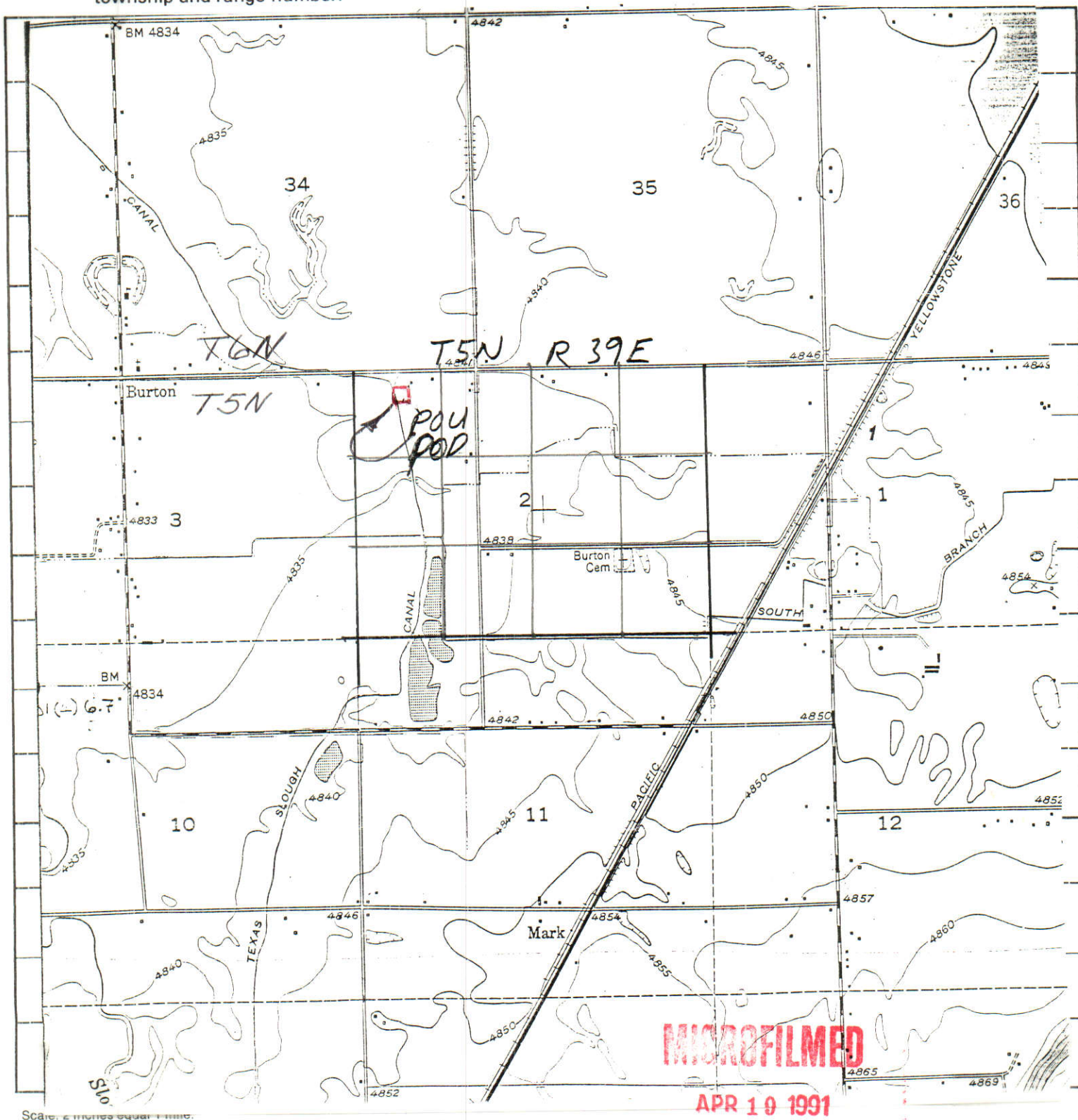


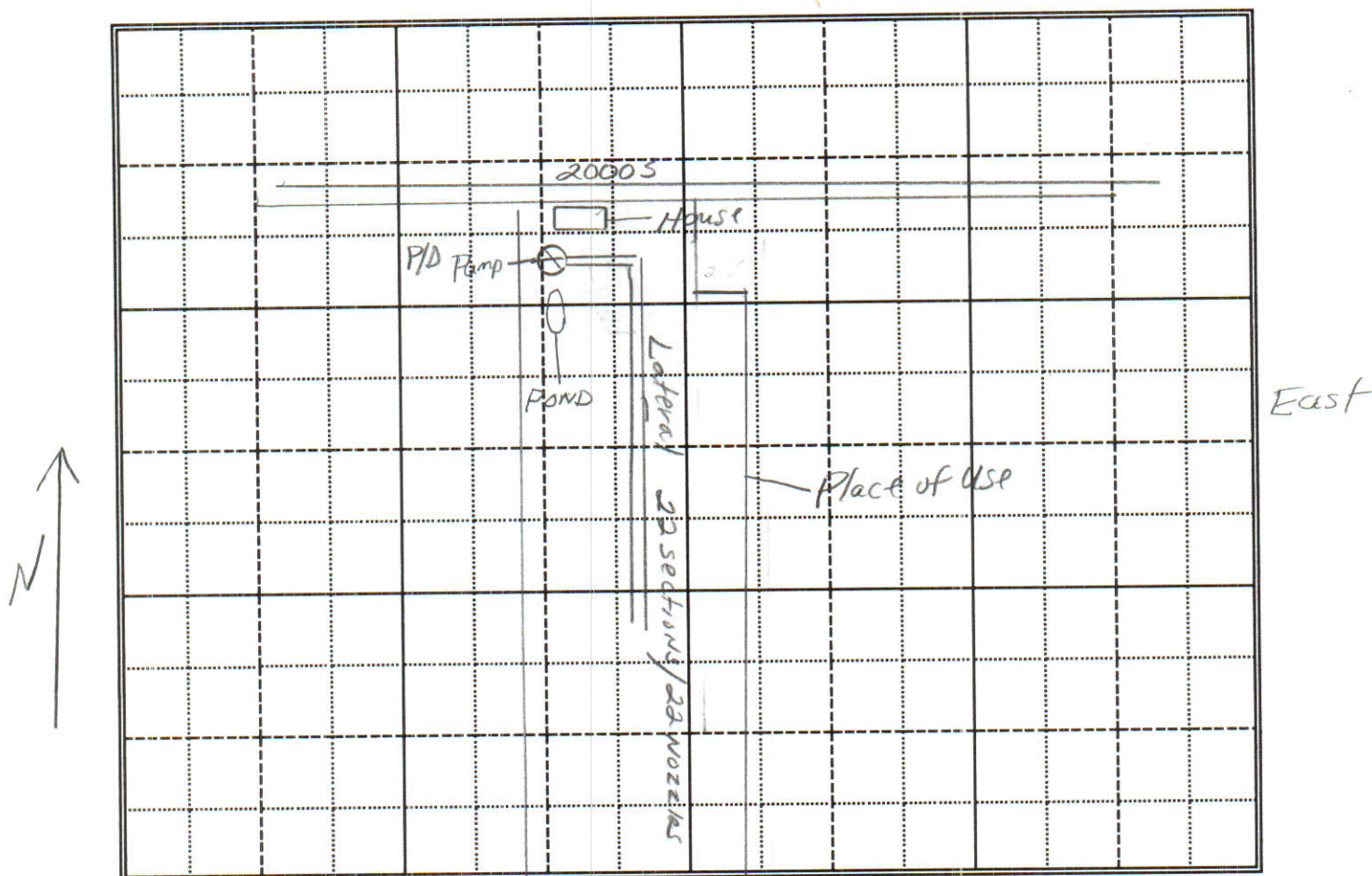
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Lucretia Bradley
(Applicant)

