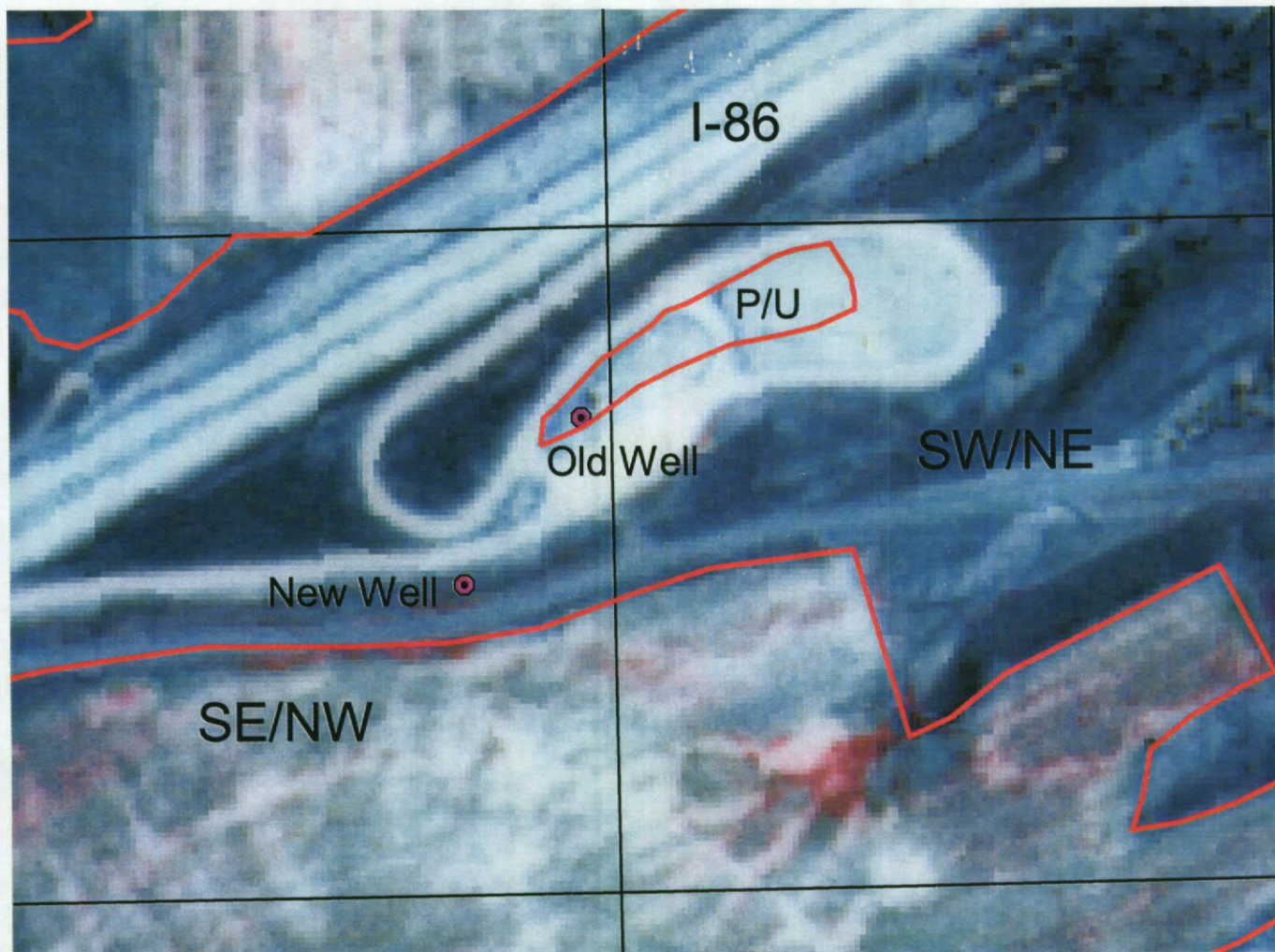


COLDWATER REST AREA -IDT

T. 9S R. 28E Sec. 26



Prepared By J E Stanton
5-10-00

MICROFILMED
OCT 23 2000

Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

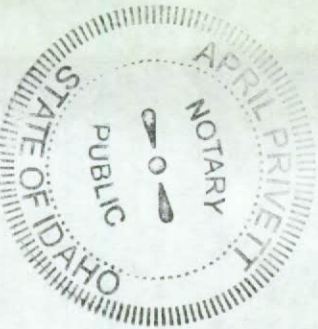
That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 3rd successive weekly issues thereof, the date of the first publication being the 2nd day of August 2000 and the date of the last publication being the 9th day of August 2000.

Signed Brett Crompton

State of Idaho

County of Power

On this 9th day of August in the year of 2000, before me, a Notary Public, personally appeared Brett Crompton, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



[Signature]
Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: August 3, 2006

RECEIVED
SEP 15 2000

Department of Water Resources
Southern Region
Not. Sig. OK

OK
MB
9/8/00

RECEIVED
SEP 08 2000
Notary Sig. missing

Department of Water Resources
Southern Region

Proposed change at Coldwater rest area

Published in The Power County Press on 08/02/00 & 08/09/00.
NOTICE OF PROPOSED CHANGE
OF WATER RIGHTS

Notice is hereby given that the Idaho Department of Transportation, PO Box 4700, Pocatello ID 83201 has filed an application with the Department of Water Resources for changes to a water right within Power County as described below.

Transfer No. 5756 involves Right No. 45-07075 (0.06 cfs) recorded with priority date of 09/25/1984 from ground water within SWNE for domestic use in the Coldwater rest area facility. The applicant requests to divert from an existing well and a new well within SENW for the same use within SWNE & SENW, all S26, T09S, R28E.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200, Twin Falls ID 83301 together with a protest fee of \$25.00 on or before August 21, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director

FILED
OCT 23 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 21 1994
Department of Water Resources

A. GENERAL INFORMATION

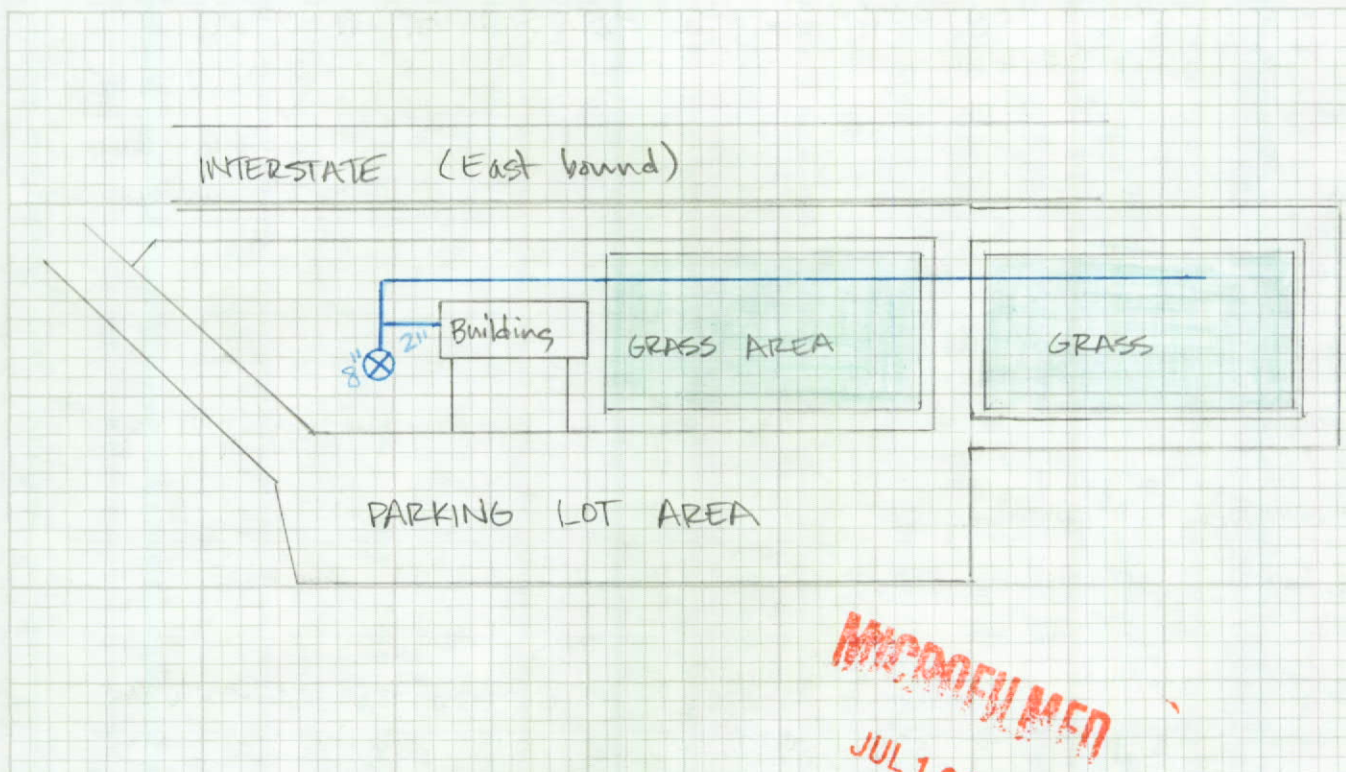
1. Owner: State of Idaho, Division of Highways Permit No. 41-07075
Current Address: P.O. Box 7129 Boise, ID 83707 Phone No. 334-3664
2. Accompanied by: Alan Wubker EXAM. DATE: 6/13/91
Address: P.O. Box 4700 Pocatello, ID 83205 Phone No. 232-4270
Relationship to Permit Holder: trustee
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: None
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

