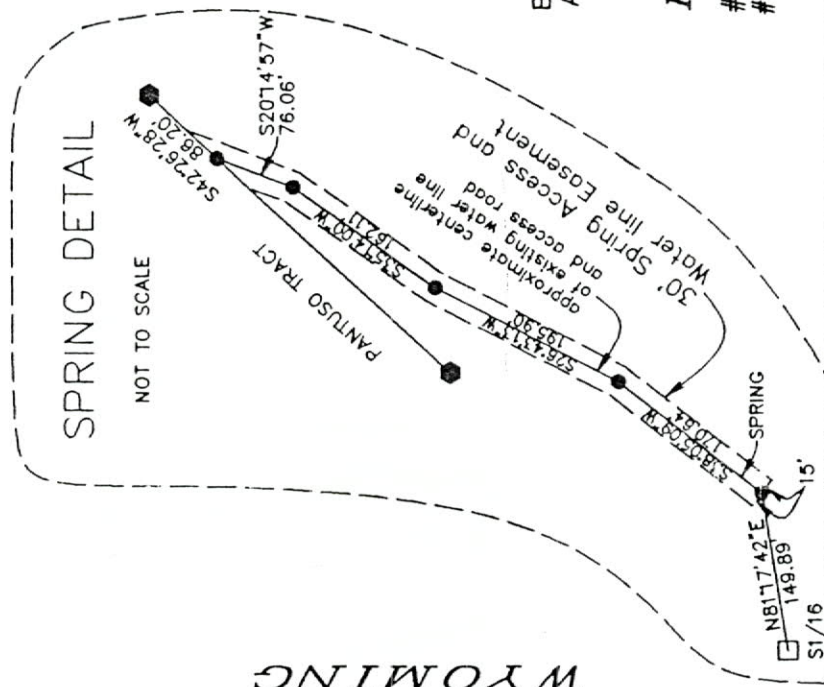
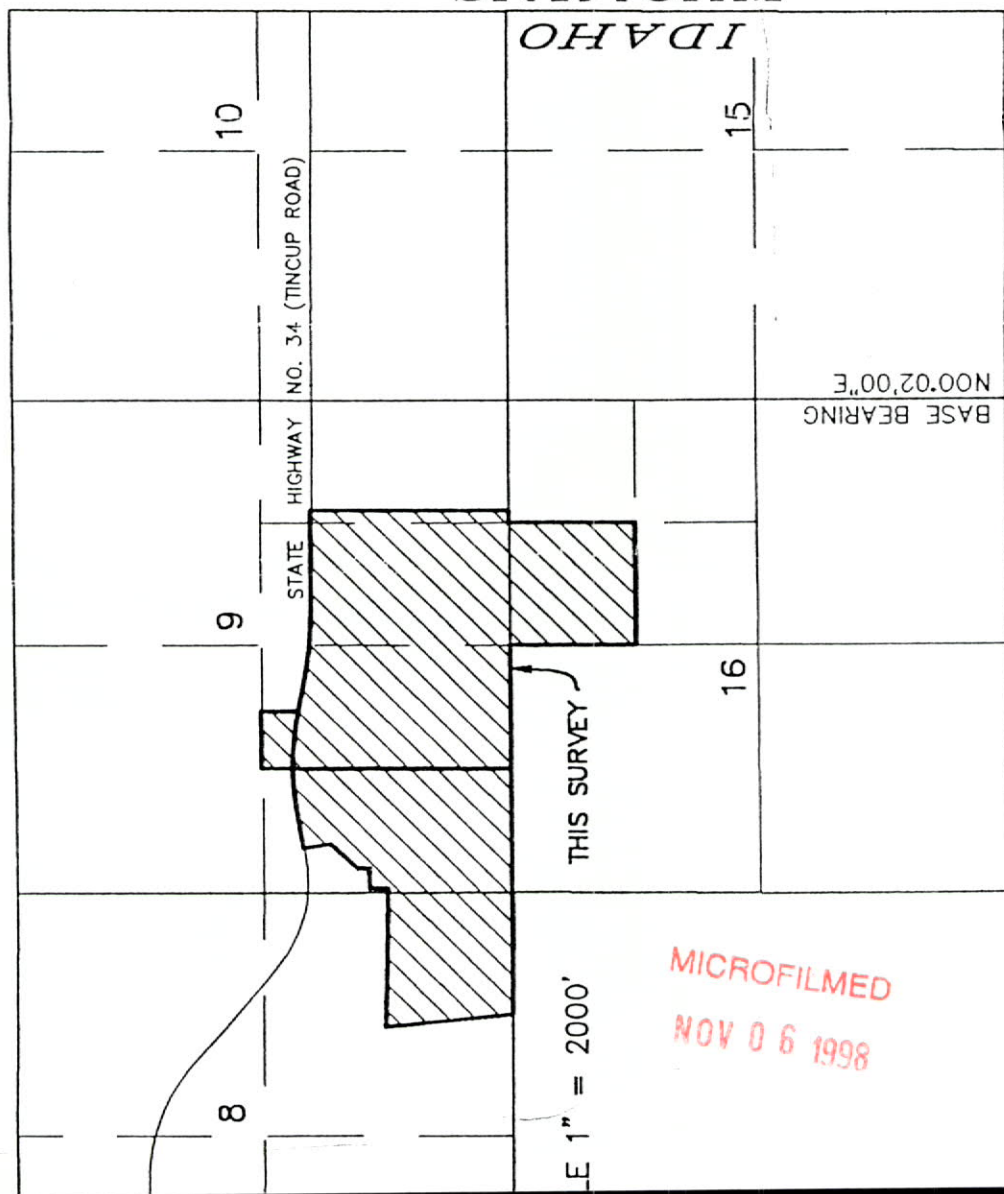


VICINITY MAP

T5S R46E



BASE BEARING =
ALONG THE EAST

RECORD OF

#124500 Corey and
#150139 David S. d



SURVEYOR SCHERBEL, LTD.

