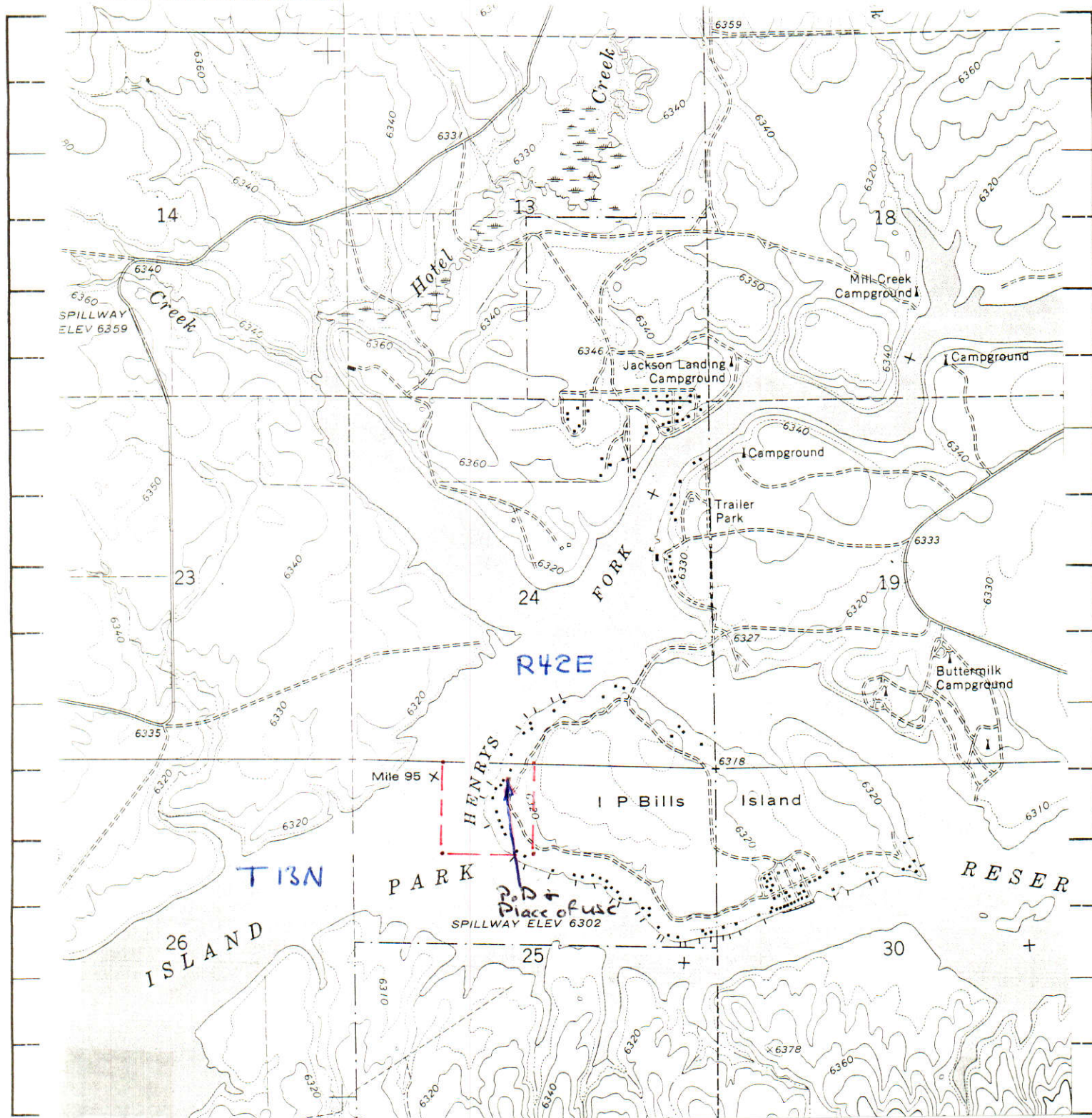


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Frank Scott
(Applicant)

MICROFILMED

THE CHRONICLE-NEWS

ST. ANTHONY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Fremont } ss

I, Terry Weatherston,
being first duly sworn, depose and say, that I am
the printer of THE CHRONICLE-NEWS, a weekly
newspaper printed and published weekly at St.
Anthony, Fremont 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 2
consecutive issues, the first publication hav-

ing been made on March 13, 1986
and the last publication having been made

on March 20, 1986

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.

Terry Weatherston



Subscribed to and sworn to before me

this March 21, 1986
[Signature]
Notary Public.
(SEAL)

My commission expires Aug. 5, 1991

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been fil-
ed to appropriate the public waters of the
State of Idaho:

21-7368

SCOTT, FRANK &/or BEVERLY
51 DOUD ST., BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: LOT 01 (NENW) Sec 25 T
13N R 42E

Use: DOMESTIC (0.040 CFS)

Date Filed: 02/28/1986

In: LOT 01 (NENW) Sec 25 T 13N R 42E

The permits 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 public interest
criteria of Sec. 42-203C, Idaho Code. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 150 Shoup Ave., Suite
15, Idaho Falls, Idaho, 83402 on or before
March 31, 1986.

KEN DUNN
Director

Publ. March 13 and 20, 1986CN.

