



LEGAL DESCRIPTION

NEIL SCHOENENBERGER
FOR

A PARCEL OF LAND LOCATED IN SECTION 24, TOWNSHIP 16 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS: BEING THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 15 AND THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD 191, COMMENCING AT THE NORTHWEST CORNER OF SECTION 24, THENCE EAST 60.36 FEET; THENCE SOUTH 623.36 FEET TO A 5/8" REBAR WITH CAP LABELED "A A HUDSON, PLUS 4725", SET ON THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 15 AND THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD 191, COMMENCING AT THE NORTHWEST CORNER OF SECTION 24, THENCE SOUTH 4° 43' 14" EAST 963.81 FEET TO A RIGHT OF WAY MONUMENT, STATION 944+00 LEFT 170 FEET AS SHOWN ON FEDERAL AID PROJECT 1-15 (89) 0, THENCE SOUTH 1° 1' 51" 29" EAST 200.25 FEET TO A RIGHT OF WAY MONUMENT, STATION 924+00 LEFT 180 FEET AS SHOWN ON SAID FEDERAL AID PROJECT 1-15 (89) 0, THENCE SOUTH 14° 42' 42" EAST 895.89 FEET TO A 5/8" REBAR WITH CAP LABELED "A A HUDSON, PLUS 4725", SET ON THE WESTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD, THENCE NORTH 07° 50' 33" EAST 1994.89 FEET ALONG SAID RIGHT OF WAY FENCE LINE TO THE TRUE POINT OF BEGINNING. CONTAINING 12.4 ACRES.

LAND SURVEYORS
CONSULTING CIVIL ENGINEERS

A. A. HUDSON
AND
ASSOCIATES

180 EAST 2ND SOUTH
500A SPRING
83716 (208) 947-4141

SURVEYOR'S CERTIFICATE

I, ALEXANDER A. HUDSON, DO HEREBY CERTIFY THAT THE FOREGOING SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT THE INSTRUMENT NUMBER 4725 AND THAT BY THE AUTHORITY OF SAID BOARD OF LAND SURVEYORS AND THAT SAID SURVEY WAS MADE IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO AND THAT SAID SURVEY WAS MADE IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO.

DATE

ALEXANDER A. HUDSON

LEGEND

	EASEMENT
	RIGHT OF WAY
	BOUNDARY
	MONUMENT
	SURVEY POINT

RECORD OF SURVEY

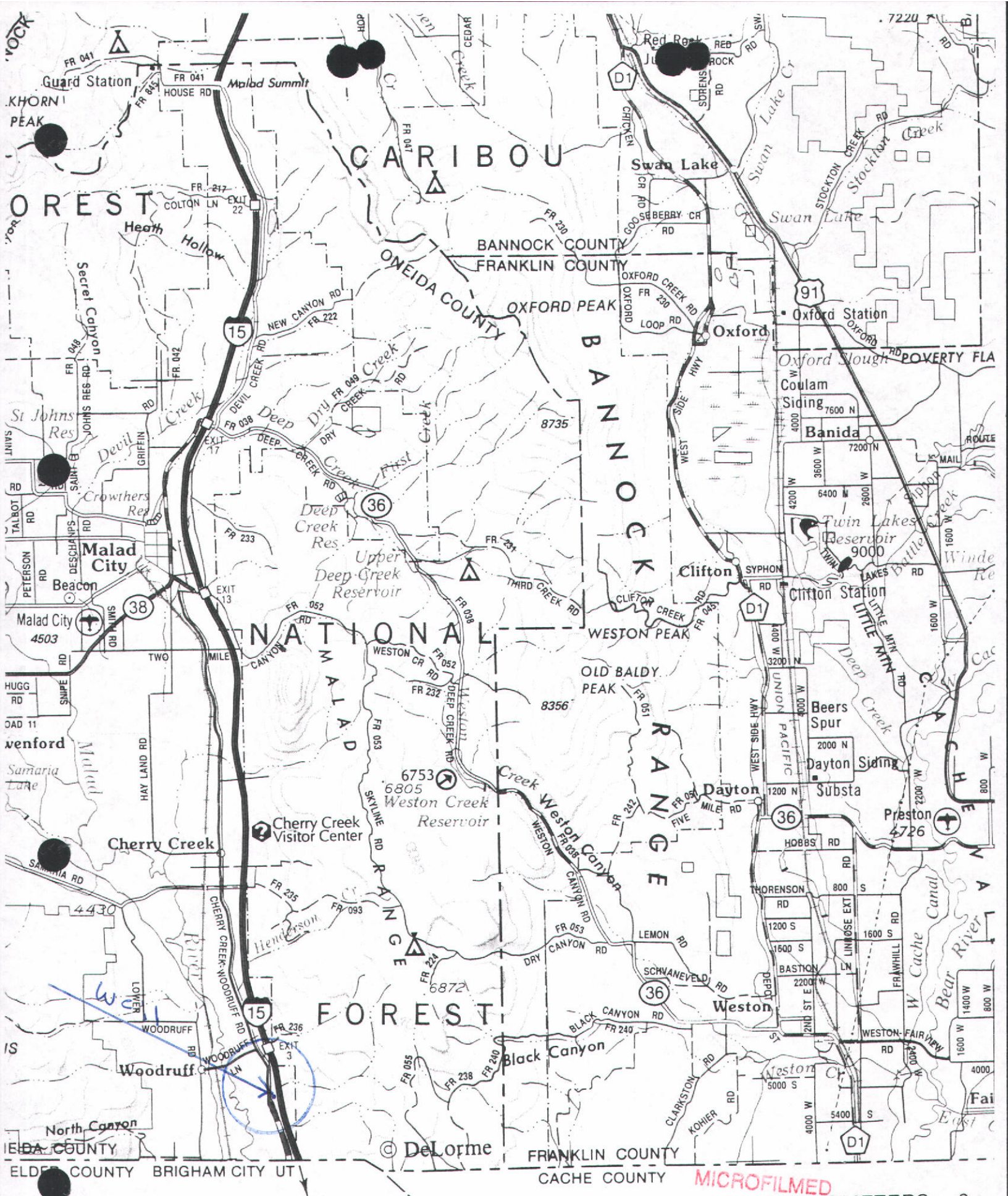
SECTION 24, TOWNSHIP 16 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO	REGISTERED BY	DA
PROJECT NO. 00238	FIELD BOOK NO.	2
COMPLETION DATE	DATE	OCTOBER, 2000

