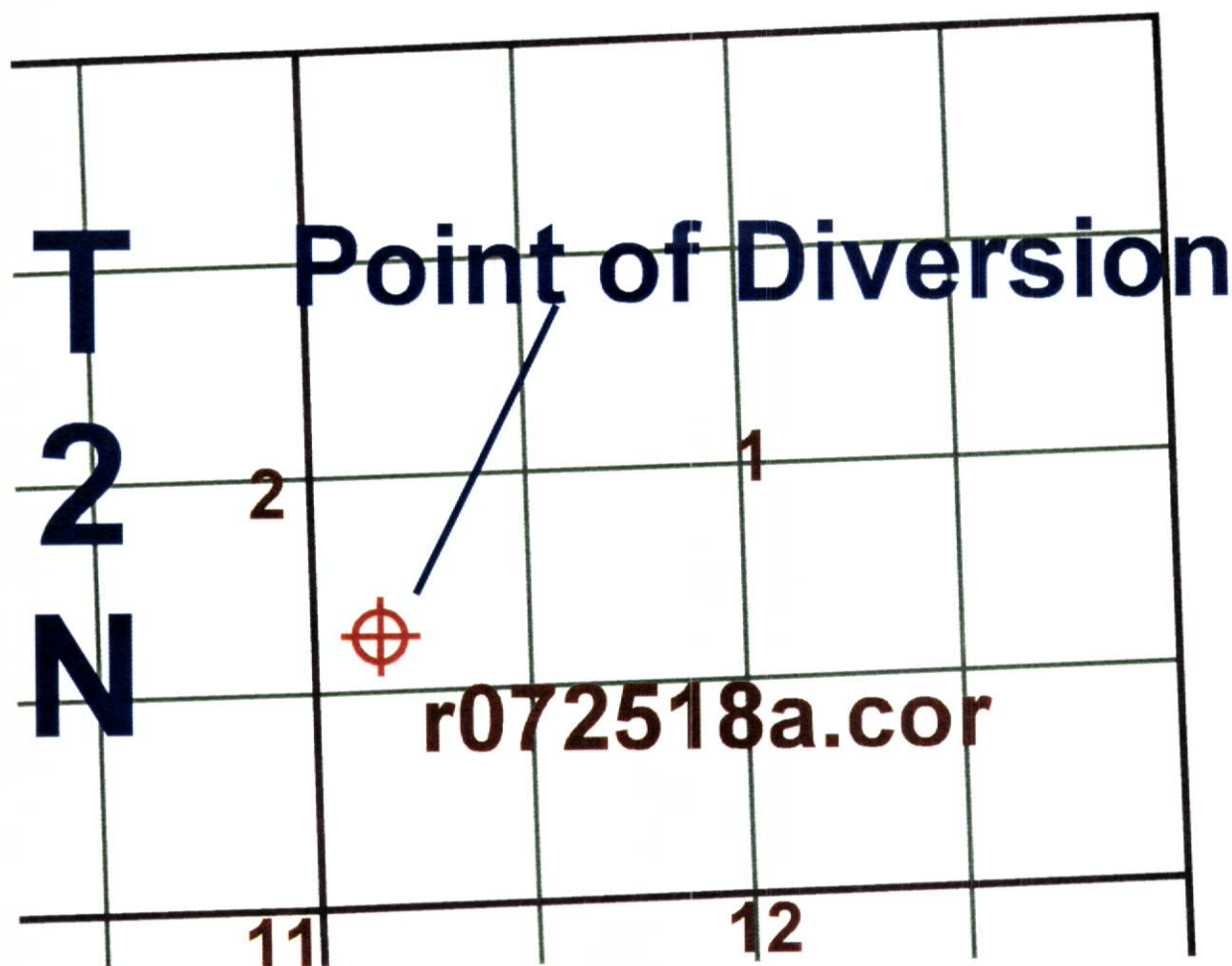
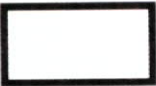


