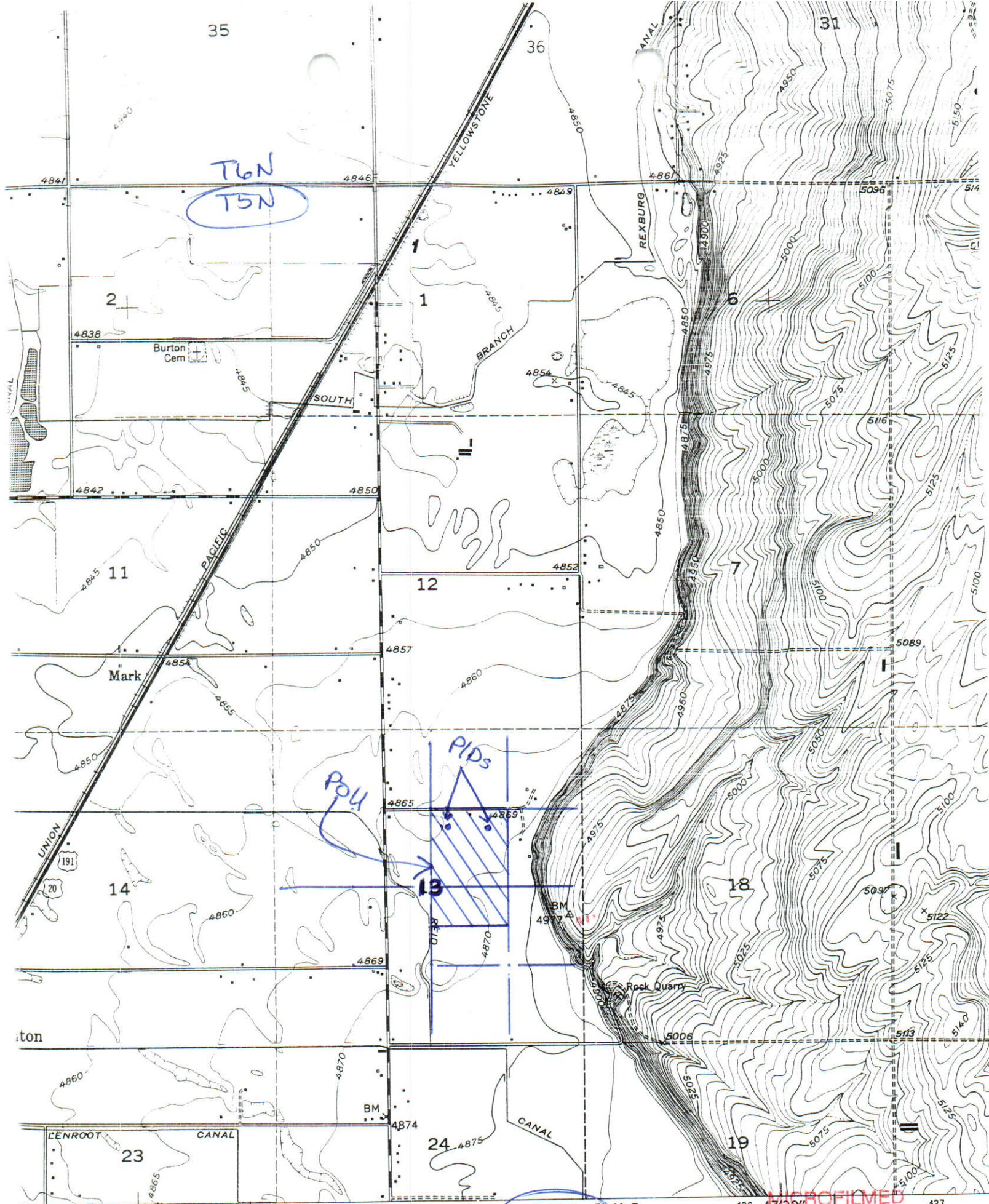




50' 33 34 36 47 30 37

(IRIE)
3671 III NE

SCALE 1:24 000

22-7794

1 MILE

AUG 10 1977

1 1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 1 5 0 1 KILOMETER

THE CEDAR BUTTE ADDITION

OCDRB

A PORTION OF SECTION 13, TOWNSHIP 5 NORTH RANGE 39 EAST OF THE BOISE MERIDIAN MADISON COUNTY, IDAHO

OWNER-DEVELOPER
ALLEN & CONNIE BALL
IDAHO FALLS, IDAHO

Prepared by:
KML SURVEYING
1458 LOWELL DR.
IDAHO FALLS, IDAHO 83402
(208) 522-2090

Easement 279361

Cedar Butte Add. Owner's Assoc.
Bk 2 Lots 6-12

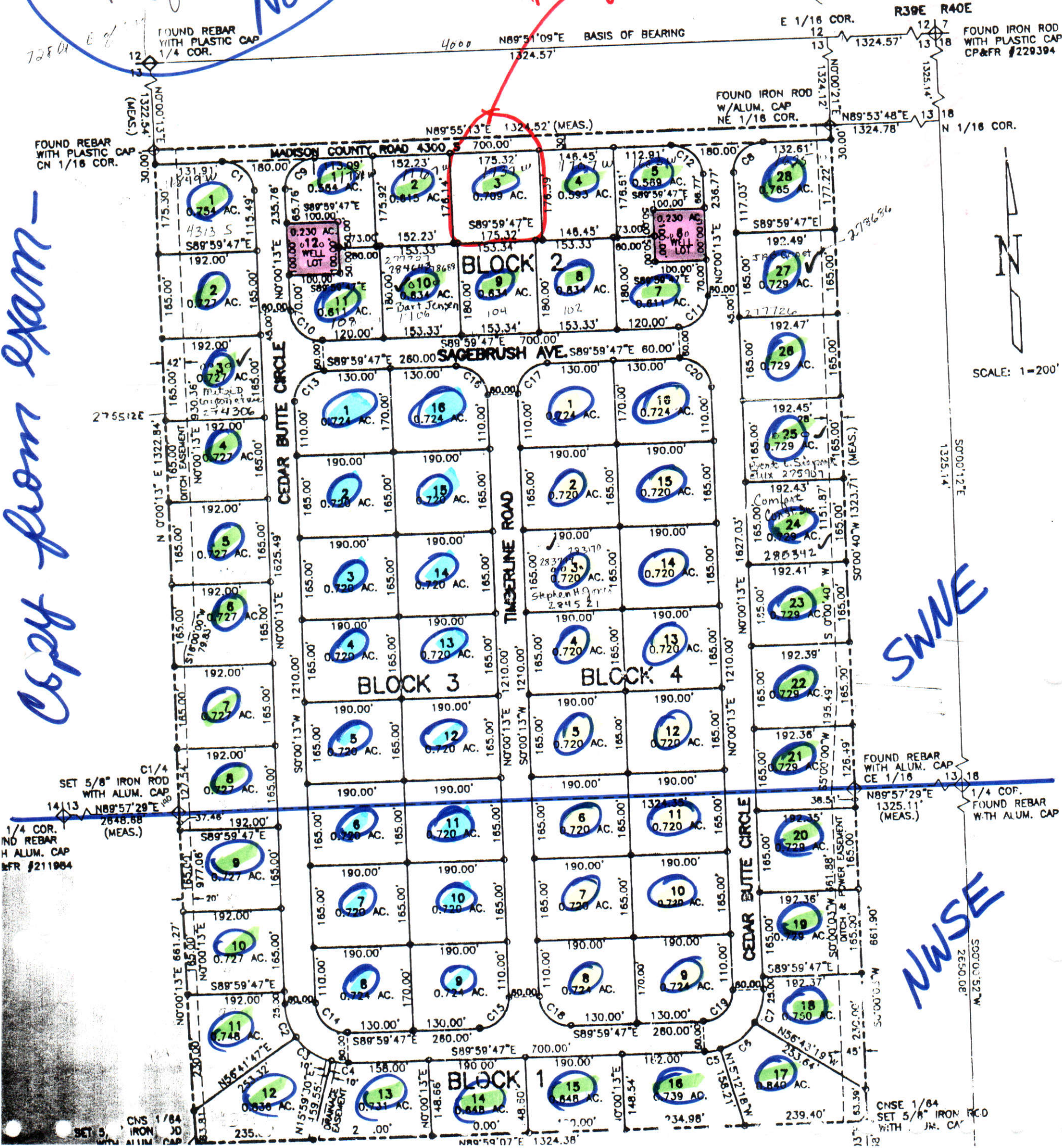
MICROFILMED

JAN 08 2003

Division Park

70 lots
total -
permits allow
for 69 -
Note!

work from exam -

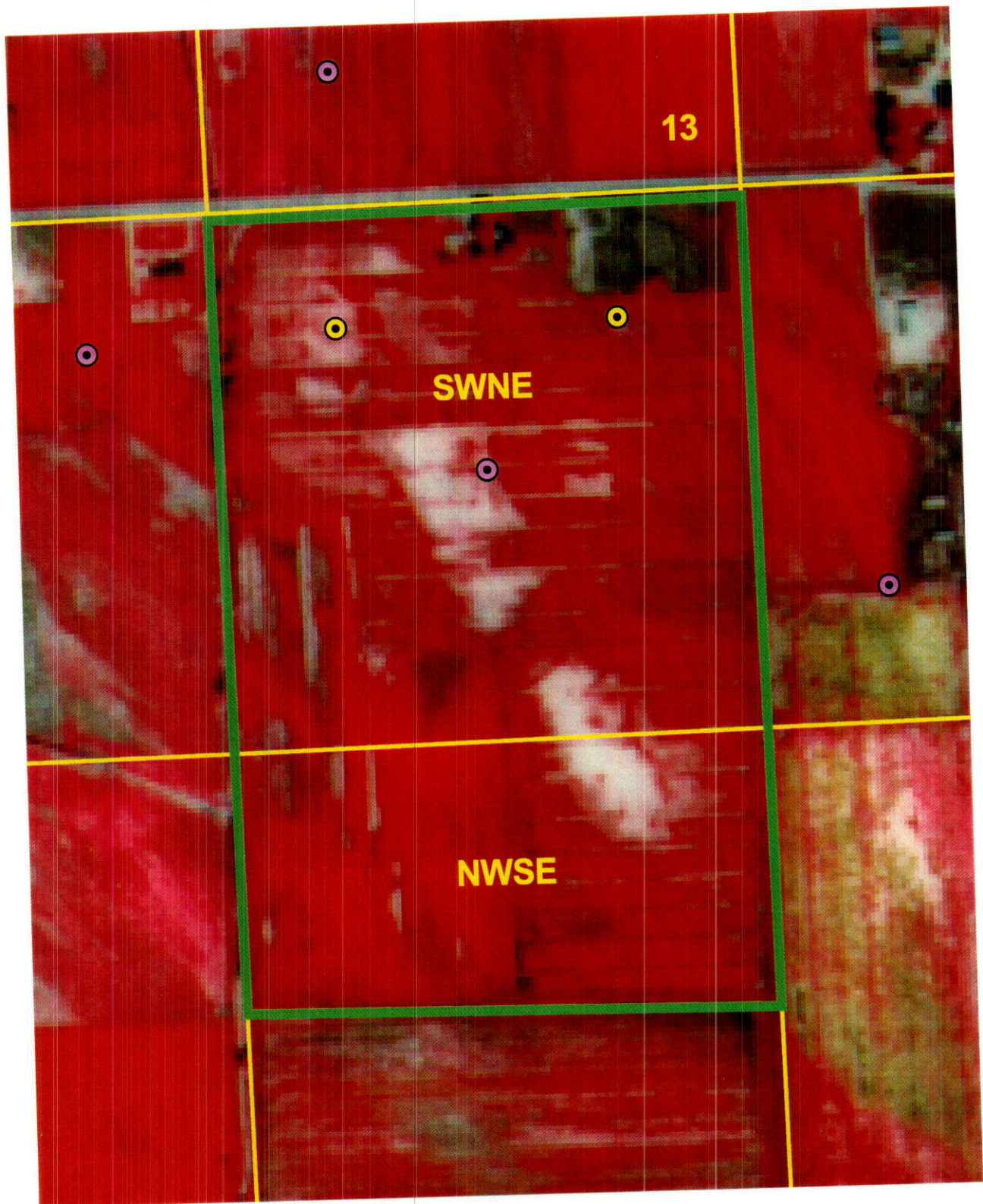


SCALE: 1"=200'

