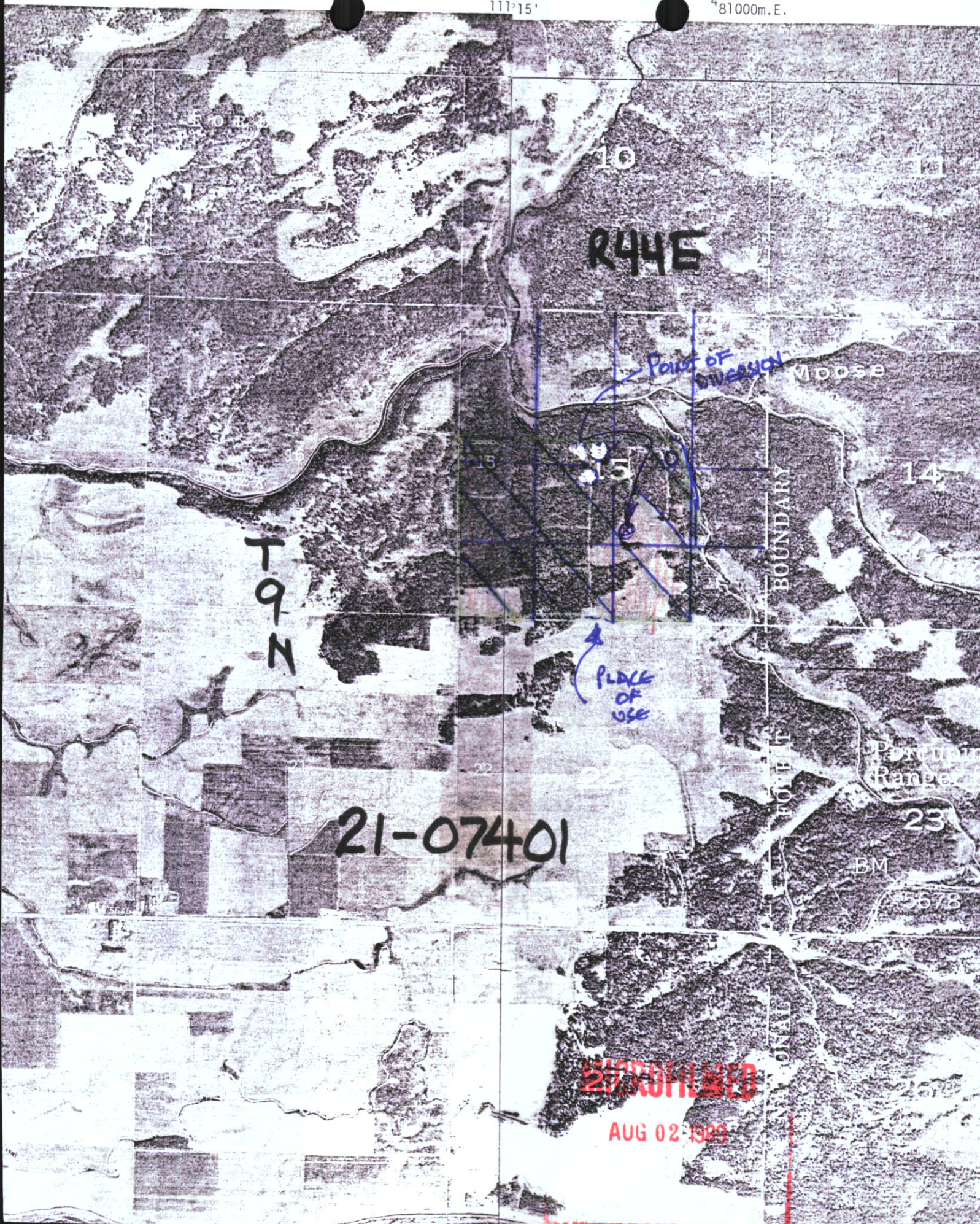




27X0114ED

AUG 02 1989

POTPOURRI RANCH ESTATE SUBDIVISION NO. 2 SW⁴ SE⁴ SEC. 15 T. 9 N. R. 44 E. SCALE 1"=100'

POTPOURRI RANCH ESTATE INC. SUBDIVISION NO. 1

Beating base on an assumed
 direction of N. 89° 56' 55" E.
 for the South Line of Section
 15 as shown.

Rescriptive Comments filed under
 Instrument No. _____

N², NE⁴, SW⁴, SE⁴, S E

SCALE
 1"=100'

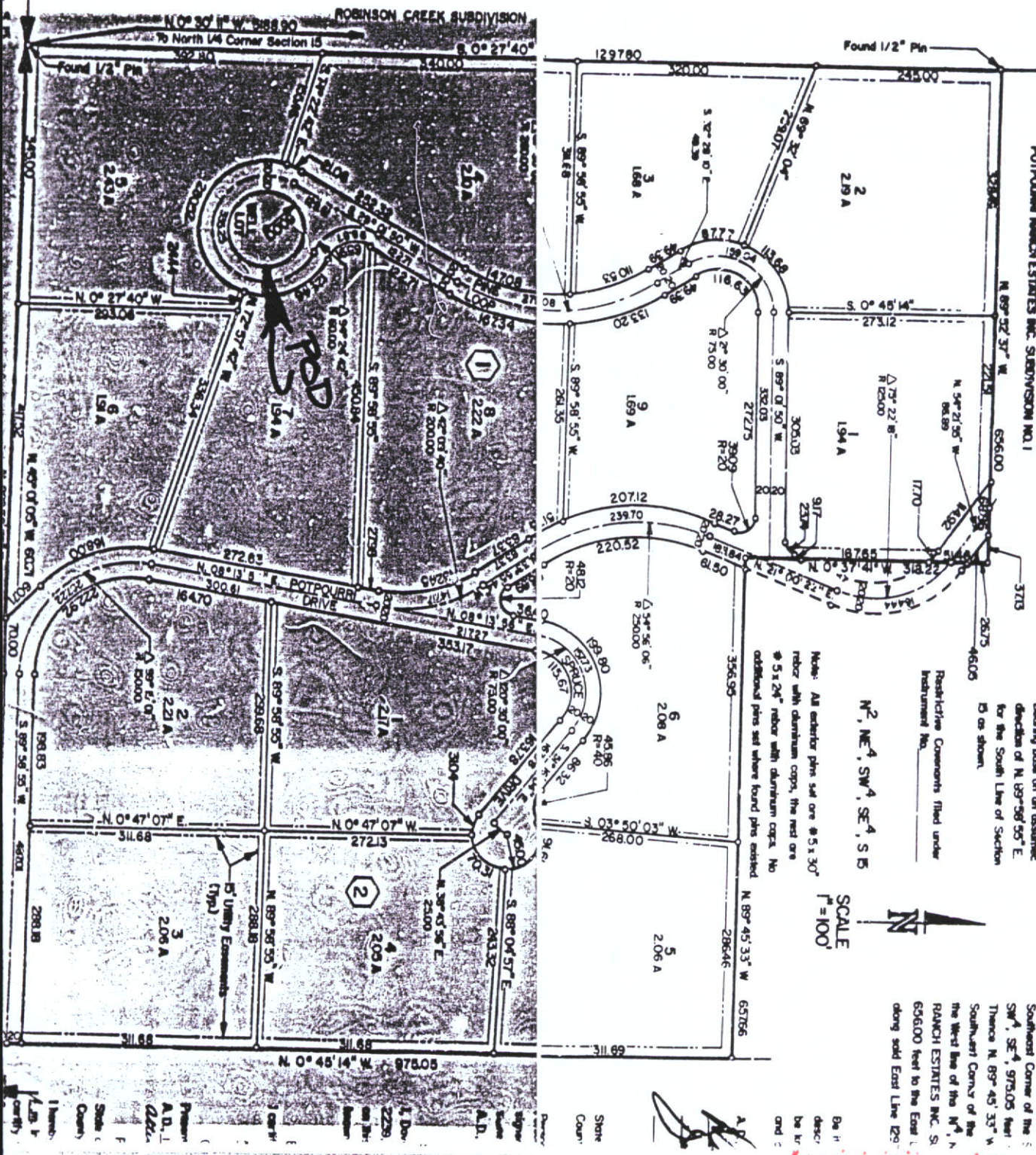
Commencing at the South
 Western, Idaho, Thence
 Southeast Corner of the S
 SW⁴, SE⁴, 975.05 feet
 Thence N. 89° 45' 33" W
 Southeast Corner of the
 the West line of the N⁴,
 RANCH ESTATE INC. S
 656.00 feet to the East
 along said East Line 129

Note: All exterior pins set are 5 x 30"
 rebar with aluminum caps, the next are
 5 x 24" rebar with aluminum caps. No
 additional pins set where found pins existed

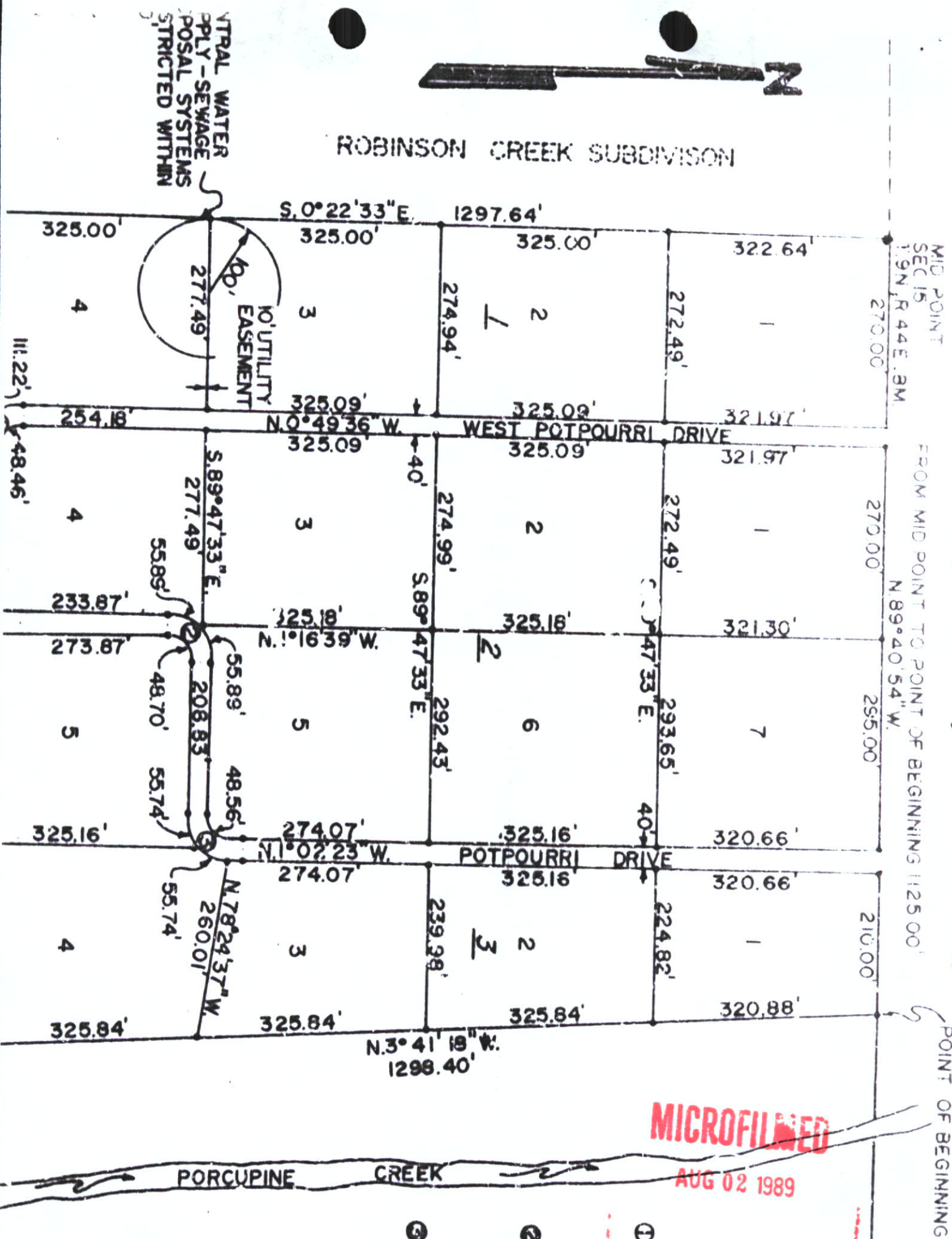
Be it
 desc:
 be by
 and :

