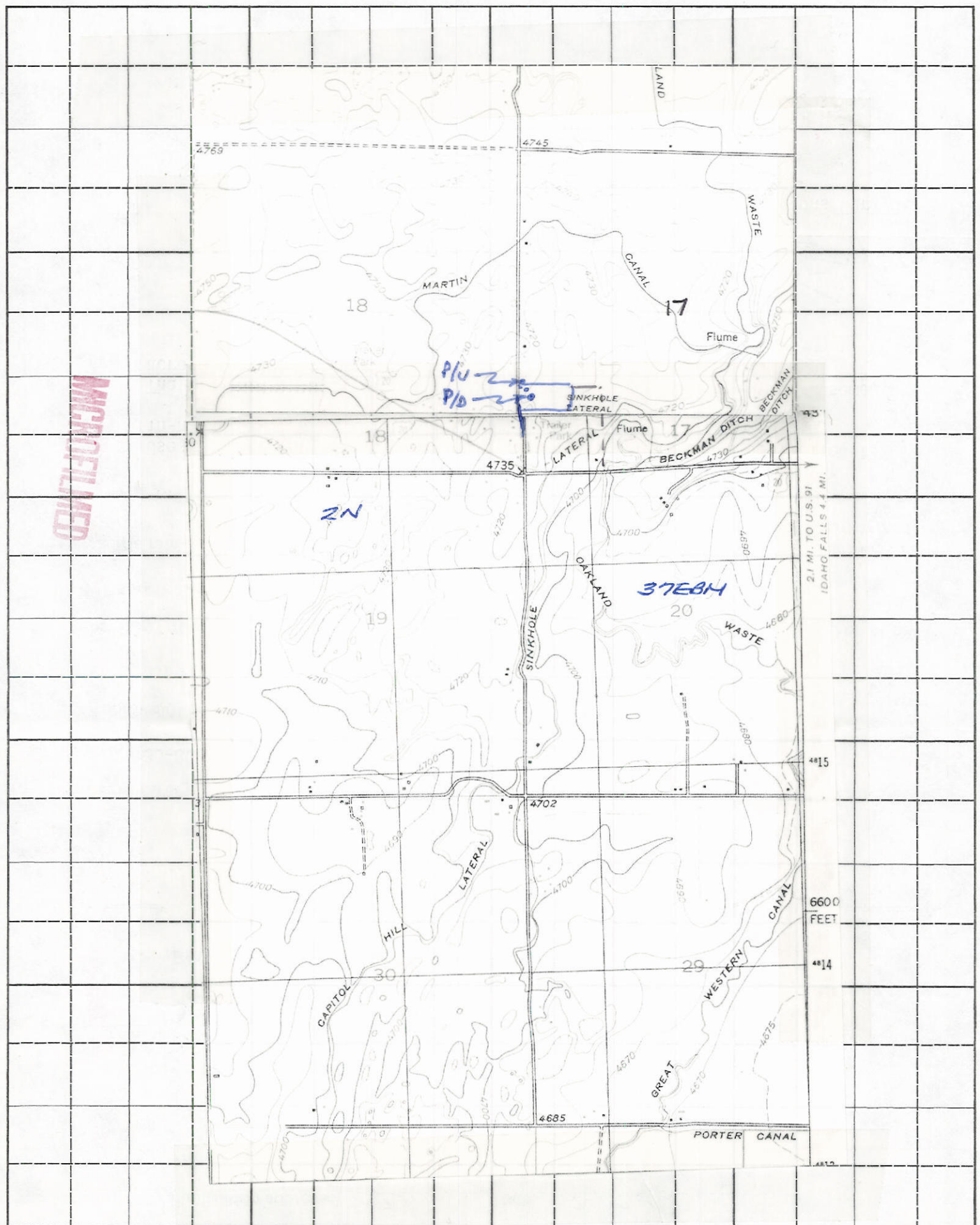


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Richard J. Ralys
(Applicant)

