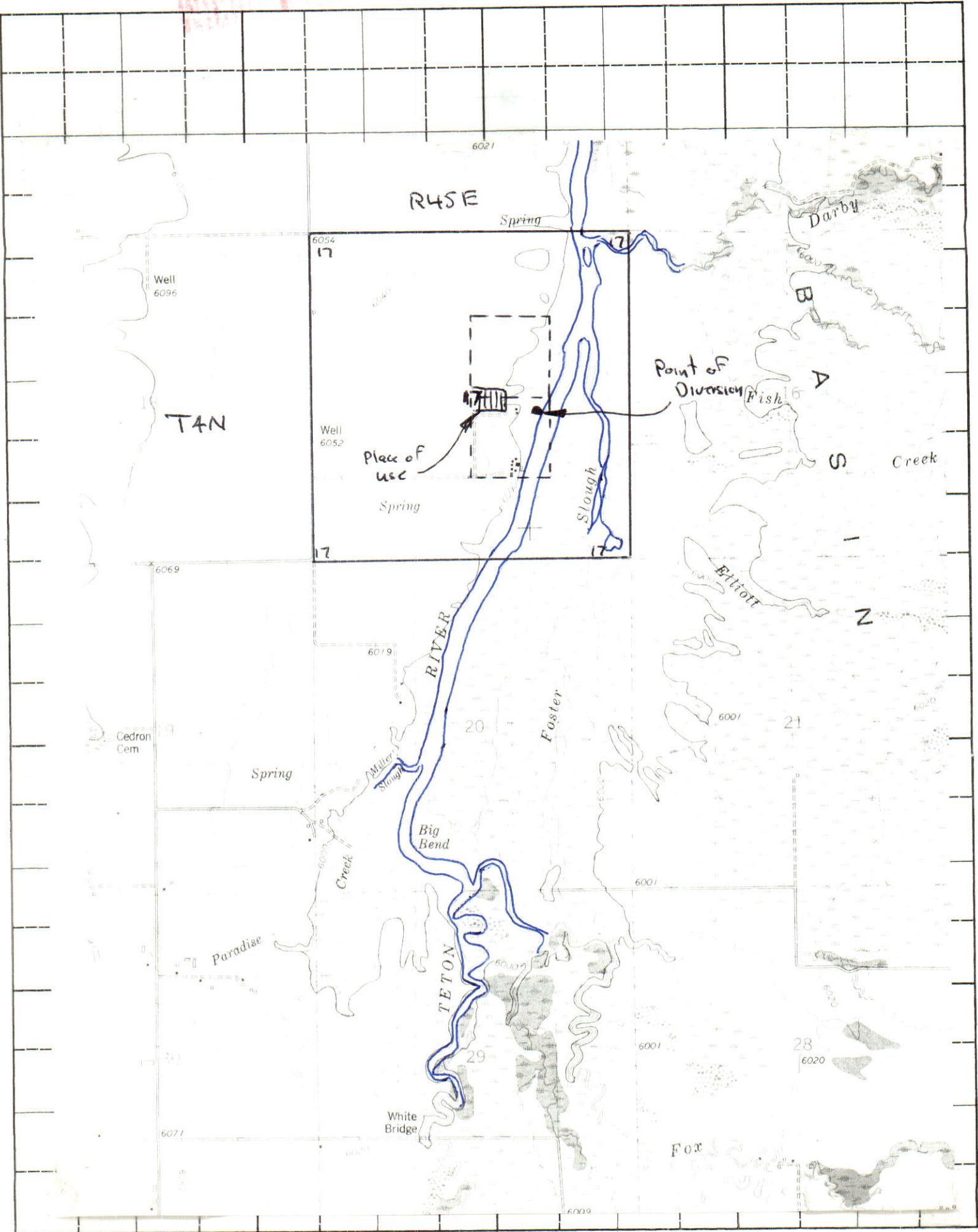


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED

JUN 12 1989

X Frank E. Caddy
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Frank E. Caddy Phone 354-2489