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



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
—	—	5	—	Century Pump Motor	BIMDPBP24140

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

D. FLOW MEASUREMENTS

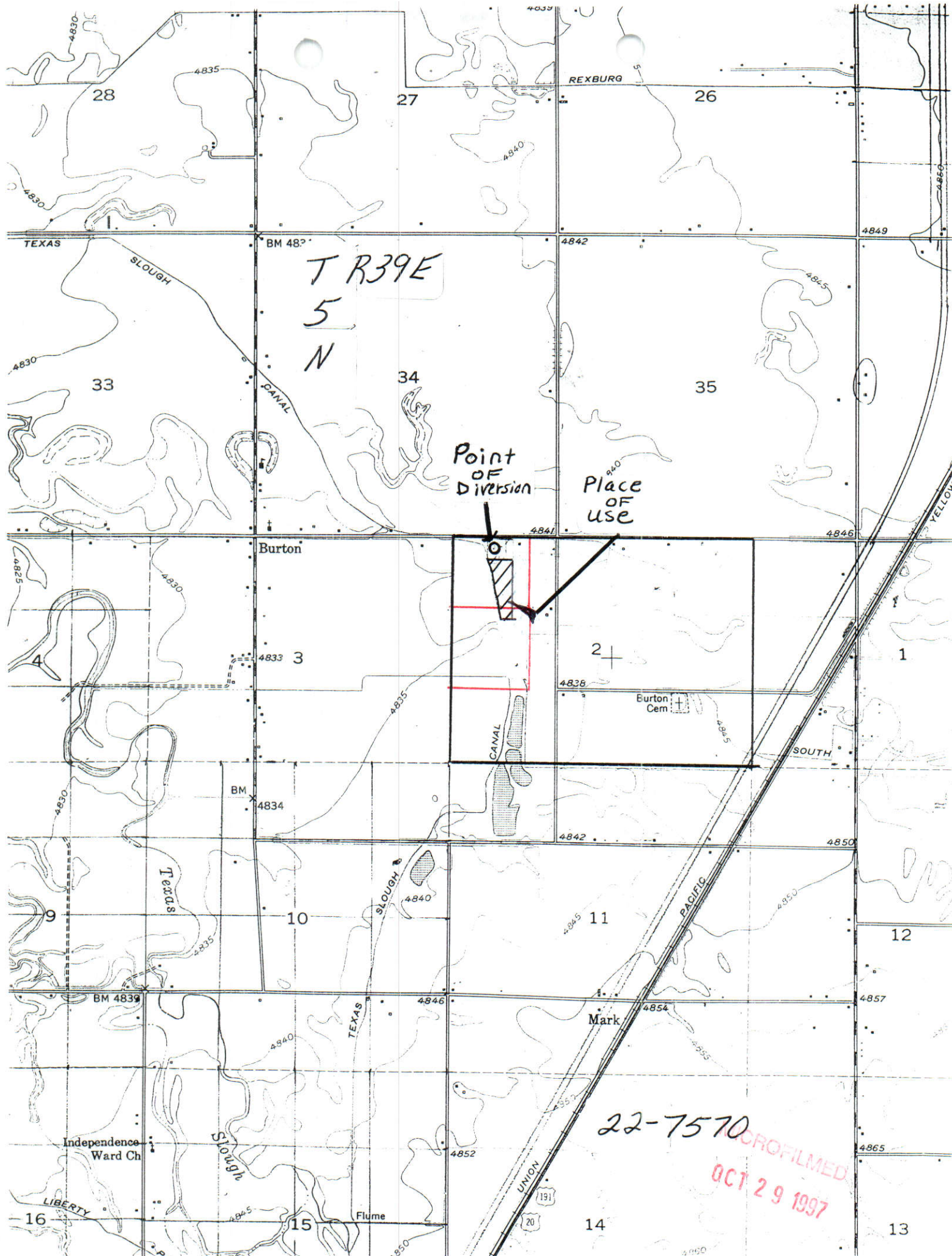
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pitot/Pressure Gauge					0-60	
Theoretical						

