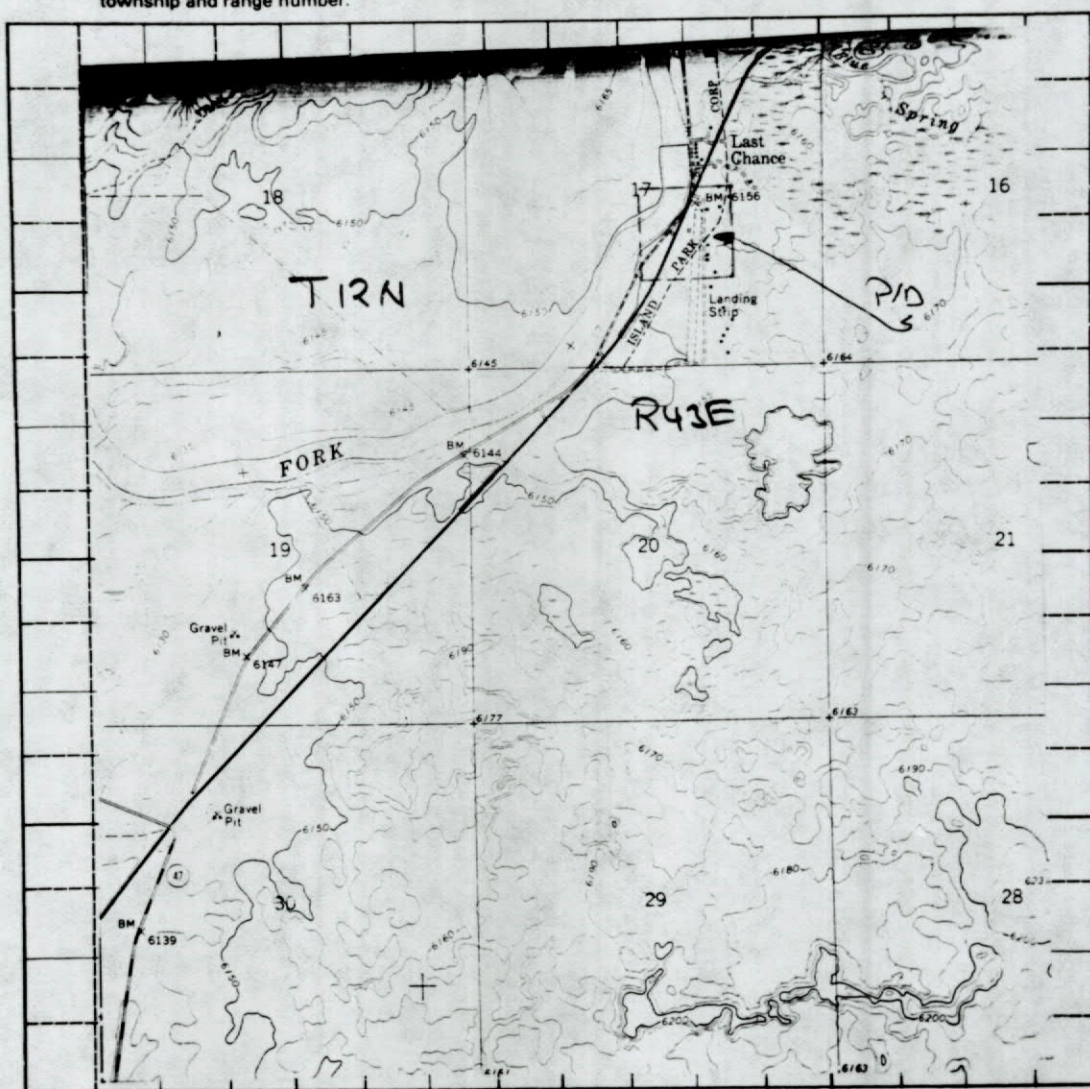


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



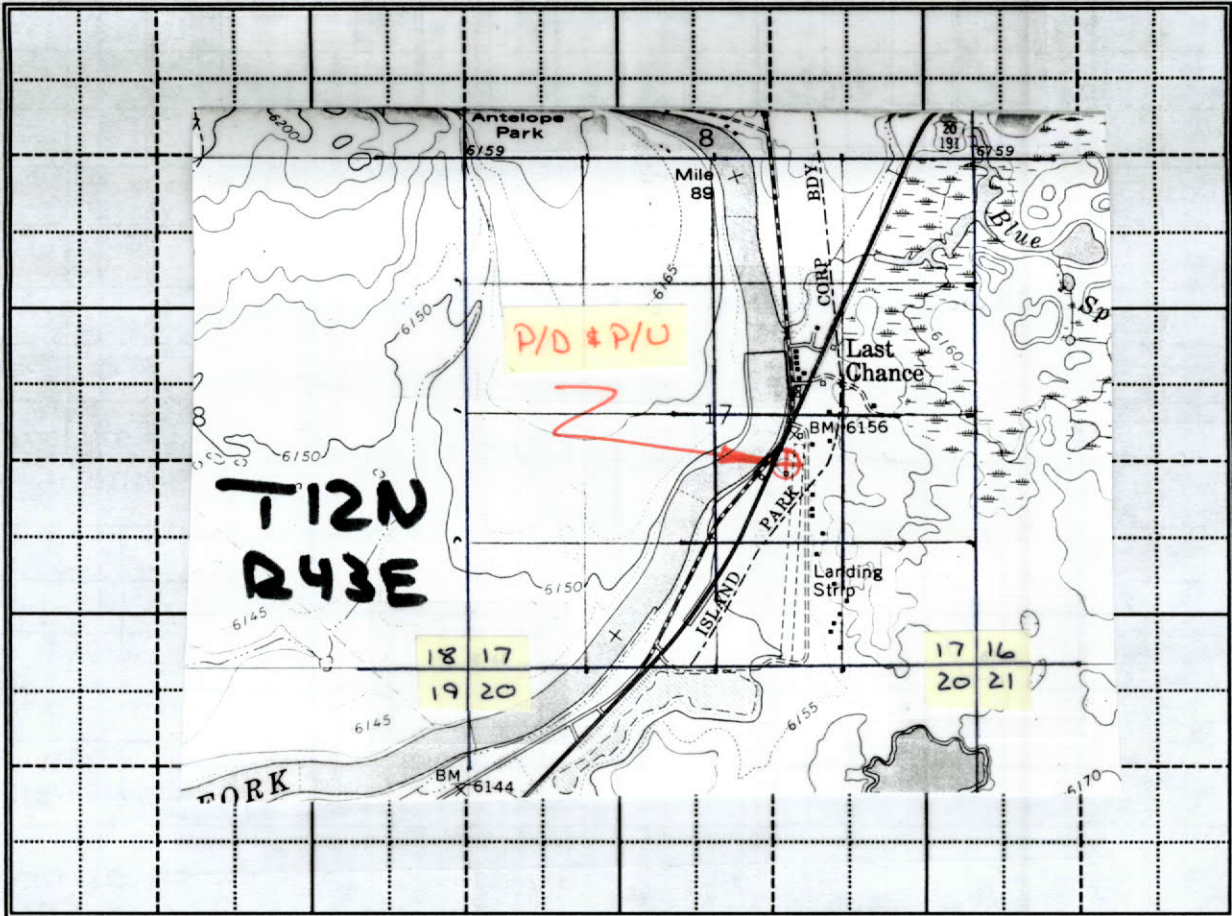
Scale: 2 inches equal 1 mile

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.

President of
Twinsburg Sales and Service Co.

John Shook
Applicant
Title - *Owner of Land*

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
N/A					

*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
N/A						

2. Measurements:

RECEIVED
JAN 21 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07440

Priority: February 12, 1992

Maximum Diversion Rate: 0.02 CFS

Maximum Diversion Volume: 0.6 AF

This is to certify, that ZIONS LAND SALES & INVESTMENT CORP

C/O ED STROBEL

500 S WOODRUFF

IDAHO FALLS ID 83401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 28, 1989; and has submitted Proof of Beneficial Use on February 12, 1992. An examination indicates that the works have a diversion capacity of .020 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	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 17, Township 12N, Range 43E
FREMONT County

PLACE OF USE: DOMESTIC

TWN RGE SEC

12N 43E 17

NWSE

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.
6. The Director retains jurisdiction of the right 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.

RECORDED

JAN 21 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07440

CONDITIONS/REMARKS:

7. Domestic use is for an office.

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 18TH
day of DECEMBER, 1972.

Acting for R. Keith Higginson, Director

JAN 21 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 21-07440	)	
	)	ORDER OF
IN THE NAME OF ZIONS LAND SALES AND	)	REINSTATEMENT
INVESTMENT CORP.	)	
	)	

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On December 14, 1989, the Director of the Department of Water Resources issued Permit No. 21-07440 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before January 1, 1991.

2. On October 31, 1990, the Department sent a proof due notice to the permit holder.

3. On January 7, 1991, the Department sent a lapse notice to the permit holder.

4. On February 12, 1992, the permit holder submitted Proof of Beneficial Use to the Department.

5. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes three affidavits from neighbors confirming that the well has been in use for over 20 years.

7. The permit holder stated in a telephone conversation with the Department that he travels extensively and had misplaced the original documents. He thought that all of the paperwork had been completed.

MICROFILMED

JUN 24 1992

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 21-07440 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to February 12, 1992.

Dated this 16th day of June, 1992.

L. Glen Saxton
L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

JUN 24 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 21-07440

Proposed Priority: June 28, 1989

Maximum Diversion Rate:

0.02 CFS

This is to certify, that ZIONS LAND SALES & INVESTMENT CORP.

470 PARK AVE.

IDAHO FALLS, ID 83402

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSE Sec. 17, Township 12N, Range 43E
FREMONT County

PLACE OF USE: DOMESTIC

TWN RGE SEC

12N 43E 17

NWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1991.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Domestic use is for an office.

