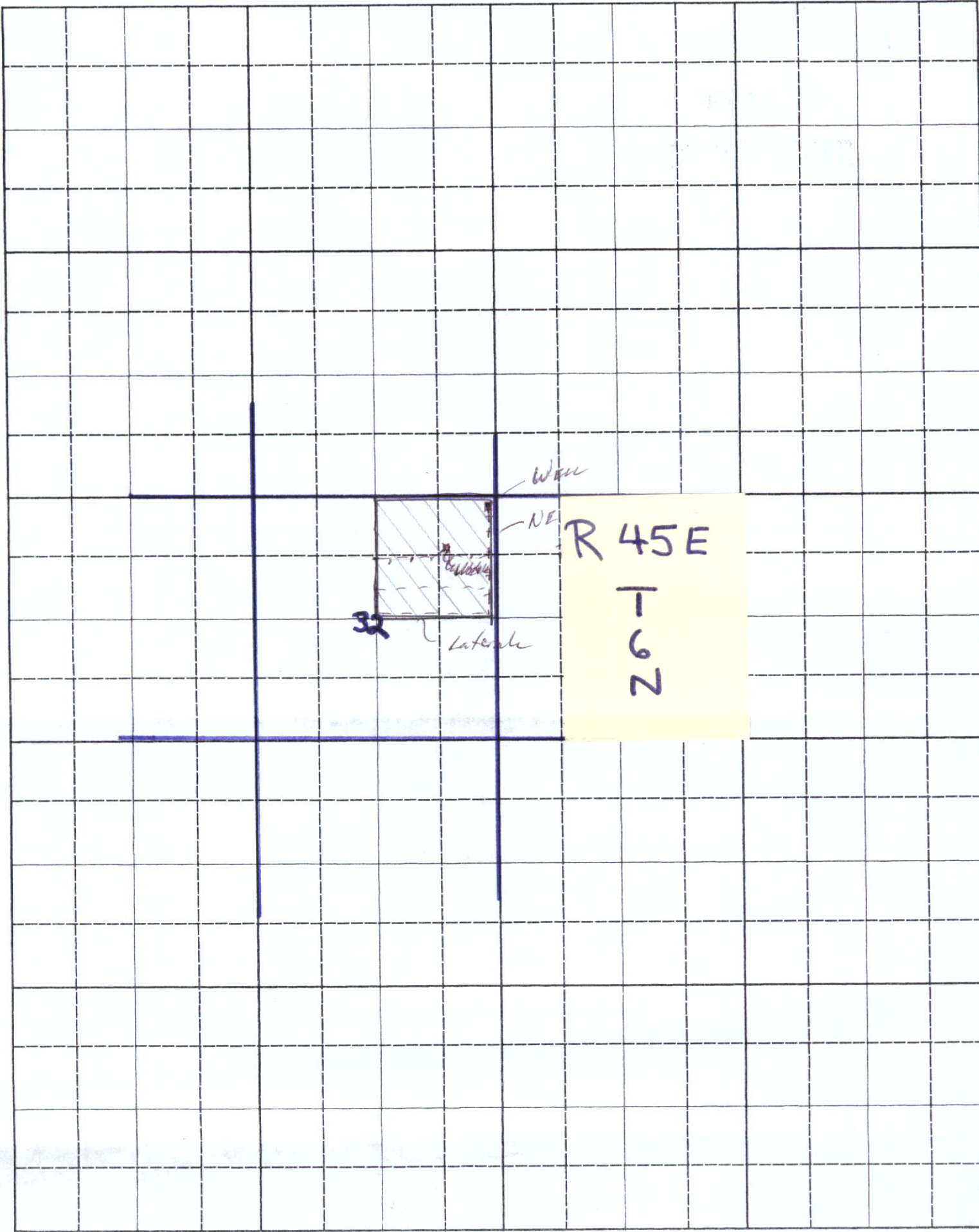


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED

DEC 14 1989

Richard A. Ebert
(Applicant)

