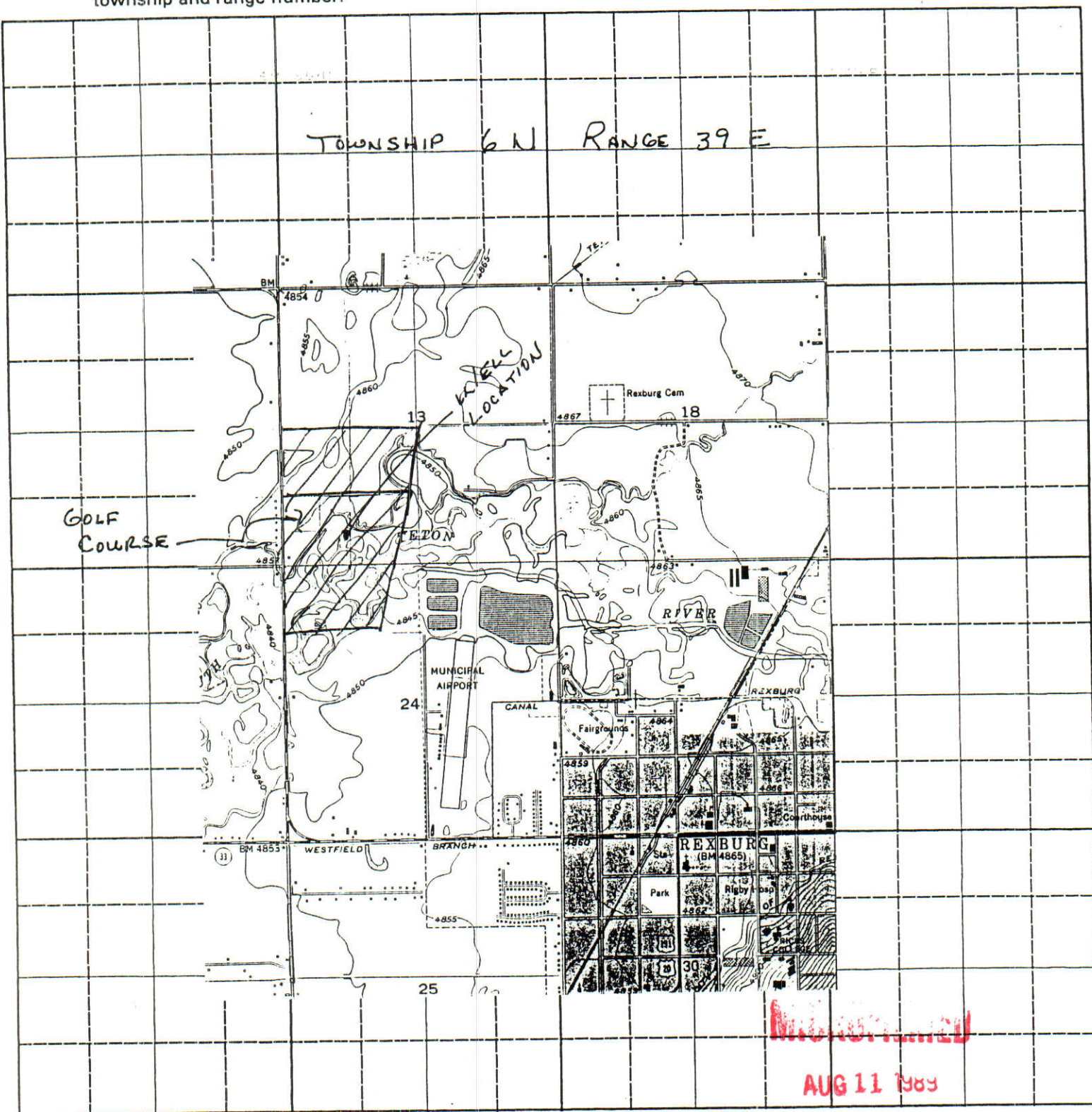


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

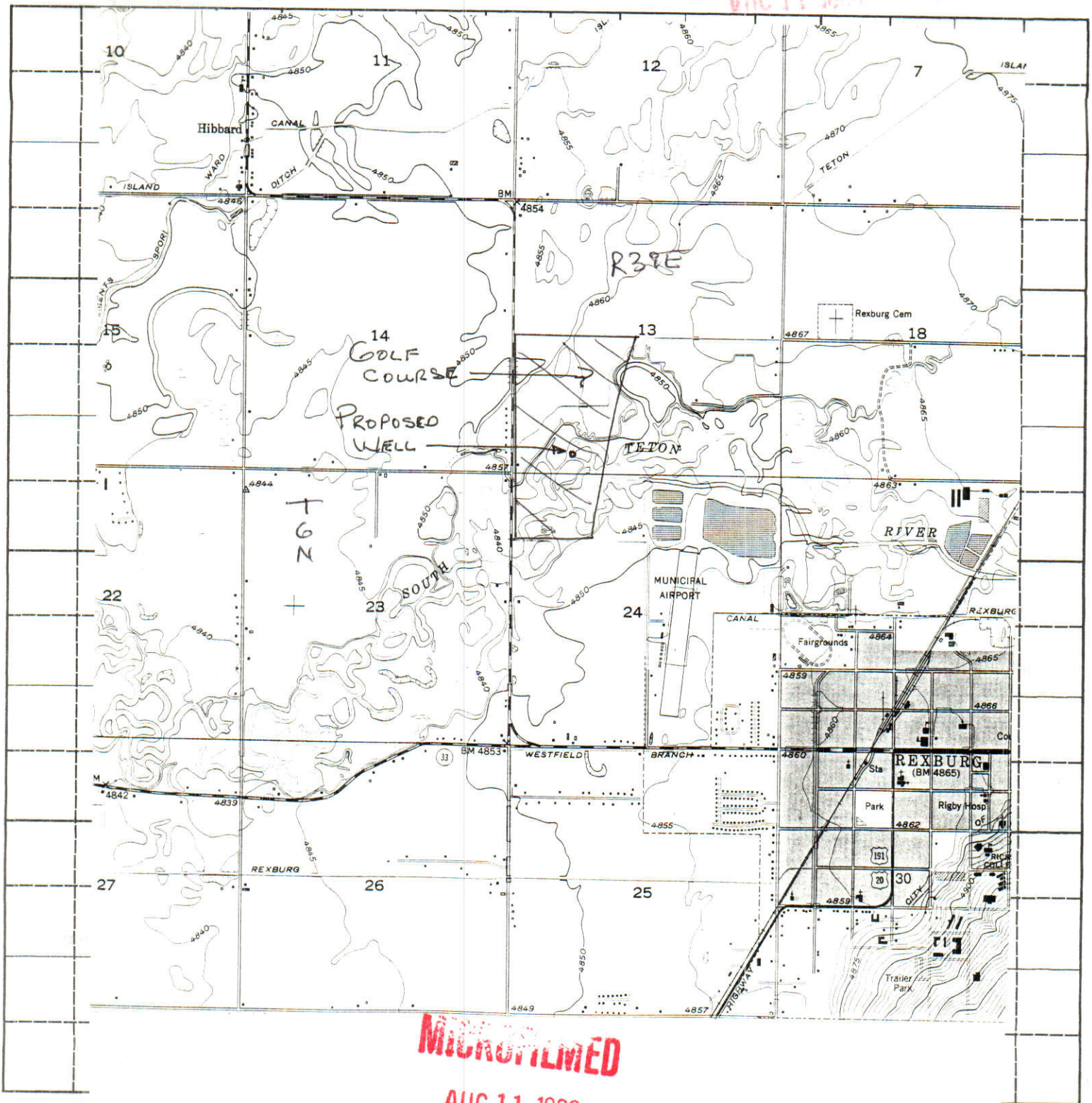


Scale: 2 inches equal 1 mile.

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.

City of Rexburg
John C. Foster, Mayor
(Applicant)

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



Scale: 2 inch

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.

[Signature]
(Applicant)
MADISON COUNTY COMMISSIONER

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 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
May 4, 1989 and the last
publication having been made on
May 11, 1989

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 May in
the year of 1989, 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 H. [Signature]
Notary Public for Idaho

