

65-13494

P/D
P/D

Orly. Permit
65-93-C-216-000
will require add H.
\$165 (\$200-\$35)

before can issue
eventual w.r. license

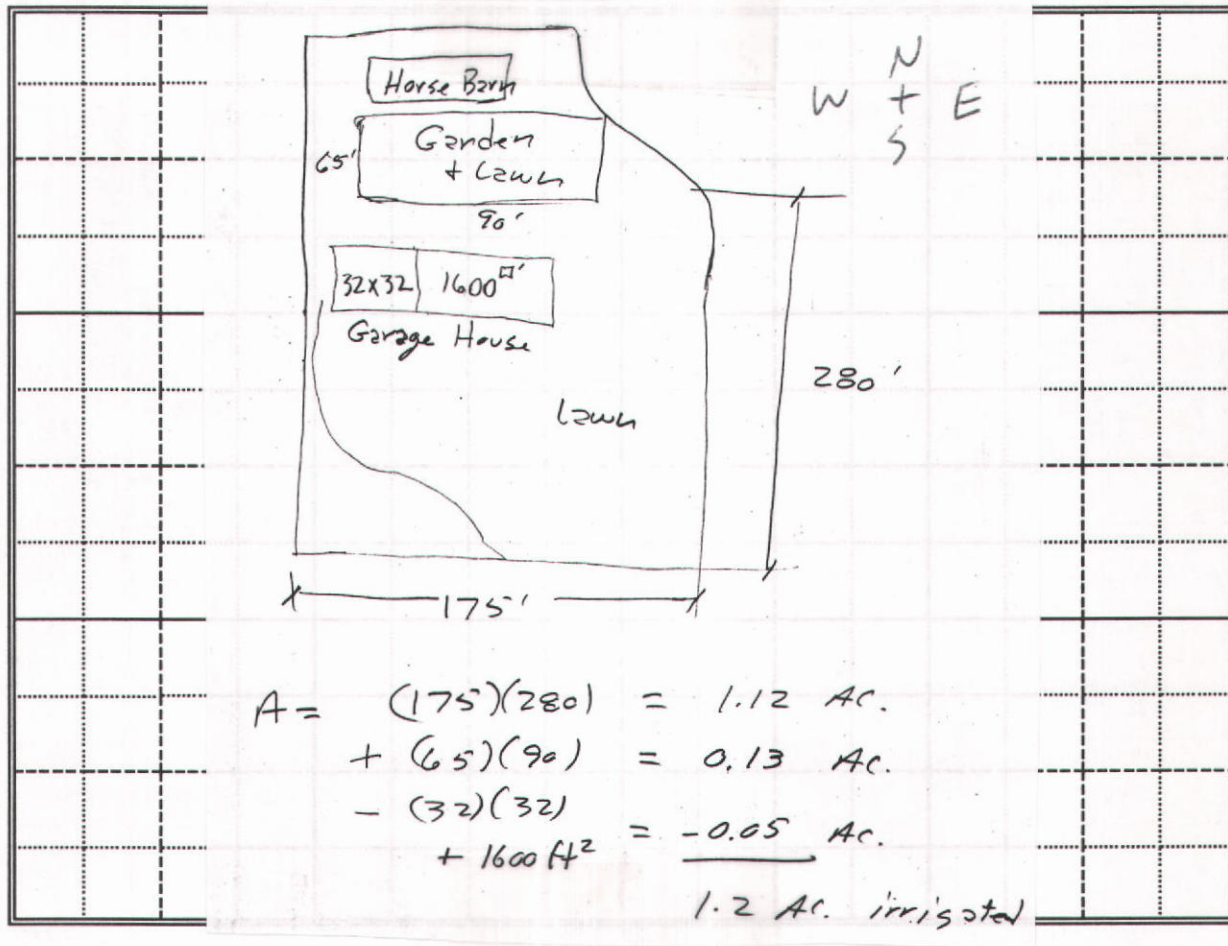
Gov't Lot in S.W. 1/4 Sec. 16
but not in rest of
section.

