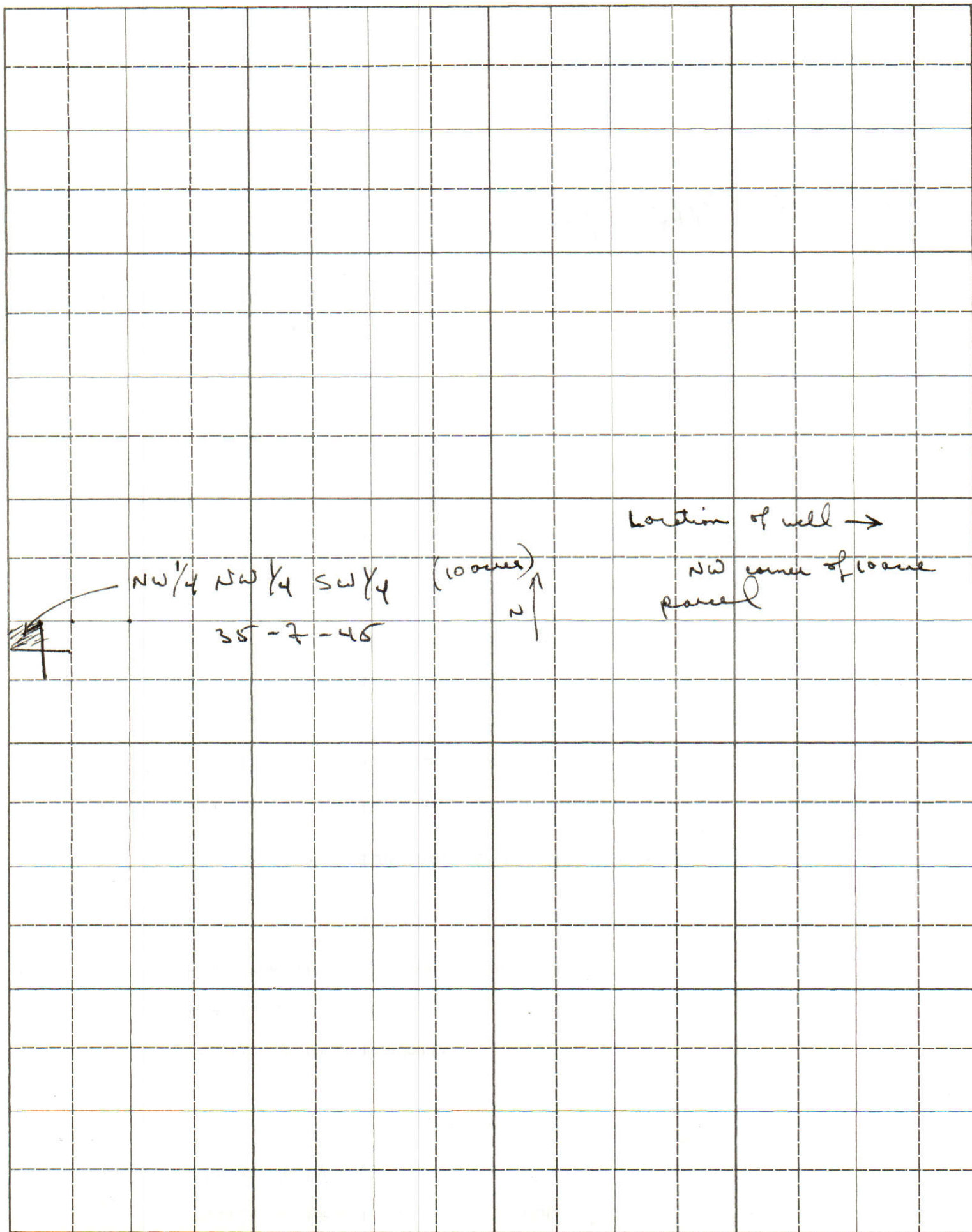


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

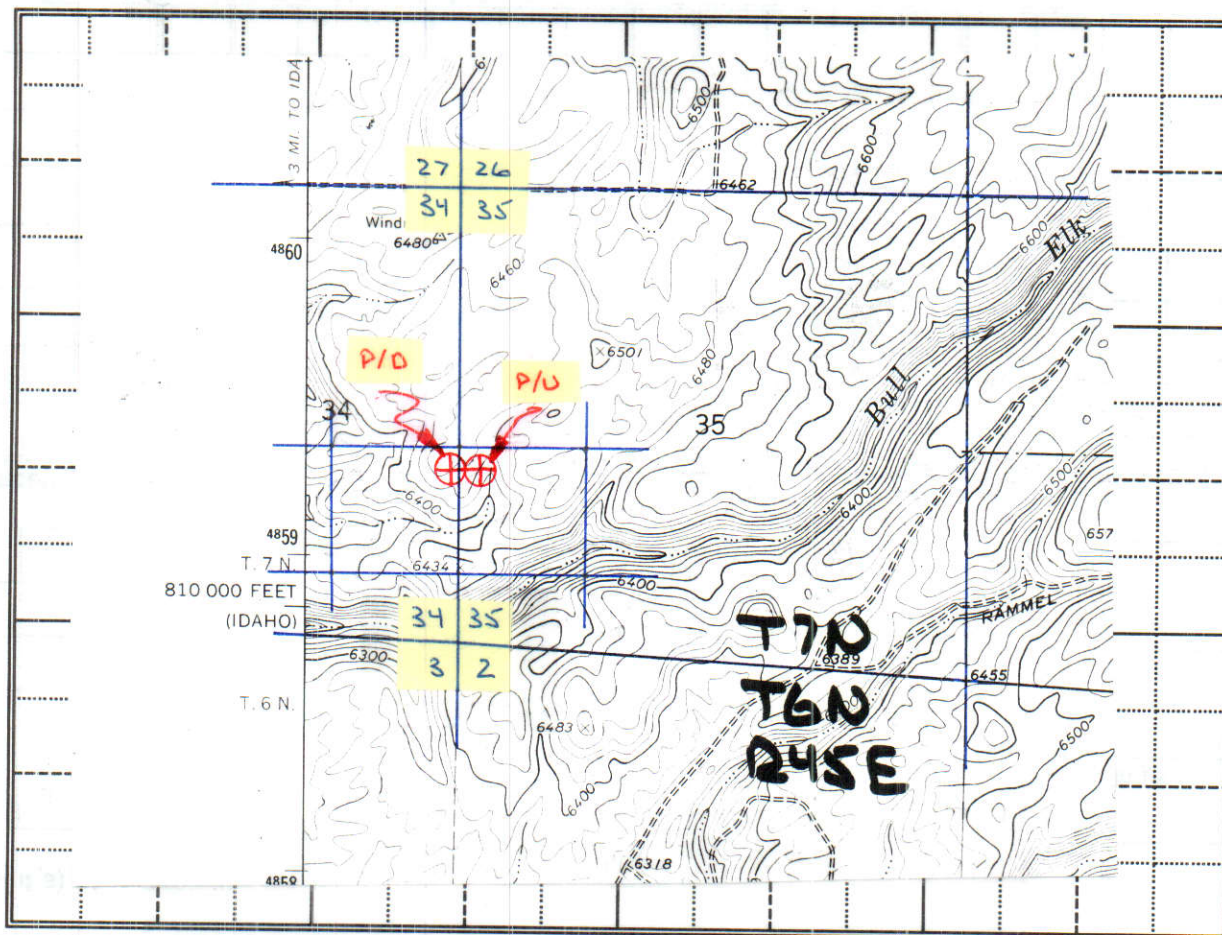


Scale: 2 inches equal 1 mile.

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

David R Fischer
(Applicant)

