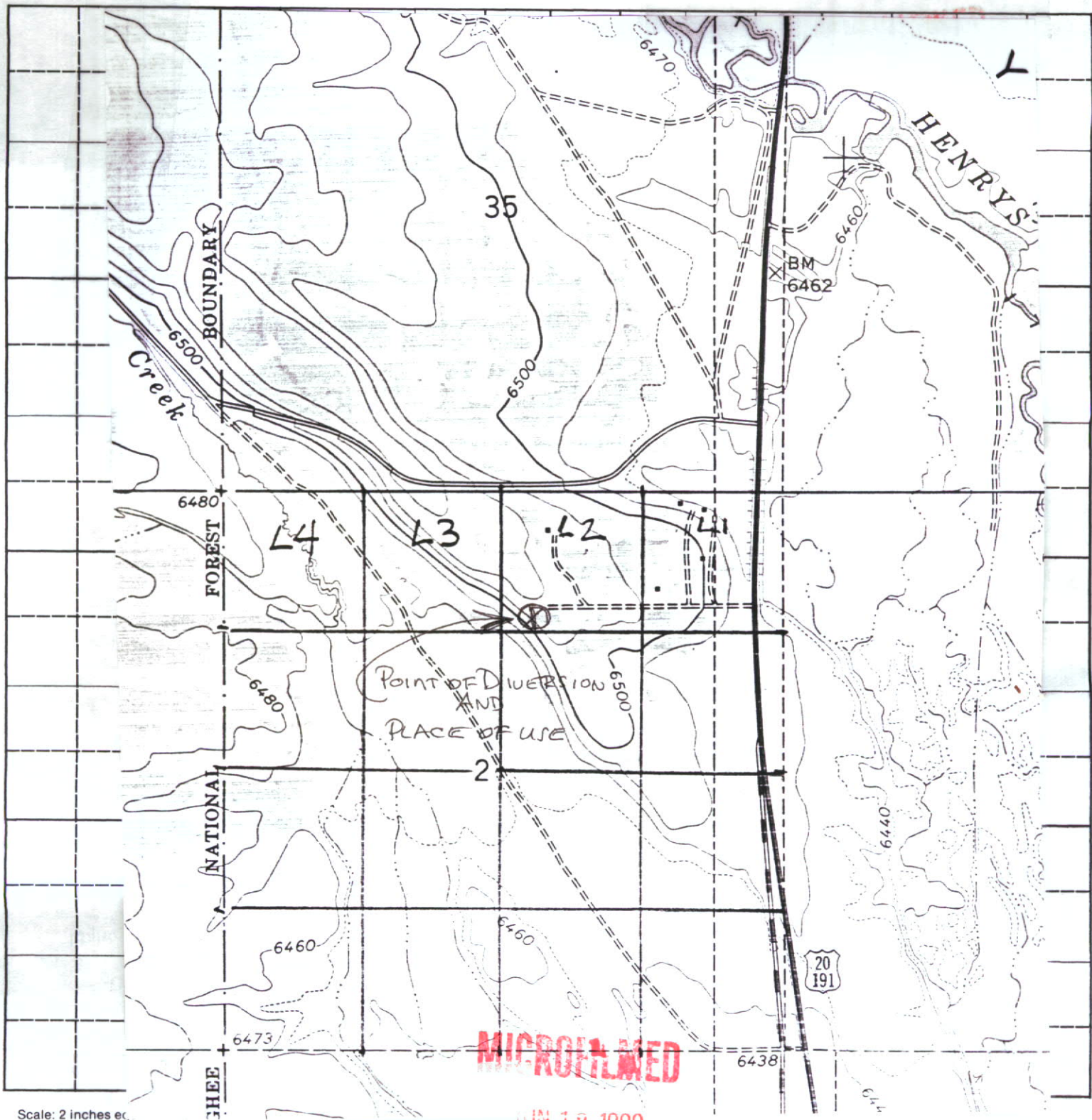


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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

[Signature]
(Applicant)

DEED OF DEDICATION

TO THE COUNTY OF FREMONT, IDAHO

PART OF THE N.E. 1/4 SEC. 2 T.14N., R.43E.B.M.

