

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.

NOV 21 1988

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.

Louis Stewart
(Applicant)

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

SEP 9 1988

Department of Water Resources
Eastern District Office

STATE OF IDAHO
County of Madison

I, Terry Weatherston being first duly sworn, depose and say, that I am the printer of THE STANDARD-JOURNAL, a semi-weekly newspaper printed and published semi-weekly at Rexburg, Madison county, Idaho; and I do solemnly swear that the

Notice Of Application a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for Two consecutive issues, the first publication having been made on September 1, 1988 and the last publication having been made on September 8, 1988.

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

Subscribed to and sworn to before me

This September 9, 1988

(SEAL)

Notary Public.

My commission expires June 8, 1993

NOV 21 1988

TICE OF APPLICATION
FOR WATER RIGHT

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

22-07540

STEWART, DORIS
STEWART, K. CLYDE
1750 S. 1000 W.
REXBURG, ID 83440
Source: GROUNDWATER
Diversión Pt: NWSWSW Sec 31 T 06N R

40E

Use: IRRIGATION (.040 CFS)
Date Filed: 8/10/1988
In: T06N R40E S31 SWSW 2.0 ACRES
TOTAL

22-07541

RICKS, MARK G.
3348 S. 1400 W.
REXBURG, ID 83440
Source: GROUNDWATER
Diversión Pt: NESESE Sec 7 T 05N R

40E

Use: COMMERCIAL (.020 CFS)
Date Filed: 8/10/1988
In: T05N R40E S07 SESE

22-07542

GROVER, MITCHELL
GROVER, LATRESE
9177 S. 400 W.
REXBURG, ID 83440
Source: GROUNDWATER
Diversión Pt: SWNW Sec 8 T 04N R 40E
Use: DOMESTIC (.040 CFS)
Date Filed: 8/08/1988
In: T04N R40E S08 SWNW

22-07543

WESTOVER RANCH CORPORATION
489 W. 1500 N.
REXBURG, ID 83440
Source: GROUNDWATER
Diversión Pt: NESW Sec 18 T 06N R 40E
Use: DOMESTIC (.100 CFS)
Date Filed: 8/04/1988
In: T06N R40E S18 NESW

22-07544

RICKS, GRANT H.
3366 S. 1400 W.
REXBURG, ID 83440
Source: GROUNDWATER

Diversión Pt: NESWNE Sec 5 T 05N R
40E

Use: COMMERCIAL (.020 CFS)
Date Filed: 8/10/1988
In: T05N R40E S05 Lot 2 (SWNE)

22-07545

SESSIONS, JAMES E.
SESSIONS, LOIS
1225 N. 2000 W.
REXBURG, ID 83440
Source: GROUNDWATER
Diversión Pt: NESESE Sec 14 T 06N R