RECEIVED

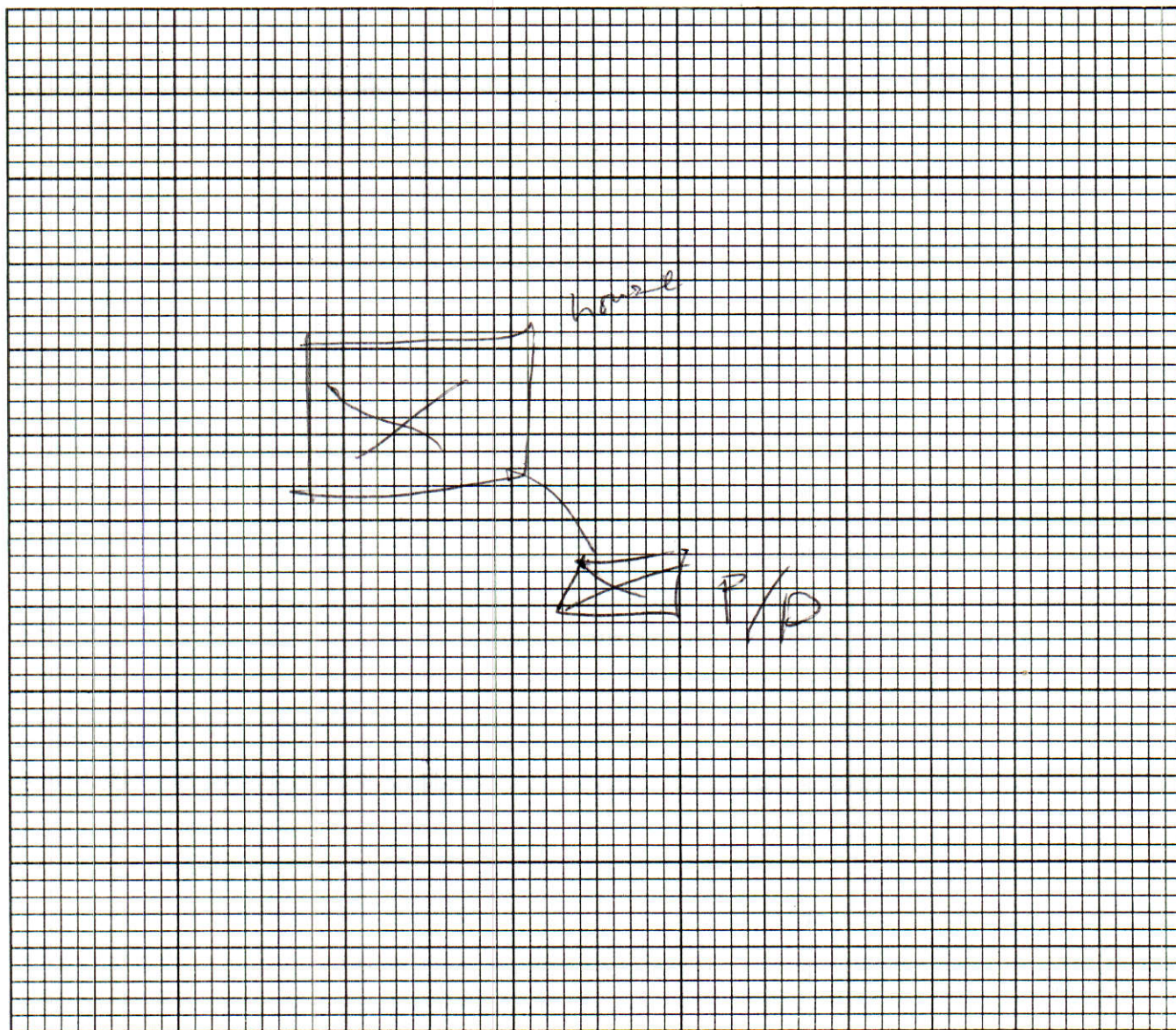
APR 3 1986

Department of Water Resources
Eastern District Office

MICROFILMED

10. Other water rights on these lands NA
11. Other water right diverted from same p.d. NA

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.



13. ☒ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks Place of use is Lot 78 - I.P. Bills Island