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

RECEIVED

JUN 5 1989

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:

22-07571

CITY OF REXBURG
12 N. CENTER
REXBURG, ID 83440
Source: GROUNDWATER
Diversions Pt: SESWSW Sec 13 T 06N R

39E

Use: MUNICIPAL (1,000 CFS)
Date Filed: 7/21/1988
In: T06N R39E S13 NESW NWSW
SWSW SESW S24 NENW NWNW 115.0
ACRES TOTAL

22-07650

CITY OF REXBURG
12 N. CENTER
REXBURG, ID 83440
Source: GROUNDWATER
Diversions Pt: SWSW Sec 13 T 06N R

39E

Use: MUNICIPAL (1,000 CFS)
Date Filed: 1/04/1989
In: T06N R39E S13 S24 115.0 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. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83402 on or
before MAY 22, 1989.

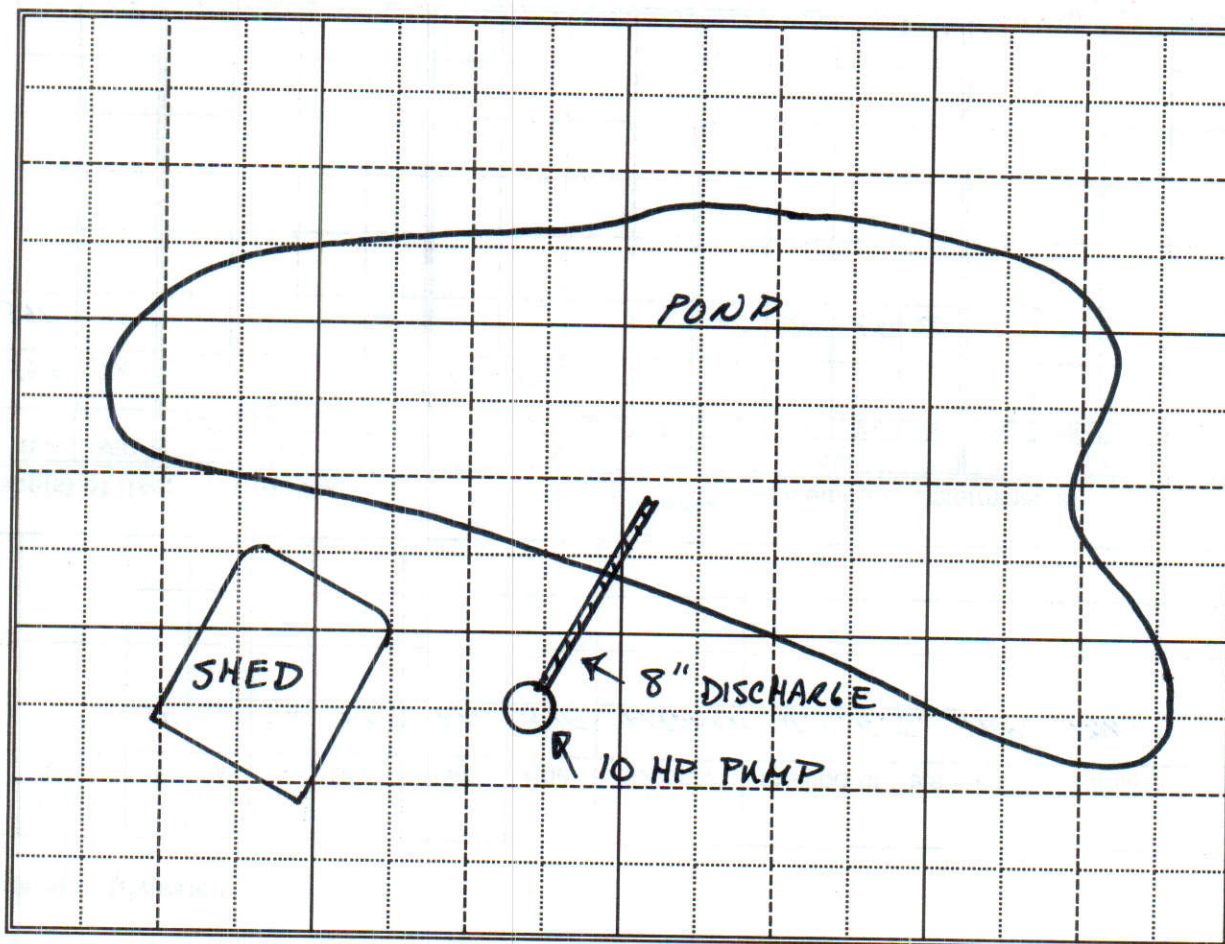
R. KEITH HIGGINSON
Director

Publ. May 4 and 11, 1989SJ.