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
N/A					

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

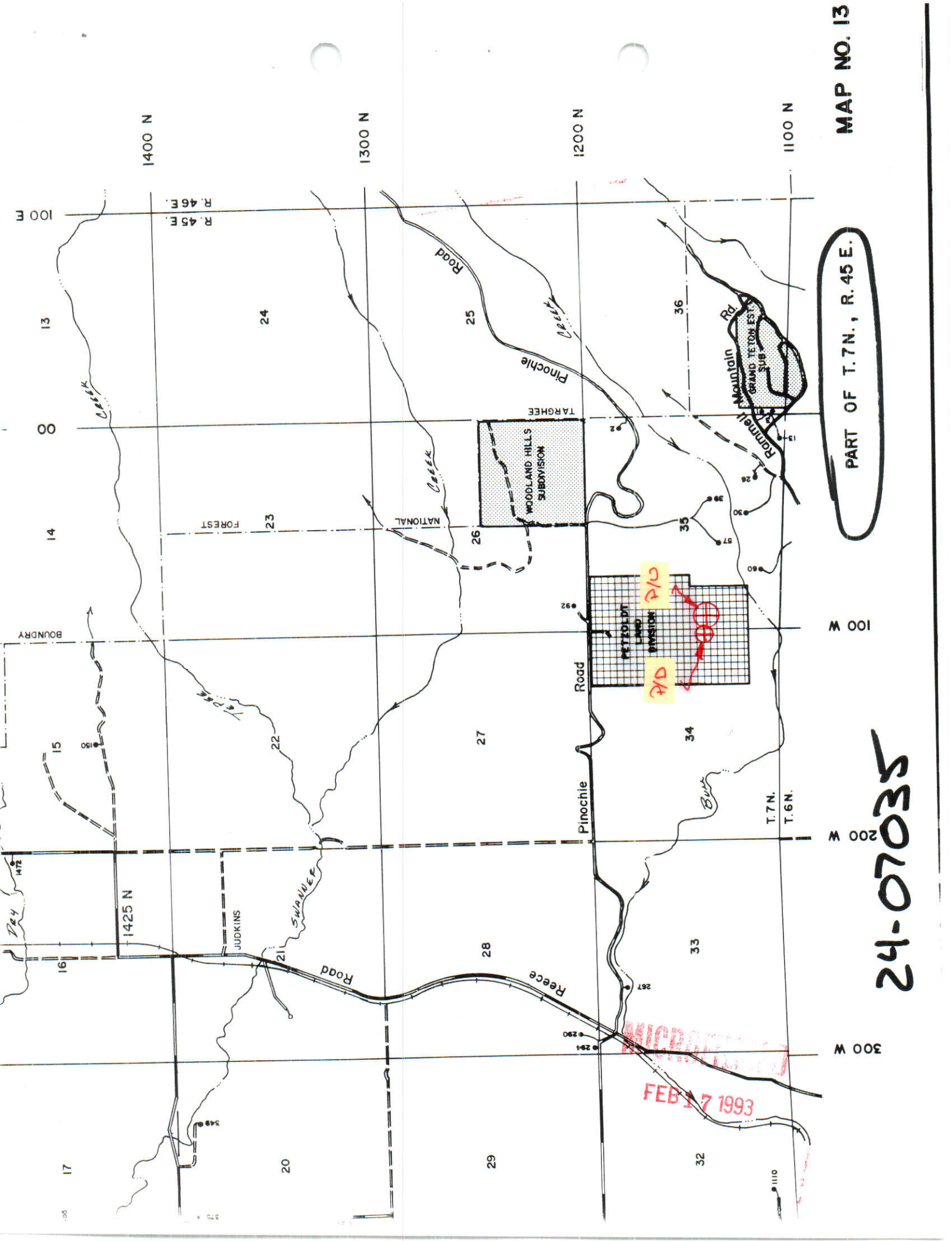
D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. Measurements:

FEB 17 1993



PART OF T.7N., R.45E.

