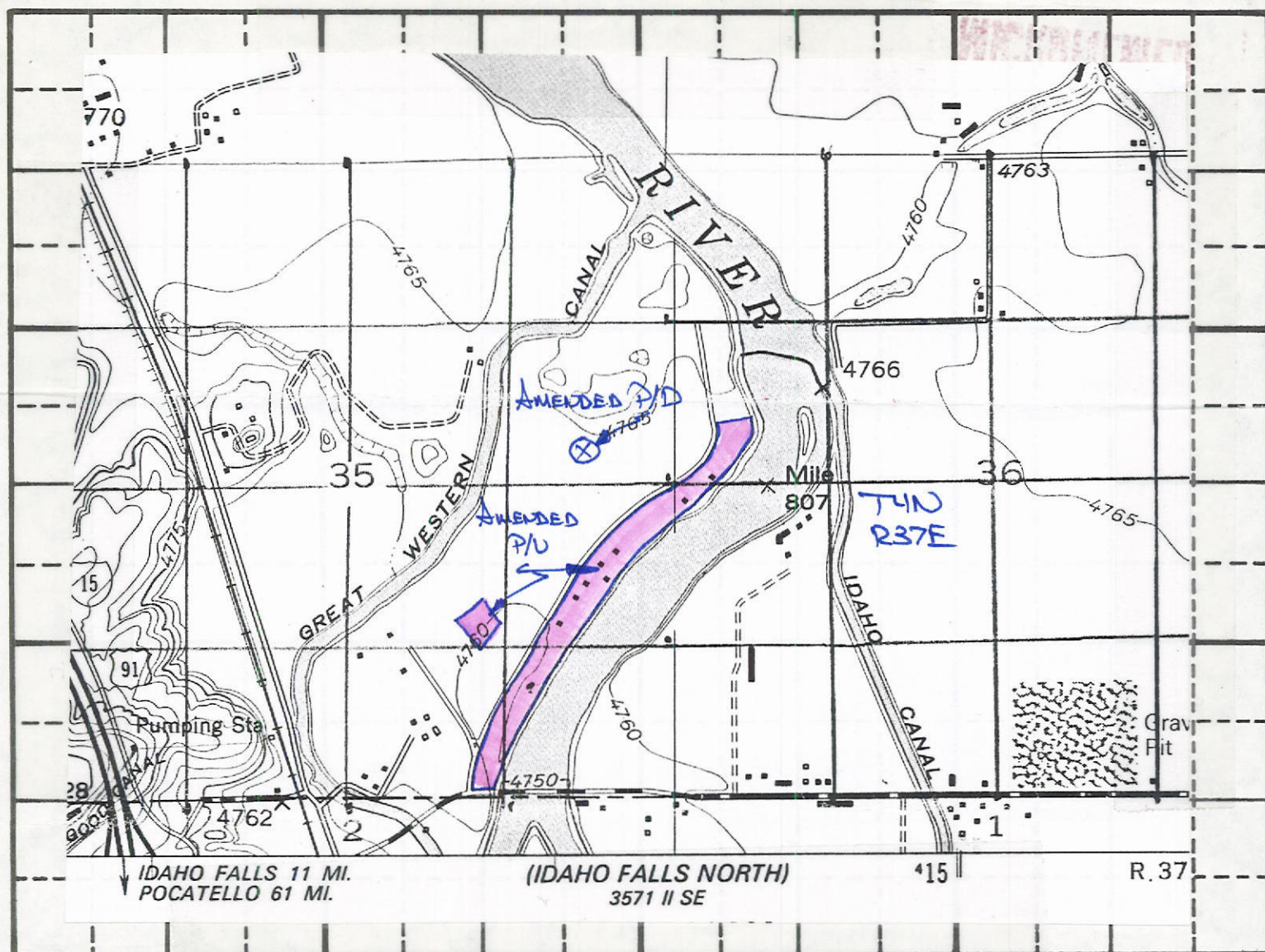


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at 26N, 3167E, IDAHO FALLS, ID this 3rd day of NOVEMBER, 1990.

William W. Fingle
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by HWS Fee = \$20.00

Received by HWS Date 11-6-90

#E015424

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby approved the above referenced application for amendment provided the conditions as set forth in permit No. 35-8672 are met.

See attached sheet for conditions of approval.

JAN 15 1991

Witness my hand this 8th day of

January, 1991.

L. Glen Saxton
Chief, Water Alloc. Bureau

Sec. 22. David

NO W

Sec. 22.

Sec. 23.

Sec. 24.

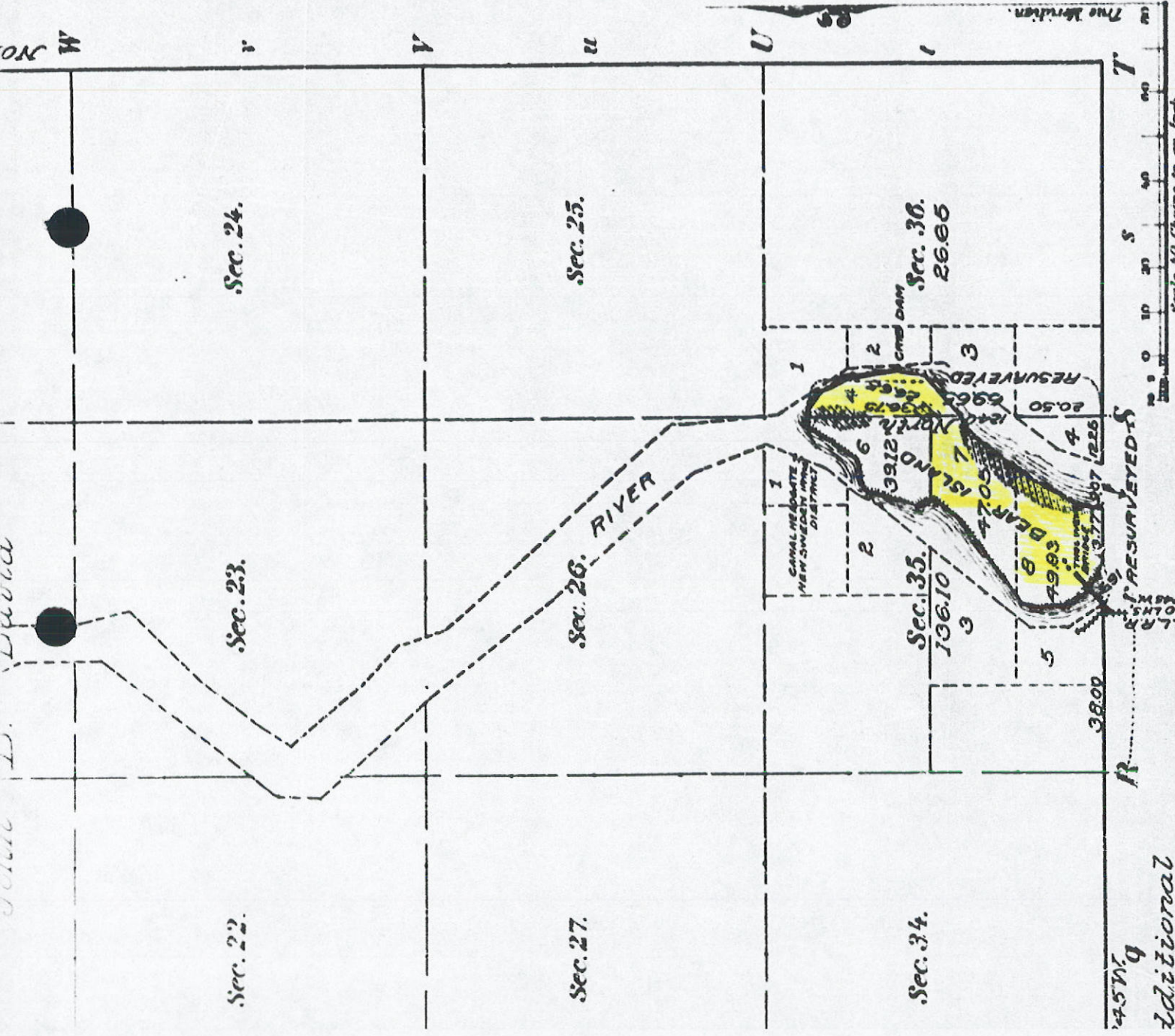
Sec. 27.

Sec. 25.

Sec. 34.

Sec. 35.

Sec. 36.



LAT. 43°
LONG. 111°

Additional
clination

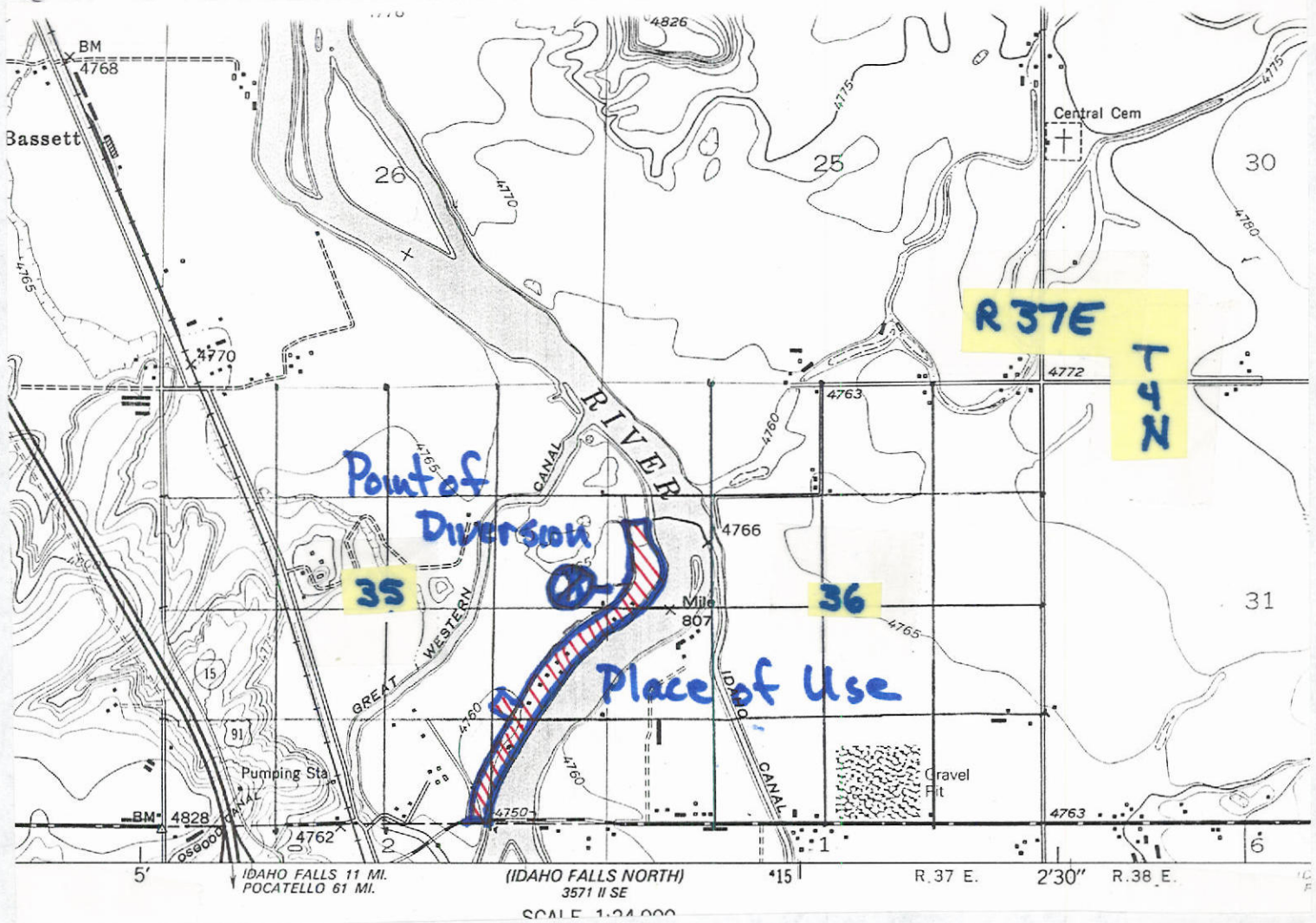
The above Map of Township N. 4 North of Range.
Boise Meridian, Idaho is strictly
notes of the survey thereof on file in this Office, which have been