- DOMESTIC SYSTEM *N/A*



14. Remarks SEE MEMORANDUM DATED MAY 13, 1981, ON FIELD EXAMINATIONS FOR DOMESTIC PURPOSES FROM A GROUNDWATER SOURCE.

- | | | |
|---|--|--------------------------------|
| ☐ 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 |

- Date _____

CONSULTANT SEAL

NOT REFILMED

DE 1.1.2000

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-8076 Priority January 10, 1983 Amount 0.04 cfs

THIS IS TO CERTIFY, that Richard Phillips
of Idaho Falls, Idaho, has complied with the terms and conditions of Permit
No. 35-8076 issued pursuant to Application for Permit dated January 10, 1983,
and has submitted proof to the Department of Water Resources on August 18, 1983,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> from <u>January 1</u> to <u>December 31</u> at <u>0.04</u> cfs and <u>0.6</u> acre feet			
_____ from _____ to _____ at _____ cfs and _____			
_____ from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
0.6 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17,
Twp 2N, Rge 37E in the County of Bonneville

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	37E	17										X							

Total number of acres irrigated _____

JUL 16 1983

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license 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 license 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 license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26TH day of November, 19 86.

Acting for the Director

RECEIVED

DEC 16 1986

B.S.
JIM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Richard Phillips Phone 522-3416

Post office address Rt 5, Box 138 Idaho Falls, Idaho 83401

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

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17 Township 2N

Range 37E B.M. Bonneville County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1-1 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)

5. Total quantity to be appropriated:

a. 0.04 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well/pump with pipe to home

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 212 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17 Township 2N

Range 37E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water one.

(5) If water is to be used for other purposes describe: _____

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

[illegible]

Total number of acres to be irrigated

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

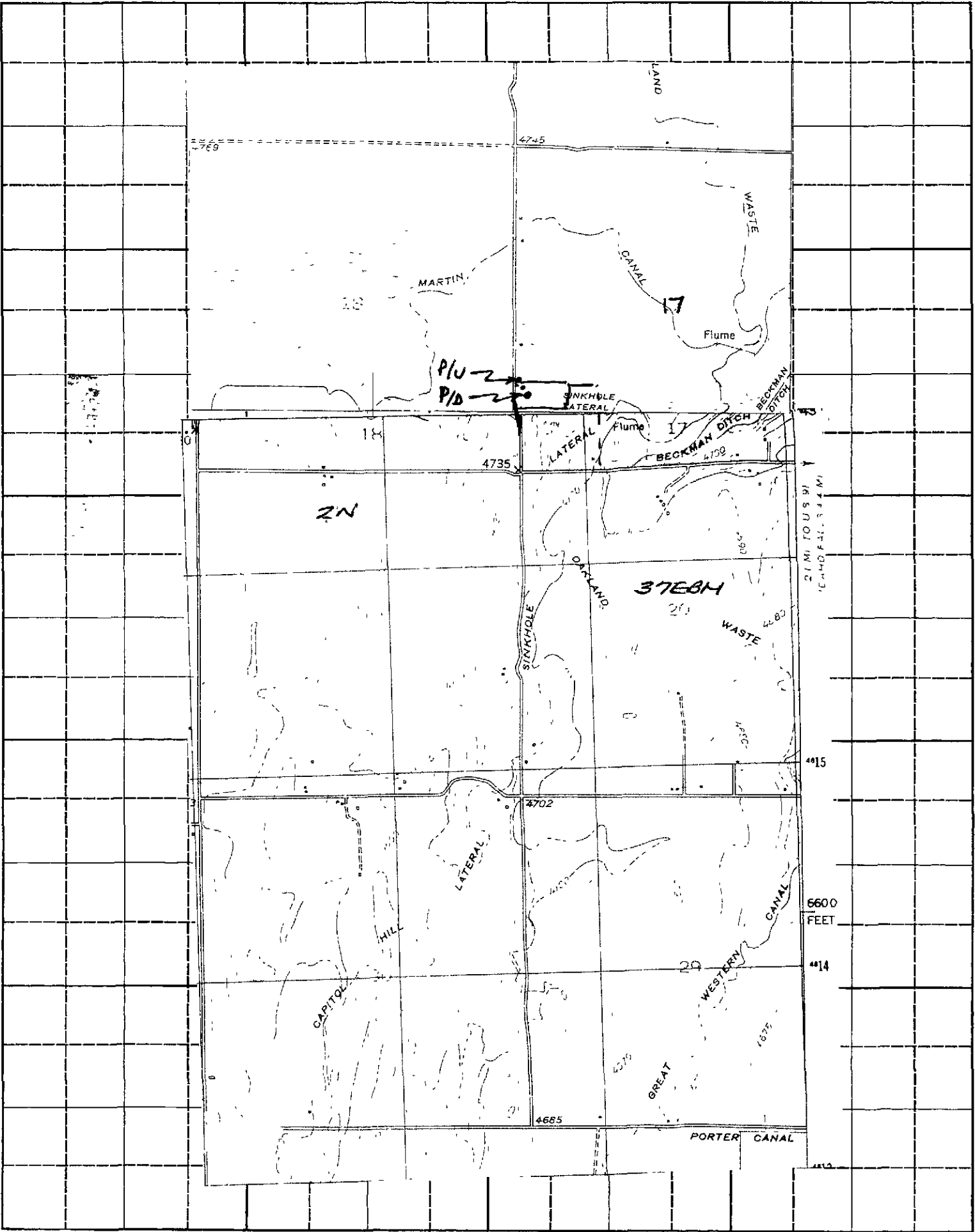
9. a. Who owns the property at the point of diversion Harry Devereaux

