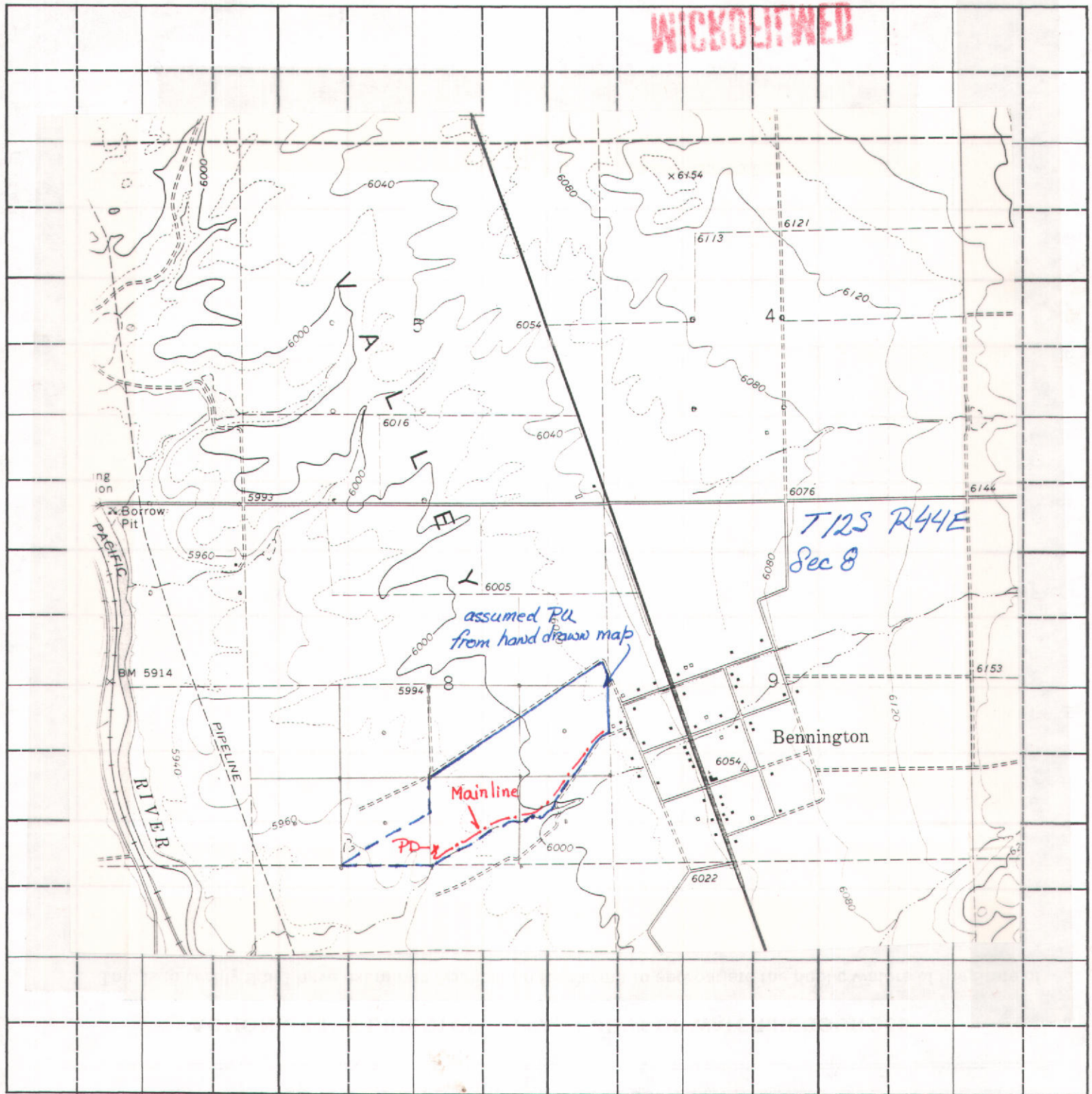


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

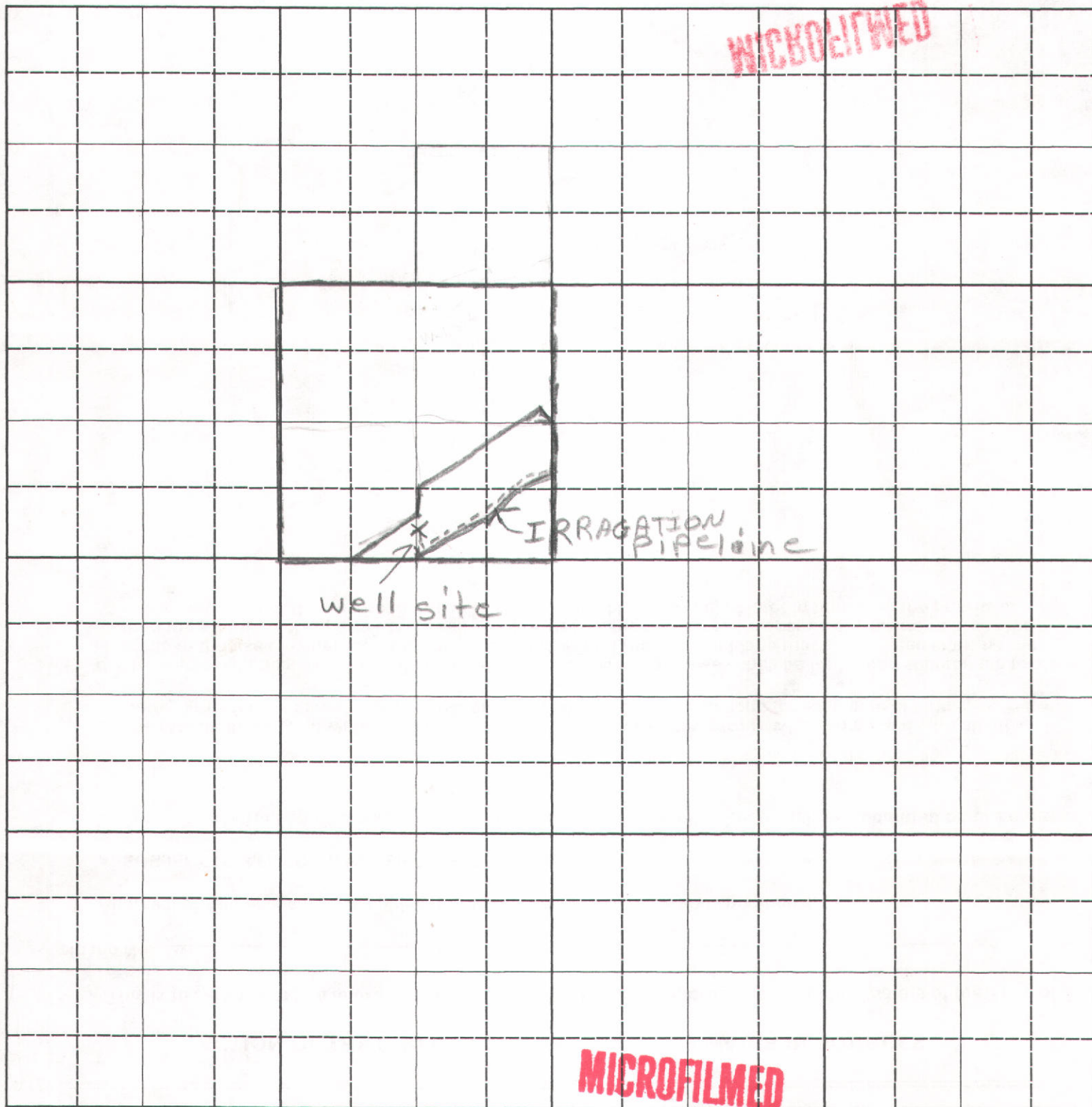
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

AUG 21 1989

George M. Phelps & Sons by Allen L. Phelps
(Applicant)
Rhett Phelps

T. 12 S. R. 4 E
Section 8

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.

AUG 21 1989

Grove Phelps & Sons
(Applicant)
by: Rhett Phelps

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 11-07374

Proposed Priority: April 5, 1989

Maximum Diversion Rate:

2.00 CFS

This is to certify, that GROVE PHELPS &/OR SONS
36 BENNINGTON CEMETARY RD.
MONTPELIER, ID 83254

has applied for a permit to appropriate water from: GROUNDWATER
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	04/15 to 10/15	2.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSE Sec. 8, Township 12S, Range 44E
BEAR LAKE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S 44E 8	SENE 5	SESW 10	NESE 35	
	NWSE 15	SWSE 30	SESE 10	105

Total number of acres irrigated: 105

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 comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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.
5. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

14th day of August, 1989.

