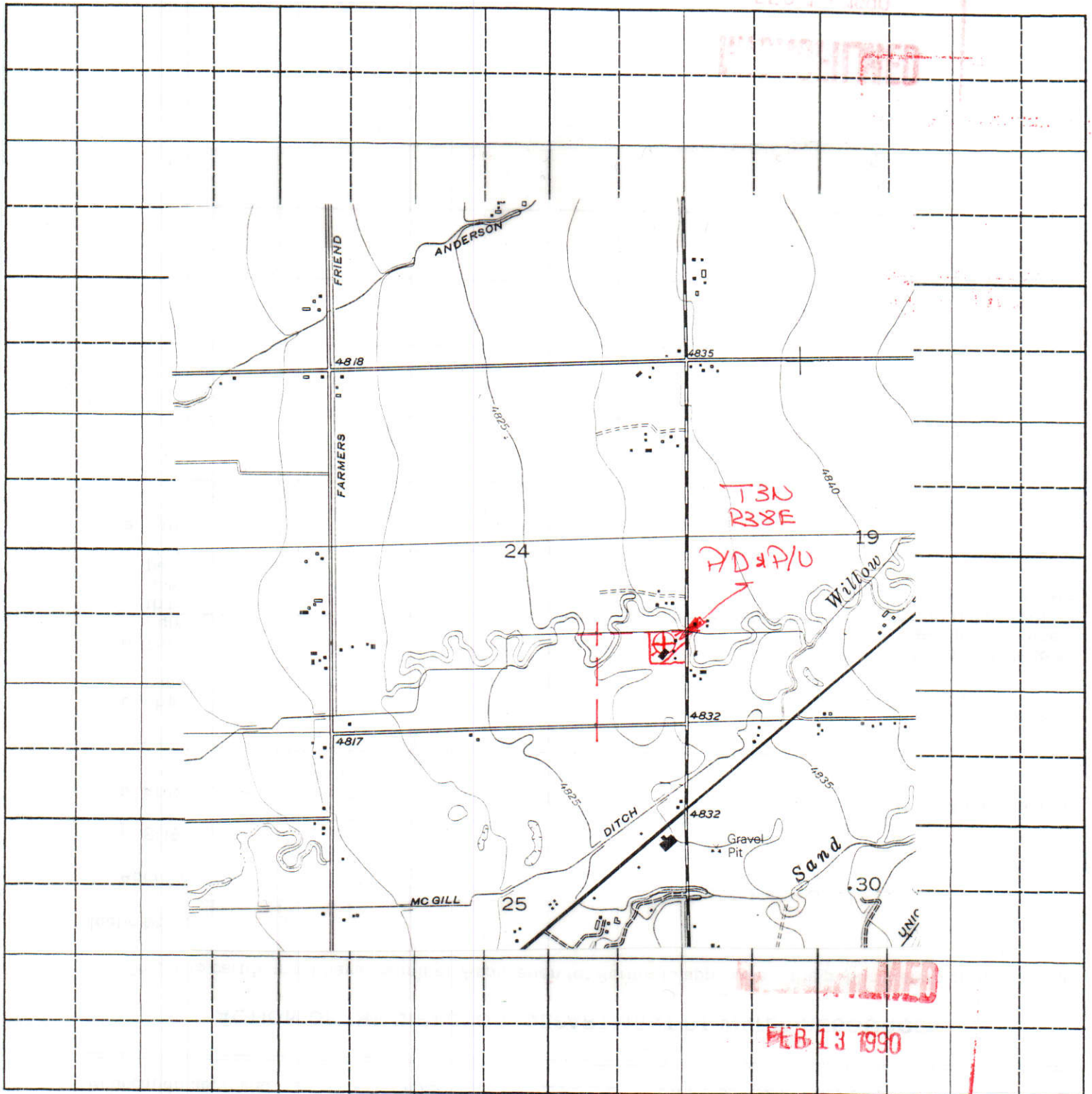


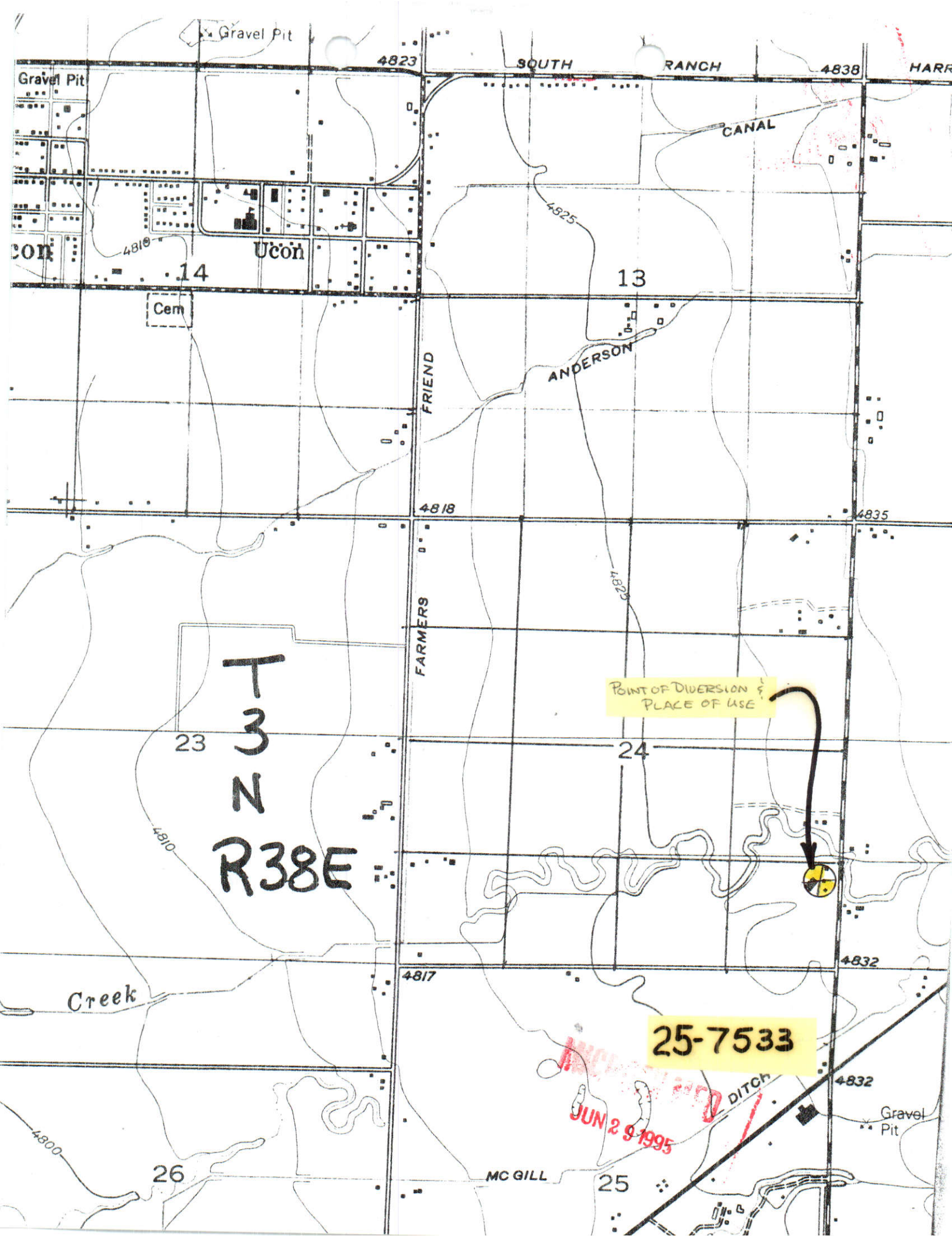
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Burtone Johnson
(Applicant)



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07533

Priority: July 13, 1989

Maximum Diversion Rate:

0.10 CFS

Maximum Diversion Volume:

18.3 AF

This is to certify, that BURTON JOHNSON

8461 N 55TH E

IDAHO FALLS ID 83401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 5, 1989; and has submitted Proof of Beneficial Use on January 9, 1992. An examination indicates that the works have a diversion capacity of 0.100 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>
STOCKWATER	01/01 to 12/31	0.10 CFS	14.7 AF
DOMESTIC	01/01 to 12/31	0.08 CFS	3.6 AF
	Totals	0.10 CFS	18.3 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 24, Township 03N, Range 38E
BONNEVILLE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

03N 38E 24

SESE

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

RECORDED

JUN 29 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07533

CONDITIONS/REMARKS:

7. Stockwater use is for 375 dairy cattle.
8. Domestic use is for 3 homes.

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 26TH
day of JUNE, 1995.

