

2083569325 ALLIANCE TITLE REX.

Att. Cindy Zimmerman
 208-327-7866
TETON VIEW ESTATES
 IN
TETON COUNTY, IDAHO
 PART OF

1/4 Sec. 26, T.4N., R.45 E., B.M.
 FORKHEIM, PERKINS & ASSOCIATES, P.A.
 CONSULTING ENGINEERS
 REXBURG, IDAHO

LEGEND:

Block Number
 Lot Number
 Steel Rod

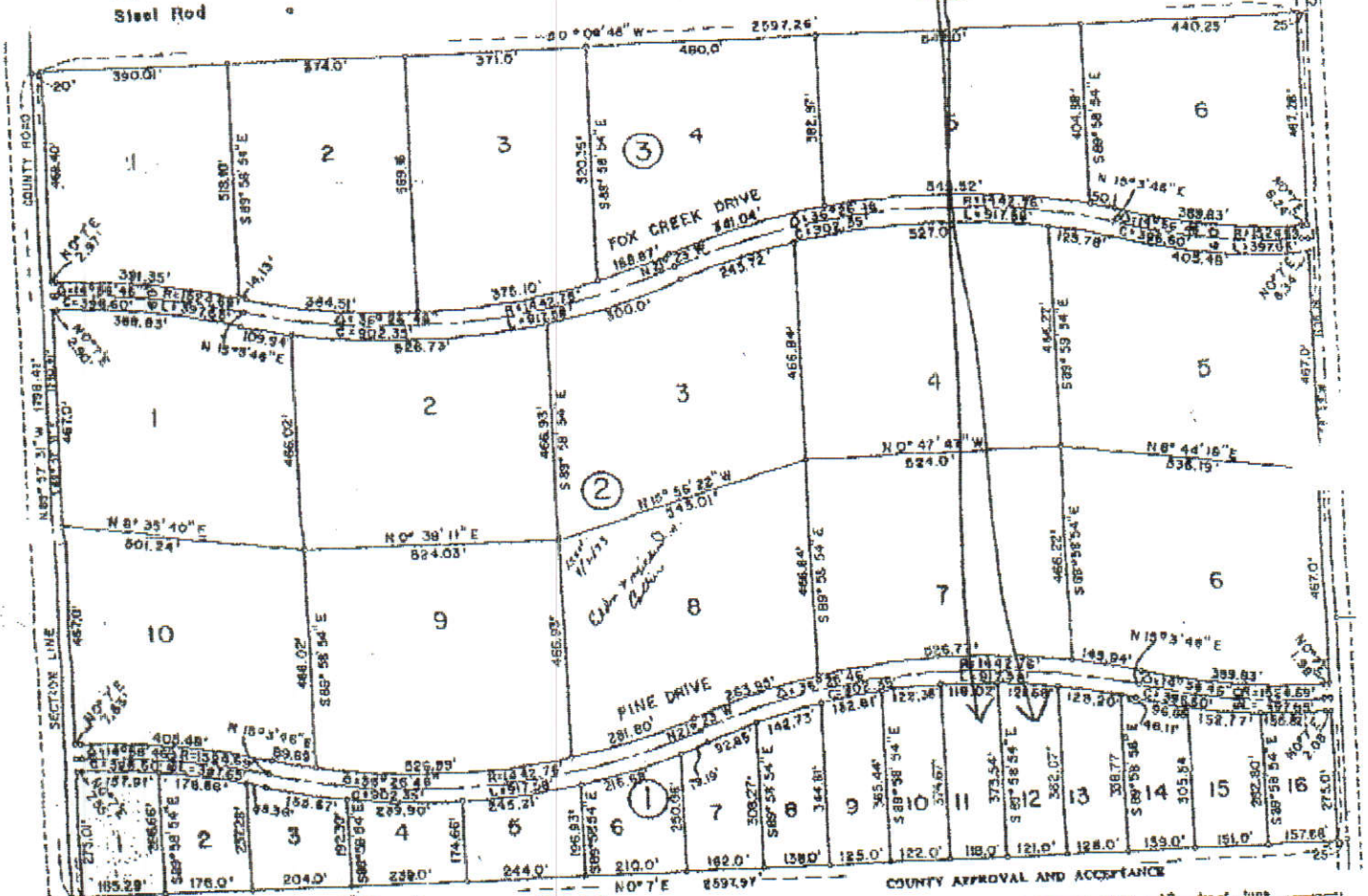
②

13

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SCALE: 1" = 200'

N



COUNTY RECORDER'S NO.

Recorded and filed at the request of:

July 14, 1998
[Signature]
 COUNTY RECORDER

Presented to the Teton County Board of County Commissioners this 12 day of June
 A.D. 19 12, at which time this subdivision was approved and accepted.
 Attested: *[Signature]* CLERK

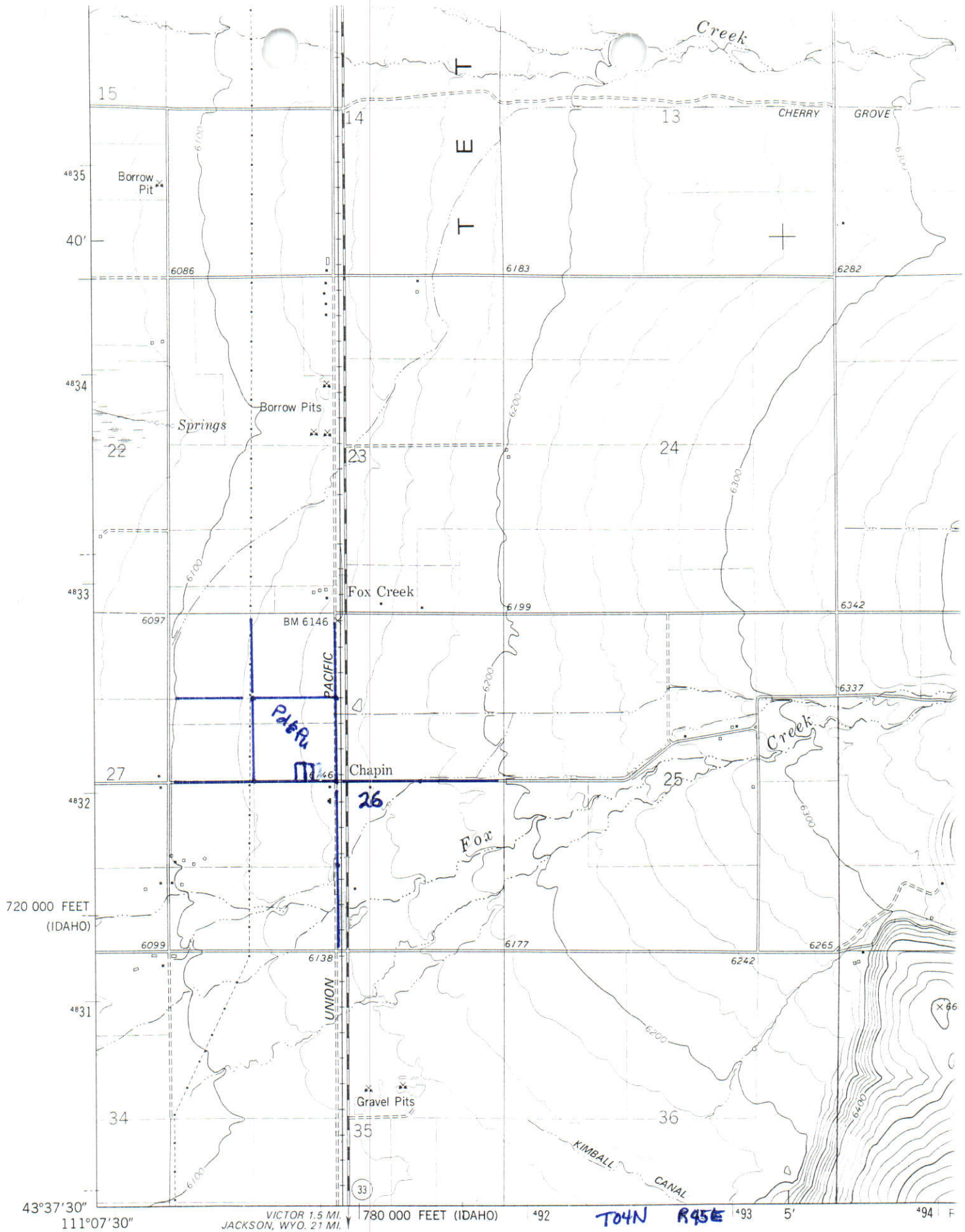
CITY COUNCIL APPROVAL AND ACCEPTANCE

Presented to the City Council this _____ day of _____, A.D. 19 _____
 At which time this subdivision was approved and accepted.
 Attested: _____ MAYOR