RECEIVED
DEC 30 1994 STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

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 be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 22-07492 Telephone No. 456 2645
2. Name(s) of Permit Holder(s): Richard Egbert
3. Mailing Address: Box 9 Teton, ID-83452
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. / yr. 1957
 - a. Well Driller: Drilling Permit Number: - - -
 - b. **OPTIONAL:**
Pump Horsepower: 35 Pressure (psi): Dynamic pumping level (ft):
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): Stockwater (No. and type of stock):
Irrigation (No. of acres): 80 Other:
6. Total rate of diversion and/or volume for which proof is submitted: 1660 cfs OR acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes <u> </u>	or	No <u> </u>
	Has the measuring device been installed?	Yes <u> </u>	or	No <u> </u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u> ✓ </u>	or	No <u> </u>
	Has the measurement port been installed?	Yes <u> </u>	or	No <u> </u>
8. Fee Enclosed: \$ 125⁰⁰ (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Golden West Irrigation Telephone Number: 356-9318
Address: 2256 S. Hwy 191 Rexburg, ID
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Richard A. Egbert Date: JAN 19 1995
(include your title, if on behalf of company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

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

Permit No. 22-07492

Name(s) of Permit Holder: RICHARD EGBERT

Mailing Address: Box 9 TETONIA, ID 83452

Date Proof is Due: Jan. 1, 1995 Telephone No. 456-2645

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

Well is drilled and pump is there. About 1/4 mile of mainline
is in.

Costing \$ 25,000

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

Has to cross two live streams with mainline and is having
problems engineering the crossings

Permit holder(s) request an extension to Jan. 01, 19 98.

FEE: \$50.00

x Richard A. Egbert
(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be DENIED since the department is not authorized to grant additional extension requests.

Signed this 15 day of December, 19 94.

R. Keith Higginson
R. KEITH HIGGINSON, Director

JAN 19 1995

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Form 204

NOV 05 1992

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 Fee Received by KCW
Date 5 NOV 92
Receipt No. #E01R065

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

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

Permit No. 22-7492

Name(s) of Permit Holder: Richard Egbert

Mailing Address: Box 9 Tetonid Id 83452

Date Proof is Due 1 Jan 1993

Telephone No. 456-2645

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

Well drilled, pump installed, irrigating about 40 acres under permit

Costing \$ 20,000

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

Short of money, bad prices for crops.

Permit holder(s) request an extension to 1 Jan, 1995

FEE: \$15.00

(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to January 1, 1995.

DEC 09 1992

Signed this 23rd day November, 19 92

J. Glen Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 22-07492

Proposed Priority: May 29, 1985

Maximum Diversion Rate:

3.20 CFS

This is to certify, that **RICHARD EGBERT**
TETONIA, ID 83452
has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

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

IRRIGATION	04/01 to 11/01	3.20 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

NENE Sec. 32, Township 06N, Range 45E
TETON 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	45E	32	NENE 40	NWNE 40	SWNE 40	160
			SENE 40			

Total number of acres irrigated: 160

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 1993**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
5. 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.
6. 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.
7. 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.
8. 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.

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State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 22-07492

CONDITIONS/REMARKS:

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

7th day of December, 1989

R. Keith Higginson
for R. Keith Higginson, Director

RECORDED

DEC 14 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant RICHARD EGBART Phone 456-2645
Post office address TETONIA, ID. 83452
2. Source of water supply ground water which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 32 Township 6N
Range 45E B.M. TETON County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.2 cfs for irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum) ~~April 1~~
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:

a. 3.2 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, mainline, laterals

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 20 inches; proposed depth of well is 200 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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DEC 14 1989

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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	15E	32	40	40	40	40													160

