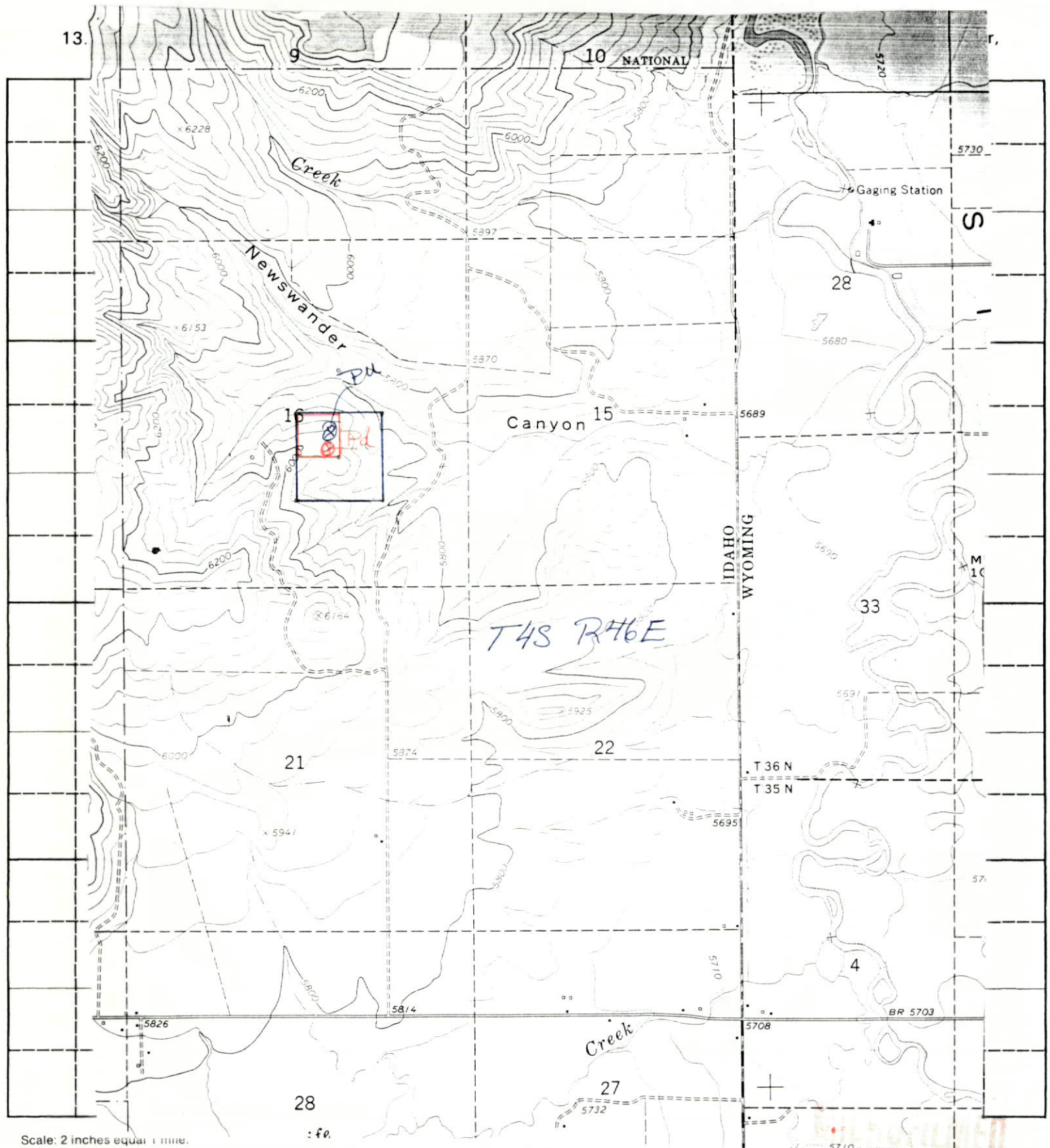




BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

James J. J. J.
(Applicant)

R46E T4S

x 6228

Creek

5897

Newswander

PLACE OF USE

POINT OF DIVERSION

16

24-07175

MICROFILMED
JAN 8 1957

CANYON

TRAIL

x 6442

6200

5800

5800



PLACE OF USE
(at time of photo cabin was
not completed)

MICROFILMED
JAN 11 8 1957

24-07175



Spring Storage Tanks
(Two)



Tanks also used under:

24-07038

24-7173

24-7174

24-07175

RECORDED

AM 0 8 1957





Spring



Water



Septic
TANK

Power

Water



Road
Repair





Water faucet

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 24-07175

Priority: August 4, 1989

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.3 AF

This is to certify, that BONNEVILLE HOMESTEADERS L C

1815 N MAIN

LOGAN UT 84321

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 4, 1989; and has submitted Proof of Beneficial Use on January 23, 1992. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

SPRING

tributary to SINKS

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>
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Totals		0.04 CFS	1.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSWNW, Sec. 16, Township 04S, Range 46E
BONNEVILLE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04S 46E 16

NENW

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

RECORDED

10 8 1997

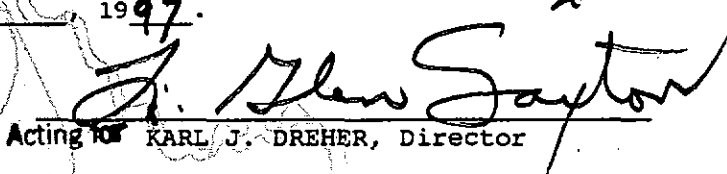
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 24-07175

CONDITIONS OF APPROVAL AND REMARKS

5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
8. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

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 2nd
day of January 1997.


Acting for KARL J. DREHER, Director

WR

MICROFILMED

JAN 08 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 24-07175)	
IN THE NAME OF BONNEVILLE HOMESTEADERS)	
L.C.)	ORDER
_____)	

This matter having come before the Department of Water Resources (Department) as a result of the submittal of a Request for Reconsideration, the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On January 17, 1990, the Department issued Permit No. 24-07175 (permit) to the Bonneville Homesteaders L.C. (permit holder) authorizing the diversion of 0.08 cubic feet per second of water from a spring tributary of Newswander Creek for stockwater and domestic use in the NWNWSE Section 16, Twp. 04S, Rng. 46E, Bonneville County. A condition of permit approval required the permit holder to submit proof of construction of works and application of water to beneficial use on or before February 1, 1992.

2. On January 23, 1992, the permit holder filed Proof Of Beneficial Use of water with the Department.

3. On August 13, 1993, Department staff conducted a field examination and could not determine that water had been diverted and applied to a beneficial use as authorized by the permit.