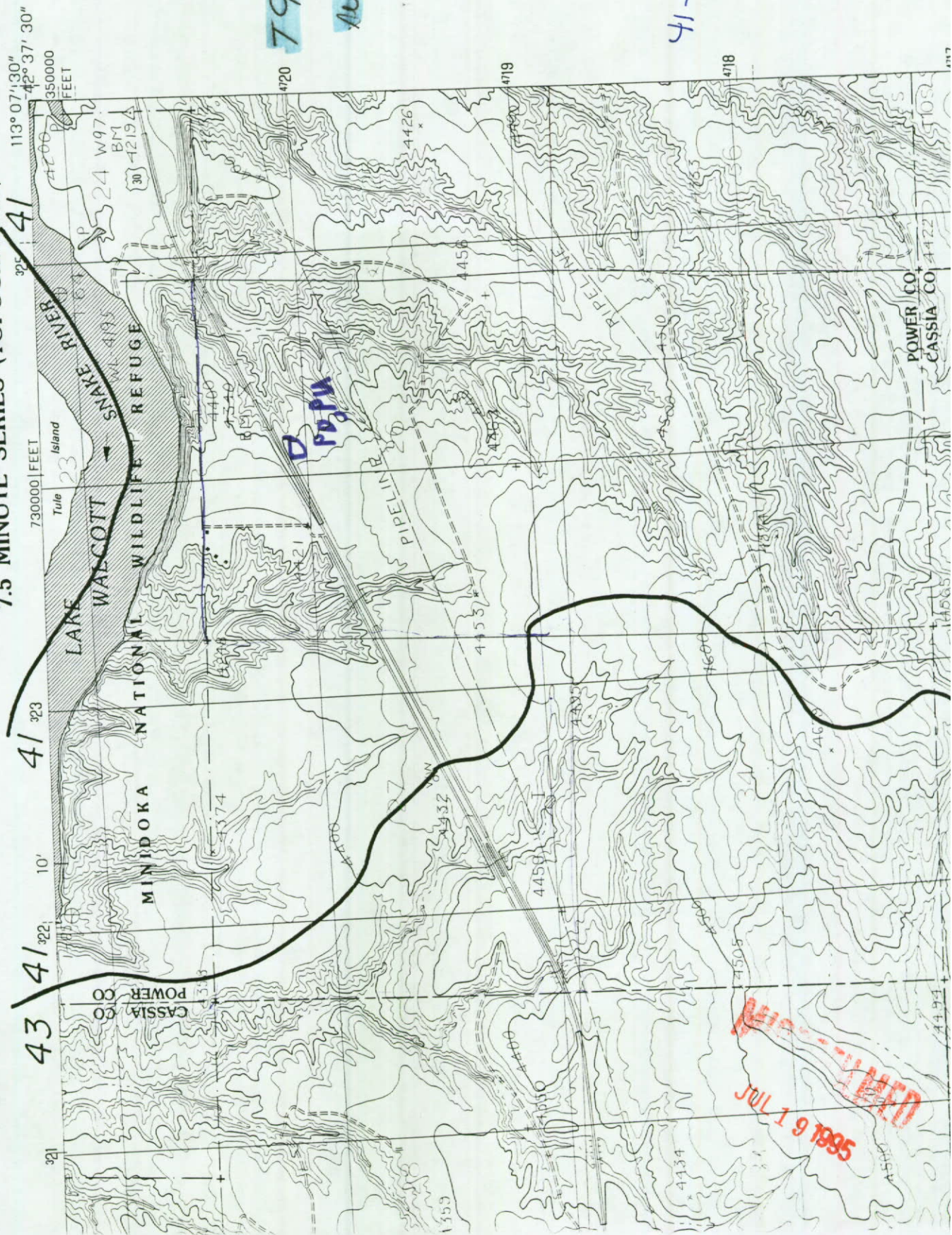


Scale: 1" = 50' (approx.)

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

NORTH CHAPIN MOUNTAIN QUADRANGLE
IDAHO

7.5 MINUTE SERIES (TOPOGRAPHIC)



41-07075

2/10



2/10



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JUL 19 1995

03-07-1995
JUL 19 1995



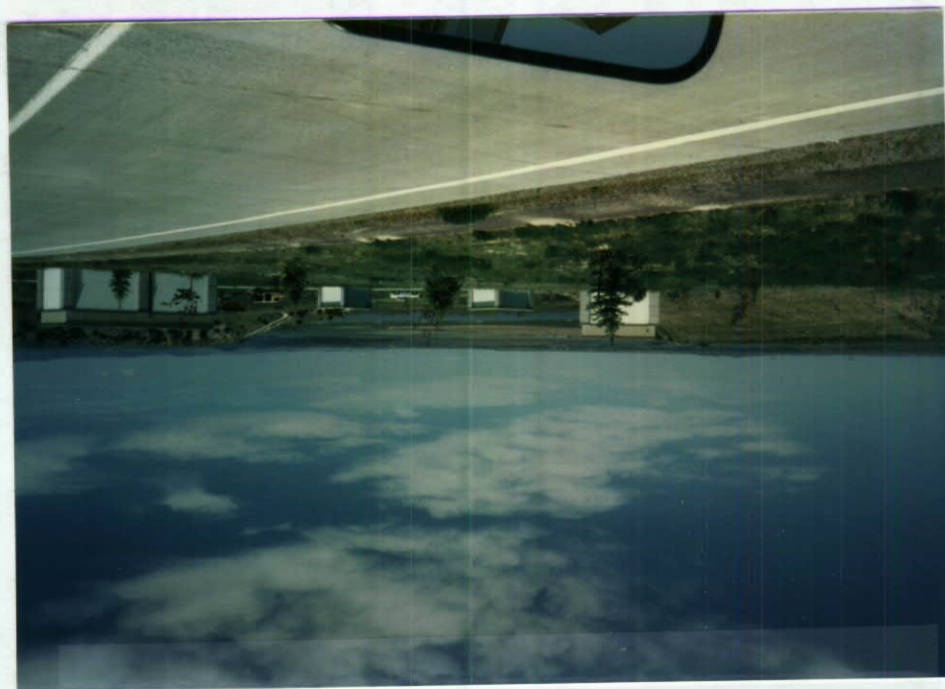
n/d



n/d



MICROFILMED
JUL 19 1995



n/d

n/d



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5756
WATER RIGHT NO. 41-07075

This is to certify that: STATE OF IDAHO
DEPT OF TRANSPORTATION
DIVISION OF HIGHWAYS
PO BOX 4700
POCATELLO ID 83201

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	* 0.06 CFS	2.2 AF *

SOURCE

GROUNDWATER

Priority: 09/25/1984

LOCATION OF POINT(S) OF DIVERSION:

NESENW , Sec. 26, Township 09S, Range 28E
SESENW , Sec. 26, Township 09S, Range 28E
POWER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

09S 28E 26

SWNE

SENEW

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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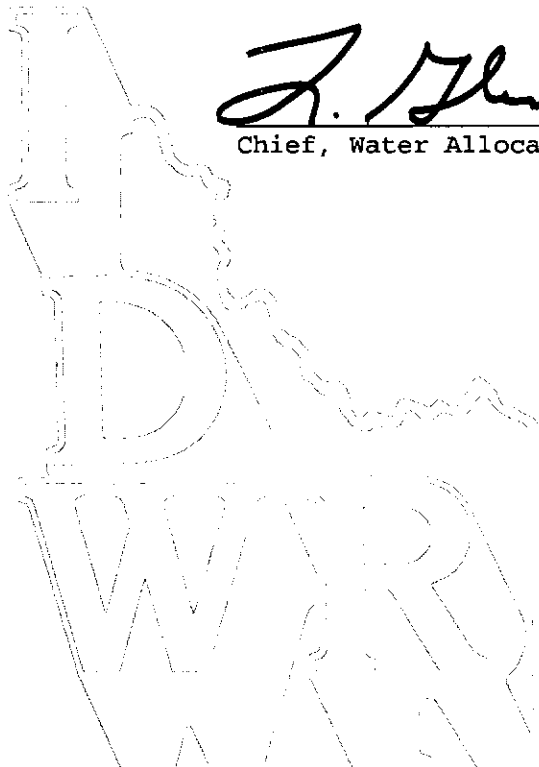
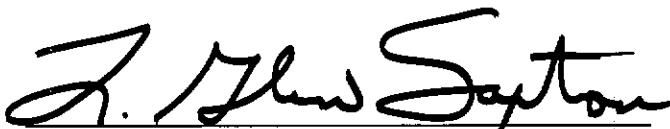
OCT 23 2000

TRANSFER NO. 5756
WATER RIGHT NO. 41-07075

CONDITIONS OF APPROVAL AND REMARKS

- * 5. The total instantaneous diversion of water from all points of diversion under Transfer 5756 shall not exceed 0.06 cfs, nor a total combined annual volume of 2.2 af.
- 6. Domestic use is for Coldwater Rest Area facilities and landscaping.