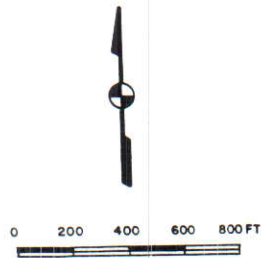
100 W

200 W

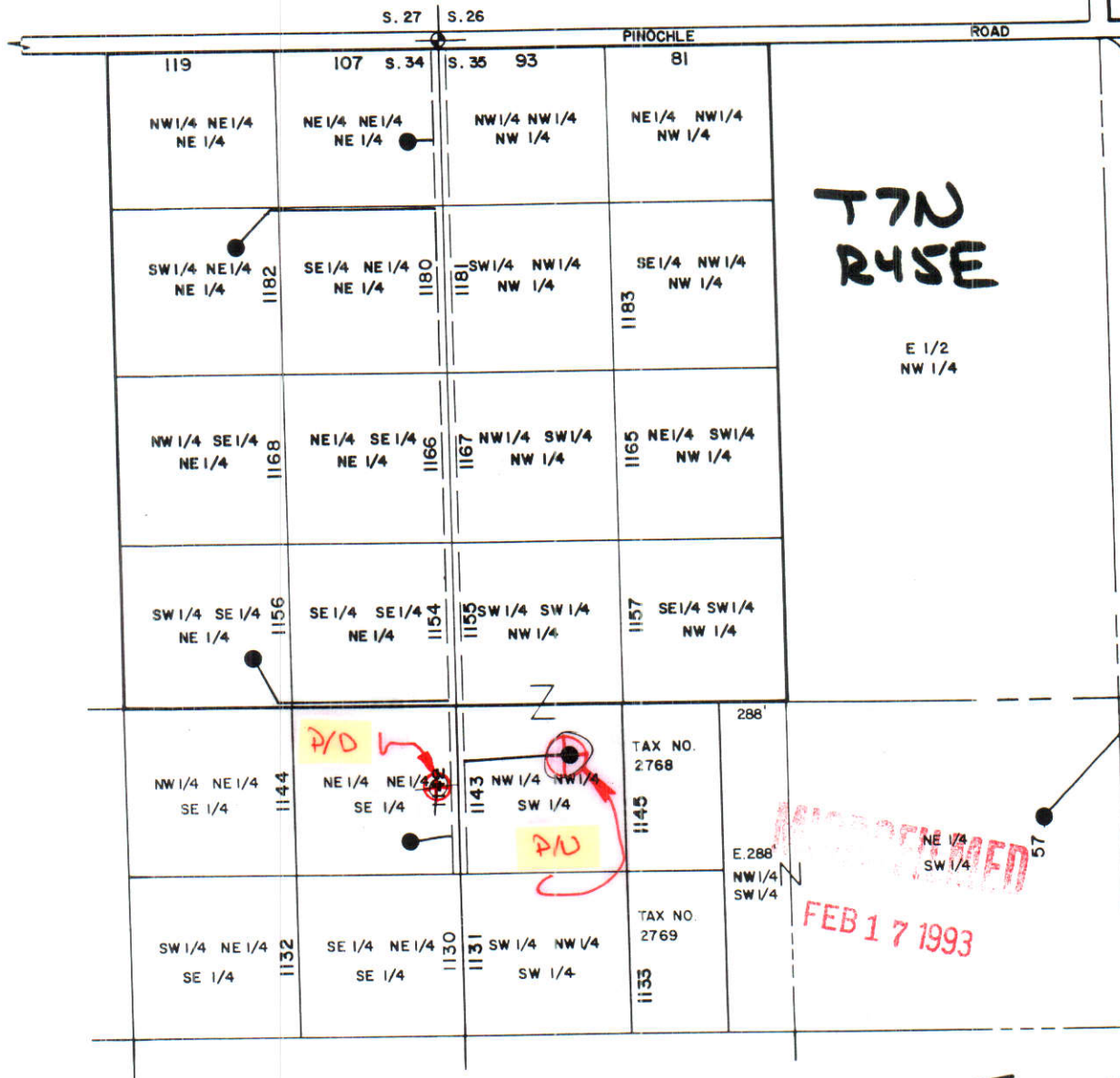
300 W

MAP NO. 13

24-07035



1200 N



PETZOLDT LAND DIVISION

24-07035

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07755

Priority: June 21, 1980

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that DAVID R FISCHEL
2446 N MINK CREEK RD
POCATELLO ID 83204

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 19, 1980; and has submitted Proof of Beneficial Use on July 1, 1985. An examination indicates that the works have a diversion capacity of .020 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 34, Township 07N, Range 45E
TETON County

PLACE OF USE: DOMESTIC
TWN RGE SEC

07N 45E 35 NWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 4TH day of FEBRUARY, 1993.

Acting for  R. Keith Higginson, Director

MICROFILMED

FEB 17 1993

State of Idaho
Department of Water Resources

RECEIVED

JAN 28 1993

Department of Water Resources

APPROVED

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07755

Date of Priority: June 21, 1980

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.6 AF

Comes now

DAVID R FISCHEL

2446 N MINK CREEK RD
POCATELLO ID 83204

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. 22-07755, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 34, Township 07N, Range 45E
TETON County

PLACE OF USE: DOMESTIC
TWN RGE SEC

07N 45E 35 NWSW

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 at 21:00, this 25 day of JANUARY, 1993.

David R. Fischel
(Signature)

MICROFILMED

FEB 17 1993

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07755

FOR DEPARTMENT USE ONLY

Preliminary check by Fee = \$20.00 Received by # COZ6622 Date 1-29-93

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 22-07755 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

Witness my hand this 4TH day of FEBRUARY, 1993.


Acting for R. Keith Higginson, Director

FILED

FEB 17 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 24-7035 IN THE
NAME OF DAVID R. FISCHEL

} ORDER OF REINSTATEMENT
}

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before March 1, 1985; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit proof of beneficial use; and,

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

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on July 1, 1985;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 24-7035 be REINSTATED and the priority advanced to June 21, 1980.

Dated this 22nd day of October, 1985.



L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant DAVID R. FISCHER Phone 234-0126

Post office address 1731 SYRINGA, POCAHELLO, IDAHO 83201

2. Source of water supply WELL (GROUND WATER) which is a tributary of

3. Location of point of diversion is NW 1/4 of SW 1/4 of Section 35 Township 7S

Range 4SE B.M. TETON County, additional points of diversion if any:

4. Water will be used for the following purposes: CULINARY / DOMESTIC

Amount .02 for DOMESTIC purposes from 8 YEAR-AROUND (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .02 cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

2 1/2 h.p. SUBMERSIBLE PUMP AT 300'

b. Height of storage dam NONE feet, active reservoir capacity acre-feet; total reservoir capacity acre-feet, materials used in storage dam:

Period of year when water will be diverted to storage to inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 8" inches; proposed depth of well is 300 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW 1/4 of SW 1/4 of Section 35 Township 7S

Range 4SE B.M.

(2) Amount of power to be generated: horsepower under feet of head.