MICROFILMED

AUG 21 1989

R. Keith Higginson
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Brave Phelps and/or Sons Phone (208) 847-2142
Post office address 36 Bennington Cemetery Road, Montpelier, Idaho 83254
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SW _____ 1/4 of SE _____ 1/4, Govt. Lot _____
Sec. 8 Township 12S Range 44E B.M. Bear Lake County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount ^{* 2.00} ~~2.10~~ for Irrigation purposes from April 15 to October 15 (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)
* 2.00
5. Total quantity to be appropriated is (a) 2.10 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. a well and pump to sprinkler system
 - 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 10 inches; proposed depth of well is 250 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
2 years (minimum 1 year).

MICROFILMED

AUG 21 1989

* As per telephone conversation with Mr. Phelps
10 May 1989 1:30 PMD

ARMED AND DANGEROUS

~~Irrigation Water Company.~~

12. Remarks: The water will be used on years when the water is low in the Sacramento

applicant to make this filing.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

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

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

~~Bonington Irrigation Company~~

10. Describe any other water rights used for the same purposes as described above. *571 shares of*

105 Total number of acres to be irrigated

[illegible]

ponding place of use below. See instructions for standard symbols.

b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding column.

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

9. Description of place of use:

e. Other; describe fully. -

d. Domestic; show number of households.

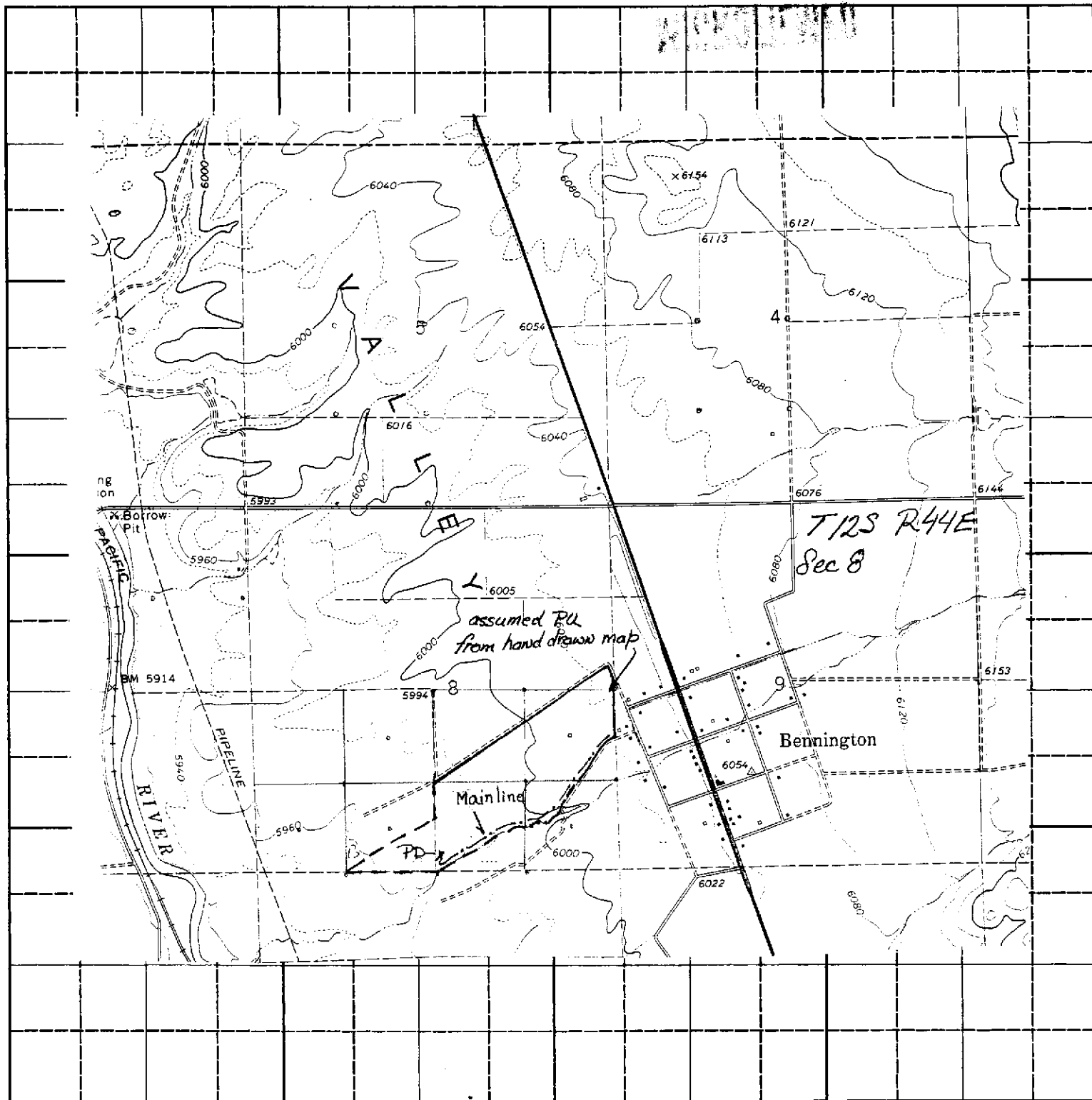
c. Municipal; show name of municipality.

