



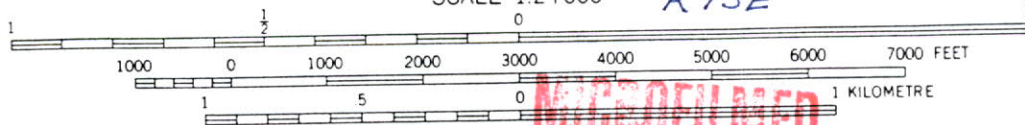
000 FEET

T4N
T3N

SCALE 1:24 000

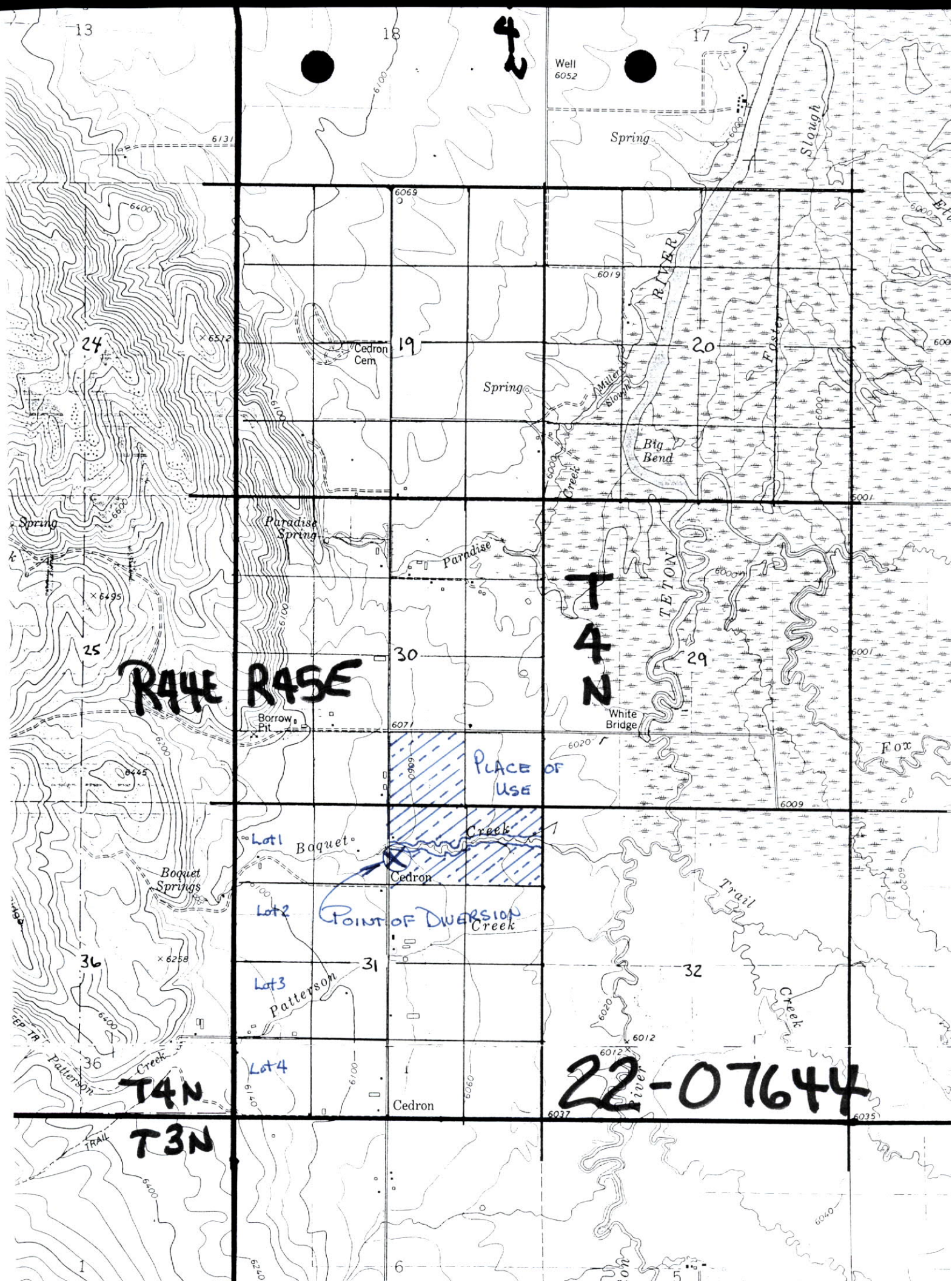
T4N Sections 30 & 31
R45E

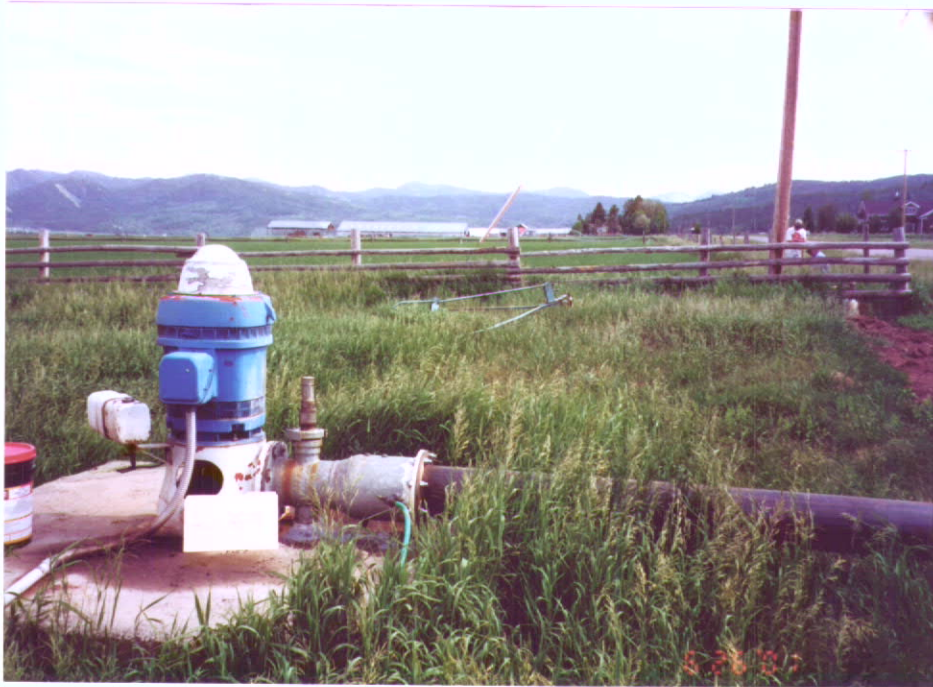
1 MILE



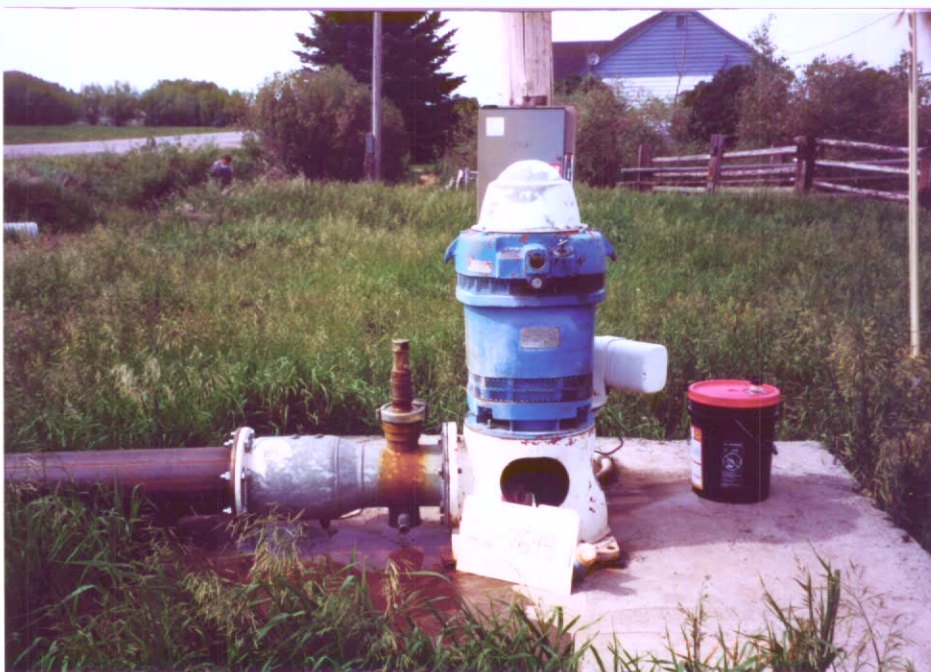
DEC 12 1989

NOT TO SCALE





POD # 22-07644 looking south



POD # 22-07644 looking north

NAPP 4935

2002

R 45E

468
T707

HEL

53

25 30

NHEL

3 348

497
T286

NHEL

PLACE OF
USE

1 39.2

30 29

36 31 223
442 POINT OF DIVERSION

Lot 1

4 14.1

2 16.1

159

16 85

NHEL

495
T327

T
4
N

3 38.3

NHEL

2 189

31 32 575
T292

NHEL

NHEL
6 155
LOT 2

583

271

178

NHEL

NHEL

NHEL

NHEL

NHEL

R 45E

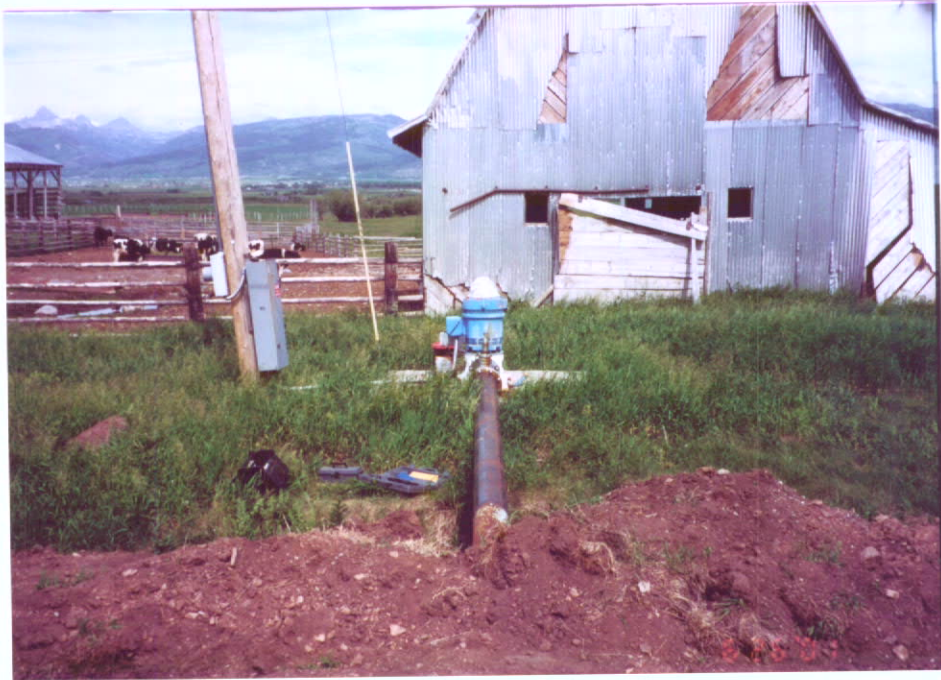
1 44.5

22-07644

2 186
Lot 3

NHEL

276
T835



POD permit # 22-07644 looking east

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 22-07644

Proposed Priority: April 10, 1989 Maximum Diversion Rate: 2.40 CFS

This is to certify, that **MONROE DUSTIN**
726 S. 450 W.
Victor, ID 83455

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	04/15 to 10/15	2.40 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NWNE Sec. 31, Township 04N, Range 45E
TETON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 45E 30	SWSE 40			40
31	NENE 40	NWNE 40		80

Total number of acres irrigated: 120

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1990**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit 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.
6. 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.
7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
8. This permit is subject to the agreement dated August 14, 1989.

RECEIVED
DEC 14 1989

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

NO. 22-07644

CONDITIONS/REMARKS:

between permit holder and protestant(s) to the extent such agreement covers matters within the jurisdiction of the Department of Water Resources.

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

1st day of November, 1989.

for R. Keith Higginson
R. Keith Higginson, Director

MICROFILMED

DEC 12 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: MONROE DUSTIN 208-787-2778
Address: 726 South 450 West
Victor, ID 83455
2. Source: GROUNDWATER Trib. to:
3. Location of point of diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	45E	31	NW NE		TETON
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AFA
