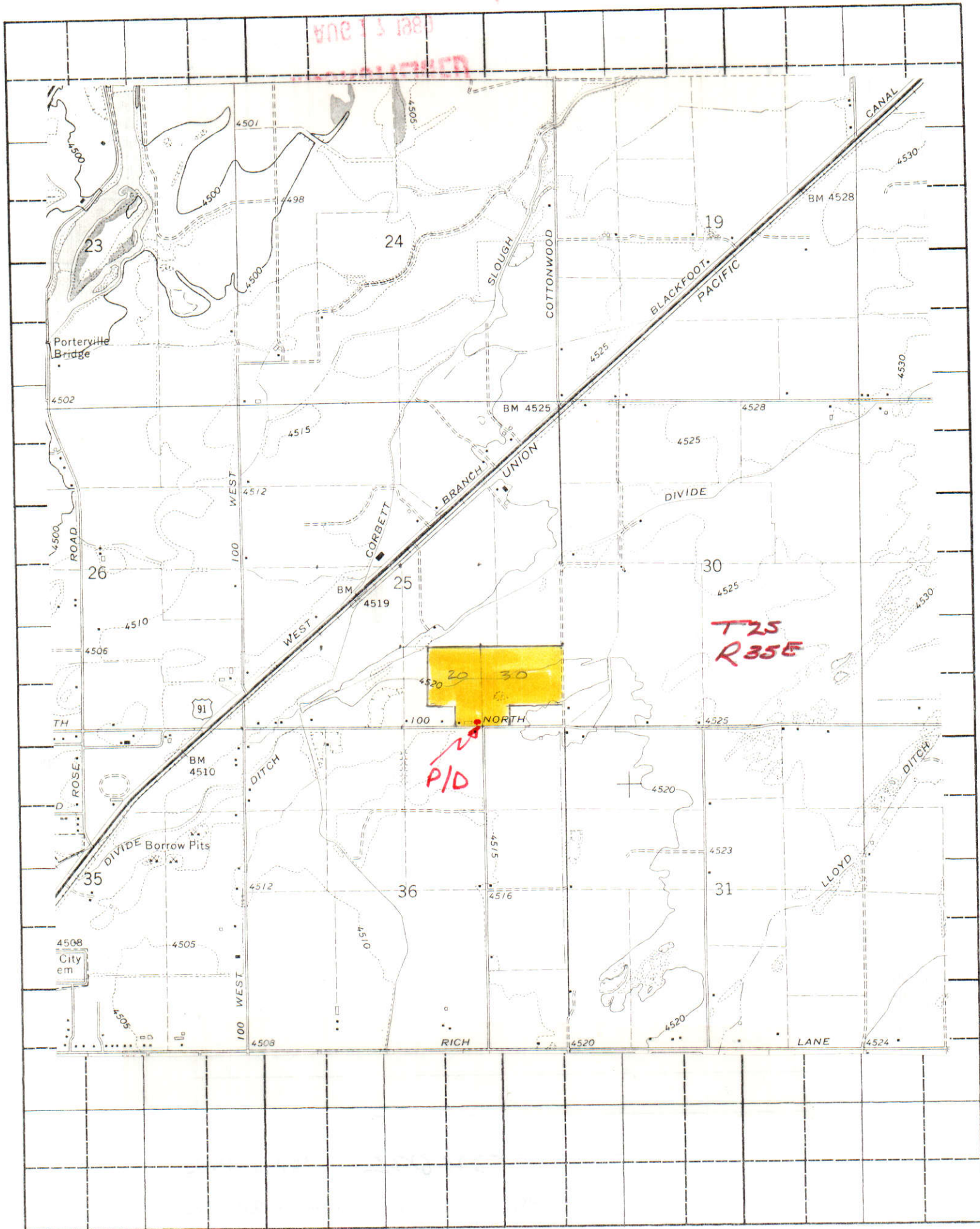


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

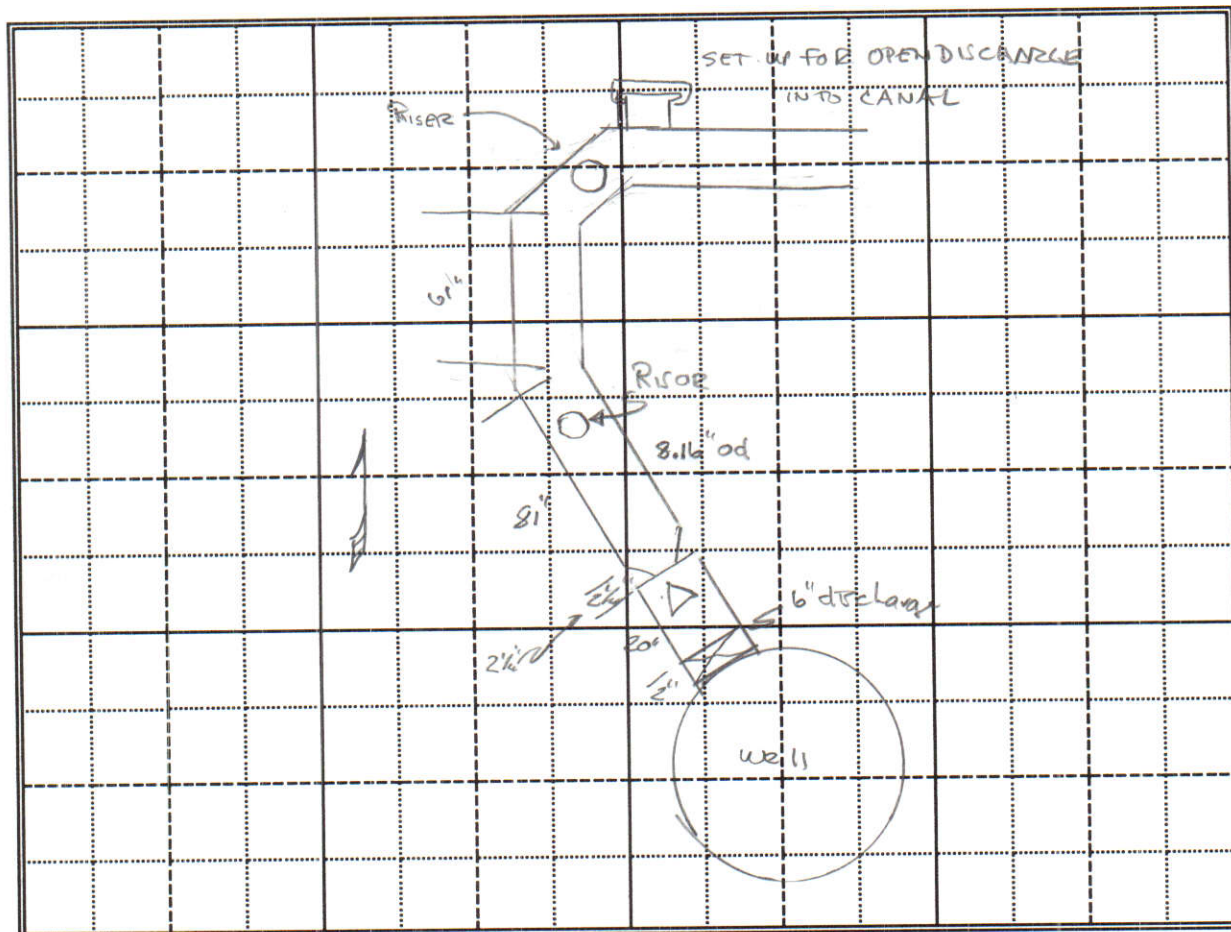
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

