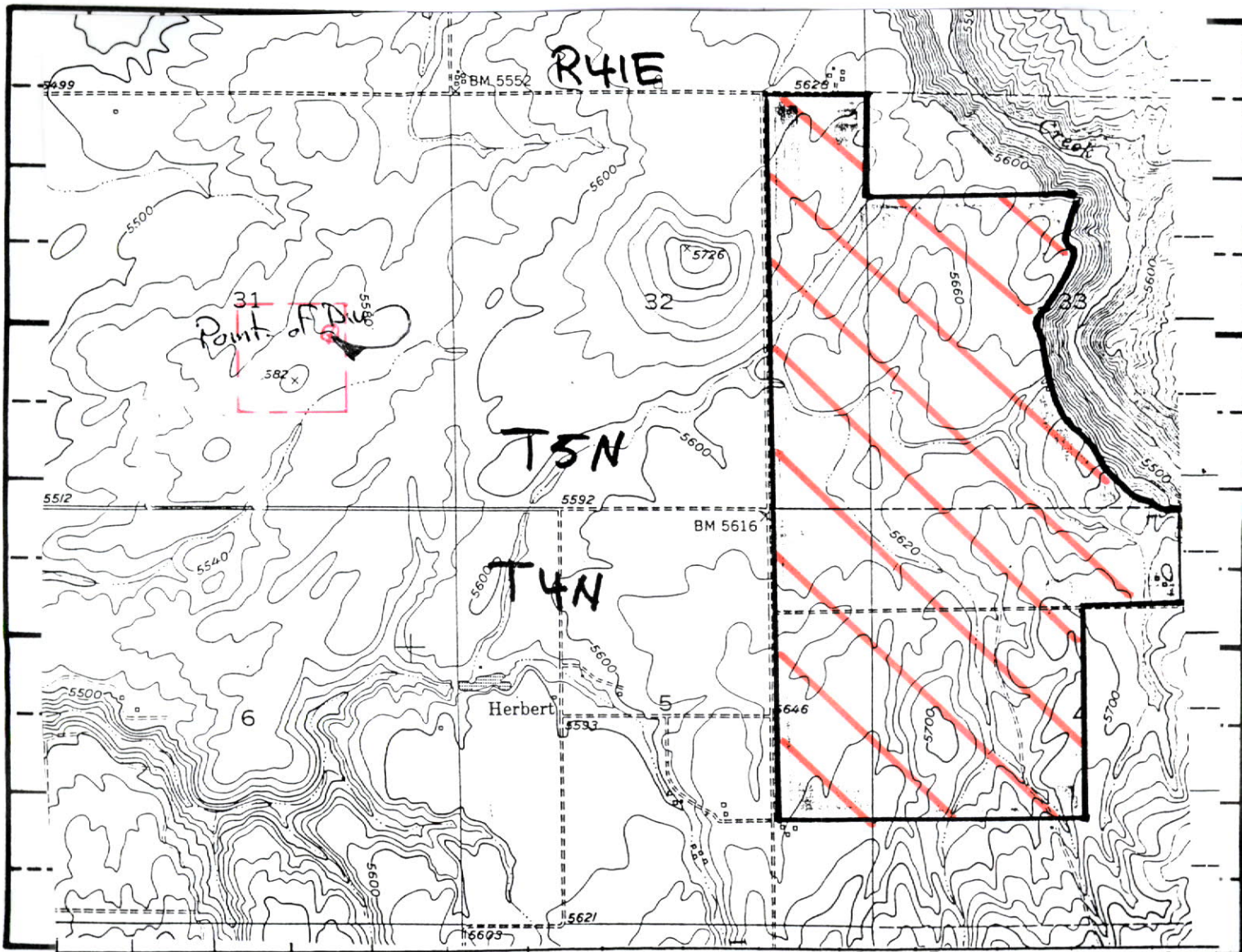


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Idaho Falls, this 5 day of March, 19 93.

Garth Sutton
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by HWT Fee = \$20.00 E018323 Received by HWT Date 3-5-93

Publication prepared by RB Date _____ Published in 3-8 & 25-93

Publication dates Rexburg Standard Journal

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby approve the above referenced application for amendment. See the attached sheet for the conditions of approval.

Witness my hand this 17th day of April, 19 93

L. Glen Saxton
Chief, Water Allocation Bureau

MAY 25 1993

THE STANDARD JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, TERRY 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 AMENDING WATER PERMIT 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 MARCH 18, 1993 and the last publication having been made on MARCH 25, 1993.

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 Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 26TH day of MARCH in the year of 1993, 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.

Cheryl R. Ford
Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

NOTICE OF PROPOSED
AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 22-07675 in the name of Garth Sutton, Rexburg, ID, was issued for the diversion of 6.67 cfs of water from a groundwater source with the point of diversion within the SESW SEC 31 T5N R41E, MADISON COUNTY to be used for the irrigation of 783 acres from April 1 to November 1 within the NWNE NW N $\frac{1}{2}$ SW SEC 4 E $\frac{1}{2}$ NESE SEC 5 T04N R41E; E $\frac{1}{2}$ E $\frac{1}{2}$ SEC 32 S $\frac{1}{2}$ NW SW SWSE SEC 33 T05N R41E, B.M.

The permit holder now proposes to amend Permit No. 22-07675, changing the point of diversion to the NWSE SEC 31 T05N R41E, MADISON COUNTY.

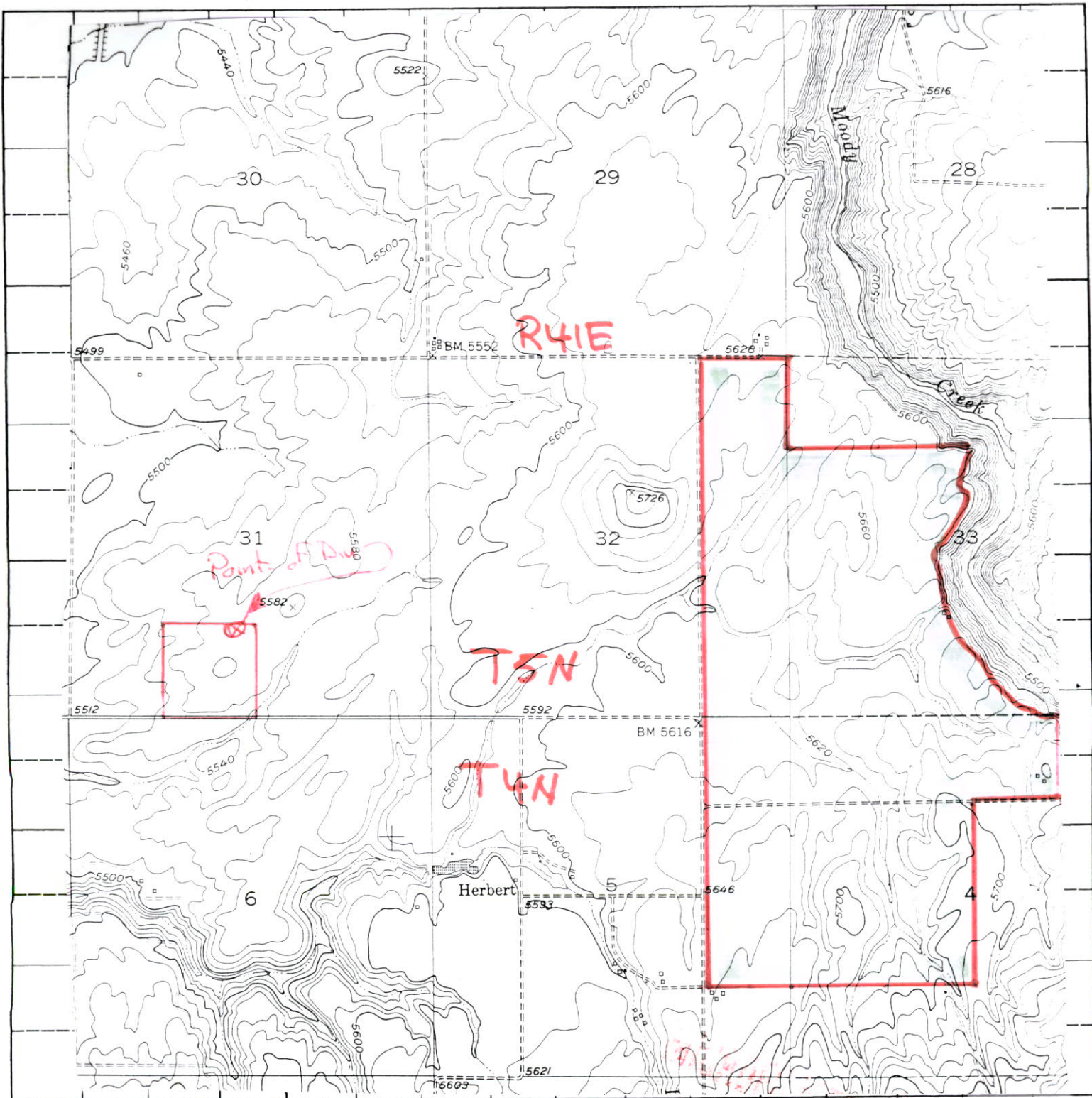
Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, on or before April 5, 1993.

R. KEITH HIGGINSON
Director

Publ. March 18 and 25, 1993J.

RECORDED
MAY 25 1993

13. 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.

Garth Sutton
(Applicant)

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, Terry 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 Water Right #22-07675 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

August 2, 1990 and the last publication having been made on August 9, 1990

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 Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 10th day of August in the year of 1990, 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.