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

14th day of December, 1989

R. Keith Higginson
for R. Keith Higginson, Director

Form 202
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

21 7440
Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Zions Land Sales & Investment Corp. Phone 522-0539
Post office address 470 Park Ave., Idaho Falls, ID 83402
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Govt. Lot _____
Sec. 17 Township 12N Range 43E B.M. Fremont County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.02 cfs 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 is (a) _____ 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 to office building
Last Chance Sub. #1, Lot 8E

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is 6 inches; proposed depth of well is 110 feet.
d. Is ground water with a temperature of greater than 90°F being sought? NO
- Exits 7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. 1 office _____

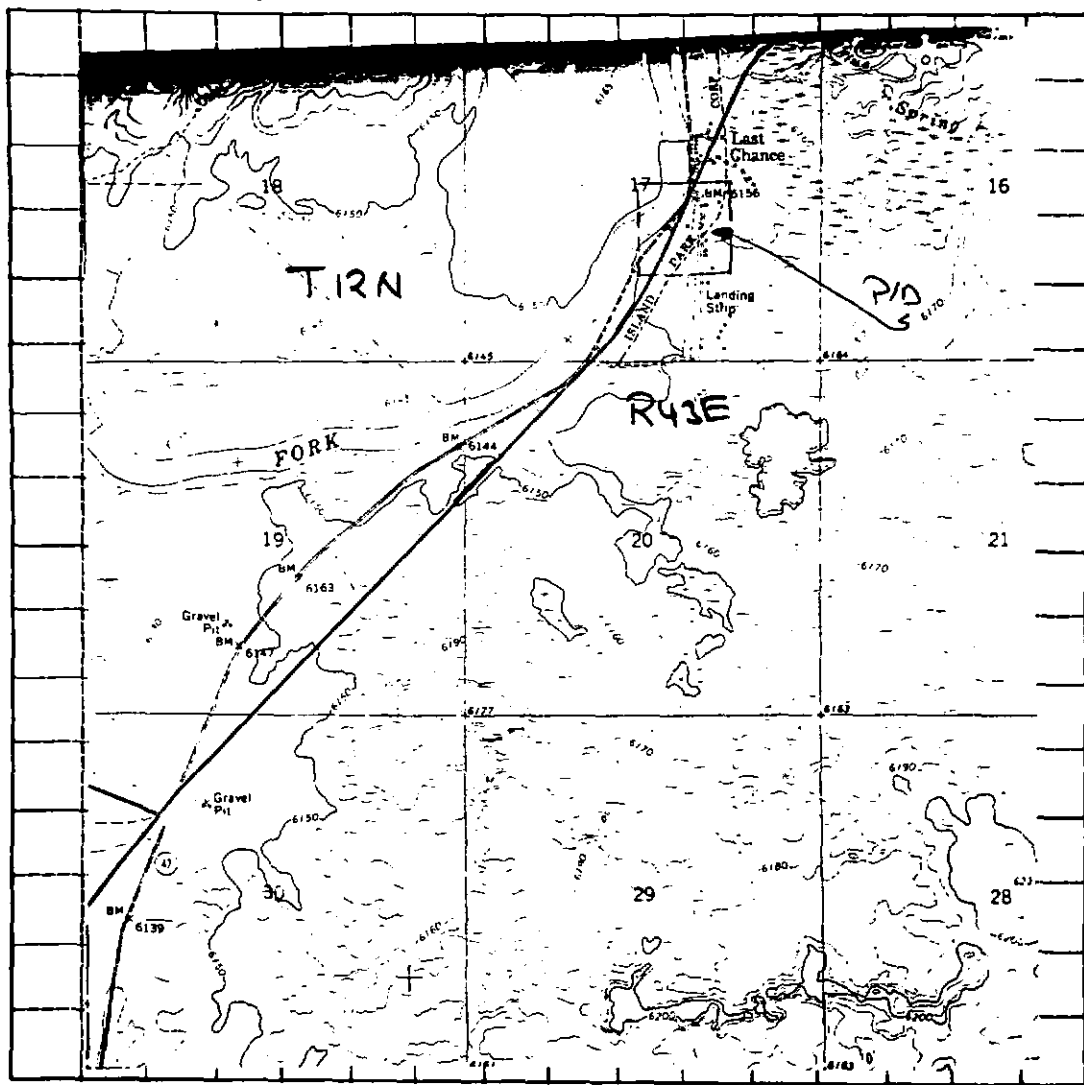
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

[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? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____
12. Remarks: Ed Strobel - Pres.
Shawna Strobel - Sec.

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



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

*Respectfully,
Zwischland, Idaho*

[Signature]
T.H. - *[Signature]*

Received by HUT Date 6-28-89 Time 11:24 Preliminary check by _____
Fee \$ 30.00 Received by HUT # EC00943 Date 6-28-89
Publication prepared by RB Date 10-5-89 Published in Idaho Chronicle
Publication approved AW Date 11-06-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

FREMONT COUNTY HERALD-CHRONICLE

St. Anthony, Idaho
Ashton, Idaho

DECEMBER 1989

AFFIDAVIT OF PUBLICATION

F IDAHO
of Fremont

Department of Water Resources
Eastern District Office

TERRY WEATHERSTON
first duly sworn, depose and say,
as the printer of THE FREMONT
HERALD-CHRONICLE, a semi-weekly
paper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the NOTICE OF APPLICATION
of which notice appears attached
was published in the regular and
issue of said newspaper, and not
supplement issue thereof
on consecutive issues, the
publication having been made on
OCTOBER 5, 1989
last publication having been
OCTOBER 12, 1989
Further, that said newspaper is one
of general circulation in said county;
is a legal newspaper, conforming
to specifications under Idaho
law; that it has at least two
bona fide subscribers living
in the county of publication; and
has been continuously and
regularly published in said county
a period of seventy-eight
calendar weeks prior to the first
publication of said notice.

Terry Weatherston
F IDAHO
OF MADISON

13TH day of OCTOBER
year of 1989, before me, a Notary
personally appeared Terry
Weatherston, known or identified to me to
be a person whose name subscribed to
said instrument, and being by me
duly sworn, declared that the
contents therein are true, and
advised me that he executed the
same.