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 D. Vivero Date 7-18-86

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

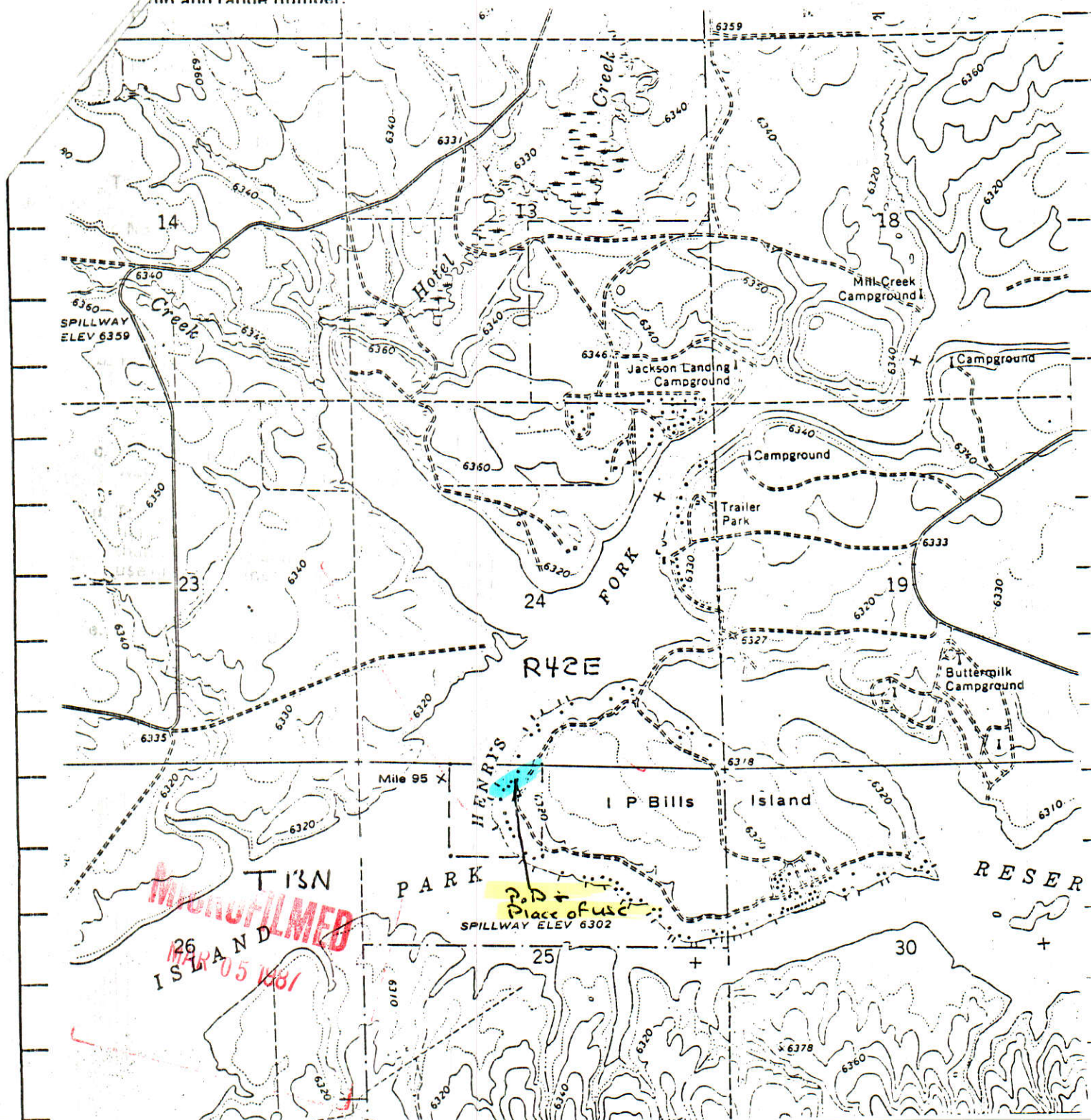
CONSULTANT SEAL

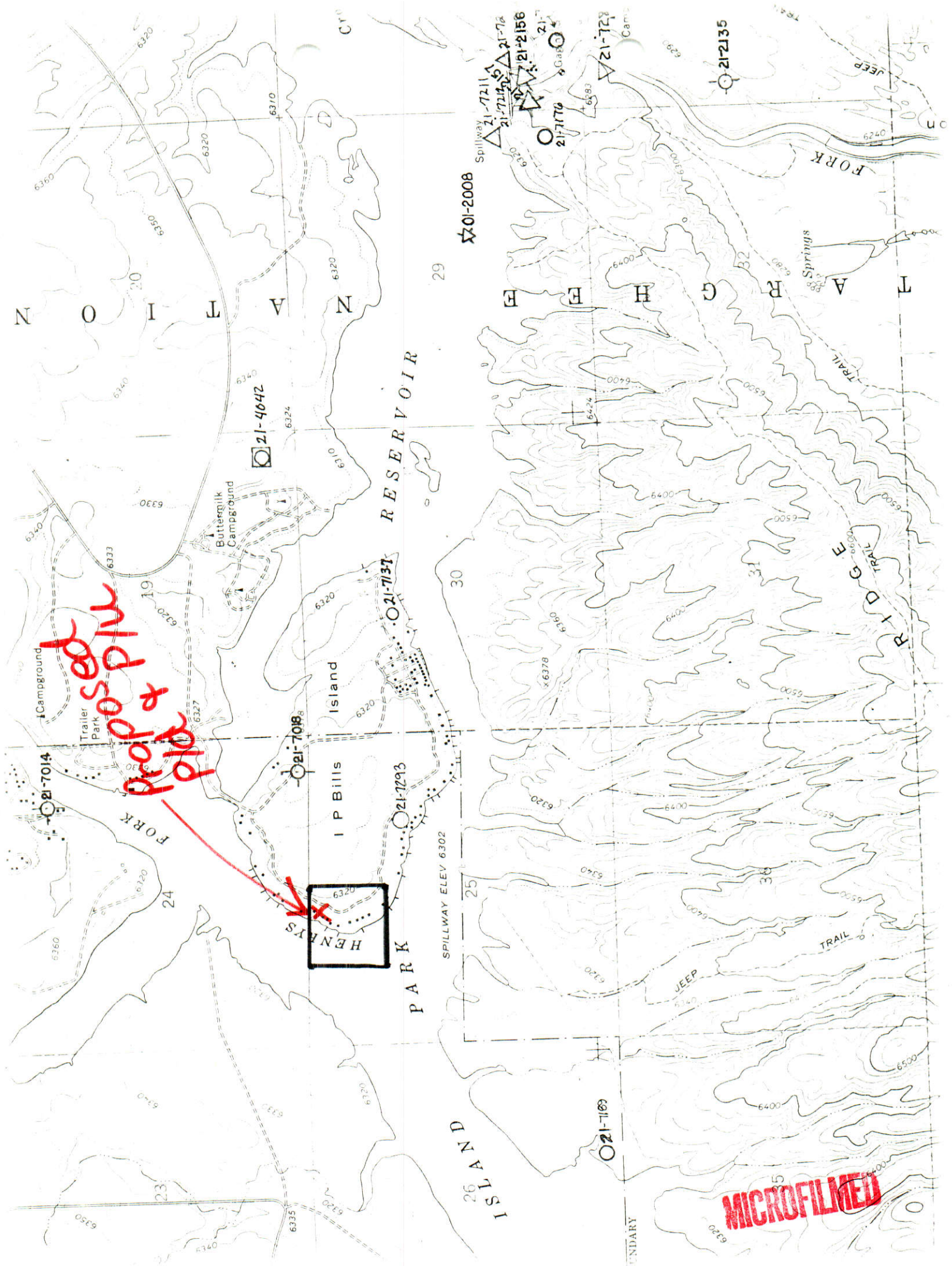
MICROFILMED

MAR 05 1987



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





State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-7368

Priority: February 28, 1986 Amount: .04 CFS .6 AF

This is to certify, that FRANK SCOTT
BEVERLY SCOTT

51 DOUD ST.

BLACKFOOT, ID 83221

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated February 28, 1986, and has submitted proof to the Department of Water Resources on April 24, 1986, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .04 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.04 cfs	.6 af

LOCATION OF POINT OF DIVERSION(S): LOT 1(NENW), Sec. 25, Township 13N, Range 42E
Fremont County

PLACE OF USE: Domestic

TWN RGE SEC

13N 42E 25 LOT 1(NENW)

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Place of use also known as Lot 78, I.P. Bills Island.

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 20th day of FEBRUARY, 19 87.