SWNE

NWSE

22-07794



T5N, R39E sec 13

MICROFILMED
JAN 08 2003

THE CEDAR BUTTE

A PORTION OF
SECTION 13, TOWNSHIP 5 NORTH
RANGE 39 EAST OF THE BOISE MERIDIAN
MADISON COUNTY, IDAHO

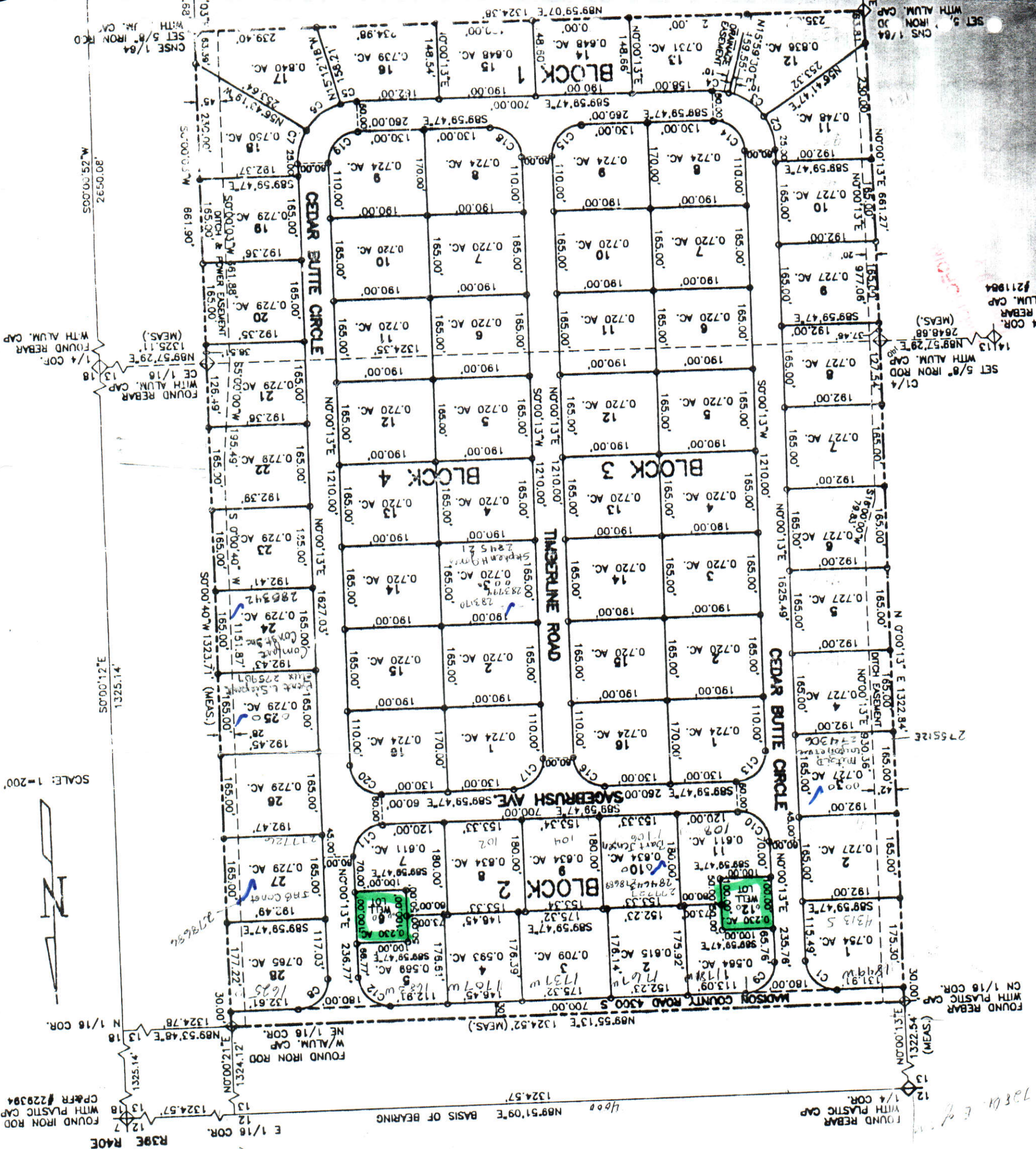
OWNER-DEVELOPER
ALLEN & CONNIE BALL
IDAHO FALLS, IDAHO

Prepared by:
KML SURVEYING
1458 LOWELL DR.
IDAHO FALLS, IDAHO 83402
(208) 522-2090

Cedar Butte Add. Survey
Bk 2 Lots 6 & 12

Casement 279361

Alvin & Helen





State of Idaho

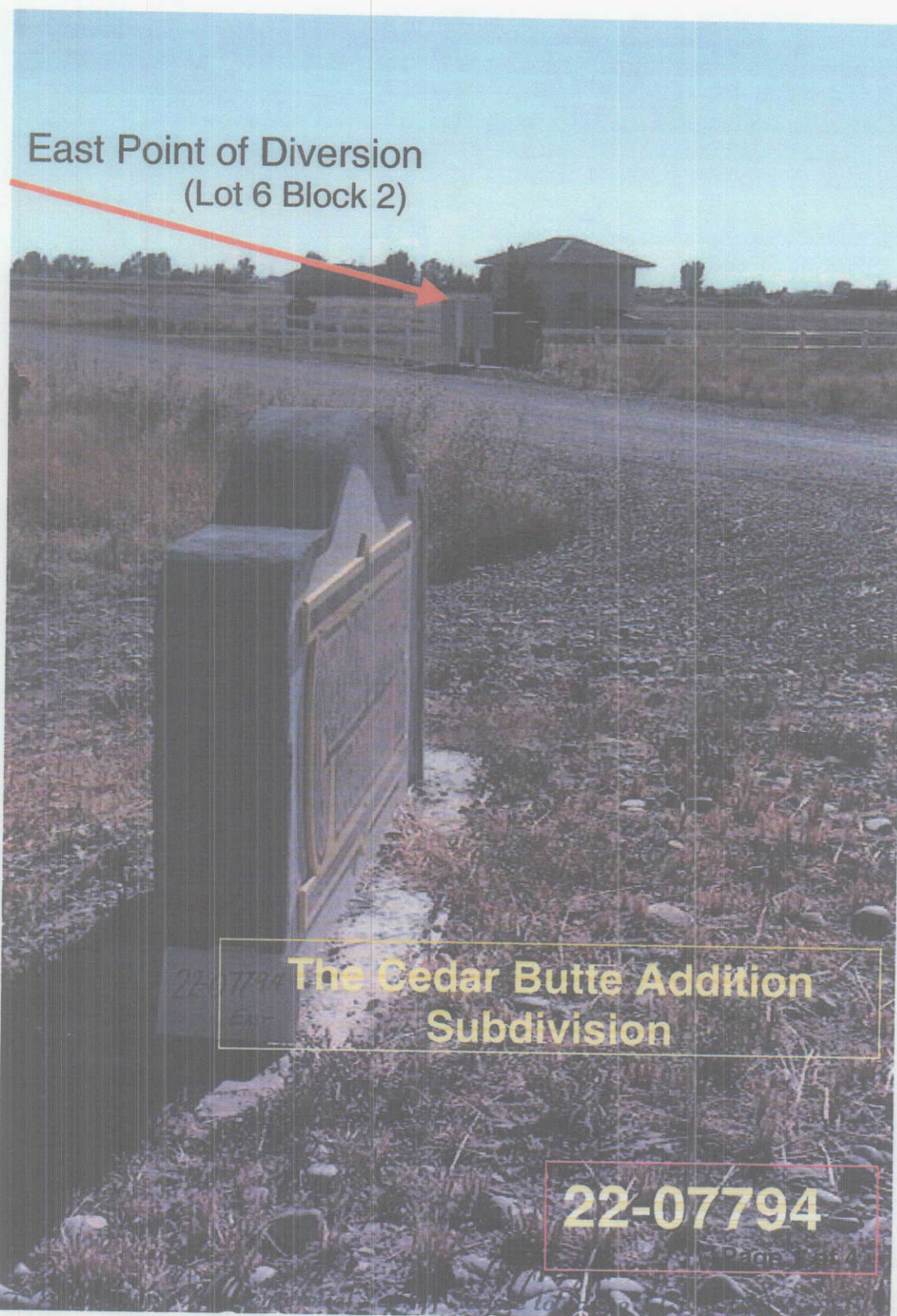
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR



East Point of Diversion
(Lot 6 Block 2)

The Cedar Butte Addition
Subdivision

22-07794

MICROFILMED
JAN 08 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

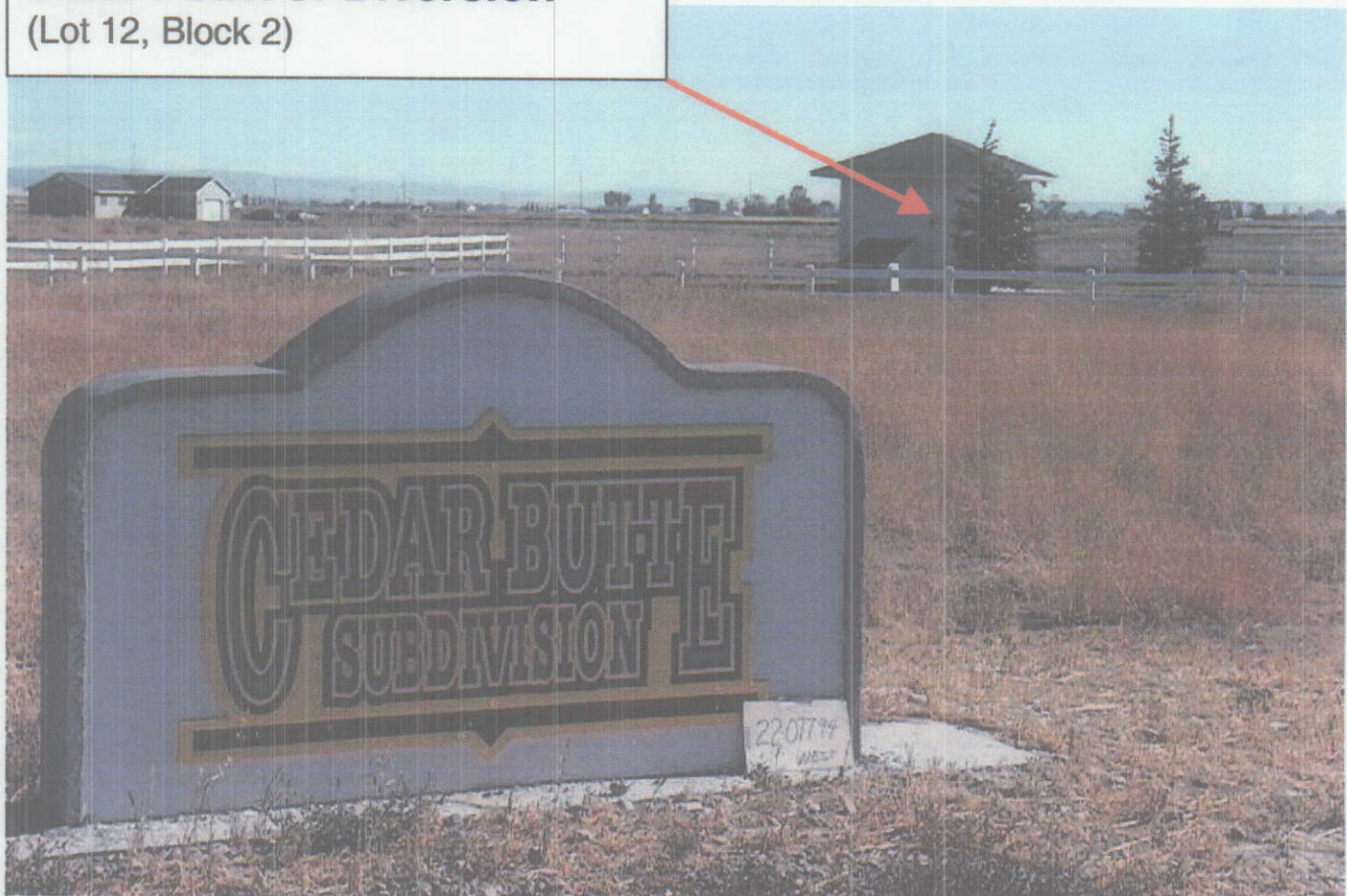
EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

