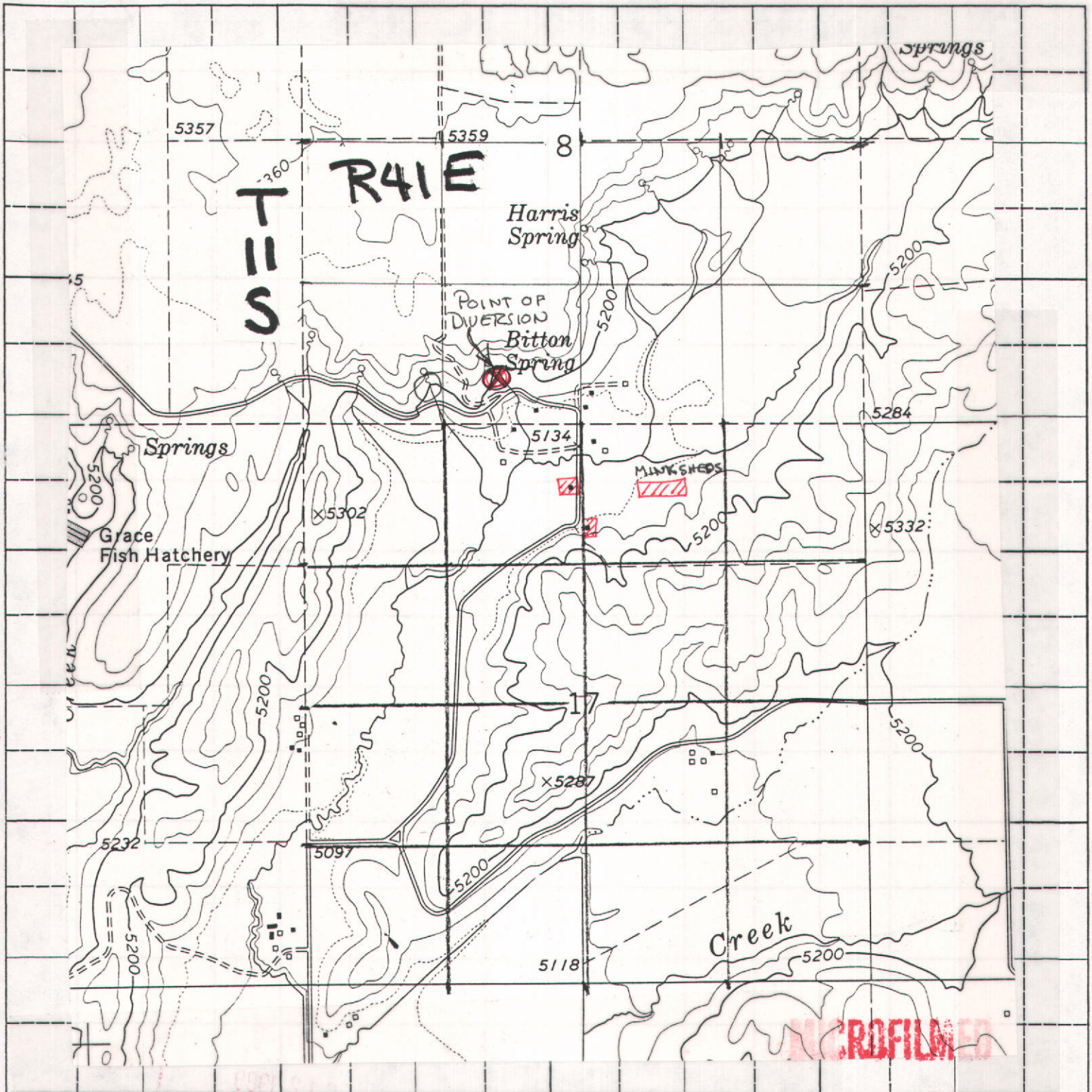


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

DEC 12 1989

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.

Quane J. Bitton
(Applicant)

RECEIVED

JUL 13 1989

Department of Water Resources
Eastern District Office

RECEIVED

JUN 13 1989

Department of Water Resources
Eastern District Office

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

15th day of

June, 1989

The date of the last publication

being the 22nd day of

June, 1989

On this 6th day of July

in the year of 1989 before

me, a Notary Public, personally
appeared

Mark Steele
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
he executed the same.