— PROFESSIONAL LAND SURVEYORS —

Scott A. Scherbel
18 November 1996
ID - Luthi, Cordell
TRACTS
p91,p.14-20,30,35-39,43,47-52,58-63
luthi2.pro

BOX 4296 BIG FINEY -- MARBLETON, WYO. -- TELEPHONE 307-276-3347
JACKSON, WYO. -- TEL. 733-5903. BOX 725 AFTON, WYO. -- TEL. 886-9319. LAVA, IDAHO -- TEL.

MICROFILMED
NOV 06 1998



stockwater
spring

sec 16

24-7186



POD stockwater NEN
pipeline to
stock tank



stockwater
spring
sec 16
NENW

POU # 24-7186 - Stockwater



Surface
flow
from
stockwater
spring



Domestic
spring
sec 16
NWNW

POD 24-7186 Spring collection area for domestics



Spring collection box for domestics



Domestic
spring
sec 16
NW NW

Overflow from domestic spring's collection box.

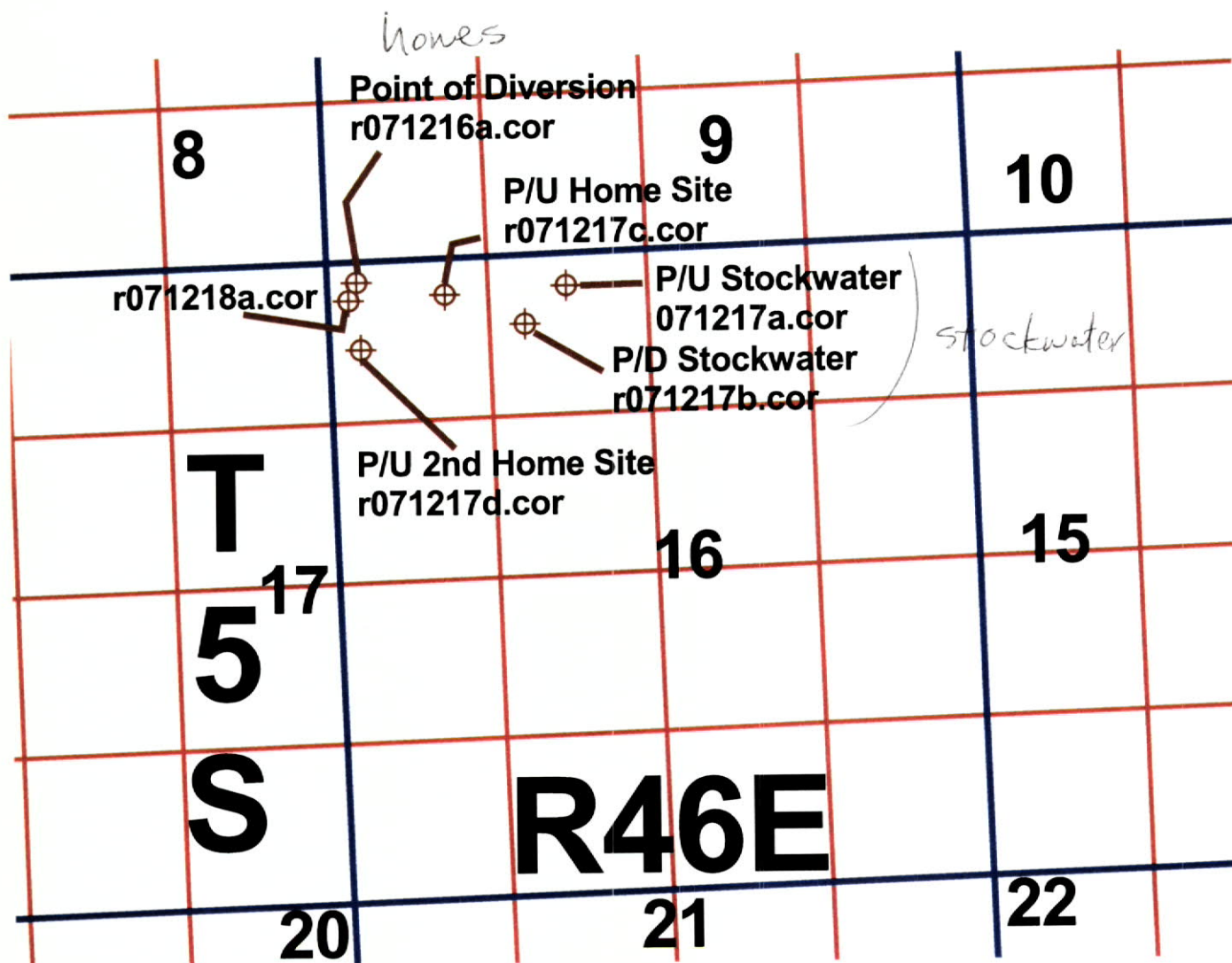


Domestic
spring
sec 16
NW NW

POU # 24- 7186 Ron Gregory's home

POU Son's home





 S05s46e.shp
 T05s46e.shp
 Posnpnt.shp

24-07186

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

20th day of
August, 1998

The date of the last publication
being the 27th day of

August, 1998

On this 4th day of September

in the year of 1998 before

me, a Notary Public, personally
appeared

Mark Steele
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.