Acting for

KARL J. DREHER, Director

RECORDED
JUN 29 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 25-07533

IN THE NAME OF BURTON JOHNSON

ORDER OF
REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before January 1, 1992; and,

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

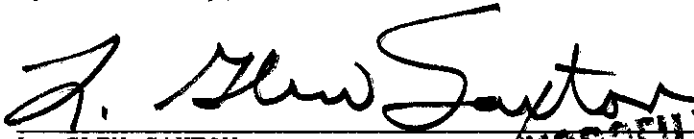
WHEREAS, on January 1, 1992, the permit lapsed for failure of the permit holder to submit proof of beneficial use; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on January 9, 1992;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 25-07533 be REINSTATED with an advance in priority to July 13, 1989.

Dated this 13 day of January, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED
JAN 21 1992

100⁰⁰

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

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

Permit No. 25-07533 Telephone No. 522-2004

Name(s) of Permit Holder(s): Burton Johnson

Post Office Address: 8461 N SSE Idaho Falls Idaho 83401

Source of Water: Groundwater

If ground water, well driller's name: UNKNOWN Date drilled: 1979

Extent of Use:

Domestic 3 (No. of households)

Irrigation _____ (No. of acres)

Stockwater 400 (No. and type of stock)

Other _____

Dairy

Total rate and/or volume for which proof is submitted .34 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 07-05-1989

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

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

OR

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

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

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

Burton Johnson
Name

522-2004
Telephone No.

Address

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

RECEIVED
JAN 21 1992

Date

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

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single ownership
domestic use or stockwater use of
less than 13,000 gallons per day.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 25-07533

Proposed Priority: July 5, 1989

Maximum Diversion Rate:

0.34 CFS

This is to certify, that **BURTON JOHNSON**
8461 N. 55TH 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>
STOCKWATER	01/01 to 12/31	0.26 CFS
DOMESTIC	01/01 to 12/31	0.08 CFS
	Totals	0.34 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESESE Sec. 24, Township 03N, Range 38E
BONNEVILLE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

03N 38E 24 SESE

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 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. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
7. Domestic use is for 3 homes.

