

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



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.

[Signature]
(Applicant)

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 11-7318 IN THE
NAME OF DEAN J. JACOBSON

ORDER OF REINSTATEMENT

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 on or before August 1, 1988; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause 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 proof of beneficial use on October 20, 1988;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 11-7318 be REINSTATED and the priority advanced to August 21, 1983.

Dated this 24th day of October, 1988.

RECEIVED

NOV 21 1988

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Dean J. or Patsy Jacobson Phone _____
Post office address 308 North 9th Street, Montpelier, ID 83254
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is (Lot 1) NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 11 Township 16S
Range 43E B.M. Bear Lake County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.06 cfs for domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 cfs for irrigation purposes from 4/15 to 10/15 (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)

5. Total quantity to be appropriated:

a. 0.10 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump, pressure tank
with distribution line to home
b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is 8 inches; proposed depth of well is 135 feet.

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 — maximum 5 years).

8. Description of proposed uses: (Lot 1)

a. If water is not for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 11 Township 16S
Range 43E B.M.
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 2.
(5) If water is to be used for other purposes describe: _____

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

[illegible]

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

Permit 11-7316 filed by Nard Jacobson

9. a. Who owns the property at the point of diversion
Nard Jacobson

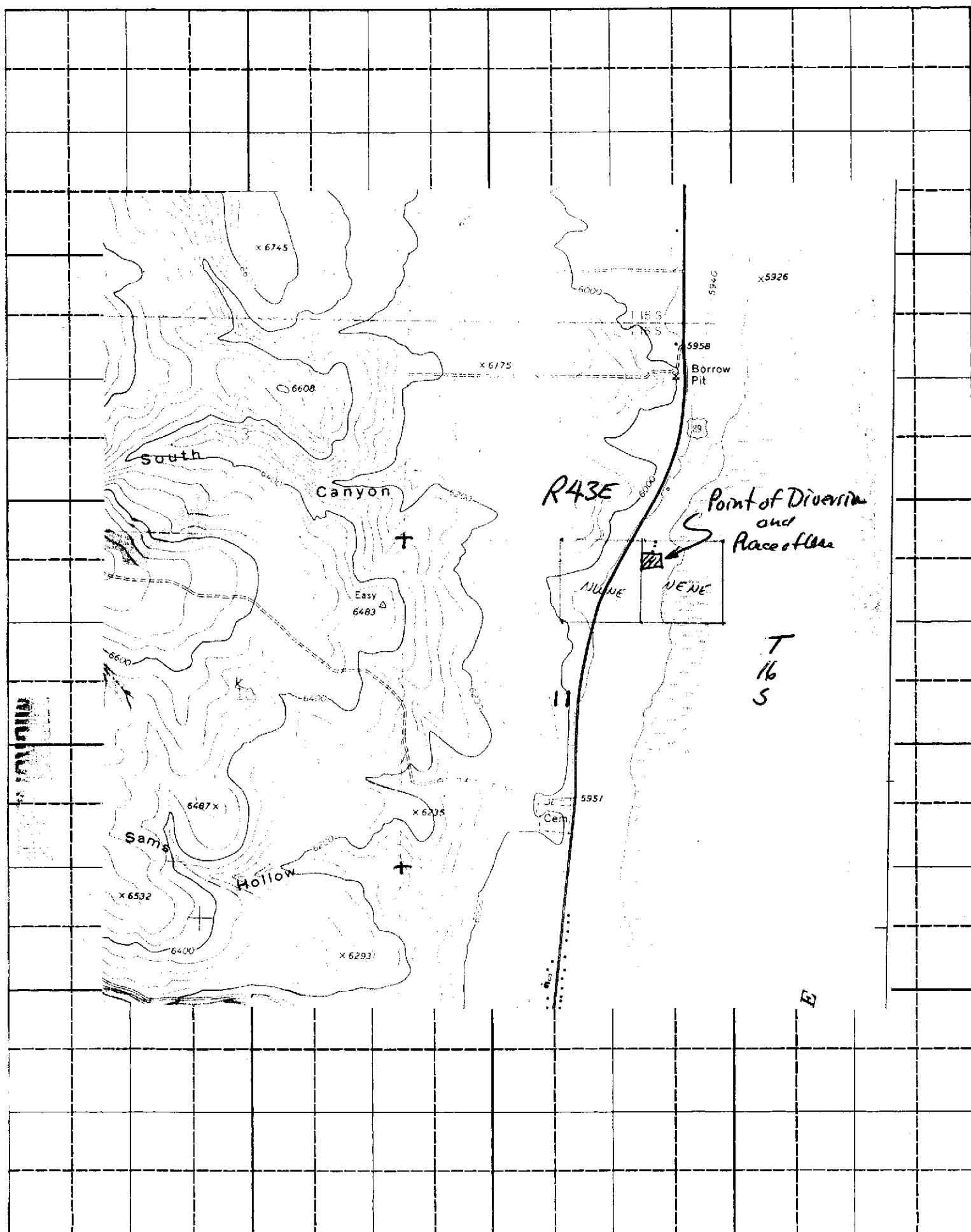
b. Who owns the land to be irrigated or place of use