Dated this 20th day of October, 2000.



Chief, Water Allocation Bureau

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OCT 23 2000

Transfer No. 5756

RECEIVED

DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 3 - 2000

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

MAY 10 2000

Department of Water Resources

name of applicant Idaho Transportation Dept. Div. of Highways Phone 239-3308

Post Office address PO Box 4706, Pocatello (District 5 office) ID 83202

PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Licensed well has been replaced due to reduced flows & sediment problems, but we want to keep it as a backup source in case the new well fails. Change descriptions of P/D & P/U to reflect GIS data.

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|-----------|-----------------------|------------------|---------------|
| 41-07075 | 9-25-1984 | 0.06/3.2 | Domestic | 1-1 to 12-31 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
2. Total amount of water being transferred 0.06 cubic feet per second and/or 2.2 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

(75756)

PART 1

T#5756

i. General Information:

a. Description of diversion system Two connected wells + pumps (main well & backup well).

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

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OCT 23 2000

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 41-07075

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.06 CFS	2.2 AF

SOURCE

GROUNDWATER

Priority: 09/25/1984

LOCATION OF POINT(S) OF DIVERSION:SWNE , Sec. 26, Township 09S, Range 28E
POWER CountyPLACE OF USE:

DOMESTIC

				NE				NW				SW				SE															
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
09S	28E	26	:																												
			:																												

CONDITIONS/REMARKS:

1. Domestic use is for rest area facilities.

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? No If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

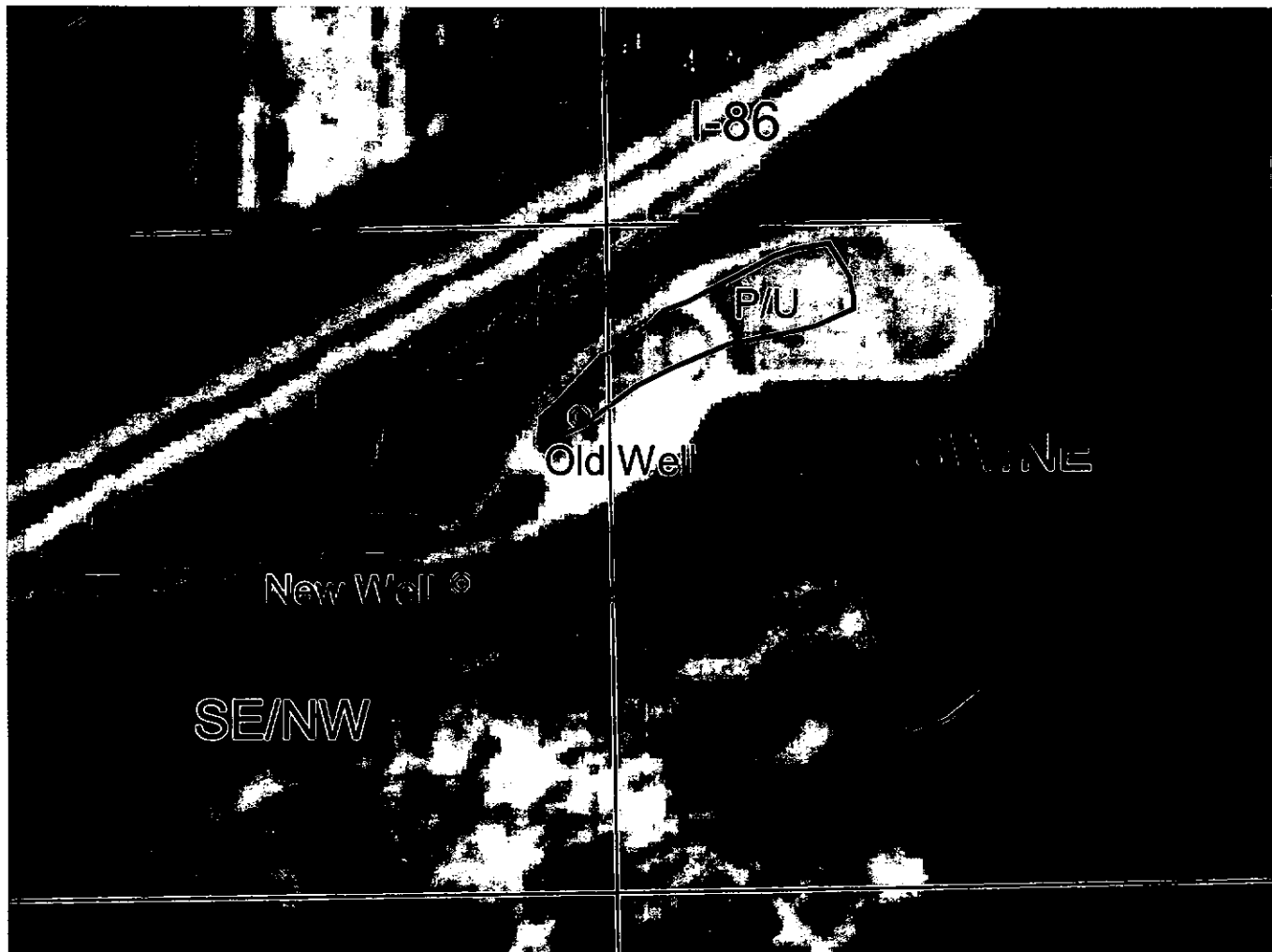
☐ Tax Notice☐ Warranty Deed☐ Other

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OCT 23 2000

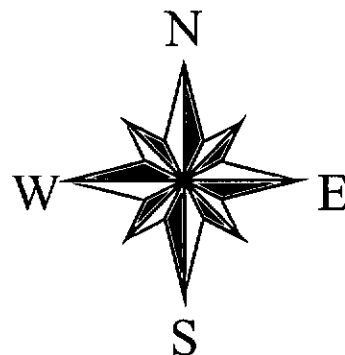
COLDWATER REST AREA -IDT

T. 9S R. 28E Sec. 26



Prepared By J E Stanton
5-10-00

MICROFILMED
OCT 23 2000



PART 3

T#5756

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 10th day of May, 2000.

Roland R. R. T.S.E.A.
(Signature of Applicant)

J. E. Stanton
(Notary Public)

My commission expires 10-25-00

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 1 attachments

Received by J. E. Stanton Date 5-10-00 Protest filed by None

Prelim. check by John Freitag Fee \$100, BILL 3/53

Received by Direct Bill 6.0 Date PO 6/2000

Published in Power Co. Press E-TRANSFER

Pub. dates 8/2 & 8/9/00

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by AD

Copy of transfer sent to lien holder _____

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OCT 23 2000

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 41-07075

Priority: September 25, 1984

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

2.2 AF

This is to certify, that STATE OF IDAHO

DEPT OF TRANSPORTATION

DIVISION OF HIGHWAYS

PO BOX 7129

BOISE ID 83707

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 25, 1984; and has submitted Proof of Beneficial Use on February 27, 1990. An examination indicates that the works have a diversion capacity of 0.060 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>
DOMESTIC	01/01 to 12/31	0.06 CFS	2.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 26, Township 09S, Range 28E
POWER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

09S 28E 26

SWNE

CONDITIONS/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. Domestic use is for rest area facilities.

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 12TH day of JULY, 1995.

Acting for

KARL J. DREHER, Director

JUL 19 1995

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FEB 27 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 41-7075 Telephone No. 334-3664

Name(s) of Permit Holder(s): STATE OF IDAHO, DIVISION OF HIGHWAYS ✓

Post Office Address: P.O. BOX 7129, BOISE, IDAHO 83707 ✓

Source of Water: Ground Water ✓

If ground water, well driller's name: Jack Cushman Drilling ✓ Date drilled: 3/7/86 ✓

Extent of Use:
Domestic 1 (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.06 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: November 1988 ✓

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No Installed? Yes ☐ No

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☐ No

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

ALAN L. WUBKER 232-4270
Name Telephone No.