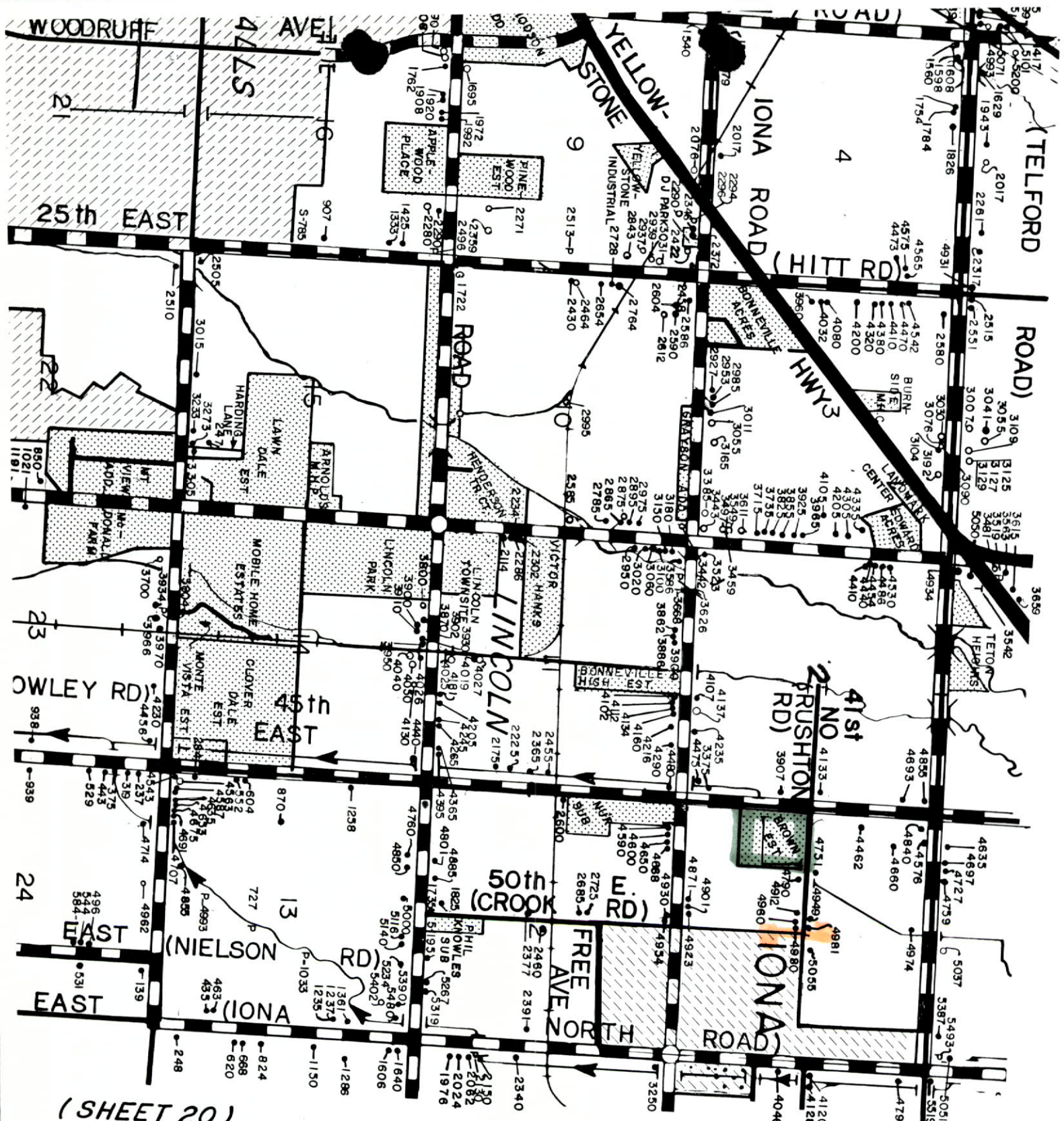


-  S02n38e.shp
-  T02n38e.shp
-  Posnpnt.shp

R38E

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APR 22 2002

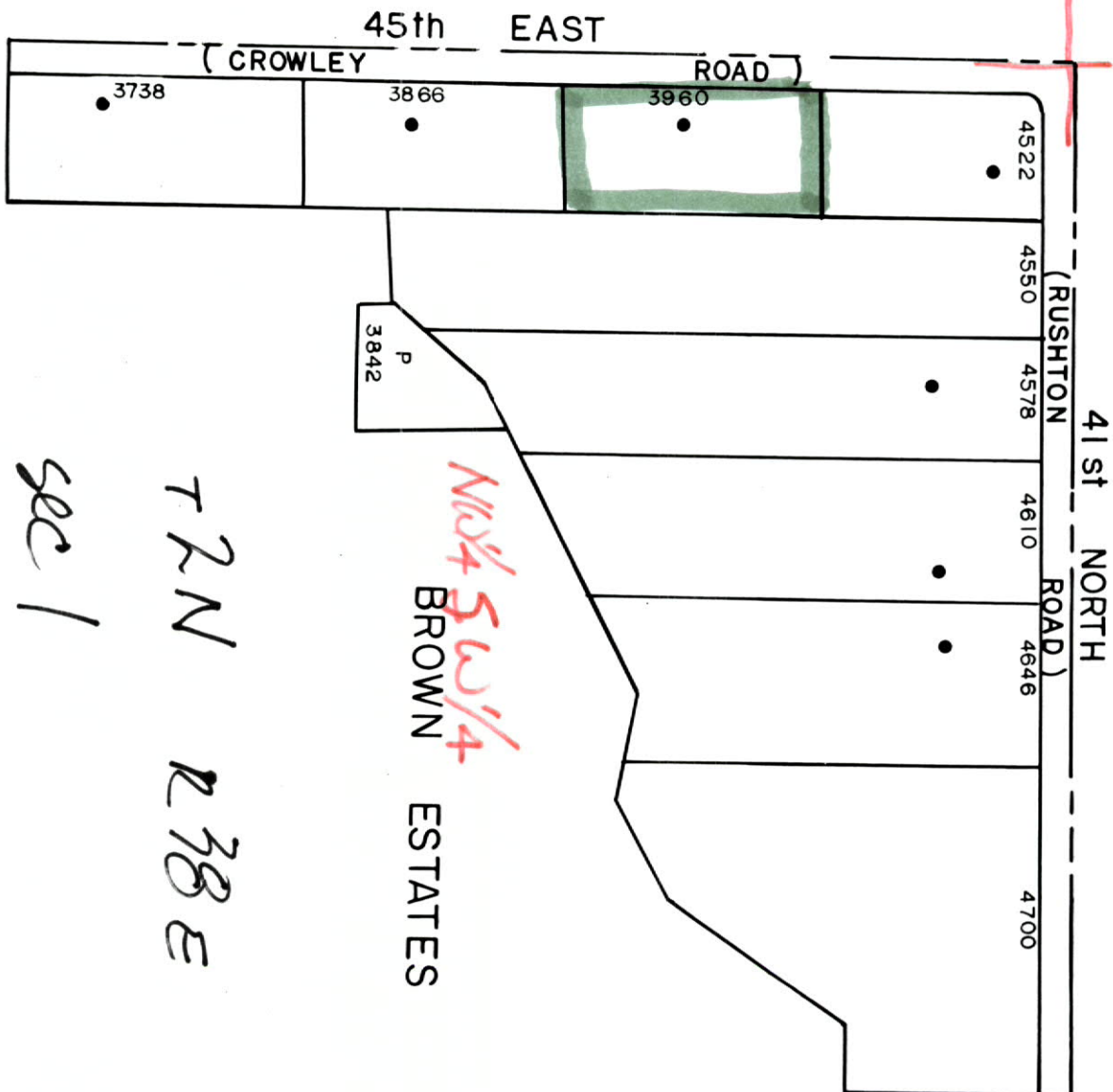
25-07701



(SHEET 20)

