

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

SEE ATTACHED MAP



Scale: 2 inches equal 1 mile.

DEC 08 1995

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.

Clayton R. Gillespie
(Applicant)

District
Maintenance
Engineer

STATE OF IDAHO
DIVISION OF PURCHASING

Date 11/26/84

PURCHASE ORDER CANCELLATION OR CHANGE

ORDERED FOR: Idaho Transportation Dept
DEPARTMENT

Purchase order changed: F113201

SUBDIVISION Div of Highways

Date 6/5/84

Shipping South of city on US20
Destination Rigby Idaho 83442

TO: DENNINGS Well Drilling
145 South, Market.
UCON, Idaho 83454

AGENCY	LINE	PROGRAM	FUND	CLASS	AMOUNT
20000	1	203	2205	8621	568758

INSTRUCTIONS:

This form is to be used in all cases where change or cancellation is made on orders that have already been placed with the vendor for fulfillment.

Notice is hereby given of the cancellation change of the purchase order referred to above.

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT	LEAVE BLANK
		Original purchase order reads Decrease Requested purchase order now reads		568758 900.00 <u>478758</u>	
		DATA NOV 30 1984 ENTERED chg #Z4335AA			

Reason for confirmation of Cancellation or Change:

A reduction in cost was acquired due to a change in
bitless adapter on well, Investigation demonstrated the alternate
adapter was equal and contractor agreed to reduction.

DEC 03 1985

- WHITE - Vendor
- CANARY - State Auditor
- PINK - Originating Office

J. R. Dick
District Engineer/Bureau Chief or Higher Authority



34-7459

STATE OF IDAHO

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

Source: GROUNDWATER

Date Filed: 02/08/1984

Diversion Pt: NESE Sec 28 T 07N R 24E

Use: DOMESTIC (0.07 CFS)

In: NESE Sec 28 T 07N R 24E

34-7459
STATE OF IDAHO
DEPT. OF TRANSPORTATION,
DIVISION OF HIGHWAYS, P.O.
BOX 7129, BOISE, ID 83720
Source: GROUNDWATER
Date Filed: 02/08/1984
Diversion Pt: NESE Sec 28 T 07N R
24E
Use: DOMESTIC (0.07 CFS)
In: NESE Sec 28 T 07N R 24E
The permit (s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of
Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83402 on
or before APRIL 22, 1985.
KEN DUNN, Dir.
Published April 4 & 11, 1985.

RECORDED

DEC 08 1985

RECEIVED

APR 15 1985

AFFIDAVIT OF PUBLICATION

Department of Water Resources
Eastern District Office

State of Idaho, County of Custer, SS.

I, MARGARET PARKS

Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated APR 4 1985 and ending with the issue dated APR 11 1985.

Margaret Parks
Subscribed and sworn to before this 11 day of April 1985.

Ethel M. Peck
Notary Public, residing at Challis, Idaho. My commission expires on Life.

NOTICE OF APPLICATION
FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
73-7106

BIRCH POWER COMPANY
550 LINDEN DRIVE, IDAHO FALLS, ID 83401

Source: UNNAMED STREAMS trib. to PAHSIMEROL RIVER, PAHSIMEROL RIVER, trib. to SALMON RIVER

Date Filed: 03/21/1985

Diversion Pt: SWSW Sec 19 T 13N R 23E

Use: POWER (80.00 CFS)

In: NWN Sec 02 T 13N R 22E

34-7472

SORENSEN, RODGER LEE &/or MARY M.

245 N. HOOPER, SODA SPRINGS, ID 83276

Source: SPRING trib. to BIG LOST RIVER

Date Filed: 07/03/1984

Diversion Pt: NWSE Sec 03 T 07N R 20E

Use: STOCKWATER (0.03 CFS), DOMESTIC (0.04 CFS)

In: SWNW Sec 36 T 08N R 20E

34-7459

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

Source: GROUNDWATER

Date Filed: 02/08/1984

Diversion Pt: NESE Sec 28 T 07N R 24E

Use: DOMESTIC (0.07 CFS)

In: NESE Sec 28 T 07N R 24E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before APRIL 22, 1985.

KEN DUNN, Dir.

Published April 4 & 11, 1985.