[Signature]
Public for Idaho
My commission expires: June 8, 1993

NOTICE OF APPLICATION FOR WATER RIGHT

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

21-07439
ELK CREEK WATER CO.
470 Park Ave.
Idaho Falls, ID 83402
Source: GROUNDWATER
Diversion Pt. NESE Sec 14 T 13N R
43E S22E Sec 14 T 13N R 43E
Use: DOMESTIC (380 CFS)
Date Filed: 6/28/1989
In: T13N R43E S14 NESE SESE

21-07440
ZIONS LAND SALES & INVESTMENT
CORP.
470 Park Ave.
Idaho Falls, ID 83402
Source: GROUNDWATER
Diversion Pt. NWSE Sec 17 T 12N R
43E
Use: DOMESTIC (.020 CFS)
Date Filed: 6/28/1989
In: T12N R43E S17 NWSE

21-07441
ISLAND PARK WATER CO.
470 Park Ave.
Idaho Falls, ID 83402
Source: GROUNDWATER
Diversion Pt. NENE Sec 21 T 15N R
43E
Use: DOMESTIC (.350 CFS)
Date Filed: 6/28/1989
In: T15N R43E S16 SWSE SESE S21
NENE NWNE SENE

21-07442
ISLAND PARK WATER CO.
470 Park Ave.
Idaho Falls, ID 83402
Source: GROUNDWATER
Diversion Pt. NENE Sec 23 T 13N R
43E
Use: DOMESTIC (.400 CFS)
Date Filed: 6/28/1989
In: T13N R43E S23 NENE NWNE
SWNE SENE SENW NESW NWSE

21-07443
ISLAND PARK WATER CO.
470 Park Ave.
Idaho Falls, ID 83402
Source: GROUNDWATER
Diversion Pt. NWSW Sec 12 T 13N R
42E
Use: DOMESTIC (.400 CFS)
Date Filed: 6/28/1989
In: T13N R42E S12 SWNE SENE
NESW NWSW SWSW SESW NWSE

21-07444
ISLAND PARK WATER CO.
470 Park Ave.
Idaho Falls, ID 83402
Source: GROUNDWATER
Diversion Pt. NENW Sec 12 T 13N R
42E; NNNW Sec 12 T 13N R 42E; SWNW
Sec 12 T 13N R 42E; SENW Sec 12 T
13N R 42E
Use: DOMESTIC (.400 CFS)
Date Filed: 6/28/1989
In: T13N R42E S12 NENW NNNW
SWNW SENW

21-07445
ISLAND PARK WATER CO.

470 Park Ave.
Idaho Falls, ID 83402
Source: GROUNDWATER
Diversion Pt. NENE Sec 10 T 13N R
41E
Use: DOMESTIC (.300 CFS)
Date Filed: 6/28/1989
In: T13N R41E S10 NENE NWNE
SENE

22-07488
HANSEN, E. LYLE
Route 1 Box 42-4
St. Anthony, ID 83445
Source: GROUNDWATER
Diversion Pt. SWSE Sec 13 T 07N R
41E
Use: IRRIGATION (3,500 CFS)
Date Filed: 4/08/1989
In: T07N R41E S13 NENE NWNE S1
SWNE SENE NESE NWSE 175.0 Acre
Total

The permit(s) will be subject to all
water rights. Protests may be submitted
based on the criteria of Sec. 43-203,
Idaho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code. Pro-
tests must be filed with the Director, De-
partment of Water Resources, 150 Shoup Ave.
Suite 16, Idaho Falls, Idaho 83402 on
or before OCTOBER 23, 1989.

R. KEITH HIGGINS
Director

Publ. Oct. 5 and 12, 1989HC.