MICROFILMED

AUG 11 1989

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



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
6973/507R 343 R072F	U.S. MOTOR	10		AURORA	ID9-2059 8"

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: OPEN DISCHARGE TO STORAGE POND

MICROFILMED

MAR 25 1998

R39E

R40E

GOLF
14 COURSE

WELL

13

TETON

MUNICIPAL
AIRPORT

CANAL

Fairgrounds

MICROFILMED
MAR 25 1988

22-07571

BM 4853

WESTFIELD

BRANCH

4860

Sta

CITY OF REXBUR



← STORAGE
POND
← OPEN
DISCHARGE



10 HP
PUMP
WITH 8"
DISCHARGE

REFILMED
MAR 25 1998

22-7571

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07571

Priority: October 13, 1988

Maximum Diversion Rate:

1.00 CFS

This is to certify, that CITY OF REXBURG

PO BOX 245

REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 10, 1988; and has submitted Proof of Beneficial Use on October 4, 1990. An examination indicates that the works have a diversion capacity of 3.630 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

MUNICIPAL

12/01 to 12/31

1.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 13, Township 06N, Range 39E
MADISON County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is to be used at the described place of use.
2. This right is subject to the senior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-219, Idaho Code, or the applicable Idaho law.
4. Place of use within the city limits of Rexburg.

This license is issued pursuant to Section 42-219, Idaho Code.
Witness the seal and signature of the Director, Office of Water Resources, Boise, this 20th
day of MARCH, 1990.

Acting for

KARL J. DREHER, Director

MICROFILMED

MAR 25 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 22-7571 IN THE
NAME OF CITY OF REXBURG

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before August 1, 1990; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

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

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on October 4, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 22-7571 be REINSTATED and the priority advanced to October 13, 1988.

Dated this 11th day of January, 1991.

L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
FEB 06 1991

Form 217
08/89

RECEIVED

RECEIVED

OCT 4 1990

STATE OF IDAHO

Department of Water Resources

Eastern District Office

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources
Eastern District Office

JUL 23 1990

For Office Use Only

Am't. of Fee \$ 150.00

Date 4-23-90

Receipt No. E015304

Received by CW

OCT 5 1990

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 Department of Water Resources a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 22-07571

Telephone No. 359-3020

Name(s) of Permit Holder(s): City of Rexburg

Post Office Address: P.O. Box 245, Rexburg, ID 83440

Source of Water: Groundwater

If ground water, well driller's name: High Plains Drilling Date drilled: March 1990

Extent of Use: (Supplemental)
Domestic _____ (No. of households) Irrigation 115 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 2.2 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: April 15, 1990

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

Measuring device: Required? Yes X No Installed? Yes X No

OR

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

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

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

Nile Boyle 359-3020
Name Telephone No.

P.O. Box 245 Rexburg, ID 83440
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.

RECORDED

FEB 16 1991

July 16, 1990
Date

Nile L Boyle, Mayor
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

Amended

APPROVED

APR 10 1989

To appropriate the public waters of the State of Idaho

Department of Water Resources

Eastern District Office

1. Name of applicant City of Rexburg Phone 359-3020Post office address 12 North Center, Rexburg, Idaho 834402. Source of water supply Well (Groundwater) which is a tributary of N/A3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 13 Township 6N Range 39E B.M. Madison County; additional
points of diversion if any: N/A

4. Water will be used for the following purposes:

Amount 1 cfs for Municipal purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)5. Total quantity to be appropriated is (a) 1.0 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 12" diameter well with pumpb. Height of storage dam N/A 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 12 inches; proposed depth of well is 120 feet.d. Is ground water with a temperature of greater than 90°F being sought? No7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

MICROFILMED

AUG 11 1989

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

- a. Hydropower; show total feet of head and proposed capacity in KW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. City of Rexburg
- d. Domestic; show number of households. N/A
- e. Other; describe fully. N/A

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	39E	24					15	15											30
6N	39E	13									20	20	25	20					85

Total number of acres to be irrigated 115

10. Describe any other water rights used for the same purposes as described above. Shares Teton Island

Canal and Permit No. 22-7292

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. _____

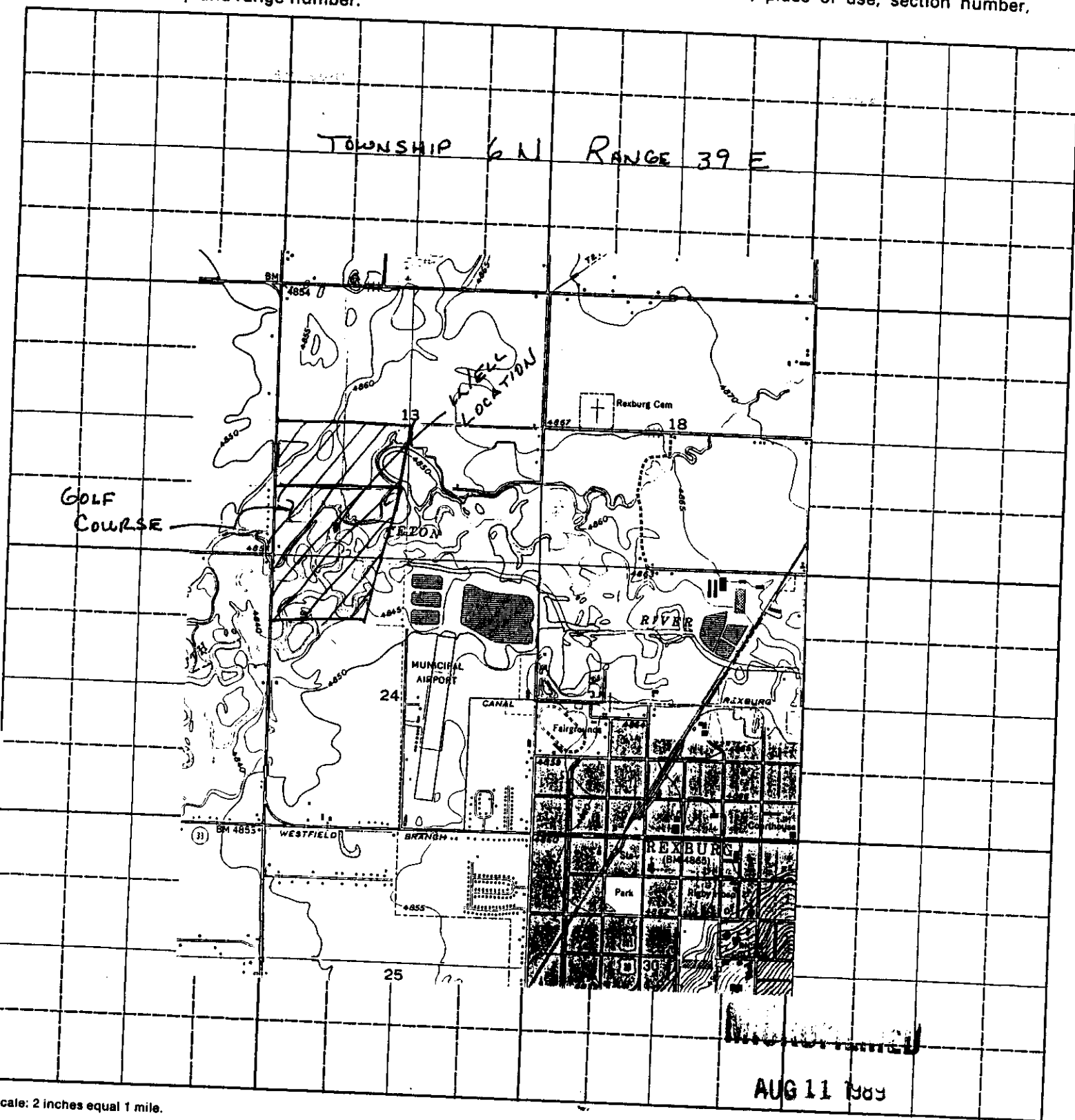
12. Remarks: Area annexed into the City of Rexburg.