DAVID E. BENTON & ASSOCIATES IDAHO FALLS
CONSULTING ENGINEERS IDAHO

SURVEYOR'S CERTIFICATE

merely certify that the foregoing plot of Aspen Ridge Subdivision Division No. 4 to the County of Fremont, Idaho was filed for record in the office on this 1st day of Mar 1964 at 3:49 PM and recorded in plot book No. 2 at page 33 and that this tracing is an exact copy of the original map.

3090 58

1. I, J. M. Henry, a licensed land surveyor, do hereby certify that I have surveyed the tract of land designated as Aspen Ridge Subdivision, Division No. 4, Fremont County, Idaho and that said portion is fully and correctly staked as indicated by the corner between and as described in the accompanying deed of dedication and that this platting is an exact copy of the original map.

10

The foregoing plat was duly accepted and approved by the Board of County Commissioners of Fremont County, Idaho by resolution adopted this 14th day of Mar., 1936.

Subscribed and sworn to before
me this 10th day of October 1964.
My commission expires 5/4/67.

Charles J. Freeman P.E.
Engineer

June 3, 1864
Notary Public
John Fells, Idaho

County or Baltimore. Personally appeared before me J. Edmund Strobel, a Notary Public for the State of Maryland, the undersigned and Rex Price, Corporate Officers of Valley View Ranch, Inc., and Lloyd M. Nielson and Rex Nielson who duly acknowledged to me that they executed the same. Dated at Idaho Falls, Idaho this 11 day of Oct. 1966. My commission expires _____

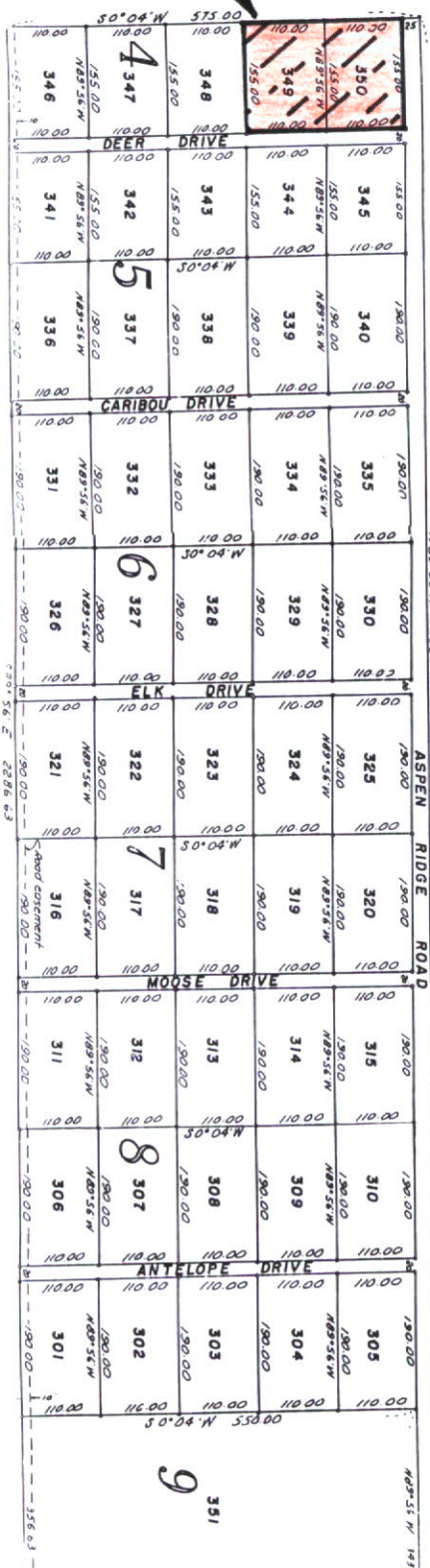
Notary Public. David E. Houston

[illegible]

