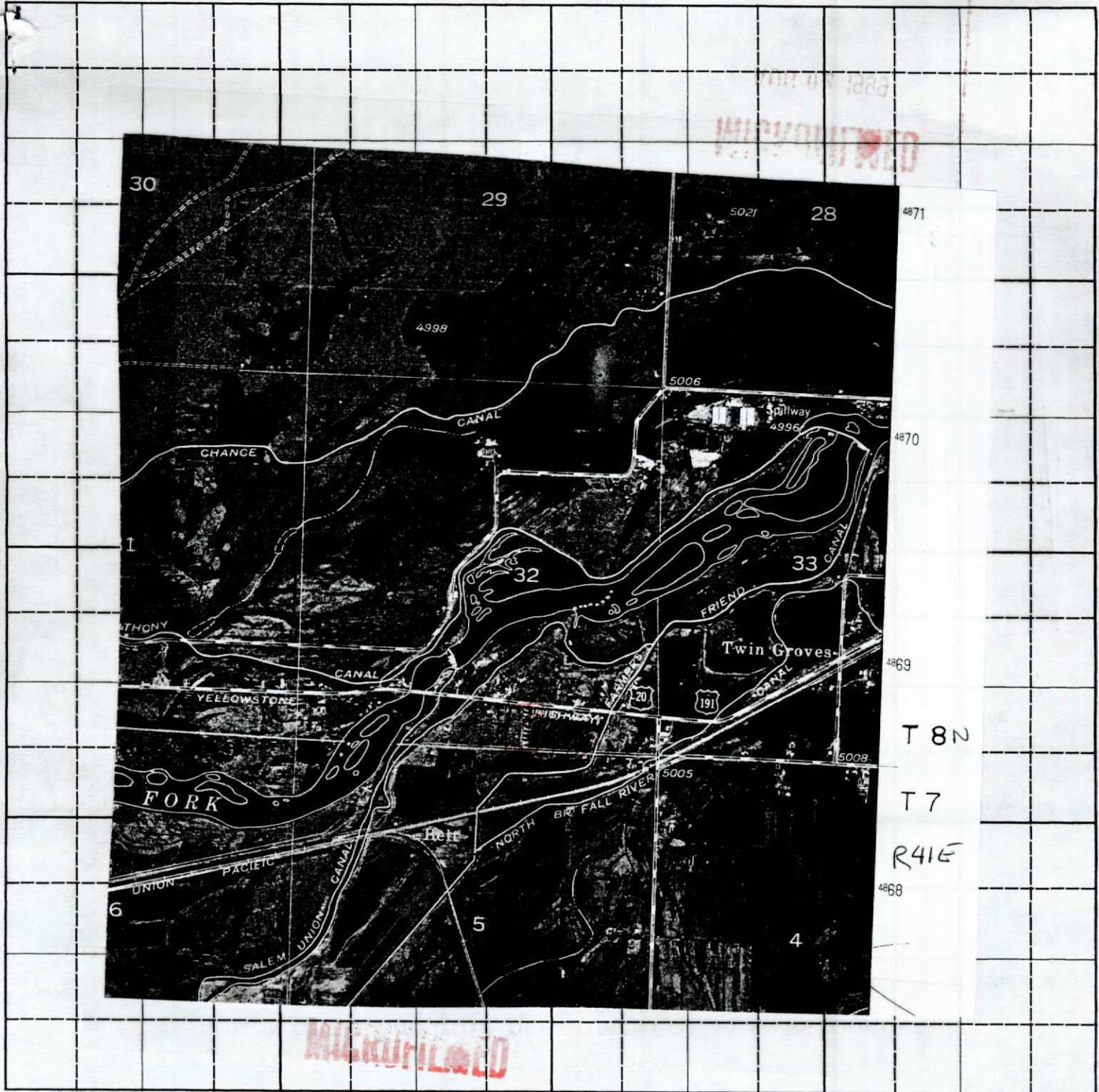


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

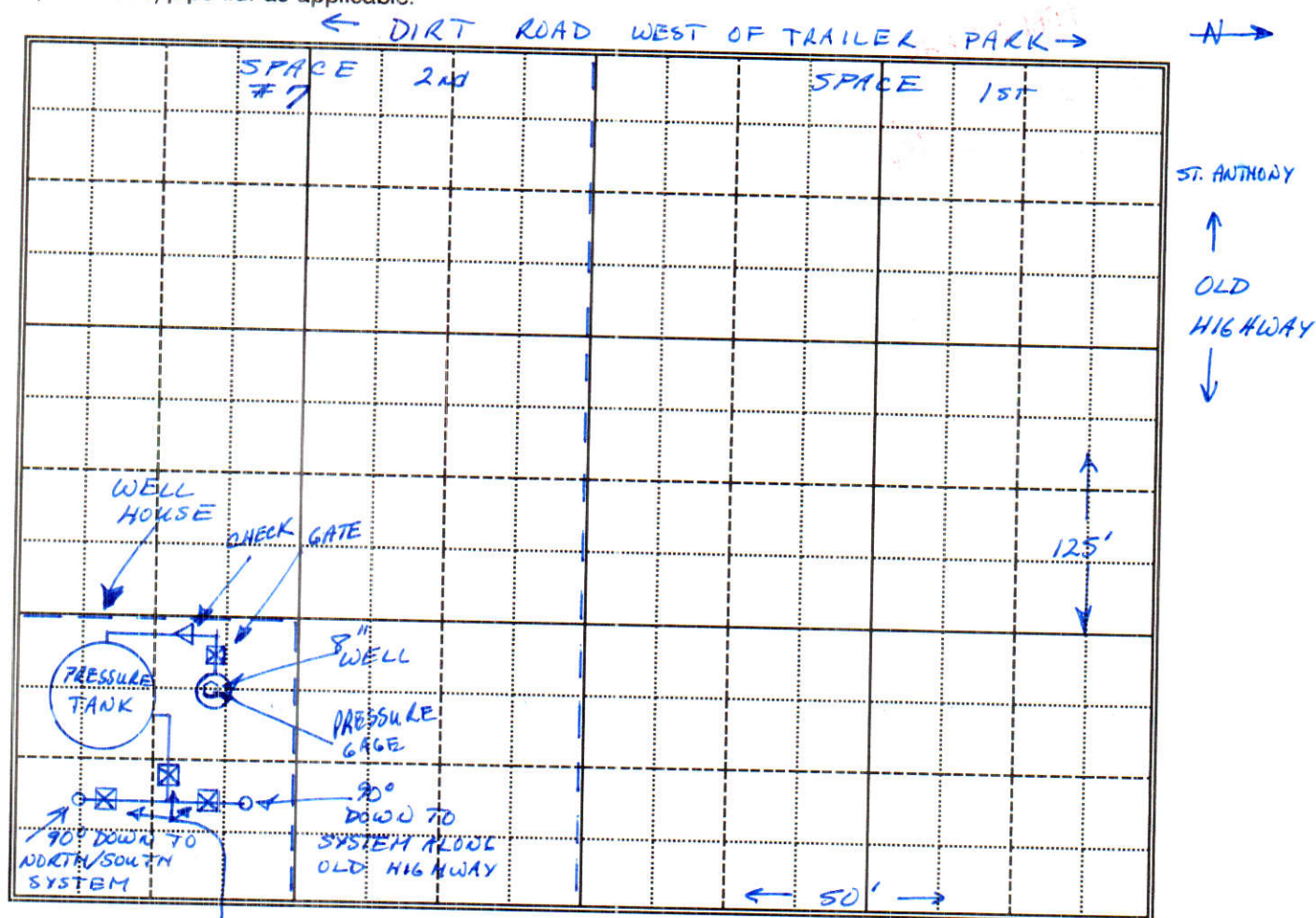


Scale: 2 inches equal 1 mile.

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.

d. Dale Hathaway (President)
(Applicant)

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
		2			2 1/2"

