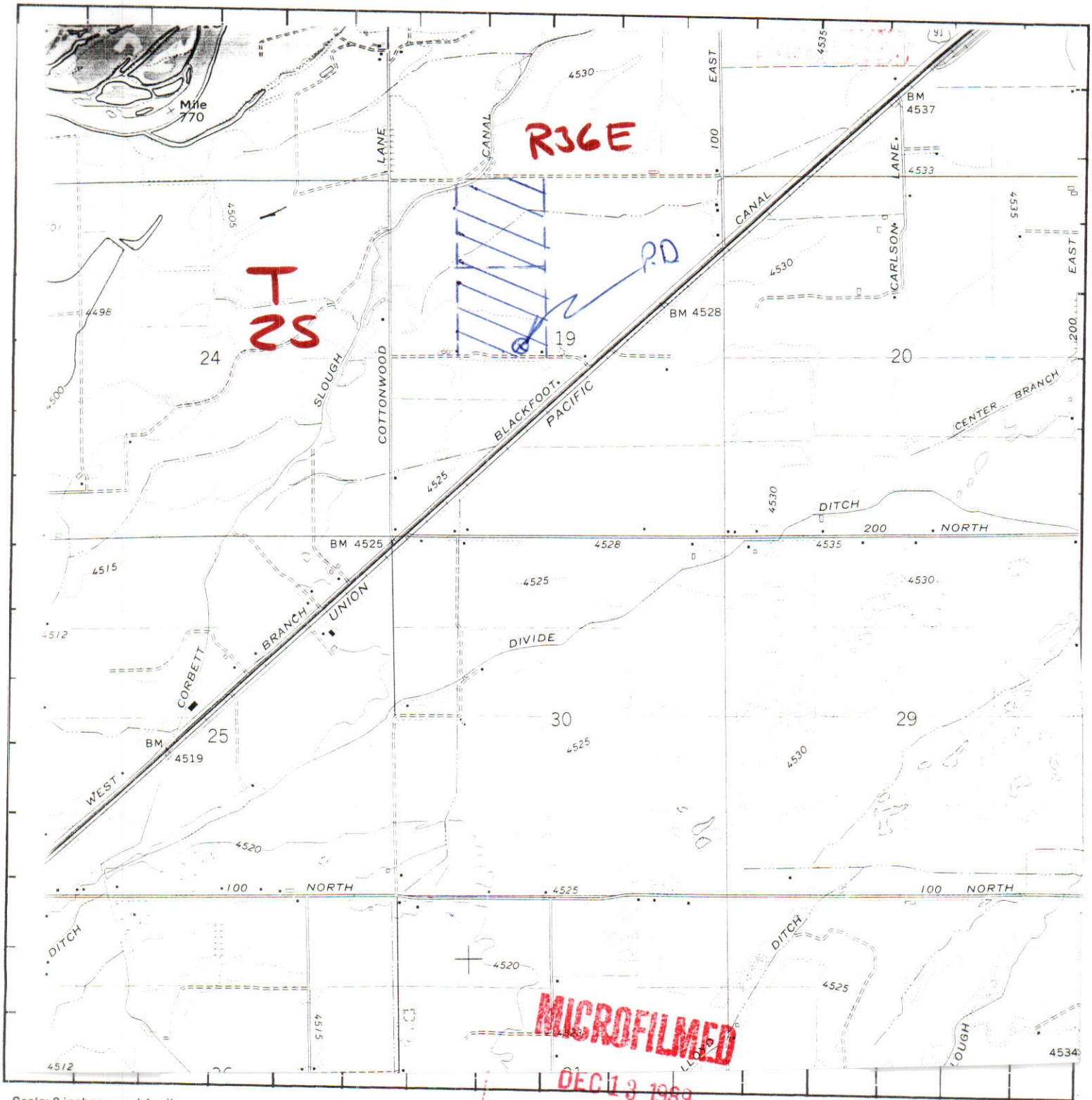


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

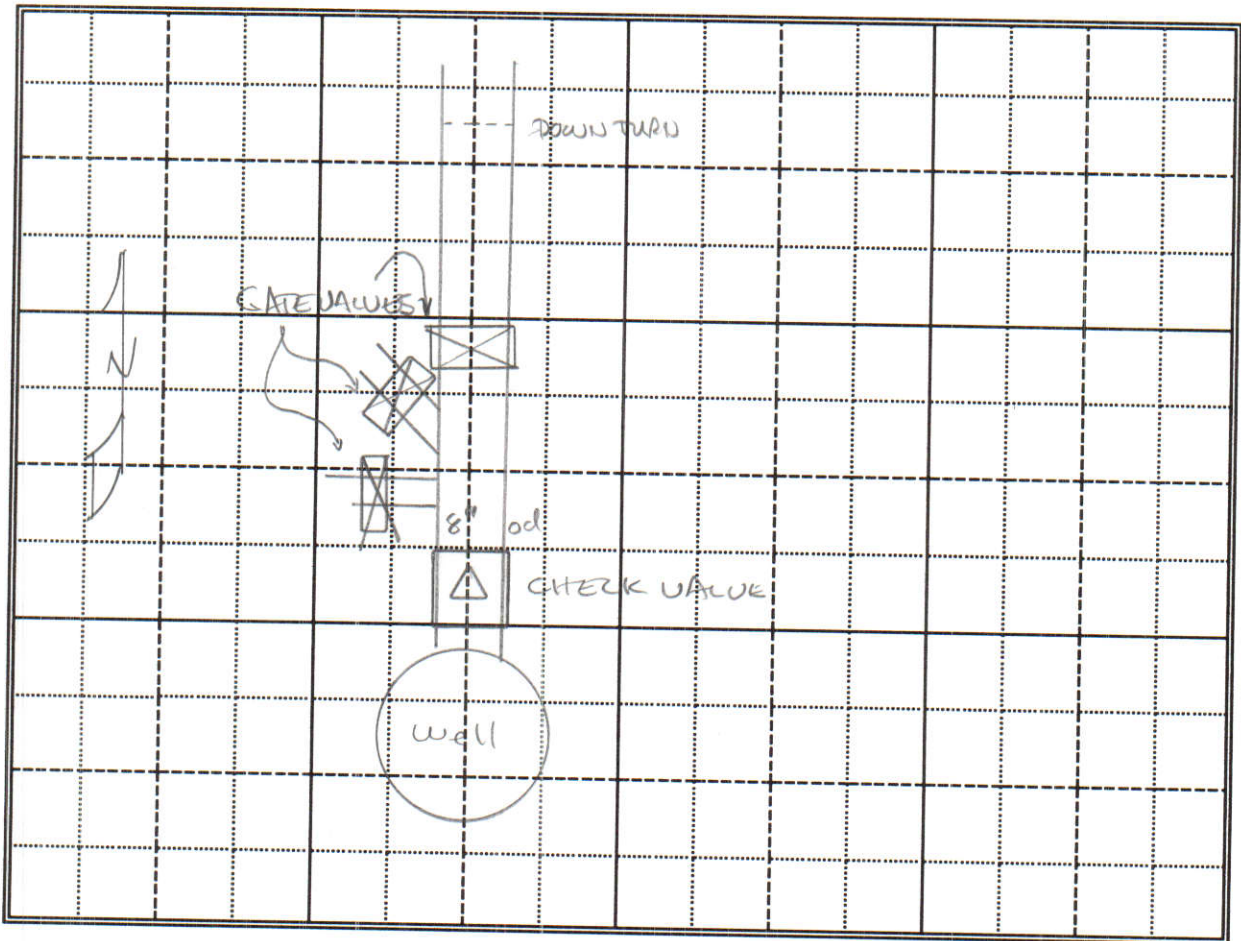


Scale: 2 inches equal 1 mile.

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

Tom Burt
(Applicant)

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
	USElectric	100	9983 T02S270R03FR-13	UNK	8"