39E

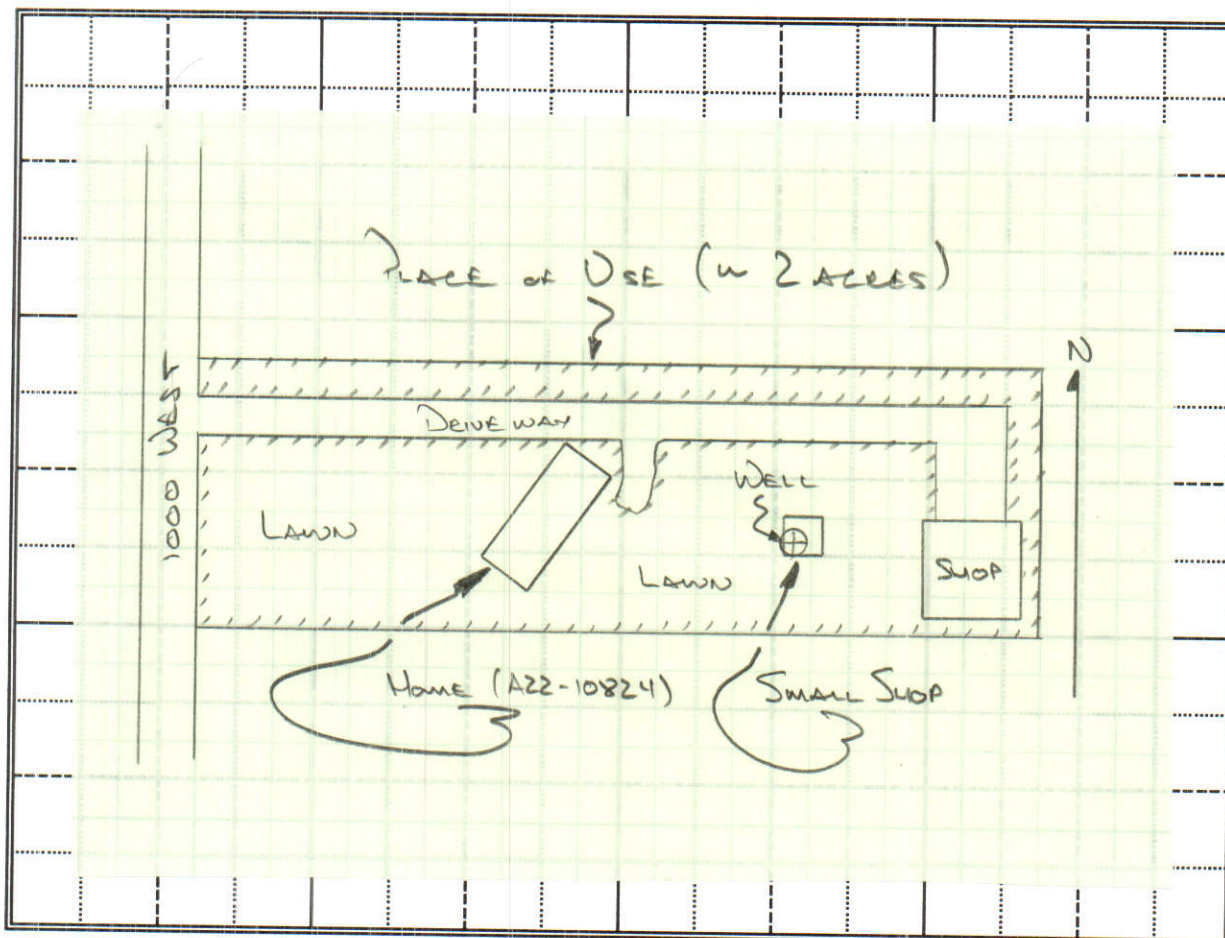
Use: IRRIGATION (.030 CFS)
Date filed: 8/09/1988
In: T06N R39E S14 SESE 0.7 ACRES
TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before Sept. 19, 1988.

R. KEITH HIGGINSON
Director

Publ. Sept. 1 and 8, 1988J.

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
	FRANKLIN	3 HP	282 622100	—	