INITIAL

MICROFILMED
 JUL 30 1998

22-07801



(FOURTH OF JULY PEAK)
3771 ft SW

Mapped, edited, and published by the Geological Survey

Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial photographs taken 1973. Field checked 1974. Map edited 1978

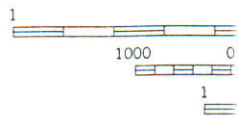
Projection: Idaho coordinate system, east zone (transverse Mercator)

12 000 foot grid ticks based on Idaho coordinate system

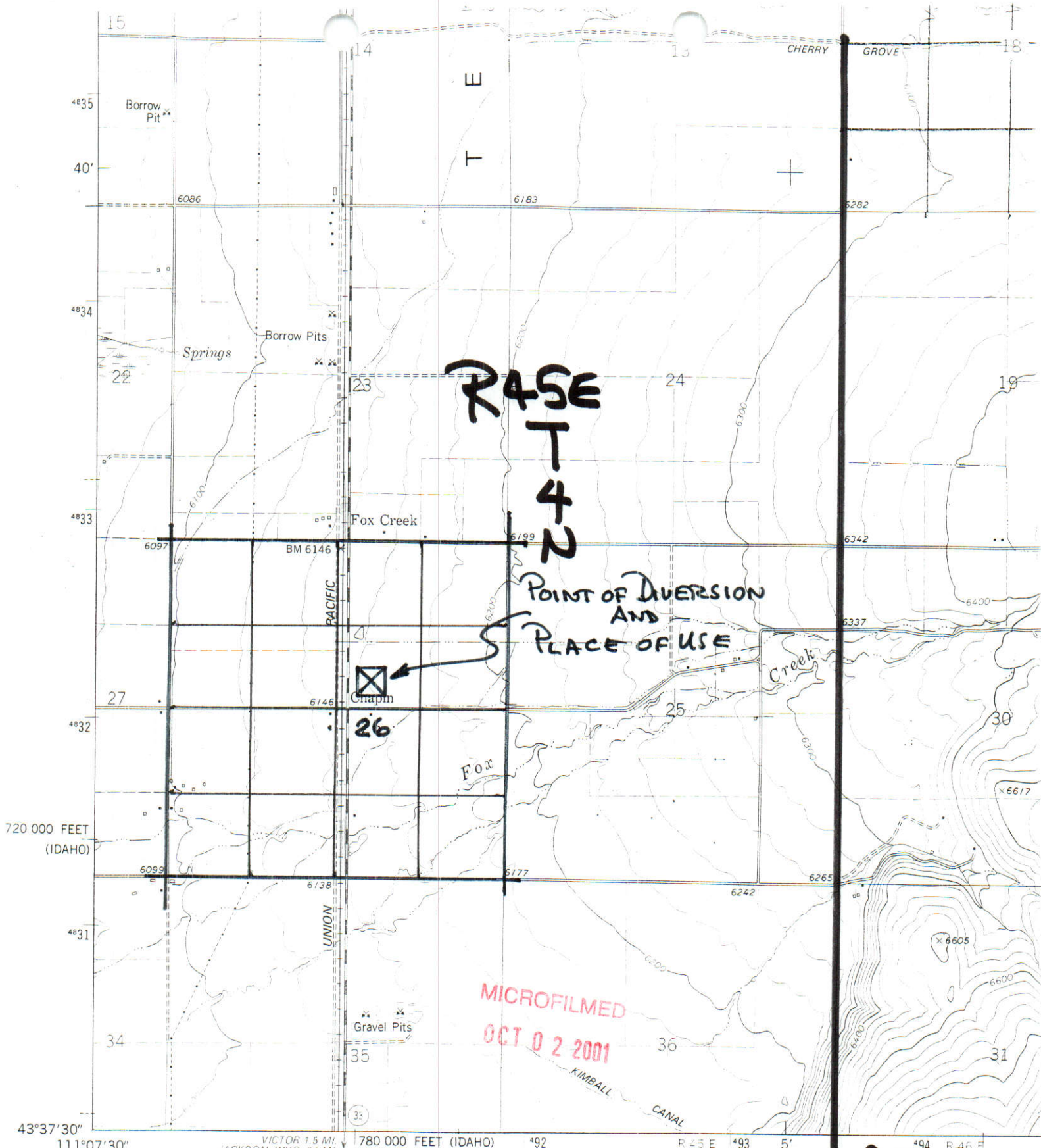
MICROFILMED

JUL 30 1998

TO4N R45E
GN
MN
0°03' 1 MIL
16½° 293 MILS

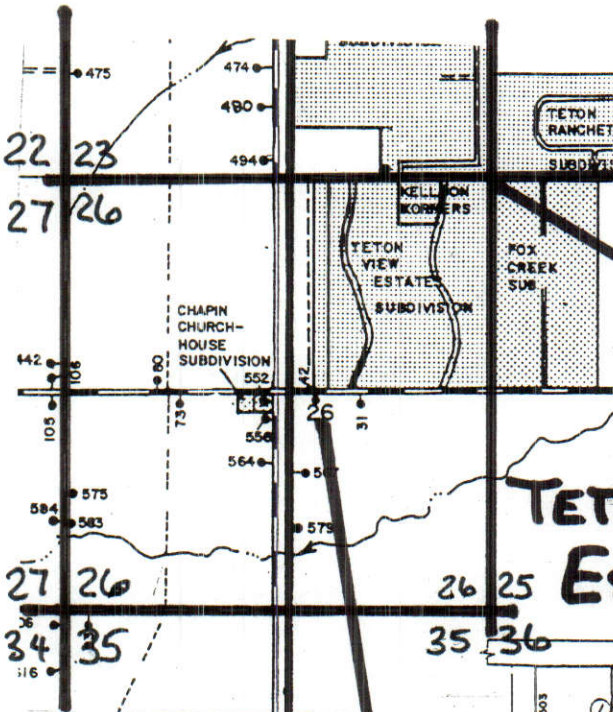


22-07801



Mapped, edited, and published by the Geological Survey
 Control by USGS and NOS/NOAA
 Topography by photogrammetric methods from aerial
 photographs taken 1973. Field checked 1974. Map edited 1978
 Projection: Idaho coordinate system, east zone
 (transverse Mercator)
 10,000-foot grid ticks based on Idaho coordinate system,
 east zone and Wyoming coordinate system, west zone
 1000-meter Universal Transverse Mercator grid ticks,
 zone 12, shown in blue. 1927 North American datum

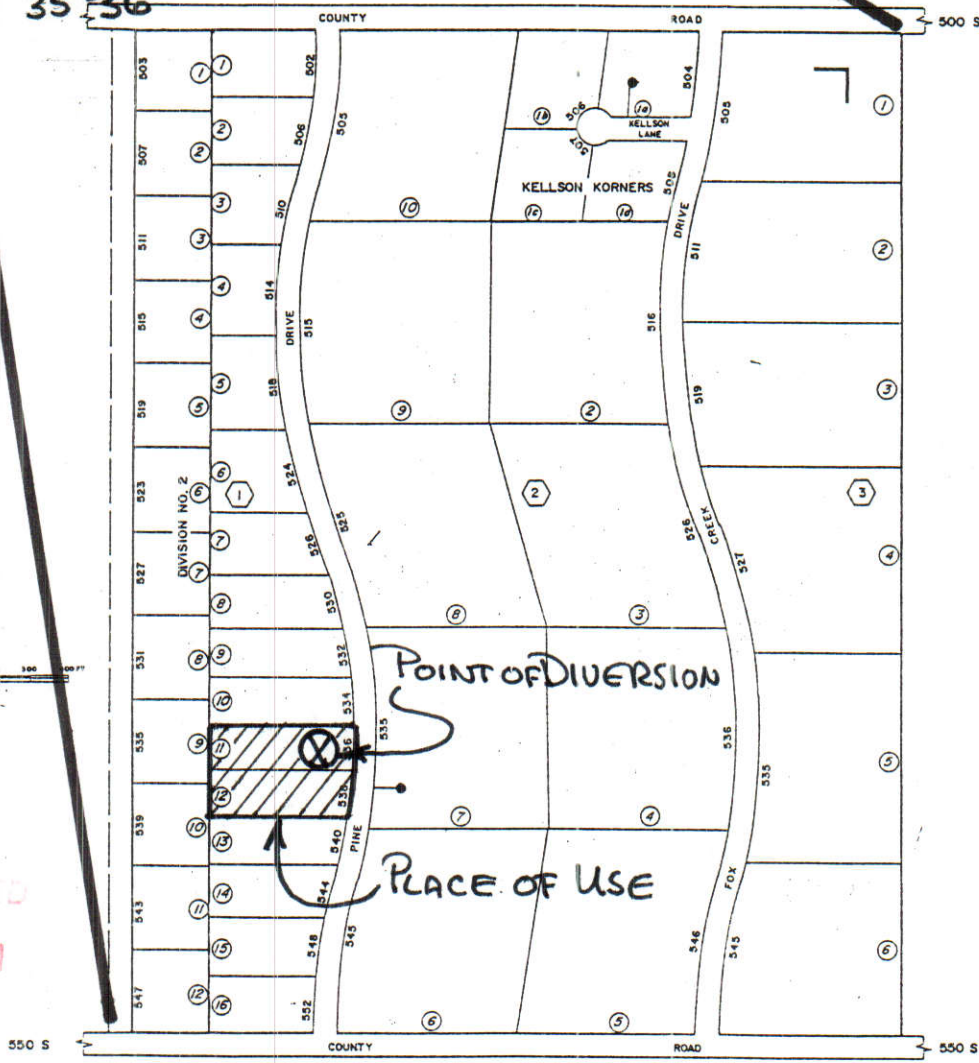
R45E R46E
 1 2
 1000 0 1000
 1 .5
 0°03' 1 MIL
 GN MN
 22-07801
 UTM GRID AND 1978 MAGNETIC NORTH
 DECLINATION AT CENTER OF SHEET
 CONTO
 NATIONAL