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

D. FLOW MEASUREMENTS

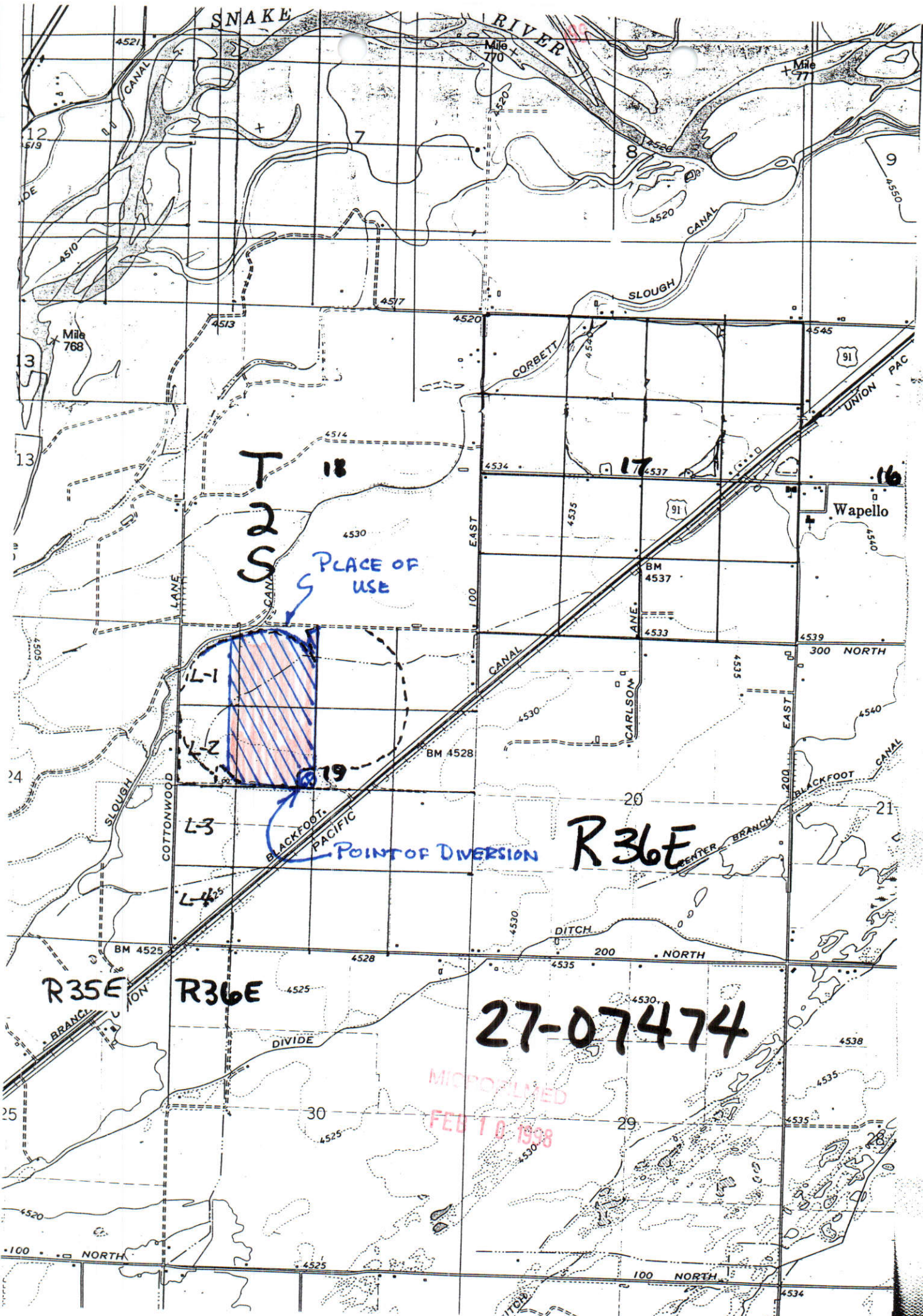
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
ULTRASONIC FLOWMETER		PEEK	ISTT-P	196802		S/N 26863

2. Measurements: 68 PSI @ 1282.29 gpm = 2.86 cfs

RECORDED

FEB 10 1988



T
2
S

PLACE OF USE

POINT OF DIVERSION

R36E

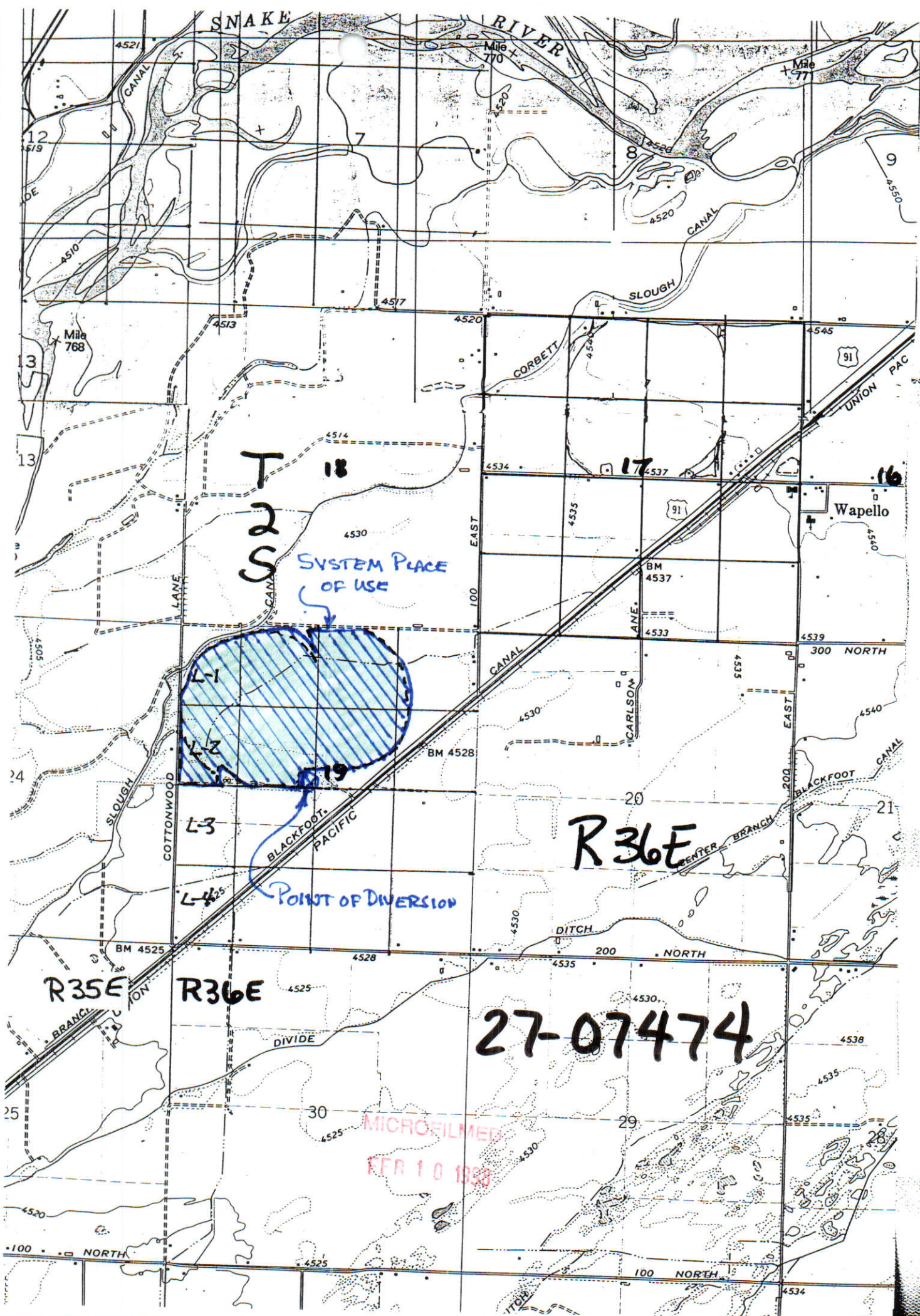
27-07474

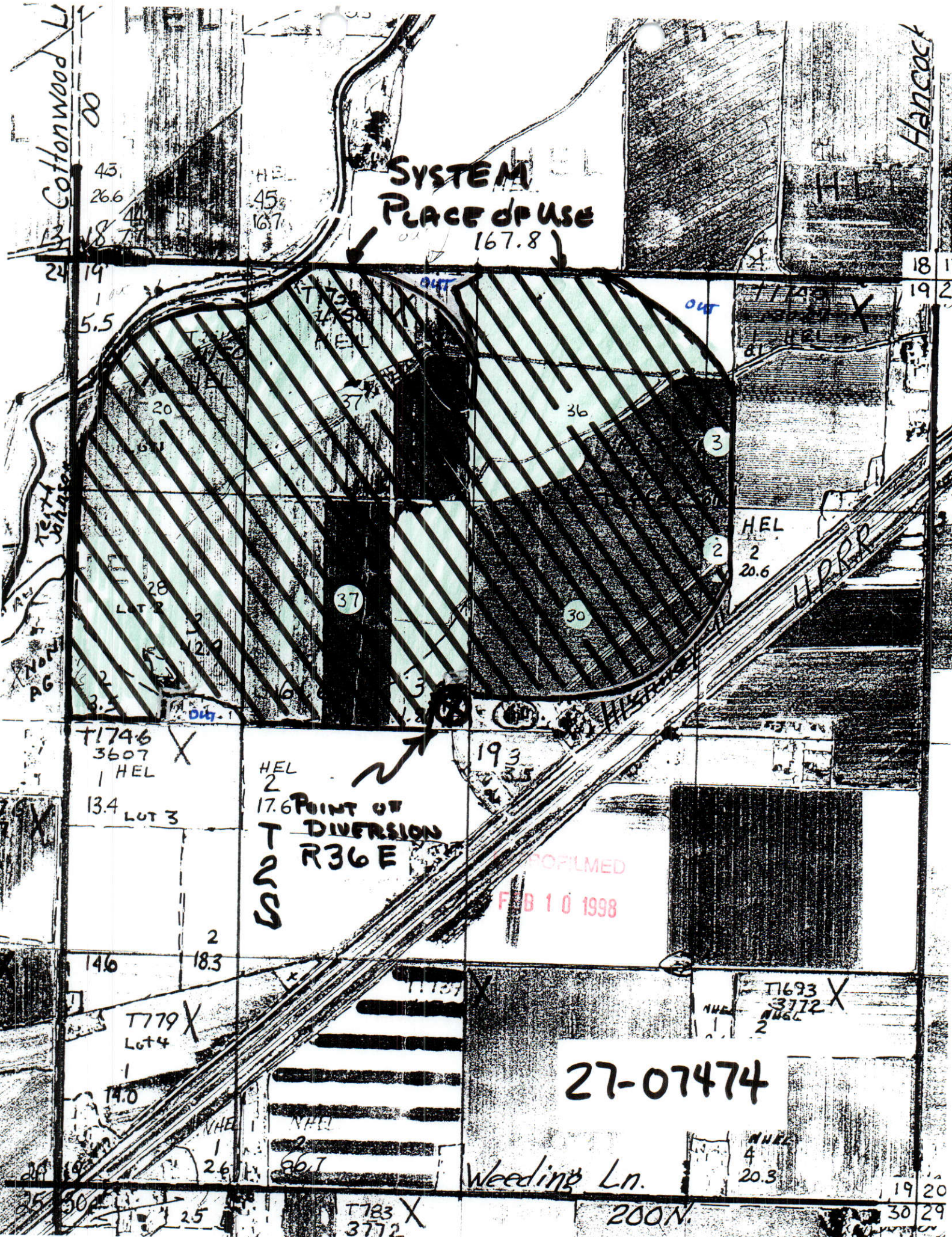
MICROFILMED
FEB 10 1968

R35E

R36E

[illegible]





Cottonwood Ln.

