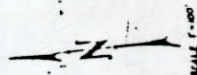


1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	
100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200

PROPOSED
 WATER SYSTEM
 SEWER SYSTEM
 OPEN FILED EASEMENT

WELLING SUBDIVISION
 ON I.F. BILLE ISLAND

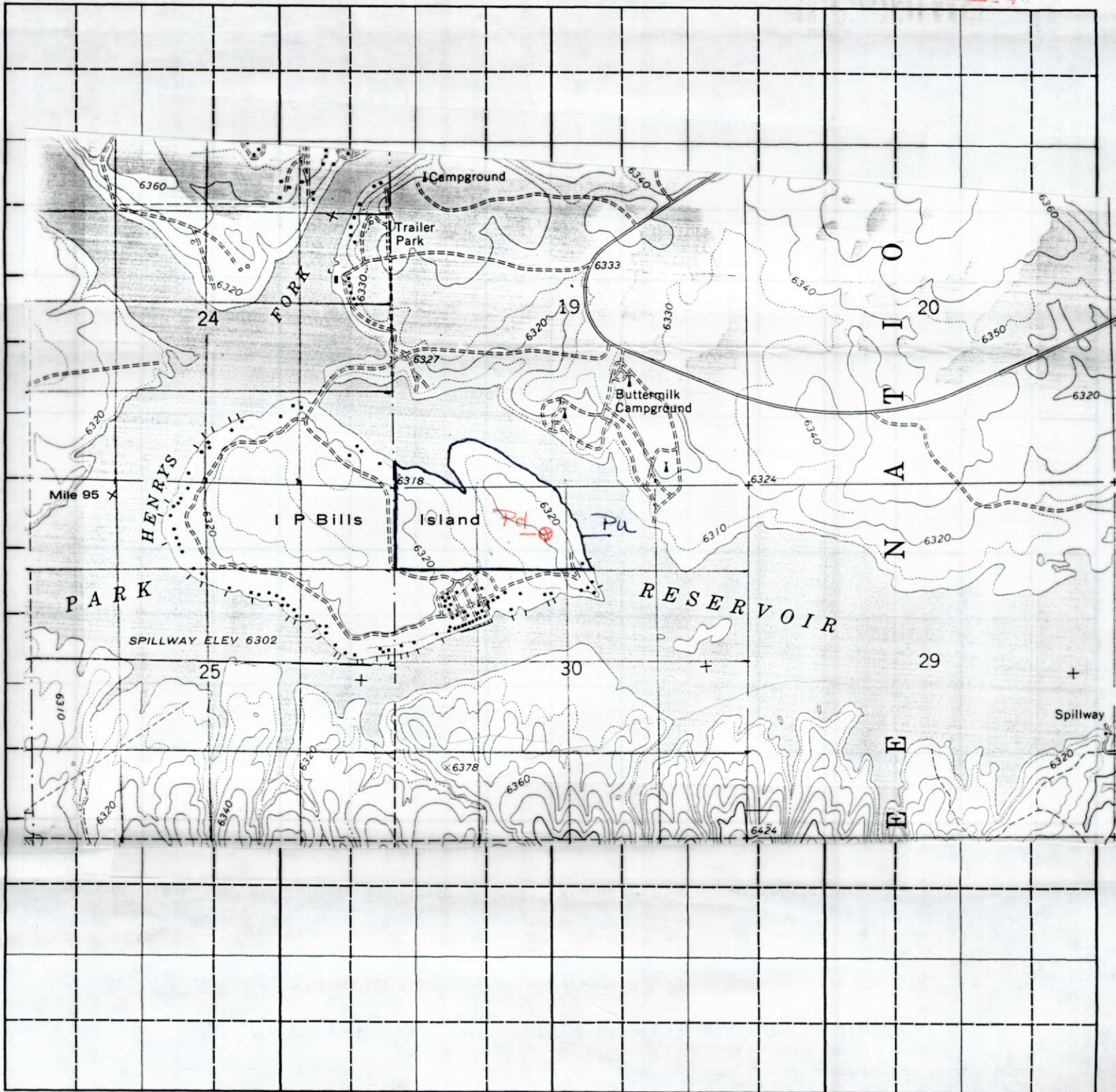


SCALE 1"=100'

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 MAR 09 1990



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.

MICROFILMED

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.

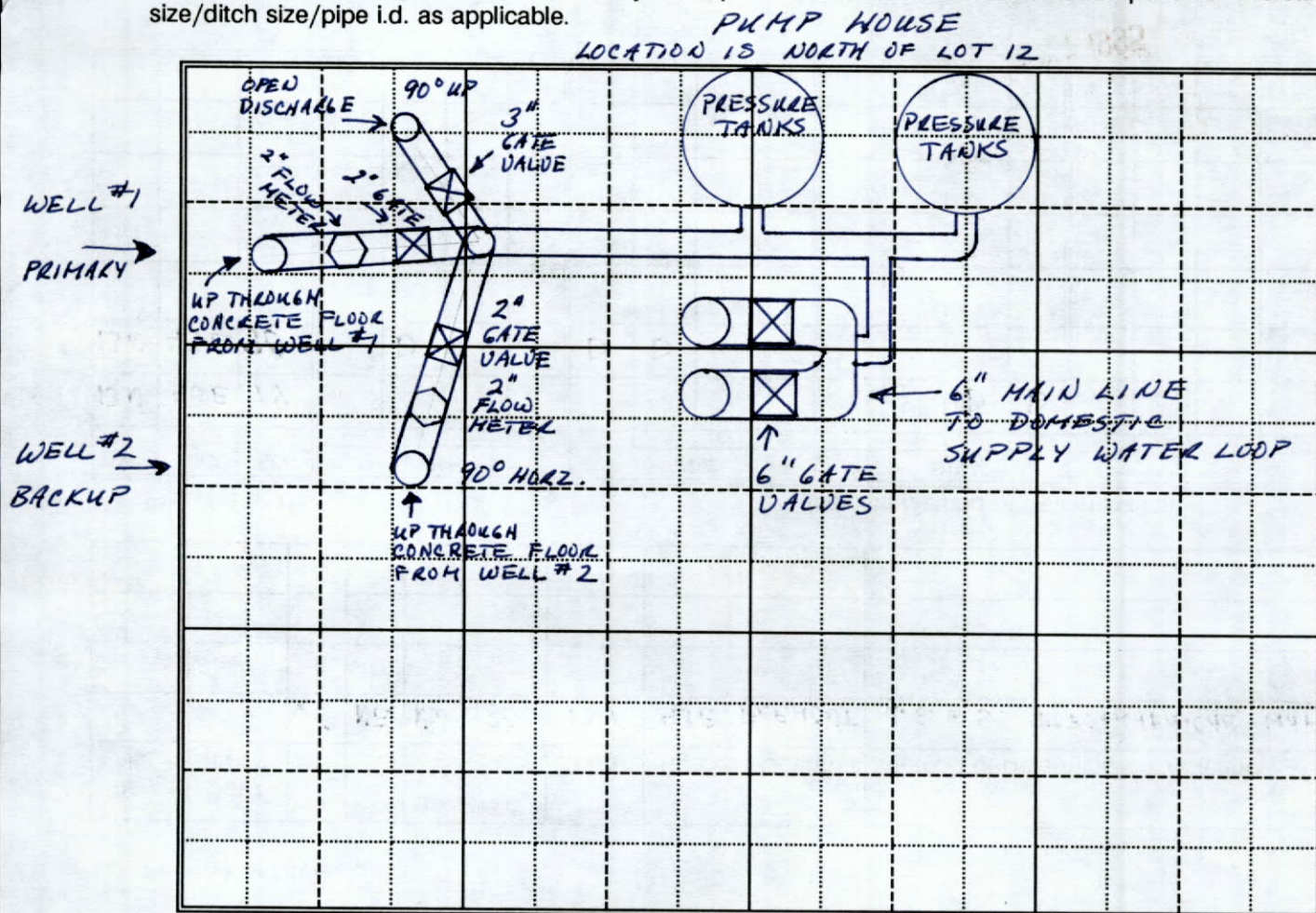
MAR 09 1990

DAVE WELLING & ASSOCIATES, INC.

BY: Ray W. Rigby
(Applicant) General Counsel

Title -

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
#1	JACUZZI	7.5	120059E87	JACUZZI	MODEL # 7556B8 2 1/2" OUT PUT
#2	MOTOR + PUMP NOT INSTALLED AT THIS TIME.				