b. Stockwatering; list number and kind of livestock.

a. Hydropower; show total feet of head and proposed capacity in kW.

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

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.

AUG 21 1989

George W. Phelps & Sons by Alfred L. Phelps
(Applicant)
Rhett Phelps

Prepared by *DMK*

Received by *CU* Date *5-8-89* Time *12:00P*
Fee \$ *65.00* Received by *HOT* # *FD6710* Date *4-5-89*
Publication prepared by *RB* Date *5-24-89* Published in *News Examiner* Date *6-1-89*
Publication approved Date *6-29-89*

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: _____

MICROFILMED
AUG 21 1989

Grove Phelps
87 S. Main Bennington
Montpelier, ID 83254

Allyn Phelps
128 S Main Bennington
Montpelier, ID 83254

Rhett Phelps
36 Bennington Cemetery Rd
Montpelier, ID 83254

MICROFILMED

AUG 21 1989

RECEIVED

MAY 8 1989

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Grove Phelps & Sons Phone 847-2142

Post office address 36 Bennington Cemetery Rd. Montpelier ID 83254

2. Source of water supply Water Well which is a tributary of N/a

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot —

Sec. 8 Township 12 S Range 44 E B.M. Bear Lake County; additional points of diversion if any: —

4. Water will be used for the following purposes:

Amount 2 cfs for irrigation purposes from Jun 1 to Aug 20 (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) 2 cfs and/or (b) 320
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. a well pump to sprinkler main line

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 10" inches; proposed depth of well is 250 feet.

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year).

MICROFILMED

AUG 21 1989

~~Company.~~

If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. n/a

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

11. a. Who owns the property at the point of diversion? Grove Phelps & Sons

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

571 Shares

Total number of acres to be irrigated 105

[illegible]

ponding place of use below. See instructions for standard symbols.

b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding column.

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

9. Description of place of use:

e. Other; describe fully.

d. Domestic; show number of households.

c. Municipal; show name of municipality.