MICROFILMED

Acting for the Director

Norman C. Young

MAR 03 1987

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Frank and/or Beverly Scott Phone 785-5704
Post office address 51 Doud St., Blackfoot, Idaho 83221

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

3. Location of point of diversion is _____ $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot 1
Sec. 25 Township 13N Range 42E B.M. Fremont 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 is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well/pump to one house
Lot # 78 - IR Bills Island

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 6" inches; proposed depth of well is 80' feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 household
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding 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	
13N	42E	25					X												
							D/1												
							L-1												

Total number of acres to be irrigated _____

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

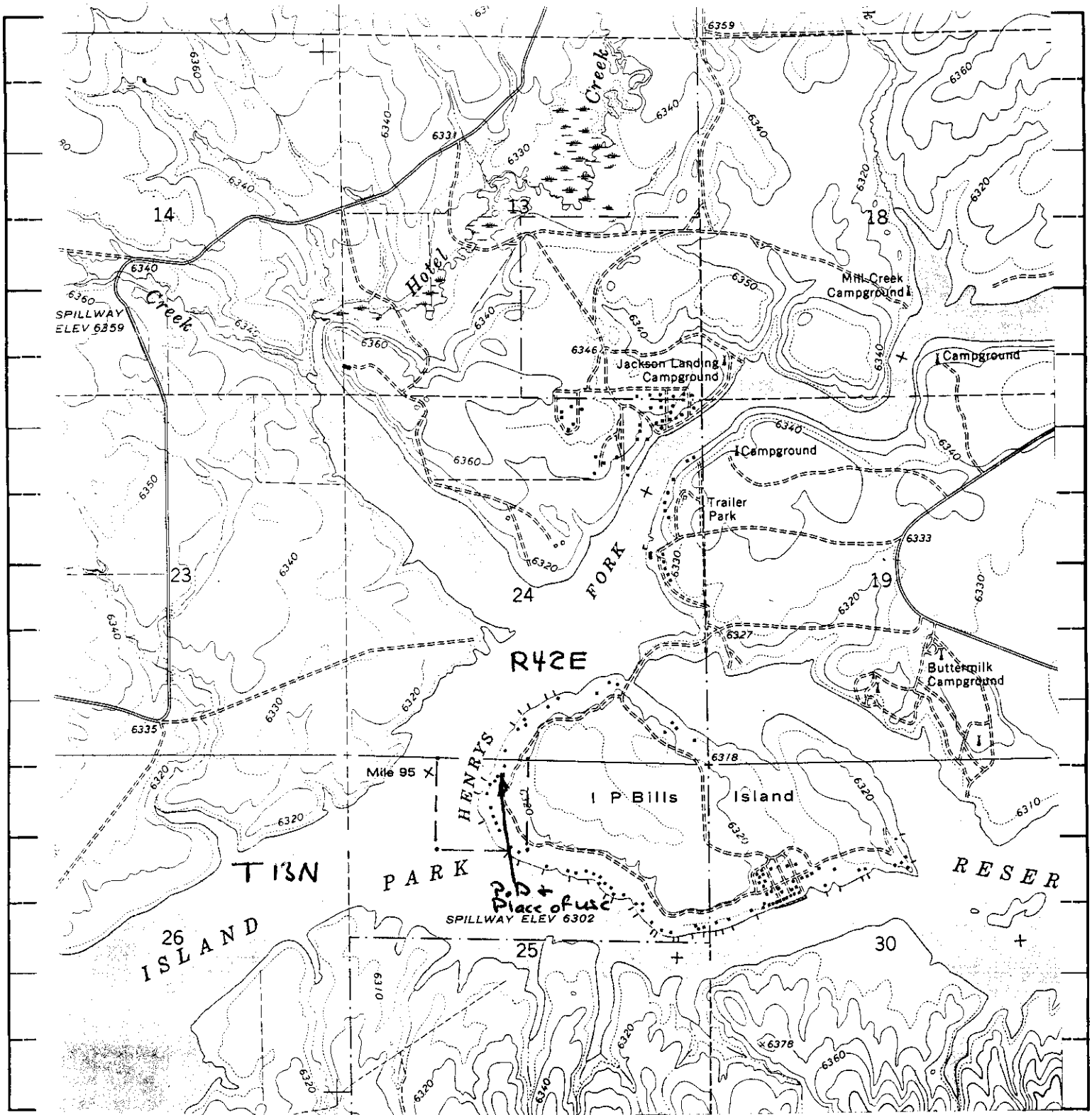
11. a. Who owns the property at the point of diversion? Applicant

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. _____

12. Remarks: _____

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.

Frank Scott
(Applicant)

MICROFILMED

Proposed Permit No. 2/28/86

MICROFILMED

Received by MD Date 2/28/86 Time 2:35 Preliminary check by HWT

Fee \$ A300 Receipted by MD # 35569 Date 3/3/86

Publication prepared by MD Date 3/5/86 Published in FREEMONT COUNTY Chronicle ^{3/13 + 3/20/86}

Publication approved ew Date 4-04-86

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. 21-7368, 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 May 1, 19 87.

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: Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River.

Witness my hand this 10th day of April, 1986.

A. Glen Saxton
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

MICROFILMED

License 21-7368

February 24, 1986

Frank Scott
51 Doud Street
Blackfoot, Idaho 83221

Dear Mr. Scott:

Enclosed you will find your application for permit. Please review it and if everything seems correct sign and send it to this office with your \$30.00 fee. Also I will need you to indicate the location of your home on the map. If you can, draw an arrow from the words "Point of Diversion and Place of Use", to the house location within the red-outlined forty acre unit.

Sincerely,

Harold W. Jones
Sr. Resource Agent

HWJ/md

Enclosure

MICROFILMED

JUL 01 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

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

February 23, 1987

RE: Permit No. 21-7368

Frank & Beverly Scott
51 Doud St.
Blackfoot, ID 83221

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAR 05 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

OCT 9 1986

21-7368
Permit No.