IRRIGATION	04/15	10/15	2.400		
5. Total quantity appropriated is:
2.400 CFS (and/or) AFA
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
16 IN WELL, PUMP AND SPRINKLER SYSTEM
 - 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 16 inches; proposed depth of well is 200
feet.
 - d. Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.
8. Description of proposed uses:
IRRIGATION

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DEC 12 1989

9. Description of place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	30	SW	SE		IRR	40.0
Total Section Acres							40.0
		31	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
Total Section Acres							80.0
Total Acres							120.0

10. Describe any other water rights used for the same purposes.
22-00230 BOQUAT & DRAKE 3.2CFS JUNE 1, 1890

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

APPLICANT

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

APPLICANT

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

12. Remarks:

THIS APPLICATION HAS BEEN FILED BECAUSE TWO WELLS OWNED BY
DEL KUNZ AND THE SCHIESS BROS. INTERCEPT BOQUET SPG. FLOW.
THE WELL IS INTENDED TO BE SUPPLEMENTAL WHEN THIS HAPPENS.

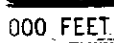
13. Map of proposed point of diversion and place of use attached? ☒

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.


Applicant

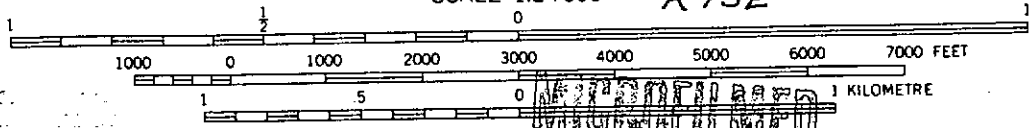
MICROFILMED

DEC 12 1989



SCALE 1:24 000

1 MILE



REGULATED

DEC 12 1989

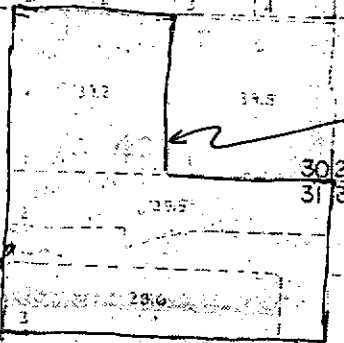
NORTH

A-160 A-159

R4SE

T
4

PLACE OF
USE



Point of
DIVERSION

29/28
32/33

A-202

A-213

A-53

A-161

31/32
6/5

32/33
5/4

A-158

6/5
7/8

5/4
8/9

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DEC 12 1983

F 9

22-07644

NOT TO SCALE

Ident. No. 22-07644
Page 3

Received by KCW/RDC Date 4/10/89 Time 1600 Preliminary check by DMD
Fee \$ 85⁰⁰ Receipted by KCW # 006782 Date 4/10/1989
Publication prepared by RB Date 4-11-89 Published in Teton Valley News
Publication approved aw Date 5-03-89

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DEC 12 1989

AFFIDAVIT OF PUBLICATION

State of Idaho)

las

County of Teton)

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

Notice of app. for water right
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 20 day of Apr 1989

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.