-82 1/10/94

Application for Permit
Eberhardt 7N-01E, 16
65-13494 1/6/94

APR 19 1994

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

N/A

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☐

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		1	submersible		

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

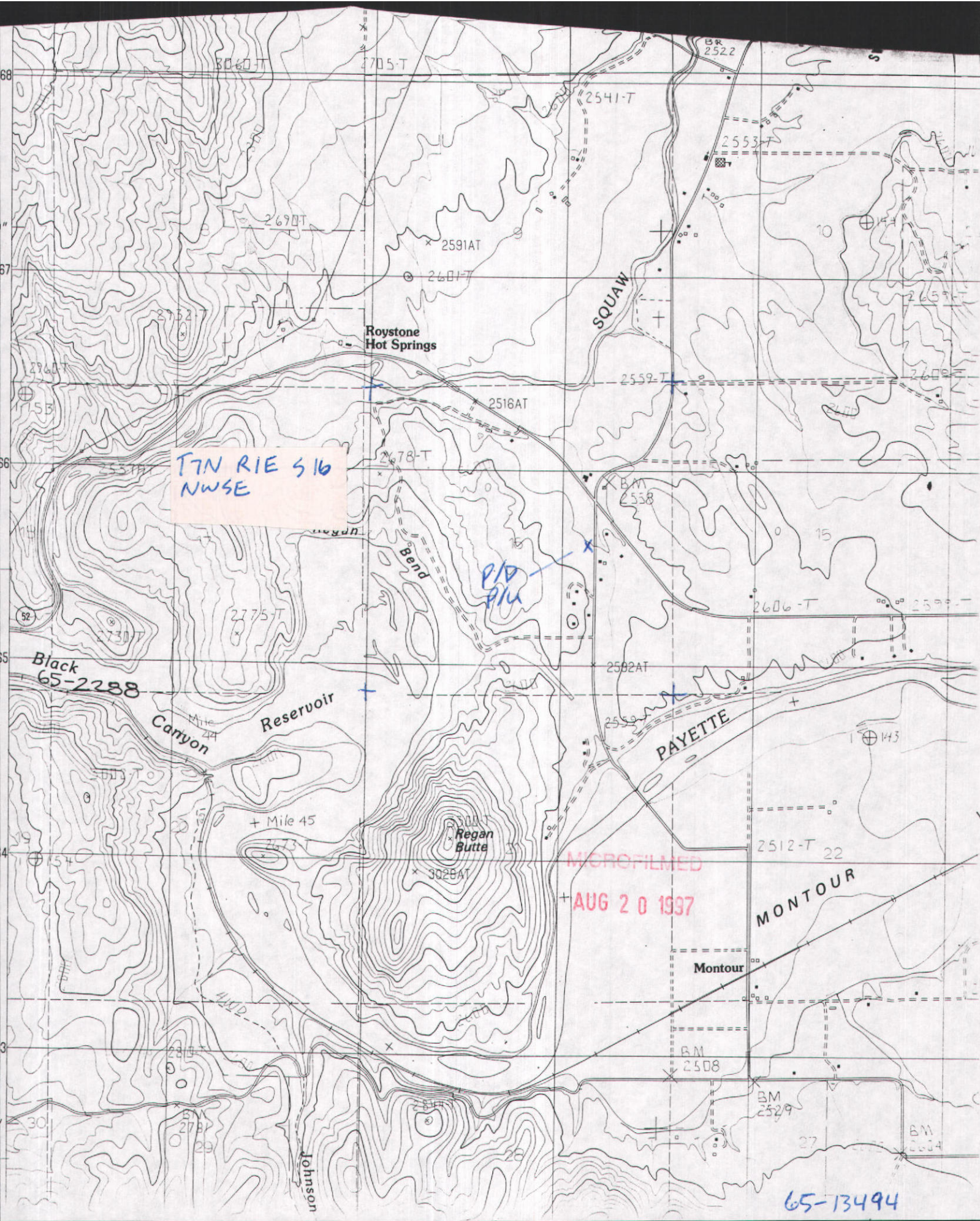
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Theoretical

MICROFILMED

AUG 20 1997



T7N R1E S16
NWSE

P10
P14

MICROFILMED
AUG 20 1997

65-13494



- P/D



p/u

MICROFILM
AUG 28 1997

GS-13494

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13494

Priority: January 6, 1994

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

6.0 AF

This is to certify, that COLBY EBERHARDT

5375 MONTGOMERY RD

EMMETT ID 83617

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 6, 1994; and has submitted Proof of Beneficial Use on February 7, 1996. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.04 CFS	5.4 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.04 CFS	6.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 16, Township 07N, Range 01E
GEM 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>
07N	01E	16	NWSE	1.2		1.2

Total number of acres irrigated: 1.2

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13494

CONDITIONS OF APPROVAL AND REMARKS

6. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 23rd day of July, 1992.

Acting for  Director

KARL J. DREHER

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 034239
Receipt By: JW
Date Received: 2-2-96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 07 1996

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 65-13494 Telephone No. 584-3549
2. Name(s) of Permit Holder(s): Colby Eberhardt
3. Mailing Address: 5375 Montour Rd. Emmett Idaho 83617
4. Source of Water: Well If GROUNDWATER (well), Date Drilled: mo. 7 / yr. 93
- a. Well Driller: Knier Well Drilling Drilling Permit Number: 65-93-0-0216 000
- b. OPTIONAL:
Pump Horsepower: 1 HP Pressure (psi): 70 psi Dynamic pumping level (ft): 15 FT

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 2 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: _____ cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____ or No <u>X</u>
	Has the measuring device been installed?	Yes _____ or No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____ or No <u>X</u>
	Has the measurement port been installed?	Yes _____ or No <u>X</u>

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Colby E. Eberhardt Telephone Number: 584-3549
Address: 5375 Montour Rd. - Emmett Idaho 83617

10. The information given on this form 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.

Signature of permit holder: Colby E. Eberhardt Date: 2-3-96
(include your title, if on behalf of company or organization)

MICROFILM
MAR 29 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13494

Proposed Priority: January 6, 1994 Maximum Diversion Rate: 0.08 CFS

This is to certify, that **COLBY EBERHARDT**
5375 MONTGOUR RD
EMMETT ID 83617

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	03/15 to 11/15	0.06 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
	Totals	0.08 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 16, Township 07N, Range 01E
GEM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N 01E 16	NWSE 2			2

Total number of acres irrigated: 2

PLACE OF USE: DOMESTIC, same as IRRIGATION use

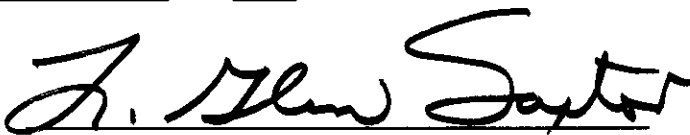
CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 1996.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. 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.
5. Domestic use is for 1 home.

