

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

R. 3 E.

T.
16
N.

28

P.D. & use

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.

Betty Johnson
(Applicant)

PUBLISHER'S AFFIDAVIT

AUG 25 1975

STATE OF IDAHO)
) ss.
County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for^{Two} consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began^{August 14} 19⁷⁵, and ended^{August 21} 19⁷⁵.

Donald E. McMahan

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this ^{21st} day of ^{Aug} 19⁷⁵.
Notary Public
My commission expires ^{July 20} 19⁷⁵.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Donald W. &-or Betty Jo Johnson 3401 Rose Hill, Boise, Idaho has on July 29, 1975 submitted Application No. 65-7567 for a permit to appropriate 0.16 cubic feet per second of water from ground-water by means of well with pump within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 16 N, R. 3 E, B.M. Valley County to be used from Jan. 1 to Dec. 31 for Domestic within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 16 N, R. 3 E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Sept. 1, 1975.

R. KEITH HIGGINSON
Director

Published in the The Star-News, McCall on August 14, 1975 and August 21, 1975.

OK
CLS
8-25-75

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-7567 Priority July 29, 1975 Amount 0.16 cfs

THIS IS TO CERTIFY, that Donald W. Johnson &/or Betty Jo Johnson
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 65-7567 issued pursuant to Application for Permit dated July 29, 1975,
and has submitted proof to the Department of Water Resources on September 24, 1975,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 0.16 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.16</u> cfs and	<u>3.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.16 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3.0 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28,
Twp. 16 N, Rge. 3 E, B.M. in the County of Valley

Description and location of place of use

Twp	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16 N	3 E	28												(4 families)				X	

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 12 day of
May, 19 76.

Director

Receipt # 2770 mbb
4-27-76

RECEIVED

APPLICATION FOR AMENDMENT

Department of Water Resources

Comes now Donald W. &/or Betty Jo Johnson of (address) _____

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 65-7567, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28 Twp. 16 N
Rge. 3 E, B.M., County of Valley. Other points of diversion:

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

[illegible]

Total number of acres to be irrigated

A 12x12 grid map representing a township and range. The grid is divided into 144 squares. The text 'TWP. 16 N' is located in the 2nd row from the bottom, 1st column from the left. The text 'RGE. 3 E' is located in the 7th row from the bottom, 4th column from the left. The text '28' is located in the 2nd row from the bottom, 5th column from the left. An asterisk (*) is located in the 3rd row from the bottom, 5th column from the left.

That no one will be injured by such change, and that such change will be made at permit holders own risk.

is 26 day of April, 19 76.
Will Johnson
(signature)

I, R. KEITH HIGGINSON, Director of the Department of Water Resources
hereby approve the foregoing application for amendment for Permit No. 65-7567.


Director

Identification No. _____

Application No. 25-7567

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Donald W. Johnson &/or Betty Jo Johnson Phone 342-7973
post office address 3401 Rose Hill, Boise, ID 83705
- 2 Source of water supply groundwater which is a tributary of _____
- 3 a Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 28 Township 16 N
Range 3 E B M Valley County; additional points of diversion if any _____

- b If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
- 4 Water will be used for the following purposes
Amount 0.16 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
5. Total quantity to be appropriated.
a 0.16 cubic feet per second and/or
b _____ acre feet per annum.
6. Proposed diverting works:
a Description of ditches, flumes, pumps, headgates, etc well with pump

- b Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir
capacity _____ acre feet, materials used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo Day) (Mo Day)
- c Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years
b Estimated construction cost is \$ _____
- 8 Description of proposed uses
a If water is **not** for irrigation
(1) Give the place of use of water SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 28 Township 16 N
Range 3E B M
(2) Amount of power to be generated _____ hp 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 4
(5) If water is to be used for other purposes describe _____

RECORDED

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

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

c Describe any other water rights used for the same purposes as described above none