Kristi Atkinson

Subscribed in my presence and sworn to before me this 21 day of Apr, 1989

(SEAL) Notary Public for the state of Idaho, residence and postoffice address, Driggs, Idaho.

Neela A. Rish

My Commission expires

12-2, 1991

RECEIVED

MAY 1 1989

Department of Water Resources
Eastern District Office

Source: GROUNDWATER
Diversion Pt:
NENE Sec 24 T 06N R 44E
Use: IRRIGATION (3.200 CFS)
Date Filed: 3/25/1983
In: T06N R44E S 14
NESE NWSE SWSE SESE
160.0 ACRES TOTAL

22-07635
TETON VALLEY LODGE INC.
RT. 2, BOX 1247
DRIGGS, ID 83442
Source: GROUNDWATER
Diversion Pt:
SWNWSE Sec 17 T 04N R 45E
Use: IRRIGATION (.050 CFS)
DOMESTIC (.200 CFS)
Date Filed: 10/06/1988
In: T04N R45E S 17
2.3 ACRES TOTAL

22-07644
DUSTIN, MONROE
726 South 450 West
Victor, ID 83455
Source: GROUNDWATER
Diversion Pt:
NWNE Sec 31 T 04N R 45E
Use: IRRIGATION (2.400 CFS)
Date Filed: 4/10/1989
In: T04N R45E S30 SWSE
S31 NENE NWNE
120.0 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 May 8, 1989.

R. Keith Higginson, Director
Published in the Teton Valley News on April 20 and 27, 1989.

NOTICE OF APPLICATION
FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho:

22-07419
CADDY, FRANK E.
P.O. BOX 334
DRIGGS, ID 83422
Source: TETON RIVER
Tributary: SNAKE RIVER
Diversion Pt:
NWSE Sec 17 T 04N R 45E
Use: IRRIGATION (.120 CFS)
Date Filed: 1/11/1983
In: T04N R45E S17 SWNE NWSE
6.0 ACRES TOTAL

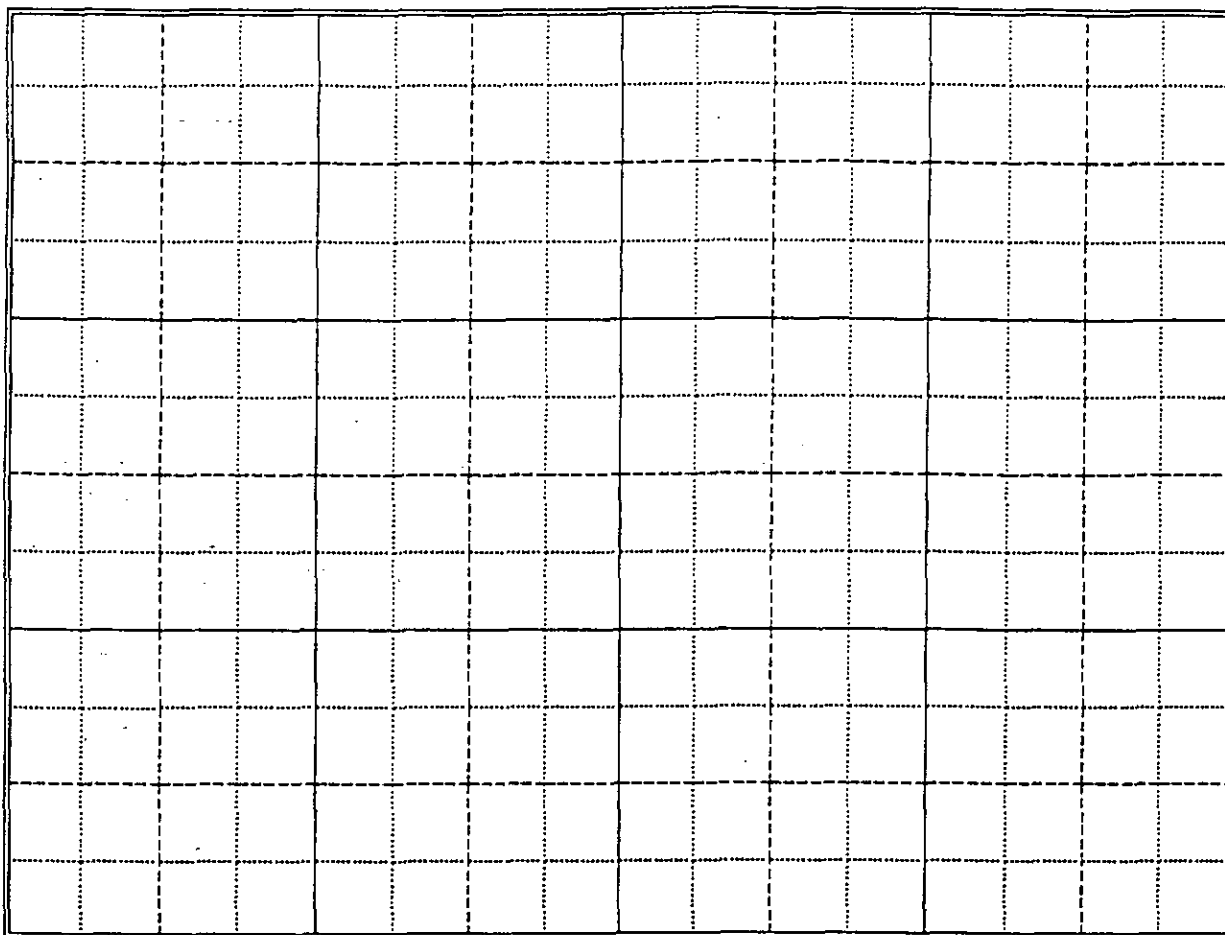
22-07431
VALLEY BANK
501 BROADWAY
IDAHO FALLS, ID 83401

MICROFILMED

DEC 12 1989

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	45E	30															39		39
		31	36	35															71
																			110

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
	US Electrical	50	^{ID} 6232T06S275R018R	Peerless	

*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
		Fuji				

2. Measurements: Sonic meter Pipe thickness .241, Dia 8.65

E. NARRATIVE/REMARKS/COMMENTS

well pump main line to lateral with sprinklers

Note: To measure total flow measurements (2) were made on
mainline North of Pump/well & on South mainline.

No measurement post

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

F. FLOW CALCULATIONS

Measured Method:

$$Q_{TOTAL} = 1.44 \text{ cfs}$$

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 110 \text{ ac} (3.5) = 385.0 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.44 (199) (1.9835) = 568.4$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 385.0$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/31	1.44 cfs	385.0
Totals:			1.44 cfs	385.0

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name

Steve Mueller
Keith C. Wilson

Date

6/26/2001

Reviewer

Date

SEAL

LOG NAME: **22-07644 North**

START: 06-26-2001 16:00

END: 06-26-2001 16:05

INTERVAL: 00:01:00

06-26-2001 16:00:00

+2.376E+0 ft/s

+3.880E+2 gal/m

+8.646E-1 ft³/s

+TOTAL 0000000 gal

-TOTAL 0000000 gal

NORMAL

06-26-2001 16:01:00

+2.338E+0 ft/s

+3.819E+2 gal/m

+8.509E-1 ft³/s

+TOTAL 0000381 gal

-TOTAL 0000000 gal

NORMAL

06-26-2001 16:02:00

+2.373E+0 ft/s

+3.876E+2 gal/m

+8.637E-1 ft³/s

+TOTAL 0000768 gal

-TOTAL 0000000 gal

NORMAL

06-26-2001 16:03:00

+2.422E+0 ft/s

+3.955E+2 gal/m

+8.813E-1 ft³/s

+TOTAL 0001157 gal

-TOTAL 0000000 gal

NORMAL

06-26-2001 16:04:00

+2.387E+0 ft/s

+3.899E+2 gal/m

+8.688E-1 ft³/s

+TOTAL 0001545 gal

-TOTAL 0000000 gal

NORMAL

06-26-2001 16:05:00

+2.382E+0 ft/s

+3.891E+2 gal/m

+8.670E-1 ft³/s

+TOTAL 0001933 gal

-TOTAL 0000000 gal

NORMAL

$Q_{MIN} = \underline{0.86} \text{ cfs}$

$Q_{MAX} = \underline{0.88} \text{ cfs}$

Measurement of mainline going
North.