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

Department of Water Resources

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}} \end{aligned}$$

- c) Volume Calculations for Other Uses:

1 domestic allotment as per memorandum.
0.04 cfs
0.6 afa

2. Overlap Review

- a) Other water rights with same place of use: NA

- b) Other water rights with same point of diversion: NA

- c) Analysis:

MicroFILMED

BAR 05 1987

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity

4. Permit Holder: _____

Address: _____

5. Source: _____ tributary to _____

6. Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<u>DOMESTIC</u>	<u>1/1</u> <u>12/31</u>	<u>0.04</u>	<u>0.6</u>

Allowable Maximums: 0.04 cfs. 0.6 afa

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County

8. Place(s) of Use

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	
Total Acres _____																			

9. Recommended Conditions/Remarks: _____

10. 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 _____

11. Examiner's Signature _____

Date 7-18-86

Checked in Regional Office by W.C. Jones

Date 8-05-86

Approved in State Office by _____

Date 2-17-87

FILED
MAR 05 1987

REC- 1986

Department of Water Resources

Permit No. 21-7368
Phone No. 785-5704

1. Owner: FRANK & BEVERLY SCOTT Phone No. 785-5704
Current Address: 51 DUND ST. BLACKFOOT, ID.

2. Accompanied by: Security EXAM. DATE: 7-18-86
Address: _____ Phone No. 705-
Relationship to Permit Holder: _____

3. Source: groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
ND	NA	ND	NA	NA	NA

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

P/D - well in shed (locked)

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

7. Measurements NONE ☐ Additional data/computation sheets attached

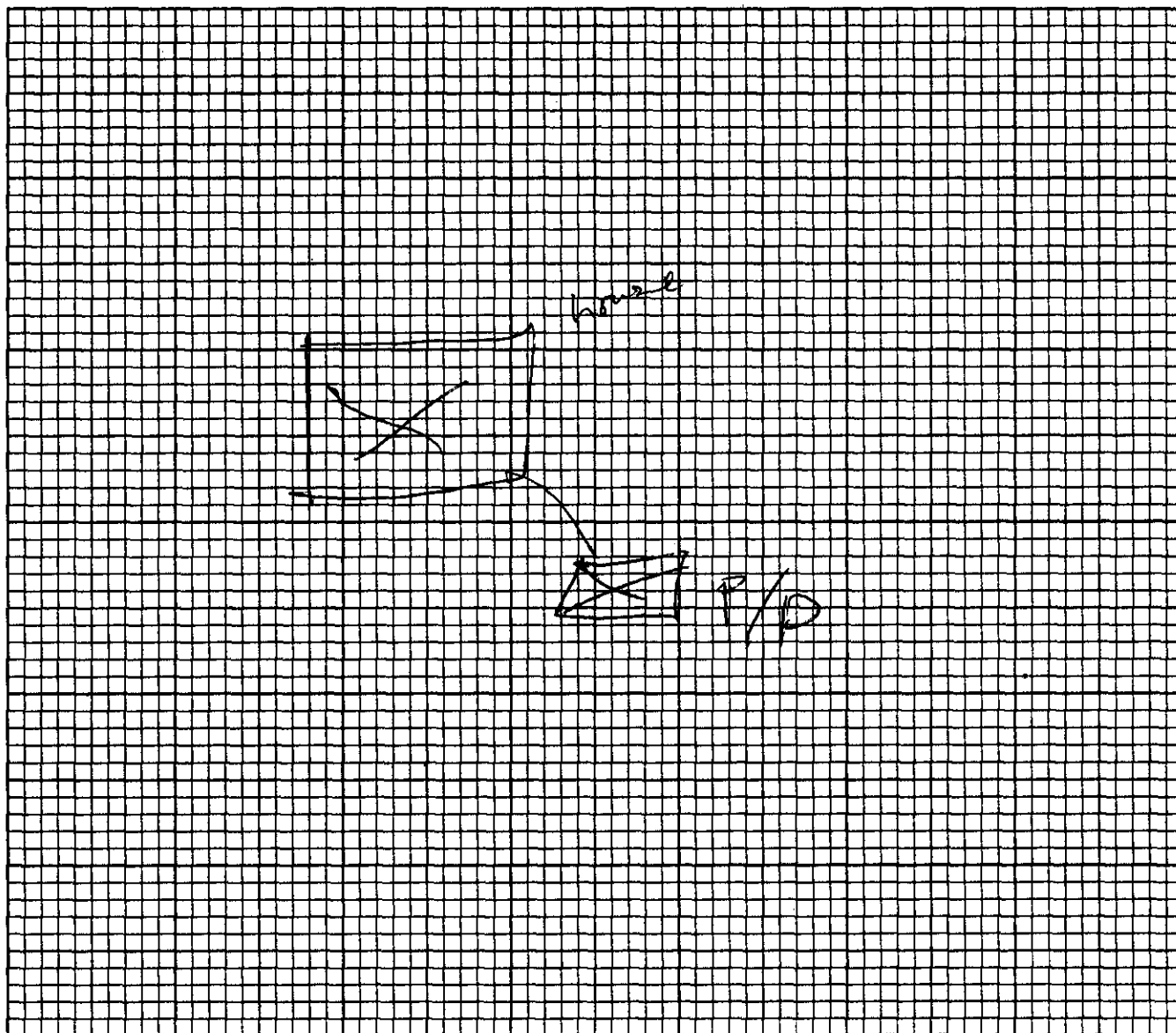
8. Point(s) of Diversion:	Indicate Method of Determination
---------------------------	----------------------------------

[illegible]

9.	Place(s) of Use:	Irrigation - give acres served by system at time of exam. Indicate Method of Determination
----	------------------	---

[illegible]

10. Other water rights on these lands NA
11. Other water right diverted from same p.d. NA
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.