4. On August 18, 1994, the Department issued a Preliminary Order voiding permit no. 24-07175 and refusing to issue a license for the water right.

5. On August 23, 1994, the permit holder filed a Petition for Reconsideration (petition) of the Department's August 18, 1994, Order.

6. On September 27, 1994, the Department conducted a field inspection and found that the permit holder had developed a beneficial use of water at a different location than authorized by the permit.

7. On December 30, 1996, the permit holder submitted an application for amendment to correct the point of diversion and the place of use description of the permit.

MICROFILMED

JAN 08 1997

CONCLUSIONS OF LAW

1. The permit holder has provided satisfactory information to show that he has developed a beneficial use of water.
2. The application for amendment of the permit can be approved.
3. The Department should rescind the Order dated August 18, 1994, and should reinstate the permit.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that the Order of the Department dated August 18, 1994, which voided Permit No. 24-07175 in the name of the Bonneville Homesteaders L.C. and which refused the issuance of a license is **RESCINDED**, and

IT IS FURTHER HEREBY ORDERED that Permit No. 24-07175 is **REINSTATED**.

Dated this 2nd day of January, 1997.



L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED

DEC 30 1996

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 24-07175

Date of Priority: August 4, 1989

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.3 AF

Comes now

BONNEVILLE HOMESTEADERS L C

1815 N MAIN

LOGAN UT 84321

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 24-07175, and requests that the permit be changed as follows:

Source: SPRING

tributary to SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.04 CFS	1.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSWNW , Sec. 16, Township 04S, Range 46E
BONNEVILLE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04S 46E 16

NENW

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Logan, Utah, this 23 day of December, 1996.

MICROFILMED

JAN 08 1997

S. David Dahl
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 24-07175

FOR DEPARTMENT USE ONLY

Preliminary check by Ret Fee = \$50.00 Received by Ret # 6037321 Date 12.30.96

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 24-07175 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
8. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

Witness my hand this 2nd day of January, 1997

K. J. Dreher
KARL J. DREHER, Director

for
RECORDED

JAN 8 1997

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	24-07175	James J. Sinarski	0.08
Full Assignment	24-07175	Bonneville Homesteaders L.C.	0.08

MICROFILMED

FEB 22 1994

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
)
NO. 24-07175 IN THE NAME) PRELIMINARY ORDER VOIDING
) PERMIT
OF BONNEVILLE HOMESTEADERS L C)
_____)

This matter having come before the Department of Water Resources (Department) as a result of an examination by Department staff to determine the extent of beneficial use of water, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On August 4, 1989, James J. Sinarski, applied to the Department of Water Resources for a permit to appropriate .08 cubic feet per second of water from an unnamed spring, tributary of Newswander Creek within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, Township 4S, Range 46E, B.M., Bonneville County, to be used for domestic and stockwater purposes.

2. On January 17, 1990, the Department approved the Application for Permit.

3. On December 12, 1991, the Department received Proof of Beneficial Use for the permit.

4. On August 13, 1993, Department staff conducted a field examination and the examiner's report indicated that water had not been diverted and put to a beneficial use as authorized on the permit.

5. The provisions of Section 42-219, Idaho Code, authorize the Director of the Department to void permits for which the applicant has not fully complied with the law and the conditions of the permit.

CONCLUSIONS OF LAW

1. Section 42-219, Idaho Code, states:

In the event that the Department shall find that the applicant has not fully complied with the law and the conditions of the permit, it may issue a license for that portion of use which is in accordance with the permit, or may refuse issuance of a license and void the permit.

2. Permit No. 24-07175 required that the permit holder complete construction of works and application of water from the source identified to the proposed beneficial use within the authorized permit period.

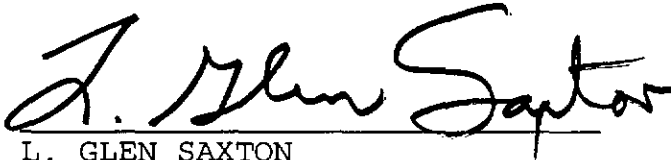
3. Examination by the Department revealed that the permit holder has not complied with the conditions of the permit by not completing construction of works and application of water from the identified source to the proposed beneficial use as required by the permit and Section 42-219, Idaho Code.

4. The permit should be voided pursuant to Section 42-219, Idaho Code.

ORDER

IT IS HEREBY ORDERED that Permit No. 24-07175 is VOIDED and issuance of a license is REFUSED under Section 42-219, Idaho Code.

Dated this 18th day of August, 1994.



L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED
FEB 04 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 25 1994

Department of Water Resources

ASSIGNMENT OF PERMIT
To change the ownership of a permit

Department of Water Resources
Eastern District Office

I, James J. Szwarski, hereby assign to Bonneville Homesteaders, L.C.
of 1815 No. MAIN Logan, Utah 84321
(Permit Holder) (Full Address)

All my right, title, and interest in and to Permit No. 24-07175
to appropriate the public waters of the State of Idaho.

Department of Water Resources

~~OR (for partial assignments)~~

The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State of Idaho.

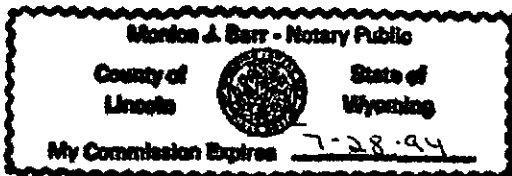
Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

Made this 14th day of JANUARY, 1994.

James J. Szwarski
Permit Holder(s)

State of Idaho Wyoming
County of Lincoln

On this 18th day of January, 1994, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



Monica J. Barr
Notary Public

Monica J. Barr
Signature

My commission expires: July 28, 1994

RECORDED
FEB 22 1994

RECEIVED

DEC 12 1991

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE JAN 23 1992

Department of Water Resources

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.

1. Permit No. 24-07175 Telephone No. (307) 654-99482. Name(s) of Permit Holder(s): James J. Sinarski3. Post Office Address: Box 183 Alpine, WY. 831284. Source of Water: Newswander Creek - Spring

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic 1 (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

Please make my permit for upto 0.04 cfs - 13,000 gal or less per day

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

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

Measuring device: Required? Yes ☒ No Installed? Yes ☐ No

OR

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

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

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

James Sinarski
Name

(307) 654-9948
Telephone No.

