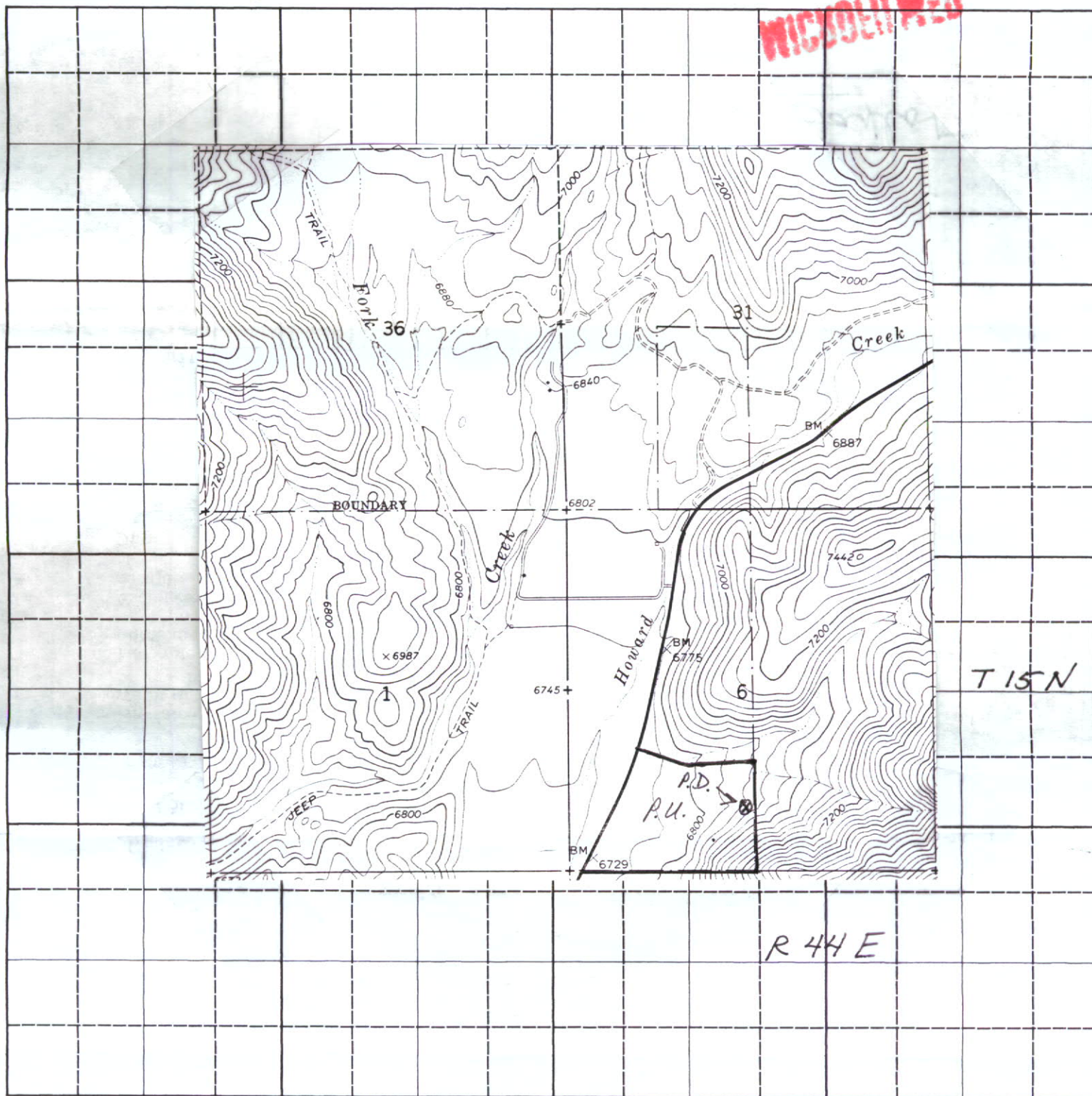


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

set forth. **AUG 2 1989**

T. Ross Clement
(Applicant)
President

THE FREMONT COUNTY HERALD-CHRONICLE

St. Anthony,
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
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
December 15, 1988
and the last publication having been
made on December 22, 1988

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 23rd day of December
in the year of 1988, 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 H. Lids
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

RECEIVED

JAN 5 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:

21-07389

NOWAK, HENRY G.

NOWAK, BETTY A.