Gayle H. Lewis

Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

RECEIVED

SEP 4 1990

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:

22-07675

SUTTON, GARTH
1295 E. 10000 S.
Rexburg, ID 83440
Source: GROUNDWATER
Diversion Pt: SESW Sec 31 T 05N R 41E

Use: IRRIGATION (6.670 CFS) Total
Diversion: (6.670 CFS)

Date Filed: 6/12/1990

In: T04N R41E S04 NESW NWSW S05
NENE SENE NESE; T05N R41E S04
NWNW NENW NWNW SWNW SENW;
S32 NENE SENE NESE SESE; S33
SWNW SENW NESW NWSW SWSW
SESW SWSE 783.0 ACRES TOTAL.

The permit(s) will be subject to all prior water rights. Protests may be submitted

based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 20, 1990.

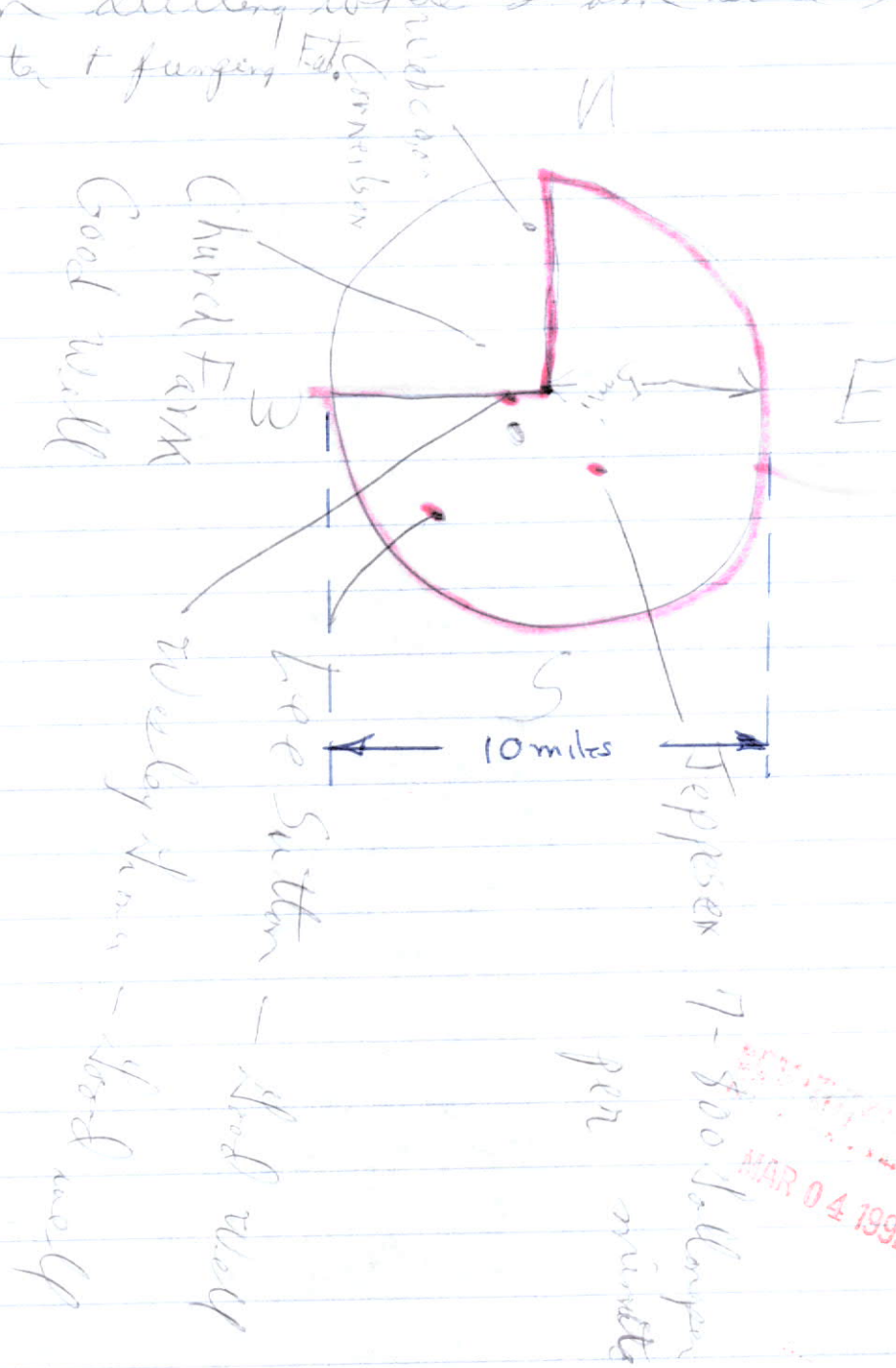
R. KEITH HIGGINSON
Director

Publ. August 2 and 9, 1990SJ.

RECEIVED
MAR 04 1992

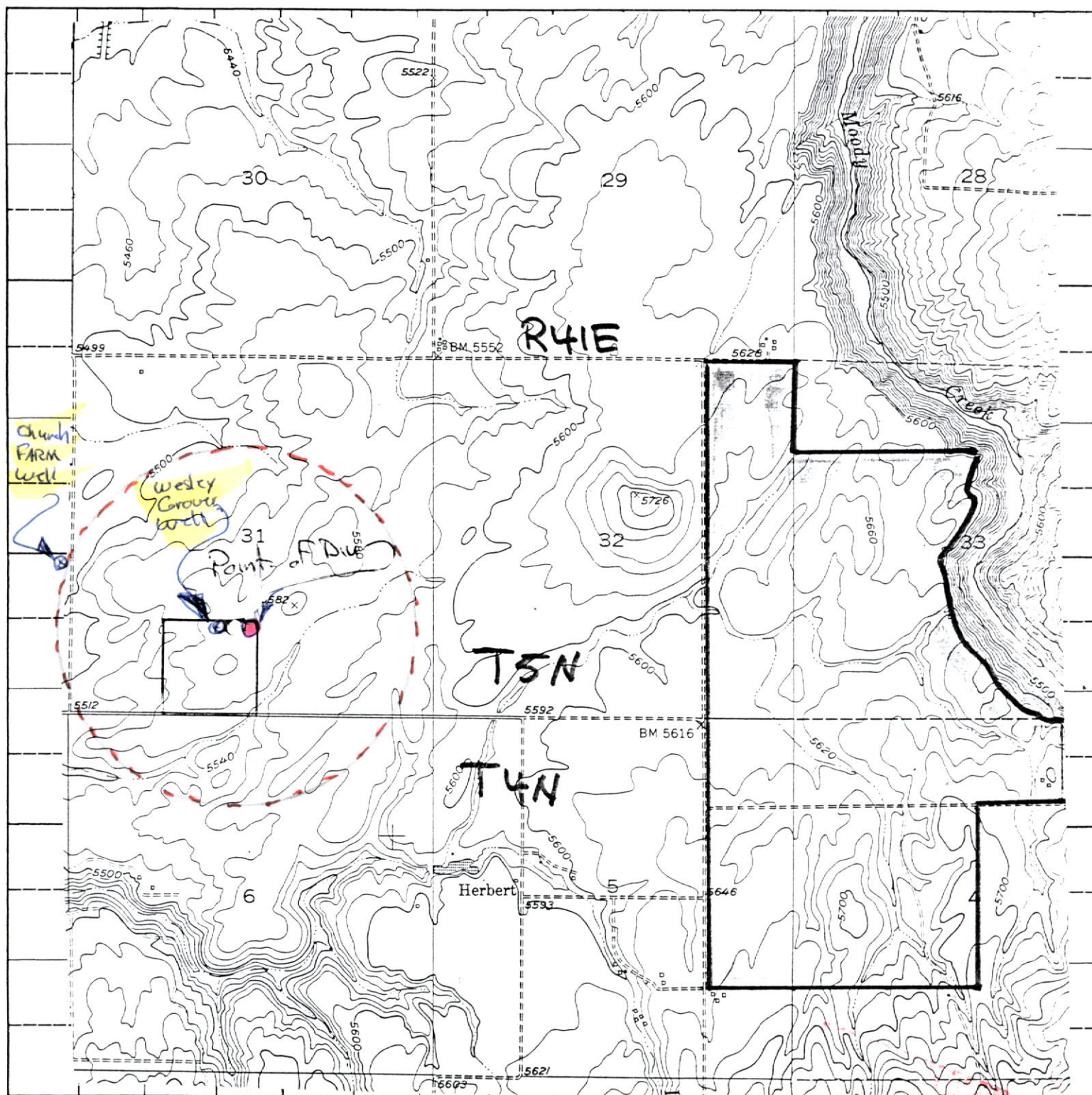
Rule 4, 5, 3, 1, 2 - *Also see Attached map For $\frac{1}{2}$ mile Radius

The reason I am drilling close to the other 2 wells is because there have been several wells drilled East + South + there appear to be no good flow of underground water in these areas, so I am drilling where I am sure there is water + fanger, etc.



3.4 good wells in the $\frac{3}{4}$ of the 5 mile radius

13. 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.