RECORDERS CERTIFICATE

INSTRUMENT NO.	4725
DATE OF SURVEY	10/1/00
RECORDED BY	REC'D
FILED	FILED

DRAWING: 00238.dwg

MICROFILMED
OCT 02 2001

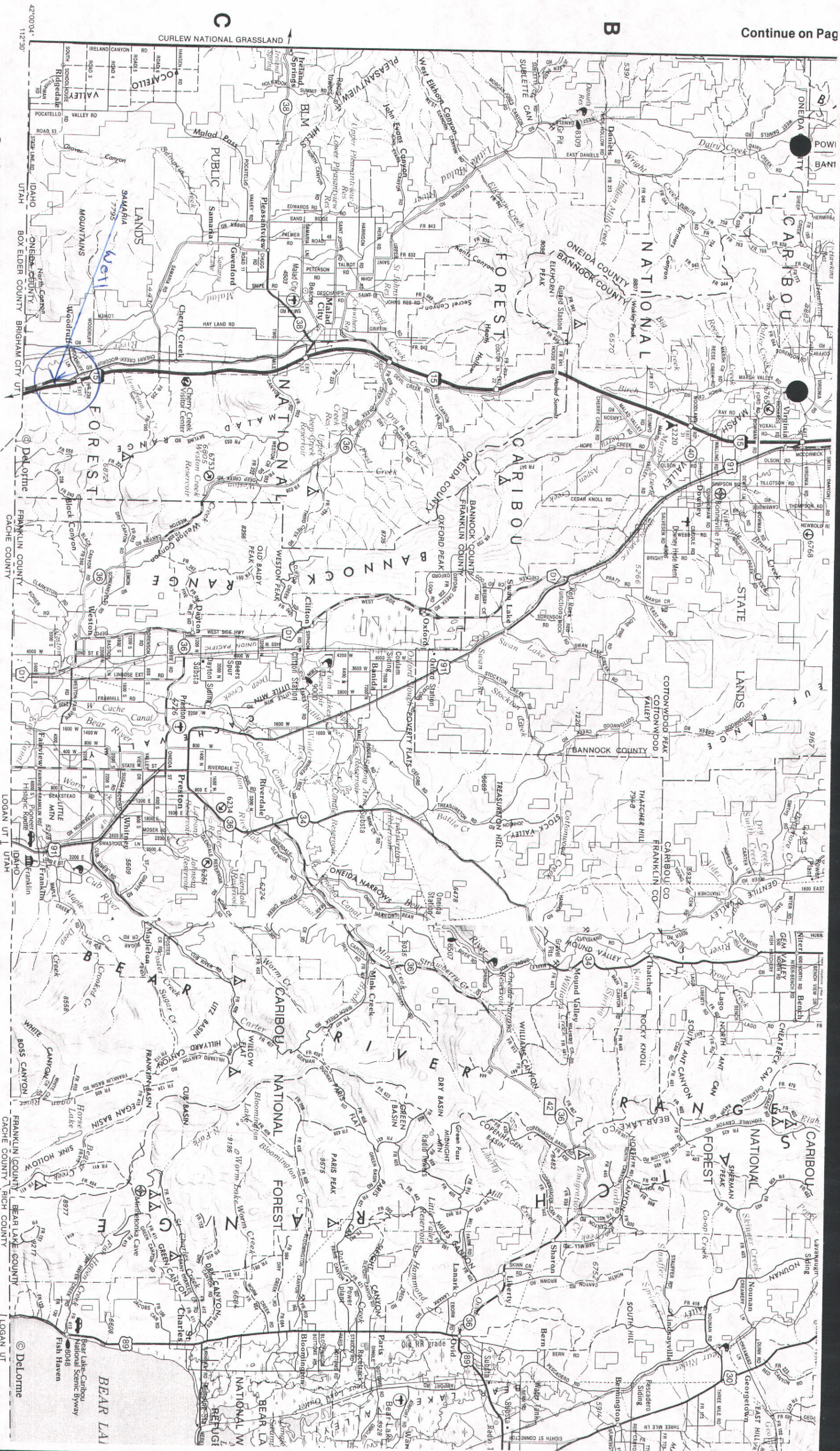


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 MILES 0

Publicly Owned Lands Boundary line
 See pages 32-33 for Statewide Locater Map

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Continue in Delorme's
Utah Atlas & Gazetteer

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Publicly Owned Lands Boundary Line
See pages 32-33 for Statewide Locator Map



Scale 1:250,000
1 inch represents 4 miles

Contour interval
400 feet (121.9 meters)

Boise

6/12/2003

Note: CK for Prof of Beneficial
use for 15-7198 had a
different phone #
(435) 723-3548

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
15-7198 IN THE NAME OF)
BRUCE JACKSON)
_____)

REINSTATEMENT ORDER

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before June 1, 2002; and,

WHEREAS, the Department granted the permit holder one extension of time for filing the proof of beneficial use for this permit, extending the proof of beneficial use deadline to June 1, 2003, and,

WHEREAS, the Department notified the permit holder on March 31, 2003 by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

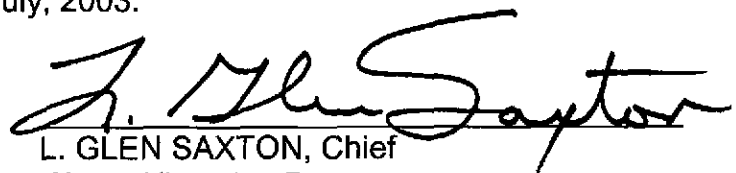
WHEREAS, the Department sent the permit holder a lapse notice on June 5, 2003, since it had not received an acceptable proof of beneficial use statement or extension of time; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on June 12, 2003;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 15-7198 is **REINSTATED** with an advance in priority to **April 29, 2001**.

DATED this 18th day of July, 2003.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

AUG 11 2003

JUN 20 2003

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. EO 28072