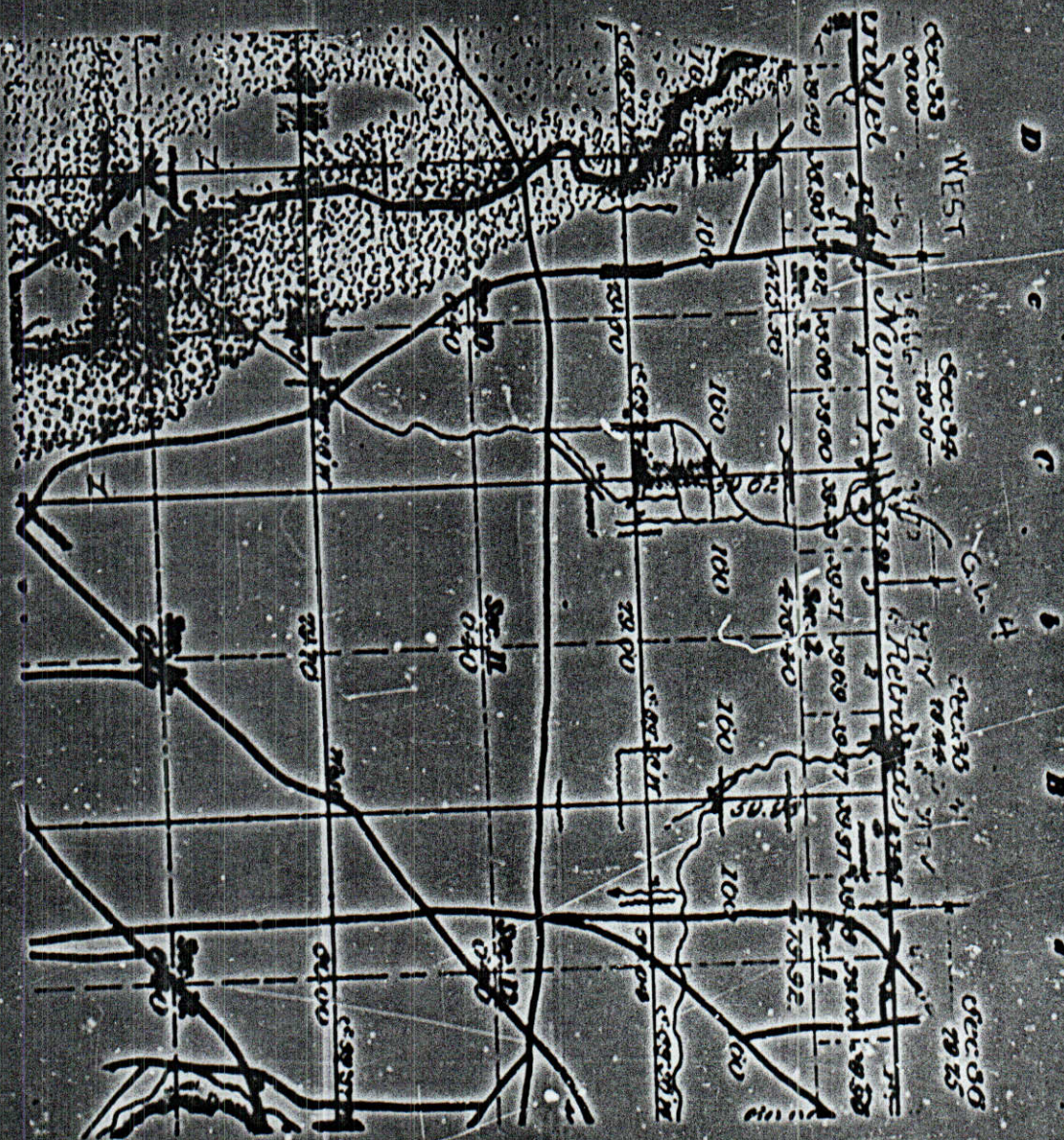
2. Measurements: Operating PSI=45

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OCT 29 1997



39 East of the Prime Meridian



R 39E

T

5

N

713
T-885

NW

Point
OF
Diversion

Place
OF
USE

12.6
2 NWEL

25.3
1 NWEL

2.0
3 NWEL

781
T-965

9.3

18.4
1 NWEL

500
T-863

32
10/11

BIT

T-957

19.7
1 NWEL

NW

103

14

4.4
1 NWEL

NW

165

T-153

T-166

T-1536

NW

T R 39E

5

N

877

T-974

NW

60.8

1611

T-861

NW

37.6
1 NWEL

9.9
1 NWEL

12

238

T-1004

1611

T-860

NW

22.9
1 NWEL

18.6
1 NWEL

7.2
3 NWEL

35.9
2 NWEL

1519

T-991

NW

238

T-1003

1666

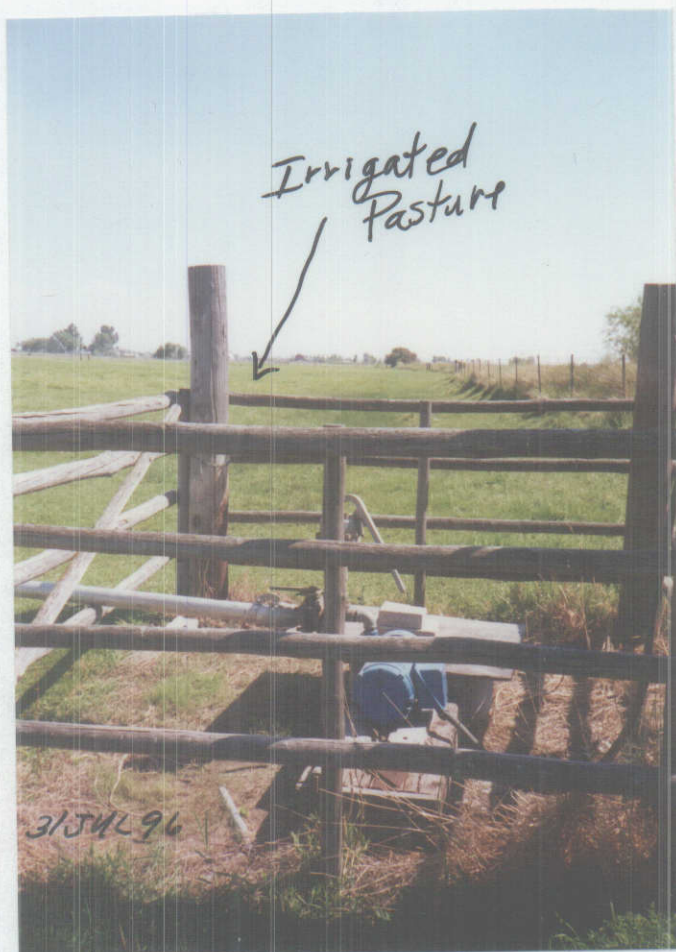
T-996

NW

41.2
1

137

12
2



22-7570

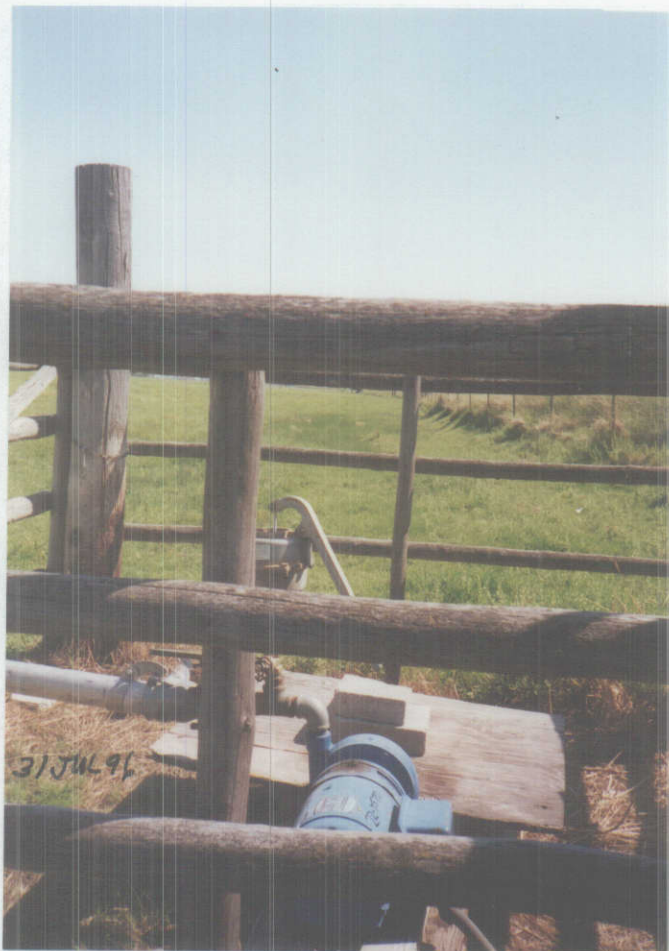
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OCT 29 1997

Point of Diversion



Examiner: Steven Garrison



Point of Diversion Looking South

22-7570
MICROFILMED
OCT 29 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07570

Priority: August 4, 1988

Maximum Diversion Rate:

0.12 CFS

Maximum Diversion Volume:

17.5 AF

This is to certify, that TERRELL BRADLEY
POLLY BRADLEY

3213 W 2000 S

REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 4, 1988; and has submitted Proof of Beneficial Use on February 19, 1992. An examination indicates that the works have a diversion capacity of 0.280 cfs of water from:

POND

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.12 CFS	17.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWNW), Sec. 2, Township 05N, Range 39E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	39E	2	Lot 4(SWNW)	5		5

Total number of acres irrigated: 5

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, equitable estoppel, estoppel by laches or customary preference.

OCT 29 1987

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07570

CONDITIONS OF APPROVAL AND REMARKS

6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 23RD day of OCTOBER, 1997.


Acting for KARL J. DREHER, Director

RECORDED
OCT 29 1997

RECEIVED
FEB 19 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY

Amt. of Fee \$ 50.00
Date 2-19-92
Receipt No. 0023278
Receipt by web**PROOF OF BENEFICIAL USE**

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

1. Permit No. 22-07570 Telephone No. 356-5346
2. Name(s) of Permit Holder(s): TERRELL L BRADLEY
3. Mailing Address: 3213 W 2000 S Rexburg, ID 83440
4. Source of Water: SUBWATER - Pond

If **GROUNDWATER**, Well Driller's Name: TERRELL L BRADLEY Date Drilled: _____

OPTIONAL:

Pump horsepower: 5 Pressure (psi): _____ Dynamic pumping level (ft.): App 9 1/2'

5. Extent of Use (as authorized by the permit):

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