Total number of acres to be irrigated 160

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

9. a. Who owns the property at the point of diversion RICHARD EGBERT

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

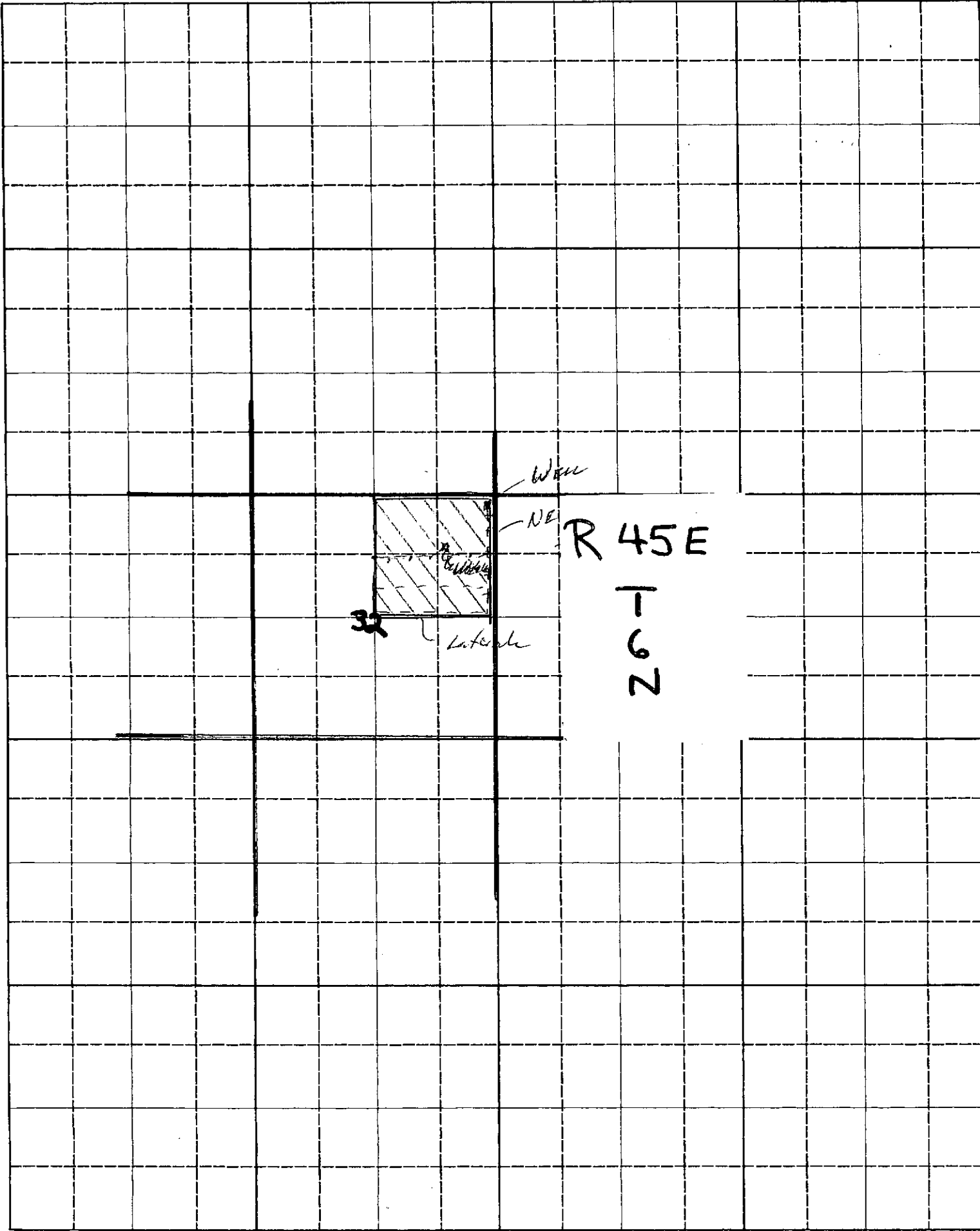
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

RECORDED

DEC 14 1989

11. 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.

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DEC 14 1989

Richard A. Elliot
(Applicant)

Received by HWT Date 5-29-85 Time 4:31pm
Preliminary check by Am Fee \$ 105⁰⁰
Receipted by HWT Date 5-29-85 # 33297
Publication prepared by RB Date _____
Published in Teton Valley News
Publication dates 10-5, 12-89
Publication approved RB Date 10-23-89
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by HWT

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. Other:

INDEXED

DEC 14 1989

AFFIDAVIT OF PUBLICATION

State of Idaho)

County of Teton)

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

Notice of application
for Water Right

And affiant further says that
said attached notice, adver-
tisement, or publication, as per
clipping attached, was published in
said newspaper, in the regular and
entire issue thereof, and not in any
supplement issue thereof, for two
consecutive issues thereof; first
publication having been made on
the 5 day of October, 1989.

And affiant further says that at
the times herein mentioned said
newspaper was made up of at least
eight pages of at least five columns
each, printed from type matter, of
at least sixteen inches deep.

