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APR 19 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

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APR 14 2005

Department of Water Resources

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant M & B Investments LLC Phone 524-9000
Mailing address 665 South Woodruff Ave Idaho Falls ID 83401
2. Source of water supply Ground which is a tributary of N/A
3. Location of point of diversion is Township 4N Range 38E Sec. 13, in the SE 1/4, SW 1/4, SW 1/4, Govt. Lot N/A, B.M., JEFFERSON County; additional points of diversion if any: N/A
4. Water will be used for the following purposes:
Amount 0.30 for IN-HOUSE USE 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)
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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.30 and/or (b) N/A
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source Two wells to provide IN House use only For 39 homes - Community Water System
b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet
c. Proposed well diameter is 10 inches; proposed depth of well is 200 feet
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? N/A; Drilling firm N/A;
Well was drilled for (well owner) N/A; Drilling Permit No. N/A
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW.
b. Stockwatering; list number and kind of livestock.
c. Municipal; show name of municipality.
d. Domestic; show number of households. 39 Homes
e. Other; describe fully. _____

3. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	38E	13											D						D

Total number of acres to be irrigated ZERO

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? Applicant

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: N/A

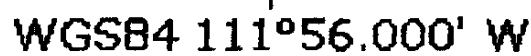
12. Remarks: N/A

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

M & B INVESTMENTS, LLC
By: Maull Mortimer, Member.
 Signature of Applicant (and title, if applicable)

Received by DMD Date 12-9-04 Time 12:09 Preliminary check by
 Fee \$ 250.00 Received by DMD # E030464 Date 12-9-04
 Publication prepared by Date Published in
 Publication approved Date



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SUNBROOK ESTATES

DIVISION NO. 1 JEFFERSON COUNTY, IDAHO

LOCATED IN SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 13, T4N R38E, B.M.

Boundary Description

A Parcel of Land Situated in Jefferson County, State of Idaho, Township 4 North, Range 38 East of the Boise Meridian, Section 13. More Particularly Described as Follows: Beginning at the Southwest Corner of Section 13, Township 4 North, Range 38 East, B.M.
Thence N89°30'06"E along the South line of Section 13 for a Distance of 561.00 Feet;
Thence N22°55'22"W for a Distance of 24.07 Feet to a Point on the North Right-of-Way Line of U.S. Highway 48, said Point also being the True Point of Beginning;
Thence N20°45'00"W along an Existing Fence line for a Distance of 549.95 Feet;
Thence N66°00'00"W along an Existing Fence line for a Distance of 18.50 Feet;
Thence N00°27'05"E along an Existing Fence line for a Distance of 717.14 Feet;
Thence N89°21'06"E along an Existing Fence line for a Distance of 1001.03 Feet to the East line of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section 13;
Thence S00°32'05"W along said East line for a Distance of 1244.00 Feet to the North Right-of-Way line of U.S. Highway 48;
Thence S89°32'19"W along said North line for a Distance of 309.98 Feet;
Thence N01°51'08"W for a Distance of 150.55 Feet;
Thence S89°30'40"W for a Distance of 249.88 Feet;
Thence S00°00'00"W for a Distance of 150.39 Feet to the North Right-of-Way line of U.S. Highway 48;
Thence S89°32'19"W along said North line for a Distance of 218.56 Feet to the True Point of Beginning, Containing 26.27 Acres More or Less.

WATER RIGHTS STATEMENT

Water rights and assessment obligations are not appurtenant to the lands included within this Subdivision Plat.

TREASURER'S AND ASSESSOR'S CERTIFICATE

We, the Undersigned County Treasurer and County Assessor in and for the County of Jefferson, State of Idaho, having reviewed this Plat as per the Requirements of Idaho Code 50-1308, do Hereby Certify that all County taxes for the Property shown and described on this Plat as being Subdivided, are Current.