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 21, 1992

ZIONS LAND SALES & INVESTMENT CORP
C/O ED STROBEL
500 S WOODRUFF
IDAHO FALLS ID 83401

RE: WATER RIGHT NO. 21-07440

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

MICROFILMED

JAN 21 1993

LICENSE REVIEW CHECKLIST

Permit # 21-07440

Date 12-04-92
AS

	<u>Yes</u>	<u>No</u>	
NAME	<u> </u>	<u>✓</u>	Address Change?
PRIORITY DATE	<u> </u>	<u>✓</u>	Advance? <u> </u>
	<u> </u>	<u>✓</u>	Memo to Advance <u> </u>
	<u> </u>	<u>✓</u>	Order to Reinstate Needed? <u>DONE</u>
			<u>No Fee Paid</u>
TOTAL CFS	<u> </u>	<u>✓</u>	Incorrect Fee for rate recommended?
	<u>NA</u>	<u> </u>	Disagree with Actual Measurement?
			<u>.02 cfs (DOM)</u>
	<u>NA</u>	<u> </u>	Disagree with Theoretical? <u>.5 x 8.8 x .7 = .0187</u>
	<u> </u>	<u>✓</u>	Limited by Capacity? <u>.02 cfs 95' + (2.31 x 30)</u>
TOTAL VOLUME			Rate/ac <u> </u> AFA Irr. Season <u> </u>
			<u> </u> Standard Irr. Season
			<u> </u> Season Recommended
	<u> </u>	<u>✓</u>	Disagree with Examiner's Calculations?
			<u>.6 ac/a (DOM)</u>
	<u> </u>	<u>✓</u>	Limited by Flow? <u> </u>
SOURCE	<u> </u>	<u>✓</u>	Changes? Clarification of <u>Originally</u>
	<u> </u>	<u>✓</u>	<u>Intended</u> source <u> </u>
	<u> </u>	<u> </u>	Notice of Intent to Void. <u> </u>
P/D	<u> </u>	<u>✓</u>	Verify with Map
	<u> </u>	<u>✓</u>	Amendment Needed? <u> </u>
	<u> </u>	<u>✓</u>	Is Overlap Analysis a Consideration?
P/U	<u> </u>	<u>✓</u>	Verify with Map
	<u> </u>	<u>✓</u>	Amendment Needed? <u> </u>
	<u> </u>	<u>✓</u>	Is Overlap Analysis a Consideration?
USES	<u> </u>	<u>✓</u>	Change(s) in Nature of Use? <u> </u>
	<u> </u>	<u>✓</u>	Amendment Needed? <u> </u>
REMARKS	<u> </u>	<u>✓</u>	Multiple P/Ds in 1/4 1/4? <u> </u>
	<u>✓</u>	<u> </u>	Non-Irr. Uses <u>DOM/office</u>
	<u> </u>	<u>✓</u>	Special Overlap Condition <u> </u>
	<u> </u>	<u>✓</u>	Other <u> </u>
CONDITIONS	<u> </u>	<u>✓</u>	Measuring Device
	<u> </u>	<u>✓</u>	W/Master Control
	<u> </u>	<u>✓</u>	Overlap
	<u> </u>	<u>✓</u>	Water Quality
			DATES/MISC
			<u> </u> <u>✓</u> Water Dist.
			<u> </u> <u>✓</u> App Rec'd
			<u> </u> <u>✓</u> Exam Made

COMMENTS/MEMOS NEEDED:

HP info from Proof B/U

License ✓ 10-Day 15-Day Special Correspondence

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☐ Blank Field Report Form
- ☐ Copy of Permit
- ☐ Copies of any Amendments/Orders with Conditions of Approval
- ☐ Well Inspection Form (If Needed)
- ☐ Aerial Photo Required? ☐ yes ☐ no If yes: ☐ copy attached
- ☐ SRBA Attachment A Submitted to Adjudication Section
- ☐ SRBA Claim Check Received _____ (initial & date)
☐ N/A ☐ Applicable, See Attachment A _____
- ☐ Copy of U.S.G.S. Quad
- ☐ Check for Government Lots. If so, make a copy of government plat
- ☐ Check of P/D index _____ (initial & date)
- ☐ Overlap ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____
- ☒ Check of P/U index _____ (initial & date)
Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____
- ☐ Scheduling Letter Sent? _____ (initial & date)
- ☐ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Copy of SRBA Claim Verification Sheet / ☐ Original Returned to
Adjudication Section

C. Review and Processing:

- Exam Completed 200M 11-19-92 (signature of examiner & date)
- Exam Reviewed by Senior Water Resource Agent _____ (initial & date)
- Exam Reviewed by Manager of Regional Office _____ (initial & date)
- Exam Sent to State Office _____ (initial & date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 02 1992

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 21-07440

1. Owner: ZIONS LAND SALES & INVESTMENT CORP. Phone No. 523-3300

Current Address: 500 S. WOODRUFF, IDAHO FALLS, ID 83401

2. Accompanied by: ALAN CONRAD W/ ED STROBEL EXAM DATE: 8-27-92

Address: _____ Phone No. _____

Relationship to Permit Holder: OWNER

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NW	SE	17	12N	43E	FREMONT	USGS, NADP

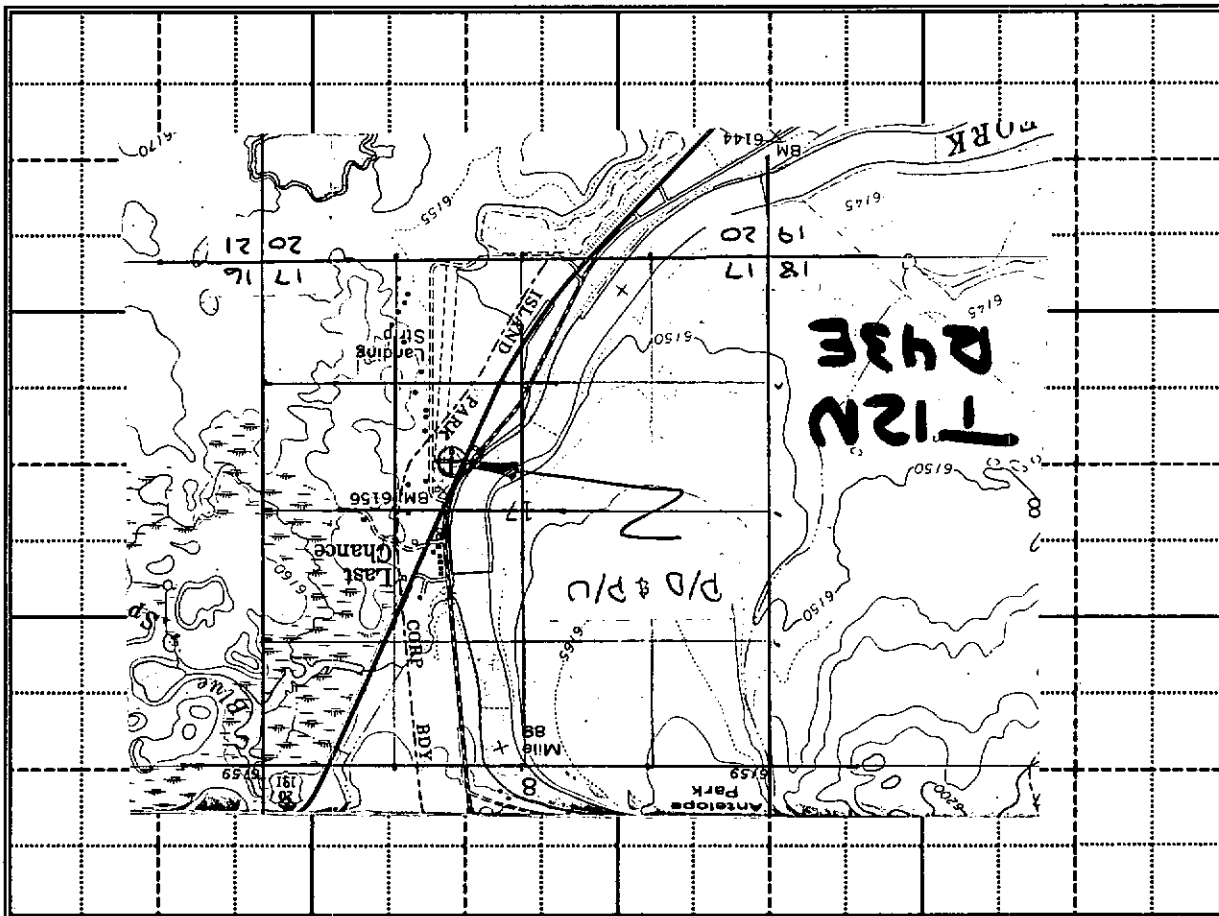
2. Place(s) of Use:

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	
12N	43E	17													C				

JAN 21 1993

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



Scale: 1" = 1 mile
 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
N/A					

*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
N/A						

2. Measurements:

JAN 2 1993

E. NARRATIVE/REMARKS/COMMENTS

WELL WITH SUBMERGIBLE PUMP FOR DE MINIMUS COMMERCIAL USE
IN SMALL OFFICE BUILDING: TOILET, SINK, ETC.

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

RECEIVED

JAN 21 1993

JAN 21 1993

SEAL

Date _____

Reviewer

Date 11-22-92

Field Examiner's Name SAU. Nigler

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	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Commercial	1/1 12/31	0.02	0.6
Totals:		0.02	0.6

1. Recommended Amounts

H. RECOMMENDATIONS

De minimus Commitment - 0.6 HA

2. Volume Calculations for Other Uses:

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

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

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

1. Volume Calculations for Irrigation:

G. VOLUME CALCULATIONS

Devinus Commercial - 0.0243

Measured Method:

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

June 18, 1992

ZIONS LAND SALES & INVESTMENT CORP.
C/O ED STROBEL
500 S WOODRUFF
IDAHO FALLS ID 83401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 21-07440

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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

Enclosure

RECEIVED
JUN 24 1992

RECEIVED
FEB 12 1992

OFFICE USE ONLY
Amt. of Fee \$ 0
Date 12 Feb 92
Receipt No. —
Receipt by —

Department of Water Resources
Eastern District Office

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. 21-7440 Telephone No. 523-3300
2. Name(s) of Permit Holder(s): Zions LAND SALES & Investment Corp % Ed Strobel
3. Mailing Address: 500 S. Woodruff, Idaho Falls, Id 83401
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Andrew Well Drilling Date Drilled: 1965

OPTIONAL:

Pump horsepower: 1/2 Pressure (psi): 30 Dynamic pumping level (ft.): 95

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

Domestic 1 office (No. of households) Stockwater — (No. and type of stock)
Irrigation — (No. of acres) Other —

6. Total rate and/or volume for which proof is submitted 0.02 cfs OR — acre/feet

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

Measuring device: Required? — Yes — No — Installed? — Yes — No

OR

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

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

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

Ed Strobel 523-3300
Name Telephone No.
500 S. Woodruff
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.

12 Feb 1992
Date

Ed Strobel - owner
Signature (and title, if on behalf of a company or organization)

RECEIVED
JUN 24 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 21-07440

Reviewed by Klg

Date 6/15/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

domestic -1

yes Address same as permit?

no Proof timely received?

Correct Uses? yes

If not, complete calculation below.

SOURCE OF WATER

 Surface water source

✓ Ground water source

NA Drilling permit required?

1965 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

NA Required?

 Amount Submitted

 Correct?

MEASURING DEVICE

NA Required?

 Installed?

 Waiver requested?

PRIORITY CALCULATION

Date proof received Received Beyond

Date proof due 60 day - re-statement

No. of days late advance = priority

Priority Date +

New Priority Date 3/12/92

DEFICIENCIES OR ACTION ITEMS

need more info

DATA ENTRY

New Address

Proof Made 2/12/92
6/18/92 Klg

RECEIVED

25TH MAY 1992

JUN 15 1992

Department of Water Resources

TO IT MAY CONCERN:

ZIONS LAND SALES BUILDING AT LAST CHANCE HAS BEEN SERVICED
BY A WELL FOR OVER 20 YEARS AND HAS USED WATER EVERY YEAR
SINCE THE WELL HAS BEEN INSTALLED.