Nadine Loose

Subscribed in my presence and
sworn to before me this 17th day of
Oct., 1989

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

Nelda A. Ruck
My Commission expires

12-2 1991

NOTICE OF APPLICATION FOR WATER RIGHT

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

22-07492
EGBERT, RICHARD
TETONIA, ID 83452
Source: GROUNDWATER
Diversion Pt: NENE Sec 32 T 06N
R 45E
Use: IRRIGATION (3.200 CFS)
Date Filed: 5-29-1985
In: T06N R45E S32 NENE NWNE
SWNE SENE 160.0 ACRES

TOTAL

22-07499
BAGLEY, WENDELL J.
BAGLEY, CHLOE H.
RT. 1 BOX 633
VICTOR, ID 83455
Source: SPRING
Tributary: TETON RIVER
Diversion Pt: SENE Sec 8 T 03N R
45E
Use: IRRIGATION (.800 CFS)
STOCKWATER (.022 CFS)
Date Filed: 6-18-1985
In: T03N R45E S08 SENE 40.0
ACRES TOTAL

22-07505

OCT 19 1989

Department of Water Resources
Eastern District Office

HOOPES, J. CLINT
P.O. BOX 98
TETONIA, ID 83452

Source: TETON RIVER
Tributary: HENRYS FORK
Diversion Pt: NWSE Sec 3 T 06N
R 44E
Use: IRRIGATION (6.400 CFS)
Date Filed: 7-01-1985
In: T07N R43E S27 NESW
NWSW SWSW SESW
S28 NESE NWSE SWSE SESE
320.0 ACRES TOTAL

The permit(s) will be subject to
all prior water rights. Protests may
be submitted based on the criteria
of Sec. 42-203A, Idaho Code
and/or the new public interest
criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with
the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite
15, Idaho Falls, Idaho 83402 on or
before OCTOBER 23, 1989.

R. Keith Higginson
Director

Published in the Teton Valley
News October 5 and 12, 1989.

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DEC 14 1989

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 22-07492 Reviewed by [Signature] Date 1-10-95

GENERAL CONSIDERATIONS

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

TYPES OF USE

Irr.

Correct Uses? _____

SOURCE OF WATER

_____ Surface water source

✓ Ground water source

no 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?
125.00 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
_____ Installed?
_____ Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [Signature] Proof Made 12-30-94



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

January 11, 1995

RICHARD EGBERT
BOX 9
TETONIA ID 83452

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 22-07492

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,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

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JAN 19 1995

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 22-07492 Reviewed by [Signature] Date 12-13-94

BASIC INFORMATION

11-21-94 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

_____ Has adequate work been completed to demonstrate due diligence?
_____ Has the permit been involved in litigation?
_____ Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is delay by a government agency?
_____ Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Recommnd deny since previous extension request was granted for due diligence.

PRIORITY CALCULATION

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

DATA ENTRY

New Address _____
Change Proof Due Date _____
Change Priority Date _____



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

December 19, 1994

Richard Egbert
Box 9
Tetonia, ID 83452

RE: Permit No. 22-07492

Dear Permit Holder:

Enclosed is a copy of the denied request for extension of time which you submitted to the department in connection with the above referenced permit. Section 42-204, Idaho Code, provides that the department can only grant one extension of time based on due diligence. Please note that the department has previously granted an extension of time in connection with this permit.

Your best option at this point would be to file proof of beneficial use for the portion of the water right that has been developed. I have enclosed the necessary form for your convenience. Be advised that since the extension was denied, the permit will lapse on January 1, 1995, and will be of no further force nor effect unless it is reinstated by submitting proof of beneficial use.

If you have any questions or if the department can be of any assistance, please feel free to contact us or any of the regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

C: IDWR - Regional Office

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JAN 19 1995

October 31, 1994

RICHARD EGBERT
BOX 9
TETONIA ID 83452

PROOF DUE NOTICE

RE: PERMIT NO. 22-07492

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 January 1, 1995.