P.O. Box 4700 Pocatello, ID 83205
Address

RECORDED

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.

APR 18 1990

2/16/90 Brent L. Frank / BSE District Engineer
Date Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 41-7075

RECEIVED

SEP 25 1984

Department of Water Resources
Southern District Office

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant State of Idaho, Division of Highways Phone 334-3664
Post office address P. O. Box 7129, Boise, Idaho 83707
2. Source of water supply Ground Water which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 Township 9 S
Range 28 E B.M. Power County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .06 cfs for domestic purposes from Jan 1 to Dec 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)

5. Total quantity to be appropriated:

a. 0.06 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 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 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 650 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: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 Township 9 S

Range 28 E 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 None

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

(5) If water is to be used for other purposes describe: Highway Rest Area

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[illegible]

Total number of acres to be irrigated

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

9. a. Who owns the property at the point of diversion State of Idaho, Division of Highways

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

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 This water is to be used for domestic purposes only, to the extent of

T. 9 S., B.M.

R 28 E.

X We11

2	7
---	---

2	6
---	---

$$\begin{array}{r} 25 \\ \times 25 \\ \hline \end{array}$$

3	4
---	---

3.5

3	6
---	---

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


(Applicant)
District Engineer

MICRON MED

MICROFILMED

Proposed Priority 9/25/84

Received by ADW Date 9-26-84 Time 11:30 a
9-25-84 1:10 p

Preliminary check by ADW Fee \$ 1000.00 35289

Received by ADW Date 3/5/85

Publication prepared by ADW Date 1/14/85

Published in Journal of Water & Power

Publication dates 1/23 & 1/31/85

Publication approved ADW Date 1/22/85

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ADW kw

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. 41-7075, 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 April 1, 19 90.

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 24th day of April, 1985.

D. Allen Saylor
Chief, Operations Bureau



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 23, 2000

STATE OF IDAHO
DEPT OF TRANSPORTATION
DIVISION OF HIGHWAYS
PO BOX 4700
POCATELLO ID 83201

RE: Water Right 41-07075 (Transfer 5756)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5756). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

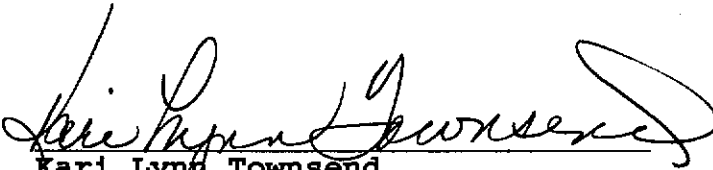
OCT 23 2000

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of October, 2000 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHT 41-07075 (Transfer 5756)

**STATE OF IDAHO
DEPT OF TRANSPORTATION
DIVISION OF HIGHWAYS
PO BOX 4700
POCATELLO ID 83201**


Kari Lynn Townsend
Secretary

MICROFILMED

OCT 23 2000

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
OCT 23 2000

FINAL ORDER

The Director 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 Director 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.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

TRANSFER REVIEW SHEET

(10-99)

Transfer # 5754

Date Reviewed 10-20-2000 CB

Right(s) 41-67675 _____

☒ WRQ/Split Summary NA SRBA Status NA Run POU Comparison Report

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
 F:Change Period of Use G:Other H:Change P/D & Add P/D
 I:Change P/D & P/U J:Add P/D & Change P/U
 Correction

Proof of Ownership State Property - License

Transfer ☒ All of Right _____ Portion of Right
 Resulting Split(s) NONE

Check Transfer Against Recorded Right:

Standard Season NA to _____ Standard Volume NA

(1) ☒ Priority (2) ☒ Use (3) ☒ Season/W61 (4) ☒ Rate (5) ☒ Volume
 (6) ☒ Source (7) ☒ P/D (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map
 (11) NA Water District (12) NO Pertinent Conditions (13) NO Expansion

7 Add P/D & correct original - SENW instead of SWNE
8 Correct P/U - no physical change " " " "

Adding existing well drilled 05-2000

Transfer Remarks Kila/Coldwater Rest Area facilities + landscaping

Conditions 106 T07 T08 T17

Database/Processing Notes _____ Standard ☒ Non-Standard _____
T file

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo
 Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

10-20-2000 CB

WR0631NP

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 10/20/00
TIME: 08:52:16
PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY	DATE	STG/STS	SOURCE	USE	DESC	SYSTEM
41-07075	STATE OF IDAHO	C		09/25/1984	L/	GROUNDWATER	DOMEST		WR
T41-07075	STATE OF IDAHO	C		09/25/1984	L/	GROUNDWATER	DOMEST		WR

T5756

IDWR TRANSFER ANALYSIS SHEET

APPLICANT

Idaho State Dept

TRANSFER NO.

5756

1. Right number(s)

41-07075

2. Type of right

☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer

☒ Change P/D ☒ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing
Right:

☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments: Adding POD and more accurately describing
existing POD & POW

5. Check Proposed Right for amount of land &/or water transferred:

☐ Also see attached memo for more analysis information

a. ☒

All of right

b. ☐

Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)

c. ☒

Description of point(s) of diversion

d. ☒

Description of place of use

e. ☒

Map showing P/D & P/U after transfer

f. ☒

Correct notarized signature and \$100 fee

g. ☒

Proof of ownership of right &/or land from which water is transferred State of Idaho

h. ☒

Expansion in use of right - Comments: None Apparent

(5756)

i. X Existing rights from same source, on land water is being transferred to; right number(s):
Application 41-07075

j. X SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain)

k. X Comment letters _____ Yes _____ No
If yes _____ Water District # _____
_____ Lienholder, others, see #2
_____ below for name and address

INITIAL ALLOCATION REVIEW BY John Freidag DATE 06/09/00
SRBA SUPERVISOR REVIEW BY _____ DATE _____
PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWRO3::VAULT ✓ Yes
2. COMMENT LETTERS Copy of Pg 1 to AJ ✓ Yes

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es):

3. Transfer published correctly? ✓ Yes _____ No
4. Affidavit of publication received? ✓ Yes _____ No
5. Protests received? _____ Yes ✓ No; Acknowledgement sent? _____ Yes
6. Copies made for Region file (see attached supplemental page)? _____ Yes

RECOMMENDED ACTION

1. ✓ Approve
2. _____ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

✓ Also see attached memo for recommendation dated: 9/29/00

4. By AD Date 9/29/00

RECEIVED

OCT 33 - 2000

MEMO

Department of Water Resources

FROM: Allen Merritt 

DATE: September 28, 2000

TO: Transfer File No. 5756

In the name of: Idaho Transportation Department, Division of Highways

Water Right(s): 41-07075

SUBJECT: Review and Recommendation

This transfer adds a new well to the system. The new well was drilled as a replacement but it was then decided to keep the old well as a backup so this transfer was necessary. In reviewing the site using GIS it was discovered the legal description of the PU needed to also be modified.

Recently application for permit 41-07095 was processed which is part of this same delivery system.

The transfer was processed without protest.

Recommendation

I recommend that this transfer be approved subject to the following conditions:

- Subject to Public Water Supply System requirements.
- Measuring device requirement for both wells pursuant above requirements.
- Uses are for culinary water & landscaping at Coldwater Rest Area.

MICROFILMED

OCT 23 2000

FILE PROGRESS SUMMARY

WATER RIGHT NO.

41.07075

NOV 2 2 2000

Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterrupted and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

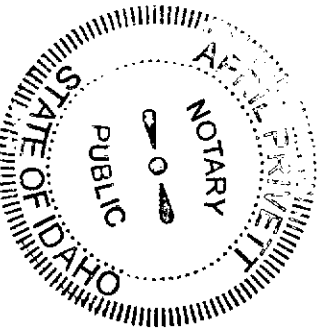
That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 2nd day of August 2000 and the date of the last publication being the 9th day of August 2000.

Signed Brett Crompton

State of Idaho

County of Power

On this 9th day of August in the year of 2000, before me, a Notary Public, personally appeared Brett Crompton, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Brett Crompton
Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: August 3, 2006

RECEIVED
SEP 15 2000

Department of Water Resources
Southern Region
Not. Sec. OK

OK
mb
9/8/00

RECEIVED
SEP 08 2000
Notary Sec. missing

Department of Water Resources
Southern Region

**Proposed change at
coldwater rest area**

published in The Power County Press on:
08/02/00 & 08/09/00.
NOTICE OF PROPOSED CHANGE
OF WATER RIGHTS

Notice is hereby given that the Idaho Department of Transportation, PO Box 4000, Pocatello ID 83201 has filed an application with the Department of Water Resources for changes to a water right within Power County as described below.