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

D. FLOW MEASUREMENTS

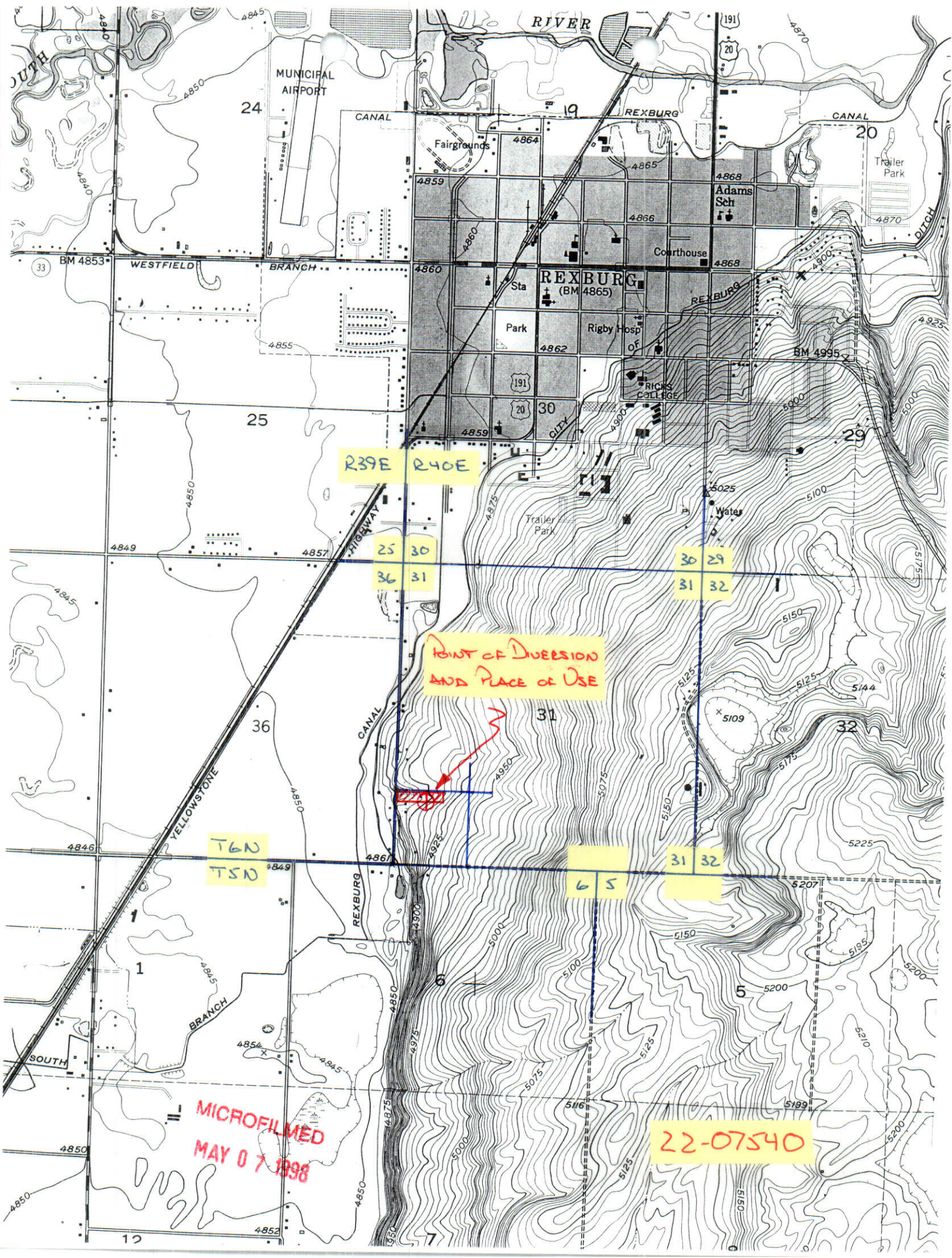
1.

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

2. Measurements: N/A

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R39E R40E

25 30
36 31

30 29
31 32

POINT OF DIVERSION
AND PLACE OF USE

T6N
T5N

6 5

31 32

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22-07540



Plate 1 - Point of diversion.



Plate 2 - Small shop building/pumphouse.

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22-07540

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07540

Priority: August 10, 1988

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

7.0 AF

This is to certify, that K CLYDE STEWART
DORIS STEWART

1750 S 1000 W

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 September 29, 1989. An examination indicates that the works have a diversion capacity of 0.100 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.04 CFS	7.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 31, Township 06N, Range 40E
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>
06N	40E	31	SWSW	2		2

Total number of acres irrigated: 2

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. Irrigation use under this right is authorized only in connection with a domestic use.
6. This right when combined with all other rights shall provide more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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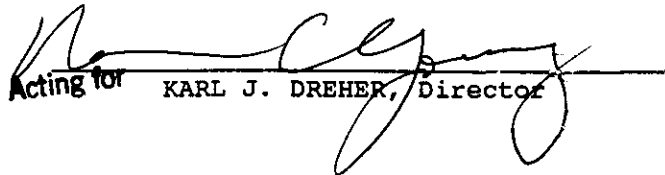
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State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 22-07540

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 4TH
day of MAY, 1998.


Acting for KARL J. DREHER, Director

RECEIVED
MAY 07 1998

RECEIVED
SEP 29 1989

For Office Use Only
Fee Received ☒
Date SEP 29 1989
Receipt #
Receipt by
Reviewed by
Sent to region

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

Permit No. 22-07540

Name(s) of Permit Holder: K. Clyde Stewart

Post Office Address: 1750 S. 1000 W. REXBURG, IDA

Telephone No. 356-5284

Source of Water: WELL

Extent of Use:

Domestic 1 (number of households)

Stockwater (number and type of stock)

Irrigation 1 (acres)

Other/Remark Permit issued for 2 acres of irrigation

Total rate and/or volume for which proof is submitted 0.04 cfs 4 acre-feet

Show the date water was first diverted and beneficially used under this permit: 1969

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

Fee enclosed \$
(See License Examination Fee Schedule)

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

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

K. Clyde Stewart
(Name)

356-5284
(Telephone Number)