(3) List number of each kind of livestock to be watered

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

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

MIDNIGHT

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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

9. a. Who owns the property at the point of diversion DAVID R. FISCHER (APPLICANT)

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

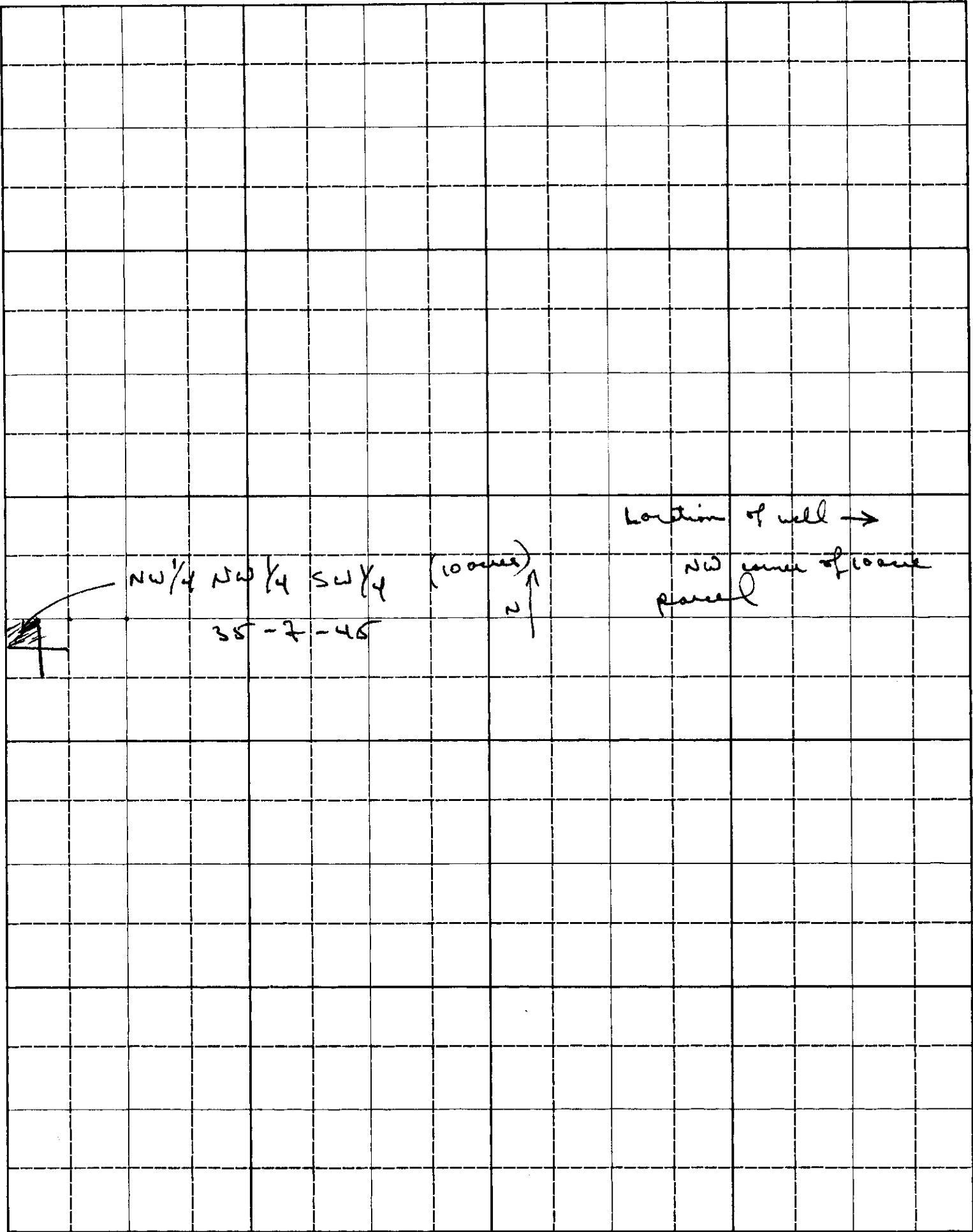
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

A 305' WELL, 8" DIAMETER WAS DRILLED JUNE 1979 BY JACK CUSHMAN, BLACKFOOT.

A 2½ H.P. SUBMERSIBLE PUMP WITH 1¼" GALVANIZED PUMP WAS INSTALLED JUNE 1979 BY MARU'S PUMPING, DRIGGS, IDAHO.

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



Scale: 2 inches equal 1 mile.

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

David R. Fischer
(Applicant)

Proposed Priority 2/19/80

Received by kw Date 2/19/80 Time 11:00

Preliminary check by gc Fee \$ 20.00

Received by kw Date 2/20/80 # 15598

Publication prepared by kw Date 2/21/80

Published in Teton Valley News

Publication dates 2/28 & 3/6/80

Publication approved kw Date 3/12/80

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC Jui

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 24-7035, and said application is hereby approved.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 85.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: _____

Witness my hand this 19th day of March, 19 80.

L. Glen Sayton
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
 County of Teton)

I, Sharon Hastings,
 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 publica-
 tion of

Eugene/John Toone
David R. Fischel

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 2
 consecutive issues thereof; first
 publication having been made on
 the 28 day of Feb, 1982
 and last publication on the 6 day
 of March, 1982.

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 type matter, of
 at least sixteen inches deep.

Sharon Hastings

Subscribed in my presence and
 sworn to before me this 12 day of
March, 1982
 (SEAL) Notary Public for the state
 of Idaho, residence and postoffice
 address, Driggs, Idaho.

Michael C. Neilson
 My Commission expires
July 7, 1982

NOTICE OF APPLICATION FOR WATER RIGHT

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

22-7319 ok
 TOONE, EUGENE &/or JOHN
 DRIGGS, ID 83422
 Source: GROUNDWATER
 Date Filed: 02/20/1980
 Amount: 7.00 CFS
 Diversion Point: SWNW Sec 19 T
 05N R 46E, TETON Co.
 Use: IRRIGATION (7.00 CFS)
 from 04/01 to 11/01
 STOCKWATER (0.02 CFS) from
 01/01 to 12/31
 Place of Use: NENW NWNW
 SWNW SENW Sec 19 T 05N R
 46E NESW NWSW SWSW SESW
 Sec 18 T 05N R 46E NESE NWSE
 SWSE SESE Sec 13 T 05N R 45E
 NENE NWNE SWNE SENE Sec
 24 T 05N R 45 E FOR 640 ACRES
 Diversion Means: WELL & PUMP

24-7035 ok
 FISCHEL, DAVID R.