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AUG 02 1989



ROBINSON CREEK SUBDIVISION



MICROFILMED

AUG 02 1989

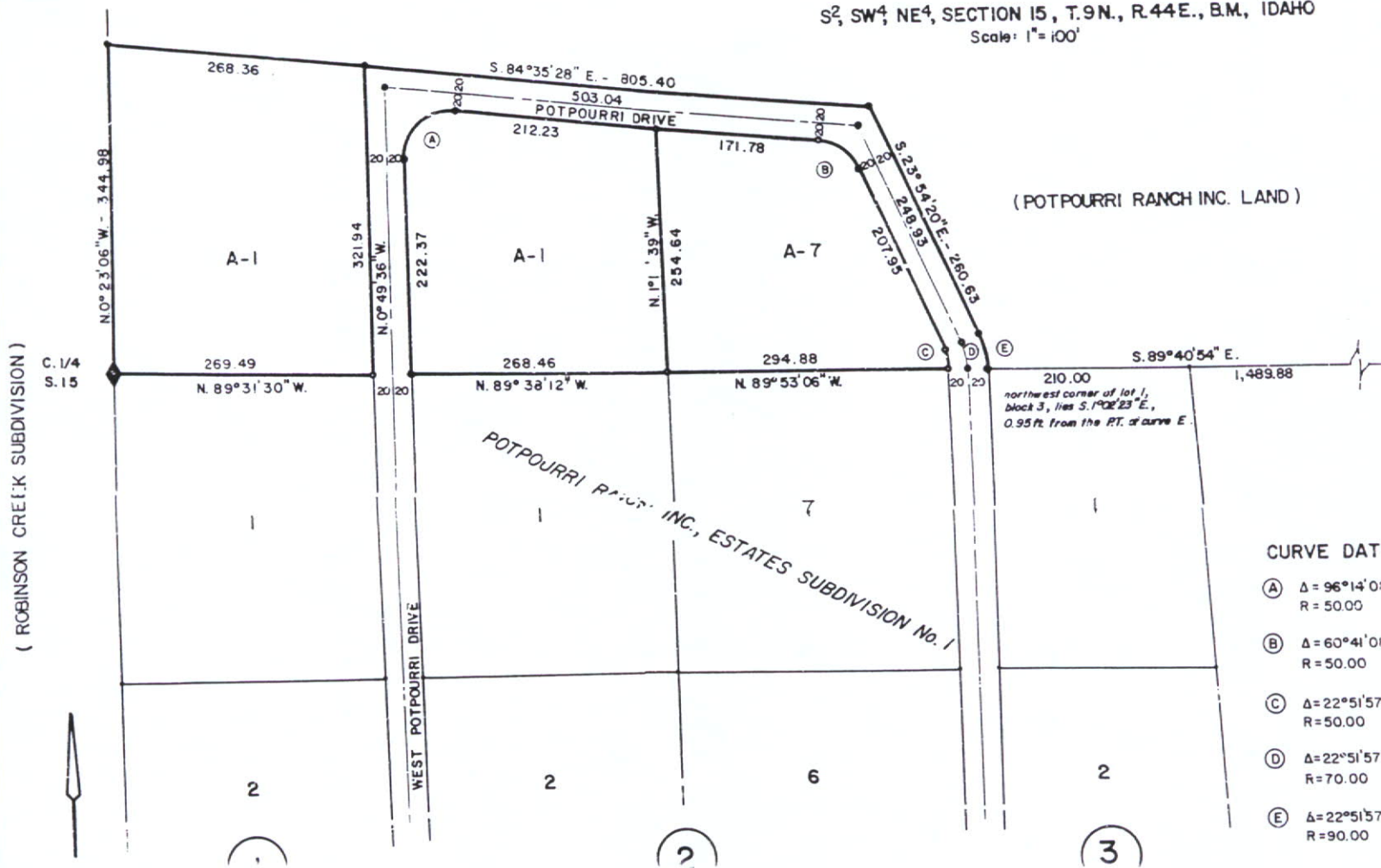
POTPOURRI RANCH INC. SUB. #1

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

POTPOURRI RANCH INC.,

ADDITION "A" OF SUBDIVISION No. 1

S², SW⁴, NE⁴, SECTION 15, T.9N., R.44E., B.M., IDAHO
Scale: 1" = 100'



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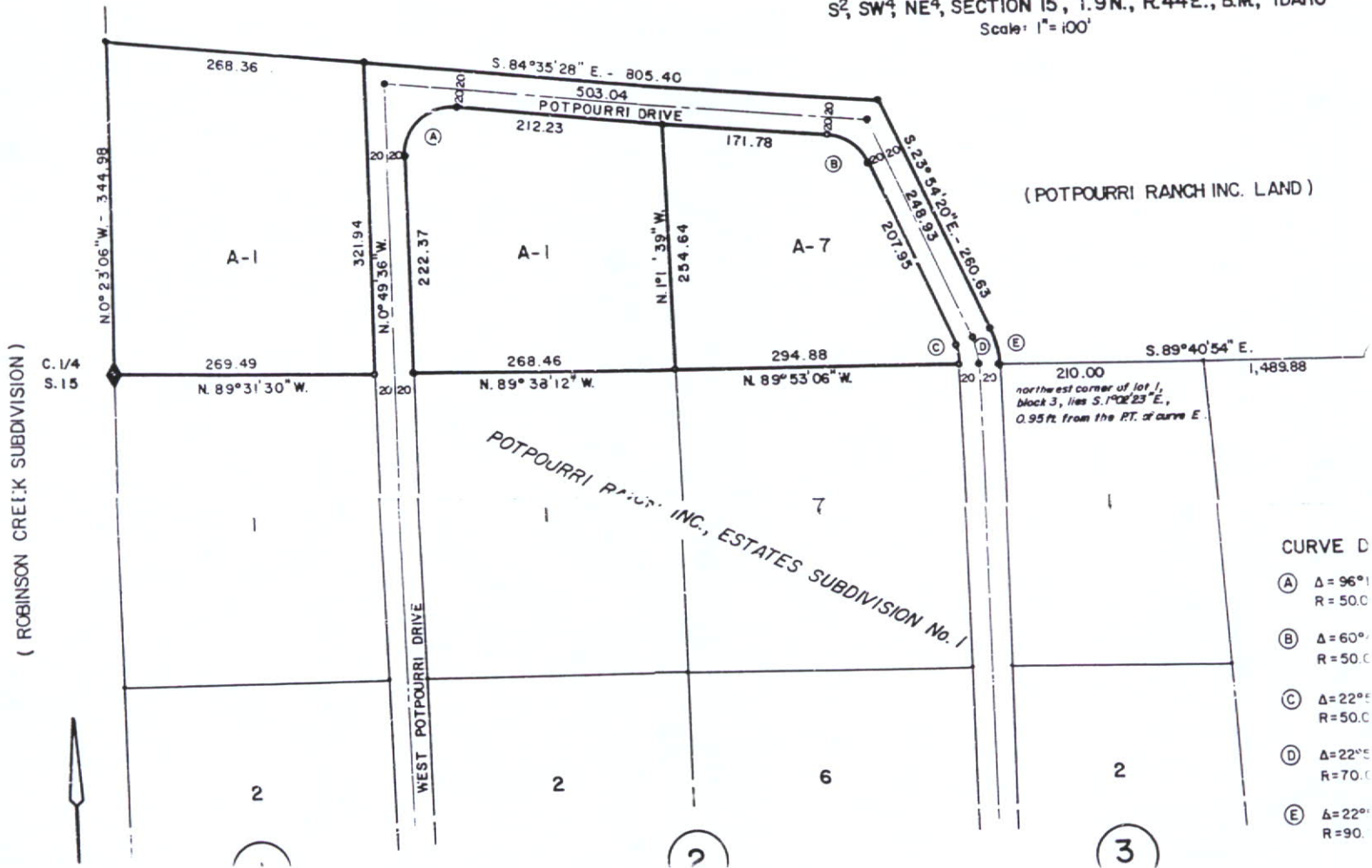
AUG 02 1989

POTPOURRI RANCH INC.,

ADDITION "A" OF SUBDIVISION No. 1

S², SW⁴, NE⁴, SECTION 15, T.9N., R.44E., B.M., IDAHO

Scale: 1" = 100'



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AUG 02 1989

THE FREMONT COUNTY HERALD-CHRONICLE

St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, Terry Weatherston
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the Correction No. 21-07401
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not
in any supplement issue thereof
for Two consecutive issues, the
first publication having been made on
April 6, 1989

and the last publication having been
made on April 13, 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 14th 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.

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

RECEIVED

APR 17 1989

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that application
No. 21-07401 in the name of Potpourri
Ranch Estates Subdivision was advertis-
ed incorrectly on March 2 and 9, 1989.
The Point of Diversion was advertised as
being NENESW Sec 15 T 09N R 44E.
Whereas, the actual Point of Diversion is
SWNWSE Sec 15 T 09N R 44E, B.M.

Protests against the granting of this ap-
plication as a result of this correction must
be filed with the Idaho Department of
Water Resources, 150 Shoup Ave., Suite
15, Idaho Falls, Idaho, 83402 on or before
APRIL 24, 1989.