13. ☒ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks Place of use is Lot 78 - I.P. Bills Island

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 [Signature] Date 7-18-86

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

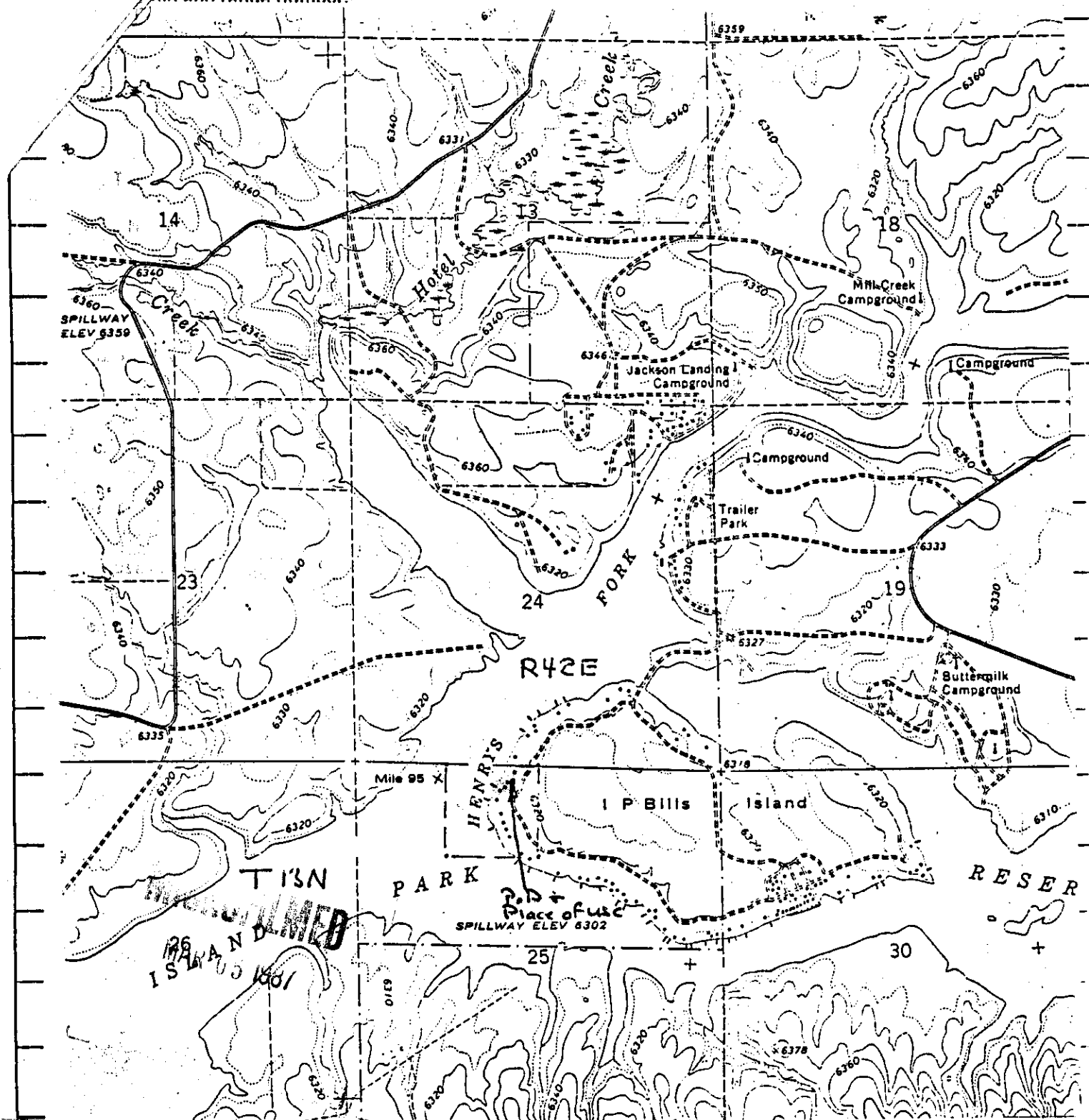
CONSULTANT SEAL

REGISTERED

MAR 05 1987



100





21-7368

ate 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

October 21, 1986

Mr. Kevin B. Homer
Wright, McNamara, Homer & Davis
445 No. Capital
P.O. Box 578
Idaho Falls, ID 83402

Re: Permit Nos. 21-7352 and 21-7368

Dear Mr. Homer:

As requested in your letter of September 29, I have researched our records and located permits for domestic use from a groundwater source within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, Twp. 13 N., Rge. 42 E. Enclosed are copies of Permit No. 21-7352 in the name of Malcolm Reiss or C. Ernest Butters and Permit No. 21-7368 in the names of Frank and/or Beverly Scott.

Permit No. 21-7352 in the name of Malcolm Reiss or C. Ernest Butters was filed September 21, 1983 for 0.04 cfs for domestic purposes from a groundwater source for a single household diverting within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, Twp. 13 N., Rge. 42 E. Remarks also further described the land as Lot 79 & 79E of the I.P. Bills Island Homesite Plot #1. Proof of beneficial use was submitted on September 15, 1985.

Permit No. 21-7368 in the names of Frank and/or Beverly Scott was filed February 28, 1986 for 0.04 cfs for domestic purposes from a groundwater source for a single household diverting within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Govt. Lot 1, Sec. 25, Twp 13 N., Rge 42 E. The land is further identified as Lot #78 - I.P. Bills Island. Proof of beneficial use was submitted on April 24, 1986.

Both permits are in good standing and all that remains is that a field examiner from Eastern Region in Idaho Falls conduct a field examination of the system before licensing. A field examination could provide you with additional information regarding the system.

Please note that both permits identify the applicants as the owner of the property at the point of diversion and the place of use.

I have also researched our records for well logs in the above names for wells drilled in the legal description of the point of diversion. Enclosed is a well log for a well drilled in 1967 for domestic use in the name of Frank Scott.

2

Mr. Kevin B. Homer
October 21, 1986
Page 2

With regard to your inquiry on drilling a well, enclosed is a pamphlet entitled "Rules and Regulations Well Construction Standards." You may also want to contact the Central District Health Department in the area to ascertain what local requirements may be required in drilling a well for single family domestic use.

Although no filing is required with this Department for a single family household for domestic purposes from a groundwater (a well), a filing may be made if desired. A filing is required, however, for multiple households for domestic purposes from a well. The definition of domestic purposes is as follows:

Domestic purposes is water for household use or livestock and water used for all other purposes including irrigation of up to one-half acre of land in connection with said household where total use is not in excess of 13,000 gallons per day.