Rexburg in the area of the Golf Course.

MICROFILMED

AUG 11 1989

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



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.

City of Rexburg
John C. Foster, Mayor
(Applicant)

Processed by CU 8/10/88 4-10-89
Received by CU Date 7-21-89 Time 3:30 p. Initial check by CU
Fee \$ 45.00 Received by CU # E001193 Date 8-10-88
Publication prepared by RB Date 4-21-89 Published in Bozberg Standard-Journal
Publication approved CU Date 6-12-89

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. 22-7571, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 90.

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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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.

Witness my hand this 10th day of July, 1989.

J. Glen Saxton

MICROFILMED

AUG 11 1989

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

I, MADISON COUNTY, hereby assign to THE CITY OF REXBURG, IDAHO
of 12 North Center, Rexburg, Idaho 83440
Address

All my right, title, and interest in and to Permit No. 22-7571
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. N/A to appropriate the public waters of the
State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

N/A

Made this 20th day of February, 1989.

[Signature]
Permit Holder - Chairman County Commission

N/A
Spouse of Permit Holder

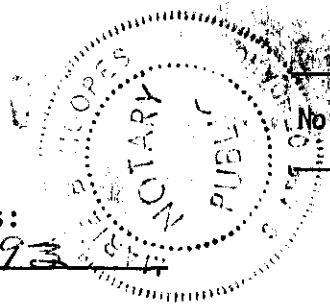
State of Idaho)
County of MADISON) ss

On this 27th day of February, 19 89, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

s e a l

My commission expires:

1-29-1993



Marie B Hoopes
Notary Public residing at

Rexburg, Idaho
MICROFILMED

AUG 11 1989

VOID

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Madison County Phone 356-3662
Post office address Madison County Courthouse, Rexburg, Idaho 83440
2. Source of water supply Well (groundwater) which is a tributary of N/A
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 13 Township 6N Range 39E B.M. Madison County; additional
points of diversion if any: N/A
4. Water will be used for the following purposes:
Amount 1 CFS for Irrigation purposes from May 1 to Oct 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) 1.0 CFS and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 12-inch diameter well with pump will
pump to existing irrigation system at Teton Lakes Golf Course.
 - b. Height of storage dam N/A 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 12 inches; proposed depth of well is 120 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 beneficial use is
1 years (minimum 1 year).

MICROFILMED

AUG 11 1989

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

- a. Hydropower; show total feet of head and proposed capacity in KW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. N/A
- e. Other; describe fully. Will be used to provide water to irrigation system at
Madison County Teton Lakes Golf Course.

9. Description of place of use:

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

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SE 1/4				SW 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	
6N	39E	24					15	15											30
6N	39E	13													20	20	25	20	85
																			115

Total number of acres to be irrigated 115

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

5 shares of Teton Island Canal

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

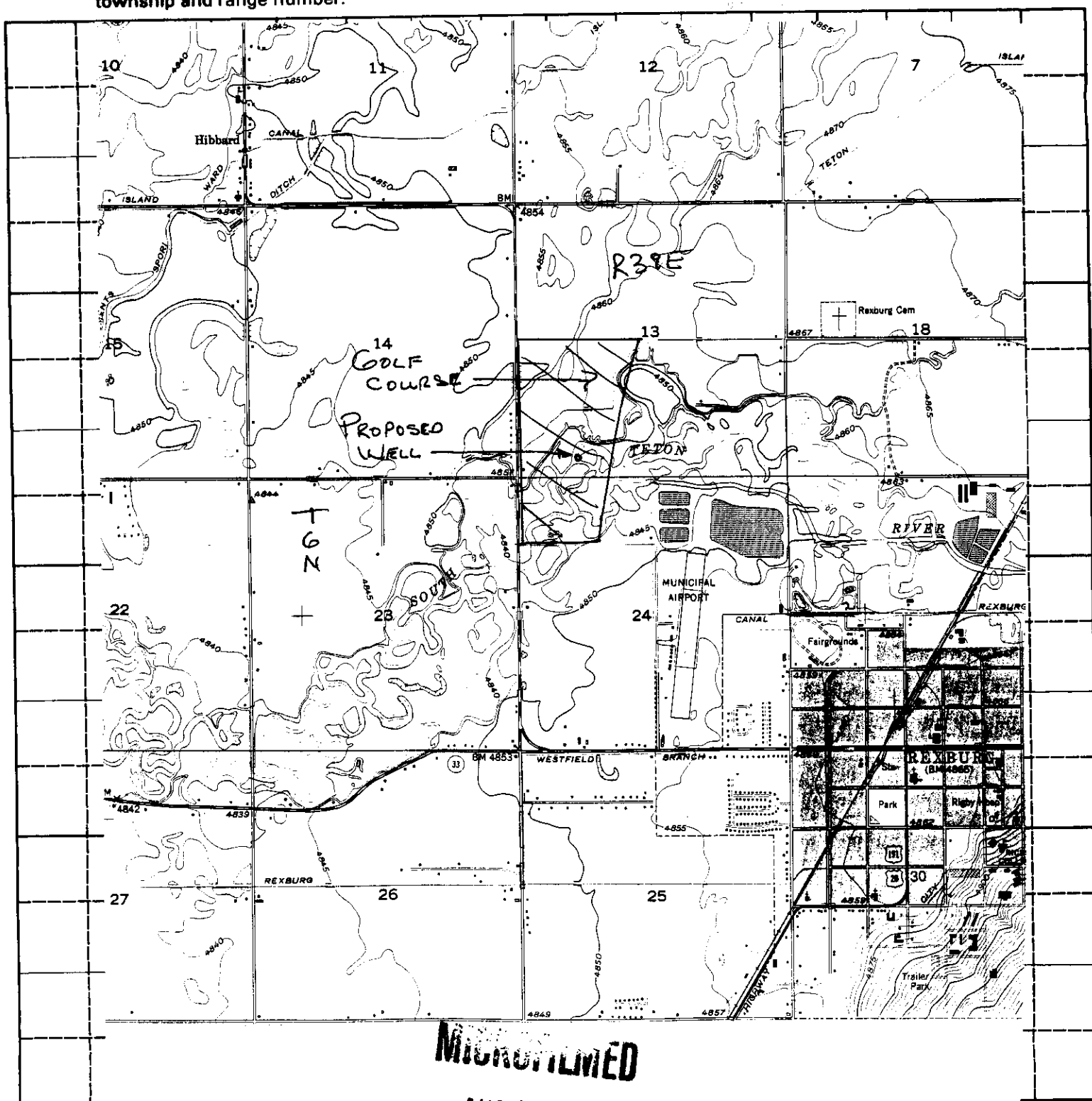
b. Who owns the land to be irrigated or place of use? Madison County

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: _____

AUG 11 1989

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



Scale: 2 inch

AUG 11 1989

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.