$Q_{Total} = Q_{North} + Q_{South} = \underline{1.44} \text{ cfs}$

**Measurement
North mainline
(Page 1 of 2)
22-07644**

LOG NAME: **22-07644 South**

START: 06-26-2001 16:20

END: 06-26-2001 16:25

INTERVAL: 00:01:00

06-26-2001 16:20:00

+2.926E+0 ft/s

+2.481E+2 gal/m

+5.529E-1 ft³/s

+TOTAL 0000000 gal

-TOTAL 0000000 gal

NORMAL

06-26-2001 16:21:00

+2.896E+0 ft/s

+2.456E+2 gal/m

+5.473E-1 ft³/s

+TOTAL 0000243 gal

-TOTAL 0000000 gal

NORMAL

06-26-2001 16:22:00

+2.885E+0 ft/s

+2.447E+2 gal/m

+5.452E-1 ft³/s

+TOTAL 0000492 gal

-TOTAL 0000000 gal

NORMAL

06-26-2001 16:23:00

+2.911E+0 ft/s

+2.469E+2 gal/m

+5.501E-1 ft³/s

+TOTAL 0000740 gal

-TOTAL 0000000 gal

NORMAL

06-26-2001 16:24:00

+2.945E+0 ft/s

+2.498E+2 gal/m

+5.566E-1 ft³/s

+TOTAL 0000989 gal

-TOTAL 0000000 gal

NORMAL

06-26-2001 16:25:00

+2.901E+0 ft/s

+2.460E+2 gal/m

+5.482E-1 ft³/s

+TOTAL 0001238 gal

-TOTAL 0000000 gal

NORMAL

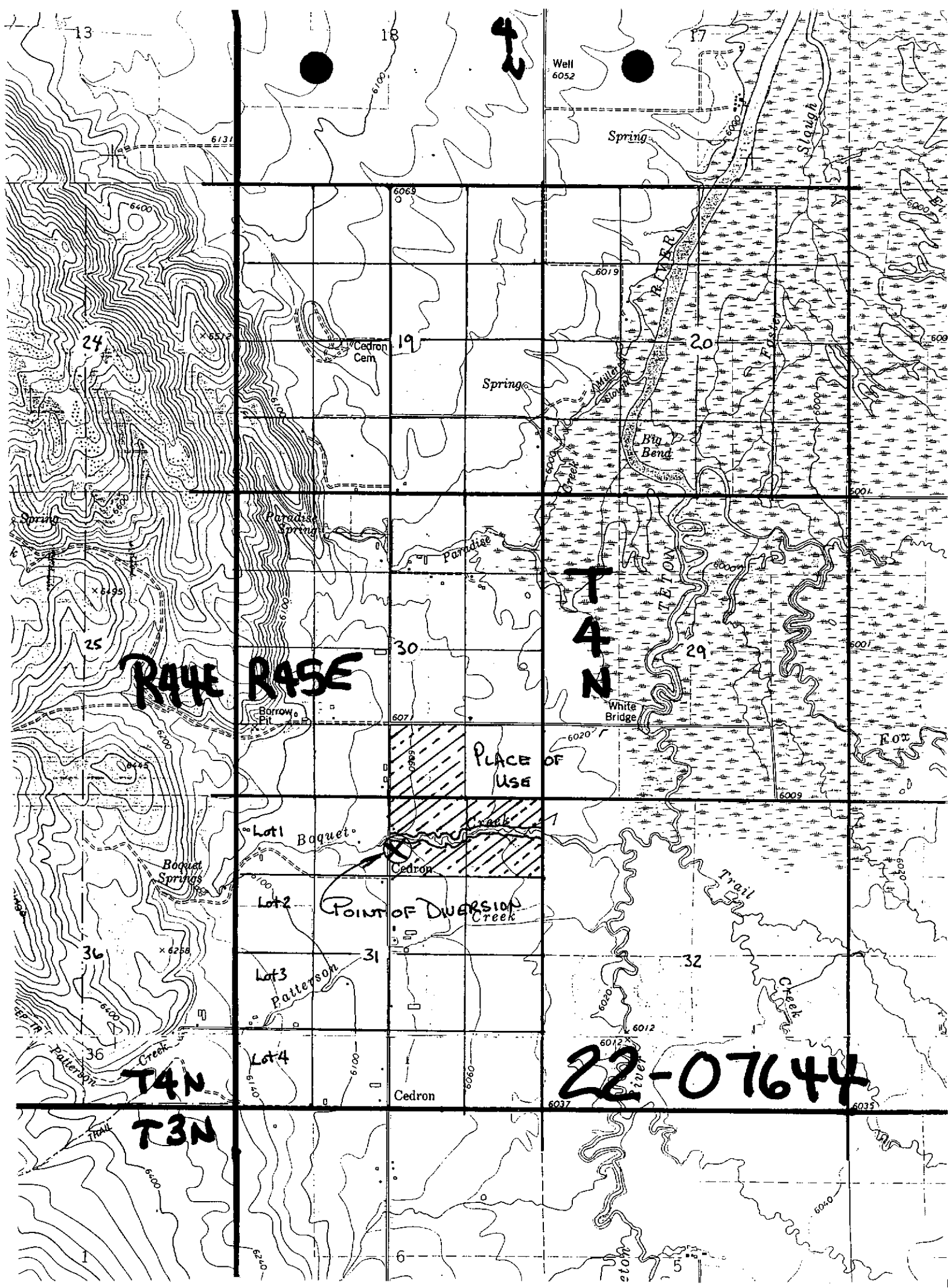
$Q_{MIN} = \underline{0.55} \text{ cfs}$

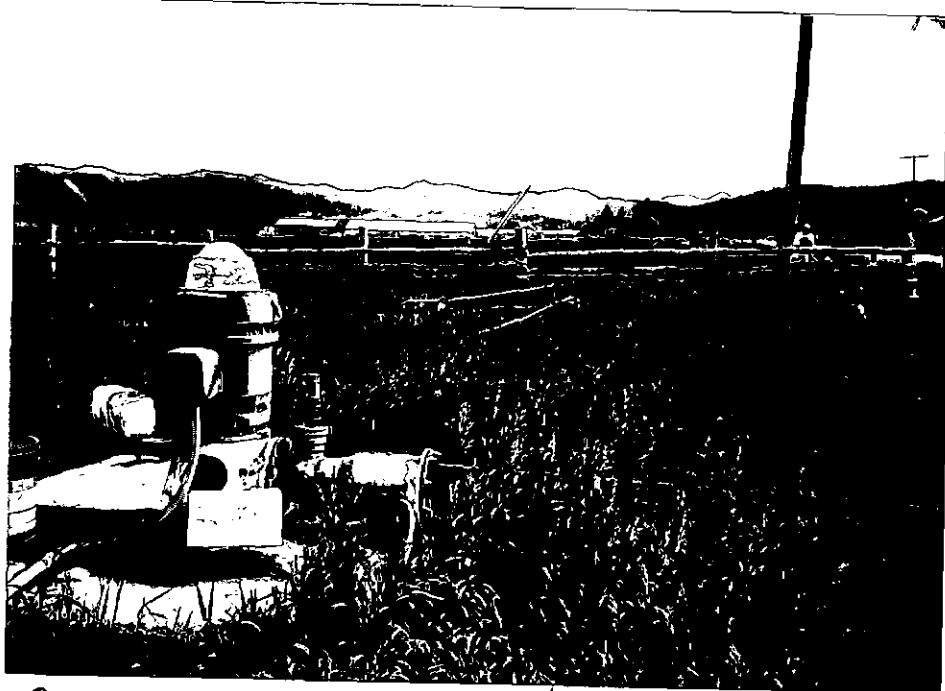
$Q_{MAX} = \underline{0.56} \text{ cfs}$

Measurement of mainline running
South.