1731 SYRINGA, POCA TELLO,
 ID 83201
 Source: GROUNDWATER
 Date Filed: 02/19/1980
 Amount: 0.02 CFS
 Diversion Point: NWSW Sec 35 T
 07S R 45E, TETON Co.
 Use: DOMESTIC (0.02 CFS) from
 01/01 to 12/31
 Place of Use: NWSW Sec 35 T 07S
 R 45E
 Diversion Means: WELL & PUMP

If issued, the permit(s) will be
 subject to all prior water rights.
 Protests against the granting of
 any permit must be filed with the
 Director of the Idaho Department
 of Water Resources, 1515 Lincoln
 Road, Idaho Falls, Idaho 83401 on
 or before MARCH 17, 1980.

C. STEPHEN ALLRED

Director
 Published in the Teton Valley
 News February 28 and March 6,
 1980.

RECEIVED

MAR 11 1980

Department of Water Resources
 Eastern District Office

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 5, 1993

DAVID R FISCHEL
2446 N MINK CREEK RD
POCATELLO ID 83204

RE: WATER RIGHT NO. 22-07755

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

A handwritten signature in cursive script that reads 'Pamela Skaggs'.

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED
FEB 17 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 19, 1993

DAVID R FISCHER
2446 N MINK CREEK RD
POCATELLO ID 83204

RE: WATER RIGHT NO. 22-07755

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED
FEB 17 1993

LICENSE REVIEW CHECKLIST

Renumbered -22-07755

Permit # 24-07035

Date 01-07-93

28

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance? _____
	☐	☒	Memo to Advance _____
	☐	☒	Order to Reinstate Needed? <u>DONE</u>
TOTAL CFS	☐	☒	No Fee Paid _____
	☒	☐	Incorrect Fee for rate recommended? _____
	☒	☐	Disagree with Actual Measurement? <u>.02 cfs (DOM)</u>
	☒	☐	Disagree with Theoretical? <u>No Into F.E.</u>
	☒	☐	Limited by Capacity? <u>.02 cfs</u>
TOTAL VOLUME			Rate/ac _____ AFA Irr. Season _____
			Standard Irr. Season _____
			Season Recommended _____
	☒	☐	Disagree with Examiner's Calculations? <u>.6 cfs (DOM)</u>
	☒	☐	Limited by Flow? _____
SOURCE	☐	☒	Changes? Clarification of <u>Originally Intended</u> source _____
	☐	☒	Notice of Intent to Void. _____
P/D	☒	☐	Verify with Map New Basin # needed
	☒	☐	Amendment Needed? <u>change all but R45E/NESE, S34, 7N</u>
	☒	☐	Is Overlap Analysis a Consideration? <u>=</u>
P/U	☒	☐	Verify with Map
	☒	☐	Amendment Needed? <u>Change to NWSW, S35, 7N, 45E</u>
	☒	☐	Is Overlap Analysis a Consideration? <u>=</u>
USES	☐	☒	Change(s) in Nature of Use? _____
	☐	☒	Amendment Needed? _____
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4? _____
	☒	☐	Non-Irr. Uses <u>DOM / Home</u>
	☐	☒	Special Overlap Condition _____
	☐	☒	Other _____
CONDITIONS	☐	☒	Measuring Device
	☐	☒	W/Master Control
	☐	☒	Overlap
	☐	☒	Water Quality
			DATES/MISC
		☒	Water Dist.
		☒	App Rec'd
		☒	Exam Made

COMMENTS/MEMOS NEEDED:

Amend P/D + P/U
Application - T75 / Located T7N / Renumber
Basin 22

License ☐ 10-Day ☐ 15-Day ☒ Special Correspondence _____

* Note Number Change in Letter.

DATE: 01/08/93
PAGE: 1

Audit: 01/08/93 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 24-07035

1. Owner: DAVID R. FISCHER Phone No. 234-0126

Current Address: 2446 N. Mink Creek Rd., Pocatello, ID 83204

2. Accompanied by: --- EXAM DATE: 9-22-92

Address: --- Phone No. ---

Relationship to Permit Holder: ---

3. Source: GROUNDWATER tributary to ---

B. OVERLAP REVIEW

1. Other water rights with the same place of use: ---

2. Other water rights with the same point of diversion: ---

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		1/4E	1/4E	SE	34	7N	4SE	TETON	USGS, TETON COY PLANS

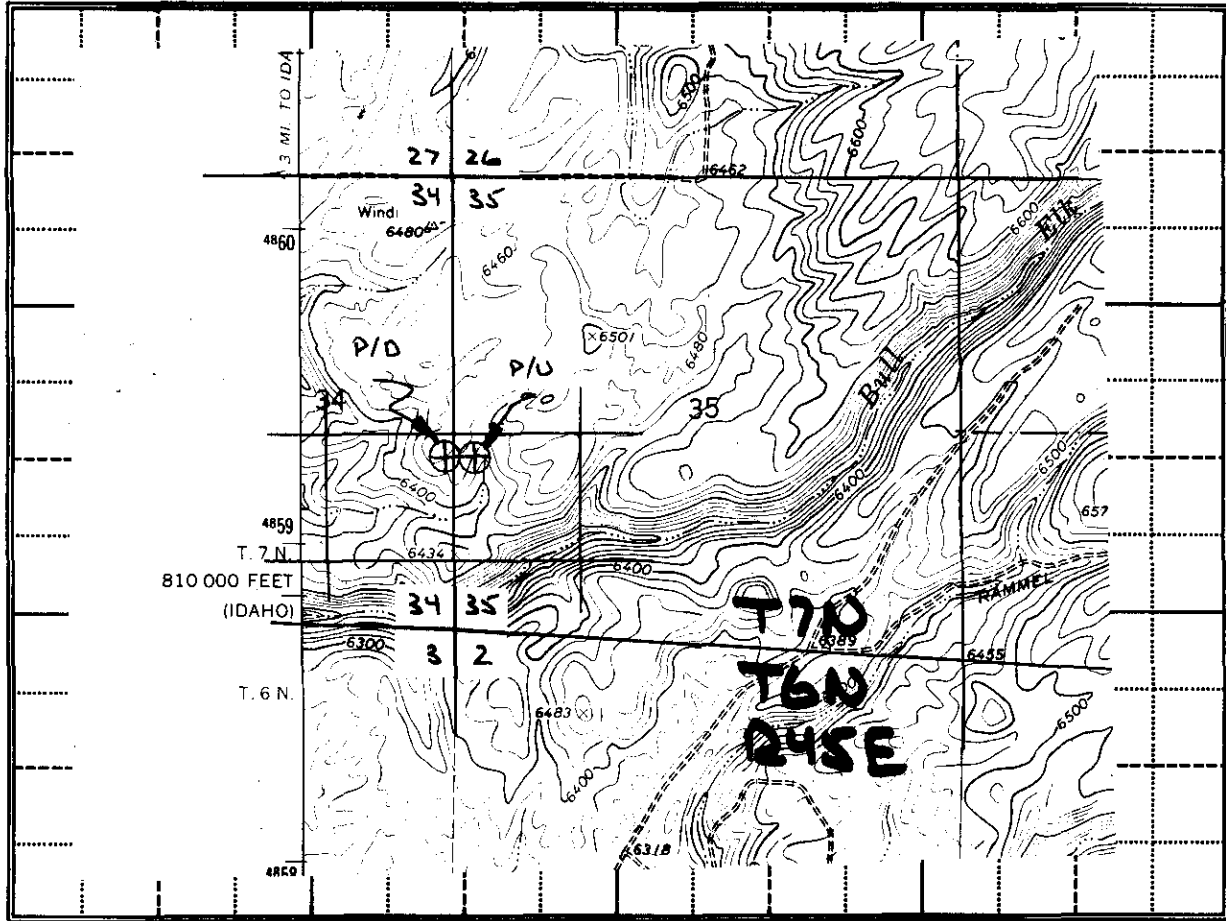
2. Place(s) of Use:

Indicate Method of Determination USGS

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	4SE	35									D								

FEB 17 1993

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
N/A					

*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
N/A						

2. Measurements:

FEB 17 1993

E. NARRATIVE/REMARKS/COMMENTS

WELL WITH SUBMERSIBLE PUMP @ SUMMER CABIN FOR DOMESTIC
USE. CABIN USED 1/1 to 12/31.

DE MINIMUS USE -

* NOTE AMENDMENTS!!! ORIGINAL APPLICATION STATED
IMPROPER LEGAL DESCRIPTION OF TOWNSHIP 7S. THIS SHOULD
HAVE BEEN T7N.

* THIS RIGHT WILL NEED TO BE RE-NUMBERED TO ROW 22.

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

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FEB 17 1993

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

DE MINIMUS 0.02 cfs**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:

DE MINIMUS 0.60 AFA**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>DOMESTIC</u>	<u>1/1</u>	<u>12/31</u>	<u>0.02</u>	<u>0.60</u>
Totals:			<u>0.02</u>	<u>0.60</u>

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 Change # to Basin 22**I. AUTHENTICATION**Field Examiner's Name Paul R. Meyer Date 11-30-92Reviewer Keith C. Wilson Date 12-11-92

SEAL

FEB 17 1993

PART OF T. 7 N., R. 45 E.