Doyle H. Walker
(Applicant)
MADISON COUNTY COMMISSIONER

Received by PW Date 7-21-88 Time 3:30p Preliminary check by EEV
Fee \$ 45⁰⁰ Receipted by PW # E001193 Date 8-10-88
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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:

MICROFILMED

AUG 11 1989

RECEIVED

JUL 1988

Drilling Permit _____
Water Permit No. _____
Injection Permit No. _____

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorization Construction of a Well)*

1. Applicant Madison County
2. Address Madison County Courthouse
Rexburg, Idaho 83440

(X) Well Owner () Well Operator () Other, specify _____

3. Water right permit no. _____; Injection well permit no. _____

4. Proposed well SE 1/4 SW 1/4 SW 1/4, or Govt. lot No. _____

Sec. 13, Twp. 6N, Range 39E, County Madison County

Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)

() Domestic () Stockwater () Monitoring

(X) Irrigation () Industrial () Municipal

() Injection () Other, specify _____

6. Well construction information:

(X) New well () Deepen () Replace

Proposed surface diameter 12-inch Proposed depth 120 feet

Anticipated bottom hole temperature:

(X) 85°F or less (cold water well)

() 85°F to 212° F (low temp. geothermal well)

() 212°F or more (geothermal well)

MICROFILMED

7. Anticipated construction start date July 30, 1988 AUG 11 1989

8. Well Driller (if known) _____

Address _____

Date _____ Applicant's signature Daryl W. Walker

Title Madison County Commissioner

*After other prerequisite approvals have been obtained.

THE STANDARD-JOURNAL
Rexburg, I)
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 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
May 4, 1989 and the last
publication having been made on
May 11, 1989 .

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 May in
the year of 1989, 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.

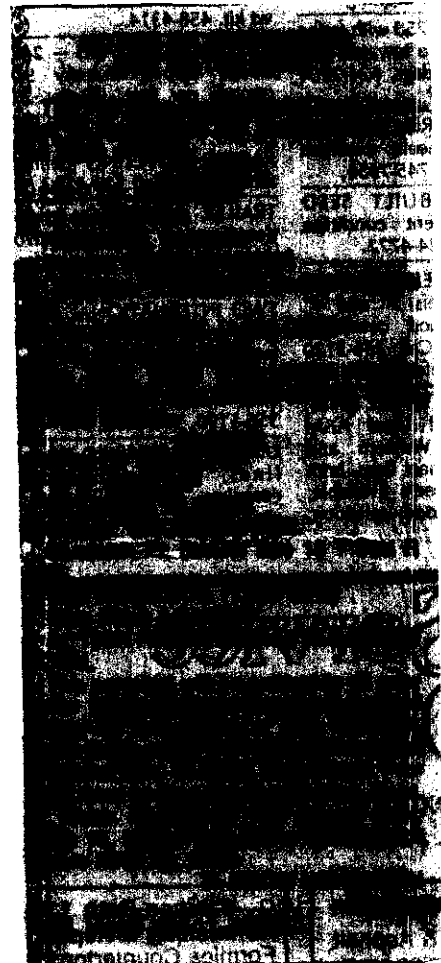
Gayle H. Reid
Notary Public for Idaho

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

RECEIVED

JUN 5 1989

Department of Water Resources
Eastern District Office



MICROFILMED

AUG 11 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

March 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF REXBURG
PO BOX 245
REXBURG ID 83440

RE: WATER RIGHT NO. 22-07571

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

MICROFILMED

MAR 25 1998

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

MICROFILMED

MAR 25 1992

The appeal must be filed within twenty-eight (28, days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

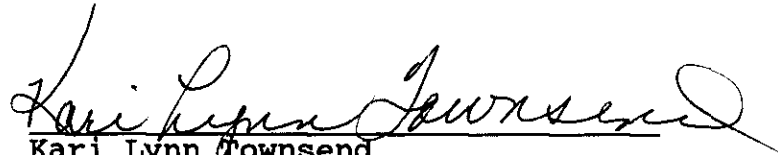
MAR 25 1988

CERTIFICATE OF MAILING

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

Water Right No. 22-07571

CITY OF REXBURG
PO BOX 245
REXBURG ID 83440


Kari Lynn Townsend
Secretary

MICROFILM

MAR 25 1998

MEMORANDUM

TO: File 22-07571

FROM: Sharla

DATE: July 19, 1996

RE: Recommendation Adjustment(s)

The final license recommendations for Right 22-07571 are based on the following.

C. DIVERSION AND DELIVERY SYSTEM

2. Place of Use - Within the city limits of Rexburg

The original application for permit identified 115 acres that would be served under the municipal filing. In keeping with standard data entry practices and processing procedures, the permit was listed in the computer as municipal use with no place of use description other than a remark stating the use was within the city limits of Rexburg. The application stated that this area of 115 acres had been annexed into the city and the filing represented future growth of the city in the area of the golf course.

The examiner identified the place of use as the golf course and recommended the place of use as irrigated acres exactly as the application had listed. This area was annexed into the city limits. There is no need to tie specific acres or uses to this municipal right. The place of use will be left blank and only a standard remark listing the place of use within the city limits will be added.