Hancock

SYSTEM
PLACE OF USE
167.8

HEL
2
17.6
POINT OF
DIVERSION
T
2
S
R
36
E

27-07474

Weeding Ln.

200N.

T1693 X
3712
NUGL
2

T183 X
3712

T1746 X
3607
1 HEL
13.4 LOT 3

T779 X
Lot 4
1
14.0

HEL
2
20.6

NHEL
4
20.3

19 20
30 29

POINT OF DIVERSION
(27-07474 & 27-07526)



FEB 10 1993

27-07474

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07474

Priority: May 27, 1989

Maximum Diversion Rate:

1.60 CFS

This is to certify, that TOM BARTAUSKY
281 N COTTONWOOD RD
BLACKFOOT ID 83221

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 22, 1989; and
has submitted Proof of Beneficial Use on December 6, 1990. An examination indicates
that the works have a diversion capacity of 3.240 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.60 CFS	

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 19, Township 02S, Range 36E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S 36E 19	NENE 3	NWNE 36	SWNE 30	
	SENE 2	NENW 37	Lot 1(NWNW) 20	
	Lot 2(SWNW) 28	SENW 37		193

Total number of acres irrigated: 193

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. 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.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

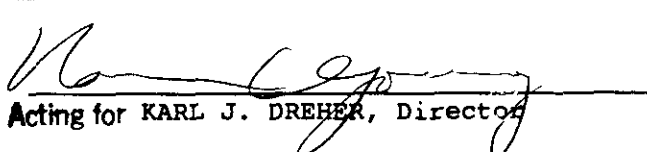
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 27-07474

CONDITIONS OF APPROVAL AND REMARKS

7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
8. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
9. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
10. Rights 27-07474 and 27-07526 when combined shall not exceed a total annual diversion volume of 560.0 af at the field headgate and the irrigation of 140 acres in a single irrigation season.
11. 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 that 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.
12. Right 27-07526 is also diverted through the point(s) of diversion described above.

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 30th day of JANUARY, 1978.


Acting for KARL J. DREHER, Director

OK

RECEIVED

JAN 26 1993

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 27-07474

Date of Priority: May 27, 1989 **Maximum Diversion Rate:** 1.60 CFS
Comes now TOM BARTAUSKY
281 N COTTONWOOD RD
BLACKFOOT ID 83221 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. 27-07474, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.60 CFS	

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 19, Township 02S, Range 36E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	36E	19	NENE 3	NWNE 36	SWNE 30	
			SENE 2	NENW 37	Lot 1(NWNW) 20	
			Lot 2(SWNW) 28	SENW 37		193

Total number of acres irrigated: 193

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 Blackfoot, Idaho, this 21st day of JANUARY, 19 94.

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 27-07474

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50.00 Received by LL # 0246274 Date 1/26/98

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. 27-07474 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. 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.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
8. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

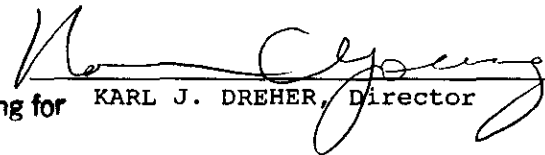
State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 27-07474

CONDITIONS OF APPROVAL AND REMARKS

9. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
10. Rights 27-07474 and 27-07526 when combined shall not exceed a total annual diversion volume of 560.0 af at the field headgate and the irrigation of 140 acres in a single irrigation season.
11. 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 that 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.
12. Right 27-07526 is also diverted through the point(s) of diversion described above.

Witness my hand this 30TH day of JANUARY, 1998.


Acting for KARL J. DREHER, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 27-7474 IN THE)
NAME OF TOM BARTAUSKY) ORDER OF REINSTATEMENT
_____)

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 on or before December 1, 1990; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

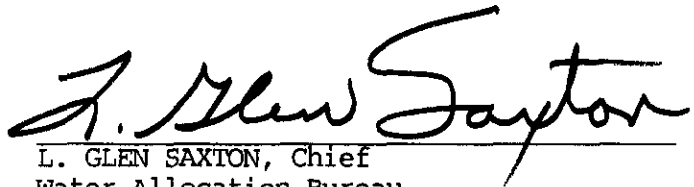
WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on December 6, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 27-7474 be REINSTATED and the priority advanced to May 27, 1989.

Dated this 11th day of January, 1991.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

FEB 06 1991

RECEIVED

DEC 10 1990

STATE OF IDAHO

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Amt. of Fee \$ 125.00Date 12-6-90Receipt No. EO1551Received by H.W.J.

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

Permit No. 27-07474 Telephone No. 785-2392Name(s) of Permit Holder(s): Tom BortauskyPost Office Address: 8 West 100 N. Blackfoot, ID 83221Source of Water: GroundwaterIf ground water, well driller's name: Hawley Driller Date drilled: _____

Extent of Use:

Domestic _____ (No. of households) Irrigation 80 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 1.60 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: May 1989

One of the following may be a condition of approval of your permit:

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

OR

Flow Measurement Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ NoFee Enclosed: \$ 125.00 (See License Examination Fee Schedule)

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

Name See above Telephone No. _____

Address _____

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

Date 12-6-90Signature [Signature] (and title if on behalf of a company or organization)**RECEIVED**
FEB 06 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 27-07474

Proposed Priority: May 22, 1989

Maximum Diversion Rate:

1.60 CFS

This is to certify, that **TOM BARTAUSKY**
8 W. 100 N.
BLACKFOOT, ID 83221

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

03/15 to 11/15

1.60 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENW Sec. 19, Township 02S, Range 36E
BINGHAM County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

02S 36E 19

NENW 40

SENW 40

80

Total number of acres irrigated:

80

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1990.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. 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.
6. 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.
7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

MICROFILMED

DEC 13 1989

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 27-07474

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

21st day of November, 1989.

for *J. Glen Saxton*
R. Keith Higginson, Director

RECEIVED
NOV 13 1989

DEC 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Tom Bartausky Phone 785-2392
Post office address 8 W. 100 N., Blackfoot, ID 83221
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ ¼ of SE ¼ of NW ¼, Govt. Lot _____
Sec. 19 Township 2S Range 36E B.M. Bingham County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1.60 for Irrig. purposes from 3-15 to 11-15 ¹¹⁻¹⁵~~12-1~~ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 1.60 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well & pump to sprinklers

 - 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 16 inches; proposed depth of well is 80 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	36E	19					40			40									80

Total number of acres to be irrigated 80

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

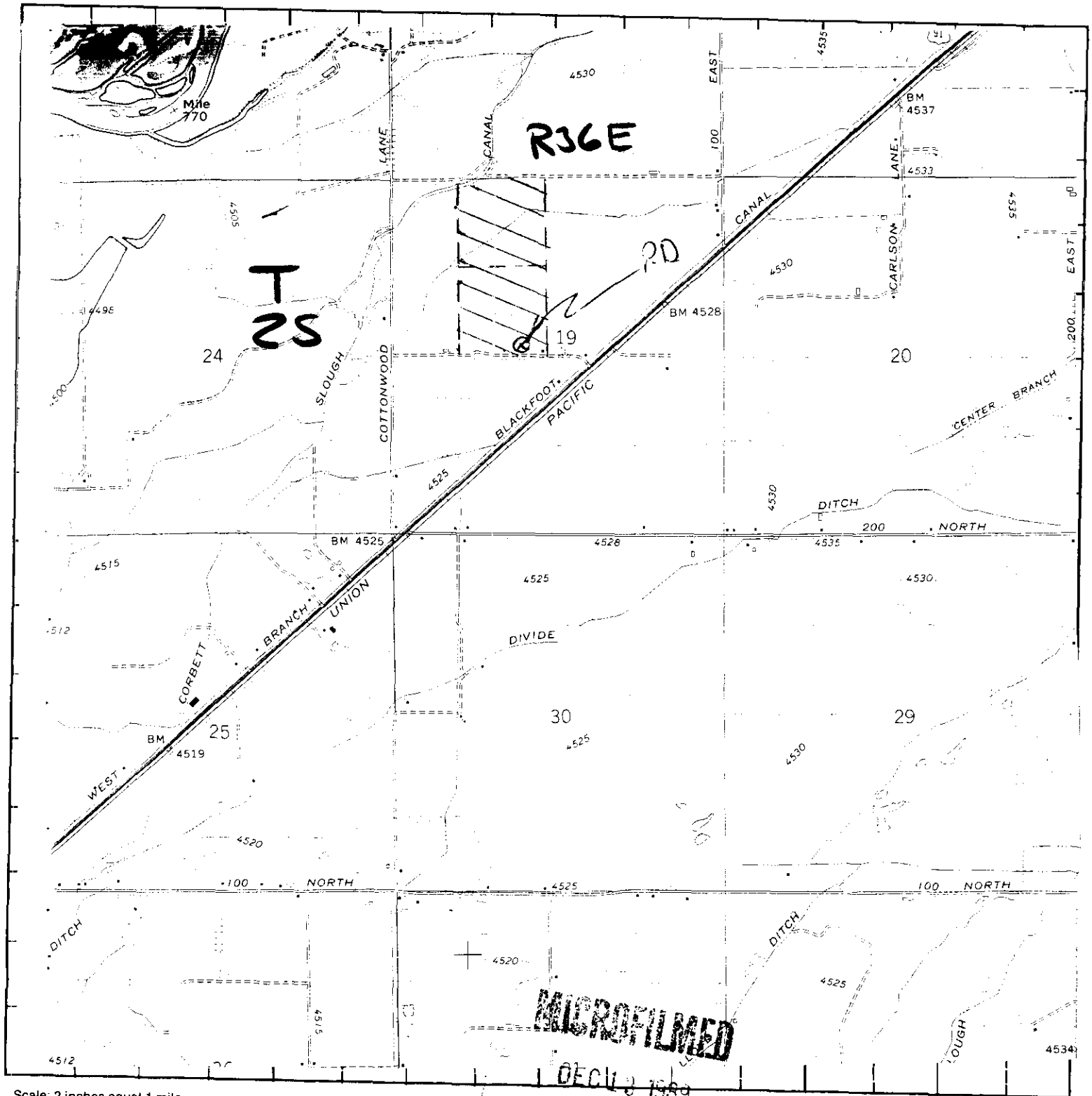
- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

