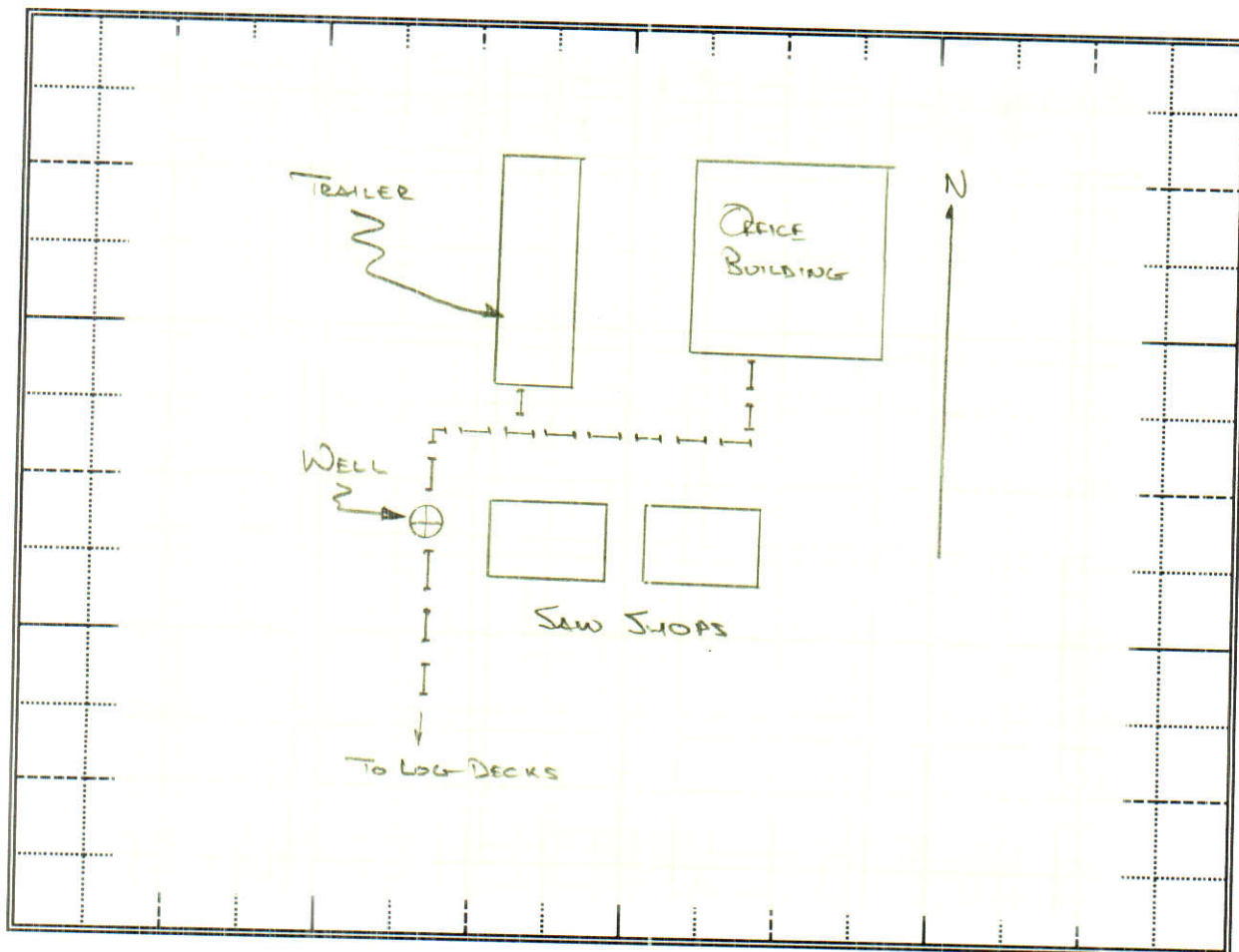


- 

Christy Valdez  
(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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| UNKNOWN                               |            | 1  |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