Wendy D. Steele
Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:
March 11, 2000

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

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

24-07186

GREGORY, MARJORIE
GREGORY, RONALD
FREEDOM, ID 83210

Source: SPRING

Tributary: SINKS

Diversion Pt.: SESESE Sec. 8 T
05S R 46E in CARIBOU COUTY

Use: STOCKWATER (0.020
CFS) DOMESTIC (0.040 CFS)

Total Diversion: (0.060 CFS)

Date Filed: 8/5/1998

In: CARIBOU COUNTY T05S
R46E S08 SESE

24-07187

GREGORY, RONALD
GREGORY, MARJORIE
FREEDOM, ID 83210

Source: SPRING

Tributary: SINKS

Diversion Pt.: SWNWSW Sec.
9 T 05S R 46E in CARIBOU
COUNTY

Use: STOCKWATER (0.020
CFS) DOMESTIC (0.040 CFS)

Total Diversion: (0.060 CFS)

Date Filed: 8/5/1998

In: CARIBOU COUNTY T05S
R46E S09 NWSW

Any protest against the pro-
posed application must be filed
with the Department of Water
Resources, 900 North Skyline
Drive, Suite A, Idaho Falls, ID
83402, together with a protest fee
of \$25.00 on or before SEPTEM-
BER 8, 1998 to be considered by
the Department in its decision to
grant or deny any part of the pro-
posed application. The protestant
must also send a copy of the protest
to the applicant.

(s) KARL J. DREHER,
Director

Published Aug. 20 and 27, 1998
in the Caribou County Sun.

RECEIVED

SEP 14 1998

Department of Water Resources
Eastern Region

MICROFILMED

NOV 06 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.	)	ORDER OF
24-07186 IN THE NAME OF	)	REINSTATEMENT
MARJORIE GREGORY AND	)	
RONALD GREGORY	)	
_____	)	

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use ("proof of beneficial use") be submitted to the Department on or before November 1, 2000; and,

WHEREAS, the Department notified the permit holder on August 31, 2000, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; or an extension of time request and,

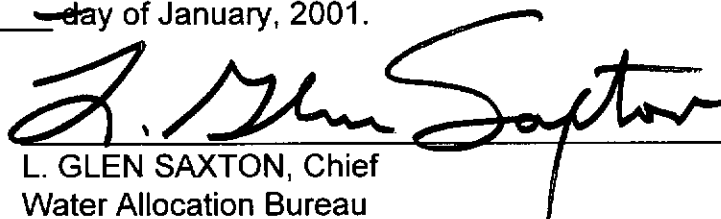
WHEREAS, the Department sent the permit holder a lapse notice on November 16, 2000, since the Department had not received an acceptable proof of beneficial use statement or extension of time request; and

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on December 1, 2000;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 24-07186 is **REINSTATED** with an advance in priority to September 5, 1998.

DATED this 4th day of January, 2001.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
JAN 29 2001

RECEIVED

DEC 01 2000

Department of Water Resources

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 2407186 Telephone No. 1-800-264-6705
2. Name of Permit Holder(s):
Ronald Gregory
3. Mailing Address: 383 Tull Road
City West Monroe State LA Zip 71292
4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): two Stockwater (No. and type of stock): approx. 10 horses
Irrigation (No. of acres): 1 1/2 acre Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.06 cfs OR _____ acre-feet
7. Measuring Device Requirement: **(refer to the approval conditions on your permit and respond accordingly)**
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Ronald Gregory Telephone Number: 1-800-264-7605
Address: will advise if other
10. **The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.**

Signature of permit holder:

Gonzalez Dreyer
(include your title, if on behalf of company or organization)

Date:

11-24-02

JAN 29 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 24-07186

Proposed Priority: August 5, 1998

Maximum Diversion Rate:

0.06 CFS

This is to certify, that **MARJORIE GREGORY**
RONALD GREGORY
FREEDOM ID 83210

has applied for a permit to appropriate water from:
SPRING tributary of **SINKS**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESESE, Sec. 8, Township 05S, Range 46E
CARIBOU County

PLACE OF USE: STOCKWATER

TWN RGE SEC

05S 46E 8 SESE

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 2000**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Stockwater use is for up to 10 horses.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
6. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
7. Domestic use is for 1 home.

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

28th day of October, 1998.

MICROFILMED

NOV 06 1998

[Signature]
for Karl J. Dreher, Director

Ident. No. 24-07186

STATE OF IDAHO
RECEIVED DEPARTMENT OF WATER RESOURCES
SEP 21 1998 **APPLICATION FOR PERMIT**

RECEIVED
AUG 05 1998

Department of Water Resources

Department of Water Resources
Eastern Region

1. Name of Applicant Ronald & Marjorie Gregory Phone (307) 890-8109

Mailing address Freedom, Idaho 83216

2. Source of water supply underground spring which is a tributary of N/A Swks

3. Location of point of diversion is Township 5S Range 46EBM Sec. 8 in the SE 1/4, SE 1/4, SE 1/4, Govt. Lot Caribou County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 cfs for inside culinary purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 cfs for outside culinary purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for under 25 livestock purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 cfs for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 cfs for Stockwater 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)

5. Total quantity to be appropriated is (a) .06 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source gathering ditch 1' by 1'

b. Height of storage dam N/A feet; active reservoir capacity less than 1 acre-feet; total reservoir capacity _____ acre-feet

c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? No; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)

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

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

b. Stockwatering; list number and kind of livestock. 10 or less (horses)

c. Municipal; show name of municipality. ---

d. Domestic; show number of households. one

e. Other; describe fully. ---

MICROFILMED
NOV 06 1998

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 place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	46E	8																D	
		8																S	

Total number of acres to be irrigated 0

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

11. a. Who owns the property at the point of diversion? Ronald and Marjorie Gregory