RECORDED

DEC 13 1989

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



Scale: 2 inches equal 1 mile.

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

[Signature]
(Applicant)

Received by EMC Date 22 May 89 Time _____ Preliminary check by HWT
Fee \$ 65⁰⁰ Receipted by EMC # EOO 7742 Date 5-22-89
Publication prepared by RB Date 9-21-88-89 Published in Morning News
Publication approved RB Date 10-5-89

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:

RECEIVED
MAY 23 1989
DEPT. OF WATER RESOURCES
BOISE, IDAHO

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-11-2000 BY 60322 UCBAW

2. 74
BARTAUSKY, Tom
8 W., 100 N.
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SENW, Sec. 19, T. 02S, R.
36E.
Use: IRRIGATION (1.600 CFS).
Date Filed: 5/22/1989.
In: T02S, R36E, S19, NENW, SENW.
80.0 ACRES TOTAL.

35-08360

HORSCH, Albert
2711 West 1900 South
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt: NENE, Sec. 9, T. 06S, R. 31E
Use: IRRIGATION (1.600 CFS).
Date Filed: 9/28/1984.
In: T06S, R31E, S09, NENE, SENE.
80.0 ACRES TOTAL.

35-08579

GARDNER, Ivan
16 West River Road
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: NESE, Sec. 2, T. 02S, R. 35E.
Use: IRRIGATION (.540 CFS).
Date Filed: 5/14/1985.
In: T02S, R35E, S02, SWNE, SENE, NESE,
NWSE, SESE.
200.0 ACRES TOTAL.

35-08584

DANCE, D. Theron
Twiggs Farms
955 West 100 South
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SESW, Sec. 5, T. 03S, R.
34E.
Use: IRRIGATION (3.000 CFS).
Date Filed: 5/22/1985.
In: T03S, R34E, S05, NESW, NWSW,
SWSW, SESW.
150.0 ACRES TOTAL.

35-08585

ELLIS, Delwyn
ELLIS, Barbara
904 West 200 North
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SWNE, Sec. 21, T. 02S, R.
34E.
Use: IRRIGATION (1.940 CFS).
Date Filed: 6/12/1985.
In: T02S, R34E, S21, SWNE, NESE, SWSE,
SESE.
97.0 ACRES TOTAL.

35-08586

ELLIS, Delwyn
ELLIS, Barbara
904 West 200 North
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SWSW, Sec. 16, T. 02S, R.
34E.
Use: IRRIGATION (2.620 CFS).
Date Filed: 6/12/1985.
In: T02S, R34E, S16, NESW, NWSW,
SWSW, SESW.
160.0 ACRES TOTAL.

35-08590

MURDOCK, Dale C.
1048 West Highway 39
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SWSE, Sec. 31, T. 02S, R.
34E.

RECEIVED

OCT - 3 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho) ss

I, Ted Townsend do
solemnly

swear that I am the Publisher of
The Morning News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court of
competent jurisdiction within the State of
Idaho shall be published to-wit: of each week: that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was
published in said issue or said

newspaper two consecutive weeks

the first publication having been made on the

21st day of September, 1989;

and the last publication having been made on the
28th day of September, 1989;

that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

On this 29th day of September, in
the year 1989 before me a Notary Public of said State,
personally appeared

Ted Townsend
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
herein are true, and acknowledged to me that he ex-
ecuted the same.

Dale C. Murdock
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee \$5.00



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

February 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TOM BARTAUSKY
281 N COTTONWOOD RD
BLACKFOOT ID 83221

RE: WATER RIGHTS 27-07432/27-07474/27-07526

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permits referenced above. The licenses are Preliminary Orders issued by the Department pursuant to section 67-5243, Idaho Code. They can and will become final orders 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 this 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 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 Department.

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 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 the 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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department 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 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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

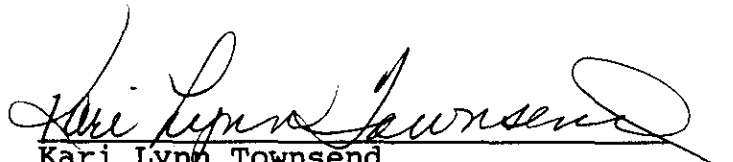
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of February, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Amended License)** to the person(s) listed below:

Water Rights 27-07432/27-07474/27-07526

TOM BARTAUSKY
281 N COTTONWOOD DR
BLACKFOOT ID 832219


Kari Lynn Townsend
Secretary



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 6, 1998

TOM BARTAUSKY
281 N COTTONWOOD RD
BLACKFOOT ID 83221

RE: WATER RIGHTS 27-07474/27-07526

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permits referenced above prior to issuing water right licenses. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point(s) of diversion and place(s) of use developed are in locations other than what was described on your permits. Therefore, before licenses can be issued, your permits must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment forms depict the point(s) of diversion and place(s) of use and other information as they will appear on the licenses when they are issued. Please review the amendment forms carefully. If you concur with the information presented, please sign the forms and return them with the \$50.00 filing fee (each) within 14 days.

Also, please note that some of the proposed 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:klt

Enclosure

MEMORANDUM

TO: Files 27-07474 and 27-07526

FROM: Sharla

DATE: December 18, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit Nos. 27-07474 and 27-07526 are based on the following:

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of Use:

T2S, R36E, S19 - NENE (3 acres), NWNE (36 acres),
SWNE (30 acres), SENE (2 acres),
NENW (37 acres), NWNW (20 acres),
SWNW (28 acres), SENW (37 acres)
TOTAL: 193 acres (PPU)

27-07474:

H. RECOMMENDATIONS

Irrigation	4/1 - 10/31	1.60 cfs
------------	-------------	----------

A permissible place of use is being listed, with the limitation of 80 acres irrigated/season under 27-07474 and 60 acres irrigated/season under 27-07526. Although the exam report was not completely filled out for 27-07474, there is sufficient information to issue a license.

Examiner: Keith Wilson

Exam Date: October 16, 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 27-07474

DATE 12/16/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>✓</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>✓</u>	<u>—</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>✓</u> <u>ppu</u>	<u>—</u>	Amendment required <u>yes</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate 1.6 cfs
 Fee limit 2.0 cfs \$125⁰⁰
 Measured — cfs
 Theoretical 3.24 cfs

140 ac. permits comb.
 2.8 cfs. " "

Recommended Total Div Rate 1.6 cfs

ANNUAL VOLUME/
 NATURE OF USES —

<u>✓</u>	Use <u>irr.</u>	cfs <u>1.6</u>	Volume Calc <u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	SUBTOTAL	<u>—</u>	<u>—</u> af

ave max rate

1297.4 gpm = 2.89 cfs

Flow rate — cfs X — days X 1.98 = — af

Total volume recommended — af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

W27 (80)
W36 (07526)
W35 (560.0 af, 140 ac)

CONDITIONS — Watermaster Control WD# —

260 GW Measurement/Measuring Device

Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

065,079,048,049

SRBA Claim Filed NA

Adjustment Memo ppu

1st Amend Letter B37, P38

2nd Amend Letter P47

NOV 14 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

27-07474

A. GENERAL INFORMATION

Permit No. 27-07474/07526

(208)

Phone No. 785-2392

1. Owner: Tom Bartausky

Current Address: 281 N Cottonwood Rd Blackfoot ID 83221

2. Accompanied by: Tom Portausky

EXAM DATE : 10/16/97

Address: SAME

Phone No. SAME

Relationship to Permit Holder:

3. Source: GROUNDWATER

tributary to

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Share Blackfoot Canal

2. Other water rights with the same point of diversion: 27-07474/27-07526

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

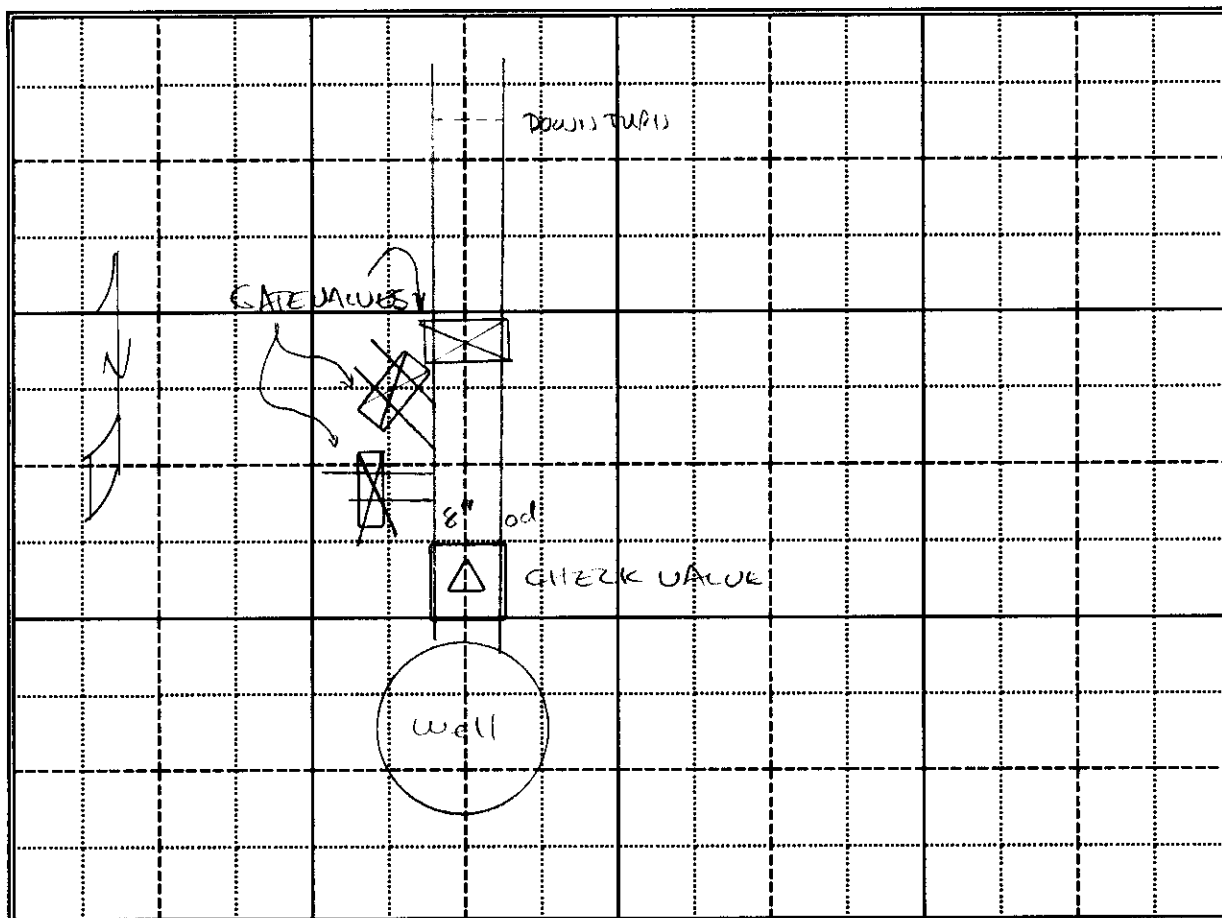
[illegible]

2. Place(s) of Use:

Indicate Method of Determination FSA Aerial

[illegible]

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
	USElectric	100	9983 T02S270R03R-13	UOK	8"

*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
ULTRASONIC FLOWMETER		PEEK	ISTT-P	196802		S/N 26863

2. Measurements: 68 PSI @ 1282.29 gpm = 2.86 cfs

E. NARRATIVE/REMARKS/COMMENTS

COMMON SYSTEM FOR THIS RIGHT § 27-07526
well pump mainline to center Pivot, handlines, and 1/2 center pivot
(SHORT). SYSTEM IS LOW PRESSURE

NOTE:

SYSTEM TOTAL CAPACITY = 1454.32 gpm = 3.24 cfs

SYSTEM NOT NORMALLY RUN AT THIS FLOW RATE

PLANS ON TRANSFERRING 53 acres from 27-07404 § 27-07432 ONCE
THEY ARE LICENSED

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

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method: $Q_{CAPACITY} = 3.24 \text{ cfs}$ Total Permitted acres = 140 ac (27-07474 & 27-07526)

$$\text{Rate/ac} = 3.24 \text{ cfs} / 140 \text{ ac} = 0.023 \text{ cfs/ac} > 0.02 \text{ cfs/ac}$$

Q LIMITED TO 0.02 cfs/ac

$$Q = 80 \times 0.02 \text{ cfs} = 1.60 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 80 \text{ ac} \times 4 = 320$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.6 (214) 1.9835 = 679.2$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 320 \text{ cfs}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	11/1	1.60	320 afa
Totals:			1.60 cfs	320 afa

2. Recommended Amendments

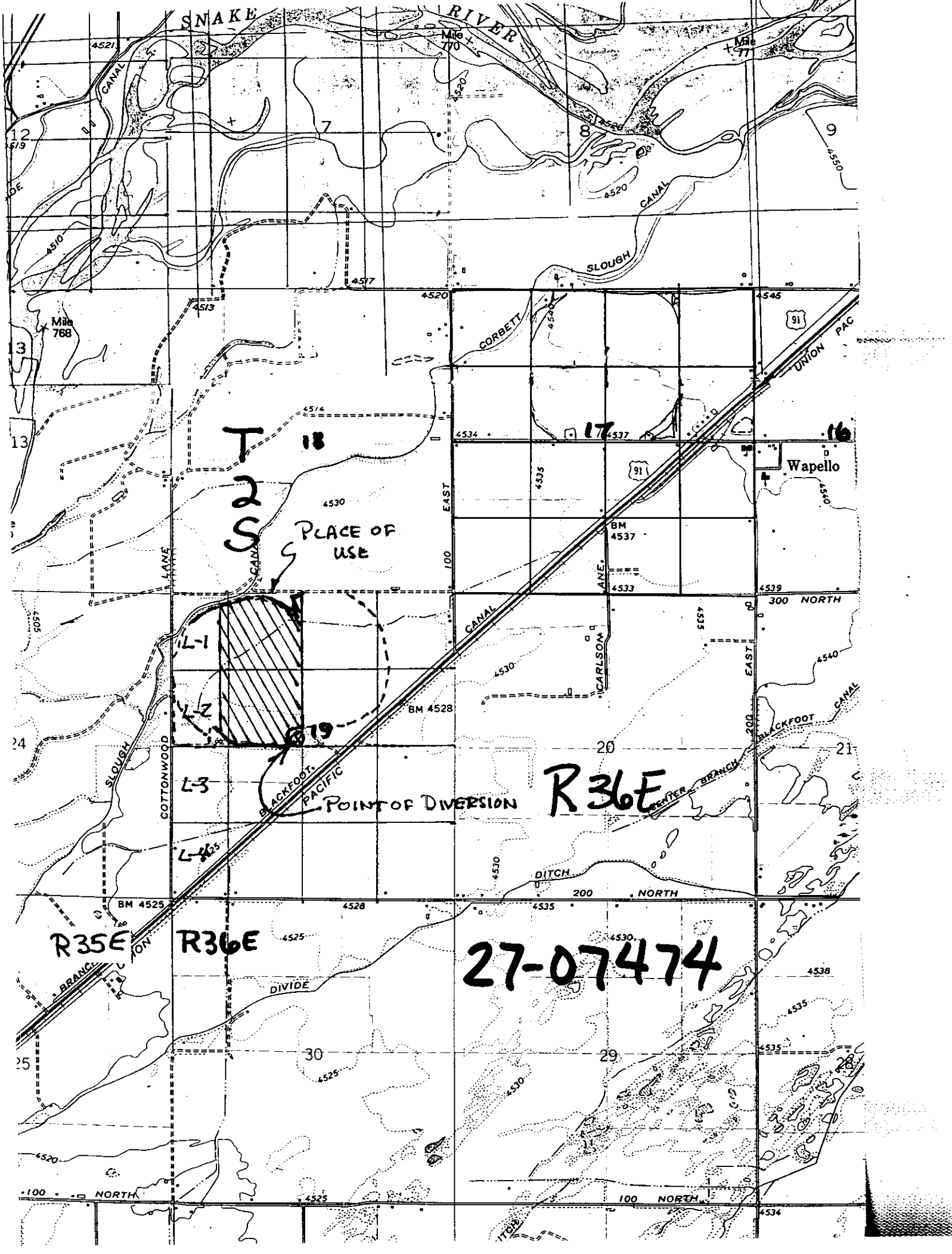
☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