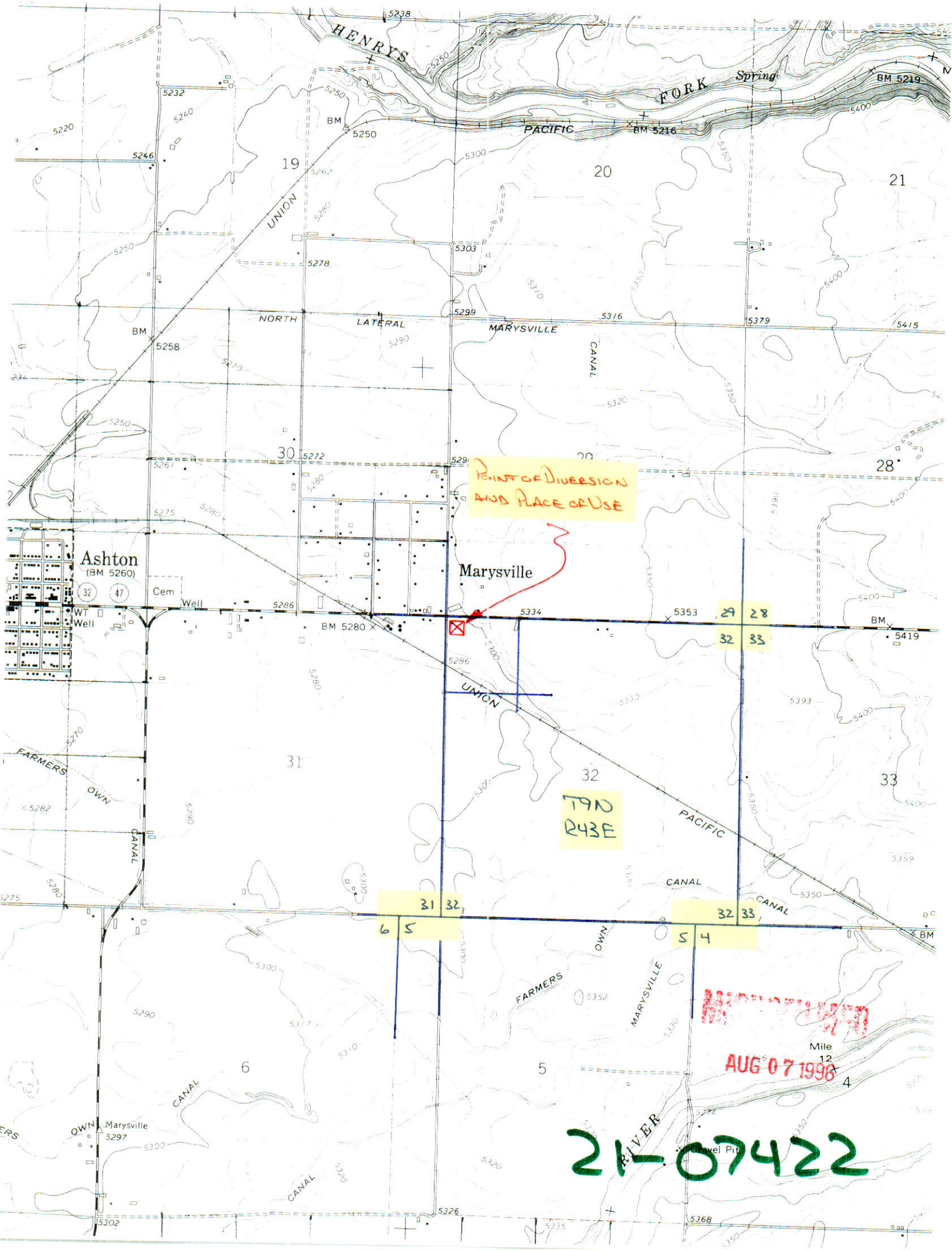
#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type | Make     | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|----------|-----------|------------|------|-------------|
| WELL PROBE            |      | SOI TEST |           |            | 500' |             |
|                       |      |          |           |            |      |             |

2. Measurements: STATIC WATER AT 28'

AUG 07 1996



POINT OF DIVERSION  
AND PLACE OF USE

T9N  
R43E

NOTED

AUG 07 1996

21-07422

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 21-07422

Priority: March 20, 1989

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

8.1 AF

This is to certify, that C & B TIMBER

PO BOX 622

ASHTON ID 83420

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 20, 1989; and has submitted Proof of Beneficial Use on June 26, 1989. An examination indicates that the works have a diversion capacity of 0.050 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       | 0.04 CFS                 | 8.1 AF               |

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 32, Township 09N, Range 43E  
FREMONT County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

09N 43E 32

NWNW

CONDITIONS OF APPROVAL AND 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 to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

RECORDED

AUG 07 1989

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

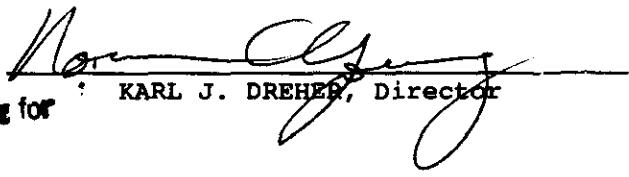
WATER RIGHT NO. 21-07422

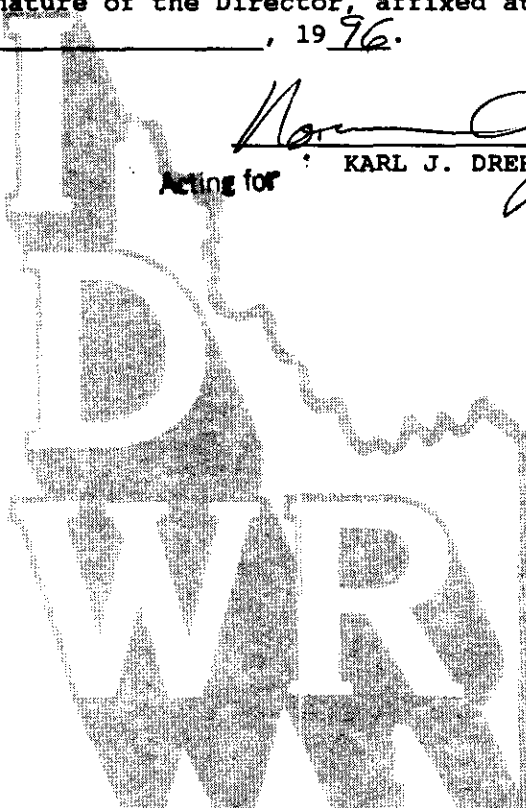
## CONDITIONS OF APPROVAL AND REMARKS

7. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
8. Commercial use is for a bunkhouse and office building. Water is also used for adjacent landscape and to keep logs wet.