Box 183 Alpine WY. 83128
Address

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

12/10/91
Date

James J. Sinarski
Signature (and title if on behalf of a company or organization)

RECEIVED
FEB 06 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 24-07175

Proposed Priority: August 4, 1989

Maximum Diversion Rate:

0.08 CFS

This is to certify, that JAMES J. SINARSKI
P.O. BOX 183
ALPINE, WY 83128

has applied for a permit to appropriate water from:

SPRING

tributary of NEWSWANDER CREEK

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	04/01 to 12/01	0.02 CFS
DOMESTIC	01/01 to 12/31	0.06 CFS
	Totals	0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNWSE

Sec. 16, Township 04S, Range 46E
BONNEVILLE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04S 46E 16

NWSE

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1992.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
6. Use of water under this permit is subject to control by the watermaster of State Water District No. 01.
7. Domestic use is for 2 homes.

MICROFILMED

MAR 20 1990

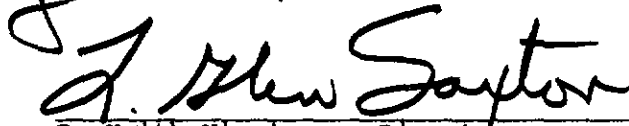
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 24-07175

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

17th day of January, 1990.


R. Keith Higginson, Director

MICROFILMED

MAR 20 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant James J Sinariski Phone (307) 654-9948
Post office address Box 183 Alpine Wyoming 83128
2. Source of water supply Spring which is a tributary of Newsunder Cr.
3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 16 Township 4S Range 46E B.M. Bonneville County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .06 for Domestic purposes from 1 January to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for Stockwater purposes from 1 April to 1 Dec (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) .08 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Headbox in springs with gravity feed to homes & farms
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years (minimum 1 year).

RECORDED

MAR 20 1990

CONFIDENTIAL

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

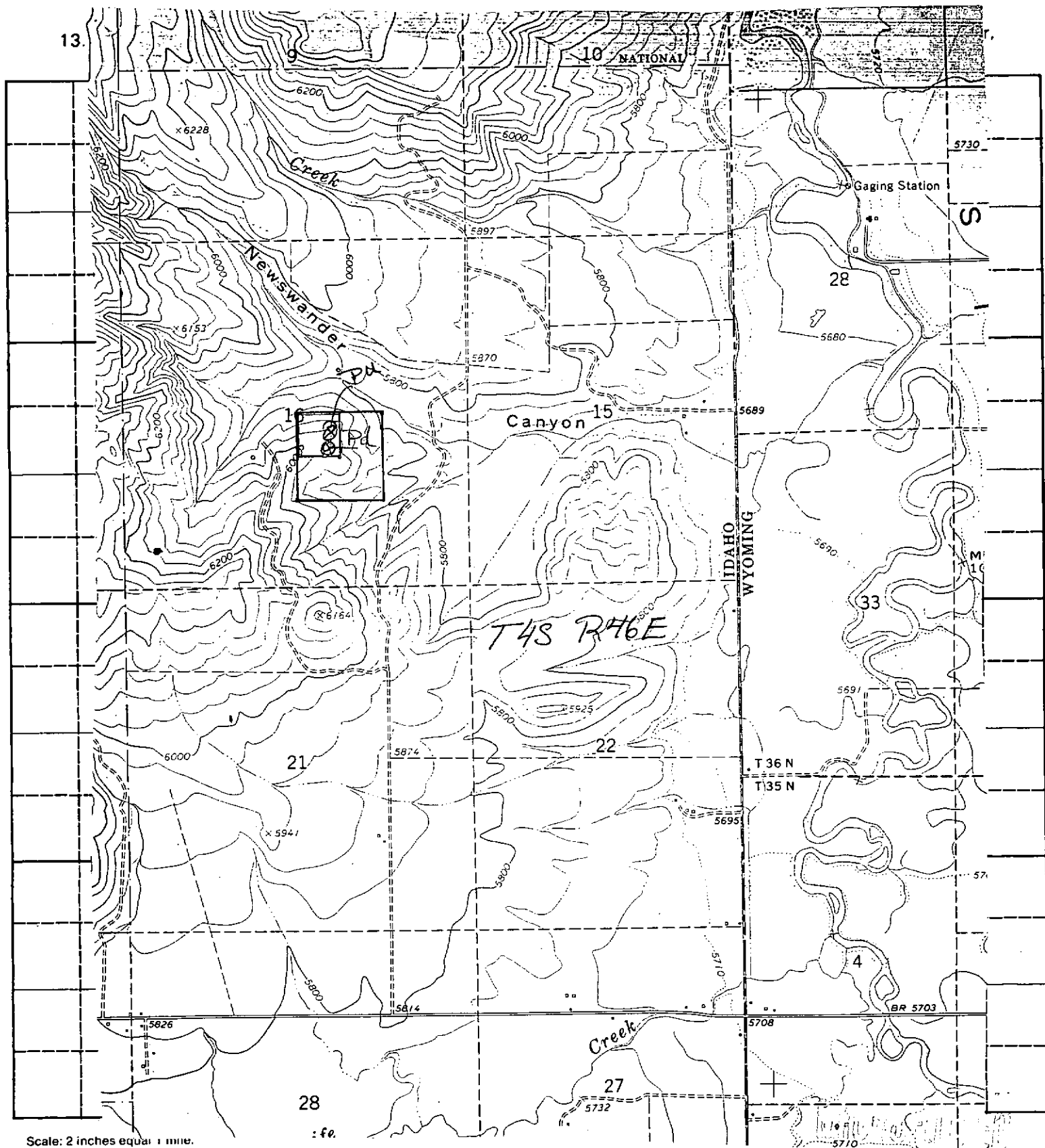
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant James J Sinariski Phone (307) 654-9948
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Sec. 16 Township 4S Range 46E B.M. Bonnaville County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .06 for Domestic purposes from 1 January to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for Stockwater purposes from 1 April to 1 Dec (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) .08 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Head box in springs with gravity feed to homes & traps
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years (minimum 1 year).

RECORDED

MAR 20 1990



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.