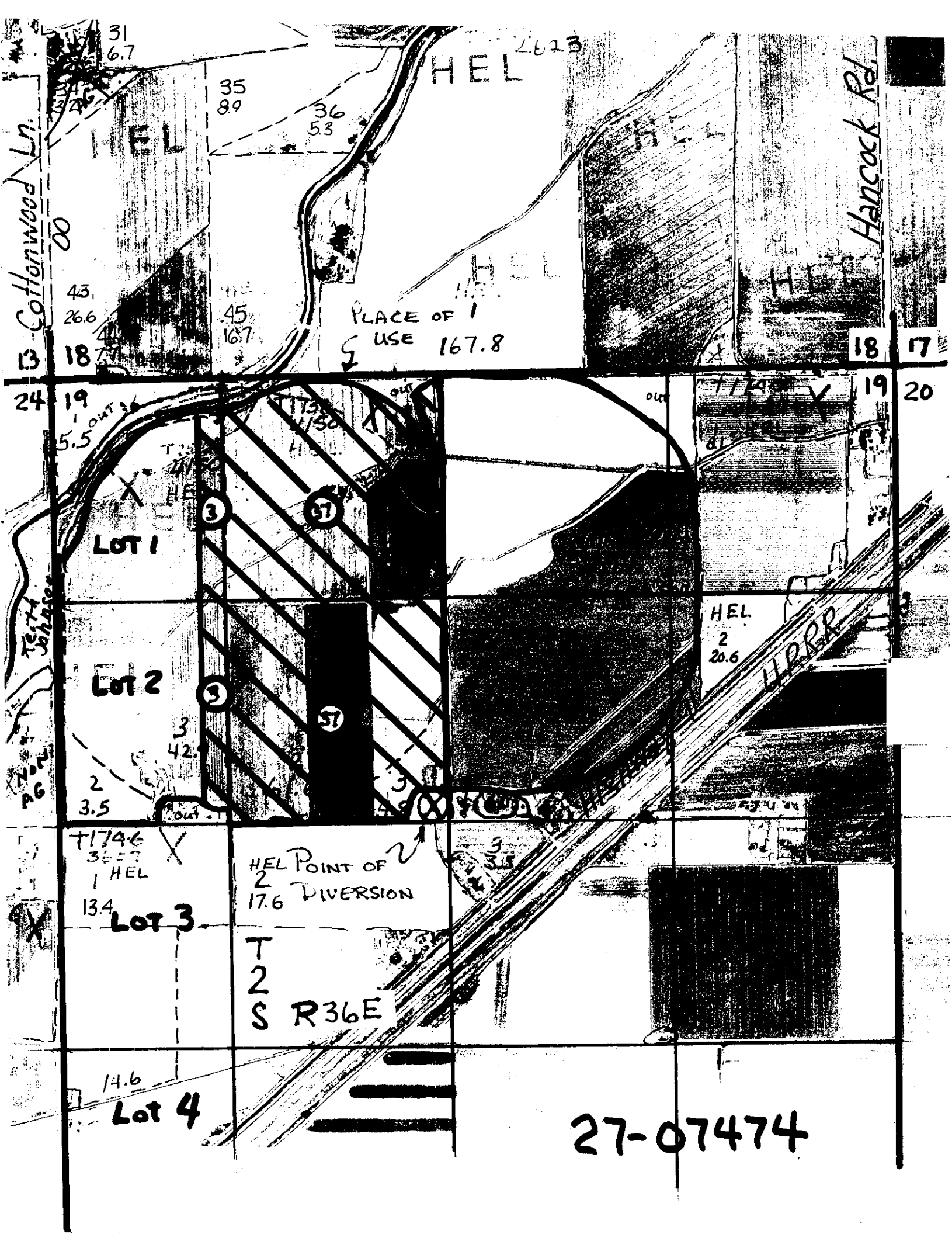
I. AUTHENTICATION

Field Examiner's Name KEITH C WILSON Date 10/16/1997

Reviewer _____ Date _____

SEAL





Cottonwood Ln.

Hancock Rd.

HEL

HEL

HEL

HEL

PLACE OF USE 167.8

LOT 1

LOT 2

LOT 3

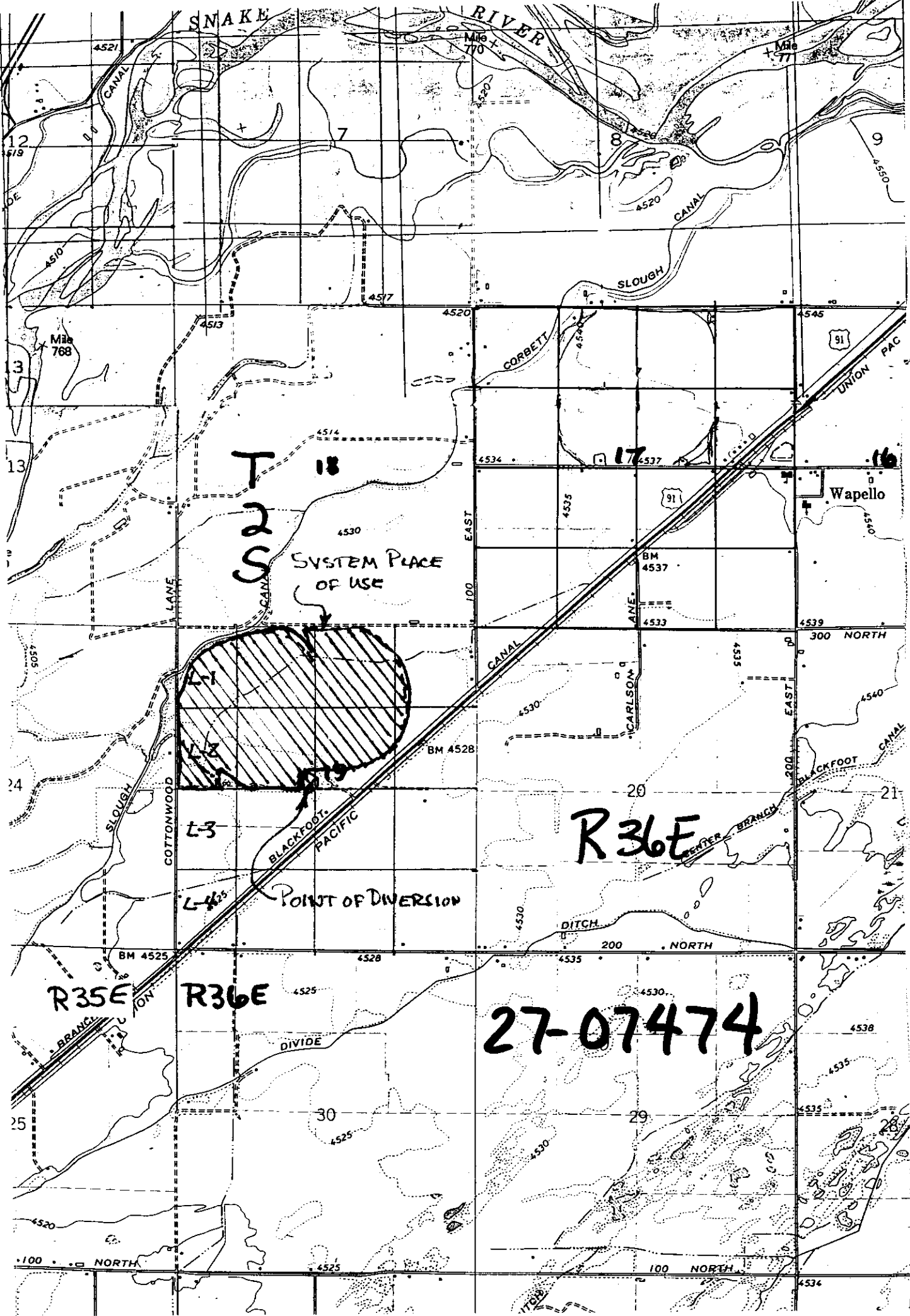
LOT 4

HEL POINT OF DIVERSION 17.6

T 2 S R 36 E

HEL 2 20.6

27-07474



SYSTEM
PLACE OF USE

167.8

37

3

2

30

HEL
2
17.6
T
2
S

POINT OF
DIVERSION
R36 E

27-07474

Weeding Ln.

200N.

T783 X
3772

HEL
4
20.3

T7693 X
3772
HEL
2

T779 X
Lot 4

T746 X
3607
HEL

13.4 LOT 3

2
18.3

146

193

HEL
2
20.6

UPPER

Cottonwood Ln

Hancock

18 17
19 20

19 20
30 29

27-07474/7526

FLOW 1246.386 GPM
8.420 F/S

SETUP NO. 1

PIPE O.D. 8.010 IN

PIPE WALL THICKNESS 0.117 IN

PIPE I.D. 7.776 IN

PIPE MATERIAL CARBON STEEL

PIPE SOUND VELOCITY 10597.129 F/S

LINER MATERIAL NONE

LINER SOUND VELOCITY 0.000 F/S

LINER THICKNESS 0.000 IN

INSIDE ABS ROUGHNESS 0.00015000

FLUID MATERIAL WATER

FLUID SOUND VELOCITY 4863.330 F/S

FLUID VISCOSITY 1.132 Cst

TRANSDUCER TYPE STANDARD

TRANSDUCER MOUNTING U

TRANSDUCER SPACING 6.071 IN

16:05:56 10-16-97

Min. Rate 0.00 GPM
Max. Rate 1315.84 GPM
Avg. Rate 1175.46 GPM
FLOW RATE 1264.20 GPM
NET TOT(X1) 15785 GAL
POS TOT(X1) 15785 GAL
NEG TOT(X1) 0 GAL

16:06:15 10-16-97

SCALE FACTOR = 0.990
OFFSET (GPM) = 0.000
nsec OFFSET = 11.64
usec OFFSET = -0.29
XMT DET DLY = 20.14
OPERATION FAC = 1.00
XDUCE: STANDARD/U

WIN DLY = 296.83 UP 296.19 DOWN
SETR = 1.25 1.35
BIAS = 1.57 1.55
ACC = 0.18 0.16
SIG STG = 9.65 9.80
MISSED = 0 0
TIME(us) = 297.9 297.4
DEL TIME(ns) = 440.5
DIFF COUNT = 1121
PZX = 46
SPS = 35.48
BERATION = 0.000