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

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

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

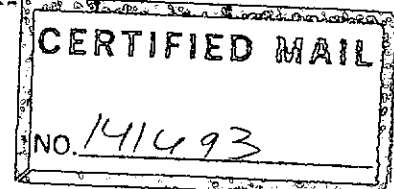
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

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JAN 19 1995





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

November 23, 1992

Richard Egbert

Tetonia, ID 83452

Re: Permit No. 22-07492

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to January 1, 1995. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

PAID/RECEIVED

DEC 09 1992

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 22-07492 Reviewed by Klg Date 11/20/92

BASIC INFORMATION

11/5/92 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
yes Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Recommend for approval Based on due diligence
Extend to 1/1/95*

PRIORITY CALCULATION

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

DATA ENTRY

New Address Box 9 Klg
Change Proof Due Date 11/23/92 Klg
Change Priority Date _____

October 31, 1992

RICHARD EGBERT
TETONIA ID 83452

PROOF DUE NOTICE

RE: PERMIT NO. 22-07492

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 January 1, 1993. (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.

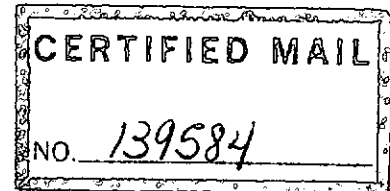
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



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DEC 09 1992

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

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 8, 1989

RICHARD EGBERT
TETONIA, ID 83452

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

RE: PERMIT NO. P22-07492

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed

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DEC 14 1989

diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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 into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: G. F. RAMSEY APPLICATION NUMBER: 22-7492
CHECK: MAY 30 1985

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 22-7008
☒ Yes ☐ No* In form for advertising. _____
Final date for protests: 10-23-89
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: _____
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 01-P05
5-29-85 Date of priority recommended.
Special conditions of approval or cover letter. <0167

App. in NON-TRUST area-
Allow 3 yrs. for B/U development-

By: HWS Date: 10-23-89
STATE OFFICE REVIEW: P05, P23, P03, P17 46 26 48 49 016
☐ See attached sheet for more information.
By: KW Date: 11/28/89 OCT 31 1989

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

27-Sep-1989

Richard Egbert
310 Egbert
Tetonia, ID 83452

RE: Application for Permit No. 22-7492

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Teton Valley News. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECORDED

DEC 14 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 22, 1989

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

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before OCTOBER 23, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

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DEC 14 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECORDED

DEC 14 1989

22-07492

EGBERT, RICHARD
TETONIA, ID 83452

Source: GROUNDWATER

Diversion Pt: NENE Sec 32 T 06N R 45E

Use: IRRIGATION (3.200 CFS)

Date Filed: 5/29/1985

In: T06N R45E S32 NENE NWNE SWNE SENE

160.0 ACRES TOTAL

RECORDED

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The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 23, 1989.

R. Keith Higginson, Director

Published 10/05/1989 & 10/12/1989

RECEIVED

DEC 14 1989

October 10, 1985

RE: Application for Permit No. 22-7492

Mr. Richard Egbert
Tetonia,
Idaho 83452

Dear Mr. Egbert:

On October 3, 1985, you requested that a copy of the well driller report for the well in the NENE, Sec. 32, T. 6N, R. 45E, be placed with the above captioned application.

After examining the records filed in both Boise and this office, I was unable to find any evidence that a report on your well was filed with the Department.

It is possible that a copy may have been included with the previous permit filed in 1961. We can examine the microfilm file and determine if that actually happened provided you can furnish us with the lapsed permit number.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

RECEIVED

DEC 14 1985



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

August 13, 1985

RE: Application for Permit No. 22-7492

Richard Egbert
Tetonia, Idaho 83452

Dear Mr. Egbert:

In October of 1984, Idaho Power Company and the State of Idaho signed an agreement stating the Company's water rights would be subordinated to those persons who beneficially used water prior to October 1, 1984, and who filed an application or claim for said use by June 30, 1985.

To insure proper consideration of your application pursuant to the above agreement, follow the directions on the enclosed form and return it to this office when completed. For your benefit in identifying the point of diversion and place of use, included on the form is a description of the major items contained on the application.

Your cooperation in returning the completed form and supplemental documentation will expedite future administrative action on your application when processing of applications above Swan Falls resumes.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MINUTEMAN

DEC 14 1989

NO. 22-7492

WATER RIGHT
DATA ENTRY LOG

[illegible]