Transfer No. 5756 involves Right No. 4407075 (0.06 cfs) recorded with prior date of 09/25/1984 from ground water within SWNE for domestic use in its Coldwater rest area facility. The applicant requests to divert from an existing well and a new well within SE1/4W for the same use within SWNE & SE1/4W, all S26, T09S, R28E.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200, Twin Falls ID 83301 together with a protest fee of \$25.00 on or before August 21, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protest must also send a copy of the protest to the applicant.
Carl J. Dreher, Director

STATEMENT

PAGE 1

THE POWER COUNTY PRESS
PO BOX 547
174 IDAHO ST
AMERICAN FALLS, ID 83211

(208)226-5294 FX:(208)226-5295

RECEIVED

SEP 08 2000

Department of Water Resources
Southern Region

Account No.
TFDEPTWA

Date
08/31/00

Total Amount Due
115.60

Amount Remitted
\$

DEPARTMENT OF WATER
1341 FILLMORE
SUITE 200
TWIN FALLS, ID 83301

Please cut at dotted line and return with your payment

Date	Invoice No.	Description	Charges	Payments	Balance
08/01/00		OPENING BALANCE			0.00
08/09/00		LEGAL	OK 42.24	# 1	42.24
08/09/00		AFFIDAVIT > T# 5756	OK 5.00		47.24
08/23/00		LEGAL	OK 63.36		110.60
08/23/00		AFFIDAVIT > 41-07096	OK 5.00	# 2	115.60
ENDING BALANCE					115.60

OK MB
9/18/00

115.60

Current	31 - 60	61 - 90	90+	Total Amount Due
115.60	0.00	0.00	0.00	115.60

THE POWER COUNTY PRESS

MICROFILMED

OCT 23 2000

Thank You

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that the Idaho Department of Transportation, PO Box 4700; Pocatello ID 83201 has filed an application with the Department of Water Resources for changes to a water right within Power County as described below.

Transfer No. 5756 involves Right No. 41-07075 (0.06 cfs) recorded with priority date of 09/25/1984 from ground water within SWNE for domestic use in the Coldwater rest area facility. The applicant requests to divert from an existing well and a new well within SENW for the same use within SWNE & SENW, all S26, T09S, R28E.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of \$25.00 on or before August 21, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Power County Press on 08/02 & 08/09/00.

MICROFILMED

OCT 23 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

July 26, 2000

**ATTN LEGALS DEPT
POWER COUNTY PRESS
174 IDAHO STREET
AMERICAN FALLS ID 83211**

Ladies and 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 required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED
OCT 23 2000

Stanton, Jim

From: Stanton, Jim
Sent: Wednesday, May 10, 2000 1:50 PM
To: Allen, Debbie
Cc: Stanton, Jim
Subject: Billing to Idaho Transportation Dept. Div. of Highways

The Div. of Highways filed an app. for transfer (\$100. filing fee) & an app. for permit (\$50. filing fee) today. Purchase Order #E-085660 will be used to pay for this. The guy who filed the apps. only had the number, not an actual purchase order. He said that all billings go their main office in Boise (he works in the Pocatello office). I have accepted their applications per your instructions, with this e-mail as temporary proof of payment. Give us the receipt information when it becomes available. Thanks.

7/26/00

Debbie :

Have you received
payment yet
on these apps?

app No. 41-07095
T# 5756
(41-07075)

Please let me know
the status.

Thanks

Mary @ Southern

736-4753
EXT # 240

MICROFILMED

OCT 23 2000

TRANSMISSION VERIFICATION REPORT

TIME : 07/26/2000 10:20
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

07/26 10:20
IDWR SO
00:00:28
01
OK
STANDARD



ROLAND RUBY

ASSISTANT MAINTENANCE ENGINEER
DISTRICT 5

STATE OF IDAHO
TRANSPORTATION DEPARTMENT
P.O. Box 4700
POCATELLO, IDAHO 83201

Office: (208) 239-3308
Cell: (208) 221-3308
Fax: (208) 239-3367

MICROFILMED

OCT 23 2000

T# 5756

05/02/2000 09:42 2087363331

IDWR SOUTHERN REGION

PAGE 01/02

Form 235-1
12/16/96 (LDT) (Internet)

Drilling Permit No. _____

Drilling Permit I.D. Tag No. _____

Water Right Permit No. _____

Injection Permit No. _____

35289

RECEIVED

MAY 08 2000

State of Idaho
Department of Water ResourcesDepartment of Water Resources
Southern RegionAPPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)

1. Owner (please print): Transportation Dept.
2. Mailing Address: Purchasing Section - P.O. Box 7129
City: Boise State: Idaho Zip Code: 83707 Telephone: 208-334-8000
3. Proposed Well Location: Twp. 9S Rge. 28E Sec. 26 1/4 SW 1/4 NE 1/4
Gov't Lot No. _____ County Powder Lat. _____ Long. _____
Street Address of Well Site Hwy 86 Eastbound City American Falls
Give or least name of road • Distance to Road or Landmark
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 to 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: 1

5. Well Construction Information:

A. ☐ New well☐ Modify☒ ReplaceB. Proposed Casing Diameter 12"Proposed Maximum Depth 727

C. Anticipated bottom hole temperature:

☐ 85°F or less☐ 85°F to 212°F☐ 212°F or more

(Cold Water Well)

(Low Temp. Geo. Well)

(Geothermal Well)

6. Construction Start Date: 4-1-007. Anticipated Well Driller: Kenny VollmerDriller's Lic. No. 383

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature: John MacclintDate 4-1-00Address (if different than owner): P.O. Box 858City: AbbevilleState: IdahoZip Code: 83210Telephone 392-4512Title: Owner Manager

(Owner, Firm Representative, Other)

MICROFILMED

OCT 23 2000

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is _____ Date _____

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

1. 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.
2. 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. All wells must be drilled a minimum distance of 100 feet from a drain field. Potable and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank.
3. 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.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. 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.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "DigLine" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "DigLine" Number for your area is 1-800-342-1585.

SPECIFIC CONDITIONS:

Signature of Authorized Department Representative

Title

Receipt No. _____ Received by _____ Fee _____ Date _____

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension expires: _____

MICROFILMED

OCT 23 2000



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 12, 1995

STATE OF IDAHO
DEPT OF TRANSPORTATION
DIVISION OF HIGHWAYS
PO BOX 7129
BOISE ID 83707

RE: WATER RIGHT NO. 41-07075

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

JUL 19 1995

LICENSE REVIEW CHECKLIST



PERMIT NO. 41-07075 DATE 7-11-95

NAME	☒ Change OK ☐ Or	<u>ZIP CODE ONLY</u> (OK STATE ZIP CODE) Address Change?	
PRIORITY DATE	☒	Advance? <u> </u> Advanced to: <u> </u> Order to reinstate needed? <u> </u> Incorrect fee for rate recommended? <u> </u>	
SOURCE	☒	Changes or just clarification of originally intended source? <u> </u> Notice of Intent to Void necessary? <u> </u>	
POINT OF DIV	☒	Amendment needed? <u> </u> Overlaps? <u> </u>	
PLACE OF USE	☒	Amendment needed? <u> </u> Overlaps? <u> </u>	
DIV RATE	☒	Permit/fee limits: <u>.06 cfs</u> Meas Q = <u> </u> Theo Q = <u>.06</u> Recommend: <u>.06</u> Combined rates exceed capacity <u> </u>	
ANNUAL VOLUME	☒	Volume Limit: <u> </u> Season: <u>1-1 to 12-31</u> Calculations: <u>200 patrons per day = 2.2 gfa</u> <u>(@ 10 gal/patron)</u> Flow limit: <u> </u> cfs x <u> </u> x 1.9835 = <u> </u> Combined volumes exceed capacity/allowable <u> </u>	
USES	☒	Change in Nature of Use or additional uses? <u> </u> Amendment necessary? <u> </u>	
ADDITIONAL INFO		Supplemental Groundwater <u> </u> PPU Scenario <u> </u> Irr/Dom Combination <u> </u> Shared G/W System <u> </u>	
NEW REMARKS	☒	Multiple p/d(s) in 1/4 1/4? <u> </u> Other <u> </u>	
NEW CONDITIONS	☒	Watermaster control - District <u> </u> Measuring/Locking Devices <u> </u> Irrigation Overlap <u> </u> Other <u> </u> Water Quality <u> </u> Heat/Cool/Fish verified <u> </u>	