110.00	110.00	1100.0	50° 04' W
880.95	889.98	884.96	
N69°55' W	N69°54' W	N69°58' W	
354	355	355	

21-7399

JAN 21 1993



POINT OF DIVERSION AND PLACE OF USE

#21-07399



21-7399

RECORDED

JAN 21 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07399

Priority: December 29, 1988

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that ORIN HARMAN
BARBARA HARMAN

1540 FALCON DR
IDAHO FALLS ID 83406 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated December 29, 1988; and
has submitted Proof of Beneficial Use on May 31, 1991. An examination indicates
that the works have a diversion capacity of .040 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	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNE), Sec. 2, Township 14N, Range 43E
FREMONT County

PLACE OF USE: DOMESTIC
TWN RGE SEC

14N 43E 2 Lot 2(NWNE)

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

NOTED

JAN 21 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07399

CONDITIONS/REMARKS:

7. Domestic use is for 1 home.
8. Place of use is located within Lots 349 and 350, Aspen Ridge Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 15TH day of DECEMBER, 1992.

Acting for R. Keith Higginson, Director

RECEIVED
JAN 21 1993

RECEIVED
APR 25 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by Julie
Date 4-25-90
Receipt # 0010515

REQUEST FOR EXTENSION OF TIME

Department of Water Resources

To provide additional time in which to submit proof
of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 21-07349

Name(s) of Permit Holder: Orin Harman

Post Office Address: 1540 FAHREN TOWN FALLS IDAHO 83406

Telephone No. 208-533-9745

Date Proof is Due: JUNE 1, 1990

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

NONE

Costing \$

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

WAITING FOR COMMUNITY SEWER SYSTEM TO BE COMPLETED IT IS FOR A
SUMMER HOME WE ASK FOR TWO YEARS ON THE ORIGINAL PERMIT

Permit holder(s) request an extension to JUNE, 19 90.
(1 yr. minimum)

Orin Harman
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MAY 16 1990

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to June 1, 1991.

Signed this 3rd day of May, 19 90.

J. Glen Saylor
Chief, Water Allocation Bureau

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 Orin or Barbara Harman Phone 523-9795
Post office address 1540 Falcon, Idaho Falls, Id 83401
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of NW 1/4 of NE 1/4, Govt. Lot 2
Sec. 2 Township 14N Range 43E B.M. Fremont County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. well pump mainline to
single domestic home
 - 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 180 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? no
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

MICROFILMED

JUN 12 1989

THE UNIVERSITY OF CHICAGO

applicant to make this filing.

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

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

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

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

Total number of acres to be irrigated.

[illegible]

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

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

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

9. Description of place of use:

e. Other; describe fully.

d. Domestic; show number of households.

c. Municipal; show name of municipality.

b. Stockwatering; list number and kind of livestock.

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

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

Proposed Priority 12-29-88 Received by *KCO*

Date 12-29-1988 Time 1521 hrs Preliminary check by CM
Fee \$ 30.00 # 5005385 Date 12-29-88
Received by *JP*
Publication prepared by *CB* Date 2/8/89 Published in *Idaho Chronicle*
Publication approved by *W* Date 3-13-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 21-7399, 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 June 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.

Witness my hand this 9th day of May, 1989.

J. Paul Boyton

MICROFILMED

JUN 12 1989

THE FREMONT COUNTY HERALD-CHRONICLE

St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

MAR 7 1989

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
current issue of said newspaper, and not
any supplement issue thereof

For Two consecutive issues, the
first publication having been made on
February 16, 1989

and the last publication having been
made on February 23, 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 24th day of February
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.