MICROFILMED

DEC 08 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 34-07459	)	ORDER OF REINSTATEMENT
	)	
IN THE NAME OF STATE OF IDAHO	)	
DEPARTMENT OF TRANSPORTATION	)	

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before December 1, 1996; and,

WHEREAS, the permit holder submitted an acceptable proof of beneficial use on May 15, 1996; and,

WHEREAS, on December 6, 1996, the Department lapsed the permit in error; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause; and,

WHEREAS, the permit holder provided a reasonable showing why the permit should be reinstated by submitting proof in a timely manner; and,

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 34-07459 be **REINSTATED** with no advance in priority.

Dated this 3rd day of June, 1998.



L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

JUN 08 1998

FOR OFFICE USE ONLY
Amt. of Fee \$:
Receipt No.: NA
Receipt By: NA
Date Received: 5-15-96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

5-15-96
Received

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 34-07459 Telephone No. (208) 745-7781
2. Name(s) of Permit Holder(s): STATE OF IDAHO Dept. of Transportation
3. Mailing Address: PO Box 97 Rigby, ID 83442
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 5 / yr. 84
 - a. Well Driller: Bennings Well Drilling Drilling Permit Number:
 - b. **OPTIONAL:**
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): Stockwater (No. and type of stock):
Irrigation (No. of acres): Other: Highway Maintenance Building
6. Total rate of diversion and/or volume for which proof is submitted: 0.02 cfs OR acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes or No X
Has the measuring device been installed? Yes or No
Flow Measurement Port: Is a flow measurement port required? Yes or No X
Has the measurement port been installed? Yes or No
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Ed Bala Telephone Number: (208) 745-7781
Address: PO Box 97 Rigby ID 83442
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: 

Date: 12/19/95

(Include your title, if on behalf of company or organization)

Regional Engineer

MICROFILMED

JUN 08 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 34-07459

Proposed Priority: February 8, 1984

Maximum Diversion Rate:

0.02 CFS

This is to certify, that **STATE OF IDAHO**
DEPT OF TRANSPORTATION
DIVISION OF HIGHWAYS
PO BOX 7129
BOISE ID 83720-7129

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 28, Township 07N, Range 24E
CUSTER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

07N 24E 28

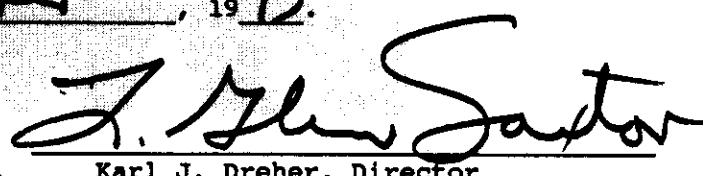
NESE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1996.
2. Subject to all prior water rights.
3. Domestic use is for a highway maintenance building.

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

5th day of December, 1995.


for Karl J. Dreher, Director

MICROFILMED

DEC 08 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant IDAHO TRANS. DEPT. - DIV. OF HIGHWAYS Phone (208) 745-7781

Post office address Mackay, Idaho 83251

2. Source of water supply Groundwater ~~Lost River Aquifer~~ which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28 Township 7N

Range 24E B.M. Custer County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.02 * ~~0.07 cfs~~ for Domestic purposes from 1-1 ~~3-84~~ to 12-31 ~~3-85~~ (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. 0.02 * ~~0.07~~ cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well/pump (3hp) with line
to maintenance building

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 70 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 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: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28 Township 7N

Range 24 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 _____

(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: Two bay maintenance building
40' x 112' with two permanent employees and four permanent pieces of equipment.

RECEIVED

DEC 18 1995

* per letter dated 11/28/95 czg.

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 IDAHO TRANS. DEPT.