BRUCE PARKER

Bruce Parker

1056 BARNEY DAIRY ROAD, REXBURG, IDAHO 83440

COUNTY OF BONNEVILLE:
26 MAY 1992

ON THIS DATE, BEFORE ME A NOTARY PUBLIC FOR THE STATE OF
IDAHO, PERSONNALLY APPEARED BRUCE PARKER, WHO IS THE PERSON
WHO EXECUTED THIS INSTRUMENT, IN WITNESS WHEREOF I HAVE SET
MY HAND AND AFFIXED MY OFFICIAL SEAL THIS DAY,

JUN 24 1992

Walter J. Coyne

WALTER J. COYNE

WALTER J. COYNE, Notary Public
My Commission Expires 4-25-93

RESIDING IN IDAHO FALLS, IDAHO

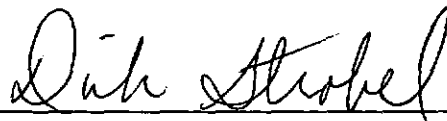
26

RECEIVED
JUN 15 1992

TO WHOM IT MAY CONCERN:

Department of Water Resources

ZIONS LAND SALES BUILDING AT LAST CHANCE HAS BEEN
SERVICED BY A WELL FOR OVER 20 YEARS AND HAS USED WATER
EVERY YEAR SINCE THE WELL HAS BEEN INSTALLED.



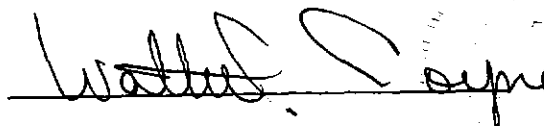
DR. DIRK STROBEL
59 PROFESSIONAL PLAZA
REXBURG, IDAHO, 83440

COUNTY OF BONNEVILLE.
26 MAY 1992

ON THIS DATE, BEFORE ME A NOTARY PUBLIC
FOR THE STATE OF IDAHO, PERSONALLY APPEARED DR.
DIRK STROBEL, WHO IS THE PERSON WHO EXECUTED THIS
INSTRUMENT, IN WITNESS WHEREOF I HAVE SET MY HAND
AND AFFIXED MY OFFICIAL SEAL THIS DAY.

MICROFILMED

JUN 24 1992



WALTER J. COYNE
RESIDING IN IDAHO FALLS, IDAHO
WALTER J. COYNE, Notary Public
My Commission Expires 4-25-92

25TH MAY 1992

RECEIVED
JUN 15 1992

TO WHOM IT MAY CONCERN

Department of Water Resources

ZIONS LAND SALES BUILDING AT LAST CHANCE HAS BEEN SERVICED
BY A WELL FOR OVER 20 YEARS AND HAS USED WATER EVERY YEAR SINCE
THE WELL HAS BEEN INSTALLED.

Dr. Shawna E. Strobel ASID

DR. SHAWNA E. STROBEL ASID

444 MORGAN DRIVE, IDAHO FALLS, IDAHO 83440

COUNTY OF BONNEVILLE
26TH MAY 1992

ON THIS DAY, BEFORE ME A NOTARY PUBLIC FOR THE
STATE OF IDAHO, PERSONALLY APPEARED DR. SHAWNA E. STROBEL
ASID, WHO IS THE PERSON WHO EXECUTED THIS INSTRUMENT
IN WITNESS WHEREOF I HAVE SET MY HAND AND AFFIXED MY
OFFICIAL SEAL THIS DAY,

NOTARY PUBLIC

JUN 24 1992

Walter J. Coyne

WALTER J. COYNE

RESIDING IN IDAHO FALLS, IDAHO

WALTER J. COYNE, Notary Public
My Commission Expires 4-25-92



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

June 8, 1992

Mr. Ed. Strobел
Zions Land and Sales and Investment Corp.
500 South Woodruff
Idaho Falls, ID 83401

Re: Permit No. 21-07440

Dear Mr. Strobел:

On May 5, 1992, I spoke to you personally concerning the above referenced water right permit. At that time, you indicated your continuing interest in the permit and stated that you would submit the necessary information within 30 days. As of this date, I have not received that information.

Mr. Strobел, correspondence in the file indicates that we have been trying to obtain this information since February 20, 1992, and that proof of beneficial use on your permit was actually due on October 1, 1991. I believe that the Department has allowed you ample time to comply with the conditions of your permit. Therefore, if you have not replied with all of the necessary information by the end of this month, we will once again prepare your file for film and destroy.

You should also be aware that since the permit lapsed, you have no legal right to appropriate the waters of the state of Idaho.

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

Sincerely,

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

MICROFILMED

JUN 24 1992

INTER-DEPARTMENT MEMO

TO: File
FROM: Karen

SUBJECT: Reinstatement
DATE: 5/5/92

Phone call to permit holder indicates that he still wants to pursue this permit. Told him I would allow an additional 30 days for him to submit twice requested info. If I do not have it by then, we will prepare for film & destroy. Permit holder stated that he travels frequently and had misplaced the original paperwork. He thought everything had been completed.

() For your information

JUN 24 1992

() Response required

Karen Gustafson
signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 20, 1992

Zions Land Sales and Investment Corp.
c/o Ed Strobel
500 South Woodruff
Idaho Falls, ID 83641

RE: Permit No. 21-07440

Dear Mr. Strobel:

On February 20, 1992, I corresponded with you and requested additional information be submitted within 60 days so that I could proceed with the possible licensing of your water right permit. A copy of that letter is enclosed for your convenience. As of this date, I have received no further correspondence from you.