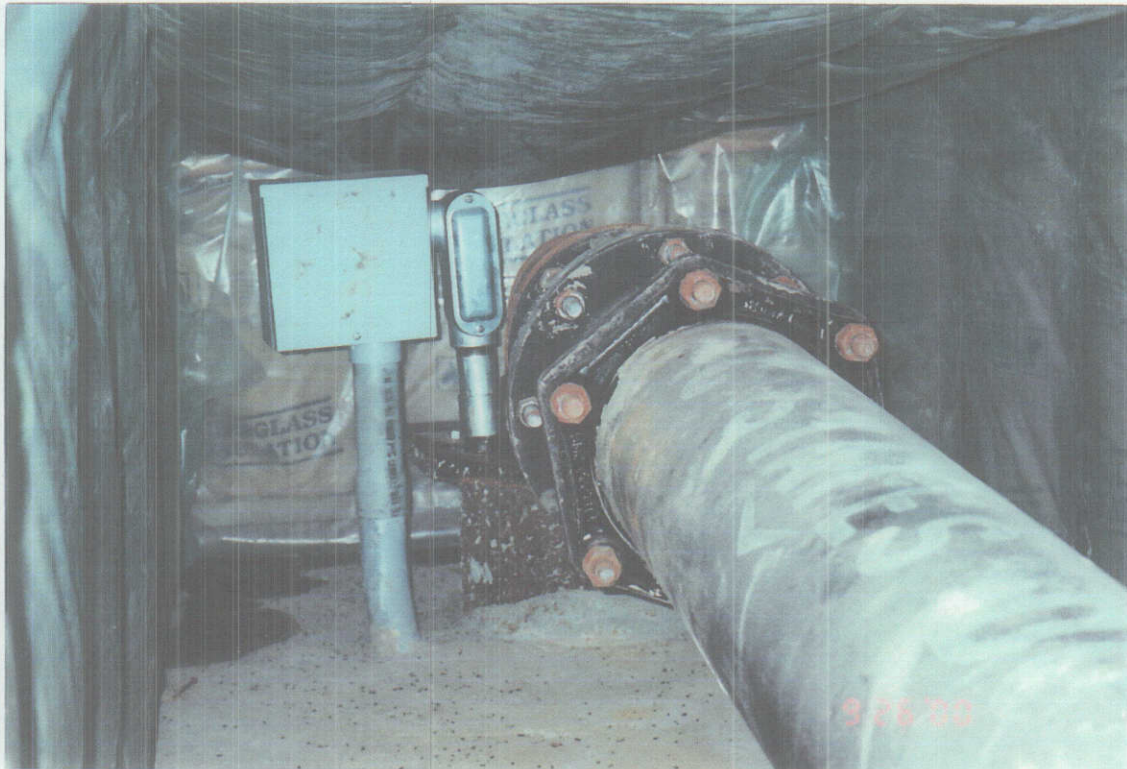
West Point of Diversion

(Lot 12, Block 2)



MICROFILMED
JAN 08 2003

22-07794
(Page 2 of 4)



Well Inside Well House

(Note: Both Wells Housed in Respective Well Houses in this fashion)

MICROFILMED
JAN 08 2003

22-07794

Page 4 of 4



State of Idaho

EASTERN R

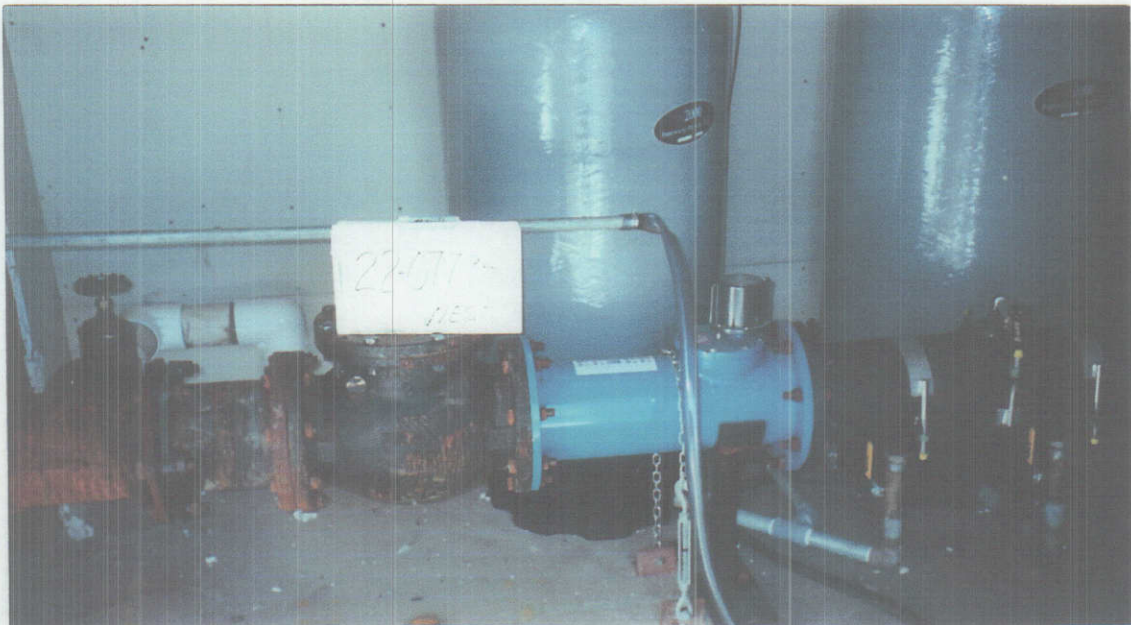
(8) 525-7177

KEMPTHORNE
GOVERNOR

RL J. DREHER
DIRECTOR



**Control Valves, Pressure Tanks, Flow Meter
East Well House**



**Control Valves, Pressure Tanks, Flow Meter
West Well House**

MICROFILMED

JAN 0 8 2003

22-07794

Page 3 of 4

THE STANDARD JOURNAL
Rexburg, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, TERRY T. WEATHERSTON being first duly sworn, depose and say, that I am the printer of THE STANDARD-JOURNAL, a semi-weekly newspaper printed and published semi-weekly at Rexburg, Madison County, Idaho; and I do solemnly swear that the NOTICE OF APPLICATION WATER#22-07794 a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for TWO consecutive issues, the first publication having been made on JUNE 19, 1997 and the last publication having been made on JUNE 26, 1997

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Terry T. Weatherston

STATE OF IDAHO)

COUNTY OF MADISON)

On this 27TH day of JUNE in the year of 1997, before me, a Notary Public, Personally appeared Terry Weatherston, 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.

Karl J. Dreher

Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: May 21, 1999

RECEIVED

JUL 02 1997

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

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

22-07794

BALL FAMILY TRUST
c/o ALLEN BALL
5465 S 5th W
IDAHO FALLS, ID 83404

Source: Groundwater
Diversions Pt: SWNE Sec 13 T 05N R 39E in MADISON County.
Use: Domestic (1.100 CFS) Fire Protection (1.100 CFS) Total Diversions: (1.100 CFS)

Date Filed: 5/19/1997

In: MADISON County T05N R39E S13 SWNE *

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 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before JULY 7, 1997.

KARL J. DREHER
Director

Publ. June 19 and 26, 1997SJ.

* needs NWSE.

per HWJ, not fatal. 7/23/97 cz.

MICROFILMED

AUG 19 1997

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07794

Priority: July 5, 1997

Maximum Diversion Rate: 1.10 CFS
Maximum Diversion Volume: 82.8 AF

It is hereby certified that BALL FAMILY TRUST
C/O ALLEN BALL
5465 S 5TH W
IDAHO FALLS ID 83404 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 19, 1997; and has
submitted Proof of Beneficial Use on September 17, 1999. An examination indicates that the works
have a diversion capacity of 2.74 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	1.10 CFS	82.8 AF
FIRE PROTECTION	01/01 to 12/31	1.10 CFS	

LOCATION OF POINTS OF DIVERSION:

GROUND WATER NW¼SW¼NE¼ Sec. 13, Twp 05N, Rge 39E, B.M., MADISON County
GROUND WATER NE¼SW¼NE¼ Sec. 13, Twp 05N, Rge 39E, B.M., MADISON County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N 39E 13			X												X		

CONDITIONS OF APPROVAL

- Domestic use is for 69 homes.
- Points of diversion are located within Lots 6 and 12, Blk. 2, Cedar Butte Addition.
- Place of use is located within Lots 1-28, Blk. 1; Lots 1,2,4,5, 7-11, Blk. 2; Lots 1-16, Blk. 3; and Lots 1-16, Blk. 4; Cedar Butte Addition.
- The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
- 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.

MICROFILMED

JAN 08 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07794

6. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
7. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

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 15th day of OCTOBER, 2002.

Acting for

KARL J. DREHER
Director

MICROFILMED

JAN 08 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 22-07794	)	ORDER OF
	)	
IN THE NAME OF BALL FAMILY TRUST	)	REINSTATEMENT
_____	)	

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before August 1, 1999; and,

WHEREAS, the Department notified the permit holder on May 31, 1999, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

WHEREAS, the department sent the permit holder a lapse notice on August 5, 1999, since the department had not received an acceptable proof of beneficial use statement or extension of time; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on September 17, 1999.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 22-07794 is **REINSTATED** with an advance in priority to July 5, 1997.

DATED this 27th day of December, 1999.



L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

DEC 29 1999

7/94

RECEIVED

SEP 24 1999

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFOR OFFICE USE ONLY
Amt. of Fee \$: 125.00
Receipt No. ED25315
Receipt By: SC
Date Received: 9/17/99

RECEIVED

SEP 17 1999

Department of Water Resources
Eastern Region

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. 22-07794 Telephone No. (208) 589-10142. Name(s) of Permit Holder(s): Ball Family Trust c/o Allen Ball3. Mailing Address: 5465 South 5th West, Idaho Falls, Idaho 834044. Source of Water: groundwater If **GROUNDWATER** (well), Date Drilled: mo. early 1998 / yr. a. Well Driller: High Plains Drilling, Inc. Drilling Permit Number: 22 97E 0135 & 0136b. **OPTIONAL:**Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):

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

Domestic (No. of households): 76 Stockwater (No. and type of stock): Irrigation (No. of acres): 1/2 acre with each lot Other: 6. Total rate of diversion and/or volume for which proof is submitted: 1.10 cfs OR acre feet
However, wells have capacity to produce 800 gpm pursuant to Madison County Fire protection requirements

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 x or No

Has the measuring device been installed?