Receipt By: KW
Date Received: 6/12/2003

RECEIVED
JUN 09 2003
Department of Water Resources
Eastern Region

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 15-7198 Telephone No. 435-279-3689

2. Name of Permit Holder(s): Bruce Jackson

3. Mailing Address: P.O. BX 33

City Malad State Id. Zip 83252

4. Source of Water: Well If GROUNDWATER (well), Date Drilled: mo. 9 /yr. 01

Well Driller: Weech Drilling Inc Drilling Permit Number: D0021312

5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): 12 Horses
Irrigation (No. of acres): 6 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 18 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No
Has the measuring device been installed? Yes _____ or No

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Bruce Jackson Telephone Number: 435-279-3689

Address: 11555 So. Old Hwy 191 Woodruff Id.

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Bruce Jackson Date: 6/1/03
(include your title if on behalf of company or organization)

for Neil Shoemaker
11577 Old Hwy 191
208 766-2054

MICROFILMED
AUG 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME MAY 30 2002
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT
Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 15-7198
Name(s) of Permit Holder: Bruce Jackson
Address: P.O. Box 33 City Malad State Id Zip 83252
Telephone No. 1-435-723-3548 Date Proof is Due: June 1 2002

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

The well has been drilled. waiting for power
company to bring power to well. Then we
will have pump company install pump

Costing \$ 9000.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

need power before pump can be installed

Permit holder(s) request an extension to July 1, 2002

Bruce Jackson
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use is extended to June 1, 2003.

