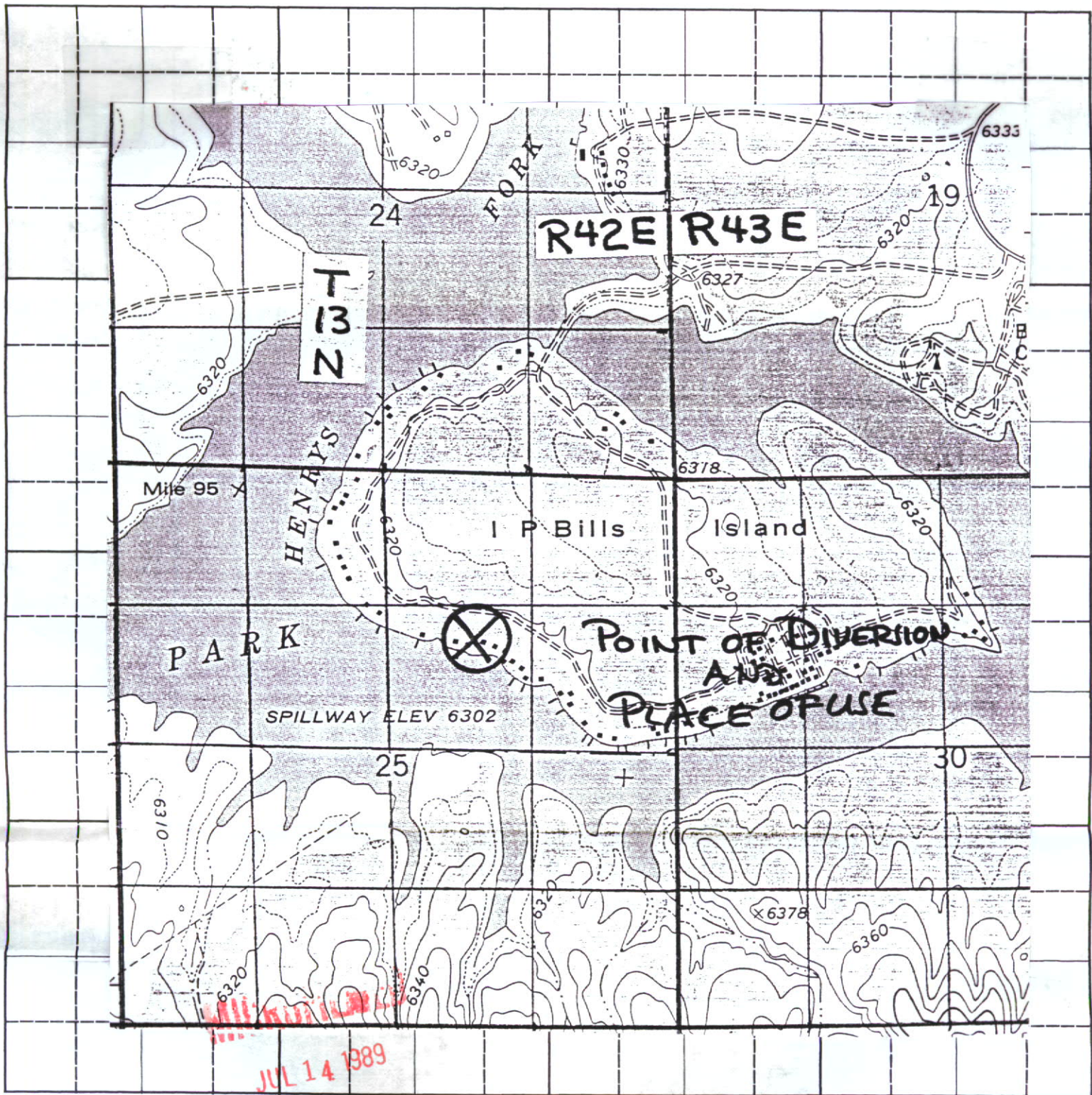


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

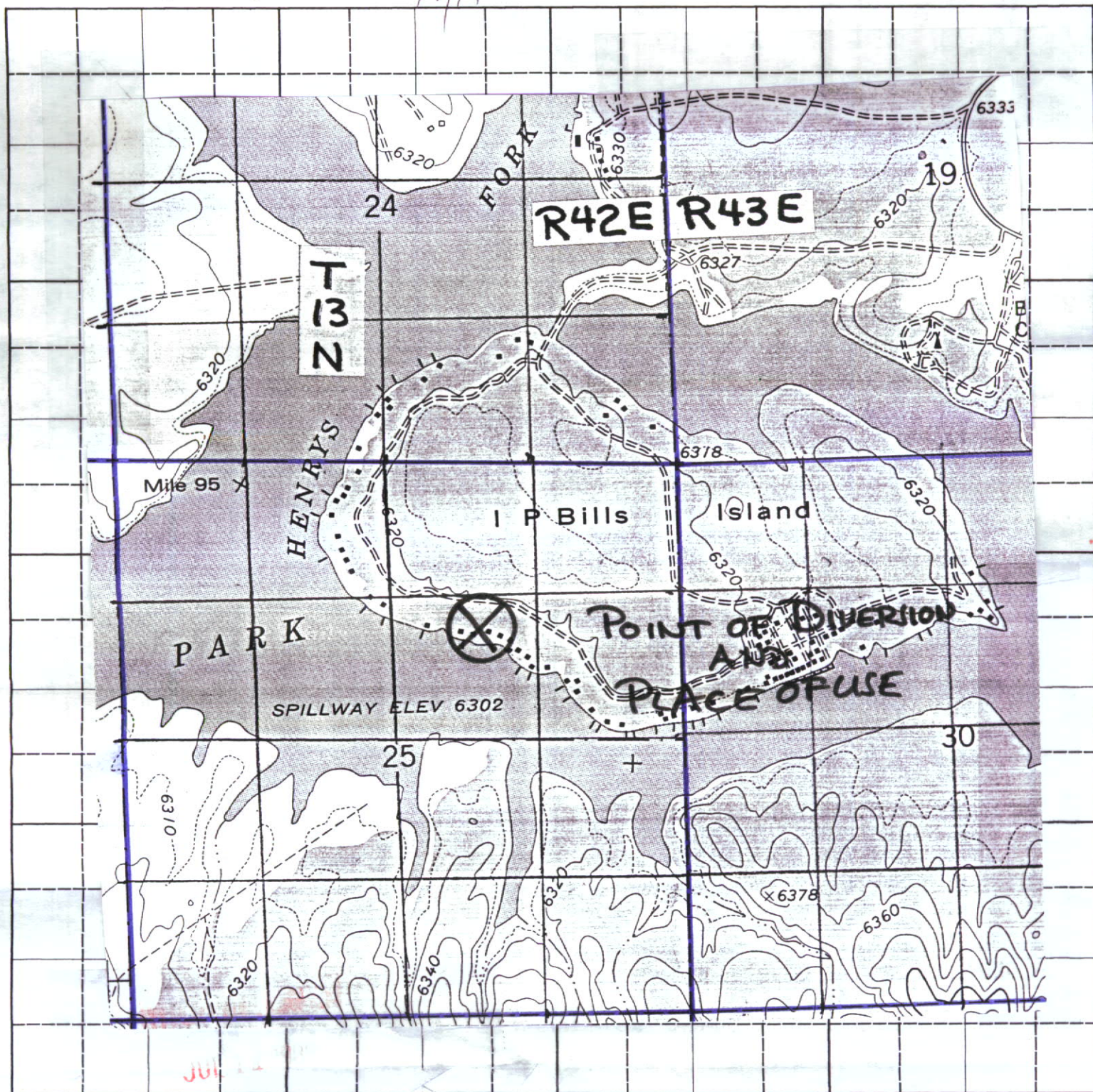


Scale: 2 inches equal 1 mile.