Jesse Byram
Jefferson County Assessor

RPO4N38E136010
Parcel Number

Dean Mortimer
Jefferson County Treasurer

6-14-2004
Date

OWNER'S CERTIFICATE

KNOWN ALL MEN BY THESE PRESENTS: That We the undersigned, are the Owners of the Tract of Land Included within the Boundary Description Shown Hereon and have Caused the same to be Platted into Blocks, Lots, and Streets to be hereafter known as the SUNBROOK ESTATES, Division No. 1 Jefferson County, Idaho and we do hereby dedicate to the Public all streets and Right-of-Ways as shown hereon. The Easements shown hereon are not dedicated to the public, but the right to use said Easements are hereby perpetually reserved for Public Utilities, Roadway Slopes, Drainage, or for any other use designated on the Plat. We also Certify that the Lots shown on this Plat will be served a Central Water System.

In Witness Whereof the Undersigned Have Duly Signed this Certificate this 10th day of June, 2004.

Jesse Byram
Jesse Byram

Dean Mortimer
Dean Mortimer

ACKNOWLEDGMENT

State of Idaho, County of Jefferson, ss.

On this 10th Day of June, in the Year of 2004, before me Kelly Thompson, Personally Appeared Dean Mortimer & Jesse Byram, Known or Identified to me to be the managing members of M & B Investments L.L.C., whose names are subscribed to the within Instrument, and Acknowledged to me that they executed the same.



Kelly Thompson
NOTARY PUBLIC

My Commission Expires on: 3-12-2007

PUBLIC UTILITY EASEMENT NOTE

Utilities shall have the right to install, maintain, and operate their equipment above and below ground and all other related facilities within the Public Utility Easements identified on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the PUE. The utility may require the lot owner to remove all structures within the PUE at the lot owner's expense. At no time may any permanent structures be placed within the PUE or any other obstruction which interferes with the use of the PUE without the prior written approval of the utilities with facilities in the PUE.

SURVEYOR

Kevin L. Thompson, P.L.S.
154 East Main Street
Rigby, ID 83442
(208) 745-8771

LAND DEVELOPER'S

M&B Investments LLC
665 South Woodruff
Idaho Falls, ID, 83401
(208) 313-3141 (Cel)

RECORDER'S CERTIFICATE

I Hereby Certify that the Foregoing Plat of the SUNBROOK ESTATES, Division No. 1, Located in Jefferson County, Idaho, was Filed for Recording in the office of the Recorder for Jefferson

County on this _____ Day of _____, 2004,
at _____

Instrument Number: _____

Jefferson County Recorder

COUNTY APPROVAL

The Foregoing Final Plat was Duly Accepted and Approved by Jefferson County, Idaho, by Resolution Adopted this _____ Day

of _____, 2004.

County Commissioner Chairman

PLANNING AND ZONING COMMISSION

The Foregoing Final Plat has been Approved by the Jefferson County Planning and Zoning Commission

