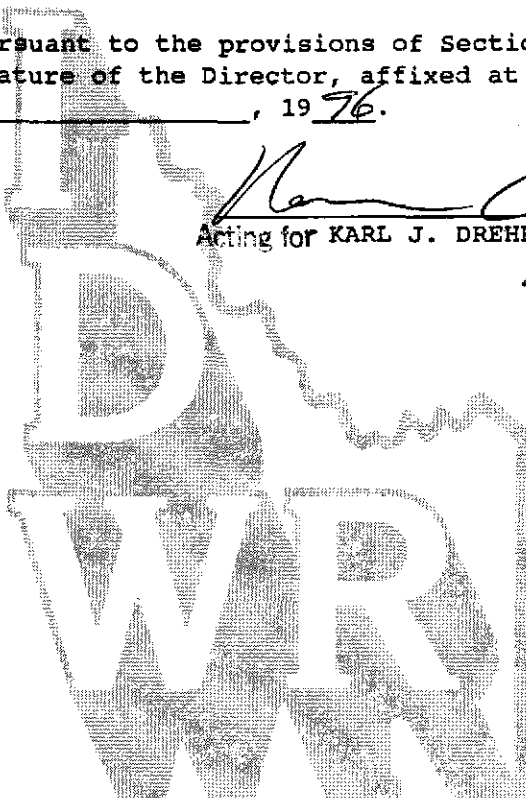
WATER RIGHT NO. 35-08821

CONDITIONS OF APPROVAL AND REMARKS

5. Domestic use is for 7 homes.
6. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
7. Point of diversion located at 380 Karey Lane.
8. Place of use known as 355, 380, 390, 395, 400, 405, and 425 Karey Lane (Scotsville Div. 1).

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 30th day of AUGUST, 1976.


Acting for KARL J. DREHER, Director



APR 1 1986

RECEIVED

AUG 29 1996

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08821

Date of Priority: September 13, 1989 Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 4.2 AF

Comes now

VERL L BITTER
~~DUANE A STODART~~ RANDY ELLIS
BLISS WHEELER
LARRY SIMMONS
~~PICKY SMITH~~ BLAIR WILLIS
KENNETH HAINES
ROGER SMITH

425 N KAREY LANE
IDAHO FALLS ID 83402

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. 35-08821, 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>
DOMESTIC	01/01 to 12/31	0.04 CFS	4.2 AF

LOCATION OF POINT(S) OF DIVERSION: SESE, Sec. 18, Township 02N, Range 37E
BONNEVILLE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

02N 37E 18 SWSE SESE

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 IDAHO FALLS, ID, this 28 day of AUGUST, 1996.

SEP 11 1996

Verl L. Bitter
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08821

FOR DEPARTMENT USE ONLY

Preliminary check by Ket Fee = \$50.00 Receipted by Ket # C036426 Date 8.29.96

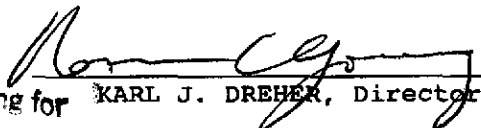
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-08821 with the following;

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. Domestic use is for 7 homes.
6. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
7. Point of diversion located at 380 Karey Lane.
8. Place of use known as 355, 380, 390, 395, 400, 405, and 425 Karey Lane (Scotsville Div. 1).

Witness my hand this 30th day of August, 1996.


Acting for **KARL J. DREHER, Director**

SEP 11 1996

RECEIVED
DEC 20 1990

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.

1. Permit No. 35-08821 Telephone No. 522-0289

2. Name(s) of Permit Holder(s): VERL L. BITTER

3. Post Office Address: 425 N. KAREY LN IDAHO FALLS, ID 83402

4. Source of Water: DOMESTIC WELL

a. If ground water, well driller's name: DENNING WELL DRILLING Date drilled: 1970

b. Pump horsepower: 2 Pressure (psi): 40 Dynamic pumping level (ft.): 120

5. Extent of Use:

Domestic 7 (No. of households) Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 0.12 cfs _____ acre/feet
~~0.024~~

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: \$ 50.00 (See License Examination Fee Schedule)

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

VERL L. BITTER 522-0289
Name Telephone No.