Yes x 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: \$ 125.00 (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: Allen Ball Telephone Number: (208) 589-1014Address: 5465 South 5th West, Idaho Falls, Idaho 83404

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: *Allen Ball* TIE Date: 9/14/99
(include your title, if on behalf of company or organization)

MICROFILMED

DEC 29 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 22-07794

Proposed Priority: May 19, 1997

Maximum Diversion Rate:

1.10 CFS

This is to certify, that **BALL FAMILY TRUST**

C/O ALLEN BALL

5465 S 5TH W

IDAHO FALLS ID 83404

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	1.10 CFS
FIRE PROTECTION	01/01 to 12/31	1.10 CFS
	Totals	1.10 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 13, Township 05N, Range 39E
MADISON County

PLACE OF USE: DOMESTIC

TWN RGE SEC

05N 39E 13

SWNE

NWSE

PLACE OF USE: FIRE PROTECTION, same as DOMESTIC use

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. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.
6. 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.
7. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
8. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

MICROFILMED

AUG 19 1997

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

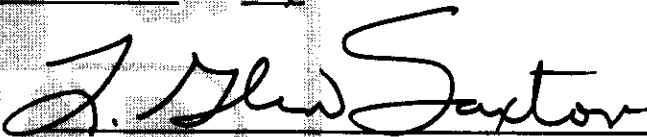
NO. 22-07794

CONDITIONS OF APPROVAL AND REMARKS

9. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
10. The Director retains jurisdiction over this right and may change, add, or remove any requirement as determined to be appropriate.
11. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
12. Each year the right holder shall measure and report diversions of water or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
13. Points of diversion are located within Lots 6 & 12, Blk. 2, The Cedar Butte Addition.
14. Places of use are located within Lots 1-28, Blk. 1; Lots 1-5 & Lots 7-11, Blk. 2; Lots 1-16, Blk. 3; and Lots 1-16, Blk. 4; The Cedar Butte Addition.
15. Domestic use is for 69 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

11th day of August, 1997.


for Karl J. Dreher, Director

MICROFILMED

AUG 19 1997

Ident. No. 22-7794

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUL 15 1997

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Ball Family Trust c/o Allen Ball Phone 208 923-2977
Mailing address 5765 So 5th West IDAHO FALLS IDA. 83404
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 5 North Range 39 E-B Sec. 13 in the SW. 1/4, NE. 1/4, _____ 1/4, Govt. Lot _____, B.M., Madison County;
additional points of diversion if any: 2 wells SW 1/4 NE 1/4

4. Water will be used for the following purposes:

Amount 4.00 cfs for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 2.00 cfs for FIRE PROTECTION purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1.10 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)

800
gpm

5. Total quantity to be appropriated is (a) 1.10 2 c.f.s. 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 2 5hp Pumps, 2-25-30
Hp Pumps (To water Pipe system.)
- b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total
reservoir capacity NA acre-feet
- c. Proposed well diameter is 16" 10/12" inches; proposed depth of well is 220 feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? NA; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 2 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. 58 69
- e. Other; describe fully. FIRE PROTECTION

HYDROFILMED

AUG 19 1997

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	
5N	39E	13			D										D				

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? Ball Family trust

b. Who owns the land to be irrigated or place of use? Ball Family trust

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: CFS includes irrigation for 1/2 acre per home

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.

Ball Family trust By

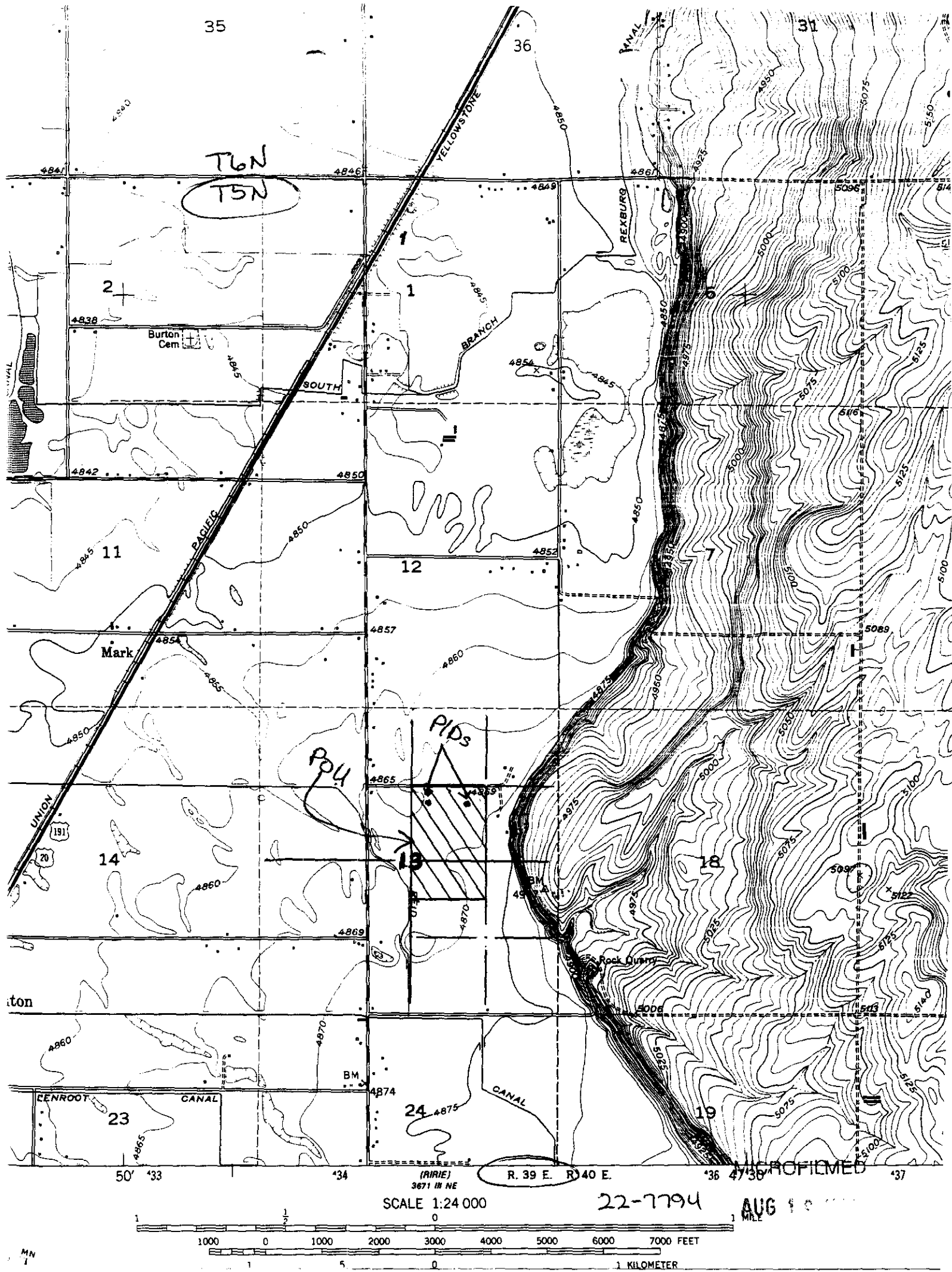
Alley Ball

Signature of Applicant (and title, if applicable)

Received by H. Taylor Date 5/19/97 Time 2:45 Preliminary check by _____
 Fee \$ 120.00 Received by H. Taylor # E023249 Date 5-19-97
 Publication prepared by RB Date 6-19-97 Published in Reynolds Standard Journal
 Publication approved _____ Date _____

MICROFILMED

JUN 19 1997





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

October 16, 2002

BALL FAMILY TRUST
C/O ALLEN BALL
5465 S 5TH W
IDAHO FALLS ID 83404

RE: License No. 22-7794 - 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.

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)

MICROFILMED

JAN 08 2003

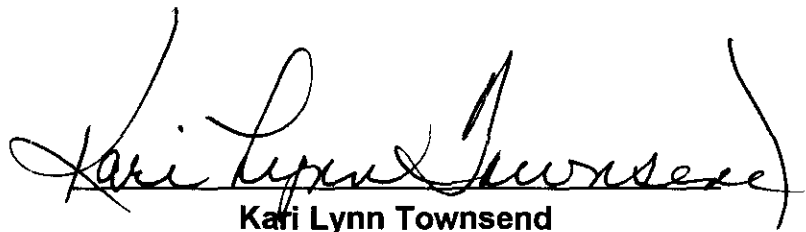
CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2002 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.

22-7794

**BALL FAMILY TRUST
C/O ALLEN BALL
5465 S 5TH W
IDAHO FALLS ID 83404**



**Kari Lynn Townsend
Secretary**

MICROFILMED

JAN 08 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

**MICROFILMED
JAN 08 2003**

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.

LICENSE REVIEW CHECKLIST

Permit No. 22-7794 Date: 9-26-02 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

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 OK

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 1.10 cfs

Fee Limit 2.0 cfs

Measured _____ cfs

Theoretical 2.74 cfs

Recommended Total Diversion Rate 1.10

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af

Stockwater _____ cfs _____ af

Domestic 1.10 cfs 82.8 af

Fire 1.10 cfs 82.8 af

_____ cfs _____ af

Total 1.10 cfs 82.8 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~~ (106/R07)

~~Payette~~ - (W22/047/27A)

~~Stockwater for US~~ (R37)

$$69 \times 1.2 = 82.8$$

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: _____

Additional Conditions _____ Watermaster Control

_____ GW Measurement/Measuring Device

Other _____

Trust R55 - remove 051

Non-trust (048)

GW Dist? _____

Water Msmt. Dist? _____

Crit. GWMA? _____

GWMA? _____

Government Lots? _____

Advance Priority? yes If yes, explain why below.

no

SRBA Claim? NO

Adjust memo _____

Amend Letters _____ P87, S06

Second Amendment Notice _____ S06

THE CEDAR BUTTE ADDITION

A PORTION OF
SECTION 13, TOWNSHIP 5 NORTH
RANGE 39 EAST OF THE BOISE MERIDIAN
MADISON COUNTY, IDAHO

OCDRB

OWNER-DEVELOPER
ALLEN & CONNIE BALL
DAHO FALLS, IDAHO

Easement 279361

Prepared by:
KML SURVEYING
1458 LOWELL DR.
IDAHO FALLS, IDAHO 83402
(208) 522-2000