MICROFILMED

FEB 13 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 25-07533

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

28th day of December, 1989

J. Glen Saxton
for R. Keith Higginson, Director

RECORDED

FEB 13 1990

257533

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

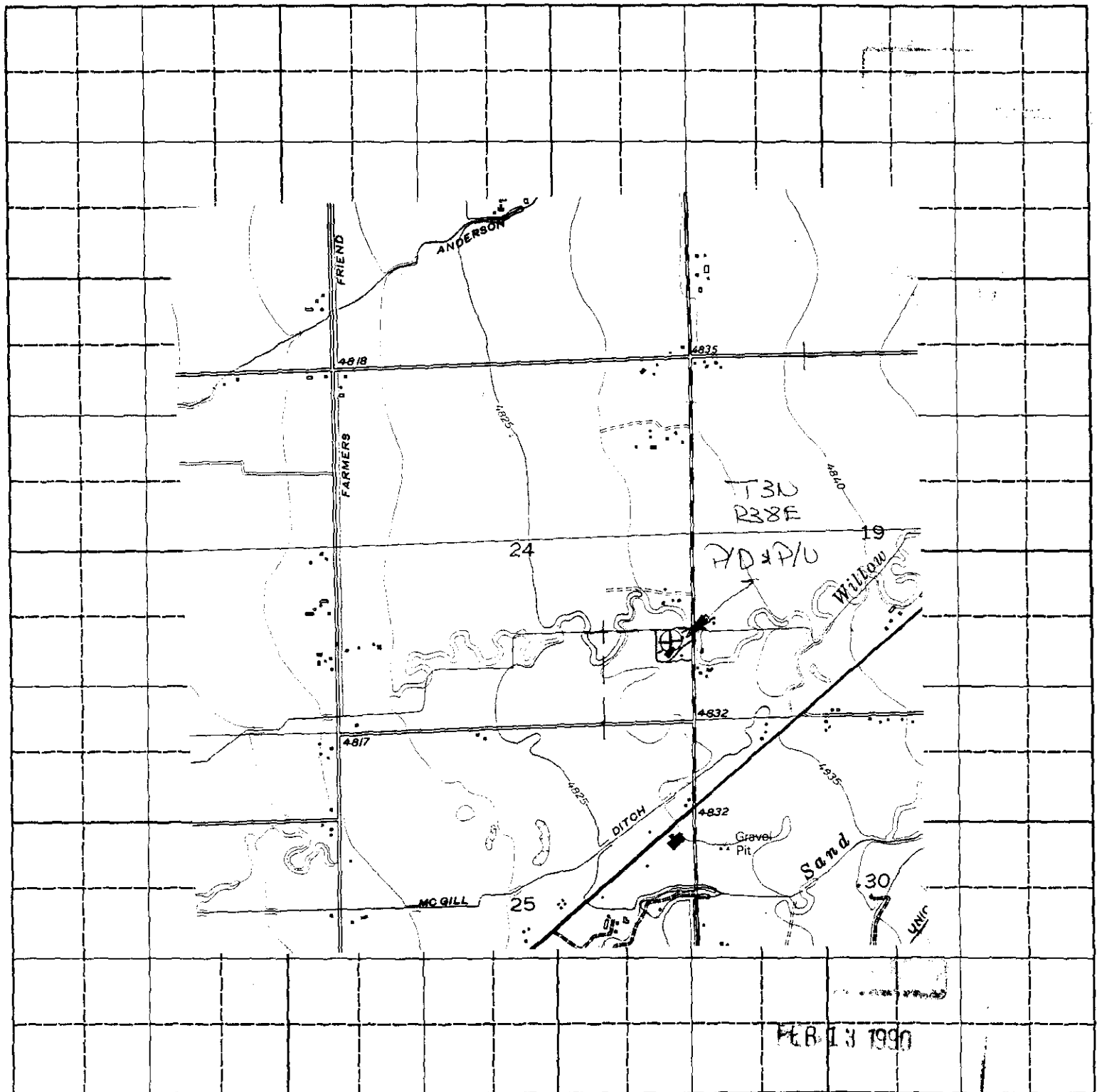
1. Name of applicant BURTON JOHNSON Phone (208) 522-2004
 Post office address 8461 N 55th E, IDAHO FALLS, ID 83401
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
 Sec. 24 Township 3N Range 38E B.M. BOONVILLE County; additional
 points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount 0.08 for DOMESTIC purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount 0.26 for STOCK purposes from 01/01 to 12/31 (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) 0.34 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 FOR DAIRY
AND THREE HOMES

 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 6 inches; proposed depth of well is 200 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
2 years (minimum 1 year).

MICROFILMED

FEB 13 1990

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



Scale: 2 inches equal 1 mile.

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

Burton E. Johnson
(Applicant)

Received by DM Date 7/5/89 Time 1230 Preliminary check by BMD
Fee \$ 45⁰⁰ Receipted by DM # E009412 Date 7/5/89
Publication prepared by RB Date 11-26-89 Published in Last-Register
Publication approved RB Date 11-20-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

MICROFILMED

FEB 13 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 27, 1995

BURTON JOHNSON
8461 N 55TH E
IDAHO FALLS ID 83401

RE: WATER RIGHT NO. 25-07533

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECORDED
JUN 29 1995

LICENS. REVIEW CHECKLIST

PERMIT NO. 25-07533 DATE 6-22-95



NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE ☒ Advance? YES Advanced to: 7-13-89
 Order to reinstate needed? Done
 Incorrect fee for rate recommended?

SOURCE ☒ Changes or just clarification of originally intended source?
 Notice of Intent to Void necessary?