COMMENTS: Permit specifically for domestic use only - does not include the irrigation of the grass areas.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	NO
<u>Domestic</u>	<u>.06</u>	<u>2.2</u>	Adjustment Memo Needed	<u>NO</u>
_____	_____	_____	LICENSE	☒
_____	_____	_____	1ST AMEND LETTER	_____
_____	_____	_____	2ND AMEND LETTER	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

41-7075
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☐ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index 5-4-90 TP (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index 5-4-90 TP (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed 6/21/91 Brian Black (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent JS 12-21-93 (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 21 1994
Department of Water Resources

A. GENERAL INFORMATION

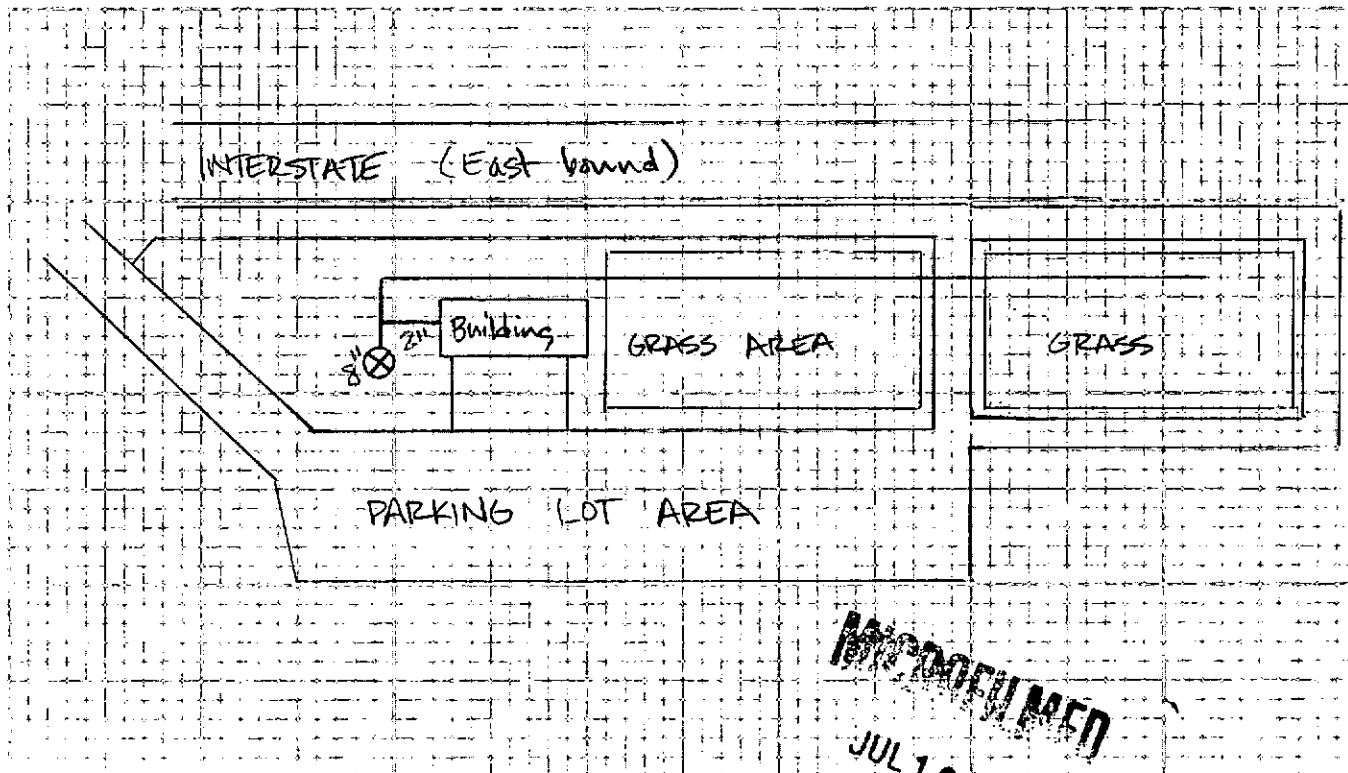
1. Owner: State of Idaho, Division of Highways Permit No. 41-07075
Current Address: P.O. Box 7129 Boise, ID 83707 Phone No. 334-3664
2. Accompanied by: Alan Wubker EXAM. DATE: 6/13/91
Address: P.O. Box 4700 Pocatello, ID 83205 Phone No. 232-4270
Relationship to Permit Holder: trustee
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 50' (approx.)

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
- ☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well, submersible motor & pump, pipelines.
 Well services rest area building with 2
 restrooms and one drinking fountain.
 Also included is 2 grass areas totaling
 approx. 1/2 acre.

☐ See Remarks on page 4 for continuation

4.

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

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	NE	26	09S	28E	Power		topo map / inspection

6. Place(s) of Use:

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
09S	28E	26			D														

Do not use this space

APPROVED

JUL 19 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Not measured.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes: horsepower

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

$V(\text{domestic}) \Rightarrow 10 \text{ gpd per person (table 3)}$

$\frac{10 \text{ gpd (200 persons) (365 days)}}{325,850 \text{ af.}} = 2.2 \text{ af.}$

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afu.

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Permit rate of 0.06 cfs. corresponds closely to calculated rate.
 Site location verified w/Allyn Walker of Pocatello Dept. of Lands office.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
	From To	Q (cfs)	V (ata)
Domestic	1/1 12/31	0.06	2.2

Totals:			
		0.06	2.2

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name Brian Block
 Signature Brian Block
 Certification Date _____
 Field Report Preparation Date 6/21/91

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

JUL 19 1995

FLOW CALCULATIONS:

11-07075

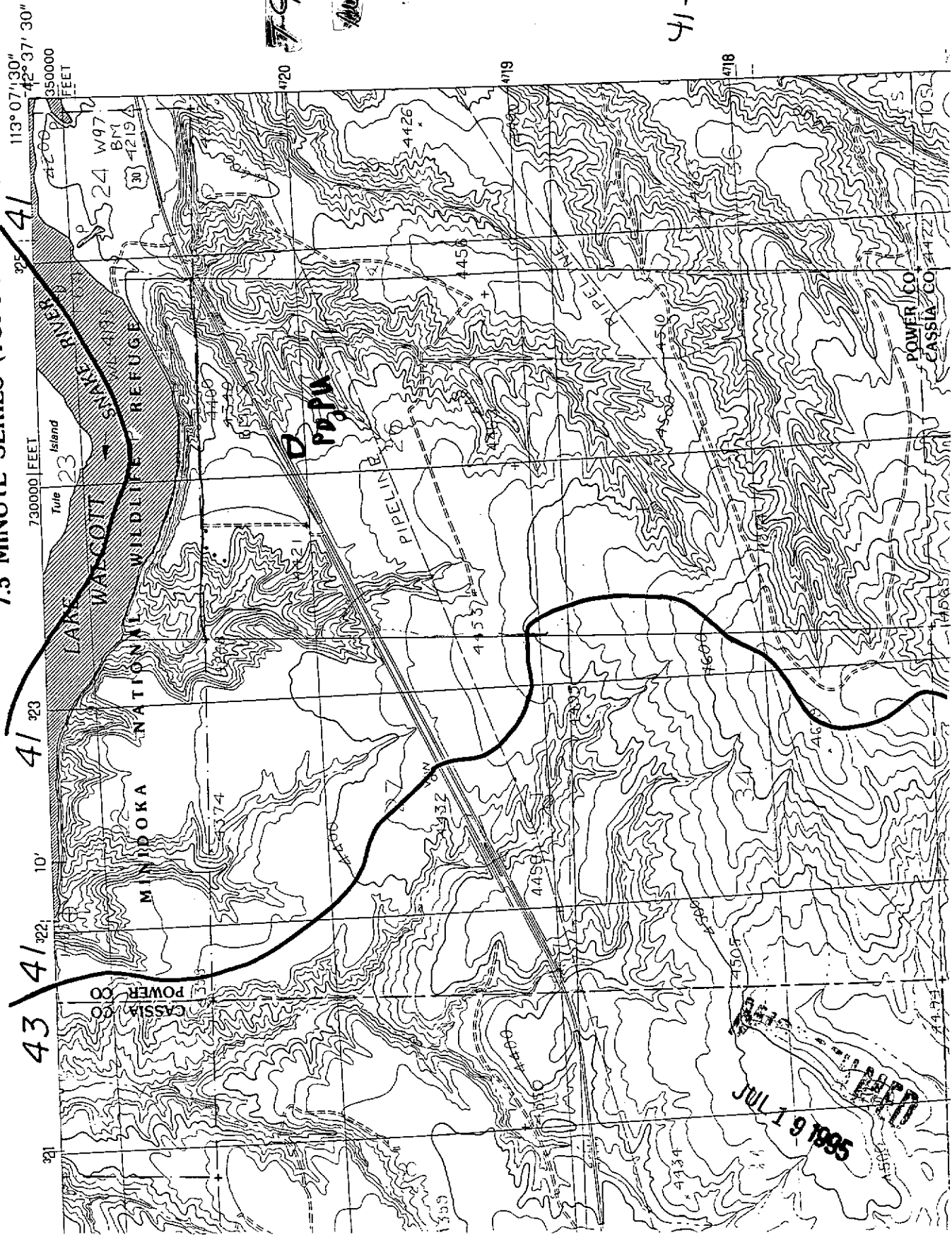
Known data:

power = 5 hp
lift = 365 ft (per conversation w/ owner)
press. = 50 psi (estimate)

$$Q = \frac{8.8 (0.7) (5)}{365 + 50 (2.31)} = \boxed{0.06 \text{ cfs.}}$$

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JUL 19 1995

NORTH CHAPIN MOUNTAIN QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)