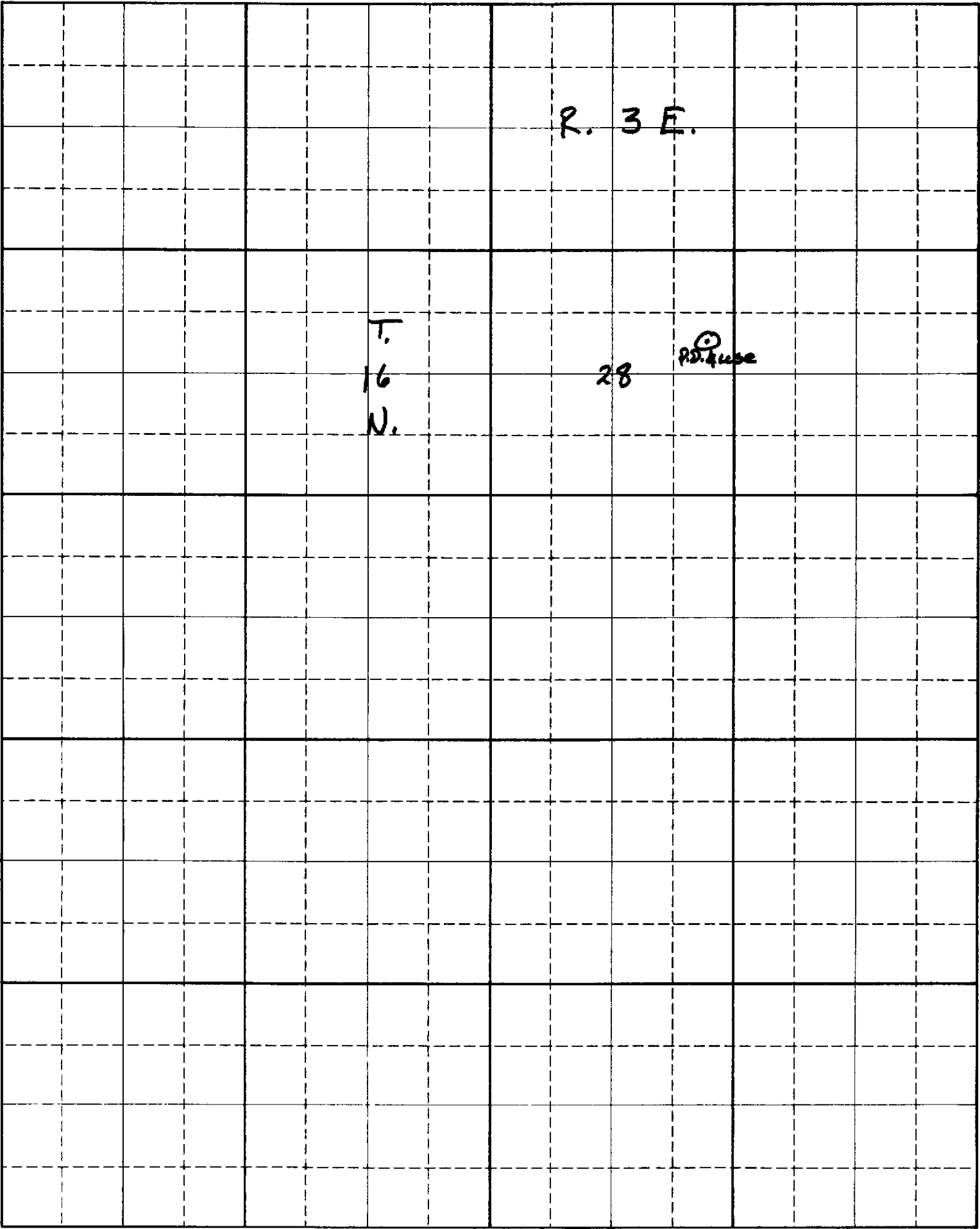
9 a. Who owns the property at the point of diversion applicant

b. Who owns the land to be irrigated or place of use applicant and adjacent lot owners

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing agreement wherein applicant furnishes water to other lots.