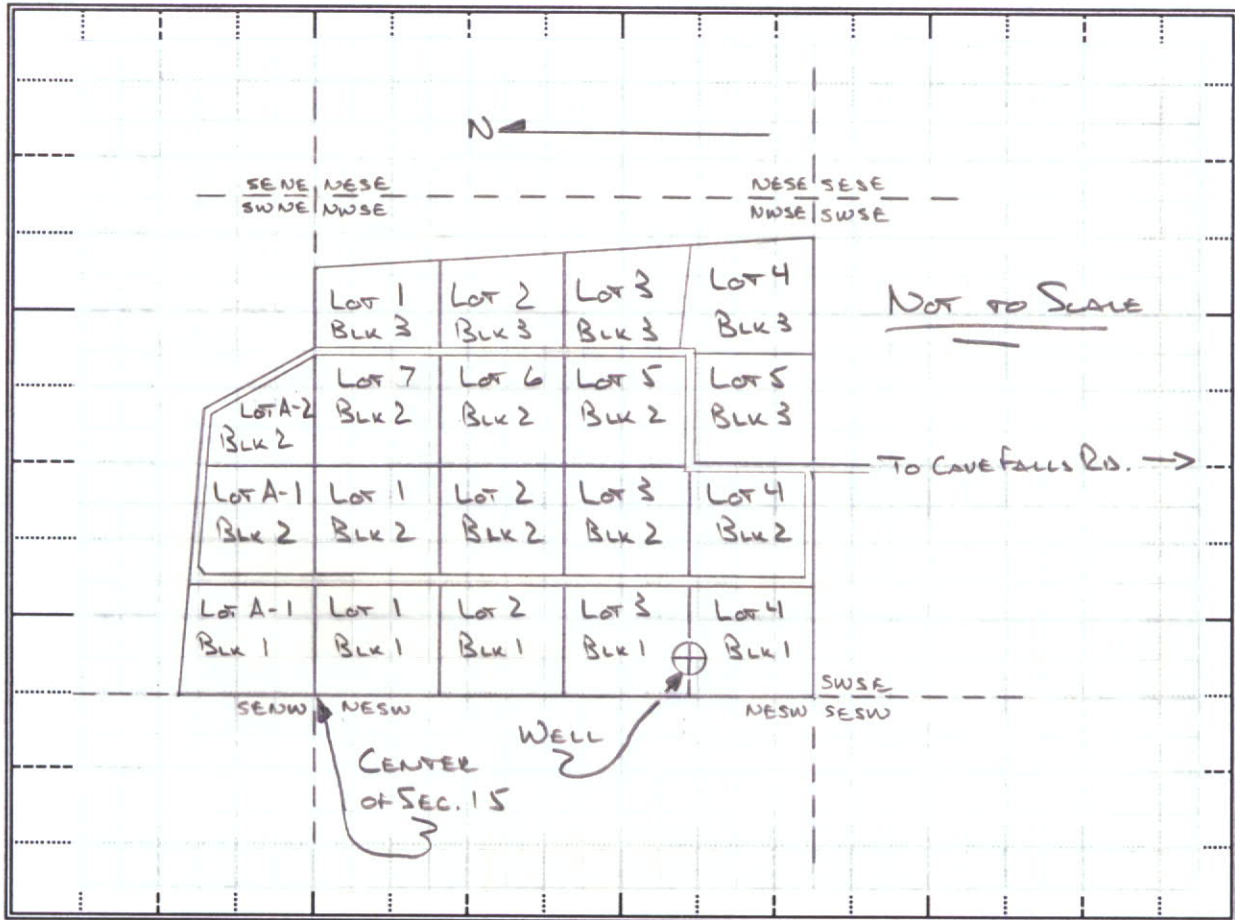
R. KEITH HIGGINSON
Director

Publ. April 6 and 13, 1989HC.

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AUG 02 1989

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
	MIRRES	3	UNKNOWN		

*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

2. Measurements: N/A - From well log, static water @ 66'
ESTIMATE 30 PSI OPERATING PRESSURE.

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JUN 08 19

98

WARM RIVER QUAD
IDAHO-FREMONT
7.5 MINUTE SERIES (TOPOGRAPHIC)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



MICROFILMED
JUN 08 1998

21-07401



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

PAID \$20.00 3/1589
Receipt #
E006123

February 27, 1989

Potpourri Ranch Estates Subdivision
Home Owners Corporation #1
Ashton, ID 83420

send to
Bob Breckenridge
1385 SCOTT PL
IDAHO Falls, ID
83402

Application for Permit No. 21-07401

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 21-07401. 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

JACK - 652-3409
VIC P. 652-7417
Jim. H. 652-7436

MICROFILMED

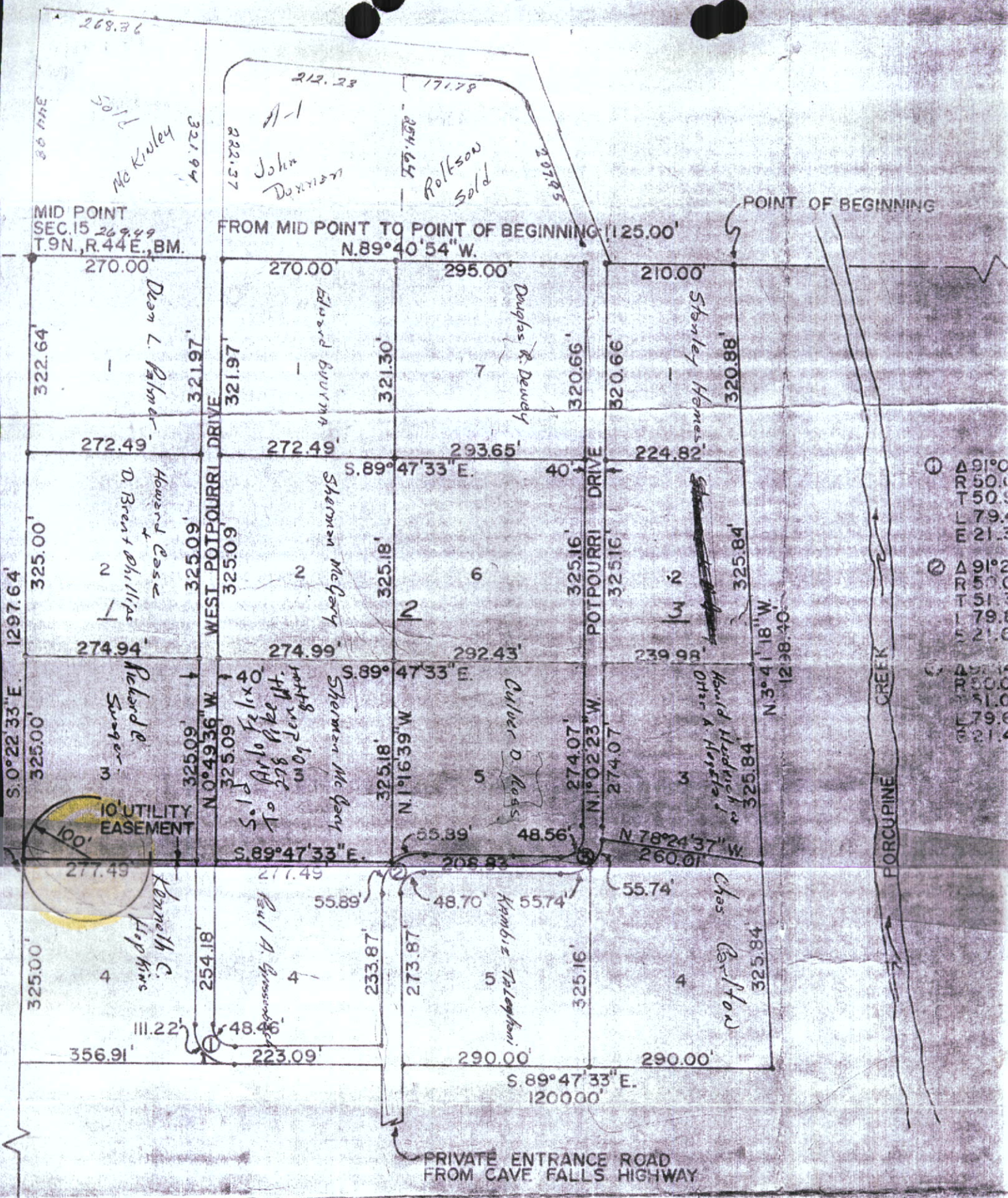
AUG 02 1989

changed to
SW of NW corner of
SE corner of
SEC 15

NOTICE OF APPLICATION
FOR WATER RIGHT

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

21-07401
POTPOURRI RANCH ESTATES
SUBD.
HOME OWNERS CORP. No. 1
ASHTON, ID 83420
Source: GROUNDWATER
Diversions Pt: NENESW Sec 15 T 09N R
44E
Use: DOMESTIC (.190 CFS)
Date Filed: 2/08/1989
In: T09N R44E S15 SWNE SWNW
SENE NESW NWSW SWSW SESW
NWSE SWSE
21-07403
DOCKSTADER ELIZABETH



①	Δ 91°02'
	R 50.0'
	T 50.9'
	E 79.4'
	E 21.3'
②	Δ 91°25'
	R 50.0'
	T 51.3'
	E 79.8'
	E 21.6'
③	Δ 91°14'
	R 50.0'
	T 51.0'
	E 79.6'
	E 21.4'

POTPOURRI RANCH
FREMONT COUNTY, IDAHO
NW⁴, SE⁴, SECTION 15
T.9N., R.44E., B.M.

FRED L. HEDGE
LAND SURVEYOR
ST. ANTHONY, IDAHO

COUNTY RECORDER'S No. _____

FREMONT _____

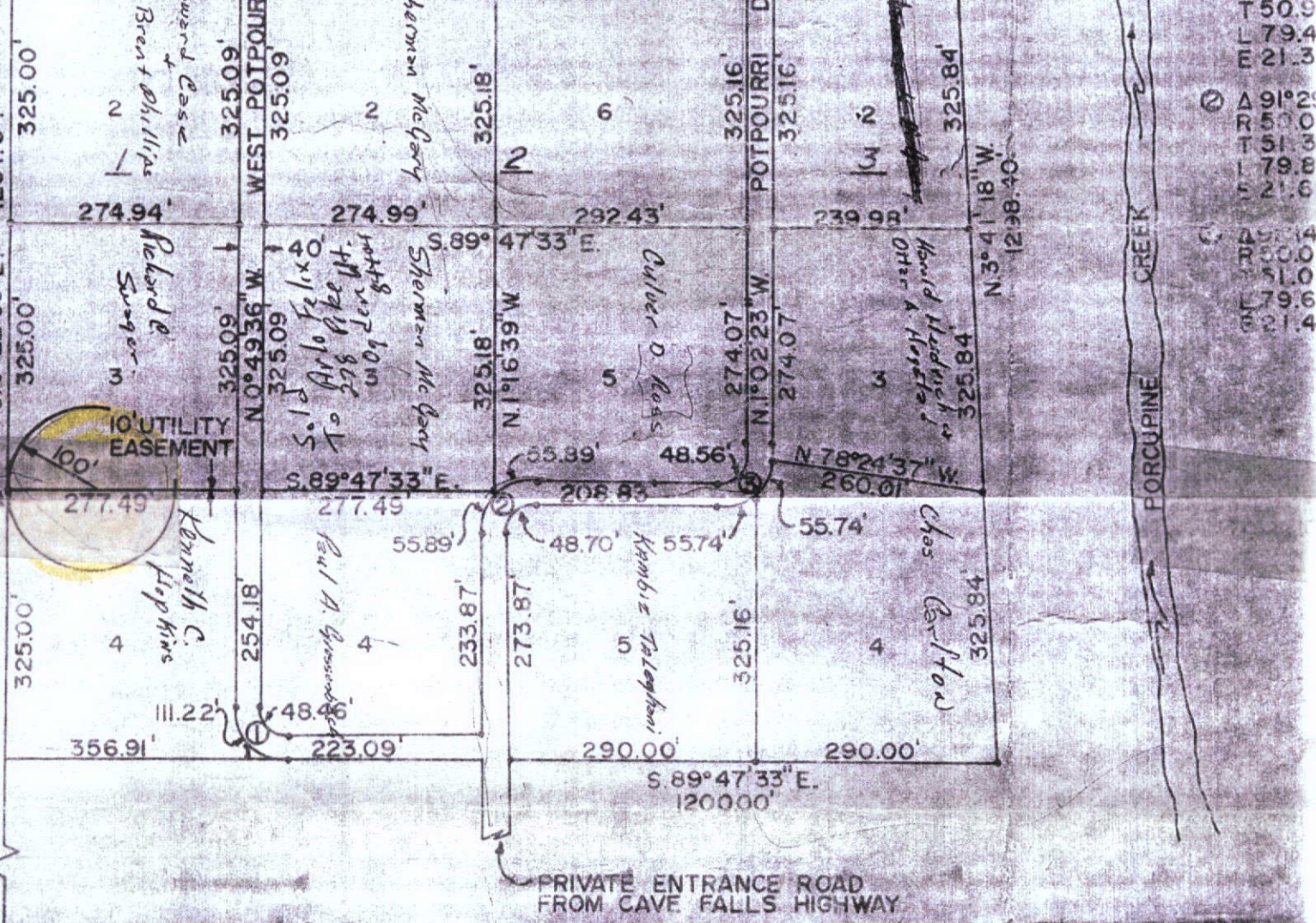
Recorded and filed at the request of: _____

Date _____

Presented to the _____

A.D. 19 _____, at which time this s _____

Attested _____



S. 1/4 CORNER
 SEC. 15
 T. 9N., R. 44E., B.M.

POTPOURRI RANCH

FREMONT COUNTY, IDAHO
 NW 1/4, SE 1/4, SECTION 15
 T. 9N., R. 44E., B.M.