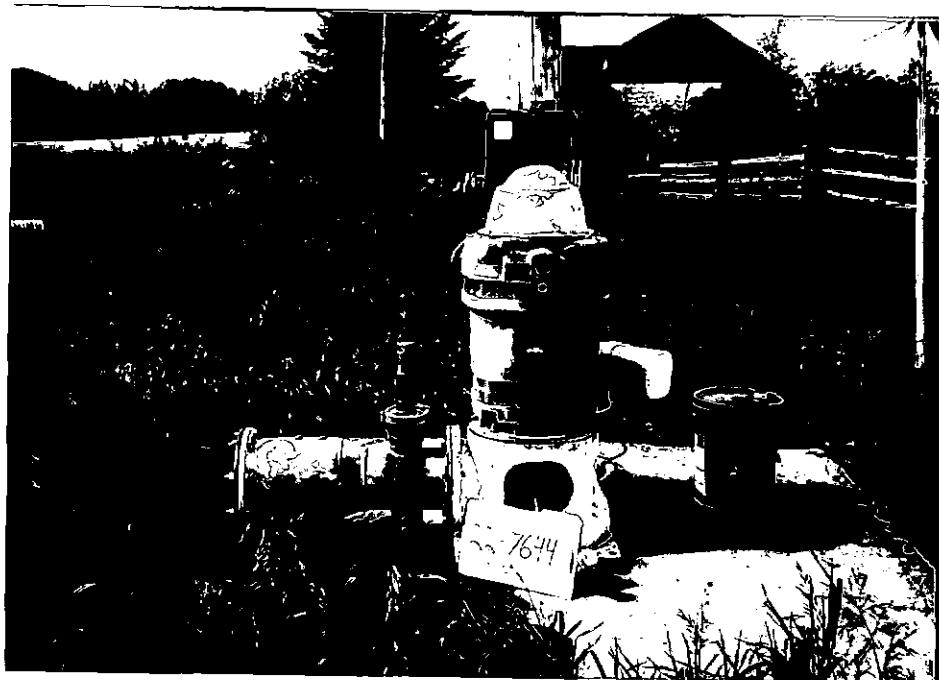
$Q_{Total} = Q_{North} + Q_{South} = \underline{1.44} \text{ cfs}$

**Measurement
South Mainline
(Page 2 of 2)
22-07644**





POD # 22-07644 looking south



POD # 22-07644 looking north

NAPP 4935

202

R 45E

468
T 797

HEL

L

NHEL

53

25

30

9

3

348

497
T 296

NHEL

PLACE OF
USE

1

39.2

30

29

36

31

223

T 442

POINT OF DIVERSION

Lot 1

4

14.1

15

2

161

159

51

5

85

NHEL

LP/D

3

38.3

NHEL

31

32

575

T

292

NHEL

2

189

NHEL

495

T 327

T
4
N

R 45E

6

155

LOT 2

583

NHEL

R 45E

1

348

1

44.5

22-07644

2

186

NHEL

Lot-3

NHEL

276

T 835



POD permit # 22-07644 looking east

January 9, 1991

MONROE DUSTIN
726 S. 450 W.
Victor, ID 83455

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07644

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JAN 28 1991

RECEIVED

NOV 29 1990

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 150.00
Date 11-29-90
Receipt No. E 015488
Received by Kaw

Qw

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 22-7644 Telephone No. 787-2778

Name(s) of Permit Holder(s): Monroe Dustin

Post Office Address: 726 S 450 W VICTOR IDAHO 83455

Source of Water: Groundwater

If ground water, well driller's name: Andrew Date drilled: June 1990

Extent of Use:
Domestic _____ (No. of households) Irrigation 120 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 2.4 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: Aug 1990

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

Measuring device: Required? Yes No Installed? Yes No

OR

Flow Measurement Port: Required? X Yes No Installed? X Yes No

Fee Enclosed: \$ 150.00 (See License Examination Fee Schedule)

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

Same as above
Name Telephone No.

Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

RECEIVED

JAN 28 1991

29 NOV 1990
Date

Monroe Dustin Jr
Signature (and title if on behalf of a company or organization)

9/89

Drilling Permit No. 22-90-E-016Water Right Permit No. 2-07644

Injection Permit No. _____

Monroe
DustinState of Idaho
Department of Water Resources

DRILLING PERMIT

RECEIVED
JAN 04 1991

Department of Water Resources

1. Applicant Monroe Dustin
2. Mailing Address 726 S. 450 W.
Victor, ID 83455 Telephone 787-2778
- (☒) Well Owner () Well Operator () Other, specify _____
3. Proposed well location NW 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 31, Twp. 4N, Rge. 45E, County Teton,
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) 120 acres
() 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 16" Maximum depth _____
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 4-1-90 approx
7. Anticipated Well Driller Andrew Well Drilling
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Monroe Dustin Date 3-6-90
Title _____
(Owner, Firm Representative, Other)

MICROFILMED

JAN 28 1991

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is approved Date 3-6-90

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:

MICROFILMED

JAN 28 1991

Dennis M. Dunn
Signature of Authorized Department Representative

Sr. Water Resource Agent
Title

Receipt No. EO12231 Received by RB Fee \$100.00 Date 3-7-90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

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

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 22-7644

Date 12-24

GENERAL CONSIDERATIONS

☒ Name same as permit?
☒ Address same as permit? If no, prepare data entry form.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

☐ Surface water source
☒ Ground water source
☒ Drill permit req'd?
☐ Copy in file? Drill permit no. _____
☐ Well log in file?
☐ Amt paid for drilling permit? _____ Correct?

LICENSE EXAMINATION FEE

☒ Required?
☒ Amount submitted?
☒ Correct amount?

MEASURING DEVICE

☒ Measuring device or access port required?
☒ Installed?
☒ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

- check drilling permit compliance

PRIORITY CALCULATION

Date proof received 12-24
Date proof due _____
No. of days late _____
Priority date _____
NEW PRIORITY DATE _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState 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 WR# 22-7644Name Monroe Dustin
726 S. 450 W.
Address Victor, Idaho 83455
Owner's Permit No. 22-90-E-016

7. WATER LEVEL

Static water level 22 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 Good
Describe artesian or temperature zones below.