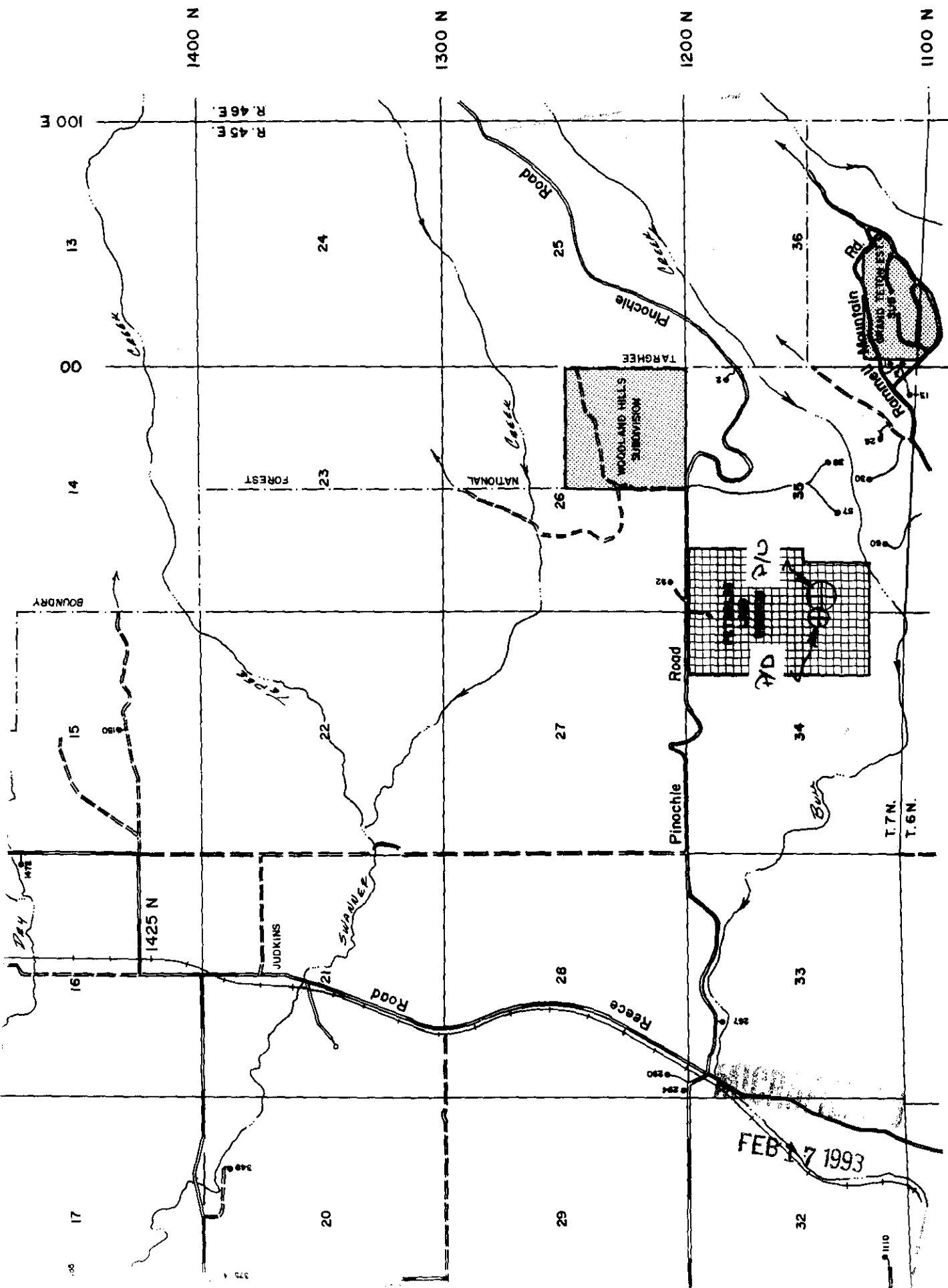
24-07036

A 001

200 W

300 W

~~FEB 17 1993~~



0 200 400 600 800 FT



1200 N

S. 27 S. 26

PINOCHLE

ROAD

119 NW 1/4 NE 1/4 NE 1/4	107 S. 34 NE 1/4 NE 1/4 NE 1/4	S. 35 93 NW 1/4 NW 1/4 NW 1/4	81 NE 1/4 NW 1/4 NW 1/4
SW 1/4 NE 1/4 NE 1/4 1182	SE 1/4 NE 1/4 NE 1/4 1180	SW 1/4 NW 1/4 NW 1/4 1181	SE 1/4 NW 1/4 NW 1/4 1183
NW 1/4 SE 1/4 NE 1/4 1168	NE 1/4 SE 1/4 NE 1/4 1166	NW 1/4 SW 1/4 NW 1/4 1167	SE 1/4 SW 1/4 NW 1/4 1165
SW 1/4 SE 1/4 NE 1/4 1156	SE 1/4 SE 1/4 NE 1/4 1154	SW 1/4 SW 1/4 NW 1/4 1152	SE 1/4 SW 1/4 NW 1/4 1157
NW 1/4 NE 1/4 SE 1/4 1144	NE 1/4 NE 1/4 SE 1/4 1142	NW 1/4 NW 1/4 SW 1/4 1143	TAX NO. 2768 1145
SW 1/4 NE 1/4 SE 1/4 1132	SE 1/4 NE 1/4 SE 1/4 1130	SW 1/4 NW 1/4 SW 1/4 1131	TAX NO. 2769 1133

T7N
R4SE

E 1/2
NW 1/4

RECORDED
FEB 17 1993

PETZOLDT LAND DIVISION

24-07035

U

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 19, 1986

DAVID R. FISCHER
2446 N. MINK CREEK ROAD
POCATELLO ID 83204

RE: Permit No. 24-7035

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Enclosed please find a copy of an order involving your permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

Enclosure

RECORDED

FEB 17 1993

6/82

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No. 24-7035

Name(s) of Permit Holder(s): DAVID R. FISCHER

Post Office Address: 451-C MINK CREEK ROAD
COLARELLO, IDAHO 83204 Tel. No. 234-0126

☒ I hereby certify that construction of diversion works for the above referenced permit began on July 1979 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

7/5/82
Date

David R. Fischer
Signature of Permit Holder

D Mrs. David Fischel
451-C Mink Creek Road
Pocatello, Idaho 83204



Department of Water Resources



JUL 9 1982

MICROFILMED

FEB 17 1993

RECEIVED
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 24-7035

DATE: 10-5-85

Date proof received

182

July 1
Mar. 1

Proof due

- 60

Number of day proof late

122

Priority date

+ 50

Feb. 19, 1980

New priority date

172

June 21, 1980

Remarks:

NOTE: The letter dated July 24, 1985 to Mr. Fischel requests evidence to show that the beneficial use of water occurred during the permit construction period. This letter was sent in error, since a water right permit can be reinstated within 60 days from the date of the mailing of the lapse notice. The lapse notice was mailed on May 16, 1985 and the proof was received within the 60 day period, however, it was not received within sixty days after the permit lapsed.

The permit can be reinstated with the regular reinstatement order the advancing the priority the number of days the permit was late.

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

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

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

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

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

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

2446 North Mink Creek Road
Pocatello, Idaho 83204
8/4/85

Mr. Jim Johnson
Water Distribution Supervisor
Department of Water Resources
Boise, Idaho

RECEIVED
AUG 8 1985

Department of Water Resources

Dear Mr. Johnson:

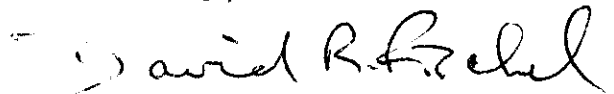
I am responding to your letter of July 24, 1985. You instructed me to: a) show evidence of beneficial use of water and b) state cause for late filing.

Evidence is provided in the form of ^{copies} of the well driller's bill, dated June 7, 1979, and the plumber's bill for pump, pipe, etc., dated June 27, 1979.

The reason for the late filing is that correspondence from the Department of Water Resources has gone to our previous residence at 1731 Syringa, Pocatello. We have, therefore, not received that correspondence in a timely fashion.

Permit no. is 24 -7035.

Sincerely,


David R. Fischel

MICROFILMED

1405 SOUTH BROADWAY

BLACKFOOT, IDAHO 83221

Date: June 7 _____, **1979**_____

[illegible]

Seller: _____

MICKUELMED

STATEMENT

Marv's Plumbing

LESTER MARVIN FISHER
PHONE 364-2008

CRAIG STEWART
PHONE 364-2710

IN ACCOUNT WITH

DRIGGS, IDAHO

6-27-77

PA. DAVID FISHER

1731 SYRINGA

P.O. BOX 201

NUMBER	ITEM	AMT. EA.	TOTAL AMT.
1	5" BERRY HYDRA-UNT		48.40
1	1 1/4" CHECK VALVE		15.45
2	1 1/4" GAL. NIPPLE	1.46	2.92
4	1 1/4" GAL. PIPE	1.60	6.40
1	1 1/4" x 1" GAL. TEEL		3.67
1	1" GAL. TEEL		1.20
1	3/4" GAL. TEEL	.72	.72
2	3/4" GAL. NIPPLE	.86	1.72
1	1 1/4" GAL. TEEL		4.49
20	8.3 WIRE	.70	14.00
1	1 1/4" GAL. TEEL		1.09
			100.03
	7.1 x		3.00
			103.03
	BID Pump		1929.49
	TOTAL		2032.52
	POOR QUALITY ORIGINAL		
	Paid 6/29/79		

In compliance with the Federal Truth-in-Lending Act, interest at 1 1/2% per month will be charged on all delinquent accounts (those accounts which are not paid within 30 days).