AUG 17 1989

Tom B. [Signature]
(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
	U.S. Electric	40	6229/ 402T353R167R-2	WESTERN LAND ROLLER	6"

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

D. FLOW MEASUREMENTS *THEORETICAL*

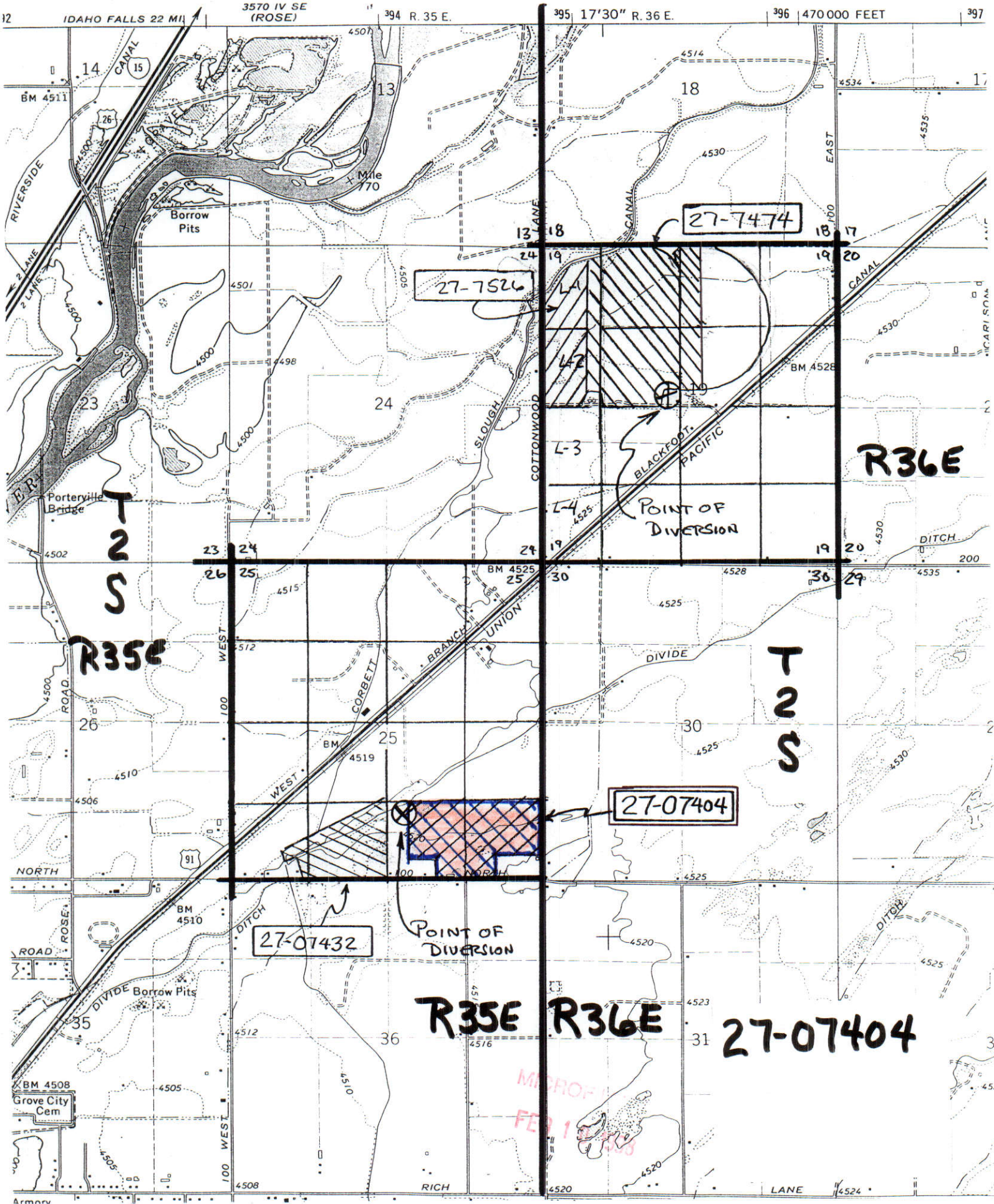
1.

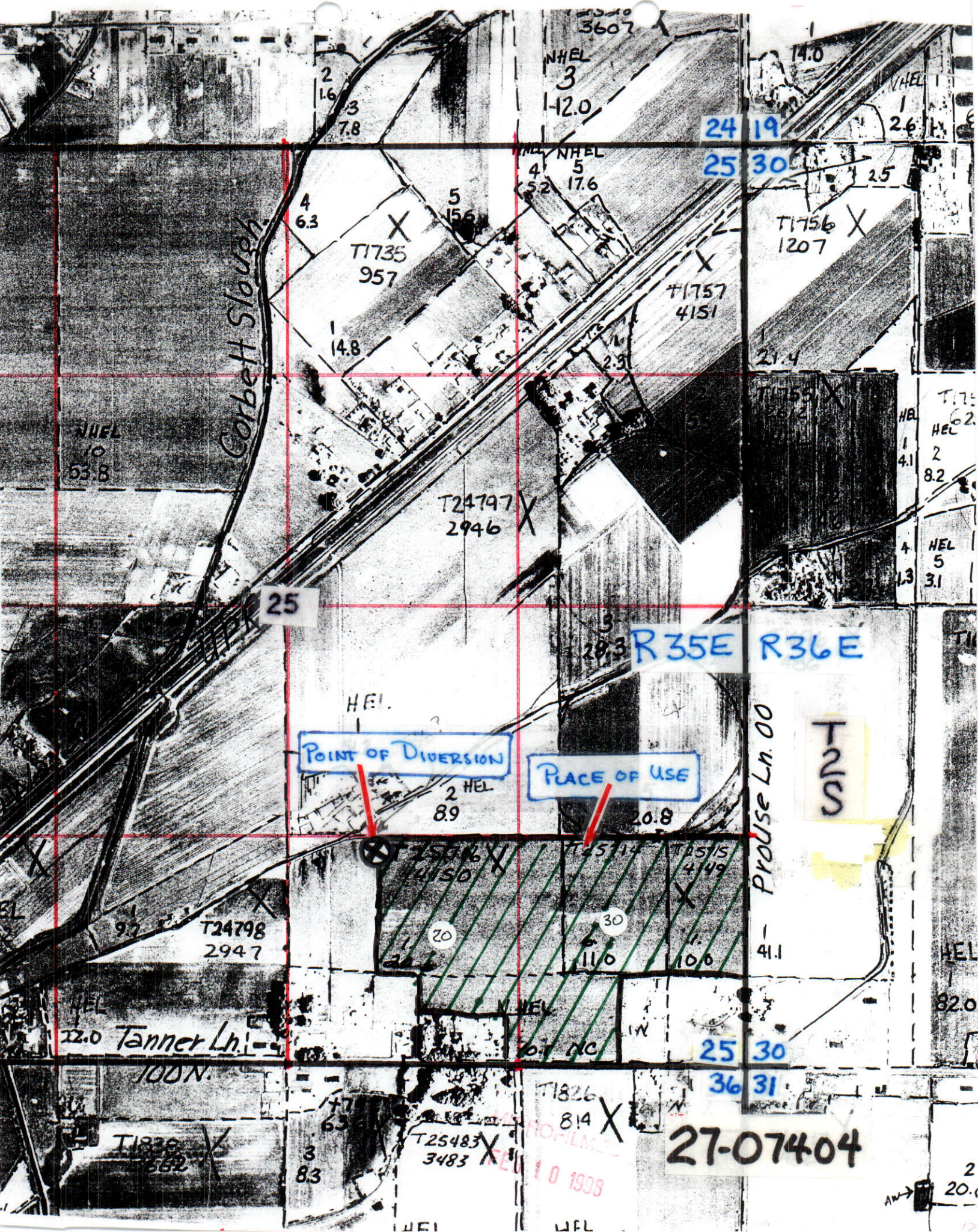
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: _____