1750 S 1000 W REXBURG, IDA
(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.

WITNESSED

9-28-89
Date

K. Clyde Stewart
Signature of Permit Holder (and title, if appropriate)

OCT 18 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 22-7540

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant STEWART, DORIS ORA CLYDE^{K.} Phone (208) 356-5284
Post office address 1750 SOUTH 1000 WEST, REXBURG, ID 83440
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 31 Township 6N Range 40E B.M. MADISON County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for IRR purposes from APRIL 01 to NOV 01 (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) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. _____
WELL AND PUMP WITH SPRINKLER SYSTEM
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 6" inches; proposed depth of well is 100' 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 use is
1 years (minimum 1 year).

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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	
06N	40E	31											2						2 ACRES

Total number of acres to be irrigated 2 ACRES

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

A22-10824

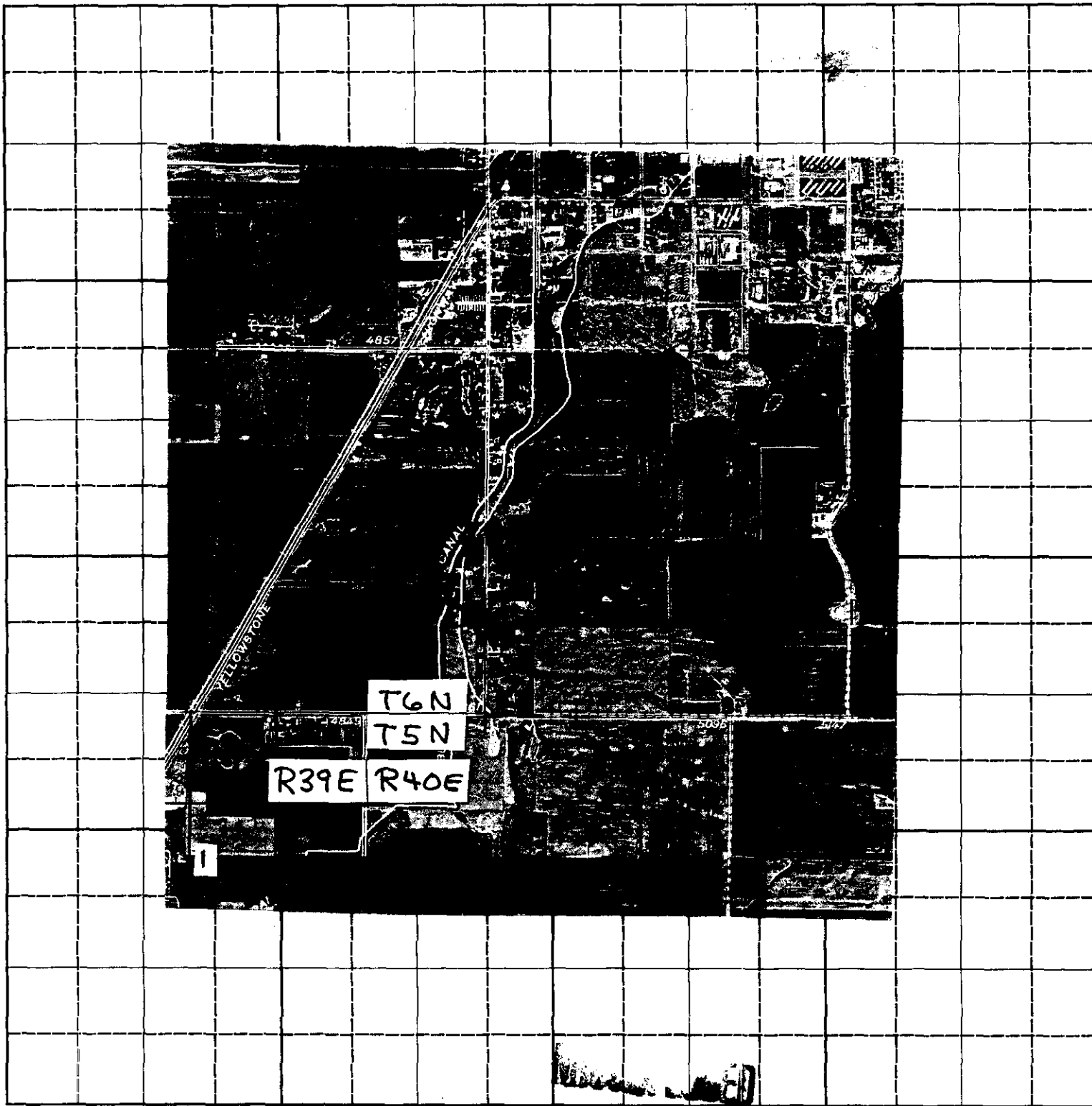
- Who owns the property at the point of diversion? STEWART, K. CLYDE OR DORIS
- Who owns the land to be irrigated or place of use? STEWART, K. CLYDE OR DORIS
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: SAME P/D AS A22-10824