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

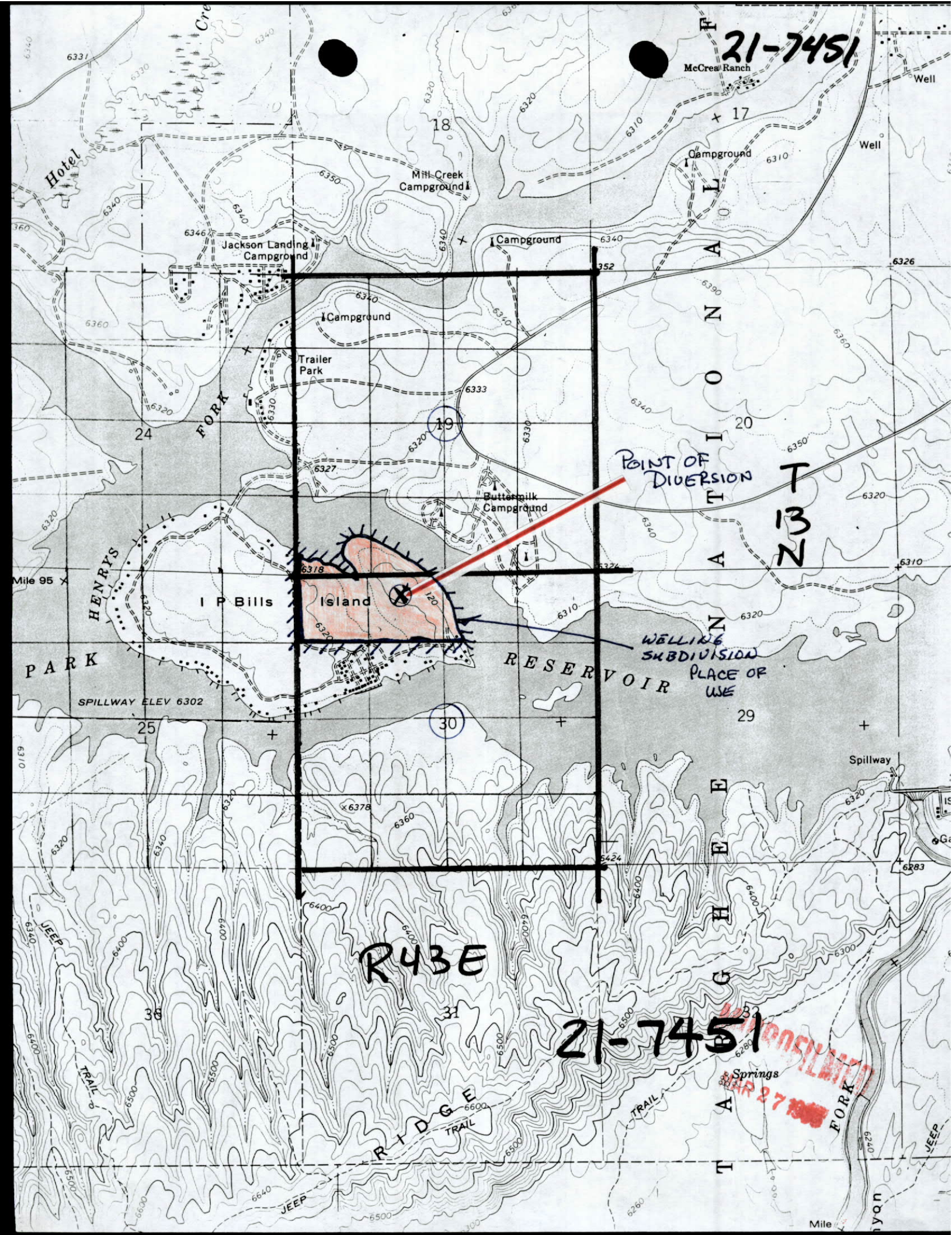
D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PRESSURE GAGE	ASHCROFT	LIQUID			0-100 PSI	

