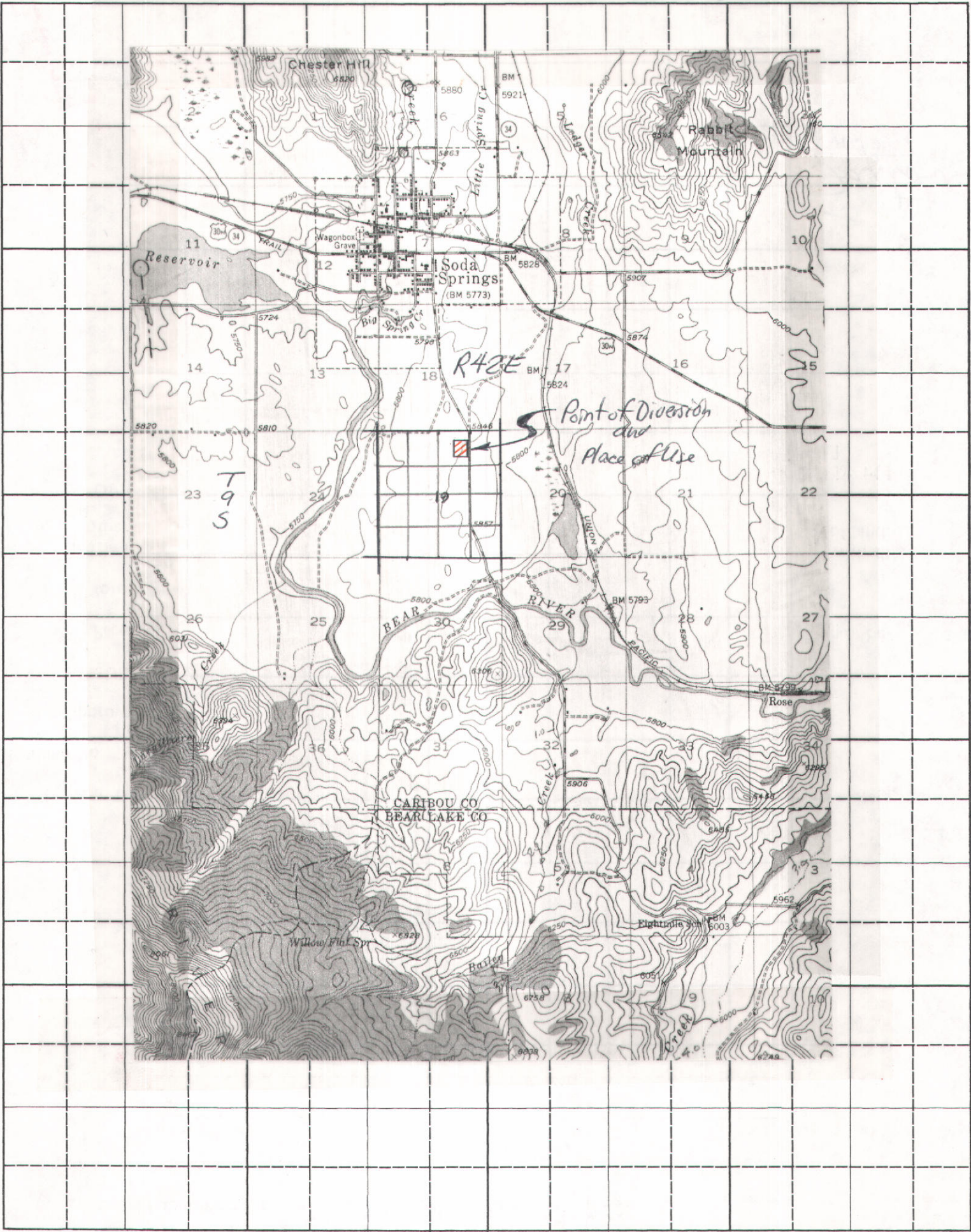


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Roger A. Emery
(Applicant)

RECORDED

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 Roger Alvin Empey Phone 547-3482
547-4008
Post office address P.O. Box 602 Soda Springs, ID 83276
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19 Township 9S
Range 42E B.M. Caribou County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.16 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Stockwater purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.22 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 with mainline to
pressure tank, stock troughs and sprinklers

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 125 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:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19 Township 9S
Range 42E 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 2 horses

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.