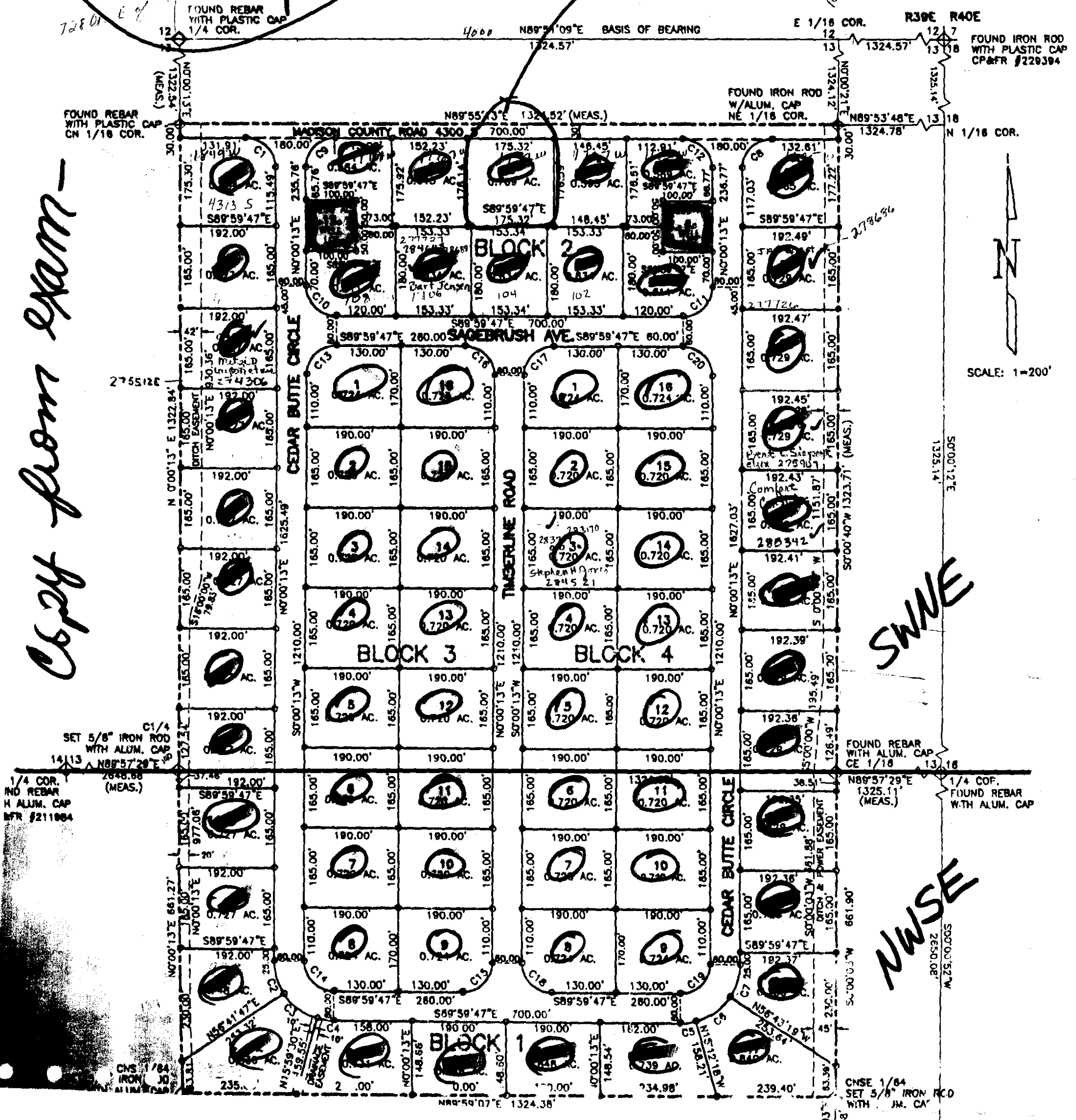
Cedar Butte Add. Owners 44000
Blk 2 Lots 6+12

MICROFILMED

JAN 08 2003

Final Add

70 lots
total -
permits allow
for 69 -
Note!



copy from exam-

SWNE

NWSE



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
GovernorKARL J. DREHER
Director

September 27, 2002

BALL FAMILY TRUST
C/O ALLEN BALL
5465 S 5TH W
IDAHO FALLS ID 83404

RE: Permit No. 22-07794

Dear Mr. Ball:

We are in the process of preparing a water right license for the above referenced permit and found we could not answer all the questions concerning the Cedar Butte Addition. In review of the subdivision plat and your water right permit, I found that the permit was issued for domestic use in 69 homes. The subdivision plat contains 70 lots, along with the 2 wells lots. I was wondering if there may be 1 homeowner that has 2 lots within the subdivision or if there is 1 lot with no water use from the subdivision wells. The water right license will be limited to use of water for 69 lots. Which lot should not be included in this proposed license? If you have developed 70 lots within this subdivision, you should file an additional water right for the additional lot.

Please submit any information you can in regard to this matter within thirty (30) days of the date of this letter so we can complete the licensing of the permit. If I don't hear from you within the 30-day period, I will assume that you do not care which lot is removed and I will select one that will not be included under this proposed license.

If you have any questions in regard to this matter, please do not hesitate to contact me at (208)327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k

ALLEN

10-4-02

LOT 3 BLOCK 2
HAS A WELL THAT SERVICES
THE OLD FARM HOUSE ON
THE COUNTY ROAD - THE
NEW WATER LINE IS IN
FRONT OF THE HOUSE, BUT
I DON'T REMEMBER IF
WE PUT IN A SERVICE.
I DON'T THINK WE DID.

DAVE R.

MICROFILMED

JAN 08 2003

out
per
telecom
w/ have
Hunderson
representing
Mr. Ball
KW

10/4/02



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

September 27, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BALL FAMILY TRUST
C/O ALLEN BALL
5465 S 5TH W
IDAHO FALLS ID 83404

RE: Permit No. 22-07794

Dear Mr. Ball:

We are in the process of preparing a water right license for the above referenced permit and found we could not answer all the questions concerning the Cedar Butte Addition. In review of the subdivision plat and your water right permit, I found that the permit was issued for domestic use in 69 homes. The subdivision plat contains 70 lots, along with the 2 wells lots. I was wondering if there may be 1 homeowner that has 2 lots within the subdivision or if there is 1 lot with no water use from the subdivision wells. The water right license will be limited to use of water for 69 lots. Which lot should not be included in this proposed license? If you have developed 70 lots within this subdivision, you should file an additional water right for the additional lot.

Please submit any information you can in regard to this matter within thirty (30) days of the date of this letter so we can complete the licensing of the permit. If I don't hear from you within the 30-day period, I will assume that you do not care which lot is removed and I will select one that will not be included under this proposed license.

If you have any questions in regard to this matter, please do not hesitate to contact me at (208)327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

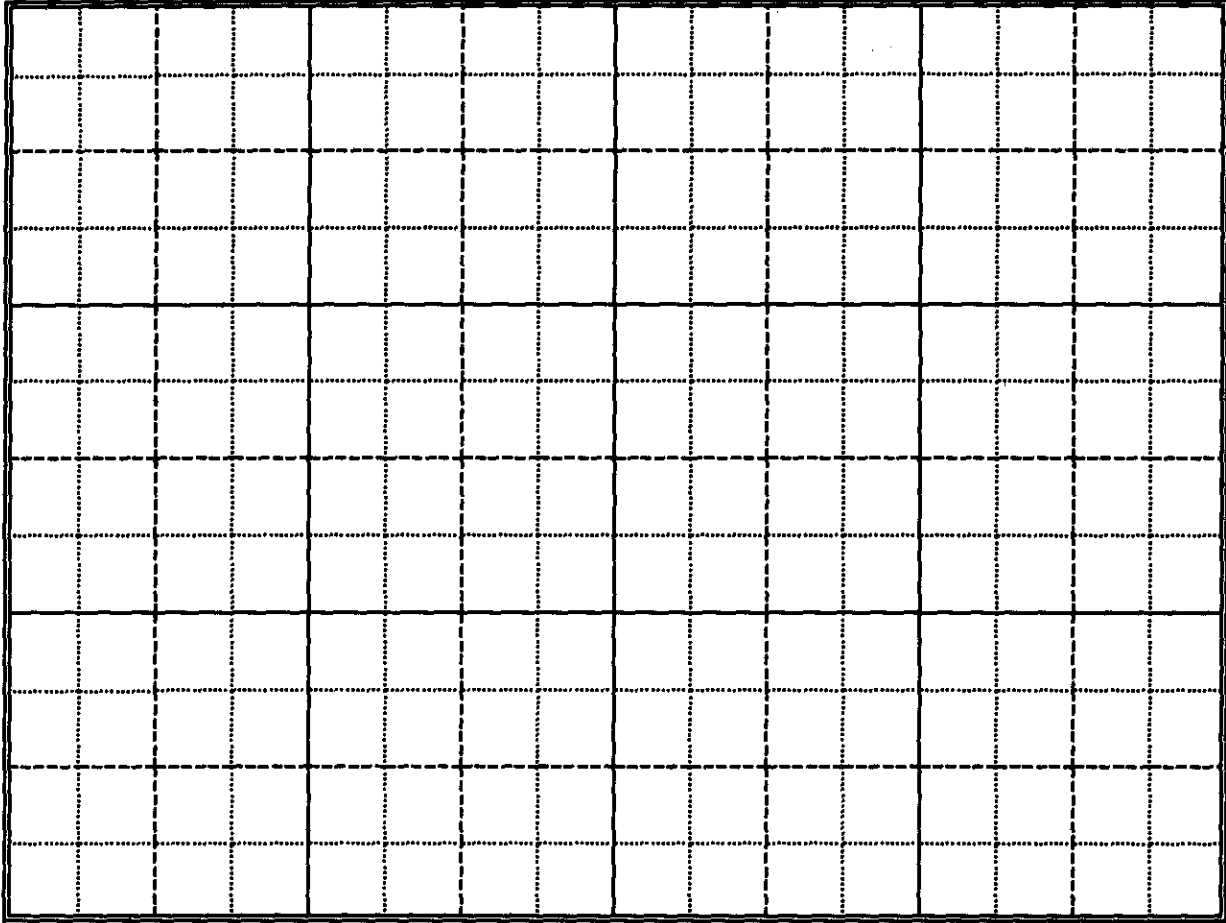
KW:k

MICROFILMED

JAN 08 2003

146 3 8 2003

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
WEST	Franklin Elec	40hp		Berkley	
~~WEST~~ EAST		40		Berkley	

*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
WEST Meter	Totalizer	McQuay		98-5425-8		
EAST METER	Totalizer	McQuay		98-9327-8		

2. Measurements: Weir Theoretic calculation for one well
 would be 1.36 CFS. 40hp pump 65' to water
 = $\frac{40hp (6.16)}{65' + 2.31(50)} = 1.36 CFS$ 50 psi

2FS

MICROFILMED

JAN 9 8 2003

E. NARRATIVE/REMARKS/COMMENTS

West Well Drilling Tag # D0004419 / D0004420

Madison County Fire Protection requirement that the wells produce 800 gpm.