425 N. KAREY LN 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.

12-17-90
Date

Verl L. Bitter Sec. / COMMUNIT. WELL
Signature (and title if on behalf of a company or organization)

RECEIVED

JAN 28 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08821

Proposed Priority: September 13, 1989 Maximum Diversion Rate: 0.12 CFS

This is to certify, that **VERL L. BITTER**
DUANE A. STODDART
BLISS WHEELER
LARRY SIMMONS
RICKY SMITH
KENNETH HAINES
ROGER SMITH
425 N. KAREY LANE
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>
-----------------------	----------------------	--------------------------

DOMESTIC	01/01 to 12/31	0.12 CFS
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LOCATION OF POINT(S) OF DIVERSION: NWSE Sec. 18, Township 02N, Range 37E
BONNEVILLE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

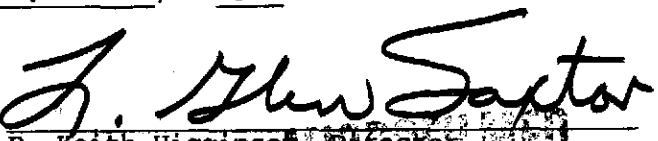
02N 37E 18 NWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 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 issuance of this permit in no way grants any right-of-way or easement across the land of another.
5. Domestic use is for 7 homes.

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

28th day of December, 1989.

for 
R. Keith Higginson, Director

RECEIVED
FEB 14 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 VERL L. BITTER or ^{See} Remarks Phone 522-0289
Post office address 425 N. KAREY LANE IDAHO FALLS, ID 83402
2. Source of water supply GROUND WATER which is a tributary of N/A
3. Location of point of diversion is _____ ¼ of NW ¼ of SE ¼, Govt. Lot _____
Sec. 18 Township 2 N Range 37 E B.M. BONNEVILLE County; additional
points of diversion if any: _____
4. Water will be used for the following purposes;
(7-HOUSEHOLDS)
Amount .12 for DOMESTIC purposes from JAN. 1 to DEC. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .12 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. well and pump to a community distribution system. 2 Hp pump is installed
- 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. ^{Existing} Proposed well diameter is 6 inches; ^{Existing} proposed depth of well is 220 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
2 years (minimum 1 year).

MICROFILMED

FEB 14 1990

01 JAN 1964

11. a. Who owns the property at the point of diversion? Duane A Stoddart

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Mr. Bitter is a member of the Homeowners

Total number of acres to be irrigated.

[illegible]

9. Description of place of use:

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

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

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

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

b. Stockwatering; list number and kind of livestock. _____

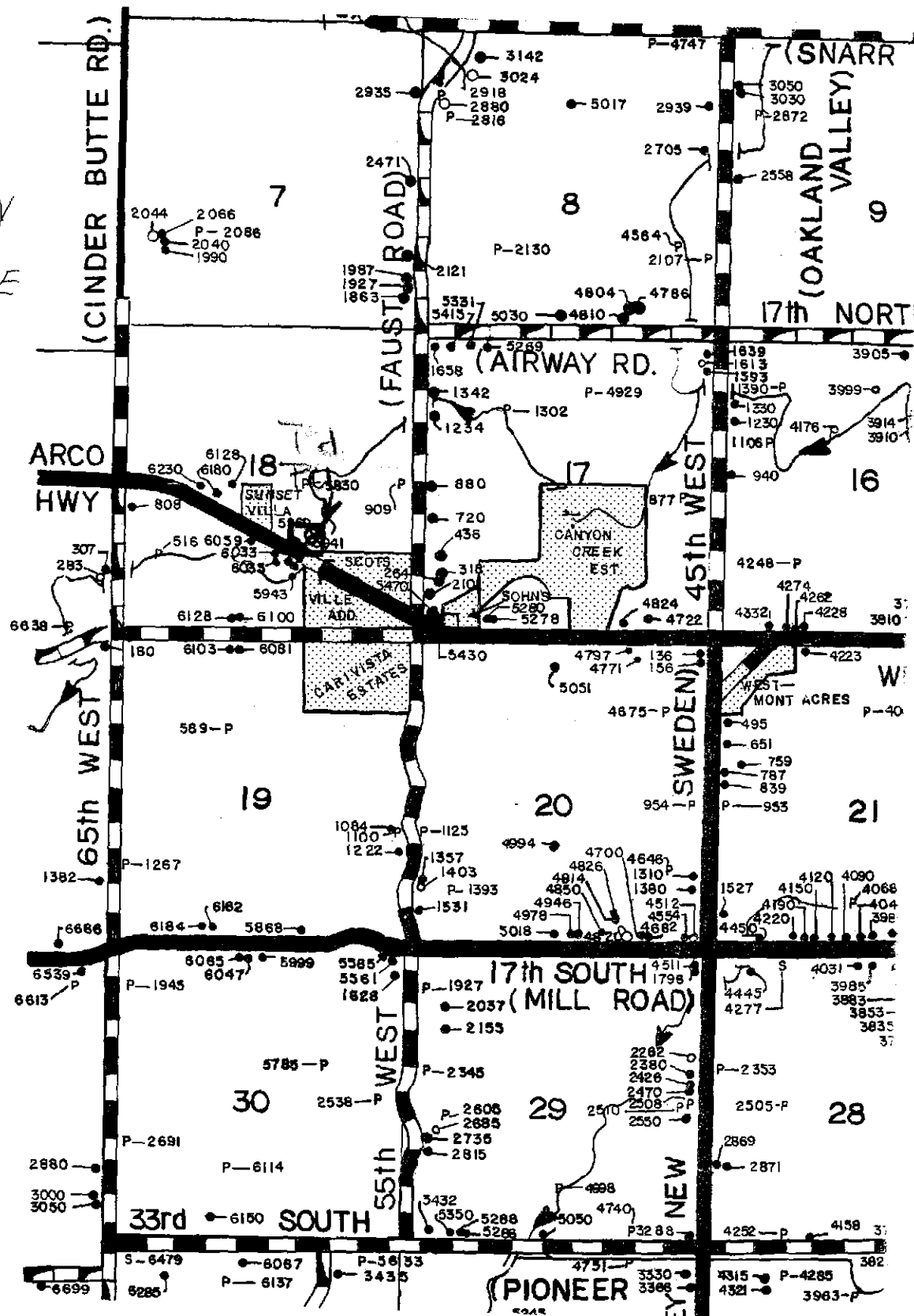
c. Municipal; show name of municipality. _____