Chairman _____ Date _____

TE THOMPSON ENGINEERING, INC.
CONSULTING ENGINEERS
RIGBY, IDAHO 83442

FINAL PLAT

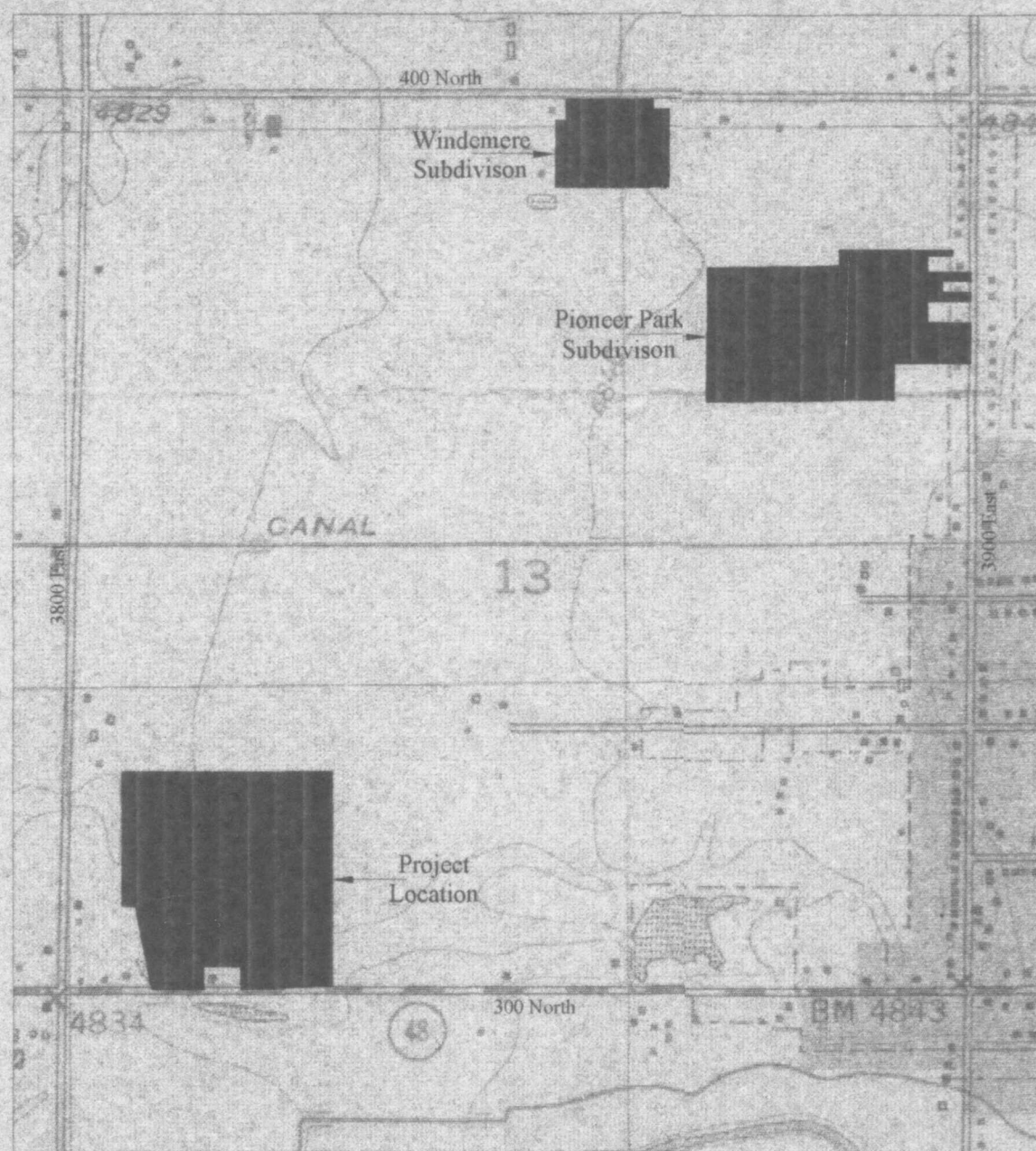
LOCATED IN SW $\frac{1}{4}$ SECTION 13, TOWNSHIP 4 NORTH,
RANGE 38 EAST, JEFFERSON COUNTY, IDAHO

Project Name: Jesse Byram/Dean Mortimer
Job Number: 2003-109

Scale
N/A

Date: June 7, 2004
Surveyor: K.L.T.
Drawn By: K.L.T.

Sheet
1 Of
2



VICINITY MAP
(No Scale)

HEALTH DEPARTMENT CERTIFICATE

I Hereby Certify that the Sanitary Restrictions Required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary Restrictions may be re-imposed in accordance with Idaho Code Title 50, Chapter 13, Section 50-1326, by the issuance of a Certificate of Disapproval. All Lots will be served by Enhanced Septic Systems.



E.H.S. No. 242

Date

SURVEYOR'S CERTIFICATE

I, Kevin L. Thompson, a Registered Professional Land Surveyor in the State of Idaho, do Hereby Certify that the survey of this subdivision, designated as the SUNBROOK ESTATES, Division No. 1, Located in Jefferson County, Idaho, was made by me or under my direction, and that said subdivision is Truly and Correctly Staked as Required by Law and in Accordance with the Accompanying Plat.



Kevin L. Thompson
P.L.S. License No. 10563

JUNE 10, 2004
Date

EXAMINING SURVEYOR'S CERTIFICATE

I Hereby Certify that I have Examined this Subdivision Plat and find it to be Analytically Correct and Acceptable as Required in Section 50-1305 of the Idaho State Code.

Dennis L. Jones
Dennis L. Jones

P.L.S. License No. 760

6-10-04
Date