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 9<sup>TH</sup> day of July, 1976.

Acting for

  
KARL J. DREHER, Director



  
AUG 07 1976

RECEIVED  
JUN 26 1989

no enclosed fee  
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

## PROOF OF BENEFICIAL USE

For Office Use Only  
Fee Received \_\_\_\_\_  
Date \_\_\_\_\_  
Receipt # \_\_\_\_\_  
Receipt by \_\_\_\_\_  
Reviewed by \_\_\_\_\_  
Sent to region \_\_\_\_\_

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 21-07422

Name(s) of Permit Holder: C&B Timber A Partnership of R. Carl Bates and Ernest Carlson

Post Office Address: Box 622 Ashton Id 83420

Telephone No. 652-3661

Source of Water: groundwater

Extent of Use:

Domestic \_\_\_\_\_ (number of households) Stockwater \_\_\_\_\_ (number and type of stock)

Irrigation \_\_\_\_\_ (acres) Other/Remark Commercial

netting down loop

Total rate and/or volume for which proof is submitted 04 cfs \_\_\_\_\_ acre-feet

Show the date water was first diverted and beneficially used under this permit: May 1978

Measuring Device: Required? ☐ Yes ☒ No  
Installed? ☐ Yes ☒ No

Fee enclosed \$ 0  
(See License Examination Fee Schedule)

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

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

Kristy Valdez 652-3661  
(Name) (Telephone Number)

Box 622 Ashton  
(Address)

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.

RECEIVED

6-16-89  
Date

X E. L. Bates  
Signature of Permit Holder (and title, if appropriate)

AUG 21 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant C&B Timber, A Partnership of R. Carl Bates and Ernst Carlson Phone 652-3361  
Post office address P.O. Box 622, Ashton Idaho 83420

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_  
Sec. 32 Township 9N Range 43E B.M. freemant County; additional  
points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount .04 for commercial purposes from 1 Jan to 31 Dec (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) .04 cubic feet per second and/or (b) \_\_\_\_\_ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 50' well, 6" diameter, 1 Hp pump

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 50' 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 for proposed beneficial use is  
1 years (minimum 1 year).

MICROFILMED

JUN 12 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. Commercial: Breakroom, bathrooms, wetting the logs to prevent fire.

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 |        |
| 9N  | 43E   | 32   |     |     |     |     | C   |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

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

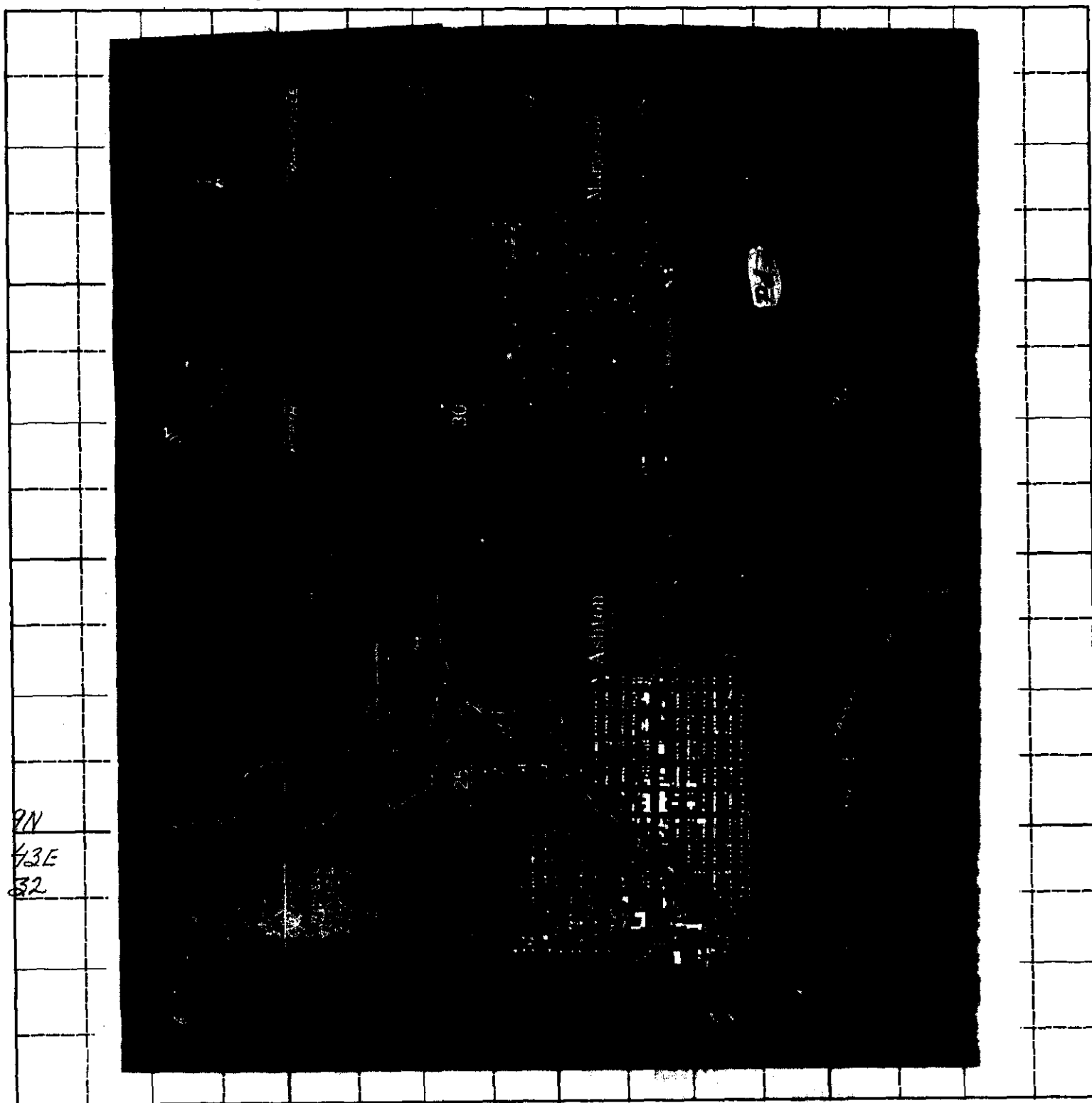
- Who owns the property at the point of diversion? The company; CFB Timber
- Who owns the land to be irrigated or place of use? The company; CFB Timber
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: Krisly Valdez has a notarized power of attorney. The well was drilled in 1974