d. Domestic; show number of households. Seven (7) households

e. Other; describe fully. _____

T2N
R37E

(SHEET 23)



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.

FEB 14 1990

Paul Z. Butler

(Applicant)

Revised by BMD

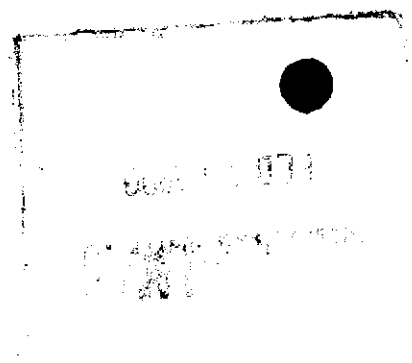
Received by BMD Date 13 Sept 1989 Time 14:10
Preliminary check by _____
Fee \$ 30.00 Received by BMD # E012335 Date 13 Sept 1989
Publication prepared by RJB Date 10-19-89 Published in Post-Register
Publication approved _____ Date _____

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:



6300 NORTHSIDE CIRCLE
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNE Sec 32 T 03N R 38E
Use: IRRIGATION (.160 CFS)
Date Filed: 5/31/1985
In: T03N R38E S32 NWNE
8.0 ACRES TOTAL

25-07498

CITY OF AMMON
3270 MOLEN
AMMON, ID 83406
Source: GROUNDWATER
Diversion Pt: NESENW Sec 26 T 02N R 38E
Use: MUNICIPAL (2.320 CFS)
Date Filed: 6/06/1989
In: T02N R38E S22
S26
S27
S34
S35

25-07519

ELISON, RONALD C
620 N 55TH E
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWNWSW Sec 18 T 02N R 39E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.030 CFS)
Date Filed: 9/13/1989
In: T02N R39E S18 NWSW
1.0 ACRES TOTAL

25-07527

JORGENSEN, DERALD
JORGENSEN, KIM
4106 E. FAIRVIEW
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNE Sec 23 T 03N R 38E
Use: IRRIGATION (.040 CFS)
DOMESTIC (.060 CFS)
Date Filed: 9/22/1989
In: T03N R38E S23 NWNE
2.0 ACRES TOTAL

25-07528

KRESS, THOMAS J.
KRESS, ROSELYN VAN EVERA
3239 S. LAURELWOOD DR.
IDAHO FALLS, ID 83406
Source: GROUNDWATER
Diversion Pt: SWSE Sec 30 T 02N R 39E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)
Date Filed: 9/19/1989
In: T02N R39E S30 SWSE
2.0 ACRES TOTAL

25-07530

STORER, GALE
STORER, BETTY
2968 N. HOLMES
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNW Sec 8 T 02N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 8/28/1989
In: T02N R38E S08 NWNW

35-08815

WOOD, SUSAN
6127 S. 4500 W.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: SWSW Sec 4 T 01N R 37E
Use: DOMESTIC (.110 CFS)
Date Filed: 9/20/1989
In: T01N R37E S04 SWSW

35-08821

BITTER, VERL L.
HAINES, KENNETH
SIMMONS, LARRY
SMITH, RICKY
SMITH, ROGER
STODDART, DUANE A.
WHEELER, BLISS
425 N. KAREY LANE
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: NWSE Sec 18 T 02N R 37E
Use: DOMESTIC (.120 CFS)
Date Filed: 9/13/1989
In: T02N R37E S18 NWSE