10. Remarks _____

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

Betty Johnson
(Applicant)

Proposed Priority 7-29-1975

Received by Ca Date 7-29-75 Time 12:00 p.m.
Preliminary check by CB Fee \$ 10.⁰⁰
Receipted by Ca Date 7-29-75 # 1250
Publication prepared by ja Date 8/7/75
Published in The Star News
Publication dates Aug 14 & 21
Publication approved CB Date 8-25-75
Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by LEP 1/11

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. 65-7567, 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 before October 1, 1976.
- c Other. _____

2 Denial of said application is for the following reasons _____

Witness my hand this 12 day of September 1975.


Director

7

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 21st day of Aug. 1975.....
Donald E. McMahon, Notary Public.
 My commission expires July 20, 1978.....

OK
cls
8-25-73

NOTES

May 12, 1976

Re: Permit No. 65-7567

Donald W. Johnson &/or Betty Jo Johnson
3401 Rose Hill
Boise, ID 83705

Dear Mr. and Mrs. Johnson:

Enclosed is a copy of the approved water right license issued on the above referenced permit.

Also enclosed is a copy of the approved application for amendment along with receipt no. 2770 in the amount of \$10.00.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosures

Enclosure

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1 Name of permit holder Donald W. &/or Betty Jo Johnson
Post office address 3401 Rose Hill, Boise, ID 83705 Phone 342-7973
Person to contact _____ Phone 375-4070

2 Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.16 c.f.s. for Domestic (4)
_____ AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 65-7567
Examination for b/u

4. Total amount to be appropriated.

Max Rate of Diversion 0.16 cubic feet per second and annual volume _____ AF/Annum.

5 Location of Point(s) of Diversion.

Township 16N N/S, Range 3E E/W, B.M., Section 28, Subdivision SE $\frac{1}{4}$ NE $\frac{1}{4}$, Valley
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions. _____

Description of diverting works: well with pump

Measuring device required. yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16N	3E	28				X													

TOTAL ACREAGE _____

DATE OF EXAM 11-7-75

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.16 c.f.s. V= 30 AF/Ann. from May 1 to Sept 30
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 0.16 Method of measurement Estimate

Total Q recommended 0.16 Meter No. _____ Type _____ Condition _____

Total V recommended 30 AF

Recommended Amendments:

P.D. T16N, R3E, Sec. 28, SW 1/4 SE 1/4
Place of Use SW 1/4 SE 1/4, T16N, R3E, Sec 28
Other _____
None _____

MEASUREMENT CALCULATION:

~~6" well - 106' deep - 1 1/2 HP submersible pump -~~
~~water to mobil homes - and to 2 lots - 2" main line~~
~~and 50 gal pressure tank in cinder block pump house.~~
Total V = 1.2 AF + .6 x 3 = 3.0 AF

SYSTEM DESCRIPTION:

6" well - 106' deep - 1 1/2 HP submersible pump -
water to mobil homes - and to 2 lots - 2" main line
and 50 gal pressure tank in cinder block pump house.

REMARKS:

Lot #3, Wagon Wheel sub division #1 - Irrigating trees
and lawn

Examiner's Signature Peter Chombar Date 11-10-75

Checked by JL Date 11-10-75

Approved by _____ Date _____

cross gold fork creek turn left

past Luck 7 ranch

to pack of Mac - past

at mouth of Baldin creek

D. W. Johnson

Trailin House - bigallo our trailin
blue roof



STATE OF IDAHO

Cecil D. Andrus, governor

department of health and welfare

file

RECEIVED

AUG 18 1975

James A. Bay, director
Department of Water Resources

DIVISION OF ENVIRONMENT

August 15, 1975

AUG 18 1975

Mr. Kenneth H. Foit
Western District Engineer
Department of Water Resources
Statehouse-Boise, Idaho 83702

Re: Application for Permit No. 65-7567

Dear Mr. Foit:

We have reviewed the above referenced application for a permit by Mr. Donald Johnson to drill a well for use as a domestic water supply source for four families in Valley County. Since this well will probably serve more than ten people, the Central District Health Department should be contacted in regards to receiving approval for the well.