2. NATURE OF WORK

- ☒
- New well
- ☐
- Deepened
- ☐
- Replacement
-
- ☐
- Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

☐ 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

Bore Diam.	Depth		Material	Water	
	From	To		Yes	N
16	0	5	Dark brown clay & gravel		X
	5	75	Dark brown clay & gravel, gummie	X	
	75	85	Sandy clay & gummie (Seepage)	X	
	85	117	Gummie brown clay		X
	117	120	Sandy brown clay (Seepage)	X	
	120	128	Gummie brown clay		X
	128	142	Clay & gravel	X	
	142	148	Gummie brown clay		X
	148	156	Silt & gravel & clay	X	
	156	172	Clay little gravel		X
	172	180	Silt gravel & clay	X	
	180	200	Muddy clay & gravel		X
	200	217	Gummie clay		X
	217	221	Silty clay & gravel	X	
	221	230	Gummie clay		X
	230	248	Gummie clay light brown		X
	248	254	Broken rock & clay		X
	254	262	Silt gravel	X	
	262	271	Cemented gravel	X	
	271	285	Gummie light brown clay		X
	285	313	Clay & gravel (seepage)	X	
	313	332	Washed gravel	X	
	332	348	Brown clay		X
	348	360	Course sand & gravel (silty)	X	
	360	369	Course sand & clay		X
	369	381	Broken gray rock	X	
	381	390	Light brown gummy clay		X
	390	414	Clay gummie		X
	414	430	Broken gravel & sandstone	X	
	430	443	Hard sandstone		X
	443	455	Broken sandstone		X

4. METHOD DRILLED

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

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>250 16</u> inches	<u>16.25</u> inches	<u>1</u> feet	<u>263</u> feet
<u>250 10</u> inches	<u>10.25</u> inches	<u>1</u> feet	<u>246</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☒ Yes ☐ NoHow perforated? ☒ Factory ☐ Knife ☐ TorchSize of perforation 1 3/4 inches by 3/16 inches

Number	From	To
<u>48</u> perforations	<u>348</u> feet	<u>360</u> feet
<u>275</u> perforations	<u>313</u> feet	<u>332</u> feet
<u>240</u> perforations	<u>262</u> feet	<u>271</u> 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 40+ Material used in seal: ☐ Cement grout☒ Bentonite ☐ Puddling clay ☐ _____Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

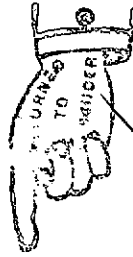
Weld

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JUL 30 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street
Boise, Idaho 83706-2237

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OCT 29 1990

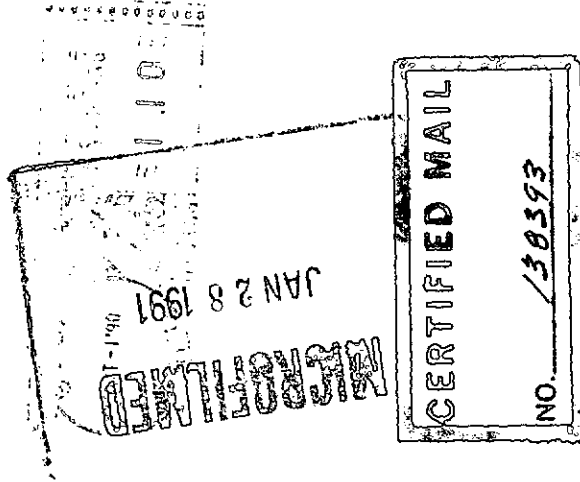


RESERVED
Undelivered
Address
Incorrect
Postage
Insufficient
Postmark
Incorrect

Department of Water Resources

Post Office
Post Office
Return

*Return to
Post Office
11-2-98*



138393

September 30, 1990

MONROE DUSTIN
726 S. 450 W.
Victor, ID 83455

PROOF DUE NOTICE

RE: PERMIT NO. 22-07644

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 December 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

JAN 28 1991

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
November 1, 1989

MONROE DUSTIN
726 S. 450 W.
Victor, ID 83455

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P22-07644

Dear Permit Holder:

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

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

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

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

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DEC 12 1989

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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DEC 12 1989

INTER-DEPARTMENT MEMO — 1

FROM H.W. JONES + RON CARLSON

DATE 9-13-89

TO File 22-7644

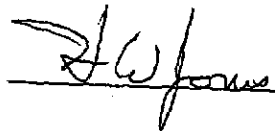
SUBJECT Drilling permit qualification

We would request that a condition put on the drilling permit requires applicant to contact the Idaho Falls office 48 hrs prior to drilling well so that Dept. Personnel can be on site.

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DEC 12 1989

NO drilling
permit in
File - kw
10/23/89


SIGNATURE

3 No. 202a

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

Submitted for adv. 4-10-89 RB
4-11-89 HWJ

NON-TRUST
Process out of order

22-7644

FIELD REVIEW BY James A. [unclear] DATE 11 April 89 APPLICATION NUMBER 22-7644

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

Date Requested SEP 21 1989

Department of Water Resources

RECEIVED

PROCESSING

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

D 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 _____

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 *Withdrawn*
Final date for protest *8-8-89*
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☒ Yes ☐ No Recommendations attached
☐ Yes ☒ No Measuring device required
☒ Yes ☐ No Access port required
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. *01-P05*
☒ Yes ☐ No Special conditions of approval or cover letter below.

☐ See below for additional information
Date of priority recommended *4-10-89*
By *HWS* Date *9-15-89*

STATE OFFICE REVIEW

P05, P23, P03 P116 46 48 49 01G 20A (8-14-89)

☐ See below for additional information
By *KW* Date *10/23/89*

ADDITIONAL INFORMATION

*Condition; 01G - also see request made for drilling permit
listed in this file*

App. in NON-TRUST area-

*file copy
discarded-*

September 15, 1989

RE: Application for Permit No. 22-7644

Monroe Dustin
726 South 450 West
Victor, ID 83455

Dear Mr. Dustin:

This letter is to advise you that Delbert T. Kunz has withdrawn his protest against the above referenced application. The Department is now continuing the processing of your application.

If you have any questions, please feel free to contact this office.

Very truly yours,

HAROLD W. JONES
Water Right Supervisor

HWJ:CW

RECEIVED

DEC 12 1989

September 15, 1989

RE: Application for Permit No. 22-7644 DUSTIN

Mr. Delbert T. Kunz
Circle Cross Ranch
Victor, Idaho 83455

Dear Mr. Kunz:

This letter is to acknowledge receipt of your withdrawal of protest against the above referenced application. The Department has now resumed processing of this application.

If you have any questions, please feel free to contact this office.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

cc: Donald L. Harris

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DEC 12 1989

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
CURT R. THOMSEN
MICHAEL D. CRAPO
JAMES D. HOLMAN
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHVISUK
RANDALL B. REED
G. LANCE NALDER
J. MICHAEL WHEELER
MARIE T. FEELEY
ROBERT M. FOLLETT

WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

R. VERN KIDWELL, OF COUNSEL

September 6, 1989

Mr. Harold Jones
Idaho Department of Water Resources
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

RE: In the Matter of Application for Permit No. 22-7644
in the name of Monroe Dustin

Dear Mr. Jones:

Enclosed with this correspondence is the original Stipulation and Agreement which has been executed by Mr. Kunz and Mr. Dustin. I believe this resolves the dispute between the parties. If you have any questions, please contact me.

Very truly yours,


Donald L. Harris

DLH/jd
#7354.00/4800f

Enclosure

cc: Ray W. Rigby, Esq.
Delbert T. Kunz

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DEC 12 1989

RECEIVED

SEP - 7 1989

Department of Water Resources
Eastern District Office

IN THE MATTER OF APPLICATION)
FOR PERMIT 22-7644 IN THE)
NAME OF MONROE DUSTIN)
_____)

STIPULATION AND AGREEMENT

Applicant Monroe Dustin filed an Application for a permit to drill a well for irrigation purposes identified as Permit No. 22-7644. Protestant Delbert T. Kunz filed his protest with the Department of Water Resources on May 5, 1989 complaining that the well would seriously impact Bouquet Spring and Creek and deprive protestant of his culinary water.