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

11 day of March, 1994

APR 19 1994

for 
R. Keith Higginson, Director

RECEIVED

MAR 02 1994

Ident. No. 65-13494

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: COLBY EBERHARDT 208-584-3549
Address: 5375 MONTGOMERY RD
EMMETT ID 83617
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NWSE Sec. 16, Township 07N, Range 01E
GEM County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.060		
DOMESTIC	01/01	12/31	0.020		
5. Total quantity to be appropriated is:
0.080 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
drilled well with pressure 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 inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when? 09/01/1993
Drilling Firm Knie Drilling
Well was drilled for Owner
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 year(s).
8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
07N	01E	16	NWSE 2			2

Total number of acres irrigated: 2

APR 19 1994

Place of Use: DOMESTIC, same as IRRIGATION use

9. 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.

10. Remarks:

11. Map of proposed point of diversion and place of use attached? [x]

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.

Colby E. Eberhardt
Applicant

Received by JFW Date 1/6/94 Time 2:00 PM Preliminary check by FL

Fee \$ 30⁰⁰ Receipted by JFW # W017085 Date 1/6/94

Publication prepared by st Date 1-13-94 Published in Miss. Index

Publication approved _____ Date _____

Domestic well drilling permit # 65-93-C-216-000

* Domestic well will be P/D for irrigation

RECEIVED

APR 19 1994

65-13494

Regan

P/D

P/D

2730 T

NW

3028AT

Orly Point

65-13494-216-000

will require add H.

(+200-35)

+165

before can form
natural back pressure

Orly Point Survey 8.16

but water lost at

Point

1/10/94

Application for Permit

Eberhardt

7N-01E, 16

65-13494

1/6/94

Ande

9/1994



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

July 25, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

COLBY EBERHARDT
5375 MONTGOMERY RD
EMMETT ID 83617

RE: WATER RIGHT NO. 65-13494

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

1301 NORTH ORCHARD STREET
AUG 20 1997

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

13007-411
2 AUG 20 1937

The appeal must be () ed within twenty-eight (2) days of this preliminary order becoming final. See section 61-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

RECEIVED
AUG 20 1967

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of July, 1997, I mailed
a true and correct copy, postage prepaid, of the foregoing
PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 65-13494

**COLBY EBERHARDT
5375 MONTOUR RD
EMMETT ID 83617**


**Karl Lynn Townsend
Secretary**

RECEIVED
AUG 20 1997

MEMORANDUM

TO: File 65-13494

FROM: Sharla Curtis

DATE: July 21, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 65-13494 are based on the following:

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:
T7N, R1E, S16 - NWSE

The point of diversion has been transposed; the examiner states no amendments are required and the map shows the point of diversion AND place of use within the NWSE.

Examiner: Lori Graves
Exam Date: June 19, 1997

AUG 20 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 65-13494

DATE 7/21/97

REVIEWER: SHARLA

NAME Change OK

Address Change NO

SOURCE Change ✓

Is change clarification of originally intended source? NO

POINT OF DIV Change ✓

If not, prepare Notice of Intent to Void NO

PLACE OF USE Change ✓

Amendment required NO

Does map agree with written description? yes ✓ no *

OVERLAPS NO P/D NO P/U

RATE OF DIV

Permitted Rate .08 cfs

Fee limit .20 cfs \$50⁰⁰

Measured — cfs

Theoretical .04 cfs

well log = .09 cfs

Recommended Total Div Rate .04 cfs

ANNUAL VOLUME/
NATURE OF USES —

✓ Use

Dom

Volume Calculation

1.2 x 45 = 54 af

.6 af

— af

— af

SUBTOTAL 6.0 af

Flow rate .04 cfs X 246 days X 1.9835 = 19.5 af

Total volume recommended 6.0 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

11 home - irrig not incl.