795 R28E

41-07075

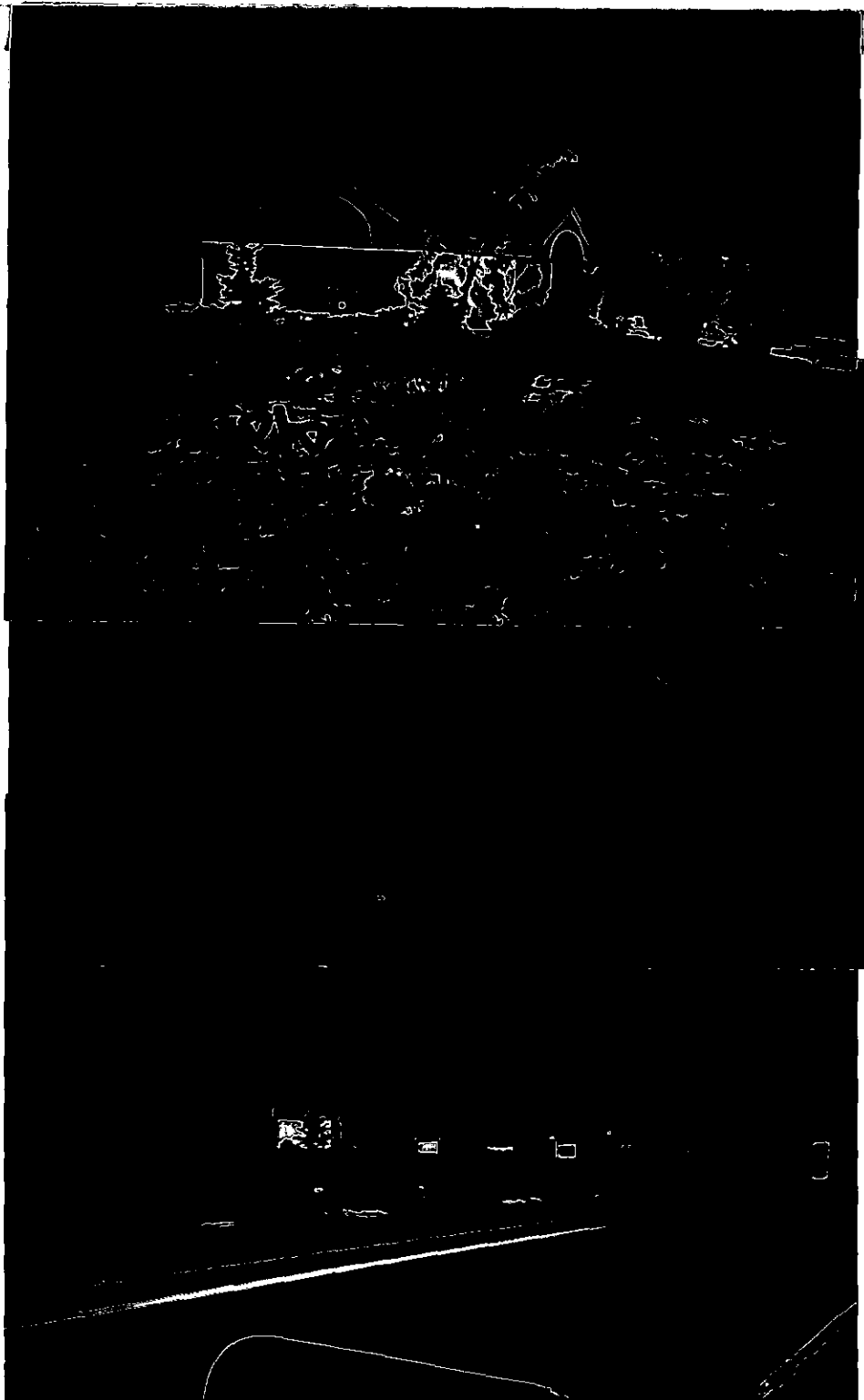
41-07075

JUL 19 1995

41-7075

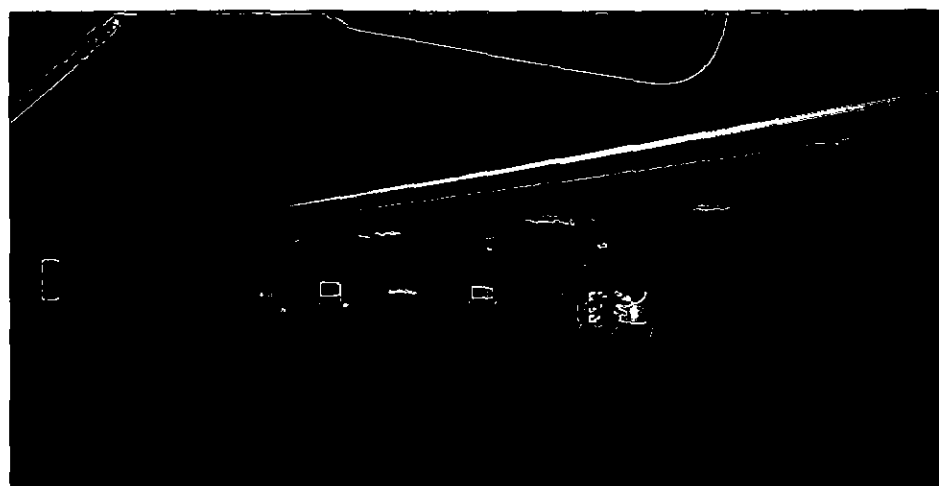
8/10

8/10

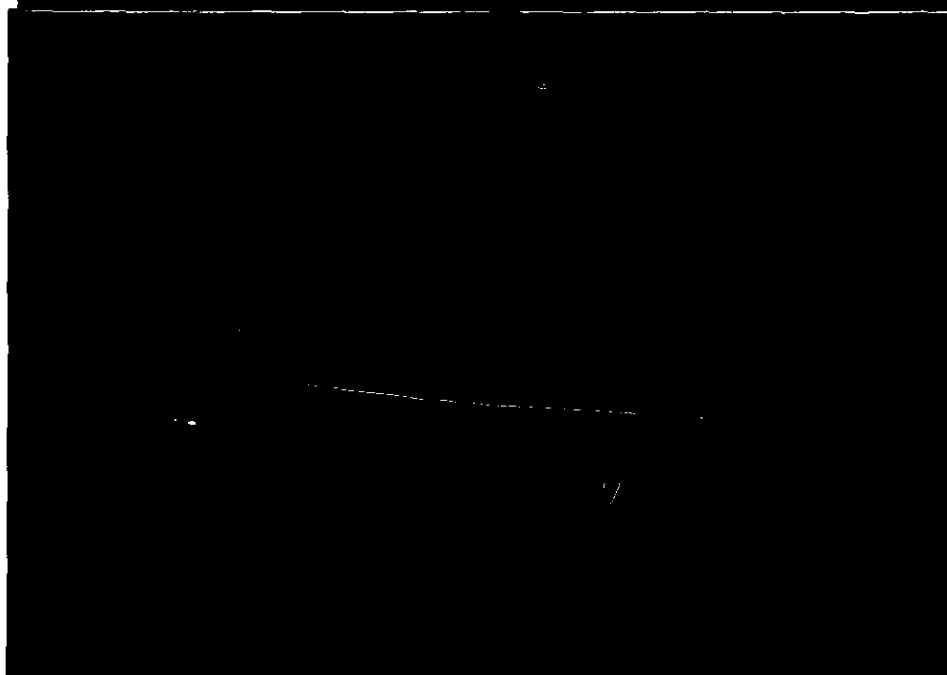


UNRECORDED
JUL 19 1995

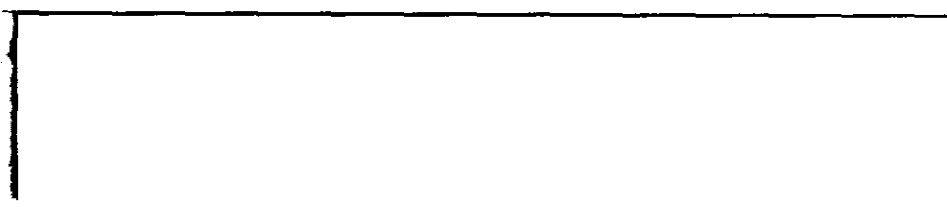
JUL 19 1995
RECEIVED



n/d



n/d

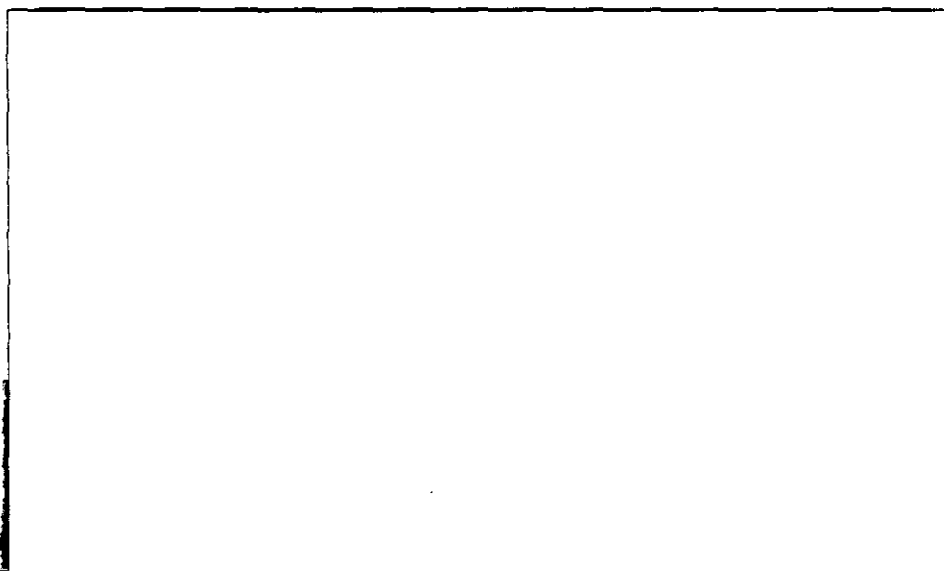


JUL 19 1995
10:00 AM



n/d

n/d



April 13, 1990

STATE OF IDAHO
DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
P.O. BOX 7129
BOISE, ID 83720

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 41-07075

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 SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

APR 18 1990

138124
January 31, 1990

STATE OF IDAHO
DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
P.O. BOX 7129
BOISE, ID 83720

PROOF DUE NOTICE

RE: PERMIT NO. 41-07075

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 April 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

APR 18 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.
(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

APR 18 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 41-7075

Name(s) of Permit Holder(s): STATE OF IDAHO DEPT OF TRANS.

Post Office Address: P.O. Box 7129

Boise Idaho. 83720 Tel. No. 232 4270

☐ I hereby certify that construction of diversion works for the above referenced permit began on 2/11/86 (date) I understand that I must 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.

02/14/86
Date

[Signature]
Signature of Permit Holder

MICROFILMED
APR 18 1990



RECEIVED

FEB 19 1986



FILED

APR 18 1986

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

STATE OF IDAHO
DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
P.O. BOX 7129
BOISE, ID 83720

MAY 01, 1985

RE: PERMIT NO. 41-7075

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. TUTTILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

February 26, 1985

R. L. Harrison
State of Idaho Department of Transportation
District 5
P.O. Box 4700
Pocatello, Idaho 83201

Dear Mr. Harrison:

Our office has recently completed advertising of your application 41-7075 for development of a well in connection with your project IR-15W-4(33)108 for the Coldwater Hill Rest Area. In reviewing the file it appears that the filing fee of \$30.00 dollars has not been received by our Department. Our office will hold your application until the fee has been paid. Please forward a check or voucher at your earliest convenience.

Sincerely,

Allen Merritt
Water Resource Engineer

ADM:adm

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AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
COUNTY OF POWER

..Brett.Crompton..... being first duly
sworn on oath, states:

That ...he.. is the ...editor.....
of the Power county Press, a newspaper of
general circulation in Power County, Idaho,
published weekly at American Falls in said
county, that said newspaper has been pub-
lished, in said county uninterruptedly and
continuously for over seventy-eight consec-
utive weeks, prior to the first publication
of the annexed notice or advertisement:

That the annexed notice or advertisement
was published as per clipping attached in
the regular and entire edition of said
newspaper and not in any supplement thereof

for...?.... successive weekly issues thereof,
the date of the first publication being the

23..... day of January.....1985....
and the date of last publication being the

30..... day of January.....1985....

(Signed) *Brett Crompton*
Subscribed and sworn to before me this

30... day of January.....1985....

(SEAL)

Paula Acker