2 wells/pumps to 69 homes and Fire ~~hydrants~~ hydrants

Their calculation →

One well - 40hp, 65 FEET to water
50 psi

$$CFS = \frac{40(6.16)}{65' + 2.31(50)} = 1.36 CFS$$

Both wells = 2.72 CFS

This permit ~~also~~ Allows for 1/2 Acres of irrigation per house

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

MICROFILMED
JAN 08 2003

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

theoretical cal. = 1.36 cfs for one well.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

 $69 \times 1.2 \text{ AF/A} = 82.8 \text{ AF/A}$ homes
with
LAWN**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	01/01	12/31	1.10	82.8
FIRE PROTECTION	01/01	12/31	1.10	
Totals:			1.10	82.8

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 DAVE CARLSON Date 9/16/2002Reviewer [Signature] Date 9-17-02

SEAL

MICROFILMED

JAN 08 2003

22-07794



T5N, R39E sec 13

MICROFILMED
JAN 08 2003

Form 238-7
3/95IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

Office Use Only			
Inspected by _____			
Twp _____	Rge _____	Sec _____	
1/4 _____		1/4 _____	
Lat: _____		Long: _____	

1. DRILLING PERMIT NO. 22-97-E-0135Other IDWR No. 22-07794 00004419

2. OWNER:

Name Allan BallAddress Park St Township Rd.City Glenn Falls State Id Zip 83405

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N	
Twp. <u>5</u> North <u>X</u> or South ☐	
Rge. <u>39</u> East <u>X</u> or West ☐	
Sec. <u>21</u> 1/4 <u>SW</u> 1/4 <u>NE</u> 1/4	
Gov't Lot _____ County <u>Madison</u>	
Lat: _____ Long: _____	

Address of Well Site 2000 W 4700SRefers

(Give at least name of road - distance to road or landmark)

Lt. _____ Bk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEA/FILTER PACK		AMOUNT		METHOD
Material	From	To	Sacks or Feet	
<u>bentonite</u>	<u>0</u>	<u>60</u>	<u>38</u>	<u>overbur</u>

 Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 300'
 Was drive shoe seal tested? ☒ Y ☐ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>12</u>	<u>0</u>	<u>300</u>	<u>250</u>	<u>steel</u>	☒	☐	☒	☐
<u>8</u>	<u>300</u>	<u>515</u>	<u>22</u>	<u>steel</u>	☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

60 ft. below ground Artesian pressure _____ lb.Depth flow encountered _____ ft. Describe access port or control devices: well cap

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
<u>800</u>	<u>0</u>	<u>60</u>	<u>1 hr.</u>

Water Temp. 49° Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encountered 60

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>16</u>	<u>0</u>	<u>60</u>	<u>gravel</u>	☒	☐
<u>16</u>	<u>60</u>	<u>110</u>	<u>sand</u>	☐	☒
<u>12</u>	<u>110</u>	<u>190</u>	<u>black sand & clay</u>	☐	☒
<u>12</u>	<u>190</u>	<u>300</u>	<u>brown clay</u>	☐	☒
<u>12</u>	<u>300</u>	<u>310</u>	<u>brown clay & lava</u>	☒	☐
<u>8</u>	<u>310</u>	<u>380</u>	<u>hard sand</u>	☐	☒
<u>8</u>	<u>380</u>	<u>480</u>	<u>sand & little gravel</u>	☐	☒
<u>8</u>	<u>480</u>	<u>515</u>	<u>sand & clay</u>	☐	☒
<u>8</u>	<u>515</u>	<u>540</u>	<u>lava</u>	☒	☐

800 g.p.m.

RECEIVED

AUG 04 1998

Department of Water Resources
Eastern Region

RECEIVED

AUG 07 1998

MICROFILMED

Department of Water Resources

SEP 23 1998

 Completed Depth 540 (Measurable)
 Date Started 10-25-98 Completed 3-21-98

13. DRILLER'S CERTIFICATION

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

Firm Name High Plains Firm No. 29Firm Official Marcelo J. Sanchez Date 7-30-98and Supervisor or Operator Rex Franke Date 7-30-98

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

THE CEDAR BUTTE ADDITION

A PORTION OF SECTION 13, TOWNSHIP 5 NORTH RANGE 39 EAST OF THE BOISE MERIDIAN MADISON COUNTY, IDAHO

OCDRB

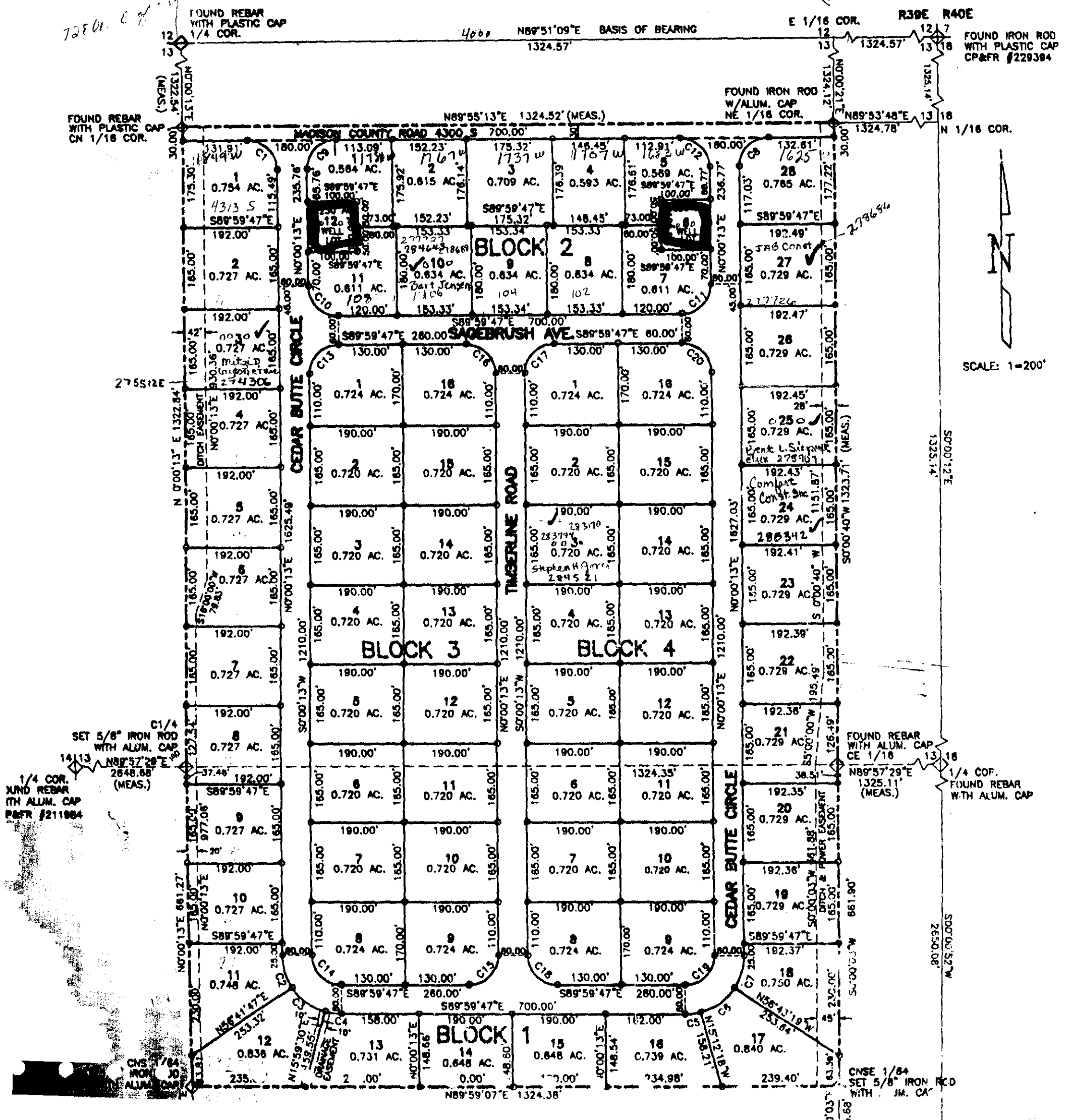
OWNER-DEVELOPER
ALLEN & CONNIE BALL
IDAHO FALLS, IDAHO

Easement 279361

Prepared by:
KML SURVEYING
1458 LOWELL DR.
IDAHO FALLS, IDAHO 83402
(208) 522-2090

Cedar Butte Add. Owners Assoc
Blk 2 Lots 6+12

Lynette Palm





State of Idaho

DEPARTMENT OF WATER RESOURCES

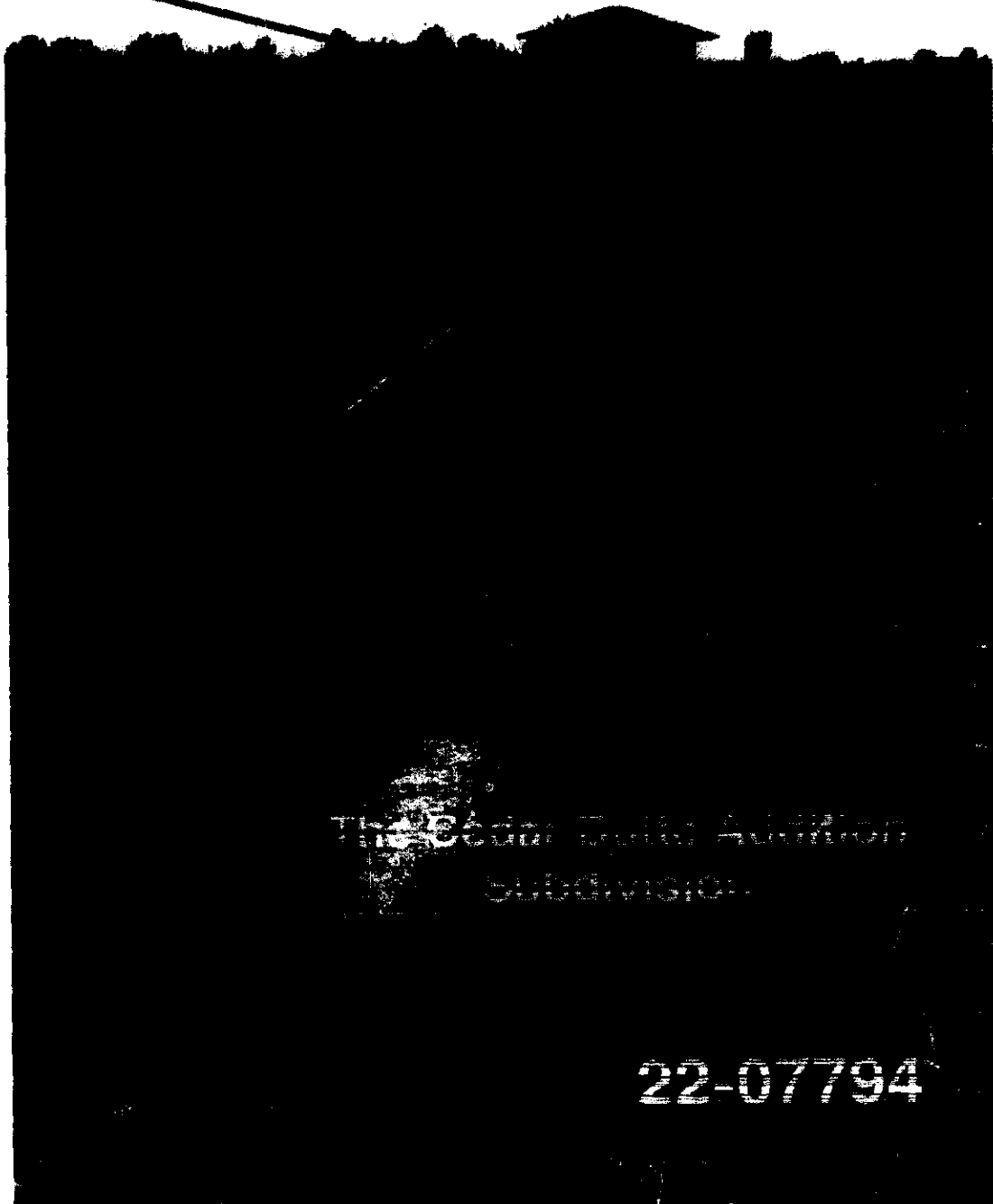
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

East Point of Diversion
(Lot 6 Block 2)



22-07794

MICROFILMED
JAN 9 8 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

West Point of Diversion
(Lot 12, Block 2)



MICROFILMED
JAN 08 2003

22-07794
(Page 2 of 4)



Well Inside Well House

(Note: Both Wells Housed in Respective Well Houses in this fashion)