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

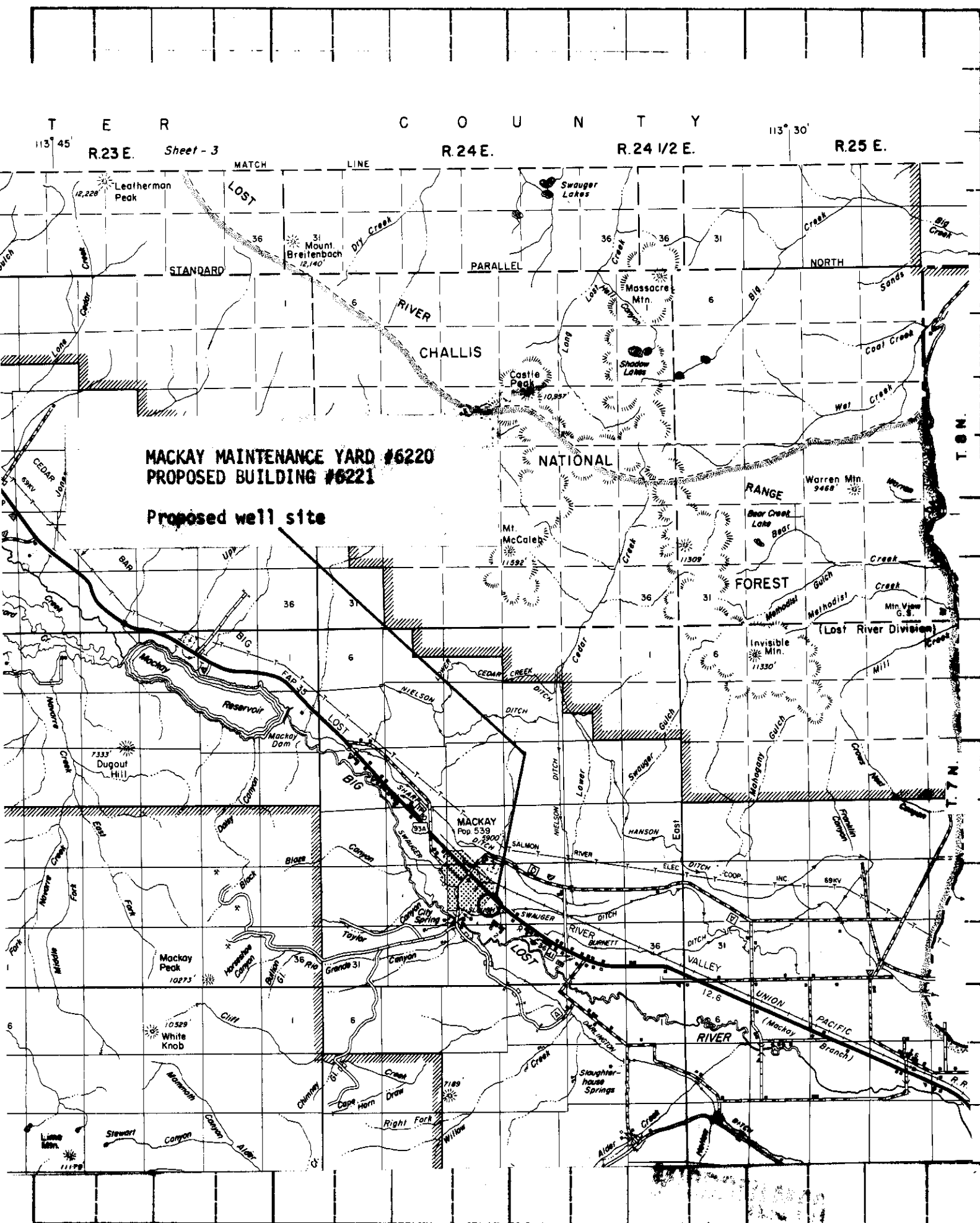
10. Remarks _____

MICROFILMED

DEC 08 1995

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

SEE ATTACHED MAP



DEC 08 1995

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.

Clyde R. Sellers
 (Applicant)

District
 Maintenance
 Engineer

Proposed Priority 2/8/84

Received by HWT Date 2-8-84 Time 10:00 am

Preliminary check by Kaw Fee \$ 30.00

Receipted by BP Date 2-8-84 # 33439

Publication prepared by CW Date 3-27-85

Published in Quiver Publishing Co

Publication dates 4/04 & 4/11/85

Publication approved CW Date 4-16-85

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC Kaw

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. 34-7459, and said application is hereby _____.

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 _____, 19 ____.
- 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: 124

Use of water under this permit is subject to control by the watermaster of State Water District No. 34. Big Lost River.

Witness my hand this _____ day of _____

Chief, Operations Bureau 124

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DEC 08 1995



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

PHILIP E. BATT
GOVERNOR

June 3, 1998

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 83442

PROOF ACKNOWLEDGMENT LETTER

RE: Permit No. 34-07459

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and supporting information submitted for the above referenced permit.