If you have any questions, please contact me.

Sincerely,

DEPARTMENT OF HEALTH AND WELFARE

H. David Sanders
Environmental Engineering Spec. II

cc: Central District Health Dept.
Donald W. Johnson

HDS/dj

MICROFILMED

September 26, 1975

Re: Permit No. 65-7567

Donald W. &/or Betty Jo Johnson
3401 Rose Hill
Boise, Idaho 83705

Dear Mr. & Mrs. Johnson:

We acknowledge receipt of the affidavit 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. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our District Office in **Boise.**

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

RECEIVED
SEP 27 1975
BOISE

RECEIVED

SEP 21 1975

OK j

Identification No. _____

Permit No. 65-7567

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Donald W. Johnson &/or Betty Jo Johnson
b) Post Office Address 3401 Rose Hill, Boise, ID 83705
2. Permit Number 65-7567
3. Date of Priority that you are prepared to establish 7-29-75
4. a) Source from which water was appropriated groundwater
b) Location of the point of diversion: SE 1/4 NE 1/4, Section 28
Township 16 N, Range 3 E Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 0.16 for Domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.16 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) well with pump
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: Levi Jorgenson, Parma, ID
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

9-26-75 j

September 15, 1975

Re: Permit No. 65-7567

Donald W. &/or Betty Jo Johnson
3401 Rose Hill
Boise, ID 83705

Dear Mr. & Mrs. Johnson:

Enclosed is a copy of your approved Application for Permit No. 65-7567 We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-7567

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
Fee

(1) CS 8-6-75

In form to receipt

(2) CS 8-6-75

Send Copies to:

☒ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) NA

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) CS 8-6-75

In form for advertising

(5)

Platted on Map No.

(6) NA

Located within Water District No.

(7) R.W.H 9-10-75

Critical groundwater area: yes no ☒

(8) R.W.H 9-10-75

Groundwater levels:

 Declining, ☒ Stable, Increasing

(comment)

(9) R.W.H 9-10-75

Other rights on the same place of use none

(10)

Comments:

(11) cls 8-25-75

Affidavit of Publication received(date) OK

(12) R.W.H 9-10-75

Final date for protests

Protests received: yes no ☒

(13) R.W.H 9-10-75

All requested information received from agencies or applicant: yes no ☒

(14) R.W.H 9-10-75

Action recommended:

☒ Approve

 Proposed Priority

 Reason for Reduction SEP 11 1975

NO Measuring device required Department of Water Resources

 See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Western

By R. Hamilton

Date 9-10-75

RECEIVED

RECEIVED

August 12, 1975

David Sanders
Environmental Engineering Spec. II
Environmental Services
Department of Health & Welfare
Statehouse
Boise, ID

Re: Application No's. 63-8172, 65-7567, and Claim No. 63-4315

Dear Mr. Sanders:

We are enclosing copies of the above referenced applications for permit and claim forms which may be of interest to your agency. Please review the forms and if you have any comments, please submit them to our department as soon as possible.

We normally complete the processing of an application within a six week period and we are required to take final action shortly thereafter.

If we may be of any assistance to you in the meantime, please do not hesitate to contact this department.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:jg

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

August 8, 1975

The Star News
Box 985
McCall, ID
83638

Re: Application for Water Permit No. 65-7567, Donald W. &/or Betty Jo. Johnson

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

--- (Signature of Claimant) ---

Sincerely,

Bill submitted
8-25-75
cls

RECEIVED
AUG 12 1975
IDAHO DEPT. OF WATER RESOURCES

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that DONALD W. &/or BETTY JO JOHNSON
3401 Rose Hill, Boise, ID
has on July 29, 1975 submitted Application No. 65-7567
for a permit to appropriate 0.16 cubic feet per second ~~zero feet~~
~~per second~~ of water from groundwater
by means of well with pump
within the SE 1/4, Sec. 28, T. 16 N., R. 3 E., B.M. Valley County

to be used from Jan. 1 to Dec. 31
for Domestic

within the SE 1/4, Sec. 28, T. 16 N., R. 3 E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Sept. 1, 1975.