Signed this 3 day of June, 2002

E. Glen Saxton

E. GLEN SAXTON, Chief
Water Allocation Bureau

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AUG 1 1 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
INSTRUCTIONS FOR EXTENSION OF TIME REQUEST
TO SUBMIT PROOF OF BENEFICIAL USE

If the water right development authorized by your permit is not complete and you need more time to submit proof of beneficial use of water under your permit, please read the following:

Under the provisions of Section 42-204, Idaho Code, the department can extend the proof due date of your permit only once, and then only if you can demonstrate that you have been pursuing development of the permit with due diligence.

The Request for Extension of Time form requires that you indicate the extent of development that has occurred, the cost, and the reason(s) the work has not been completed. This information must be provided in enough detail to show due diligence. Examples of work performed are: well drilled, pump installed, 10 acres now irrigated, fish propagation ponds constructed, sprinkler system purchased, etc.

If no work has been accomplished, the statutes provide that the Request for Extension of Time must be denied. **Lack of financial resources, the state of the economy or personal illness usually cannot be considered adequate reasons to approve a Request for Extension of Time.**

EXCEPTIONS TO ONLY ONE EXTENSION

The proof due date for a permit that has not been developed for one of the following reasons may be granted one or more extensions of time even though no work has been accomplished:

- When there is a lack of a required consent or final approval from a federal government agency (**evidence of delay must be submitted with the request**), i.e. right-of-way easement or land classification such as Desert Land Entry or Carey Act.
- When litigation related to title of the water has prevented development of the permit (**evidence must be submitted with the request**).
- When the water project is of a large scale -- storage of more than 10,000 acre-feet or diversion of more than 25,000 acre-feet in one irrigation season for an irrigation project of at least 5,000 acres.
- When the water right permit is held by the United States of America (**reason for request must be submitted**).

A non-refundable filing fee of **\$50.00** must accompany the Request for Extension of Time form.

NOTE that in no case should a Proof of Beneficial Use form and a Request for Extension of Time form both be submitted. If your water development project is completed, then the proof of beneficial use form should be completed and returned. If the project is started but not completed, then the Request for Extension of Time form should be completed and returned in compliance with the guidelines above. If the project has not been initiated and does not fit into one of the exceptions listed above, then neither form should be returned and the permit will lapse and become of no further force nor effect.

MICROFILMED

1999

State of Idaho
 Department of Water Resources
Permit to Appropriate Water
 NO. 15-07198

Priority: 04/18/2001

Maximum Diversion Rate: 0.18 CFS

This is to certify, that BRUCE JACKSON
 PO BOX 33
 MALAD ID 83252

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
IRRIGATION	04/01 to 10/31	0.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, Twp 16S, Rge 36E, B.M. ONEIDA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S 36E 24								7.0									7.0

Total Acres: 7

PLACE OF USE: STOCKWATER, same as Irrigation

PLACE OF USE: DOMESTIC, same as Irrigation

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 1, 2002**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Stockwater use is for 12 range cattle and horses.
7. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 12th day of June, 2001.

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OCT 02 2001

[Signature]
 for KARL J DREHER, Director

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JUN 11 2001

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2/99

Department of Water Resources
STATE OF IDAHO

RECEIVED
Ident. No. 15-7198
#69038 APR 16 2001

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources
Eastern Region

To appropriate the public waters of the State of Idaho

801-392-2311 - work

1. Name of Applicant Bruce Jackson Phone 435-723-3548 - Home
Mailing address P.O. Box 33 Malad ID 83252

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

3. Location of point of diversion is Township 16 South Range 36 East Sec. 24 in the NW 1/4 SW
NW 1/4, _____, Govt. Lot _____, B.M., Oneida County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount .12 for Irrigation purposes from April 1 to Oct 31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount .04 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount .02 for Stock 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) .18 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source _____

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

c. Proposed well diameter is 10" inches; proposed depth of well is 70 ft - 140 ft feet

d. Is ground water with a temperature of greater than 85°F being sought? NO

e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

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

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. 3-6 Horses 3-6 cows
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1
- e. Other; describe fully. _____

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OCT 02 2001

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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	36E	24	7					7											7

