

RIMROCK ACRES SUBDIVISION

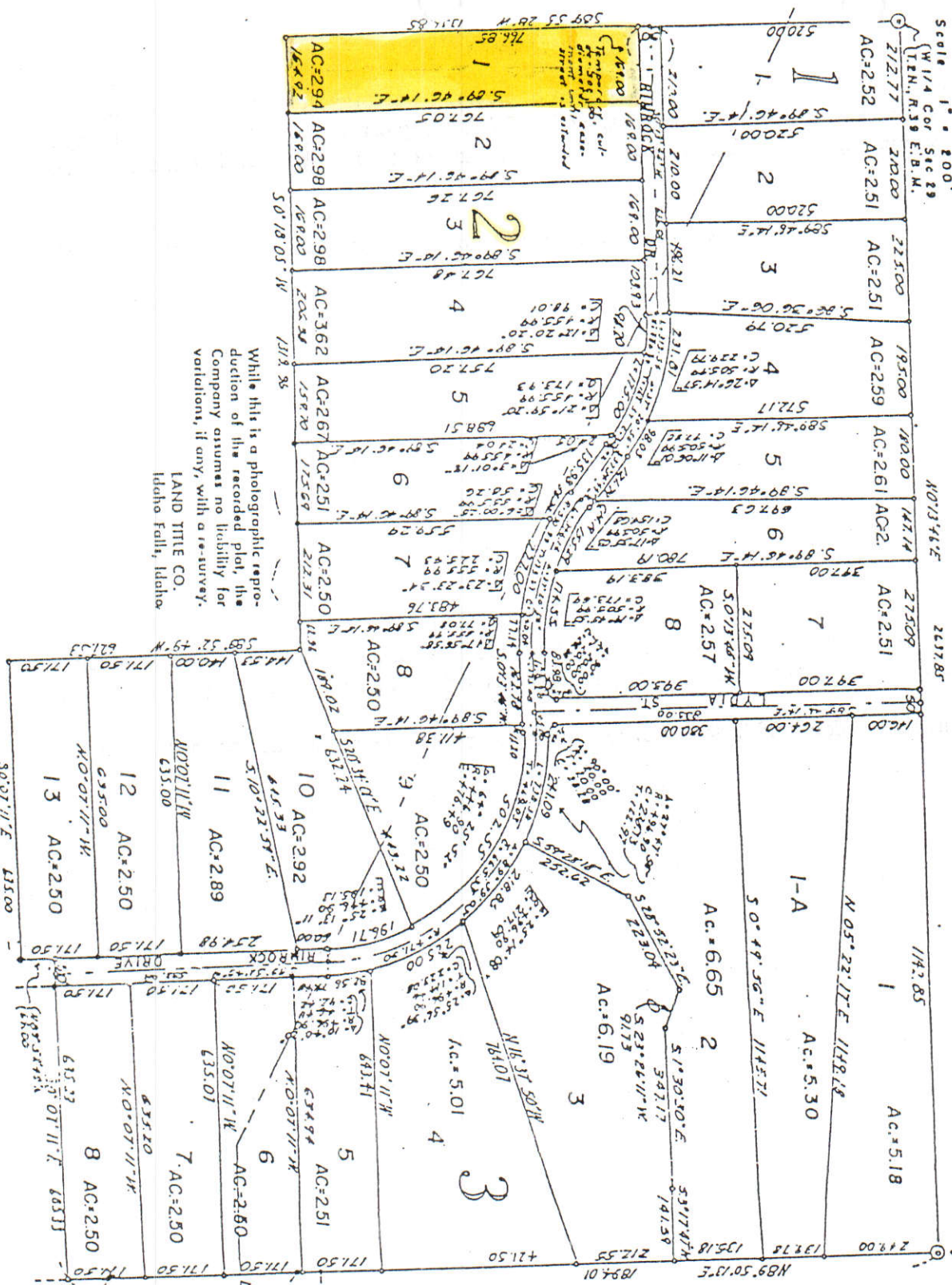
DIVISION NO. 1

BONNEVILLE COUNTY, IDAHO

Part of NW 1/4 Sec. 29 T.2N.R.39 E.B.M.

MICROFILMED

DEC 30 1998



NOTE: Minimum building setback 30 feet from all streets.

This sketch is made solely for the purpose of assisting in locating the premises. The Company assumes no liability for alleged loss or damage which result from reliance on this map.

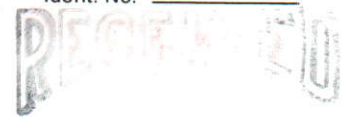
Approximate Center Line of existing Power Line

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

LAND TITLE CO.
Idaho Falls, Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

25 7582
Ident. No.



NOV 21 1990

To appropriate the public waters of the State of Idaho

Department of Water Resources
Eastern District Office

1. Name of applicant Harold C Brockelsby, Jr. Phone 529-5376

Post office address 2475 Rimrock Dr., Idaho Falls, ID 83401

2. Source of water supply Groundwater. which is a tributary of

3. Location of point of diversion is 1/4 of SW 1/4 of NW 1/4, Govt. Lot

Sec. 29 Township 2 North Range 39 East B.M. Bannerville County; additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.08 for Domestic. purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.06 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)

5. Total quantity to be appropriated is (a) 0.14 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.

b. Height of storage dam feet; active reservoir capacity acre-feet; total reservoir capacity acre-feet; period of year when water will be diverted to storage: to inclusive.

c. Proposed well diameter is 8 inches; proposed depth of well is 400 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No.