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.

W. G. Gager
(Applicant)
1-19-89
H. G. Howak
11/18/89

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. MAP ADDED AS PER MR. NOWAK- STATED SWNE SEC 25 IS OFF OF HIS TAX NOTICE

JUST ADD MAP WITH GENERAL LOCATION INDICATED - 11/17/1988 - KCW

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.

Henry Nowak 11/10/88
(Applicant)
Betty G. Nowak

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 Amended
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
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.

Gayle L. Lach

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

MAR 7 1989

Department of Water Resources
Eastern District Office

NOTICE OF AMENDED
APPLICATION FOR WATER PERMIT

Notice is hereby given that application
for Permit No. 21-7389 in the name of
Henry G. and/or Betty A. Nowak, Ogden,
Utah, was filed for the diversion of 0.02
cfs of water from a groundwater source
with point of diversion within the
SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T. 13N, R. 42E,
B.M., Fremont County; to be used from
Jan. 1 to Dec. 31 for domestic purposes
for one family within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
25, T. 13N, R. 42E, B.M.

The applicants, Harvey Eager or Henry
Nowak, now proposes to amend Applica-
tion No. 21-7389, requesting 0.04 cfs for
domestic purposes for two families.

Any protest to the proposed amending
of the application must be filed with the
Idaho Department of Water Resources,
150 Shoup, Suite 15, Idaho Falls, Idaho
83402, on or before March 6, 1989.

R. KEITH HIGGINSON
Director

Publ. Feb. 16 and 23, 1989HC.

MICROFILMED

JUL 14 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

REC-113890

A. GENERAL INFORMATION

Permit No. 2754138990

1. Owner: Harvey Egger or Henry Nowak Phone No. (801) 393 9128 (Nowak)
(Nowak) 1383 Lark circle Ogden, Ut. 84403

2. Accompanied by: Harvey Eager EXAM. DATE: 7-21-89
Address: (Eager) 1845 W. 4500 S. #135 Roy, Ut. 84067 Phone No. (801) 731-6139 (Eager)

Relationship to Permit Holder: Owner

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 21-7293 (No overlap)