Examiner: Don Simpkins
Exam date: March 8, 1995

MICROFILMED
MAR 25 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 22-07571

DATE 7/18/96

REVIEWER: SHARLA

NAME Change OK

Address Change use P.O. Box from blu form

SOURCE Change OK

Is change clarification of originally intended source? no
If not, prepare Notice of Intent to Void no

POINT OF DIV Change OK

Amendment required no

PLACE OF USE Change OK

Amendment required no
Municipal - no 1/4 1/4's to be listed

Does map agree with written description? yes no

OVERLAPS no P/D no P/U

RATE OF DIV

Permitted Rate 1.0 cfs

Fee limit 3.0 cfs #150⁰⁰

Measured 3.63 cfs

Theoretical 3.63 cfs

Recommended Total Div Rate 1.0 cfs

ANNUAL VOLUME/
NATURE OF USES Change OK

Use Municipal Volume Calculation
NO VOLUME af
LISTED af
af
af
SUBTOTAL af

Flow rate N/A cfs N/A days X 1,9835 = N/A af

Total volume recommended N/A af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS no Watermaster Control WD# no

no GW Measurement/Measuring Device

no Overlap

no Use-specific conditions

Advancement of Priority Date Required no yes no

SRBA Claim Filed N/A

1st Amend Letter N/A

Adjustment Memo ignore acres

2nd Amend Letter N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
APR 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-7571

1. Owner: CITY OF REXBURG Phone No. (208) 359-3020

Current Address: 12 NORTH CENTER, REXBURG, ID 83440

2. Accompanied by: JIM MARTIN + ROGER HIGLEY EXAM DATE: 3/8/95

Address: SAME Phone No. SAME

Relationship to Permit Holder: CITY EMPLOYEES

3. Source: GROUND WATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 22-7292

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

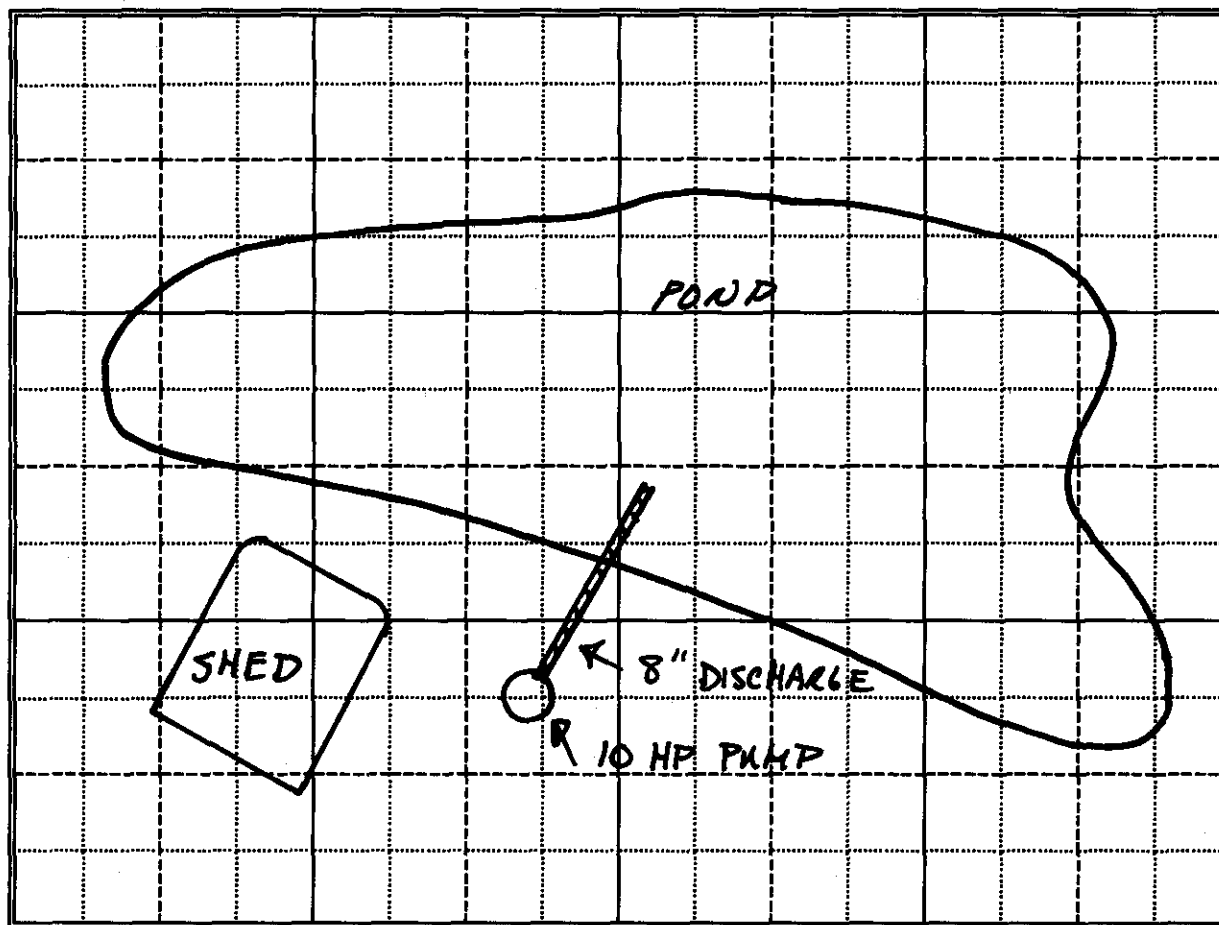
Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SW	SW	13	6N	39E	MADISON	U.S.G.S. TOPO MAP

2. Place(s) of Use: Municipal - Amended ^{area} ~~area~~ Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	39E	24					15	15										30	
6N	39E	13										20	20	25	20			85	
																		115	

MICROFILMED
MAR 25 1998

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



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
6973/507R 343 R072F	U.S. MOTOR	10		AURORA	ID9-2059 8"

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: OPEN DISCHARGE TO STORAGE POND

MICROFILMED

MAR 25 1998

E. NARRATIVE/REMARKS/COMMENTS

SEE ATTACHMENT

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

MICROFILMED
MAR 25 1998

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

$$Q = \frac{10HP(8.814)(.70\% \text{ EFF.})}{2' \text{ STATIC} + 10' \text{ DRAW} + (2.308 \times D)_{*OPTIO\text{NAL}}} = \frac{61.698}{17} = 3.63 \text{ CFS}$$

PERMIT LIMITS TO 1.00 CFS

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 115 \times 3.5 = 402.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.00 \text{ CFS} \times 183 \times 1.9835 = 362.98$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 362.9 \text{ AFA}$$

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		
MUNICIPAL	1/1	12/31	1.00	362.9
Totals:			1.00 CFS	362.9 AFA