1383 LARK CIRCLE

OGDEN, UT 84403

Source: GROUNDWATER

Diversion Pt: SWNE Sec 25 T 13N R
42E

Use: DOMESTIC (.020 CFS)

Date Filed: 11/15/1988

In: T13N R 42E S25 SWNE

21-07390

BIGHORN HILLS ESTATES

P.O. BOX 254

ROBERTS, ID 83444

Source: GROUNDWATER

Diversion Pt: SESW Sec 6 T 15N R 44E

Use: DOMESTIC (.200 CFS)

Date Filed: 12/02/1988

In: T15N R44E S06 NESW NWSW
SWSW SESW

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83402 on or
before JANUARY 2, 1989.

R. KEITH HIGGINSON
Director

Publ. Dec. 15 and 22, 1988HC.

MICROFILMED

AUG 02 1989

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.

1. WELL OWNER

Name Jack Randall and John Bowen
Address Bowen Music Store: Rexburg, Idaho
Owner's Permit No. _____

7. WATER LEVEL

Static water level 225 feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

2. NATURE OF WORK

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

8. WELL TEST DATA

☐ Pump ☐ Bailor ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

3. PROPOSED USE

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

4. METHOD DRILLED

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

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>.250</u> inches	<u>8</u> inches	<u>1</u> feet	<u>26</u> feet
_____ inches	_____ inches	_____ feet	_____ 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 19 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 _____

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
8	0	5	Topsoil		
	5	18	Clay and Boulders		
	18	75	Yellow Shale		
	75	85	Brown Shale		
	85	100	Firm Brown Shale		
	100	110	Firm Yellow Shale		
	110	120	Firm Brown Shale		
	120	190	Yellow Shale		
	130	205	Firm Brown Shale		
	205	210	Green Firm Shale		
	210	260	Broken Green Shale	X	
	260	275	Firm Green Shale	X	
	275	300	Broken Green Shale	X	
	300				

RECEIVED

JUN 12 1989

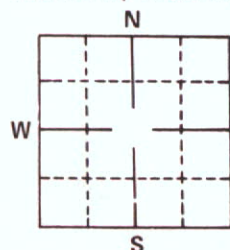
Department of Water Resources

10.

Work started June 4, 1973 finished July 7, 1973

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Freemont

NW ¼ SW ¼ Sec. 6, T. 15 N/S, R. 44 E/W.

11. DRILLERS CERTIFICATION

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

Firm Name Andrew Well Drilling Firm No. 5

Address 1268 E. 17th Street Date Idaho Falls, Idaho 83401

Signed by (Firm Official) _____

and

(Operator) _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No.

21-7390
21-7390

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Big Horn Hills Estates Phone 208-228-3330
Post office address P.O. Box 254 Roberts IDAHO 83446
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____
Sec. 6 Township 15N Range 44E B.M. Fremont County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.20 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) 0.20 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, underground distribution via pipeline to each lot.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is 8" inches; proposed depth of well is 250' 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
5 2 years (minimum 1 year).

RECORDED

AUG 02 1989

200 210 220 230

b. Stockwatering; list number and kind of livestock.

c. Municipal; show name of municipality.

d. Domestic; show number of households.

e. Other; describe fully.

9. Description of place of use:

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

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

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

[illegible]

Total number of acres to be irrigated.

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

21-07029

has lapsed

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

Applicant

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

Applicant

If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

applicant to make this filing.