2. Measurements: OPERATING PRESSURE = 45 PSI (ON) 64 PSI (OFF)
PUMP AT 65', WELL 85' DEEP

MAR 27 1995



BILLS ISLAND

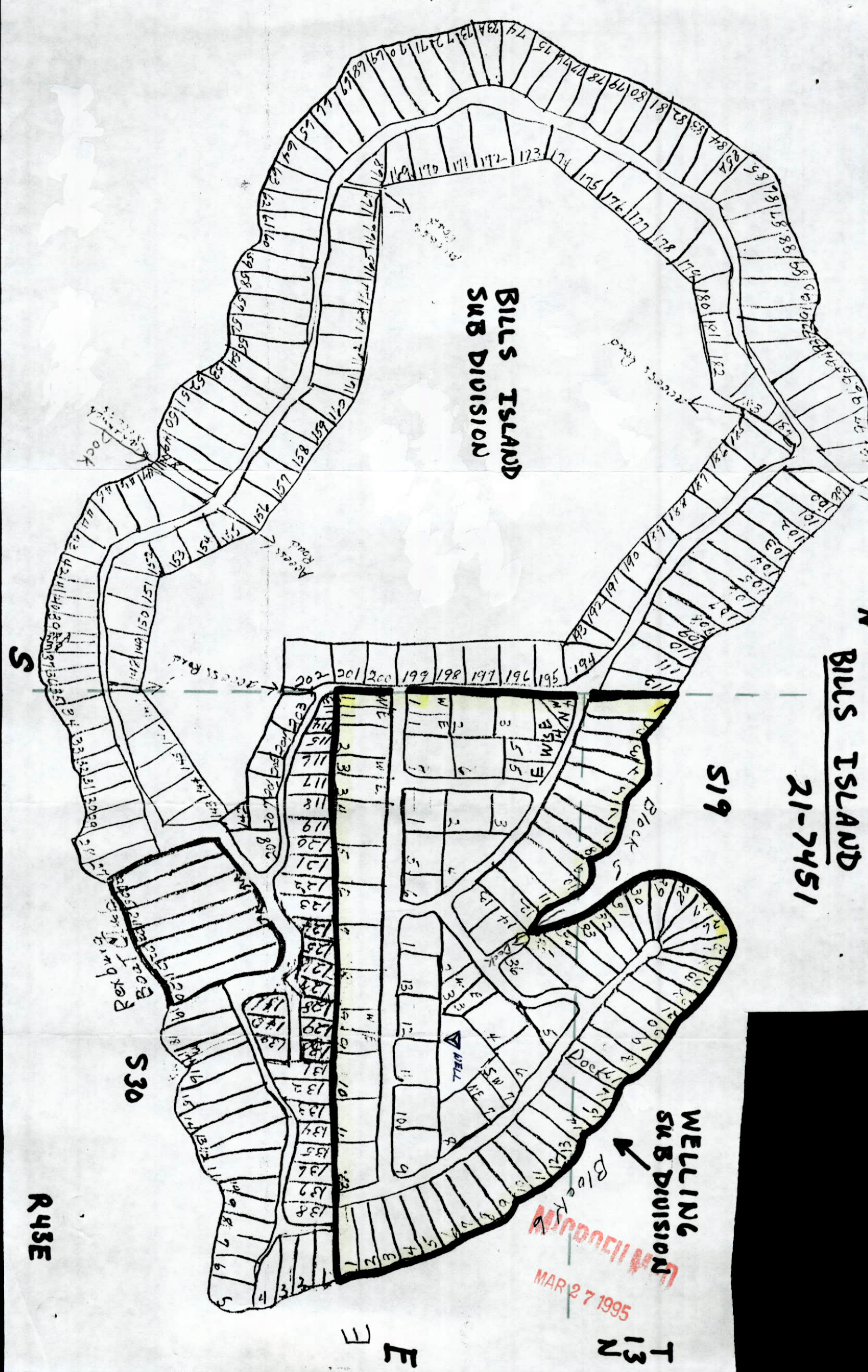
21-7451

S19

**WELLING
SUB DIVISION**

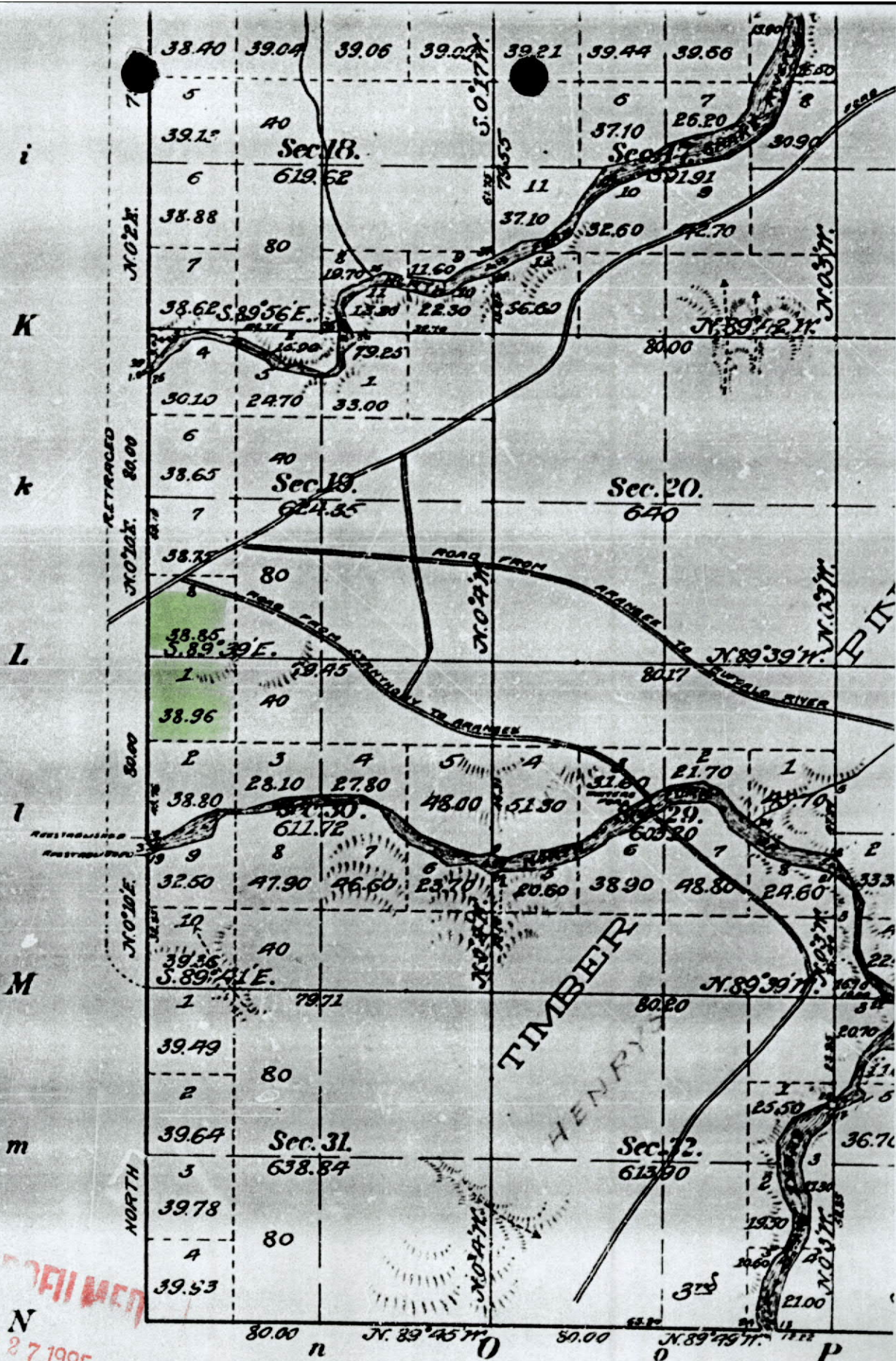
**BILLS ISLAND
SUB DIVISION**

**RECEIVED
MAR 27 1995**



S30

R43E



MAR 27 1995

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Survey
N.B. and W. Township lines	F.J. Mills and F. Riblett.	148 Jan. 19, 1893.	15 00 40

21-07451

WELLING SUBDIVISION

#1

WELL #1 PRIMARY



WELL #2 BACKUP

21-7451



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MAR 27 1995

21-7451

VIEW OF INSIDE PUMP HOUSE



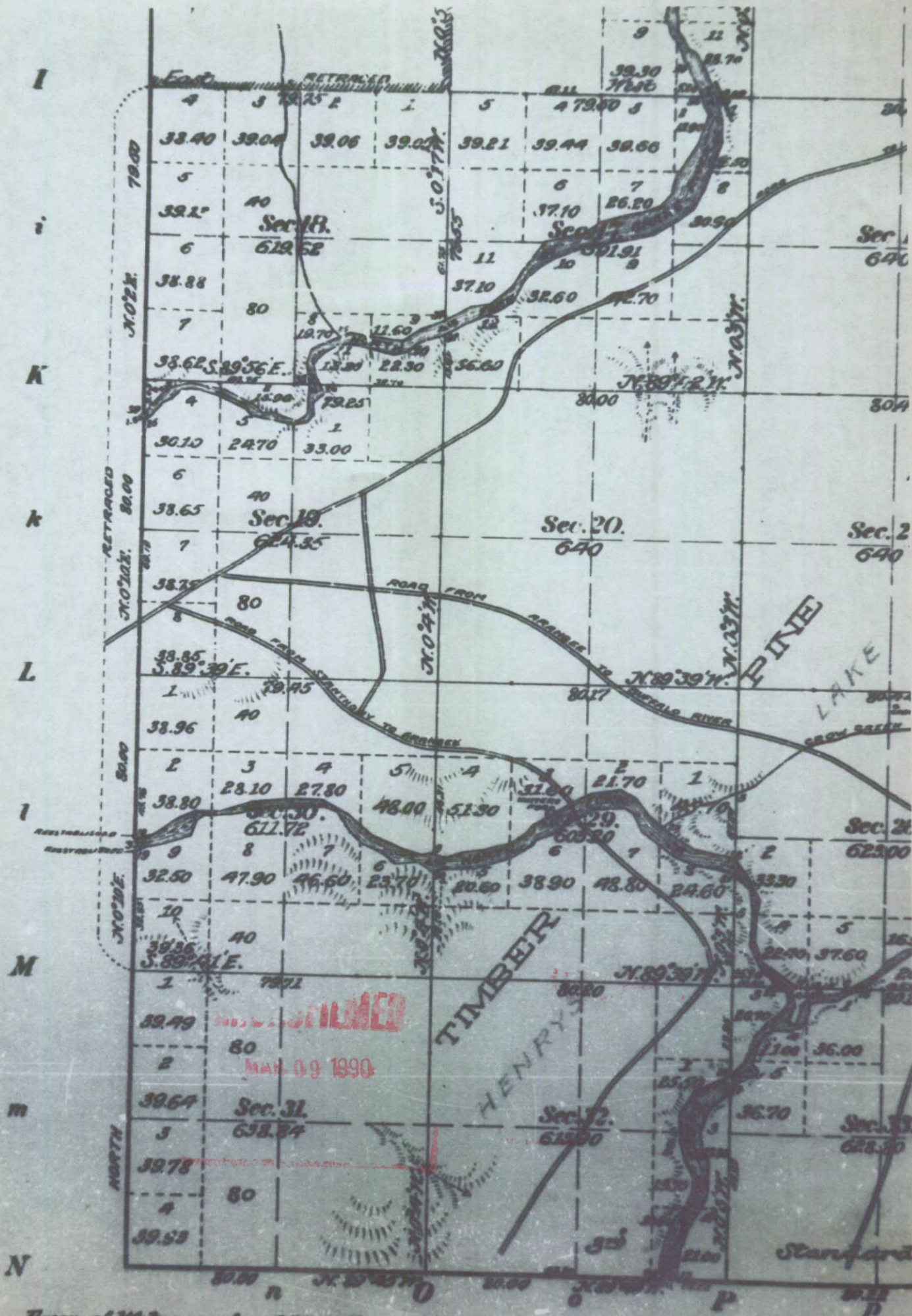
2 1/2" MAIN LINE FROM WELL REDUCES TO 2" PRIOR
TO FLOW METER - 2" FROM PRESSURE TANKS EXPANDS
TO 6" SYSTEM LINE.

21-7451

RECORDED

MAR 27 1995

21-7451



Survey Designated	By Whom Surveyed	Date of Contract	Amount of Survey	When
N.P. and N.				

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07451

Priority: August 16, 1989

Maximum Diversion Rate: 0.33 CFS

Maximum Diversion Volume: 106.8 AF

This is to certify, that DAVE WELLING & ASSOCIATES INC

5000 N 1025 W

REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 16, 1989; and has submitted Proof of Beneficial Use on January 25, 1993. An examination indicates that the works have a diversion capacity of 0.330 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>
DOMESTIC	01/01 to 12/31	0.33 CFS	106.8 AF
FIRE PROTECTION	01/01 to 12/31	0.33 CFS	
	Totals	0.33 CFS	106.8 AF

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 30, Township 13N, Range 43E
FREMONT County

PLACE OF USE: DOMESTIC

TWN RGE SEC

13N 43E 19 Lot 8 (SWSW) SESW
30 NWNE NENW Lot 1 (NWNW)

PLACE OF USE:

FIRE PROTECTION, same as DOMESTIC use

CONDITIONS/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 which 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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

MAR 27 1995

State of Idaho
Department of Water Resources

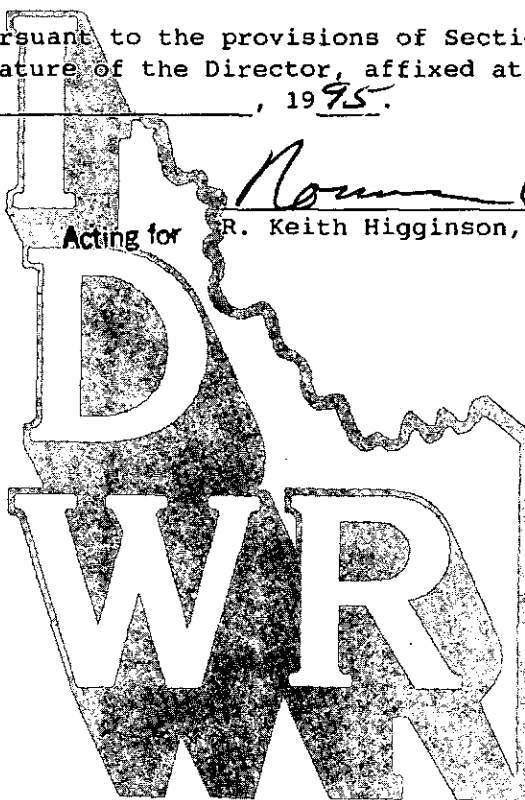
WATER RIGHT LICENSE

WATER RIGHT NO. 21-07451

CONDITIONS/REMARKS:

6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Domestic use is for 89 homes.
8. Place of use is located within the Welling Subdivision.