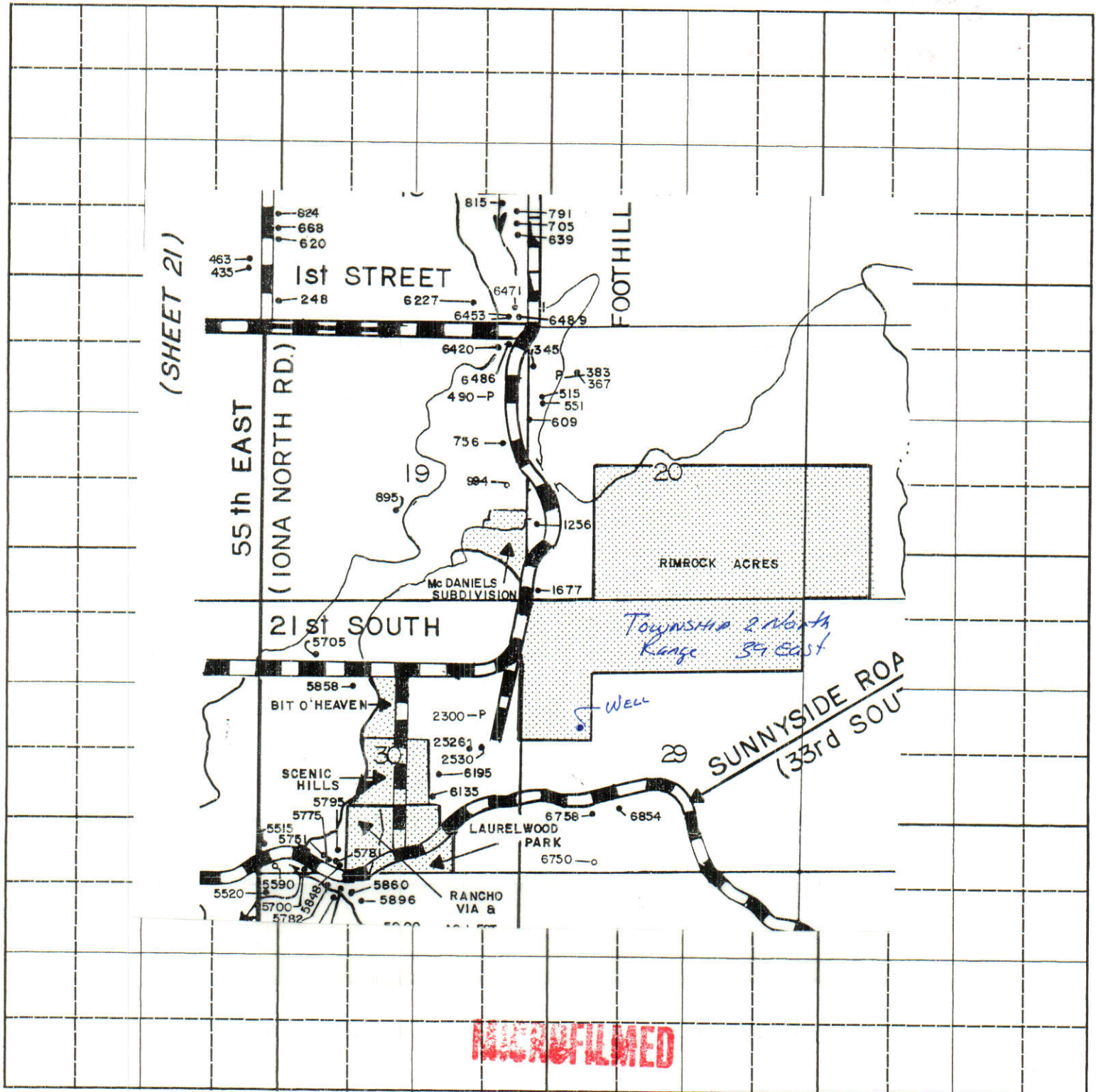
7. Time required for the completion of the works and application of the water to the proposed beneficial use is

1 years (minimum 1 year).

MICROFILMED

MAR 15 1991

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



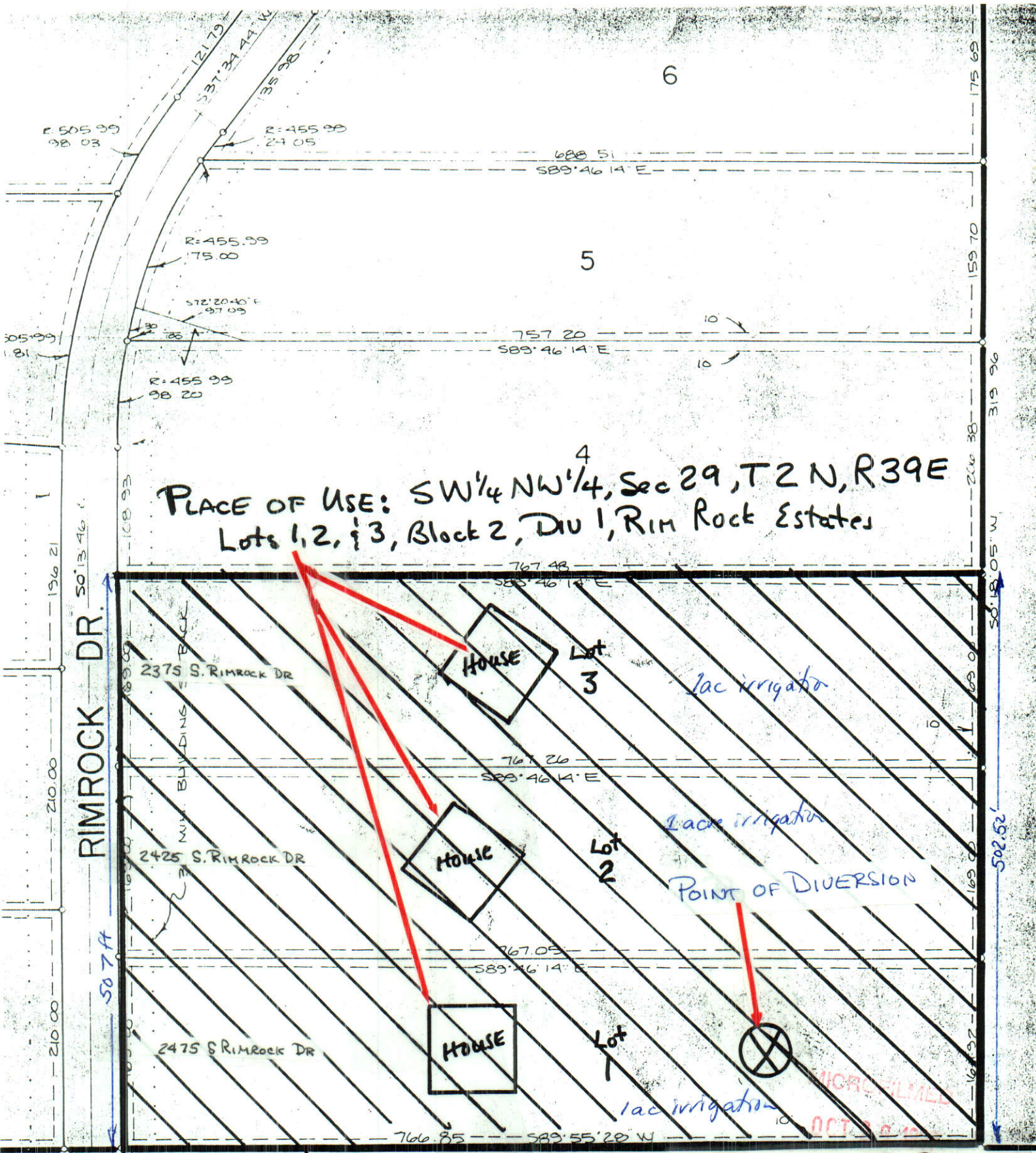
Scale: 2 inches equal 1 mile.