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

RECEIVED

FILED

WR0749NP
No. 35-08821

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/24/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VERL L BITTER 425 N KAREY LANE IDAHO FALLS ID 83402 (208) 522-0289	09/13/1989	DOMESTIC	01/01 12/31	0.040 CFS	4.20 AFA
TOTAL DIVERSION:					0.040 CFS	4.20 AFA

C DUANE A STODDART
C BLISS WHEELER
C LARRY SIMMONS
C RICKY SMITH
C KENNETH HAINES
C ROGER SMITH
IDAHO FALLS ID 83402

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.040 CFS

Point(s) of Diversion: T02N R37E S18 SESE BONNEVILLE County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
02N 37E 18 :																															

Pou County: BONNEVILLE

Other Water Rights with Same Point(s) of Diversion and Source:
35-07698 35-08856 35-08943

Remarks: Domestic use is for 7 homes. ✓
Domestic use does not include lawn, garden, landscape, or
other types of irrigation.
Point of diversion located at 380 Karey Lane.
Place of use known as 355, 380, 390, 395, 400, 405, and
425 Karey Lane (Scotsville Div. 1).

Dates: App. Received: 09/13/1989 Priority Date: 09/13/1989
Proof Due Date: 01/01/1991 Proof Made Date: 12/20/1990
Exam Made Date: 06/18/1991 Exam Sent to S.O.: 07/29/1996
Licensed Date: 08/30/1996

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 10/10/89 BODELL 10/30/89 CURTIS 12/20/89 CURTIS 12/26/89 CURTIS
01/14/91 BILBAO 07/30/91 WRAY 09/09/91 WRAY 07/29/96 KWILSON

WR0749NP
No. 35-08821

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/24/96
PAGE: 2

Audit: 08/21/96 SCURTIS

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM			
		NE		NW		SW		SE		NE		NW		SW		SE					
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				
3508821	T02N R37E S18	GROUNDWATER																			
	:					:				:					:			X	X	:	
A0100047M	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0100071D	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0100080D	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0100109F	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0100115R	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0100134	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0100135	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0100136D	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0100320	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
0102009A	SNAKE RIVE :					:				:			04-36	25	:					:	61
A0102009A	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
0102009B	SNAKE RIVE :					:				:				15	:					:	15
A0102009B	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0102009D	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0102074	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0110161	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0110162	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0110182	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0110183	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0110207	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0110208	SNAKE RIVE :	40	40	40	40	:	40	01-40	02-40	40	:	20	03-37	04-39	40	:	40	02	36	40	: 574
A0110214	SNAKE RIVE :					:				:					:	40				:	40
3504111	GROUNDWATE :					:				:	01				:					:	1
A3504111	GROUNDWATE :					:				:	01				:					:	1
3507919	GROUNDWATE :					:				:	04				:					:	4
PLSS DATA	LEGAL LOOK :					:	01	02		:	03	04			:					:	
--86 MAP--	C19Q-X 91 :	40	40	40	41	:	40			40	:	38			40	:	35	27	38	42	: 461
NO QTRS	MAPPING	Lot01-35				Lot02-39				Lot03-39				Lot04-41							



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

September 4, 1996

VERN L BITTER, ROGER SMITH
DUANE A STODDART, KENNETH HAINES
BLISS WHEELER, RICKY SMITH
AND LARRY SIMMONS
425 N KAREY LANE
IDAHO FALLS ID 83402

RE: WATER RIGHT NO. 35-08821

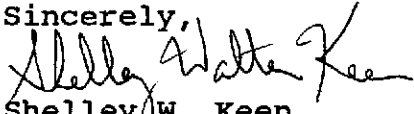
Dear Water Right Holder(s):

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.

The license does not reflect the ownership changes you indicated on the amendment form. More information is needed to confirm the changes. Please complete and return the enclosed Notice of Change of Water Right Ownership forms.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph
Enclosures

SEP 11 1996



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

August 22, 1996

VERL L BITTER, ROGER SMITH
DUANE A STODDART, KENNETH HAINES
BLISS WHEELER, RICKY SMITH
AND LARRY SIMMONS
425 N KAREY LANE
IDAHO FALLS ID 83402

RE: WATER RIGHT NO. 35-08821

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

SEP 11 1996

MEMORANDUM

TO: File 35-08821

FROM: Sharla

DATE: August 21, 1996

RE: Recommendation Adjustment(s)

The final license recommendations for Right 35-08821 are based on the following.

H. RECOMMENDATIONS

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Domestic	1/1 - 12/31	0.04 cfs	4.2 afa

The volume has been calculated for 7 homes (in-house use only as noted by examiner). The rate of diversion is limited by the capacity determined by a theoretical calculation. Lots 1-6 are easily identified but there is no lot number associated with the largest lot where the point of diversion is located, therefore, the street addresses will be listed in the remarks to tie the place of use to those 7 homes.