Post office address P.O. Box 334 Driggs, ID 83422

2. Source of water supply Teton River which is a tributary of Snake River

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17 Township 4N

Range 45E B.M. Teton County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.12 for Irrigation purposes from 5-15 to 10-15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.12 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2 hp electric pump, 2 inch line
for sprinkler irrigation

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 _____ inches; proposed depth of well is _____ 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: _____

MONITORING

JUN 12 1989

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

[illegible]

Total number of acres to be irrigated 6

c. Describe any other water rights used for the same purposes as described above. Claim #22-4071

9. a. Who owns the property at the point of diversion Applicant

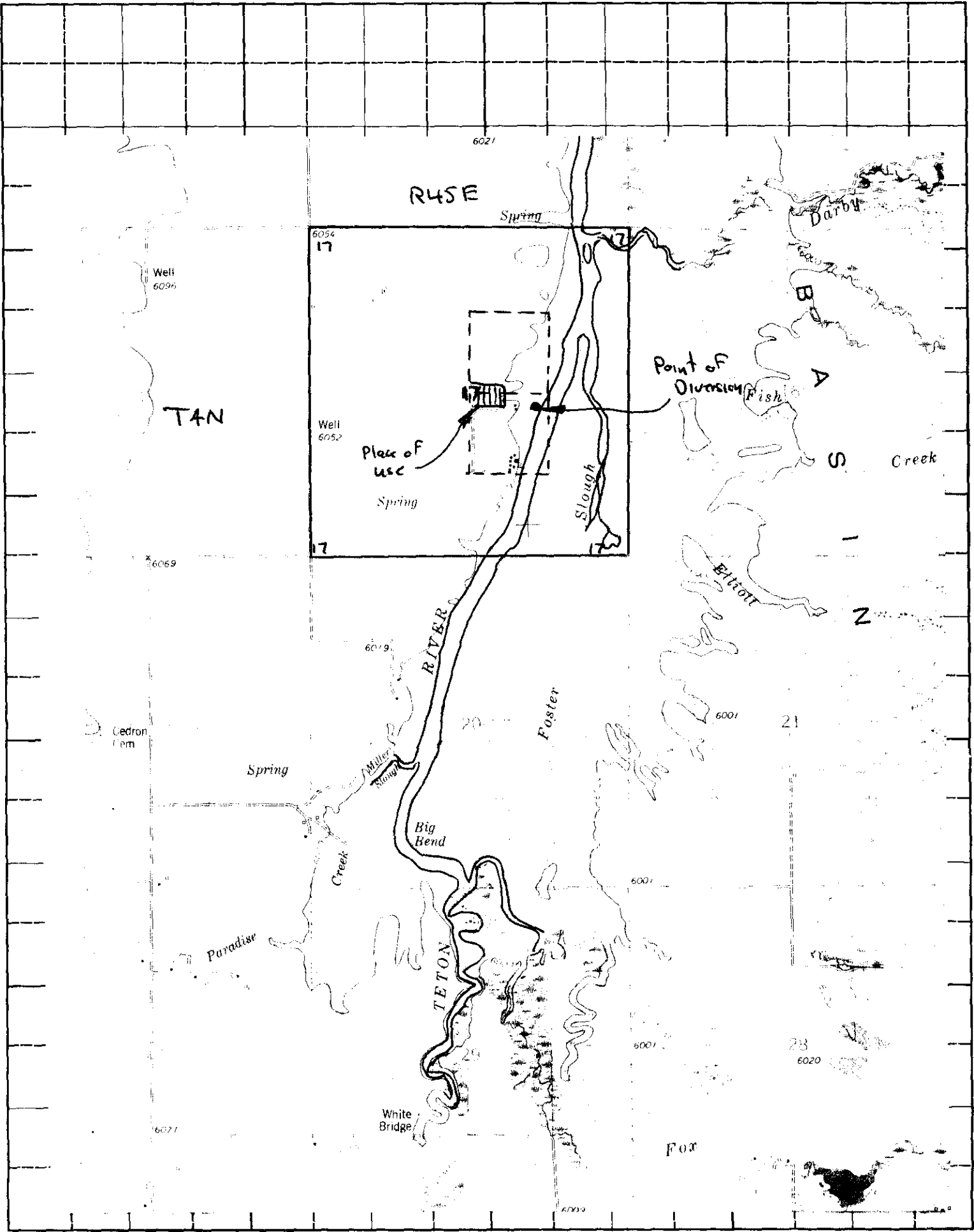
b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks

JUN 12 1989

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

JUN 12 1989

x Frank E. Caddy
(Applicant)

Proposed Priority 1/11/83

Assist by HWS

Received by CW Date 1-11-83 Time 3:10

Preliminary check by HWS Fee \$ 30.00

Receipted by BP Date 1/11/83 # 23294

Publication prepared by RB Date 4-11-89

Published in Teton Valley News

Publication dates 4-20, 26, 89

Publication approved CW Date 5-3-89

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by HWS

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. 22-7419, 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 July 1, 19 91.

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:

Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River.

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.

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.

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.

A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.

Witness my hand this 6th day of June, 1989.

J. Shw Saylor

MICROFILMED

JUN 12 1989

AFFIDAVIT OF PUBLICATION

State of Idaho)

las

County of Teton)

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

Notice of app.
for water right

And affiant further says that
said attached notice, 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 2...
consecutive issues thereof; first
publication having been made on
the 20 day of April 1989

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

Kristi Atkinson

Subscribed in my presence and
sworn to before me this 27 day of
Apr., 1989

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

Nelda A. Rish

My Commission expires

12-2, 1991

RECEIVED

MAY 1 1989

Department of Water Resources
Eastern District Office

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

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

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

The permit(s) will be subject to
all prior water rights. Protests may
be submitted based on the criteria
of Sec. 42-203A, Idaho Code
and/or the new public interest
criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with
the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite
15, Idaho Falls, Idaho 83402 on or
before May 8, 1989.

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

NOTICE OF APPLICATION FOR WATER RIGHT

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

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

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

MICROFILMED

JUN 12 1989

May 17, 1991

FRANK E. CADDY
P.O. BOX 334
DRIGGS, ID 83422

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07419

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 REFILED
MAY 29 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 22-7419

Date 5-16-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

- yes Required?
\$0.00 Amount submitted?
yes Correct amount?

MEASURING DEVICE

- yes Measuring device or access port required?
yes Installed?
yes Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

proof acceptable

PRIORITY CALCULATION

Date proof received NA
Date proof due _____ - _____
No. of days late _____ = _____
Priority date _____ + _____
NEW PRIORITY DATE _____ = _____

LB



MAY 16 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Amt. of Fee \$ 50.00
Date 5/16/91
Receipt No. 0020509
Received by J. Johnson

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

1. Permit No. 22-7419 (APPROVED) 6/6/1989 Telephone No. 354-2489
2. Name(s) of Permit Holder(s): FRANK E CADDY
3. Post Office Address: PO BOX 334, DRIGGS, IDAHO 83422
4. Source of Water: WELL AND BORTCHMANUEL
 - a. If ground water, well driller's name: NOT KNOWN Date drilled: BEFORE '1968
 - b. Pump horsepower: 2 HP Pressure (psi): 35 Dynamic pumping level (ft.):
5. Extent of Use:

Domestic 2 (No. of households) Irrigation 2 (No. of acres)
Stockwater WATER 2 (No. and type of stock) Other
HORSES

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

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

LOCKABLE
Measuring device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No
OR
Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

8. Fee Enclosed: \$ 50 (See License Examination Fee Schedule)

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

AS SHOWN ABOVE
Name

SEE ABOVE
Telephone No.

PO BOX 334, DRIGGS, IDAHO 83422
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.