MAR 15 1991

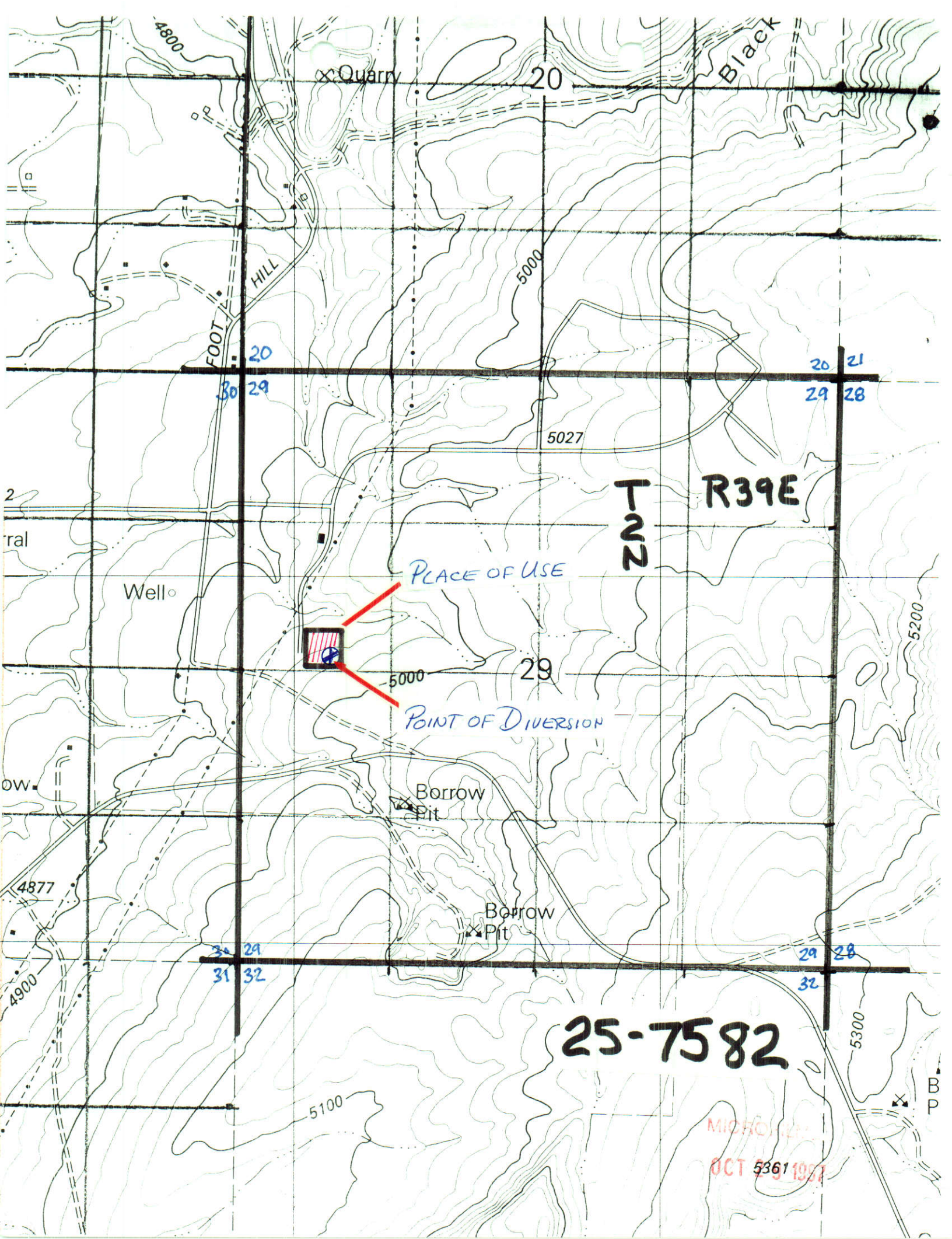
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Harold C. Brinkley, Jr.
(Applicant)

PLACE OF USE: SW¹/₄ NW¹/₄, Sec 29, T2 N, R39 E
Lots 1, 2, & 3, Block 2, Div 1, Rim Rock Estates



25-07582



x Quarry

20

Black

HILL
FOOT

5000

5027

T2N

R39E

PLACE OF USE

Well



5000

29

POINT OF DIVERSION

Borrow Pit

Borrow Pit

4877

4900

29 30
31 32

28 29
32

25-7582

5100

5300

MICHOI
OCT 5361 1977

B P

19 20

30 29

30 29

4.4

HEL 10

T
2
N
R39E

R39E

T
2
N

5.2

HEL

measured

PLACE OF USE

19

10.1

HEL

SEC
29

1B-54 HEL

POINT OF DIVERSION

Scale
16" = 1 mile

SCALE
16" = 1 mile

25-07582

RECEIVED

MAR 16 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) 25-07582
Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.

- ☒ A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Frank Felix II

2475 Rimrock Drive Idaho Falls ID

4. New Owner/Claimant(s) Leigh Naylor or Audrey Naylor

Name connector (Check one): ☐ AND, ☒ OR, ☐ AND/OR

New Mailing Address 2475 S. Rimrock Drive Idaho Falls ID 83406

City, State and ZIP Code Idaho Falls ID 83406

New Telephone Number (208) 522-7222

- ☒ 5. Date you acquired the property June 2, 1995

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

- ☒ 7. Signature of New Owner/Claimant(s) Audrey Naylor **MICROFILMED** Date 3-12-98
DEC 30 1998 Date _____

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

MICROFILMED

769-44503 0 1998

900338

WARRANTY DEED

For Value Received FRANK ALEXANDER FELIX II and ANGELA K. FELIX, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

LEIGH A. NAYLOR and AUDREY F.M. NAYLOR, husband and wife

whose address is: 2475 S. RIMROCK DR., IDAHO FALLS, ID, 83401

Hereinafter called the Grantee, the following described premises situated in BONNEVILLE County, Idaho, to-wit:

LOT 1, BLOCK 2, RIMROCK ACRES SUBDIVISION, DIVISION NO. 1, BONNEVILLE COUNTY, IDAHO, ACCORDING TO THE RECORDED PLAT THEREOF.

INSTRUMENT NO.	900338
DATE	6-7-95
INST. CODE	205
FICHE NO.	10654-68
FEE	300
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	<i>[Signature]</i> Deputy
Request of	

95 JUN 7 PM 3 06

BONNEVILLE COUNTY
RECORDER

900338

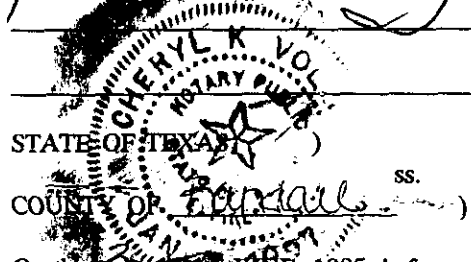
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: JUNE 3, 1995

[Signature]
FRANK ALEXANDER FELIX II

[Signature]
ANGELA K. FELIX



On this 3 day of JUNE, 1995, before me, the undersigned, a Notary Public for said State, personally appeared FRANK ALEXANDER FELIX II AND ANGELA K. FELIX, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public for TEXAS
Residing at: *[Signature]*
Commission expires: 1-7-97