*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	RAID	CAMPBELL			0-100	

2. Measurements: HYDRANT
SYSTEM PRESSURE - 56 PSI - TESTED AT TRAILER SPACE HYDRANT
PRESSURE GAGE IN WELL HOUSE - 42 PSI

APR 07 1984

R41E

32



CANAL

ELLOWSTONE
ST. ANTHONY

31 32

6 5

APPROVED
APR 07 1994

K

Belt

NORTH

BR FALL RIV

T8N

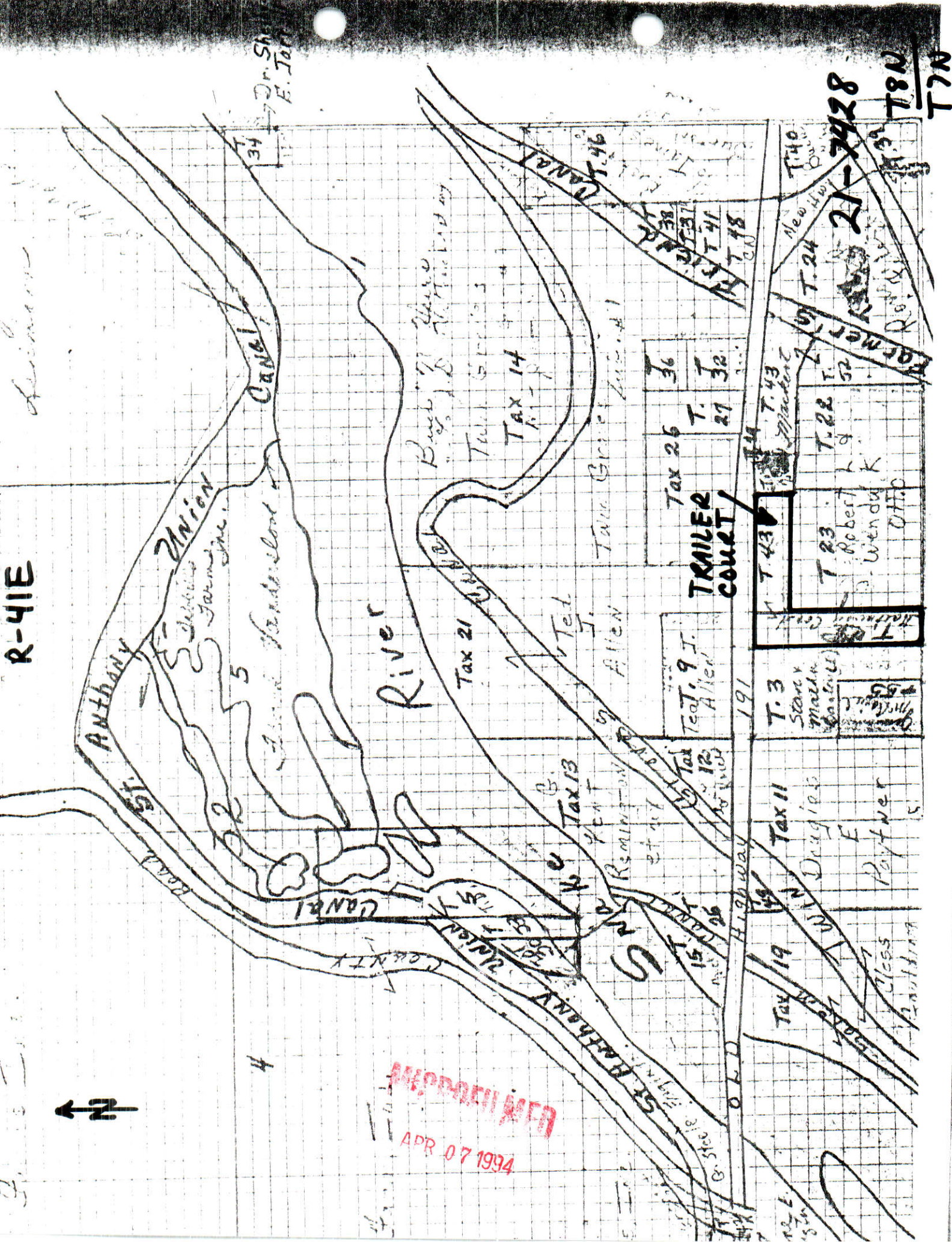
T7N

HIGHWAY

TRAILER
COURT
WELL

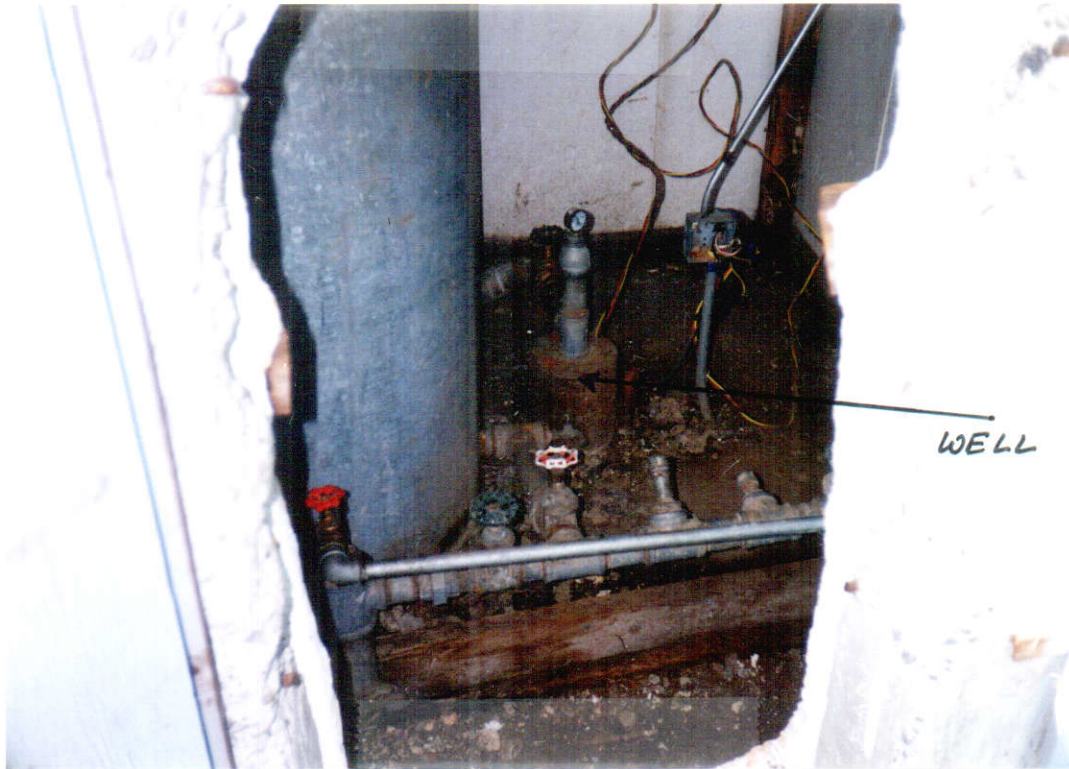
21-7428

APR 07 1994



HATHAWAY CONSTRUCTION, INC , ST. ANTHONY

VIEW OF INTERIOR OF WELL HOUSE



TAKEN 9-16-93

REC-11

APR 07 1994

21-7428

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07428

Priority: March 23, 1989

Maximum Diversion Rate:

0.09 CFS

Maximum Diversion Volume:

8.4 AF

This is to certify, that HATHAWAY CONSTRUCTION INC

149 N 7TH E

ST ANTHONY ID 83445

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 23, 1989; and has submitted Proof of Beneficial Use on May 11, 1990. An examination indicates that the works have a diversion capacity of .090 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>
COMMERCIAL	01/01 to 12/31	0.09 CFS	8.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 32, Township 08N, Range 41E
FREMONT County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

08N 41E 32

SWSE

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. Commercial use is for a 14 unit mobile home court.

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, 1994.

Acting for. Keith Higginson, Director

RECORDED

APR 07 1994



For Office Use Only
Amt. of Fee \$ 50.00
Date 5-11-90
Receipt No. 2016787
Received by [Signature]
MS. 5-31-90

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

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

Permit No. 21-07428 Telephone No. 356-0619 or 624-3853

Name(s) of Permit Holder(s): Hathaway Construction, Inc.

Post Office Address: 149 North 7th East, St. Anthony, Idaho, 83445

Source of Water: drilled well - ground water

If ground water, well driller's name: Not available Date drilled: prior to 1985

Extent of Use:
Domestic (No. of households) Irrigation N/A (No. of acres)
Stockwater (No. and type of stock) Other Trailer Court - 13 spaces

Total rate and/or volume for which proof is submitted .20 cfs N/A acre/feet

Show date water was first diverted and beneficially used under this permit: Prior to 1985

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes No Installed? Yes No

OR

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

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

[Signature] 624-3853 or 356-0619
Name Telephone No.
149 North 7th East, St. Anthony, Idaho, 83445
Address

MICROFILMED

JUN 18 1990

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.

5/8/1990 [Signature] (PRESIDENT)
Date Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant HATHAWAY CONSTRUCTION INC. Phone 624-3853

Post office address 149 N. 7TH E. ST. ANTHONY, ID 83445

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

3. Location of point of diversion is _____ ¼ of SW ¼ of SE ¼, Govt. Lot _____

Sec. 32 Township 8N Range 41E B.M. Fremont County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.22 for COMMERCIAL 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) 0.22 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. WELL TO MOBILE HOME COURT

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 85 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
1 years (minimum 1 year).

NOT RECORDED

AUG 02 1989

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully: MOBILE HOME COURT (13 SPACES)

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	41E	32																C	

Total number of acres to be irrigated _____

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

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: WELL HAS BEEN IN USE SINCE APPROX. 1974.