Surveyor General's Office.
Boise City, Idaho.

Approved
J. H. ...

July 16, 1908.

MAY 17 1905



RECORDED
JAN 17 1995

35-8672

North
well



MAINTENANCE
LOG

MAY 17 1995

35-8672



South Well

35-8672

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08672

Priority: September 6, 1988

Maximum Diversion Rate:

0.20 CFS

Maximum Diversion Volume:

13.2 AF

This is to certify, that BEAR ISLAND WATER ASSOCIATION INC.
26 N 3167 E BEAR ISLAND DR
IDAHO FALLS ID 83402

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 6, 1988; and has submitted Proof of Beneficial Use on November 6, 1990. An examination indicates that the works have a diversion capacity of 0.440 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	0.20 CFS	13.2 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 6 (SENE), Sec. 35, Township 04N, Range 37E
JEFFERSON County

PLACE OF USE: DOMESTIC

TWN RGE SEC

04N 37E 35	Lot 7 (NESE)	Lot 8 (SWSE)	Lot 8 (SESE)
36	Lot 4 (SWNW)	Lot 4 (NWSW)	

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Two points of diversion are located within SENE, S35, T04N, R37E.
6. Domestic use is for 22 homes.
7. Domestic use does not include lawn, garden, landscape or other types of irrigation.
8. Place of use is located within Bear Island Estates Subdivision.

MAY 17 1995

State of Idaho
Department of Water Resources

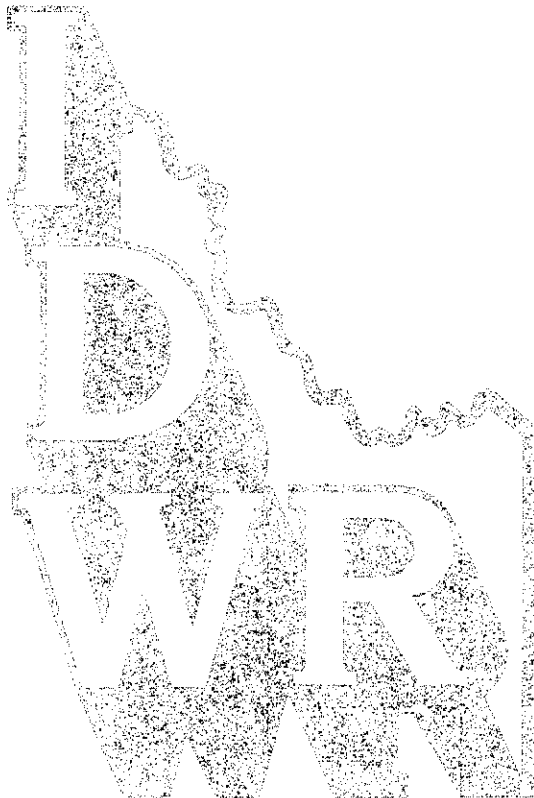
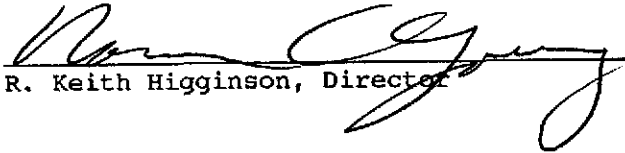
WATER RIGHT LICENSE

WATER RIGHT NO. 35-08672

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 3rd
day of MAY, 1995.

Acting for

R. Keith Higginson, Director



RECORDED

MAY 17 1995

STATE OF IDAHO

RECEIVED

NOV - 6 1990

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources
Eastern District Office

To change the point of diversion and/or the place of use.

Comes now William W. Tingle (President, Bear Island Water Association, Inc.) Phone 522-8037of (address) 26 North, 3167 East, 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. 35-08672, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE 1/4 NE 1/4, Section 35, Township 4N, Range 37E, B.M.,
County of JEFFERSON. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.2 for Domestic purposes from 01/01 to 12/31 (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)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	37E	35													D L-7	D L-7	D L-8	D L-8	
		36						D L-4			D L-4								

Total number of acres to be irrigated = -

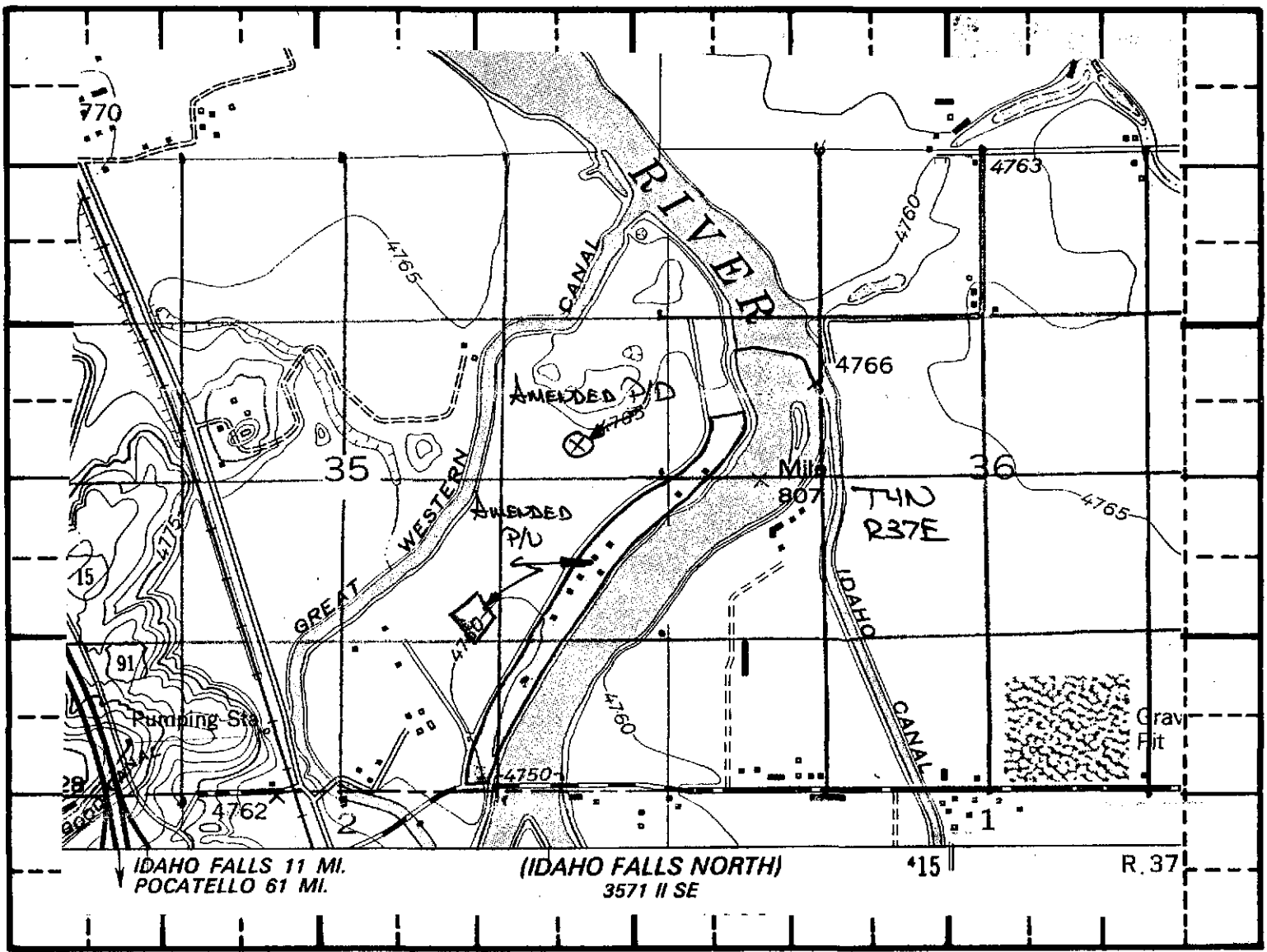
4. a. Who owns the property at the point of diversion? BEAR ISLAND WATER ASSN. INC.
b. Who owns the land to be irrigated or the place of use? INDIVIDUAL HOMEOWNERS
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: MR. TINGLE IS PRESIDENT AND A DIRECTOR OF BEAR ISLAND WATER ASSOCIATION, INC.

MICROFILMED

JAN 15 1991

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at ~~POCATELLO~~ IDAHO FALLS, ID this 3rd day of NOVEMBER, 1990.

William W. Tingle
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by HWS Fee = \$20.00

Received by HWS Date 11-6-90

#EO15424

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby approved the above referenced application for amendment provided the conditions as set forth in permit No. 35-8672 are met.

MICROFILMED

See attached sheet for conditions of approval.

JAN 15 1991

Witness my hand this

8th

day of

January

19 91

L. Glen Saxton
Chief, Water Alloc. Bureau

CONDITIONS OF APPROVAL

Amendment of Permit No. 35-8672

1. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
2. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. Use of water for domestic purposes under this permit shall be limited to in-house use and watering of household stock.
4. This issuance of this permit in no way grants any right-of-way or easement across the land of another.
5. The maximum rate of diversion for domestic purposes under this permit shall not exceed 0.20 cfs.