[Signature]

NOV 21 1988

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.

NOV 21 1988

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.

James Stewart
(Applicant)

ASST PM

Received by CA Date 8-10-88 Time 10:10 Proposed Priority 8/10/88
Preliminary check by CA
Fee \$ 20.00 Receipted by PM # E001185 Date 8/10/88
Publication prepared by dg Date 8-26-88 Published in Standard-June
Publication approved dg Date 9-12-88

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. 22-7540, 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
November 1, 19 89.

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:

Irrigation use under this permit is authorized only in connection with a domestic use.

Witness my hand this 12th day of October, 1988.

J. Glen Saylor

RECEIVED

NOV 21 1988

Department of Water Resources
Eastern District Office

[illegible]



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

May 4, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

K CLYDE STEWART
DORIS STEWART
1750 S 1000 W
REXBURG ID 83440

RE: WATER RIGHT NO. 22-07540

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.

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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.

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".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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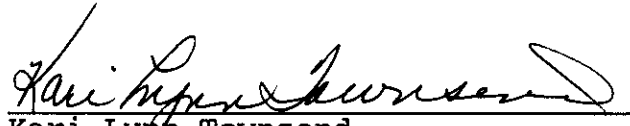
MAY 0 7 1998

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of May, 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. 22-07540

K CLYDE STEWART
DORIS STEWART
1750 S 1000 W
REXBURG ID 83440


Kari Lynn Townsend
Secretary

MICROFILMED

MAY 07 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 22-07540 DATE 4/30/98 REVIEWER: SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK Change (Para P39 - gov P40/P47) Add (P45/P42)

W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PLACE OF USE OK Change (P41 - gov P43/P47) Add (P41/P42)

W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

RATE OF DIV
 Permitted Rate .04 cfs
 Fee limit .04 cfs NO FEE REQD AT TIME OF B/L PROCESSING
 Measured OK cfs
 Theoretical .10 cfs

Recommended Total Div Rate .04 cfs

WATER USES	<u>OK</u>	<u>(2x3.5)</u>		
<u>Irr.</u>	<u>.04</u> cfs	<u>7.0</u> af	Irrig -	overlap (R58-R61, R62-R65, R66-R69)
				supp. gw (WB7/065/079)
				overlap spec. combined rts (W35)
				<1acre (W31)
			Domestic	(W01/WB5/070/071/075)
			Power	(W42 or W43/025/027/R22 or R23)
			Fish (042)	Fire (077) Wtr Quality (081/R07)
TOTALS	<u>.04</u> cfs	<u>7.0</u> af		

Flow rate .04 cfs X 184 days X 1.98 = 14.6 af

REMARKS _____

ADD'L CONDITIONS _____ Watermaster Control WD# _____
 _____ GW Measurement/Measuring Device

OK Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes no

SRBA Claim N/A

Adjust Memo _____
 Amend letters _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 07 1998
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-07540

1. Owner: V. CLYDE OR DORIS STEWART Phone No. (208) 356-5284

Current Address: 1750 S 1000 W, PEXBURG, ID 83440

2. Accompanied by: KEV STEWART EXAM DATE: 10-11-1995

Address: _____ Phone No. _____

Relationship to Permit Holder: SON

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A22-10824 (DOMESTIC USE FOR HOME)

2. Other water rights with the same point of diversion: A22-10824

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
		NW	SW	SW	31	6N	40E	MADISON	USGS, ONSITE, NAPP