James J. Jorashi
(Applicant)

Prepared by DMD

Received by DMD Date 4 August 89 Time 16:23 Preliminary check by DMD
Fee \$ 30 Receipted by DMD # F009743 Date 4 August 1989
Publication prepared by RB Date 12-7-89 Published in Last-Register
Publication approved RB Date 12-26-89

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. _____, 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:

MICROFILMED

MAR 20 1990

25-07526

SKAAR, KEITH
SKAAR, CHERIE
1826 E. 49TH N.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NENW Sec 4 T 02N R 38E
Use: STOCKWATER (.900 CFS)
Date Filed: 9/27/1989
In: T02N R38E S04 NENW
25-07549

LATTA, FRANCIS A.
177 E. 49 S., TOWNSHIP RD.
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversion Pt: SESWSE Sec 31 T 02N R 38E
Use: IRRIGATION (.040 CFS)
STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Date Filed: 9/27/1989
In: T02N R38E S31 SWSE
2.0 ACRES TOTAL

25-07552
ARNOLD FEED LOT, INC.
3488 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNE Sec 15 T 02N R 38E
Use: STOCKWATER (.150 CFS)
COMMERCIAL (.020 CFS)
DOMESTIC (.080 CFS)
Date Filed: 8/15/1989
In: T02N R38E S15 NWNE

25-07553
SUNNYSIDE ESTATES WATER USERS
C/O MARGARET CONANT
1882 E. SUNNYSIDE
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversion Pt: NENENW Sec 33 T 02N R 38E
Use: DOMESTIC (.110 CFS)
Date Filed: 9/27/1989
In: T02N R38E S33 NENW
25-07554

CRM CO.
3004 WESTMORELAND CIRCLE
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWNWNE Sec 9 T 02N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 9/08/1989
In: T02N R38E S09 NWNE
25-07555

B & F DISTRIBUTING CO.
1095 IONA RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWSWSE Sec 5 T 02N R 38E
Use: COMMERCIAL (.080 CFS)
Date Filed: 9/28/1989
In: T02N R38E S05 SWSE
25-07556

DUFFEY, ROMNEY B.
DUFFEY, VICTORIA G.
6990 RIMROCK DR.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NENW Sec 29 T 02N R 39E
Use: IRRIGATION (.060 CFS)
STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Date Filed: 9/18/1989
In: T02N R39E S29 NENW
3.0 ACRES TOTAL

35-08831
JOHNSON, J. WARD
JOHNSON, MARY V.
246 HARTERT DR.
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversion Pt: NENENW Sec 26 T 02N R 36E
Use: STOCKWATER (.220 CFS)
DOMESTIC (.040 CFS)
Date Filed: 8/15/1989
In: T02N R36E S26 NENW
35-08849

STEEL, J. C.

NOTICE OF APPLICATION FOR WATER RIGHT

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

23-07134
DEMITROPOULOS, ALEX
DEMITROPOULOS, ILA
431 3 RD ST.
IDAHO FALLS, ID 83401
Source: PALISADES CREEK; Tributary:
SNAKE RIVER
Diversion Pt: SWSE Sec 26 T 01N R 44E
Use: IRRIGATION (.030 CFS)
Date Filed: 11/08/1989
In: T01N R44E S26 SWSE
1.0 ACRES TOTAL

23-07141
RUUD, DOUG
P.O. BOX 564
PALISADES, ID 83437
Source: GROUNDWATER
Diversion Pt: SENW Sec 25 T 01S R 45E
Use: DOMESTIC (.200 CFS)
Date Filed: 9/29/1989
In: T01S R45E S23 NESE
S24 NESW NWSW SWSW SESW
S25 NENW NWNW SENW.NESW

23-07142
QUAKER HAVEN WELL ASSOCIA-
TION
1285 CORINNE
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: SENW Sec 25 T 01S R 45E
Use: DOMESTIC (.180 CFS)
Date Filed: 9/07/1989
In: T01S R45E S25 SENW
24-07173

BUDGE, JR., THOMAS A.
P.O. BOX 488
NEW CANAAN, CT 06840
Source: UNNAMED SPRINGS; Tributary:
NEWSWANDER CREEK
Diversion Pt: NWNWNW Sec 16 T 04S R 46E
SESENE Sec 17 T 04S R 46E
Use: DOMESTIC (.040 CFS)
Date Filed: 9/28/1989
In: T04S R46E S16 NWNW

1615 W. 49TH N.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: SWSENE Sec 4 T 03N R 36E
Use: IRRIGATION (3.900 CFS)
Date Filed: 8/25/1989
In: T03N R36E S03 NWNE SWNE NENW
NWNW SWNW SENW NESW NWSW
SWSW SESW NWSE SWSE
S04 NENE NWNE SWNE SENE NESE
NWSE SWSE SESE
780.0 ACRES TOTAL
This is a supplemental water right applica-
tion. Lands under this application are irriga-
ted with existing rights from groundwa-
ter.

35-08853
CUTLER, BEVERLY
CUTLER, MARION L.
1723 S. GRIZZLY AVE.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: NWNWNE Sec 26 T 02N R 37E
Use: IRRIGATION (.030 CFS)
DOMESTIC (.140 CFS)
Date Filed: 8/28/1989
In: T02N R37E S26 NWNE
1.0 ACRES TOTAL

35-08854
AHLSTROM, FARRELL
ANDRUS, JR., DOUG
CHUMLEY, ORVILLE
HARRIELL, LADON
MATHERN, GRETCHEN
MATHERN, RUTH
2361 N. 35TH W.
IDAHO FALLS, ID 83401
Source: GROUNDWATER

24-07174

CLAUSEN, CHARLES P.
9814 S. CHYLENE DR.
SANDY, UT 84092
Source: UNNAMED SPRING; Tributary:
NEWSWANDER CREEK
Diversion Pt: SESENE Sec 17 T 04S R 46E
Use: DOMESTIC (.040 CFS)
Date Filed: 10/27/1989
In: T04S R46E S16 NWNW
24-07175

SINARSKI, JAMES J.
BOX 183
ALPINE, WY 83128
Source: SPRING; Tributary: NEWS-
WANDER CREEK
Diversion Pt: NWNWSE Sec 16 T 04S R 46E
Use: STOCKWATER (.020 CFS)
DOMESTIC (.060 CFS)
Date Filed: 8/04/1989
In: T04S R46E S16 NWSE
25-07509

GRAYSON SUBDIVISION WATER CO.
C/O ED GRAYSON
P.O. BOX 2511
IDAHO FALLS, ID 83403
Source: GROUNDWATER
Diversion Pt: NENWNE Sec 10 T 03N R 38E
Use: DOMESTIC (.170 CFS)
IRRIGATION (.060 CFS)
Date Filed: 8/10/1989
In: T03N R38E S10 NENE NWNE
2.0 ACRES TOTAL

25-07513
VERN CLARK & SONS CONSTRUC-
TION CO.
P.O. BOX 1529
IDAHO FALLS, ID 83403
Source: GROUNDWATER
Diversion Pt: NWNW Sec 8 T 02N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 8/21/1989
In: T02N R38E S08 NWNW

Diversion Pt: NESE Sec 9 T 02N R 37E
Use: IRRIGATION (.080 CFS)
DOMESTIC (.080 CFS)
Date Filed: 8/14/1989
In: T02N R37E S09 NESE
4.0 ACRES TOTAL

35-08855
SHURTLIFF, MERLENE
SHURTLIFF, RODNEY
3425 W. APRIL DR.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: NWNW Sec 34 T 02N R 37E
Use: STOCKWATER (.020 CFS)
DOMESTIC (.060 CFS)
Date Filed: 9/07/1989
In: T02N R37E S34 NWNW

35-08856
WAGNER, JR., KRISTIE L.
WAGNER, JR., EDWARD P.
331 N. 55TH W.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: SESE Sec 18 T 02N R 37E
Use: STOCKWATER (.020 CFS)
DOMESTIC (.110 CFS)
Date Filed: 8/08/1989
In: T02N R37E S18 SESE

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 cri-
teria 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
DECEMBER 26, 1989.