total number of acres to be irrigated 7

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

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

2. Remarks: irrigation for 7 acres.
water for home
water for stock

Home ph# 435-723-3548 - after 6
work ph# 801-392-2311

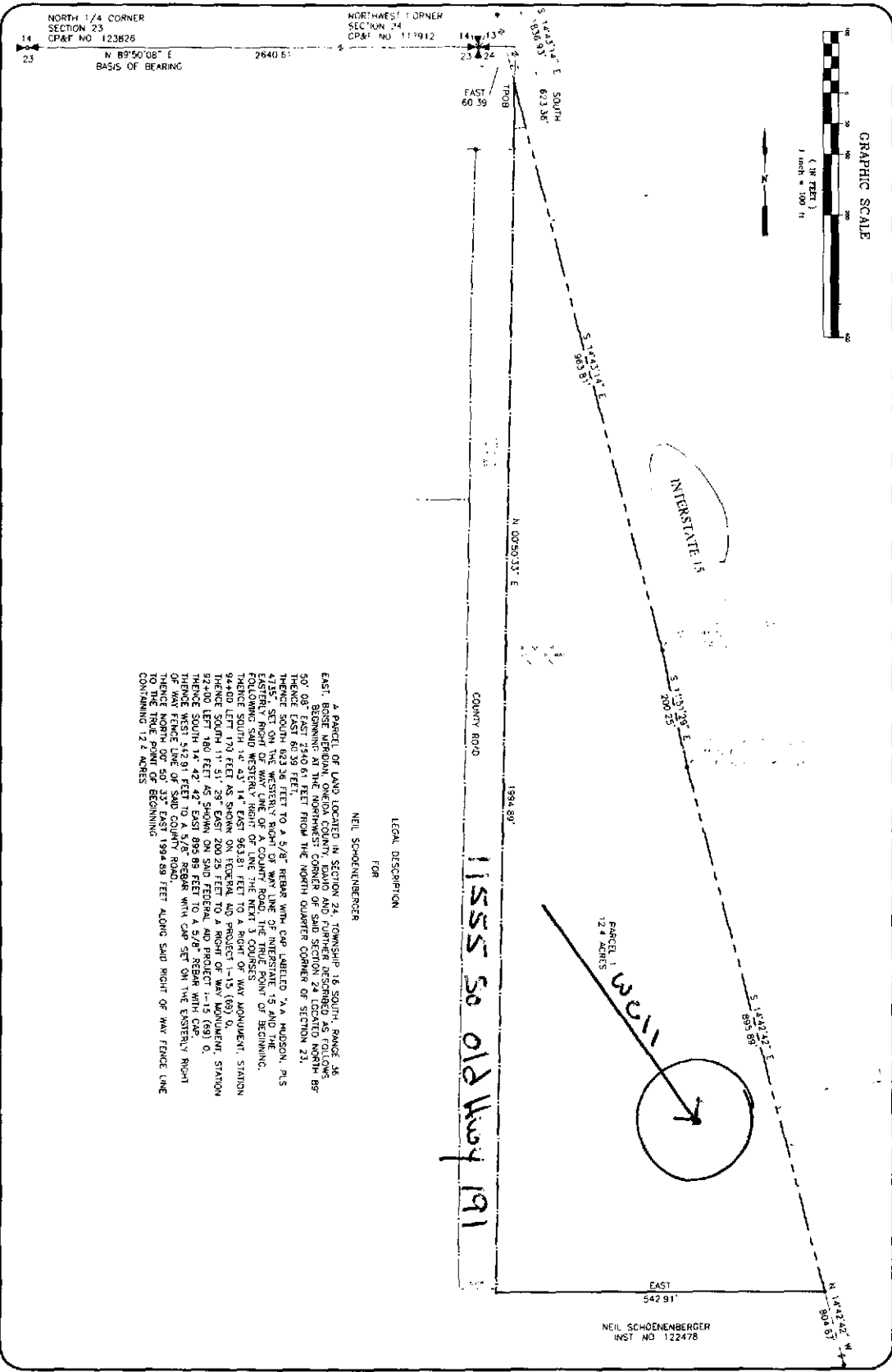
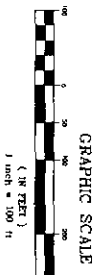
3. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Bruce Jackson
 Signature of Applicant (and title, if applicable)

Received by HWJ Date 4-16-01 Time _____ Preliminary check by _____
 Fee \$ 100 Received by HWJ # E026638 Date 4-17-01
 Publication prepared by SC Date 5/3 & 5/10/01 Published in Enterprise
 Publication approved SC Date 6/5/01

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 OCT 02 2001



LEGAL DESCRIPTION
 FOR
 NEIL SCHOENENBERGER

A PARCEL OF LAND LOCATED IN SECTION 24, TOWNSHIP 18 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, OREGON COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS: BEING THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 15, BEING 507.08' EAST 1340.61' FEET FROM THE NORTH QUARTER CORNER OF SECTION 24, THENCE EAST 60.39' FEET, THENCE SOUTH 623.36' FEET TO A 5/8\"/>

LAND SURVEYORS
A. A. HUDSON
 AND
ASSOCIATES
 CONSULTING CIVIL ENGINEERS
 180 EAST 2ND SOUTH
 SIDA SUITE 1040
 8378 (208)547-4141
 34 WEST CHINA
 PIERCE, CHAMBERLAIN
 (208)952-1155