At the informal conference conducted in Driggs, Idaho, June 16, 1989, the parties came to an agreement that in drilling his well, applicant will not perforate his well above 150 feet unless a 10 foot layer of impervious material is encountered between 100 and 150 feet, but under no circumstances would he perforate above 100 feet.

To accomplish the intended result, the driller selected by Monroe Dustin shall comply with all laws and specifically with those contained in §42-238, Idaho Code. The driller shall maintain all well logs and records as required by law and file his report as required by §42-238(3). Further, the driller shall specifically note all water levels encountered, the depth and thickness of any containment or impervious layers and the level at which perforations begin.

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DEC 12 1989

The logs and records shall be available for inspection during the course of the drilling by Dee O'Brien whom both parties agree is a neutral and disinterested third party. Dee O'Brien is authorized to report any violations of this agreement to both parties and to the Idaho Department of Water Resources.

Applicant Monroe Dustrin agrees that these conditions shall be conditions of approval of a permit. Protestant Delbert T. Kunz agrees that these conditions are reasonable and that protestant will withdraw his objections for approval of the permit subject to refileing if there is a breach of this agreement.

DATED this 14 ^{Aug.} day of June, 1989

Monroe Dustrin Jr.
Dustin, Monroe, Applicant

APPROVED AS TO FORM AND CONTENT:

Ray W. Rigby
Ray Rigby, Attorney for
Monroe Dustrin

Delbert T. Kunz
Delbert T. Kunz, Protestant

APPROVED AS TO FORM AND CONTENT:

Donald L. Harris
Donald L. Harris, Attorney for
Delbert T. Kunz

MICROFILMED

DEC 14 1989

#7354.00
0868h/jd

MEMO TO FILE 22-7644

FROM: RON

DATE: AUG 2, 1989

Monroe Dustin was in. He said he has gotten along with the water supply on Bequet Springs. He said Schieser are not pumping & have not pumped this year. There still is not a signed agreement.

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DEC 12 1989

Conf. on 22-7644

6/16/89

Del Krenz

Monroe Dustin

Don Harris

~~Don~~ Todd Dustin

Mike Krenz

NORM Young

Ron Carlson

Lyle Schiess

Lynn Schiess

Monroe Dustin -

Wells affect Bangat creek

Schiess & Krenz pumped water to
supplement for loss last year -

Existing well could be used to supply
all the water -

Willing to agree

Culinary well at location -
won't perforate 1st water level - won't
perforate first 100' + $\frac{3}{4}$ mile away.

Have 1889 decree -

60+ feet lower elev. than spring box

Del Krenz -

Ramsay data - 5" affect on creek
35" schiess affect

Schiess have spread water intended
for 133 acres on 400 acres -

Well put in 1977 operated every
year from '78 ~~to~~ -

Schiess well put in 1981 - creek
dried up - Culinary wells dried up
1965 decree of Culinary water
from Bangat cr for Jean & Del Krenz -

Mike Kunz - has 75% of ownership of
Monroe Dustin - Kunz well

Wants some well tests - would
like Kunz well pumped without
Schiess's well being pumped -

Budget -

Spring @ foot of mtn -

Duane Kunz + Monroe Dustin
have - 80 acres to each - entire
creek decreed to the farm & then divided
- wet year 80" - without

Dry year flow 40 to 50 in/s -

- Agreement in 1965 allowed two
domestic rights from creek ahead of
the irrigation right.

Last year water was pumped in 24"
Veteran's Hall & Jans house - 10" below -
Agreement needs ^{no domestic water}

Kunz

- ① Water in head box for domestic
- ② Water to pump creek ahead for fish
- ③ 3 lines of irrigation water
- ④ Wants perforations only below 150 ft

Dustin

- ① On a dry year - 2.4 cfs from
some source - can mix
- ② Wants perforations above 100 ft

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Schiess

DEC 12 1989

Joint Meeting on 22-7535/22-7537

Doyle Ottem

Larry Chubb

Jack Hooper

Norman Towne

Dale Swenson

Ron Carlson

Arden Stewart

Kyle Carter

Arden Stewart -

2 CFS - 42 AF

7 surface acres

Fishing - Ice skating

Kyle Carter + Arden Stewart -

Existing gravel pond -

~~three years ago~~

only applied for high water - no
its for year around

only want to be legal

Open to public but reserve the
right to refuse - Don't intend to
change - stock the facility themselves
Perch + trout

Deep enough to winter over -

Used the additional water to
fill high enough to not winter
kill -

Need the water to keep from
becoming stagnant
seepage

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DEC 19 1975

Concern about liability -
\$300,000 for protection against
breaching out - river sinks into
gravel & deprives prior rights.

Madison Co. has 50 to 100 k in
the levee -

Protests

Agreement

- (1) Bank stability (will establish a level)
- (2) W.M. control, incl. headgate
- (3) Supplemental storage -
- (4) Liability ins -

Parties will develop an agreement
& mail in for both filing & the
transfer - Expect agreement
end of next week.

22-7644 - Monroe Dustin

Courtroom, Teton County Courthouse
Driggs, Idaho

Friday, June 16, 1989 - 10:00 a.m.

Hearing Officer: Norm Young

<u>Name</u>	<u>Representing</u>	<u>Address</u>
Donald Harris	Delbert Kunz Jean Kunz	P.O. Box 5130 ID 83405
	Monroe Dustin Jr	
	Lyle Schies	
	Don Schies	
	Arthur A. Kunz	
	Delbert J. Kunz	

RECORDED

DEC 12 1989

June 12, 1989

Teton County Courthouse
Teton County Clerk
ATTN: Nora
Driggs, ID 83422

Dear Nora:

This is to confirm the use of the Courtroom in the Teton County Courthouse, Driggs, Idaho for water right conferences to be held by this Department beginning at 10:00 a.m., Friday, June 16, 1989.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Assistant

MICROFILMED

DEC 12 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

June 9, 1989

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

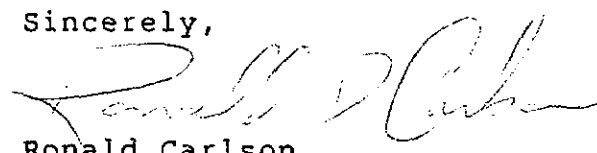
Edwin Schiess
498 W. 675 S.
victor, ID 83455

Dear Mr. Schiess:

The Department of Water Resources has received a complaint which alleges that you are illegally diverting water from a well located in the NW1/4SW1/4 Section 30 T4N R45E and applying it on approximately 400 acres of land, located in Sections 30 and 31 T4N R45E, with no water right from this ground water source.

This complaint has been investigated and appears to be substantially correct. However, there are some other issues relative to groundwater use and other water rights on Patterson Creek and Bouquet Springs that we would like to hear. We have scheduled a conference in the court room in Driggs at 10:00 AM on May 16, 1989, to hear objections to application 22-7644 filed by Monroe Dustin. Although you are not a party in this matter, your presence is requested. We hope this conference may provide the most convenient opportunity for the Department to secure additional information relative to this complaint.