CONDITIONS — Watermaster Control WD# —

1 GW Measurement/Measuring Device

52 Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A

1st Amend Letter N/A

Adjustment Memo *old doco transposed

2nd Amend Letter N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 8 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13494

1. Owner: Colby Eberhardt Phone No. 584-3549

Current Address: 5375 Montours Rd Emmett 83617

2. Accompanied by: Colby EXAM DATE: 6/19/97

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
					SWNE 16	7N	1E	Gem	USGS Quad

2. Place(s) of Use:

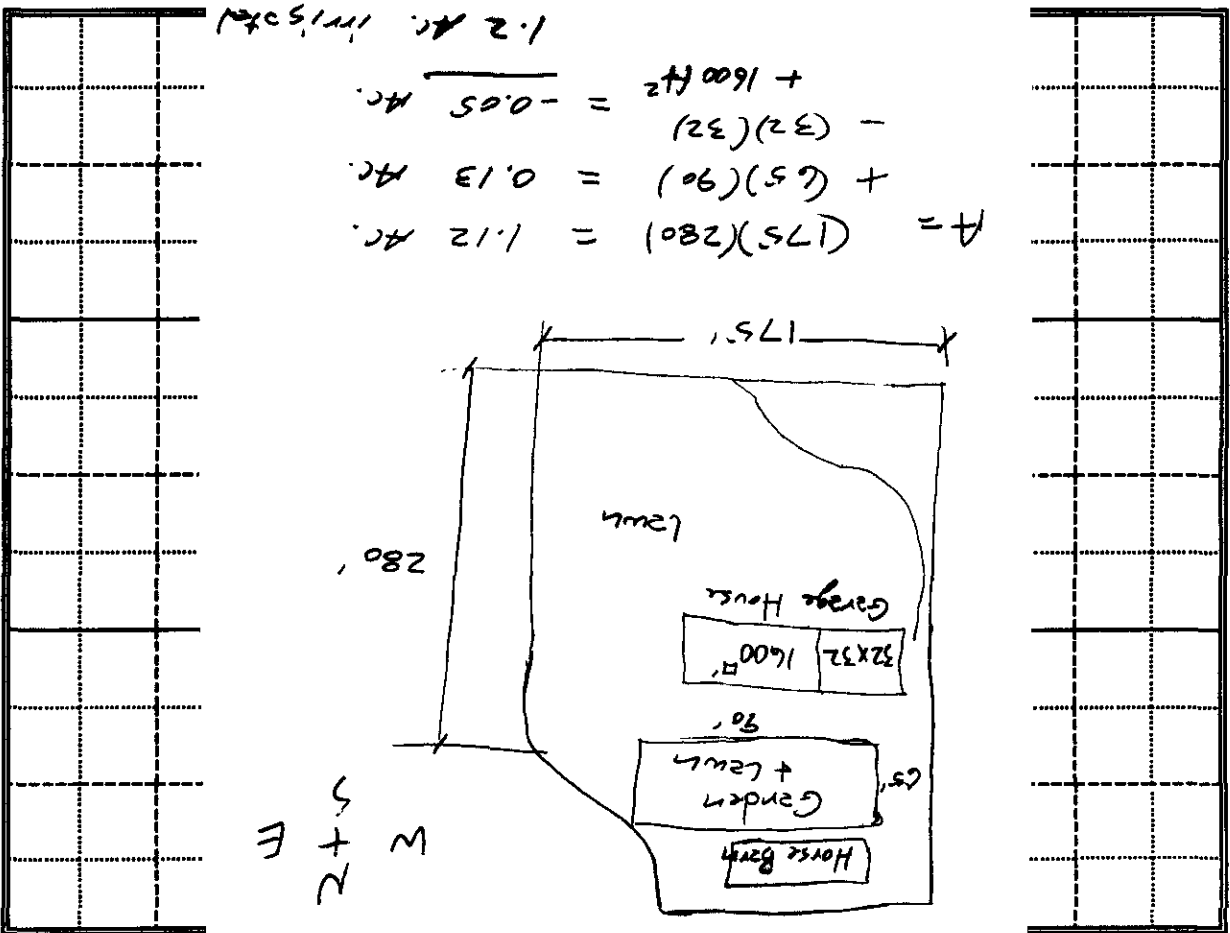
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	1E	16														1.2			1.2
															1.2				

MICROFILMED

AUG 20 1997

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.d. as applicable.



Scale: 1" = _____

✓ Copy of USGS Quadrangle Showing location(s) of point(s) of diversion and piece(s) of use (required).

N/A Aerial Photo Attached (required for irrigation of 10+ acres)

✓ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Thermostat

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AUG 20 1957

E. NARRATIVE/REMARKS/COMMENTS

a 6" well equipped with a 1 HP
submersible pump supplies water
to 1 home and 1.2 acres lawn
via 3/4" buried line. The sprinkler
irrigation system consists of
3 spigots and portable hose.
No other water vts are used.

Have conditions of permit approval been met? ☒ yes ☐ no

RECORDED
AUG 20 1997

F. FLOW CALCULATIONS

Measured Method:

Dynamic + PSI
per owner

$$\frac{1 \times 8.8 \times .7}{15' + 60 \times 2.31} = .04 \text{ cfs}$$

(well log shows
static at +2'
above land
surface)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.2 \times 4.5 = 5.4$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .04 \times 246 \times 1.9835 = 19.5$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 5.4$$

2. Volume Calculations for Other Uses:

Internal domestic use = .6 afa

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3/15	11/15	.04	5.4
Domestic	1/1	12/31	.02	.6
Totals:			.04	6.0