MICROFILMED

FEB 0 1998





POINT OF
DIVERSION
(27-07404 & 27-07432)

DOWN TURN OF
MAINLINE TO
SPRINKLER
SYSTEM
(27-07404)

COUPLING FOR
OPEN DISCHARGE
INTO CANAL
(27-07432)



FEB 10 1993

27-07404

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07404

Priority: April 8, 1985

Maximum Diversion Rate:

1.00 CFS

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

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 3, 1985; and has submitted Proof of Beneficial Use on June 5, 1990. An examination indicates that the works have a diversion capacity of 2.860 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	1.00 CFS	
------------	----------------	----------	--

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 25, Township 02S, Range 35E
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	35E	25	SWSE 20	ESE 30		50

Total number of acres irrigated: 50

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.

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

WATER RIGHT NO. 27-07404

CONDITIONS OF APPROVAL AND REMARKS

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 when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual diversion volume of 175.0 af for the lands above.
10. 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.
11. Right 27-07432 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, 1998.

Acting for


KARL J. DREHER, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 27-7404 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 June 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, on June 1, 1990 the permit lapsed for failure of the permit holder to submit 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 lapsing; and,

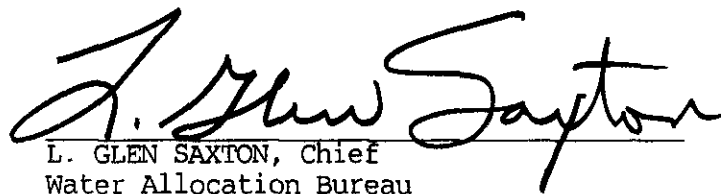
WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on June 5, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 27-7404 be REINSTATED and the priority advanced to April 8, 1985.

Dated this 26th day of June, 1990.

MICROFILMED

JUL 20 1990


L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED
JUN 5 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

~~Department of Water Resources~~
The 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. 27-07404 Telephone No. 785-2392

Name(s) of Permit Holder(s): TOM Bartauskay

Post Office Address: 8 West 100 N. Blackfoot, ID 83221

Source of Water: Groundwater

If ground water, well driller's name: Lamar Barrus Date drilled: 1987

Extent of Use:
Domestic _____ (No. of households) Irrigation 50 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 1.00 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1987

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 ☐ No

Fee Enclosed: \$ 100.00 (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.

MICROFILMED

JUL 20 1990

Date 6-1-90

Tom Bartauskay
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant TOM BARTAUSKY Phone 785-2392

Post office address 8 West 100 North, Blackfoot, ID 83221

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

3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25 Township 2S

Range 35E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.0 for Irrigation purposes from 4-1 to 11-1 (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:

a. 1.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

AUG 17 1989

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

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	35E	25															20	30	50

Total number of acres to be irrigated 50

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

Blackfoot Irrigation Co. - 70"

9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks Applicant desires to use groundwater and would consider relinquishing the surface right if permit was granted.

RECEIVED

AUG 17 1989

This is a topographic map of a section of the Blackfoot-PacifiC Railroad. The map shows the railroad line running diagonally from the bottom-left to the top-right. Key features include:

- Geographic Features:** PORTERVILLE BRIDGE, COTTONWOOD SLOUGH, LLOYD DITCH, and various contour lines (e.g., 4500, 4510, 4520).
- Infrastructure:** The railroad line itself, labeled with 'BLACKFOOT-PACIFIC' and 'DIVIDE'.
- Landmarks:** 'PORTERVILLE BRIDGE' is marked near the top-left. 'COTTONWOOD SLOUGH' is a water feature running parallel to the railroad.
- Handwritten Notes:** 'T25 R35E' is written in the center-right area. 'P/D' is written near the bottom-center.
- Map Details:** The map includes a grid system with section numbers (e.g., 23, 24, 25, 26, 30, 31, 35, 36) and various spot elevations (e.g., 4502, 4515, 4519, 4525, 4528).

Tom Benthley
(Applicant)

Proposed Priority 4/3/85

Received by AN Date 4/3/85 Time 12:08
Preliminary check by HWT Fee \$ \$4500 #33244
Received by AN Date 4-3-85
Publication prepared by AN Date ~~8-6-85~~ 7-29-87
Published in Blackfoot News
Publication dates 8-6 + 8-13-87
Publication approved AN Date 8-21-87
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by kw

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. 27-7404, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 90.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

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.

Witness my hand this 19th day of May, 1989.

J. Glen Saylor

MICROFILMED

AUG 17 1989

NOTICE OF APPLICATION
FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho:

27-7436

COOPER, STEPHEN
1111 EAST AIRPORT, BLACKFOOT, ID
83221
Source: GROUNDWATER
Diversion Pt: SWSESW Sec 21 T 02S R 36E
Use: IRRIGATION (2.640 CFS)
Date Filed: 07/13/1987
In: NESW NWSW SWSW SESW Sec 21 T 2S
R 36E FOR 132 ACRES

27-7435

WASIA FARMS
C/O DICK WASIA, 54 NORTH 50 EAST,
BLACKFOOT, ID 83221
Source: GROUNDWATER
Diversion Pt: Lot 02 (NWSWNW) Sec 31 T
02S R 36E
Use: IRRIGATION (1.3 CFS)
Date Filed: 07/10/1987
In: SWNW SENW LOT 02 (SWNW) Sec 31 T
02S R 36E FOR 65 ACRES

27-7434

EVANS, THAIN &/or HELEN &/or DEAN
&/or JANET
108 EAST 200 NORTH, BLACKFOOT, ID
83221
Source: GROUNDWATER
Diversion Pt: SWSW Sec 20 T 02S R 36E
Use: IRRIGATION (4.4 CFS)
Date Filed: 07/10/1987
In: SWNW SENW NESW NWSW SWSW
SESW Sec 20 T 02S R 36E FOR 220 ACRES

27-7433

EVANS, THAIN
270 NORTH 150 EAST, BLACKFOOT, ID
83221
Source: GROUNDWATER
Diversion Pt: SWSE Sec 17 T 02S R 36E
Use: IRRIGATION (0.8 CFS)
Date Filed: 07/10/1987
In: SWSE Sec 17 T 02S R 36E FOR 40
ACRES

27-7432

BARTAUSKY, TOM
8 WEST 100 NORTH, BLACKFOOT, ID
83221
Source: GROUNDWATER
Diversion Pt: SWSE Sec 25 T 02S R 35E
Use: IRRIGATION (0.780 CFS)
Date Filed: 07/10/1987
In: SWSW SESW Sec 25 T 02S R 35E FOR
39 ACRES

27-7404

BARTAUSKY, TOM
8 WEST 100 NORTH, BLACKFOOT, ID
83221
Source: GROUNDWATER
Date Filed: 04/03/1985
Diversion Pt: SWSE Sec 25 T 02S R 35E
Use: IRRIGATION (1.00 CFS)
In: SWSE SESE Sec 25 T 02S R 35E FOR 50
ACRES

These applications are being advertised for emergency temporary approval under the Department's Water Appropriation Rules and Regulations and for future administrative consideration pursuant to Chapter 2, Title 42, Idaho Code.