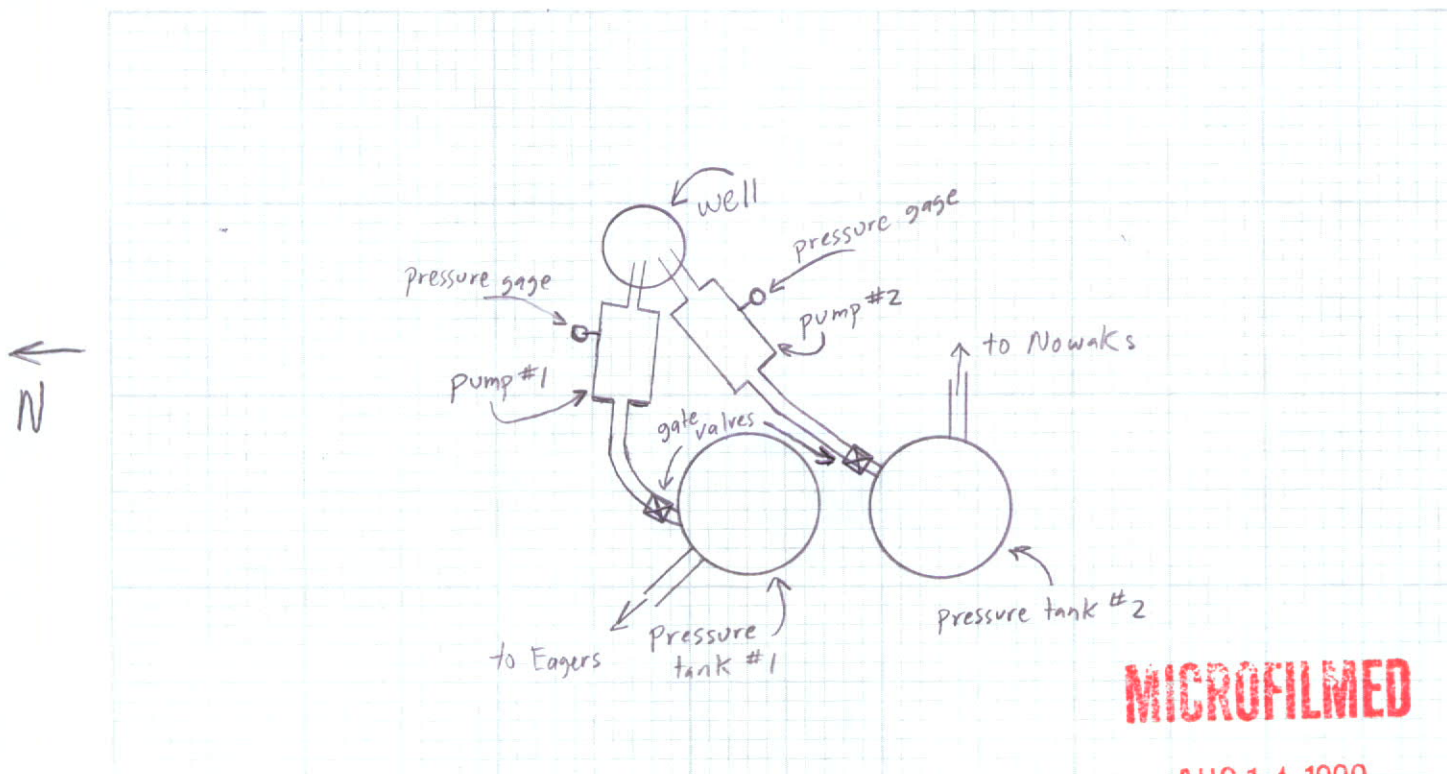
☒ Copies Attached

2. Other water rights with same point of diversion: 21-7293 (N₂ overlap)

☒ 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



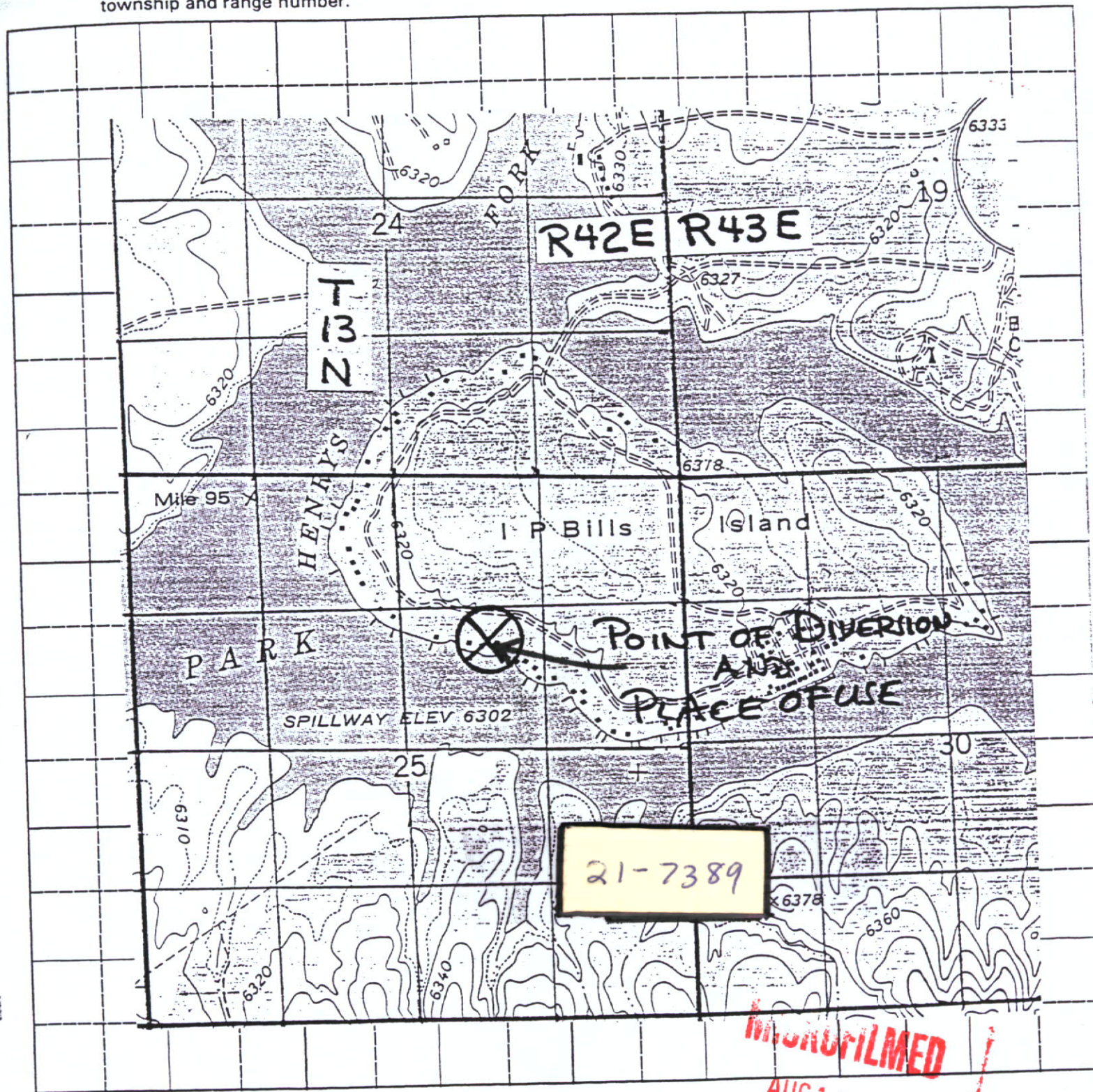
UNCONTROLLED

AUG 14 1990

~~Scale: 1" = _____.~~

2. ☒ Copy of U.S.G.S. 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 or more).
- ☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

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.