T R 45E
4 NE 1/4

TETON VIEW
ESTATES

MICROFILMED
OCT 02 2001



TETON VIEW ESTATES SUBDIVISION

22-07801



Point of Diversion
(View West)



Place of Use (From across the street)
View North-Westerly

MICROFILMED
OCT 02 2001

22-07801

AFFIDAVIT OF PUBLICATION

State of Idaho)

County of Teton)

I, Nadine Soose
being first duly sworn, depose and say that I am
the secretary of the Teton Valley News,
a newspaper as defined by Idaho Codes An-
notated, Section 58-106, as amended, and that
said newspaper is a weekly newspaper printed and
published at Driggs, in Teton County, Idaho,
having a general circulation in said county, and
that said newspaper has been printed in said
county for more than 78 consecutive weeks prior
to the first publication of the attached notice, ad-
vertisement, or publication of

Notice of Correction
And affiant further says that said attached notice,
advertisement, or publication, as per clipping at-
tached, was published in said newspaper, in the
regular and entire issue thereof, and not in any
supplement issue thereof, for three consecutive
issues thereof; first publication having been
made on the 18 day of June,
1998.

And affiant further says that at the times herein
mentioned said newspaper was made up of at
least eight pages of at least five columns each,
printed from typed matter, of at least sixteen in-
ches deep.

Nadine Soose
State of Idaho)

County of Teton)

On this 1st day of July
in the year of 1998, before me, a Notary Public,
personally appeared Nadine Soose
known or identified to me to be the person whose
name 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.

Bonnie Johnson
Notary Public for Idaho

Residing at Driggs ID

My commission expires 10/24/98

RECEIVED

JUL 02 1998

Department of Water Resources
Eastern Region

NOTICE OF CORRECTION

Notice is hereby given that Application
for Permit #22-07801 in the name of Roger
Phillips, was advertised incorrectly on May
21, and May 28, 1998. The Point of Diversion
was advertised as being within the SENW
Sec 26 T14N R45E in Teton County. Were as,
the actual Point of Diversion is within the
SENW Sec 26 T04N R45E in Teton County.
The permit will be subject to all prior
water rights. Protests must be filed with the
application and the Director, Dept of Water
Resources, along with \$25.00 filing fee, East-
ern Region, 900 N Skyline Dr, Ste A Idaho
Falls, ID 83402 on or before JULY 6, 1998.
KARL J DREHER, Director

Published in the Teton Valley News June
18 and 25, 1998.

MICROFILMED

JUL 30 1998

AFFIDAVIT OF PUBLICATION

State of Idaho)

County of Teton)

I, Nadine Loose
being first duly sworn, depose and say that I am
the of the Teton Valley News,
a newspaper as defined by Idaho Codes An-
notated, Section 58-106, as amended, and that
said newspaper is a weekly newspaper printed and
published at Driggs, in Teton County, Idaho,
having a general circulation in said county, and
that said newspaper has been printed in said
county for more than 78 consecutive weeks prior
to the first publication of the attached notice, ad-
vertisement, or publication of

Notice of Application
for Water Right
And affiant further says that said attached notice,
advertisement, or publication, as per clipping at-
tached, was published in said newspaper, in the
regular and entire issue thereof, and not in any
supplement issue thereof, for two consecutive
issues thereof; first publication having been
made on the 21 day of April
1998.

And affiant further says that at the times herein
mentioned said newspaper was made up of at
least eight pages of at least five columns each,
printed from typed matter, of at least sixteen in-
ches deep.

State of Idaho)

County of Teton)

On this 8th day of June
in the year of 1998, before me, a Notary Public,
personally appeared Nadine Loose
known or identified to me to be the person whose
name 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.

Bonnie Zoller
Notary Public for Idaho

Residing at Driggs Idaho

My commission expires 10/24/98

NOTICE OF APPLICATION
FOR WATER RIGHT

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

22-07801
PHILLIPS, ROGER
PO BOX 363
VICTOR, ID 83455

Source: GROUNDWATER

Diversion Pt: SENW Sec 26 T 14N R 45E
in TETON County.

Use: DOMESTIC (0.100 CFS)

Total Diversion: (0.100 CFS)

Date Filed: 5/4/1998

In: TETON County

T04N R45E S26 SENW

The permit(s) will be subject to all prior
water rights. Protests must be filed with the
application and the Director, Dept. of Water
Resources, along with a \$25.00 filing fee, East-
ern Region, 900 N Skyline, Idaho Falls, Idaho
83402 on or before JUNE 8, 1998.

KARL J. DREHER, Director

Published in the Teton Valley News May
21 and 28, 1998.

should be T04N

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JUL 30 1998

RECEIVED

JUN 10 1998

Department of Water Resources
Eastern Region

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07801

Priority: May 04, 1998

Maximum Diversion Rate: 0.05 CFS
Maximum Diversion Volume: 3.0 AF

It is hereby certified that ROGER PHILLIPS
PO BOX 363
VICTOR ID 83455-0363 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 04, 1998; and has
submitted Proof of Beneficial Use on June 07, 1999. An examination indicates that the works have a
diversion capacity of 0.05 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.05 CFS	3.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW¼SW¼NE¼ Sec. 26, Twp 04N, Rge 45E, B.M., TETON County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 45E 26			X														

CONDITIONS OF APPROVAL

1. Domestic use is for 4 homes.
2. Point of diversion is located within Lot 11, Blk. 1, Teton View Estates.
3. Place of use is located within Lots 11 and 12, Blk. 1, Teton View Estates.
4. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 16th day of July, 2001.

MICROFILMED

OCT 02 2001


for: KARL J. DREHER
Director

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JUL 13 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)
WATER RIGHT NO. 22-07801

Date of Priority: May 04, 1998

Maximum Diversion Rate: 0.05 CFS
Maximum Diversion Volume: 3.0 AF

Comes now ROGER PHILLIPS
PO BOX 363

VICTOR ID 83455-0363 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 22-07801, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.05 CFS	3.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26, Twp 04N, Rge 45E, B.M., TETON County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 45E 26			X														

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 10 day of July, 2001.

Roger Phillips
(Signature)

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OCT 02 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 22-07801

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$50.00 Received by Mail # 0054876 Date 7/13/01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 22-07801 with the following:

CONDITIONS OF APPROVAL

1. Domestic use is for 4 homes.
2. Point of diversion is located within Lot 11, Blk. 1, Teton View Estates.
3. Place of use is located within Lots 11 and 12, Blk. 1, Teton View Estates.
4. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.

Witness my hand this 16th day of July, 2001.