The permits 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 August 24, 1987.

RECEIVED
AUG 20 1987

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

I, Michael Bell

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 hav-
ing been so published at Blackfoot, aforesaid for more
than one year past; that said newspaper heretofore com-
plied with all the provisions of Chapter 184 of the Ses-
sions 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: Thursday
of each week; that the notice attached hereto and which
is a part of this affidavit 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
5th day of August, 19 87.

and the last publication having been made on the
13th day of August, 19 87
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.

Michael Bell
Subscribed and sworn to before me this 17th

day of August, 19 87.

MICROFILMED

AUG 17 1987

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Aug. 20, 1992



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 DR
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 27-07404

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license 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 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.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

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 (Approved License) to the person(s) listed below:

Water Right No. 27-07404

TOM BARTAUSKY
281 N COTTONWOOD DR
BLACKFOOT ID 83221


Kari Lynn Townsend
Secretary

MEMORANDUM

TO: File 27-07432 and 27-07404

FROM: Sharla

DATE: December 16, 1997/January 5, 1998

RE: Recommendation Adjustment(s)

The final license recommendations for Permit Nos. 27-07432 and 27-07404 are based on the following:

27-07432:

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of Use:

T2S, R35E, S25 - NESW (1 acres), SWSW (2 acres)

SESW (32 acres)

TOTAL 35 acres

H. RECOMMENDATIONS

Irrigation	4/1 - 10/31	0.70 cfs
------------	-------------	----------

For irrigation of more than 5 acres, the total number of acres listed per ¼¼ is rounded to the nearest whole number. The rate and volume figures have been adjusted accordingly.

27-07404:

The license for this right will show a capacity of 2.86 cfs, based on the highest theoretical calculation of the system.

In a telecon with Keith Wilson on 1/5/98, Keith stated that Mr. Bartausky sold the property with surface water only. After the licenses are issued, Tom will file a transfer to move the groundwater rights to property which also has surface water rights, thus the groundwater rights will remain supplemental.

Examiner: Keith Wilson

Exam Date: July 22, 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 27-07404

DATE 12/9/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>yes</u>
SOURCE	Change <u>—</u>	OK <u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	Change <u>—</u>	OK <u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	Change <u>—</u>	OK <u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>1.0</u> cfs
Fee limit	<u>1.0</u> cfs \$100 ⁰⁰
Measured	<u>—</u> cfs
Theoretical	<u>2.86</u> cfs

Recommended Total Div Rate 1.0 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use	cfs	Volume Calc	
<u>1.0</u>	<u>1.0</u>	<u>50 X 3.5</u>	af
<u>—</u>	<u>—</u>	<u>—</u>	af
<u>—</u>	<u>—</u>	<u>—</u>	af
<u>—</u>	<u>—</u>	<u>—</u>	af
SUBTOTAL	<u>1.0</u>	<u>175.0</u>	af

Flow rate 1.0 cfs X 214 days X 1.98 = 423.7 af
 Total volume recommended 175.0 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

WB7
WB6 (7432)

CONDITIONS — Watermaster Control WD# —

RCB GW Measurement/Measuring Device

— Overlap

— Use-specific conditions

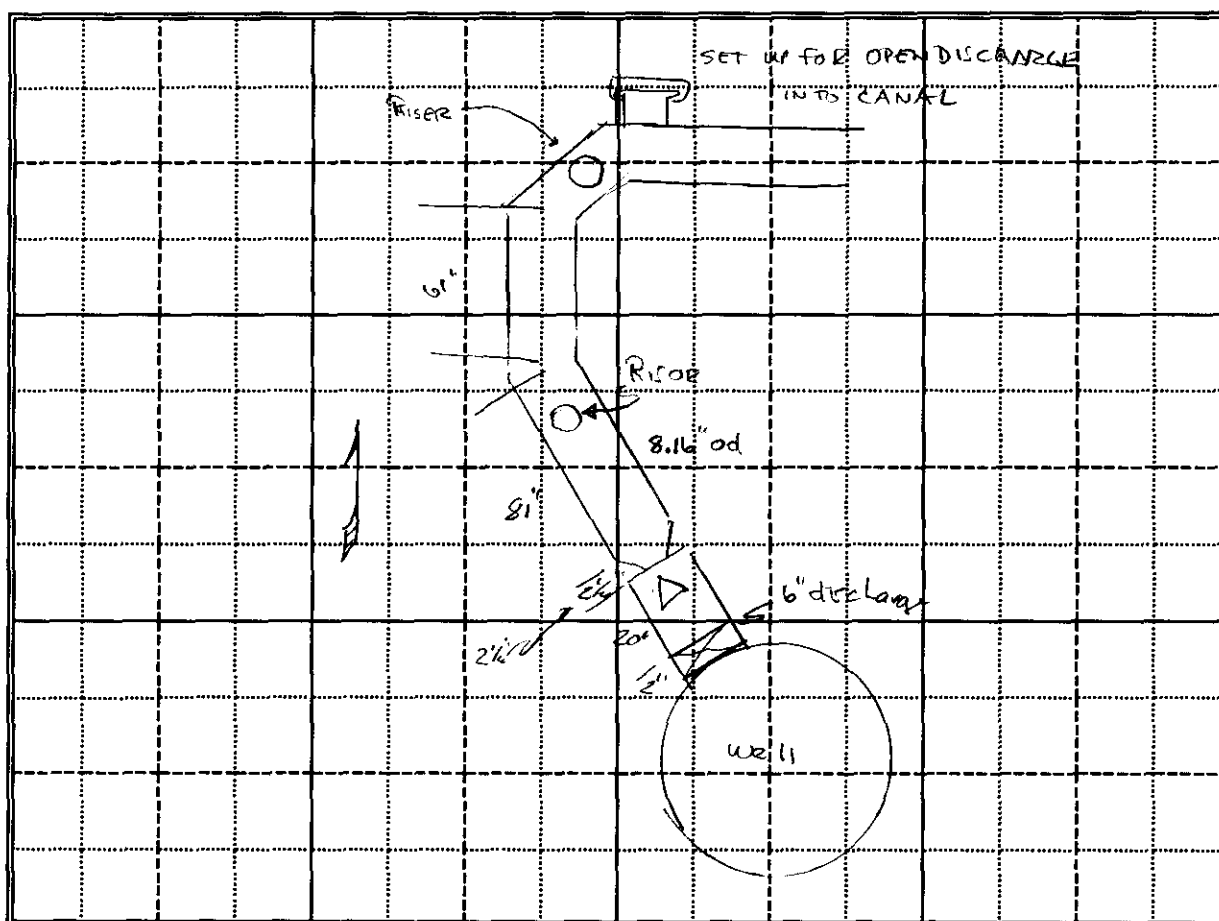
Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA
 Adjustment Memo Cap.