MICROFILMED
DEC 30 1998

FIRST AMERICAN TITLE
Box 3432
Idaho Falls, Idaho 83409

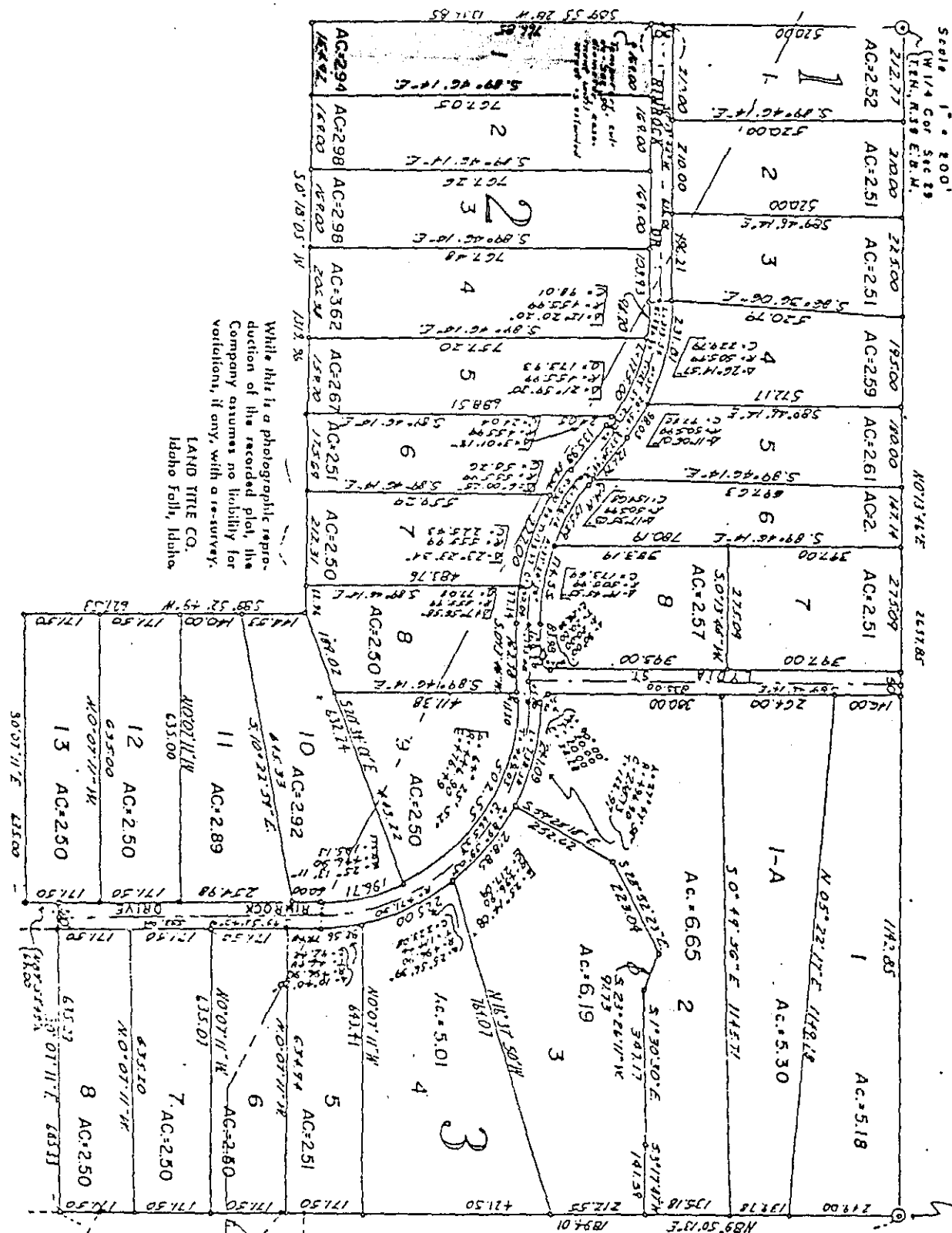
2-310775



DIVISION NO. 1.
BONNEVILLE COUNTY, IDAHO
Part of NW 1/4 Sec. 29 T.2N.R.39 E.B.M.

AM L67 316 (1)
T. 2N., R. 39 E. M.

MICROFILMED
F
DEC 30 1998



NOTE: Minimum building setback 30 feet from all streets.

This sketch is made solely for the purpose of assisting in locating the premises. The Company assumes no liability for incorrectness or damage which result from reliance on this map.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07582

Priority: February 4, 1991

Maximum Diversion Rate:

0.09 CFS

Maximum Diversion Volume:

15.6 AF

This is to certify, that FRANK A FELIX II
ANGELA K FELIX

2475 RIMROCK DR

IDAHO FALLS ID 83406

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 21, 1990; and has submitted Proof of Beneficial Use on June 4, 1992. An examination indicates that the works have a diversion capacity of 0.090 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	0.06 CFS	12.0 AF
DOMESTIC	01/01 to 12/31	0.08 CFS	3.6 AF
	Totals	0.09 CFS	15.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 29, Township 02N, Range 39E
BONNEVILLE 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>
02N	39E	29	SWNW	3		3

Total number of acres irrigated: 3

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount 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.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

1000-1000

ALL 28 057

State of Idaho
Department of Water Resources

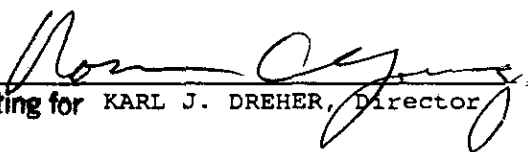
WATER RIGHT LICENSE

WATER RIGHT NO. 25-07582

CONDITIONS OF APPROVAL AND REMARKS

5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
8. Domestic use is for 3 homes.
9. Place of use known as Lots 1-3, Blk. 2, Division 1, Rim Rock Estates.

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 24TH day of OCTOBER, 1997.


Acting for KARL J. DREHER, Director

OCT 24 1997

IN THE MATTER OF PERMIT NO. 25-07582)
) ORDER OF
IN THE NAME OF FRANK OR ANGELA FELIX II) REINSTATEMENT

JUN 24 1992

RECEIVED
Form 217
11/91
JUN 4 1992

Department of Water Resources
Eastern District Office

RECEIVED
JUN 8 1992

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 4 June 1992
Receipt No. E017448
Receipt by Kaw

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 25-7582 Telephone No. 524-1849
2. Name(s) of Permit Holder(s): Frank or Angela Felix II
3. Mailing Address: 2475 Rimrock Dr Id Falls 83406
4. Source of Water: Groundwater

If **GROUNDWATER**, Well Driller's Name: unknown Date Drilled: ~1980

OPTIONAL:

Pump horsepower: 5 Pressure (psi): 30 Dynamic pumping level (ft.): 250

5. Extent of Use (as authorized by the permit):

Domestic 3 (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 3 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.14 cfs OR _____ acre/feet

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

Measuring device: Required? _____ Yes ✓ No _____ Installed? _____ Yes ✓ No _____

OR
Flow Measurement Port: Required? _____ Yes ✓ No _____ Installed? _____ Yes _____ No ✓

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

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

Same as Above
Name _____ Telephone No. _____

Address _____

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

4 June 1992 Frank A Felix II
Date Signature (and title, if on behalf of a company or organization)

RECORDED
JUN 24 1992

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	25-7582	Harold C. Brockelsby	0.14
Full Assignment	25-7582	Frank A. Felix II Angela K. Felix II	0.14

RECEIVED
JAN 14 1992

RECEIVED

DEC - 6 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern District Office

ASSIGNMENT OF APPLICATION FOR PERMIT

I, Harold Clare Brockelsby, hereby assign to Frank A. Felix II + Angela K. Felix
Janice Brockelsby
of, 2475 Rimrock, Idaho Falls, Ida 83401
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 25- 2582 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

N/A
The following described portion of my right, title, and interest in and to
Application for Application for Permit No. 25- 2582 to appropriate the public
waters of the State of Idaho.

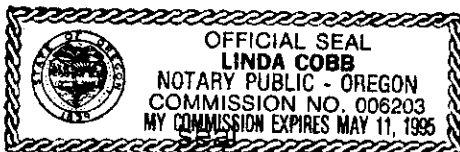
Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

X Made this 5th day of November, 1991

X Harold Brockelsby Janice Brockelsby
Applicant

State of ~~Idaho~~ OREGON)
County of LANE) ss

On this 5th day of Nov., 91, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.