R. Keith Higginson, Director
Published: December 7, 14, 1989

MAR 20 1990

FILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

January 2, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BONNEVILLE HOMESTEADERS L.C.
1815 N MAIN
LOGAN UT 84321

RE: WATER RIGHT NO. 24-07175

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Also enclosed is an Order issued January 2, 1997, rescinding the Order dated August 18, 1994, and reinstating permit no. 24-07175.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address **PRIOR** TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address **AFTER** July 1, 1996, you must notify 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 to obtain the proper reporting form.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Shelley W. Keen
Water Rights Supervisor

SWK:ph

Enclosures

MICROFILMED

JAN 08 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 20, 1996

BONNEVILLE HOMESTEADERS L C
1815 N MAIN
LOGAN UT 84321

RE: WATER RIGHT NO. 24-07175

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return it with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

ENCLOSURE

JAN 08 1997

WR0749NP
No. L24-07175

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/20/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BONNEVILLE HOMESTEADERS L C 1815 N MAIN LOGAN UT 84321	08/04/1989	STOCKWATER DOMESTIC	01/01 12/31 01/01 12/31	0.010 CFS 0.040 CFS	0.10 AFA 1.20 AFA
TOTAL DIVERSION:					0.040 CFS	1.30 AFA

Water Source: SPRING

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion Capacity: 0.040 CFS

Point(s) of Diversion: T04S R46E S16 NWSWNW BONNEVILLE County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	

04S 46E 16 : : S : : : :																															

Place of use location for DOMESTIC is the same location as described for: STOCKWATER

Pou County: BONNEVILLE

Other Water Rights with Same Point(s) of Diversion and Source:
L24-07038

Conditions of Approval:

- 048 - The use of water under this right shall not give rise to any
 - claim against the holder of a senior water right based upon the
 - theories of forfeiture, abandonment, adverse possession, waiver,
 - equitable estoppel, estoppel by laches or customary preference.
- 049 - The Director retains jurisdiction of the right to incorporate
 - the use into a water district, require streamflow augmentation
 - or other action needed to protect prior surface water and
 - groundwater rights.
- R04 - Use of water under this water right will be regulated by the
 - watermaster of State Water District No. 01.

Remarks: Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

Dates: App. Received: 08/04/1989 Priority Date: 08/04/1989
Proof Due Date: 02/01/1992 Proof Made Date: 01/23/1992
Exam Made Date: 08/13/1993 Exam Sent to S.O.: 07/18/1994
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee: N (Not Required)

WR0749NP
No. L24-07175

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/20/96
PAGE: 2

Comments: Date: 12/12/1991 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 12/16/96 SCURTIS 12/17/96 SCURTIS 12/20/96 SCURTIS

MEMORANDUM

TO: File 24-07175

FROM: Sharla

DATE: December 15, 1996

RE: Recommendation Adjustment(s)

The final license recommendations for Right 24-07175 are based on the following:

H. RECOMMENDATIONS

Stockwater	1/1 - 12/31	0.01 cfs	0.1 afa
Domestic	1/1 - 12/31	0.04 cfs	1.2 afa
	TOTALS	0.04 cfs	1.3 afa

No beneficial use fee was paid; domestic use is in-house use (trailers) only; 0.04 cfs is sufficient for domestic use. There is no need to solicit a fee for an increase of 0.01 cfs to make the stockwater additive.

Examiner: Keith Wilson
Exam Date: September 27, 1994

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JAN 08 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 24-07175

DATE 12/16/96

REVIEWER: SHARLA

NAME Change OK Address Change No
 SOURCE ✓ Is change clarification of originally intended source?
 POINT OF DIV ✓ If not, prepare Notice of Intent to Void
 PLACE OF USE ✓ Amendment required yes
 Amendment required yes
 Does map agree with written description? ✓ yes no

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate .08 cfs

Fee limit .04 cfs NO FEE PD.

Measured cfs

Theoretical cfs

Recommended Total Div Rate .04 cfs

ANNUAL VOLUME/
NATURE OF USES

✓ Use

Volume Calculation	
<u>Dom</u>	<u>2 x .6 = 1.2</u> af
<u>Stock</u>	<u>.1</u> af
<u> </u>	<u> </u> af
<u> </u>	<u> </u> af
SUBTOTAL	<u>1.3</u> af

Flow rate .04 cfs X 365 days X 1.98 af = 29.0 af

Total volume recommended 1.3 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

D/2 homes. very not incl

CONDITIONS RA Watermaster Control WD# 01

 GW Measurement/Measuring Device

 Overlap

 Use-specific conditions

048,049

Advancement of Priority Date Required yes ✓ no

SRBA Claim Filed NA
 Adjustment Memo rate

1st Amend Letter P37, P38
 2nd Amend Letter P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 29 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 24-7175

1. Owner: Bonneville Homesteaders L C

Phone No. 801-752-5636

Current Address: 1835 N. Main, Logan UT 84321

757-3296 cellular
635-6038

2. Accompanied by: Brent Dahle

EXAM DATE: 27 Sept 1994

Address: 1835 North Main Street, Logan, UT 84321

Phone No. 801-752-5636
801-757-3296 cellular
800-635-6038

Relationship to Permit Holder: _____

3. Source: Spring tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: 24-07038 / 07173 / 07174

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident. No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SW	NW	16	4S	46E	Bonneville	On Site / USGS MAP / GPS

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	46E	16					D/S												

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JAN 08 1997

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: See Remarks

DAIC-21113

JUN 18 1957

E. NARRATIVE/REMARKS/COMMENTS

Spring collection box mainline to storage tanks then mainline carries water to a valve that diverts water to places of use under Per/Lic 24-07038, 24-07173, 24-07174 and to this place of use.

Could not take an accurate measurement. (No place to take measurement) Stream below storage tanks appears to flow greater than 0.20 cfs.