Wendy Steele
Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:

March 11, 1994

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

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

13-07461

BITTON, DUANE J.

STAR RT. BOX 340

GRACE, ID 83241

Source: BITTON SPRING Tri-
butary: TROUT CREEK, NORTH
FORK

Diversion Pt: SWSESW Sec 8 T 11S
R 41E

Use: IRRIGATION (.030 CFS)
STOCKWATER (.110 CFS)
DOMESTIC (.060 CFS)

Date Filed: 2-08-1989

In: T11S R41E S17 NWNE NENW
1.0 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests must be filed
with the Director, Dept. of Water
Resources, Eastern Region, 150 Shoup
Avenue, Suite 15, Idaho Falls, Idaho
83402 on or before JULY 3, 1989.

R. KEITH HIGGINSON,

Director

Published June 15 and 22, 1989 in
the Caribou County Sun.

MICROFILMED

DEC 12 1989

PROCESSING

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

ND 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 13-Q
☐ Adjudication Bureau Unit ☐ Other _____

NAL 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 3-20-89 ~~7-3-89~~
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 13-Q
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information

Date of priority recommended 2-08-1989

By HWJ

Date 4-18-89

STATE OFFICE REVIEW

P17

2605 (13-Q, Trout Creek) 04

☐ See below for additional information

By kw

Date 8/17/89

DDITIONAL INFORMATION

Conditions: <05> 13-Q at Fork Trout Creek

OK to allow 2 yrs. for development

RECEIVED

APR 19 1999

Department of Water Resources

State of Idaho

DEPARTMENT OF WATER RESOURCES

For Office Use Only

\$25.00 Filing Fee

Receipt # E024906

Date 4-14-1999

RECEIVED

APR 14 1999

Department of Water Resources
Eastern Region

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Zions First Nat. Bank, hereby assign to Dugue J. Bittan
 of 309 Fish Hatchery Rd, Grace Id - 208-427-6674
 (Full Address and Phone Number) 83241

All my right, title, and interest in and to Permit No. 13-07461
 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
 Permit No. 13-07461 to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
 point of diversion location, and the amount of water in cubic feet per second.

Made this 9 day of April, 1999.

Dugue J. Bittan / Zions Bank
 Permit Holder(s)

State of Idaho)

County of Cache) ss

On this 9 day of April, 1999, personally appeared before me
 the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Terry W. Oliver
 Notary Public

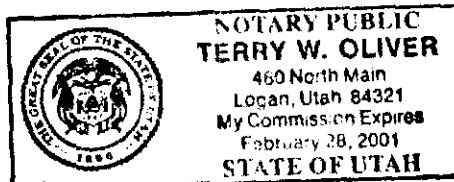
SEAL

My commission expires:

2/28/01Logan, UT

MICROFILMED
 MAY 03 1999

Signature



RECEIVED

State of Idaho

MAY 20 1993

Department of Water Resources
Department of Water Resources
Eastern District Office

ASSIGNMENT OF PERMIT

I, Duane J. Bitton, hereby assign to Zions First National Bank of 460 North Main, Logan, Utah 84321

All my right, title, and interest in and to Permit No. 13-07461 to appropriate the public waters of the State of Idaho.

The following described portion of my right, title and interest in and to Permit No. 13-07461 to appropriate the public waters of the State of Idaho. The Legal Description follows:

Township 11 South, Range 41 East of the Boise Meridian. Section 17: Beginning at the Northeast corner of the NW1/4 of Section 17; thence South a distance of 200 feet to a point on the East boundary line of the North Lago County Road as the same now exists, the true point of beginning and running thence West 450 feet; thence South 320 feet; thence East 250 feet; thence South 180 feet; thence East 200 feet; thence North 500 feet; to the point of beginning. Except therefrom, any portion thereof now embraced with said North Lago County Road.

Township 11 South, Range 41 East of the Boise Meridian. Section 17: The South 1072.5 feet of the Northwest Quarter of the Northeast Quarter. EXCEPT THEREFROM any portion thereof lying within the right of way of a County Road.

Made this 17th day of May, 1993.