Dated this 8th day of January, 1991.

J. Glen Saylor

Chief, Water Allocation Bureau

MICROFILMED

JAN 15 1991

RECEIVED

NOV - 6 1990

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 50.00
Date 11-6-90
Receipt No. E015425
Received by HWS

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-8672 Telephone No. 522-8037

Name(s) of Permit Holder(s): BEAR ISLAND WATER ASSN. INC.

Post Office Address: 26N, 3167E (BEAR ISLAND DR)

Source of Water: GROUND WATER

If ground water, well driller's name: DAN DENNING Date drilled: _____

Extent of Use:
Domestic 25 (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.20 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: Nov., 1987

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

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

OR

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

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

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

WILLIAM K. TINGLE 522-8037
Name Telephone No.

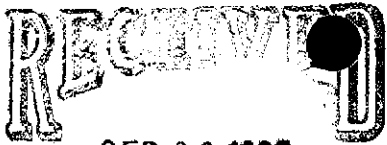
26N, 3167E (BEAR ISLAND DR)
Address

MICROFILMED

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

10-12-90
Date

William K. Tingle - PRESIDENT - BEAR ISLAND
Signature (and title if on behalf of a company or organization)
WATER ASSN., INC.



Form 202
6/85

SEP 06 1988

STATE OF IDAHO

Ident. No.

35-8672

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant BEAR ISLAND WATER ASSN., INC. Phone 524-6376
Post office address C/O 14989 BEAR ISLAND DR. IDAHO FALLS, IDAHO 83402
2. Source of water supply GROUND WATER which is a tributary of N/A
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of $\frac{1}{4}$, Govt. Lot 7
Sec. 35 Township 4N Range 37E B.M. JEFFERSON County; additional
points of diversion if any: Additions & changes as per tel-con with Bill Tingle 9-21-88
HWT
4. Water will be used for the following purposes:
* 0.2 cfs DOMESTIC
Amount 2.5 for CULINARY purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.20 cfs* and/or (b) 6.5
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 1 10HP PUMP WITH
DISTRIBUTION MAINS SERVICING APPROXIMATELY 22 HOMES
IN BEAR ISLAND ESTATES SUBDIVISION
 - b. Height of storage dam N/A 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 6" inches; proposed depth of well is 214' 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
5 2* years (minimum 1 year).

* Bill Smith - Pres
Bill Tingle - VP
Judy Xockey - Treas

John Smith - Sec

MAR 01 1989

MICROFILMED

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. 22 HOUSEHOLDS; CULINARY USE ONLY
- 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	
4N	37E	35													D				
															L7				

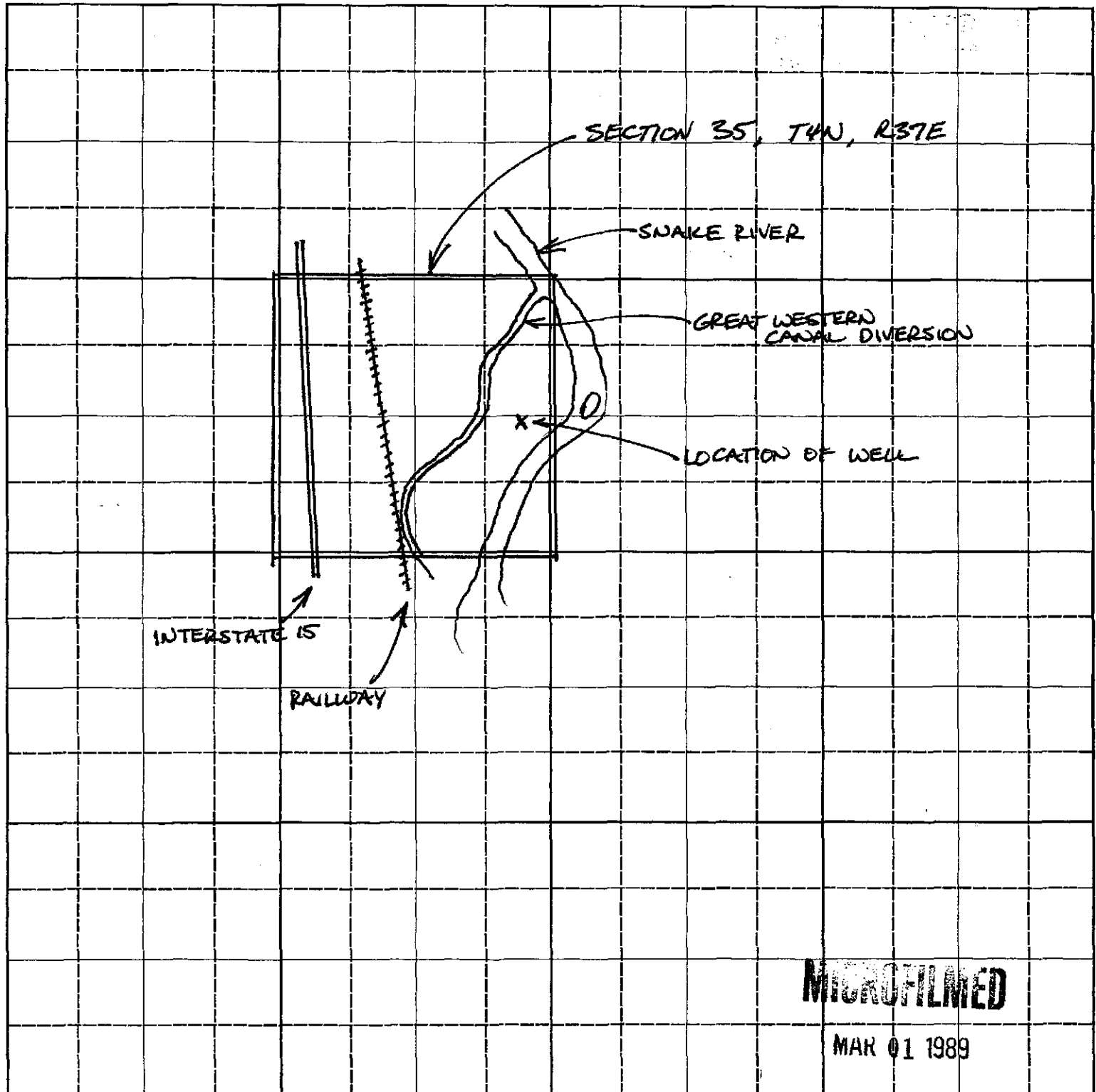
Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. UNKNOWN - SEE ATTACHED LETTER

- Who owns the property at the point of diversion? BEAR ISLAND WATER ASSN., INC.
- Who owns the ~~land to be irrigated~~ place of use? INDIVIDUAL HOMEOWNERS IN ASSN.
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. APPLICANT IS DULY ELECTED PRESIDENT AND DIRECTOR OF CORPORATION

12. Remarks: DRILLER OF WELL WAS DENNING WELL DRILLING, OF UCON, ID. WATER IS USED FOR CULINARY HOUSEHOLD USE. NO IRRIGATION OR LAWN WATERING IS ALLOWED.

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



Scale: 2 inches equal 1 mile.

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

William Smith, PRESIDENT
(Applicant)
BEAR ISLAND WATER ASSN., INC.

Received by CW Date 9-13-88 Time 2:20p Proposed Priority 9/6/88
Date 9-6-88 Time 2:15p Preliminary check by HWS
Fee \$ 30.00 Received by dg # E002600 Date 9-26-88
Publication prepared by DB Date 9-28-88 Published in 10-26-88 10-13-88
Publication approved CW Date 11-29-88 Read 11-3 + 11-10-

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. 35-8672, and said application is hereby APPROVED.

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 February 1, 19 91.

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:

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Use of water for domestic purposes under this permit shall be limited to in-house use and watering of household stock.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

The maximum rate of diversion for domestic purposes under this permit shall not exceed 0.20 cfs.

Witness my hand this 3rd day of February, 1989.

J. Glen Saylor

MICROFILMED

MAR 01 1989



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

R. KEITH HIGGINSON
DIRECTOR

May 4, 1995

BEAR ISLAND WATER ASSOCIATION INC
26 N 3167 E BEAR ISLAND DR
IDAHO FALLS ID 83402

RE: WATER RIGHT NO. 35-08672

Dear Water Right Holder(s):

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MICROFILMED

MAY 17 1995

LICENSE REVIEW CHECKLIST



PERMIT NO. 35-08672 DATE 4-25-95

NAME	Change ☒ OK ☐	Or Address Change? ☐
PRIORITY DATE	☒	Advance? ☐ Advanced to: ☐ Order to reinstate needed? ☐ Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☒	Changes or just clarification of originally intended source? ☐ Notice of Intent to Void necessary? ☐
POINT OF DIV	☒	Amendment needed? <u>Add Gov Lot 6</u> ☒ Overlaps? ☐
PLACE OF USE	☒	Amendment needed? ☐ ☒ Overlaps? ☐
DIV RATE	☒	Permit/fee limits: <u>.20 cfs for 22 homes</u> Meas Q = ☐ Theo Q = ☒ Recommend: <u>.20</u> <u>Northwell Q = .25 CFS</u> <u>SOUTH WELL Q = .19 CFS</u> (TOTAL = .44 CFS) Combined rates exceed capacity ☐
ANNUAL VOLUME	☒	Volume Limit: ☐ Season: <u>1-1 to 12-31</u> Calculations: <u>INTERNAL VOLUME ONLY</u> <u>22 x .6 = 13.2</u> Flow limit: ☐ cfs x ☐ x 1.9835 = ☐ Combined volumes exceed capacity/allowable ☐
USES	☒	Change in Nature of Use or additional uses? ☐ Amendment necessary? ☐
ADDITIONAL INFO		Supplemental Groundwater ☐ PPU Scenario ☐ Irr/Dom Combination ☐ Shared G/W System ☐
NEW REMARKS	<u>YES</u> <u>WBS</u>	Multiple p/d(s) in 1/4 1/4? <u>W32 (Gov Lot 6 / SENE / S35 / 4N / 37E)</u> Other <u>ON PERMIT AND STATED IN EXAM.</u>
NEW CONDITIONS	☒	Watermaster control - District ☐ Measuring/Locking Devices ☐ Irrigation Overlap ☐ Other ☐ Water Quality ☐ Heat/Cool/Fish verified ☐

COMMENTS: Permit was amended in 1991. No amendments are necessary.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
<u>Domestic</u>	<u>.20</u>	<u>13.2</u>	Adjustment Memo Needed	<u>YES</u>
			LICENSE	☒
			1ST AMEND LETTER	
			2ND AMEND LETTER	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