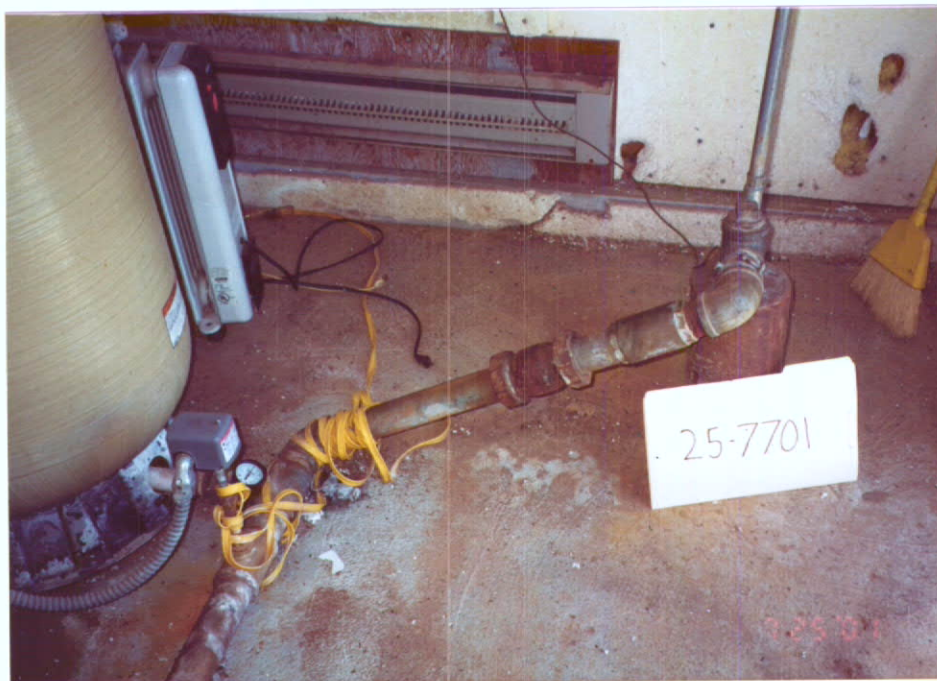
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T2N
25-770
E38E



25-7701

MICROFILMED
APR 22 2002



POD Well house



White house is the home being added to system.

Proof of Publication

The Post Register

State of Idaho
County of Bonneville

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for two consecutive (days) weeks, first publication having been made on the 7th day of October, 1999, last publication having been made on the 14th day of October, 1999, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Robert Park

Subscribed and sworn to before me, this 20th day of October, 1999

Patricia O'Malley
Notary Public

My commission expires January 3, 2003

NOTICE OF APPLICATION FOR WATER RIGHT

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

25-07701

BROWN ESTATES
C/O VICKI RUSSELL
3960 N 45 E
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWSW Sec 1 T 02N R 38E
in BONNEVILLE County.
Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)
Date Filed: 9/22/1999
In: BONNEVILLE County
T02N R38E S01 NWSW

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls ID 83402, together with a protest fee of \$25.00 on or before OCTOBER 25, 1999, to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
Published: October 7, 14, 1999



MICROFILMED

DEC 08 1999

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 25-07701

Priority: September 22, 1999

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

It is hereby certified that BROWN ESTATES
C/O VICKI RUSSELL
3960 N 45 E
IDAHO FALLS ID 83401 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated September 22, 1999; and has
submitted Proof of Beneficial Use on October 19, 2000. An examination indicates that the works have a
diversion capacity of 0.15 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

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

LOCATION OF POINT OF DIVERSION:

GROUND WATER NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1, Twp 02N, Rge 38E, B.M., BONNEVILLE County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	38E	1																	

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. Point of diversion is located within Lot 10, Brown Estates, Division No. 1.
3. Place of use is located within Lot 2, Brown Estates, Division No. 1.
4. Right 25-07391 is also diverted through the point of diversion described above.
5. Rights 25-07391 and 25-07701 when combined shall not exceed a total diversion rate of 0.15 cfs, and domestic use for 8 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 18TH day of April, 2002.

MICROFILMED
APR 22 2002

Acting for

KARL J. DREHER
Director

RECEIVED

OCT 19 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY

Amt. of Fee \$: _____

Receipt No. _____

Receipt By: _____

Date Received: _____

PROOF OF BENEFICIAL USE

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

1. Permit No. 25-07701 Telephone No. 522-06272. Name(s) of Permit Holder(s): BROWN Estates Well Assoc3. Mailing Address: 3960 N 45 E Idaho Falls ID 834014. Source of Water: Well If **GROUNDWATER** (well), Date Drilled: mo. 7 / yr. 75a. Well Driller: Andrews Well Drilling Drilling Permit Number: _____b. **OPTIONAL:**

Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 8 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

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

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?Yes _____ or No ☒

Has the measuring device been installed?

Yes _____ or No ☒**Flow Measurement Port:** Is a flow measurement port required?Yes _____ or No ☒

Has the measurement port been installed?

Yes _____ or No ☒8. Fee Enclosed: \$ NONE (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Darrell Russell Telephone Number: 522 0627Address: 3960 N 45 E Idaho Falls Id. 83401

10. The information given on this form 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.

Signature of permit holder:

Darrell Russell
(include your title, if on behalf of company or organization)Date: 10-12-00

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OCT 23 2000

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 25-07701

Priority: September 22, 1999

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **BROWN ESTATES**
C/O VICKI RUSSELL
3960 N 45 E
IDAHO FALLS ID 83401

has applied for a permit to appropriate water from: **GROUNDWATER**

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

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

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 1, Township 02N, Range 38E
BONNEVILLE County

PLACE OF USE: DOMESTIC

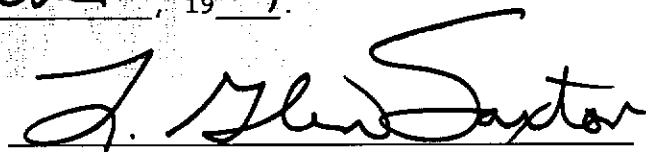
TWN RGE SEC
02N 38E 1 NWSW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before November 1, 2000.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. Domestic use is for 1 home.

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

15th day of November, 1999


for Karl J. Dreher, Director

MICROFILMED
DEC 08 1999

RECEIVED

OCT 29 1999

FORM 202

2/96

Ident. No. 25-07701

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

RECEIVED

SEP 22 1999

To appropriate the public waters of the State of Idaho

Department of Water Resources
Eastern Region

1. Name of Applicant BROWN ESTATES Co Vicki Russell Phone 522-0627
Mailing address 3960 N. 45 E. Idaho Falls, ID 83401
2. Source of water supply Groundwater which is a tributary of N/A
3. Location of point of diversion is Township 2N Range 38E Sec. 1 in the 1/4,
NW 1/4, S4 1/4, Gov. Lot , B.M., Bonneville County;
additional points of diversion if any:
4. Water will be used for the following purposes:
- | | |
|--|---|
| Amount <u>.04</u> for <u>Domestic</u> | purposes from <u>1 Jan</u> to <u>31 Dec</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> | purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> | purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> | purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> | purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> | purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
5. Total quantity to be appropriated is (a) .04 cfs and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source well & pump to Brown Estate
- b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feet
- c. Proposed well diameter is inches; proposed depth of well is feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? yes 1985; Drilling firm Andrews
Well was drilled for (well owner) Brown Estates Water Assn; Drilling Permit No.
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in KW.
- b. Stockwatering; list number and kind of livestock.
- c. Municipal; show name of municipality.
- d. Domestic; show number of households. 1
- e. Other; describe fully.