Enclosed is a billing for the copies

If you have additional questions or need further assistance, please do not hesitate to contact us at our State Office here in Boise or our regional office in Idaho Falls.

Sincerely,

ROBERTA GARRETT
Records Supervisor

1s

Enclosures

cc: Eastern Region

RECEIVED
OCT 21 1986
IDH

21-7368

RECEIVED

OCT 6 1986

WRIGHT, McNAMARA, HOMER & DAVIS

ATTORNEYS

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

ROGER B WRIGHT P.A.
HARLOW J. McNAMARA P.A.
KEVIN B. HOMER P.A.
TODD M. DAVIS P.A.

Department of Water Resources

September 29, 1986

Idaho Water Resources Board
450 West State Street
Boise, Idaho 83702

Re: Mr. and Mrs. Malcom Reiss
Mr. and Mrs. Frank Scott

Dear Sir or Madam,

This law firm has been representing Mr. and Mrs. Malcom and Adriana Reiss of 1986 North 350 West, Sunset, Utah, in attempting to resolve a dispute over a culinary water well which they own jointly with Mr. and Mrs. Frank Scott of 51 Doud Street, Blackfoot, Idaho. The well itself is located on or near the boundary line between the summer homes located on lots 78 and 78E (Frank Scott parcel) and lots 79 and 79E (Malcolm Reiss parcel) in the Bill's Homesite addition to Fremont County, Idaho (on Bill's Island in Island Park), in Section 25, Township 13 North, Range 42 East.

Would you kindly research your files and tell me, from your agency's point of view and according to your official file, which of the two parties is listed as the owner of the well (or both, if that is the case). Also, please tell me whether the necessary permits for that well have been secured and, in a general sense, the status of that well according to your files.

Would you also please send me information about the requirements for digging a new culinary well. I have been told that all new wells must be capped above ground level, but I would appreciate knowing the details of this and other requirements.

Thank you for your cooperation with this request.

Very truly yours,


Kevin B. Homer

KBH/cw

cc. Malcom Reiss

(208) 523-4433
445 NORTH CAPITOL
POST OFFICE BOX 578
IDAHO FALLS, ID 83402

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 30, 1986

FRANK SCOTT
51 DOUD STREET
BLACKFOOT ID 83221

RE: Permit No. 21-7368

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 examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

RECEIVED

Form 217
03/86

RECEIVED

APR 28 1986

N.A.
For Office Use Only
Fee Received _____
Date _____
Receipt _____
Receipt by _____
Reviewed by _____
Sent to region _____

RECEIVED
APR 24 1986

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern District Office

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 21-7368

Name(s) of Permit Holder: Frank +/or Beverly Scott

Post Office Address: 51 Doud St. Blackfoot, ID

Telephone No. 785-5704

Source of Water: Groundwater

Extent of Use:

Domestic ONE (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 0.04 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: used since 1967

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

Fee enclosed \$ Not Applicable
(See License Examination Fee Schedule)

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

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

See above

(Name)

(Telephone Number)

(Address)

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.

4-24-86
Date

Frank Scott
Signature of Permit Holder (and title, if appropriate)

MICROFILMED

6-16-86
JF

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
APRIL 16, 1986

SCOTT, FRANK & BEVERLY
51 DOUD ST.
BLACKFOOT, ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 21-7368

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.

PLEASE NOTE THAT ONE OF THE CONDITIONS OF APPROVAL IS THAT THE DIVERSION OF WATER UNDER THIS PERMIT IS SUBJECT TO THE CONTROL OF A STATE WATERMASTER. THE REASON FOR THIS IS THAT SOME HYDROLOGIC STUDIES OF RIVERS IN THE STATE INDICATE THAT WELLS CONSTRUCTED IN THE SAND AND GRAVEL AQUIFERS OF THE RIVER AREAS MAY INTERCEPT WATER THAT OTHERWISE WOULD HAVE ENTERED THE RIVER. HOWEVER, THE EXTENT OF THE ALLUVIAL MATERIAL THICKNESS IS NOT KNOWN NOR IS THE PRECISE DEGREE OF INTERFERENCE OF WELLS WITH SURFACE WATER FLOWS. STUDIES DO INDICATE THAT AS MUCH AS 50% OF THE WATER DIVERTED FROM A WELL LOCATED ONE MILE FROM THE RIVER WOULD HAVE REACHED THE RIVER IF IMPERMEABLE LAYERS OF CLAY OR HARD ROCK DO NOT SEPARATE THE RIVER FROM THE AQUIFER FROM WHICH THE WELL IS PRODUCING.

THE INFORMATION AVAILABLE TO US AT THIS TIME DOES NOT WARRANT REFUSING TO ISSUE YOU A PERMIT BUT DOES MERIT CAUTIONING YOU THAT ANY PERMIT ISSUED BY THE DEPARTMENT CANNOT DEPRIVE WATER USERS, WITH EARLIER RIGHTS, OF THEIR WATER SUPPLY.

THE REASON FOR CONDITIONING THE PERMIT AND EXPLAINING THE POTENTIAL INTERFERENCE PROBLEM IS TO MAKE YOU AWARE THAT FUTURE TESTS MAY DEFINITELY SHOW THAT DIVERSION OF WATER FROM YOUR WELL SHOULD BE ADMINISTERED TOGETHER WITH THE OLDER SURFACE WATER PRIORITIES OF THE RIVER AND ITS TRIBUTARIES. IF THIS WERE TO OCCUR, IT WOULD ESSENTIALLY MEAN THAT THERE WOULD NOT BE WATER AVAILABLE FOR A DIVERSION FROM YOUR WELL SINCE THE SURFACE WATER SYSTEM IS FULLY APPROPRIATED. BY LOCATING YOUR WELL AS FAR FROM THE RIVER AS POSSIBLE AND BY CASING OUT UPPER WATER PRODUCING ZONES AS THE WELL IS CONSTRUCTED, YOU MAY BE ABLE TO REDUCE THE AMOUNT OF INTERFERENCE WITH THE RIVER.