35-8672
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

RECEIVED

NOV 01 1994

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☐ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots If so, make a copy of Government Plat

Check of P/D index AW 07/19/91 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index AW 07/19/91 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☒ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully completed and signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed 7-19-91 AP (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent AW 7-19-91 (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Data Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

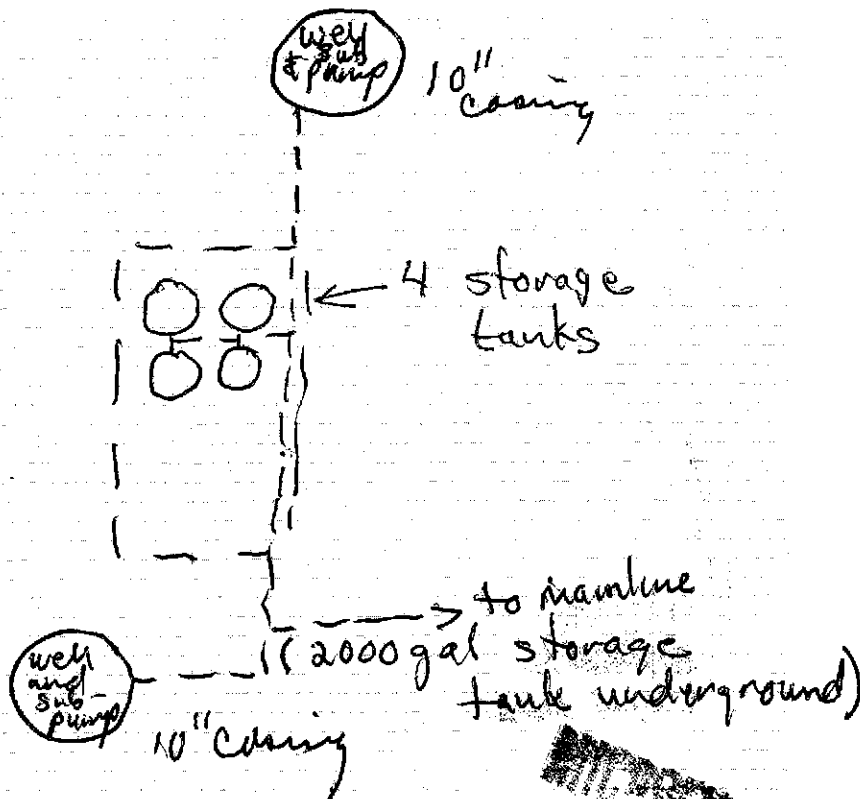
1. Owner: Yo William Tingle Permit No. 35-8672
Bean Island Water Association Inc Phone No. 522-8037
Current Address: 26 N 3167E IDAHO FALLS ID 83402
2. Accompanied by: William Tingle EXAM. DATE: 07/09/91
Address: same Phone No. same
Relationship to Permit Holder: Association President
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: Storage shares - A01-00310D, -00 R4C
and 01-00194D ☒ Copies Attached
2. Other water rights with same point of diversion: N.A.
☐ 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" = _____

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).

System Description (continued)

3. Narrative: Description (As operating at time of measurement, indicate pressure, number of sprinklers, etc.)

South well, ~~400~~ storage tank (2000 gal) - mainline
 North well, pump, 4 - 30 gal storage tanks - mainline
 mainline, 24 homes for domestic use

no irrigation from either well

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
North	Hitchi	10	—	—	2 1/2" discharge
South	unknown	7 1/2	—	—	2 1/2" discharge

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
North	6		SE	NE	35	4N	37E	Jefferson	USGS QUAD MAP and onsite inspection
South	6		SE	NE	35	4N	37E	Jefferson	USGS QUAD MAP and onsite inspection

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	37E	35													D		D	D	
															L-7		L-8	L-8	
		36							D				D						
								L-4				L-4							

Do not use this space

MAY 17 1991

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
well probe	Olympic	Adat	500		500'	

2. Measurements:

static water level - 142'
operating pressure - 40-60 psig (installed gage)

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

Allow 0.20 cfs as per permit request.

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:

Domestic (allow 24 lps); 24 lps x 1.2 cfs = 28.8 cfs
MAY 17 1995

* See attached adjustment explanation memo. BC

H. REMARKS AND OVERLAP REVIEW ANALYSIS

The permit lists the point of diversion as 4N 37E Sec 35 Lot 7, the actual point of diversion is 4N 37E Sec 35 Lot 6

The permit lists the place of use as 4N 37E sec 35 NE SE LOT 7, the actual place of use is 4N 37E Sec 35 Lots 4, 7, and 8 + Lot 4 Sect. 36.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1-1	12-31	0.20 cfs	28.8
Totals:			0.20 cfs	28.8 afa

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 ALAN W PARIS
Signature Alan W Paris
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

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

MICROFILMED

MAY 17 1995

MEMORANDUM

TO: File 35-08672 / Bear Island Water Assn. Inc.
FROM: Brenda Chapman
DATE: April 25, 1995
RE: Recommendation Adjustment(s)

=====

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

F. FLOW CALCULATIONS

The recommended capacity has been reduced based on an adjustment to the theoretical calculation. The pumping level has been increased to 152' rather than the static level of 142' determined by the examiner.

$$\frac{8.8 \times .7 \times 17.5 \text{ hp}}{152' + (2.31 \times 40 \text{ psi})} = .44 \text{ cfs}$$

G. VOLUME CALCULATIONS

The domestic use on this permit was issued for indoor culinary use for 22 homes. The examiner also verified that no irrigation occurs from either well in the Narrative portion of the exam. Based on that information, the volume is reduced to the internal, domestic needs for 22 homes.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Domestic	1-01 to 12-31	.20	13.2

See item G.

MICROFILMED
MAY 17 1995

North well

$$Q = \frac{(10 \text{ HP})(8.814)(.7)}{[(142') + (40 \text{ psi})(2.308)]}$$

$$= 0.263307 \text{ cfs}$$

$$= 0.26 \text{ cfs}$$

South well

$$Q = \frac{(7.5 \text{ HP})(8.814)(.7)}{[(142') + (40 \text{ psi})(2.308)]}$$

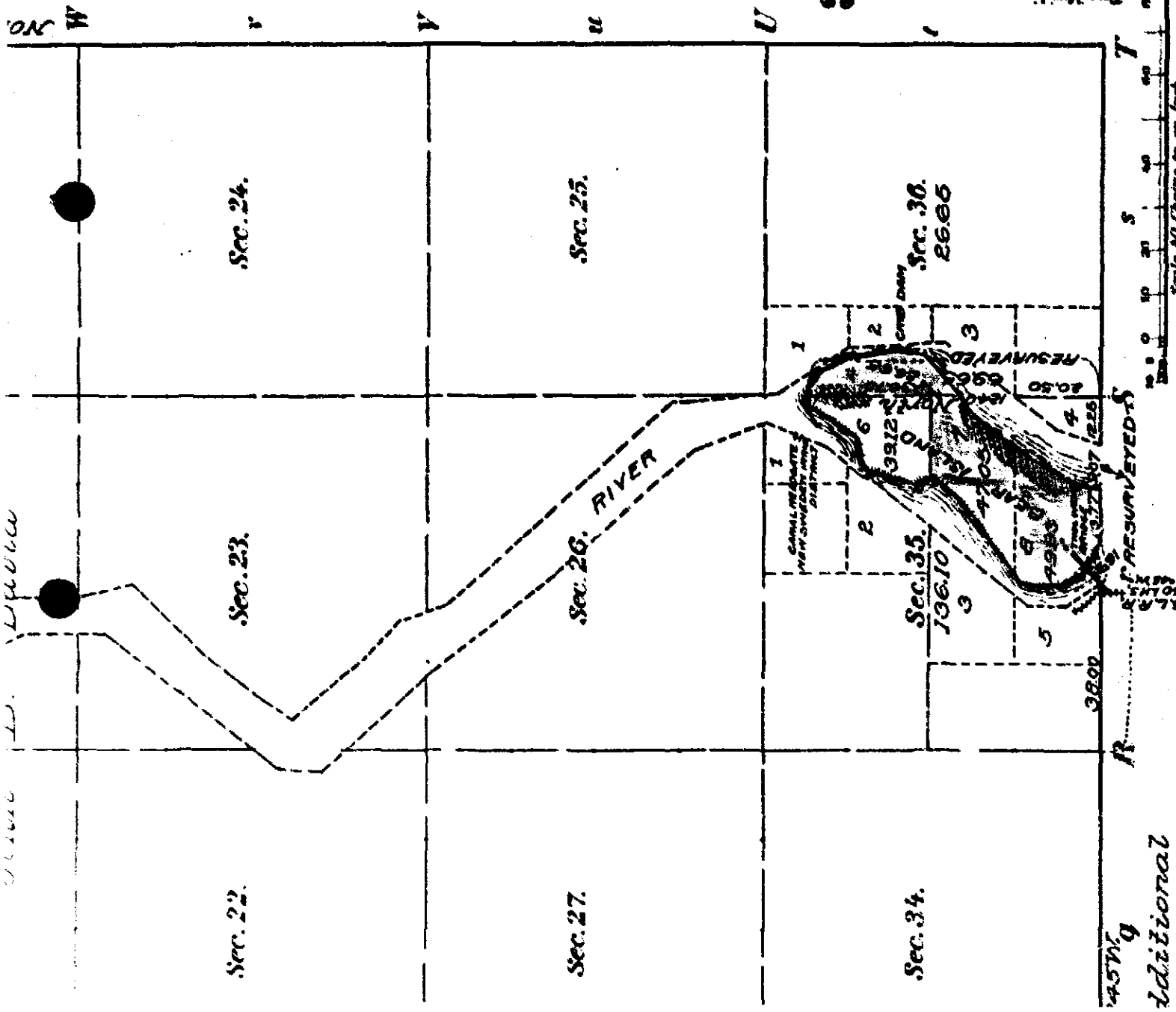
$$= 0.19748 \text{ cfs}$$

$$= 0.20 \text{ cfs}$$

$$Q_{\text{Total}} = 0.26 + 0.20 = 0.46 \text{ cfs}$$

MINORCA INC
MAY 17 1995

35-8672



The above Map of Township 10 N. & Range 4 E. is strictly correct and is strictly correct.

Boise Meridian Idaho

notes of the survey of the reservoir in this office, which have been

Surveyor General's Office,
Boise City, Idaho.

July 16, 1908.