Sincerely,


Ronald Carlson
Manager, Eastern Region

RC:jt

Enclosure

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DEC 12 1989

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:

Robert Kung
Circle Cross Ranch
Victor, Id. 83455

4. Article Number

0265

Type of Service:

- ☐ Registered
☒ Certified
☐ Express Mail

- ☐ Insured
☐ COD

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee

X Robert J. Kung

6. Signature - Agent

X

7. Date of Delivery

12/8/89

8. Addressee's Address **ONLY if requested and fee paid**

DEC 12 1989

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- o Complete items 1, 2, 3, and 4 on the reverse.
- o Attach to front of article if space permits, otherwise affix to back of article.
- o Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

JUN 9 1989



Department of Water Resources

Eastern District Office

PENALTY FOR PRIVATE
USE, \$300

RETURN
TO:

RECEIVED

Print Sender's name, address, and ZIP Code in the space below.

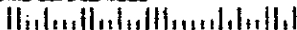
DEC 12 1989

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 SHOUP AVE, #15

IDAHO FALLS, IDAHO 83402



SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. <u>The return receipt fee will provide you the name of the person delivered to and the date of delivery.</u> For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.	
1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.	
3. Article Addressed to: <i>Monroe Austin</i> <i>726 So. 450 West</i> <i>Victor, Id 83455</i>	4. Article Number <i>0264</i> Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Addressee <i>X</i> <i>Lola Furness</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent <i>X</i>	
7. Date of Delivery <i>7-89</i> <i>BH</i>	

PS Form 3811, Feb. 1986

22-2644

DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code
in the space below.

- Complete items 1, 2, 3, and 4 on
the reverse.
- Attach to front of article if space
permits, otherwise affix to back of
article.
- Endorse article "Return Receipt
Requested" adjacent to number.



JUN 1 1989



Department of Water Resources PENALTY FOR PRIVATE
Eastern District Office USE \$300

RETURN
TO

POSTNET

Print Sender's name, address, and ZIP Code in the space below.

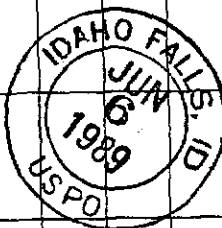
DEC 12 1989 DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE, #15
IDAHO FALLS, IDAHO 83402

NAME AND ADDRESS OF SENDER

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHoup AVE. # 15
IDAHO FALLS, IDAHO 83402Indicate type of mail
☐ Registered
☐ Insured
☒ COD
☐ Certified
☐ Express MailCheck appropriate block for
☐ Registered Mail:
☐ With Postal Insurance
☐ Without Postal InsuranceAffix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Line	Number of Article	IDAHO FALLS, IDAHO 83402 Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (if Regs.)	Insured Value	Due Sender if C.O.D.	R. R. Fee	S. O. Fee	S. H. Fee	Rest. Del. Fee	Remarks
1	0264	Mona Lee, 726 So. 450 W. 83455	.25	.85					.90				22-76444
2	0265	Robert Spang, Victor, Id. 83453	.25	.85					.90				22-76444
3	0266	1. Trevelyan Road, P.O. Box 127, Victor	.25	.85					.90				22-75337
4	0267	Mary Smith, P.O. Box 422, Victor	.25	.85					.90				22-75337
5	0268	Argument Madison, P.O. Box 15, Victor	.25	.85					.90				22-75335
6	0269	Argon County, P.O. Box 127, Victor, Id.	.25	.85					.90				22-75335
7	0270	Argon County, P.O. Box 127, Victor, Id.	.25	.85					.90				22-75335
8													
9													
10													
11													
12													
13													
14													
15													
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for COD and \$400 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.							



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DEC 12 1989

FORM MUST BE COMPLETED BY TYPEWRITER OR BY HAND IN INK

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 22-7644 IN THE NAME OF) NOTICE OF CONFERENCE
MONROE DUSTIN)
_____)

On April 10, 1989, Monroe Dustin filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On May 5, 1989, the Department received a protest against approval of said application from Delbert T. Kunz.

The Department has set the matter of protest for an administrative conference to be conducted at 10:00 a.m., Friday, June 16, 1989, in the Courtroom, Teton County Courthouse, Driggs, Idaho.

Agenda items for this conference will include:

1. Identify spokesman and/or counsel representing the protestants.
2. Review of the applications.
3. Identify issues of protest.
4. Designate date for identifying witnesses.
5. Designate target date for conducting administrative hearing if resolution is not possible during the conference.

The conference will be held in accordance with provisions of the adopted Rules of Practice and Procedure of the Department of Water Resources.

Dated this 6th day of June, 1989.

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RONALD D. CARLSON
Eastern Regional Manager

May 10, 1989

Monroe Dustin
726 South 450 West
Victor, Idaho 83455

Dear Applicant:

Enclosed is a copy of the protest filed against the issuance of a permit pursuant to your application No. 22-7644. The Department suggests you contact the protestants directly in an effort to determine the nature of the protests and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances requiring additional time, our objective is to schedule a conference and/or hearing to consider the protests within 60 days. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the five items. Although representation by legal

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Monroe Dustin
May 10, 1989
Page 2

counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

If this office can be of further assistance, please contact us.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

cc: IDWR - State Office

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DEC 12 1989

May 10, 1989

RE: Application for Permit No. 22-07644 DUSTIN

Mr. Delbert T. Kunz
Circle Cross Ranch
Victor, Idaho 83455

Dear Protestant:

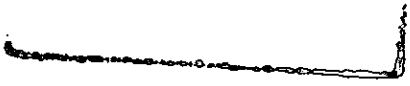
Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances requiring additional time, our objective is to schedule a conference and/or hearing to consider the protests within 60 days. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code): the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

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Delbert T. Kunz
May 10, 1989
Page 2

The protestant must be prepared to present proof of allegations involving one or more of the five items. Although representation by legal counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

If this office can be of further assistance, please contact us.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

cc: IDWR - State Office

RECEIVED

DEC 12 1989

5 May 1989

Director, Dept. of Water Resources
150 Shoup Ave. Suite 15
Idaho Falls, Idaho 83402

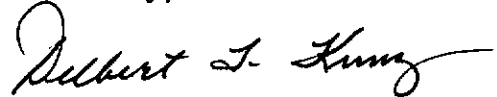
Gentlemen:

Ref. Dustin, Monroe 22-07644 and his request for groundwater diversion pt. NWNE 31 T04N R 45E, I protest that request on the basis that new ground water sources only increase the problem of water shortage in the area.

The Schiess irrigation well, located NW SW Sec 31 T04N R45E, destroys the water table when it is operated at full capacity. This destruction of the ground water table has cut my property and Jean T. Kunz's property out of culinary water for house, yard, and livestock. These properties are located in Sections 31, and 36 respectively. These culinary water rights date back to 1919 and 1945.

We expect to file a law suit, in the near future, to correct this destruction of our culinary water rights, degradation of our property values, and loss of all fish in the Bouquet Creek.

Sincerely,



Delbert T. Kunz
Circle Cross Ranch
Victor, Idaho 83455
208-354-2469

RECEIVED

MAY 5 1989

Department of Water Resources
Eastern District Office

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DEC 12 1989

April 12, 1989

Monroe Dustin
726 S. 450 W.
Victor, ID 83455

RE: Application for Permit No. 22-7644

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. The application has been assigned the above identification No. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Teton Valley News. 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
Water Rights Supervisor

HWJ/rb

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DEC 12 1989

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 11, 1989

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before MAY 8, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

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DEC 12 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

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DEC 12 1989

22-07644

DUSTIN, MONROE
726 South 450 West
Victor, ID 83455

Source: GROUNDWATER

Diversion Pt:

Use: IRRIGATION

Date Filed: 4/10/1989

In: T04N R45E S30
S31

NWNE

Sec 31 T 04N R 45E
(2.400 CFS)

SWSE
NENE

NWNE

120.0 ACRES TOTAL

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DEC 12 1989

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 MAY 8, 1989.

R. Keith Higginson, Director

Published 4/20/1989 & 4/27/1989

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