Joseph C. Davis
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:

21-07396

CHURCH OF JESUS CHRIST LATTER
DAY SAINTS
REAL ESTATE DIV., 12th FLOOR
50 EAST NORTH TEMPLE ST.
SALT LAKE CITY, UT 84150
Source: GROUNDWATER
Diversion Pt: SWSW Sec 30 T 09N R 43

E Use: IRRIGATION (.040 CFS),
DOMESTIC (.030 CFS)
Date Filed: 1/19/1989
In: T09N R43E S30 SWSW 1.0 ACRES
TOTAL

21-07397

U.S. DEPT. OF AGRIC.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401
Source: DUCK CREEK
Tributary: HENRY'S LAKE
Diversion Pt: SESENE Sec 23 T 15N R

42E Use: STOCKWATER STORAGE (.10
AF) DIVERSION TO STORAGE (.050
CFS)

Date Filed: 12/20/1988
In: T15N R42E S23 NENE

21-07398

U.S. DEPT. OF AGRIC.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401
Source: DUCK CREEK
Tributary: HENRY'S LAKE
Diversion Pt: SENENE Sec 23 T 14N R

42E Use: STOCKWATER STORAGE (.10
AF) DIVERSION TO STORAGE (.050
CFS)

Date Filed: 12/20/1988
In: T15N R42E S23

21-07399

HARMAN, ORIN
HARMAN, BARBARA
1540 FALCON
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: LOT 2 (NWNE) Sec 2 T

14N R 43E Use: DOMESTIC (.040 CFS)
Date Filed: 12/29/1988
In: T14N R43E S02 Lot 2 (NWNE)

21-07400

CRUMP, LYNN
HANSEN, MELVIN
MATHEWS, DALE
STONEBURG, ROBERT
URIONA, JOSEPH
609 S. PARK

SHELLEY, ID 83274
Source: GROUNDWATER
Diversion Pt: LOT 1 (NENENE) Sec 24
T 13N R 42E

Use: DOMESTIC (.110 CFS)
Date Filed: 1/23/1989
In: T13N R42E S24 NENE

22-07508

CANYON CR. LATERAL DITCH WR.
USERS ASSOC
NEWDALE, ID 83436

Source: GROUNDWATER
Diversion Pt: NESE Sec 36 T 07N R
40E, SWNE Sec 30 T 07N R 42E

Use: IRRIGATION (14.000 CFS)
Date Filed: 6/26/1985
In: T06N R42E S05 SWNE SENE
NWNW SWNW SENW NESW NWSW
SWSW SESW NESE NWSE SWSE
SESE, S06 NENE NWNE SWNE SENE
NENW SENW NESW NESE NWSE
SESE, S08 NWNE, T07N R42E S30
SWSW SESW SWSE SESE, S31 SWNE
SENE SWNW SENW, S32 SWSW NWSE
1335.0 ACRES TOTAL

The permit(s) will be subject to all prior

MICROFILM

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 16, 1992

ORIN HARMAN
BARBARA HARMAN
1540 FALCON DR
IDAHO FALLS ID 83406

RE: WATER RIGHT NO. 21-07399

Dear Water Right Holder(s):

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

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECORDED

JAN 21 1993

LICENSE REVIEW CHECKLIST

Permit # 21-07399

Date 11-25-72
38

	Yes	No	
NAME	☐	☒	Address Change? <u>Check Zip Code</u>
PRIORITY DATE	☐	☒	Advance? _____
	☐	☒	Memo to Advance _____
	☐	☒	Order to Reinstate Needed? _____
TOTAL CFS	☐	☒	No Fee Paid
	☐	☒	Incorrect Fee for rate recommended? _____
	☐	☒	Disagree with Actual Measurement? _____
	☐	☒	<u>.04 cfs (DOM)</u>
	☐	☒	Disagree with Theoretical? <u>No Info</u>
	☐	☒	Limited by Capacity? <u>.04 cfs</u>
TOTAL VOLUME			Rate/ac _____ AFA Irr. Season _____
			Standard Irr. Season _____
			Season Recommended _____
	☐	☒	Disagree with Examiner's Calculations? _____
	☐	☒	<u>1.2 afa (DOM)</u>
	☐	☒	Limited by Flow? _____
SOURCE	☐	☒	Changes? Clarification of <u>Originally</u>
	☐	☒	<u>Intended</u> source _____
	☐	☒	Notice of Intent to Void. _____
P/D	☐	☒	Verify with Map _____
	☐	☒	Amendment Needed? _____
	☐	☒	Is Overlap Analysis a Consideration? _____
P/U	☐	☒	Verify with Map _____
	☐	☒	Amendment Needed? _____
	☐	☒	Is Overlap Analysis a Consideration? _____
USES	☐	☒	Change(s) in Nature of Use? _____
	☐	☒	Amendment Needed? _____
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4? _____
	☒	☐	Non-Irr. Uses <u>DOM / Home</u>
	☐	☒	Special Overlap Condition _____
	☒	☐	Other <u>P/U</u>
CONDITIONS	☐	☒	Measuring Device
	☐	☒	W/Master Control
	☐	☒	Overlap
	☐	☒	Water Quality
			DATES/MISC
			☐ Water Dist.
			☒ App Rec'd
			☒ Exam Made