Karl J. Dreher
for: KARL J. DREHER
Director

MICROFILMED
OCT 02 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN - 7 1999

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. 22-07801 Telephone No. 208 787-2927

2. Name(s) of Permit Holder(s): ROGER PHILLIPS

3. Mailing Address: P.O. BOX 363 VICTOR, ID 83455

4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. 7 / yr. 94

a. Well Driller: DEANING Drilling Permit Number: 22-94-E-0110

b. OPTIONAL:
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):

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

Domestic (No. of households): 4 Stockwater (No. and type of stock): ✓

Irrigation (No. of acres): X Other: X

6. Total rate of diversion and/or volume for which proof is submitted: 0.10 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

Has the measuring device been installed? Yes or No

Flow Measurement Port: Is a flow measurement port required? Yes or No

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: ROGER PHILLIPS Telephone Number: 208 787-2927

Address: 536 PINE DR

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: Roger Phillips owner Date MIC/25/99
(include your title, if on behalf of company or organization)

SEP 21 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 22-07801

Proposed Priority: May 4, 1998

Maximum Diversion Rate:

0.10 CFS

This is to certify, that **ROGER PHILLIPS**

PO BOX 363

VICTOR ID 83455-0363

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

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.10 CFS

LOCATION OF POINT(S) OF DIVERSION:

SEnw , Sec. 26, Township 04N, Range 45E
TETON County

PLACE OF USE: DOMESTIC

TWN RGE SEC

04N 45E 26

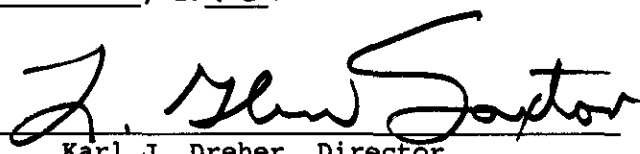
SEnw

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1999**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
6. Place of use is located within Lots 11-12, Blk. 1, Teton View Estates.
7. Domestic use is for 4 homes.

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

23 day of July, 1998.


Karl J. Dreher, Director
for

MICROFILMED

JUL 30 1998

Ident. No. 22-07801

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

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JUL 08 1998

Department of Water Resources

1. Name of Applicant ROGER PHILLIPS Phone 208 787-2927
Mailing address P.O. Box 363 Victor ID 83455
2. Source of water supply WELL Groundwater which is a tributary of _____
3. Location of point of diversion is Township 4N Range 45E Sec. 26X, in the 4th 1/4, SE 1/4, NW 1/4, Govt. Lot _____, B.M., Teton County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount 0.10 cfs for domestic purposes from 1/1 to 12/31 (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)
 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) 0.10 cfs and/or (b) _____
 cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source pump
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 6 inches; proposed depth of well is 120 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? 1984; Drilling firm Penning
 Well was drilled for (well owner) Roger Phillips; Drilling Permit No. ?
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
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. 4
 - e. Other; describe fully. _____

RECEIVED

APR 28 1998

Department of Water Resources
Eastern Region

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	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	4SE	26								D									
										4									

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? ROGER PHILLIPS

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

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: Additional Fee paid on drilling permit # 22-94-E-0110

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Roger Phillips
Signature of Applicant (and title, if applicable)

Received by AD Date 4-28-98 Time 2:36 PM Preliminary check by _____
 Fee \$ 50.00 Receipted by HI # 6024088 Date 5/4/98
 Publication prepared by SC Date May 21 & 28/98 Published in Teton Valley News
 Publication approved again on 6-18 & 6-25 Date 1998

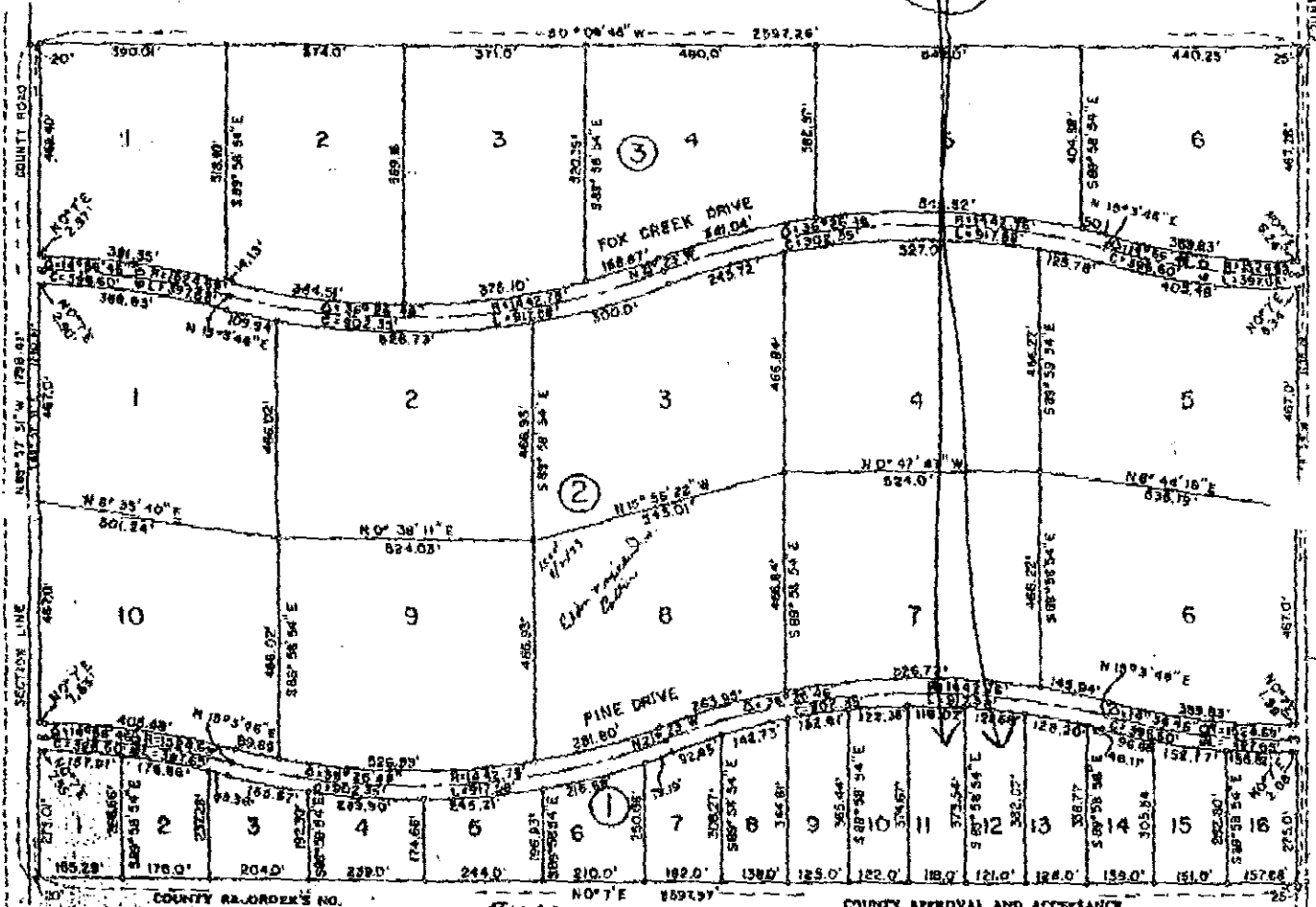
Att: Cindy Zimmerman
208-327-7866
TETON VIEW ESTATES
IN
TETON COUNTY, IDAHO
PART OF

NW 1/4 Sec. 28, T.4N., R.4E., B.M.
FORGEMAN, PERKINS & ASSOCIATES, P.A.
CONSULTING ENGINEERS
MAYBUND, IDAHO

LEGEND:

Block Number ②
Lot Number 13
Steel Rod .