MICROFILMED
JAN 08 2003

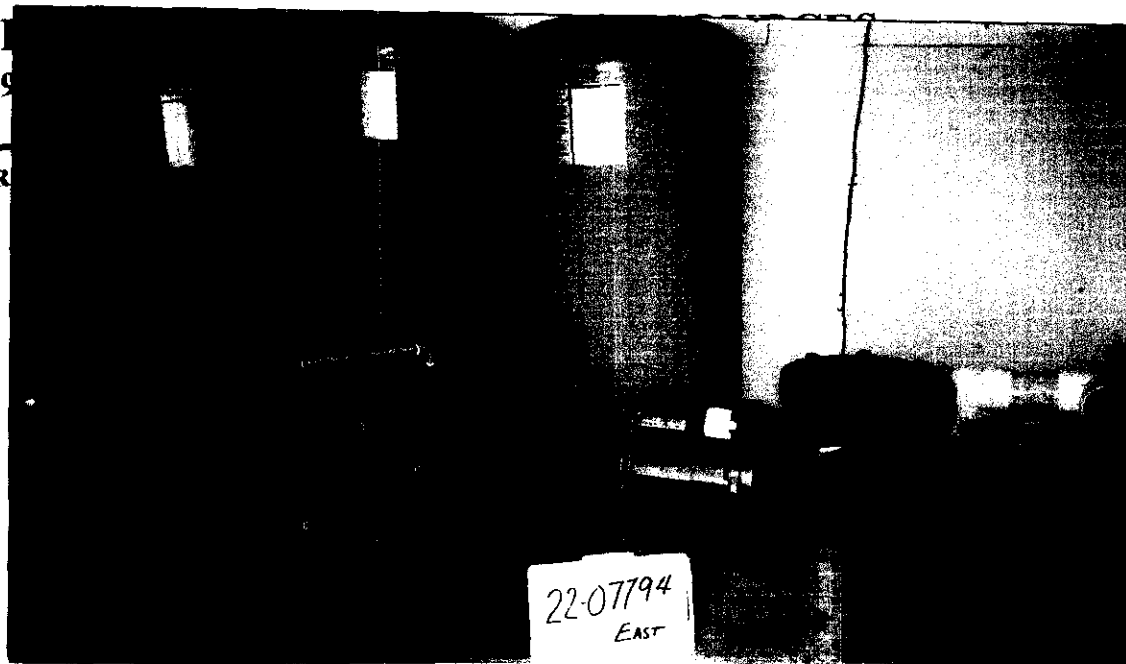
22-07794

Page 4 of 4



State of Idaho

EASTERN R

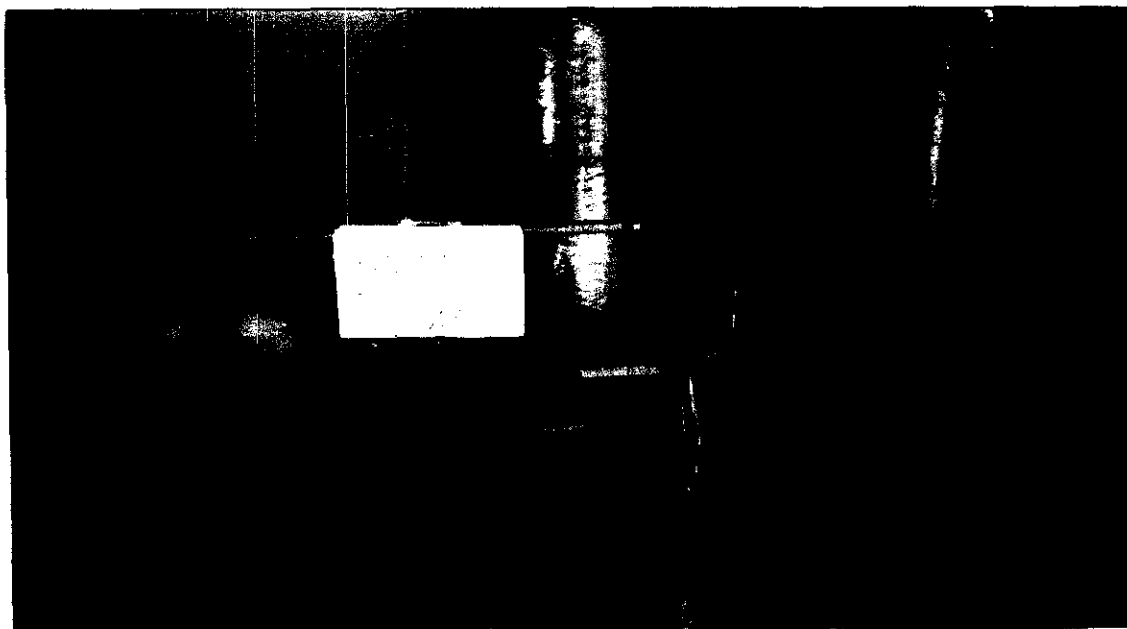


08) 525-7177

KEMPTHORNE
GOVERNOR

RL J. DREHER
DIRECTOR

**Control Valves, Pressure Tanks, Flow Meter
East Well House**



**Control Valves, Pressure Tanks, Flow Meter
West Well House**

MICROFILMED

JAN 9 8 2003

22-07794

Page 3 of 4



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

December 27, 1999

KARL J. DREHER
DIRECTOR

Ball Family Trust
co Allen Ball
5465 S 5th W
Idaho Falls ID 83404

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07794

Dear Permit Holder:

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

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Please note that the priority date has been advanced to July 5, 1997, pursuant to Section 42-218a, Idaho Code.

Please 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, please contact the **EASTERN** Regional Office of the department in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED

DEC 29 1999

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 22-01794 Reviewed by [Signature] Date 11-16-99

GENERAL CONSIDERATIONS

TYPES OF USE

YES Name same as permit? dom
YES Address same as permit? _____
NO Proof timely received? Correct Uses? YES
If not, complete calculation below.

SOURCE OF WATER

_____ Surface water source
✓ Ground water source
YES Drilling permit required?
NO Copy in the file? Drilling Permit No. 22-97-E-0135 + 0136-000
200 CA Amount paid for permit YES Correct?
NO Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

YES Required?
125 Amount Submitted
YES Correct?
_____ Required?
_____ Installed?
_____ Waiver requested?

PRIORITY CALCULATION

Date proof received 7-17-99 260
Date proof due 8-1-99 - 213
No. of days late _____ = 47
Priority Date 5-19-97 + 139
New Priority Date 7-5-97 186

> 7/15/97

DEFICIENCIES OR ACTION ITEMS

Reinstate + advance to July 5, 1997
Proof Acceptable

DATA ENTRY

New Address X Proof Made 9-17-99

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
SHAN B. PERRY
AMELIA A. CANEGALY

U.S. BANK OF IDAHO BUILDING
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

September 15, 1999

Idaho Department of Water Resources
900 North Skyline Drive
Idaho Falls, ID 83402

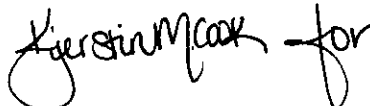
Re: Permit No. 22-07794

RECEIVED
SEP 17 1999
Department of Water Resources
Eastern Region

Gentlemen:

Enclosed is a proof of beneficial use form which has now been completed and signed by our client, the Ball Family Trust by Allan Ball as trustee. Our check in the amount of \$125 is also enclosed. Please let us know how we may be of assistance in completing this matter.

Very truly yours,



Kent W. Foster

Enclosures

G:\WPDATA\KWF\7361\IDWR0915.LTR:kmc

MICROFILMED

DEC 23 1999

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

August 5, 1999

BALL FAMILY TRUST
C/O ALLEN BALL
5465 S 5TH W
IDAHO FALLS ID 83404

LAPSE NOTICE

RE: PERMIT NO. 22-07794

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 May 31, 1999. 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

CERTIFICATION OF MAILING

I hereby certify that on 8-6-99
~~a copy~~/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Jly

MICROFILMED

AUG 23 1999



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

May 31, 1999

BALL FAMILY TRUST
C/O ALLEN BALL
5465 S 5TH W
IDAHO FALLS ID 83404

PROOF DUE NOTICE

RE: PERMIT NO. 22-07794

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

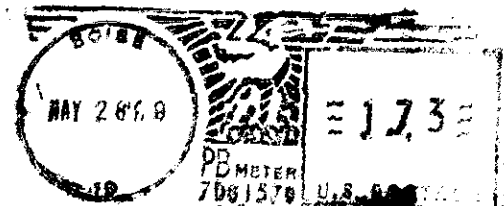
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street
Boise, Idaho 83706-2237

CERTIFIED

Z 433 942 333

MAIL



MICROFILMED

DEC 29 1993

[REDACTED]

May 31, 1999

BALL FAMILY TRUST
C/O ALLEN BALL
5465 S 5TH W
IDAHO FALLS ID 83404

PROOF DUE NOTICE

RE: PERMIT NO. 22-07794

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.

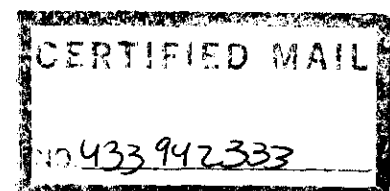
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
DEC 29 1999





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

August 11, 1997

BALL FAMILY TRUST
C/O ALLEN BALL
5465 S 5TH W
IDAHO FALLS ID 83404

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 22-07794

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

AUG 19 1997

MICROFILMED

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

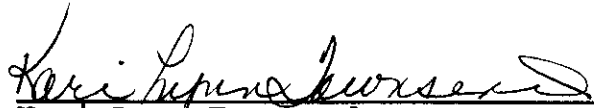
RECEIVED
AUG 19 1937

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of August, 1997, 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. 22-07794

BALL FAMILY TRUST
C/O ALLEN BALL
5465 S 5TH W
IDAHO FALLS ID 83404



Kari Lynn Townsend
Secretary

MICROFILMED

AUG 19 1997

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lee

No.: 22-7194 Name: Bell Family Trust Date: 7/23/97 Ad OK? ✓ for skip Gvmt Lts: _____

AREA OF CONCERN?**PROTESTED:****SYSTEM COMPLETED:**

Yes/proof filed
1 year/no proof
+1 year

GROUNDWATER: <✓ FLO-CH>

+ 0.24 cfs
=/- 0.24 cfs
+ 5 a.

DRILLING PERMIT:

Existing well
Included w/permit
No WD permit?
irr. in WD

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

Source in/below Min. Str. Flow?

Water District (dom. inc.)

> 0.20 cfs
≤ 0.20 cfs

~~Water Measurement District~~

> 0.24 cfs/5 acres
≤ 0.24 cfs/5 acres

Springs/sink, inactive WD, & Rest of State

> 0.24 cfs/5 acres
≤ 0.24 cfs/5 acres

RIVER BASINS (*Surface water):

Snake R (01)
(02/03-irr)

Boise River (63)

Payette River (65)

USE:

Domestic (surface)

Domestic (multi in concern area)

Fish Propagation

Irr <POU> ≤ 5 acres
> 5 acres

Mining

Municipal (in restricted areas)

Power

Storage (✓3 compo.)

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev.

Irr Dist/Canal Co.