FLUID (F/S) = 4720.87
REYNOLDS NO. = 445925
PROFILE FACTOR = 0.9448

FLOW: = 1242.459 GPM

DEL TIME(ns) = 440.5
DIFF COUNT = 1121
PZX = 46
SPS = 35.48
BERATION = 0.000

FLUID (F/S) = 4720.87
REYNOLDS NO. = 445925
PROFILE FACTOR = 0.9448

FLOW: = 1242.459 GPM
8.394 F/S

16:06:56 10-16-97

Min. Rate 1241.88 GPM
Max. Rate 1272.84 GPM
Avg. Rate 1255.32 GPM
FLOW RATE 1249.36 GPM
NET TOT(X1) 17043 GAL
POS TOT(X1) 17043 GAL
NEG TOT(X1) 0 GAL

16:07:56 10-16-97

Min. Rate 1243.91 GPM
Max. Rate 1254.85 GPM
Avg. Rate 1249.75 GPM
FLOW RATE 1252.63 GPM
NET TOT(X1) 18277 GAL
POS TOT(X1) 18277 GAL
NEG TOT(X1) 0 GAL

16:08:56 10-16-97

Min. Rate 1235.58 GPM
Max. Rate 1266.30 GPM
Avg. Rate 1252.89 GPM
FLOW RATE 1252.99 GPM
NET TOT(X1) 19530 GAL
POS TOT(X1) 19530 GAL
NEG TOT(X1) 0 GAL

16:09:56 10-16-97

Min. Rate 1240.25 GPM
Max. Rate 1264.71 GPM
Avg. Rate 1252.50 GPM
FLOW RATE 1254.97 GPM
NET TOT(X1) 20787 GAL
POS TOT(X1) 20787 GAL
NEG TOT(X1) 0 GAL

16:10:56 10-16-97

Min. Rate 1246.45 GPM
Max. Rate 1266.13 GPM
Avg. Rate 1255.56 GPM
FLOW RATE 1252.86 GPM
NET TOT(X1) 22043 GAL
POS TOT(X1) 22043 GAL
NEG TOT(X1) 0 GAL

16:11:56 10-16-97

Min. Rate 1243.41 GPM
Max. Rate 1263.34 GPM
Avg. Rate 1253.52 GPM
FLOW RATE 1254.73 GPM
NET TOT(X1) 23307 GAL
POS TOT(X1) 23307 GAL
NEG TOT(X1) 0 GAL

16:12:56 10-16-97

Min. Rate 1238.68 GPM
Max. Rate 1258.75 GPM
Avg. Rate 1248.14 GPM
FLOW RATE 1256.40 GPM
NET TOT(X1) 24542 GAL
POS TOT(X1) 24542 GAL
NEG TOT(X1) 0 GAL

16:13:56 10-16-97

Min. Rate 1256.26 GPM
Max. Rate 1273.00 GPM
Avg. Rate 1264.14 GPM
FLOW RATE 1264.31 GPM
NET TOT(X1) 25811 GAL
POS TOT(X1) 25811 GAL
NEG TOT(X1) 0 GAL

16:14:56 10-16-97

Min. Rate 1248.02 GPM
Max. Rate 1282.29 GPM
Avg. Rate 1268.45 GPM
FLOW RATE 1255.75 GPM
NET TOT(X1) 27072 GAL
POS TOT(X1) 27072 GAL
NEG TOT(X1) 0 GAL

Min. Rate 1235.58 GPM
Max. Rate 1266.30 GPM
Avg. Rate 1252.89 GPM
FLOW RATE 1252.99 GPM
NET TOT(X1) 19530 GAL
POS TOT(X1) 19530 GAL
NEG TOT(X1) 0 GAL

16:09:56 10-16-97

Min. Rate 1240.25 GPM
Max. Rate 1264.71 GPM
Avg. Rate 1252.50 GPM
FLOW RATE 1254.97 GPM
NET TOT(X1) 20787 GAL
POS TOT(X1) 20787 GAL
NEG TOT(X1) 0 GAL

16:10:56 10-16-97

Min. Rate 1246.45 GPM
Max. Rate 1266.13 GPM
Avg. Rate 1255.56 GPM
FLOW RATE 1252.86 GPM
NET TOT(X1) 22043 GAL
POS TOT(X1) 22043 GAL
NEG TOT(X1) 0 GAL

16:11:56 10-16-97

Min. Rate 1243.41 GPM
Max. Rate 1263.34 GPM
Avg. Rate 1253.52 GPM
FLOW RATE 1254.73 GPM
NET TOT(X1) 23307 GAL
POS TOT(X1) 23307 GAL
NEG TOT(X1) 0 GAL

16:12:56 10-16-97

Min. Rate 1238.68 GPM
Max. Rate 1258.75 GPM
Avg. Rate 1248.14 GPM
FLOW RATE 1256.40 GPM
NET TOT(X1) 24542 GAL
POS TOT(X1) 24542 GAL
NEG TOT(X1) 0 GAL

16:13:56 10-16-97

Min. Rate 1256.26 GPM
Max. Rate 1273.00 GPM
Avg. Rate 1264.14 GPM
FLOW RATE 1264.31 GPM
NET TOT(X1) 25811 GAL
POS TOT(X1) 25811 GAL
NEG TOT(X1) 0 GAL

16:14:56 10-16-97

Min. Rate 1248.02 GPM
Max. Rate 1282.29 GPM
Avg. Rate 1268.45 GPM
FLOW RATE 1255.75 GPM
NET TOT(X1) 27072 GAL
POS TOT(X1) 27072 GAL
NEG TOT(X1) 0 GAL

16:15:56 10-16-97

Min. Rate 1244.91 GPM
Max. Rate 1262.12 GPM
Avg. Rate 1255.94 GPM
FLOW RATE 1259.98 GPM
NET TOT(X1) 28333 GAL
POS TOT(X1) 28333 GAL
NEG TOT(X1) 0 GAL

DIF CNT= 999
DELTA T= 452.69

?

27-07474

PAGE # 1 of 2

27-7474/7526

FLOW 1527.889 GPM
10.322 F/S

FLOW 1417.879 GPM
9.579 F/S

16:20:21 10-16-97

Min. Rate 0.00 GPM
Max. Rate 1530.80 GPM
Avg. Rate 1327.28 GPM
FLOW RATE 1454.32 GPM
NET TOT(X1) 31799 GAL
POS TOT(X1) 31799 GAL
NEG TOT(X1) 0 GAL

16:21:21 10-16-97

Min. Rate 1390.39 GPM
Max. Rate 1454.32 GPM
Avg. Rate 1413.87 GPM
FLOW RATE 1414.28 GPM
NET TOT(X1) 33216 GAL
POS TOT(X1) 33216 GAL
NEG TOT(X1) 0 GAL

16:22:21 10-16-97

Min. Rate 1414.28 GPM
Max. Rate 1438.08 GPM
Avg. Rate 1425.86 GPM
FLOW RATE 1421.19 GPM
NET TOT(X1) 34639 GAL
POS TOT(X1) 34639 GAL
NEG TOT(X1) 0 GAL

DIF CNT= 776
DELTA T= 506.71

DIF CNT= 1129
DELTA T= 513.28

FLOW 1437.143 GPM
9.709 F/S

← Q = 3.20 cfs

27-07474

PAGE 2 of 2

POINT OF DIVERSION
(27-07474 & 27-07526)



27-07474

9/89

Drilling Permit No. 2 79-E-035Water Right Permit No. 61-07474

Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

RECEIVED
JAN 10 1991

Department of Water Resources

1. Applicant Tom Bartauský
2. Mailing Address 8 W. 100 N.
Blackfoot, ID 83221 Telephone 785-2392
- (☒) Well Owner () Well Operator () Other, specify _____
3. Proposed well location SE 1/4 NW 1/4, or Gov't lot No. _____,
Sec. 19, Twp. 2S, Rge. 36E, County Bingham,
Street Address of Well Site _____,
Lot, block and subdivision _____
4. Proposed use of well:
() Single family or stockwater use (less than 13,000 gallons per day)
(☒) Irrigation (more than 1/2 acre) 80 acres
() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
() Other (describe fully) _____
5. Well construction information:
A. (☒) New well () Deepen () Replace - See Condition 9.
B. Proposed surface diameter 16" Maximum depth 80'
C. Anticipated bottom hole temperature:
(☒) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Construction Start Date 12-5-89
7. Anticipated Well Driller Hawley Brothers Drilling
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Tom Bartauský Date 12-4-89
Title Owner
(Owner, Firm Representative, Other)

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is approved Date 12-6-89

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:


Signature of Authorized Department Representative

REGIONAL MANAGER
Title

Receipt No. EO1247 Received by RB Fee \$100.00 Date 12-4-89

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____
This extension is good for 60 days beyond the above extension approval date.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

WATER 9.4 1996 State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER: For Resources

Name Tom BERTANSKY

Address 8 W 100 N Blackfoot Id

Owner's Permit No. 27-89-E-035

Water Right Permit 27-07474

2. NATURE OF WORK

☒ New well

☐ Deepened

☐ Replacement

☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic

☒ Irrigation

☐ Test

☐ Municipal

☐ Industrial

☐ Stock

☐ Waste Disposal or Injection

☐ Other (specify type)

4. METHOD DRILLED

☐ Rotary

☒ Air

☐ Hydraulic

☐ Reverse rotary

☐ Cable

☐ Dug

☐ Other

5. WELL CONSTRUCTION

Casing schedule:

☒ Steel

☐ Concrete

☐ Other

Thickness

Diameter

From

To

1025 inches

16 inches

0.0 feet

70 FT feet

inches

inches

feet

feet

inches

inches

feet

feet

inches

inches

feet

feet

Was casing drive shoe used?