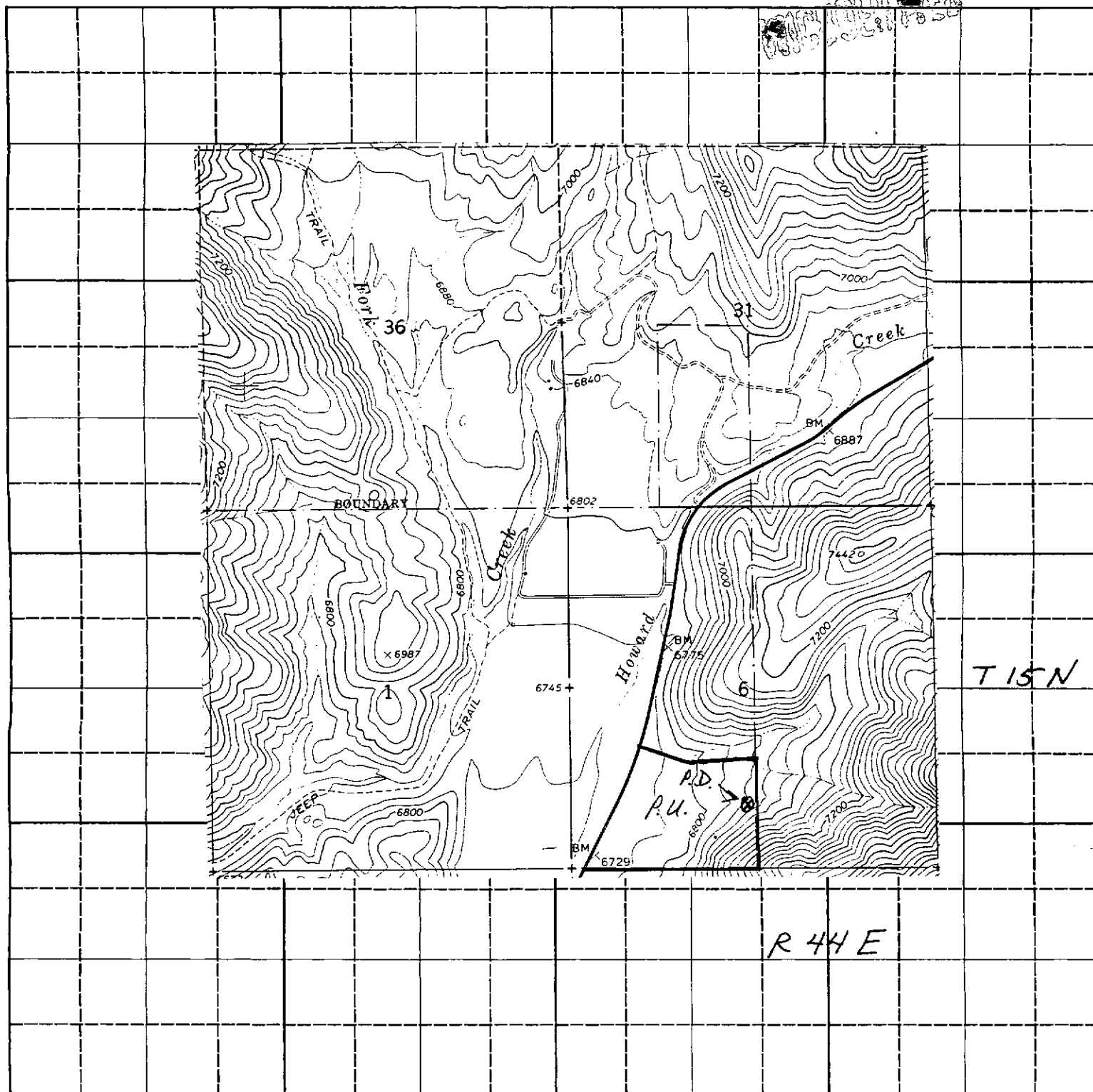
12. Remarks:

Existing well

CONFIDENTIAL

6861 20 500V

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



Scale: 2 inches equal 1 mile.

MICROFILMED

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.

AUG 12 1939

T. H. Clement
(Applicant)
Resident

Proposed Priority 12/2/88 12-2-88 11-09-88 3:30p
Received by Jim Date 11/03/88 Time 1:58pm Preliminary check by HWT
Fee \$ 30.00 Receipted by HWT # E004911 Date 12-5-88
Publication prepared by RB Date 12-6-88 Published in Herald Chronicle
Publication approved Ow Date 1-11-89

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. 21-7390, 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 April 1, 19 91.

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.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

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 27th day of March, 1989.

L. Glen Saylor

MICROFILMED
AUG 02 1989

3-3-89

Re: Application for Permit No: 21-7390

RECEIVED

MAR 06 1989

STATE OF IDAHO
Dept. of Water Resources.
Attention: Kay Walker

Department of Water Resources

Dear Kay:

The principal partners & owners of Bighorn Hills
Estates, INC. ARE:

T. Ross Clement
1002 W. ELVA
IDAHO FALLS, IDAHO
83401

Gale W. Clement
MAIN STREET
LEWISVILLE, IDAHO
83431.

THESE TWO BROTHERS ARE THE SOLE PROPRIETORS
IF I CAN BE OF ANY MORE ASSISTANCE, PLEASE
LET ME KNOW.

Thank you
Dean Bowen
Manager -

MICROFILMED

AUG 02 1989

THE FREMONT COUNTY HERALD-CHRONICLE

St. Anthony,

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
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
December 15, 1988
and the last publication having been
made on December 22, 1988

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 23rd day of December
in the year of 1988, 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 H. Ford
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

RECORDED

JAN 5 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:

21-07389

NOWAK, HENRY G.

NOWAK, BETTY A.