RECORDED
 AUG 02 1989

FRED L. HEDGE
 LAND SURVEYOR
 ST. ANTHONY, IDAHO

COUNTY RECORDER'S No. _____

RECORDED and filed at the request of: _____

Date: _____

COUNTY RECORDER _____

ENGINEER'S APPROVAL _____

I hereby certify that I have had this plat examined and find that it is correct and acceptable.

COUNTY and/or CITY ENGINEER _____

Presented to the _____

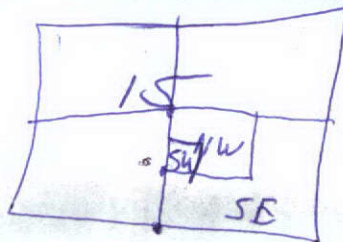
A.D. 19 _____, at which time this _____

Attested _____

Presented to the _____

time this subdivision was approved _____

Attested _____



3401

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 21-07401

Priority: April 17, 1989

Maximum Diversion Rate:

0.14 CFS

Maximum Diversion Volume:

22.8 AF

This is to certify, that POTPOURRI RANCH ESTATES SUBDIVISION

HOMEOWNERS ASSN #1

PO BOX 368

ABERDEEN ID 83210

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 8, 1989; and has submitted Proof of Beneficial Use on September 28, 1990. An examination indicates that the works have a diversion capacity of 0.140 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	0.14 CFS	22.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 15, Township 09N, Range 44E
FREMONT County

PLACE OF USE: DOMESTIC

TWN RGE SEC

09N 44E 15

SWNE

NWSE

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 shall 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.

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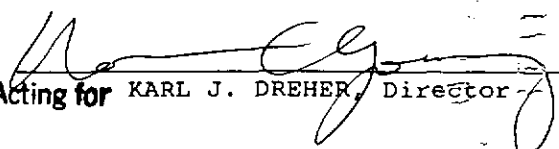
JUN 08 1998

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 21-07401

CONDITIONS OF APPROVAL AND REMARKS

7. Domestic use is for 19 homes.
8. Point of diversion is located between Lots 3 and 4, Blk. 1, Potpourri Ranch Subdivision No. 1.
9. Place of use is located within Lots 1-4, Blk. 1; Lots 1-7, Blk. 2; Lots 1-5, Blk. 3; Potpourri Ranch Subdivision No. 1 and Lot A1, Blk 1; Lots A1 and A7, Blk. 2; Potpourri Ranch Subdivision No. 1, Addition A.

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 28TH day of MAY, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

JUN 08 1999

RECEIVED

SEP 28 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 50.00
Date 9/29/90
Receipt No. 2018761
Received by J. Harrison

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. 21-07401

Telephone No. 801-399-1980 ^{vice}
208-397-5321 ^{pres}

Name(s) of Permit Holder(s): Potpourri Ranch Homeowners Assoc. No. 1

Post Office Address: 278 Polk Ave, Ogden, Utah 84404 - vice pres Arlo Felix
P.O. Box 368, Aberdeen, Idaho 83210 - pres, Leon Adamson

Source of Water: GROUND WATER

If ground water, well driller's name: Hopkins Brothers Date drilled: 6/28/72

Extent of Use:

Domestic 18 (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

Total rate and/or volume for which proof is submitted 0.19 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1972

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: Telephone # in Ashton Idaho

Arlo Felix (Vice Pres.) 208-652-7745
Name Telephone No. 801-399-1980

278 Polk Ave, Ogden Utah 84404
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.

Sept 20th 90
Date

CR. Breckinridge (Treas)
Arlo Felix (Vice Pres)
L. Adamson (Pres)
Signature (and title if on behalf of a company or organization)

RECEIVED
JAN 28 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 21-07401 IN THE)
NAME OF POTPOURRI RANCH ESTATE SUBD.) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before August 1, 1990; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

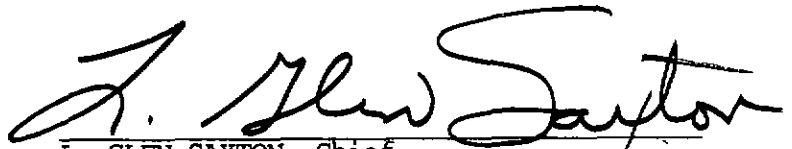
WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on September 28, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 21-07401 be REINSTATED and the priority advanced to April 17, 1989.

Dated this 2nd day of January, 1991.



L. GLEN SAXTON, Chief
Water Allocation Bureau

FILED

JAN 28 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 21-07401

Proposed Priority: February 8, 1989 Maximum Diversion Rate: 0.19 CFS

This is to certify, that **POTPOURRI RANCH ESTATES SUBDIVISION**
HOME OWNERS CORP. #1
ASHTON, ID 83420

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

DOMESTIC	01/01 to 12/31	0.19 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SWNWSE Sec. 15, Township 09N, Range 44E
FREMONT County

PLACE OF USE: DOMESTIC

TWN RGE SEC

09N 44E 15	SWNE	SWNW	SENW
	NESW	NWSW	SWSW
	SESW	NWSE	SWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1990**.
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. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
7. Domestic use is for 19 homes.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

26th day of *July*, 19*89*.

RECORDED

AUG 02 1989

for *J. Glen Saxton*
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Amended - APPLICATION FOR PERMIT - *Amended*

To appropriate the public waters of the State of Idaho

1. Name: POTPOURRI RANCH ESTATES SUBD. 208-397-5321
Address: HOME OWNERS CORP. #1
ASHTON, ID 83420

2. Source: GROUNDWATER Trib. to:

3. Location of point of diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
09N	44E	15	SW NW SE		FREMONT

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AFA
DOMESTIC	01/01	12/31	0.190		

5. Total quantity appropriated is:
0.190 CFS (and/or) AFA

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
340' X 8" WELL W/ 3HP SUBMERSIBLE PUMP TO COMMUNITY DISTRIBUTION.
- 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.
- Proposed well diameter is inches; proposed depth of well is feet.
- Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.

8. Description of proposed uses:
DOMESTIC WATER FOR HOME OWNERS W/I POTPOURRI ESTATES, FREMONT COUNTY.

82. Non-Irrigated Uses: 19 Lots with in the subdivision.

MICROFILMED

AUG 02 1989

9. Description of place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	44E	15	SW	NE		DOMEST	
			SW	NW		DOMEST	
			SE	NW		DOMEST	
			NE	SW		DOMEST	
			NW	SW		DOMEST	
			SW	SW		DOMEST	
			SE	SW		DOMEST	
			NW	SE		DOMEST	
			SW	SE		DOMEST	

10. Describe any other water rights used for the same purposes.
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?

HOME OWNERS

c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.
CORPORATION SERVES AS WATER DISTRIBUTION ORGANIZATION FOR HOME OWNERS.

12. Remarks:

WELL HAS BEEN IN PLACE SINCE 1974. THIS FILING MADE TO RECORD
THE RIGHT.

OFFICIALS:

LEON ADAMSON, ABERDEEN, IDAHO - PRESIDENT

CINDY BRECKENRIDGE, SEC. IDAHO FALLS, IDAHO

13. Map of proposed point of diversion and place of use attached? ☒

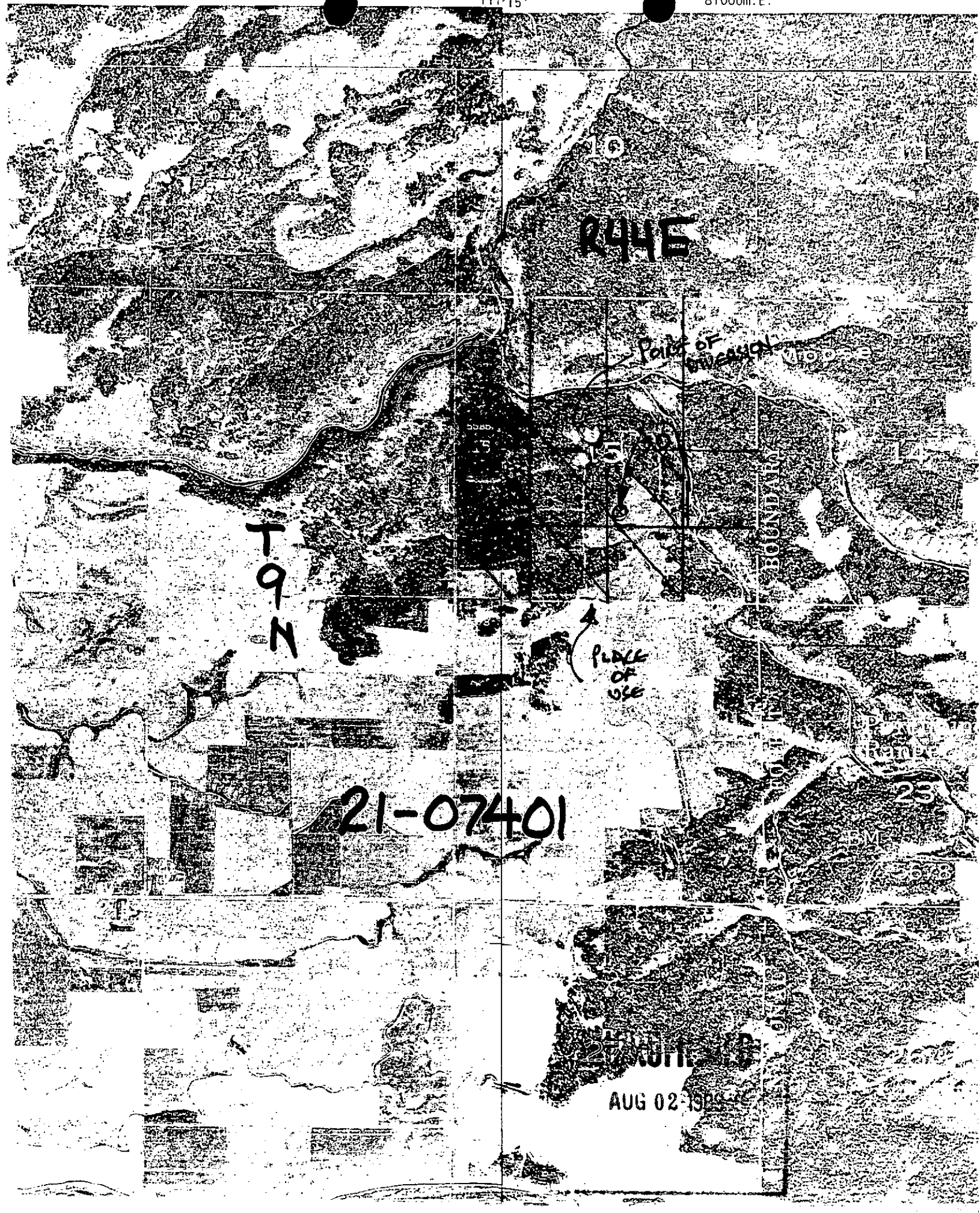
BE IT KNOWN that the undersigned hereby makes application for permit to
appropriate the public waters of the State of Idaho as herein set forth.