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

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

12. Remarks:

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

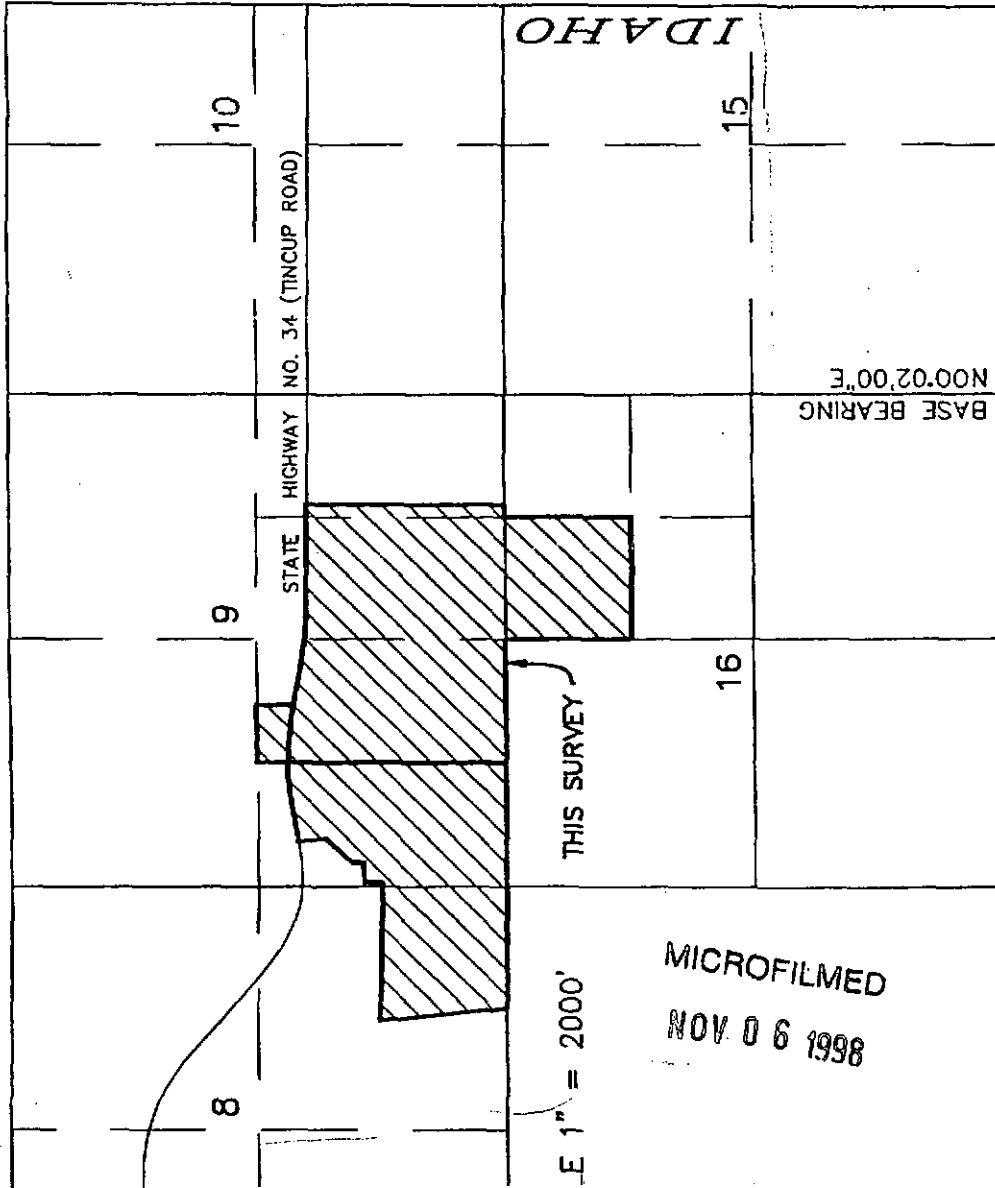
MICROFILMED
NOV 06 1998

Ronald Gregory
Signature of Applicant (and title, if applicable)

Received by HWS Date 8-5-1998 Time _____ Preliminary check by _____
 Fee \$ 50.00 Received by HWS # E024325 Date 8-5-98
 Publication prepared by SL Date 8/19 & 8/26/98 Published in Cambria Sun
 Publication approved [Signature] Date 9-16-1998

VICINITY MAP

T5S R46E



IDAHO

WYOMING

E 1" = 2000'

THIS SURVEY

STATE HIGHWAY NO. 34 (TINCUP ROAD)

10

9

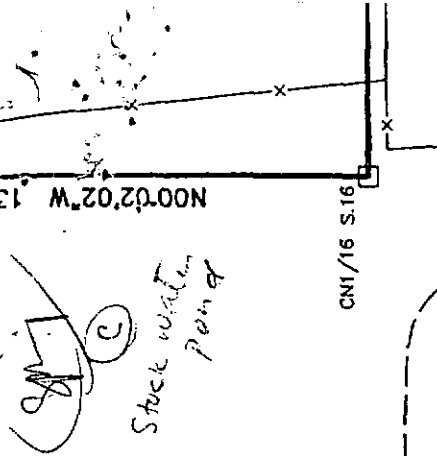
8

16

15

BASE BEARING N00°02'00"E

MICROFILMED
NOV 06 1998



SPRING DETAIL

NOT TO SCALE

PANTUSO TRACT

30' Spring Access and Water line Easement

SPRING

S1/16



SURVEYOR SCHERBEL, LTD.

— PROFESSIONAL LAND SURVEYORS —

Scott A. Scherbel
18 November 1996
ID - Luthi, Cordell
TRACTS
p. 91, p. 14-20, 30, 35-39, 43, 47-52, 58-63
luthi2.pro

BOX 4296 BIG HONEY -- MARBLETON, WYO. -- TELEPHONE 307-276-3347
JACKSON, WYO. -- TEL. 733-5903; BOX 725 AFTON, WYO. -- TEL. 886-9319; LAVA, IDAHO -- TEL.

BASE BEARING = 1
ALONG THE EAST

RECORD OF

#124500 Corey an
#150139 David S.