Garth Sutton
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 09 1998

PROOF OF BENEFICIAL USE

Department of Water Resources

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. 22-07675 Telephone No. (208) 356-6630
2. Name(s) of Permit Holder(s): Garth Sutton
3. Mailing Address: 1295 E. 10,000 S. Rexburg, Id 83440
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 4 / yr. 92
Completed
- a. Well Driller: High Plains Drilling Drilling Permit Number: 22-91-E-095
- b. OPTIONAL:
Pump Horsepower: 900 Pressure (psi): 140 Dynamic pumping level (ft): 760

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

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

Irrigation (No. of acres): 1040 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 6.67 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No ☒
Has the measuring device been installed? Yes _____ or No ☒
Flow Measurement Port: Is a flow measurement port required? Yes ☒ or No _____
Has the measurement port been installed? Yes _____ or No ☒

8. Fee Enclosed: \$ 250.00 (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: Garth Sutton Telephone Number: 351-6630 351-6630

Address: 1295 E 10,000 S Rexburg, Id 83440

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: Garth Sutton Date: 1-8-98
(include your title, if on behalf of company or organization)

MAR 25 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF FEB 12 1996
BENEFICIAL USE FOR A WATER RIGHT PERMIT

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 22-07675

Name(s) of Permit Holder: Garth Sutton

Mailing Address: 1295 E 10,000 S Rexburg, Idaho 83340

Date Proof is Due: March 1, 1996 Telephone No. (208) 356-6630
351-1205

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Well has been drilled 1224 Feet Deep, 600 H.P. pump & panels
installed & operating 300 HP Booster Pump, Approximately 3 miles
mainline 16", 15" & 12", 4 circles have been installed, 2 wheelines,
2- 1/4 handlines Watering For Potatoes & Grain on 725 acres Costing \$425,000.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

A portion of 1 circle has been in CRP & does not come out until the
Fall of 1996, Also where I planned to put 1 more circle has been
under contract lease to another individual which expires 11-1-96. Landowner has
verbally committed to lease to me for irrigation on 1997 crop year
Permit holder(s) request an extension to 12-15, 19 97.

FEE: \$50.00

Garth Sutton
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES FEB 22 1996

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to March 1, 1998.

Signed this 13th day of February, 19 96.

J. Glen Saylor
Chief, Water Allocation Bureau

STATE OF IDAHO

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Garth Sutton Phone 356-6630

of (address) 1295 E. 10000 S. Rexburg, ID 83440, 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. 22-07675, and requests that the permit and permit map be changed as follows:

CHANGE
1. Point of diversion: NW 1/4 SE 1/4, Section 31, Township 5N, Range 41E, B.M.,
County of Madison. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 6.67 ^{cfs} for Irrigation purposes from 4-01 to 10-31 (both dates inclusive)
(cfs or acre feet per annum)

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

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

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

3. Place of use or land to be irrigated: NO CHANGE

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	41E	4		40			40	40	40	40	40	40							280
		5	40			40									40				120
5N	41E	32	40			40									40			40	160
		33							40	37	17	40	40	39			10		223

Total number of acres to be irrigated = 783

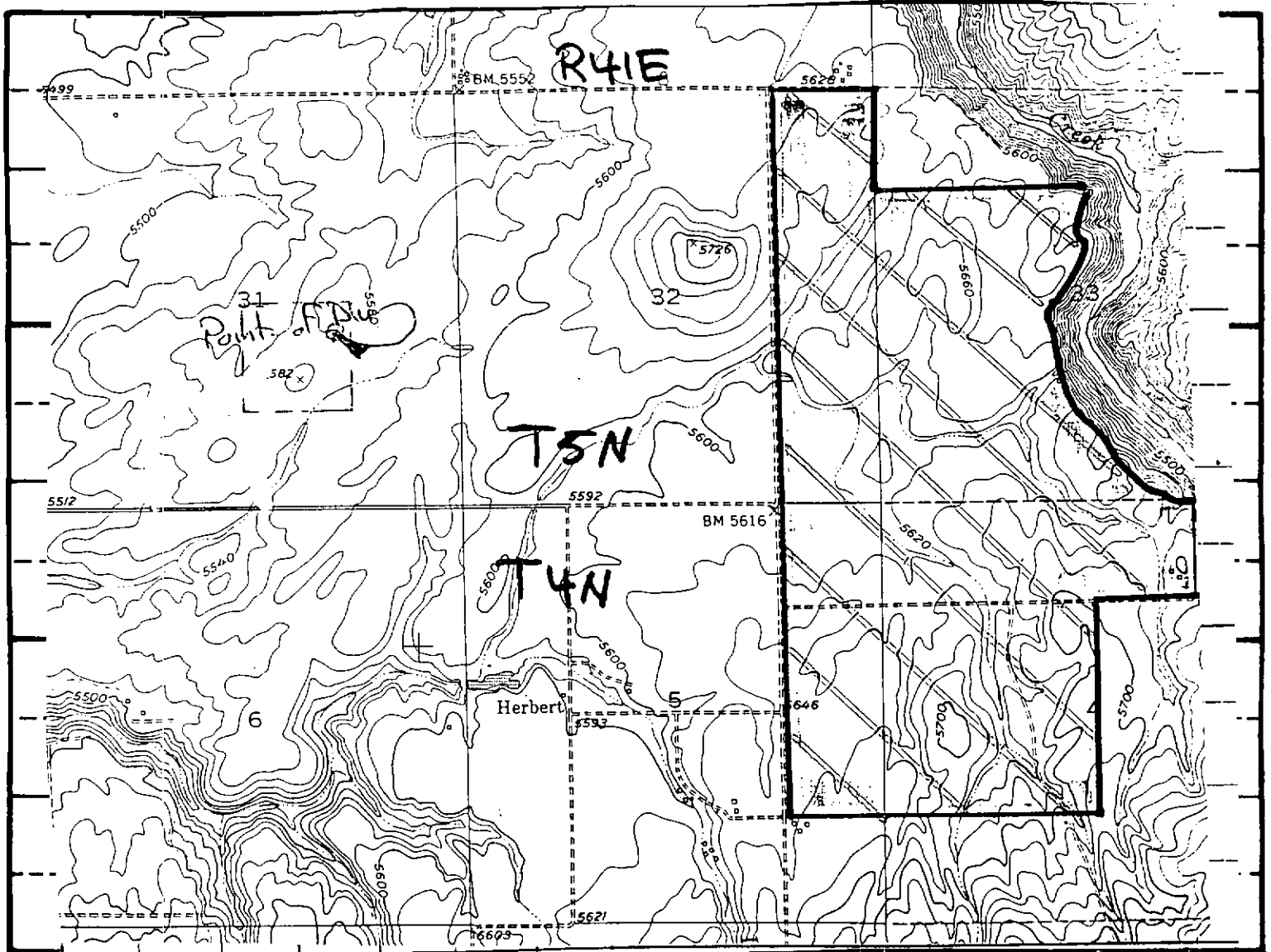
4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

RECEIVED
MAY 25 1993

* per permit. Cg. 4/15/93

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Idaho Falls, this 5 day of March, 19 93.

Harth Sutton
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by HUT Fee = \$20.00 E018323 Received by HUT Date 3-5-93

Publication prepared by RB Date _____ Published in 3-8, 25-93

Publication dates Lexburg Standard Journal

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby approve the above referenced application for amendment. See the attached sheet for the conditions of approval.

Witness my hand this 17th day of April, 19 93

L. Glen Saxton
Chief, Water Allocation Bureau

WA 55 1993

CONDITIONS OF APPROVAL

Amendment of Permit No. 22-07675

1. The previous conditions as set forth in Permit No. 22-07675 must be met.
2. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Construction of the well must comply with Idaho well construction standards.

Dated this 17th day of April, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau

FILED

MAY 25 1993

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, TERRY 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 AMENDING WATER PERMIT 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
MARCH 18, 1993 and the last
publication having been made on
MARCH 25, 1993

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 Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 26TH day of MARCH in
the year of 1993, 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.

Stephen B. Ford
Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

NOTICE OF PROPOSED
AMENDING OF WATER PERMIT

Notice is hereby given that Permit No.
22-07675 in the name of Garth Sutton,
Rexburg, ID, was issued for the diversion
of 6.67 cfs of water from a groundwater
source with the point of diversion within
the SESW SEC 31 T5N R41E, MADISON
COUNTY to be used for the irrigation of
783 acres from April 1 to November 1
within the NWNE NW N $\frac{1}{2}$ SW SEC 4 E $\frac{1}{2}$
NESE SEC 5 T04N R41E; E $\frac{1}{2}$ E $\frac{1}{2}$ SEC
32 S $\frac{1}{2}$ NW SW SWSE SEC 33 T05N
R41E, B.M.

The permit holder now proposes to
amend Permit No. 22-07675, changing
the point of diversion to the NWSE SEC
31 T05N R41E, MADISON COUNTY.

Any protest to the proposed amending
of the permit must be filed with the Idaho
Department of Water Resources, 900 N.
Skyline Dr., Idaho Falls, ID, 83402, on or
before April 5, 1993.

R. KEITH HIGGINSON
Director

Publ. March 18 and 25, 1993J.