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 24TH day of MARCH, 1995.



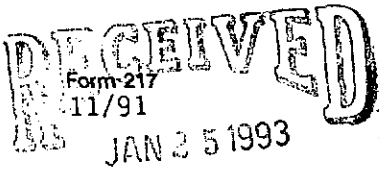
Acting for

R. Keith Higginson, Director

A handwritten signature in cursive script, appearing to read 'R. Keith Higginson', is written over the printed name of the Director.



RECORDED
MAR 27 1995



Department of Water Resources
Eastern District Office

OFFICE USE ONLY
Amt. of Fee \$ 100.00
Date 25 Jan 1993
Receipt No. 5618227
Receipt by Kaw

STATE OF IDAHO
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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 21-07451 Telephone No. 356-6619
2. Name(s) of Permit Holder(s): Dave Welling & Co. Inc.
3. Mailing Address: 5000 N 1025 W Rexburg Idaho 83440
4. Source of Water: Ground Water

If **GROUNDWATER**, Well Driller's Name: High Plains Date Drilled: 8/16/88
per telecom 3/2/93

OPTIONAL:

Pump horsepower: 7.5 Pressure (psi): 50 Dynamic pumping level (ft.): 100

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

Domestic X 100 (No. of households) Stockwater _____ (No. and type of stock)
Irrigation _____ (No. of acres) Other 2/2/93 Domestic fire protection

6. Total rate and/or volume for which proof is submitted .90 cfs OR _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)

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

Rep J Warden Telephone No. 356-6619
Name
5000 N 1025 W Rexburg Idaho 83440
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

APR 07 1993

Date

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

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 21-07451

Proposed Priority: August 16, 1989

Maximum Diversion Rate:

0.90 CFS

This is to certify, that **DAVE WELLING & ASSOC. INC.**

25 N. 2 E.

P.O. BOX 250

REXBURG, ID 83440

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>
DOMESTIC	01/01 to 12/31	0.45 CFS
FIRE PROTECTION	01/01 to 12/31	0.45 CFS
	Totals	0.90 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENW Sec. 30, Township 13N, Range 43E
FREMONT County

PLACE OF USE: DOMESTIC

TWN RGE SEC

13N 43E	19	LOT 8(SWSW)	SESW	
	30	NWNE	NENW	LOT 1(NWNW)

PLACE OF USE: FIRE PROTECTION, same as DOMESTIC use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 1993.**
2. Subject to all prior water rights.
3. 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.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. 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.

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MAR 09 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 21-07451

CONDITIONS/REMARKS:

8. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
9. Domestic use is for 100 homes.

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

12th day of February, 1990.

for R. Keith Higginson, Director

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MAR 09 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 217451

To appropriate the public waters of the State of Idaho

1. Name of applicant Dave Welling & Associates Inc. Phone 208-356-3633

Post office address 25 N. 2E PO Box 250 Rexburg Idaho 83440 c/o Ray W. Rigby

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

3. Location of point of diversion is _____ 1/4 of NE 1/4 of N42 1/4, Govt. Lot _____

Sec. 30 Township 13N Range 43E B.M. Fremont County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .45 for Domestic purposes from 1 January to 31 December (both dates inclusive)
(cfs or acre-feet per annum)

Amount .45 for fire protection purposes from 1 January to 31 December (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) 9.0 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Two interconnected wells and pumps to storage tanks; then to a distribution system for 100 households and a fire protection 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~~ ^{Existing} well diameter is 8 inches; ~~proposed~~ ^{Existing} 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 beneficial use is 5 years (minimum 1 year).

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MAR 09 1990

There are two (2) wells in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$:
List of Corporate Officers & Titles

12. Remarks:

applicant to make this filing.

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

b. Who owns the land to be irrigated or place of use? *Cabias and/or lot owners*

11. a. Who owns the property at the point of diversion? *Applicants*

10. Describe any other water rights used for the same purposes as described above. *None*

Total number of acres to be irrigated

Gov't. lots added 1/30/90 - kw

[illegible]

ponding place of use below. See instructions for standard symbols.

b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding column.

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

9. Description of place of use:

e. Other; describe fully. *fire protection system*

d. Domestic; show number of households. 100

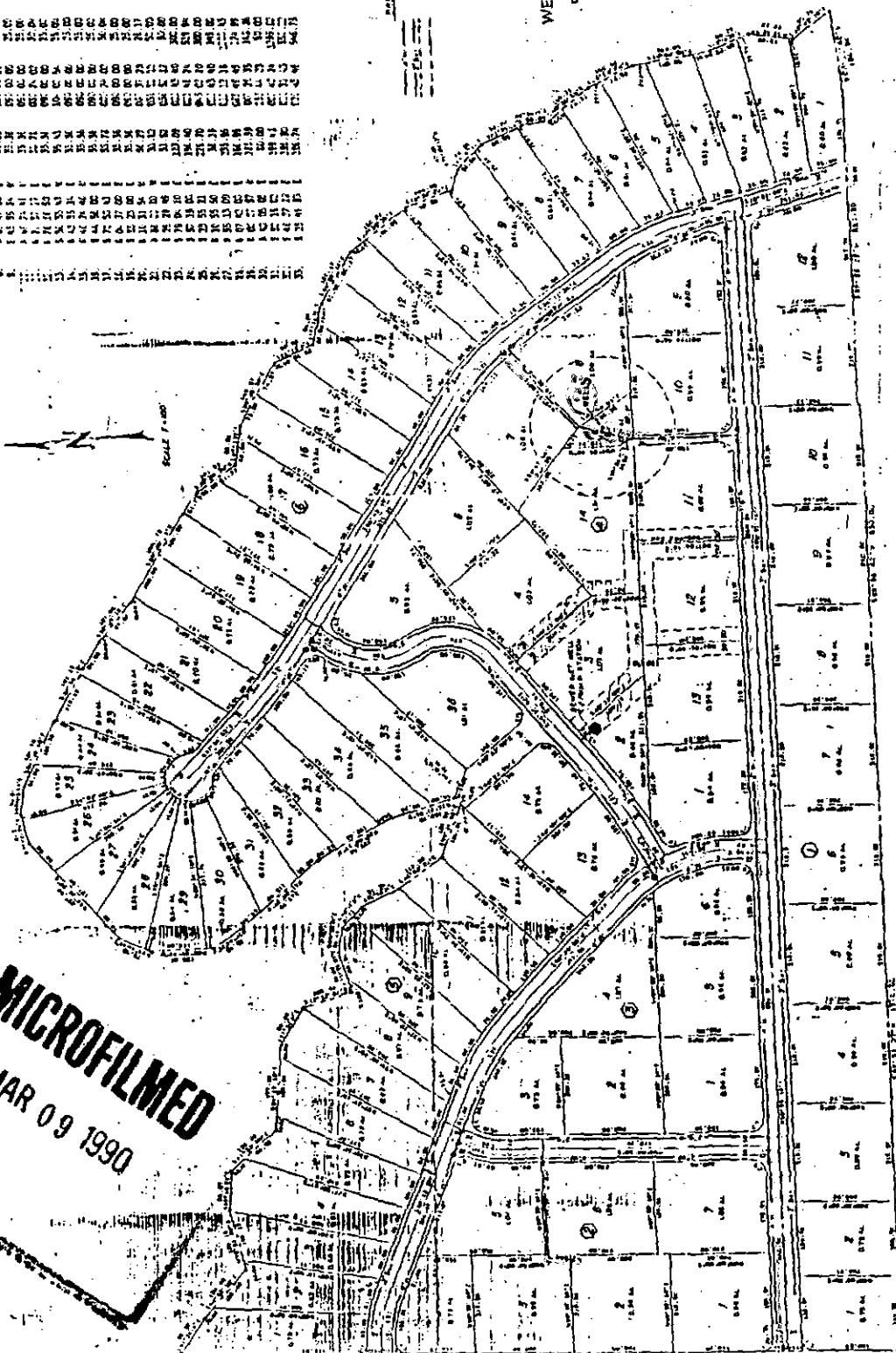
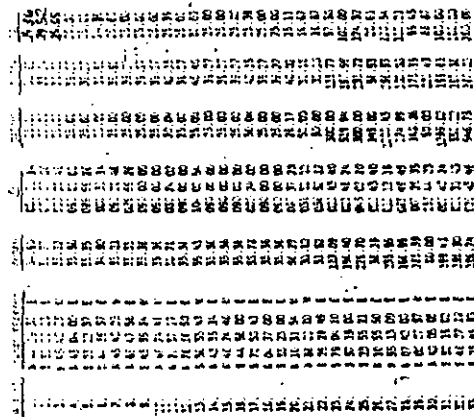
c. Municipal; show name of municipality.

b. Stockwatering; list number and kind of livestock.

a. Hydropower; show total feet of head and proposed capacity in KW.