RECORDED

AUG 02 1989

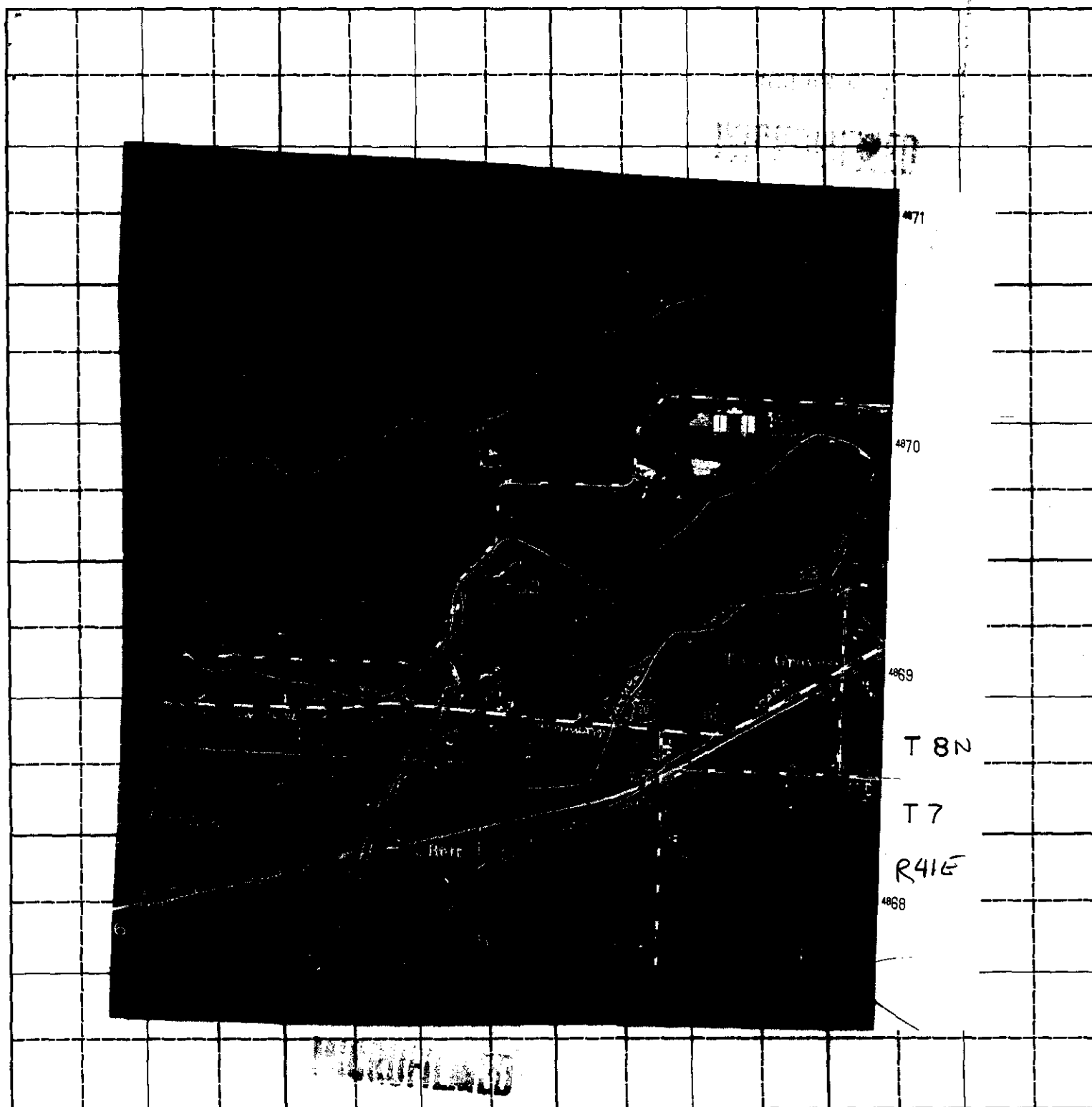
President
SEC.

I. GALE HATHAWAY

DANNY J. HATHAWAY

627. 7665
149 N 7TH E
ST. ANTHONY ID.
83445
624 3212
625 PARK, (ST.
ANTHONY, IDAHO
83445

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.

AUG 02 1989

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.

J. Dale Hathaway (Applicant) President,

Proposed Priority 3/23/89

Received by TO Date 3/23/89 Time 4:25 PM Preliminary check by KCW
TB

Fee \$ 45 Receipted by TO # E006427 Date 3/23/89

Publication prepared by GB Date 4-21-89 Published in 5-4-15-11-89
Herald-Examiner

Publication approved GB Date 6-8-89

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. 21-7428, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 90.

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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Witness my hand this 15th day of June, 1989.

J. Blw Saylor

MICROFILMED

AUG 02 1989



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

March 25, 1994

HATHAWAY CONSTRUCTION INC
149 N 7TH E
ST ANTHONY ID 83445

RE: WATER RIGHT NO. 21-07428

Dear Water Right Holder(s):

Enclosed herewith 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,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

APR 07 1994

LICENSE REVIEW CHECKLIST

Permit # 21-7423

Date 2-28-94

Brenda Chapman

NAME	Yes ☐ No ☒	Or Address Change?
PRIORITY DATE	☐ ☒ ☐ ☒ ☐ ☒	Advance? ☐ Advanced to: ☐ Order to Reinstate Needed? ☐ Incorrect Fee for rate recommended? ☐
SOURCE	☐ ☒ ☐ ☒	Changes? Clarification of Originally Intended source ☐ Notice of Intent to Void - Source change. ☐
P/D	☐ ☒ ☐ ☒	Amendment Needed? ☐ Overlap(s) ☐
P/U	☐ ☒ ☐ ☒	Amendment Needed? ☐ Overlap(s) ☐
TOTAL CFS	☐ ☒	Measurement Done? <u>THEORETICAL Q</u> <u>@ .085 or .09 CFS</u> Allowable Amount: <u>CAPACITY @ .09 CFS</u> Capacity of System: <u>.09</u>
<i>blu submitted for .20 CFS</i>		
TOTAL VOLUME	☐ ☒	Season of Use: ☐ Calculations: <u>14 x .6 = 8.4</u> Flow limit: <u>.09 x 365 x 1.9835 = 65</u>
USES	☐ ☒ ☐ ☒	Change(s) in Nature of Use? ☐ Amendment Needed? ☐
REMARKS	☐ ☒ ☐ ☒ ☐ ☒	Multiple P/Ds in 1/4 1/4? ☐ Special Overlap ☐ Other ☐
CONDITIONS	☐ ☒ ☐ ☒ ☐ ☒ ☐ ☒	Measuring/Locking Devices ☐ W/Master Control ☐ Water Dist ☐ Irrigation Overlap ☐ App Rec'd ☐ Water Quality ☐ Exam Made ☐
COMMENTS:	<u>Reduce rate to capacity</u>	