1st Amend Letter NA
 2nd Amend Letter —

48,049,065,079

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
	U.S. Electric	40	6229/ 402T353R167R-2	WESTERN LAND ROLLER	6"

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

D. FLOW MEASUREMENTS *THEORETICAL*

1.

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

2. Measurements: _____

E. NARRATIVE/REMARKS/COMMENTS

Well pump mainline to LATERALS WITH SPRINKLERS (27-7409) OPEN
DISCHARGE INTO BLACKFOOT CANAL & REDIRECTED FOR FLOOD
IRRIGATION (27-07432)

NOTES: AT THE TIME OF EXAM ONLY ABOUT 20 ACRES WERE BEING
IRRIGATED. IRRIGATION SYSTEM WAS EVIDENT TO SUPPORT
IRRIGATION OF ACRES INDICATED FOR 27-07404 & 27-07432.
PERMIT HOLDER WILL FILE A TRANSFER TO MOVE THESE
RIGHTS TO NEW PLACE OF USE UPON LICENSING OF 27-07404
AND 27-07432

ACCORDING TO MR BARTAUSKY he retained ownership of this
Permit/LICENCE ON ANY PROPERTY UNDER THIS PERMITTED PLACE
OF USE THAT HAS BEEN SOLD.

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

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method: *THEORETICAL*

$$(27-07404) Q = 1.48 \text{ cfs} \quad Q_{\text{LIMITED}} = 1.00 \text{ cfs}$$

$$(27-07432) Q = 2.86 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 50 \times 3.5 = 175.0 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.0 \text{ cfs} (214) 1.9835 = 424.5$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 175 \text{ afa}$$

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		
<i>IRRIGATION</i>	<i>4/1</i>	<i>10/31</i>	<i>1.00 cfs</i>	<i>175.0</i>
Totals:			<i>1.00 cfs</i>	<i>175.0</i>

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 *7-22-1997*

Reviewer _____ Date _____

SEAL

THEORETICAL PUMP FLOW CALCULATIONS

Formula: $Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$

SYSTEM: OPEN DISCHARGE (27-07432)

Hp = Horsepower = 40
Eff = Efficiency = 0.70 (Usually 70%)
Lift: (Static Level + Assumed Draw down)
Static Water Level = 25 ft.
Assumed Draw down = + 15 ft.
Lift = 40

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 20 psi (ASSUMED)

$$Q_{cfs} = \left[\frac{40}{Hp} \times 8.814 \times \frac{0.7}{eff} \right] \div \left[\frac{40}{Lift} + \left(\frac{20}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\frac{246.792}{1} \right] \div \left[\frac{86.16}{1} \right]$$

$Q_{cfs} = \underline{2.86}$ cfs SYSTEM OPEN DISCHARGE (27-07432)

SYSTEM: SPRINKLER SYSTEM (27-07404)

Hp = Horsepower = 40
Eff = Efficiency = 0.7 (Usually 70%)
Lift: (Static Level + Assumed Draw down)
Static Water Level = 25 ft.
Assumed Draw down = + 15 ft.
Lift = 40

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 55 psi ASSUMED

$$Q_{cfs} = \left[\frac{40}{Hp} \times 8.814 \times \frac{0.70}{eff} \right] \div \left[\frac{40}{Lift} + \left(\frac{55}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\frac{246.792}{1} \right] \div \left[\frac{166.94}{1} \right]$$

$Q_{cfs} = \underline{1.48}$ cfs SYSTEM SPRINKLER SYSTEM (27-07404)

PERMIT NO. 27-07404/07432

SYSTEM: 4 LATERALS w/26 sprinklers w/ $\frac{1}{64}$ " nozzle

65 PSI @ Pump

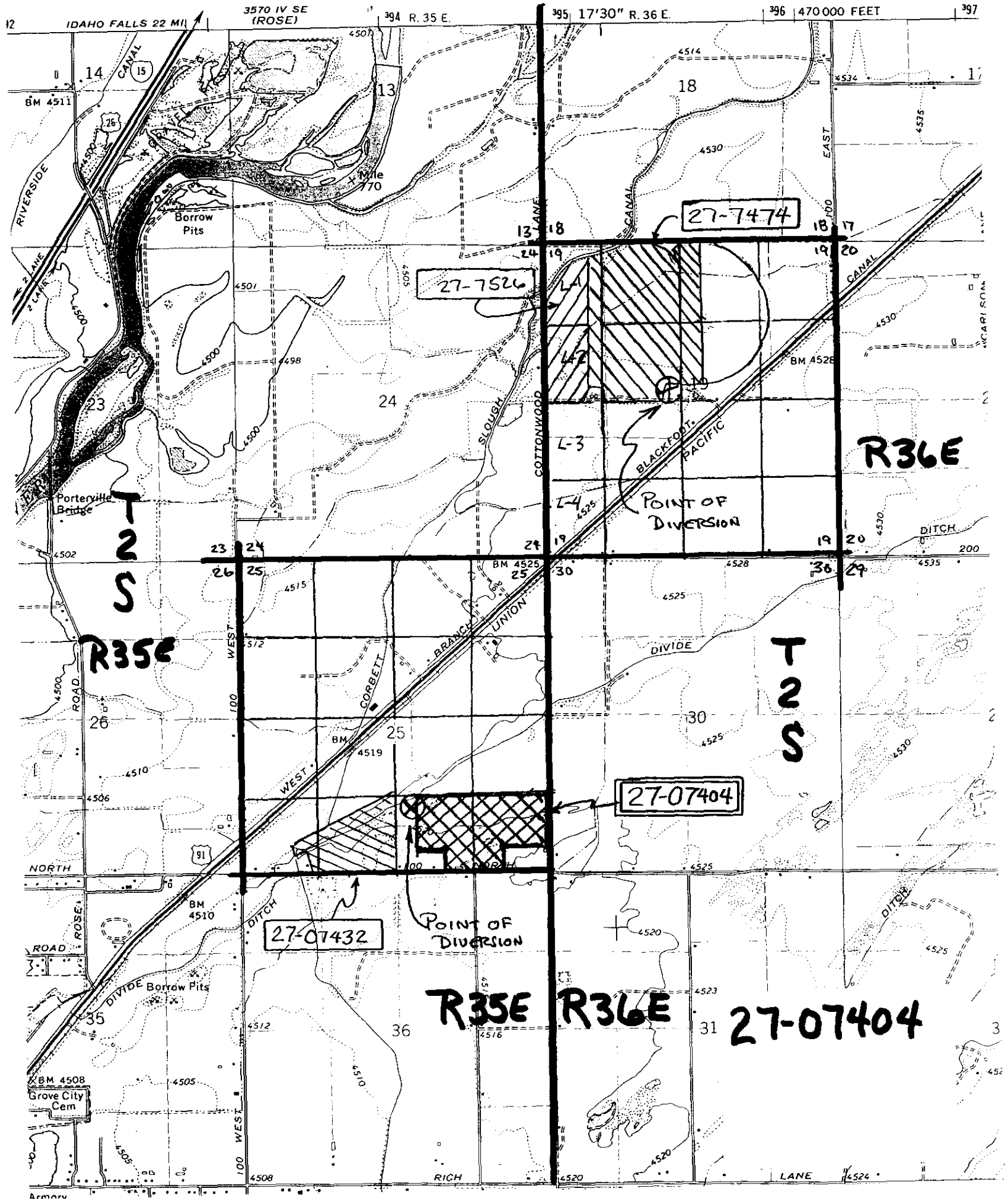
ASSUME:

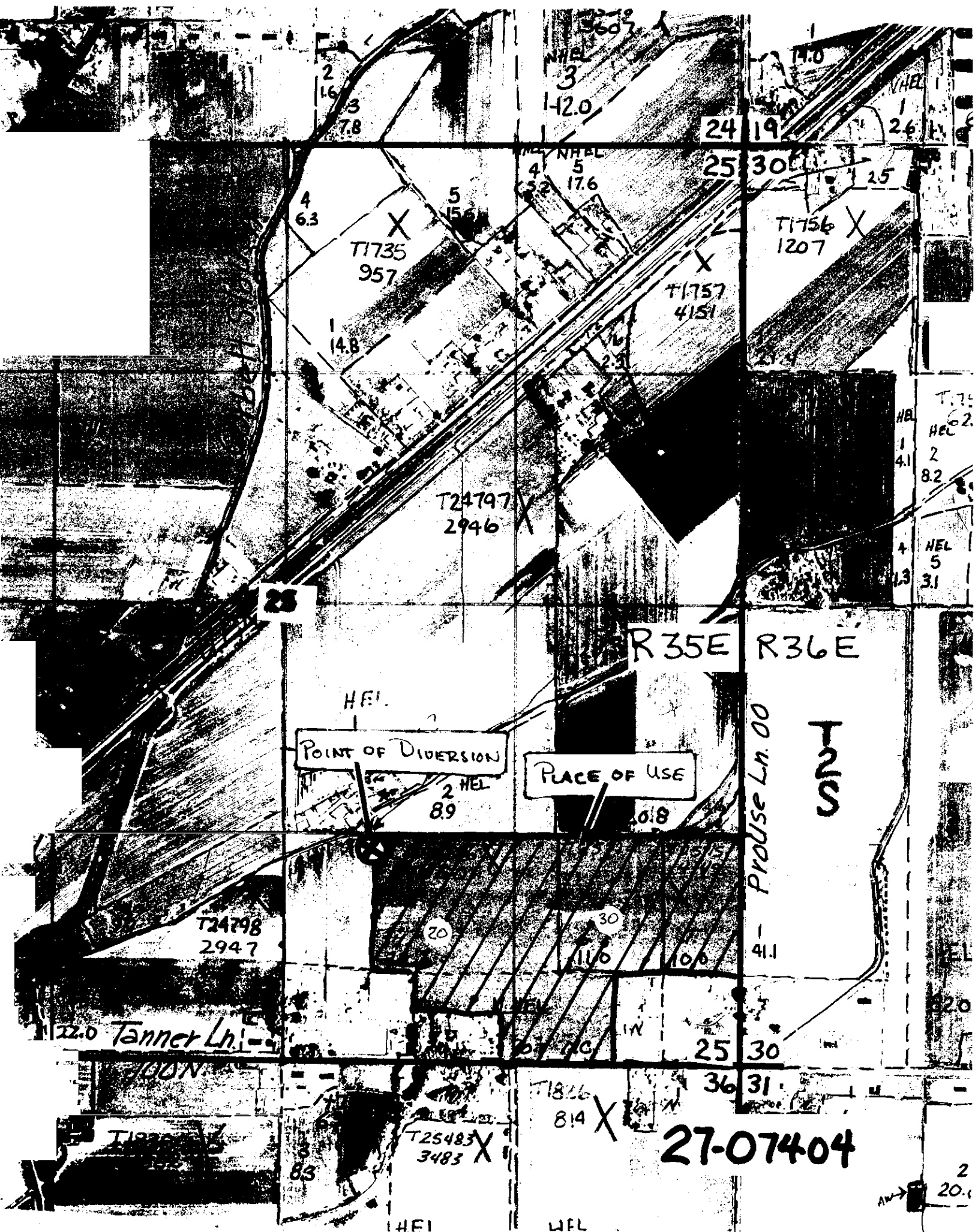
SPRINKLERS @ 55 PSI for $\frac{1}{64}$ " $Q = 6.48$ gpm/sprinkler

$$Q_{TOTAL} = \# \text{ SPRINKLERS } \times \text{ RATE OF FLOW/SPRINKLER}$$

$$= 104 \text{ sprinklers} \times 6.48 \text{ gpm/sprinkler} = 673.9 \text{ gpm} = 1.50 \text{ cfs}$$

PERMIT # 27-07404





POINT OF
DIVERSION
(27-07404 ; 27-07432)

DOWN TURN OF
MAINLINE TO
SPRINKLER
SYSTEM
(27-07404)

COUPLING FOR
OPEN DISCHARGE
INTO CANAL
(27-07432)



27-07404

June 26, 1990

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

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 27-07404

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

INDEXED
JUL 20 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 27-7404

Date: 6-21-90

General Considerations:

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

Source of Water:

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

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

Priority Calculation:

Date proof received	<u>June 5, 1990</u>	<u>156</u>
Date proof due	<u>June 1, 1990</u>	<u>- 152</u>
No. of days late		<u>= 4</u>
Priority date	<u>April 4, 1985</u>	<u>+ 94</u>
NEW PRIORITY DATE	<u>April 8, 1985</u>	<u>= 98</u>

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

WELL DRILLER'S REPORT

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

93

WELL OWNER		7. WATER LEVEL	
Name E M Bartausky		Static water level <u>25</u> feet below land surface.	
Address 8 West 100 North Blackfoot Id 83221		Flowing? ☐ Yes ☒ No G.P.M. flow _____	
Owner's Permit No. 27-7404		Artesian closed-in pressure _____ p.s.i.	
		Controlled by: ☐ Valve ☐ Cap ☐ Plug	
		Temperature _____ °F. Quality _____	
		Describe artesian or temperature zones below.	
NATURE OF WORK		8. WELL TEST DATA	
☒ New well ☐ Deepened ☐ Replacement		☐ Pump ☒ Bailor ☐ Air ☐ Other _____	
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)			
PROPOSED USE			
☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal			
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection			
☐ Other _____ (specify type)			
METHOD DRILLED			
☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary			
☒ Cable ☐ Dug ☐ Other _____			
WELL CONSTRUCTION		9. LITHOLOGIC LOG	
Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____			
Thickness Diameter From To			
.250 inches 10 inches + 10 feet 70 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 1/2 inches by 1/2 inches			
Number From To			
20 perforations feet 70 feet			
perforations feet feet			
perforations feet feet			
Well screen installed? ☐ Yes ☒ No			
Manufacturer's name _____			
Type _____ Model No. _____			
Diameter Slot size Set from feet to feet			
Diameter Slot size Set from feet to feet			
Gravel packed? ☐ Yes ☒ No Size of gravel _____			
Placed from feet to feet			
Surface seal depth 20 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 _____			
LOCATION OF WELL		10.	
Sketch map location must agree with written location.		Work started <u>7/14/87</u> finished <u>7/13/87</u>	
Subdivision Name <u>JUL 20 1990</u>			
Lot No. _____ Block No. _____			
City <u>Bingham</u> Co. <u>EV 1/4</u>			
Section <u>25</u> T. <u>2</u> R. <u>35</u> E. <u>M</u>			
11. DRILLERS CERTIFICATION			
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.			
Firm Name <u>Barrus Drilling</u> Firm No. <u>23</u>			
Address <u>Box 69 Basalt Id 83213</u> Date <u>7/24/87</u>			
Signed by (Firm Official) <u>Lamar N Barrus</u>			
and			
(Operator) <u>Sgt J Barrus</u>			

138414
March 31, 1990

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

PROOF DUE NOTICE

RE: PERMIT NO. 27-07404

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 June 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

NOTED
JUL 20 1990

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
May 19, 1989

TOM BARTAUSKY
8 WEST 100 NORTH
BLACKFOOT, ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 27-07404

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.