Irrigation X (No. of acres) 6 Other _____

6. Total rate and/or volume for which proof is submitted 0.12 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes ☒ No Installed? _____ Yes ☒ No

OR

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

8. Fee Enclosed: \$ _____ (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

TERRELL L BRADLEY 356-5346
Name Telephone No.

3213 W 2000 S REXBURG IDA 83440
Address

10. 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.

MAR 04 1992

2-15-92 Terrell L Bradley
Date Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 22-07570

Proposed Priority: August 4, 1988 Maximum Diversion Rate: 0.12 CFS

This is to certify, that **TERRELL BRADLEY**
POLLY BRADLEY
3213 W. 2000 S.
REXBURG, ID 83440

has applied for a permit to appropriate water from:

POND tributary of **SINKS**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
------------------------------	-----------------------------	---------------------------------

IRRIGATION	04/01 to 11/01	0.12 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: LOT 4(SWNW), Sec. 2, Township 05N, Range 39E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	39E	2	LOT 4(SWNW)	6		6

Total number of acres irrigated: 6

CONDITIONS/REMARKS:

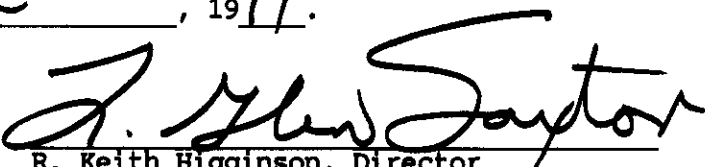
1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1992.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. 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.
5. 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.

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

11th day of April, 1991.

RECORDED

APR 19 1991


for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 22-7570

22-7570

To appropriate the public waters of the State of Idaho

1. Name of applicant Terrell or Polly Bradley Phone 356-5346
Post office address 3213 W 2000 S Rexburg, ID 83440

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

3. Location of point of diversion is _____ $\frac{1}{4}$ of SW * $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot 4
Sec. 2 Township 5N Range 39E B.M. Madison County; additional
points of diversion if any: *Change as per tele-con with Mrs. Bradley 8-16-88 HWJ

4. Water will be used for the following purposes:

Amount 0.12 for Irrigation purposes from 04/1 to 11/1 (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) 0.12 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Motor and pump on small sump area to
sprinkler lines

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 _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

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

APR 19 1991

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	39E	2						6	6										6
									L-4										