MICROFILMED
MAY 25 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 22-07675

Proposed Priority: June 12, 1990 Maximum Diversion Rate: 6.67 CFS

This is to certify, that **GARTH SUTTON**
1295 E 10000 S
REXBURG ID 83440

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>
IRRIGATION	04/01 to 11/01	6.67 CFS

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 31, Township 05N, Range 41E
MADISON County

<u>PLACE OF USE: IRRIGATION</u>						
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	41E	4	NWNE 40	NENW 40	NWNW 40	
			SWNW 40	SESW 40	NESW 40	
			NWSW 40			280
		5	NENE 40	SENE 40	NESE 40	120
05N	41E	32	NENE 40	SENE 40	NESE 40	
			SESE 40			160
		33	SWNW 40	SESW 37	NESW 17	
			NWSW 40	SWSW 40	SESW 39	
			SWSE 10			223

Total number of acres irrigated: 783

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 1996**.
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. A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

RECORDED

MAR 04 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

No. 22-07675

6. The Director retains jurisdiction of the right and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

28th day of February, 1992

R. Keith Higginson
for R. Keith Higginson, Director

RECORDED

MAR 04 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Garth Sutton Phone 356-6630

Post office address 1295 E. 10000 S. Rexburg, ID 83440

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____

Sec. 31 Township 5N Range 41E B.M. Madison County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 6.67 for Irrigation purposes from 4-1 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 6.67 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 700 HP Lift pump, 200 booster and 16"
plastic pipe.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 20" inches; proposed depth of well is 1240 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

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

* According to Suggested Irrigation Seasons Chart

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MAR 04 1992

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	41E	32	40			40									40			40	160
		33							40	37	17	40	40	39			10		223
4N	41E	4		40			40	40	40	40	40	40							280
		5	40			40									40				120

Total number of acres to be irrigated 783

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

11. a. Who owns the property at the point of diversion? Garth Sutton

b. Who owns the land to be irrigated or place of use? Leonard Clements
Applicant and Bruce Eckersell Estate

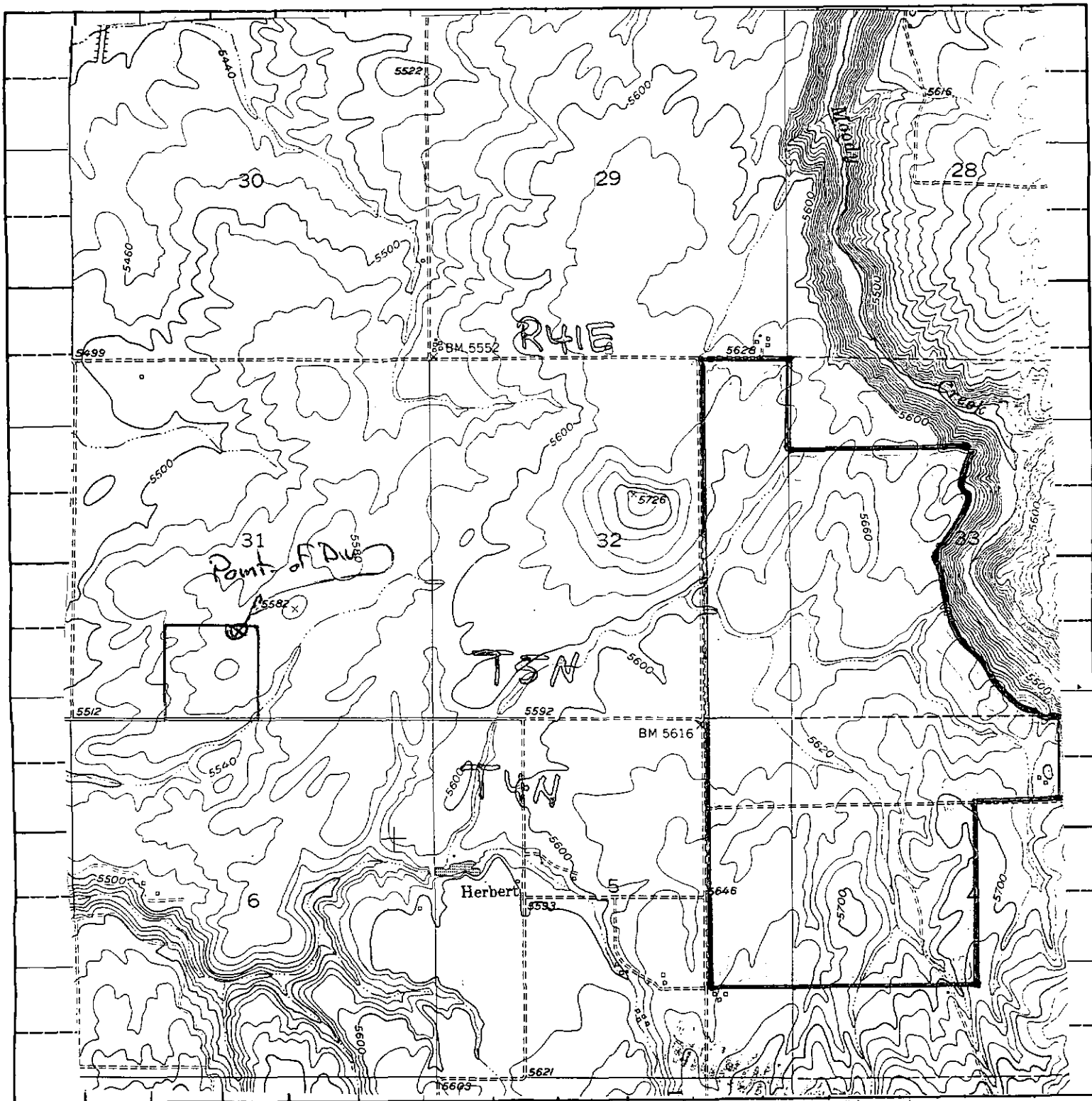
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Lease purchase agreement with Eckersell and lease with Clements.

12. Remarks: _____

[Handwritten signature]

MAR 04 1992

13. 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.

Garth Sutton
(Applicant)

MAR 04 1902

Received by QW Date 6-12-90 Time 12:17 Preliminary check by _____

Fee \$ A 165.00 Received by HWS # E014820 Date 6-13-90

Publication prepared by XLS Date 5-23-90 Published in Idaho Standard-Tribune

Publication approved QW Date 11-13-90

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. _____, and said application is hereby _____.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

e. Other:

RECEIVED
JUN 13 1990
1692

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

RECEIVED

NOV - 5 1990

Department of Water Resources
Baton District Office

STATE OF IDAHO
County of Madison

I, Terry 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 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 October 4, 1990 and the last publication having been made on October 11, 1990.

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 Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 12th day of October in the year of 1990, 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 a first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Gayle C. Lord
Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

NOTICE OF APPLICATION
FOR WATER RIGHT

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

NOTICE OF CORRECTION

No. 22-7654

NOTICE IS HEREBY GIVEN, that Application No. 22-7654 in the name of J.R. Byrne was advertised incorrectly on April 5 & 12,

1990. The POINT OF DIVERSION was advertised as being in the NESW, SEC. 3, T 04N, R 40E; NWSE, SEC. 3, T 04N, R 40E, B.M.

WHEREAS, the actual POINT OF DIVERSION is in the NESW, NWSW, SEC. 3, T 04N, R 40E, B.M.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83401, on or before OCTOBER 22, 1990.

R. KEITH HIGGINSON
Director

22-07675

SUTTON, GARTH
1295 E. 10000 S.
REXBURG, ID 83440
Source: GROUNDWATER
Diversion Pt: SESW Sec 31 T 05N R 41E

Use: IRRIGATION (6.670 CFS) Total
Diversion: (6.670 CFS).

Date Filed: 6/12/1990

In: T04N R41E S04 NWNE NENW
NWNW SWNW SENW NESW NWSW
S05 NENE SENE NESE T05N R41E S32
NENE SENE NESE SESE S33 SWNW
SESW NESW NWSW SWSW SESW
SWSE 783.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 22, 1990.

R. KEITH HIGGINSON
Director

Publ. Oct. 4 and 11, 1990J.

RECEIVED
MAR 04 1992

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Madison

I, Terry 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 Water Right #22-07675 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 August 2, 1990 and the last publication having been made on August 9, 1990

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 Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 10th day of August in the year of 1990, 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.

Cheryl H. Leida
Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

RECEIVED

SEP 4 1990

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:

22-07675

SUTTON, GARTH

1295 E. 10000 S.

Rexburg, ID 83440

Source: GROUNDWATER

Diversion Pt: SESW Sec 31 T 05N R 41E

Use: IRRIGATION (6.670 CFS) Total Diversion: (6.670 CFS)

Date Filed: 6/12/1990

In: T04N R41E S04 NESW NWSW S05 NENE SENE NESE; T05N R41E S04 NWNE NENW NWNW SWNW SENW; S32 NENE SENE NESE SESE; S33 SWNW SENW NESW NWSW SWSW SESW SWSE 783.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted

based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 20, 1990.

R. KEITH HIGGINSON

Director

Publ. August 2 and 9, 1990SJ.

RECEIVED
MAR 04 1992

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 22-07675 Reviewed by Ag Date 2-20-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes 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. 22-91-E-0093-000
200- Amount paid for permit yes Correct?
yes Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
250- Amount Submitted
yes Correct?
yes Required?
NO Installed?
NO Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X Proof Made 1-9-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 23, 1998

Garth Sutton
1295 E 10000 S
Rexburg ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07675

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

If you have questions concerning the field examination, please contact the department's Eastern Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

MAR 25 1998

December 31, 1997

GARTH SUTTON
1295 E 10000 S
REXBURG ID 83440

PROOF DUE NOTICE

RE: PERMIT NO. 22-07675

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 March 1, 1998.

(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.