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

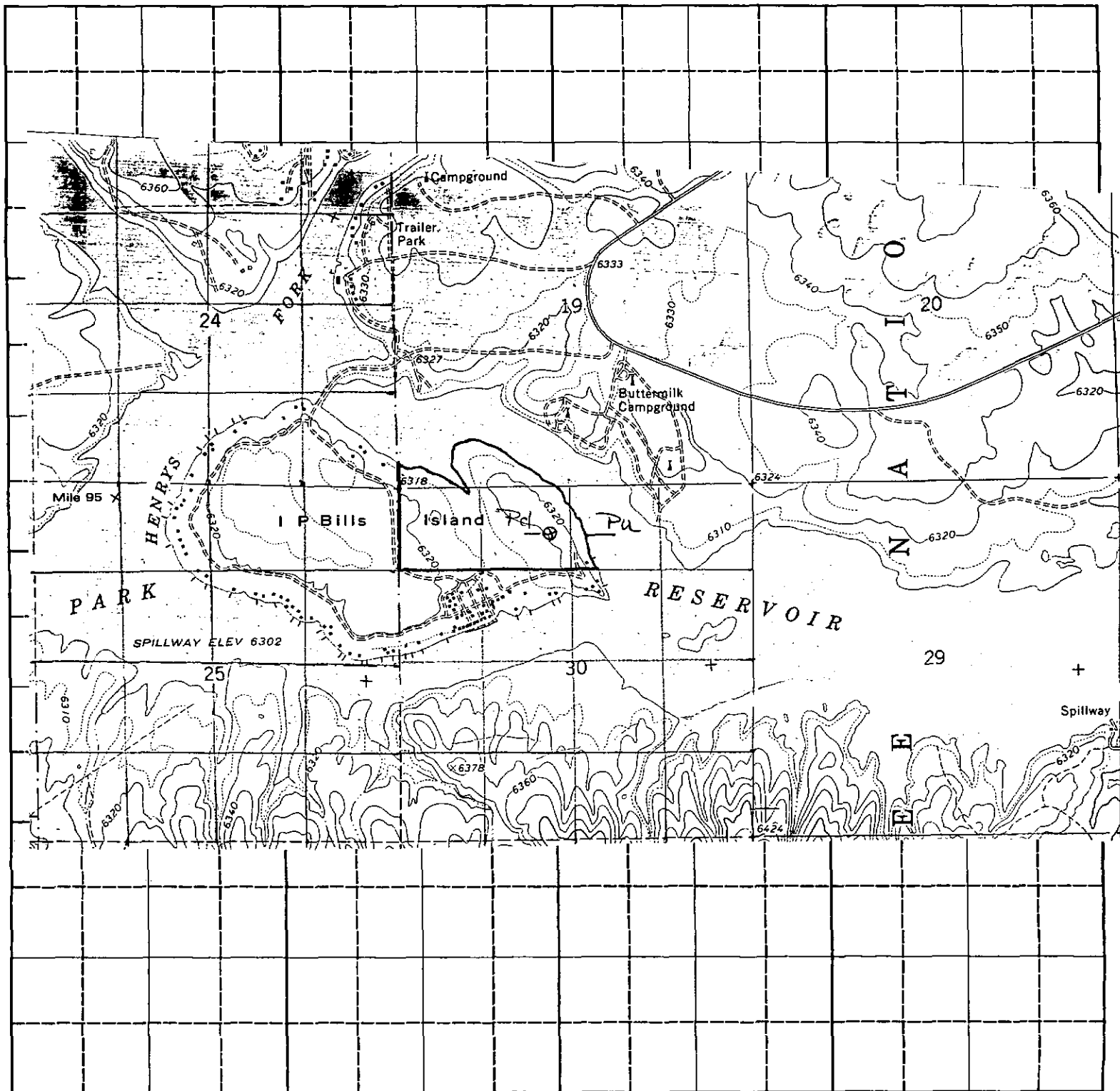
161144-2- 259272-
WYOMING STATE
DEPT OF CORRECTIONS
CRAIG, WYOMING



MICROFILMED
MAR 09 1968

MAR 09 1990

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.

MICROFILMED

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.

MAR 09 1990

DAVE WELLING & ASSOCIATES, INC.

BY: *Ray W. Ryby*
(Applicant) General Counsel

Title -

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MAR 09 1990

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by DMB 10-26-89 1:20 p.m.

Received by _____ Date 8-16-89 Time 12:10 P

Preliminary check by _____

Fee \$ 45.00

Received by _____ Date 8-16-89

Received by _____ Date 8-16-89

Published in _____ Date 12-7-14-89

Publication prepared by _____ Date 12-7-14-89

Publication approved by _____ Date 1-8-90

Attachment to State of Idaho, Department of Water Resources
Application for Permit for Dave Welling & Associates, Inc.

Names and Addresses of Officers and Directors of Dave Welling &
Associates, Inc.

Leland R. Erickson
President

1000 E. 3100 N.
North Ogden, UT 84404

Arthur Campbell
Secretary

2722 N. 500 E.
North Ogden, UT 84404

J. Reed Mackley
Director

1650 N. Mountain Rd.
North Ogden, UT 84404

Lloyd Searle
Director

685 E. 2700 N.
North Ogden, UT 84404

J. Burns Toolson
Director

2733 N. 550 E.
North Ogden, UT 84404

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MAR 09 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Dave Wellings & Associates, Inc. Phone 208-356-3633
c/o Ray W. Rigby
Post office address 25 N. 2 E. P.O. Box 250, Rexburg, Idaho 83440
2. Source of water supply Underground which is a tributary of _____
3. Location of point of diversion is SE ¼ of NE ¼ of NW ¼, Govt. Lot _____
Sec. 30 Township 13 N. Range 43 E. B.M. Fremont County; additional
points of diversion if any: 2 Wells in the same 40 Acre tract,
SE ¼ NE ¼ NW ¼, Sec. 30, Twp. 13 N., Rge 43 E. B.M.
4. Water will be used for the following purposes:
- Amount .31 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated (a) .31 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, motor,
switchboard, storage tanks and pipeline
to connect approximately 100 residential lots
- 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 8 inches; proposed depth of well is 100 feet.
- d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

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MAR 09 1990

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

9. Description of place of use:
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.
- c. Municipal; show name of municipality.
- d. Domestic; show number of households.
- e. Other; describe fully.
- Hand watering and flushing around
limes, plus fire control for calms
Culinary use for calms area,
approximately 100

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

- b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding column.

ponding place of use below. See instructions for standard symbols.

[illegible]

Total number of acres to be irrigated

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

None

11. a. Who owns the property at the point of diversion? Hypocean Corp owner

- b. Who owns the land to be irrigated or place of use? _____

- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing.

12. Remarks: *The two wells have been drilled.*

Remarks:

Remarks: The three wells have been drilled. The distribution pipeline is installed. One pump is operating to serve a few cabins already built & occupied. The 2 well drillers reports are attached.

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MAR 09 1966

See attached map

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MAR 09 1990

MICROFILMED

MAR 09 1990

Application for permit to appropriate the public waters of
Dave Welling & Associates, Inc
by: Lay W. Sigby
 (Applicant) attorney

MICROFILMED

MAR 09 1980

e. Other:

- 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.
- 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.

19

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. _____, and said application is hereby _____

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Publication approved _____ Date _____

Publication prepared by _____ Date _____

Published in _____

Received by _____ Date 8-16-89 Time 12:10P

Preliminary check by _____

Received by _____

#

EG09877

Date 8-16-89

Fee \$ 45.00



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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 24, 1995

DAVE WELLING & ASSOCIATES INC
5000 N 1025 W
REXBURG ID 83440

RE: WATER RIGHT NO. 21-07451

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

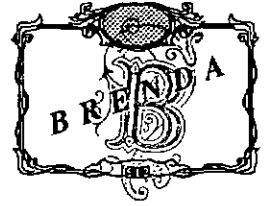
SK:rl

Enclosure

RECEIVED

MAR 27 1995

LICENSE REVIEW CHECKLIST



PERMIT NO. 21-07451 DATE 3/8/95

NAME	<u>Change OK</u> ☒	Or Address Change? ☐
PRIORITY DATE	☒	Advance? ☐ Advanced to: _____ Order to reinstate needed? ☐ Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☒	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? ☐
POINT OF DIV	☒	Amendment needed? _____ Overlaps? ☒
PLACE OF USE	☒	Amendment needed? _____ Overlaps? ☒
DIV RATE	☒	Permit/fee limits: <u>.90 CFS</u> Meas Q = _____ Theo Q = <u>.35/.38</u> Recommend: <u>.33 CFS</u> <u>at PL of 28' rather than 18' the rate is reduced to .35 CFS</u> <u>at PL of 38' is reduced even further to .33 CFS</u> Combined rates exceed capacity ☐
ANNUAL VOLUME	☒	Volume Limit: _____ Season: _____ Calculations: <u>89 homes @ 1.2 = 106.8</u> Flow limit: <u>.33</u> cfs x <u>365</u> x <u>1.9835</u> = <u>238.9</u> Combined volumes exceed capacity/allowable ☐
USES	☒	Change in Nature of Use or additional uses? _____ Amendment necessary? ☐
REMARKS	☒	Multiple p/d(s) in 1/4 1/4? <u>SECOND WELL NOT USABLE - NO PUMP</u> Other <u>also a Subdivision remark.</u>
CONDITIONS	☒	Watermaster control - District _____ Measuring/Locking Devices ☒ Irrigation Overlap ☒ Other <u>KEEP NON-TRUST 048 & 049</u> Water Quality _____ Heat/Cool/Fish verified ☐