Leon P Adamson

President Applicant
Home owners Association

MICROFILMED

AUG 02 1989



T
9
N

R44E

21-07401

Point of Unconformity

Place of Use

BOUNDARY

21-07401

AUG 02 1902

Ident. No. 21-07401
Page 3

Received by _____ Date 3-15-89 Time _____ Preliminary check by _____

Fee \$ 20⁰⁰ Received by _____ # E006123 Date 3-30-89

Publication prepared by RB Date 3-25-89 Published in Herald-Chronicle
4-6, 13, 89

Publication approved _____ Date _____

MICROFILMED

AUG 02 1989

Ident. No. 21-07401

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: POTPOURRI RANCH ESTATES SUBDIVISION 208-397-5321
Address: HOME OWNERS CORPORATION #1
ASHTON, ID 83420

2. Source: GROUNDWATER Trib. to:

3. Location of point of diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	44E	15	~~NE~~	~~NE~~	~~SW~~		FREMONT
			SW	NW	SE *		

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AFA
DOMESTIC	01/01	12/31	0.190		

5. Total quantity appropriated is:
0.190 CFS (and/or)

AFA

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
340' X 8" WELL W/ 3HP SUBMERSIBLE PUMP TO COMMUNITY DISTRIBUTION.
- 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.
- Proposed well diameter is inches; proposed depth of well is
feet.
- Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.

8. Description of proposed uses:

DOMESTIC WATER FOR HOME OWNERS W/I POTPORRI ESTATES, FREMONT CTY

* CHANGE AS Per letter of request

MICROFILMED

AUG 02 1989

9. Description of place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	44E	15	SW	NE		DOMEST	
			SW	NW		DOMEST	
			SE	NW		DOMEST	
			NE	SW		DOMEST	
			NW	SW		DOMEST	
			SW	SW		DOMEST	
			SE	SW		DOMEST	
			NW	SE		DOMEST	
			SW	SE		DOMEST	

10. Describe any other water rights used for the same purposes.
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?

HOME OWNERS

c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.
CORPORATION SERVES AS WATER DISTRIBUTION ORGANIZATION FOR HOME OWNERS.

12. Remarks:

WELL HAS BEEN IN PLACE SINCE 1974. THIS FILING MADE TO RECORD
THE RIGHT. OFFICIALS:

LEON ADAMSON, ABERDEEN, IDAHO - PRESIDENT

CINDY BRECKENRIDGE, SEC. IDAHO FALLS, IDAHO

13. Map of proposed point of diversion and place of use attached? []

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.

Applicant

see pg. 2
of amended
app for signature.

MICROFILMED

AUG 02 1989

Ident. No. 21-07401
Page 3

Received by ESV Date 2/8/89 Time 1114 Preliminary check by DMS
Fee \$ 30⁰⁰ Receipted by ESV # E005710 Date 2/8/89
Publication prepared by RB Date 2-24-89 Published in 3-24-89 Herald-Chronicle
Publication approved _____ Date _____

MICROFILMED

AUG 02 1989

WILLIAMS RANCH ESTATE SUBDIVISION NO. 2 SW 1/4 SEC. 15 T. 9 N. R. 44 E. SCALE 1"=100'

POTPOURRI RANCH ESTATES INC. SUBDIVISION NO. 1

Bearing lines on an assumed
 direction of N 89° 56' 55" E
 for the South Line of Section
 15 as shown.

Restrictive Covenants filed under
 Instrument No. _____

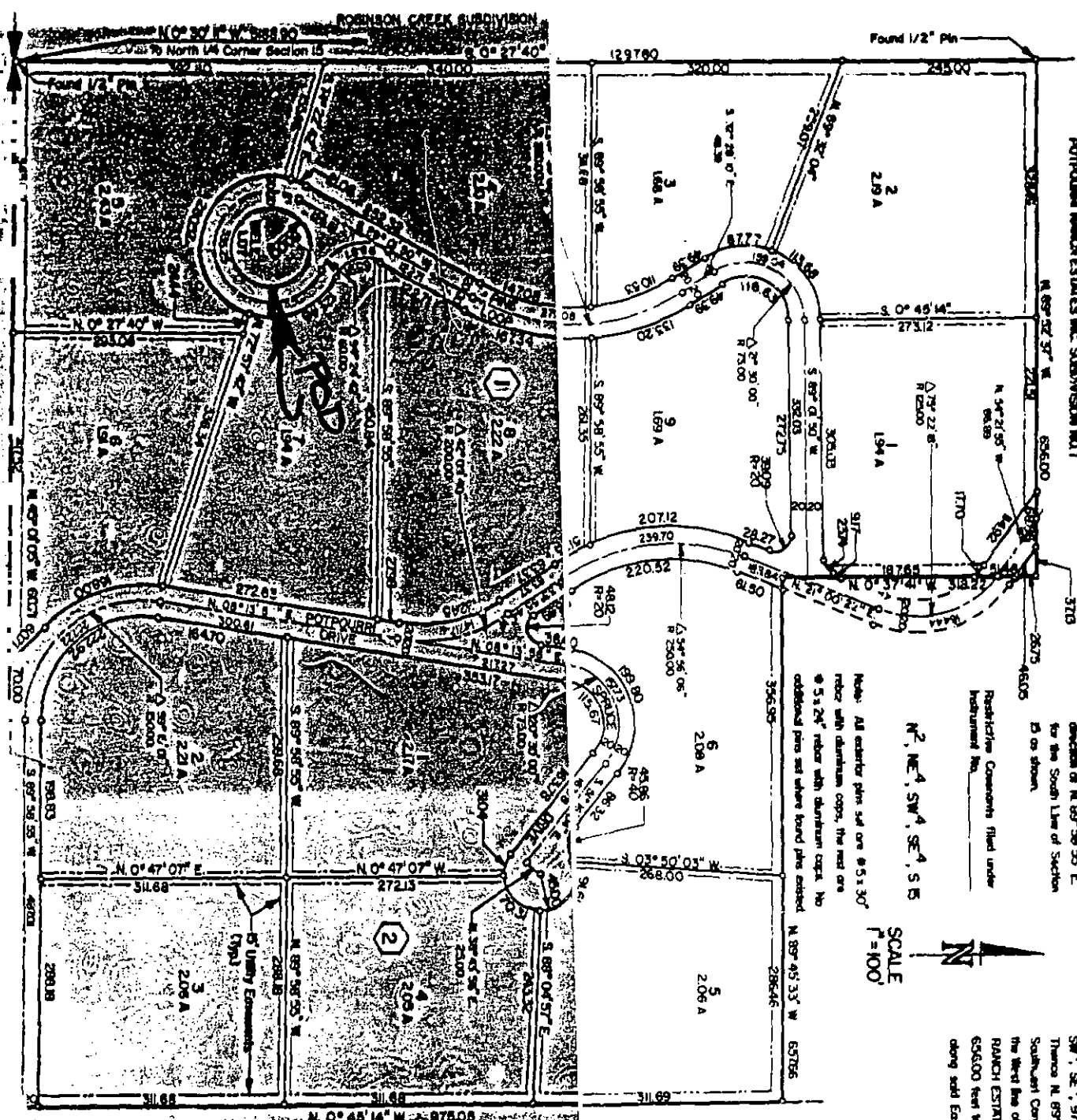
N 2, NE 1/4, SW 1/4, SE 1/4, S 1/2

SCALE
 1"=100'

Commencing at the South
 Western Corner of the
 Section 15, T. 9 N., R. 44 E.,
 SW 1/4, SE 1/4, 975.05 feet
 Thence N 89° 45' 35" E
 Southward Corner of the
 the West line of the N 1/4,
 RANCH ESTATES INC. S
 656.00 feet to the East
 along said East Line 120'

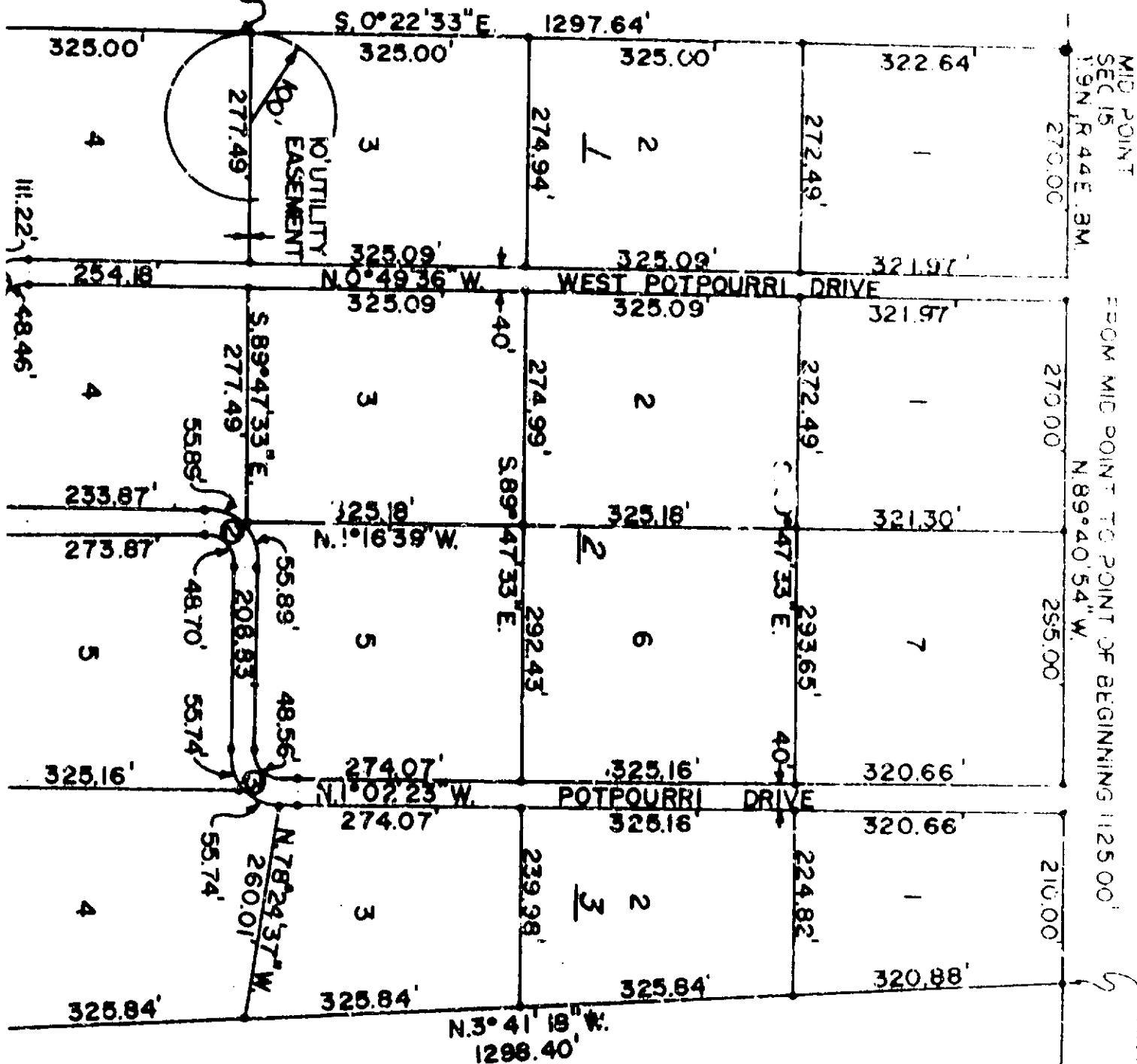
By _____
 deced _____
 be by _____
 and _____

State
 Court



AUG 02 1989

UTPAL WATER
PLY - SEWAGE
POSAL SYSTEMS
STRICTED WITHIN
J



PO BOX 1000, KANCAH INC. SUB.