1383 LARK CIRCLE

OGDEN, UT 84403

Source: GROUNDWATER

Diversion Pt: SWNE Sec 25 T 13N R
42E

Use: DOMESTIC (.020 CFS)

Date Filed: 11/15/1988

In: T13N R 42E S25-SWNE

21-07390

BIGHORN HILLS ESTATES

P.O. BOX 254

ROBERTS, ID 83444

Source: GROUNDWATER

Diversion Pt: SESW Sec 6 T 15N R 44E

Use: DOMESTIC (.200 CFS)

Date Filed: 12/02/1988

In: T15N R44E S06 NESW NWSW
SWSW SESW

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83402 on or
before JANUARY 2, 1989.

R. KEITH HIGGINSON

Director

Publ. Dec. 15 and 22, 1988HC.

MICROFILMED

AUG 02 1989

August 9, 1989

Permit No. 21-7390

Big Horn Hills Estate
P.O. Box 254
Roberts, ID 83444

Dear Permit Holder:

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

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

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

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

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:lk

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 21-7390

Date: 5-16-1989

General Considerations:

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

Source of Water:

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

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

Proof Acceptable

Priority Calculation:

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

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

21-7390
copy from owner
for water right
file
7-19-89 RFSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState 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.

1. WELL OWNER

Name Jack Randall and John Bowen
Address Bowen Music Store: Rexburg, Idaho
Owner's Permit No. _____

2. NATURE OF WORK

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

3. PROPOSED USE

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

4. METHOD DRILLED

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

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.250 inches	8 inches	1 feet	26 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☒ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☐ Yes ☒ NoHow 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 19 Material used in seal: ☐ Cement grout☒ Bentonite ☐ Puddling clay ☐ _____Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☐ Overbore to seal depthMethod of joining casing: ☐ Threaded ☐ Welded ☐ Solvent

Weld

☐ Cemented between strata

Describe access port _____

7. WATER LEVEL

Static water level 225 feet below land surface.Flowing? ☐ Yes ☐ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature _____ °F. Quality _____

Describe artesian or temperature zones below.

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	5	Topsoil		
	5	18	Clay and Boulders		
	18	75	Yellow Shale		
	75	85	Brown Shale		
	85	100	Firm Brown Shale		
	100	110	Firm Yellow Shale		
	110	120	Firm Brown Shale		
	120	190	Yellow Shale		
	130	205	Firm Brown Shale		
	205	210	Green Firm Shale		
	210	260	Broken Green Shale	X	
	260	275	Firm Green Shale	X	
	275	300	Broken Green Shale	X	
	300				

RECEIVED

JUN 12 1989

Department of Water Resources

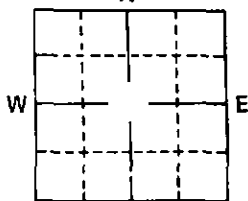
10.

Work started June 4, 1973 finished July 7, 1973

6. LOCATION OF WELL

Sketch map location must agree with written location.

N



Subdivision Name _____

Lot No. _____ Block No. _____

AUG 02 1989

County Tremont1/4 SW 1/4 Sec. 6, T. 15 N/S, R. 44 E/W.

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name Andrew Well Drilling Firm No. 5Address 1268 E. 17th Street Date Idaho Falls, Idaho 83401

Signed by (Firm Official) _____

and

(Operator) _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 19, 1989

Big Horn Hills Estates
P. O. Box 254
Roberts, ID 83444

RE: Permit No. 21-7390

Dear Permit Holder:

The department reviewed the proof of beneficial use (proof) which you submitted in connection with the above referenced permit. A review of the file shows that you have not applied for a drilling permit (which is a separate requirement from the water right permit).

A drilling permit is required for all wells drilled, deepened or enlarged after July 1, 1987 (Section 42-235, Idaho Code). As a condition of the water right permit, you need to submit a completed drilling permit form together with a drilling permit fee in the amount of \$100 made payable to the Idaho Department of Water Resources. Enclosed is a form for your use.

Also, the department does not have a copy of the well log. If you have a well driller's report, please send a copy to the department.

Please provide the appropriate information by June 18, 1989 to fulfill the requirement of the water right permit.

If you have any questions, feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Rita I. Fleck".

RITA I. FLECK
Secretary/Records Manager

Encl: 1

c: Region

NOT RECORDED

AUG 02 1989

JUNE 9. 1989

RECEIVED

JUN 12 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Drive
State House Mail
Boise, Idaho 83720

Department of Water Resources

RE: Permit No. 21-7390
ATTENTION: Rita Fleck

Dear Rita:

Per your request, I have included a copy of the Well Driller's Report which indicates that the well located at Big Horn Hills Estates was drilled on July 7, 1973.

Please let me know if there are other questions concerning our application for proof of beneficial use.