SCALE: 1" = 200'



COUNTY RECORDER'S NO. 71209
Recorded and filed at the request of:
July 15, 1998
Phillips Painting
CITY ENGINEER
CITY CLERK

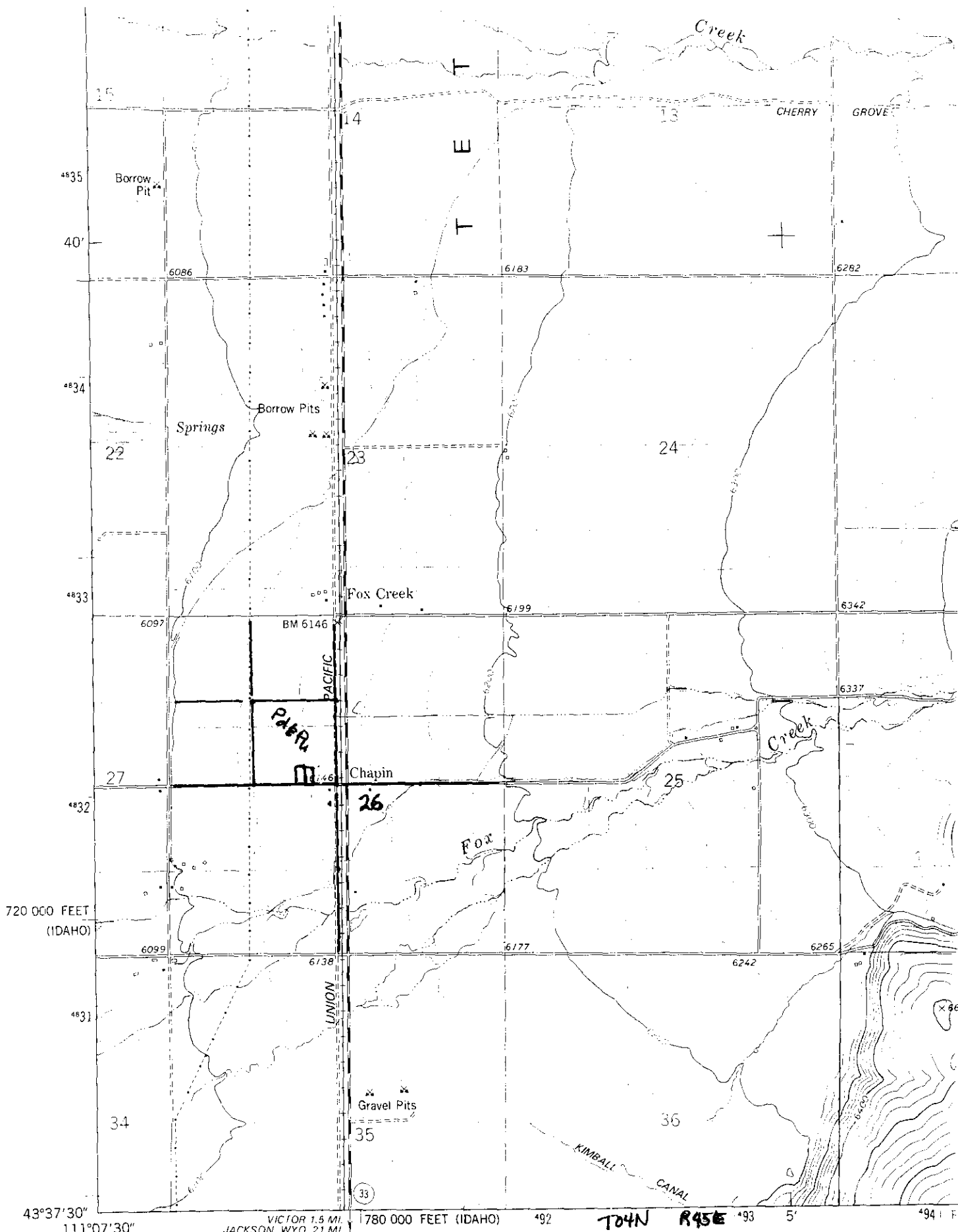
COUNTY APPROVAL AND ACCEPTANCE
Witnessed by the _____ County Board of County Commissioners this _____ day of _____
A.D. 19 _____, at which time this subdivision was approved and accepted.

CITY COUNCIL APPROVAL AND ACCEPTANCE
Witnessed by the _____ City Council this _____ day of _____, A.D. 19 _____
at which time this subdivision was approved and accepted.

MAYOR

INITIAL
[Signature]

22-07801



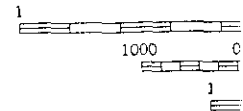
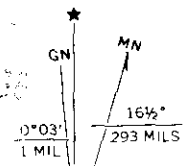
Mapped, edited, and published by the Geological Survey

Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial photographs taken 1973. Field checked 1974. Map edited 1978

Projection: Idaho coordinate system, east zone (transverse Mercator)

10 000 foot grid ticks based on Idaho coordinate system



22-07801

(FOURTH OF JULY PEAK)
3771 II SW



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 17, 2001

ROGER PHILLIPS
PO BOX 363
VICTOR ID 83455-0363

RE: License No. 22-7801 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

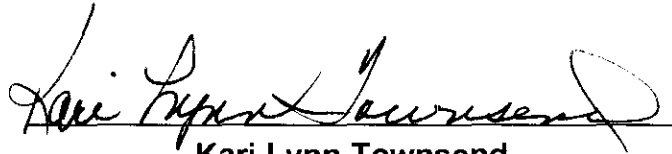
Enclosure(s)

CERTIFICATE OF MAILING

I hereby certify that on July 17, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 22-7801

**ROGER PHILLIPS
PO BOX 363
VICTOR ID 83455-0363**


**Kari Lynn Townsend
Secretary**

**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).

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.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 2, 2001

ROGER PHILLIPS
PO BOX 363
VICTOR ID 834550363

RE: Water Right Permit No. 22-07801

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☒ Point(s) of Diversion

☒ Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

LICENSE REVIEW CHECKLIST

Permit No. 22-7801 Date: 7-2-2001 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: change

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use change

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): _____

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.10 cfs
Fee Limit 0.30 cfs
Measured 0.05 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 0.05

Water Uses

_____ Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic 0.05 cfs 3.0 af
_____ cfs _____ af
_____ cfs _____ af
Total 0.05 cfs 3.0 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

4 homes @ 0.6 = 2.4 plus 1/2 ac lawn @ 0.6 = 3.0 AF
_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks:

W59, W60, 071, W01

Additional Conditions

_____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048/049)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim?

not req'd

Adjust memo _____

Amend Letters

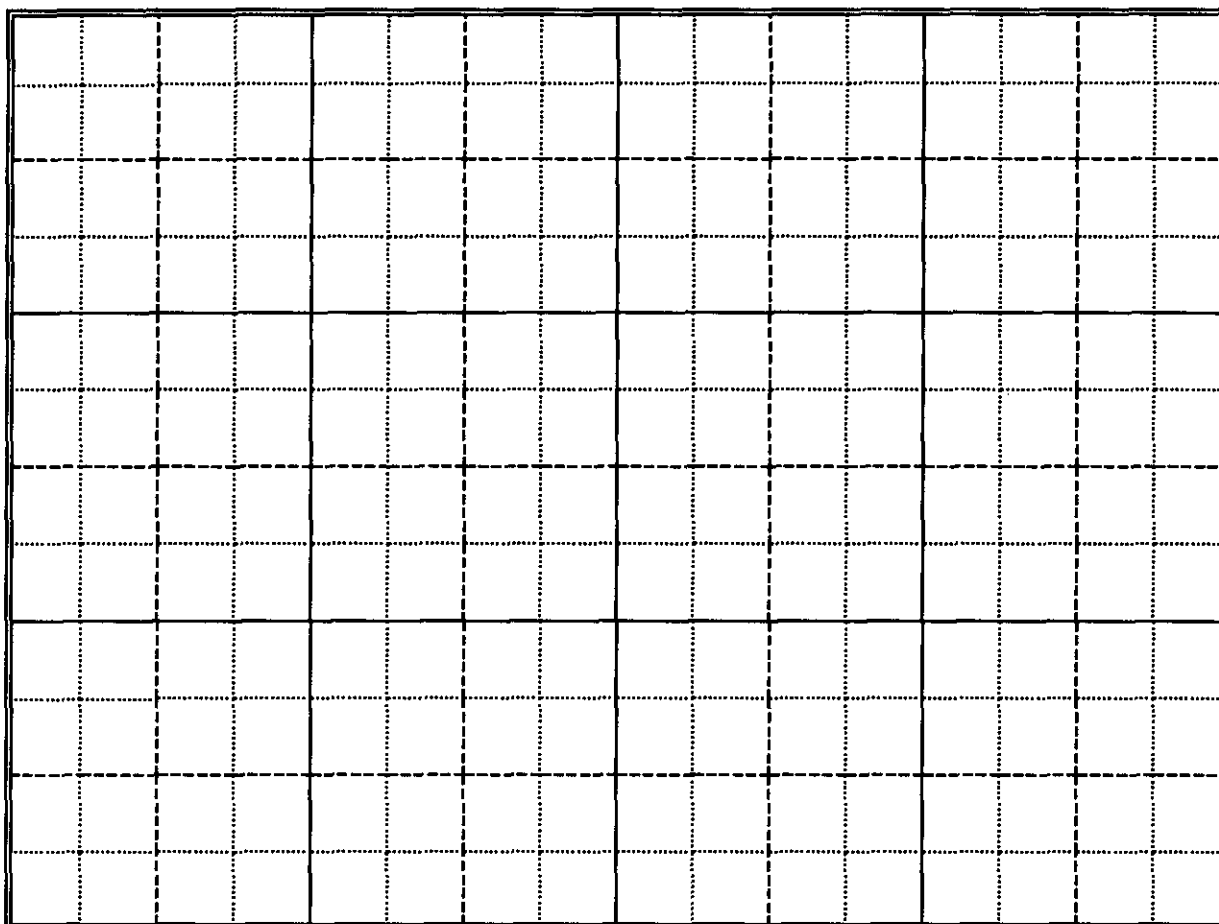
P87, S06

Second Amendment Notice

S06

[illegible]

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	UNK	3/4			

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: 50 psi 5/32" (4) sprinklers pump on @ 25 off 65

E. NARRATIVE/REMARKS/COMMENTS

Well pump mainline pressure tanks to 4 domestic homes.