POINT OF BEGINNING

MICROFILMED

~~AUG 02 1989~~

PORCUPINE CREEK

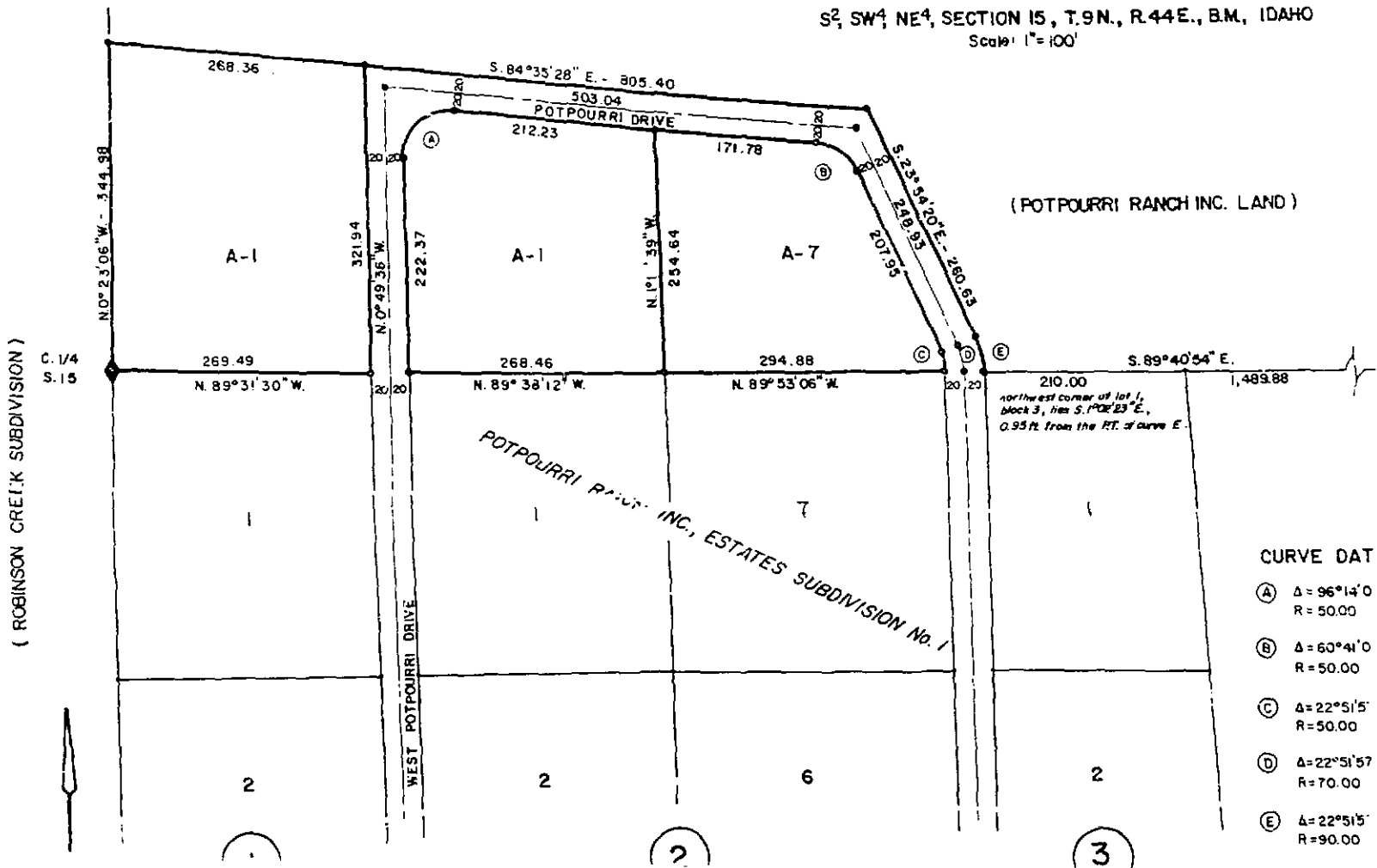
מחנה מלחמה מחנה מלחמה מחנה מלחמה

POTPOURRI RANCH INC.,

ADDITION "A" OF SUBDIVISION No. 1

S², SW⁴, NE⁴, SECTION 15, T.9N., R.44E., B.M., IDAHO

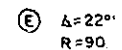
Scale: 1" = 100'



MICROFILMED

AUG 02 1989

Scale: 1" = 100'



AUG 02 1989

THE FREMONT COUNTY HERALD-CHRONICLE

St. Anthony, Idaho

Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Fremont

I, Terry Weatherston
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the Correction No. 21-07401
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not
in any supplement issue thereof
for Two consecutive issues, the
first publication having been made on
April 6, 1989

and the last publication having been
made on April 13, 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 14th 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.

Charles R. Jones

Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that application
No. 21-07401 in the name of Potpourri
Ranch Estates Subdivision was advertis-
ed incorrectly on March 2 and 9, 1989.
The Point of Diversion was advertised as
being NENESW Sec 15 T 09N R 44E.
Whereas, the actual Point of Diversion is
SWNWSE Sec 15 T 09N R 44E, B.M.

Protests against the granting of this ap-
plication as a result of this correction must
be filed with the Idaho Department of
Water Resources, 150 Shoup Ave., Suite
15, Idaho Falls, Idaho, 83402 on or before
APRIL 24, 1989.

R. KEITH HIGGINSON
Director

Publ. April 6 and 13, 1989HC.

MICROFILMED

AUG 02 1989

THE FREMONT COUNTY HERALD-CHRONICLE

St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, Terry Weatherston
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the Notice Of Application
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
or Two consecutive issues, the
first publication having been made on
March 2, 1989
and the last publication having been
made on March 9, 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 10th day of March
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.

Raymond J. J. J.
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

RECEIVED

MAR 29 1989

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

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

21-07401
POTPOURRI RANCH ESTATES
SUBD.
HOME OWNERS CORP. No. 1
ASHTON, ID 83420
Source: GROUNDWATER
Diversion Pt: NENESW Sec 15 T 09N R
44E
Use: DOMESTIC (.190 CFS).
Date Filed: 2/08/1989
In: T09N R44E S15 SWNE SWNW
SENW NESW NWSW SWSW SESW
NWSE SWSE

21-07403
DOCKSTADER, ELIZABETH
715 SATURN No. 3
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: LOT 1 (NENE) Sec 2 T
14N R 43E
Use: COMMERCIAL (.140 CFS)
DOMESTIC (.060 CFS)
Date Filed: 2/14/1989
In: T14N R43E S02 Lot 1 (NENE)
31-07439
RASMUSSEN, ALAN D.
RASMUSSEN, EVONNE
P.O. BOX 608
REXBURG, ID 83440
Source: GROUNDWATER
Diversion Pt: SWSW Sec 5 T 08N R
38E
Use: IRRIGATION (1.500 CFS)
Date Filed: 6/25/1985
In: T08N R38E S05 SWNE NWSE
SWSE S08 NWNE SWNE 75.0 ACRES
TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Id. 83402 on or
before MARCH 20, 1989.

R. KEITH HIGGINSON
Director

Publ. March 2 and 9, 1989HC.

MICROFILMED

AUG 02 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

May 29, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

POTPOURRI RANCH ESTATES SUBDIVISION
HOMEOWNERS ASSN #1
PO BOX 368
ABERDEEN ID 83210

RE: WATER RIGHT NO. 21-07401

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

UNRECORDED

JUN 08 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

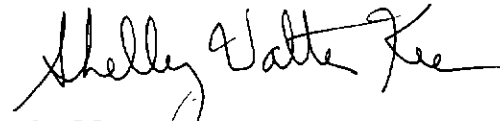
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

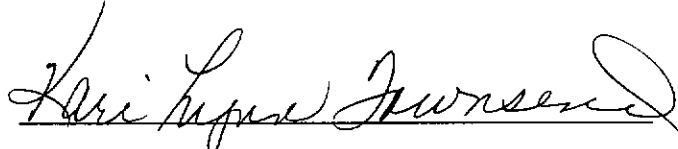
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the **29th** day of **May, 1998**, I mailed
a true and correct copy, postage prepaid, of the foregoing
PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 21-07401

POTPOURRI RANCH ESTATES SUBDIVISION
HOMEOWNERS ASSN #1
PO BOX 368
ABERDEEN ID 83210

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

Kari Lynn Townsend
Secretary

MICROFILMED

JUN 08 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 21-07401 DATE 5/22/98 REVIEWER: SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK ☐ Change (P39 /P47) ☐ Add (P45/P42) Feds - P40

W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PLACE OF USE OK ☐ Change (P41/P47) ☐ Add (P41/P42) Feds - P43

W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PD & PU amend (P37) Feds - P48

RATE OF DIV
 Permitted Rate .19 cfs
 Fee limit .20 cfs \$5000
 Measured — cfs
 Theoretical .14 cfs

Recommended Total Div Rate .14 cfs

WATER USES	<u>OK</u>	Change (P46)	
<u>Dom</u>	<u>.14</u> cfs	<u>1981.2</u> af	Irrig -
_____	_____ cfs	_____ af	overlap (R58-R61, R62-R65, R66-R69)
_____	_____ cfs	_____ af	supp. gw (WB7/065/079)
_____	_____ cfs	_____ af	overlap spec. combined rts (W35)
_____	_____ cfs	_____ af	<1acre (W31) <u>19</u>
_____	_____ cfs	_____ af	Domestic (W01/WB5/070/071/075)
TOTALS	<u>.14</u> cfs	<u>22.8</u> af	Power (W42 or W43/025/027/R22 or R23)
			Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate .14 cfs X 365 days X 1.98 = 101.2 af

REMARKS _____

ADD'L CONDITIONS ☐ Watermaster Control WD# _____
☐ GW Measurement/Measuring Device
☐ Others Trust (052/R55 - remove 051) Non-trust (048/049) 19
 Advance Priority ☐ yes ☒ no SRBA Claim N/A Adjust Memo _____
 Amend letters _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 03 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 21-07401

1. Owner: Pot Power Ranch Homeowners Assoc. #1 Phone No. (208) 397-5321

Current Address: P.O. Box 368, Aberdeen, ID 83210

2. Accompanied by: Alex Felix EXAM DATE: 8-14-1992

Address: 1550 West Pot Power Dr., Ashton ID 83420 Phone No. (208) 652-7345

Relationship to Permit Holder: Vice President

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
		SW	NW	SE	15	9N	44E	FREMONT	USGS, Plat map, Onsite

