

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

Twp 1N.
Rge. 18E.

23

Well

Scale: 2 inches equal 1 mile.

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

AUG 22 1989

Charles M. ...
(Applicant)

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

DANIEL J. GORHAM

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 1st day of Feb, 19 89, and

the date of the last publication was on the 8th day of Feb, 19 89.

Donald J. Gorham
Subscribed and sworn to before me this 8th day of Feb, 19 89.
(SEAL)

Roberta McGeehan
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 36
Number of Insertions 2
Lines tabular at 36 5¢/Pica
Lines straight at 17.82 4¢/Pica
Subsequent lines at 13.86 3¢/Pica
TOTAL COST 36.68

COPY OF NOTICE

(Paste Here)

Not. of Applic. #37-08451
TITLE OF NOTICE Maestas

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res
BILL TO

Water right sought by Maestas

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08451

MAESTAS, CHARLES
P.O. BOX 315
BELLEVUE, ID 83313

Source: GROUNDWATER

Diversion Pt: NENE Sec 23 T
01N R 18E

Use: COMMERCIAL (.080 CFS)

Date Filed: 10/31/1988

In: T01N R18E S23 NENE

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before FEBRUARY 20, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal-
February 1 & 8, 1989.

AS OF OCT. 1, 1988

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight....4.5/pica
7-8 pt. per line tabular....5.5/pica
7-8 pt. per line successive insertion.....3.5/pica

No 6354

RECEIVED

FEB 09 1989

Department of Water Resources
Southern Region Office

AUG 22 1989

Form 202
6-785
RECEIVED

OCT 11 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

IDENT. NO. 37-08451

APPROVED

Department of Water Resources
Southern Region Office
To appropriate the public waters of the State of Idaho

1. Name of applicant Charles Maestas Phone 788-2771
Post office address P.O. Box 315 Bellevue, ID 83313
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____
Sec. 23 Township 1N Range 18E B.M. Blaine County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.08 for Commercial 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 is (a) 0.08 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 8" diameter well, 119' ft deep,
3.5 H.P. submersible pump.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
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).

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AUG 22 1984

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. *Cf culinary water in office & residence associated with business, use in maintenance shed & in production concrete.*

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	18E	23	C																

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. *None*

11. a. Who owns the property at the point of diversion? *Applicant*

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

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

12. Remarks: *Doing business as Custom Concrete.*

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AUG 22 1985

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

The map is a 12x12 grid. Handwritten annotations include:
- 'Twp 1N.' and 'Rge. 18E.' in the upper left quadrant.
- '23' in the center of the grid.
- 'x' with an arrow pointing to 'Well' in the upper right quadrant.

Scale: 2 inches equal 1 mile.

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

AUG 22 1989

Thane M. ...
(Applicant)

Proposed Priority 10/31/88

Received by T. Jasper Date 10/31/88 Time 10:35 AM Preliminary check by J.F. Stanton

Fee \$ 30⁰⁰ Receipted by [Signature] # 5003716 Date 11-10-88

Publication prepared by M. Baldwin Date 1/23/89 Published in Wood River Journal

Publication approved T. Jasper Date 2/10/89

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. 37-8451, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

Witness my hand this 6th day of June, 1989.

[Signature]

RECORDED

AUG 22 1989

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

DANIEL J. GORHAM

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annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

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Rolanta M. Ketchum
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

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TOTAL COST 31.68

AUG 22 1989

COPY OF NOTICE

(Paste Here)

Not. of Applic. # 37-08451
TITLE OF NOTICE Maestas

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res.
BILL TO

Water right sought by Maestas

NOTICE OF APPLICATION FOR WATER RIGHT

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

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MAESTAS, CHARLES
P.O. BOX 315
BELLEVUE, ID 83313

Source: GROUNDWATER

Diversion Pt: NENE Sec 23 T
01N R 18E

Use: COMMERCIAL (.080 CFS)

Date Filed: 10/31/1988

In: T01N.R18E.S23 NENE

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R. Keith Higginson, Director
Publish: Wood River Journal-
February 1 & 8, 1989.