P/u & P/d aka lots 11 & 12 Teton View Estates

(P/D Street address 536 Pine Dr)

(P/u Street address 536 & 538 Pine Dr)

Lots 11 & 12 are ~ 2 ac in size however only ~ 1/2 acre irrigated for all four (4) homes combined.

Note: Well log legal incorrect (should be SWNE, Sec 26, T4N, R 45E)

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

10/20/2020 - MCL

10/20/2020

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$Q_{\text{LIMITED BY CAPACITY}} = 0.05 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.5 (3.5) = 1.75 \text{ cfs} = 1.8 \text{ cfs}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.05 \text{ cfs} (200) 1.9835 = 396.8$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1.8$$

2. Volume Calculations for Other Uses:

$$V_{\text{Dom}} = 1.2 \text{ cfs}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic (4 units)	1/1	12/31	0.05 cfs	1.2 cfs
Totals:			0.05 cfs	1.2 cfs

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name Keith Wilson Date _____Reviewer by kw Date _____

SEAL

* per phone con 7/2/01

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$Hp = \text{Horsepower} = \underline{3/4}$$

$$Eff = \text{Efficiency} = \underline{70\%} \quad (\text{Usually } 70\%)$$

Lift: (Static Level + Assumed Draw down)

$$\text{Static Water Level} = \underline{25} \text{ ft.}$$

$$\text{Assumed Draw down} = + \underline{5} \text{ ft.}$$

$$\text{Lift} = \underline{30}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\quad} \text{ ft.}$$

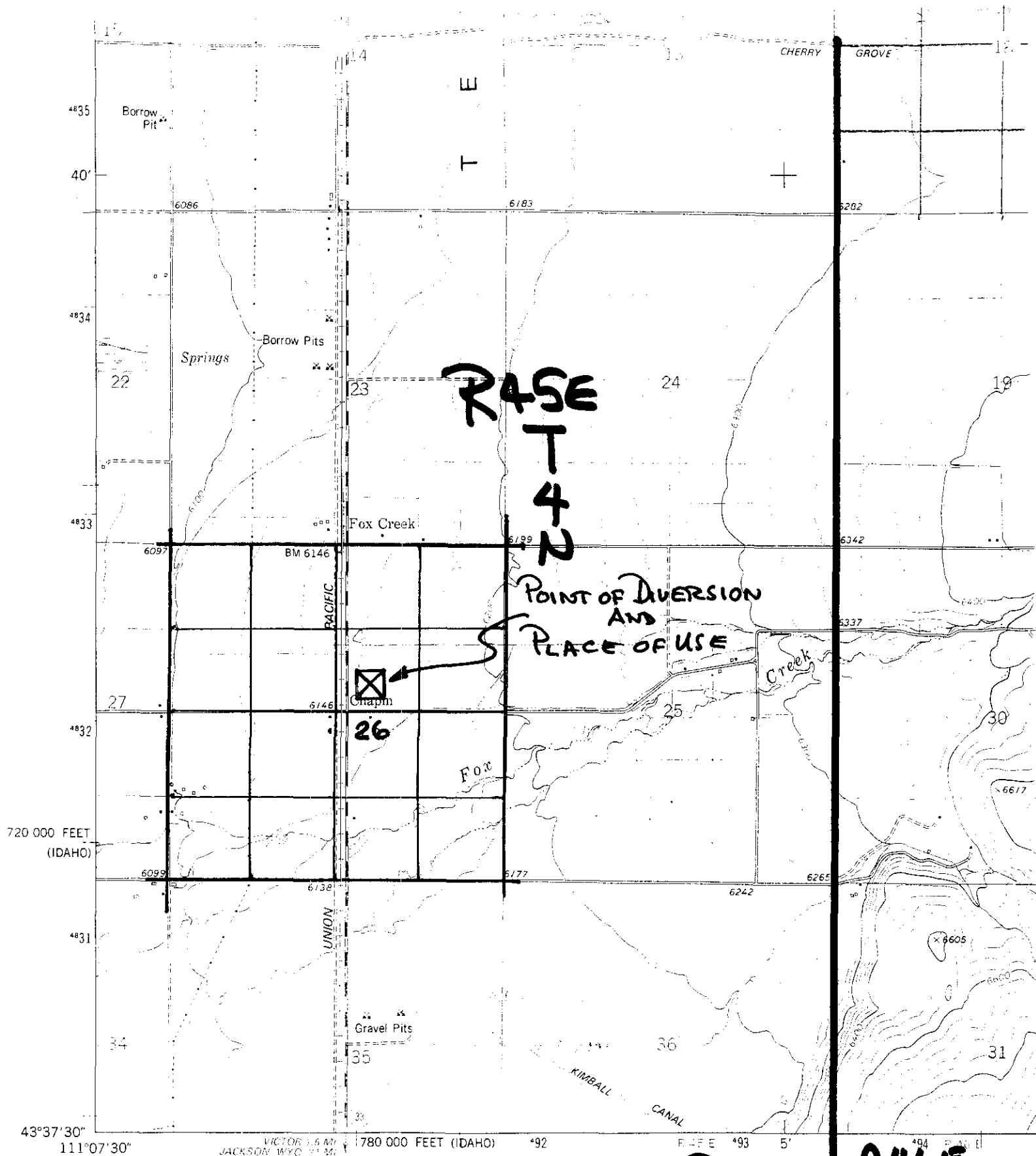
$$psi = \text{Operating Pressure} = \underline{25} \text{ psi}$$

$$Q_{cfs} = [\frac{3/4}{Hp} \times 8.814 \times \frac{0.70}{Eff}] \div [\frac{30}{Lift} + (\frac{25}{psi} \times 2.308)]$$

$$Q_{cfs} = [\underline{4.63}] \div [\underline{87.7}]$$

$$Q_{cfs} = \underline{0.25} \text{ cfs}$$

PERMIT NO. 22-07801



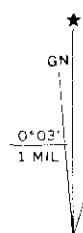
Mapped, edited, and published by the Geological Survey

Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial photographs taken 1973. Field checked 1974. Map edited 1978

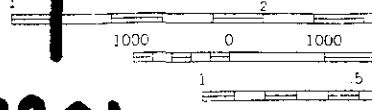
Projection: Idaho coordinate system, east zone (transverse Mercator)

10,000-foot grid ticks based on Idaho coordinate system, east zone and Wyoming coordinate system, west zone
1000-meter Universal Transverse Mercator grid ticks, zone 12, shown in blue. 1927 North American datum