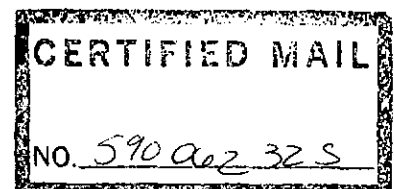
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

MAR 25 1998



micro

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 22-07675 Reviewed by [Signature] Date 2-13-96

BASIC INFORMATION

2-12-96 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Recommend extend to March 1, 1998, on basis of due diligence.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X _____
Change Proof Due Date 3-1-98 _____
Change Priority Date X _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 14, 1996

Garth Sutton
1295 E 10000 S
Rexburg, ID 83340

RE: Permit No. 22-07675

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to **March 1, 1998**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

If you have any questions or if I can be of any assistance, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

RECEIVED

FEB 22 1996

December 31, 1995

GARTH SUTTON
1295 E 10000 S
REXBURG ID 83440

PROOF DUE NOTICE

RE: PERMIT NO. 22-07675

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 March 1, 1996.

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

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

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

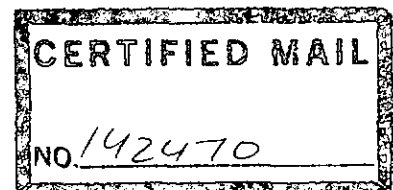
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

FEB 22 1996





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

April 16, 1993

GARTH SUTTON
1295 E 10000 S
REXBURG ID 83440

RE: Permit No. 22-07675

Dear Water Right Holder:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning these documents, please feel free to contact our offices.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

RECEIVED

MAY 25 1993

C Zimmerman
4/15/93

AMENDMENT OF PERMIT NO. 22-7675 REVIEW

TYPE OF CHANGE: P/D P/U ADD P/D NATURE OF USE

AREA OF CONCERN:

Snake River Basin Moratorium

PROOF OF BENEFICIAL DUE DATE 3-6-1996 Under 6 months? No

GROUNDWATER:

GT. 0.2 cfs - 01G
LT. 0.2 cfs - NMR <flow chart>
Drilling Permit No. -
Not included - 046, 46B (new well)

SURFACE WATER: not in w/d - 01C (=GT.2 w/pump), NMR <flow chart>

LOCATION:

Water Districts - WD No. 01
Surface water - 005, R04-01H (LT.2 w/pump)
R04-01J (GT.2)
Swan Falls Flag - 1 (1, Blank or Other)
Trust - 051-052-053 (Consumptive Uses)
Non Trust <1> - 048-049 - included on permit

RIVER BASINS (Surface Water)

Boise (63) - 05A & 11E
Payette (65) - 047, 059
Snake (01, 02 & 03) - 11A (01), 061 (02/03 No W.D.Cond.)

USE:

Fish Propagation - 06A, 09E, or 010 (WQ/Choose One),
042 (req.), 002 (MD), 07A (Spec.),
044 (Policy 5G)
Power - Use Power Review
Mining - 06A, 010, or 09E & 054(req.)
Storage - 18A-for multiple m/devices(In WD),
18B (Size)
Rec/Wildlf/Aes - 027 (Non-Consumptive)
Domestic - 021 (restricted areas & Boise River
upstream from Lucky Peak)
27A (Payette River & main tributaries)

NON LAND OWNER - 004

PROTEST AGREEMENT - 020

Recommended conditions same as on the permit or subsequent
amendment(s) to the permit? Yes ✓ No

Conditions of Approval Standard, 01G, 046, 46B

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 22-7625 Applicant Garth Sutton

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.

NA ☒ Existing water rights from the same source, amended place of use.

NA ☒ Right number(s) _____

☒ Yes ☐ No Should amendment be advertised?

☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions 016

RECEIVED
APR 8 1993

Department of Water Resources

By HWT Date 4-6-93

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By CZ Date 4/15/93
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

HP
5.0

22-Mar-1993

GARTH SUTTON
1295 E 10000 S
REXBURG ID 83440

RE: Application No. 22-07675

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the REXBURG STANDARD JOURNAL on March 18 & 25, 1993. The advertisement will be published 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 permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,


Harold W. Jones *rb*
Water Right Supervisor

HWJ:rb

RECEIVED

MAY 25 1993

10-Mar-1993

REXBURG STANDARD JOURNAL
PO 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 April 5, 1993.

Yours truly,



Rita Bodell
Secretary/Office Coordinator

Encl.

RECEIVED

MAY 25 1993

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 22-07675 in the name of Garth Sutton, Rexburg, ID, was issued for the diversion of 6.67 cfs of water from a groundwater source with the point of diversion within the SESW SEC 31 T5N R41E, MADISON COUNTY to be used for the irrigation of 783 acres from April 1 to November 1 within the NWNE NW N1/2SW SEC 4 E1/2NE NESE SEC 5 T04N R41E; E1/2E1/2 SEC 32 S1/2NW SW SWSE SEC 33 T05N R41E, B.M.

The permit holder now proposes to amend Permit No. 22-07675, changing the point of diversion to the NWSE SEC 31 T05N R41E, MADISON COUNTY.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, on or before April 5, 1993.

R. Keith Higginson
Director

Published in the Rexburg Standard-Journal on March 18 & 25, 1993.

RECEIVED

MAY 25 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTRECEIVED
USE TYPEWRITER OR
BALLPOINT PEN

MAY 06 1992

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

Department of Water Resources

Eastern District Office

1. WELL OWNER

Name Garth Sutton
Address Reynolds, Id.
Drilling Permit No. 22-91-E-095
Water Right Permit No. 22-7675

7. WATER LEVEL

Static water level 700 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 58 °F. Quality good
Describe artesian or temperature zones below.

2. NATURE OF WORK

- ☒
- New well
- ☐
- Deepened
- ☐
- Replacement
-
- ☐
- Well diameter increase
- ☐
- Modification
-
- ☐
- Abandoned (describe abandonment or modification procedures
-
- such as liners, screen, materials, plug depths, etc. in lithologic
-
- log, section 9.)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M. Pumping Level Hours Pumped

3. PROPOSED USE

- ☐
- Domestic
- ☒
- Irrigation
- ☐
- Monitor
-
- ☐
- Industrial
- ☐
- Stock
- ☐
- Waste Disposal or Injection
-
- ☐
- Other _____ (specify type)

4. METHOD DRILLED

- ☐
- Rotary
- ☐
- Air
- ☐
- Auger
- ☐
- Reverse rotary
-
- ☒
- Cable
- ☐
- Mud
- ☐
- Other _____
-
- (backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____Thickness Diameter From To
312 inches 20 inches + 2 feet 608 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feetWas casing drive shoe used? ☒ Yes ☒ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun

Size of perforation? _____ inches by _____ inches

Number From To

_____ perforations _____ feet _____ feet

_____ perforations _____ feet _____ feet

_____ perforations _____ feet _____ feet

Well screen installed? ☐ Yes ☐ No

Manufacturer _____ Type _____

Top Packer or Headpipe _____

Bottom of Tailpipe _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 244 Material used in seal: ☒ Cement grout☐ Bentonite ☒ Puddling clay ☒ well cuttingsSealing procedure used: ☐ Slurry pit☒ Temp. surface casing ☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded☐ Solvent Weld ☐ Cemented between strataDescribe access port Top of well

6. LOCATION OF WELL

Sketch map location must agree with written location.

Subdivision Name _____
Lot No. _____ Block No. _____
County Madison
SE 1/4 SW 1/4 Sec. 31, T. 5 N 41 E 41

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
20	685	716	dark brown Andesite + gray silt		X
	716	725	loose brown Andesite + gray silt	X	
			Brown clay		
	725	730	hard brown Andesite + gray silt		X
	730	755	hard brown Andesite		X
	755	762	hard black basalt		X
	762	790	orange + yellow tuff		X
	790	800	brown tuff		X
	800	820	brown phreatic + brown tuff		X
	820	825	loose brown Andesite	X	
	825	835	brown Andesite + gravel	X	
	835	845	hard brown Andesite		X
	845	885	hard brown Andesite + gravel	X	
	885	920	hard brown Andesite		X
	920	940	hard black basalt		X
	940	975	hard brown Andesite		X
	975	982	hard brown Andesite +		X
			black basalt		X
	982	1030	hard brown Andesite		X
	1030	1040	hard black basalt		X
	1040	1050	hard brown Andesite +		X
			black basalt + red tuff		X
	1050	1060	brown Andesite + brown scoria	X	
	1060	1095	hard brown Andesite		X
	1095	1100	brown Andesite + brown scoria	X	
	1100	1140	hard brown Andesite		X
	1140	1160	brown Andesite in gravel	X	
	1160	1200	hard brown Andesite		X
20"	1200	1224	loose brown Andesite +	X	
			brown scoria		

10.

Work started 9-5-91 finished 4-1-92

11. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name High Plains Firm No. 299Address Reynolds, Idaho Date 4-2-92Signed by Drilling Supervisor Marcus D. ...

and _____

(Operator) Darryl K. ...
(If different than the Drilling Supervisor)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARTH SUTTON 1295 E 10000 S REXBURG ID 83440 (208) 356-6630	06/12/1990	IRRIGATION	04-01 11-01	6.67 CFS	
					TOTAL DIVERSION:	6.67 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T05N R41E S31 NW SE

Place of use		Legal Description for: IRRIGATION													
		NE			NW			SW			SE				
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
04N 41E	4	:	40	:	40	:	40	:	40	:	40	:	40	:	40
04N 41E	5	:	40	:	40	:	40	:	40	:	40	:	40	:	40
05N 41E	32	:	40	:	40	:	40	:	40	:	40	:	40	:	40
05N 41E	33	:	40	:	40	:	37	:	17	:	40	:	40	:	39
														TOTAL ACRES	10
															783.0

Pou County: MADISON

Other Water Rights Listing Overlapping Place(s) of use:
22-07675

Conditions of Approval:

- 26A - 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.
- 01C - A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
- 048 - The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
- 049 - The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
- 004 - The issuance of this right in no way grants any right-of-way or easement across the land of another.
- 03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- 01G - Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department

Conditions of Approval:

- shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 46B - Construction of the well must comply with Idaho well construction standards.