☒ Yes

☐ No

Was a packer or seal used?

☐ Yes

☒ No

Perforated?

☒ Yes

☐ No

How perforated?

☐ Factory

☒ Knife

☐ Torch

Size of perforation

12 inches by

4 inches

8 Number

From

To

perforations

60 FT feet

35 FT feet

perforations

feet

feet

perforations

feet

feet

Well screen installed?

☐ Yes

☒ No

Manufacturer's name

NA

Type

NA

Model No.

Diameter

Slot size

Set from

feet to

feet

Diameter

Slot size

Set from

feet to

feet

Gravel packed?

☐ Yes

☐ No

Size of gravel

Placed from

feet to

feet

Surface seal depth

6 FT

Material used in seal:

☐ Cement grout

☒ Bentonite

☐ Puddling clay

Sealing procedure used:

☐ Slurry pit

☐ Temp. surface casing

☒ Overbore to seal depth

Method of joining casing:

☐ Threaded

☒ Welded

☐ Solvent Weld

☐ Cemented between strata

Describe access port

7. WATER LEVEL

Static water level

32

feet below land surface.

Flowing?

☐ Yes

☒ No

G.P.M. flow

Artesian closed-in pressure

NA

p.s.i.

Controlled by:

☐ Valve

☐ Cap

☐ Plug

Temperature

56

°F.

Quality

Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump

☐ Bailer

☒ Air

☐ Other

Discharge G.P.M.

Pumping Level

Hours Pumped

500 GPM max

32 FT

6 Hours

9. LITHOLOGIC LOG

Bore Diam.

Depth

Material

Water

From

To

Yes

No

16

0.0

32

Sand & gravel

X

16

32

70

Sand & gravel

X

12"

70

81

Basalt Rock

X

10.

Work started

Jul 23

finished

Aug 23

11. DRILLERS CERTIFICATION

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

Firm Name

Harly Brothers

Firm No.

461

Address

675 S. Shilline

Date

May 9 1999

Signed by (Firm Official)

Dan C. Harly

and

(Operator)

Dan C. Harly

6. LOCATION OF WELL

Sketch map location must agree with written location.

N

W

E

S

Subdivision Name

Lot No.

Block No.

County

Bingham

SE 1/4 NW 1/4 Sec. 19

T. 2 S.

N. 36 E.

12. NOTES

RECEIVED

MAY 22 1990

Department of Water Resources

Eastern District Office

January 15, 1991

TOM BARTAUSKY
8 W. 100 N.
BLACKFOOT, ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 27-07474

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Enclosure

MICROFILMED

FEB 06 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 27-7474

Date 12-26

GENERAL CONSIDERATIONS

☒ Name same as permit?
☒ Address same as permit? If no, prepare data entry form.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

☒ Required?
125 Amount submitted?
☒ Correct amount?

MEASURING DEVICE

☒ Measuring device or access port required?
☒ Installed?
☒ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

- Reinstall & advance priority
- check out drill permit compliance OK

PRIORITY CALCULATION

Date proof received 12-6
Date proof due 12-1 -
No. of days late = 5
Priority date +
NEW PRIORITY DATE =

9/89

Drilling Permit No. 27-89-F-035Water Right Permit No. 2 77474

Injection Permit No. _____

State of Idaho
Department of Water Resources
D R I L L I N G P E R M I T

RECEIVED

DEC 7 1989

Department of Water Resources

1. Applicant Tom Bartausky2. Mailing Address 8 W. 100 N.Blackfoot, ID 83221 Telephone 785-2392☒ Well Owner ☐ Well Operator ☐ Other, specify _____3. Proposed well location SE 1/4 NW 1/4, or Gov't lot No. _____,Sec. 19, Twp. 2S, Rge. 36E, County Bingham,

Street Address of Well Site _____,

Lot, block and subdivision _____

4. Proposed use of well:

☐ Single family or stockwater use (less than 13,000 gallons per day)☒ Irrigation (more than 1/2 acre) 80 acres☐ Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____☐ Other (describe fully) _____

5. Well construction information:

A. ☒ New well ☐ Deepen ☐ Replace - See Condition 9.B. Proposed surface diameter 16" Maximum depth 80'

C. Anticipated bottom hole temperature:

☒ 85°F or less (Cold water well)☐ 85°F to 212°F (Low temp. geothermal well)☐ 212°F or more (Geothermal well)6. Construction Start Date 12-5-897. Anticipated Well Driller Hawley Brothers Drilling

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Tom Bartausky Date 12-4-89Title Owner

(Owner, Firm Representative, Other)

MICROFILMED

FEB 06 1991

ACTION OF DEPARTMENT OF WATER RESOURCES

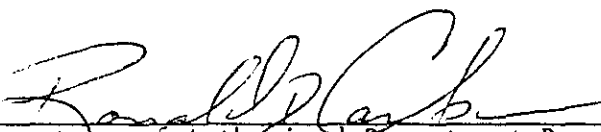
This Permit is approved. Date 12-6-89.

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

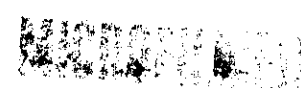
SPECIFIC CONDITIONS:


Signature of Authorized Department Representative

REGIONAL MANAGER
Title

Receipt No. EO1247 Received by RB Fee \$100⁰⁰ Date 12-4-89

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date 

This extension is good for 60 days beyond the above extension approval date. 001

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

December 5, 1990

TOM BARTAUSKY
8 W. 100 N.
BLACKFOOT, ID 83221

LAPSE NOTICE

RE: PERMIT NO. 27-07474

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 September 30, 1990. 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 fifteen dollar (\$15) 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

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 12-6-90
a copy of an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

FEB 1991

138397

September 30, 1990

TOM BARTAUSKY
8 W. 100 N.
BLACKFOOT, ID 83221

PROOF DUE NOTICE

RE: PERMIT NO. 27-07474

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 December 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

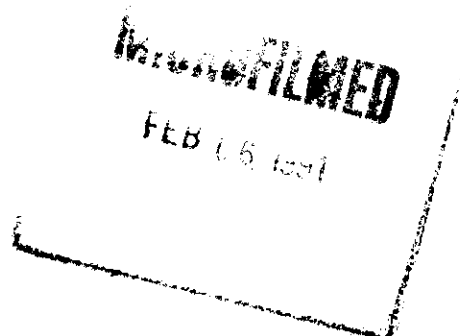
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures



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

Statehouse
Boise, Idaho 83720
(208) 327-7900
November 22, 1989

TOM BA TAUSKY
8 W. 1 0 N.
BLACKF OT, ID 83221

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

RE: PERMI NO. P27-07474

Dear Perm t Holder:

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

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

Section 4 -235, Idaho Code, requires that a "drilling permit" must be o tained from the department for all wells constructed after Jul 1, 1987. A drilling permit is a separate permit that must be i sued in addition to your permit to appropriate water. Commencem nt of well construction or diversion of water under your perm t to appropriate water is prohibited unless a drilling permit is obtained.

Be sure t note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installat on of measuring equipment by the Department. Enclosed please fi d a list of measuring device options, and specifca ions for the installation of the flow measurement port.

RECEIVED

DEC 11 1989

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely

GARY SPACMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosure

Form No. 202a
4/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES~~Non-Trust~~
~~Held~~

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWT DATE 7-7-89 APPLICATION NUMBER 27-7474BartauskyREQUIRED INFORMATION

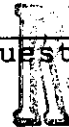
- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☐ No Field check required
- ☐ 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 _____



00719 1000

Department of Water Resources

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 10-9-89
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☒ Yes ☐ No Access port required
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. 01-POS
☒ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information

Date of priority recommended 5-22-89
By HGJ Date 10-18-89

STATE OFFICE REVIEW P05, P23, P03, P14 46 013 48 49

See below for additional information

By KW Date 11/16/89

ADDITIONAL INFORMATION

* Shares in Blackfoot Ferry

App. in NON-TRUST area-

13-Sep-1989

Tom Bartauský
8 W. 100 N.
Blackfoot, ID 83221

RE: Application for Permit No. 27-7474

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 Morning News. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

DEC 13 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 13, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

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 OCTOBER 9, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED
SEP 15 1989

DEC

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

DEC 12 1993

27-07474

BARTAUSKY, TOM
8 W. 100 N.
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: SENW Sec 19 T 02S R 36E

Use: IRRIGATION (1.600 CFS)

Date Filed: 5/22/1989

In: T02S R36E S19 NENW SENW

80.0 ACRES TOTAL

DEC 13 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-3A, 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 OCTOBER 9, 1989.

R. Keith Higginson, Director

Published 9/21/1989 & 9/28/1989

RECEIVED

OCT 13 1989

Apphc For Permit 27-07474

I Tom BARTAUSKY Request that my Application For a well permit be processed as soon as possible for economic reasons. I purchased this Farm in May of 1989 After I had heard that the water Resource Dept. were processing new well applications. The Farm was presently irrigated with canal water. Due to the ~~ditch~~ ditch system that delivers the water, it is not feasible to pump water from the ditch.

The ditch that delivers the water is approx. 1 1/2 miles long from the west Branch canal to the Farm & own. Due to the length of the ditch and the number of other people irrigating from the same ~~ditch~~ ditch the water supply is not constant. **RECEIVED**

DEC 14 1989

Due to the cost of Farm ground in this area it is not feasible to flood irrigate to produce crops in order to pay for the Farm. I also believe that by me pumping water from a well will be a major savings in water ~~usage~~ usage.

Due to the time it takes to drill and develop a well. Time is of great importance.

Thank you Tom Bartausky