Swan Falls Flag

Trust

Non-Trust <1>

OWNERSHIP: Non-owner**OTHER CONDITIONS:****STANDARD REMARKS:****BENEFICIAL USE DUE:****COMMENTS:**

- No/Yes: ESRPX Mor / _____ GWMA / Trust / Non-trust
- 020 (Protest Agreement) or *W19 (Order)

- NA
- P16
- 28A(P17)

- ~~01M~~ (report when notified) or _____ (if in MD, must report)
- No MD
- 01M; 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

- NA (pre 7/1/87; ✓ WDQ3)
- Permit No. _____, P99
- 046-48B-P23 (post 7/1/87)
- P05 (new well location)

- <SEE MAP & LISTING> (modify remark *WB9)
- R04 (req) WD # _____ <SEE MAP & LISTING>
- 01J (MD)-P08
- 01H (ILD & MD)-P01 or No MD (in-stream stock)

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

- 11A-P04, NA
- 007-P07 (w/ remark *WB9 if above Weiser), NA
- 05A (if WD), 11E (not 42-111 use), NA
- *W22 (regulated uses), 047-P04 (Payette Lake), NA

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- 070-071
- 07A-042 (req)-09E (WQ)-P10; 044 (North of 1000 Springs)
- 057 (0.03 cfs/acre)
- 03A (0.02 cfs/acre)
- 054 (req) & 09E-P10
- 022, 075, 004 (+memo?)
- 17K-08A-025-01F(P19)-028-09E(P10); 027 (if no other cons. use);
17G (FERC) or 17M (FERG); 18B-P09; +25 cfs-P18
- 080 (req); 18A (multiple MD within district), 18B-P09 (+10' dam),

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

- 058 (-85° GW temp only)
- P52 (stream channel alteration)
- 023 (Twin Falls area)
- 7 <SEE CODE CHART>

- 051-052-053-P74 (Consumptive Uses), NA
- 048-049 (Consumptive Uses), NA
- 004 (PD/PU)

- 077
- ① PD/LT 6&12, B2, ② PA/LT 1-28, B1, LT 1-5&7-11, B2;
LT 1-16, B3; LT 1-16, B4, The Cedar Butte Add.
- 8/1/1999

*within Aquifer

within East Water Measurement District

RECEIVED

JUL 15 1997

DEPARTMENT OF WATER RESOURCES

Dist. for staffing 5-27-97
Submitted for advertising 5-27-97

Form No. 202
4/87

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

INITIAL REVIEW BY HWS DATE 5-27-97 APPLICATION NO. 22-7794

Ball Family
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

DEQ-IF

☒ 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 _____

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 7-7-97
☒ 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 5-19-97
By: [Signature] Date: 7-8-97

STATE OFFICE REVIEW

By _____ Date: _____

ADDITIONAL INFORMATION

1

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]

THE STANDARD JOURNAL
Rexburg, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, TERRY T. WEATHERSTON being first duly sworn, depose and say, that I am the printer of THE STANDARD-JOURNAL, a semi-weekly newspaper printed and published semi-weekly at Rexburg, Madison County, Idaho; and I do solemnly swear that the NOTICE OF APPLICATION WATER#22-07794 a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for TWO consecutive issues, the first publication having been made on JUNE 19, 1997 and the last publication having been made on JUNE 26, 1997

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

STATE OF IDAHO)

COUNTY OF MADISON)

On this 27TH day of JUNE in the year of 1997, before me, a Notary Public, Personally appeared Terry Weatherston, 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.

Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: May 21, 1999

RECEIVED

JUL 02 1997

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

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

22-07794
BALL FAMILY TRUST
c/o ALLEN BALL
5465 S 5th W
IDAHO FALLS, ID 83404
Source: Groundwater
Diversion Pt: SWNE Sec 13 T 05N R 39E in MADISON County.
Use: Domestic (1.100 CFS) Fire Protection (1.100 CFS) Total Diversion: (1.100 CFS)
Date Filed: 5/19/1997
In: MADISON County T05N R39E S13 SWNE *

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 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before JULY 7, 1997.

KARL J. DREHER
Director

Publ. June 19 and 26, 1997SJ.

* needs NWSE.
per HWJ, not fatal. 7/23/97 eg.

MICROFILMED

206 : 1 WJ



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 11, 1997

Legal Notices Department
THE REXBURG STANDARD-JOURNAL
P.O. BOX 10
REXBURG, ID 83440

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 JULY 7, 1997.

Yours truly,

Rita Bodell
Secretary

Encl.

1106 RECEIVED

JUN 11 1997

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 JULY 7, 1997.

KARL J. DREHER, Director

Published: 6/19/1997 & 6/26/1997

UNRECORDED

JUL 11 1997



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 11, 1997

IDAHO DEPT OF HEALTH & WELFARE
DIVISION OF ENVIRONMENTAL QUALITY
900 N SKYLINE DRIVE
IDAHO FALLS ID 83402

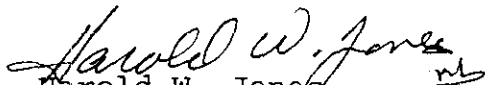
RE: Application No. 22-07794

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is July 7, 1997, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,


Harold W. Jones
Water Right Supervisor

HWJ/rb
enc.

RECORDED

JUN 18 1997



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 11, 1997

ALLEN BALL
BALL FAMILY TRUST
5465 S 5TH W
IDAHO FALLS ID 83404

RE: Notice of Application for Permit No. 22-07794

Dear Applicant:

The Department of Water Resources acknowledges receipt of your application for a water right. This office is currently in the process of advertising the application in the Rexburg Standard Journal on June 19 & 26, 1997. 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.

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 transfer is issued, you will be sent a copy. A typical processing time for an unprotested application is about twelve weeks.

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

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ/rb

RECEIVED

JUN 11 1997

22-07794

BALL FAMILY TRUST
C/O ALLEN BALL
5465 S 5TH W
IDAHO FALLS, ID 83404

Source: GROUNDWATER

Diversion Pt: SWNE Sec 13 T 05N R 39E in MADISON County.

Use: DOMESTIC	(	1.100 CFS)
FIRE PROTECTION	(	1.100 CFS)
Total Diversion:	(	1.100 CFS)

Date Filed: 5/19/1997

In: MADISON County
T05N R39E S13 SWNE

THE CEDAR BUTTE ADDITION

A PORTION OF SECTION 13, TOWNSHIP 5 NORTH RANGE 39 EAST OF THE BOISE MERIDIAN MADISON COUNTY, IDAHO

OWNER-DEVELOPER
ALLEN & CONNIE BALL
IDAHO FALLS, IDAHO

Prepared by:
KML SURVEYING
1458 LOWELL DR.
IDAHO FALLS, IDAHO 83402
(208) 522-2090

Madison County P+Z
says this subdivision
is approved
Jef
7-8-97

County's Acceptance

The foregoing plat was duly accepted and approved by the
County of Madison, State of Idaho by resolution adopted this
_____ day of _____, 1996.

Chairman _____
County Commissioner

Attest Clerk _____

Acknowledgment

State of Idaho, Madison County

I certify that on this _____ day of _____
Allen Ball and Connie Ball personally appeared before me, the
undersigned Notary Public for the State of Idaho, the signer
of the attached owner dedication and after first being duly
sworn acknowledged to me that they signed the dedication
freely and voluntarily for the purpose therein mentioned.

Notary Public _____

Residing at _____

My Commission expires _____

Treasurer's Certificate

I, the undersigned County Treasurer in and for the County of
Madison, State of Idaho, per the requirements of Idaho Code
50-1308, do hereby certify that all county property taxes due
for the property included in this project are current.

Date _____
Madison County Treasurer

Surveyor's Approval

I, _____, hereby certify that I have examined
this plat and that it complies with Section 50-1305 of the
Idaho Code.

Date _____
Professional Land Surveyor Cert. No. _____

Recorder's Certificate

I hereby certify that the foregoing plat of the Cedar Butte
Subdivision in Madison County, State of Idaho, was filed for
recording in the office of the Recorder of Madison County,
State of Idaho on this _____ day of _____, 1996,
at _____ and recorded under the Instrument No. _____.

Madison County Recorder _____

CURVE DATA

CU#	DELTA	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	90°05'00"	60.00	94.34	60.09	N 45°02'17" W	84.91
C2	33°18'25"	120.00	69.76	35.90	S 16°39'00" E	68.78
C3	40°42'16"	120.00	85.25	44.51	S 53°39'20" E	83.47
C4	15°59'19"	120.00	33.49	16.85	S 82°00'08" E	33.38
C5	15°12'29"	120.00	31.85	16.02	N 82°23'59" E	31.76
C6	41°31'00"	120.00	86.95	45.48	N 54°02'14" E	85.06
C7	33°16'31"	120.00	69.69	35.86	N 16°38'28" E	68.72
C8	89°55'00"	60.00	94.16	59.91	S 44°57'43" W	84.79
C9	89°55'00"	60.00	94.16	59.91	S 44°57'43" W	84.79
C10	90°00'00"	60.00	94.25	60.00	S 44°59'47" E	84.85
C11	90°00'00"	60.00	94.25	60.00	N 45°00'13" E	84.85
C12	90°05'00"	60.00	94.34	60.09	N 45°02'17" W	84.92
C13	90°00'00"	60.00	94.25	60.00	S 45°00'13" W	84.85
C14	90°00'00"	60.00	94.25	60.00	S 44°59'47" E	84.85
C15	90°00'00"	60.00	94.25	60.00	N 45°00'13" E	84.85
C16	90°00'00"	60.00	94.25	60.00	N 44°59'47" W	84.85
C17	90°00'00"	60.00	94.25	60.00	S 45°00'13" W	84.85
C18	90°00'00"	60.00	94.25	60.00	S 44°59'47" E	84.85
C19	90°00'00"	60.00	94.25	60.00	N 45°00'13" E	84.85
C20	90°00'00"	60.00	94.25	60.00	N 44°59'47" W	84.85

Boundary Description

A portion of Section 13, Township 5 North, Range 39 East of the
Boise Meridian, Madison County, State of Idaho described as:

The SW1/4, NE1/4 and the N1/2, NW1/4, SE1/4 Section 13,
Township 5 North, Range 39 East of the Boise Meridian, Madison
County, Idaho.

Said parcel contains an area of 60.353 acres more or less.

The Basis of Bearing is N 89°51'09" E on the North line of the
NE1/4 of said Section 13.

Owners Dedication

Know all men by these presents: That we the undersigned are
the owners of the tract of land included within the Boundary
Description shown hereon and have caused the same to be
platted and divided into blocks, lots, and streets to be known
as THE CEDAR BUTTE ADDITION and do hereby dedicate to the
public all streets and easements as shown hereon.
We further certify that the lots shown hereon shall be served
by a new water system and that it has or will have sufficient
contributed capital to allow the water system's wells,
reservoirs and mains to be constructed to provide service
without further connection charges or fees to the landowners
of the lots, except for connection of laterals, meters or other
plant exclusively for the lot owner's own use.

In witness whereof I have set my signature this _____ day of _____
1996.

Allen Ball

Connie Ball

Planning Department Certificate

I, _____, Planning and Zoning Administrator
for the County of Madison, State of Idaho, do hereby certify
that I have examined this plat and am satisfied that it
conforms with the applicable County ordinances.

Date _____
Zoning Administrator

Health Department Certificate

The foregoing plat was approved by District Seven Health
Department this _____ day of _____, 1996
as per Idaho Code Title 50, Chapter 13, Section 50-1326.

Raymond Keating, EHS

Surveyor's Certificate

I, Kenneth M. Litus, a registered professional land surveyor in
the State of Idaho do hereby certify that the survey of this
subdivision, designated as The Cedar Butte Addition, County of
Madison, State of Idaho was made by me or under my
direction, and that said subdivision is truly and correctly
staked as provided by law and in accordance with the
accompanying plat and as described in the deed of
dedication.

Kenneth M. Litus

7012
License No. 10-17-96
Date

LEGEND

- PUBLIC LAND SURVEY CORNER AS INDICATED
- SUBDIVISION BOUNDARY
- 5/8" REBAR & PLASTIC CAP SET
"RLS 7012"

NO PROPOSED PUBLIC SEWAGE DISPOSAL SYSTEM.

DWG # 63-PLAT

Date: OCTOBER 12, 1996

MICROFILMED
AUG 19 1997