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Well is jointly owned by applicant and
Devereaux

10. Remarks

11. 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.

Richard J. Kelly
(Applicant)

Proposed Priority 1-10-83

Received by LR Date 1/10/83 Time 4:07 pm

Preliminary check by HWS Fee \$ 30.00

Receipted by BP Date 1/10/83 # 23292

Publication prepared by BP Date 1/12/83

Published in Past Register

Publication dates 1/20 ; 1/27/83

Publication approved CEW Date 2-07-83

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC RC

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. 35-8076 , 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 August 1 , 19 84 .
- 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. Other:

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.

Witness my hand this 26th day of July, 1983.

J. Glen Saxton

Chief, Operations Bureau

Proof of Publication The Post-Register

RECEIVED

FEB 4 1983

State of Idaho, }
County of Bonneville } ss.

Department of Water Resources
Eastern District Office

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 20th day of January, 1983, last publication having been made on the 27th day of January, 1983, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 2nd day of February, 1983.

Olson K. Napier
Notary Public

My commission expires September 30, 1984.

B10, 1M,

NOTICE OF APPLICATION FOR WATER RIGHT

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

35-8076

PHILLIPS, RICHARD
RT. 5, BOX 138, IDAHO FALLS, ID
83401

Source: GROUNDWATER

Date Filed: 01/10/1983

Diversion Pt: SWSW Sec 17 T 02N R
37E

Use: DOMESTIC (0.04 CFS)

In: SWSW, Sec 17 T 02N R 37E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before FEBRUARY 7, 1983.