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>Commercial</u>	<u>.09</u>	<u>8.4</u>	☒
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

1ST AMEND LETTER ☐
2ND AMEND LETTER ☐

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 9-16-93 Simpkins (signature of examiner & date)
- Exam Reviewed by Senior Water Resource Agent [Signature] 1-5-94 (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

JAN 31 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 21-7428

1. Owner: HATHAWAY CONSTRUCTION INC. Phone No. 624-3853

Current Address: 149 N. 7TH E., ST. ANTHONY, IDAHO 83445
PROPERTY
MANAGER

2. Accompanied by: BILL BECK EXAM DATE: 9/16/93

Address: SAME AS ABOVE Phone No. 624-4262

Relationship to Permit Holder: PROPERTY MANAGER

3. Source: GROUND WATER tributary to N/A.

B. OVERLAP REVIEW

1. Other water rights with the same place of use: N/A

2. Other water rights with the same point of diversion: N/A

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
			SW	SE	32	8N	41E	FREMONT	COUNTY TAX ASSESSOR RECORDS
									T-43

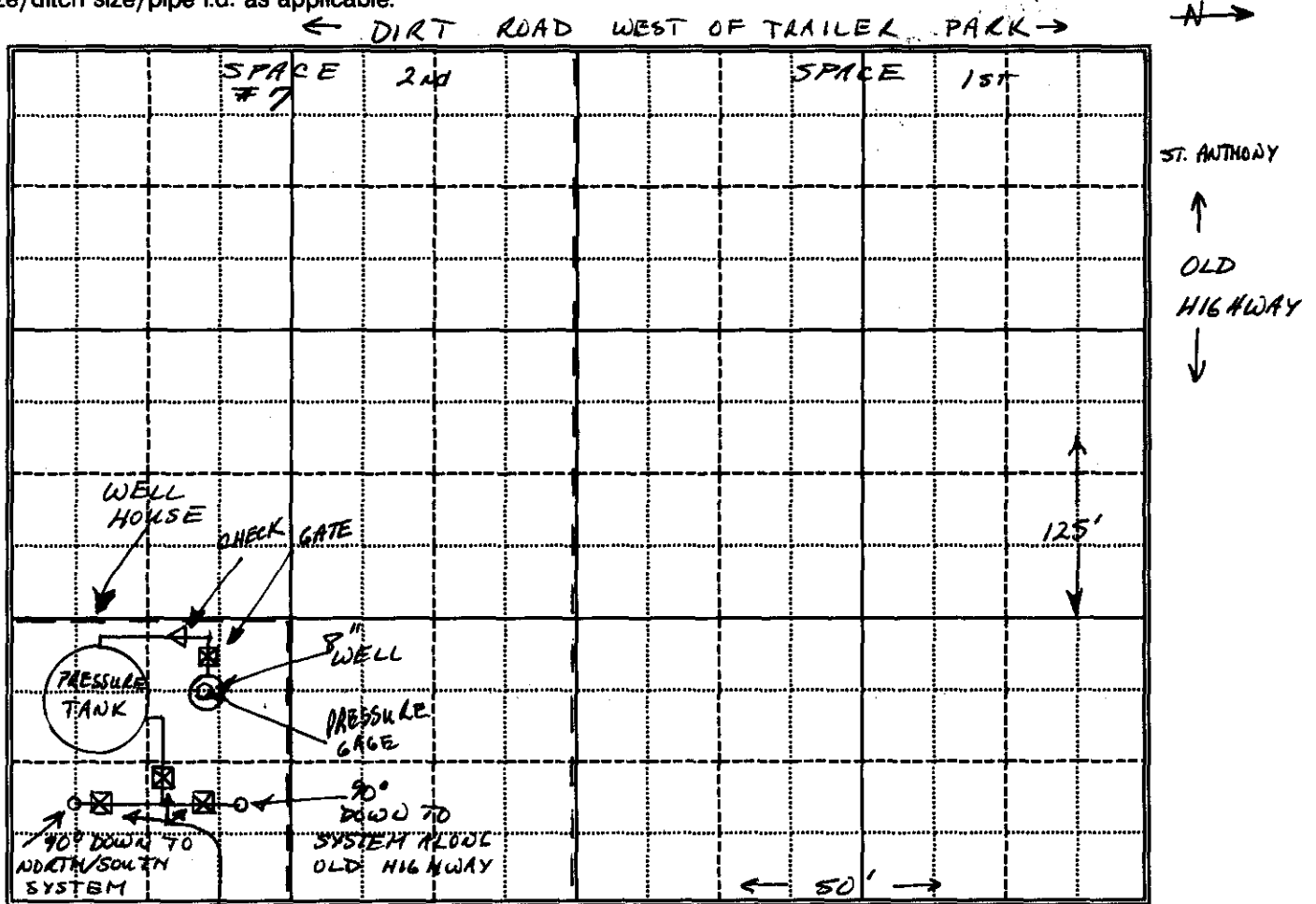
2. Place(s) of Use:

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	
8N	41E	32															C		

RECEIVED
APR 07 1994

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



Scale: 1" = _____

GATE
VALVES

____ 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
		2			2 1/2"

*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	FLUID	CAMPBELL			0-100	

2. Measurements: HYDRANT
SYSTEM PRESSURE - 56 PSI - TESTED AT TRAILER SPACE HYDRANT
PRESSURE GAGE IN WELL HOUSE - 42 PSI

APR 07 1984

E. NARRATIVE/REMARKS/COMMENTS

OLDER 8" DOMESTIC WELL IS USED TO PROVIDE WATER TO 14 TRAILER SPACES (ALL CURRENTLY OCCUPIED); EACH LOT/SPACE IS 50 X 125 FEET. THE WELL IS 130 FEET DEEP WITH A STATIC WATER LEVEL AT 130 FEET. THE 2 HP. PUMP IS SET AT 110 FEET DEEP. (HOLSLEY PUMPHOUSE OF ST. ANTHONY SAID WORK WAS DONE ON THIS WELL IN 1992 AT WHICH TIME A 2HP PUMP WAS INSTALLED). PROPERTY MANAGER BILL BECK SAID HE THOUGHT THE PUMP WAS A 3 HP.; HOLSLEY PUMP CO. SAID THEY BELIEVED THE PUMP WAS DOWN SIZED TO REDUCE A SAND INTAKE PROBLEM.

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

APR 07 1994

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

14 mobile homes $\times$ 0.6 af = 8.4 af

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
COMMERCIAL	1/1	12/31	0.085	8.4
Totals:			0.085 cfs	8.4 afa

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name SIMPSON Date 9/16/93 1302 HRSReviewer [Signature] Date 1-5-94

SEAL



APR 07 1994

21-7428

APR 07 1994

Kyowa

STATIC = 110'

PSI (SYSTEM) = 42 PSI

$\angle HMP = 120^\circ$

DESIGNED 2HP & 3HP AT 70% EFF.

WELL = 130'

$$Q = \frac{2.47 (8.814) (.7)}{120 + (42761 \times 2.308)} = \frac{12.3396}{216.936} = 0.056 \text{ CFS}$$

PKMP CO. SAFO 2HP. PKMP.

$$2) \quad Q = \frac{3HP (8.814) (.7)}{120' + (42 \text{ PSI} \times 2.308)} = \frac{18.509}{216.236} = 0.085$$

DYNAMIC PUMPING DEPTH IS BELIEVED TO BE 120' ± 5'
BASED ON AMOUNT OF SAND BEING DRAWN INTO SYSTEM.

OWNER STATED 3 HP PUMP

* RECOMMEND 0085 CFS

R41E

32



CANAL

ELLOWSTONE

ST. ANTHONY

31 32

5

APR 07 1994

K

Belt

NORTH

BR FALL

21-7428

FARMERS

HIGHWAY

TRINLEX
CONCRETE
WELL

T8N

T7N

VAL

11

17-53

4

APR 07 1994

RECEIVED

ANTHANY

Union

Individual

0.3

Tax 24

6.
Tax 13

Allen

TRAILER
CAMP

T.3

11x21

9

frer

52

10

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4	3	2
5	4	3
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99	98	97
100	99	98

22

82



水

HATHAWAY CONSTRUCTION, INC , ST. ANTHONY

VIEW OF INTERIOR OF WELL HOUSE



TAKEN 9-16-93

APR 07 1994

21-7428

June 4, 1990

HATHAWAY CONSTRUCTION INC.
149 N. 7TH E.
ST. ANTHONY, ID 83445

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 21-07428

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUN 18 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 21-7428

Date: 5-31-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☐ Surface water
☒ Groundwater
☐ 1. well log in file Before 1985
☒ 2. drilling permit
☒ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

Proof acceptable

Priority Calculation:

Date proof received	<u>NA</u>	
Date proof due		-
No. of days late		=
Priority date		+
NEW PRIORITY DATE		=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138641
April 30, 1990

HATHAWAY CONSTRUCTION INC.
149 N. 7TH E.
ST. ANTHONY, ID 83445

PROOF DUE NOTICE

RE: PERMIT NO. 21-07428

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1990.

(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

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JUN 18 1990

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

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 16, 1989

HATHAWAY CONSTRUCTION INC.
149 N. 7TH E.
ST. ANTHONY, ID 83445

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

RE: PERMIT NO. 21-07428

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.

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.

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 "Instructions of

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AUG 02 1989

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

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AUG 02 1989

April 24, 1989

Hathaway Construction, Inc.
149 N. 7th E.
St. Anthony, ID 83445

RE: Application for Permit No. 21-7428

Dear Water Right Applicant:

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

This office is currently in the process of advertising the application in the 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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AUG 02 1989

St. Anthony, Idaho
Ashton, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, Terry Weatherston
being first duly sworn, depose
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi
newspaper printed and published
Fremont County, Idaho; and I do
swear that the Notice Of Application
a copy of which notice appears
hereto, was published in the re-
entire issue of said newspaper,
in any supplement issue thereof
for Two consecutive issues
first publication having been made
May 4, 1989
and the last publication having
made on May 11, 1989

Further, that said newspaper
of general circulation in said
that it is a legal newspaper, con-
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 12th day of May
on 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.