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Loi Gorman Date 5/27/97

Reviewer _____ Date _____

SEAL

MICROFILMED
AUG 20 1997

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

RECEIVED

JUN 03 1997

Department of Water Resources

1. DRILLING PERMIT NO: 65-93-C-0216-000 OTHER APPLICABLE NO: 65-13494

2. OWNER: Colby Elverhart Phone: 584-3549
Address: Montours

3. WELL LOCATION: Twp 7N, Rge. 1E, Sec. 16, NW 1/4 SE 1/4
County Bern (Provide sketch map and photo on reverse.)

4. DRILLER: Knee Lic. No. 417
When Drilled? 7/20/93

5. WELL CONSTRUCTION:

Casing Diameter 6 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 60 ft. Method Drilled air rotary
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☐ Yes ☒ No
Condition of Piping and Valving _____
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION:

Depth to Static Water +2 ft. Water Temperature cold °F
pumped Flowing Artesian ☐ Yes ☒ No Pressure: 60 (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____

7. WELL USE:

☒ Domestic ☒ Irrigation ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____

AUG 20 1997

8. **POSSIBLE CONTAMINATION SOURCES:**

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. **REMARKS:**



Signature of Dept. Representative & Title

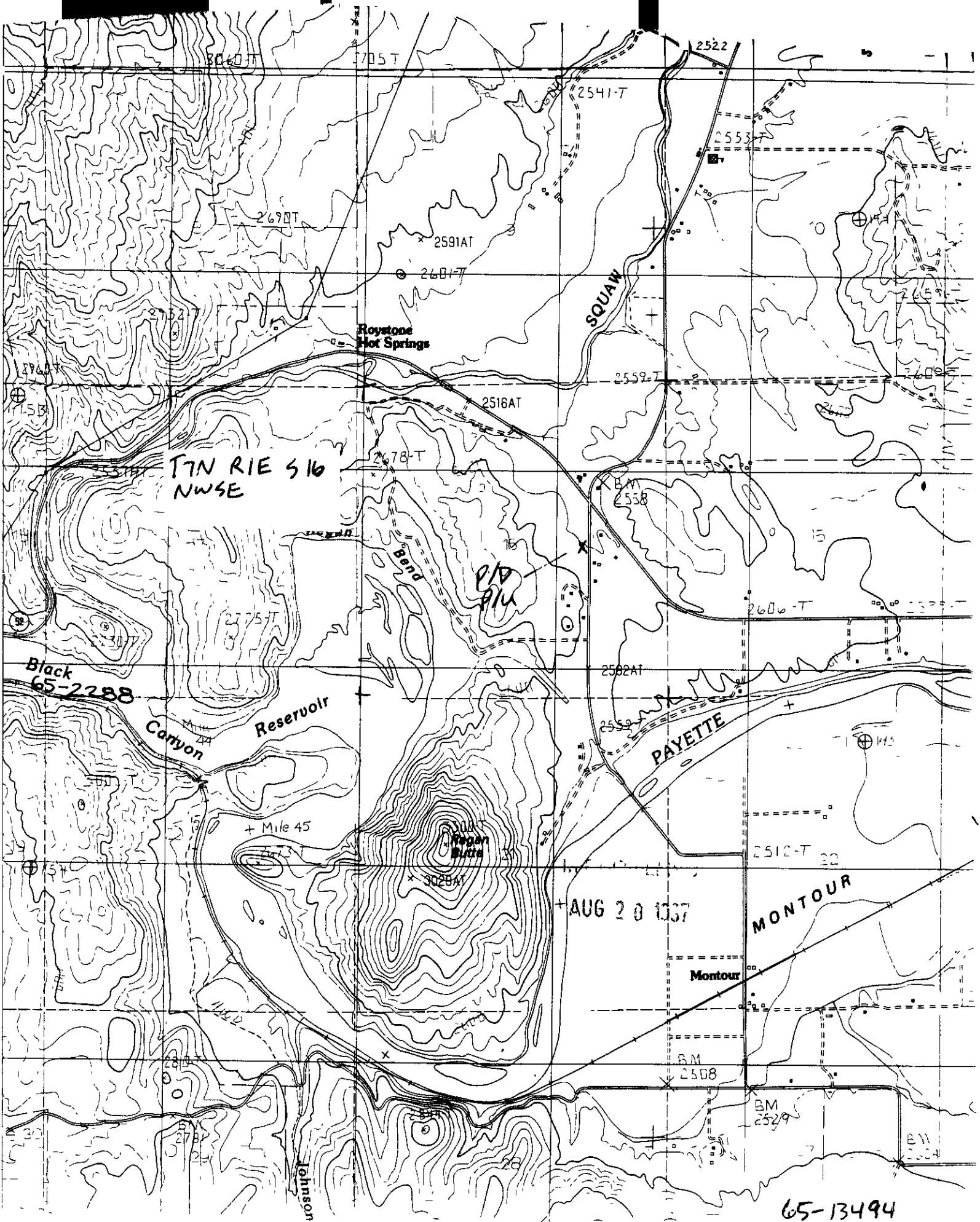
6/19/96

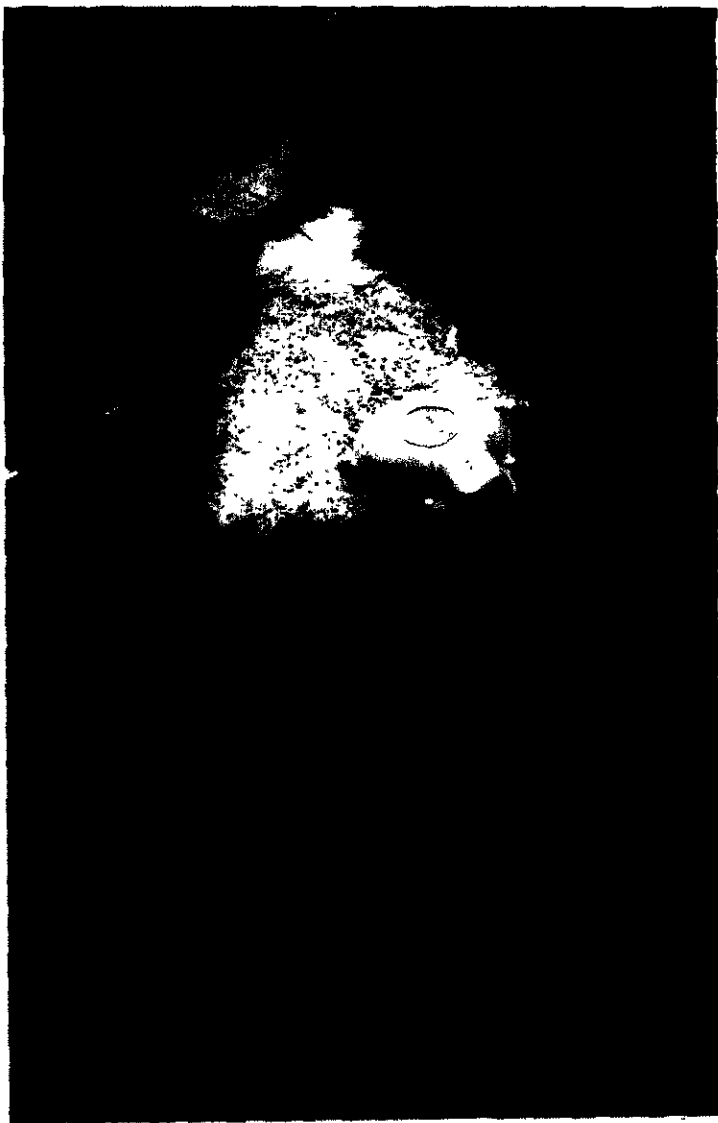
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

PHOTO FILMED

AUG 20 1997





- P/D



p/u

100-100-100
AUG 28 1957

65-13494

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13494 Reviewed by [Signature] Date 2-22-96

GENERAL CONSIDERATIONS

yes Name same as permit?

yes Address same as permit?

yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Irr dom

Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

no Copy in the file? Drilling Permit No. 65-93-C-0216-000

35.00 Amount paid for permit

no Correct?

yes Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

50 Amount Submitted

yes Correct?

MEASURING DEVICE

no Required?

/ Installed?

/ Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u>/</u>	<u> </u>
Date proof due	<u> </u>		<u> </u>
No. of days late	<u> </u>		<u> </u>
Priority Date	<u> </u>		<u> </u>
New Priority Date	<u> </u>		<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [Signature] Proof Made 2-7-96

February 23, 1996

COLBY EBERHARDT
5375 MONTOUR RD
EMMETT ID 83617

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13494

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 WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