Examiner: Allan Paris

Exam Date: June 18, 1991

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08821

DATE 8/21/96

REVIEWER: S H A R L A

NAME Change OK

Address Change NO

SOURCE Change OK

Is change clarification of originally intended source? Yes

If not, prepare Notice of Intent to Void

POINT OF DIV Change OK

Amendment required yes

PLACE OF USE Change OK

Amendment required yes

Does map agree with written description? Yes no

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate .12 cfs

Fee limit .20 cfs \$5000

Measured cfs NO MEAS.

Theoretical .04 cfs $2 \times 8.8 \times 7 / 200 + (2.31 \times 40) =$ Recommended Total Div Rate .04 cfs

ANNUAL VOLUME/ NATURE OF USES

 Yes

Use Dom

Volume Calculation 7 x .6 = 4.2 af

 af

 af

 af

 af

SUBTOTAL 4.2 af

Flow rate .04 cfs X 365 days X 1.98 = 29.0 af

Total volume recommended 4.2 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

5/7 homes - wraig not incl.

CONDITIONS Watermaster Control WD#

 GW Measurement/Measuring Device

 Overlap

 Use-specific conditions

Advancement of Priority Date Required yes Yes no

SRBA Claim Filed NA

Adjustment Memo blanks

1st Amend Letter P37, P38

2nd Amend Letter P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 30 1996

Department of Water Resources

A. GENERAL INFORMATION

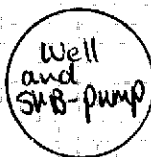
1. Owner: Verl L. Bitter (see remarks) Permit No. 35-8821
Current Address: 425 N KAREY LANE, IDAHO FALLS, ID 83402 Phone No. 522-0289
2. Accompanied by: Mrs Bitter EXAM. DATE: 06-18-91
Address: Same Phone No. Same
Relationship to Permit Holder: wife
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = N/A

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
pressure gage	0-60psi	Ashcroft				
well probe	Olympic	Actat	520		500'	

2. Measurements:

operating pressure - 36psig measured (40psi according to Mr Bitler)
water level - 200' according to Mr. Bitler (unable to get
a reading with the well probe)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

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:

SEP 11 1986

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Owners listed as: Ver L. Bitter, Duane A. Stoddard, Bliss Wheeler, Larry Simmons, Kelley Woolley, Kenneth Haines, and Roger Smith. Bonneville County Court Records show point of diversion and place of use in the SSE of section 18

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use Period of Use Rate of Diversion Annual Volume

From To Q (cfs) V (afa)

Totals:

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

J. AUTHENTICATION

Field Examiner's Name

HEATH, PAUL

Signature

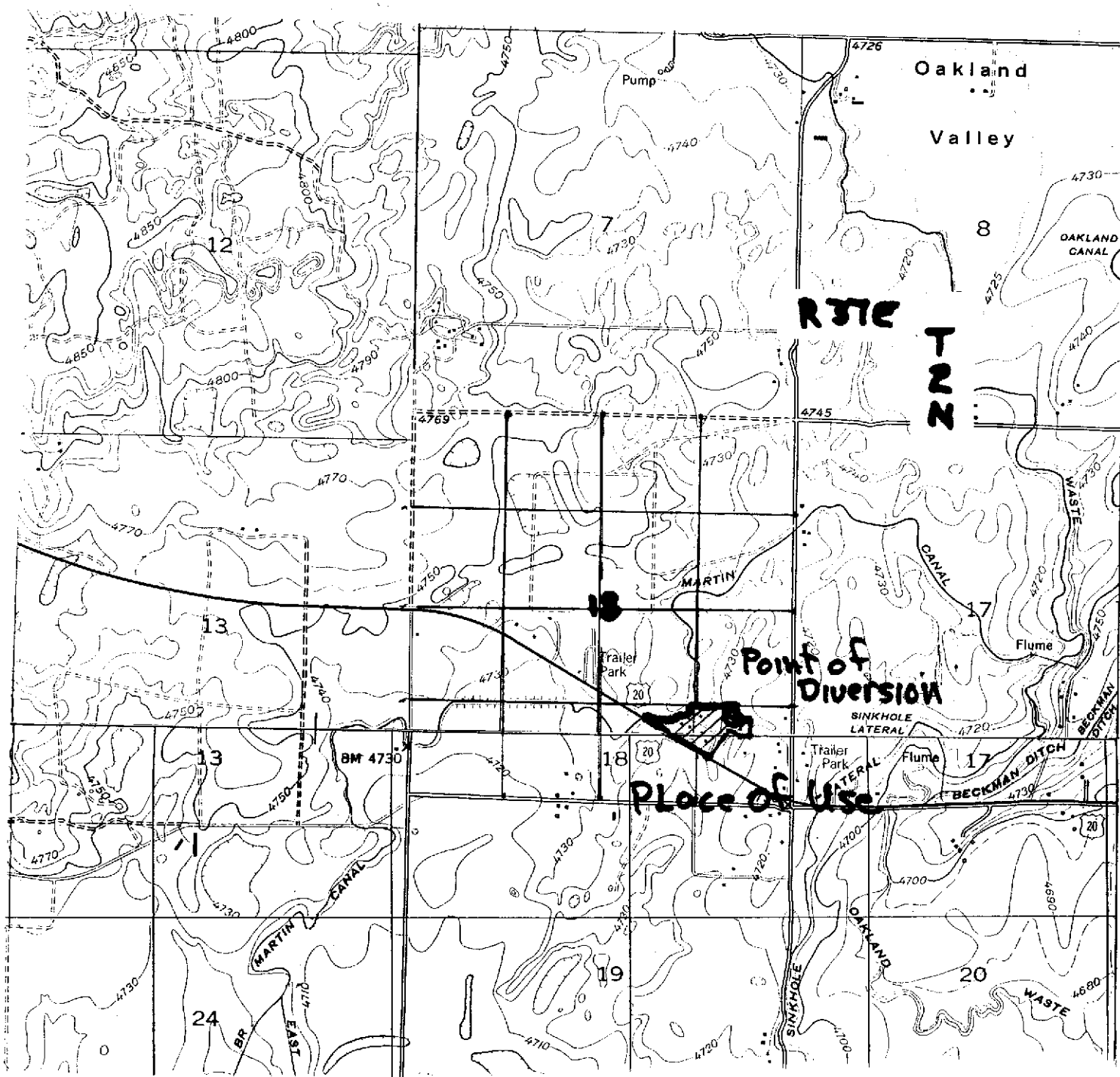
Heath, Paul

Certification Date

Field Report Preparation Date

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

CONSULTANT SEAL



REVIEWED 1978
DMA 3571 II SW-SERIES V893

SEP 1 1968

35-08821

Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# 35-8821

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

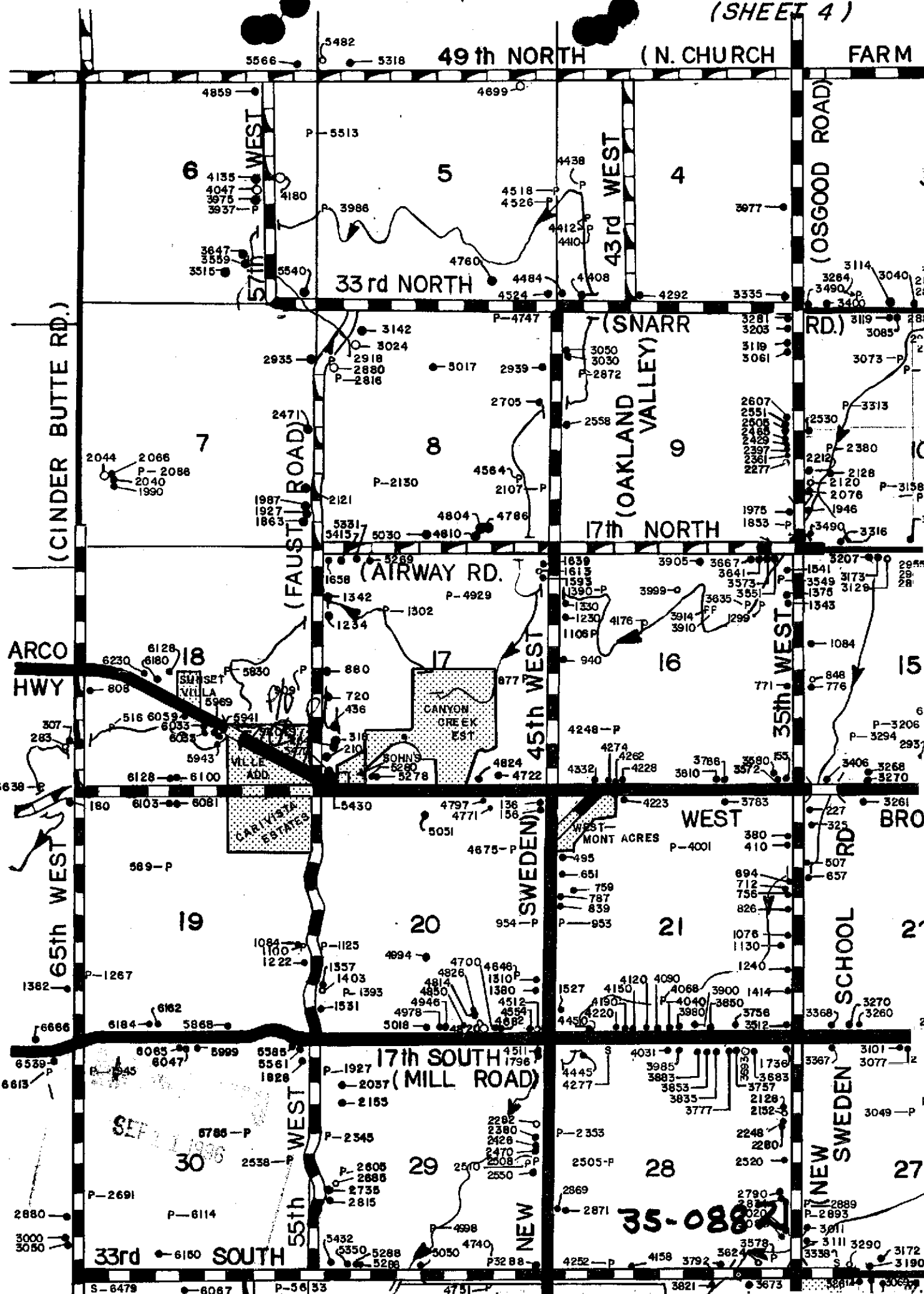
1. Legal Description: TWP 2N, Rge 37E, Sec. 18, SE 1/4 SE 1/4 or Lot _____.
2. Owner: Kelley Wooley, Kenneth Hames, Roger Smith, Verl L. Bitter, Duane A. Stoddart, Bliss Wheeler, Larry Simmons
Address 425 N KAREY LANE, City IDAHO FALLS St ID
3. Casing $\geq$ 12 inches above ground: Yes _____ No ✓ (10")
4. Access Port: Yes ✓ No _____ Static Water Level: _____
Pressure Gauge: Yes _____ No ✓ Casing Diameter: 6"
Flowing: Yes _____ No _____ Temperature: _____
5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes _____ No ✓