POINT OF DIV ☒ Amendment needed?
 ☒ Overlaps?

PLACE OF USE ☒ Amendment needed?
 ☒ Overlaps?

DIV RATE ☒ Permit/fee limits: .34 CFS
 Meas Q = Theo Q = .10 Recommend: .10
3 HOMES OK @ .08 CFS
375 x .00065 = .24 CFS
 Combined rates exceed capacity

ANNUAL VOLUME ☒ Volume Limit: Season: 1-1 to 12-31
 Calculations: 3 HOMES x 1.2 = 3.6
375 x .0391 = 14.7
 Flow limit: .10 cfs x 365 x 1.9835 = 72.4
 Combined volumes exceed capacity/allowable

USES ☒ Change in Nature of Use or additional uses?
 Amendment necessary?

ADDITIONAL INFO Supplemental Groundwater PPU Scenario
 Irr/Dom Combination Shared G/W System

NEW REMARKS Multiple p/d(s) in 1/4 1/4?
WO2 Other 375 DAIRY CATTLE

NEW CONDITIONS Watermaster control - District
 Measuring/Locking Devices
 Irrigation Overlap
 Other KEEP NON-TRUST 048 & 049
 Water Quality Heat/Cool/Fish verified

COMMENTS: Reduce total rate to capacity; theoretical SWL verified
per well log micro-film records.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
<u>Domestic</u>	<u>.03</u>	<u>3.6</u>	Adjustment Memo Needed	<u>NO</u>
<u>Stockwater</u>	<u>.10</u>	<u>14.7</u>	LICENSE	☒
<u>Total</u>	<u>.10</u>	<u>18.3</u>	1ST AMEND LETTER	<u> </u>
			2ND AMEND LETTER	<u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 21 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 25-7533

1. Owner: Burton Johnson Phone No. 522-2004

Current Address: 8461 N 55th E Idaho Falls Id 83401

2. Accompanied by: Burton Johnson EXAM DATE: 3 June 1994

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: NA.

2. Other water rights with the same point of diversion: NA.

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
		NE	SE	SE	24	3N	38E	Bonneville	USGS Map / On site Inspection

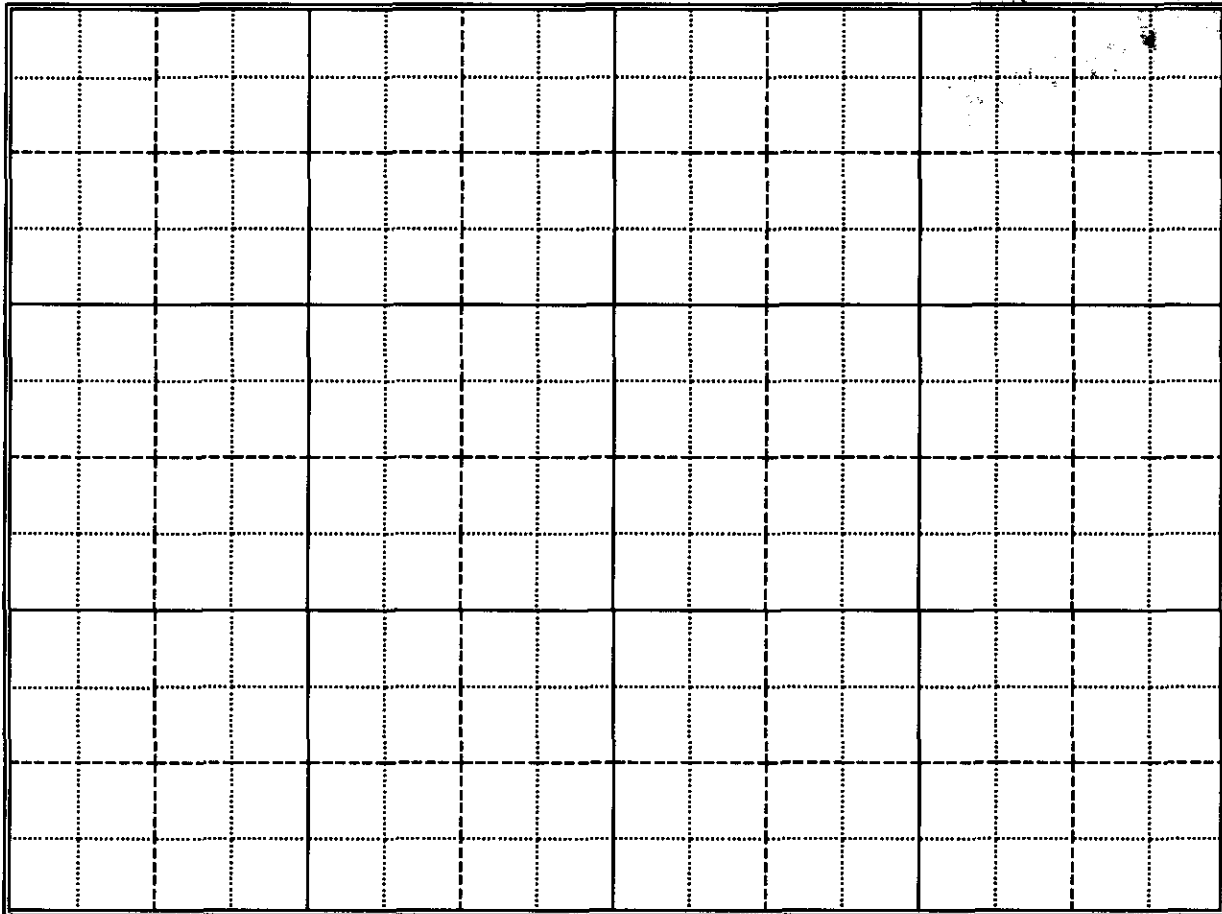
2. Place(s) of Use:

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	
3N	38E	24																3D 5	

RECEIVED
JUN 29 1995

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin Electric	2	Model # 2823018110	Meyer	1 1/2"

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Pressure gage 20-30 psi operating Pressure

Mon - 11 PM

JUN 29 1986

E. NARRATIVE/REMARKS/COMMENTS

Well pumps mainline to Three single domestic houses and Dairy operation with 375 head of dairy cattle

According to permit holder Denning Well Drilling drilled well when "they took away their winter water."

Static ltu level in area $\approx 100'$

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

APPROVED
JUN 29 1995

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method: *Therohed*

$$Q = \frac{hp(8.814)(ft)}{Lift + (PSIX2308)} = \frac{2(8.814)(.8)}{100 + (20 \times 2.308)} = 0.0965 cfs = 0.10 cfs$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

V_{I.R.} = (Acres Irrigated) x (Irrigation Requirement) = _____V_{D.R.} = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____V = Smaller of V_{I.R.} and V_{D.R.} = _____

2. Volume Calculations for Other Uses:

$$V_{Dom} = 3 \times 1.2 cfs = 3.6 cfs$$

$$V_{Stock-Pairs} = 16.0 cfs$$

14.7 cfs

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Stockwater</i> <i>(375 dairy)</i>	<i>1/1</i>	<i>12/31</i>	<i>0.10 cfs</i>	<i>16.0 14.7</i>
<i>Domestic</i> <i>(3 units)</i>	<i>1/1</i>	<i>12/31</i>	<i>0.08 cfs</i>	<i>14.3.6</i>
Totals:			<i>0.10 cfs</i>	<i>18.3 cfs</i>