COMMENTS/MEMOS NEEDED: _____

License ☒ 10-Day ☐ 15-Day ☐ Special Correspondence _____

WR0749NP
No. L21-07399

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 11/25/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ORIN HARMAN	12/29/1988	DOMESTIC	01-01 12-31	0.04 CFS	1.2 AFA
C	BARBARA HARMAN					
	1540 FALCON DR					
	IDAHO FALLS ID 83406					
	(208) 523-9795					
TOTAL DIVERSION:					0.04 CFS	1.2 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion Capacity: 0.04 CFS

Point(s) of Diversion: T14N R43E S02 Lot 02(NW NE)

Place of use Legal Description for: DOMESTIC

		NE		NW		SW		SE	
T	R	S	NE	SE	NE	SE	NE	SE	SE
14N	43E	2	02-D						

Pou County: FREMONT

Conditions of Approval:

- 048 - 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.
- 049 - The Director retains jurisdiction of the right and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Remarks:

Domestic use is for 1 home.
Place of use is located within Lots 349 and 350, Aspen Ridge Subdivision.

Dates: App. Received: 12/29/1988 Priority Date: 12/29/1988
Proof Due Date: 06/01/1991 Proof Made Date: 05/31/1991
Exam Made Date: 07/20/1992 Exam Sent to S.O.: 11/18/1992
Licensed Date:

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 11/25/92 SKAGGS

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.

USE ADDITIONAL SHEETS IF NECESSARY -- FORWARD THE WHITE COPY TO THE DEPARTMENT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

21-07399
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

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

- ☐ Blank Field Report Form
- ☐ Copy of Permit
- ☐ Copies of any Amendments/Orders with conditions of approval
- ☐ Computer Data Proof Report
- ☐ Copy of U.S.G.S. Quad
- ☐ Check for Government Lots. If so, make a copy of Government Plat
- Check of P/O index Kew 11/18/92 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index Kew 11/18/92 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/O's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☐ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully completed and signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed PRM 7-20-92 (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent LCJ 11-16-92 (Initial and date)
Exam Reviewed by Manager of Regional Office _____ (Initial and date)
Exam Date Entered in Computer _____ (Initial and date)
Exam sent to State Office _____ (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

RECEIVED
NOV 20 1992

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

- Permit No. 21-07399
1. Owner: ORIN OR BARBARA HARMAN Phone No. 523-9795
Current Address: 1540 FALCON, IDAHO FALLS, ID 83401
2. Accompanied by: — EXAM. DATE: 7-20-92
Address: — Phone No. —
Relationship to Permit Holder: —
3. Source: GROUNDWATER tributary to —

B. OVERLAP REVIEW

1. Other water rights with same place of use: N/A
— ☐ Copies Attached
2. Other water rights with same point of diversion: N/A
— ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

Scale: 1" = —

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
place(s) of use (required).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

RECEIVED

JAN 21 1993

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well pump for domestic use with lawn irrigation

FOR ONE SINGLE FAMILY HOME.

☐ See Remarks on page 4 for continuation

☐ See Remarks on page 4 for continuation

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*

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination.