Total number of acres to be irrigated 6

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

Share of Rexburg Canal water

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

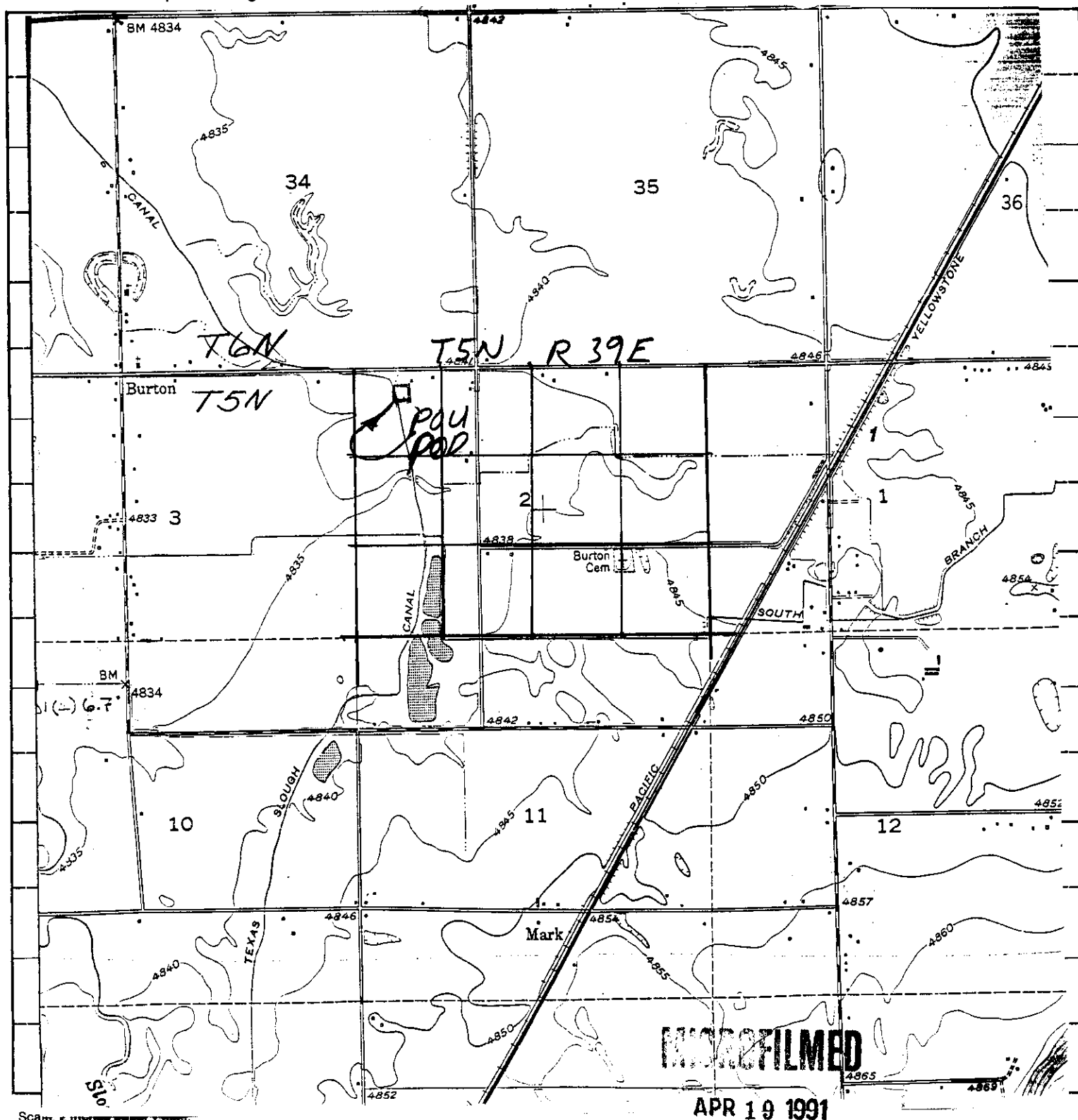
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Pond is small excavation 15' wide X 10' deep

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APR 19 1991

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



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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.

Samuel L. Bradley
(Applicant)

Received by kw Date 8-04-88 Time 1:10 P Preliminary check by KCW
Fee \$ 30.00 Receipted by dg # EC01902 Date 8-30-88
Publication prepared by RB Date 2-21-88-91 Published in Standard-Journal
Publication approved RB Date 3-4-91

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:

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APR 19 1991

Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

TE OF IDAHO
nty of Madison

TERRY WEATHERSTON being
st duly sworn, depose and say, that I
the printer of THE STANDARD-JOURNAL,
semi-weekly newspaper printed and
published semi-weekly at Rexburg,
Madison County, Idaho; and I do solemnly
swear that the
WATER RIGHTS #22-07570 a copy
which notice appears attached hereto,
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
FEBRUARY 21, 1991 and the last
publication having been made on
FEBRUARY 28, 1991.

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 1TH day of MARCH in
the year of 1991, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me
to be the person whose name subscribed
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.

George H. Hinds

Notary Public for Idaho

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

RECEIVED

MAR 1 1991

Department of Water Resources
Eastern District Office

WATER RIGHTS

22-07570
BRADLEY, TERRELL
BRADLEY, POLLY
3213 W. 2000 S.
REXBURG, ID 83440
Source: POND
Diversion Pt: LOT 4 (SWNW) Sec 2 T
05N R 39E
Use: IRRIGATION (.120 CFS) Total
Diversion: (.120 CFS)
Date Filed: 8/4/1988
In: T05N R39E S02 Lot 4 (SWNW) 6.0
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 MARCH 11, 1991.

R. KEITH HIGGINSON
Director

Publ. Feb. 21 and 28, 1991S.

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APR 19 1991



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

October 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TERRELL BRADLEY
POLLY BRADLEY
3213 W 2000 S
REXBURG ID 83440

RE: WATER RIGHT NO. 22-07570

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.

ENCLOSURE

OCT 29 1997

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.

OCT 2 9 1957

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.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

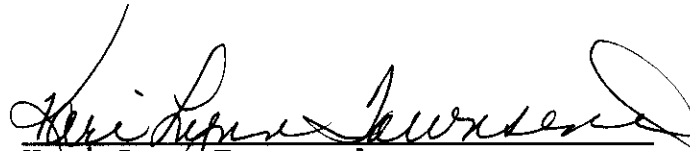
RECEIVED
OCT 29 1987

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of October, 1997, 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. 22-07570

TERRELL BRADLEY
POLLY BRADLEY
3213 W 2000 S
REXBURG ID 83440


Kari Lynn Townsend
Secretary

RECEIVED
OCT 29 1997

MEMORANDUM

TO: File 22-07570

FROM: Sharla

DATE: October 16, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 22-07570 are based on the following:

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of Use: T5N, R39E, S2 - Lot 4 - SWNW (5 acres)

All five acres irrigated under this right are located in the SWNW (see aerial photo).