Notary Public, residing at
American Falls, Idaho
My commission expires the

10 day of March 1986.

Notice of
application for
water right

Published in The Power County
Press January 23 & 30, 1985.

NOTICE OF APPLICATION
FOR WATER RIGHT

Notice is hereby given that the
following application(s) have been
submitted for permit to appropriate
the public waters of the State of
Idaho:

41-7075

STATE OF IDAHO
DEPT. OF TRANSPORTATION,
DIVISION OF HIGHWAYS, P.O.
BOX 7129, BOISE, ID 83720
Source: GROUNDWATER

Date Filed: 09/25/1984

Division Pt: SWNE Sec 26 T 09S R
28E

Use: DOMESTIC (0.06 CFS)

In: SWNE Sec 26 T 09S R 28E

If issued, the permit(s) will be sub-
ject to all prior water rights. Protests
against the granting of any permit
must be filed with the Director of the
Idaho Department of Water
Resources, 1041 Blue Lakes Blvd.
North, Twin Falls, Idaho 83301 and
received on or before FEBRUARY
11, 1985.

A KENNETH DUNN
Director

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FEB 5 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JANUARY 17, 1985

Power County Press
174 Idaho Street
American Falls, ID 83211

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 11, 1985.

Yours truly,

Mary A. Newby
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

41-2025-

STATE OF IDAHO

DEPT. OF TRANSPORTATION, DIVISION OF HIGHWAYS, P.O. BOX 7129, BOISE, ID 83720

Source: GROUNDWATER

Date Filed: 09/25/1984

Diversion Pt: SWNE Sec 26 T 09S R 28E

Use: DOMESTIC (0.06 CFS)

In: SWNE Sec 26 T 09S R 28E

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before FEBRUARY 11, 1985.

A. KENNETH DUNN

Director

Published 1/23 & 1/30/85.

MICROFILMED

**Notice of
application for
water right**

Published in The Power County
Press January 23 & 30, 1985.

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the
following application(s) have been
submitted for permit to appropriate
the public waters of the State of
Idaho:

41-7075

STATE OF IDAHO
DEPT. OF TRANSPORTATION,
DIVISION OF HIGHWAYS, P.O.
BOX 7129, BOISE, ID 83720
Source: GROUNDWATER
Date Filed: 09/25/1984
Division Pt: SWNE Sec 26 T 09S R
28E
Use: DOMESTIC (0.06 CFS)
In: SWNE Sec 26 T 09S R 28E

If issued, the permit(s) will be sub-
ject to all prior water rights. Protests
against the granting of any permit
must be filed with the Director of the
Idaho Department of Water
Resources, 1041 Blue Lakes Blvd.
North, Twin Falls, Idaho 83301 and
received on or before FEBRUARY
11, 1985.

A KENNETH DUNN
Director

*af
m
1/22/85*

MICROFILMED

STATE OF IDAHO

JOHN V. EVANS
GOVERNOR
IDAHO TRANSPORTATION BOARD
CARL C. MOORE - CHAIRMAN
LLOYD F. BARRON - VICE CHAIRMAN
JOHN M. OHMAN - MEMBER
DARRELL V. MANNING
DIRECTOR



TRANSPORTATION DEPARTMENT

DIVISION OF HIGHWAYS

DISTRICT 5 / P.O. BOX 4700 / POCA TELLO, IDAHO 83201
PHONE (208) 232-4270

September 21, 1984

RECEIVED

SEP 26 1984

Mr. Harold Jones
State of Idaho
Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83401

Department of Water Resources
Eastern District Office

RE: Project IR-15W-4(33)108

Dear Mr. Jones:

As you know from our telephone conversation, we are proposing to drill a well at the proposed Coldwater Hill rest area west of American Falls. Our intention is to develop the well prior to completing the rest area development. Planned development is dependant upon a usable domestic water supply.

Attached is the permit application.

We request that you advertise this request, or do whatever that is required to issue us a permit to develop this well.

Sincerely,

R. L. Harrison
R. L. Harrison
Planner

Attachment

mh

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