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MAR 29 1996

WELL DRILLER: PLEASE COMPLETE FOR VERBALSIDWR Employee Issuing Verbal: BOB SLINGER
Verbal Issued Date: 7-20-93 Time: 8:40

RECEIVED

JUL 22 1993

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print): Colby Eberhart
2. Mailing Address: 5851 Ummur
City & State Boise, Idaho Zip Code 83703 Telephone 853-3133
- ☒ Well Owner ☐ Well Operator ☐ Contractor or Other, specify _____
3. Proposed Well Location: Twp. 7.N, Rge. 1.E, Sec. 16, NW 1/4 SE 1/4
Gov't Lot No. _____ County Bem
Street Address of Well Site 5375 Montrose Road
Lot, block and subdivision _____

4. Proposed Use of Well:

- ☒ DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC: ☐ Irrigation ☐ Municipal ☐ Industrial
☐ Stock ☐ Test ☐ Other _____
(Over 1,000 Head) (Describe)

☐ INJECTION

☐ MONITORING: A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____

5. Well Construction Information:

A. ☒ New well ☐ Modify (Deepen or Enlarge) ☐ Replace - See Condition 9

B. Proposed Casing Diameter 6" Proposed Maximum Depth 90

C. Anticipated bottom hole temperature:

☒ 85°F or less
(Cold Water Well)

☐ 85°F to 212°F
(Low Temp. Geo. Well)

☐ 212°F or more
(Geothermal Well)

6. Construction Start Date: 7-20-93

7. Anticipated Well Driller: Rad-Knie well drilling
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature Colby Eberhart Date 7-20-93

Title _____
(Owner, Firm Representative, Other)

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ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date July 23, 1993

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

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 the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an 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. Approval 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° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

[Signature]
Signature of Authorized Department Representative

Sec. Mgr.
Title

Receipt No. C028209 Received by JW Fee 35.00 Date 7-22-93

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension expires: _____

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MAR 29 1996

1. DRILLING PERMIT NO. 65-93-C-0216-000
Other IDWR No. _____

2. OWNER:

Name Colby E. Bertram
Address 5851 Wilmer 853-3133
City Boise State ID Zip 83703

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



T. 7 North ☒ or South ☐
 E. R. 1 East ☒ or West ☐
 Sec. 16 $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
 Gov't Lot _____ County GEM

Address of Well Site 5375 Montar Rd.