Linda Cobb
Notary Public
Linda Cobb

RECORDED
JAN 14 1992

My commission expires: 5-11-95

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 25-07582

Proposed Priority: November 21, 1990 Maximum Diversion Rate: 0.14 CFS
This is to certify, that **HAROLD C. BROCKELSBY, JR.**

2475 RIMROCK DR.
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>
IRRIGATION	04/01 to 11/01	0.06 CFS
DOMESTIC	01/01 to 12/31	0.08 CFS
	Totals	0.14 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNW Sec. 29, Township 02N, Range 39E
BONNEVILLE 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>
02N	39E	29	SWNW	3		3

Total number of acres irrigated: 3

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 1992**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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.
5. 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.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
7. Domestic use is for 3 homes.

NOT REFILED

MAR 15 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 25-07582

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

7th day of March, 1991.

for R. Keith Higginson
R. Keith Higginson, Director

RECEIVED
MARCH 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 25 7582

NOV 21 1990

Department of Water Resources
Eastern District Office

To appropriate the public waters of the State of Idaho

1. Name of applicant Harold C Brockelsby, Jr. Phone 529-5376
Post office address 2475 Rimrock Dr., Idaho Falls, ID 83401
2. Source of water supply Groundwater. which is a tributary of
3. Location of point of diversion is 1/4 of SW 1/4 of NW 1/4, Govt. Lot
Sec. 29 Township 2 North Range 39 East B.M. Bannette County; additional
points of diversion if any:
4. Water will be used for the following purposes:
Amount 0.08 for Domestic. purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.06 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)
5. Total quantity to be appropriated is (a) 0.14 and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well & Pump.
 - b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feet; period of year when water will be diverted to storage:
 to inclusive.
 - c. Proposed well diameter is 8 inches; proposed depth of well is 400 feet.
7. Time required for the completion of the works and application of the beneficial use is
1 years (minimum 1 year).

MAR 15 1991

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. 3 Homes.
- e. Other; describe fully. _____

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	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N6.	39E	29							30 3 ACRES.										3

Total number of acres to be irrigated 3

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

11. a. Who owns the property at the point of diversion? Applicant

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

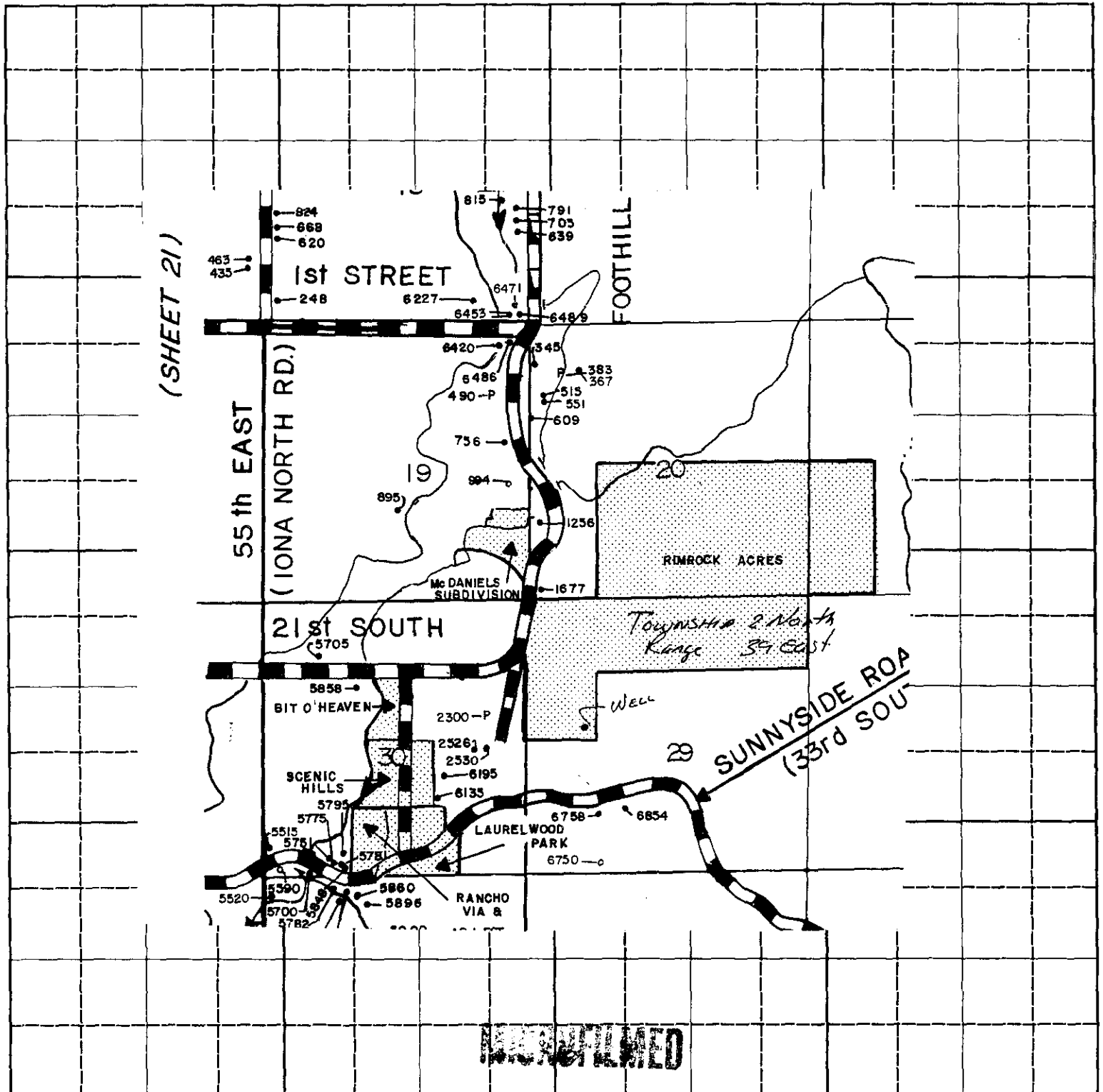
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

RECEIVED

MAR 15 1961

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



Scale: 2 inches equal 1 mile.

MAR 15 1991

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.

Harold B. Wheeler, Jr.
(Applicant)

Received by HWS Date 11-21-90 Time 2:28 pm Preliminary check by _____
Fee \$ 30 ⁸⁵/₁₀₀ Receipted by HWS # 12015473 Date 11-21-90
Publication prepared by RB Date 12-10-90 Published in Post Register
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

RECEIVED

MAR 15 1991

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss

I, ... Ted Delezene....., first being duly sworn, depose and say: That I am the
..... Foreman..... of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except
Saturday, 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 1st day of November, 1931, and each of said newspapers have been
published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks 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 Issues..... consecutive weeks, first publication having been made
on the 3rd..... day of January....., 19. 91., last publication
having been made on the 10th..... day of January....., 19. 91., 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.

Subscribed and sworn to before me, this 10th..... day of

Ted Delezene
..... January....., 19. 91.
Cathy von Borstel
Notary Public

My commission expires *March 5*....., 19. 96

LEGAL NOTICE

25-07581

DUNCAN, L. GORDON
DUNCAN, GLORIA J.
P.O. BOX 369
SODA SPRINGS, ID 83276
Source: GROUNDWATER
Diversion Pt: SWSE Sec 13 T 04S R 43E
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 10/15/ 1990
In: T04S R43E S13 SWSE

25-07582

BROCKELSBY, JR., HAROLD C.
2475 RIMROCK DR.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWNW Sec 29 T 02N R 39E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.080 CFS)
Total Diversion: (.140 CFS)
Date Filed: 11/21/ 1990
In: T02N R39E S29 SWNW
3.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A, Idaho
Code and/or the new public interest cri-
teria of Sec. 42-203C, Idaho Code. Protests
must be filed with the Director, Dept. of
Water Resources, 150 Shoup Ave., Suite
15, Idaho Falls, Idaho 83402 on or before
JANUARY 21, 1991.