CN1/16 S.16

N00°02'02"W 12

Stick water pond

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

Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

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

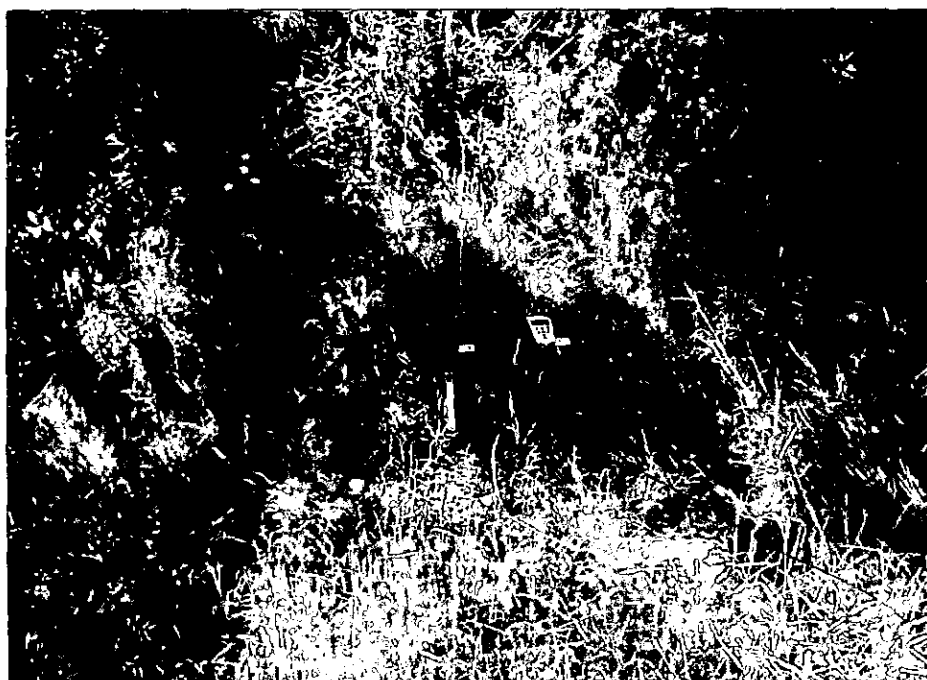
*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. Measurements: 2 1/2 gallons in 1 min 12 seconds. (DOMESTIC) OVERFLOW



stockwater
spring

sec 16

#24-7186

POD stockwater NEW
pipeline to
stock tank





stockwater
spring
sec 16
NE NW

POU # 24-7186 - Stockwater



Surface
flow
from
stockwater
spring

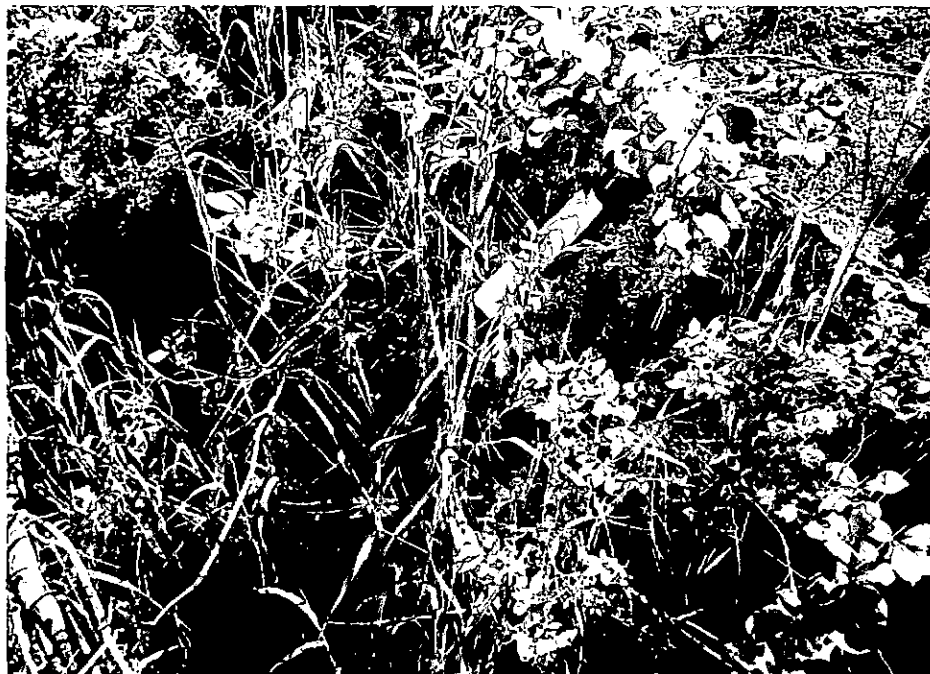


Domestic
spring
sec 16
NWNW

POD 24-7186 Spring collection area^B for domestics



Spring collection box for domestics



Domestic
spring
sec 16
NW NW

Overflow from domestic spring's collection box.