R. KEITH HIGGINSON

Director

Published in the The Star News, McCall
on August 14, 1975 and August 21, 1975.

*Original
all sign.*

WELL AGREEMENT

WE, THE UNDERSIGNED, all being property owners in WAGON WHEEL #1 SUBDIVISION, in VALLEY County, State of Idaho, do hereby agree to construct, install, and thereafter maintain and operate, a common water system for domestic water, as herein provided. This agreement is made in consideration of the mutual promises of the undersigned and shall be binding upon and inure to the benefit of, all parties hereto, and their heirs and Personal Representatives, and their successors in ownership of the real property hereinafter described.

The terms and conditions of this agreement are:

1. The parties agree to construct a well, to be situated upon Lot 3 in said WAGON WHEEL #1 SUBDIVISION, including the necessary pump and accessories thereto, and to construct and install one or more trunk lines from said well to the lot line of each lot owned by the parties hereto, as set forth opposite their respective names below. Said construction and installation shall be in accordance with all applicable water and health laws and regulations, and the construction plans shall be approved by all parties prior to the commencement of construction. Said well, pump, accessories, and trunk lines shall hereinafter be referred to as the "common water system".

2. All of the costs of initial construction and future maintenance and operation of the common water system shall be paid by the parties hereto, and shall be allocated as follows: The total cost shall be divided into as many shares as there are lots to be served by the water system, and each party shall pay the share allocable to each lot owned by such party to be served by said water system.

3. It is the responsibility of each party to install and thereafter pay all costs of maintenance of all water lines, other than the trunk lines, situated upon any lot owned by such party and necessary to such party's use and consumption of water brought to such party's lot from the well in the trunk lines. The water lines which are the responsibility of the individual parties hereto upon their own lots are hereinafter referred to as "individual water systems". Each party shall be responsible for installation and maintenance of such party's individual water system in accordance with all applicable water and health laws and regulations, and in such manner as shall not interfere with or otherwise deleteriously affect the common water system. A shutoff valve shall be placed at the point of interconnection between each individual water system and the common water system, and such shutoff valves shall be deemed a part of the common water system.

DWIGHT F. BICKEL

ATTORNEY AND COUNSELOR

2308 MOUNTAIN VIEW DRIVE • POST OFFICE BOX 7343

BOISE, IDAHO 83707

(208) 376-1022

MICROFILMED

DWIGHT F. BICKEL
ATTORNEY AND COUNSELOR
2200 MOUNTAIN VIEW DRIVE, SUITE 200, BOISE, IDAHO 83707
(208) 376-1022

4. The parties shall, at least annually, select one or more persons from among their membership, who shall have the responsibility for supervision of the maintenance and operation of the common water system, and the collection and disbursement of money for payment of maintenance and operation expenses of said common water system. Such selection shall be made by majority vote, with each party having one vote for each lot to be served by the common water system, and by similar majority vote the parties may from time to time adopt rules and regulations with respect to the maintenance and operation of the common water system and the use of water therefrom by the parties served thereby, and all rules and regulations so adopted shall be binding upon all persons receiving water from the common water system. It is expressly agreed that a party who, after reasonable notice thereof, fails or refuses to pay such party's pro-rata share of expenses, or fails or refuses to abide by properly-adopted rules and regulations or the provisions of this agreement, may be denied water service from the common water system, so long as such failure or refusal shall continue.

5. No party shall sell or otherwise furnish water obtained from the common water system to any person or property not a party to and described in this Well Agreement, or any subsequent Amendments hereto.