[illegible]

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

NONE REQUIRED - SINGLE FAMILY

2. Alternate Method for Checking Purposes:

DOMESTIC W/LAWN - 0.04 cfs
~

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

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:

JAN 21 1993

SINGLE FAMILY DOMESTIC W/LAWN 1.20 AFA
~

H. REMARKS AND OVERLAP REVIEW ANALYSIS

NOT SEEN BY COMMUNITY WELL

Blank lines for remarks and overlap review analysis.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (af)
Domestic	1/1 12/31	0.04	1.20

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name: Paul E. Meyer
Signature: [Signature]
Certification Date: _____
Field Report Preparation Date: 7-20-92

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

JAN 21 1993

21-7399

Gaging Station

ISLAND

Gravel Pit

R
L
S

HENRYS

BM 6502

6457

BM 6462

Mile 120

R43E

T15N

T14N

Lot 4

Lot 3

Lot 2

Lot 1

POINT OF DIVERSION
AND
PLACE OF USE

2

3

2

2

1

10 11

11 12

21-7395

JAN 21 1993

BM

6430

BOUNDARY

ASPEN RIDGE SUBDIVISION

DIVISION NO. 4

TO THE COUNTY OF FREMONT, IDAHO

DAVID E. BENSON & ASSOCIATES, IDAHO FALLS, IDAHO
CONSULTING ENGINEERS
SCALE 1" = 100'

DEED OF DEDICATION

State of Idaho
County of Fremont

Be it known that: Valley View Ranch, Inc., an Idaho corporation, owning and holding title to the land shown hereon and described as follows:

Beginning at a point that is N89°56'W along the section line 433.5 feet more or less from the N.E. corner of Section 2, T14N, R43E, 1st, said point also being N89°56'W 423.5 feet; thence N89°56'W 281.62 feet on the center line having a bearing of 300°00' and running thence N89°56'W 231.52 feet; thence S0°04'W 100.00 feet; thence S0°04'W 575.00 feet; thence S83°56'E 228.63 feet to a point in the right of way fence of above mentioned highway; thence North, westerly along said right of way as follows: N89°56'W 24.33 feet; thence N89°56'W 10.13 feet; thence N89°56'W 699.52 feet to the point of beginning containing

That we have caused the same to be subdivided into lots, blocks, streets and permanent road easements to be known as Aspen Ridge Subdivision Division No. 4, Fremont County, Idaho and that we do hereby give grant and dedicate the entire, undivided, interest in and to the above described subdivision for highway and easements for utility purposes and for utilities. Witness our hands this 1st day of Oct. 1986.

Valley View Ranch, Inc.
President: David E. Benson
Secretary: David E. Benson
Treasurer: David E. Benson
State of Idaho
County of Fremont
Personally appeared before me J. Edwin Strobel and Kenneth R. Johnson, Notary Public and Notary for said State of Idaho, the undersigned who did acknowledge to me that the executed the same. Dated at Idaho Falls, Idaho this 1st day of Oct. 1986. My commission expires 1988.

RECORDER'S CERTIFICATE

I hereby certify that the foregoing plat of Aspen Ridge Subdivision Division No. 4 to the County of Fremont, Idaho was filed for record in the office on this day of Oct. 1986 at 1:48 P.M. and recorded in plat Book No. 2 of page 111 and that this filing is on each copy of the original map. 3090 578

SURVEYOR'S CERTIFICATE

I, Jay N. Hering, a licensed land surveyor, do hereby certify that I have surveyed the tract of land designated as Aspen Ridge Subdivision Division No. 4, Fremont County, Idaho and that said subdivision is truly and correctly shown on the map as shown hereon, and as described in the accompanying deed of dedication, and that this filing is an exact copy of the original map.