2. Place(s) of Use:

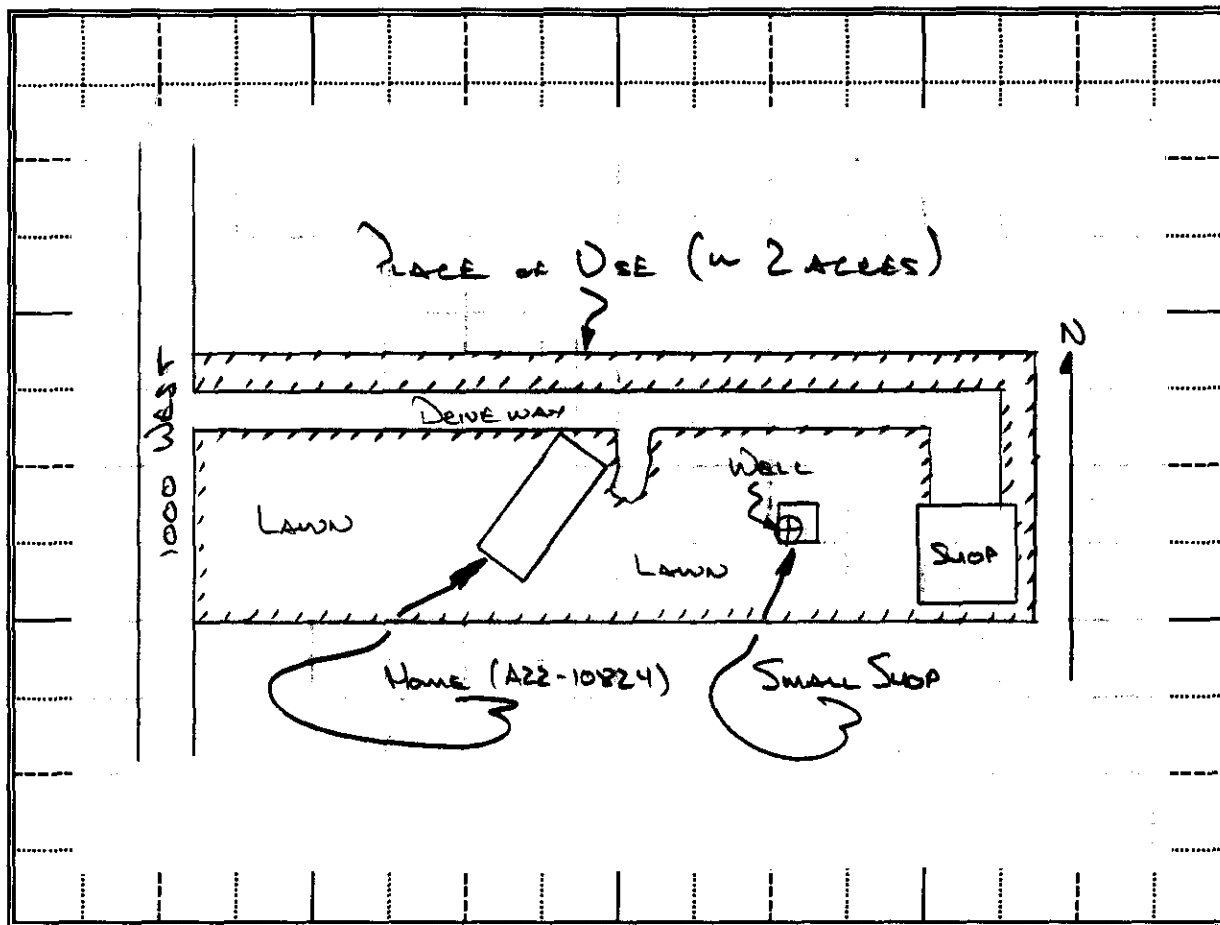
Indicate Method of Determination

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	40E	31											2AL						2
TOTAL =>																		2 AC.	

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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 Quadrange 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
	FRANKLIN	3HP	282 022100	-	

*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: N/A

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E. NARRATIVE/REMARKS/COMMENTS

- * WELL, PUMP & PIPELINES TO SPRINKLERS SYSTEM FOR IRRIGATION OF 2 ACRE LAWN SURROUNDING HOME, SHOP AND COMMERCIAL CABINET SHOP.
- * WELL ALSO SERVES SINGLE FAMILY HOME COVERED UNDER SRBA NOTICE A22-10824.
- * NO WELL LOG AVAILABLE FOR THIS WELL. SURROUNDING LOGS SHOW STATIC WATER AT 60' TO 118'. FOR Q CALCULATIONS ESTIMATE 100' TO WATER.
- * ESTIMATE 40 PSI OPERATING PRESSURE