Enclosed is an order reinstating the permit since it was lapsed in error by the department. Note that the priority date has not been advanced.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

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 the field examination, you may contact the **EASTERN** Regional Office of the department in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH

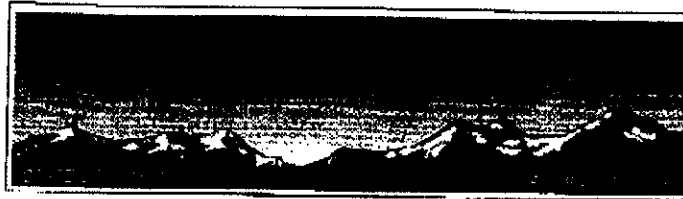
Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

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JUN 08 1998



TRANSPORTATION DEPARTMENT
DISTRICT 6 • P.O. BOX 97 • RIGBY, ID • 83442-0097 • (208) 745-7781

IDAHO TRANSPORTATION DEPARTMENT DISTRICT SIX

DATE: 3-20-97 TIME: 8:20 AM PM

TO: Julie L. Yarbrough	FROM: Tom Cole
DEPARTMENT: Water Res.	DEPARTMENT: ITD
FAX NUMBER: 327-7866	FAX NUMBER: 208-745-8735
PHONE NUMBER:	PHONE NUMBER: 745-5680

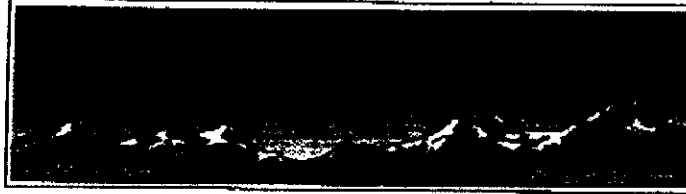
MESSAGE: Here is the information
I have in my file.

[Signature]

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JUN 08 1998

- An Equal Opportunity Employer



TRANSPORTATION DEPARTMENT
DISTRICT 6 • P.O. BOX 87 • RIGBY, ID • 83442-0087 • (208) 745-7781

December 19, 1995

STATE OF IDAHO
Department of Water Resources
1301 North Orchard Street, Statehouse Mail
Boise, ID 83720-9000

RE: Permit No. 34-07459

ATTN: Shelley Walter Keen (male)

Dear Shelley,

Pursuant to your correspondence of December 6, 1995, please accept the enclosed materials:

1. A completed Proof of Beneficial Use statement. Please be advised that neither ITD nor the contractor, Denning's Well Drilling, have a drilling permit on file. I contacted Denning this morning, and they are not sure that this permit was required in May 1984 when the work was done.
2. A check in the amount of \$50.00 for license examination fee.

Please advise me if you need anything else.

Sincerely,


Ed Bala, P.E.
Regional Engineer

cc: ADE
Mtce. (J Hutchens)
rf

MICROFILMED

JUN 08 1998

STATE OF IDAHO
INTERAGENCY BILLING INPUT

SECTION A	AGENCY NAME (BILLING AGENCY) WATER RESOURCES	AGENCY CODE 360	DOCUMENT DA 05/01/96	CURRENT DOCUMENT NO. BILL 2790 01
---------------------	--	---------------------------	--------------------------------	---

SFX 01	TC 130	INDEX	REV SUBOBJ 1155	AMOUNT \$100.00	RVS	INVOICE DESCRIPTION PROOF OF BENEFICIAL USE
	PCA 63104		SUBSIDIARY 2900201		GRANT/PHASE	PROJECT/PHASE
			2ND AGENCY 290			02
SFX 02	TC 130	INDEX	REV SUBOBJ 1155	AMOUNT \$20.00	RVS	INVOICE DESCRIPTION STREAM ALTERATION
	PCA 57102		SUBSIDIARY		GRANT/PHASE	PROJECT/PHASE

SECTION B THIS SECTION CONTAINS THE NAME, PRICE, AND DESCRIPTION OF MATERIALS OR SERVICES SUPPLIED				
DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT
PROOF OF BENEFICIAL USE 35-09041 AND 35-07459				\$50.00
STREAM CHANNEL ALTERATION 22-S-168				\$20.00
TOTAL				\$120.00

AUTHORIZED SIGNATURE: *Angela Hodge*

DATE: *5/2/96*

SECTION C	AGENCY NAME (PAYING AGENCY) DEPT OF TRANSPORTATION	AGENCY CODE 290	DOCUMENT DA	CURRENT DOCUMENT NO.
---------------------	--	---------------------------	-------------	----------------------

SFX 1	TC	REF-DOC/SF	INDEX	2ND AGY 360	EXP SUBOBJ	AMOUNT
RVS	INVOICE NUMBER (BILLING AGENCY) BILL 2790 01			VENDOR NUMBER/SUFFIX 826000952DP		PCA
SUBSIDIARY 3600000			GRANT/PHASE		PROJECT/PHASE	