(Give at least Direction + Distance to Road or Landmark)

Lot No. _____ Block No. _____ Subd. Name _____

4. PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other_____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
BENTONITE	0	18	200 ^{lbs}	Down Hole

Was drive shoe seal tested? ☐ YES ☐ NO How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Casting	Liner	Steel	Plastic	Welded	Threaded
6	+1	60'		X		X	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐

Final location of shoes 59'

Top Packer or Headpipe _____ Bottom Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____

☐ Screens Type _____ Material _____

From	To	Slot Size	Number	Diameter	Tap/Pipe Size	Casting	Linear
						☐	☐
						☐	☐
						☐	☐
						☐	☐

10. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☒ Flowing Artesian

Yield gal./min	Drawdown	Pumping Depth	Time
40	3	20	1 hr

Temperature of water _____ Was a water analysis done? Yes ☐ No ☐

By whom? _____

Water Quality (odor, etc.) _____

Bottom Hole Temperature _____

11. STATIC WATER LEVEL:

12 ft. below surface Depth artesian flow found 60'

Artesian pressure 0 lb. Describe access port Well cap

Describe Controlling Devices: VALVE

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name KWIE WOU DRILLING Firm No. 417

Firm Official W. L. G. Smith Date 7-20-93

and
Supervisor or Operator Red Kinsley Date 7-20-93

(Sign once if Firm Official & Operator)

December 31, 1995

COLBY EBERHARDT
5375 MONTGOUR RD
EMMETT ID 83617

PROOF DUE NOTICE

RE: PERMIT NO. 65-13494

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 March 1, 1996.

(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.

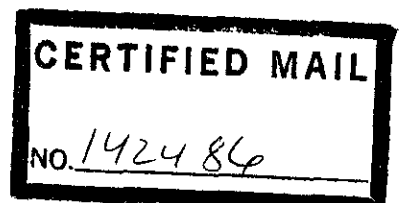
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MAR 29 1996





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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 16, 1994

COLBY EBERHARDT
5375 MONTGOMERY RD
EMMETT ID 83617

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13494

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

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APR 19 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

Application #: 65-13494 Name: Eberhardt Date: 3/3/94

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust

SYSTEM COMPLETED:

No - 26A-P17

~~Complete~~ in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <flo-ch> - T17 (new), 01K (existing), No MD

- 0.2 cfs - No MD <flow chart>

Drilling Permit:

Included w/permit - Permit No. 65-93-C-0216-000, P99

Existing well - NA (pre 7/1/87)

No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

SURFACE WATER: not in WD - T17 (+.2 w/pump), No MD <flow chart>

LOCATION:

Water District(~~dem~~) - WD No. 65

*Surface water - 005 (req) 01J-P08 <flow chart>

(doesn't sink) or 01H-P01 <flow chart>; No MD

Groundwater - P05 (new irrigation well)

In stream channel - 030 (stream channel alteration)

Irr Dist/Canal Co. - 023 (Twin Falls area)

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (-85° Groundwater temp)

Swan Falls Flag - B <See condition code chart>

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA

Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA

SNAKE R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10

044 (N 1000 Spr)

Irrigation ~~2A~~ - 803(if GW use SW 1st)(+5A do POU comp), NA

Power - 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;

+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09

Mining - 054 (req) & 06A/010/09E-P10

Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

Domestic (surface) - 021(Boise R ↑ L Peak), 27A(Payette R), NA

OWNERSHIP:

Non land owner - 004 (PD/PU) _____

PROTESTED:

Prehearing agreement- 020

OTHER CONDITIONS: - 057 _____

REMARKS: - ① wo. (1) _____

BENEFICIAL USE DUE: - 3-1-1996

COMMENTS: - ① DIV DESC.

DATE: 03/03/94
PAGE: 1

Audit: 03/03/94 ZIMMERMA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: JL DATE: 1/10/94 APPLICATION: 65-13494

REQUIRED INFORMATION

☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
☒ Address:
☒ Source: (See USGS Quad for names of water sources)
☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
☒ 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 signatory is required)
☒ Fee:
☒ Yes ☐ No* In form to receipt:

Gov't. Lots:
N P/D
P/U

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MAR 02 1994

ADDITIONAL INFORMATION

YES NO

N/A 0/1 to Irrig 25 Acres
☒ Overlapping place of use: (Describe source & relationship to present application on the back.)
☒ Overlapping point of diversion:
☒ Field check required: Field check by: _____
☒ Field report attached:
☒ Critical groundwater area:
☒ Groundwater management area:
☒ 1992 moratorium
☒ Copy to SCA staff (perennial stream, non-pump diversion):
☒ Send dam safety information:
☒ Send power requirement letter:
☒ Send fish farm requirement letter:
☒ Power residency affidavit:
☒ Power efficiency form:
☒ Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
***REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT**

Department of Water Resources

DATE REQUESTED: _____

☒ Additional information on reverse side:

PROCESSING

APPLICATION NO.