Applicant

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

applicant to make this filing Agreement between well owners

10. Remarks	Place of use aka Lots 8, 9, 10 in subdivision.
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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.


(Applicant)

Proposed Priority 6-2-83

Assisted by KCM

6-2-83

Received by

Date

Time

1:05 P.

Preliminary check by

AMS

Fee \$

30.00

Received by KCM

Date

6-2-83 # 26372

Publication prepared by

BP

Date

6/8/83

Published in

NWS Examiner

Publication dates

6/16 - 6/23/83

Publication approved

BP

Date

7/7/83

Protests filed by:

[Signature]

Copies of protests forwarded by

Hearing held by

Date

Recommended for

approval

denial

by *[Signature]*

[Signature]

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. 11-7318, and said application is hereby Approved.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or be-

fore August 1, 1988.

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

d. Other:

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.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

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

[Signature]

Chief, Operations Bureau

Nº 2313

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Bear Lake

ss.

Marion B. Pyle
being duly sworn,

deposes and says:

That he is the Proprietor 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 2 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 16, 1983, and ending with the issue of June 23, 1983.

Fees, 14.38

Subscribed and sworn to before me this 23 day

of June, 1983.

Karl J. Jensen

Notary Public, Residing at Montpelier, Idaho

My Commission Expires November, 1985

LEGAL NO. 2313

NOTICE OF APPLICATION FOR WATER RIGHT

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

11-7318

JACOBSON, DEAN J. &/or PATSY
308 N. 9TH St., MONTPELIER, ID 83254

Source: GROUNDWATER

Date Filed: 06/02/1983

Diversion Pt: LOT 01 (NENE) Sec 11 T 16S R 43E

Use: IRRIGATION (0.04 CFS)

DOMESTIC (0.06 CFS)

In: LOT 01 (NENE) Sec 11 T 16S R 43E FOR
2 ACRES

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JULY 5, 1983.

A. KENNETH DUNN
Director

6-16, 6-23

23 LINES

January 4, 1989

RE: Permit No. 11-7318

Dean J. Jacobson
308 N. 9th
Montpelier, ID 83254

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit. Enclosed please find a copy of an order pertinent to your permit.

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

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

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

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:CW

Enclosure

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 11-7318

Date: 10/21/88

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change If yes, prepare a data entry
N Proof received timely
Y Reinstated

Source of Water:

Y Surface water
Y Groundwater
N 1. well log in file Not found due to size of well
N/A 2. drilling permit
A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

Y Is a measuring device or access port required?
Y Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Y Priority Calculation:
Date proof received Oct. 20, '88 293
Date proof due Aug. 1, '88 -213
No. of days late = 80
Priority date June 2, '83 +153
NEW PRIORITY DATE Aug. 21, '83 = 233

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

For Office Use Only
Fee Received \$50.00
Date 10/21/88
Receipt # C002998
Receipt by CP
Reviewed by 83
Sent to region

AUG 18 1988

STATE OF IDAHO

NOH end 97 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 completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 11-7318
Name(s) of Permit Holder: DEAN J JACOBSON
Post Office Address: 308N 9th, MONTPELIER IDAHO
Zip ~~83254~~ 83254 Telephone No. 1-847-1500
Source of Water: WELL

Extent of Use:

Domestic X 2 Households (number of households) Stockwater (number and type of stock)
Irrigation 1.75 (acres) Other/Remark Sprinkling 2 Households

WELL USED FOR SEVEN HOUSEHOLDS I APPLY FOR 2 OF SEVEN HOUSEHOLDS

Total rate and/or volume for which proof is submitted .10 cfs acre-feet
Per phone conv. 10/14/88

Show the date water was first diverted and beneficially used under this permit: 1963

Measuring Device: Required? Yes / No Installed? Yes / No Fee enclosed \$ 50.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes / No Installed? Yes / No

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

DEAN JACOBSON 847-1500
(Name) (Telephone Number)

308N 9th, Montpelier, Idaho 83254
(Address)

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

8/15/88 Dean Jacobson
Date Signature of Permit Holder (and title, if appropriate)
NOV 21 1988

FROM

Jodi/Rita

TO

file # 11-7318

SUBJECT

Reinstatement.