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

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

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

MICROFILMED

AUG 17 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 SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

36
2000

AUG 17 2000

Dist. for staffing _____

Submitted for advertising _____

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Already advertised

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWT DATE 5-12-87 APPLICATION NUMBER 27-7404

REQUIRED INFORMATION

Bartausky

- ☒ 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 Should possibly be indicated
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☐ No Critical groundwater area
☐ Yes ☐ No Groundwater management area
☐ Yes ☐ No Send dam safety information
☐ Yes ☐ No Send power requirement letter
☐ Yes ☐ No Send fish farm requirement letter
☐ Yes ☐ No Power residency affidavit
☐ Yes ☐ No Power efficiency form
☐ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____

RECEIVED
MAY 10 1987
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
☐ 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. 27-P05
☒ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information

Date of priority recommended 4-3-1985
By HWS Date 5-12-89

STATE OFFICE REVIEW P23, P05, P03, P16 46 48 49 016

See below for additional information

By KW Date 5/19/89

ADDITIONAL INFORMATION

Conditions - LC167

App. in NON-TRUST area
allow 1 yr. for development



Stat. of Idaho
DEPARTMENT OF WATER RESOURCES
Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

December 3, 1987

Tom Bartauský
8 West 100 North
Blackfoot, Idaho 83221

RE: LAPSED EMERGENCY TEMPORARY APPROVAL #27-7404 & #27-7432

Dear Mr. Bartauský:

On 10 November, 1987, the Emergency Temporary Approval of Application for Permit No.'s 27-7404 and 27-7432 lapsed. Consequently, they cannot be used as a basis for the diversion of groundwater subsequent to the above date.

These temporary approvals were issued on 14 July, 1987. It granted the drilling of well and diversion of groundwater to supplement irrigation needs when surface water was no longer available in 1987.

With the lapsing of the temporary approval, the status of your filing will revert to pending applications for permit. They will remain on file in this office; however, future administrative review of the application will be deferred until the Swan Falls Agreement has been ratified by the Federal Energy Regulatory Commission.

You should be aware that drilling permit no. 27-87-E-003 has also lapsed. This permit was issued in conjunction with the emergency temporary approval of application no. 27-7404 and authorized the drilling of an irrigation well. This permit was in effect until 15 August, 1987.

Feel free to call or contact this office should you have questions concerning the status of your application.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

MICROFILMED

AUG 17 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JULY 29, 1987

The Blackfoot News
P. O. Box 70
Blackfoot, Idaho 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. We have allowed ample time for you to submit a sales proof to this office for review before the first publication date. 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 AUGUST 24, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

RECEIVED

AUG 1 1987

QUALITY

NOTICE OF APPLICATION
FOR WATER RIGHT

The following applications have been filed to appropriate
the public waters of the State of Idaho:

These applications are being advertised for emergency
temporary approval under the Department's Water Appropriation
Rules and Regulations and for future administrative consideration
pursuant to Chapter 2, Title 42, Idaho Code.

The permits 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 August 24, 1987.

Norm Young

Acting Director

Published August 6, and August 13, 1987

RECEIVED

AUG 17 1987

27-7404

BARTHAUSKY, TOM

8 WEST 100 NORTH, BLACKFOOT, ID 83221

Source: GROUNDWATER

Date Filed: 04/03/1985

Diversion Pt: SWSE Sec 25 T 02S R 35E

Use: IRRIGATION (1.00 CFS)

In: SWSE SESE Sec 25 T 02S R 35E FOR 50 ACRES

RECORDED

AUG 17 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following applications have been filed to appropriate the public waters of the State of Idaho:

27-7436

COOPER, STEPHEN
1111 EAST AIRPORT, BLACKFOOT, ID
83221
Source: GROUNDWATER
Diversion Pt: SWSESW Sec 21 T 02S R 36E
Use: IRRIGATION (2.640 CFS)
Date Filed: 07/13/1987
In: NESW NWSW SWSW SESW Sec 21 T 2S
R 36E FOR 132 ACRES

27-7435

WASIA FARMS
C/O DICK WASIA, 54 NORTH 50 EAST,
BLACKFOOT, ID 83221
Source: GROUNDWATER
Diversion Pt: Lot 02 (NWSWNW), Sec 31 T
02S R 36E
Use: IRRIGATION (1.3 CFS)
Date Filed: 07/10/1987
In: SWNW SENW LOT 02 (SWNW) Sec 31 T
02S R 36E FOR 65 ACRES

27-7434

EVANS, THAIN &/or HELEN &/or DEAN
&/or JANET
108 EAST 200 NORTH, BLACKFOOT, ID
83221
Source: GROUNDWATER
Diversion Pt: SWSW Sec 20 T 02S R 36E
Use: IRRIGATION (4.4 CFS)
Date Filed: 07/10/1987
In: SWNW SENW NESW NWSW SWSW
SESW Sec 20 T 02S R 36E FOR 220 ACRES

27-7433

EVANS, THAIN
270 NORTH 150 EAST, BLACKFOOT, ID
83221
Source: GROUNDWATER
Diversion Pt: SWSE Sec 17 T 02S R 36E
Use: IRRIGATION (0.8 CFS)
Date Filed: 07/10/1987
In: SWSE Sec 17 T 02S R 36E FOR 40
ACRES

27-7432

BARTAUSKY, TOM
8 WEST 100 NORTH, BLACKFOOT, ID
83221
Source: GROUNDWATER
Diversion Pt: SWSE Sec 25 T 02S R 35E
Use: IRRIGATION (0.780 CFS)
Date Filed: 07/10/1987
In: SWSW SESW Sec 25 T 02S R 35E FOR
39 ACRES

27-7404

BARTAUSKY, TOM
8 WEST 100 NORTH, BLACKFOOT, ID
83221
Source: GROUNDWATER
Date Filed: 04/03/1985
Diversion Pt: SWSE Sec 25 T 02S R 35E
Use: IRRIGATION (1.00 CFS)
In: SWSE SESE Sec 25 T 02S R 35E FOR 50
ACRES

These applications are being advertised for emergency temporary approval under the Department's Water Appropriation Rules and Regulations and for future administrative consideration pursuant to Chapter 2, Title 42, Idaho Code.

The permits 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 August 24, 1987.

Norm Young
Acting Director

July 14, 1987

Jon Bartausky
8 West 100 North
Blackfoot, Idaho 83221

RE: Water Right No. 27-7404

Dear Water Right Applicant:

Enclosed is a temporary approval for diversion of groundwater during the 1987 irrigation season.