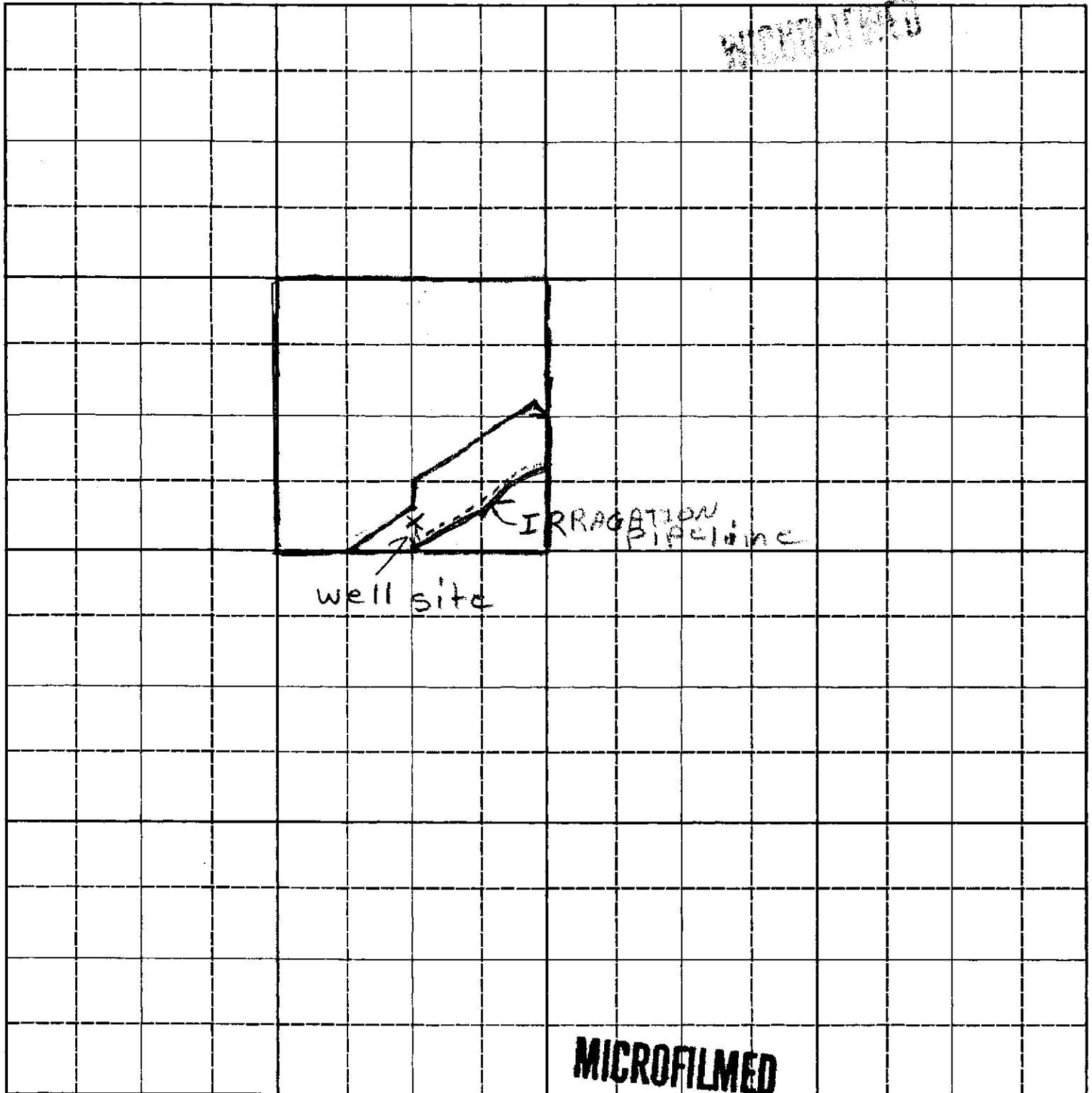
b. Stockwatering; list number and kind of livestock.

a. Hydropower; show total feet of head and proposed capacity in KW.

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

T. 12 S. R. 4 E
Section 8

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.

AUG 21 1989

Grove Phelps & Sons

(Applicant)

by: Phett Phelps

Received by CW Date 4-05-89 Time 11:35A Preliminary check by SMC
Fee \$ 65.00 Received by HWS # E006710 Date 4-5-89
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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:

MICROFILMED

AUG 21 1989

No 3743

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Bear

ss.

MICROFILMED

AUG 21 1989

Theresa Stamm
being duly sworn,
deposes and says:

That he is the 2 of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper 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

June 1, 1989, 1989, and ending
with the issue of June 8, 1989

Fees, \$29.80

Subscribed and sworn to before me this 14 day
of June, 1989

Mary Hansen
Notary Public, Residing at Montpelier, Idaho

My Commission Expires 11, 1993

NOTICE OF APPLICATION FOR WATER RIGHT

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

11-07374

PHELPS AND/OR SONS, GROVE
36 BENNINGTON CEMETERY RD.
MONTPELIER, ID 83254

Source: GROUNDWATER
Diversion Pt: SWSE Sec 8 T 12S R

44E Use: IRRIGATION (2,000 CFS)

Date Filed: 6/01/1987

In: T12S R4E S08 SESE
NESE NWSE SWSE SESE
105.0 acres total

11-07376

RILEY, LARRY E.

304 W. 1000 N.

LOGAN, UT 84321

Source: SPRING

Tributary: BEAR LAKE

Diversion Pt: SWNWSW Sec 2 T 15S R

43E

Use: FISH PROPAGATION (8,000 CFS)

Date Filed: 5/01/1989

In: T15S R4SE S02 SWNW NWSW

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 JUNE 19, 1989.

R. KEITH HIGGINSON,
Director

Legal No. 3743 - Publish June 1, 8, 1989.