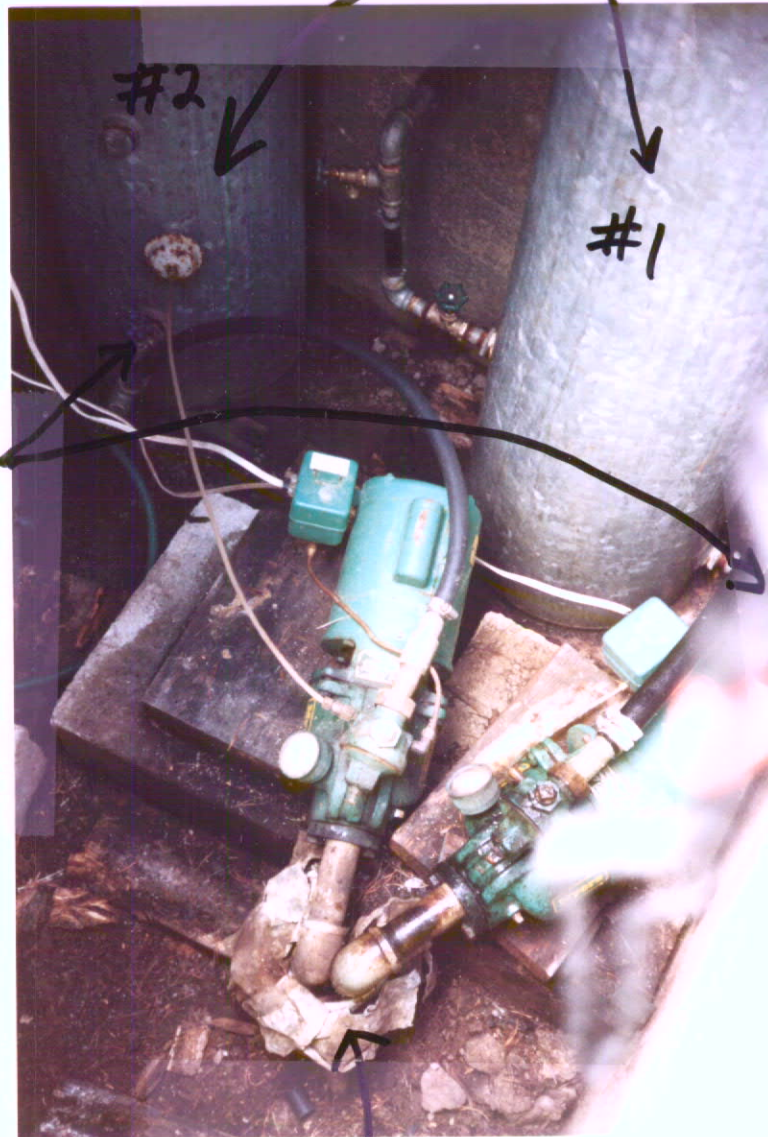
[Signature]
(Applicant)
1-1559

[Signature] H. H. Howak
11/18/89

RECORDED
AUG 14 1990

Pressure tanks

Gate
valves

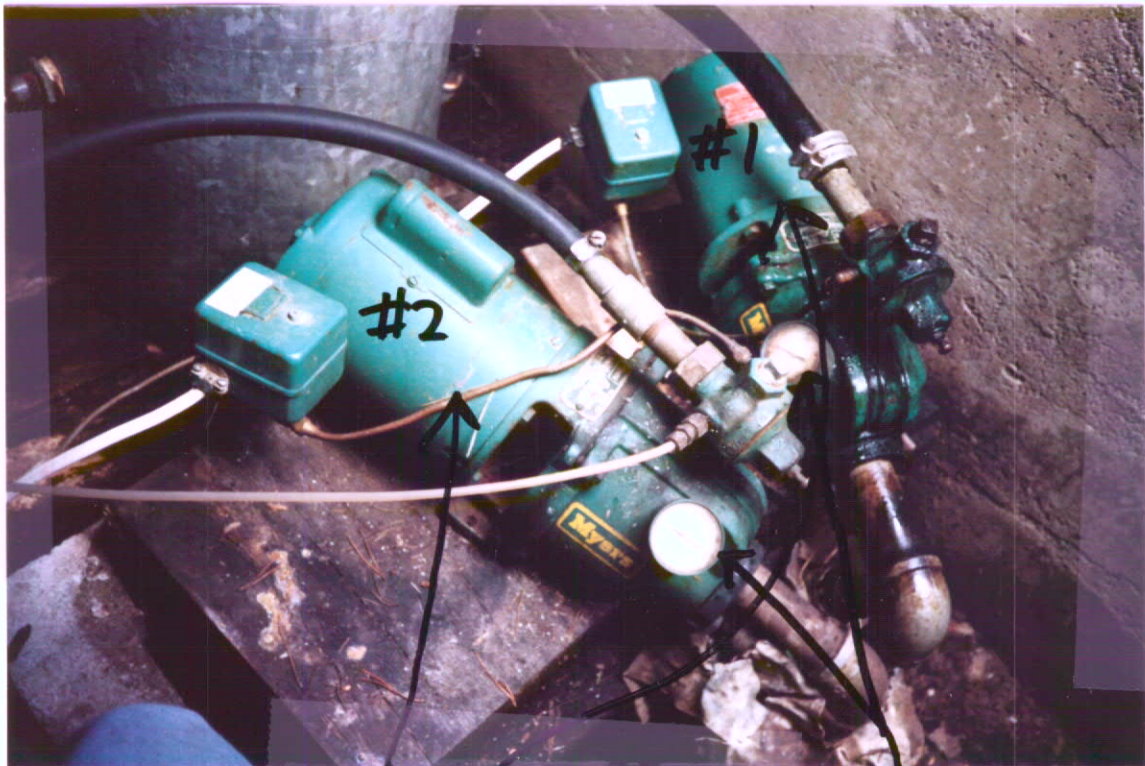


well

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AUG 14 1990

21-7389



pumps

pressure
gauges

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AUG 14 1990

21-7389

11011

Sec. 10.

Sec. 11.

Sec. 12.

Sec. 15.

Sec. 14.

Sec. 13.

Sec. 22.

Sec. 23.

Sec. 24.

Sec. 27.

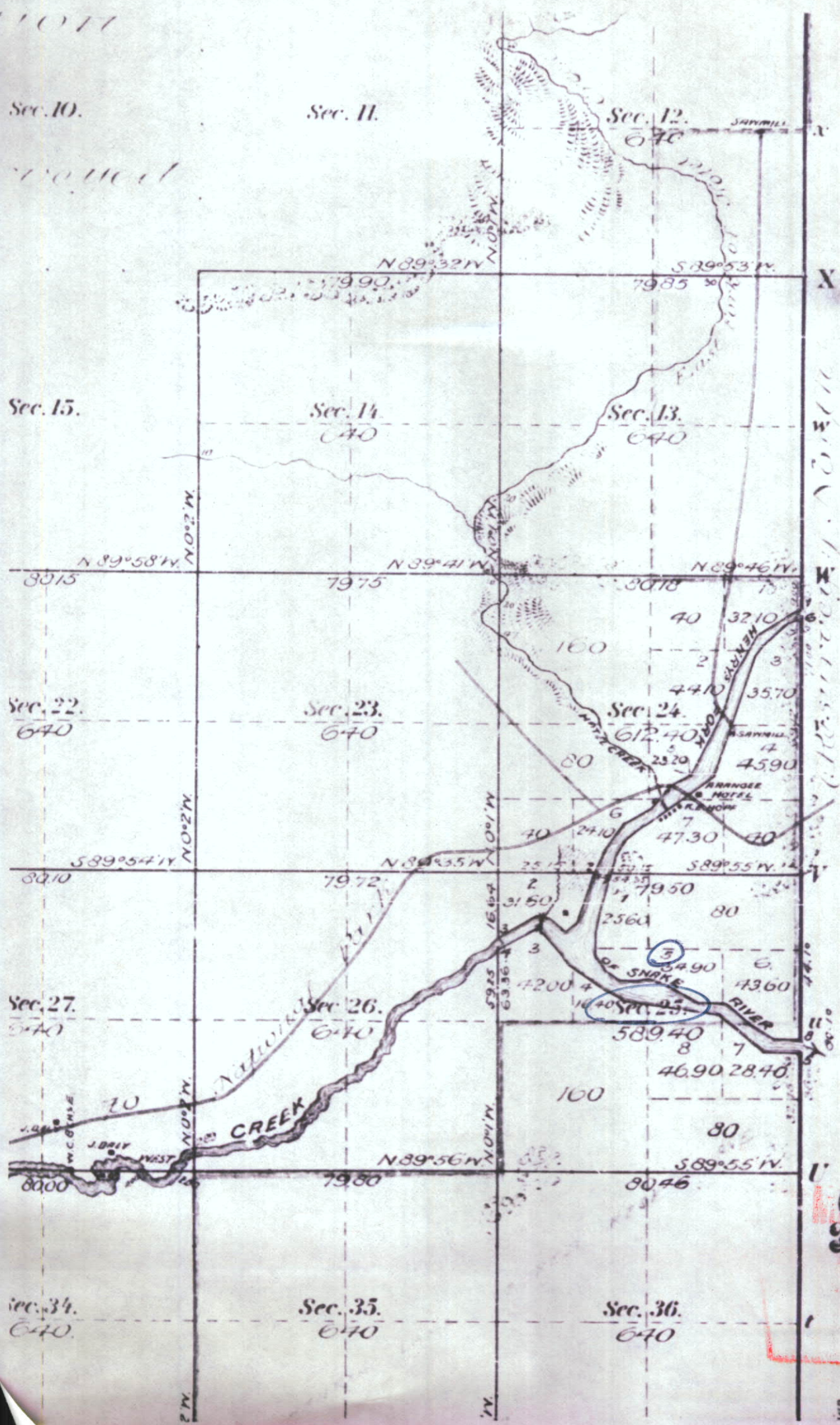
Sec. 26.

Sec. 25.

Sec. 34.

Sec. 35.

Sec. 36.



RECORDED
AUG 14 1890

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 21-07389

Priority: January 24, 1989

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume:¹ 1.2 AF

This is to certify, that HARVEY EAGER
HENRY NOWAK

1845 W. 4500 S. #135
ROY, UT 84067

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 24, 1989; and
has submitted Proof of Beneficial Use on June 1, 1989. An examination indicates
that the works have a diversion capacity of .080 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 5(SWNE), Sec. 25, Township 13N, Range 42E
FREMONT County

PLACE OF USE: DOMESTIC

TWN RGE SEC

13N 42E 25 LOT 5(SWNE)

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. Domestic use is for 2 cabins.

MICROFILMED

AUG 13 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07389

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 31st
day of July, 1990.

Acting for R. Keith Higginson, Director

MICROFILMED

AUG 13 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

AMENDED

AMENDED APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Harvey Eager or Henry Nowak Phone (801) 392-5926
Post office address 425 Park Blvd. #2066, Ogden, Utah 84401

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

3. Location of point of diversion is _____ 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____
Sec. 25 Township 13N Range 42E B.M. Fremont County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04cfs 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 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & pump to two cabins. 1 hp motor
in well 80' deep.