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WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

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

DRT: SC
ENCLOSURES

ENCLOSURE

INTER-DEPARTMENT MEMO — 1

FROM Kay Walker

DATE 4-9-86

TO Application for Permit No. 21-7368

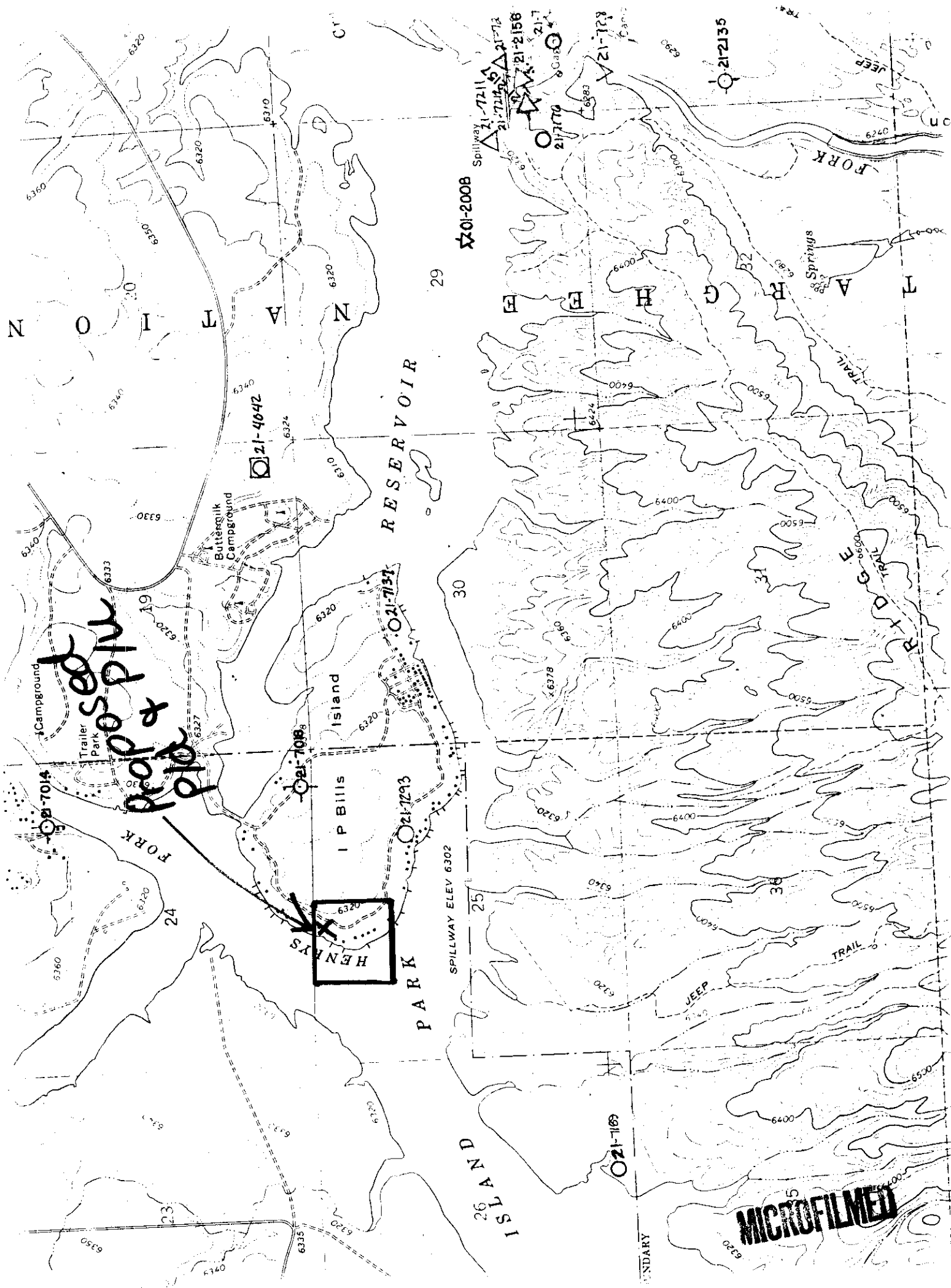
SUBJECT Watermaster Control Recommendation

Pursuant to review of this application, I recommend that it be subject to watermaster control because of the close proximity of the well to the river and the shallowness of the well itself. (80')

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KW

SIGNATURE



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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWT

APPLICATION NUMBER: Scott

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 Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: _____
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 4-03-86
☒ 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? 01
☒ 2/28/86 Date of priority recommended.
Special conditions of approval or cover letter. _____

DCMI - OK to process.

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By: Ernest Carter

Date: April 4, 1986

STATE OFFICE REVIEW:

121,416

05(01, Snake River)

- ☐ See attached sheet for more information.

By: EW

Date: 4/9/86

Department of Water Resources
Department of Water Resources

receipt letter sent 3-6-86

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

March 6, 1986

Frank Scott and/or
Beverly Scott
51 Doud Street
Blackfoot, Idaho 83221

Re: Application for permit No. 21-7368

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. 21-7368. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in The Fremont County Chronicle. The advertisement will be published for two 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.

Enclosed please find your receipt no. 35569 for the amount of \$30.00.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Ernest Carlsen
Assistant Regional Supervisor

EC/md

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MARCH 5, 1986

Fremont County Chronicle News
P. O. Box 568
St. Anthony, Idaho 83445

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 MARCH 31, 1986.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF APPLICATION

FOR WATER RIGHT

The following applications have been filed to appropriate
the public waters of the State of Idaho:

21-7368

SCOTT, FRANK &/or BEVERLY

51 DOUD ST., BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: LOT 01 (NENW) Sec 25 T 13N R 42E

Use: DOMESTIC (0.040 CFS)

Date Filed: 02/28/1986

In: LOT 01 (NENW) Sec 25 T 13N R 42E

The permits 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 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 March 31, 1986.

KEN DUNN

Director

Published 3/13/86 & 3/20/86.

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