FILED

JUN 12 1989

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.

JUN 12 1980  
Christy Valdez  
(Applicant)

Proposed Priority 3/20/89

Received by DMS Date 20 Mar 89 Time 2:30 pm Preliminary check by KCW

Fee \$ 30.00 Receipted by DMS # E006222 Date 20 Mar 89  
4-20-89

Publication prepared by GB Date 4-11-89 Published in Herald-Chronicle

Publication approved \_\_\_\_\_ Date \_\_\_\_\_

### 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. 21-7422, 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.

The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

Witness my hand this 6<sup>th</sup> day of June, 1989.

D. Glen Saylor

RECEIVED

JUN 12 1989

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That Carl Bates, Ernest Carlson, C & B Timber, a partnership consisting of Carl Bates and Ernest Carlson, and J. C. Bates of Ashton, Idaho, have made, constituted and appointed, and by these presents do make, constitute and appoint Kristy Valdez of Ashton, Idaho, our true and lawful attorney for and in our name, place and stead giving and granting unto our said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in filing and signing all documents relating to the adjudication of the Snake River water rights, as fully to all intents and purposes as we might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that our said attorney or her substitute shall lawfully do or cause to be done by virtue thereof.

This power of attorney shall be in full force and effect until revoked by us in writing.

IN WITNESS WHEREOF, we have hereunto set our hands and seal this 17th day of March, 1989.

C & B TIMBER, A PARTNERSHIP

*Carl Bates*  
CARL BATES

*Ernest Carlson*  
ERNEST CARLSON

*Ernest Carlson*  
ERNEST CARLSON

*Carl Bates*  
CARL BATES

STATE OF IDAHO       )  
                          ) ss.  
County of Fremont    )

*J. C. Bates*  
J. C. BATES

BE IT KNOWN that on the 17th day of March, 1989, before me personally appeared Carl Bates, Ernest Carlson and J. C. Bates above named, who are to me known to be the persons described in and who executed the above Power of Attorney, and acknowledged the same to be their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

**MICROFILMED**

JUN 12 1989

*[Signature]*  
Notary Public for Idaho  
Residing at: Ashton, Idaho  
Comm. Expires: 4/16/92

THE FREMONT COUNTY HERALD CHRONICLE

St. Anthony, Idaho

Ashton, Idaho

RECEIVED

AFFIDAVIT OF PUBLICATION

MAY 1 1989

STATE OF IDAHO

County of Fremont

Department of Water Resources  
Eastern District Office

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

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

on two consecutive issues, the  
first publication having been made on

April 20, 1989

and the last publication having been  
made on April 27, 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 28th day of April  
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.

Notary Public for Idaho  
Residing at Rexburg, 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:

21-07309 SEELEY BROTHERS  
BOX 654

ASHTON, ID 83420  
43E SWNE Sec 38 T 14N R 43E  
Use: DOMESTIC (.080 CFS)  
Date Filed: 3/13/1989  
In: T14N R43E S38 NWNE SWNE

21-07419 HAYWARD, JAMES A.  
Rt. 1, BOX 197-1  
ST. ANTHONY, ID 83435  
Source: GROUNDWATER  
Diversions Pt: LOT 7 (NW NWNE) Sec 27  
T 08N R 41E  
Use: COMMERCIAL (.040 CFS)  
DOMESTIC (.040 CFS)  
Date Filed: 3/09/1989  
In: T08N R41E S27 NWNE

21-07420 CALDWELL, ROLLAND T.  
HC 66 BOX 46  
ISLAND PARK, ID 83429  
Source: GROUNDWATER  
Diversions Pt: NWSE Sec 17 T 12N R  
43E  
Use: DOMESTIC (.080 CFS)  
Date Filed: 3/10/1989  
In: T12N R43E S17 NWSE

21-07421 C & B TIMBER, A PARTNERSHIP OF  
R. CARL BATES & ERNEST  
CARLSON  
P.O. BOX 622  
ASHTON, ID 83420  
Source: GROUNDWATER  
Diversions Pt: SWNWSE Sec 30 T 09N  
R 43E  
Use: COMMERCIAL (.040 CFS)  
Date Filed: 3/20/1989  
In: T09N R43E S30 NWSE