Please note, that the permit lapsed on January 1, 1991 and is of no further force nor effect. If you are currently utilizing the water, you are doing so in violation of Idaho Code.

I will hold your file for an additional 15 days. If I have not heard from you at that time, I will once again prepare your file for film and destroy.

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

Sincerely,

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

Enclosure

MICROFILMED

JUN 24 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 20, 1992

Zions Land Sales and Investment Corp.
c/o Ed Strobel
500 South Woodruff
Idaho Falls, ID 83641

RE: Permit No. 21-07440

Dear Permit Holder:

The Department received your proof of beneficial use statement for the above referenced permit on February 12, 1992. The permit lapsed on January 1, 1991, so the 60-day late period during which the permit can be readily reinstated has passed.

Pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can ~~not~~ be reinstated only if you submit the following:

- a) Evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date, and
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use statement along with any information which may have been submitted with it, will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

RECEIVED
JUN 24 1992

I certify that file No. 21-7446

has been reviewed and is ready to be MICROFILMED
and DESTROYED.

[Signature]
Signature

6-24-91
Date

The attached proof report is the water right as it appeared in the database prior to the final status and deletion from the database.

WR5805NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/22/91 01:01:07
Page 1

Water Right Number - 21-07440 Prefix Translation: WATER RIGHT Old (D) Number -

----- Last Name ----- ----- First Name ----- ----- Address -----

*** C - CURRENT OWNER ***
ZIONS LAND SALES & INVESTMENT CORP.

1 - 470 PARK AVE.
2 -
3 -
City- IDAHO FALLS State- ID Zip- 83402
Phone - 208-522-0539

----- Priority Date ----- ----- Region ----- ----- Stage ----- ----- Status -----
06/28/1989 15 EASTERN P - PERMIT

----- Source ----- ----- Tributary -----
GROUNDWATER

----- Point of Diversion -----
Town Rng Sec Tract Lot Rfig County Stream Index (Blank if no Index Code)
12N 43E 17 NW SE (43) FREMONT

----- Water Use -----
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.020

----- Total Div. Rate ----- ----- Total Div. Volume ----- ----- Total Div. Capacity ----- ----- Total Consumptive Use ----- ----- KW Usage -----
0.020

----- Place of Use -----
Town Rng Sec Tract Lot Acres Code Description County
12N 43E 17 NW SE 43 DOMESTIC (43) FREMONT

----- Diversion Means ----- WELL & PUMP TO OFFICE BUILDING

----- Non-Irrigation Use -----

----- Other Rights for Same Use -----

----- Remarks -----
Domestic use is for an office.

----- Old Water Right Numbers -----
No Old Water Right Numbers found.

----- Conditions of Approval -----

048 - 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.

049 - The Director retains jurisdiction of the permit and any license
- subsequently issued to incorporate the use into a water district,

WR5808WP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/22/91 01:01:07
Page 2

Water right number - 21-07440

Prefix Translation: WATER RIGHT

..... Conditions of Approval
(Condition continued from previous page)
- require streamflow augmentation or other action needed to protect
- prior surface water and groundwater rights.
046 - Permit holder shall comply with the drilling permit requirements
- of Section 42-235, Idaho Code.

..... Decree Plaintiff *

..... Decree Defendant *

..... Decree Date
00/00/0000

..... Comments
No Comments Found

..... Audit Fields - 09/18/89 BODELL 10/30/89 CURTIS 12/04/89 CURTIS 12/07/89 CURTIS

..... Water Rights Dates and Flags Area *

Proof Due Date	- 01/01/1991	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 12/13/1989	Protested Date	- 00/00/0000	Suan Falls	- 1
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 06/28/1989	Transfer/Amended	-
Decree Date	- 00/00/0000	Microfilm Roll No	-	Presumption Flag	-

ZIONS LAND SALES & INVESTMENT CORP.
470 PARK AVE.
IDAHO FALLS, ID 83402

January 7, 1991

RE: PERMIT NO. 21-07440 LAPSE NOTICE

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated October 31, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

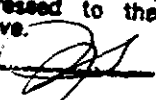
L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 1/10/91
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



130541

October 31, 1990

ZIONS LAND SALES & INVESTMENT CORP.
470 PARK AVE.
IDAHO FALLS, ID 83402

PROOF DUE NOTICE

RE: PERMIT NO. 21-07440

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, 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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 15, 1989

ZIONS LAND SALES & INVESTMENT CORP.
470 PARK AVE.
IDAHO FALLS, ID 83402

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P21-07440

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.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

27-Sep-1989

Zions Land Sales &
Investment Corp.
470 Park Ave.
Idaho Falls, ID 83402

RE: Application for Permit No. 21-7440

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

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

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 22, 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 OCTOBER 23, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

NOTICE OF APPLICATION FOR WATER RIGHT

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

21-07440

ZIONS LAND SALES & INVESTMENT CORP.
470 PARK AVE.
IDAHO FALLS, ID 83402

Source: GROUNDWATER

Diversion Pt:

NWSE

Sec 17 T 12N R 43E

Use: DOMESTIC

(.020 CFS)

Date Filed: 6/28/1989

In: T12N R43E S17

NWSE

The permit(s) will be subject to all prior water rights. Protests may be submitted based the criteria of Sec. 42-¹ \, 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