AUTHORIZED SIGNATURE: _____

DATE: _____

paid 5/15/96

MICROFILMED

JUN 08 1998

December 6, 1996

STATE OF IDAHO
DEPT OF TRANSPORTATION
DIVISION OF HIGHWAYS
PO BOX 7129
BOISE ID 837207129

LAPSE NOTICE

RE: PERMIT NO. 34-07459

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated September 30, 1996. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

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JUN 08 1998

CERTIFICATION OF MAILING

I hereby certify that on 12/6/96
~~a copy~~/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

September 30, 1996

STATE OF IDAHO
DEPT OF TRANSPORTATION
DIVISION OF HIGHWAYS
PO BOX 7129
BOISE ID 837207129

PROOF DUE NOTICE

RE: PERMIT NO. 34-07459

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 December 1, 1996. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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

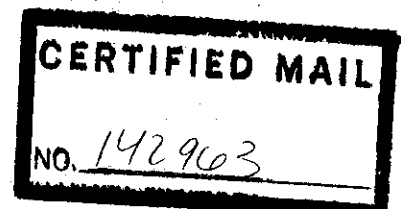
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JUN 08 1998





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

December 6, 1995

STATE OF IDAHO
DEPT OF TRANSPORTATION
DIVISION OF HIGHWAYS
PO BOX 7129
BOISE ID 83720-7129

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 34-07459

Dear Permit Holder:

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

MICROFILMED

DEC 08 1995

STATE OFFICE REVIEW

by Cindy Zimmerman

No.: 34-7459 Name: Id. Dept of Highways Date: 12/1/95 Ad OK? ☒
Correct Fee? ☒ Receipt #: 33439 Priority: 2/8/84 ☒ Gvmt Lts: ☒

AREA OF CONCERN? 42 III (b) - No/Yes ERS P Mor GWMA Trust/Non-trust
PROTESTED: example - 020 (Protest Agr) or W19 (See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: ☒ FLO-CH

```
+ 0.2 cfs          - 01M
= /- 0.2 cfs       - No MD
= /+ 5 a.          - 01M, 065(if GW use SW 1st)
```

Drilling Permit:

Existing well 1984 - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):

Water District(~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 028(may report)-01J(meas dev)-**P08**
=/~~-~~ 0.2 cfs - 028(may report)-01H(lock dev)-**P01** or No MD
=/~~+~~ 5 a. irr. - 028(may report)
~~In~~WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/~~+~~ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

```
Snake R (01) - 11A-P04, NA
          (02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064 (regulated uses), 047-P04 (Payette Lake), NA
```

USE:

Domestic (surface) - 021(Boise R ↑ L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10;044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
 + 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
 +25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

~~Boyer Trust LeCoe~~	-	058 (-85° GW temp only)
In-stream dev.	-	P52 (stream channel alteration)
Irr Dist/Canal Co.	-	023 (Twin Falls area)
Swan Falls Flag	-	<u>C</u> <SEE CODE CHART>
Trust	-	051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1>	-	048-049 (Consumptive Uses), NA

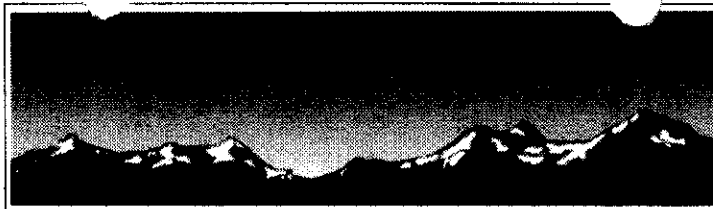
OWNERSHIP:Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS :



TRANSPORTATION DEPARTMENT
DISTRICT 6 • P.O. BOX 97 • RIGBY, ID • 83442-0097 • (208) 745-7781

RECEIVED
NOV 30 1995

Department of Water Resources

November 28, 1995

Department of Water Resources
1301 North Orchard
Boise, ID 83720-9000

ATTN: Shelley Walter Keen
Water Rights Supervisor

RE: Application for Permit No. 34-07459

Dear Shelley,

Your letter of November 2 indicates that our referenced application at the Mackay maintenance building has not been approved; contingent on our being able to demonstrate continuous use since November 19, 1987, or that the diversion is less than 0.04 CFS.