It is my opinion that this system is capable of diverting in excess of permitted amounts of 24-7038/7173/7174/7175.

Domestic use is a ^{trailer and} small cabin located within NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 16, T4S, R46E. (Domestic = 2)

Stockwater is for up to 10 head horses/cattle

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

MICROFILMED

JAN 08 1987

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

De minimus $D_2 = 0.06$ $S_{D_2} = 0.02 \text{ } 0.01 \text{ cfs}$
~~10~~**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:

 $D_{VOL} = 0.6 \text{ afa}$ no irrigation for each horse = 1.2 afa $S_{VOL} = 0.1 \text{ afa}$ **H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic (2 units)</u>	<u>1/1</u>	<u>12/31</u>	<u>0.06 cfs</u>	<u>1.2 afa</u>
<u>Stockwater</u>	<u>1/1</u>	<u>12/31</u>	<u>0.01 cfs</u>	<u>0.1 afa</u>
<u>(10 head horses)</u>				
Totals:			<u>0.07 cfs</u>	<u>1.3 afa</u>

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 KEITH C. WILSONDate 26 July 1995
27 Sept 1994Reviewer [Signature]Date 5-14-96

SEAL

MICROFILMED

JAN 08 1997

R46E T4S

x 6228

Creek

5897

Newswander

PLACE OF USE

16

POINT OF DIVERSION

6442

CANYON TRAIL

24-07175

MICROFILMED
JAN 8 1997

5800

POINT OF DIVERSION:

24-07175

C:\GEO-PC\DATA\WILSON\CORRECT\DAHLE75A.COR

	Recs	Mean	Std Dev	Minimum	Maximum
Northing	599	4768620.07	3.63	4768613.35	4768633.54
Easting	599	493667.30	4.41	493658.35	493676.37
Altitude	599	1902.80	4.33	1887.76	1909.93

No velocity records in file.

NOTE: This Point of DIVERSION IS
Also a P/O for:

No DOP records in file.

Start GPS Week #811 on 07/26/95 at 20:10:34
End GPS Week #811 on 07/26/95 at 20:17:02

24-07038

24-07173

24-07174

Datum : NAD-27 CONUS
Coordinate System : Universal Transverse Mercator [12T]
Altitude Mode : Mean Sea Level
Altitude/Distance Units : Meters
Velocity Units : Feet/Second

PLACE OF USE:

C:\GEO-PC\DATA\WILSON\CORRECT\DAHLEPUA.COR

	Recs	Mean	Std Dev	Minimum	Maximum
Northing	303	4768852.45	1.06	4768849.23	4768854.89
Easting	303	494114.40	1.92	494112.09	494120.04
Altitude	303	1855.73	1.72	1851.10	1860.02

No velocity records in file.

No DOP records in file.

Start GPS Week #811 on 07/26/95 at 21:11:31
End GPS Week #811 on 07/26/95 at 21:15:04

Datum : NAD-27 CONUS
Coordinate System : Universal Transverse Mercator [12T]
Altitude Mode : Mean Sea Level
Altitude/Distance Units : Meters
Velocity Units : Feet/Second

24-07175

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JAN 08 1997



PLACE OF USE
(at time of photo cabin was
not completed)

MICROFILMED
JAN 0 8 1957

24-07175



Spring Storage Tanks
(Two)



Tanks also used under:

24-07038

24-7173

24-7174

24-07175

RECEIVED

AN 08 1957



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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

18 July 1994

Bonneville Homesteaders L C
1815 N Main
Logan, UT 84321

RE: Permit 24-07175 Formerly in the name of James J. Sinarski
Located NWSE Sec 16, T04S, R46E, Bonneville Co, Idaho

Dear Sirs:

I attempted to call you today but the telephone operator had no listing for Bonneville Homesteaders in Logan, UT. I also attempted to contact James J. Sinarski in reference to the above numbered permit.

I am sending the attached memo to the main office in Boise for review and possible forfeiture of the permit for non-development. You may wish to contact the allocation section of the Boise office to make any comments or requests at the following address:

Idaho Department of Water Resources
1301 N. Orchard
Boise, ID 83706-2237
(208)327-7900, FAX (208)327-7866

In the state of Idaho development of a surface water source such as a spring requires that a valid application for permit be on file with the Idaho Department of Water Resources.

Sincerely,

Keith C. Wilson
Senior Resource Agent

MICROFILMED
JAN 08 1997

P/D NW SW NW Sec 16 T 4 S R 46 E

24-7175

FROM: KEITH C. WILSON - EASTERN REGION

18 JULY 1994

TO: JIM JOHNSON - ALLOCATION

RE: FIELD EXAM 24-07175

ON 13 AUGUST 1993, I CONDUCTED AN ON SITE INSPECTION OF THE POINT OF DIVERSION AND PLACE OF USE AS DESCRIBED UNDER PERMIT 24-07175. AT THAT TIME I FOUND NO DEVELOPMENT OTHER THAN A TRAIL THAT WAS PROBABLY CUT FOR USE AS A ROAD. IT APPEARED THAT IT HAD BEEN SOME TIME SINCE THE TRAIL HAD BEEN USED. I WALKED OVER MOST OF THE PLACE OF USE / POINT OF DIVERSION WITHOUT SEEING ANY OTHER DEVELOPMENT. IT IS THE OPINION OF THIS EXAMINER THAT THIS PERMIT SHOULD BE CANCELED DUE TO FAILURE TO COMPLETE THE DEVELOPMENT IN A TIMELY MANNER.



KEITH C. WILSON
SENIOR RESOURCE AGENT

Cellular Phone #
1-801-757-3296

7-18-1994 No phone #'s listed for new owners
No answer to phone call to James Sinarski

7-27-1994 Brent Dahle - 801-752 5636 - called will be
busy for two weeks will call when we can meet
and he can show me the system

8-24-1994 called Brent Dahle - IOWA cancelled permit I told him I
would call + talk w/ Jim Johnson. Sent original letter to
Jim w/ copies of envelope + photos
Try for Exam around 12 Sept 94

MICROFILMED

JAN 08 1997

FROM: KEITH C. WILSON - EASTERN REGION

24 AUG 1994

TO: JIM JOHNSON - WATER ALLOCATIONS

RE: PERMIT 24-07175

AS WE DISCUSSED ENCLOSED IS THE ORIGINAL LETTER AND A COPY OF THE
ENVELOPE & PHOTOS THAT BRENT DAHLE SENT TO ME ON 28 JULY 1994.