R. Keith Higginson, Director
Published: January 3, 10, 1991

B10

Dep. Resources
Eastern District Office



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

December 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEIGH NAYLOR
AUDREY NAYLOR
2475 S RIMROCK DR
IDAHO FALLS ID 83406

RE: WATER RIGHT 25-07582

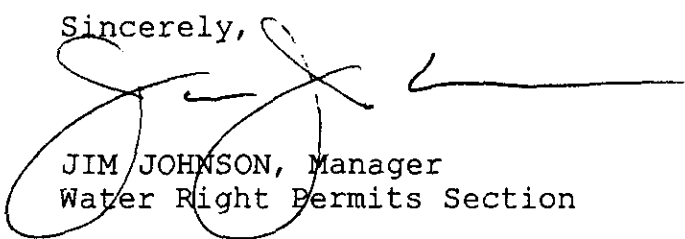
Dear Mr. & Mrs. Naylor:

The Department is in receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED
DEC 30 1998



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 27, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FRANK A FELIX II
ANGELA K FELIX
2475 RIMROCK DR
IDAHO FALLS ID 83406

RE: WATER RIGHT NO. 25-07582

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.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

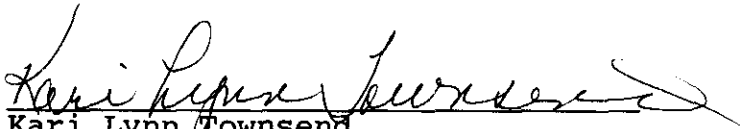
05/26/17

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of October, 1997, 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. 25-07582

FRANK A FELIX II
ANGELA K FELIX
2475 RIMROCK DR
IDAHO FALLS ID 83406


Kari Lynn Townsend
Secretary

NOV 19 1997

MEMORANDUM

TO: File 25-07582

FROM: Sharla

DATE: October 23, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 25-07582 are based on the following:

H. RECOMMENDATIONS

Irrigation	4/1 - 10/31	0.06 cfs	12.0 afa
Domestic	1/1 - 12/31	0.08 cfs	1.8 afa
	TOTALS	0.09 cfs	13.8 afa

The irrigation season for this area is 4/1 - 10/31. The separate irrigation component includes all lawn/garden areas (the aerial photo shows a total of 5 acres, period); the domestic volume is for in-house use only.

Examiner: Keith Wilson

Exam Date: August 19, 1992/August 15, 1997

NOV 29 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 25-07582

DATE 10/22/97

REVIEWER: SHARLA

NAME Change OK

Address Change Felix assign. is copy and ARQ records

SOURCE Change OK

Is change clarification of originally intended source? Show no receipt

POINT OF DIV Change OK

If not, prepare Notice of Intent to Void Amendment required NO

PLACE OF USE Change OK

Amendment required NO

Does map agree with written description? yes no

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate .14 cfs

Fee limit .20 cfs \$5000

Measured — cfs

Theoretical .09 cfs

pump rated @ .10 cfs

Recommended Total Div Rate .09 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use

Use .06 cfs

Volume Calc 3 x 4.0 = 12.0 af

Dom. .08 cfs

3 x 1.8 = 5.4 af

— — cfs

1.2 3.4 af

— — cfs

— af

SUBTOTAL .09 cfs

13.8 af

15.4

Flow rate .06 cfs X 214 days X 1.98 = 25.4 af

Total volume recommended 12.0 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

15.4/3
Plu known as Lots 1-3, Bldg 2, Dm 1,
Kim Rock Estates

CONDITIONS Watermaster Control WD#

GW Measurement/Measuring Device

Overlap

Use-specific conditions

048, 049

Advancement of Priority Date Required yes no

SRBA Claim Filed N/A

1st Amend Letter N/A

Adjustment Memo Dom volume

2nd Amend Letter N/A

Dom. Season

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 23 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 25-7582

1. Owner: LEIGH NAYLOR Phone No. 522-7222

Current Address: 2475 S Rimrock Dr., Idaho Falls ID 83406

2. Accompanied by: Frank Felix II / LEIGH NAYLOR EXAM DATE: 19 Aug 1992
15 Aug 1997

Address: Same Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

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

2. Other water rights with the same point of diversion: NONE

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
			SW	NW	29	2N	39E	Bonneville	County Plots / on site inspection

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	39E	29							D/3										
									3										3

SEP 24 1997

E. NARRATIVE/REMARKS/COMMENTS

Well pump mainline to two pressure tanks to three domestic homes.

P/D located within Lot 1 Block 2 Subdiv #1 Rimrock Acres

P/u aka Lots 1, 2, & 3 Block 2 Subdivision #1

Rimrock Acres (Three Single family domestic)

STREET ADDRESSES OF PLACES OF USE

2375 S. Rimrock Drive

2425 S. Rimrock Dr

2475 S. Rimrock Dr (P/D street address)

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

10/10/2010

2010 10 10

F. FLOW CALCULATIONS

Measured Method:

$$Q = 0.09 \text{ cfs}$$

☒ Additional Computation Sheets Attached

$$Q_{\text{DOM}} \text{ Limited to } 0.08 \text{ cfs}$$

$$Q_{\text{IRR}} \text{ Limited to } 0.06 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{\text{I.R.}} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \text{ ac} \times 4 = 12$$

$$V_{\text{D.R.}} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.06 \times 1.9835 \times 214 = 25.5$$

$$V = \text{Smaller of } V_{\text{I.R.}} \text{ and } V_{\text{D.R.}} = 12 \text{ afa}$$

2. Volume Calculations for Other Uses:

$$V_{\text{DOM}} = 3 \times 1.2 \text{ afa} = 3.6 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOMESTIC (3 units)	1/1	12/31	0.08 cfs	3.6 afa
IRRIGATION	4/1	11/1	0.06 cfs	12.0
Totals:			0.09 cfs	15.6 afa

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Keith C. Wilson Date 19 Aug 92

Reviewer _____ Date _____

SEAL

001 2 5 106

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

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

$$Hp = \text{Horsepower} = \underline{5}$$

$$Eff = \text{Efficiency} = \underline{70} \quad (\text{Usually } 70\%)$$

Lift: (Static Level + Assumed Draw down)