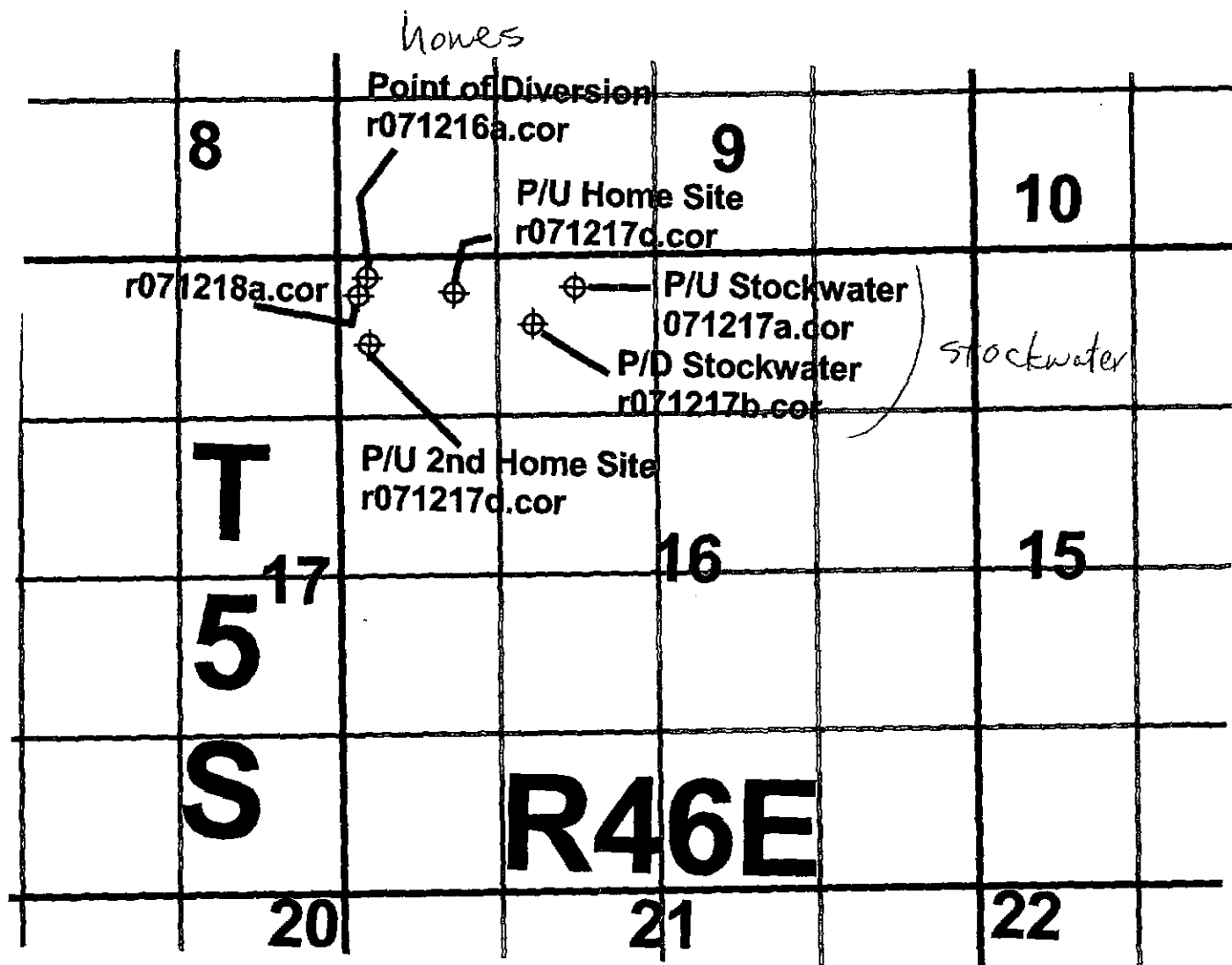


Domestic
spring
sec 16
NW NW

POU # 24-7186 Ron Gregory's home

POU Son's home





☐ S05s46e.shp
☐ T05s46e.shp
 ⊕ Posnpnt.shp

24-07186

E. NARRATIVE/REMARKS/COMMENTS

two separate springs - one to domestic (2 homes)
one to a stock trough. 20 cattle/horses

Cullinary spring is providing water to two homes for cullinary purposes.
Spring flows into a collection tank 1500 gallons. The tank contains
2 1/2 hp pumps to take water to the home sites. Collection tank is
located 40' north of collection area. Lines leading to homes are 2" pvc.

Mr. Gregory has 20 head of cattle he waters from 3 other springs.
1 spring was dry and he said he didn't believe he fiked on it anyway.
Spring to cattle trough (POU Trough) RO 71217A

(POD collection pipe) RO 71217B

Flow was way down due to drought year. Generally this springs flow is
stronger than the cullinary well according to Mr. Gregory.

Instream
use
only

The third spring is being used by cattle and horses as its surface. (POD POU same)
It is also a secondary cullinary well for the homes if something goes wrong
with the main cullinary well. RO 71218A → GPS only tracked 11 pts.
this site is roughly 150 ft. West of Cullinary spring.
Flow on the cullinary well is 2 1/2 gallons in 1 min 12 seconds. This is
down from ~~normal~~ normal years. Overflow pipe was used as the measurement point.

RO 71216A Cullinary Spring POD

RO 71217C - Ron Gregory's home POU

RO 71217D The son's home POU

RO 71217B POD Cattle trough spring collection spot

RO 71217A POU Cattle trough

RO 71218A POD & POU stock & possible back-up cullinary spring

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

a fifth spring was given to a neighbor along with an acre of land on which the spring
is located.

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

use standard amounts 0.04 domestic
 0.01 stockwater 20 head cattle/horse
0.05

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:

(two) homes $\times 1.2 \text{ AF/A} = 2.4 \text{ AF/A}$ stockwater (20 cattle or 10 horses) = 0.3 AF/A **H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	01/01	12/31	0.04	2.4 AF/A
stockwater	01/01	12/31	0.01	3 AF
Totals:			0.05	2.7 AF/A

2. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name Steve Mueller Date 7-12-01Reviewer DAVE CARLSON Date 5/14/2002

SEAL



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

January 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MARJORIE GREGORY
RONALD GREGORY
383 TULL ROAD
WEST MONROE LA 71292

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 24-07186

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

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 the field examination, please contact the **Eastern Regional Office** of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED
JAN 29 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 24-7186

Reviewed By: dgibson

Date: January 3, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?		X	Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		C051309	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		X
Are the water uses correct?		X	Measure device waiver requested?		X

Priority Calculation

Date proof received		12/01/2000
Date proof due	-	11/01/2000
No. of days late	=	30
Holiday allowance	+	
Priority date	+	09/05/1998
New priority date	=	10/05/1998

Corrected on Ad Hoc site

Deficiencies of Actions Items

Acknowledge proof, reinstate permit, advance priority to 10/05/1998. Advise that water use is for 1 home not 2.