MAY 17 1905

BEAR ISLAND ESTATES

NO-1

T.4N. R.37E. SEC.35 & 36

SCALE 1"=200'

COUNTY LINE ROAD

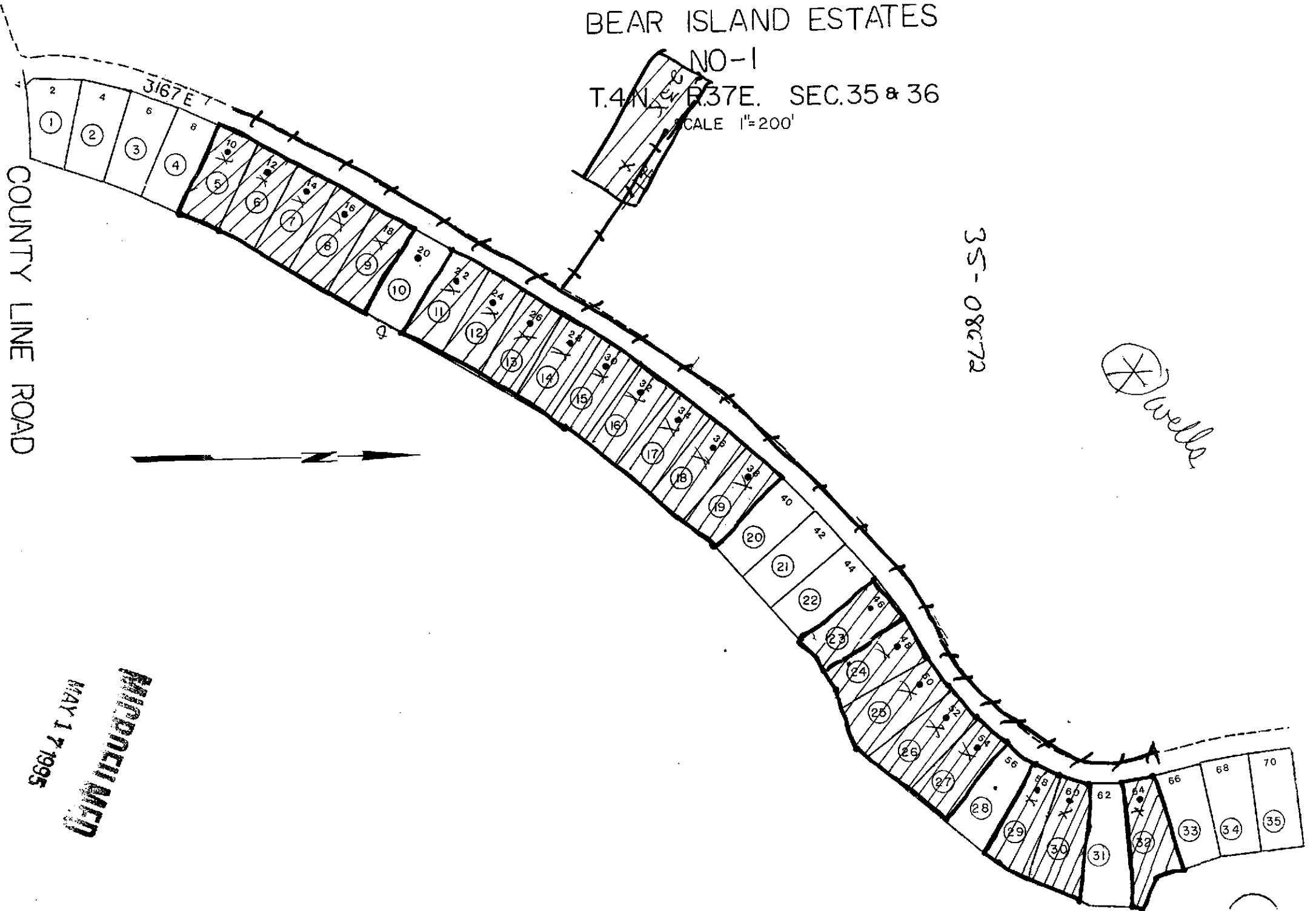
35-08672

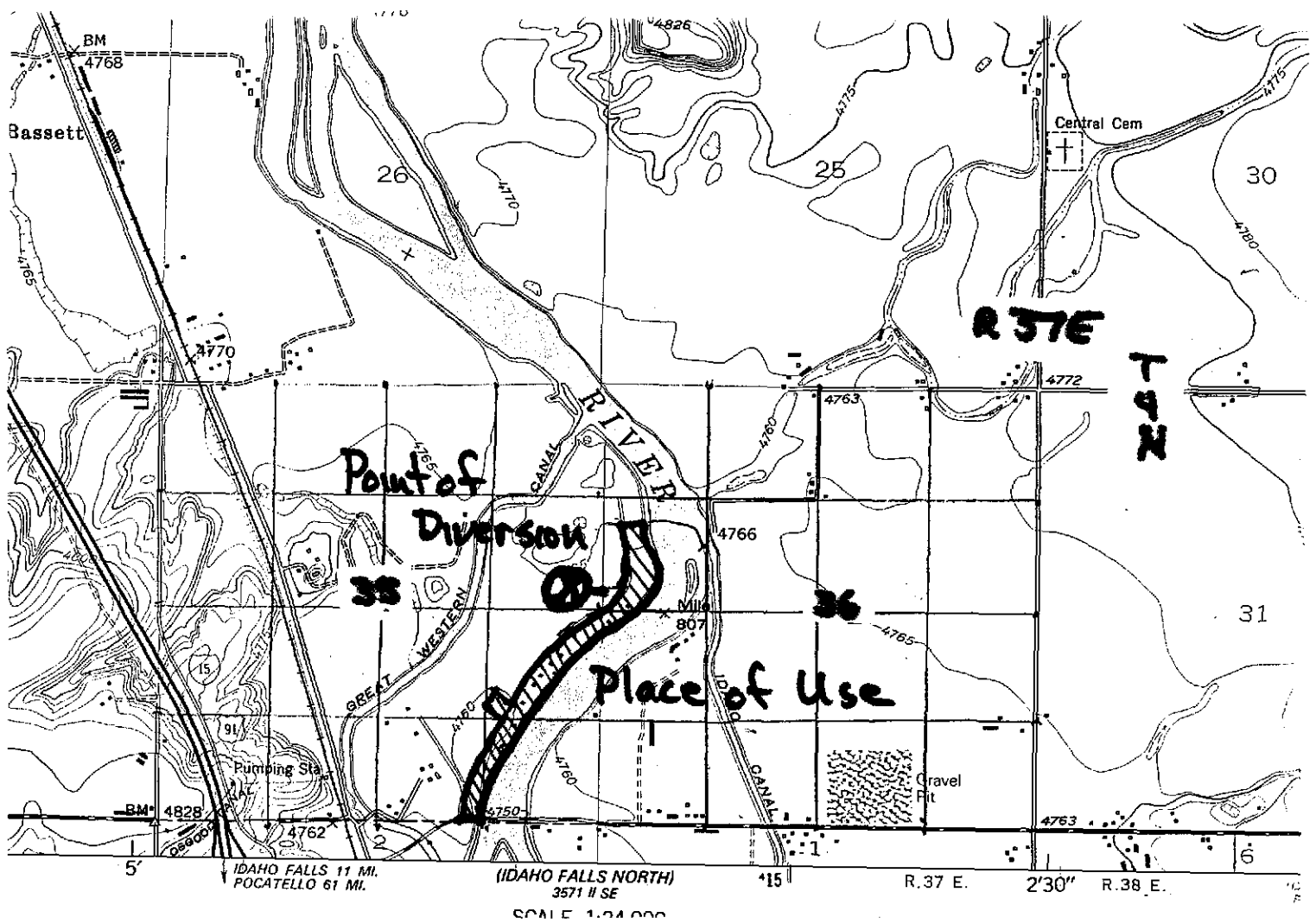
Well



RECORDED
MAY 17 1995

35-8672





REPRODUCED
17 1995

35-8672

Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR#

North well
35-8672

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

1. Legal Description: TWP 4N, Rge 37E, Sec. 35, SE 1/4 NE 1/4 or Lot 6.
2. Owner: Bear Island Water Association Inc
Address 26N 3167 E, city Idaho Falls st Id
3. Casing $\geq$ 12 inches above ground: Yes ☒ No ☐
4. Access Port: Yes ☒ No ☐ Static Water Level: 142'
Pressure Gauge: Yes ☒ No ☐ Casing Diameter: 60"
Flowing: Yes ☐ No ☒ Temperature: N/A
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: Static well level determined at the
South well (North and South wells
approximately 60' apart)