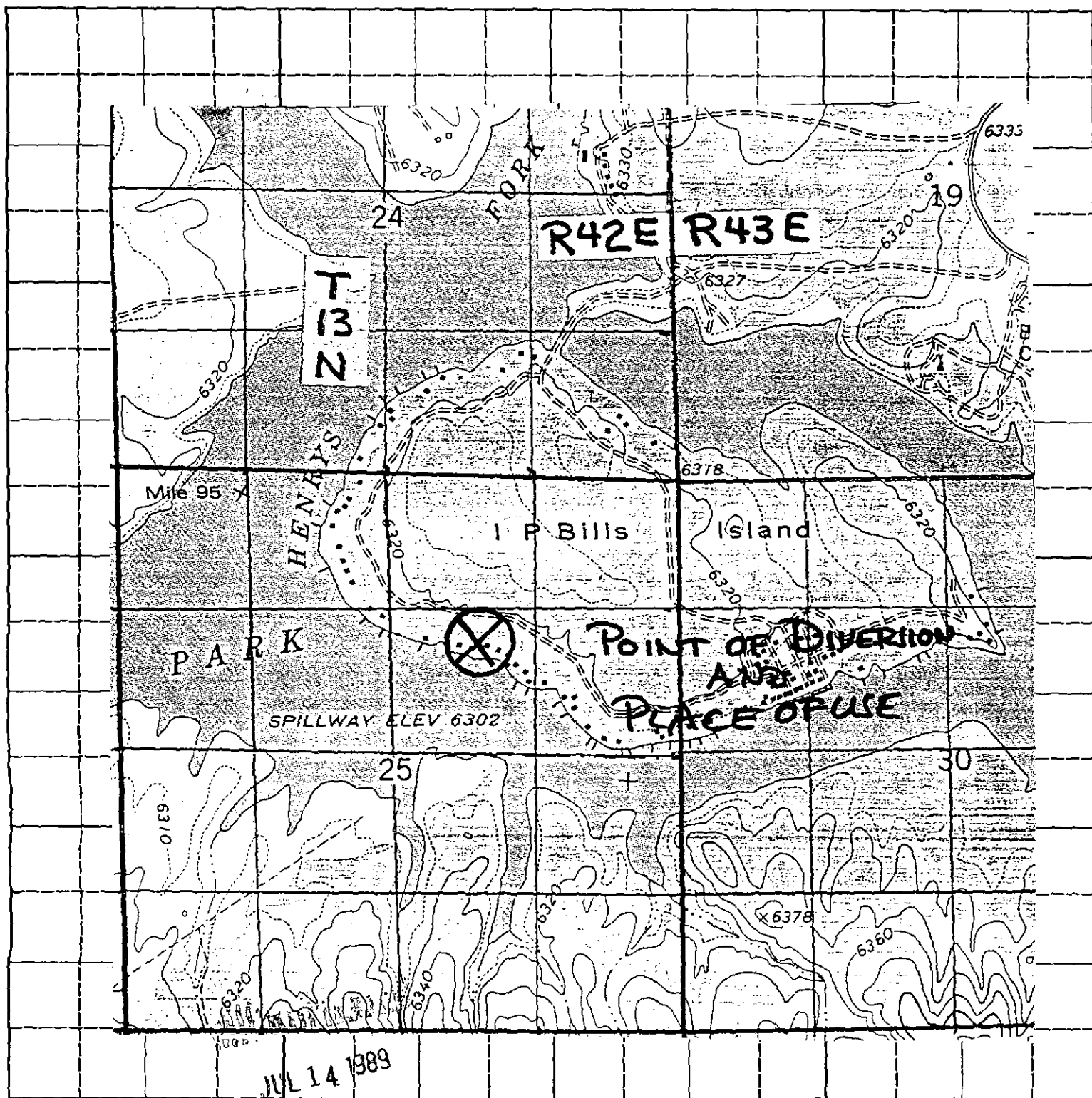
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ inclusive.

Exists c. Proposed well diameter is 14 inches; proposed depth of well is 80 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
1 years (minimum 1 year).

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.

[Signature] (Applicant) *[Signature]* H. H. Howak
1-19-89 11/18/89

Proposed Priority 1/24/89. Received by CU Date 11-15-88 Time 12:05p Preliminary check by #45
 Received by CU Date 11-15-88 # B004125 Fee \$ 30.00
 Publication prepared by RB Date 12-6-88 Published in 14th Annual Chronicle Date 11-17-88
 Publication approved CU Date 1-11-89 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. 21-7389, 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, 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. Mark Sawyer

RECEIVED
 JUN 14 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

void

To appropriate the public waters of the State of Idaho

1. Name of applicant Henry G. Nowak and/or Betty A. Nowak Phone (801) 392 9128
Post office address 1383 LARK CIR OGDEN UT 84403
2. Source of water supply ground WATER which is a tributary of N/A
3. Location of point of diversion is _____ 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____
Sec. 25 Township 13 N* Range 42 E* B.M. FREEYONT County; additional
points of diversion if any: 1 P. BILLS 15. LOT 157
4. Water will be used for the following purposes:
Amount 0.02 for domestic purposes from MAY 1/1* to OCT 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) 0.02 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 1 WELL 80 FT deep
1 hp MOTOR,
 - b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 2" inches; proposed depth of well is 80 feet.
Exists
 - 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
1*
1 1/2 years (minimum 1 year).
1969

12. Remarks:

If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A. MR Eager will file

b. Who owns the land to be irrigated or place of use? — no irrigation

11. a. Who owns the property at the point of diversion? Henry G. & Betty A Nowak, A, E, & G

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.