Dates: App. Received: 06/12/1990 Priority Date: 06/12/1990
Proof Due Date: 03/01/1996 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee:

Comments: Date: 04/15/1993 User-ID: ZIMMERMA Subject: PERMIT AMENDED
This permit has been amended to change the point of diversion.

Audit: 04/15/93 ZIMMERMA



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

March 3, 1992

GARTH SUTTON
1295 E 10000 S
REXBURG ID 83440

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 22-07675

Dear Permit Holder:

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

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. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of of measuring device options.

Sincerely,

Pamela Skaggs

PAMELA SKAGGS
Technical Records Specialist

PS:clh

Enclosures

RECEIVED

MAR 04 1992

MAR 04 1992

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. ²²⁻⁷⁶⁷⁵~~68-1125~~/Rule 4,5,3. Info.

DATE: 2-25-92

The applicants have submitted the Water Appropriation Rule 4,5,3. information which is required for all filings seeking appropriation of more than 5.0 cfs and/or irrigation of more than 200 acres. The information submitted is basically acceptable.

My only comment concerning this filing is how viable the project will be. The proposed well depth and estimated static water levels appear to be rather deep. The applicant states that wells nearby have had production problems, although others apparently are good production wells. Since this is not a supplemental well, I presume the well would pump somewhat continuously given the amount of acreage under the project. The costs and potential problems may be high.

RECEIVED

MAR 04 1992

APPLICATION FOR PERMIT REVIEW

Application #: 22-7675 Reviewer: Brenda Miller *BM*
 Date: 2-25-92

EXISTING:

- ✓ No - 26A-P17
- Complete in 1 year - P16
- Yes
- Proof not submitted - P16
- Proof submitted - N/A

GROUNDWATER:

- ✓ GT. 0.2 cfs <flow ch> - 01G-P03, 01C-P03 (existing well)
- LT. 0.2 cfs - No measurement required <flow chart>
- ✓ Drilling Permit:
- Approved w/permit - P99
- Not included *approved* - 046-P23 (All GW, even existing wells)

LOCATION:

- Water Districts - WD No. 01
- Surface water - 005, 005-01H-P01 (LT.2 w/pump) <flow chart>
- 005-01J-P08 (GT.2) <flow chart>
- Groundwater - P05 (*EXISTING - DON'T USE*)
- Irrigation Districts - 023
- Canal Co. Areas - 023
- Drainage Districts - 024
- Boise Front (63) - 058 (Groundwater)
- ✓ Swan Falls Flag - 1 (1, Blank or Other)
- Trust - 051-052-053-P74 (Consumptive Uses)
- ✓ Non Trust <1> - ✓ 048-049

RIVER BASINS:

- (Surface Water) Water District Control Condition &....
- Boise (63) - 05A & 11E
- Payette (65) - 047-P04, 059-P71
- Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

USE:

- Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)
- Power - Use Power Review
- Mining - 06A, 010, or 09E-P10 & 054(req.)
- Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)
- Rec/Wildlf/Aes - 027(Non-Consumptive)
- Domestic - 021(restricted areas)

OWNERSHIP:

- ✓ Non land owner - ✓ 004

PROTESTED:

- Agreement - 020

Beneficial Use Due Date:

Other Conditions Recommended:

03-01-1996
Route for Rule 4,5,3 REVIEW ✓ *OK'D BY TIM 2-26-92*

04 1992

TO: BOISE

FEB 25 '92 TUE 16:37 ID: IDWF EASTERN REGION TEL NO: 525-7177

#893 P01

Post-It® brand fax transmittal memo 7671 # of pages 2	
To: BRENDA MILLER	From: H.W. Jones
Co:	Co: IDWR-EASTERN
Dept: IDWR-Boise	Phone #
Fax #	Fax #

ADDENDUM TO DRILLING PERMIT 22-91-E-095

1. APPLICATIONS, AS NECESSARY, ARE ON FILE SEEKING AUTHORIZATION TO USE THE WELL FOR THE PURPOSE FOR WHICH IT IS BEING DRILLED.
2. THERE ARE NO APPARENT REASONS THAT THE PENDING APPLICATIONS WILL NOT BE APPROVED AUTHORIZING USE OF THE WELL.
3. THE APPLICANT HAS REQUESTED BY LETTER THROUGH HIS AGENT THAT EXPEDITED APPROVAL IS NEEDED FOR IMMEDIATE CONSTRUCTION.
4. THE DRILLING PERMIT IS CONDITIONED TO SHOW THAT THERE IS NO AUTHORIZATION FOR DIVERSION AND USE OF WATER UNTIL THE WATER RIGHT APPLICATION IS APPROVED.
5. THE APPLICANT BY ACCEPTING THIS DRILLING PERMIT AND COMMENCES CONSTRUCTION ACKNOWLEDGES THAT HE ACCEPTS ALL RISK THAT THE WELL MAY NOT BE APPROVED FOR USE.

Leath Sutton 9-4-91

RECEIVED

MAR 04 1992

Form 235-1
7/90Drilling Permit No. 22-91-E-095
Water Right Permit No. 22-7675
Injection Permit No. _____State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) Gareth Sutton
2. Mailing Address 1295 E 10,000 S.
City & State Reynolds Idaho Zip Code 83440 Telephone 356-6630
☒ Well Owner ☒ Well Operator ☐ Other, specify _____
3. Proposed well location SE 1/4 SW 1/4, or Gov't Lot No. _____
Sec. 31 Twp. 5N Rge. 41E County Madison
Street Address of Well Site _____
Lot, block and subdivision _____
4. Proposed use of well:
☐ Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.
Domestic does not include water for multiple owners, subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.
☒ Non-Domestic: Any beneficial use not included within the definition of domestic.
☐ Injection
☐ Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
☐ Other _____
(Describe)
5. Well construction information:
A. ☒ New well ☐ Deepen ☐ Enlarge ☐ Replace - See Condition 9
B. Proposed Surface Diameter 24" Proposed Maximum Depth 1250 ft
C. Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212° or more (Geothermal well)
6. Construction Start Date 9-4-91
7. Anticipated Well Driller High Plains Drilling
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Gareth Sutton Date 9-4-91
Title Owner
(Owner, Firm Representative, Other)

MICROFILMED
MAR 04 1992

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is approved Date 9-4-91

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic Public Water Supply wells must be drilled a minimum distance of 50 feet and 100 feet respectively from a septic tank.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of this drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:Dennis M. Dunn

Signature of Authorized Department Representative

Sr Water Resource Agent

Title

Receipt No. E016509 Received by AB Fee \$200 Date 9-4-91

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

RECEIVED
MAR 04 1992

MEMORANDUM

TO: Fiscal Section
FROM: Linda Tracy *LT*
DATE: February 28, 1992
SUBJ: REFUND OF MONEY

In June 1990, Garth Sutton made application for Drilling Permit No. 22-90-E-057 and remitted \$100 for the fee (Receipt No. E014820). The drilling permit application was in the Water Right file and was never approved; hence the well was never drilled under that permit.

On September 4, 1991, Mr. Sutton submitted drilling permit application No. 22-91-E-095 for the same well to be drilled and remitted \$200 (Receipt No. E016509), as the fee amount changed.

Therefore, please refund \$100 - Receipt No. E014820 (first fee paid) to:
Garth Sutton
1295 E 10000 S
Rexburg, ID 83440

Thank you.

MICROFILMED
MAR 04 1992

~~\$100 Fee~~

Drilling Permit No. 22-90-E-057

Water Right Permit No. 22-7675

Injection Permit No. _____

\$100 fee refunded

RECEIVED

JUN 12 1990

State of Idaho
Department of Water Resources

DRILLING PERMIT

Department of Water Resources
Eastern District Office

1. Applicant Marth Sutton
2. Mailing Address 1295 E 10,000 S.
Reynolds Idaho 83446 Telephone 356-6630
☒ Well Owner ☒ Well Operator ☐ Other, specify _____
3. Proposed well location SE 1/4 SW 1/4, or Gov't lot No. _____,
Sec. 31, Twp. 5N, Rge. 41E, County Madison,
Street Address of Well Site _____,
Lot, block and subdivision _____
4. Proposed use of well:
☐ Single family or stockwater use (less than 13,000 gallons per day)
☒ Irrigation (more than 1/2 acre)
☐ Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
☐ Other (describe fully) _____
5. Well construction information:
A. ☒ New well ☐ Deepen ☐ Replace - See Condition 9.
B. Proposed surface diameter 20" Maximum depth 1300 ft
C. Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Construction Start Date MAR 04 1992
7. Anticipated Well Driller Hollman
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Marth Sutton Date 6-9-90
Title Owner
(Owner, Firm Representative, Other)

ACTION DEPARTMENT OF WATER RESOURCES

This Permit is _____ Date _____

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Permit not approved - replaced with 20-91-E-095,