Please accept the enclosed materials to demonstrate continuous use, ie:

1. Form DA-8, dated December 6, 1984, indicating final payment to Dennings Well Drilling, along with a Purchase Order Change. These documents are for processing final payment to the contractor for the work of installing the well at the site. The building itself was completed in the spring of 1985, and has been continuously occupied and used since.
2. A copy of our original application for permit for this site, dated Feb. 8, 1984.

Also, as we discussed via telephone this morning, the diversion at this site is used to provide domestic water; including drinking, sanitation, and an occasional truck wash for two employees at the Mackay shed. Thus, the amount diverted is approximately .02 CFS or 5 GPM.

Please review these materials and approve our application for permit. If you need any other information, please feel free to contact me at (208) 745-7781.

Sincerely,


Ed Bala, P.E.
Regional Engineer

cc: ADE
Mtce. (J Hutchens)
rf

MICROFILMED

NOV 08 1995

EXPENDITURE VOUCHER

AUDITOR USE

Document No.

5512340

Pre-Audit

DEC 18 1984

Warrant No.

STATE OF IDAHO
Office of State Auditor

Date
12/06/84

Code	20.0000
------	---------

**AGENCY
NAME:**

ITB - DIVISION OF HIGHWAYS
District Six

06-1388

CHECK ONE:

() MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

PAY Dennings Well Drilling
143 South Market
TO Ucon, Idaho 83434

Encumbrance Reference No.

~~061320A~~ 0613201

1 } PURCHASE ORDER

() MISCELLANEOUS

ENCUMBRANCE REQUISITION

PAYMENT: (X) PARTIAL () FINAL

LINE No.	PROGRAM			ACCT.	CLASS		DESCRIPTION (Include Quantity)	COMPLETE ONE		AGENCY USE
	Maj	Min	Ele		Maj	Min		%	LINE AMOUNT	
1	02	03		2205	8621		Land Labor		6,771.	
							S.O. #F113201			
							rec - 12/26/84			

MICROFILMED
DEC 08 1995

NOTE: Final payment must be accompanied by a receiving copy

TOTAL	100%=	4.737.59
--------------	--------------	-----------------

TO STATE AUDITOR

AUDITOR'S CERTIFICATE

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service; that the items have been received and accounted for; and that the account as stated is correct and just.

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

DEC 1 1964

[illegible]

State Auditor

STATE OF IDAHO
DIVISION OF PURCHASING

Date 11/26/84

PURCHASE ORDER CANCELLATION OR CHANGE

ORDERED FOR: Idaho Transportation Dept

Purchase order changed: F113201

DIVISION: Div of Highways

Date 6/5/84

Shipping
Destination: South of city on US 20
Rigby Idaho 83442

TO: DENKINGS Well Drilling
145 South, Market.
LCOM, Idaho 83454

AGENCY	LINE	PROGRAM	FUND	CLASS	AMOUNT
2000	1	203	2205	8621	568758

INSTRUCTIONS:

This form is to be used in all cases where change or cancellation is made on orders that have already been placed with the vendor for fulfillment.

is hereby given of the cancellation change of the purchase order referred to above.

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT	LEAVE BLANK
		original purchase order reads Decrease Requested purchase order now reads		568758 900.00 <u>478758</u>	
		DATA NOV 30 1984 ENTERED #24335AA			

for confirmation of Cancellation or Change:

Reduction in cost was acquired due to a change in
class adopted on well, Investigation demonstrated
contractor agreed to reduction.

DEC 08 1985

Vendor
State Auditor
Originating Office

J. R. Dick
District Engineer/Bureau Chief or Higher Authority



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

November 2, 1995

IDAHO TRANSPORTATION DEPT
DIVISION OF HIGHWAYS
MACKAY ID 83251

RE: Application for Permit 34-07459

Dear Applicant:

In 1984 you filed Application for Permit No. 34-07459 to appropriate 0.07 cfs of groundwater for domestic purposes in the Big Lost River Basin. A printout of your application is enclosed for your reference.

Your application has not been approved because of a moratorium on processing applications for new consumptive uses of water in the Eastern Snake River Plain area. IDWR is now interested in knowing if you still wish to pursue the application. If not, please complete the enclosed withdrawal form and return it to me.

If you still wish to pursue the application, there are some circumstances under which your application may be approved. If your proposed use meets the requirements to be considered a domestic exemption as defined in Idaho Code §42-111, your application may be approved. To meet the definition, your water use for a maintenance building must be limited to an instantaneous diversion rate of 0.04 cfs and a daily diversion volume of 2,500 gallons. Or, you may demonstrate that your water use commenced prior to November 19, 1987, and has been in continuous use since that time. A third option would be to demonstrate that your water use will be entirely non-consumptive or to provide a plan to mitigate for any consumption.