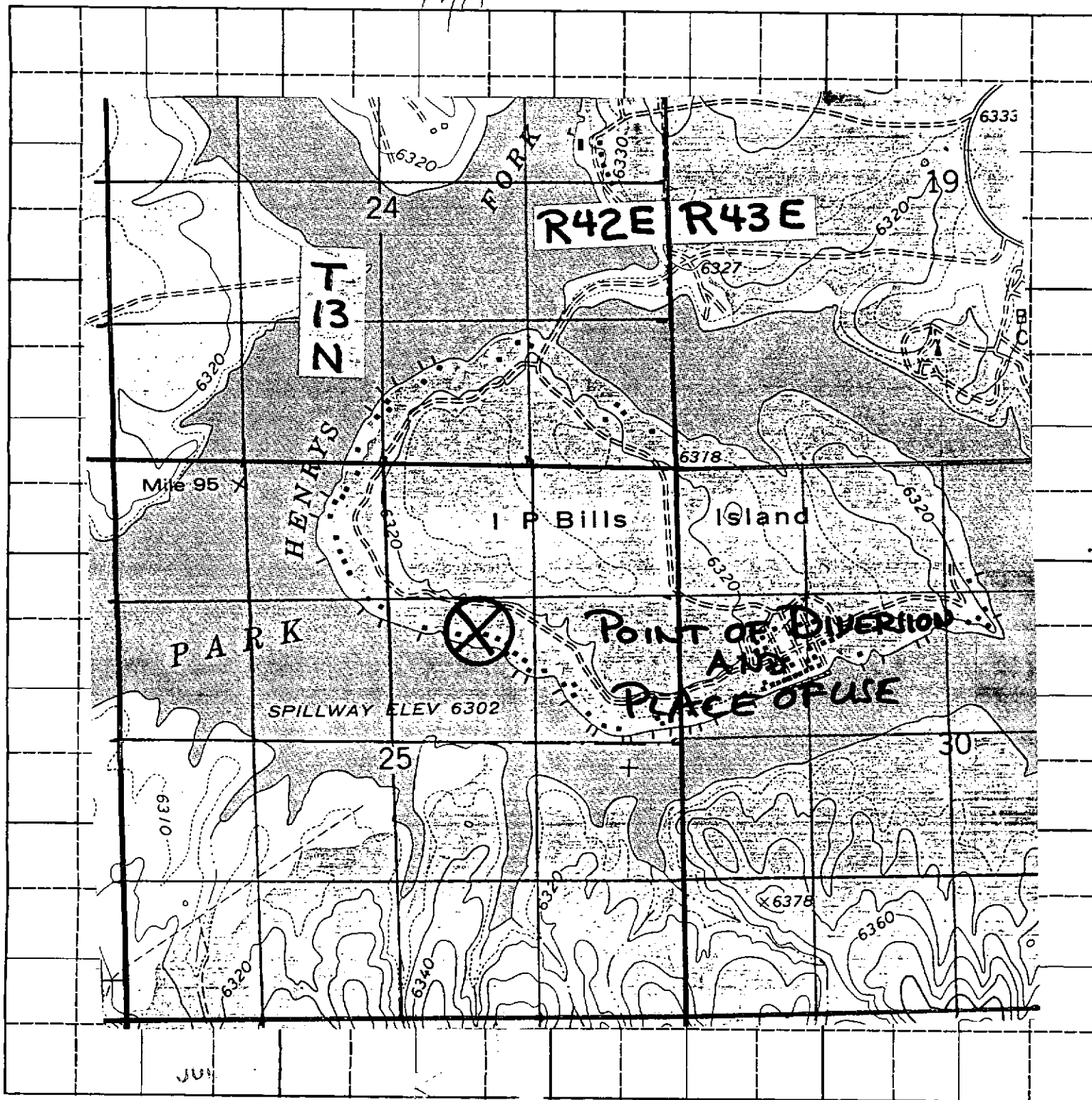
c. Municipal; show name of municipality.

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):

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. MAP ADDED AS PER MR. NOWAK- STATED SWNE SEC 25 IS OFF OF HIS TAX NOTICE
 JUST ADD MAP WITH GENERAL LOCATION INDICATED - 11/17/1988 - KCW
 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.

Henry Nowak 11/10/88
 (Applicant)
Betty G. Nowak

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by W Date 11-15-88 Time 12:05P Preliminary check by Kew
 Fee \$ 30.00 Received by W Date 11-17-88 # E004125
 Publication prepared by RB Date 12-6-88 Published in Revised Chronicle
 Publication approved (u) Date 1-11-89

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

Idaho No. _____, and said application is hereby _____

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

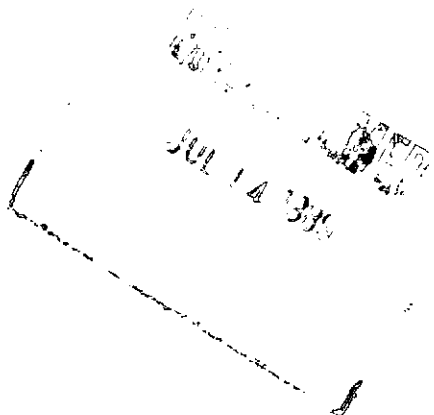
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

_____, 19____

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: _____



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 Amended
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
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.

Gayle L. Jach

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

MAR 7 1989

Department of Water Resources
Eastern District Office

NOTICE OF AMENDED
APPLICATION FOR WATER PERMIT

Notice is hereby given that application
for Permit No. 21-7389 in the name of
Henry G. and/or Betty A. Nowak, Ogden,
Utah, was filed for the diversion of 0.02
cfs of water from a groundwater source
with point of diversion within the
SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T. 13N, R. 42E,
B.M., Fremont County; to be used from
Jan. 1 to Dec. 31 for domestic purposes
for one family within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
25, T. 13N, R. 42E, B.M.

The applicants, Harvey Eager or Henry
Nowak, now proposes to amend Applica-
tion No. 21-7389, requesting 0.04 cfs for
domestic purposes for two families.

Any protest to the proposed amending
of the application must be filed with the
Idaho Department of Water Resources,
150 Shoup, Suite 15, Idaho Falls, Idaho
83402, on or before March 6, 1989.

R. KEITH HIGGINSON
Director

Publ. Feb. 16 and 23, 1989HC.

MICROFILMED

JUL 14 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
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

MICROFILMED

STATE OF IDAHO)
COUNTY OF MADISON)

JUL 14 1989

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.

Joseph H. Ladd
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:

421-07389
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, 1988 HC

July 31, 1990

HARVEY EAGER
HENRY NOWAK
1845 W. 4500 S. #135
ROY, UT 84067

RE: PERMIT NO. 21-07389

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

AUG 14 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

Permit No.

21-7389

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/D index LW 8-3-89 (Initial and date) 21-7293

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 LW 8-3-89 (Initial and date) 21-7293

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

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 LW 8-3-89 (Signature of examiner and date)Exam Reviewed by Senior Water Resource Agent KAW 8/8/89 (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)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

REC-111
2 JUN 13 1990

A. GENERAL INFORMATION

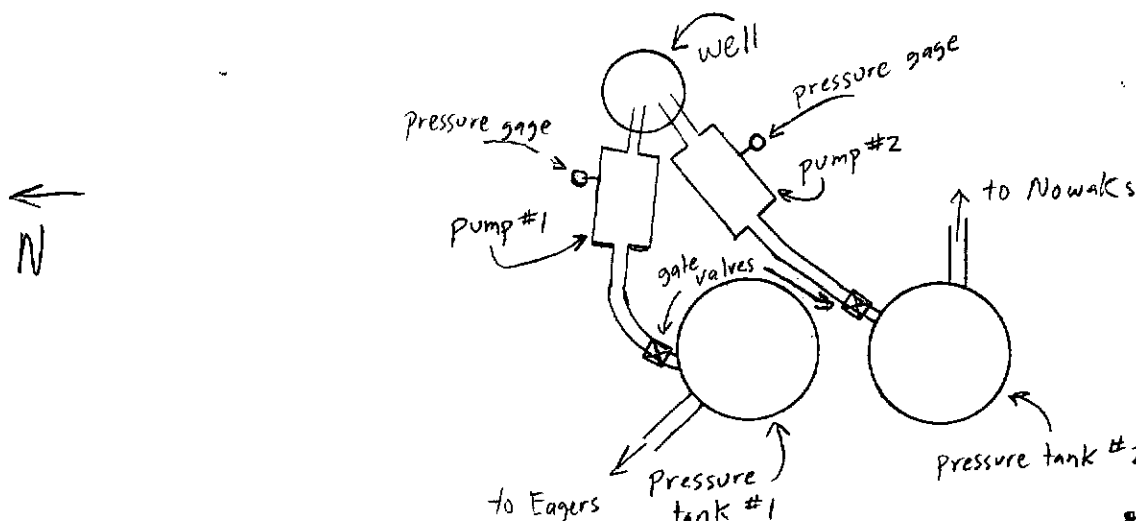
1. Owner: Harvey Eager or Henry Nowak Permit No. 21-7293
 Current Address: (Nowak) 1383 Lark circle Ogden, Ut. 84403 Phone No. (801) 393-9128 (nowak)
 2. Accompanied by: Harvey Eager EXAM. DATE: 7-21-89
 Address: (Eager) 1845 W. 4500 S. #135 Roy, Ut. 84067 Phone No. (801) 731-6139 (Eager)
 Relationship to Permit Holder: Owner
 3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 21-7293 (No overlap) ☒ Copies Attached
 2. Other water rights with same point of diversion: 21-7293 (No overlap) ☒ 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



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Scale: 1" = _____

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

3. Narrative: Description (As

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

Well to pumps #1 & #2
 tank to Harvey Eagers Cabin and pump #2
 pressure tank to Henry Newark's Cabin
 No Irrigation on either lot.