Examiner: Steven Garrison

Exam Date: July 31, 1996

FILED IN PUBLIC

OCT 29 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 22-07570

DATE 10/10/97

REVIEWER: SHARLA

NAME Change OK Address Change No
 SOURCE Change ✓ Is change clarification of originally intended source? ✓
 POINT OF DIV Change ✓ If not, prepare Notice of Intent to Void ✓
 PLACE OF USE Change ✓ Amendment required No
 Does map agree with written description? ✓ yes ✓ no

OVERLAPS Change P/D P/U

RATE OF DIV

Permitted Rate .12 cfs
 Fee limit .20 cfs
 Measured ✓ cfs
 Theoretical .20 cfs

Recommended Total Div Rate .12 cfs

ANNUAL VOLUME/ NATURE OF USES

4/15-10/15

✓ Use Dr cfs .12 Volume Calc 5X3.5-17.5 af
✓ Dr cfs .12 17.5 af
 SUBTOTAL .12 cfs 17.5 af

Flow rate .12 cfs X 184 days X 1.98 = 36.4 af
 Total volume recommended 17.5 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS Watermaster Control WD#

150 GW Measurement/Measuring Device
150 Overlap 048,049
Use-specific conditions

Advancement of Priority Date Required ✓ yes ✓ no

SRBA Claim Filed N/A
 Adjustment Memo PTU

1st Amend Letter N/A
 2nd Amend Letter N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 11 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-7570

1. Owner: Terrell L. Bradley Phone No. 356-5346

Current Address: 3213 W. 2000 S. Rexburg, ID 83440

2. Accompanied by: Terrell L. Bradley EXAM DATE: 31 JUL 96

Address: Phone No.

Relationship to Permit Holder:

3. Source: Pond tributary to Sinks

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	4		SW	NW	2	05N	39E	Madison	on site / Lot 4
									USGS / Govt. Lots

2. Place(s) of Use:

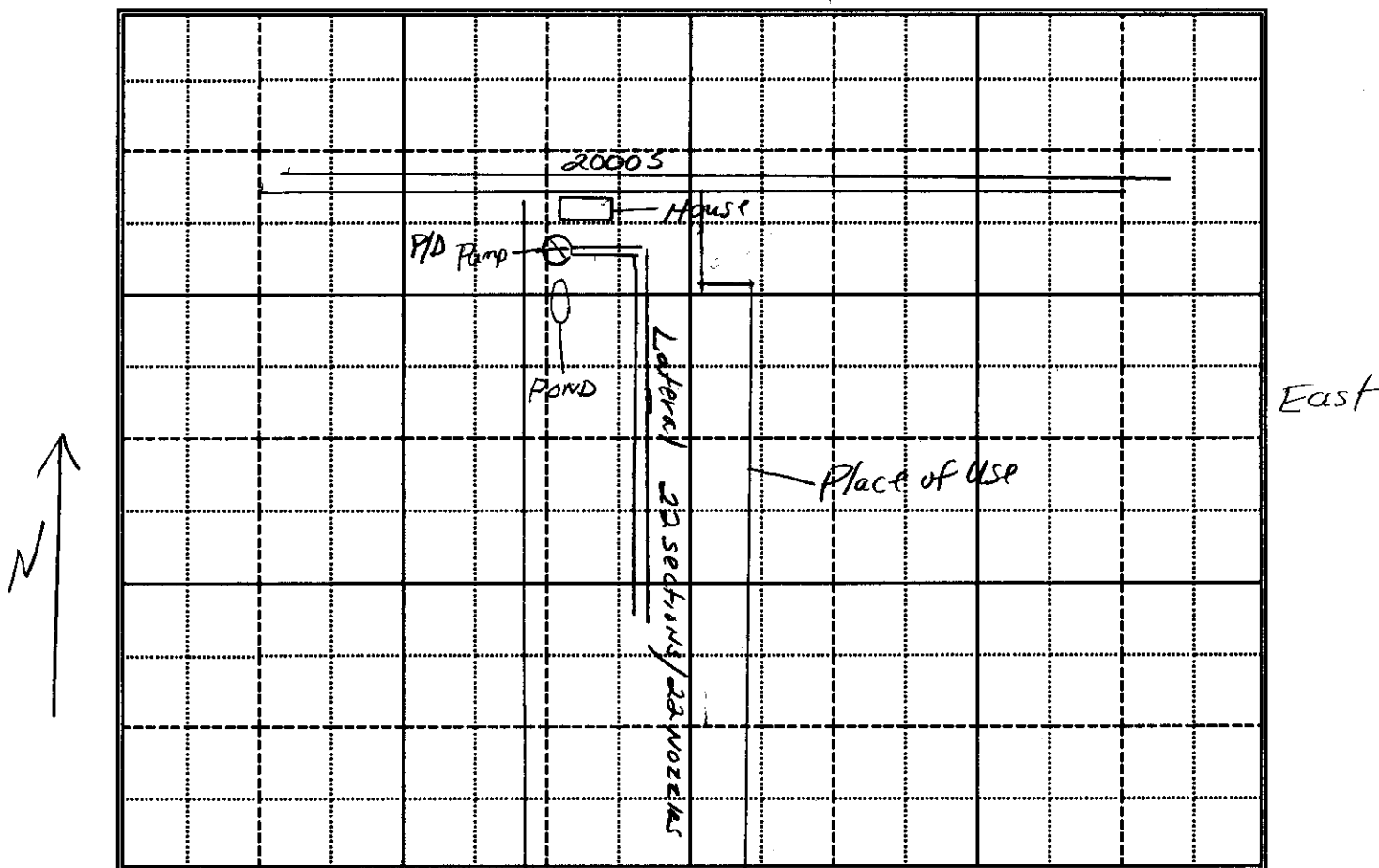
Indicate Method of Determination ON site

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	39E	2							4					1					5
									L-4										

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OCT 29 1997

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
—	—	5	—	Century Pump Motor	B1MDPBP24140

*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
Pitot/Pressure Gauge					0-60	
Theoretical						

2. Measurements: Operating PSI=45

MICROFILMED

DEC 29 1987

E. NARRATIVE/REMARKS/COMMENTS

* 5 HP pump - dug down 9ft - sub water. Pond near pump.
Field adjacent to Reed Canal. PSI on $\frac{5}{32}$ " nozzles - 45.
* 5 head of cattle in Pasture.