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

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F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$Q_{THEORE} = \frac{3HP (8.814) .7 EFF}{100' LIFT + (2.308 \times 410 PSI)} = 0.10 \text{ cfs}$$

$$A22-10824 = 0.02 \text{ cfs}$$

LEAVING 0.08 AVAILABLE

RECOMMEND AS PERMITTED

$$\underline{0.04 \text{ cfs}}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.0 \times 3.5 = 7.0 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.04 (184) 1.9835 = 14.60$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{7.0 \text{ AFA}}$$

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		
IRRIGATION	4-15	10-15	0.04	7.0
Totals:			0.04	7.0

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name [Signature] Date 12-22-97

Reviewer _____ Date _____

SEAL

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MAY 07 1998

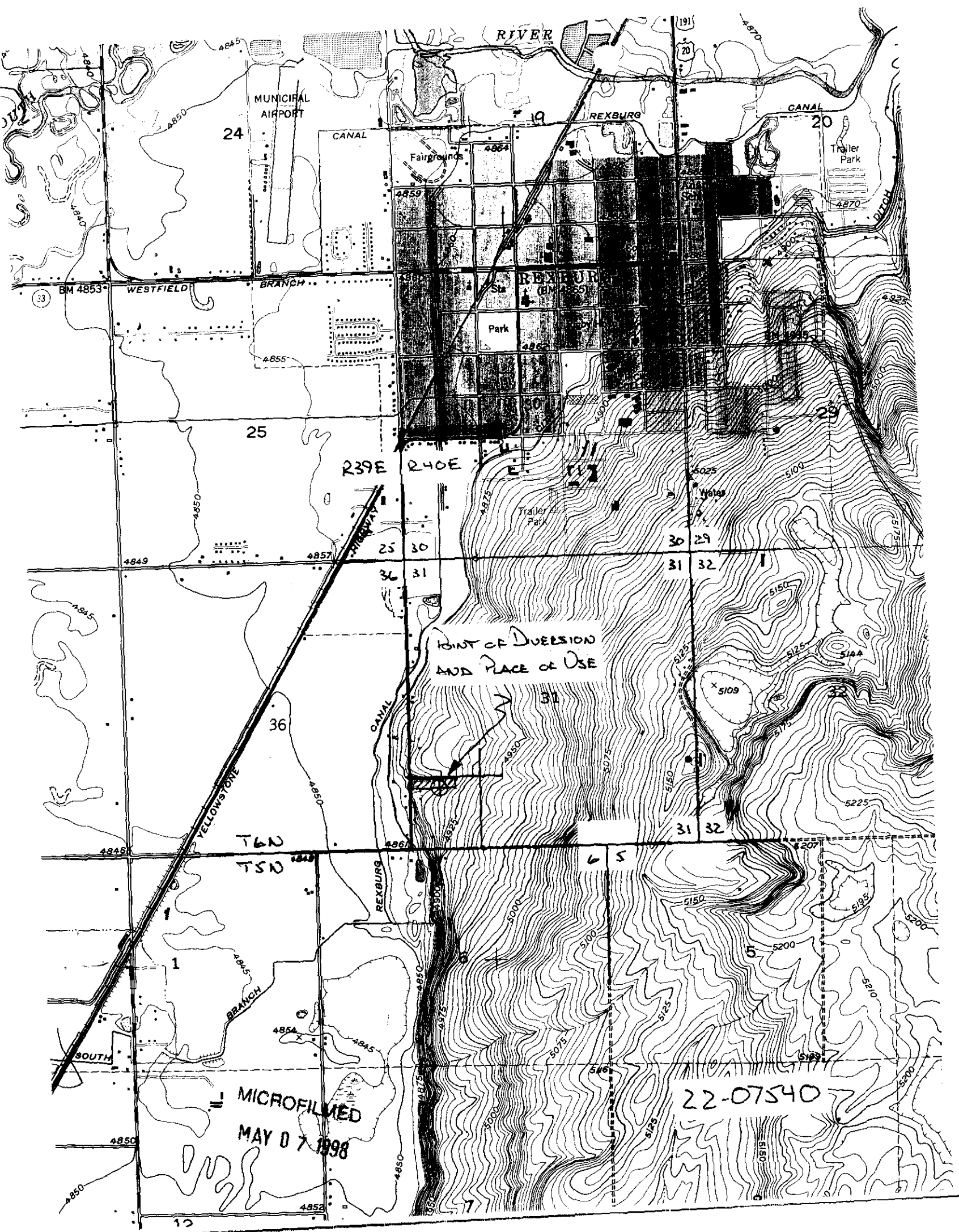




Plate 1 - Point of diversion.