COMMENTS: Reduce rate to capacity. Welling Subdivision
Reduced rate will supply necessary volume.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	NO
<u>Domestic</u>	<u>.33</u>	<u>106.8</u>	Adjustment Memo Needed	<u>YES</u>
<u>FIRE PROTECTION</u>	<u>.33</u>	<u>0</u>	LICENSE	☒
_____	_____	_____	AMENDMENT LETTER	_____
_____	_____	_____	SECOND AMENDMENT LETTER	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 08 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 21-7451

1. Owner: DAVE WELLING & ASSOC. INC. Phone No. 356-6619

Current Address: 25 N. 2 E., P.O. BOX 250, REXBURG, IDAHO 83440

2. Accompanied by: GARTH BROWN EXAM DATE: 9/29/93

Address: P.O. BOX 392, ISLAND PARK, ID. 83429 Phone No. _____

Relationship to Permit Holder: BILLS ISLAND SECURITY

3. Source: GROUND WATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		/	NE	NW	30	13 N	43E	FREMONT	U.S. G.S. TOPOGRAPHICAL MAP

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	
13N	43E	19											D	D					
13N	43E	30		D			D	D											

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DEC 7 1993

2. Measurements: OPERATING PRESSURE = 45 PSI (o.d) 64 PSI (O.F.F.)

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PRESSURE GAGE	MANU/DFT	LIQUID			0-100 PSI	

D. FLOW MEASUREMENTS

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

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	JAC#221	7.5	120059E87	JACU221	MODEL # 755688 2 1/2" OUT PUT
#2	MOTOR & PUMP NOT INSTALLED AT THIS TIME.				

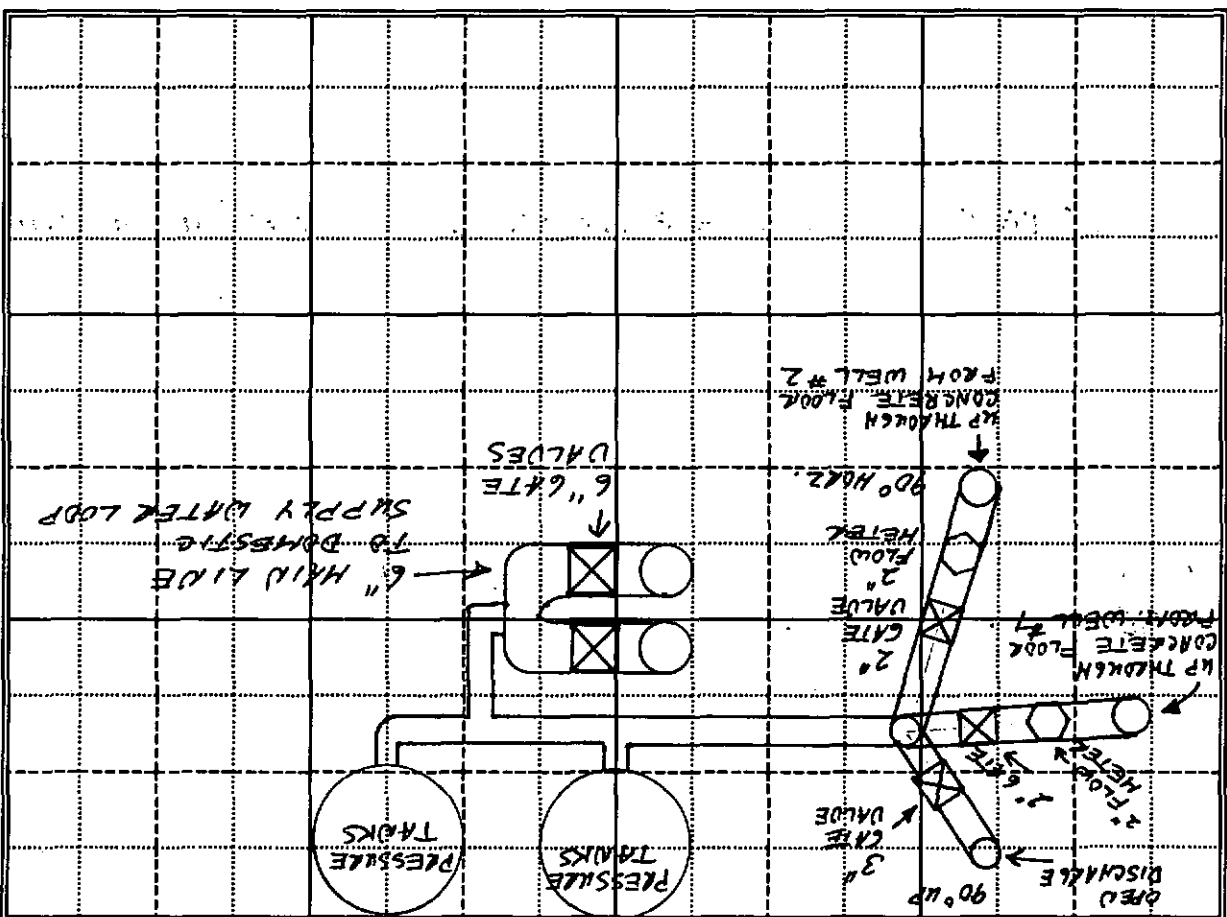
4.

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



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

E. NARRATIVE/REMARKS/COMMENTS

WELLING SUBDIVISION DOMESTIC WATER SYSTEM CONSISTS OF 2 WELLS. WELL #1 IS THE PRIMARY WATER SOURCE; THE DEPTH OF PUMP IS 65 FEET; THE WELL DEPTH IS 85 FEET. A 7 1/2 HP JACK221 PUMP WITH A 2 1/2" OUT PNT LIFTS WATER TO THE WELL HOUSE. THE SYSTEM (#1 WELL) HAS A 2" FLOW METER INSTALLED; THE READING AT THE TIME OF INSPECTION WAS 1,050,650 (PRECISION FLOW METER) GALLONS. STATIC WATER LEVEL IS 18'.

THE SUBDIVISION HAS 89 AVAILABLE LOTS WITH CURRENTLY ONLY 22 HOMES BUILT. ALL LOTS WILL HAVE A HALF ACRE OF IRRIGATED GROUND (WATER IS SUPPLIED TO PROPERTY LINE).

SUBSEQUENT FLOW METER READING ON 8/10/94 3,736,910 WITH 315 LAPSED DAYS = 5.922 GPM ON AVERAGE.

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

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MAR 27 1995

MAR 27 1995

* See attached adjustment explanation memo. BC.

SEAL

Reviewer: Kent C. Wilson Date: 11/30/94

Field Examiner's Name Don SIMPKINS Date 09/29/93

Re-Zam 8/10/94

I. AUTHENTICATION

Change P.D. as reflected above	_____	Change P.U. as reflected above	_____
Add P.D. as reflected above	_____	Add P.U. as reflected above	_____
None	_____	Other	_____

2. Recommended Amendments

Beneficial Use	Domestic System (75 UNITS)	From 11/1	To 12/31	Rate of Diversion Q (cfs) 0.38 cfs	Annual Volume V (ata) 4590 cft
Totals:				0.38 cfs	4545A 90

1. Recommended Amounts

H. RECOMMENDATIONS

$$V_{\text{DOL}} = 75 \text{ kVITS} \times \frac{1.2}{0.6} \text{ AFA} = \$590 \text{ ft}$$

2. Volume Calculations for Other Uses:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V_{IR} = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

1. Volume Calculations for Irrigation:

G. VOLUME CALCULATIONS

⑩ 0.38 cfs using domestic chart for Maximum Instantaneous Flow would supply 75 homes

$$Q = 7.5 \text{ HP } (8.814) (70\% \text{ EFF.}) = \frac{18' \text{ HEAD} + (45 \text{ PSI} \times 2.308)}{46.2735} = 0.3797 \text{ CFS.}$$

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

MEMORANDUM

TO: File 21-07451 / Dave Welling and Associates
FROM: Brenda Chapman
DATE: March 8, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

F. FLOW CALCULATIONS

The theoretical calculation has been adjusted based on a pumping level of 38' (according to the well log, the static water level is 28' rather than 18').

$$\frac{8.8 \times .7 \times 7.5 \text{ hp}}{38' + (2.31 \times 45 \text{ psi})} = .33 \text{ cfs}$$

G. VOLUME CALCULATIONS

Volume recommendation is being made for the 89 lots that are stubbed in.