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: _____

SEP 11 1996

(SHEET 23)





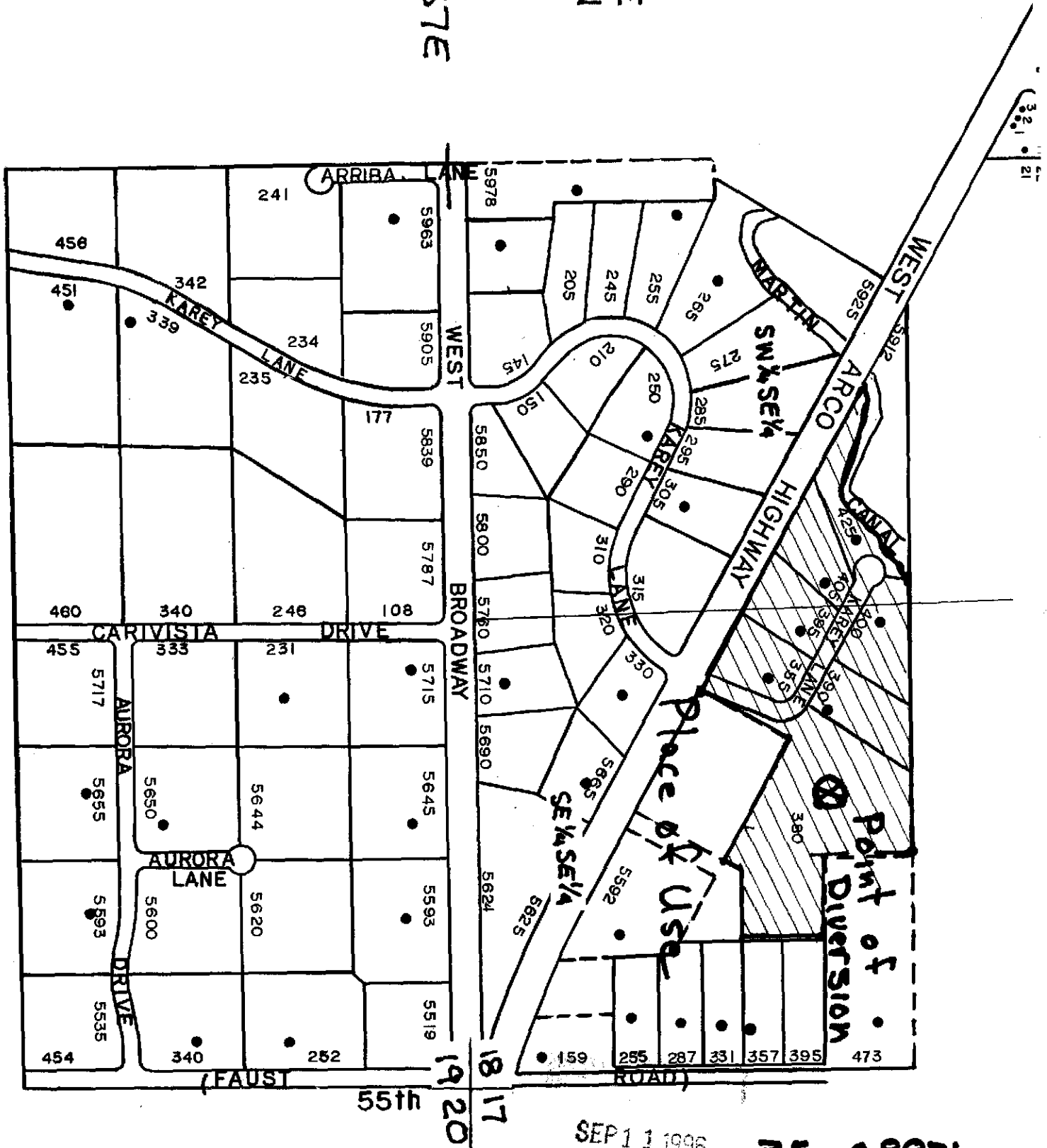
SEP 1 1 1996

35-8821

SCOTSVILLE SUBDIVISION

T22

R37E



561 • CARIVISTA

ESTATES

35-08821

December 28, 1990

VERL L. BITTER
KENNETH HAINES
LARRY SIMMONS
RICKY SMITH
ROGER SMITH
DUANE A. STODDART
BLISS WHEELER
425 N. KAREY LANE
IDAHO FALLS, ID 83402

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08821

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

JAN 28 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 35-8821

Date 12-27

GENERAL CONSIDERATIONS

X Name same as permit?
X Address same as permit? If no, prepare data entry form.
X Proof timely received? If no, complete priority
advancement below.

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

X Required?
50 Amount submitted?
X Correct amount?

MEASURING DEVICE

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

DEFICIENCIES OR ACTION ITEMS

proof acceptable

PRIORITY CALCULATION

Date proof received *JB*
Date proof due -
No. of days late =
Priority date +
NEW PRIORITY DATE =

138590

October 31, 1990

VERL L. BITTER
KENNETH HAINES
LARRY SIMMONS
RICKY SMITH
ROGER SMITH
DUANE A. STODDART
BLISS WHEELER
425 N. KAREY LANE
IDAHO FALLS, ID 83402

PROOF DUE NOTICE

RE: PERMIT NO. 35-08821

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 January 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

MAILED
JAN 3 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 29, 1989

VERL L. BITTER
KENNETH HAINES
LARRY SIMMONS
RICKY SMITH
ROGER SMITH
DUANE A. STODDART
BLISS WHEELER
425 N. KAREY LANE
IDAHO FALLS, ID 83402

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P35-08821

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.

MicroFILMED

FEB 14 1990

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 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

RECEIVED
FEB 14 1990

Form No. 202a
1/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

Dist. for staffing 9-14-89 RB
Submitted for advertising 10-6-89 HWS

INITIAL REVIEW BY DM DATE 10-3-89 APPLICATION NUMBER 35-8821
Verl L. Bitter

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- Overlapping place of use (Describe source & relationship to present application on the back.)
Overlapping point of diversion
Yes ☒ No Field check required
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

NOV 24 1989
Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☐ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 11-20-89
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01-P05
☐ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information

Date of priority recommended 9-13-89
By HLJ Date 11-21-89

STATE OFFICE REVIEW P05, P23 P16 46 04

See below for additional information

By KW Date 12-20-89

ADDITIONAL INFORMATION

App. in TRUST area - DCMI
Allow 1 yr. for development

27-Sep-1989

Verl L. Bitter
425 N. Karey Lane
Idaho Falls, ID 83402

RE: Application for Permit No. 35-8821

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 24 1990

35-08821

BITTER, VERL L.
HAINES, KENNETH
SIMMONS, LARRY
SMITH, RICKY
SMITH, ROGER
STODDART, DUANE A.
WHEELER, BLISS
425 N. KAREY LANE
IDAHO FALLS, ID 83402

Source: GROUNDWATER

Diversion Pt: NWSE Sec 18 T 02N R 37E

Use: DOMESTIC (.120 CFS)

Date Filed: 9/13/1989

In: T02N R37E S18 NWSE

RECEIVED
SEP 14 1989
FBI - IDAHO