6. Each party hereto grants to the others a perpetual easement over, on, and across such party's real property hereafter described, for the purpose of installation and location of trunk lines for the common water system, and for the purpose of ingress and egress for any necessary maintenance work upon said trunk lines and for access to the shutoff valve on such party's property. It is agreed that all trunk lines shall be located in such manner as not to unreasonably interfere with the use of the property on which the same is located, as of the time of installation thereof; however, after a trunk line has been so installed, each party agrees to make no use of such party's property which shall unreasonably interfere with such installed trunk line or lines. All maintenance work shall be performed in such manner as to cause the least possible injury to property and the use thereof, and all such injuries shall be repaired and restored at the conclusion of such maintenance work, and the costs of such repair and restoration shall be a cost of maintenance and operation of the common water system.

7. This Agreement may be amended from time to time upon the vote and consent of at least two-thirds of the owners of lots served by the common water system, and all such Amendments shall be reduced to writing and acknowledged and recorded in the same manner as the original agreement. It is agreed that such Amendments may add additional lots to be served by the common water system, but in such event a connection charge shall be charged in an amount to be specified in such Amendment, and such connection charge shall be disbursed pro-rata among all previously-existing parties hereto in partial reimbursement for costs previously expended by such parties in connection with the common water system, all in such manner as shall be fully set forth in any such Amendment.

By their signatures affixed below, the parties acknowledge that the plans for the proposed common water system are approved.

IN WITNESS WHEREOF, the parties hereto have set their hands, effective as of the 1st day of June, 1974.

LOT(S)* TO BE
SERVED BY THE
COMMON WATER
SYSTEM

SIGNATURE

SIGNATURE OF
SPOUSE (IF MARRIED)

3

W. L. Johnson

Betty L. Johnson

7

James R. Reed

Carol L. Reed

6

Shirley L. Young

Donald L. Young

4

Raymond L. Hilbert

Regina L. Hilbert

* ALL LOTS ARE SITUATED IN THE AFOREMENTIONED
WAGON WHEEL #1 SUBDIVISION

DWIGHT F. BICKEL
ATTORNEY AND COUNSELOR
1000 MOUNTAIN VIEW DRIVE, SUITE 200, BOISE, IDAHO 83707
(208) 376-1022

DWIGHT F. BICKEL
ATTORNEY AND COUNSELOR
BOISE, IDAHO 83707
(208) 376-1022

STATE OF Idaho }
COUNTY OF Ada } ss.

On this 13th day of June, 1974,
before me, the undersigned, a Notary Public in and for said
State, personally appeared

Mr. Johnson - Betty J. Johnson,
known to me to be the persons whose names are subscribed to
the within instrument, and acknowledged to me that they
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certificate
first above written.

W. Cronin
Notary Public for Idaho
Residing at 3710 Cabarton
Boise

STATE OF Idaho }
COUNTY OF Ada } ss.

On this 13th day of June, 1974,
before me, the undersigned, a Notary Public in and for said
State, personally appeared

James D. Reed - Charlotte Lee Reed
known to me to be the persons whose names are subscribed to
the within instrument, and acknowledged to me that they
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certificate
first above written.

W. Cronin
Notary Public for Idaho
Residing at 3710 Cabarton
Boise

STATE OF Utah)
COUNTY OF DAVIS) ss.

On this 20th day of June, 1974,
before me, the undersigned, a Notary Public in and for said
State, personally appeared Sherrill Haring and

Donald L. Haring

known to me to be the persons whose names are subscribed to
the within instrument, and acknowledged to me that they
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certificate
first above written.

Irene Shimone
Notary Public for Utah
Residing at Layton, Utah

STATE OF Idaho)
COUNTY OF Ada) ss.

On this 9th day of August, 1974,
before me, the undersigned, a Notary Public in and for said
State, personally appeared Raymond C. Gilbert and

Levy D. Gilbert

known to me to be the persons whose names are subscribed to
the within instrument, and acknowledged to me that they
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certificate
first above written.

Lolhe E. Doty
Notary Public for Idaho
Residing at Meridian, Idaho