(5) If water is to be used for other purposes describe: _____

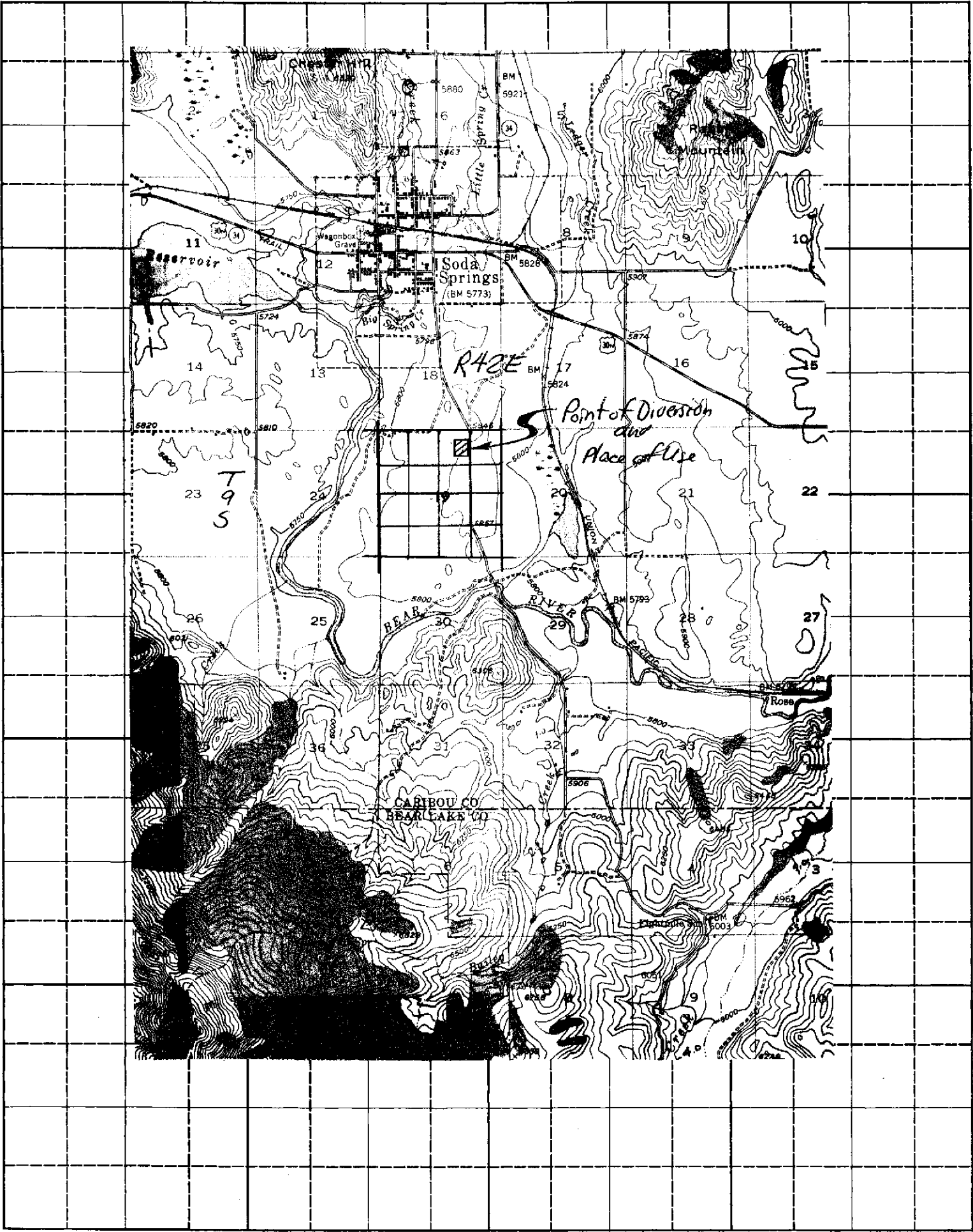
This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Applicant

Applicant

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

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.