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 James Date 3/22/95

Reviewer H. Jones Date 4-5-95

SEAL

MICROFILMED

MAR 25 1998

E. NARRATIVE

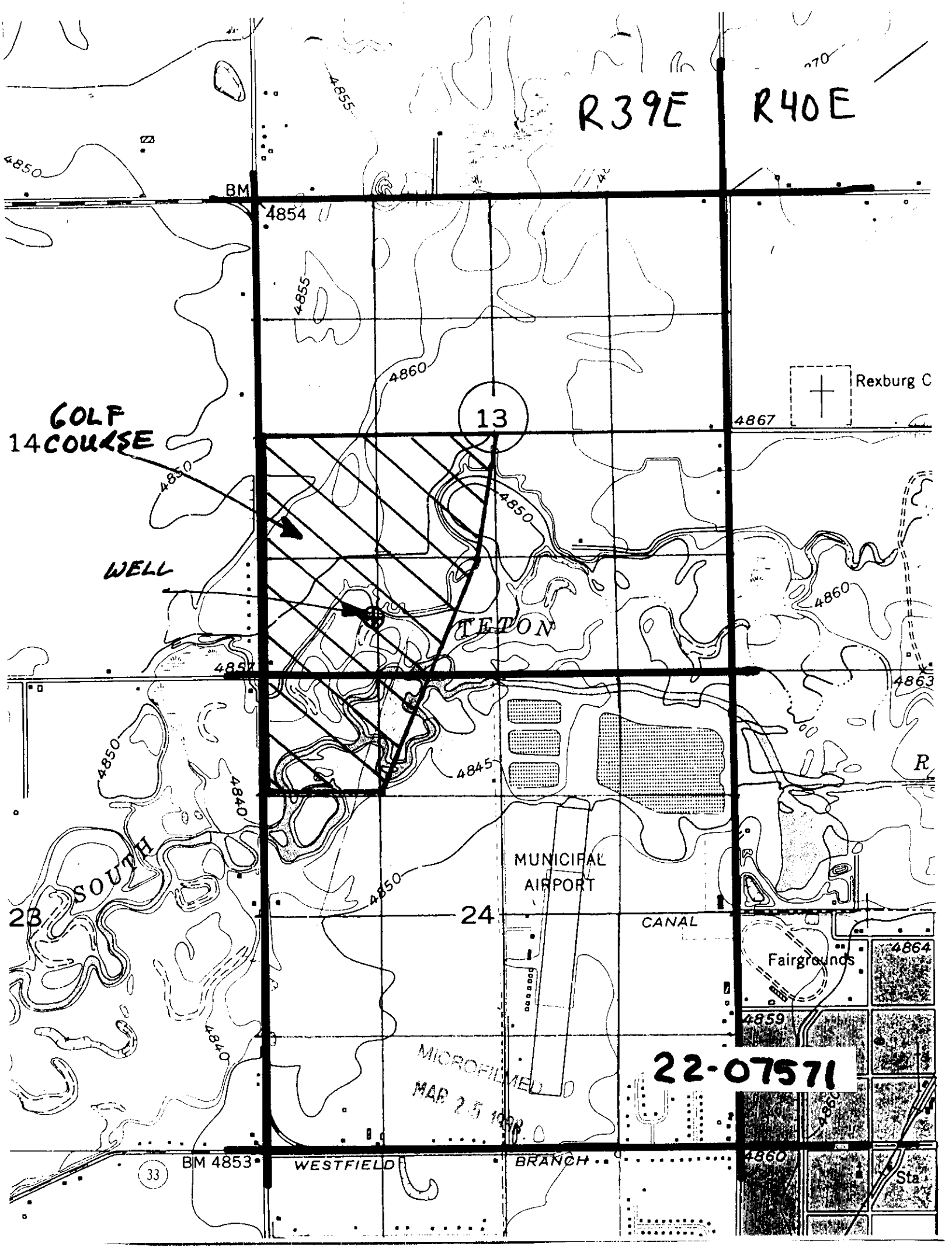
ON 3/8/95 A FIELD EXAM WAS CONDUCTED FOR PERMIT # 22-7571. THE SYSTEM IS LISTED FOR MUNICIPAL USE TO INCLUDE FUTURE EXPANSION NEAR THE GOLF COURSE; AT THE TIME OF INSPECTION THE APPROPRIATED WATER WAS BEING USED TO FILL A STORAGE POND LOCATED ON THE GOLF COURSE. THE WATER IS THEN PUMPED OUT TO IRRIGATE APPROXIMATELY 115 ACRES.

THE IRRIGATION SYSTEM CONSISTS OF A PRIMARY 10 HP PUMP, AN 8 INCH DISCHARGE PIPE WHICH IS APPROXIMATELY 30 FEET LONG, WHICH HAS OPEN DISCHARGE INTO THE POND. ON 3/8/95 THE STATIC WATER ON THE WELL WAS AT 7 FEET. THE STANDING WATER IN THE POND PRIOR TO PUMPING OPERATIONS IS AT APPROXIMATELY 7 FEET.

NOTE: DUE TO HIGH SUB WATER NO DRAWDOWN FACTOR WAS USED IN THE THEORETICAL CALCULATIONS.

MICROFILMED
MAR 25 1992

22-7571



R39E

R40E

BM

4854

4855

4860

13

4867

Rexburg C

GOLF
14 COURSE

WELL

TETON

R

MUNICIPAL
AIRPORT

CANAL

Fairgrounds

MICROFILMED
MAR 25 1988

22-07571

33

BM 4853

WESTFIELD

BRANCH

4860

Sta

CITY OF REXBURG



← STORAGE
POND
← OPEN
DISCHARGE



10 HP
PUMP
WITH 8"
DISCHARGE

22-7571

FILMED
MAR 25 1988

January 15, 1991

CITY OF REXBURG
12 N. CENTER
REXBURG, ID 83440

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07571

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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

Enclosure

RECEIVED
FEB 06 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 22-7571

Date 12-21-90

GENERAL CONSIDERATIONS

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

SOURCE OF WATER

✓ Surface water source
✓ Ground water source
Y Drill permit req'd?
Y Copy in file? Drill permit no. 22-89-Z-004
Y Well log in file?
100 Amt paid for drilling permit? Y Correct?

LICENSE EXAMINATION FEE

Y Required?
150 Amount submitted?
N Correct amount?

MEASURING DEVICE

Y Measuring device or access port required?
Y Installed?
N Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

- address change
- advance priority + reinstate

PRIORITY CALCULATION

LB
Date proof received 10-4-90 277
Date proof due 8-1-90 - 213
No. of days late = 64
Priority date 8-10-88 + 222
NEW PRIORITY DATE 10-13-88 = 2810

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

August 13, 1990

CITY OF REXBURG
12 N. CENTER
REXBURG, ID 83440

LAPSE NOTICE

RE: PERMIT NO. 22-07571

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

LGS:RF

MAILED
FEB 08 1991

CERTIFICATION OF MAILING

I hereby certify that on 8-15-90
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

138750

May 31, 1990

CITY OF REXBURG
12 N. CENTER
REXBURG, ID 83440

PROOF DUE NOTICE

RE: PERMIT NO. 22-07571

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 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

RECEIVED

FEB 06 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) 334-7900
July 12, 1989

CITY OF REXBURG
12 N. CENTER
REXBURG, ID 83440

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

RE: PERMIT NO. 22-07571

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.