$$\text{Static Water Level} = \underline{285} \text{ ft.}$$

$$\text{Assumed Draw down} = + \underline{\hspace{1cm}} \text{ ft.}$$

$$\text{Lift} = \underline{285'}$$

OR *No Draw down according to owner*

$$\text{Measured Dynamic Water Level} = \underline{\hspace{1cm}} \text{ ft.}$$

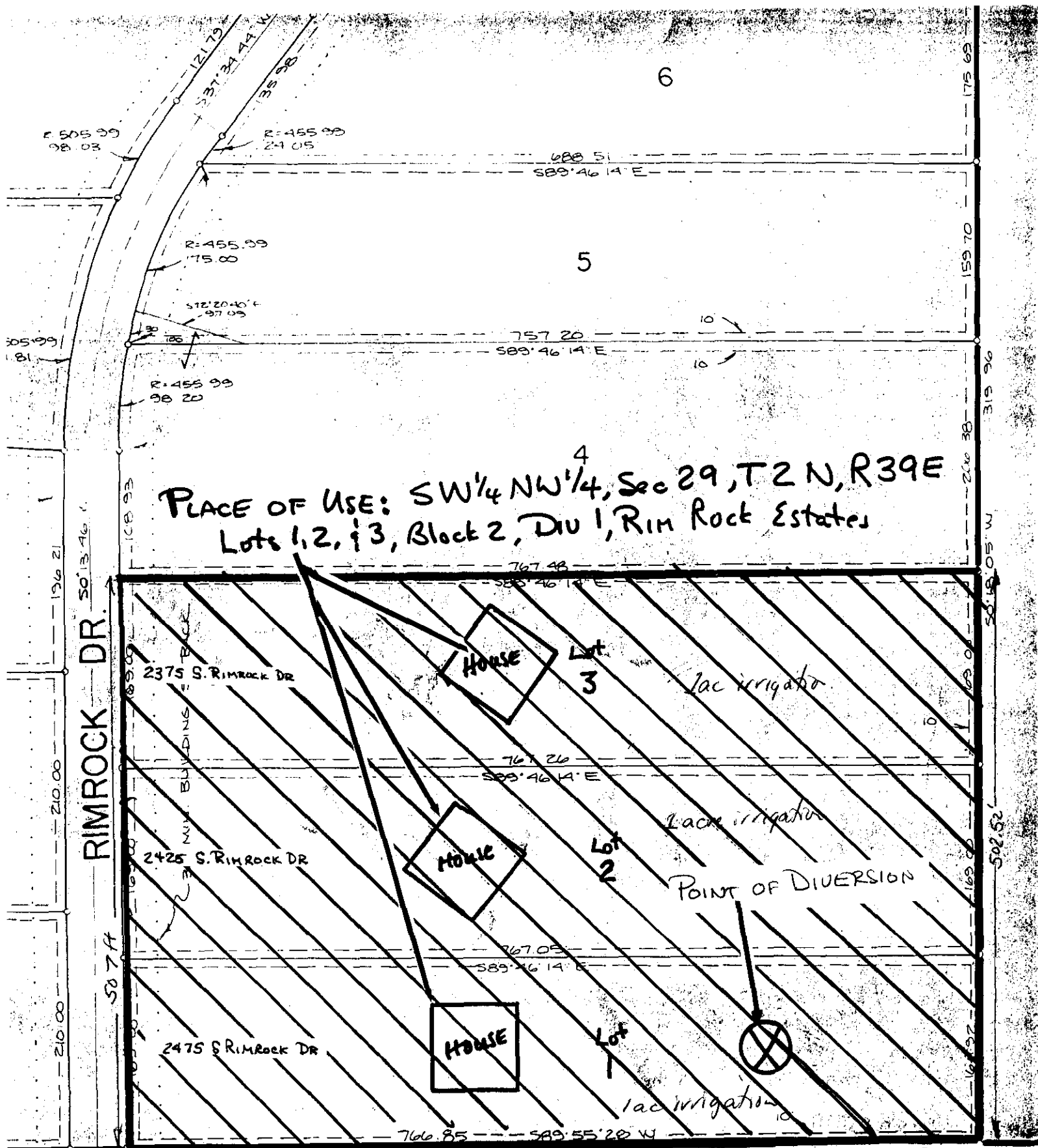
$$psi = \text{Operating Pressure} = \underline{30} \text{ psi}$$

$$Q_{cfs} = \left[\frac{5}{Hp} \times 8.814 \times \frac{0.7}{eff} \right] \div \left[\frac{285}{Lift} + \left(\frac{30}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{30.849} \right] \div \left[\underline{354.24} \right]$$

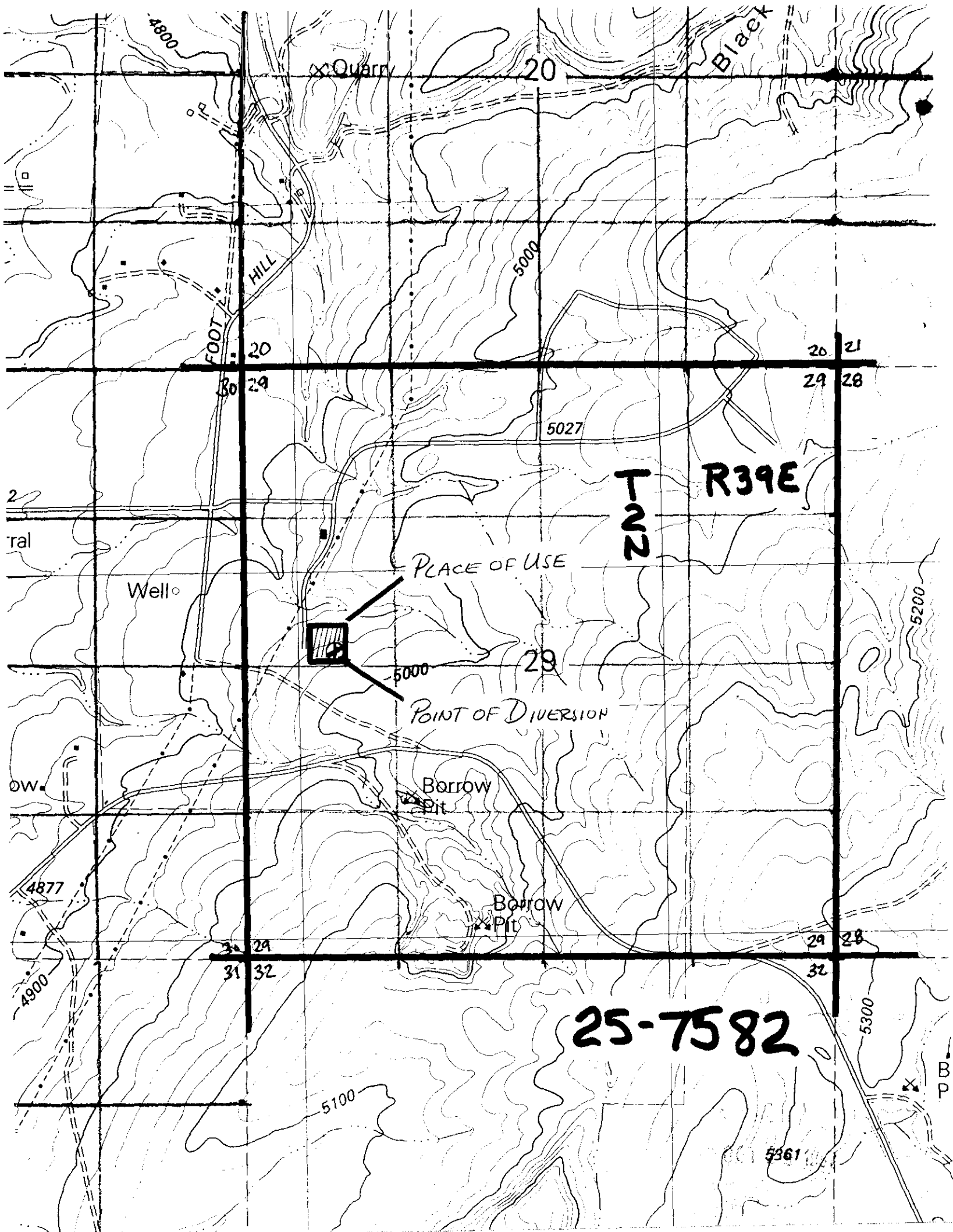
$$Q_{cfs} = \underline{0.09} \text{ cfs}$$