Duane J. Bitton
Permit Holder
Reene M. Bitton
Spouse of Permit Holder

RECEIVED

JUL 02 1993

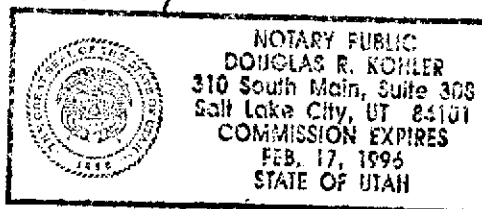
State of Idaho)
County of) ss

On this 20th day of May, 19 93, personally
appeared before me the signers of the above instrument, who duly
acknowledged to me that they executed the same.

Lagan, Ut
Notary Public residing at

My commission expires:

2-17-96



JUL 02 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 13-07461

Proposed Priority: February 8, 1989

Maximum Diversion Rate:

0.20 CFS

This is to certify, that **DUANE J. BITTON**
STAR RT. BOX 340
GRACE, ID 83241

has applied for a permit to appropriate water from:

BITTON SPRING

tributary of **TROUT CREEK, NORTH FORK**

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>
IRRIGATION	04/01 to 11/01	0.03 CFS
STOCKWATER	01/01 to 12/31	0.11 CFS
DOMESTIC	01/01 to 12/31	0.06 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSESW

Sec. 8, Township 11S, Range 41E
CARIBOU County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	41E	17	NWNE 0.5	NENW 0.5		1

PLACE OF USE: STOCKWATER

TWN RGE SEC

11S 41E 17 NWNE

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1991**.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
4. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
5. Use of water under this permit is subject to control by the watermaster of State Water District No. 13Q.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

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DEC 12 1989

Permit To Appropriate Water

NO. 13-07461

CONDITIONS/REMARKS:

7. Domestic use is for two homes.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

3rd day of November, 1989.

R. Keith Higginson

for
R. Keith Higginson, Director

MICROFILMED

DEC 12 1989

13 7461

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Duane J. Bitton Phone 427-6674
Post office address Star Route Box 340, Grace, Idaho 83241
2. Source of water supply Bitton Spring which is a tributary of North Fork Trout Creek
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 8 Township 11 S Range 41 E B.M. Caribou County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.06 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.11 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.03 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.20 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. collection pipe to collection tank
with mainline to two single domestic homes and mink sheds
 - 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 _____ inches; proposed depth of well is _____ 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 project is
2 years (minimum 1 year).

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DEC 12 1989

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. 5/11250 milk
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 2
- 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	
11S	41E	17		D/S			D												
				.5			.5												1

Total number of acres to be irrigated 1

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? Toone Dairy Farms
- 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. Historical easement

12. Remarks: Use has been since 1916

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DEC 12 1989

This is a topographic map of a region in California, likely near the border with Nevada, as indicated by the 'CALIFORNIA' label at the top. The map features a grid system with section numbers (8, 17) and township/range coordinates (T11S, R41E). Key locations and features include:

- Harris Spring**: Located in the upper right quadrant.
- Point of Diversion**: Marked with a circle and crosshair, situated near Bittan Spring.
- Bittan Spring**: Located near the point of diversion.
- Grace Fish Hatchery**: Located on the left side of the map.
- Creek**: Labeled at the bottom right.
- Contours**: Elevation lines are shown, with labels such as 5200, 5232, 5260, and 5284.
- Infrastructure**: A road or pipeline is shown running horizontally across the middle, with a 'Point of Diversion' marked on it. Another line, possibly a canal or pipeline, runs vertically through the center.
- Handwritten Annotations**: 'T11S' and 'R41E' are written vertically and horizontally across the upper left section. '5134' and '5118' are written near specific points on the map.
- Scale**: A scale bar at the bottom indicates distances of 0, 0.5, and 1 mile.

DEC 12 1989

Quang J. B. Ho
(Applicant)

Assisted By Kcw

Received by Kcw Date 8 Feb 1989 Time 1600hrs Preliminary check by CAH

Fee \$ 30⁰⁰ Receipted by Kcw # E005717 Date 2-8-1989
3-23-89 6-15-89

Publication prepared by QB RB Date 2-24-89 6-6-89 Published in Caribou Cnty. Sun

Publication approved (u) (u) Date 4-18-89 7-18-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

CONFIDENTIAL

MICROFILMED

DEC 12 1989

RECEIVED
JUL 13 1989
Department of Water Resources
Eastern District Office

RECEIVED
JUN 13 1989
Department of Water Resources
Eastern District Office

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his oath, states:

That he is Publisher of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

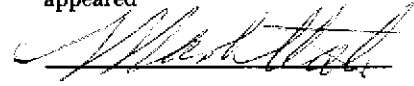
for 2 successive weekly issues thereof, the date of the first publication being the 15th day of June, 1989

The date of the last publication being the 22nd day of June, 1989

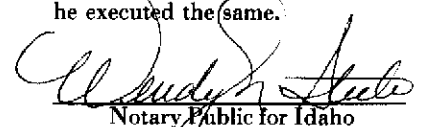
On this 6th day of July

in the year of 1989 before

me, a Notary Public, personally appeared



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 he executed the same.



Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:

March 11, 1994

PUBLIC NOTICE First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

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

13-07461

BITTON, DUANE J.
STAR RT. BOX 340
GRACE, ID 83241

Source: BITTON SPRING Tributary: TROUT CREEK, NORTH FORK

Diversion Pt: SWSESW Sec 8 T 11S R 41E

Use: IRRIGATION (.030 CFS)
STOCKWATER (.110 CFS)
DOMESTIC (.060 CFS)

Date Filed: 2-08-1989

In: T11S R41E S17 NWNE NENW 1.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before JULY 3, 1989.

R. KEITH HIGGINS, Director

Published June 15 and 22, 1989 in the Caribou County Sun.

MICROFILMED

DEC 12 1989

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

2nd day of
March, 1989

The date of the last publication
being the 9th day of

March, 1989

On this 5th day of April

in the year of 1989 before
me, a Notary Public, personally
appeared

Mark Steele
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
he executed the same.

Wendy H. Steele
Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:

March 11, 1994

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

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

13-07461

BITTON, DUANE J.

STAR RT. BOX 340

GRACE, ID 83241

Source: BITTON SPRING

Tributary: TROUT CREEK,
NORTH FORK

Diversion Pt: SWSESW Sec. 8 T 11S
R 41E

Use: IRRIGATION (.030 CFS),
STOCKWATER (.110 CFS), DOM-
ESTIC (.060 CFS)

Date Filed: 2-08-1989

In: T11S R41E S17 NWNW
1.0 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests must be filed
with the Director, Dept. of Water
Resources, Eastern Region, 150 Shoup
Avenue, Suite 15, Idaho Falls, Idaho
83402 on or before March 20, 1989.

R. KEITH HIGGINSON

Director

Published March 2 and 9, 1989 in the
Caribou County Sun.

Microfilm

DEC 12 1989

RECEIVED

APR 11 1989

Department of Water Resources
Eastern District Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

April 20, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DUANE J BITTON
389 FISH HATCHERY RD
GRACE ID 83241

RE: ASSIGNMENT OF PERMIT 13-07461

Dear Mr. Bitton:

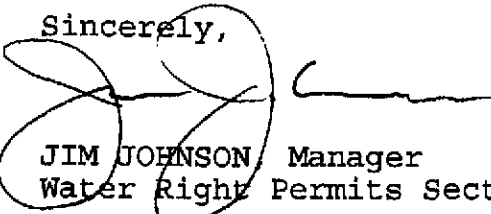
We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership. A computer generated report is enclosed for your information.

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

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

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED
MAY 03 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

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

June 28, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

ZIONS FIRST NATIONAL BANK
460 N MAIN
LOGAN UT 84321

Re: Permit No. 13-07461

Dear Permit Holder(s):

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

Enclosed is a copy of our current 'Assignment of Permit' form for your convenience.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

RECEIVED
JUL 02 1993

**ZIONS
FIRST NATIONAL BANK**

RECEIVED

MAY 25 1993

Please respond to:

NO. UTAH RETAIL CREDIT CENTER
P.O. Box 707
Logan, Utah 84321
(801) 750-0209

May 21, 1993 Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
900 North Skyline
Idaho Falls, Idaho 83402

re: Duane J. and Lovene M. Bitton water permit #13-07461

To Whom it May Concern:

Enclosed is an Assignment of Permit form that Duane and Lovene have signed assigning their right, title and interest in permit #13-07461 to Zions First National Bank. We have an interest in the real property that the permit covers.