NOT RECORDED

AUG 11 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

MICROFILMED

AUG 11 1989

Drilling Permit No. 22-89-2-004

Water Permit No. 22-7571

Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED

JAN 9 1989

Department of Water Resources
Eastern District Office

1. Applicant City of Rexburg

2. Address P.O. Box 245

Rexburg, ID Telephone 359-3020

☒ Well Owner () Well Operator () Other, specify _____

3. Proposed well location SW 1/4 SW 1/4, or Gov't lot No. _____,

Sec. 24, Twp. 6N, Rge. 39E, County Madison,

Lot, block and subdivision _____

4. Proposed use of well: (Check all that apply)

() Domestic () Stockwater () Monitoring

() Irrigation () Industrial ☒ Municipal

() Injection () Other, Specify _____

5. Well construction information:

☒ New well () Deepen () Replace

Proposed surface diameter 12" Maximum depth 120

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. Anticipated construction start date ASAP

7. Well Driller (if known) _____

Address _____

⑧ Applicant's signature John C. Porter

Title Mayor

Date Jan. 6, 1989

MICROFILMED

AUG-11 1989

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.

ACTION OF IDWR

(☒) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

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 its date of issuance for the start of construction and is valid for one (1) year from the date of issuance 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. Issuance 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.

SPECIFIC CONDITIONS:

Dated this 10th day of July, 1989

Signed

Title

J. Glen Sartor
Chief, Water Alloc. Bur.

Received by HWS Fee 100% ✓ Date 1-10-89

Receipt No. E005455 Construction start extension to

RECORDED
AUG 11 1989

Extension approved by _____

Form No. 202a
4/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESSWAN
FALLS

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY EBDATE 8/3/88APPLICATION NUMBER 22-7571Madison CityREQUIRED 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 Needs to be changed - ok
- ☒ 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.) SHARES IN TETON ISLAND CANAL PERMIT 22-7292 (SPRINGS)
- ☒ 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 JUN 20 1989RECEIVED
JUN 20 1989
Department of Water Resources

PROCESSING ☒ Yes ☒ No 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 01
☐ 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 5-22-89
☐ 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 8-10-1988 7-21-1988 8-10-88
By HLJ Date 6-15-89

STATE OFFICE REVIEW P05, P23, P03, P16 46 OIG see receipted
By kw ☐ See below for additional information
Date 7-6-89

ADDITIONAL INFORMATION

App. in TRUST area - DCM.I, OK
Process drilling permit too -

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

AUG 11 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 21, 1989

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 MAY 22, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

AUG 11 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

AUG 11 1989

22-07571

CITY OF REXBURG
12 N. CENTER
REXBURG, ID 83440

Source: GROUNDWATER

Diversion Pt: SESWSW Sec 13 T 06N R 39E

Use: MUNICIPAL (1.000 CFS)

Date Filed: 7/21/1988

In: T06N R39E S13	NESW	NWSW	SWSW	SESW
S24	NENW	NWNW		

115.0 ACRES TOTAL

MICROFILMED

AUG 11 1988

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 22, 1989.

R. Keith Higginson, Director

Published 5/04/1989 & 5/11/1989

MICROFILMED

AUG 11 1989





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

February 7, 1989

City of Rexburg
12 North Center
Rexburg, Idaho 83440

RE: Application for permit for Teton Lakes Golf Course
Application for permit for Rexburg-Madison County Golf
Course

Dear Sir:

This office has received two applications for permit one from the City of Rexburg (December 29, 1988), and the other from Madison County (July 21, 1988), both appear to be for the same well and place of use.

Because of the apparent double filings and the confusion that they cause it would be in the best interest of both the city and county to get together with this department and discuss the possible solutions.

Please have the city and county get together and call this office before February 15, 1989 to make an appointment so that this matter can be cleared up.

Those individuals that attend the meeting should have the authority to make any necessary changes on the applications.

Your prompt response would be appreciated.

Sincerely,

Keith C. Wilson
Senior Resource Agent

MICROFILMED

AUG 11 1989

October 19, 1988

Madison County
Madison County Courthouse
Rexburg, Idaho 83440

RE: Application for Permit #22-7571

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your application for water right permit. The application has been assigned identification No. 22-7571. Please refer to this number in all future correspondence.

The Department can not proceed with the processing of your application at this time. It seeks the appropriation of water within the area covered by the civil suit of Idaho Power Company vs. Idaho Department of Water Resources, et al., Ada County Civil No. 81375 (Swan Falls Suit). Until there has been a final resolution to this suit and rules and regulations promulgated for considering new appropriations, the processing of applications in this area has been suspended. During the interim, your application will be held in this office.

The staff in our office will be glad to answer any questions you have concerning the above matter.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

MICROFILMED

AUG 11 1989



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

September 1, 1988

Madison County Commissioners
C/O Doyle Walker
Madison County Courthouse
Rexburg, ID 83440

Dear Sir:

This is to inform you that at this time your Application for Permit to drill a well to irrigate the Teton Lakes Golf Course is still not approved and is being held in our files. All work started on said well without a well drilling permit constitutes a violation and that work should cease. Any appropriation of water from this well would also constitute a violation and would be interpreted as an illegal diversion with potential daily fines up to \$100.00 per day.

Attached are copies of Idaho Code #42-351 and 42-352 outlining this area discussed above. If you have any questions, please give me a call on this.

Sincerely,

A handwritten signature in cursive script that reads "Harold W. Jones".

Harold W. Jones
Senior Resource Agent

HWJ:jt

Enclosure

MAILED

AUG 11 1989



FORSGREN-PERKINS ENGINEERING, p.a.

July 22, 1988

RECEIVED

JUL 25 1988

Department of Water Resources
Eastern District Office

Earnest Carlson
State of Idaho
Department of Water Resources
150 Shoup Avenue
Idaho Falls, ID 83401

Re: Madison County Golf Course Well Permit

Dear Mr. Carlson:

During the past week, the City of Rexburg and Madison County submitted a water rights application and well drilling permit application for a new well to be located at the Madison County Golf Course.

In preparation of that report, I overlooked attaching the location map showing the location of the proposed well and the area to be irrigated. Attached with this letter is the map showing the pertinent information.

If further information is required, please contact our office.

Very Truly Yours,

FORSGREN ASSOCIATES, p.a.

John W. Millar, P.E.

JWM/ms

Enclosure

REPROFILMED

AUG 11 1989