UTM GRID AND 1978 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

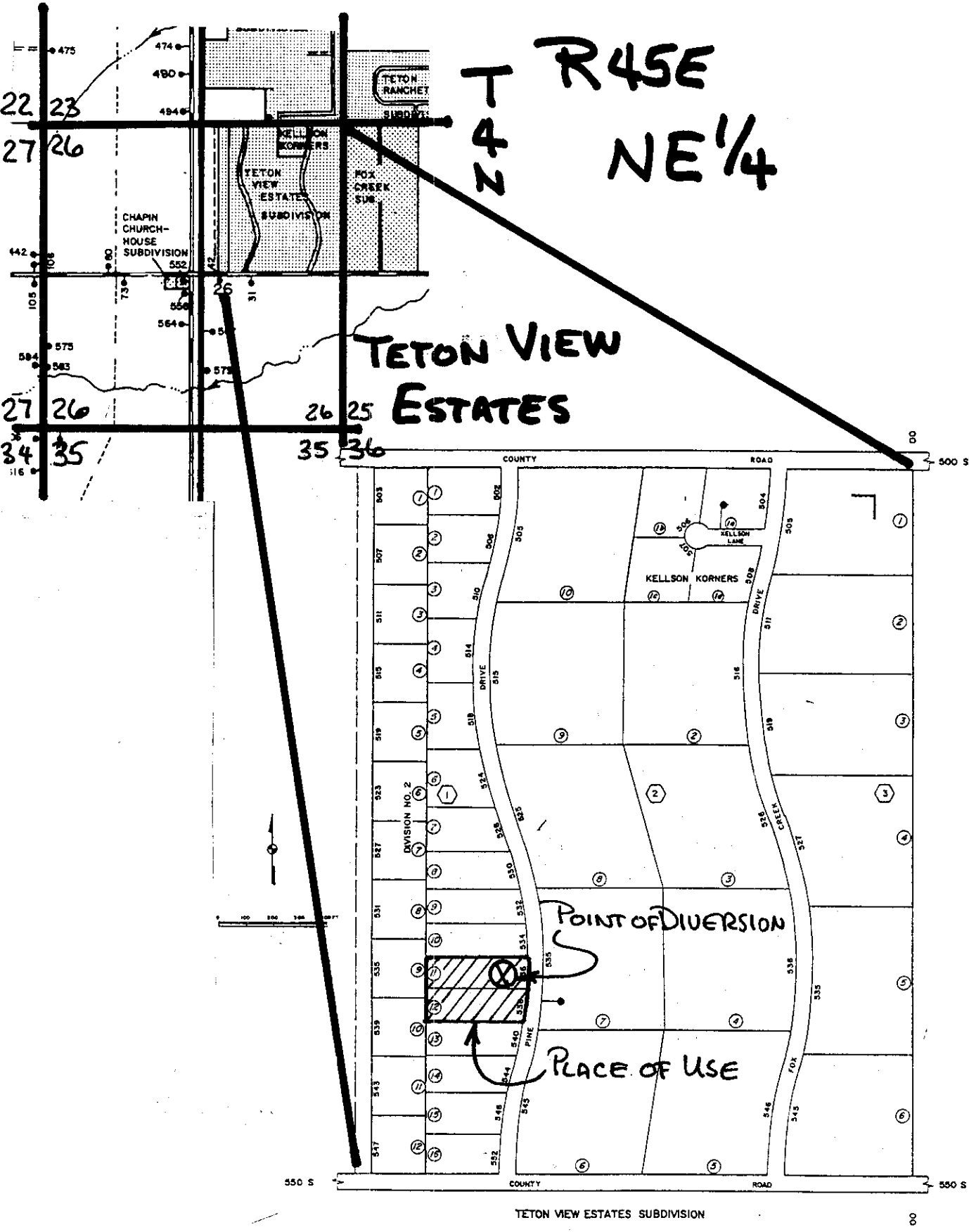
R45E R46E



22-07801

CONTINUED
NATIONAL

JULY PEAK
1/11 SW



T R 45E
NE 1/4

TETON VIEW
ESTATES

POINT OF DIVERSION

PLACE OF USE

22-07801

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Quality test or comments:

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

[illegible]☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other _____

Was drive shoe used? Y ☒ N ☐
Was drive shoe seal tested? Y ☐ N ☒ How? _____

Length of Headpipe _____ Length of Tailpipe _____

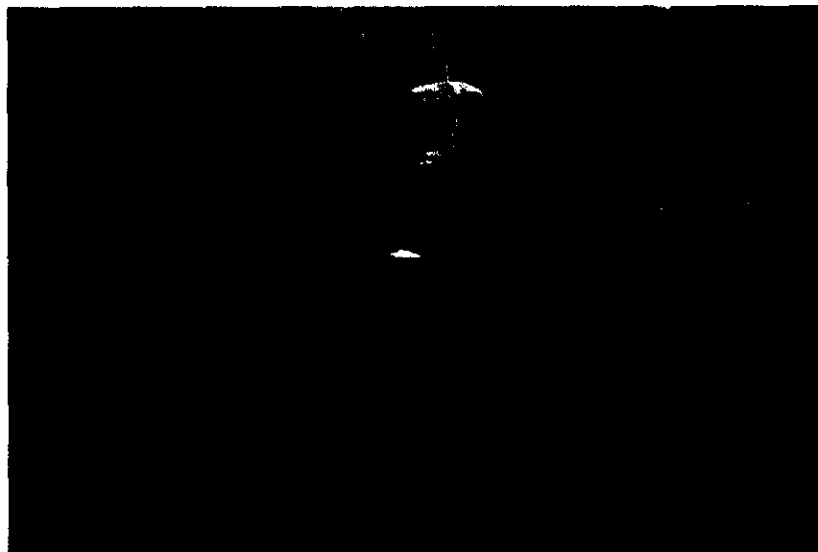
☐ Perforations Method _____

☐ Screens Screen Type _____

25' ft below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft Describe access port or
control devices:

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

Firm Name Dunning Drilling Inc Firm No. 518
Firm Official Donald Dunning Date 7-8-94
and
Supervisor or Operator _____ Date _____



Point of Diversion
(View West)



Place of Use (From across the street)
View North-Westerly

22-07801



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

August 26, 1999

Roger Phillips
PO Box 363
Victor ID 83455

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07801

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.

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.

If you have questions concerning the field examination, please contact the **EASTERN** Regional Office of the department in Idaho Falls at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

208-327-7900

SEP 2 1 1999

Permit No. 22-07801 Reviewed by [Signature] Date 8-23-99

TYPES OF USE

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

dom.

Correct Uses? yes

Surface water source

✓ Ground water source

YES Drilling permit required?

NO Copy in the file? Drill

200- Amount paid for permit

NO Well log in the file?

Drilling Permit No. 22-94-E-0110-000
mit yes Correct?

yes Required?
50- Amount Submitted
yes Correct?

NO Required?
Installed?
Waiver requested?

Date proof received		
Date proof due	-	
No. of days late	=	
Priority Date	+	
New Priority Date		

Proof Acceptable

New Address _____ Proof Made 6-7-99

May 31, 1999

ROGER PHILLIPS
PO BOX 363
VICTOR ID 834550363

PROOF DUE NOTICE

RE: PERMIT NO. 22-07801

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 August 1, 1999.

(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.

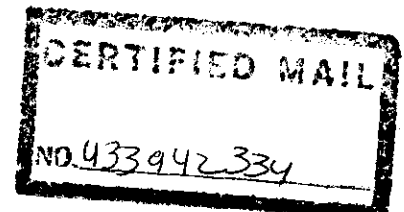
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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





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

KARL J. DREHER
DIRECTOR

July 23, 1998

ROGER PHILLIPS
PO BOX 363
VICTOR ID 83455-0363

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 22-07801

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

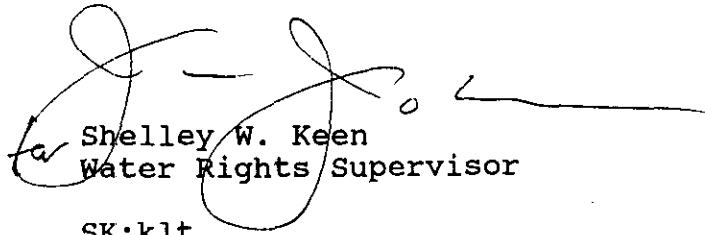
Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should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

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Shelley W. Keen', with a long horizontal line extending to the right.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

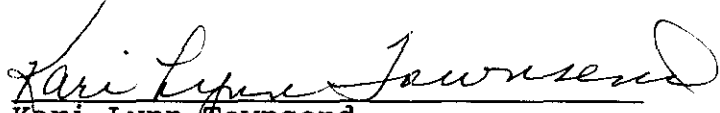
JUL 28 1989

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of July, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 22-07801

ROGER PHILLIPS
PO BOX 363
VICTOR ID 83455-0363


Kari Lynn Townsend
Secretary

101 2 0 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by Cindy LouNo.: 22-07801 Name: Phillips Date: 7/15/98 Ad OK? ✓ ✓ Gvmt Lts: ✓AREA OF CONCERN: - No/Yes: ESRP Mor / GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year - 26A-P17≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

> 0.24 cfs/5 acres - North / East / West

≤ 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)

WMD ~~Supplemental use~~

> 0.24 cfs/5 acres - No MD

≤ 0.24 cfs/5 acres - ~~005-070~~ (if GW use SW 1st-statewide)-(cannot move SW off)

DRILLING PERMIT:

All wells (✓ WDQ3)

In Basin 34?