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	
9N	44E	15			D/3										D/16				

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JUN 08 1998

2. Measurements: N/A - beam well log, static water @ 66'

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

•

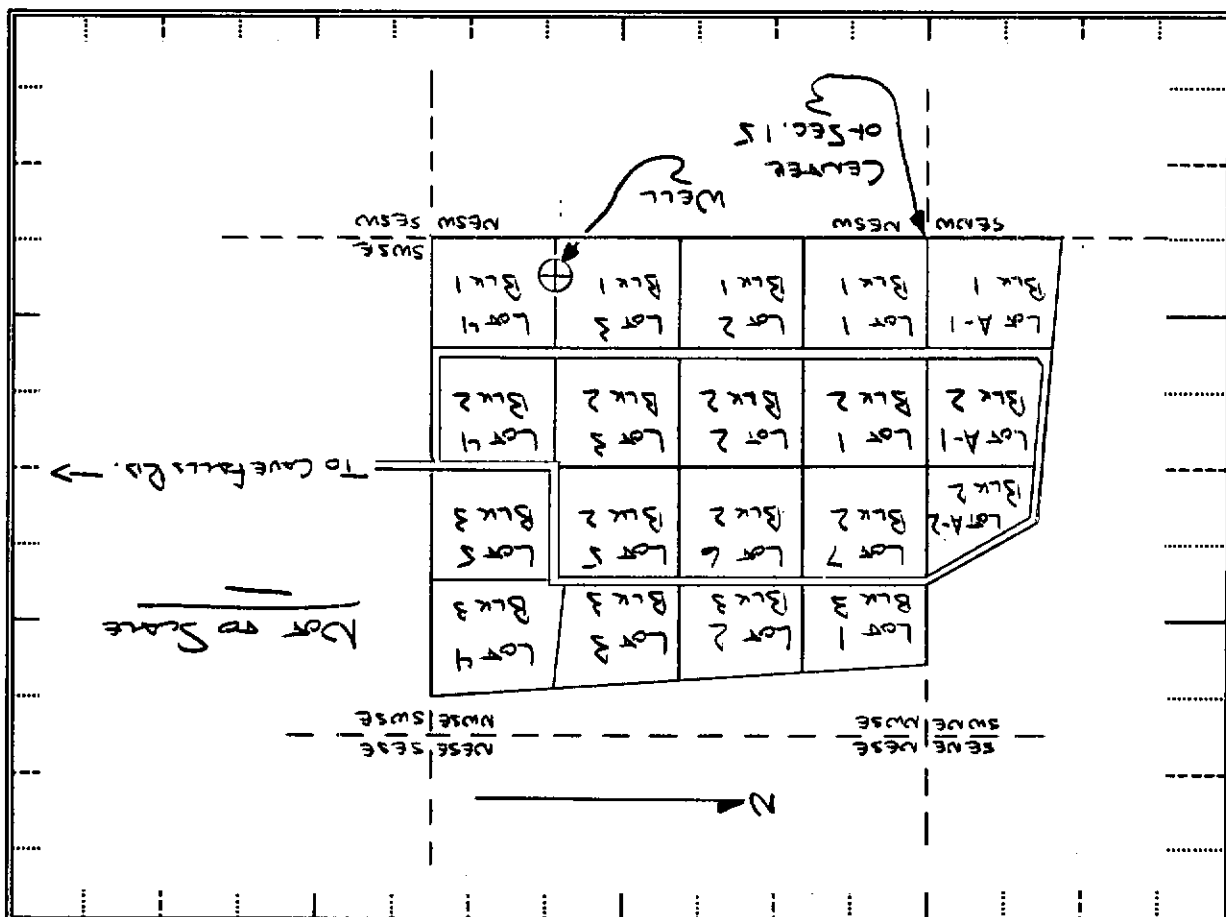
*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Mylers	3	0000000000		

•

_____ 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

Source: *U.S. Census Bureau*.



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

E. NARRATIVE/REMARKS/COMMENTS

* WELL, PUMP AND PIPELINES TO POTPOURRI RANCH SUBDIVISION #1 AND POTPOURRI RANCH SUBDIVISION #1 ADDITION "A". SYSTEM SUPPLIES 19 HOMES WITH LAWNS. HOMES ARE ACCESSIBLE ALL YEAR AND SEVERAL OWNERS HAVE MOVED INTO HOMES PERMANENTLY.

* WELL IS LOCATED ON LINE BETWEEN LOTS 3 AND 4, BLOCK 4, APPROXIMATELY 100' FROM WEST BOUNDARY OF SUBDIVISION.

* Q CALCULATIONS:

$$Q_{THEOR} = \frac{3.0 \times 8.814 \times 0.7 \text{ ERF}}{(66' \text{ LIFT} + (30 \text{ PSI} \times 2.308))} = \underline{\underline{0.14 \text{ CFS}}}$$

IDWR STANDARD FOR 19 HOMES IS 0.19 CFS

Q LIMITED BY CAPACITY TO 0.14 CFS

* AFA CALCULATIONS:

19 HOMES WITH $\frac{1}{2}$ AC LAWNS (1.2 AFA EA. BY STANDARD)

$$19 \times 1.2 \text{ AFA} = \underline{\underline{22.8 \text{ AFA}}}$$

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

MICROFILMED

JUN 08 1998

SEAL

Date _____

Reviewer

Field Examiner's Name

Date 1-29-1998

1. AUTHENTICATION

Change P.D. as reflected above

_____	Add P.U. as reflected above	_____	Other
_____	Add P.D. as reflected above	<u>X</u>	None

2. Recommended Amendments

Beneficial Use

1. Recommended Amounts

H. RECOMMENDATIONS

See Remarks

2. Volume Calculations for Other Uses:

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

SEE REMARKS

Measured Method:

Additional Computation Sheets Attached

38

WARM RIVER QUAD
IDAHO-FREMONT
7.5 MINUTE SERIES (TOPOGRAPHIC)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



JAN 14 1984

WELL DRILLER'S REPORT

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

RECEIVED

~~JAN 11 1985~~

WELL OWNER

Name Hot Springs Ranch
Address Greentimber, Idaho
Owner's Permit No. _____

7. WATER LEVEL

Department of Water Resources
Division of Groundwater
Regional Office

Static water level 6.6 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 55 °F. Quality Good
Describe artesian or temperature zones below.

NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

METHOD DRILLED

☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other

WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>12.50</u> inches	<u>8</u> inches	+ <u>1 1/2</u> feet	<u>24</u> feet
<u>12.50</u> inches	<u>6</u> inches	<u>3.3</u> feet	<u>25.3</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 18 Material used in seal: ☐ Cement grout

☒ Bentonite ☐ Puddling clay ☐ _____

Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing

☒ Overbore to seal depth

Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

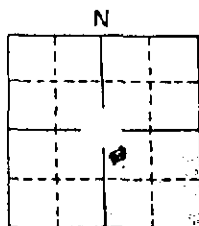
Weld

☐ Cemented between strata

Describe access port Well Seal

LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name

Lot No. Block No.

ounty Freemont

NW 1/4 SL 1/4 Sec. 15 T. 9 N. S. R. 44 E. W.

8. WELL TEST DATA

☐ Pump ☒ Bailer ☐ Air ☐ Other

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
8	0	3	Soil		/
8	3	73	Clay + Gravel	/	
G	73	112	Grey Tuff		/
G	112	144	Green ~~clay~~ Clay		/
G	144	253	Broken Tuff		/
G	253	254	Broken Green Tuff	/	
G	254	270	Grey Tuff		/
G	270	282	Broken Tuff		/
G	282	342	Clay		/

10.

Work started 7-16-54 finished 7-23-54

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name HOPKINS BROS. CO. Firm No. 32

Address _____ Well Drilling
R.F.D. No. 3 _____ Date 1-8-85

Signed by (Firm Official) Henry L. Hopkins

and
(Operator) Thomas L. Nelson

MICROFILMED

JUN 08 1998

POTPOURRI RANCH HOMEOWNERS ASSOC NO 1
P O BOX 368
ABERDEEN ID 83210

January 3, 1991

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 21-07401

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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Enclosure

MICROFILMED

JAN 28 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 21-7401

Date 12-18-90

GENERAL CONSIDERATIONS

Y Name same as permit?
Y Address change? If yes, prepare data entry form.
N Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

✓ Surface water source
✓ Ground water source
N Drill permit req'd? _____ Copy in file?
_____ Well log in file?
_____ Amt paid for drilling permit? _____ Correct?

filled 1972

LICENSE EXAMINATION FEE

Y Required?
50 Amount submitted?
Y Correct amount?

MEASURING DEVICE

N Measuring device or access port required?
_____ Installed?
_____ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

- address change
- advance priority & restate

PRIORITY CALCULATION

LB
Date proof received Sept 28, 1990 241
Date proof due Aug 1, 1990 213
No. of days late _____ = 68
Priority date 2-8-89 + 39
NEW PRIORITY DATE 4-17-89 = 107

August 13, 1990

POTPOURRI RANCH EST. SUBDIVISION
HOME OWNERS CORP. #1
ASHTON, ID 83420

LAPSE NOTICE

RE: PERMIT NO. 21-07401

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 May 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

Enclosures

LGS:RF

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JAN 28 1991

CERTIFICATION OF MAILING

I hereby certify that on 8-15-90
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

130745
May 31, 1990

POTPOURRI RANCH EST. SUBDIVISION
HOME OWNERS CORP. #1
ASHTON, ID 83420

PROOF DUE NOTICE
RE: PERMIT NO. 21-07401

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 August 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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JAN 28 1991

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

Statehouse
Boise, Idaho 83720
(208) 334-7900
July 26, 1989

POTPOURRI RANCH ESTATES SUBD.
HOME OWNERS CORP. #1
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. 21-07401

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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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

RECEIVED
AUG 02 1992

FD No. 202a
37

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

217401

INITIAL REVIEW BY Dennis Dunn DATE 12 Feb 89 APPLICATION NUMBER 217401
Potpourri Ranch Estates Subdiv.

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.)
☐ Overlapping point of diversion
☐ 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

of hours & for lots served.

Date Requested MAY 03 1989

RECEIVED

Department of Water Resources

CESSING

☒ Yes ☒ No In form for advertising
☒ Yes ☒ No Statewide 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 _____

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 3-20-89 4-24-89
☐ 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-P05
☐ Yes ☐ No Special conditions of approval or cover letter below.

☐ See below for additional information

Date of priority recommended 3-30-89 2-8-1989
 By HWJ Date 5-1-89

STATE OFFICE REVIEW

P05, P23 P16 48 49 46 04

☐ See below for additional information

By KW Date 5/25/89

ADDITIONAL INFORMATION

App. in NON-TRUST area-

NOTICE OF CORRECTION

Notice is hereby given that application No. 21-07401 in the name of Potpourri Ranch Estates Subdivision was advertised incorrectly on March 2 and 9, 1989. The Point of Diversion was advertised as being NENESW Sec 15 T 09N R 44E. Whereas, the actual Point of Diversion is SWNWSE Sec 15 T 09N R 44E, B.M.

Protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402 on or before APRIL 24, 1989.

R. Keith Higginson
Director

Published in the HERALD-CHRONICLE April 6 & 13, 1989.