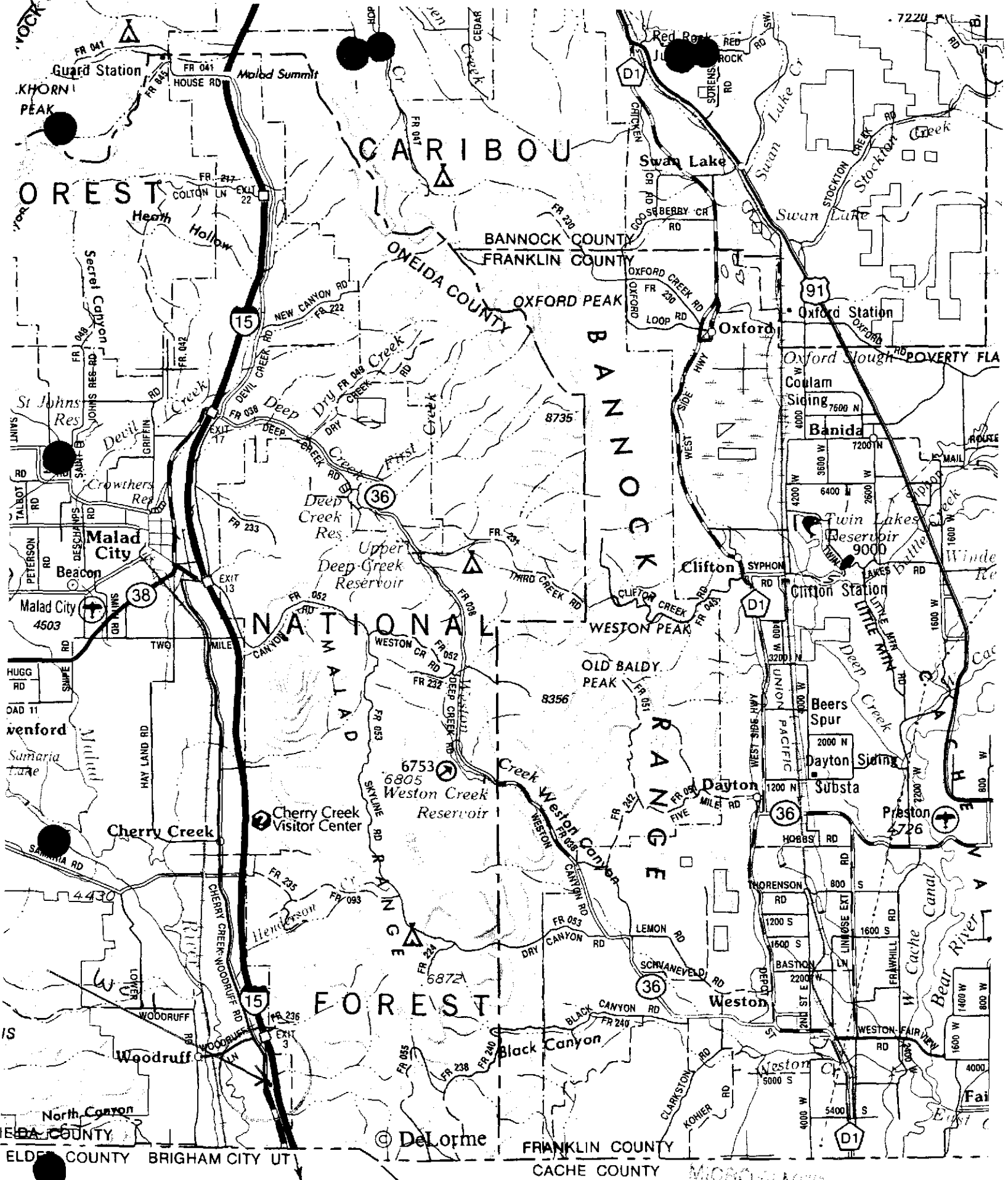
SURVEYOR'S CERTIFICATE
 I, NEIL SCHOENENBERGER, SURVEYOR, DO HEREBY CERTIFY THAT THE FOREGOING LAND SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT THE NUMBER, DATE AND TITLE OF THE ALIENATION OF THE LAND SURVEYED IS AS DESCRIBED ON THIS PLAT.
 NEIL SCHOENENBERGER
 SURVEYOR

LEGEND
 EXISTING FENCE
 BEING RECONSTRUCTED
 SECTION CORNER FOUND
 SET BY THE SURVEYOR
 RECONSTRUCTED CORNER FOUND
 SET BY THE SURVEYOR
 5/8\"/>

RECORD OF SURVEY
 FOR
NEIL SCHOENENBERGER
 SECTION 24, TOWNSHIP 18 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, OREGON COUNTY, IDAHO
 PROJECT NO. 00238
 COMPLETION DATE OCTOBER, 2000