PERMIT NO. 25- 7582



PLACE OF USE: SW 1/4 NW 1/4, Sec 29, T2N, R39E
Lots 1, 2, & 3, Block 2, Div 1, Rim Rock Estates

25-07582



19 20

30 29

30

HE

4.4

HEL

R39E

T
2
N

(19)

measured

Point of View

T
2
N
R39E

SEC 29
IB-SY-HEL

Scale
16" = 1 mile

Point of Intersection

25-07582

07/94 25⁰⁰

For Office Use Only
\$25.00 Filing Fee
Receipt # _____
Date _____

State of Idaho
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

COPY

I, FRANK FELIX II, hereby assign to LEIGH NAYLOR
(Permit Holder)
of 2475 S. RIMROCK DR, IDAHO FALLS, ID 83406
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 25-07582
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

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

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

Made this 18 day of AUGUST, 1997.

Frank Felix II
Permit Holder(s)

State of Idaho)

SS

County of BONNEVILLE

On this 18th day of August, 1997, personally appeared before me
the undersigned the above instrument, duly acknowledged to me that he/she/they executed the same.



Gregory J. Taylor
Notary Public

GREGORY J. TAYLOR
Signature

June 12, 1992

ANGELA K FELIX
FRANK A FELIX II
2475 RIMROCK
IDAHO FALLS ID 83406

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 25-07582

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

JUN 24 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 25-07582 Reviewed by Keg Date 6/8/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? domestic - 3
no Address same as permit? irrigate - 3
no Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
2 Ground water source
NA Drilling permit required?
1980 / Copy in the file? Drilling Permit No.
/ Amount paid for permit Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received 6/4/92 155
Date proof due 3/1/92 - 60
No. of days late = 95
Priority Date 11/21/90 + 325
New Priority Date 420

 - 365
55 = 2/4/91

DEFICIENCIES OR ACTION ITEMS

was not lapsed until 6/1/92 - they filed proof within 60 days of the lapsing

DATA ENTRY

New Address Zip 83406

Proof Made 6/4/92
6/12/92 Keg



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 1, 1992

Frank and Angela Felix
2475 Rimrock
Idaho Falls, ID 83401

Dear Permit Holder:

Re: Permit No. 25-07582

LAPSE NOTICE

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permit has lapsed. The department provided the proper forms to you in our proof due notice dated December 31, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable Proof of Beneficial Use or an acceptable Request for Extension of Time showing reasonable cause for the delay. Either the completed Proof of Beneficial Use Submittal including the examination fee, or a completed field examination report; or the extension request form together with the \$15 fee, must be received by this department within sixty (60) days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

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

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosures

RECEIVED
JUN 24 1992

December 30, 1991

FRANK A FELIX II
ANGELA K FELIX
2475 RIMROCK
IDAHO FALLS ID 83401

Re: Permit No. 25-07582

Dear Permit Holder(s):

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

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

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

RECEIVED

JAN 14 1992

FRANK A FELIX II
ANGELA K FELIX
2475 RIMROCK
IDAHO FALLS ID 83401

138384
December 31, 1991

PROOF DUE NOTICE
RE: PERMIT NO. 25-07582

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 March 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED

JAN 14 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 12, 1991

HAROLD C. BROCKELSBY, JR.
2475 RIMROCK DR.
IDAHO FALLS, ID 83401

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 25-07582

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.

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. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

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 you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well

RECEIVED

MAR 15 1991

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

RECEIVED

MAR 1 1981

APPLICATION FOR PERMIT REVIEW

Application #: 25-7582
Date: 2-26-91

Reviewer: Pam Skaggs

Existing:

- ✓ No - 26A-P17
- ✓ Complete in 1 year - P16

Yes

- Proof not submitted - P16
- Proof submitted - N/A

Groundwater:

- GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)
- ✓ LT. 0.7 cfs - N/A

Drilling Permit:

- ✓ Approved w/permit - P99
- ✓ Not included - 046-P23(All GW, even existing wells)

Location:

- Water Districts - WD No. 01
- Surface water - 005, 005-01H-P01(LT.7 w/pump)
005-01J-P08(GT.7)
- ✓ Groundwater - P05
- Irrigation Districts - 023
- Canal Co. Areas - 023
- Drainage Districts - 024
- Boise Front (63) - 058 (Groundwater)
- ✓ Swan Falls Flag - 1 (1 or Blank)
- Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr
or Irr & Dom)
- ✓ Non Trust - 048-049

River Basins:

- (Surface Water) Water District Control Condition &....
- Boise (63) - 11D-P72
- Payette (65) - 047-P04, 059-P71
- Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

- Fish Propagation - 002-P06, 06A, 007, 09E-P10, 010, 042, 044
- Power - Use Power Review
- Mining - 06A, 006, 010, 09E-P10 & 054(req.)
- Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)
- Rec. & Aesthetic - 027(Non-Consumptive)
- Domestic - 021(restricted areas)

Ownership:

- Non land owner - 004

Protested:

- Agreement - 020

Minimum Stream Flow:

- Overlapping uses - 029-P20

✓ Beneficial Use Due Date: - 03-01-1992

Other Conditions Recommended _____

FILED

MAR 15 1991

26-91
sig

Dist. for staffing: 12-5-90
Submitted for advertising: 12-18-90

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS SHEET

25 7582

INITIAL REVIEW BY HWS DATE 12-17-90 APPLICATION NO. _____
APPLICANT NAME: HAROLD C. BROCKELSBY, JR.

REQUIRED INFORMATION

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

ADDITIONAL INFORMATION

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

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested FEB 13 1991

Department of Water Resources

<u>SEND COPIES TO</u>	_____ 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 _____

☒ 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 <u>1-21-91</u>
☒	Yes	☐	No	Protests, dates, resolution of protest, recorded on application
☐	Yes	☒	No	Recommendations, attached
☐	Yes	☒	No	Measuring device required
☐	Yes	☒	No	Access port required
☐	Yes	☒	No	Will water be delivered by watermaster? If yes, what Dist. _____
☐	Yes	☒	No	Special conditions of approval or cover letter below.

Date of priority recommended 11-21-90
By HWT Date 2-1-91

See below for additional information

By _____ Date _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other _____

Project impacts/implications report

COMMENTS

[illegible]

25-07582

BROCKELSBY, JR., HAROLD C.
2475 RIMROCK DR.
IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: SWNW Sec 29 T 02N R 39E

Use: IRRIGATION (.060 CFS)
 DOMESTIC (.080 CFS)
 Total Diversion: (.140 CFS)

Date Filed: 11/21/ 1990

In: T02N R39E S29 SWNW

3.0 ACRES TOTAL

RECEIVED

MAR 15 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JANUARY 21, 1991.

R. Keith Higginson, Director

Published 1/ 3/1991 & 1/10/1991

RECEIVED

JAN 10 1991

21-Dec-1990

HAROLD C BROCKELSBY JR
2475 RIMROCK DR
IDAHO FALLS ID 83401

RE: Application No. 25-07582

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in POST REGISTER on JANUARY 3 & 10, 1991. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

FILED

MAR 15 1991