* Recommend 5 acres. Take out 1 acre for house, yard, and buildings/canal.

for @ Theoretical: HP = 5
PSI = 45
Eff = 70%

* It appears that License 22-07340 is on adjacent acres to the east. *Hub*

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

MICROFILMED
OCT 29 1997

F. FLOW CALCULATIONS

✓ Additional Computation Sheets Attached

Measured Method:

$$Q_{Theor} = \frac{5HP(8.814) \cdot 7\%}{5' \text{ Lift} + (45 \text{ PSI} \times 2.308)} = 0.28 \text{ CFS}$$

$Q_{Limited}$ by 0.02 CFS/AC to 0.10 CFS

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \times 3.5 = 17.5 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.10 \times 183(1.9835) = 36.3 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 17.5 \text{ AFA}$$

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		
<u>Irrigation</u>	<u>4-15</u>	<u>10-15</u>	<u>0.10</u>	<u>17.5</u>
Totals:			<u>0.10 CFS</u>	<u>17.5 AFA</u>

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Steven Garrison Date 31 JUL 96

Reviewer _____ Date _____

SEAL

RECORDED

OCT 29 1996

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

Hp = Horsepower = 5
Eff = Efficiency = .7 (Usually 70%)
Lift: (Static Level + Assumed Draw down)
Static Water Level = 5 ft.
Assumed Draw down = + 0 ft.
Lift = 5

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 45 psi

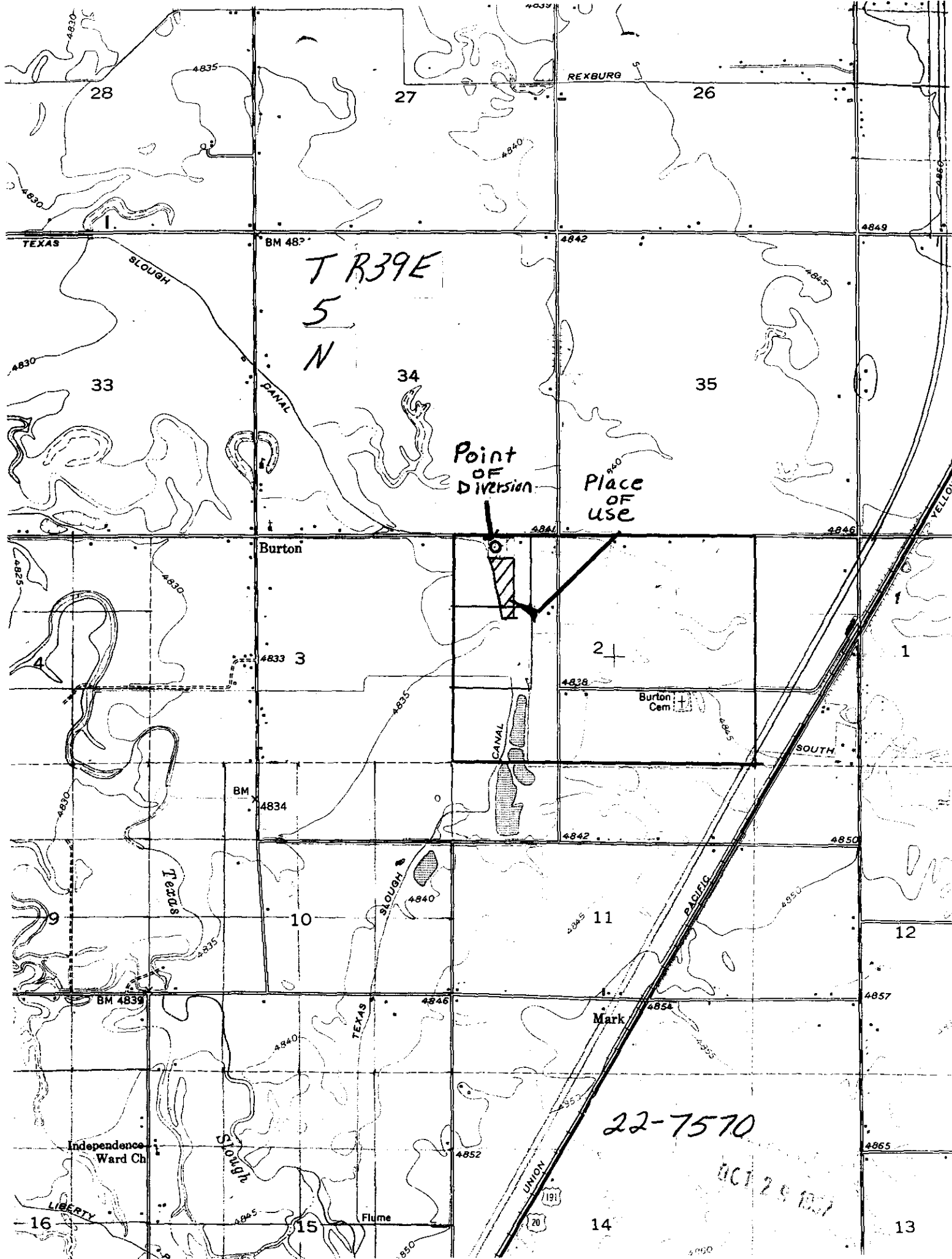
$$Q_{cfs} = \left[\frac{5}{Hp} \times 8.814 \times \frac{.7}{eff} \right] \div \left[\frac{5}{Lift} + \left(\frac{45}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\frac{30.849}{ } \right] \div \left[\frac{108.86}{ } \right]$$

$$Q_{cfs} = \underline{0.28} \text{ cfs}$$

RECORDED
DEC 29 1957

PERMIT NO. 22-7570



90 Foot US Hydrographic



R

N

713
T-885

NW

Point
OF
DIVERSION
Place
OF
USE

25.3
/ INHEL

13.4
/ INHEL

T R 39E
B 77
-974
NW

5

N

21

1611
T-861
NW

37.6
/ INHEL

99
/ INHEL

12

22-7570

11-967

19.7
/ INHEL

52
1011

PIT

03
104
/ INHEL

258
1004

12

1519

T-991
NW

22.9
/ INHEL

1359
/ INHEL

238
T-1003

18.6
/ INHEL

17.2
/ INHEL

1993

PHOTO 100

Irrigated
Pasture



22-7570

100-100000

OCT 29 1957

Point of Diversion



Examiner: Steven Garrison



Point of Diversion Looking South

22-7570

01/23/97

February 21, 1992

TERRELL BRADLEY
POLLY BRADLEY
3213 W. 2000 S.
REXBURG ID 83440

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07570

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED

MAR 04 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 22-07570

Reviewed by Klg

Date 2/20/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

irrigation - 6
Correct Uses? yes

SOURCE OF WATER

✓ Surface water source
 Ground water source

NA Drilling permit required?
/ Copy in the file? Drilling Permit No.
/ Amount paid for permit Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due / -
No. of days late / =
Priority Date / +
New Priority Date /

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

Proof Made 2/19/92
2/21/92 Klg

January 31, 1992

TERRELL BRADLEY
POLLY BRADLEY
3213 W. 2000 S.
REXBURG ID 83440

PROOF DUE NOTICE

RE: PERMIT NO. 22-07570

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 April 1, 1992. (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.