H. RECOMMENDATIONS

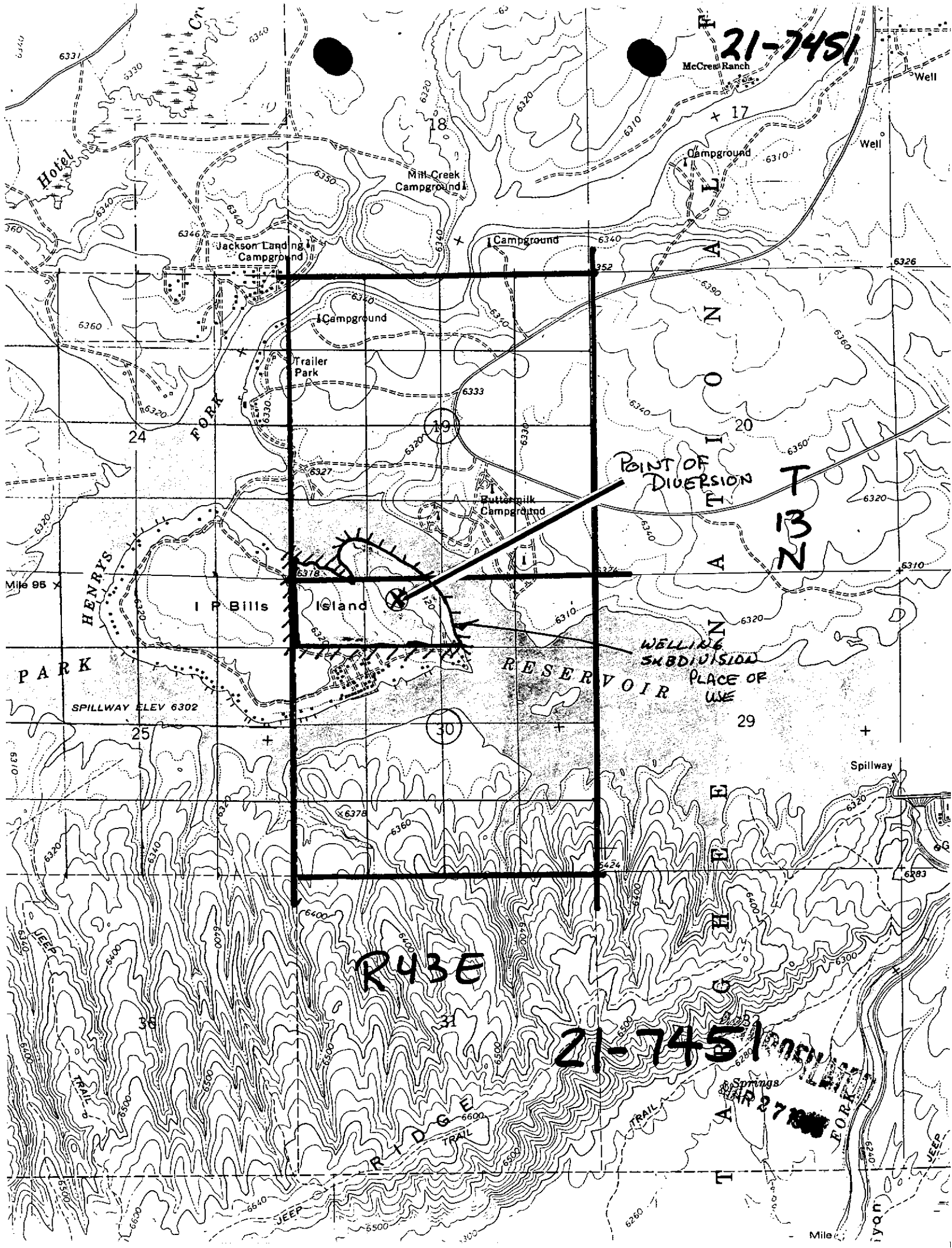
1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Domestic	1-01 to 12-31	.33	106.8
Fire Protection	1-01 to 12-31	.33	Not listed

See items F & G.

Also, the fire protection use was omitted on the recommendation.

APPROVED
MAR 27 1995



21-7451

McCreary Ranch

+ 17

Campground

Mill Creek Campground

Jackson Landing Campground

Campground

Campground

Trailer Park

Buttermilk Campground

POINT OF DIVERSION

T
13
N

WELLING
SUBDIVISION
PLACE OF
USE

RESERVOIR

Spillway

R43E

21-7451

Spring

APR 27 1964

RIDGE

TRAIL

TRAIL

Mile

BILLS ISLAND

21-7451

S19

**WELLING
SUB DIVISION**

**BILLS ISLAND
SUB DIVISION**

MAR 27 1995

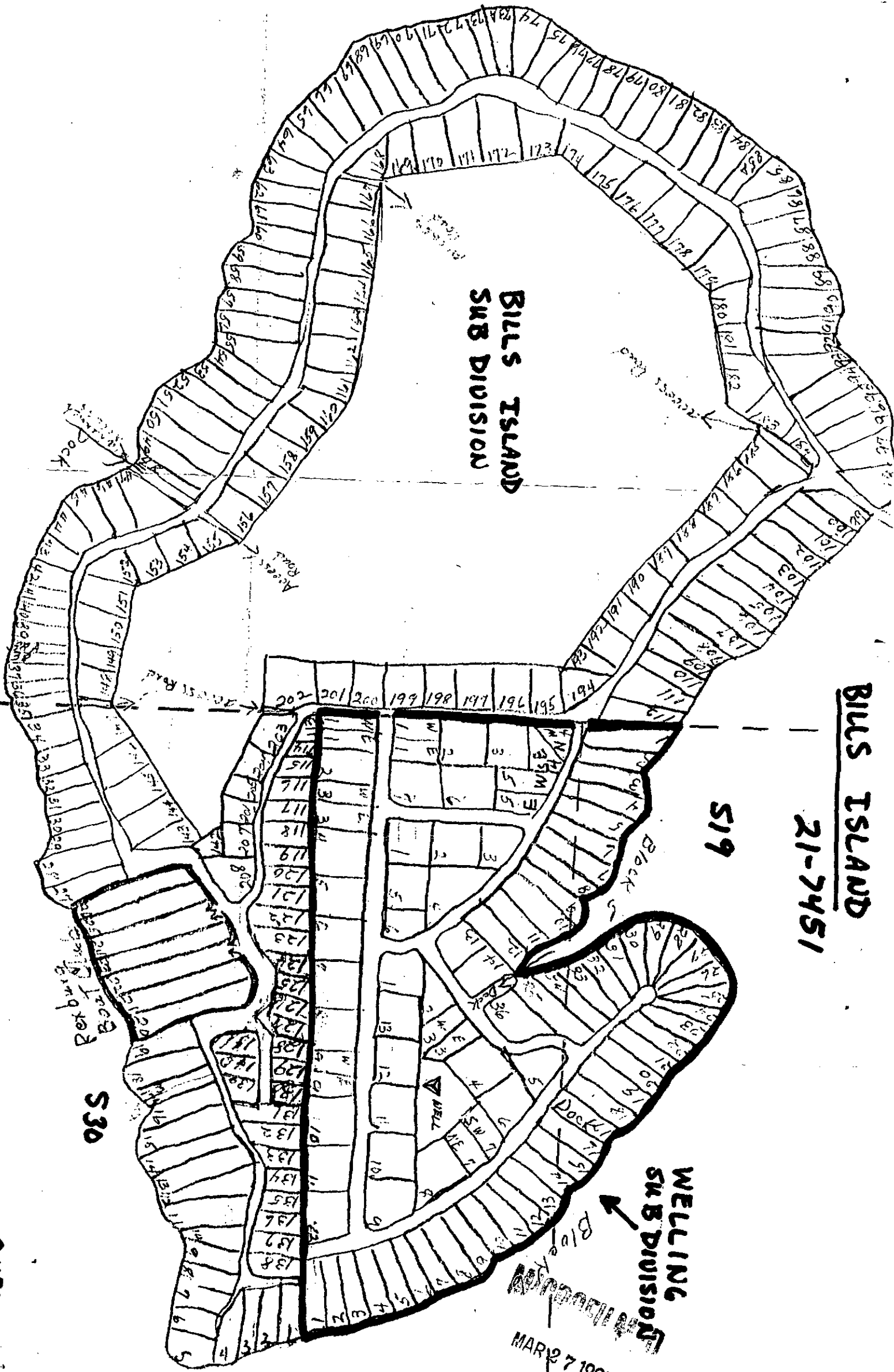
T-32

E

S

S30

R43E



WELLING SUBDIVISION

#1

WELL #1

PRIMARY



WELL #2 BACKUP

21-7451



RECEIVED

MAR 27 1995

21-7451

VIEW OF INSIDE PUMP HOUSE



2 1/2" MAIN LINE FROM WELL REDUCES TO 2" PRIOR
TO FLOW METER - 2" FROM PRESSURE TANKS EXPANDS
TO 6" SYSTEM LINE.