RECORDERS CERTIFICATE
 INSTRUMENT NO. _____
 DATE OF SURVEY _____
 RECORDED BY _____
 RECORDED BY _____
 FILE NO. _____

18040 11/11
 OCT 2 2000



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Publicly Owned Lands Boundary line
See pages 32-33 for Statewide Locater Map

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Continue in Delorme's
Utah Atlas & Gazetteer

Publicly Owned Lands Boundary line
See pages 32-33 for Statewide Locator Map



Scale 1:250,000
1 inch represents 4 miles

Contour interval
400 feet (121.9 meters)

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1978 2 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 18, 2003

BRUCE JACKSON
PO BOX 33
MALAD ID 83252

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 15-7198

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and examination fee submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. The regional office staff will contact you when that examination is to be conducted. At the time the examination is conducted the system must be in operation, otherwise this permit will be of no force nor effect.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Eastern** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure
c: IDWR - Region (w/encl.)

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AUG 11 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 15-7198

Reviewed By: dgibson

Date: July 17, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?					
License examination fee required?					
Appropriate fee submitted?					
Receipt No.:		E026638, E028872			
Additional Amount Due:					
Name and address same as permit?					
Are the water uses correct?					
				Drilling permit required?	
				Drilling permit No.:	
				Drilling permit upgrade needed?	
				Well driller's report filed?	
				Measuring device required?	
				Measuring device installed?	
				Measure device waiver requested?	

Priority Calculation

Date proof received		06/12/2003
Date proof due	-	06/01/2003
Lapse notice sent	-	06/05/2003
No. of days late	=	11
Holiday allowance	+	
Priority date	+	04/18/2001
New priority date	=	04/29/2001

Deficiencies of Actions Items

Acknowledge proof. Reinstate permit and advance priority to 4/29/2001.

June 5, 2003

BRUCE JACKSON
PO BOX 33
MALAD CITY, ID 83252

LAPSE NOTICE

RE: PERMIT NO. 15-7198

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated March 31, 2003. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

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

Sincerely,

L. Glen Saxton, Chief
Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 6/5/03
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



MICROFILMED

JUN 17 2003

March 31, 2003

BRUCE JACKSON
PO BOX 33
MALAD CITY, ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-7198

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 01, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

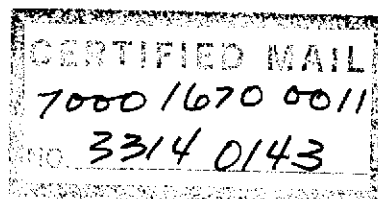
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
AUG 11 2003





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 4, 2002

BRUCE JACKSON
PO BOX 33
MALAD ID 83252

RE: PERMIT NO. 15-07198

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use of water to **June 1, 2003**.

Please note that the department granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department **may not** be able to grant additional extensions based on due diligence.

Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please feel free to contact the department if you have questions.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

AUG 17 2003

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 15-7198

Reviewed By: dgibson

Date: June 3, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Request received timely?	X		Is delay by a government agency?		X
Appropriate fee	X		Is supporting documentation needed to support the file?		
Additional Amount Due:					
Receipt No.:		E026638, C062334	Has the permit been involved in litigation?		X
Name and signature same as permit?	X		Is supporting documentation needed to support the file?		
Is address same as permit?	X		Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?		X
Has adequate work been completed to demonstrate due diligence?	X				

Priority Calculation

Extension request received	05/30/2002	New proof due date	06/01/2003
Date proof due	- 06/01/2002		
Lapse notice sent	-		
No. of days late	= 0		
Holiday allowance	+		
Priority date	+ 04/18/2001		
New priority date	= 04/18/2001		

Action Taken

Acknowledge request and extend proof deadline to June 1, 2003.

March 31, 2002

BRUCE JACKSON
PO BOX 33
MALAD CITY, ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-7198

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

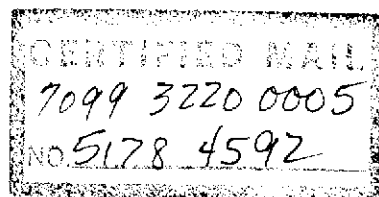
Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

AUG 1 1 2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

June 13, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BRUCE JACKSON
PO BOX 33
MALAD ID 83252

RE: Permit No. 15-7198

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is 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 licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

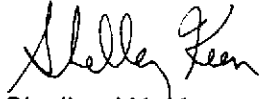
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

MICROFILMED

OCT 22 2001

I you have any questions, please contact me at 208-327-7946.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SWK:kit

Enclosure(s)