Sincerely:



BRAD BOWEN
Records/Management

MICROFILMED

AUG 02 1989

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

RECEIVED

MAY 5 1989

Department of Water Resources
Eastern District Office

RECEIVED

MAY 04 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received 50.00
Date 5-3-89
Receipt # E007124
Receipt by Hwj
Reviewed by _____
Sent to region _____

PROOF OF BENEFICIAL USE

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

Permit No. 24-7390
Name(s) of Permit Holder: Big Horn Hills Estate ✓
Post Office Address: P.O. Box 254 Roberts ID. 83444 ✓
Telephone No. 228-3330

Source of Water: Groundwater ✓

Extent of Use:

Domestic 101 (number of households) Stockwater _____ (number and type of stock)
Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 0.20 cfs _____ acre-feet

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

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No
Fee enclosed \$ 50.00 ✓
(See License Examination Fee Schedule)

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

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

Brad Bowen 228-3330
(Name) (Telephone Number)

P.O. Box 254, Roberts - (2 mi. So. Roberts on Bassett Rd.)
(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.

MICROFILMED

AUG 02 1989

5-1-89
Date

[Signature]
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 24-7390
Name(s) of Permit Holder(s): Big Hotta Hills Estates.
Post Office Address: P.O. Box 254, Robert ID.
Tel. No. 228-3330

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on July 31, 1989. I understand that I must continue to develop the water system with diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

5-1-89

Date

[Signature]
Signature of Permit Holder

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
March 29, 1989

BIGHORN HILLS ESTATES
P.O. BOX 254
ROBERTS, ID 83444

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

RE: PERMIT NO. 21-07390

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of

Handwritten: ~~Instructions for Proof of~~
AUG 02 1989

Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED

AUG 02 1989

Form No. 202a
/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWS DATE 12-5-88 APPLICATION NUMBER 21-390
Big Horn H.M.s

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

RECEIVED

Date Requested JAN 16 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 1-2-89
☐ 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. α-P05
☒ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information
 Date of priority recommended 12-2-88
 By HWT Date 1-12-89

STATE OFFICE REVIEW P05, P23, P17 46 26 * 4849
☐ See below for additional information
 By kw Date 2-24-89
kw 3/20/89

ADDITIONAL INFORMATION

Condition: <21>
2 yrs. is reasonable for B/U development
App. in NON-TRUST area-



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 1, 1989

RE: Application for Permit No. 21-7390

Big Horn Hills Estates
P.O. Box 254
Roberts, ID 83444

Gentlemen:

We have received your application for permit, for domestic purposes from our Eastern Regional Office for final review. However, prior to final action being taken on the application we need to have a list of the names and addresses of all partners, directors and officers within the subdivision. This is a requirement of the Department's Water Appropriation Rules and Regulations.

Please submit this information within the next thirty days so we can continue with the processing of your application.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:hm

cc: Eastern Region

*Rec'd 3/6/89 -
KW
see below
app.*

RECEIVED

AUG 02 1989

January 3, 1989

Herald Chronicle
P.O. Box 10
Rexburg, Idaho 83440

RE: Application for Permit No. 21-07390; Big Horn
Hills Estate

Gentlemen:

Would you please submit an affidavit of publication
and certified bill in connection with the above
referenced application. The legal notice was to
have been published in your paper on December 15,
and December 22, 1988.

Your cooperation in this matter is greatly
appreciated.

Sincerely,

Rita Bodell
Office Secretary

RECEIVED

AUG 02 1989

December 7, 1988

Bighorn Hills Estates
P.O. BOX 254
Roberts, ID 83440

Application for Permit No. 21-07390

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. 21-07390. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in HERALD CHRONICLE. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

AUG 02 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 6, 1988

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 JANUARY 2, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

AUG 02 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

AUG 02 1989

21-07390

BIGHORN HILLS ESTATES
P.O. BOX 254
ROBERTS, ID 83444

Source: GROUNDWATER

Diversion Pt: SESW Sec 6 T 15N R 44E

Use: DOMESTIC (.200 CFS)

Date Filed: 12/02/1988

In: T15N R44E S06 NESW NWSW SWSW SESW

MICROFILMED

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 JANUARY 2, 1989.

R. Keith Higginson, Director

Published 12/15/1988 & 12/22/1988

MICROFILMED

AUG 02 1989

ACTION REQUIRED

FROM: H.W. Jones 11-23-88

TO: Big Horn Hills Estates

Enclosed is your application for permit. You will need to resubmit said application with the required \$30 fee and we will continue processing.

H.W. Jones

MICROFILMED

AUG 02 1989

RECEIVED

DEC 1 1988

Department of Water Resources
Eastern District Office