65-13494

YES NO

☒ ☐
☐ ☒
☒ ☐

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☒ ☒

Publication dates and paper recorded on application:

Protests received. Final date for protest

2-7-94

Protest dates, resolution of protest recorded on application:

Recommendations attached:

Approve, Dr

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

26A (Allow 2 yrs)

See below for additional information

Recommended Date or Priority

1/6/94

Recommended by:

Dr

Date

2/28/94

STATE OFFICE REVIEW

See below for additional information. By

Date

ADDITIONAL INFORMATION

Drilling Permit 65-93-C-216-000, receipt C028209 = \$35.

This W.R. permit will require addtl. \$165 in d.p. fees before
W.R. permit can be received.

DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
65-93-C-0216-000	0	COLBY EBERHART 5851 ULMER BOISE, ID 83703 (208) 853-3133	07N	01E	16	NW SE		GEM

Subdivision Location and Description:

Subdivision Name:
Well Site Address: 5375 MONTER RD
City, State: EMMETT, ID

Geographic Location:

Accuracy Code:
Lat: : : N
Long: : : W

Proposed Use of Well: Domestic

Proposed Casing Diameter: 6 In.

Proposed Depth: 80 Ft.

Well Use Comments:

Driller License No: 0417

Firm Name: KNIE WELL DRILLING
Official: MIKE KNIE

Permit Status: Permit

Verbal Issue Date: 07/20/1993
Date Received: 07/22/1993
Date Approved: 07/23/1993
Proposed Start Date: 07/20/1993
Extension Date:
Extension Expiration:

Receipt No.	Receipt Date	Fee
C028209	07/22/1993	\$ 35.00
	NOT ON FILE	
	NOT ON FILE	
	NOT ON FILE	
	NOT ON FILE	

Specific Conditions:

Permit Remarks:

Conditions of Approval:

----- WELL DRILLER'S LOG REPORT -----

Drilling Permit No: 65-93-C-0216-000

Water Right No:
Injection Permit No:

Nature of Work: NEW WELL

Construction Method: AIR ROTARY

Number of Monitor Wells:

Casing Diameter: 6 In.
Depth of Casing: 60 Ft.
Total Depth: 60 Ft.
Screen Installed? NoStatic Water Level: 2 Ft.
Temperature: F.
Production Rate: 40.00 GPMActual Start Date: 07/20/1993
Well Finish Date: 07/20/1993
Log Received Date: 09/08/1993
Certification Date: 07/20/1993
Field Inspection Date:

Inspector:

Well Log Remarks: SURFACE SEAL 18 FT.

LOG STATES: STATIC WATER +2, ARTESIAN WATER FLOW FOUND 60',
ARTESIAN PRESSURE 0 LB, ACCESS PORT WELL CAP, CONTRO
LLING DEVICES VALVE.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO.

ss.

COUNTY OF GEM,

RECEIVED

FEB 17 1994

Joy Fridley, being first
duly sworn, on her oath deposes and
says that she is the clerk of the Mes-
senger Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho; that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document; and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for two

consecutive weekly issues thereof,
beginning with the issue of
Jan. 19, 1994,
and ending with the issue of
Jan 26, 1994

Joy Fridley
Subscribed and sworn to me this
26th day of
January, 1994
[Signature]
Notary Public
Residing at Emmett, Idaho

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

65-13494

EBERHARDT, COLBY

5375 MONTGOMERY RD

EMMETT, ID 83617

Source: GROUNDWATER

Diversion Pt: NWSE Sec 16 T 07N R

01E in GEM County.

Use: IRRIGATION (.080 CFS)

DOMESTIC (.020 CFS)

Total Diversion: (.080 CFS)

Date Filed: 1/6/1994

In: GEM County

T07N R01E S16 NWSE

2.0 ACRES TOTAL

Permits will be subject to all prior
water rights. Protests may be submit-
ted based on the criteria of Sec. 42-
203A, Idaho Code. Protests must be
filed with the Director, Dept. of Water
Resources, Western Region, 2735 Air-
port Way, Boise, Idaho 83705 on or
before FEBRUARY 7, 1994.

R. KEITH HIGGINSON, Director
Pub.: 1-19,26-94

Legal Notice No. 1833
Published in the Messenger Index

MY COMMISSION EXPIRES
JUNE 21st, 1997

My Commission Expires _____

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APR 19 1994

65-13494

EBERHARDT, COLBY
5375 MONTOUR RD
EMMETT, ID 83617

Source: GROUNDWATER

Diversion Pt: NWSE Sec 16 T 07N R 01E in GEM County.

Use: IRRIGATION (.060 CFS)
DOMESTIC (.020 CFS)
Total Diversion: (.080 CFS)

Date Filed: 1/ 6/1994

In: GEM County
T07N R01E S16 NWSE

2.0 ACRES TOTAL

APR 19 1994