The copy of the application for permit to appropriate water attached to the interim approval defines the various components of your temporary approval. The inclusion of the copy of the application is only for the purpose of definition, and any terms contained therein are limited by the conditions of the temporary approval.

As described in condition of approval (4), this office will hold the original application for permit for future processing, pursuant to Chapter 2, Title 42, Idaho Code, unless directed otherwise by you. This processing will include advertisement for two weeks in the county where the point of diversion is located. It will be initiated subsequent to ratification of the Swan Falls Agreement.

Sincerely,

Ronald Carlson
Manager, Eastern Regional Office

Enclosures: Temporary Approval
Copy of Application for Permit

*Emergency
Temporary
Approval*

State of Idaho
Department of Water Resources

DRILLING PERMIT

Copy

(Authorizing Construction of a Well)*

1. Applicant TOM BARTAUSKY
2. Address 8 WEST 100 NORTH, BLACKFOOT, ID 83221

☒ Well Owner ☐ Well Operator ☐ Other, specify _____

3. Water right permit no. 27-7404; Injection well permit no. _____

4. Proposed well location NW 1/4 SW 1/4 SE 1/4, or Gov't lot No. _____,
Sec. 25, Twp. 2 S, Rge. 3 SE, County BINGHAM,
Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)

☐ Domestic ☐ Stockwater ☐ Monitoring
☒ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☐ Other, Specify _____

6. Well construction information:

☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 16" Proposed depth 80

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)

7. Anticipated construction start date July 13, 1987

8. Well Driller (if known) _____

Address _____

Date 10 July 1987 Applicant's signature *Tom Bartausky*

Title _____

NOT FILMED

AUG 17 1989

ACTION OF IDWR

(X) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

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 its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
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. Issuance 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.

SPECIFIC CONDITIONS:

Dated this 15 day of July, 1987.

Signed Harold E. Jones For Ron D. Carlson
Title _____

Received by KAW Fee 100⁰⁰ Date 10 July 87
Receipt No. 41267 Construction start date 14 July 87
Construction start extension to _____
Extension approved by _____

Form No. 202a Temp
4/87

Ident. No. 27-7404

State of Idaho
Department of Water Resources
Temporary Approval Analysis Sheet

- ☒ Yes ☐ No Basin No. Correct?
- ☒ Yes ☐ No Source is Groundwater?
- ☒ Yes ☐ No Lands are irrigated with surface water rights?
- ☒ Yes ☐ No Lands are outside Critical Groundwater Area & Groundwater Management Area boundaries?
- ☒ Yes ☐ No County has been declared a drought emergency area by the Governor's Office?

Remarks: Sect. 25 T2S R3SE is listed under

Blackfoot Irrigation Comp. land list. Also Richard
Brown, watermaster of Blackfoot Brigs says Mr. Bartausky
has company water on his ground.

Application Initially Received Date ⁴⁻³⁻⁸⁵ Em. Status 7-10-87 Time 11:45 am

File Prepared By HWS Date 7-10-87 Time 2:18 pm

Staff Review By HWS Date 7-10-87 Time 2:20 pm

Temporary Approval Prepared By Date Time

Temporary Approval Signed By HWS Date 7-14-87 Time 3:52 pm

Temporary Approval Mailed By Date Time

Index Updated By Date Time

pretest date 8-24-87

Tom Bartausky Emergency Applic.

PAGE 589
01/02/198

PI4

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES
WITH RESPECT TO TEMPORARY APPROVAL OF
APPLICATION FOR PERMIT NO. 27-7404

This is to certify that I have examined Application for Permit to Appropriate the public waters of the State of Idaho No. 27-7404 and a temporary approval to divert groundwater is granted until November 10, 1987, subject to the following limitations and conditions:

- a. The water use approved herein is subject to all prior water rights.
- b. The water user acknowledges that the temporary approval does not convey a continuing right to divert water and does not convey any right to divert water except as specifically provided in the temporary approval.
- c. The water user assumes all risk that he or she will be successful in obtaining a permanent water right permit when the application is processed under the provisions of Chapter 2, Title 42, Idaho Code and the Water Appropriation Rules and Regulations.
- d. Violation of temporary approval conditions, provisions of the Idaho Code, or the Water Appropriation Rules and Regulations is cause for cancellation of the temporary approval and denial of future requests.
- e. By commencing diversion of water under this temporary approval, the water user acknowledges and agrees that the Director of IDWR is authorized to disconnect the power supply from the pump motor used to divert water under the temporary approval, or to take other reasonable steps to insure that water is not diverted during any period the temporary approval is suspended or revoked.
- f. The Director may impose additional conditions not a part of the original temporary approval conditions.
- g. The temporary approval applies only to uses and lands which normally have an adequate supply of water from surface water sources, but are temporarily water short because of drought conditions.
- h. The temporary approval granted under the expedited procedure shall not be effective for more than the 1987 irrigation season and will expire upon termination of the declared drought emergency, or on the expiration of the term of the approval set forth in the order, whichever is earlier.

UNRECORDED

AUG 12 1989

- i. The Director will retain jurisdiction of any temporary approval given.
- j. By acceptance of the temporary approval and diversion of water under the temporary approval, the water user assumes all risk relative to interference with other water rights and acknowledges and agrees that the Director is authorized to take reasonable steps to insure that water is not diverted under the approval at any time the Director determines there is not water available for diversion.
- k. Temporary approval granted will be of no force nor effect from and after the 1987 irrigation season. The application for permit, however, will be held by the Department for future processing under the provisions of Chapter 2, Title 42, Idaho Code, and Water Appropriation Rules and Regulations, unless directed otherwise by the applicant.

Witness my hand this 14 day of July, 1987.

Ronald D. Carlson
RONALD D. CARLSON
Manager, Eastern Regional Office

ADDITIONAL CONDITIONS OF APPROVAL

The emergency procedure for temporary approval will not be valid so long as the priority of the surface water used to irrigate the declared acreage is being served.

The applicant, by accepting this emergency temporary permit, acknowledges that the well/pump will be inoperative on or before April 1, 1988, unless the emergency status is reinstated or the application is granted permanent status.

The applicant acknowledges that the Director is authorized to enforce the above conditions in a court of competent jurisdiction.

July 14, 1987

Idaho Department of Water Resources
Eastern Region Office
150 Shoup, Suite 15
Idaho Falls, Idaho 83402

RE: EMERGENCY TEMPORARY APPROVAL

Mr. Ron Carlson:

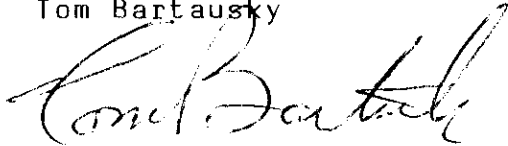
I am requesting my application for permit #27-7404 be considered for emergency temporary approval.

I understand the nature of an emergency temporary approval and agree to abide by the conditions imposed by the Department of Water Resources.

To obtain a permanent water right permit after expiration of the emergency temporary approval, I do/~~do not~~ want the Department to hold my application until it can be processed under the provisions of Chapter 2, Title 42, Idaho Code, and the Water Appropriation Rules and Regulations.

Respectfully yours,

Tom Bartauský



RECEIVED

AUG 17 1989

3/83

IL . NO. **27-7404**

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

WATER RIGHT
DATA ENTRY LOG

[illegible]