Signature of Authorized Department Representative _____

Title _____

\$100 fee refunded

Receipt No. E 014820 Received by HWT Fee 100.00 Date 6-13-90

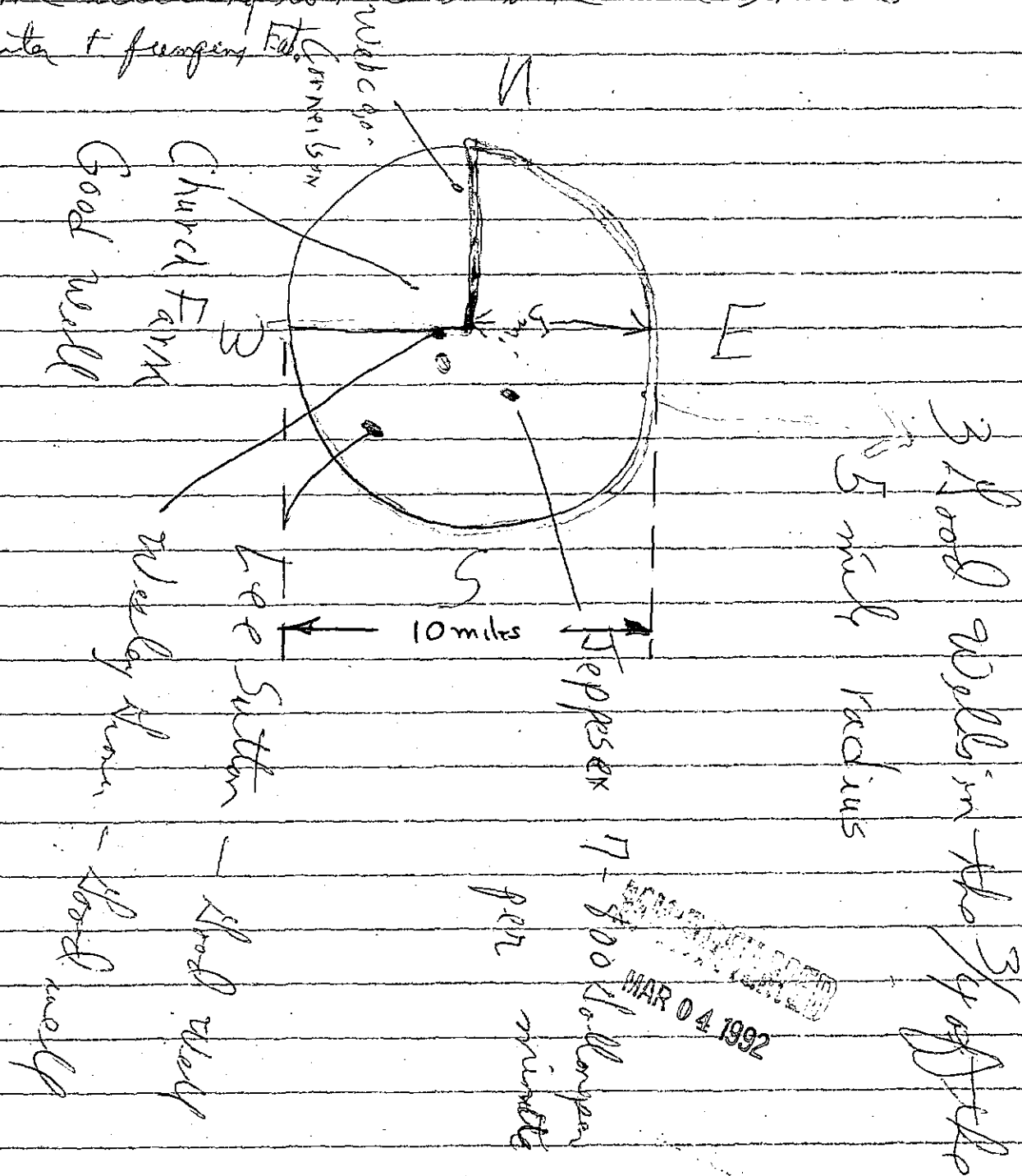
EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

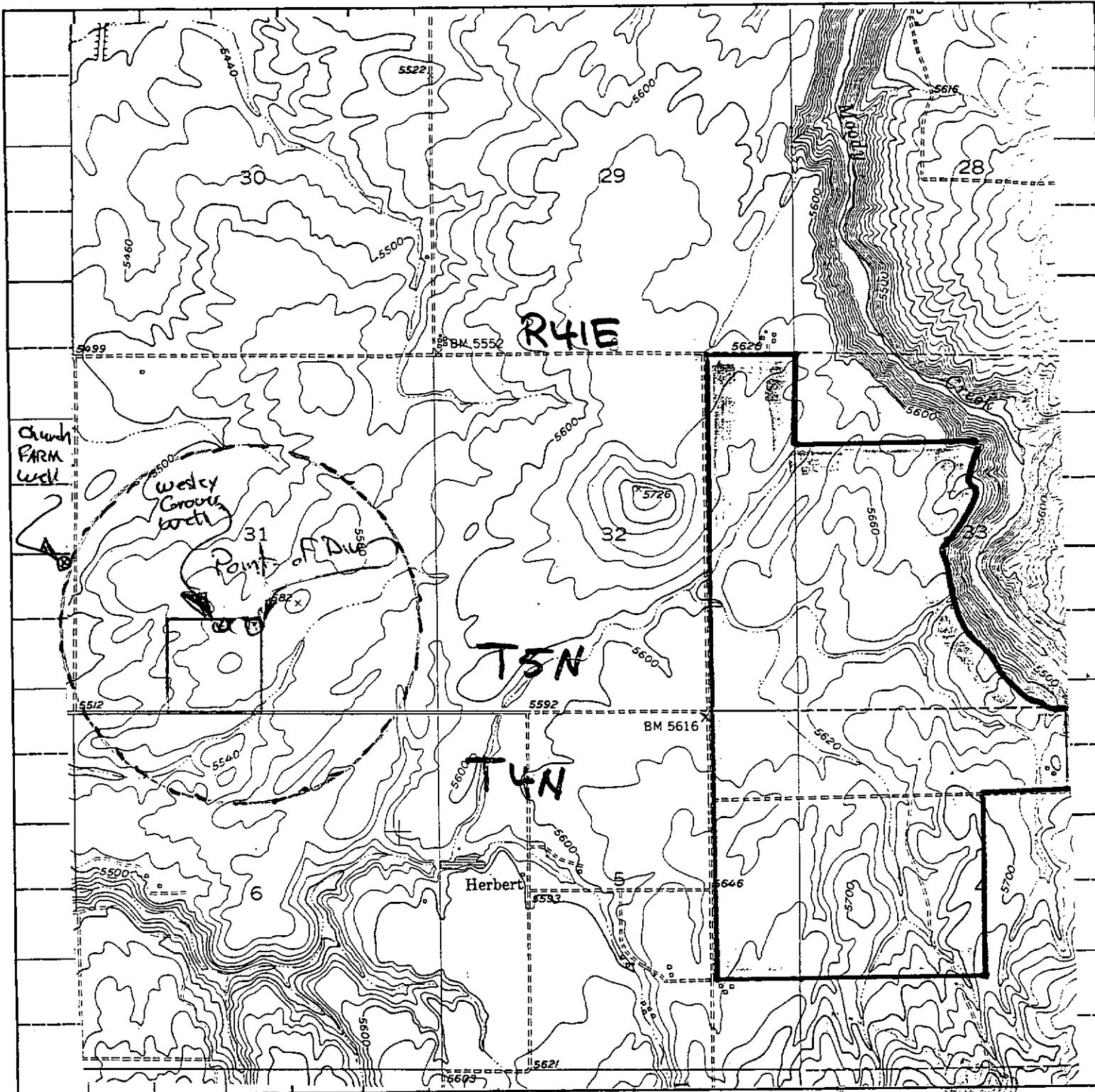
This extension is good for 60 days beyond the above extension approval date.

Rule 4, 5, 3, 1, 2 - * Also see Attached map For 1/2 mile Radius

The reason I am drilling close to the other 2 wells is because there have been several wells drilled East + South + there appears to be no good flow of underground water in these areas, so I am drilling where I am sure there is water + pumping fast.



13. 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.

Garth Sutton
(Applicant)

MAR 04 1992

Rule 4531

#3. The type of Irrigation System to be used are 4 Low Pressure Circles with drops to get the water to the ground quicker to avoid evaporation and more efficient use of the water applied. Also with a few hand lines or wheel line in the odd pieces or corners. I feel that it will have no affect on other users even though the well is quite close to other wells we will be pumping the water quite a ways east to where dry wells have been drilled + there appears to be no water. If it does affect other wells we would have to shut down as they have prior water rights. No wells in our area have had to lower their bowls or make any changes such as deepen a well in the last 15 years. The water level seems to be staying stable even though we are pumping from it.

Rule 4,5,32

MAR 04 1992

#1 One Peak Demand period would be from May 25 to August 25. Running Season would be May 1 to Nov 1. Total system would have 4 pivots with some short hand or wheel lines.

Rule 4,5,3,2,1 Continued.

Total acres of 783 would consumptively use
 $783 \text{ ac} \times 2.5 \text{ af} = \underline{1957.5 \text{ af}}$

Total af pumped would be $180 \text{ days} \times 6.67 \text{ cfs} \times 1.9835$
 $= \underline{2381.3 \text{ af}}$ if we were
pumping on all ground all
the time

Peak pumping would be only 90 days or;
 $90 \text{ days} \times 6.67 \text{ cfs} \times 1.9835$
 $= \underline{1190.7 \text{ af}}$ at peak

Rule 4,5,3,2,2

See Attached well log for
Church Farm well

RECEIVED
MAR 04 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER REXBURG STAKE

Name L.D.S. WELFARE FARM

Address REXBURG, IDAHO

Owner's Permit No. 22-7184

7. WATER LEVEL

Static water level 66.5 feet below land surface.