21-07422 C & B TIMBER, A PARTNERSHIP OF  
R. CARL BATES & ERNEST  
CARLSON  
P.O. BOX 622  
ASHTON, ID 83420  
Source: GROUNDWATER  
Diversions Pt: NWNWNW Sec 32 T 09N  
R 43E  
Use: COMMERCIAL (.040 CFS)  
Date Filed: 3/20/1989  
In: T09N R43E S32 NWNW

22-07430 SCHWENDIMAN, MELVIN  
STAKER, DONALD  
BOX 74  
NEWDALE, ID 83436  
Source: GROUNDWATER  
Diversions Pt: SESW Sec 35 T 07N R  
41E  
Use: IRRIGATION (1.320 CFS)  
Date Filed: 3/28/1989  
In: T07N R41E S34 NESE SESE S35  
NESW 66.0 ACRES TOTAL

22-07643 SPUDNIK EQUIPMENT CO.  
P.O. BOX 1045  
BLACKFOOT, ID 83221  
Source: GROUNDWATER  
Diversions Pt: SESE Sec 11 T 07N R  
40E  
Use: DOMESTIC (.040 CFS)  
Date Filed: 3/29/1989  
In: T07N R40E S11 SESE

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, 1500 South  
Suite 35, Idaho Falls, Idaho 83402  
before MAY 8, 1989.  
Director  
Publ. April 20 and 27, 1989HC.

UNRECORDED  
JUN 12 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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

July 10, 1996

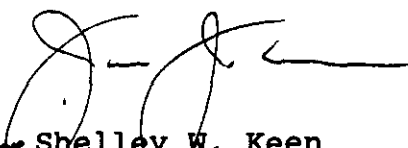
C & B TIMBER  
PO BOX 622  
ASHTON ID 83420

RE: WATER RIGHT NO. 21-07422

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,

  
Acting for Shelley W. Keen  
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED  
AUG 07 1996

## MEMORANDUM

**TO:** File 21-07422

**FROM:** Sharla

**DATE:** July 9, 1996

**RE:** Recommendation Adjustment(s)

The final license recommendations for Right 21-07422 are based on the following.

### H. RECOMMENDATIONS

| Beneficial Use | Period of Use | Rate of Div | Annual Vol |
|----------------|---------------|-------------|------------|
| Commercial     | 1/1 - 12/31   | 0.04 cfs    | 8.1 afa    |

One of the uses of water under this commercial right is to keep logs wet. The examiner has identified in his delivery system diagram that pipeline runs from the well out to the log decks. Constant spraying of the logs is going to increase the annual volume to more than 1.2 af recommended similar to single family domestic use. Volume for this right has been calculated using a constant diversion of 0.04 cfs for an 8 hour shift, 5 days a week for 52 weeks. This amount (6.9 af) is additive to the 1.2 af recommended by the examiner to cover bunkhouse, office and landscape use.

Examiner: Paul Meyer  
Exam date: August 26, 1992

MAILED  
AUG 07 1996

# LICENSE REVIEW CHECKLIST

PERMIT NO. 21-07422

DATE 7/8/96

REVIEWER: S H A R L A

NAME Change OK

Address Change     

SOURCE          

Is change clarification of originally intended source?     

If not, prepare Notice of Intent to Void     

POINT OF DIV          

Amendment required NO

PLACE OF USE          

Amendment required NO

Does map agree with written description? ✓ yes      no

OVERLAPS      P/D      P/U

## RATE OF DIV

Permitted Rate .04 cfs

Fee limit .04 cfs

Measured .05 cfs

Theoretical .05 cfs

NO FEE PD OR REQ'D

NO MEASUREMENT MADE

Recommended Total Div Rate .04 cfs

## ANNUAL VOLUME/ NATURE OF USES

     ✓

Use Commercial Volume Calculation 1.2 1.2+ af

6.9 10cs af

.04 X 60 sec X 60 X 8 hrs X 52 wks af

for 52 wks = 82,240 gals

SUBTOTAL 8.1 af

325,850 = 6.9

Flow rate .04 cfs X 365 days X 1.98 = 29.0 af

Total volume recommended 8.1 af

(SUBTOTAL or Flow Rate, whichever is less)

## REMARKS

Chunkhouse office w/ adjacent  
landscape, keep logs wet.

CONDITIONS      Watermaster Control WD#     

     GW Measurement/Measuring Device

     Overlap

     Use-specific conditions

Advancement of Priority Date Required      yes      no

SRBA Claim Filed NA

Adjustment Memo     

1st Amend Letter NA

2nd Amend Letter NA

Trust water  
048/049  
Water quality

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED  
FEB 02 1995  
Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 21-07422

1. Owner: C & B Timber

Phone No. 652-3661

Current Address: P.O. Box 622, Ashton, ID 83420

2. Accompanied by: N/A - SEE REMARKS

EXAM DATE: 8-26-92

Address: \_\_\_\_\_

Phone No. \_\_\_\_\_

Relationship to Permit Holder: \_\_\_\_\_

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 |
|-----------|-----------|-----|-----|-----|------|------|------|---------|---------------------------------|
|           |           | NW  | NW  | NW  | 32   | 9N   | 43E  | FREMONT | USGS, ONSITE                    |
|           |           |     |     |     |      |      |      |         |                                 |
|           |           |     |     |     |      |      |      |         |                                 |
|           |           |     |     |     |      |      |      |         |                                 |