☐ 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
pump #1	B.F.	1/2	LCD	Myers	468268
pump #2	Century	1/2	H1	Myers	460682

**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: _____

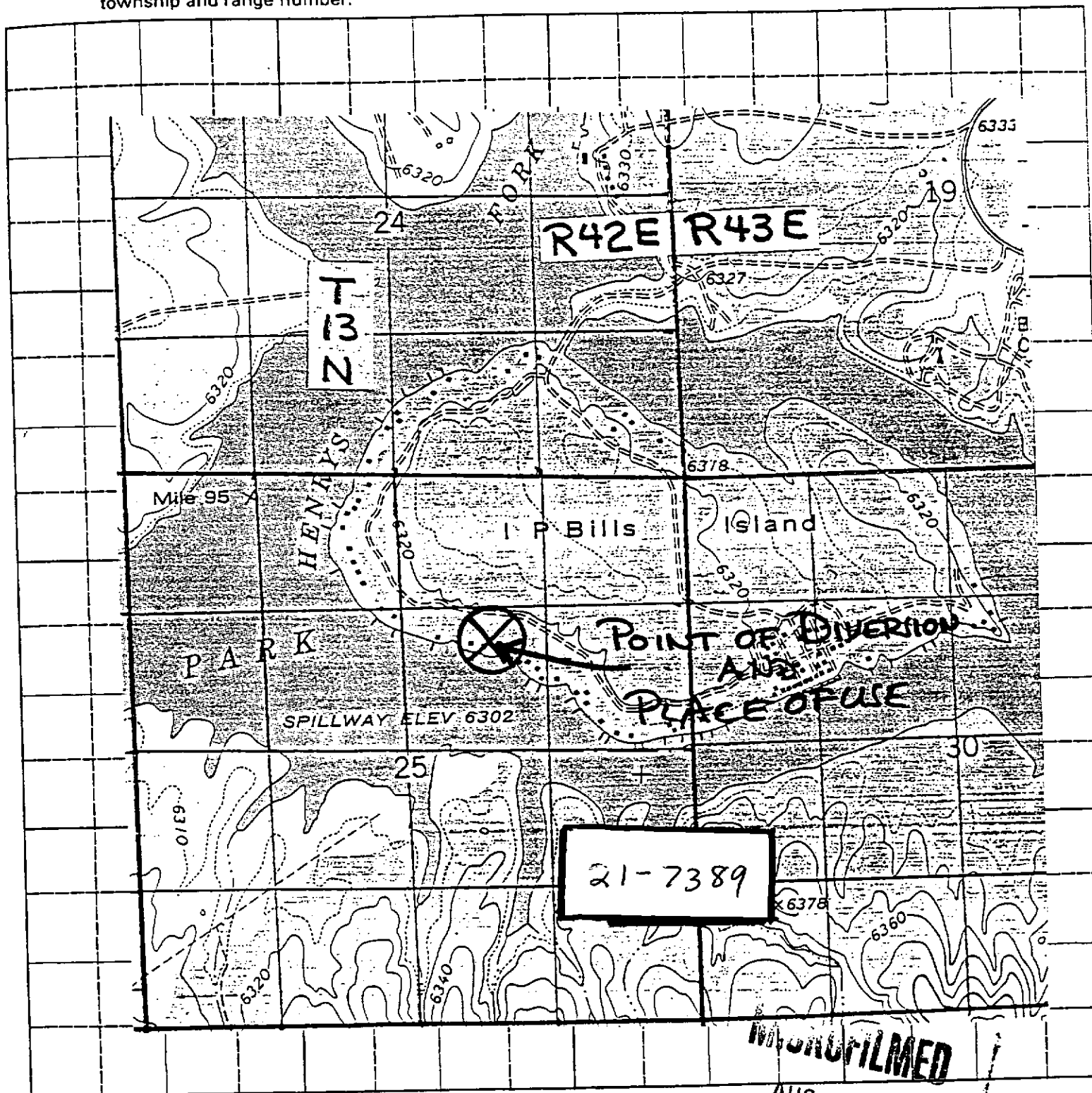
[illegible]

Do not use this space

AUG 14 1990

WILCO LIMITED

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.

[Signature]
(Applicant)
1-1559
11/18/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

21-7389
PERMIT NO.

Item E2

pump #1 - 1/2 hp

pump #2 - 1/2 hp

Static Water

level $\approx 20'$

30 psi

$$Q_{\text{Theor} \#1} = \frac{\text{hp} (8.814)(\text{eff})}{\text{lift} + (\text{psi} \times 2.308)} = \frac{1/2 (8.814) (18)}{20 + (30 \times 2.308)} = 0.04 \text{ cfs}$$

$$Q_{\text{Theor} \#2} = Q_{\text{Theor} \#1} = 0.04 \text{ cfs}$$

$$Q_{\text{Theor Total}} = (2)(0.04 \text{ cfs}) = \underline{\underline{0.08 \text{ cfs}}}$$