Roger A. Emery
(Applicant)

Proposed Priority 4-15-83

Assisted by Kew

4-15-83

Date

Time

Fee \$

45.00

Preliminary check by

HWS

Received by

BP

Date

4/15/83

#

28053

Publication prepared by

BP

Date

4/20/83

Published in

Caribou County Sun

Protests filed by:

for

Copies of protests forwarded by

Hearing held by

Date

Recommended for approval denial by

BMC

JTC

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.

11-7313

, 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

June 1,

19 88

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.

Witness my hand this

13th

day of June, 1983.

Chief, Operations Bureau

D. Allen Saylor

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

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

28th day of
April, 1983

The date of the last publication
being the 5th day of
May, 1983

Subscribed and sworn to be-
fore me this 6th day
of April, 1983

Mark Steele
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of March
1984

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:

11-7313

EMPEY, ROGER ALVIN
P.O. BOX 602, SODA
SPRINGS, ID 83276

Source: GROUNDWATER

Date Filed: 04-15-1983

Diversion Point: NWNE Sec
19 T 09S R 42E

Use: IRRIGATION (0.16
CFS) STOCKWATER (0.02
CFS) DOMESTIC (0.04 CFS)

In: NWNE Sec 19 T 09S R
42E FOR 8 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 MAY
16, 1983.

KEN DUNN,
Director

Published April 28 and May 5,
1983 in the Caribou County Sun.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 11 7313
Name(s) of Permit Holder(s): Roger ALVIN Empey
Post Office Address: P.O. Box 602
Tel. No. 208-547-4008

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on JULY 1 - 1983 . I understand that I must
(date)
continue to develop the water system with due 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.

Aug 18 - 1983
Date

Roger A Empey
Signature of Permit Holder

ROGER A. EMPEY
P O BOX 602
SODA SPRINGS, IDA.
83276



AUG 19 1983

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

February 6, 1989

RE: Permit No. 11-07313

Roger A. Empey
HC 70, Box 2770
Soda Springs, ID 83276

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

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

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

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

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:CW

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 11-7313

Date: 1.3.89

General Considerations:

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

Source of Water:

_____ Surface water
y Groundwater
* N 1. well log in file
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:

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

Remarks:

Proof acceptable
* See g.w. protection sheet in file.

N/A

Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	-
No. of days late	_____	=
Priority date	_____	+
NEW PRIORITY DATE	_____	=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

APR 29 1988

For Office Use Only
Fee Received \$100.00
Date 5-2-88
Receipt # 0000474
Receipt by HA
Reviewed by PS
Sent to region

STATE OF IDAHO
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. 117313

Name(s) of Permit Holder: Roger ALVIN Empey

Post Office Address: HC 70 Box 2770 +

Soda Springs ID 83276 Telephone No. 208-547-4008

Source of Water: Well, pump with mainline to pressur tank, stock troughs & sprinklers

Extent of Use:

Domestic one (number of households) Stockwater 2 Horses (number and type of stock)

Irrigation 8 (acres) Other/Remark

Total rate and/or volume for which proof is submitted 0.22 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: April 1986

Measuring Device: Required? Yes ☒ No
Installed? Yes ☒ No Fee enclosed \$ 100.00
(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:

Roger ALVIN Empey 208-547-4008
(Name) (Telephone Number)

2766 HAWKER Lane HC 70 Box 2770
Soda Springs ID 83276 (Address)

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

WATER DIVISION

FEB 08 1989

4-18-88
Date

Roger A Empey
Signature of Permit Holder (and title, if appropriate)

To: File 11-7313

From: Groundwater Protection

Date:

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, *And date drilled.*
☐ Ask permit holder when well was drilled
and notify holder of drilling permit
requirement if after July 01, 1987.

We will never get the
well log for Lundston.
I suggest you process
the water right

JB

MICROFILMED

FEB 08 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 20, 1988

Arnold Lundstrom
Lundstrom Well Drilling
1510 East Fremont
Pocatello, ID 83201

RE: Empey Well Log

Dear Mr. Lundstrom:

As of today, I have received no word from you concerning the enclosed letter. Please either provide a well log or let me know that you cannot provide a log.