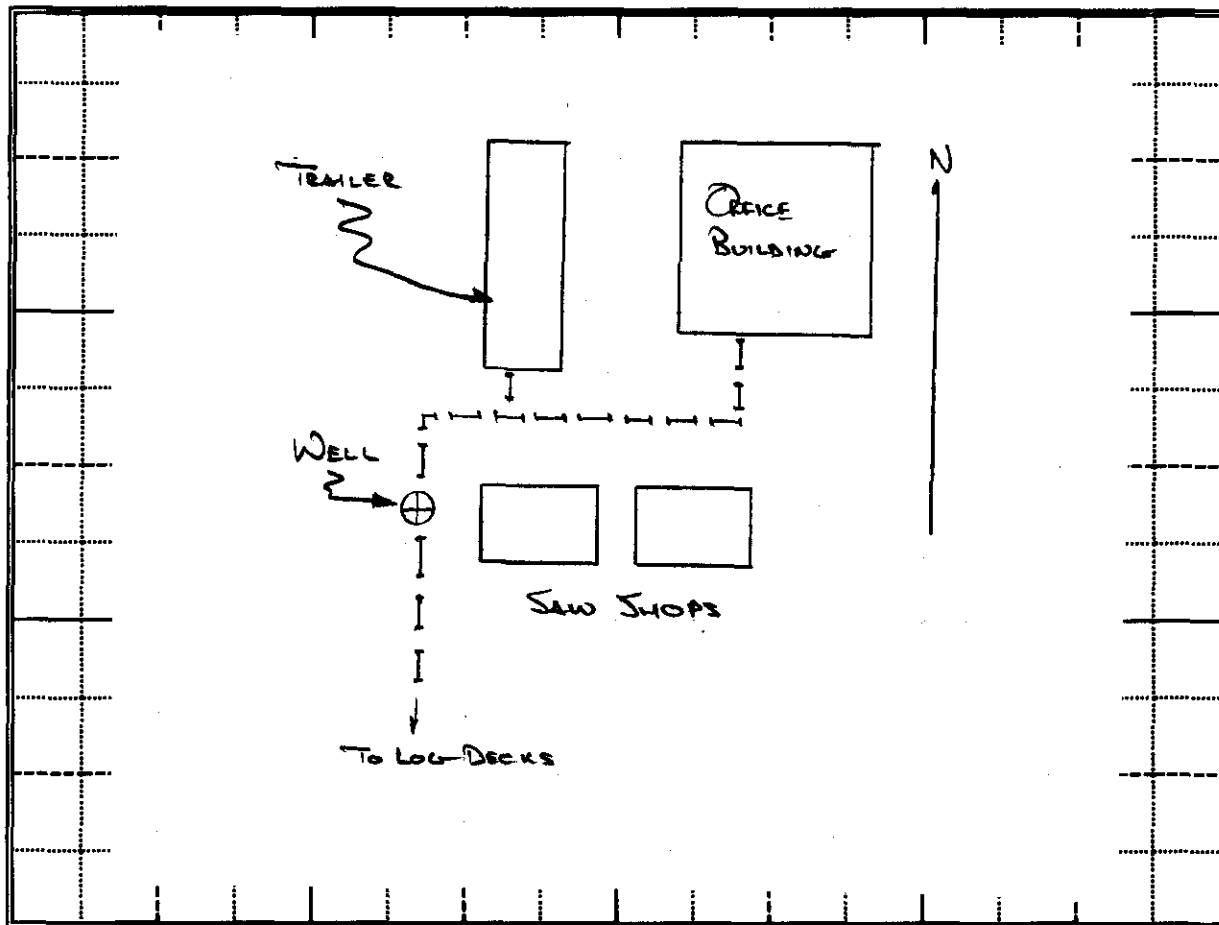
**2. Place(s) of Use:**

Indicate Method of Determination SAME

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 9N  | 43E | 32  |    |    |    |    | C  |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

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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 Quadrange 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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| UNKNOWN                               |            | 1  |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

\*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 |
|-----------------------|------|--------|-----------|------------|------|-------------|
| WELL PROBE            |      | SILVER | -         |            | 500' |             |
|                       |      |        |           |            |      |             |

2. Measurements:

STATIC WATER AT 28'

AUG 07 1996

21-07422

$$Q_{THEOR} = \frac{140(8.814) \cdot 7 \text{ EFF}}{28' \text{ LIFT} + (40 \text{ PSI} \cdot 2.308)} = \underline{\underline{0.05 \text{ CFS}}}$$

ASSUME 40 PSI

COMMERCIAL USE FOR BUNKHOUSE AND OFFICE WITH LAWN  
 AREA IS SIMILAR TO SINGLE FAMILY DOMESTIC WITH 1/2  
 ACRE LAWN.  $\Rightarrow \underline{\underline{0.04 \text{ CFS}}}$