RECEIVED

DEC 01 2000

Department of Water Resources

381 Shoup Avenue

P. O. Box 50271

Idaho Falls, Idaho 83405-0271

Phone: (208) 523-9106

Fax: (208) 523-9146

E-mail: justlaw@justlawidaho.com

JUST LAW OFFICE

CHARLES C. JUST

MYRNA LYNN SOUTH*

Bankruptcy Litigation

*also licensed in Utah

KEVIN B. HOMER

General Litigation

November 29, 2000

State of Idaho
Department of Water Resources
1301 North Orchard
Boise, Idaho 83702

Attention: Debbie Gibson

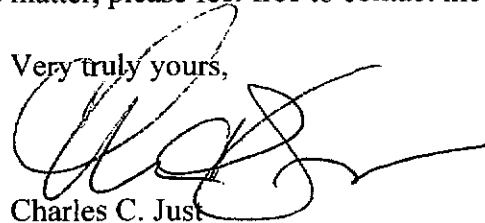
Re: Permit No. 2407186-R Gregory – Proof of Beneficiary Use

Dear Ms. Gibson:

This office represents Ronald Gregory as it relates to the above-referred. Enclosed herein please find the original Proof of Beneficiary Use executed by our client, together with the licensing examination fee, in the amount of \$50.00.

If there are questions concerning this matter, please feel free to contact me at this office.

Very truly yours,



Charles C. Just

CCJ:db

Enclosures

cc: Ronald Gregory

MICROFILMED

JAN 29 2001

November 16, 2000

MARJORIE GREGORY
RONALD GREGORY
FREEDOM ID 83210

LAPSE NOTICE

RE: PERMIT NO. 24-07186

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated August 31, 2000. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 11/16/00
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

MICROFILMED

JAN 29 2001

August 31, 2000

MARJORIE GREGORY
RONALD GREGORY
FREEDOM ID 83210

PROOF DUE NOTICE

RE: PERMIT NO. 24-07186

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 November 1, 2000.

(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.

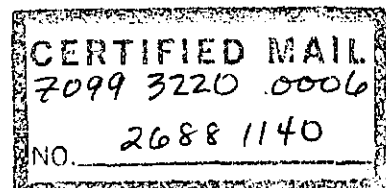
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures



MICROFILMED

JAN 29 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 28, 1998

PHILIP E. BATT
GOVERNOR

MARJORIE GREGORY
RONALD GREGORY
FREEDOM ID 83210

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMITS 24-07186/24-07187

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permits authorizing you to establish new water rights. Please be sure to thoroughly review the conditions of approval and remarks listed on your permits.

The permits are preliminary orders issued by IDWR pursuant to section 67-5243, Idaho Code. They can and will become final orders without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

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NOV 06 1998

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of October, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDERS (Approved Permits) to the person(s) listed below:

Water Rights 24-07186/24-07187

RONALD GREGORY
MARJORIE GREGORY
FREEDOM ID 83210


Kari Lynn Townsend
Secretary

MICROFILMED
NOV 06 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

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NOV 06 1998

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by CindyNo.: 24-7186 Name: Gregory Date: 10/28/98 Ad OK? ☒ / Gvmt Lts: ☒AREA OF CONCERN: - No/Yes: ESRP Mor / GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

≤ 1 year/no proof

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

WMD Supplemental use

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

DRILLING PERMIT:

All wells (✓ WDQ3)

In Basin 34?

Irr. within WD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED:

IN/ABOVE MIN. STR. FLOW (✓ MAP)

WD (✓ MAP & LISTING)

> 0.10 cfs

≤ 0.10 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

Weiser R (67)

USE:

Domestic surface

>1 in rest. area

Fire Protection

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stockwater

Storage (✓3 compo.)

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev.

Mitigation

SWAN FALLS FLAG (See Code Chart)

Trust

Non-Trust (1)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

26A P17

- P16

- North / East / West

- 067 or No MD (in-stream stock or power)

- No MD

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

- 01M (report when notified)

- No MD

- 046-P23

- 085

- P05 (new well location)

- Yes / No; RESPONSE: None

- *WB9

- R04 (WD #)

- 01J-P08 (MD & LD)

- 01H-P01 (LD), 01P or No MD (in-stream stock)

- 067 or No MD (in-stream stock or power)

- No MD

- 01M or No MD (in-stream stock or power)

- No MD

- *W22 -P04, NA

- 007 (w/ remark *WB9 if above Weiser), NA

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

- 029 (fish screens), NA

- 086, 087

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

- 071-070

- 077

- 029(70's only)-007-042(req)-081 (WQ)-P10

- R07 (injection well)

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- 054(req) -081-P10

- 022, 075, 004 (+memo?), NA (not in restricted area)

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

- R37 (BLM/USFS); NA

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

P84 (in 20/30/40/50/60/70/80 (87) basin)

- 058 (<85° GW temp only)

- P52 (stream channel alteration)

- 120

- 051-052-053-P74 (Consumptive Uses), NA

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU)

① W02/10 H ② W01/1 ③ 071 ④ 070

- 11/1/ 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 1, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

Idaho Dept. of Fish & Game
Southeast Region
1345 Barton Rd
Pocatello ID 83204-1819

RE: Applications for Permit Nos. 24-07186 & 24-07187

To Whom It May Concern:

The Department of Water Resources (IDWR) is preparing to issue a water appropriation permit for the above applications. Before proceeding, IDWR would appreciate receiving your comments, if any, on the proposed diversion and use of surface water. I have enclosed copies of the applications for your review. Please respond with your comments by October 15, 1998. If I have not heard from you by then, I will assume you have no comment and will proceed with issuing the permits.

If you have any questions, you may contact me directly at (208) 327-7944 or by electronic mail at czimmerm@idwr.state.id.us.