This is an ANNUAL PERCENTAGE RATE OF 18%. Prompt payment of your account is appreciated, and assures you that no late payment "FINANCE CHARGE" will be applied to your account.

RECORDED

July 24, 1985

RE: Permit No. 24-7035

David R. Fischel
2446 N. Mink Creek Rd.
Pocatello, ID 83204

Dear Mr. Fischel:

The Department received your proof of beneficial use postcard for the above referenced permit on July 1, 1985. The permit lapsed March 1, 1985, so the 60-day late period during which the permit can be readily reinstated has passed.

Pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can now be reinstated only if you submit the following:

- a) Evidence to show that beneficial use of the water did commence during the authorized permit period from the time the permit was issued until the proof due date. This evidence could be in several forms such as a convincing combination of a well driller's log, pumping or power records, affidavits, aerial photos, receipts, etc.
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use postcard together with any information which may have been submitted with it will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

Please feel free to contact this office if you have additional questions.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
JUL 1 1985

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. ✓ 24-7035

Name(s) of Permit Holder: ✓ DAVID R. FISCHER

△ Post Office Address: 2446 N. MINK CREEK ROAD, POCAHELLO,
IDAHO, 83204 Telephone No. 234-0126

Source of Water: GROUND (WELL)

Extent of Use:

✓ Domestic ONE (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: JUNE 1979

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

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

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

DAVID R. FISCHER

(Name)

2446 N. MINK CREEK RD., POCAHELLO, 83204 234-0126
(Address) (Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

Date

6/27/85

Signature of Permit Holder (and Title, if appropriate)

David R. Fischer

MICROFILMED

Dr. and Mrs. David Fischel
2446 N. Mink Creek Road
Pocatello, Idaho 83204



Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

2446 N. Mink Ct Rd.
Pocatello, 83201

MICROFILMED

David R. Fischel
1731 Syringa
Pocatello, ID 83201

RETURNED TO
SENDER

ATTEMPTED - DOESN'T LIVE
HERE ANYMORE

5/27/85
J. R. FISCHER

RECEIVED

MAY 28 1985

Department of Water Resources

INTER-DEPARTMENT MEMO — 1

DATE 6-24-85

FROM

Rita Lunk

TO

File 24-7035

SUBJECT

Returned ~~to~~ Notice
Lapse

The Teton County Assessor has an address of 2446 W. Mink Creek Pl. Pocatello, Id 83204 as the address of record.

I'm forwarding the lapse notice to this address

MICROFILMED

SIGNATURE

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.

May 14, 1985

David R. Fischel
1731 Syringa
Pocatello, ID 83201

Dear Mr. Fischel:

Re: Permit No. 24-7035

LAPSE NOTICE

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 24-7035 has lapsed. This office did not receive either an acceptable notice that you have completed the project (proof of beneficial use) by the date required on your permit or an acceptable request for an extension of time. You were provided the proper forms in our proof due notice to you dated December 31, 1984.

Your permit cannot be reinstated unless you submit the statement of beneficial use postcard or submit an extension of time request showing reasonable cause for delay. Either the completed postcard or the extension request must be received by this office within sixty days of the date of this lapse notice or the permit will no longer be of any force or effect.

A statement of beneficial use postcard and a request for extension of time form are again enclosed for your use. Please note that a fee of \$15.00 must accompany an extension of time request and 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.

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

LGS:rf

CERTIFICATION OF MAILING

Handwritten: 5-16-1985

By _____
Special Agent in Charge

[Handwritten Signature]

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138533

FISCHEL, DAVID R.
1731 SYRINGA
POCATELLO, ID 83201

PROOF DUE NOTICE

DECEMBER 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 24-7035 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

March 20, 1980

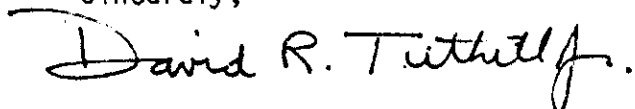
David R. Fischel
1731 Syringa
Pocatello, Idaho 83201

Dear Mr. Fischel,

RE: Permitt No. 24-7035

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,



DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:mr

Enclosure

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

24 7035

INITIAL REVIEW BY: je
CHECK:

APPLICATION NUMBER: Fischer
24-7035

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

PROCESSING:

- ☒ Yes ☐ No Platted by: je Map No. 27-7543E
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: march 17
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3/11/80
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
2/19/80 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Ernest Carlson Date: 3/17/80

STATE OFFICE REVIEW:

- S.L. w/o cond
☐ See attached sheet for more information.

By: je Date: 3/19/80

MICROFILMED

February 23, 1980

RE: Application for Permit No. 24-7035

David R. Fischel
1731 Syringa
Pocatello, ID 83201

Dear Mr. Fishhel:

Attached herewith is Departmental Receipt No. 15598 in the amount of \$20.00
for the above referenced application.

Sincerely,

KAY WALKER
Secretary

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before MARCH 17, 1980.

C. STEPHEN ALLRED

Director

Published 2/28 & 3/06/80.

1980 MAR 10
1515 LINCOLN RD
IDAHO FALLS, ID 83401

24-7085 OK

FISCHEL, DAVID R.
1731 SYRINGA, POCA TELLO,
ID 83201

Source: GROUNDWATER

Date Filed: 02/19/1980

Amount: 0.02 CFS

Diversion Point: NWSW Sec 35 T
07S R 45E, TETON Co.

Use: DOMESTIC (0.02 CFS) from
01/01 to 12/31

Place of Use: NWSW Sec 35 T 07S
R 45E

Diversion Means: WELL & PUMP

If issued, the permit(s) will be
subject to all prior water rights.
Protests against the granting of
any permit must be filed with the
Director of the Idaho Department
of Water Resources, 1515 Lincoln
Road, Idaho Falls, Idaho 83401 on
or before MARCH 17, 1980.

C. STEPHEN ALLRED

Director

Published in the Teton Valley
News February 28 and March 6,
1980.

FISCHEL, DAVID R.

1731 SYRINGA, POCA TELLO, ID 83201

Source: GROUNDWATER

Date Filed: 02/19/1980

Amount: 0.02 CFS

Diversion Point: NWSW Sec 35 T 07S R 45E, TETON Co.

Use: DOMESTIC (0.02 CFS) from 01/01 to 12/31

Place of Use: NWSW Sec 35 T 07S R 45E

Diversion Means: WELL & PUMP.

RECEIVED