KEITH C. WILSON
SENIOR RESOURCE AGENT

MICROFILMED
JAN 08 1997

BRENT DAHLE
BONNEVILLE HOMESTEADERS LC
1815 NO MAIN
LOGAN UT 84321

(801) 752-5636

RECEIVED

JUL 28 1994

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ATTN: KEITH C WILSON
900 N SKYLINE DRIVE
IDAHO FALLS ID 83402-1718

Dear Mr Wilson

After receiving your letter dated July 18, and after speaking to you and Mr Johnson in Boise, I feel that the property you looked at must not have been the same location as our property.

The water at our property has been developed. I am sending you pictures that I took yesterday of the spring, and of two water faucets on our property. We also have electricity and a septic tank. There is a garage on the property as well.

We have had two campers up there this summer hooked up to the water. We are planning on putting two camp trailers there within the next month. The road has been washed out and we are in the process of repairing it now.

Therefore, I would request that you please not cancel our permit. I will call you as soon as we have the trailers in place.

Thank you for your time.

Sincerely

Brent Dahle

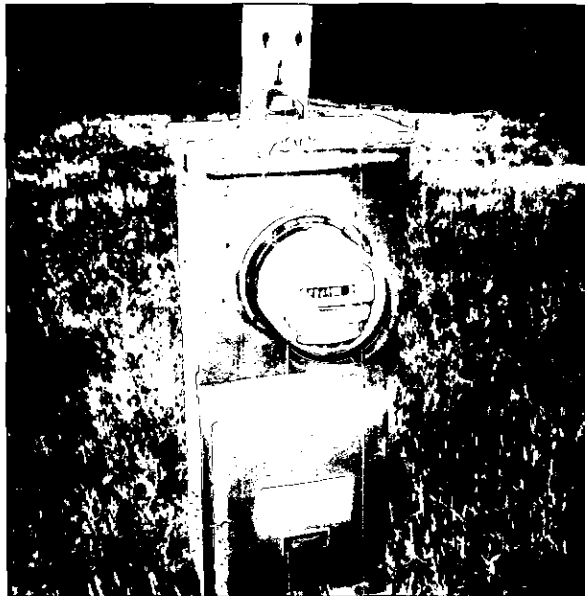
Brent Dahle

rj

Enc

MICROFILMED
JAN 08 1997

*all of these
have same P/D
T-4S R46E
Sec 16
NW 1/4 NW*





Spring



Water



Septic
TANK

Power

Water



Road
Repair

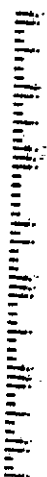
Dahl's Imports
1835 NORTH MAIN STREET
LOGAN, UTAH 84321

MR. KEITH C. WILSON

DEPARTMENT OF WATER RESOURCES

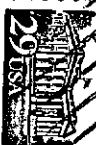
900 W. SKYLINE DRIVE

IDAHO FALLS, ID. 83402-1718



RECEIVED
JUL 28 1997

NAME _____
1st Name _____
2nd Name _____
Return _____



For	<u>Keith</u>	Urgent ☐
Date	<u>9/23</u>	Time <u>11:04</u>
While You Were Out		
M	<u>Brent Dahle</u>	
Of		
Phone	<u>1(800) 635-6038</u>	
	AREA CODE	NUMBER EXTENSION
Telephoned	☒	Please Call ☒
Came To See You	☐	Will Call Again ☐
Returned Your Call	☐	Wants To See You ☐
Message	<u># 24-67175</u>	
Signed _____		

MEMORANDUM

TO: File 24-07175

FROM: Sharla

DATE: January 31, 1995

RE: Telecon with Keith Wilson

On this date, Keith Wilson from Eastern Region called concerning the above referenced permit. The re-examination of the permit is in progress and no further action should be taken until his findings are forwarded to the State Office.

Keith requested that a copy of this memo be sent to Mr. Dahle so that he will know what the status of the permit is.

MICROFILMED

JAN 11 1997





Water faucet

BRENT DAHLE
BONNEVILLE HOMESTEADERS L.C.
1815 NORTH MAIN
LOGAN UT 84321
(801) 752-5636

24-7175
D-D2
RECEIVED

AUG 25 1994

Department of Water Resources

AUGUST 23, 1994

JIM JOHNSON
WATER RIGHTS SUPERVISOR

Dear Mr Johnson

I am writing this letter as a Petition for Reconsideration.
I am also enclosing a copy of a letter I wrote to Mr Wilson
on July 27, 1994.

As I told Mr Wilson, the spring has already been developed,
and the water is piped underground to our property. There
are two water faucets on the property that we have hooked our
campers up to this summer. We purchased the property in
August of 1993. The road had been washed out then and we
have had the road repaired this summer. We plan to put two
camp trailers there this fall.

Therefore, I would request that you please not cancel our permit.

Thank you for your time.

Sincerely



Brent Dahle

rj

Enc

MICROFILMED

JAN 08 1997

7-27-94

BRENT DAHLE
BONNEVILLE HOMESTEADERS LC
1815 NO MAIN
LOGAN UT 84321

(801) 752-5636

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ATTN: KEITH C WILSON
900 N SKYLINE DRIVE
IDAHO FALLS ID 83402-1718

Dear Mr Wilson

After receiving your letter dated July 18, and after speaking to you and Mr Johnson in Boise, I feel that the property you looked at must not have been the same location as our property.

The water at our property has been developed. I am sending you pictures that I took yesterday of the spring, and of two water faucets on our property. We also have electricity and a septic tank. There is a garage on the property as well.

We have had two campers up there this summer hooked up to the water. We are planning on putting two camp trailers there within the next month. The road has been washed out and we are in the process of repairing it now.

Therefore, I would request that you please not cancel our permit. I will call you as soon as we have the trailers in place.

Thank you for your time.

Sincerely



Brent Dahle

rj

Enc

MICROFILMED

JAN 08 1997

MEMORANDUM

Date: August 23, 1994
From: Jim Johnson
To: File
Subject: Conversation with Brent Daily

=====

Brent called in reference to the "Preliminary Order" sent August 19, 1994.

He reported that he had sent a letter to Keith Wilson with pictures. Since I have not received anything from Keith changing this recommendation I don't have any basis to reverse my past correspondence.

I informed Brent that he must respond to the Preliminary Order per instructions outlined in the cover letter. He said he would.

Once we receive a response we can call Keith for any new information which may affect this action.

MICROFILMED

JAN 08 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

August 19, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

BONNEVILLE HOMEOWNERS LC
1815 NO MAIN
LOGAN UT 84321

RE: Permit No. 24-07175

Dear Permit Holder:

The accompanying order is a "preliminary order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director.