By signing below, the State of Idaho, Department of Water Resources acknowledges Zions First National Bank's interest in the above water. Would you please sign where marked below and return to me as soon as possible.

If you have any questions regarding this request or if I have not sent the necessary documents to protect our interest please address that to my attention by calling me at 750-0209. Thanks for your help in this matter.

Sincerely,

Bonnie Hendricks

Bonnie Hendricks
Loan Documentation Officer

State of Idaho
Department of Water Resources

by: Cindy Zimmerman
Title: Water Resource Agent

RECEIVED

JUL 02 1993

WR0749NP
No. 13-07461

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 06/23/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ZIONS FIRST NATIONAL BANK 460 N MAIN LOGAN UT 84321 (801) 750-0209	02/08/1989	IRRIGATION STOCKWATER DOMESTIC	04-01 11-01 01-01 12-31 01-01 12-31	0.03 CFS 0.11 CFS 0.06 CFS	
TOTAL DIVERSION:					0.20 CFS	

Water Source: BITTON SPRING

Tributary to: TROUT CREEK, NORTH FORK

Stage: PERMIT

Point(s) of Diversion: T11S R41E S08 SW SE SW

Place of use Legal Description for: IRRIGATION

SECTION 17, T11S, R41E, S17																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
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Place of use Legal Description for: STOCKWATER

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Place of use location for DOMESTIC is the same location as described for: STOCKWATER

Pou County: CARIBOU

Non-Irrigation Uses: S/11250 MINK.

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of use:

13-00736 13-00760B

Conditions of Approval:

- 026 - Permit holder shall commence the excavation or construction of
- diverting works within one year of the date this permit is issued
- and shall proceed diligently until the project is complete.
- 004 - The issuance of this right in no way grants any right-of-way
- or easement across the land of another.
- 005 - Use of water under this right is subject to control by the
- watermaster of State Water District No. 13Q.
- 057 - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed
- 0.03 cubic feet per second for each acre of land.

Remarks: Domestic use is for two homes.

WR0749NP
No. 13-07461

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 06/23/93
PAGE: 2

=====

Dates:	App. Received: 02/08/1989	Priority Date: 02/08/1989
	Proof Due Date: 09/01/1991	Proof Made Date: 07/26/1991
	Exam Made Date:	Exam Sent to S.O.:
	Licensed Date:	
Misc:	Water District Number: 130	Field Exam Fee: R (Received)
Audit:	06/23/93 ZIMMERMA	

August 6, 1991

DUANE J. BITTON
389 FISH HATCHERY RD.
GRACE, ID 83241

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07461

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED

AUG 19 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 13-7461

Date 7-31-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☒ Surface water source
☐ Ground water source
☒ Drill permit req'd?
☐ Copy in file? Drill permit no. _____
☐ Amt paid for drilling permit? _____ Correct?
☐ Well log in file?

LICENSE EXAMINATION FEE

- ☒ Required?
☒ Amount submitted? 50.00
☒ Correct amount?

MEASURING DEVICE

- ☒ Measuring device or access port required?
☐ Installed?
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

address change *7-31-91*

proof acceptable

PRIORITY CALCULATION

Date proof received	<u>NA</u>	
Date proof due		-
No. of days late		=
Priority date		+
NEW PRIORITY DATE		=

LB

RECEIVED
JUL 26 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 13-07461 Telephone No. 427-6674

2. Name(s) of Permit Holder(s): Duane J. Bittan

3. Post Office Address: 389 Fish Hatchery Rd. Grace, Idaho 83241

4. Source of Water: Trout Creek, North Fork

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic two (No. of households)

Irrigation _____ (No. of acres)

Stockwater two (No. and type of stock)

Other _____

Mink & Fox Shed

6. Total rate and/or volume for which proof is submitted .900 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR

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

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

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

Duane J. Bittan
Name

(208) 427-6674
Telephone No.