Please respond in writing within thirty days. If you have any questions, please contact me at 208-327-7946 in Boise.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

Enclosures

MICROFILMED

DEC 08 1995



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

DEC 08 1995

INTER-DEPARTMENT MEMO — 1

FROM

Kay Walker *KW*

DATE

6-7-85

TO

Application for Permit No. 34-7459

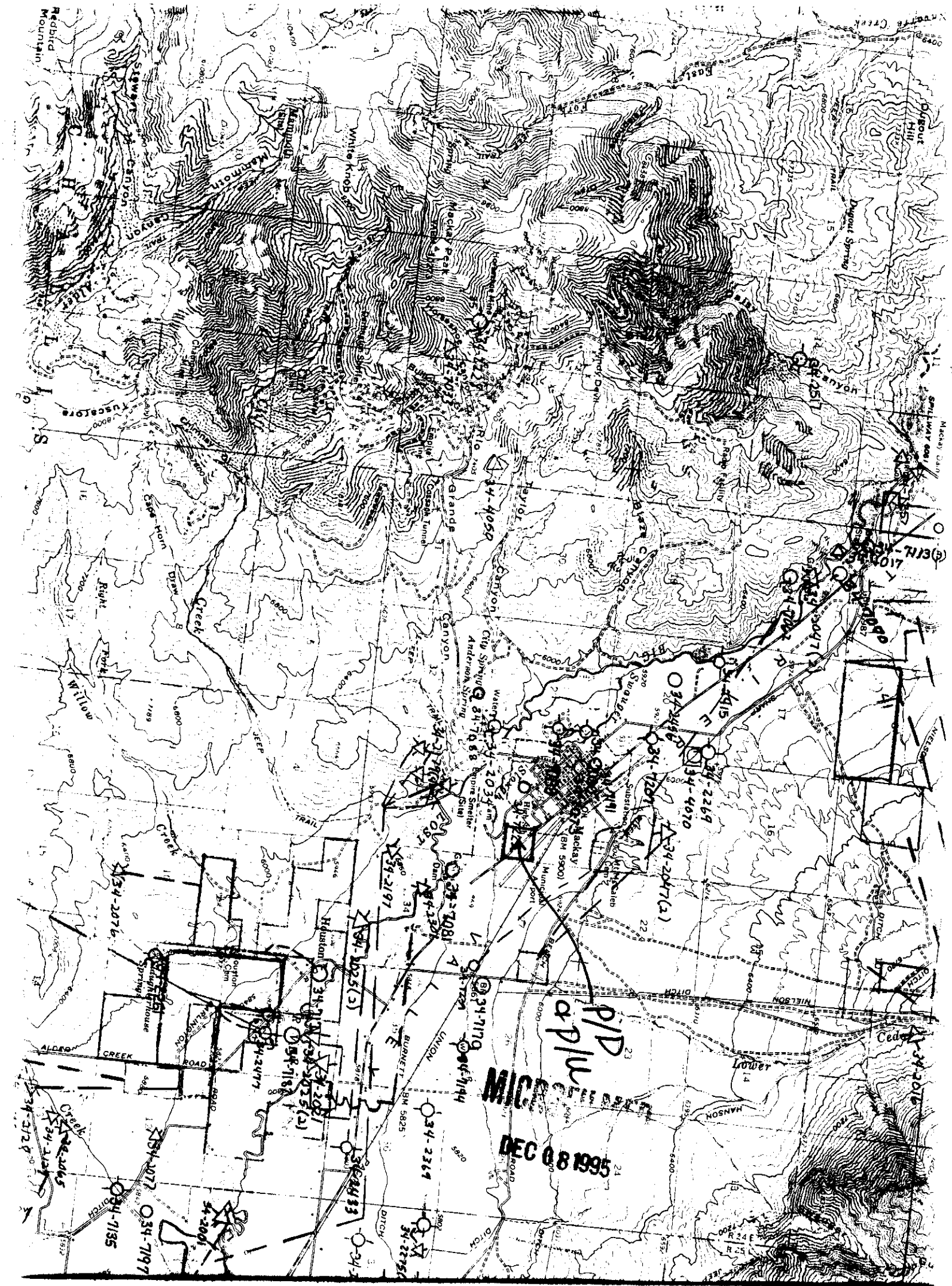
SUBJECT

Watermaster Control Recommendation

Pursuant to review of this application, I recommend that it be subject to watermaster control because of the close proximity of the well to the river and the shallowness of the well itself. (70')

DEC 08 1985

SIGNATURE



State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Keith C Wilson APPLICATION NUMBER: 34 7459

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

☒ Fee.