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DEC 08 1999

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	38E	1									D								

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 25-07391

11. a. Who owns the property at the point of diversion? Brown Estate Water Users assn

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Mr. Whitehead owns a new home in Brown Estate. The

12. Remarks: subdivision is planned for a community system & the sanitary restrictions preclude individual systems.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Mike Russell
Signature of Applicant (and title, if applicable)

Received by HWS Date 9-23-99 Time _____ Preliminary check by _____
Fee \$ 50.00 Received by HWS # E025325 Date 9-23-99
Publication prepared by SC Date 10/7 & 10/14/99 Published in Post Register
Publication approved SC Date 10/25/99

MICROFILMED

DEC 08 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 19, 2002

BROWN ESTATES
C/O VICKI RUSSELL
3960 N 45 E
IDAHO FALLS ID 83401

RE: License No. 25-7701 - Issuance of License

Dear Water Right Holder(s):

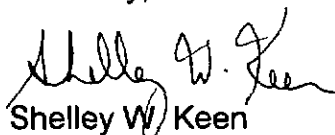
The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

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

Sincerely,



Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

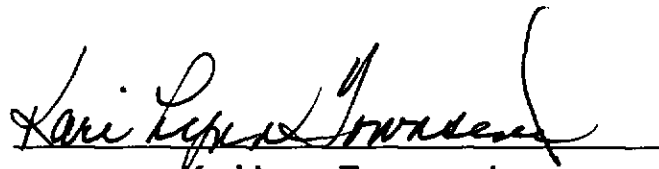
MICROFILMED
APR 22 2002

CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 25-7701

**BROWN ESTATES
C/O VICKI RUSSELL
3960 N 45 E
IDAHO FALLS ID 83401**


Kari Lynn Townsend
Secretary

**MICROFILMED
APR 22 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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APR 22 2002

LICENSE REVIEW CHECKLIST

Permit No. 25-7701 Date: 4-16-02 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): 25-7391

File reviewed _____ Profile reports printed ✓

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.04 cfs
Fee Limit N/A cfs
Measured _____ cfs
Theoretical 0.15 cfs

Recommended Total Diversion Rate 0.04

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic 0.04 cfs 1.2 af
_____ cfs _____ af
_____ cfs _____ af
Total 0.04 cfs 1.2 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/Wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: W59, W60, W36, W35, W01

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? NO

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 25-7391

WATER RIGHT NUMBER: 25-7391

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BROWN ESTATES WELL ASSN C/O CATHY HOFFMAN 4610 E 41 N IDAHO FALLS, ID 83401 (208)523-6354

Priority Date: 11/21/1983

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.010 CFS	0.10 AF
DOMESTIC	1/01 to 12/31	0.120 CFS	8.40 AF
	<u>Total Diversion:</u>	0.130 CFS	8.50 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 1,	Twp 02N,	Rge 38E, B.M.
BONNEVILLE County				

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	38E	1																	
												X							

DOMESTIC same as STOCKWATERConditions of Approval:Remarks:

- | | | |
|----|---------|--|
| 1. | General | Place of use is located within Brown Estates, Division No. 1.
Stockwater use is for 16 head of miscellaneous stock.
Domestic use is for 7 homes. |
|----|---------|--|

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 25-7391

Dates and Other Information:

Licensed Date: 9/15/1995
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAR - 5 2002

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 25-7701

1. Owner: Brown Estates c/o Vicki Russell Phone No. 522-0627

Current Address: 3960 N 45 E, Idaho Falls, ID 83401

2. Accompanied by: Darrell Russell EXAM DATE: 7-25-01

Address: Same Phone No (208) 522-0627

Relationship to Permit Holder: Acting president

3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 25-7391 (DIFFERENT LOTS)
No - domestic - surface - progressive irrigation

2. Other water rights with the same point of diversion: 25-7391 (7 LOTS)

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SW	1	2N	38E	Bonneville	GPS R072518A