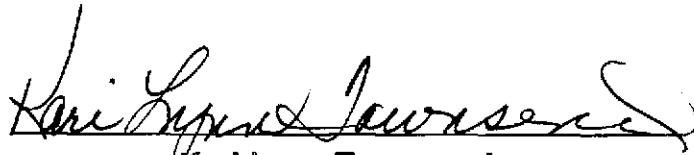
NOV 12 2001
OCT 31 2001

CERTIFICATE OF MAILING

I hereby certify that on June 13, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 15-7198

**BRUCE JACKSON
PO BOX 33
MALAD ID 83252**



**Kari Lynn Townsend
Secretary**

OCT 02 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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OCT 9 2 2001

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

RECEIVED

JUN 11 2001

Department of Water Resources

Dist. for staffing
Submitted for advertising 4-18-01

Form No. 202
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS PERMIT

Bruce Jackson
INITIAL REVIEW BY HJS DATE 4-17-01 APPLICATION NO. 15-7198

REQUIRED INFORMATION

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

ADDITIONAL INFORMATION

- Overlapping place of use (Describe source & relationship to present application on the back.)
- Overlapping point of diversion
- Yes No Field check required
- Field check by _____
- Yes No Field report attached
- Yes No Critical groundwater area
- Yes No Groundwater management area
- Yes No Send dam safety information
- Yes No Send power requirement letter
- Yes No Send fish farm requirement letter
- Yes No Power residency affidavit
- Yes No Power efficiency form
- Yes No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- Yes No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

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

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

FINAL REGIONAL PROCESSING REVIEW

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

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

See below for additional information
Date of priority recommended 4-16-2001
By [Signature] Date 6-6-01

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

2257

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF ONEIDA)

Kristine C. Smith, begin duly sworn, deposes and says:
That she is the publisher of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said newspaper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 21 consecutive weeks in the regular and entire issue of said newspaper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said newspaper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with 3/3, 182001, and ending with the issue of 5/10, 182001.

Kristine C. Smith

STATE OF IDAHO)
)
COUNTY OF ONEIDA)

On this 4 day of June in the year of 2001 before me, Lisa D Lewis, a Notary Public, personally appeared Kristine Smith known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Lisa D Lewis
Notary public for Idaho
Residing at Malad ID
My commission expires: 2-05-02

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

15-7198
Bruce Jackson
P O BOX 33
MALAD ID 83252
Point of Diversion: T16S R36E S24 SWNW Oneida County
Source: Groundwater
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Use: STOCKWATER 01/01 To 12/31 0.02 CFS
Use: IRRIGATION 04/01 To 10/31 0.12 CFS

Total Diversion: 0.18 CFS
Date Filed: 04/18/2001
Place Of Use: DOMESTIC T16S R36E S24 SWNW
Place of Use: STOCKWATER T16S R36E S24 SWNW
Place Of Use: IRRIGATION T16S R36E S24 SWNW
Number of Acres 7
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before May 21, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
Published on May 3 and 10, 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 69054
GEORGE E COUCH and DEBBIE T COUCH 20456 W. 3000 S HOLBROOK ID 83243, has filed Application No. 69054 for changes to the following water rights within ONEIDA County:

Right No. 17-2062
Priority 1/23/67
Source GROUND WATER
Use IRRIGATION (80 acres)
1.21 CFS 280.0 AFA
Total Amount 1.21 CFS 280.0 AFA

MICROFILMED
AUG 2 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

April 24, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Bruce Jackson
PO Box 33
Malad ID 83252

RE: Applications for Permit #15-07198


Dear Applicant:

This office is currently in the process of advertising the application in the Idaho Enterprise on May 3 and 10, 2001. The advertisement will be published once a week 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.

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

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

APR 2 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 24, 2001

Legal Notice Department
Idaho Enterprise
PO Box 205
Malad City ID 83252

RE: Application Nos. 15-7198 and 69054

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before May 21, 2001. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant

Mailed
4/25/01
sc

MICROFILMED

OCT 02 2001

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

15-7198

Bruce Jackson
P O BOX 33
MALAD ID 83252

Use: DOMESTIC	01/01 To 12/31	0.04 CFS
Use: STOCKWATER	01/01 To 12/31	0.02 CFS
Use: IRRIGATION	04/01 To 10/31	0.12 CFS

Total Diversion: 0.18 CFS

Date Filed: 04/18/2001

Place Of Use: DOMESTIC

T16S R36E S24 SWNW

Place Of Use: STOCKWATER

T16S R36E S24 SWNW

Place Of Use: IRRIGATION

T16S R36E S24 SWNW

Number of Acres 7

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before May 21, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on May 3 and 10, 2001

BRUCE JACKSON

APR 18 2001