SIGNATURE

Page ____ of Page ____

Pressure tanks

Gate
valves

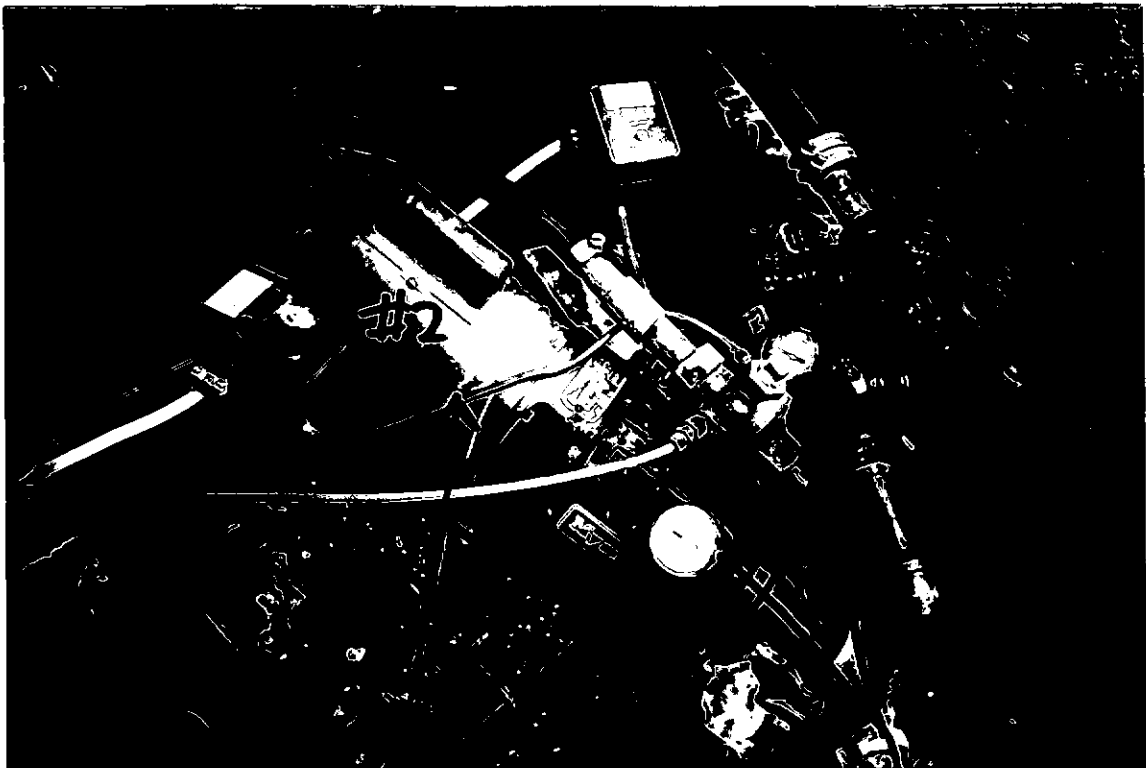


well

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AUG 14 1990

21-7389



pumps

pressure
gauges

MICROFILMED

AUG 14 1990

21-7389

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Theoretical calculations

Static water level from well log near by = 20'

pressure gage readings = 30 psi

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$$Q_{\text{Theor. Total}} = 0.08 \text{ cfs} \quad (\text{see attached sheet})$$

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:

$$V_{Dom} = 2 \text{ cabins @ } 0.6 \text{ af} \Rightarrow 1.2 \text{ af} \quad (\text{from tables})$$

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AUG 14 1990

Q from tables for 2 cables $= (2)(0.02 \text{ cfs}) = 0.04 \text{ cfs}$

575 211 A 577 10'0 4 10'0

21-7293 doesn't over lap this. Per mtg

if belongs to Wagners and is on a different lot on the island.

1. Recommended Amounts

Beneficial Use

Domestic (units)

From

se
To

12-31

Rate of Diversion

40'0

Annual Volume

27

1. Recommended Amounts

Beneficial Use

Domestic (units)

From

se
To

12-31

Rate of Diversion

40'0

Annual Volume

27

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None

Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date

Larry L. Waters

Long, J. W.

68-3-8

CONSULTANT SEAL

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

AUG 14 1999

THE UNIVERSITY OF CHICAGO

3447011

1

X

11



1963-64

Energy ~~2c~~
Adj ~~ONS~~

RECEIVED

OCT 20 1989

Department of Water Resources

HARVEY EAGER
1845 W. 4500 S.
#135

Box, UTAH 84067

Would you please update
your records to show the
above address. Thank you

Ronny Eager

21-7389

Computer updated
10/30/89
SO

MICROFILMED

AUG 14 1990

RECEIVED
JUL 13 1989

Department of Water Resources

July 12, 1989

Permit No. 21-7389

Harvey Eager
1845 W. 4500 S. #135
Roy, UT 84067

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

MICROFILMED
AUG 14 1990

RECEIVED
JUL 15 1989

Department of Water Resources

July 12, 1989

Permit No. 21-7389

Henry Nowak
1383 Lark Circle
Ogden, UT 84403

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

MICROFILMED

AUG 14 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 21-7389

Date: 6-28-89

General Considerations:

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

Source of Water:

y Surface water
y Groundwater
No 1. well log in file
N/A 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

*Prov acceptable
no well log found*

N/A Priority Calculation:

Date proof received _____

Date proof due _____

No. of days late _____

Priority date _____

NEW PRIORITY DATE

=
+ *RECEIVED*
= JUL 14 1989

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED

JUN 01 1989

no # enclosed *thif*
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by *Ly*
Reviewed by *Ly*
Sent to region *626-49*

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

Permit No. 21-07389

Name(s) of Permit Holder: HARVEY EAGER OR HENRY NOWAK ✓

Post Office Address: EAGER - 1845 W. 4500 S. #135 ROY, UT 84067 NOWAK - 1383
LARK CIRCLE, OGDEN, UT 84403 Telephone No. EAGER - 801-731-6137
NOWAK - 801-392-9128

Source of Water: GROUND WATER

Extent of Use:

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

Total rate and/or volume for which proof is submitted 0.04 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 1969

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No
Fee enclosed \$ NONE
(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:
HAROLD CUMMINGS 208-558-7327
(Name) (Telephone Number)

IP BILLS ISLAND, ISLAND PARK ID 83429
(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.

5-30-89 H. G. Nowak Harvey Eager (owners)
Date Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

HENRY G. NOWAK
BETTY A. NOWAK
1383 LARK CIRCLE
OGDEN, UT 84403

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 21-07389

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

RECORDED

JUL 14 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
JUL 14 1974

JUL 14 1974

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

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY KCW DATE 11/16/88 APPLICATION NUMBER 21-389
NOWAKREQUIRED 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

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JUL 14 1989

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested 7/18/89

Department of Water Resources

PROCESSING

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

SEND 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. 01
☒ Yes ☐ No Special conditions of approval or cover letter below.

☐ See below for additional information

Date of priority recommended 1-15-88 1-24-1989 due to increases
 By HWS Date 1-12-89 of cfs & addition
home.

STATE OFFICE REVIEW

P05, P23 P16 46 48 49

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

ADDITIONAL INFORMATION

App. in NONTRUST AREA

MAILED JED

JUL 17 1989

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that application for Permit No. 21-7389 in the name of Henry G. and/or Betty A. Nowak, Ogden, Utah was filed for the diversion of 0.02 cfs of water from a groundwater source with point of diversion within the SW1/4NE1/4, Sec. 25, T. 13N, R. 42E, B.M., Fremont County; to be used from Jan. 1 to Dec. 31 for domestic purposes for one family within the SW1/4NE1/4, Sec. 25, T. 13N, R. 42E, B.M.

The applicants, Harvey Eager or Henry Nowak, now proposes to amend Application No. 21-7389, requesting 0.04 cfs for domestic purposes for two families.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho, 83402, on or before March 6, 1989.

R. KEITH HIGGINSON

Director

Published ~~Fremont County~~ ^{Herald} Chronicle, February 16 and 23, 1989.

MAILED
JUL 14 1989

January 3, 1989

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

RE: Application for Permit No. 21-07389; Henry G.
and/or Betty A. Nowak

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

[Handwritten signature]

JUL 14 1989

December 7, 1988

Henry G. and Betty A. Nowak
1383 Lark Circle
Ogden, UT 84403

Application for Permit No. 21-07389

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. 21-07389. 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

JUL 14 1989

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb



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

JUL 14 1989

Encl.



NOTICE OF APPLICATION FOR WATER RIGHT

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO

JUL 17 1977

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 R42E S25 SWNE

NOV 16 1988
FBI - OGDEN

APPROVED FOR RELEASE BY THE FBI
ON 11-15-1988

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

RECEIVED
JUL 14 1989