Irr. within WD

- 046-P23

- 085

- P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

WD (✓ MAP & LISTING)

> 0.10 cfs

≤ 0.10 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- *WB9

- R04 (WD #)

- 01J-P08 (MD & LD)

- 01H-P01 (LD), 01P or No MD (in-stream stock)

- 067 or No MD (in-stream stock or power)

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

- *W22 -P04, NA

- 007 (w/ remark *WB9 if above Weiser), NA

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

- 029 (fish screens), NA

USE:

Domestic surface

>1 in rest. area

Fire Protection

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stockwater

Storage (✓3 compo.)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

- 071-070

- 077

- 029-007-042(req)-081 (WQ)-P10

- R07 (injection well)

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- 054(req)-081-P10

- 022, 075, 004 (+memo?), NA (not in restricted area)

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

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

- R37 (BLM/USFS); NA

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev.

Mitigation

SWAN FALLS FLAG (See Code Chart)

~~Trust~~

Non-Trust (1)

- P84 (in 20/30/40/50/60/70/80 (87) basin)

- 058 (<85° GW temp only)

- P52 (stream channel alteration)

- 120

- 1

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

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- ① 001/4. Teton View Estates- 8/1/1999- 7/15/98; 9:45am requested subd. plat. faxed same day.

RECEIVED

JUL 08 1998

DEPARTMENT OF WATER RESOURCES

Dist. for staffing
Submitted for advertising 5-5-98

Form No. 202
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS PERMIT

INITIAL REVIEW BY HWT DATE 5-4-98 APPLICATION NO. 22-07801

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 signatory 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 _____

_____ Date Requested _____

PROCESSING

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

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☒ Other District Health Area 7
Idaho Falls

FINAL 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 _____
☒ 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. _____
☐ Yes ☐ No Special conditions of approval or cover letter below.

Date of priority recommended 4-28-1998
By: [Signature] Date: 7-6-1998

STATE OFFICE REVIEW

By _____ Date: _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

_____ City	_____ Idaho Fish & Game	_____ Irrigation Dist.
_____ County	_____ Idaho Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. of Environment	_____ Other _____

Project impacts/implications report

COMMENTS

[illegible]

AFFIDAVIT OF PUBLICATION

State of Idaho)

County of Teton)

I, Nadine Soose being first duly sworn, depose and say that I am the secretary of the Teton Valley News, a newspaper as defined by Idaho Codes Annotated, Section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published at Driggs, in Teton County, Idaho, having a general circulation in said county, and that said newspaper has been printed in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement, or publication of

Notice of Correction

And affiant further says that said attached notice, advertisement, or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for two consecutive issues thereof; first publication having been made on the 18 day of June, 1998.

And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from typed matter, of at least sixteen inches deep.

Nadine Soose

State of Idaho)

County of Teton)

On this 1st day of July in the year of 1998, before me, a Notary Public, personally appeared Nadine Soose, known or identified to me to be the person whose name 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.

Connie Spence

Notary Public for Idaho

Residing at Driggs ID

My commission expires 10/24/98

RECEIVED

JUL 02 1998

Department of Water Resources
Eastern Region

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit ~~002-00000~~ in the name of ~~Deputy~~ Phillips, was advertised incorrectly on May 21, and May 28, 1998. The Point of Diversion was advertised as being within the SENW Sec 26 T14N R45E in Teton County. Where as, the actual Point of Diversion is within the SENW Sec 26 T04N R45E in Teton County. The permit will be subject to all prior water rights. Protests must be filed with the application and the Director, Dept of Water Resources, along with \$25.00 filing fee, Eastern Region, 900 N Skyline Dr, Ste A Idaho Falls, ID 83402 on or before JULY 6, 1998. KARL J DREHER, Director

Published in the Teton Valley News June 18 and 23, 1998.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 10, 1998

TETON VALLEY NEWS
PO BOX 49
DRIGGS ID 83422

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit #22-07801 in the name of Roger Phillips, was advertised incorrectly on May 21, and May 28, 1998. The Point of Diversion was advertised as being within the SENW Sec 26 T14N R45E in Teton County. Where as, the actual Point of Diversion is within the SENW Sec 26 T04N R45E in Teton County.

The permit will be subject to all prior water rights. Protests must be filed with the application and the Director, Dept of Water Resources, along with \$25.00 filing fee, Eastern Region, 900 N Skyline Dr, Ste A Idaho Falls, ID 83402 on or before JULY 6, 1998.

KARL J DREHER, Director

Published in the Teton Valley News June 18 and 25, 1998.

AFFIDAVIT OF PUBLICATION

State of Idaho)

County of Teton)

I, Nadine Soose
being first duly sworn, depose and say that I am
the of the Teton Valley News,
a newspaper as defined by Idaho Codes An-
notated, Section 58-106, as amended, and that
said newspaper is a weekly newspaper printed and
published at Driggs, in Teton County, Idaho,
having a general circulation in said county, and
that said newspaper has been printed in said
county for more than 78 consecutive weeks prior
to the first publication of the attached notice, ad-
vertisement, or publication of

Notice of Application
for Water Right

And affiant further says that said attached notice,
advertisement, or publication, as per clipping at-
tached, was published in said newspaper, in the
regular and entire issue thereof, and not in any
supplement issue thereof, for two consecutive
issues thereof; first publication having been
made on the 21 day of April,
1998.

And affiant further says that at the times herein
mentioned said newspaper was made up of at
least eight pages of at least five columns each,
printed from typed matter, of at least sixteen in-
ches deep.

Nadine Soose

State of Idaho)

County of Teton)

On this 8th day of June
in the year of 1998, before me, a Notary Public,
personally appeared NADINE S. SOOSE,
known or identified to me to be the person whose
name 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.

Bonnie Zolner

Notary Public for Idaho

Residing at Driggs Idaho

My commission expires 10/24/98

NOTICE OF APPLICATION
FOR WATER RIGHT

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

22-07801

PHILLIPS, ROGER

PO BOX 363

VICTOR, ID 83455

Source: GROUNDWATER

Diversion Pt: SENW Sec 26 T 14N R 45E

TETON County.

Total Diversion: (0.100 CFS)

Date Filed: 5/4/1998

In: TETON County

T04N R45E S26 SENW

The permit(s) will be subject to all prior
water rights. Protests must be filed with the
application and the Director, Dept. of Water
Resources, along with a \$25.00 filing fee, East-
ern Region, 900 N Skyline, Idaho Falls, Idaho
83402 on or before JUNE 8, 1998.

KARL J. DREHER, Director

Published in the Teton Valley News May
21 and 28, 1998.

Should be T04N.

RECEIVED

JUN 10 1998

Department of Water Resources
Eastern Region



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MAY 13, 1998

Legal Notices Department
TETON VALLEY NEWS
P.O. BOX 509
DRIGGS, ID 83422

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.

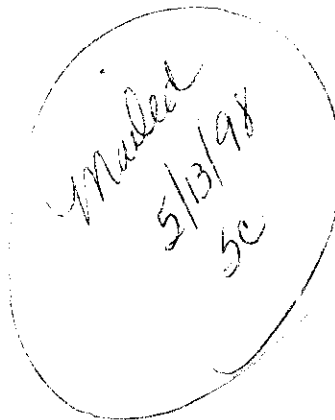
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 8, 1998.

Yours truly,

Rita Bodell
Secretary

Encl.



MAY 11 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

22-07801

PHILLIPS, ROGER
PO BOX 363
VICTOR, ID 83455

Source: GROUNDWATER

Diversion Pt: SENW Sec 26 T 04N R 45E in TETON County.

Use: DOMESTIC	(	0.100 CFS)
Total Diversion:	(	0.100 CFS)

Date Filed: 5/ 4/1998

In: TETON County
T04N R45E S26 SENW

101 33 800

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before JUNE 8, 1998.

KARL J. DREHER, Director

Published: 5/21/1998 & 5/28/1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

May 7, 1998

KARL J. DREHER
DIRECTOR

ROGER PHILLIPS
PO BOX 363
VICTOR ID 83455

RE: Application for Permit #22-07801

Dear Applicant:

This office is currently in the process of advertising the application in the Teton Valley News on May 21 and 28, 1998. The advertisement will be published once a week for two consecutive weeks, and 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.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 6, 1998

DISTRICT HEALTH AREA 7
254 E ST
IDAHO FALLS ID 83402

RE: Application for Permits No. 22-07801 and 21-07573

Dear Sir:

Please find enclosed a copy of the above referenced application for permit. Please review the application and submit any comments you may have to our Department as soon as possible.

If we may be of further assistance, please feel free to contact us. Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ/sc
enc.