KEN DUNN

Director

Published: January 20, 27, 1983



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 8, 1986

RE: Permit No. 35-8076

Richard Phillips
Rt. 5, Box 138
Idaho Falls, ID 83401

Dear Mr. Phillips:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

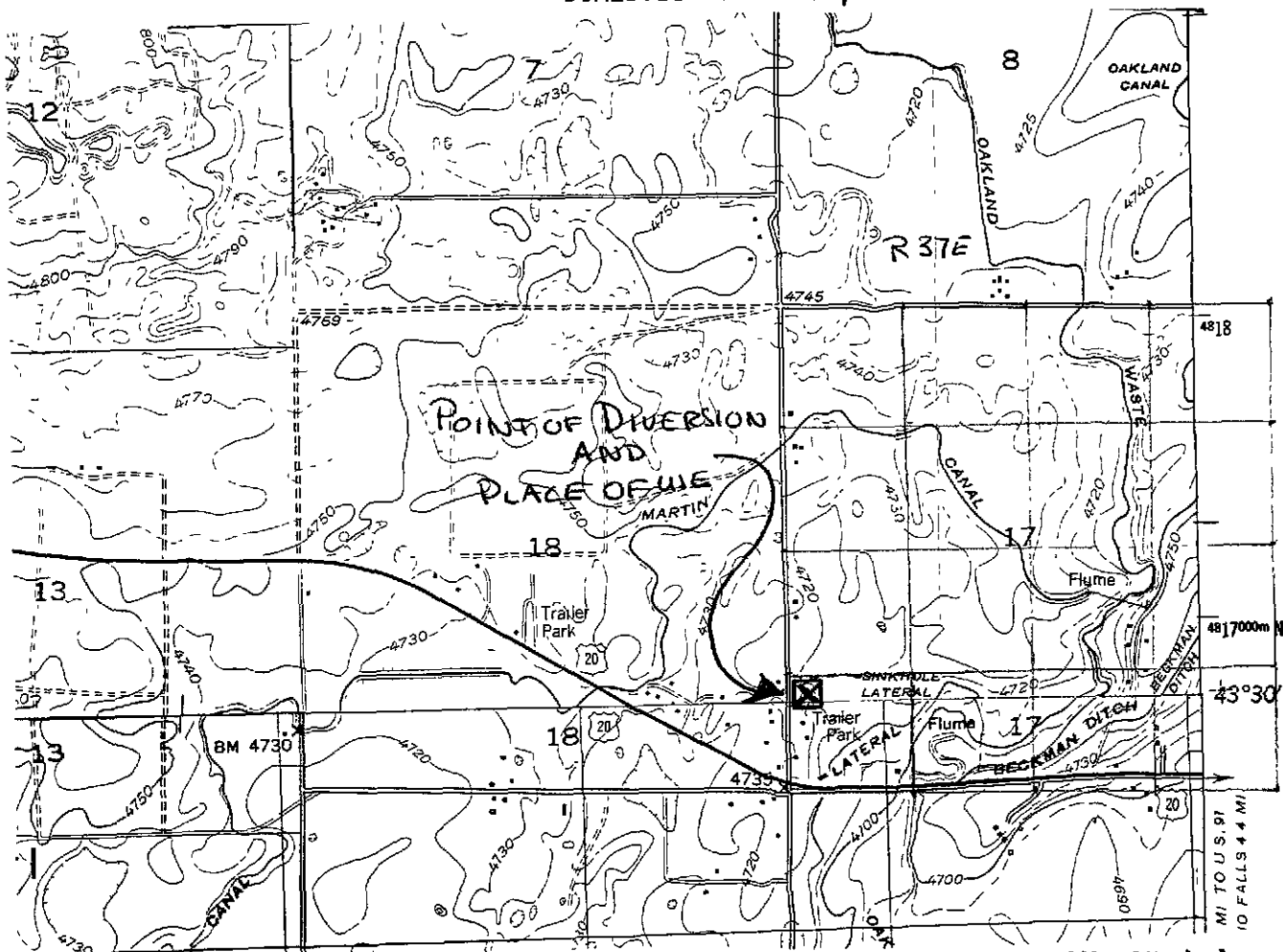
Enclosure

MICROFILMED

DEC 16 1986

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. Permit 35-8364
12. Diversion and Delivery System Diagram: Indicate all major components and distances between components. Indicate ditch size/pipe I.D. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

DOMESTIC SYSTEM N/A



13. ☐ Photo of Diversion & System Attached

☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks SEE MEMORANDUM DATED MAY 13, 1981, ON FIELD EXAMINATIONS FOR DOMESTIC PURPOSES FROM A GROUNDWATER SOURCE.

15. 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

16. Examiner's/Consultant's Signature Keith C. Wilson

Date 15 June 1984

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

NOTED

- Date 5 Nov 86

10

DEC 16 1986



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

August 29, 1983

Richard M. Phillips
Rt. 5, Box 138
Idaho Falls, ID 83401

RE: Permit #35-8076

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

_____ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

 X A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWA:JK

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 35-8076.