COUNTY ACCEPTANCE

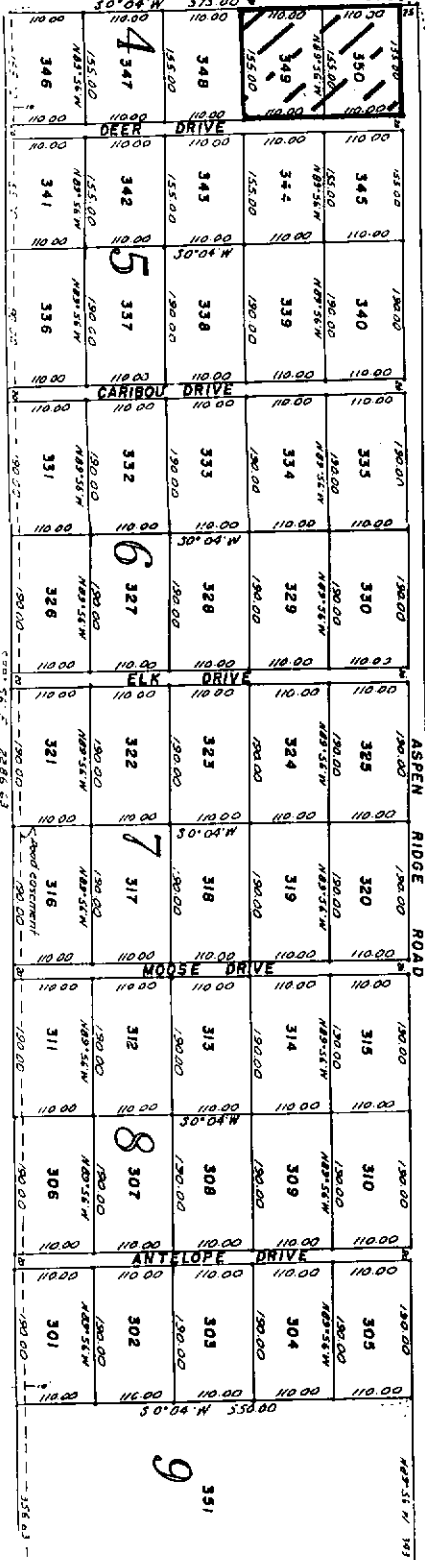
The foregoing plat was duly accepted and approved by the Board of County Commissioners of Fremont County, Idaho by resolution adopted this 1st day of Oct. 1986.

Charles J. Zimmerman, Jr.
Engineer

Edward J. Zimmerman
Chairman

State of Idaho
County of Bonanza
Subscribed and sworn to before me this 1st day of Oct. 1986.
My commission expires 1988.

Don S. Kelly
Notary Public
Idaho Falls, Idaho



21-7399

JAN 21 1993

#21-07399



21-7399

JAN 21 1993

JAN 21 1993

June 20, 1991

ORIN HARMAN
BARBARA HARMAN
1540 FALCON
IDAHO FALLS, ID 83401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 21-07399

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUN 28 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 21-7399

Date 6-11-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☐ Surface water source
☒ Ground water source
☒ Drill permit req'd?
☐ Copy in file? Drill permit no. 21-91-E-037
☐ Amt paid for drilling permit? ☐ Correct?
☐ Well log in file?

LICENSE EXAMINATION FEE

- 10 Required?
☐ Amount submitted?
☐ Correct amount?

MEASURING DEVICE

- no Measuring device or access port required?
☐ Installed?
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

*needs D.P. W.L.
well driller in hospital -
Proof acceptable*

PRIORITY CALCULATION

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

LB

RECEIVED

MAY 31 1991

No 3 received
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 21-7399 Telephone No. 523-97952. Name(s) of Permit Holder(s): ORIN DE BARBARA HARMAN3. Post Office Address: 1540 FALCON DR. IDAHO FALLS IDAHO 834064. Source of Water: GROUND WATERa. If ground water, well driller's name: MORRIS DRILLING Date drilled: 5-23-91b. Pump horsepower: 1 1/2 HP. Pressure (psi): 50 Dynamic pumping level (ft.): 80

5. Extent of Use:

Domestic * ONE (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

* based on the diversion of one household - 0.04 cfs - no fee req.6. Total rate and/or volume for which proof is submitted * 0.04 cfs _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