Plate 2 - Small shop building/pumphouse.

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MAY 07 1998

22-07540

October 16, 1989

K. CLYDE STEWART
DORIS STEWART
1750 S. 1000 W.
REXBURG, ID 83440

RE: PERMIT NO. 22-07540

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

NOT RECORDED

OCT 18 1989

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 22-7540

Date: 10-13-1989

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
Y Proof received timely
N/A Reinstated

Source of Water:

Y Surface water
Y Groundwater
 1. well log in file - no well log found
 2. drilling permit
 N/A A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
 Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

Is a measuring device or access port required?
Y Has one been installed?
Y Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A Priority Calculation:
Date proof received _____

Date proof due _____

No. of days late _____

Priority date _____

NEW PRIORITY DATE _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

TER-DEPARTMENT MEMO — 1

FROM

Rita Fleck

DATE

9-28-1989

TO

File 22-7540

SUBJECT

During a telephone conversation with Clyde Stewart, he advised that the well was drilled in about 1969.

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SIGNATURE

138532

August 31, 1989

K. CLYDE STEWART
DORIS STEWART
1750 S. 1000 W.
REXBURG, ID 83440

PROOF DUE NOTICE

RE: PERMIT NO. 22-07540

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 November 1, 1989. (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

NOT FILMED

OCT 18 1989

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

Statehouse
Boise, Idaho 83720
(208) 334-7900
October 17, 1988

DORIS STEWART
K. CLYDE STEWART
1750 S. 1000 W.
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. 22-07540

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.

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

NOV 21 1988

enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

Gary Spackman
Supervisor, Water Allocation Section

GS: SC
Enclosures

NOV 21 1966

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

DCM1

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY SGV DATE 8/11/88 APPLICATION NUMBER 22~7540Stewart

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☒ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested SEP 20 1988

RECEIVED

Department of Water Resources

PROCESSING

☒ Yes ☒ No 1 form for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

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

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received 9-9-88
☒ 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 9-19-88
☐ 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-PO5
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information
Date of priority recommended 8-10-1988
By HWT Date 9-27-1988

STATE OFFICE REVIEW

PO5, P16 41

☐ See below for additional information
By KW Date 10/10/88

ADDITIONAL INFORMATION

Filing For House (Domestic use) was made under A22-10824. Recommend approval under Domestic + up to 3 acres exemption. HWT
Well is existing per above - condition 4/0 N/A.



State of Idaho
DEPARTMENT OF WATER RESOURCES
Eastern Region

CECIL D. ANDRUS
Governor

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

R. KEITH HIGGINSON
Director

September 13, 1988

Doris or K. Clyde Stewart
1750 S. 1000 W.
Rexburg, ID 83440

RE: Application for Permit No. 22-07540

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 22-07540. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Rexburg Standard-Journal. 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,

Ernest Carlsen
Water Rights Supervisor

EC/dg

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NOV 21 1988

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

Idaho Falls, Idaho 834
(208) 525-7161

AUGUST 26, 1988

THE REXBURG STANDARD-JOURNAL
P.O. BOX 10
REXBURG, ID 83440

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before ~~AUGUST~~ 19, 1988.

SEPT.

Yours truly,

Deena Green
Secretary

Encl.

RECEIVED

NOV 21 1988

NOTICE OF APPLICATION FOR WATER RIGHTS

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

NOV 21 1988

22-07540

STEWART, DORIS
STEWART, K. CLYDE
1750 S. 1000 W.
REXBURG, ID 83440

Source: GROUNDWATER

Diversion Pt: NWSWSW Sec 31 T 06N R 40E

Use: IRRIGATION (.040 CFS)

Date Filed: 8/10/1988

In: T06N R40E S31 SWSW

2.0 ACRES TOTAL



NOV 21 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 ^{SEPT} AUGUST 19, 1988.

R. Keith Higginson, Director

Published 9/01/1988 & 9/08/1988

8-29: TT RSS (Anne); she will make change

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NOV 21 1988