Respectfully,

Cindy Zimmerman
Water Resource Agent

Enclosures

MICROFILMED

NOV 06 1998

RECEIVED

SEP 21 1998

DEPARTMENT OF WATER RESOURCES

Dist. for staffing

Submitted for advertising 8-5-1998

Form No. 202

4/87

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS PERMIT

INITIAL REVIEW BY HWT DATE 8-5-98 APPLICATION NO. 24-07186

GREGORY
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 signatory 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
- Yes ☐ No ☐ 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 _____

PROCESSING

☒ Yes ☐ No In 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 Sept 8, 1998
☐ 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. _____
☐ Yes ☐ No Special conditions of approval or cover letter below.

Date of priority recommended 8-05-1998
By: [Signature] Date: 9-16-1998
STATE OFFICE REVIEW

By _____ Date: _____
ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation Dist.
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Div. of Environment	<u> </u> Other

Project impacts/implications report

COMMENTS

[illegible]

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

Publisher

That he is of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for 2 successive weekly issues thereof, the date of the first publication being the

20th day of

August, 1998

The date of the last publication

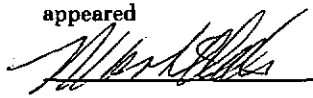
being the 27th day of

August, 1998

On this 4th day of September

in the year of 1998 before

me, a Notary Public, personally appeared


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.

Wendy D. Steele
Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:
March 11, 2000

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

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

24-07186

GREGORY, MARJORIE

GREGORY, RONALD

FREEDOM, ID 83210

Source: SPRING

Tributary: SINKS

Diversion Pt.: SESESE Sec-8 T-05S R 46E in CARIBOU COUTY

Use: STOCKWATER (0.020 CFS) DOMESTIC (0.040 CFS)

Total Diversion: (0.060 CFS)

Date Filed: 8/5/1998

In: CARIBOU COUNTY T05S R46E S08 SESE

24-07187

GREGORY, RONALD

GREGORY, MARJORIE

FREEDOM, ID 83210

Source: SPRING

Tributary: SINKS

Diversion Pt.: SWNWSW Sec. 9 T 05S R 46E in CARIBOU COUNTY

Use: STOCKWATER (0.020 CFS) DOMESTIC (0.040 CFS)

Total Diversion: (0.060 CFS)

Date Filed: 8/5/1998

In: CARIBOU COUNTY T05S R46E S09 NWSW

Any protest against the proposed application must be filed with the Department of Water Resources, 900 North Skyline Drive, Suite A, Idaho Falls, ID 83402, together with a protest fee of \$25.00 on or before SEPTEMBER 8, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

(s) KARL J. DREHER,
Director

Published Aug. 20 and 27, 1998
in the Caribou County Sun.

RECEIVED

SEP 14 1998

Department of Water Resources
Eastern Region

MICROFILMED

NOV 06 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

August 12, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RONALD AND/OR MARJORIE GREGORY
FREEDOM ID 83210

RE: Application for Permit #24-07186 AND #24-07187

Dear Applicant:

This office is currently in the process of advertising the application in the Caribou County Sun on August 19 and August 26, 1998. The advertisement will be published once a week 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.

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

Sincerely,
Harold W. Jones

Harold W. Jones
Water Right Supervisor

HWJ::sc

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NOV 06 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AUGUST 12, 1998

Legal Notices Department
CARIBOU COUNTY SUN
P.O. BOX 815
SODA SPRINGS, ID 83276

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.

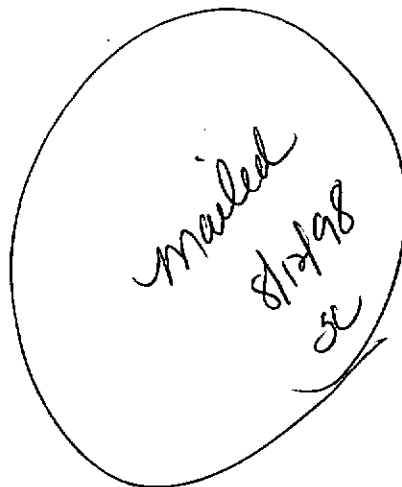
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 8, 1998.

Yours truly,

Sharla Cox
Secretary

Encl.



MICROFILMED

NOV 06 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

24-07186

GREGORY, MARJORIE
GREGORY, RONALD
FREEDOM, ID 83210

Source: SPRING

Tributary: SINKS

Diversion Pt: SESESE Sec 8 T 05S R 46E in CARIBOU County.

Use: STOCKWATER	(	0.020 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.060 CFS)

Date Filed: 8/ 5/1998

In: CARIBOU County
T05S R46E S08 SESE

Any protest against the proposed application must be filed with the Department of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls, ID, 83402, together with a protest fee of \$25.00 on or before SEPTEMBER 8, 1998. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

Published: 8/19/1998 & 8/26/1998

KARL J. DREHER, Director

MICROFILMED

NOV 06 1998

**Charles C. Just*

**Myrna Lynn South*

Just Law Office

381 Shoup Avenue
P.O. Box 50271
Idaho Falls, Idaho 83405-0271
Phone - (208)523-9106
Fax - (208)523-9146

**Tammie Harris*
Legal Assistant

August 4, 1998

Idaho Dept. of Water Resources
Eastern Region
900 N. Skyline Drive
Idaho Falls, ID 83401

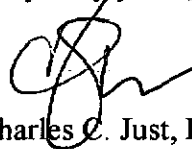
Re: Application for Permit (two) and Change of Name Certificate

Gentlemen:

Enclosed herein, please find two applications for a Water Permit, which have been executed by my client. I also enclose a Change of Name certificate, executed by my client concerning another water source. I enclose herewith \$50.00 for each application (\$100.00), for the filing fee.

Please review the same, and if there are questions, please feel free to contact me at this office.

Very truly yours,



Charles C. Just, Esq.

CCJ/sl

cc: Ron Gregory

Enclosures

MICROFILMED

NOV 06 1998

RECEIVED

AUG 05 1998

Department of Water Resources
Eastern Region