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

ORIN M. HARMAN
Name523-9795
Telephone No.1540 FALCON DR. IDAHO FALLS IDAHO 83406
Address

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

5-29-91
DateOrin M. Harman
Signature (and title if on behalf of a company or organization)**RECEIVED**

JUN 28 1991

138241
March 31, 1991

ORIN HARMAN
BARBARA HARMAN
1540 FALCON
IDAHO FALLS, ID 83401

PROOF DUE NOTICE

RE: PERMIT NO. 21-07399

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 June 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

APR 28 1991

May 3, 1990

Orin or Barbara Harman
1540 Falcon
Idaho Falls, ID 83401

Dear Mr. and Mrs. Harman:

Re: Permit No. 21-7399

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to June 1, 1991.

Note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED
MAY 16 1990

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 21-2399

Reviewed by

Date 5-2-70

BASIC INFORMATION

5 Date stamp received
5 Extension received timely (not too early not too late)
5 Fee received and receipted
5 Name and signature same as permit
2 Address change

BASIS FOR EXTENSION REQUEST

_____ Has adequate work been completed to demonstrate due diligence?
_____ Has the cost incurred been adequate to demonstrate an intent to complete the project?
_____ Has the permit been involved in litigation?
a. Swan Falls _____ Dismissed from Swan Falls _____
Other _____ Identify _____
b. Is supporting documentation needed to complete the file? _____
Requested _____
c. Calculate the period of delay _____

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date +

NEW PROOF DUE DATE " _____

Is delay by a government agency? _____
Is supporting documentation needed to complete the file? _____
Requested? _____

ACTION TAKEN *Recommend denial - no work accomplished toward development.*

<u>Reinstate</u>	Date extension received	_____	=	_____
	Proof due date	_____	=	_____
	No. of days late		=	_____
	Priority date	_____	=	_____
	ADJUSTED PRIORITY DATE		=	_____

DATE ENTRY

_____ Change proof due date _____ Address change
 _____ Priority date change

/3839/

March 31, 1990

ORIN HARMAN
BARBARA HARMAN
1540 FALCON
IDAHO FALLS, ID 83401

PROOF DUE NOTICE

RE: PERMIT NO. 21-07399

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 June 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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MAY 16 1990

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

Statehouse
Boise, Idaho 83720
(208) 334-7900
May 10, 1989

ORIN HARMAN
BARBARA HARMAN
1540 FALCON
IDAHO FALLS, ID 83401

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

RE: PERMIT NO. 21-07399

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

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JUN 12 1989

enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED
JUN 12 1983

JUN 12 1983

Form No. 202a
1/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY C Mullins DATE 01/26/89 APPLICATION NUMBER 217399
Harman

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

Date Requested

RECEIVED
MAR 22 1989

Department of Water Resources

PROCESSING

☒ Yes ☒ No Inform for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

END 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 _____

FINAL 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 3-6-89
☐ 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 12-29-1988
By A G J Date 3-20-89

STATE OFFICE REVIEW P05, P23 P16 46 48 49

☐ See below for additional information
By KW Date 4/25/89

ADDITIONAL INFORMATION

App. in NON-TRUST area...

allow 1 year for development-

February 13, 1989

Orin or Barbara Harman
1540 Falcon
Idaho Falls, ID 83401

Application for Permit No. 21-07399

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. 21-07399. 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

RECEIVED

JUN 12 1989

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 8, 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 6, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

JUN 12 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

JUN 12 1989

21-07399

HARMAN, ORIN
HARMAN, BARBARA
1540 FALCON
IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: LOT 2 (NWNE) Sec 2 T 14N R 43E

Use: DOMESTIC (.040 CFS)

Date Filed: 12/29/1988

In: T14N R43E S02 Lot 2 (NWNE)

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JUN 12 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, 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 6, 1989.

R. Keith Higginson, Director

Published 2/16/1989 & 2/23/1989

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JUN 12 1989