21-7451

RECORDED

MAR 27 1995

21-7451

March 5, 1993

DAVE WELLING & ASSOC. INC.
5000 N 1025 W
REXBURG ID 83440

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 21-07451

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

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APR 07 1993

December 31, 1992

DAVE WELLING & ASSOC. INC.
25 N. 2 E.
P.O. BOX 250
REXBURG ID 83440

PROOF DUE NOTICE

RE: PERMIT NO. 21-07451

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 March 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.

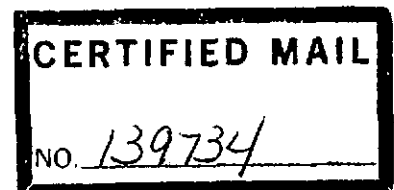
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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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APR 07 1993

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
February 13, 1990

DAVE WELLING & ASSOC. INC.
25 N. 2 E.
P.O. BOX 250
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. P21-07451

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.

Please be advised that water quality is subject to regulations of the Idaho Department of Health and Welfare. We suggest that you check with them before starting construction.

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

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MAR 09 1990

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 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.

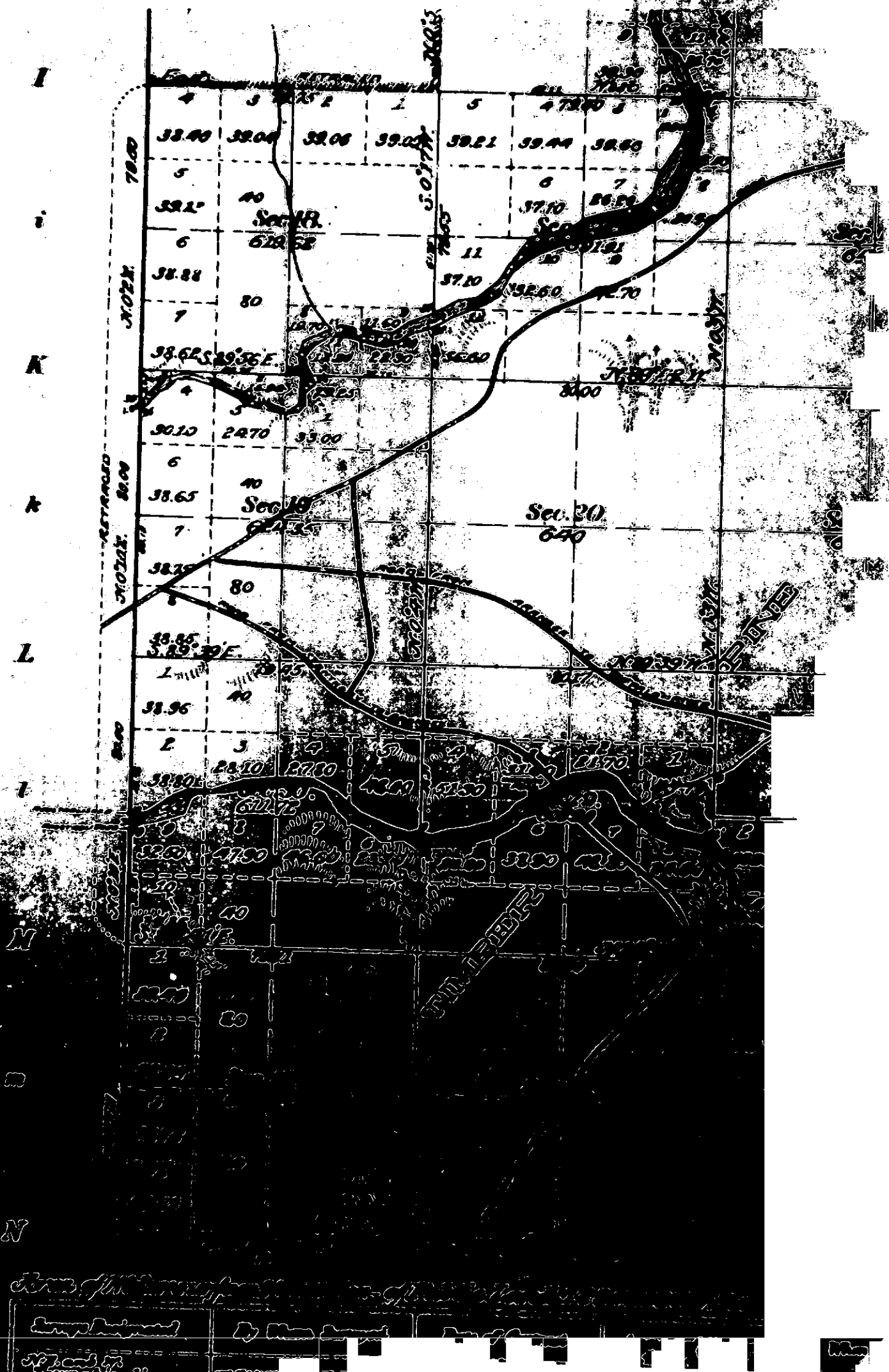
Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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MAR 09 1990



30-Nov-1989

Department of Health & Welfare
Division of Environment
150 N. 3rd
Pocatello, ID 83201

RE: Application for Permit No. 21-7451, 23-7141, & 23-7142

Dear Sir:

This office is currently in the process of publishing notice that the above application for permit was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received as soon as possible. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the applications.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor

HWJ/rb
Enclosure

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MAR 09 1990

29-Nov-1989

Dave Welling & Associates, Inc.
25 N. 2 E.
P.O. Box 250
Rexburg, ID 83440

RE: Application for Permit No. 21-7451

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 Herald-Chronicle. 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

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MAR 09 1990

THE FREMONT COUNTY HERALD-CHRONICLE
St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, Terry Weatherston
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont 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

December 7, 1989
and the last publication having been
made on December 14, 1989

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under 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 said notice.

Terry Weatherston
STATE OF IDAHO)
COUNTY OF MADISON)

On this 15th day of December
in the year of 1989, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me to
be the person whose name subscribed to
the within instrument, and being by me
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Gayle M. Fuchs
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

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JAN - 2 1990

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

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

21-07449
U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.
324 25th St.
OGDEN, UT 84401
Source: GROUNDWATER
Diversions Pt: LOT 4 (SWSE) Sec 26 T
10N R 45E
Use: DOMESTIC (.040 CFS)
Date Filed: 9/08/1989
In: T10N R45E S26 SWSE
21-07451

DAVE WELLING & ASSOCIATES INC.
25 N. 2 E.
P.O. BOX 250
REXBURG, ID 83440
Source: GROUNDWATER
Diversions Pt: NENW Sec 30 T 13N R
43E
Use: DOMESTIC (.450 CFS) FIRE
PROTECTION (.450 CFS)
Date Filed: 10/26/1989
In: T13N R43E S19 SWSW SESW S30
NWNE NENW NWNW

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls 83402 on or before
DECEMBER 26, 1989.

R. KEITH HIGGINSON
Director

Publ. Dec. 7 and 14, 1989HC.

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MAR 09 1990

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

Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 28, 1989

HERALD CHRONICLE
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 DECEMBER 26, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

INDEXED

MAR 09 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

MAR 09 1990

21-07451

DAVE WELLING & ASSOCIATES INC.
25 N. 2 E.
P.O. BOX 250
REXBURG, ID 83440

Source: GROUNDWATER

Diversion Pt: NENW Sec 30 T 13N R 43E

Use: DOMESTIC (.450 CFS)
FIRE PROTECTION (.450 CFS)

Date Filed: 10/26/1989

In: T13N R43E S19	SWSW	SESW	
S30	NWNE	NENW	NWNW

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MAR 09 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203C, 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 DECEMBER 26, 1989.

R. Keith Higginson, Director

Published 12/07/1989 & 12/14/1989

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MAR 09 1990

20 October 1989

Mr Ray W Rigby
25 N. 2E, PO Box 250
Rexburg, Idaho 83440

Mr Rigby,

Please review this application and sign it if it is satisfactory. We will need, in addition, a list of the officers, titles, and addresses of Dave Willing and Associates Inc. Upon the return of the application we will continue with processing.

Sincerely,
Dennis M Dunn
Sr. Water Resource Agent.

MICROFILMED

MAR 09 1990

42.381 50 SHEETS 5 SQUARE
42.382 100 SHEETS 5 SQUARE
42.383 200 SHEETS 5 SQUARE

NATIONAL

LAW OFFICES

RIGBY, THATCHER, ANDRUS,
RIGBY & KAM, *Chartered*

25 NORTH SECOND EAST - P.O. BOX 250 - REXBURG, IDAHO 83440
RAY W. RIGBY - GORDON S. THATCHER - G. RICH ANDRUS
JERRY R. RIGBY - MICHAEL S. KAM
TELEPHONE (208) 356-3633 - TELEPHONE (208) 529-5531 LF.

August 15, 1989

RECEIVED

AUG 16 1989

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES
150 SHOUP AVENUE
IDAHO FALLS ID 83401

Gentlemen:

Re: Application for Permit - Dave Welling & Associates

Enclosed please find Application for Permit for Dave Welling & Associates, Inc., together with our check in the sum of \$45.00.

Sincerely,

Debra A. Keller

Debra A. Keller
Secretary to Ray W. Rigby

Enclosures

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MAR 09 1990

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]