RECEIVED
MAY 17 1995

Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# South well
35-8672

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

1. Legal Description: TWP 4N, Rge 37E, Sec. 35, SE 1/4 NE 1/4
or Lot 6.

2. Owner: Bear Island Water Association Inc.

Address 26N 3167E, city Idaho Falls st Id

3. Casing $\geq$ 12 inches above ground: Yes ☒ No ☐

4. Access Port: Yes ☒ No ☐
Pressure Gauge: Yes ☒ No ☐
Flowing: Yes ☐ No ☒

Static Water Level: 142'
Casing Diameter: 10"
Temperature: N/A

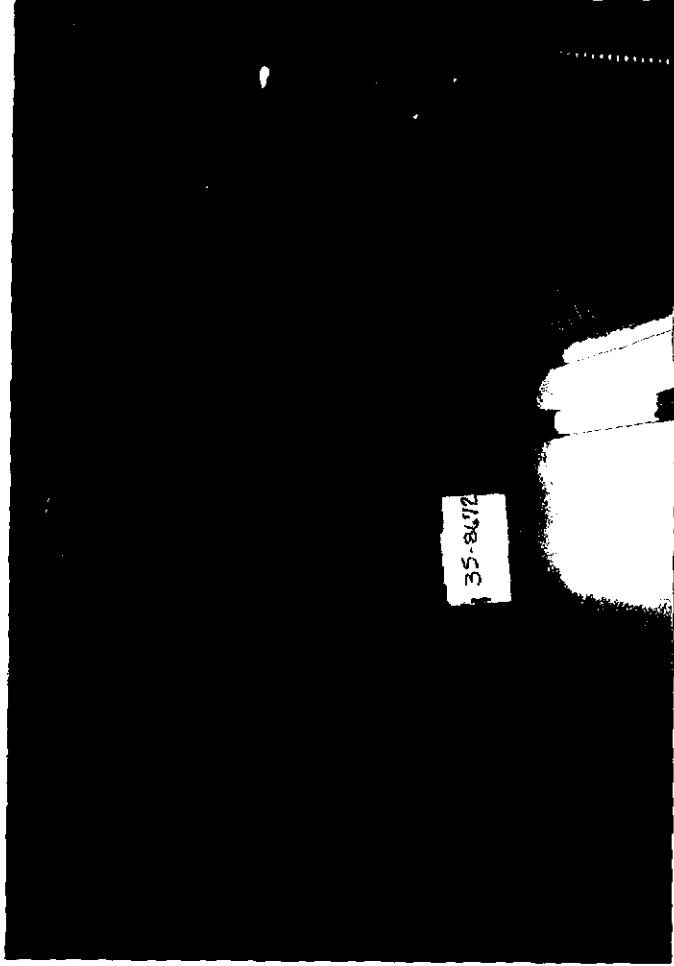
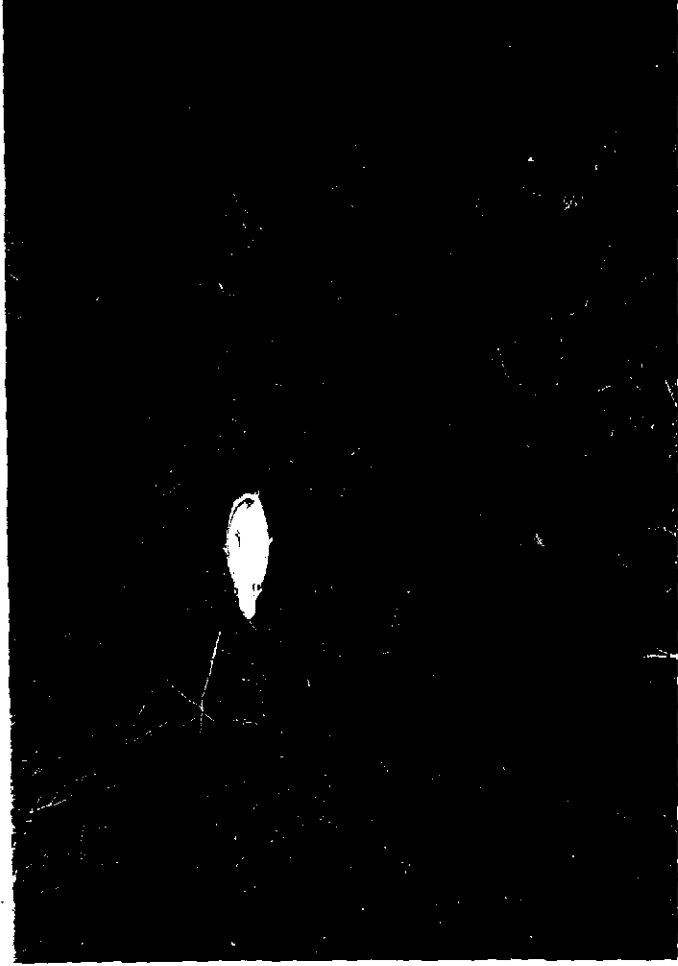
5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes ☐ No ☐

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

Remarks: _____

RECORDED
MAY 17 1995

Cell North



RECEIVED

MAY 12 1995

35-8672



South Wall

MAY 17 1995

35-8672

35-8672

Anderson, Pike & Bush
a professional association
ATTORNEYS AT LAW

Eugene L. Bush
(1928-1986)
Arthur L. Smith
(1916-1988)

of counsel
John M. Sharp

July 23, 1991

490 MEMORIAL DRIVE
POST OFFICE BOX 51630
IDAHO FALLS, IDAHO 83405-1630
TELEPHONE (208) 522-3001
FAX (208) 523-7254

W. Joe Anderson
Edward W. Pike
Douglas R. Nelson
Gregory S. Anderson
Dale W. Storer
Blake G. Hall
Dona Adams Pike
Joseph C. Burgess
Scott R. Hall
Joel E. Tingey

Idaho Department of Water Resources
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RECEIVED
JUL 25 1991

Re: Bear Island Water Association, Inc.

Department of Water Resources

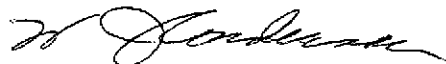
Dear Sirs:

Our office represents the Bear Island Water Association, Inc., and we are in receipt of a letter of July 22, 1991 written to your office by Mr. Kent Foster on behalf of his clients, Lloyd and Shannon Brown.

We do not agree with Mr. Foster's statement of the facts, nor his legal conclusion. We contend that the well was drilled by the existing owner at the time of the drilling pursuant to a contract obligation that owner had assumed in the development of the subdivision. The well was installed and was apparent and obvious on the premises at the time the property was deeded in lieu of foreclosure by the owner and was then deeded to the County in lieu of LID assessments, and was then deeded by the County by quitclaim deed to the Browns following an auction sale. The Association placed the pump and fixtures in the well to complete its water distribution system for culinary and domestic water.

We request that no action be taken upon Mr. Foster's request and that the rights of the Water Association be affirmed.

Sincerely yours,



W. J. Anderson

WJA/kt
IDWR/WJAC

cc: Kent Foster
William Tingle

RECEIVED

MAY 17 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 2, 1991

Kent W. Foster
P.O. Box 50130
Idaho Falls, ID 83405

RE: Request for Cease and Desist Order

Dear Kent:

I acknowledge receipt of your letter dated July 22, 1991, requesting issuance of a cease and desist order requiring Bear Island Association, Inc., to discontinue use of a well which you claim is owned by your clients.

There apparently is an ongoing dispute regarding the use of water from the well. While your statement that a water right cannot legally be initiated in trespass is true, it does not grant the Department of Water Resources the authority to determine trespass issues. The Department will not issue a cease and desist order at the present time. If a court determines that there is trespass or that Bear Island does not have the right to divert from the well in question, the Department may then act to force Bear Island to remove its pump and to discontinue diversion.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

cc: Eastern Region

RECEIVED

MAY 17 1995

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON
DONALD L. HARRIS
MARIE T. FEELEY
JOHN G. SIMMONS
ROBERT M. FOLLETT

WEST ONE BANK
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
702 W. IDAHO SUITE 610
BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
TELEFAX (208) 343-8078

BOISE OFFICE

WM. LYMAN BELNAP, P.C.
RANDALL B. REED

ARTHUR W. HOLDEN
(1877-1967)
ROBERT B. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

July 22, 1991

Idaho Department of Water Resources
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Gentlemen:

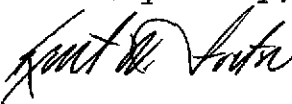
It has been brought to our attention that in the Fall of 1988, the Bear Island Water Association, Inc., placed a pump in an existing well located on the property of our clients, Lloyd and Shannon Brown, connected the well and pump to its existing domestic water system and began to divert water from the well into its system. Apparently, the association also filed an application for a water right and was granted a permit, No. 35-08672, seeking a priority of September 8, 1988.

The actions of the association in placing its pump and equipment in the well without the consent or permission of the Browns constituted a trespass. As you know, a water right cannot legally be initiated in trespass in our state.

We request that the Department immediately investigate this matter and issue a cease and desist order pursuant to the provisions of Idaho Code §42-351.

Thank you for your kind attention to this matter.

Yours very truly,


Kent W. Foster

#8269.00/srs

cc: W. J. Anderson, Esq.

MICROFILMED

MAY 17 1995

RECEIVED
JUL 24 1991

Department of Water Resources

January 9, 1991

RE: Permit No. 35-08672

William W. Tingle
Bear Island Water Assn., Inc.
26 N. 3167 E.
Idaho Falls, ID 83402

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED

JAN 15 1991

November 23, 1990

BEAR ISLAND WATER ASSN. INC.
14989 BEAR ISLAND DR.
IDAHO FALLS, ID 83402

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08672

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

DEC 11 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

BALLPOINT PEN

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 <u>Apurte Realty Sub. 2nd</u> 2405 N. Yellowstone Hwy Address <u>Idaho Falls (Punahoa)</u> Owner's Permit No. <u>Ed Blachum</u>	7. WATER LEVEL Static water level <u>175</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____																																					
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Baller ☐ Air ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped																																		
Discharge G.P.M.	Pumping Level	Hours Pumped																																				
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Hole Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th rowspan="2">Water Yes/No</th> </tr> <tr> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>18"</td> <td>0'</td> <td>20'</td> <td>Clay</td> <td>A</td> </tr> <tr> <td>10"</td> <td>20'</td> <td>30'</td> <td>Sand</td> <td>A</td> </tr> <tr> <td> </td> <td>30'</td> <td>35'</td> <td>Clay and Sand</td> <td>A</td> </tr> <tr> <td> </td> <td>35'</td> <td>40'</td> <td>Sand</td> <td>A</td> </tr> <tr> <td> </td> <td>40'</td> <td>50'</td> <td>Gravel</td> <td>A</td> </tr> <tr> <td> </td> <td>50'</td> <td>60'</td> <td>Gravel</td> <td>A</td> </tr> </tbody> </table>	Hole Diam.	Depth		Material	Water Yes/No	From	To	18"	0'	20'	Clay	A	10"	20'	30'	Sand	A		30'	35'	Clay and Sand	A		35'	40'	Sand	A		40'	50'	Gravel	A		50'	60'	Gravel	A
Hole Diam.	Depth		Material	Water Yes/No																																		
	From	To																																				
18"	0'	20'	Clay	A																																		
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	35'	40'	Sand	A																																		
	40'	50'	Gravel	A																																		
	50'	60'	Gravel	A																																		
4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____	10. Well permit <u>Ed Blachum</u>																																					
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>25/8 inches</td> <td>10 inches</td> <td>1 foot</td> <td>20 feet</td> </tr> <tr> <td>2 1/2 inches</td> <td>8 inches</td> <td>1 foot</td> <td>78 feet</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Paced from _____ feet to _____ feet Surface seal depth <u>20'</u> Material used is seal: ☐ Cement grout ☒ Pudding clay ☒ Well cuttings Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overhaul to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Connected between stands	Thickness	Diameter	From	To	25/8 inches	10 inches	1 foot	20 feet	2 1/2 inches	8 inches	1 foot	78 feet									Number	From	To										11. DRILLERS CERTIFICATION I hereby certify that all minimum well construction standards were complied with at the time the rigging was used. Driller Name <u>Ed Blachum</u> License No. <u>10</u> State <u>Idaho</u> City <u>Idaho Falls</u> Signed by State Official <u>Ed Blachum</u> Date <u>10/1/78</u>					
Thickness	Diameter	From	To																																			
25/8 inches	10 inches	1 foot	20 feet																																			
2 1/2 inches	8 inches	1 foot	78 feet																																			
Number	From	To																																				
6. LOCATION OF WELL Sketch map location (must agree with section location) Section Name _____ Lot No. _____ Township _____ Range _____ NE 1/4 Sec 36 T. 11 N. R. 9 E. S. 20 N.	12. USE ADDITIONAL SHEETS IF NECESSARY - 90																																					

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState 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.