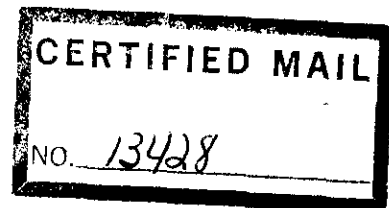
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED
MAR 04 1992





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 18, 1991

TERRELL BRADLEY
POLLY BRADLEY
3213 W. 2000 S.
REXBURG, ID 83440

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 22-07570

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.

Enclosed is 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 is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

APR 19 1991

APPLICATION FOR PERMIT REVIEW

Application #: 22-7570
Date: 4-9-91

Reviewer: Pam Skaggs ²⁸

Existing:

No - 26A-P17
Complete in 1 year - P16

Yes

Proof not submitted - P16
Proof submitted - N/A

Groundwater:

GT. 0.7 cfs - 01G-P03, 01C-P03 (existing well)
LT. 0.7 cfs - N/A

Drilling Permit:

Approved w/permit - P99
Not included - 046-P23 (All GW, even existing wells)

Location:

Water Districts ^{links} WD No. 01
Surface water - 005, 005-01H-P01 (LT.7 w/pump)
005-01J-P08 (GT.7)
Groundwater - P05
Irrigation Districts - 023
Canal Co. Areas - 023
Drainage Districts - 024
Boise Front (63) - 058 (Groundwater)
Swan Falls Flag - 1 (1, Blank or Other)
Trust - 051-052-053-P74 (Cons.), 041 (DCMI, w/Irr
Non Trust - 048-049 or Irr & Dom)

River Basins:

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

Use:

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

Ownership:

Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

Beneficial Use Due Date: - 04-01-1992
Other Conditions Recommended

4-11-91
APR 19 1991

ACTION REQUIRED

FROM: Tim 3-27-91

TO: PAm

PAm;

This file came to me via the Region I think.

I note that the SF code = 1. Perhaps we ALREADY concluded that the source is not subject to trust water

Review. It is difficult to categorize the source AS either groundwater or surface water. IF the excavation is less than 18 feet (the app. says ^{10 ft Deep} 75 ft.) then it is not defined AS A well

& thus the source probably should not be considered groundwater. Let's keep the SF code = 1 & process AS A non-trust right.

WATERMASTER COMMENTS

I have reviewed Application for Permit No. 22-2590 and have the following comments/objections to the approval of this application for permit:

This pond may legally meet the
classification of "private water"
My analysis is that the source
is actually ground water - but
in either case it probably
would not be subject to
watermaster control

3/16/91

Date


RONALD D. CARLSON, WATERMASTER
Water District No. 01

APR 19 1991

orm No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SWAN FALLS

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY KC Wilson DATE 8-29-88 APPLICATION NUMBER 22-7570

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.) 01-0254 Texon Slough IDRCO 22-7540 Flynn Groundwater
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ 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

RECEIVED
MAR 25 1991

Department of Water Resources

RECEIVED
DEC 21 1990

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT
Date Requested Department of Water Resources

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

☐ 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

☒ 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 _____
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below.

☐ See below for additional information
 Date of priority recommended 8-04-88
 By DWT Date 3-20-91

By _____ ☐ See below for additional information
Date _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from:

- | | | |
|---------------------------------------|---|--|
| ☐ City | ☐ Idaho Fish & Game | ☐ Irrigation District |
| ☐ County | ☐ Idaho Health & Welfare | ☐ Canal Company |
| ☐ Reservations | Division of Environment | ☐ Other _____ |

Project impacts/implications report

COMMENTS

11-Feb-1991

TERRELL OR POLLY BRADLEY
3213 W 2000 S
REXBURG ID 83440

RE: Application No. 22-7570

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in REXBURG STANDARD JOURNAL on February 21 & 28, 1991, 1991. 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

APR 19 1991

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

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 13, 1991

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 MARCH 11, 1991.

Yours truly,

Rita Bodell
Secretary

Encl.

APR 19 1991

22-07570

BRADLEY, TERRELL
BRADLEY, POLLY
3213 W. 2000 S.
REXBURG, ID 83440

Source: POND

Diversion Pt: LOT 4 (SWNW) Sec 2 T 05N R 39E

Use: IRRIGATION (.120 CFS)
Total Diversion: (.120 CFS)

Date Filed: 8/ 4/ 1988

In: T05N R39E S02 Lot 4 (SWNW)

6.0 ACRES TOTAL

RECORDED

APR 19 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-2 A, 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 MARCH 11, 1991.

R. Keith Higginson, Director

Published 2/21/1991 & 2/28/1991

APR 19 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 22-7570/Trust Water Processing

DATE: 1-17-91

This application is a water filings which has come up for sequential processing under the appropriate rules and statutes. The applicant returned a trust water questionnaire claiming development prior to 1984.

The source of water listed for the application is a pond, which is described in the remarks section of the application as a small excavation some 15 feet wide by 10 feet deep. The source of water for the pond is probably a combination of seepage and overland surface runoff and should not be considered anything other than a surface water source. Any water diverted by the pond would appear to be tributary to the Henry's Fork River. Since the depth of the excavation is less than 18 feet as represented by the application, the excavation would not meet the legal definition of groundwater.

I conclude that the source of water under this application is surface water tributary to the Henry's Fork and Snake River above Milner dam. The source of sought for appropriation is not considered trust water and thus this filing should not be processed as a trust water application.

The file is being returned to the region for routine processing under section 42-203A only.

APR 19 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
JAN 17 1991

Department of Water Resources

Application No. 22-7570

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes ☒ No ☐

b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes ☒ No ☐

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain conditions. You may be asked to verify uses established prior to October, 1984.)

All pipe motor & pump have been in operation
since 7-15-77 on App - 5 1/2 acres

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. _____

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. _____

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

1 - share of water from Rexburg Canal

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant TERRELL L Bradley

Date 1-14-91

APR 15 1991

Water is used to irrigate small
5½ acres of pasture. In the last
one on Resting Canal so canal
water is hard to get.

Thank you
Luella L Bradley

APR 19 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 7, 1991

RE: APPLICATION FOR PERMIT NO. 22-2570

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, or if the application proposes diversion of more than 5.0 cfs, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to the project if it is more than 200 acres. If necessary, the rule 4,5. information notice will be sent to you after you return the questionnaire.

APR 19 1991

Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Spec.

Enclosures

MICROFILMED

APR 19 1991

October 19, 1988

Terrell or Polly Bradley
3213 W. 2000 S.
Rexburg, Idaho 83440

RE: Application for Permit #22-7570

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. 22-7570. 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

Ernest Carlsen

APR 10 1989