2. Place(s) of Use:

Indicate Method of Determination

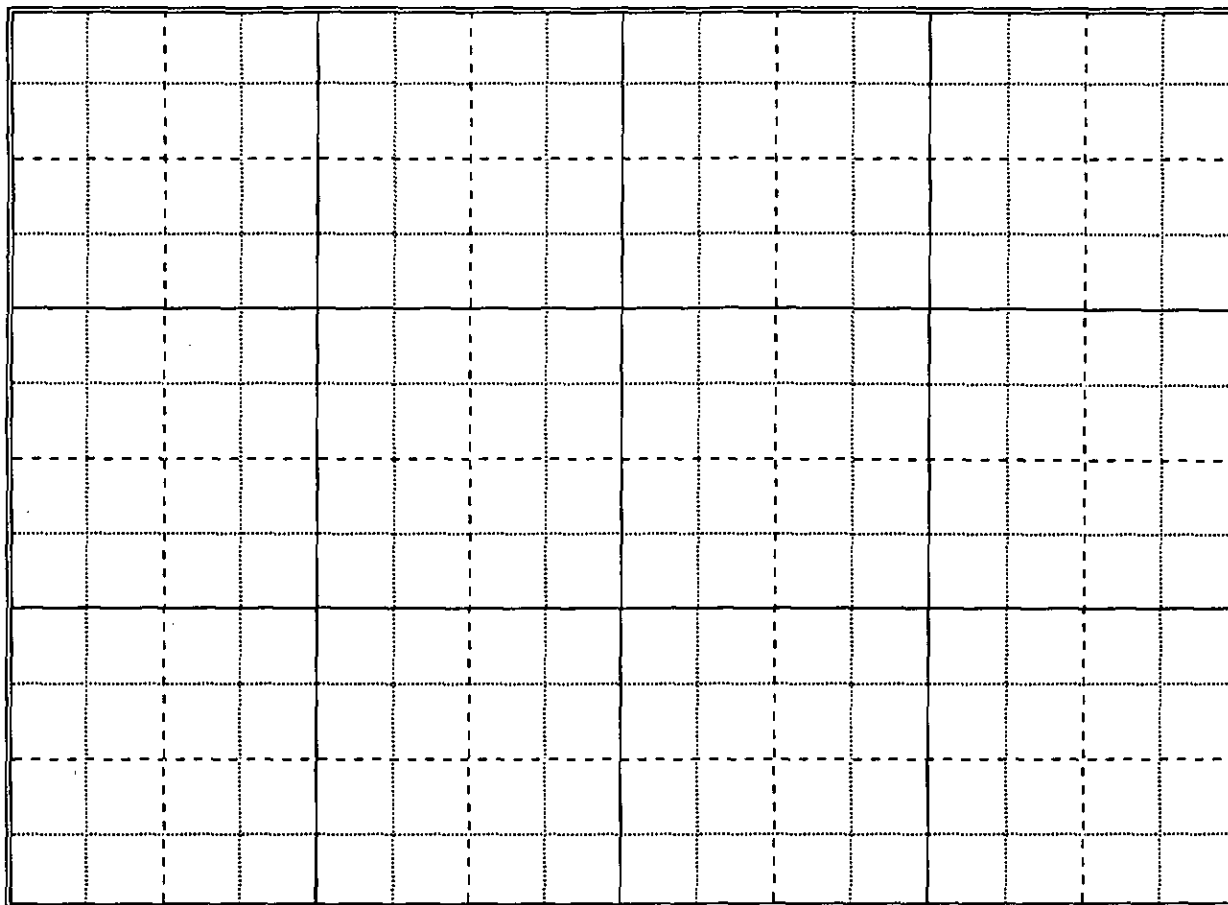
Plot

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	38E	1											D						

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APR 22 2002

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 Quadrange 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
		5hp	UNKNOWN		

*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
PRESSURE gage	FLUID					

2. Measurements: see 25-7391 psi = 40 psi

$$\text{theoretical } 5\text{hp} (6.16) / 120' + (2.31 \times 40\text{psi}) = .15\text{ cfs}$$

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APR 22 2002

E. NARRATIVE/REMARKS/COMMENTS

GPS unit was located on the southwest corner of the roof of the well house.

Sticker on electrical panel says Franklin Electric Hp 5

System turns on at 40 psi off at 58 psi. This was according to a system gauge.

Lots 5 & 6 were sold as one initially. The owners of the two later decided to sell #5 to a man as a building site. The water users voted and agreed to allow an 8th home. There is now a home on every lot. Lot #1 however is the original home and has its own well. Lot 10, of course, is strictly for the well and has no home.

The microfiche shows a theoretical calculation on this system at 1.65 cfs.

No flow measurement could be obtained with the fuji. A theoretical well most likely need to be used.

25-7391 LICENSED FOR 7 HOUSES - 0.12 DOMESTIC

This is the 8th Home LOT 2 BROWN ESTATES

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

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APR 22 2002

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

Theor cal = 0.15 cfs

use 0.04 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Domestic one home and LAWN = 1.2 AF/A

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/01	12/31	0.04	1.2 AF/A
Totals:			0.04	1.2 AF/A

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name Steve Mueller Date 7-25-01Reviewer DAVE CARLSON Date 2/28/2002

SEAL

MICROFILMED
APR 22 2002

MEMORANDUM

TO: File 25-07391 / Brown Estates Well Assn.
 FROM: Brenda Chapman
 DATE: August 31, 1995
 RE: Recommendation Adjustment(s)

The final licensing recommendations for Right 25-07391 are based on the information below:

Since this is a subdivision with people moving in and out, it is uncertain who the current contact person is for this permit. After no response to two letters (to different individuals) and several phone calls, this permit will be recommended as not having surface water available for the external, domestic use.

Article III of the association's Domestic Water Agreement states that the well water will be used for "watering of lawns, ornamental bushes, shrubs, trees and flower beds."

F. FLOW CALCULATIONS

The recommended capacity has been based on an estimated pumping level. There are no well logs in the NWSM4 on file, so an average between two wells in adjacent 1/4's was used.

$$\frac{8.8 \times .7 \times 5 \text{ hp}}{120' + (2.31 \times 40 \text{ psi})} = .15 \text{ cfs}$$