389 Fish Hatchery Rd. Grace, Idaho 83241
Address

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

July 23, 1991
Date

Duane J. Bittan
Signature and title if on behalf of a company or organization

MICROFILMED

AUG 19 1991

138759
June 30, 1991

DUANE J. BITTON
STAR RT. BOX 340
GRACE, ID 83241

PROOF DUE NOTICE

RE: PERMIT NO. 13-07461

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 September 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

AUG 19 1991.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
November 3, 1989

DUANE J. BITTON
STAR RT. BOX 340
GRACE, ID 83241

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P13-07461

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED

DEC 12 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CM

INITIAL REVIEW BY C. Mullin DATE 02/10/89 APPLICATION NUMBER 13-7461

☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)

☒ Address

☒ Source (See USGS Quad for names of water sources)

☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)

☒ County

☒ Quantity (flow and/or volume)

☒ Period of Use

☒ Nature of proposed use (Include description of use.)

☒ Description of diverting works

☒ Time required for beneficial use of water

☒ Place of use or acres irrigated

☒ Map

☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)

☒ Fee

☒ Yes ☐ No* In form to receipt

☐ 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 (If yes, attach large diversion supplementary analysis sheet.)

☐ See reverse side for additional information

RECEIVED

RECEIVED

JUL 20 1989

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE ~~Department of Water Resources~~

Date Requested _____

APR 21 1989

Department of Water Resources

PROCESSING

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

ID 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 13-Q
☐ 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 3-20-89 ~~7-3-89~~
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 13-Q
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information
Date of priority recommended 2-08-1989
By HWJ Date 4-18-89

STATE OFFICE REVIEW

P17 2605 (13-Q, Trout Creek) 04

By kw ☐ See below for additional information
Date 8/17/89

ADDITIONAL INFORMATION

Conditions: <05> 13-Q at Trout Creek

OK to allow 2 yrs. for development

June 12, 1989

John Hubbard
Water District #13-Q
Star Rt., Box 311
Grace, ID 83241

RE: Application for Permit No. 13-7461

Dear Sir:

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

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor

HWJ/rb
Enclosure

MICROFILMED

DEC 12 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 6, 1989

CARIBOU COUNTY SUN
P.O. BOX 815
SODA SPRINGS, ID 83276

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before JULY 3, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

DEC 12 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED
DEC 12 1989

13-07461

BITTON, DUANE J.
STAR RT. BOX 340
GRACE, ID 83241

Source: BITTON SPRING

Tributary: TROUT CREEK, NORTH FORK

Diversion Pt: SWSESW Sec 8 T 11S R 41E

Use: IRRIGATION	(.030 CFS)
STOCKWATER	(.110 CFS)
DOMESTIC	(.060 CFS)

Date Filed: 2/08/1989

In: T11S R41E S17 NWNE NENW

1.0 ACRES TOTAL

MICROFILMED

DEC 12 1989

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before JULY 3, 1989.

R. KEITH HIGGINSON, Director

Published 6/14/1989 & 6/21/1989

MICROFILMED

DEC 12 1989

April 5, 1989

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

RE: Applications for Permit No. 27-7452, 13-7461
and Applications for Transfer No. 29-7434, 11-0698

Gentlemen:

Would you please submit an affidavit of publication
and certified bill in connection with the above
referenced applications. The legal notices were to
have been published in your paper on March 2 & 9,
1989.

Your cooperation in this matter is greatly
appreciated.

Sincerely,

Rita Bodell
Office Secretary

MICROFILMED

DEC 12 1989

February 27, 1989

Duane J. Bitton
Star Rt. Box 340
Grace, ID 83241

Application for Permit No. 13-07461

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. 13-07461. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Caribou County Sun. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

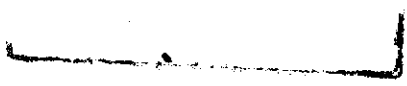
Sincerely,

MICROFILMED

HAROLD W. JONES
Water Rights Supervisor

DEC 12 1989

HWJ/rb



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

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 24, 1989

CARIBOU COUNTY SUN
P.O. BOX 815
SODA SPRINGS, ID 83276

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before MARCH 20, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

DEC 12 1989

*Called 3-27-89
Will send affidavit
today*

NOTICE OF APPLICATION FOR WATER RIGHT

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MICROFILMED

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STOCKWATER	(.110 CFS)
DOMESTIC	(.060 CFS)

Date Filed: 2/08/1989

In: T11S R41E S17 NWNW NWNW

1.0 ACRES TOTAL

MICROFILMED

DEC 12 1989

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 20, 1989.

R. KEITH HIGGINSON, Director

Published 3/01/1989 & 3/08/1989

MICROFILMED

DEC 12 1989