Name(s) of Permit Holder: Richard M. Phillips

Post Office Address: Rt 5 Box 138

Idaho Falls, Idaho Tel. No. 208-522-3416

Source of Water: well

Extent of Use:

☒ Domestic	(number of households)
☒ Stockwater <u>horse - 4 ea + 1</u>	(number and type of stock)
☐ Irrigation	(acres)
☐ Other	

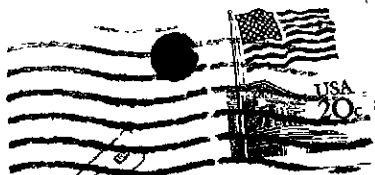
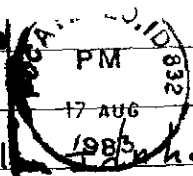
Measuring Device:	Required?	☐ Yes ☐ No	Installed?	☐ Yes ☐ No
Access Port:	Required?	☐ Yes ☐ No	Installed?	☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed

8/15/83
Date

Richard M. Phillips
Signature of Permit Holder

R.M. Phillips
Rt 5 Box 138
Idaho Falls Idaho



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

AUG 18 1983
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

PHILLIPS, RICHARD
RT. 5, BOX 138
IDAHO FALLS, ID 83401

AUGUST 02, 1983

RE: PERMIT NO. 35-8076

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING 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 THE STATEMENT OF BENEFICIAL USE POSTCARD THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

PLEASE BE ADVISED THAT NUMEROUS PRIOR APPLICATIONS FOR PERMIT HAVE BEEN FILED TO APPROPRIATE WATER FROM YOUR SOURCE, TO BE USED ON DESERT LAND ENTRY AND/OR CAREY ACT LANDS. DEVELOPMENT OF THESE WATER RIGHTS IS CURRENTLY PREVENTED BY THE U.S. BUREAU OF LAND MANAGEMENT. HOWEVER, IF THE LANDS ARE RELEASED FOR DEVELOPMENT, THE ASSOCIATED WATER RIGHTS WILL RECEIVE WATER PRIOR TO YOUR WATER RIGHT ENCLOSED. THEREFORE BE SURE TO ANALYZE THE FUTURE IMPACT OF THESE RIGHTS BEFORE MAKING A MAJOR INVESTMENT IN A WATER SUPPLY SYSTEM.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWJ.

APPLICATION NUMBER: 35 8076

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☒ No
☐ Yes ☒ No

Platted by: _____ Map No. _____

Other rights on same place of use. _____

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: Feb. 7, 1983 ✓

- ☐ Yes ☒ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 2-04-83 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.

- ☐ Yes ☒ No

Measuring device required.

- ☐ Yes ☒ No

Access port required.

- ☐ Yes ☒ No

Will water be delivered by watermaster? If yes, what district? _____

- ☒ Yes ☒ No

Date of priority recommended. 1/10/83

Special conditions of approval or cover letter. _____

STATE OFFICE REVIEW:

By: Ernest Carlson

Date: July 1, 1983

SW/L16, L11

0421

- ☐ See attached sheet for more information.

By: [Signature]

Date: 7/25/83

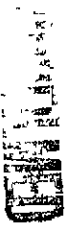
RECEIVED

JUL 21 1983

Department of Water Resources

NOTICE OF APPLICATION FOR WATER RIGHT

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



The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before FEBRUARY 7, 1983.

KEN DUNN, Dir.

Published 1/20 & 1/27/83.

35-8076-

PHILLIPS, RICHARD

RT. 5, BOX 138, IDAHO FALLS, ID 83401

Source: GROUNDWATER

Date Filed: 01/10/1983

Diversion Pt: SWSW Sec 17 T 02N R 37E

Use: DOMESTIC (0.04 CFS)

In: SWSW Sec 17 T 02N R 37E

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

WATER RIGHT
DATA ENTRY LOG

[illegible]