1. RECOMMENDATIONS

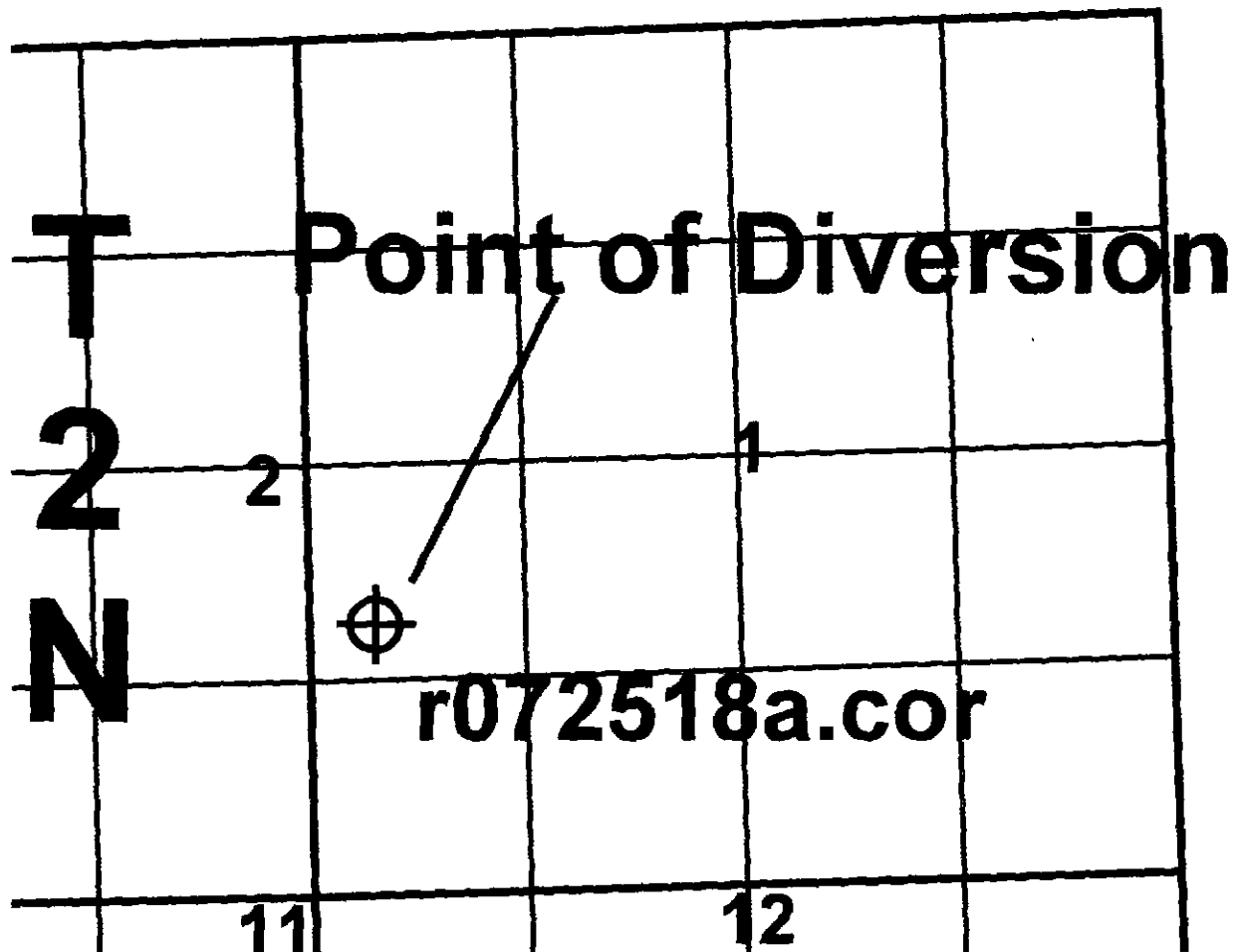
1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Stockwater	1-01 to 12-31	.01	.1
Domestic	1-01 to 12-31	.12	8.4

Note: there was no information on the number of stock, so the number is derived from the permit.