Also, please provide logs for the wells you have drilled this year. If I do not hear from you within 30 days, I will refer the matter to our Attorneys for enforcement.

Sincerely,

A handwritten signature in cursive script that reads "John E. Beal".

JOHN E. BEAL, Manager
Groundwater Protection Section

JEB:ldt(GP13-1.31)

Enclosure

CC: Harold Jones

MICROFILMED

FEB 08 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 13, 1988

Arnold Lundstrom
Lundstrom Well Drilling
1510 East Freemont
Pocatello, ID 83201

RE: Empey Well Log

Dear Mr. Lundstrom:

Please provide a copy of the log for the Roger Empey well which you drilled in 1979. The well is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, T9S, R42E.

If you do not have a copy of this log, or did not drill the well, please contact me. I am requesting the log or contact within 30 days.

Sincerely,

JOHN E. BEAL, Manager
Groundwater Protection Section

JEB:ldt(GP12-1.102)

CC: Harold Jones
11-7313

MICROFILMED

FEB 08 1989

August 31, 1988

Roger Alvin Empey
HC 70, Box 2770
Soda Springs, ID 83276

RE: Permit No. 11-7313

Dear Permit Holder:

The department received your Proof of Beneficial Use form, however, before completing processing, additional information is needed.

If you have a well driller's report, please send a copy to the department. If you do not have one, please let me know who drilled the well and when it was drilled.

Please remit the requested information by October 1, 1988 to keep your permit from losing priority.

If you have any questions, feel free to call me.

Sincerely,

RITA FLECK
Secretary/Records Manager

c: E. Region

9-12-88
Per telephone conversation, Driller is
Lundstrum out of Pacatello on
7-9-79.

120 ft deep

20" 6" casing, rest solid lava rock

RECORDED

FEB 08 1989

To: File 11-7313

From: Groundwater Protection

Date: 7/12/88

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.

MICROFILMED

FEB 08 1989

ROGER EMPY
He 710 Box 2770
Soda Springs
ID 83376



Department of Water Resources
Statehouse

Boise Idaho

83720

138429
CERTIFIED MAIL
March 31, 1988

EMPEY, ROGER ALVIN
P.O. BOX 602
SODA SPRINGS, ID 83276

PROOF DUE NOTICE

RE: Permit No. 11-7313

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 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

MICROFILMED

FEB 08 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

EMPEY, ROGER ALVIN
P.O. BOX 602
SODA SPRINGS, ID 83276

JUNE 21, 1983

RE: PERMIT NO. 11-7313

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

ENCLOSURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWS

APPLICATION NUMBER: 11 7313

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. #11-7090 cancelled
☒ Yes ☐ No* In form for advertising.
☐ Yes ☒ No Final date for protests: May 16th 1983 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 5-9-83 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
☒ 4-15-83 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Ernest Carlson
STATE OFFICE REVIEW:

Date: May 28, 1983

- SW/L17 26
☐ See attached sheet for more information.

By: [Signature]

Date: 6/7/83

RECEIVED
JUN 1 1983

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

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

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

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

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

NOTICE OF APPLICATION FOR WATER RIGHT

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

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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 MAY 16, 1983.

KEN DUNN, Dir.

Published 4/28 & 5/5/83.

11-7313

EMPEY, ROGER ALVIN

P.O. BOX 602, SODA SPRINGS, ID 83276

Source: GROUNDWATER

Date Filed: 04/15/1983

Diversion Pt: NWNE Sec 19 T 09S R 42E

Use: IRRIGATION (0.16 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)

In: NWNE Sec 19 T 09S R 42E FOR 8 ACRES

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:

11-7313

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P.O. BOX 602, SODA
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Use: IRRIGATION (0.16
CFS) STOCKWATER (0.02
CFS) DOMESTIC (0.04 CFS)

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Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before MAY
16, 1983.

KEN DUNN,
Director

Published April 28 and May 5,
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