RECEIVED

JUN 16 1989

Department of Water Resources
Eastern District Office

mm

July 12, 1991

GROVE PHELPS &/OR SONS
36 BENNINGTON CEMETARY RD.
MONTPELIER, ID 83254

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 11-07374

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

REC
DEC 09 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 11-7374

Date 7-11-91

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?
1963 ☒ Copy in file? Drill permit no. _____
☒ Amt paid for drilling permit? _____ Correct?
☒ Well log in file?

LICENSE EXAMINATION FEE

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

MEASURING DEVICE

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

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

PRIORITY CALCULATION

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

RECEIVED
JUL 05 1991

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 125.00
Date 7/5/91
Receipt No. 1021081
Received by J. M. West

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 11-07374 Telephone No. 847-2142

2. Name(s) of Permit Holder(s): Grove Phelps & Sons

3. Post Office Address: 36 Bennington Cemetery Rd Montpelier Id 83254

4. Source of Water: Well

a. If ground water, well driller's name: Bert Westlake Date drilled: Nov 1963

b. Pump horsepower: 40 Pressure (psi): 90 Dynamic pumping level (ft.): 80'

5. Extent of Use:

Domestic _____ (No. of households)

Irrigation 100 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

6. Total rate and/or volume for which proof is submitted 2 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: \$ 125.00 (See License Examination Fee Schedule)

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

Rhett Phelps
Name

847-2142
Telephone No.

36 Bennington Cemetery Rd. Montpelier Id 83254
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.

RECORDED

7-2-91
Date

Rhett Phelps
Signature

Owner

(and title if on behalf of a company or organization)

DEC 09 1991

138758

June 30, 1991

GROVE PHELPS &/OR SONS
36 BENNINGTON CEMETARY RD.
MONTPELIER, ID 83254

PROOF DUE NOTICE

RE: PERMIT NO. 11-07374

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

RECEIVED

DEC 09 1991.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No. 11-07374

Name(s) of Permit Holder(s): Grove Phelps & Sons

Post Office Address: 36 Bennington Elementary Rd
Montpelier, Id 83254 Tel. No. 2847-2142

☒ I hereby certify that construction of diversion works for the above referenced permit began on 2-28-90 (date) and I understand that I must continue to develop the water system with the diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

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

2-28-90

Date

Rhett Phelps
Signature of Permit Holder

Reth Phelps
36 Bennington Cemetery Rd
Montpelier, VT 05201



PEL

MAR 1 1990

Department of Water Resources

IDAHO DEPARTMENT
STATEHOUSE
BOISE, IDAHO 83720

WATER RESOURCES
DIVISION
DEC 09 1991

USA

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

Statehouse
Boise, Idaho 83720
(208) 334-7900
August 15, 1989

GROVE PHELPS &/OR SONS
36 BENNINGTON CEMETARY RD.
MONTPELIER, ID 83254

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

RE: PERMIT NO. P11-07374

Dear Permit Holder:

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

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

MICROFILMED

AUG 21 1989

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

Microfilm

AUG 21 1980

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

11-7374

INITIAL REVIEW BY SCOTT S. DUNN DATE 10 April 89 APPLICATION NUMBER Brake Phelps & Sons

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 signator 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 9 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

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. 2

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 6-19-89
☐ 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. 11-P05
☒ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information
Date of priority recommended 4-05-89
By HWJ Date 7-6-89

STATE OFFICE REVIEW P05, P23, P03, P17 46 2601G
See below for additional information
By KW Date 8/2/89

ADDITIONAL INFORMATION

Conditions <01G>
OK to allow 2 yrs. to develop

July 3, 1989

RE: Application for Permit No. 11-7374 PHELPS

Mrs. Julia C. Wright
104 Wright Road, Bnnngtn
Montpelier, ID 83254

Dear Mrs. Wright

On June 26, 1989, the Department received your letter in reference to the above captioned application. It is necessary to return your letter as it arrived in this office after the last date of protest and, therefore, cannot be considered as a timely protest.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

MicroFILMED

AUG 21 1989

20 June 1989

Mr Phil Phelps
26 Birmingham Cemetery Road
Montpelier, Idaho 82224

Mr Phelps,

As per your request during our telephone conversation I am sending you an expedited drilling permit. Please note the attached conditions.