Flowing? ☐ Yes ☒ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature _____ °F. Quality _____

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA NO TEST

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.

Pumping Level

Hours Pumped

3. PROPOSED USE

- ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
24	0	9	CLAY		✓
24	9	142	GREY SAND		✓
24	142	165	CLAY		✓
24	165	268	CLAY & SOME ROCK		✓
20	268	580	GREY SAND		✓
20	580	668	BROWN TUFT		✓
20	668	802	GREY TUFT		✓
20	802	849	BROWN TUFT & CLAY		✓
20	849	957	BROWN TUFT		✓
20	957	1042	GREY TUFT		✓
16	1042	1115	BROWN TUFT		✓
16	1115	1139	GREY TUFT		✓
16	1139	1156	BROWN TUFT		✓
16	1156	1178	GREY TUFT		✓

4. METHOD DRILLED

- ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other

Thickness _____ inches Diameter _____ inches From _____ feet To _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet

Was casing drive shoe used? ☒ Yes ☐ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 18' Material used in seal: ☐ Cement grout

☒ Puddling clay ☐ Well cuttings

Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing

☒ Overbore to seal depth

Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

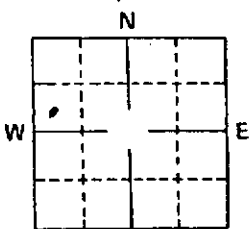
Weld

☐ Cemented between strata

Describe access port WELL SEAL AND
ANGLED PORT

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name MAR 04 2002

Lot No. _____ Block No. _____

County MADISON

SW 1/4 NW 1/4 Sec. 30, T. 5 (N.S. R. 41) (E.W.)

10.

Work started 7-13-76 finished 10-15-79

11. DRILLERS CERTIFICATION

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

Firm Name HOPKINS BROTHERS Firm No. 32

Address Well Drilling
R.F.D. No. 2
Rexburg, Idaho 83440 Date 6-23-80

Signed by (Firm Official) [Signature]

and

(Operator) Sen Brussel

Rule 4, 5, 4, 1 + 2

Permit
22-7675

6-20-91

Projected Costs

Well 1200 At x $\frac{3}{4}$ 5 per Foot	= 78000 ⁰⁰
Casing 20" + 16"	- 20,000 ⁰⁰
Used Column + Bowl	- 69,000 ⁰⁰
New 600 H.P Motor	24,000 ⁰⁰

5280 At of 16" ^{manila} X $\frac{3}{4}$ 10 per At Installed	58,000 ⁰⁰
--	----------------------

3000 At of 10" ^{manila} 5 per foot	15,000 ⁰⁰
---	----------------------

4 Circles -	175,000 ⁰⁰
-------------	-----------------------

Sub total	439,000 ⁰⁰ _{xx}
Electricity	25,000 ⁰⁰

total	464,000 ⁰⁰
-------	-----------------------

I presently have 350,000⁰⁰ Cash in the bank and the West - One Bank has agreed to loan me up to 300,000⁰⁰ on a 10 year loan when I am ready to go ahead.

Garth Sutton

RECEIVED

MAR 04 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

GARTH SUTTON
1295 E. 10000 S.
REXBURG, ID 83440

MR SUTTON:

YOU FILED APPLICATION NO. 22-07675 WITH THE DEPARTMENT OF WATER RESOURCES SEEKING APPROPRIATION OF 6.67 CFS FROM GROUNDWATER FOR IRRIGATION OF 783 ACRES.

AS PART OF THE APPLICATION PROCESSING, THIS OFFICE REQUESTED THAT YOU SUBMIT INFORMATION PURSUANT TO RULE 4,5. OF THE WATER APPROPRIATION RULES AND REGULATIONS. I HAVE ENCLOSED A COPY OF THE PERTINENT RULES FOR YOUR REFERENCE.

TO DATE, THE DEPARTMENT HAS NOT RECEIVED A RESPONSE TO THE REQUEST FOR SUBMITTAL OF INFORMATION. WE CANNOT APPROVE YOUR APPLICATION UNTIL THE INFORMATION IS SUBMITTED. IN FACT, FAILURE TO SUBMIT THE REQUESTED INFORMATION COULD JEOPARDIZE THE VALIDITY OF YOUR APPLICATION.

PLEASE SUBMIT ALL THE HIGHLIGHTED INFORMATION REQUIRED BY RULE 4,5. ON OR BEFORE JULY 8, 1991. FAILURE TO DO SO MAY RESULT IN THE VOIDING OF YOUR APPLICATION.

SINCERELY,

HAROLD W. JONES
WATER RESOURCE SUPERVISOR

RECEIVED
MAR 04 1992

NOV. 15, 1990

GARTH SUTTON
1295 E. 10000 S.
REXBURG, ID 83440

DEAR MR. SUTTON:

WE ARE CURRENTLY PROCESSING YOUR APPLICATION 22-7675
FOR A WATER RIGHT. FOR ANY APPLICATION OR PERMIT WHICH EXCEEDS
200 ACRES OR 5.00 CFS THE INFORMATION ON THE ATTACHED SHEETS
ARE REQUIRED BEFORE ANY FURTHER PROCESSING CAN TAKE PLACE.
PLEASE TRY TO ANSWER THE HIGHLIGHTED QUESTIONS TO THE BEST OF
YOUR ABILITY. IF YOU NEED ADDITIONAL CLARIFICATION PLEASE GIVE
ME A CALL AT 525-7161.

SINCERELY,

HAROLD W. JONES
WATER RESOURCE SUPERVISOR

RECORDED
MAR 04 1992

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY DM DATE 6/27/90 APPLICATION NUMBER 22 7675
Garth Sutton
REQUIRED INFORMATION

Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)

Address

Source (See USGS Quad for names of water sources)

Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)

County

Quantity (flow and/or volume)

Period of Use

Nature of proposed use (Include description of use.)

Description of diverting works

Time required for beneficial use of water

Place of use or acres irrigated

Map

Signature (If applicant is corp. partnership, or municipality, title of signator is required)

Fee

Yes ___ No* In form to receipt

ADDITIONAL INFORMATION

Overlapping place of use (Describe source & relationship to present application on the back.)

☒ Overlapping point of diversion

Yes ___ No ___ Field check required

Field check by _____

Yes ___ No ___ Field report attached

Yes ___ No ___ Critical groundwater area

Yes ___ No ___ Groundwater management area

Yes ___ No ___ Send dam safety information

Yes ___ No ___ Send power requirement letter

Yes ___ No ___ Send fish farm requirement letter

Yes ___ No ___ Power residency affidavit

Yes ___ No ___ Power efficiency form

Yes ___ No ___ Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)

☒ Yes ___ No ___ Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

NEEDS LARGE DIVERSION INFO.

Received 7-1-91
Date Requested

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

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

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 8-20-90 10-22-90
☐ 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. _____

See below for additional information
Date of priority recommended 6-12-90
By HWS Date 7-1-91

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

AD OVERLAP: 22-07472, 07092

Condition: OIG

LOCAL PUBLIC INTEREST

Comments received from:

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other _____

Project impacts/implications report

COMMENTS

29-Oct-1990

The Rexburg Standard-Journal
P.O. Box 10
Rexburg, ID 83440

RE: APPLICATION NO. 22-07675 GARTH SUTTON

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on OCTOBER 4 & 11, 1990.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RITA BODELL
Secretary/Office Coordinator

RECEIVED
MAR 04 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 25, 1990

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 OCTOBER 22, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

Le-ad

RECEIVED

MAR 04 1992

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECORDED

MAR 04 1963

SUTTON, GARTH
1295 E. 10000 S.
REXBURG, ID 83440

Source: GROUNDWATER

Diversion Pt: SESW Sec 31 T 05N R 41E

```

Use:  IRRIGATION      ( 6.670 CFS)
      Total Diversion: ( 6.670 CFS)

```

Date Filed: 6/12/ 1990

In:	T04N R41E S04	NWNE	NENW	NWNW	SWNW
		SENW	NESW	NWSW	
	S05	NENE	SENE	NESE	
	T05N R41E S32	NENE	SENE	NESE	SESE
	S33	SWNW	SENW	NESW	NWSW
		SWSW	SESW	SWSE	

783.0 ACRES TOTAL

DECLASSIFIED

MAR 04 1992

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 22, 1990.

R. Keith Higginson, Director

Published 10/ 4/1990 & 10/11/1990

RECORDED

MAR 04 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 24, 1990

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 AUGUST 20, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

MAR 04 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECORDED

1992

Source: GROUNDWATER

```

Use: IRRIGATION          ( 6.670 CFS)
      Total Diversion: ( 6.670 CFS)

```

In:	T04N R41E S04	NESW	NWSW		
	S05	NENE	SENE	NESE	
	T05N R41E S04	NWNE	NENW	NWNW	SWNW
		SENW			
	S32	NENE	SENE	NESE	SESE
	S33	SWNW	SENW	NESW	NWSW
		SWSW	SESW	SWSE	

783.0 ACRES TOTAL

100-443887-100

MAR 04 1992

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 20, 1990.

R. Keith Higginson, Director

Published 8/ 2/1990 & 8/ 9/1990

MAR 04 1992