AS OF OCT. 1, 1988

(Idaho Code, Rev. Statutes 1984)

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7-8 pt. per line successive insertion.....3.5/pica

No 6354

RECEIVED

FEB 09 1989

Department of Water Resources
Southern Region Office

July 17, 1990

CHARLES MAESTAS
P.O. BOX 315
BELLEVUE, ID 83313

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08451

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

JUL 23 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 37-8451

Date: 7-11-90

General Considerations:

☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

☐ Surface water
☒ Groundwater
1. well log in file 1975
2. drilling permit
A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

☒ Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

proof acceptable

Priority Calculation:

Date proof received	<u>N/A</u>	
Date proof due		-
No. of days late		=
Priority date		+
NEW PRIORITY DATE		=

JP
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Date

5-3-90

Time

9:49

A.M.
P.M.**WHILE YOU WERE OUT**Charles mastess

of _____

Phone

788-2771

AREA CODE

NUMBER

EXTENSION

Telephoned	☐	Please call	☒
Called to see you	☐	Will call again	☐
Wants to see you	☐	Returned your call	☐

Message

37-08451

Signed

Julie

RECEIVED
MAY 07 1990
no ✓

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. 37-08451 Telephone No. 208-788-2771

Name(s) of Permit Holder(s): Charles Maestas

Post Office Address: P.O. Box 315 Bellevue Idaho 83313

Source of Water: Drilled Well

If ground water, well driller's name: Smith Drilling Date drilled: 4-4-75

Extent of Use:
Domestic X (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other Mixing Redmix Concrete

Total rate and/or volume for which proof is submitted .04 cfs 0-4 acre/feet

Show date water was first diverted and beneficially used under this permit: 4-16-75

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

Measuring device: Required? Yes XNo Installed? Yes XNo

OR

Flow Measurement Port: Required? Yes XNo Installed? Yes XNo

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

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

Charles Maestas 208-788-2771
Name Telephone No.
188 Wendale Bellevue Idaho 83313
Address

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.

MICROFILMED

JUL 25 1991

5-4-90
Date

Charles Maestas
Signature (and title if on behalf of a company or organization)

138669
April 30, 1990

CHARLES MAESTAS
P.O. BOX 315
BELLEVUE, ID 83313

PROOF DUE NOTICE

RE: PERMIT NO. 37-08451

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 July 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

JUL 2 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 7, 1989

CHARLES MAESTAS
P.O. BOX 315
BELLEVUE, ID 83313

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08451

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed 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 for your convenience is a form entitled "Proof of

NOTIFIED

AUG 22 1989

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

AUG 22 1989

Form No. 202a
87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY J. F. Stanton DATE 11-10-88 APPLICATION NUMBER 37-08451

REQUIRED INFORMATION

- ☐ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☐ Address
- ☐ Source (See USGS Quad for names of water sources)
- ☐ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☐ County
- ☐ Quantity (flow and/or volume)
- ☐ Period of Use
- ☐ Nature of proposed use (Include description of use.)
- ☐ Description of diverting works
- ☐ Time required for beneficial use of water
- ☐ Place of use or acres irrigated
- ☐ Map
- ☐ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☐ Fee
- ☐ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

RECEIVED
MAY 15 1989

Date Requested Department of Water Resources

PROCESSING

☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM, District _____
☐ Idaho Dept. of Fish & Game, Region _____ ☐ U.S. Forest Service, Forest _____
☐ Idaho Dept. of Lands ☐ Water District # _____
☐ Adjudication Bureau Unit ☐ Other _____

REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 2/20/89
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. 37
☐ Yes ☒ No Special conditions of approval or cover letter below.

☐ See below for additional information
Date of priority recommended 10/31/88
By Loren O. Hansen Date 5/8/89

STATE OFFICE REVIEW

P05, P23 P16 46 09E

☐ See below for additional information
By tw Date 5/30/89

ADDITIONAL INFORMATION

App. in TRUST area - DCMI

23-Jan-1989

Charles Maestas
P.O. Box 315
Bellevue, ID 83313

Re: Application for Permit No. 37-08451

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Wood River Journal on 2/1 & 2/8/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

MICROFILMED

AUG 22 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

JANUARY 23, 1989

WOOD RIVER JOURNAL
P.O. BOX 988
HAILEY, ID 83333

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. 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 20, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

AUG 22 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08451

MAESTAS, CHARLES
P.O. BOX 315
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Use: COMMERCIAL (.080 CFS)

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In: T01N R18E S23 NENE

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R. Keith Higginson, Director

Published 2/01/1989 & 2/08/1989

MICROFILMED
AUG 22 1989

**Water right
sought by Maestas**

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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been filed to appropriate the
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and/or the new public interest
criteria of Sec. 42-203C, Idaho
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Resources, 2148 4th Avenue
East, Twin Falls, Idaho 83301, on
or before FEBRUARY 20, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal-
February 1 & 8, 1989.

OK
TG 1/30/89

MICROFILMED

AUG 22 1989

STAFF ANALYSIS SUPPLEMENT

- 1) Water District _____ Basin # 37
- 2) Local description (of one P/D)

☐

At the above street address

☒

2 miles N/S S and 3/4 miles E/W W

of Bellvue

(City center or numbered highway intersection)

☐

(Travel directions from city center or highway intersection)

3/79

IDENT. NO. 37-08451

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

Initials

Date

Item

MB

1/9/89

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied

(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office