Notary Public for Idaho

Residing at Rexburg, Idaho

My commission expires: June 8, 1993

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

21-07413
GRANGE, CLAUD F.
GRANGE, LELIA L.
721 E. 1000 N.
SHELLEY, ID 83274

Source: GROUNDWATER
Diversions Pt: NESE Sec 36 T 14N R
43E
Use: DOMESTIC (.100 CFS)
Date Filed: 3/22/1989
In: T14N R43E S36 NESE
21-07423
KANDLER FARMS INC.
P.O. BOX 754
ASHTON, ID 83420
Source: GROUNDWATER
Diversions Pt: NWSWNW Sec 15 T 08N
44E
Use: COMMERCIAL (.040 CFS)
Date Filed: 3/21/1989
In: T08N R44E S15 SWNW
21-07424
POTPOURRI RANCH INC.
P.O. BOX 670
ASHTON, ID 83420
Source: GROUNDWATER
Diversions Pt: SWSE Sec 15 T 09N R
44E
Use: DOMESTIC (.020 CFS)
Date Filed: 3/20/1989
In: T09N R44E S15 SWSE
21-07425
BENSON'S BOOTJACK SUMMER

HOMES NO. 2
C/O AMMON BENSON
190 E. 4380 N.
PROVO, UT 84604
Source: GROUNDWATER
Diversions Pt: SENE Sec 27 T 15N R
43E
Use: DOMESTIC (.170 CFS)
Date Filed: 3/21/1989
In: T15N R43E S27 SWNE SENE
NESE NWSE

21-07426
BIG ELEVEN WELL ASSOCIATION
DONALD F. GUSTAFSON
50 FOREST AVE.
FT. THOMAS, KY 41075
Source: GROUNDWATER
Diversions Pt: NWNE Sec 27 T 15N R
43E
Use: DOMESTIC (.130 CFS)
Date Filed: 3/30/1989
In: T15N R43E S27 NWNE
21-07427
WEBSTER'S HENRYS LAKE RANCH
CABIN
SITES INC.

HENRYS LAKE, NUMBER 248
ISLAND PARK, ID 83429
Source: GROUNDWATER
Diversions Pt: SENW Sec 21 T 15N R
43E
Use: DOMESTIC (.250 CFS)
Date Filed: 4/04/1989
In: T15N R43E S21 SENW
21-07428

HATHAWAY CONSTRUCTION INC.
149 N. 7th E.
ST. ANTHONY, ID 83445
Source: GROUNDWATER
Diversions Pt: SWSE Sec 32 T 08N R
41E

Use: COMMERCIAL (.220 CFS)
Date Filed: 3/23/1989
In: T08N R41E S32 SWSE
21-07429

ROTH, WAYNE E.
BOX 2040
SUN VALLEY, ID 83353
Source: GROUNDWATER
Diversions Pt: LOT 3 (NWSW) Sec 33 T
16N R 43E

Use: DOMESTIC (.110 CFS)
Date Filed: 3/03/1989
In: T16N R43E S33 NWSW
21-07430

O'NEALL, JR., JOHN S.
HC-01 BOX 40
HATCHECHUBBE, AL 36858
Source: GROUNDWATER
Diversions Pt: LOT 24 (SWSW) Sec 31 T
16N R 43E

Use: DOMESTIC (.080 CFS)
Date Filed: 3/24/1989
In: T16N R43E S31 SWSW

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, Idaho 83402 on or
before MAY 22, 1989.

R. KEITH HIGGINSON
Director

Publ. May 4 and 11, 1989HC.

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AUG 02 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 21, 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 MAY 22, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

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AUG 02 1989

[]

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

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21-07428

HATHAWAY CONSTRUCTION INC.
149 N. 7TH E.
ST. ANTHONY, ID 83445

Source: GROUNDWATER

Diversion Pt: SWSE Sec 32 T 08N R 41E

Use: COMMERCIAL (.220 CFS)

Date Filed: 3/23/1989

In: T08N R41E S32 SWSE

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AUG 02 1989

the permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42- A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MAY 22, 1989.

R. Keith Higginson, Director

Published 5/04/1989 & 5/11/1989

INDEXED

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INTER-DEPARTMENT MEMO — 1

FROM KEITH C. WILSON

DATE 4/14/89

TO FILE

SUBJECT FLOW RATE

FLOW RATE IS EXCESSIVE BUT APPLICANT WAS INSISTENT THAT
HE BE ALLOWED TO FILE ON CAPACITY OF THE SYSTEM

ABOVE INFORMATION WAS RELAYED TO ME FROM
TONY OLENICHEK

INDEXED

AUG 02 1989

Keith C. Wilson
SIGNATURE