(Original under Alpine Realty)

1. WELL OWNER

Name Bear Island Co Bill Smith
Address 14959 Bear Island Dr. FF 10
Owner's Permit No. 35-88-2-02 83402

2. NATURE OF WORK

- ☐
- 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
<u>.250"</u> inches	<u>6"</u> inches	<u>17</u> feet	<u>200</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☒ No
How perforated? ☐ Factory ☒ Knife ☐ Torch
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
80 perforations 180' feet 200' feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feetWell screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

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

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

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

Placed from _____ feet to _____ feet

Surface seal depth _____ 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 _____

7. WATER LEVEL

Static water level 180' feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

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

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
6"	200	220	CINDERS	X	
6"	220	240	LAVA		X

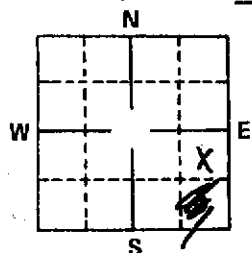
RECEIVED
APR 21 1988

Department of Water Resources

RECEIVED
APR 15 1988Department of Water Resources
Eastern District Office10. Original Feb 14, 1979
Work started 3-21-88 finished 3-22-88

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County NE JEFFERSONSE 1/4 SE 1/4 Sec. 35, T. 4 N, R. 37 E, W.

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Denning Drilling Firm No. 10Address Box 4604 Caldwell Date 3-22-88Signed by (Firm Official) Denning Drillingand
(Operator) Denning Drilling

Drilling Permit No. 35-88-2-02
Water Permit No. 35-8672 Pending
Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED
SEP 06 1988

Department of Water Resources

1. Applicant BEAR ISLAND WATER ASSOCIATION, INC.
2. Address C/O 14989 BEAR ISLAND DR.
IDAHO FALLS, IDAHO 83402 Telephone 208-524-6376
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location NE 1/4 SE 1/4, or Gov't lot No. _____,
Sec. 35, Twp. 4N, Rge. 37E, County Jefferson,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
☐ Domestic ☐ Stockwater ☐ Monitoring
☐ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☒ Other, Specify SEE ATTACHED LETTER
5. Well construction information:
☐ New well ☒ Deepen ☐ Replace
Proposed surface diameter 8" Maximum depth 214'
Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date 3/21/88
7. Well Driller (if known) DENNING WELL DRILLING
Address 145 S. MARKET, UCON, IDAHO
8. Applicant's signature William A. Smith
Title PRESIDENT, BEAR ISLAND WATER ASSOCIATION
Date 8/31/88

MICROFILMED

* After other pre-requisite approvals have been obtained.

MAR 01 1989

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.

ACTION OF IDWR

(☒) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

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 its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the 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. Issuance 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.

SPECIFIC CONDITIONS:

8. This permit authorizes the deepening of the well.
9. Use of water from this well shall not exceed 0.04 cfs and must be in accordance with an approved water right.

Dated this 13 day of September, 1988.

Signed

John C. Beal

Title

SECTION MANAGER
GROUNDWATER PROTECTION

Received by JLM

Fee

\$10.00

Date

9/9/88

Receipt No. C002576

Construction start extension to

MAR 01 1989

Extension approved by _____

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

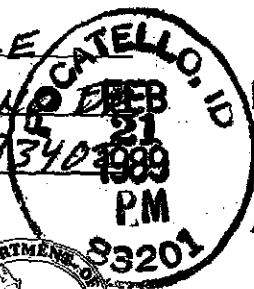
Permit No. 35-08672
Name(s) of Permit Holder(s): BEAR ISLAND ESTATES WATER ASSN, INC.
Post Office Address: 14959 BEAR ISLAND DR.,
IDAHO FALLS, ID. 83402 Tel. No. 522-7037

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on OCTOBER 1987 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit. WAS COMPLETED IN AUGUST 1988
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

FEB 18, 1989 William W. Fingle
Date Signature of Permit Holder
PRECIDENT: BTEWA

WILLIAM W. TINGLE
14959 BEAR ISLAND
IDAHO FALLS, ID. 83401



PLACE
STAMP
HERE

RECEIVED

FEB 23 1989



IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources STATEHOUSE

BOISE, IDAHO 83720

April 14, 1989

Bear Island Water Assoc.
c/o William W. Tingle, President
14959 Bear Island Dr.
Idaho Falls, ID 83402

Re: Permit No. 35-8672

Dear Mr. Tingle:

In response to your letter received in this office April 12, 1989,
enclosed is a copy of your approved application for permit.

If you have further questions or requests, feel free to contact this
office.

Sincerely,

JODI I. SCHULTZ
Clerical Assistant

Enclosure

RECEIVED
APR 12 1989

Department of Water Resources April 11, 1989
Bear Island Water Assoc.
c/o William W. Tingle
14959 Bear Island Dr.
Idaho Falls, Id. 83402

State of Idaho
Dept of Water Resources
1301 N. Orchard St.,
Statehouse Mail,
Boise, Idaho 83720

Attn: Rita Fleck, Allocation Bureau

Dear Ms. Fleck:

In a phone conversation with Dena Billings today, she mentioned that we should have an approved application for Permit No. 35-08672. I am the new president of the BIWA and have been unable to find it in the records turned over to me by outgoing president Bill Smith.

Would you please forward a copy of the approved application to me at the above address?

Sincerely,



William W. Tingle
President,
Bear Island Water Assoc.

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

Statehouse
Boise, Idaho 83720
(208) 334-7900
February 7, 1989

BEAR ISLAND WATER ASSN. INC.
C/O 14989 BEAR ISLAND DR.
IDAHO FALLS, ID 83402

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

RE: PERMIT NO. 35-08672

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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MAR 01 1989

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 into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Rights Permits Section

GS: SC
Enclosures

MICROFILMED

MAR 01 1988

THE JEFFERSON STAR

RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, Crystal Foster
being first duly sworn, depose and say, that I am
the printer of THE JEFFERSON STAR, a weekly
newspaper printed and published weekly at
Rigby, Jefferson County, Idaho; and I do
solemnly swear that the

Notice of Correction

a copy of which notice appears attached here-
to, was published in the regular and entire issue
of said newspaper, and not in any

supplement issue thereof for Two (2)
consecutive issues, the first publication hav-

ing been made on Nov. 2, 1988
and the last publication having been made

on Nov 9, 1988

Further, that said newspaper is one of general
circulation in said county; that it is a legal
newspaper, conforming to legal specifications
under the Idaho Statutes; that it has at least two
hundred bona fide subscribers living within the
county of publication; and that it has been
continuously and uninterruptedly published in said
county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice.

Crystal Foster

NOTICE OF CORRECTION

Notice is hereby given that application No.
35-08672 in the name of Bear Island Water
Assn., Inc. was advertised incorrectly on Oc-
tober 5 and 12, 1988. The use was advertis-
ed as being stockwater.

Whereas, the actual use is for domestic
purposes.

Any protests against the granting of this
application as a result of this correction must
be filed with the Idaho Department of Water
Resources, 150 Shoup Ave., Suite 15, Idaho
Falls, Idaho, 83402 on or before November
21, 1988.

R. Keith Higginson
Director

Published in the Jefferson Star, Rigby,
Idaho November 2 and 9, 1988.

Subscribed to and sworn to before me

this Nov. 15, 1988

Richard Barker
Notary Public.

(SEAL)

My commission expires 4-23-93

MICROFILMED

MAR 01 1989

RECEIVED

NOV 16 1988

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that application No. 35-08672 in the name of Bear Island Water Assn., Inc. was advertised incorrectly on October 5 and 12, 1988. The use was advertised as being stockwater.

Whereas, the actual use is for domestic purposes.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before November 21, 1988.

R. Keith Higginson

Director

Published in the Jefferson Star, November 3 & 10, 1988.

NOTICE OF CORRECTION

Notice is hereby given that application No. 35-08672 in the name of Bear Island Water Assn., Inc. was advertised incorrectly on October 5 and 12, 1988. The use was advertised as being stockwater.

Whereas, the actual use is for domestic purposes.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before November 21, 1988.

R. Keith Higginson
Director

Published in the Jefferson Star, R
Idaho, November 2 and 9, 1988.

MICROFILMED

MAR 01 1989



STATE OF IDAHO

DEPARTMENT OF HEALTH
AND WELFARE

DIVISION OF ENVIRONMENT
150 N. 3rd Avenue (basement)
Pocatello, Idaho 83201
October 24, 1988

William Smith, President
Bear Island Water Assoc., Inc.
14989 Bear Island Dr.
Idaho Falls, ID 83402

RE: Dept. of Water Resources Application
for Permit No. 35-08672

Dear President Smith:

The Idaho Regulations for Public Drinking Water Systems, Section 01.8700,01 and 01.8700,04 require the review and approval by this department of plans and specifications of any proposed construction on a public water system. Construction of a new well and distribution mains therefore would need to be reviewed and approved by this department.

If you have any questions please give me (or Bill Smith) a call (236-6160).

Sincerely,

George Spinner
Water Quality Compliance Officer

GS/nn

cc: Ernest Carlson, Water Resources, Idaho Falls
Bill Smith, IDHW-DEQ, Pocatello
Walt Poole, IDHW-DEQ, Pocatello

RECEIVED

OCT 25 1988

Department of Water Resources
Pocatello, Idaho

MAR 01 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 5, 1988

Department of Health & Welfare
Division of Environment
636 Pershing
Pocatello, Idaho 83201

RE: Application for Permit No. 35-08672

Dear Sir:

This office is currently in the process of publishing notice that the above application was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received by October 24, 1988. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the applications.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

EC/rb
Enclosure

MICROFILMED

MAR 01 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

September 30, 1988

Bear Island Water Assn., Inc.
c/o 14989 Bear Island Drive
Idaho Falls, ID 83402

RE: Application for Permit No. 35-08672

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 35-08672. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the JEFFERSON STAR. 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,

Ernest Carlsen
Water Rights Supervisor

EC/rb

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MAR 01 1989

THE JEFFERSON STAR

RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, Crystal Foster
being first duly sworn, depose and say, that I am
the printer of THE JEFFERSON STAR, a weekly
newspaper printed and published weekly at
Rigby, Jefferson County, Idaho; and I do
solemnly swear that the

Notice of Application

a copy of which notice appears attached here-
to, was published in the regular and entire issue
of said newspaper, and not in any

supplement issue thereof for Two
consecutive issues, the first publication hav-

ing been made on Oct. 5, 1988
and the last publication having been made

on Oct. 12, 1988

Further, that said newspaper is one of general
circulation in said county; that it is a legal
newspaper, conforming to legal specifications
under the Idaho Statutes; that it has at least two
hundred bona fide subscribers living within the
county of publication; and that it has been
continuously and uninterrupted published in said
county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice.

Crystal Foster

Subscribed to and sworn to before me

this 10-24-88
Loana Leather
Notary Public.