Sincerely
Dennis M. Dunn
Sr. Water Resource Agent

MICROFILMED

AUG 21 1989

Drilling Permit 11-89-EB16
Water Permit No. 11-07374
Injection Permit No. _____

Expedited

RECEIVED

State of Idaho
Department of Water Resources

JUN 19 1989

DRILLING PERMIT

Department of Water Resources
Eastern District Office

1. Applicant Shore Phelps & Sons
2. Address 036 Bennington Cemetery Rd. Montpelier Id
83254 Telephone 847-2142
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location SW 1/4 SE 1/4, or Gov't lot No. _____,
Sec. 8, Twp. 12S, Rge. 44E, County Bear Lake,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
☐ Domestic ☐ Stockwater ☐ Monitoring
No. of households _____ No. of livestock _____
☒ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☐ Other, Specify _____
5. Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 12" Maximum depth 200'
Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date June 20 1989
7. Well Driller (if known) Northlake Drilling
Address 184 N 7th Montpelier Idaho
8. Applicant's signature Rhett Phelps
Title Owner
Date June 15, 1989

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AUG 21 1989

ACTS OF DEPARTMENT OF WATER RESOURCES

This Permit is APPROVED.

If approved, this permit authorizes the construction of a well subject to the following conditions:

GENERAL CONDITIONS

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS

Dated this 20th day of June, 1989.

Signed

Title

Ronald D. Clark
REGIONAL MANAGER

Received by HWT Fee \$100.00 Date 6-20-89 Initialed

Receipt No. E009160 Construction start extension to AUG 21 1989

Extension approved by _____

ADDENDUM TO DRILLING PERMIT:

1. APPLICATIONS, AS NECESSARY, ARE ON FILE SEEKING AUTHORIZATION TO USE THE WELL FOR THE PURPOSE FOR WHICH IT IS BEING DRILLED
2. THERE ARE NO APPARENT REASONS THAT THE PENDING APPLICATIONS WILL NOT BE APPROVED AUTHORIZING USE OF THE WELL.
3. THE APPLICANT HAS REQUESTED BY LETTER THROUGH HIS AGENT THAT EXPIDITED APPROVAL IS NEEDED FOR IMMEDIATE CONSTRUCTION.
4. THE DRILLING PERMIT IS CONDITIONED TO SHOW THAT THERE IS NO AUTHORIZATION FOR DIVERSION AND USE OF WATER UNTIL THE WATER RIGHT APPLICATION IS APPROVED.
5. THE APPLICANT BY ACCEPTING THIS DRILLING PERMIT AND COMMENCES CONSTRUCTION ACKNOWLEDGES THAT HE ACCEPTS ALL RISK THAT THE WELL MAY NOT BE APPROVED FOR USE.

RECORDED

AUG 21 1989

June 1, 1989

Grove Phelps
36 Bennington Cemetary Road
Montpelier, ID 83254

RE: Application for Permit No. 11-7374

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the News Examiner. 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,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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AUG 21 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

MAY 24, 1989

THE NEWS-EXAMINER
P.O. BOX 278
MONTPELIER, ID 83254

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 JUNE 19, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

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AUG 21 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED

AUG 21 1989

11-07374

PHELPS AND/OR SONS, GROVE
36 BENNINGTON CEMETARY RD.
MONTPELIER, ID 83254

Source: GROUNDWATER

Diversion Pt: SWSE Sec 8 T 12S R 44E

Use: IRRIGATION (2.000 CFS)

Date Filed: 6/01/1987

In: T12S R44E S08	SENE	SESW	NESE	NWSE
	SWSE	SESE		

105.0 ACRES TOTAL

REFILMED

AUG 21 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 JUNE 19, 1989.

R. KEITH HIGGINSON, Director

Published 6/01/1989 & 6/08/1989

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AUG 21 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 2, 1989

Mr. Rhett Phelps
36 Bennington Cemetery Road
Montpelier, ID 83219

Dear Mr. Phelps:

Enclosed is a corrected copy of your application. The following items were changed; amount of water applied for, the length of the irrigation season, and time allowed for construction of the project. Two years is the maximum allowed by State law unless one provides a year by year construction plan and engineering drawings.

As the application was made in the name of Grove Phelps and Sons you must attach a list naming each of the interested parties and their addresses.

If you have any questions please call me.

Sincerely,

Dennis M. Dunn

Dennis M. Dunn
Sr. Resource Agent

DMD:lk
Enc.



Department of Water Resources

150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83401

DENNIS DUNN
WATER RESOURCE AGENT
(208) 525-7161

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AUG 21 1989