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APR 22 2002

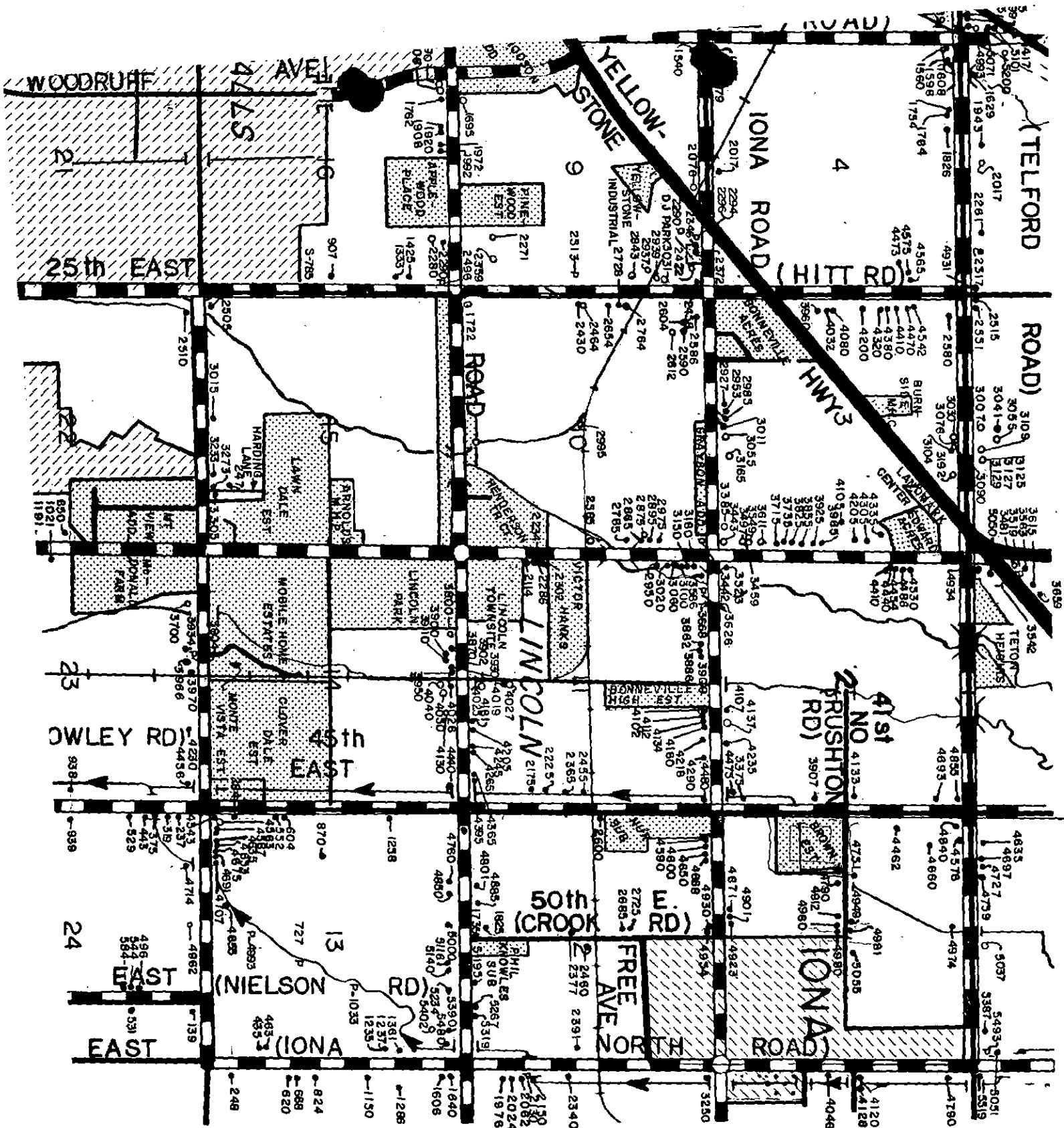


 **S02n38e.shp**
 **T02n38e.shp**
 **Posnpnt.shp**

R38E

MICROFILMED
APR 22 2002

25-07701



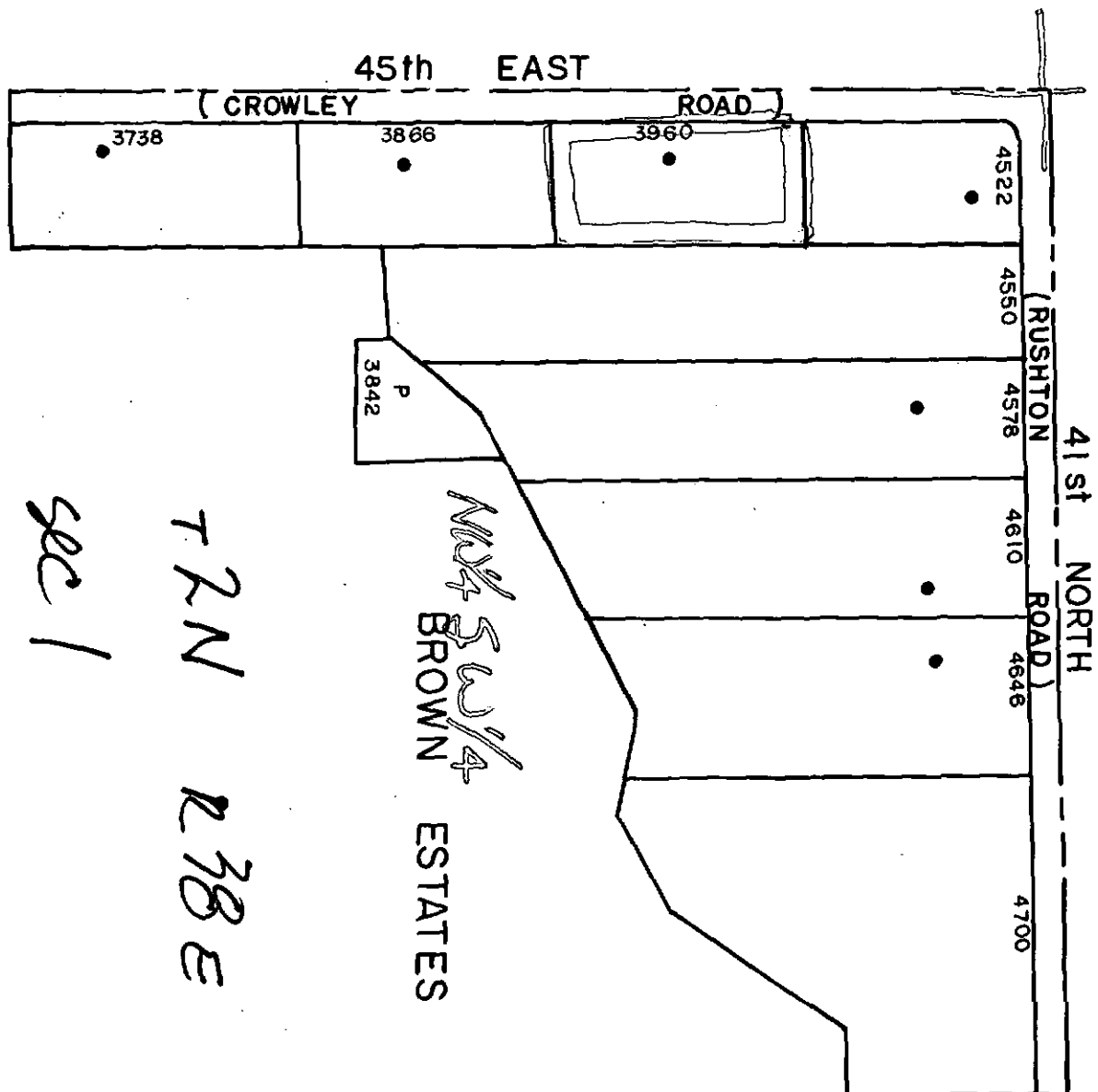
(SHEET 20)

MICROFILMED

APR 22 2002

D38E

T2N
25-7701



25-7701

MICROFILMED
APR 22 2002



POD Well house



White house is the home being added to system.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 20, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BROWN ESTATES
C/O VICKI RUSSELL
3960 N 45 E
IDAHO FALLS ID 83401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 25-07701

Dear Permit Holder:

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

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

If you have questions concerning the field examination, please contact the Eastern Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

OCT 23 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 25-07701 Reviewed by dy Date 10/20/00

GENERAL CONSIDERATIONS

TYPES OF USE

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

Correct Uses? Yes

SOURCE OF WATER

No Surface water source

Yes Ground water source

Yes Drilling permit required?

No Copy in the file? Drilling Permit No. _____

Amount paid for permit _____ Correct?

No Well log in the file?

LICENSE EXAMINATION FEE

No Required?

None Amount Submitted

Yes Correct?

MEASURING DEVICE

No Required?

No Installed?

No Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>10/19/00</u>	
Date proof due	<u>11/1/00</u>	-
No. of days late		=
Priority Date		+
New Priority Date		

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address No Proof Made 10/19/00

August 31, 2000

BROWN ESTATES
C/O VICKI RUSSELL
3960 N 45 E
IDAHO FALLS ID 83401

PROOF DUE NOTICE

RE: PERMIT NO. 25-07701

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 2000. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

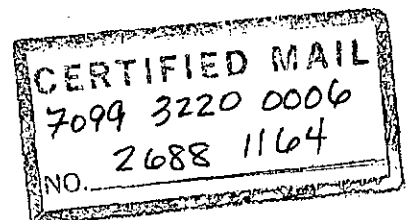
SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED

OCT 23 2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

November 16, 1999

DIRK KEMPTHORNE
GOVERNOR

BROWN ESTATES
C/O VICKI RUSSELL
3960 N 45 E
IDAHO FALLS ID 83401

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 25-07701

Dear Permit Holder:

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

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

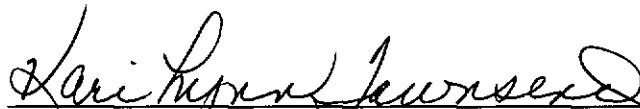
MICROFILMED
DEC 08 1999

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of November, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 25-07701