DATE

10/21/88

The permit lapsed Aug. 1, 1988. In response to lapse notice sent Aug. 11, 1988, proof was submitted Aug. 18, 1988, it was unacceptable - no fee sent.

Proof wasn't reviewed until Oct. 14, 1988 when Rita spoke to permit holder on telephone. He said he would send fee in. Fee was received Oct. 20, 1988 & receipted Oct. 21, 1988.

Permit should be reinstated ~~10/21/88~~ received date as Oct. 20, 1988.

NOV 21 1988

SIGNATURE

FROM Jodi/Rita

DATE 10/14/88

TO file #11-7318

SUBJECT

Per phone conversation with Dean J. Jacobson,
he will be sending us \$50 for exam fee for
.10 cfs.

RECEIVED

NOV 21 1988



SIGNATURE

To: File 11-7318

From: Groundwater Protection

Date: 9/1/88

Drilling Permit: ☒ Not Applicable
☐ Found and in file
☐ Not Found

Well Drillers Report:

☒ Not found, due to reported age of well
probably not available
☐ Found and is in file
☐ Not found

Follow-up

☐ Request from permit holder the well
drillers report and/or the name of the
well driller.
☐ Ask permit holder when well was drilled
and notify holder of drilling permit
requirement if after July 01, 1987.

*Well is 1963 Age or
earlier.*

RECORDED

NOV 21 1988

RECEIVED
AUG 18 1988

Dear Sir,

Let me try and explain by mail.

In June of 1983 an article came out in our local Weekly Paper that all Citizens of Idaho must file for their water rights. and that is when I filed for the Permit # 11-73 18 I was charged \$30.00. I thought the water system was regulated at that time. After I applied at your office NOV 24 1988

that was 5 years ago and this
summer we are in the process of
replacing the old Rony Barge that
was used for Expansion tanks with
new Extra Expansion tanks &
enclosing the tanks with a new
Rump House which will be
completed in about 25 more days.

We are also in the process of
completing a new sewer system
for the sewer House, and Building
New Gravel Road. This project
should be completed in about 30
days.

I am Missed and I
I guess I did not ~~thrust~~ as soon
as I was supposed to, and I apologize,
but I don't understand why the
first application and imagination in
1983 was not sufficient when I
have been using this water for
about 25 years.

Please write & let me know
what you would like me to
do now. I am enclosing the
form you requested with my
apologies.

NOV 21 1988

Yours truly
Klaus Jensen

NOV 21 1988

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

August 11, 1988

DEAN J. JACOBSON
PATSY JACOBSON
308 N. 9TH ST.
MONTPELIER, ID 83254

LAPSE NOTICE

RE: PERMIT NO. 11-07318

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper form in our proof due notice to you dated July 31, 1988.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this lapse notice or the permit will no longer be of any force of effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. 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 governmental agency or by litigation which might bring title to the water in question.

L. Glen Saxton
Chief, Operations Bureau

Enclosures

LGS:RF

NOV 21 1988

CERTIFICATION OF MAILING

I hereby certify that on 8/11/88
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Heidi Miller

138639
CERTIFIED MAIL
May 31, 1988

JACOBSON, DEAN J. & PATSY
308 N. 9TH ST.
MONTPELIER, ID 83254

PROOF DUE NOTICE

RE: Permit No. 11-7318

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 August 1, 1988. (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 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

RECEIVED
MAY 31 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

JACOBSON, DEAN J. & PATSY
308 N. 9TH ST.
MONTPELIER, ID 83254

AUGUST 02, 1983

RE: PERMIT NO. 11-7318

DEAR PERMIT HOLDER:

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

THE 1982 IDAHO LEGISLATURE ADDED A 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 INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

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

ENCLOSURE

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JULY 5, 1983.

KEN DUNN, Dir.

Published 6/16 & 6/23/83.

11-7318

JACOBSON, DEAN J. &/or PATSY

308 N. 9TH ST., MONTPELIER, ID 83254

Source: GROUNDWATER

Date Filed: 06/02/1983

Diversion Pt: LOT 01 (NENE) Sec 11 T 16S R 43E

Use: IRRIGATION	(0.04 CFS)
DOMESTIC	(0.06 CFS)

In: LOT 01 (NENE) Sec 11 T 16S R 43E FOR 2 ACRES