☐ Yes ☒ No

Field check required.

☐ Yes ☒ No

Critical groundwater area.

☐ Yes ☒ No

Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No *

In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____ Date: _____

PROCESSING:

☐ Yes ☒ No

Platted by: _____ Map No. _____

☐ Yes ☒ No

Other rights on same place of use. _____

☒ Yes ☐ No *

In form for advertising.

Final date for protests: 4-22-85

☐ Yes ☒ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 4-15-85
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No

Measuring device required.

☐ Yes ☒ No

Access port required.

☒ Yes ☒ No

Will water be delivered by watermaster? If yes, what district? 34

2-8-84

Date of priority recommended.

Special conditions of approval or cover letter. _____

app. not identified in S.F. suit

By: Ernest Carlson

Date: April 24, 1985

STATE OFFICE REVIEW:

L21, L16

05(34, Big Lost River)

☐ See attached sheet for more information.

By: KW

Date: 6/7/85

RECEIVED
APR 80 1985

POINT OF DIVERSION AND STREAM INDEX INFORMATION

RECORDED
APR 23 1971

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

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

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

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

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

34-7459-

STATE OF IDAHO

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

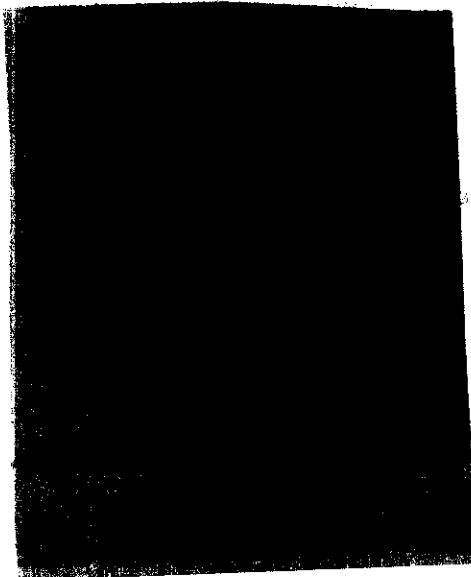
Source: GROUNDWATER

Date Filed: 02/08/1984

Diversion Pt: NESE Sec 28 T 07N R 24E

Use: DOMESTIC (0.07 CFS)

In: NESE Sec 28 T 07N R 24E



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BEC 08 1985

RECEIVED

APR 15 1985

AFFIDAVIT OF PUBLICATION

Department of Water Resources
Eastern District Office

State of Idaho, County of Custer, ss.

I, MARGARET PARKS

Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2... consecutive weeks, commencing with the issue dated APR 4... 1985 and ending with the issue dated APR 11... 1985

Margaret Parks
Subscribed and sworn to before this 11 day of April

1985
Ethel M. Peck

Notary Public, residing at Challis, Idaho. My commission expires on

Life

NOTICE OF APPLICATION
FOR WATER RIGHT

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

73-7106

BIRCH POWER COMPANY
550 LINDEN DRIVE, IDAHO FALLS, ID 83401

Source: UNNAMED STREAMS, trib. to PAHSIMEROI RIVER, PAHSIMEROI RIVER, trib. to SALMON RIVER

Date Filed: 03/21/1985

Diversion Pt: SWSW Sec 19 T 13N R 23E

Use: POWER (80.00 CFS)

In: NWNE Sec 02 T 13N R 22E

34-7472

SORENSEN, RODGER LEE &/or MARY M.

245 N. HOOPER, SODA SPRINGS, ID 83276

Source: SPRING trib. to BIG LOST RIVER

Date Filed: 07/03/1984

Diversion Pt: NWSE Sec 03 T 07N R 20E

Use: STOCKWATER (0.03 CFS), DOMESTIC (0.04 CFS)

In: SWNW Sec 36 T 02N R 20E

34-7459

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

Source: GROUNDWATER

Date Filed: 02/08/1984

Diversion Pt: NESE Sec 28 T 07N R 24E

Use: DOMESTIC (0.07 CFS)

In: NESE Sec 28 T 07N R 24E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before APRIL 22, 1985.

KEN DUNN, Dir.

Published April 4 & 11, 1985.

MICROFILMED

DEC 08 1995