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AUG 02 1989

Harold,

This is the #20 to
change the Diversion Pt
of the well on the
Attached permit.

Any questions
please call me at 526-0757

Thanks
Bob Beckenridge

Microfilm

AUG 02 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

PAID \$20.00 3/15/89

Receipt #
E006123

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 27, 1989

Potpourri Ranch Estates Subdivision
Home Owners Corporation #1
Ashton, ID 83420

send to
Bob Breckenridge
1385 SCOTT PL
IDAHO FALLS, ID
83402

Application for Permit No. 21-07401

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 21-07401. 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,

MICROFILMED

AUG 02 1989

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

JACK - 652-3409

VIC P. 652-7417

J.P. H. 652-7436

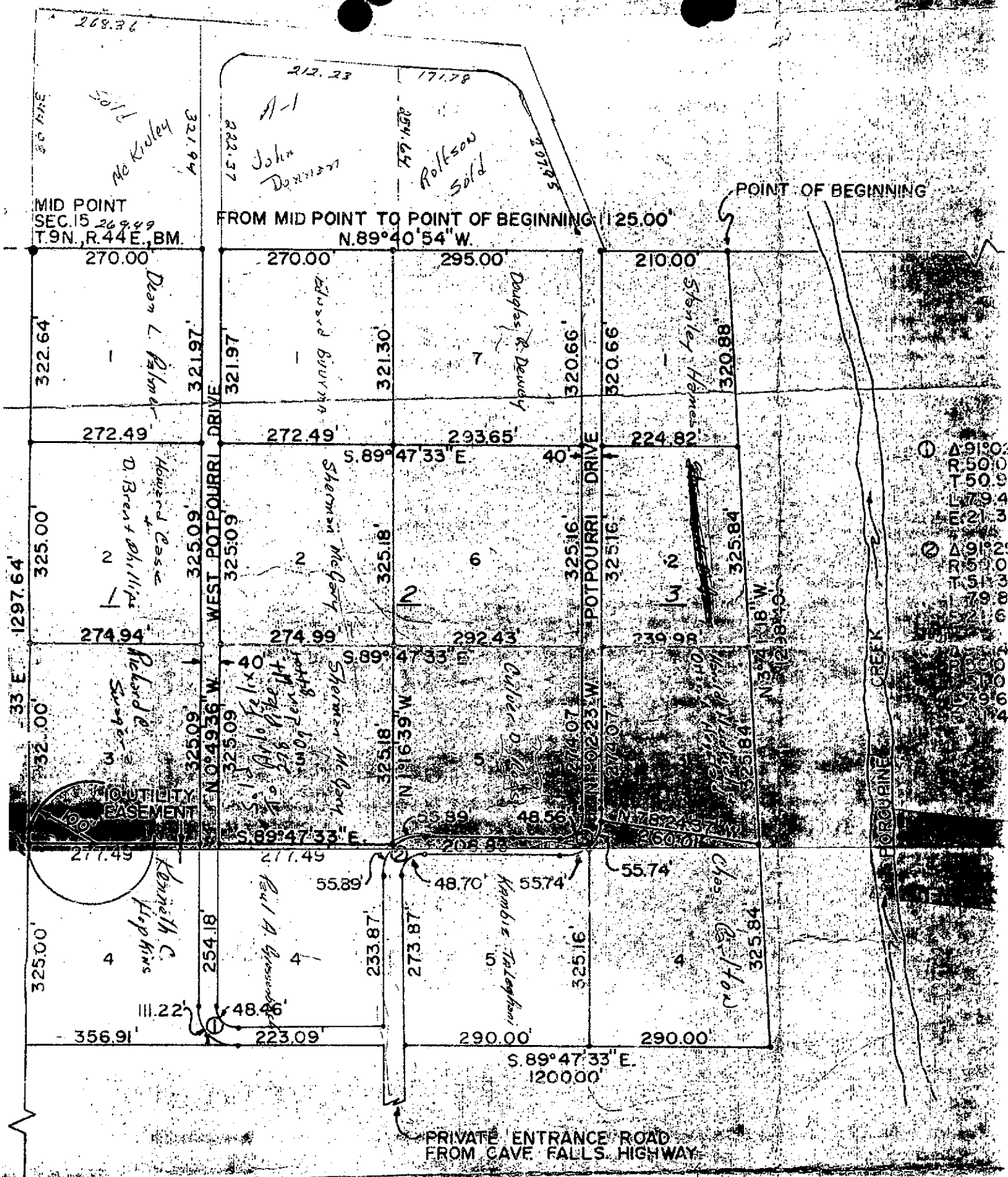
changed to
SW of NW corner of S
SE corner of
SEC 15

NOTICE OF APPLICATION
FOR WATER RIGHT

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

21-07401
POTPOURRI RANCH ESTATES
SUBD.
HOME OWNERS CORP. No. 1
ASHTON, ID 83420
Source: GROUNDWATER
Diversification Pt: NENESW Sec 15 T 09N R
44E
Use: DOMESTIC (190 CFS)
Date Filed: 2/08/1989
In: T09N R44E S15 SWNE SWNW
SENW NESW NWSW SWSW SESW
NWSE, SWSE

21-07403
DOCKSTADER F117ARETH



POTPOURRI RAN

FREMONT COUNTY, IDAHO

NW⁴, SE⁴, SECTION 15

T.9N, R.44E, B.M.

FRED L. HEDGECOCK
LAND SURVEYOR
SANTON, IDAHO

COUNTY RECORDER'S No. _____

FREMONT _____

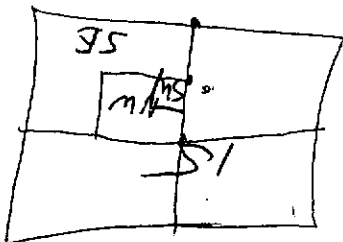
Recorded and filed at the request of _____

Date _____

Presented to the FREMONT _____

A.D. 19 _____ of which _____

Attested _____



COUNTY and/or CITY ENGINEER

Attest:

ly that I have had this plot examined and find that it is correct and acceptable.

ENGINEER'S APPROVAL

COUNTY RECORDER

0018017

400

REIMONT

Recorded and filed at the request of

COUNTY RECORDER'S NO.

STANTHONY IDAHO

7-24-67

1974-75

W. B. F. N.

NW 1/4, SE 1/4, SECTION 15

1551 20 30V

POURRI RAVIN
FREMONT COUNTY, MONTANA

SEC 15
T 9N, R 44E, BM

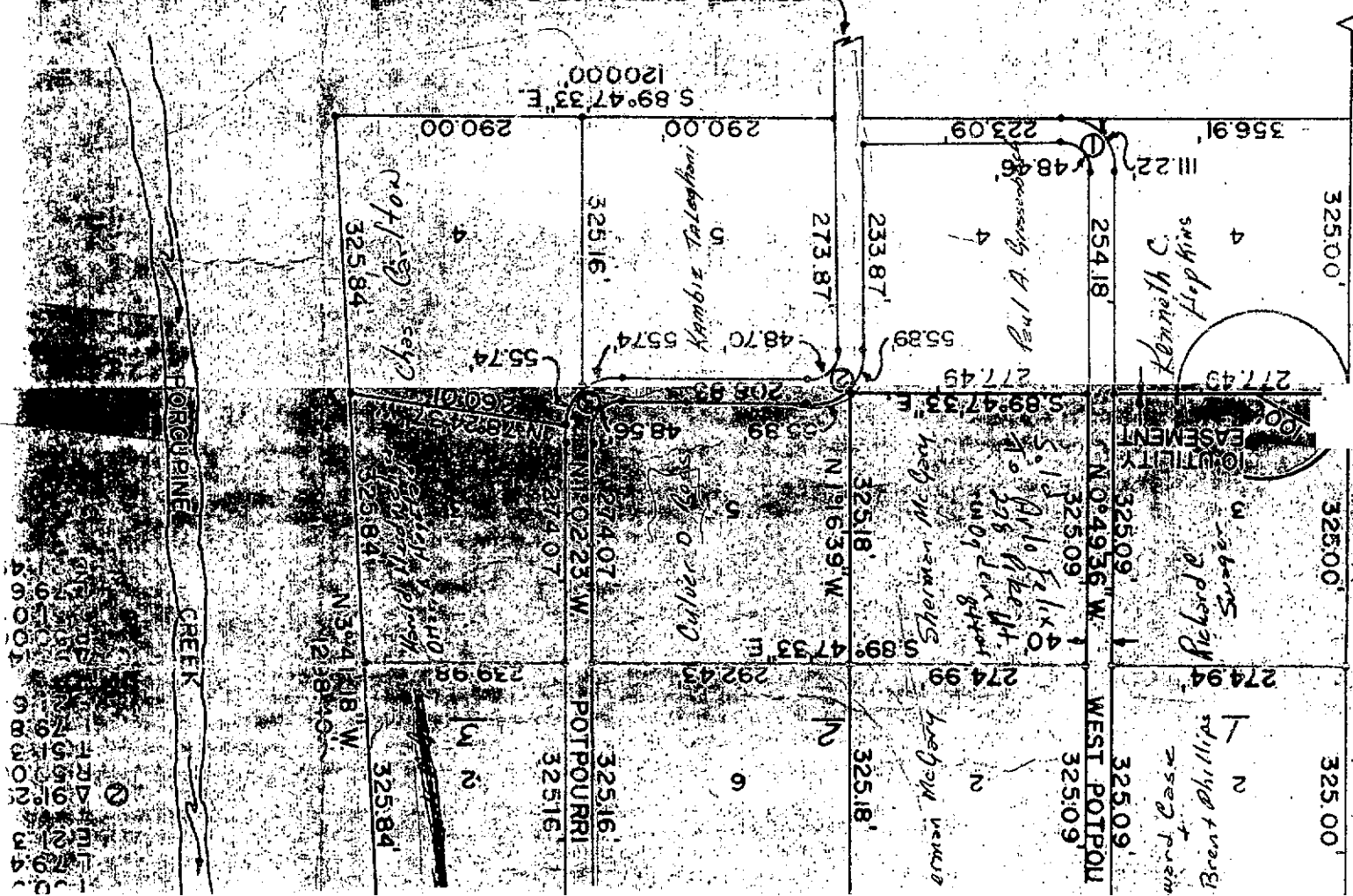
SEC. 5

S. 1/4 CORNER

S. 89° 54' 12" E

770797

PRIVATE ENTRANCE ROAD
FROM CAVE FALLS HIGHWAY



February 27, 1989

Potpourri Ranch Estates Subdivision
Home Owners Corporation #1
Ashton, ID 83420

Application for Permit No. 21-07401

Dear Water Right Applicant:

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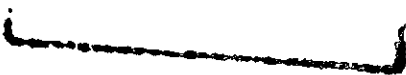
Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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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

FEBRUARY 24, 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 MARCH 20, 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:

Microfilm

AUG 02 1989

21-07401

POTPOURRI RANCH ESTATES SUBD.
HOME OWNERS CORP. #1
ASHTON, ID 83420

Source: GROUNDWATER

Diversion Pt: NENESW Sec 15 T 09N R 44E

Use: DOMESTIC (.190 CFS)

Date Filed: 2/08/1989

In: T09N R44E S15

SWNE
NWSW
SWSE

SWNW
SWSW

SENW
SESW

NESW
NWSE

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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. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 20, 1989.

R. Keith Higginson, Director

Published 3/02/1989 & 3/09/1989

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AUG 02 1989