The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Director 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 Director 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

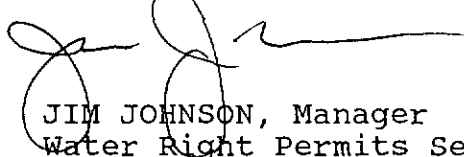
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final

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.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 19th day of August, 1994, I mailed a true and correct copy, postage prepaid, of the foregoing Preliminary Order to the following:

Bonneville Homesteaders L.C.
1815 North Main
Logan, UT 84321



Donna L. Corless
Clerical Specialist

MICROFILMED

JAN 08 1997

RECEIVED

JUL 21 1994

Department of the Interior, Bureau of Land Management

FROM: KEITH C. WILSON - EASTERN REGION

18 JULY 1994

TO: JIM JOHNSON - ALLOCATION

RE: FIELD EXAM 24-07175

ON 13 AUGUST 1993, I CONDUCTED AN ON SITE INSPECTION OF THE POINT OF DIVERSION AND PLACE OF USE AS DESCRIBED UNDER PERMIT 24-07175. AT THAT TIME I FOUND NO DEVELOPMENT OTHER THAN A TRAIL THAT WAS PROBABLY CUT FOR USE AS A ROAD. IT APPEARED THAT IT HAD BEEN SOME TIME SINCE THE TRAIL HAD BEEN USED. I WALKED OVER MOST OF THE PLACE OF USE / POINT OF DIVERSION WITHOUT SEEING ANY OTHER DEVELOPMENT. IT IS THE OPINION OF THIS EXAMINER THAT THIS PERMIT SHOULD BE CANCELED DUE TO FAILURE TO COMPLETE THE DEVELOPMENT IN A TIMELY MANNER.



KEITH C. WILSON
SENIOR RESOURCE AGENT

MICROFILMED
JAN 08 1997



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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

18 July 1994

Bonneville Homesteaders L C
1815 N Main
Logan, UT 84321

RE: Permit 24-07175 Formerly in the name of James J. Sinarski
Located NWSE Sec 16, T04S, R46E, Bonneville Co, Idaho

Dear Sirs:

I attempted to call you today but the telephone operator had no listing for Bonneville Homesteaders in Logan, UT. I also attempted to contact James J. Sinarski in reference to the above numbered permit.

I am sending the attached memo to the main office in Boise for review and possible forfeiture of the permit for non-development. You may wish to contact the allocation section of the Boise office to make any comments or requests at the following address:

Idaho Department of Water Resources
1301 N. Orchard
Boise, ID 83706-2237
(208)327-7900, FAX (208)327-7866

In the state of Idaho development of a surface water source such as a spring requires that a valid application for permit be on file with the Idaho Department of Water Resources.

Sincerely,

Keith C. Wilson
Senior Resource Agent

MICROFILMED
JAN 08 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

February 8, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

BONNEVILLE HOMESTEADERS L C
1815 N MAIN
LOGAN UT 84321

Re: Permit No. 24-07175

Dear Water Right Holder(s):

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

RECEIVED
FEB 22 1994

January 24, 1992

JAMES J. SINARSKI
P.O. BOX 183
ALPINE WY 83128

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 24-07175

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECORDED
FEB 06 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 17, 1991

James J. Sinarski
Box 183
Alpine, WY 83128

Re: Permit No. 24-07175

Dear Permit Holder:

Returned is the proof of beneficial use you submitted to this office. You have indicated the extent of use as one domestic household. However, you failed to indicate the total rate of diversion or the cfs.

Your permit was issued for .08 cfs. I would also like to note that your permit was issued for stockwater use as well as domestic. When the total rate of diversion is .08 cfs, a \$50 license exam fee is applicable. Please note the back of the instruction sheet.

In order to comply with the required dates, please return the proof of beneficial use along with the \$50 license exam fee within 30 days of the date of this mailing.

If you wish to lower the cfs to .04 and the extent of use as domestic only, please indicate this on the form and return with no fee.

I realize that this can be confusing, so if you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

NOTED

FEB 06 1992

138256
November 30, 1991

JAMES J. SINARSKI
P.O. BOX 183
ALPINE WY 83128

PROOF DUE NOTICE

RE: PERMIT NO. 24-07175

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 February 1, 1992. (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.

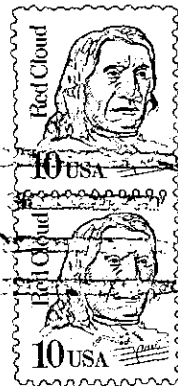
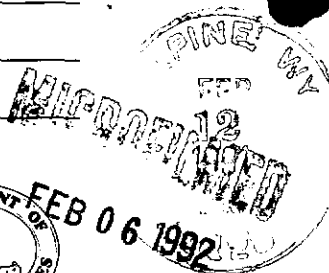
SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECORDED
JAN 3 1992

James J. P. Maeski
Box 183
Alpine Wy. 83128



IDAHO DEPARTMENT OF WATER RESOURCES
Department of Water Resources
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No. 24-07175
Name(s) of Permit Holder(s): James J. Swarski
Post Office Address: Box 183
Alpine, WY. 83128 Tel. No. (307) 654-9948

☒ I hereby certify that construction of diversion works for the above referenced permit began on 6/15/1990 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

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

2/11/91
Date

James J. Swarski
Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
January 18, 1990

JAMES J. SINARSKI
P.O. BOX 183
ALPINE, WY 83128

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P24-07175

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.

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

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED

MAR 20 1990

29-Nov-1989

James J. Sinarski
Box 183
Alpine, WY 83128

RE: Application for Permit No. 24-7175

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Post-Register. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECORDED

MAR 20 1990

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

Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 28, 1989

THE POST-REGISTER
P.O. BOX 1800
IDAHO FALLS, ID 83403

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 DECEMBER 26, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

MAR 20 1990

NOTICE OF APPLICATION FOR WATER RIGHT

The Following appl[redacted]ion(s) have been filed [redacted]ppropriate the public waters of the State of Idaho:

MicroFILMED

MAR 20 1990

24-07175

SINARSKI, JAMES J.
BOX 183
ALPINE, WY 83128

Source: SPRING

Tributary: NEWSWANDER CREEK

Diversion Pt: NWNWSE Sec 16 T 04S R 46E

Use: STOCKWATER (.020 CFS)
DOMESTIC (.060 CFS)

Date Filed: 8/04/1989

In: T04S R46E S16 NWSE

RECORDED

MAR 20 1990

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 DECEMBER 26, 1989.

R. Keith Higginson, Director

Published 12/07/1989 & 12/14/1989

MICROFILMED

MAR 20 1990