BROWN ESTATES
C/O VICKI RUSSELL
3960 N 45 E
IDAHO FALLS ID 83401


Kari Lynn Townsend
Secretary

MICROFILMED
DEC 08 1999

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 11/9/99

No. 25-07701 Name: Brown Estate Corp. Officers ✓ Ad ok ✓ Govt Lots N/A

AREA OF CONCERN: No/Yes ESPA Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046 (P23)
~~Basin 34~~ - 085
~~Irr. w/in WD~~ - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
~~> 0.24 cfs/5 acres~~ - 067
~~WMD~~
Supp irr (irr = only use) - 065-079
Supp irr (+ other uses) - 100-101
≤ 0.24 cfs/5 acres - No MD
≥ 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LeGeo - 058 (<85 GW)
~~Mitigation~~ - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag -
Trust - 051 (P74) (consumptive uses)
Non-Trust N/A for dom. use - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
 > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 11 / 01 / 2000

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
 ≤ 1 yr - (P16)
 > 1 yr - 26A(P17)
Ownership - 004
~~Non-consumptive~~ - 027
~~Water Quality~~ - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING SECTION REVIEW/RESPONSE
In-stream development - P52
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
≥ 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
≥ 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS (SW special considerations)

Snake R (01) - W22(P04), N/A
 (02.03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
 Restricted area - 022,075
 Irr., GW supp to SW - 102
DOMESTIC
 ~~Surface water~~ - WB5 (Big Wood or Boise above Star Bridge)
 27A (Payette R)
 >1 in restricted area - 070-071-075 (no parks/common areas, etc)
 Irr use listed separate - WB5
 Moratorium approvable - W03 (2400 gpd - meets domestic definition
 i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)

OTHER CONDITIONS/REMARKS W01 (1)

COMMENTS

RECEIVED

OCT 29 1999

DEPARTMENT OF WATER RESOURCES

Dist for Staffing
Submitted for advertising 9-24-99

Brown Estates

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT ANALYSIS PERMIT

INITIAL REVIEW BY HWJ DATE 9-23-1999 APPLICATION NO. 25-07701

REQUIRED INFORMATION:

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

ADDITIONAL INFORMATION:

- ☒ Overlapping place of use (Describe source & relationship to present application on the back)
☒ Overlapping point of diversion — Same as 25-07391
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet)
☐ Yes ☒ No Public Water System
☐ Yes ☒ No Moratorium Hold file
See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

_____ Date Requested _____

PROCESSING:

- ☐ Yes ☐ No In form for advertising
☐ Yes ☐ No Statewide advertising
☐ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO:

- | | |
|--|--|
| ☐ Id Dept of Health & Welfare | ☐ U.S. BLM |
| ☐ Id Dept of Fish & Game | ☐ U.S. Forest Service |
| ☐ Id Dept of Lands | ☐ Water District |
| ☐ Adjudication Bureau Unit | ☐ Other _____ |

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken

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

Date: 10-26-1999

ADDITIONAL INFORMATION:

_____ City	_____ Id Fish & Game	_____ Irrigation District
_____ County	_____ Id Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. Of Environment	_____ Other

COMMENTS

Proof of Publication

The Post Register

State of Idaho
County of Bonneville

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for two consecutive (days) weeks, first publication having been made on the 7th day of October, 1999, last publication having been made on the 14th day of October, 1999, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Robert Park

Subscribed and sworn to before me, this 20th day of October, 1999

Patricia O'Malley
Notary Public

My commission expires January 3, 2003

**NOTICE OF APPLICATION
FOR WATER RIGHT**

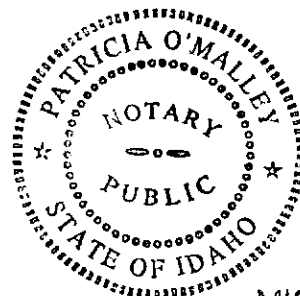
The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

25-07701

BROWN ESTATES
C/O VICKI RUSSELL
3960 N 45 E
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWSW Sec 1 T 02N R 38E
in BONNEVILLE County.
Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)
Date Filed: 9/22/1999
In: BONNEVILLE County
T02N R38E S01 NWSW

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls ID 83402, together with a protest fee of \$25.00 on or before OCTOBER 25, 1999, to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
Published: October 7, 14, 1999



MICROFILMED

DEC 08 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 27, 1999

**BROWN ESTATES
C/O VICKI RUSSELL
3960 N 45 E
IDAHO FALLS ID 83401**

RE: Application for Permit #25-07701

Dear Applicant:

This office is currently in the process of advertising the application in the Post Register on October 7 and 14, 1999. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

Sincerely,

**Harold W. Jones
Water Right Supervisor**

HWJ::sc

MICROFILMED

DEC 08 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SEPTEMBER 27, 1999

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

Dear Legal Dept.:

Enclosed you will find legal notices 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.

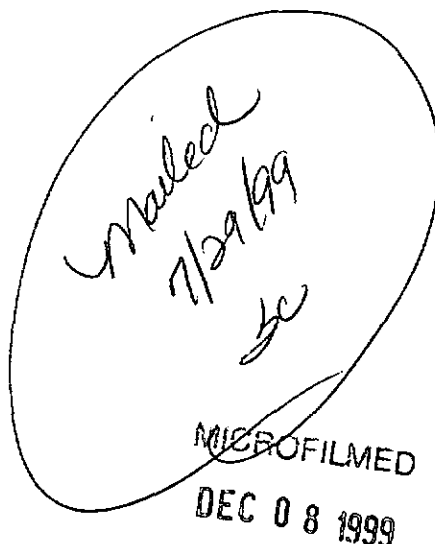
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 25, 1999.

Yours truly,

Sharla Cox
Senior Secretary

Encl.



NOTICE OF APPLICATION FOR WATER RIGHT

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

25-07701

BROWN ESTATES
C/O VICKI RUSSELL
3960 N 45 E
IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: NWSW Sec 1 T 02N R 38E in BONNEVILLE County.

Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 9/22/1999

In: BONNEVILLE County
T02N R38E S01 NWSW

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls ID 83402, together with a protest fee of \$25.00 on or before OCTOBER 25, 1999. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 10/ 7/1999 & 10/14/1999

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DEC 08 1999