(SEAL)

My commission expires 1-27-91

Idaho

NOTICE OF APPLICATION FOR WATER RIGHTS

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

23-07118

HEISE HOT SPRINGS INC.
P.O. BOX 417

RIRIE, ID 83443

Source: Hawley Warm Spring
Tributary: Snake River
Diversion Pt:

NENWNW Sec 25 T 04N R 40E

Use: Domestic (.040 CFS)

Date Filed: 9/13/1988

In: T04N R41E S30 SWSW

25-07436

YOUNG, JUDY D.

YOUNG, KENNETH A.

489 N. 4154 E.

RIGBY, ID 83442

Source: Groundwater

Diversion Pt: SWNWNE Sec 9 T 04N R 39E

Use: Irrigation (.030 CFS)

Date Filed: 9/14/1988

In: T04N R39E S09 NWNE

1.5 acres total

25-07437

YOUNG, WILLIAM N.

YOUNG, DE VONA

231 E. SECOND N.

RIGBY, ID 83442

Source: Groundwater

Diversion Pt: NWSWNE Sec. 7 T 04N R 39E

Use: Stockwater (.020 CFS)

Domestic (.060 CFS)

Date Filed: 8/26/1988

In: T04N R39E S07 SWNE

31-07506

HUSKINSON, ROBERT D.

1082 N. HILL ROAD

REXBURG, ID 83440

Source: Groundwater

Diversion Pt: NWNW Sec 22 T. 06N R 35E

Use: Stockwater (.580 CFS)

Domestic (.040 CFS)

Date Filed: 8/25/1988

In: T06N R35E S22 NWNW

35-08672

BEAR ISLAND WATER ASSN., INC.

C/O 14989 BEAR ISLAND DRIVE

IDAHO FALLS, ID 83402

Source: Groundwater

Diversion Pt:

LOT 7 (NESE) Sec 35 T 04N R 37E

Use: Stockwater (.200 CFS)

Date Filed: 9/06/1988

In: T04N R37E S35 Lot 7 (NESE)

The permit(s) will be subject to all prior
water rights. Protests may be submitted bas-
ed on the criteria of Sec. 42-203A, Idaho
Code and/or the new public interest criteria
of Sec. 42-203C, Idaho Code. Protests must
be filed with the Director, Dept. of Water
Resources, 150 Shoup Ave., Suit 15, Idaho
Falls, Idaho 83402 on or before OCTOBER
24, 1988.

R. Keith Higginson, Director

Published in the Jefferson Star, Rigby,
Idaho, October 5 and 12, 1988.

MICROFILMED

MAR 01 1989

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OCT 20 1988

Department of Water Resources
Eastern District Office

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

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 28, 1988

THE JEFFERSON STAR
P.O. BOX 37
RIGBY, ID 83442

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before OCTOBER 24, 1988.

Yours truly,

Deena Green
Secretary

Encl.

MICROFILMED

MAR 01 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED

MAR 01 1989

35-08672

BEAR ISLAND WATER ASSN., INC.
C/O 14989 BEAR ISLAND DR.
IDAHO FALLS, ID 83402

Source: GROUNDWATER

Diversion Pt: LOT 7 (NESE) Sec 35 T 04N R 37E

* Use: STOCKWATER (.200 CFS)

Date Filed: 9/06/1988

In: T04N R37E S35 Lot 7 (NESE)

35-08672
BEAR ISLAND WATER ASSN., INC.
C/O 14989 BEAR ISLAND DRIVE
IDAHO FALLS, ID 83402
Source: Groundwater
Diversion Pt:
LOT 7 (NESE) Sec 35 T 04N R 37E
* Use: Stockwater (.200 CFS)
Date Filed: 9/06/1988
In: T04N R37E S35 Lot 7 (NESE)

MICROFILMED

MAR 01 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 24, 1988.

R. Keith Higginson, Director

Published 10/05/1988 & 10/12/1988

MICROFILMED

MAR 01 1989

RECEIVED

SEP 06 1988

August 31, 1988

Department of Water Resources

Bear Island Water Assn.
c/o William G. Smith
14989 Bear Island Drive
Idaho Falls, Idaho 83402

Mr. John Beal
Manager, Groundwater Protection Section
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

Dear John:

Attached are the Drilling Permit application and the Water Appropriation Permit Application, and a check for the Water Appropriation Permit. Please invoice us for the appropriate amount on the Drilling Permit when you have reviewed the application and the information herein.

Regarding the Drilling Permit:

Item (3): The location shown on the drilling report filed by Denning is incorrect; the correct location is shown on the attached application.

Item (4): The well is used for culinary household use by approximately 22 households of the Bear Island Estates subdivision. No irrigation use is permitted. This is why we believe the \$10.00 fee is appropriate in our case.

Regarding the Water Appropriation Permit:

Item (10): We (the Bear Island Water Assn.) only acquired title to the well property in 1987. There is an existing well on that property which we have been using for over 10 years for the same purpose. Due to sloppy record keeping by previous owners of the property, we have no idea at this point what water rights exist. We have an appointment on 9/7/88 with the Idaho Falls office of IDWR to research and refile this water right as part of the adjudication. The existing well is approximately 100' from the well for which this application is being filed. We intend to use the two wells in tandem, so that we have a redundant pump system in case one goes out. The total diversion will not increase from present and historic levels, we'll simply be using two pumps instead of one.

*WR App sent to
Regin 9/7 with
\$30.00 CK.*

Sincerely yours,
William G. Smith
President,
Bear Island Water Assn.

MICROFILMED

MAR 01 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

August 10, 1988

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Bear Island Water Association
c/o William Smith
14959 Bear Island Drive
Idaho Falls, ID 83402

RE: Drilling Permit
Water Appropriation Permit

Dear Mr. Smith:

I have received your letter of August 5, and I will attempt to clarify several items.

Beginning July 1, 1987, Section 42-235, Idaho Code requires that prior to constructing or drilling any well, a drilling permit is required. This includes new construction or deepening of an existing well. The fee for this is \$100 except for domestic (See 42-230(e), Idaho Code) and monitoring.

Mr. Jones would not have been required to file anything in 1979 for a single family domestic well.

Water rights must be approved prior to diversion of water, not after the fact. It is possible that you will repair the well and not be able to use it due to water right problems.

I am again requesting that you submit the drilling permit and fee (\$100 seems to be appropriate). If you choose to wait on the water right application, you do so at your own risk.

If I do not hear from you within 30 days, I will turn the matter over to the Attorney General's Office for enforcement action. If you have any questions or comments, please contact our Idaho Falls Office or me.

Sincerely,

JOHN E. BEAL, Manager
Groundwater Protection Section

JEB:ldt(GP12-1.19)

Enclosures

CC: Harold Jones
Denning Drilling

MICROFILMED

MAR 01 1989

RECEIVED

AUG - 8 1988

August 1988

Bear Island Water Association
c/o William G. Smith
14989 Bear Island Drive
Idaho Falls, Idaho 83402

Department of Water Resources

Mr. John Beal
Manager, Groundwater Protection Section
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

Dear John:

This letter is in response to your letters of May 6, and July 29.

The situation is as follows: the well in question was originally drilled by Denning in approximately 1979 for a Mr. Dave Jones, who intended to develop property on Bear Island. A drilling permit should have been filed for then by Dave Jones. At any rate, Jones went belly up, the well was capped and never used. In 1987, the Bear Island Water Association acquired title to the well property and decided to develop the well for our culinary water use. Denning was hired to get the well ready to use, install a pump, etc. As of this moment, this well is still not in use because the water is full of silt.

We did not apply for a drilling permit because the well was an existing well almost a decade old. We were not responsible for the original drilling, and a permit should have been obtained by the owner at the time. Further, Denning has done nothing to change the well appreciably; they cleaned out the hole, which had silted in over the years that it was capped, cased the hole, and perforated the casing.

We have not applied for a water right because there is still considerable doubt that we will be able to use this well. We believe the silt is entering the well through the case perforations Denning cut, and we are working with Denning to try to rehab the well. This has gone on for months, and the well is still dormant and unusable. We see little point in wasting our time and yours until we know we have a viable well. If we can successfully rehab the well, we will certainly apply for the water right before we use the water. If not, we'll likely cap the well, and have to make some decisions about what to do next.

We will keep you informed, and will submit the application for water right as soon as we know the well will be usable. We would welcome any geological expertise you might be able to offer to assist us in solving this problem; our confidence in Denning is fading.

Sincerely yours,

William G. Smith
President, BIWA

RECEIVED

MAR 01 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 29, 1988

Bear Island
c/o Bill Smith
14959 Bear Island Drive
Idaho Falls, ID 83402

RE: Drilling Permit

Dear Mr. Smith:

I am requesting that you respond to the enclosed letter dated May 6, 1988. I am again enclosing the necessary forms for your use. Please submit the permit applications and fees so that the legal requirements are satisfied.

If I do not hear from you within 30 days, I will turn the matter over to the Attorney General's Office for enforcement action. If you have any questions or comments, please contact our Idaho Falls Office or me.

Sincerely,

JOHN E BEAL, Manager
Groundwater Protection Section

JEB:ldt(GP11-1.98)

Enclosures

CC: Harold Jones
Denning Drilling

MICROFILMED

MAR 01 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 6, 1988

Bear Island
c/o Bill Smith
14959 Bear Island Drive
Idaho Falls, ID 83402

RE: Drilling Permit
Water Appropriation Permit
Well in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, T4N, R37E

Dear Mr. Smith:

Denning Drilling has submitted a well driller report for a well deepened for you in March of 1988. The well driller indicated that the well is used for municipal purposes. I am unable to find the required drilling permit or a water right for this use.

Section 42-235 of Idaho Code requires that a drilling permit and fee be submitted to the Department for all wells drilled. The fee for municipal wells is \$100, while the fee for single family domestic wells (which includes irrigation of 1/2 acre or less) is \$10.

Furthermore, Idaho Code provides that the right to use ground water may be acquired only by means of the application-permit-license process. Diversion of ground water without a valid water right is an illegal diversion under Section 42-351, Idaho Code, and civil penalties of up to \$100 per day could be levied for the violation.

Enclosed are blank drilling permit and water appropriation permit forms. I suggest you complete the forms and submit them to our Idaho Falls Office. The personnel in the Idaho Falls Office can assist you if necessary. Please take action to submit the required applications and fees within 30 days.

If you have any questions or comments, please contact me.

Sincerely,

JOHN E. BEAL, Manager
Groundwater Protection Section

JEB:ldt(GP10-1.73)

Enclosures

CC: Denning Drilling, IDWR - E. Reg., Gary Spackman

MICROFILMED

MAR 01 1989