Date

5/11/1991

MAY 22 1991

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

Frank E Caddy

138386
April 30, 1991

FRANK E. CADDY
P.O. BOX 334
DRIGGS, ID 83422

PROOF DUE NOTICE

RE: PERMIT NO. 22-07419

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 July 1, 1991. (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

MAY 29 1991

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

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 7, 1989

FRANK E. CADDY
P.O. BOX 334
DRIGGS, ID 83422

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

RE: PERMIT NO. 22-07419

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.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

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 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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JUN 12 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWT APPLICATION NUMBER: 22 7414

CHECK:

- ☒ 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.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other W0*01

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. Has claim filed #22-4071
☒ Yes ☐ No* In form for advertising.
Final date for protests: 5-8-89
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 5-01-89
☐ 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 ✓
1-11-1983 Date of priority recommended.
Special conditions of approval or cover letter. <01H> <05701 Snake River

App. in NON-TRUST area -
allow 2 yrs. for development

By: HWT Date: 5-11-89

STATE OFFICE REVIEW:

P01, P17 05(01, Snake River) 48 49 26 01H

- ☐ See attached sheet for more information.

By: KW Date: 6/1/89

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

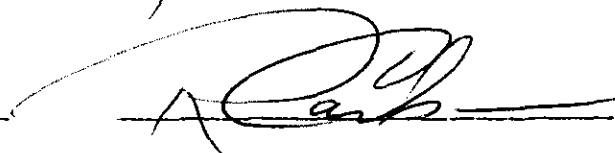
WATERMASTER COMMENTS

I have reviewed Application for Permit No. 22-7419 and have the following comments/objections to the approval of this application for permit:

Unless the applicant has a
Storage Supply that can be
exchanged through the
Cross Cut Canal this application
should not be approved.
Contact should be made with
Fremont Madison to determine
if they are willing to
provide water for the exchange.

4/14/89

Date


RONALD D. CARLSON, WATERMASTER
Water District No. 01

MICROFILMED

JUN 14 1989

April 12, 1989

Frank E. Caddy
P.O. Box 334
Driggs, ID 83422

RE: Application for Permit No. 22-7419

Dear Water Right Applicant:

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

This office is currently in the process of advertising the application in the Teton Valley News. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MAILED

JUN 12 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 11, 1989

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

Gentlemen:

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

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

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

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

JUN 12 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

JUN 12 1989

22-07419

CADDY, FRANK E.
P.O. BOX 334
DRIGGS, ID 83422

Source: TETON RIVER

Tributary: SNAKE RIVER

Diversion Pt: NWSE Sec 17 T 04N R 45E

Use: IRRIGATION (.120 CFS)

Date Filed: 1/11/1983

In: T04N R45E S17 SWNE NWSE

6.0 ACRES TOTAL

MICROFILMED

JUN 1 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MAY 8, 1989.

R. Keith Higginson, Director

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

MICROFILMED

JUN 12 1989

22-7419

CADDY, FRANK E.

P.O. BOX 334, DRIGGS, ID 83422

Source: TETON RIVER trib. to SNAKE RIVER

Date Filed: 01/11/1983

Diversion Pt: NWSE Sec 17 T 04N R 45E

Use: IRRIGATION (0.12 CFS)

In: SWNE NWSE Sec 17 T 04N R 45E FOR 6 ACRES

NOT FILMED

JUN 12 1989

December 16, 1982

Frank E. Caddy
745 W. Creekside
Houseton, Texas 77024

Dear Mr. Caddy:

Enclosed you will find your application for permit and check #92-239 for \$30.00. I made some modifications on a new application for your use.

In Section 4 (amount) I changed the total cfs to 0.12 cfs; that is based on a maximum of 0.02 cfs/acre.

Your claim number in Section 8c was not correct and I changed it to #22-4071.

Please be aware that if the application were approved, your pump would be under control of the watermaster in your area. A 1982 priority date would provide very little pumping time during most years.

If you decide to resubmit the new application, please sign and send the application with a \$30.00 fee to this office.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:bp

Enclosures

RECEIVED

JUN 12 1983