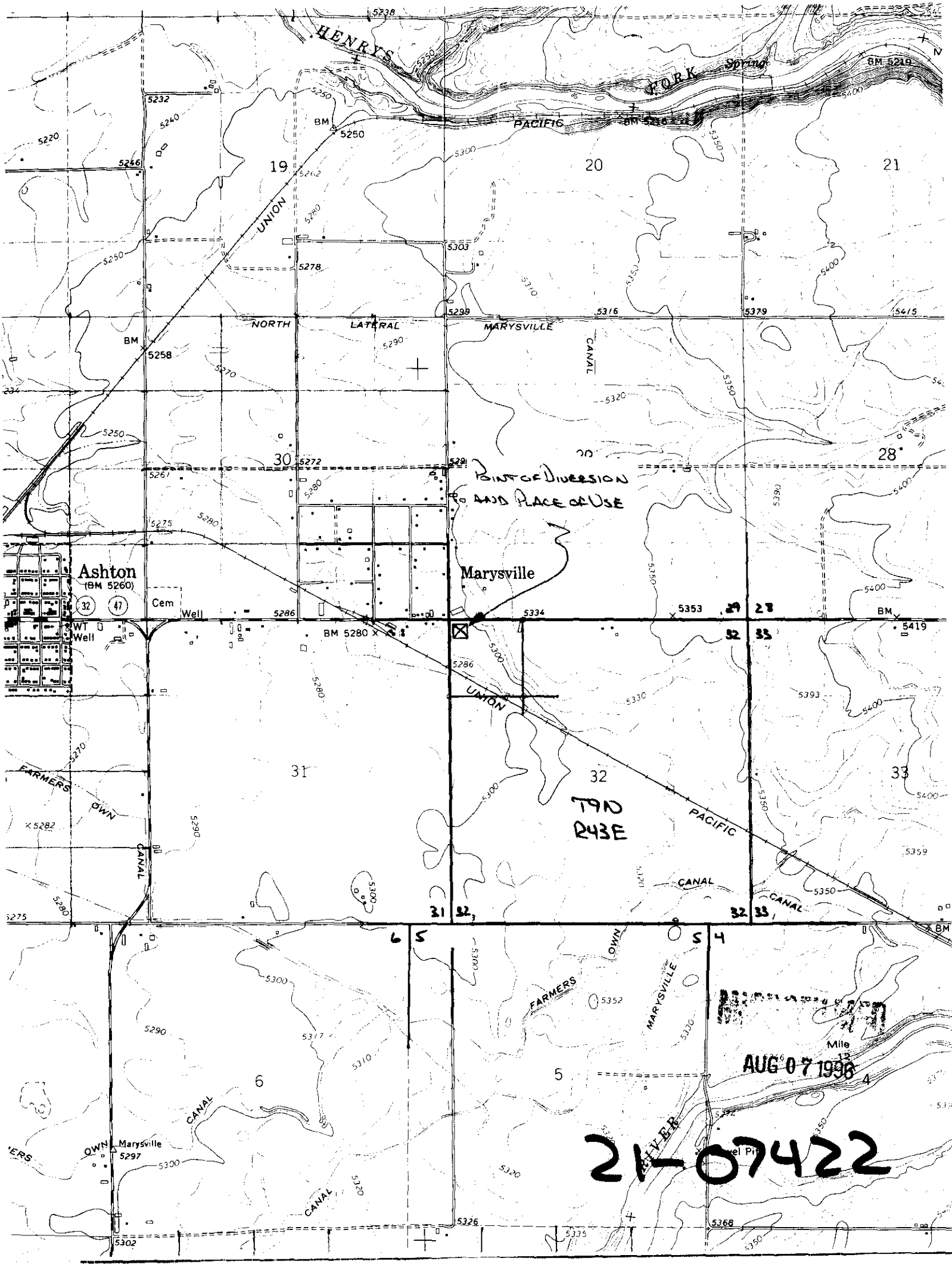
Q LIMITED TO 0.04 CFS BY PERMIT & IDWR STD.

AREA REQUIREMENTS SIMILAR TO SINGLE FAMILY DOMESTIC  
 WITH 1/2 ACRE LAWN.

IDWR STD  $\Rightarrow \underline{\underline{1.2 \text{ AFA}}}$

AUG 07 1996

21-07422



POINT OF DIVERSION  
ROAD PLACE CAUSE

T910  
R43E

AUG 07 1998

21-07422

E. NARRATIVE/REMARKS/COMMENTS

WELL, PUMP AND PIPELINES TO TRAILER/CREW BUNKHOUSE AND OFFICE BUILDING WITH BATHROOMS, KITCHEN ETC. LAWN IRRIGATION AROUND OFFICE. WATER ALSO USED THROUGHOUT PROPERTY FOR FIRE SUPPRESSION.

AS PER TELECON WITH OWNER, CARL BATES, HE WOULD MEET ME ON SITE IF HE COULD GET AWAY FROM SALE AREA. MR. BATES GAVE PERMISSION TO GO ON SITE WITHOUT HIM IF HE DIDN'T SHOW.

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

AUG 07 1996

**F. FLOW CALCULATIONS**

\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

*SEE ATTACHMENT***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:

*SEE ATTACHMENT***H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use    | Period of Use |              | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-------------------|---------------|--------------|------------------------------|--------------------------|
|                   | From          | To           |                              |                          |
| <u>COMMERCIAL</u> | <u>1-1</u>    | <u>12-31</u> | <u>0.04</u>                  | <u>1.2</u>               |
| _____             | _____         | _____        | _____                        | _____                    |
| _____             | _____         | _____        | _____                        | _____                    |
| _____             | _____         | _____        | _____                        | _____                    |
| _____             | _____         | _____        | _____                        | _____                    |
| Totals:           |               |              | <u>0.04</u>                  | <u>1.2</u>               |

## 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. AUTHENTICATION**Field Examiner's Name *[Signature]* Date 1-24-95Reviewer KEITH C. WILSON Date 1/30/95**RECEIVED**

SEAL

AUG 07 1996

September 13, 1989

Permit No. 21-07422

C & B Timber  
a partnership of R. Carl Bates and  
Ernest Carlson  
Box 622  
Ashton, ID 83420

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161, or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,

KEITH C. WILSON  
Sr. Resource Agent

KCW:lk

**MISSION**

AUG 07 1986

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 21-7422

Date: 8/1/89

General Considerations:

Y Name same as permit  
Y Signature the same as permit holder  
N Address change \_\_\_\_\_ If yes, prepare a data entry  
Y Proof received timely \_\_\_\_\_  
N Reinstated

Source of Water:

N Surface water  
Y Groundwater  
Y 1. well log in file  
Y 2. drilling permit  
N/A A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

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

Measuring Device:

N/A Is a measuring device or access port required?  
N/A Has one been installed?  
Y Waiver or modification of measuring device requested

Remarks:

*Proof Acceptable*

Priority Calculation:

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

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM



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

-----

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

C & B TIMBER, A PARTNERSHIP OF  
R. CARL BATES & ERNEST CARLSON  
P.O. BOX 622  
ASHTON, ID 83420

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

RE: PERMIT NO.        21-07422

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

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JUN 12 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

**MICROFILMED**

JUN 12 1989

Submitted for adv. 46 3-27-89  
470-88

No. 202a

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

21-7422

FIELD REVIEW BY Kaw DATE 4/10/89 APPLICATION NUMBER \_\_\_\_\_

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)  
☒ Address  
☒ Source (See USGS Quad for names of water sources)  
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)  
☒ County  
☒ Quantity (flow and/or volume)  
☒ Period of Use  
☒ Nature of proposed use (Include description of use.)  
☒ Description of diverting works  
☒ Time required for beneficial use of water  
☒ Place of use or acres irrigated  
☒ Map  
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)  
☒ Fee  
☒ Yes ☐ No\* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.) *NONE*  
☒ Overlapping point of diversion *NONE*  
☐ Yes ☒ No Field check required  
Field check by \_\_\_\_\_  
☐ Yes ☒ No Field report attached  
☐ Yes ☒ No Critical groundwater area  
☐ Yes ☒ No Groundwater management area  
☐ Yes ☒ No Send dam safety information  
☐ Yes ☒ No Send power requirement letter  
☐ Yes ☒ No Send fish farm requirement letter  
☐ Yes ☒ No Power residency affidavit  
☐ Yes ☒ No Power efficiency form  
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)  
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)  
☐ See reverse side for additional information

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested \_\_\_\_\_

MAY 19 1989

Department of Water Resources

ESSING

- ☒ Yes ☐ No In f m for advertising  
☐ Yes ☒ No Stat ide advertising  
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

COPIES TO

- ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM  
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service  
☐ Idaho Dept. of Lands ☐ Water District  
☐ Adjudication Bureau Unit ☐ Other \_\_\_\_\_

AL REGIONAL PROCESSING REVIEW

- ☒ Yes ☐ No Affidavit of publication received  
☒ Yes ☐ No Application published correctly. If not, record action taken.

- ☒ Yes ☐ No Publication dates & paper, recorded on application  
☒ Yes ☒ No Protests received  
Final date for protest 5-8-89  
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application  
☐ Yes ☐ No Recommendations attached  
☐ Yes ☐ No Measuring device required  
☐ Yes ☐ No Access port required  
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01  
☐ Yes ☐ No Special conditions of approval or cover letter below. P05

Date of priority recommended 3-20-89 ☐ See below for additional information  
By HWS Date 5-11-89

DATE OFFICE REVIEW P05, P23 P16 46 48 49 09E

By KW ☐ See below for additional information  
Date 6/1/89

DITIONAL INFORMATION

App. in NON-TRUST area-

April 12, 1989

C & B Timber, A Partnership of  
R. Carl Bates & Ernest Carlson  
P.O. Box 622  
Ashton, ID 83420

RE: Application for Permit No. 21-7421 & 21-7422

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

**MICROFILMED**

JUN 12 1989

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

---

Idaho Falls, Idaho 83402  
(208) 525-7161

APRIL 11, 1989

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 8, 1989.

Yours truly,

Rita Bodell  
Secretary

Encl.

**MICROFILMED**

JUN 12 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

**MICROFILMED**

JUN 12 1989

21-07422

C & B TIMBER, A PARTNERSHIP OF  
R. CARL BATES & ERNEST CARLSON  
P.O. BOX 622  
ASHTON, ID 83420

Source: GROUNDWATER

Diversion Pt: NWNWNW Sec 32 T 09N R 43E

Use: COMMERCIAL ( .040 CFS)

Date Filed: 3/20/1989

In: T09N R43E S32 NWNW

INDEXED

JUN 12 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-03A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MAY 8, 1989.

R. Keith Higginson, Director

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

RECEIVED

JUN 12 1989