2. Recommended Amendments

____ Change P.D. as reflected above

____ Add P.D. as reflected above

☒ None

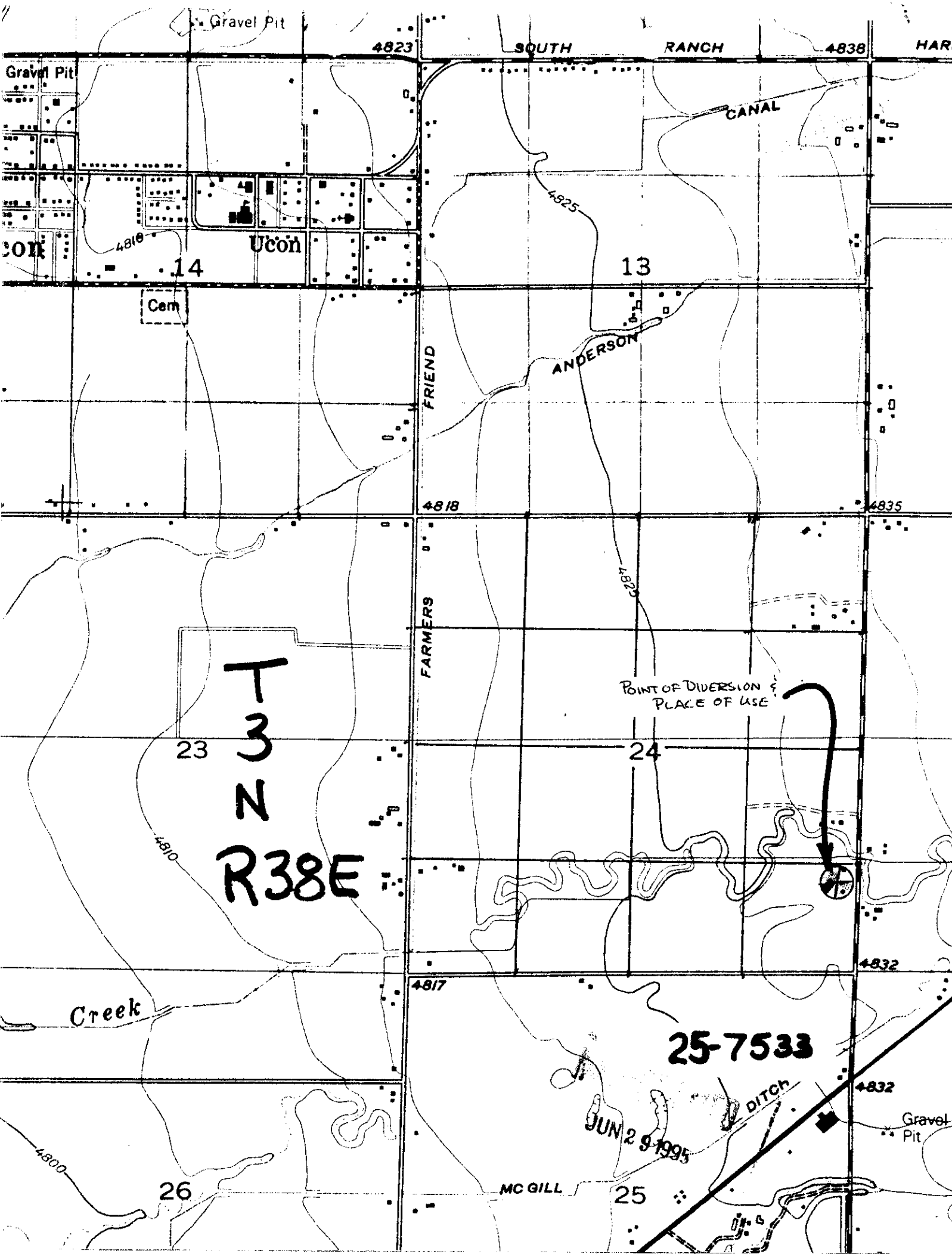
____ Change P.U. as reflected above

____ Add P.U. as reflected above

____ Other

I. AUTHENTICATIONField Examiner's Name *KEITH C WILSON* Date *3 June 1994*Reviewer *[Signature]* Date *2-15-95*

SEAL
JUN 29 1995



Gravel Pit

4823

SOUTH

RANCH

4838

HARK

Gravel Pit

CANAL

CON

4810

14

Ucon

13

Cem

ANDERSON

FRIEND

4818

4835

FARMERS

T
3
N
R38E

23

24

POINT OF DIVERSION
PLACE OF USE

Creek

4810

4817

4832

25-7533

DITCH

4832

Gravel Pit

JUN 29 1995

MC GILL

25

26

4800

January 15, 1992

BURTON JOHNSON
8461 N. 55TH E.
IDAHO FALLS ID 83401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 25-07533

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

ED
JAN 21 1992

Permit No. 25-07533 Reviewed by Klg Date 12/19/91

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

1979

Surface water source _____

✓ Ground water source _____

NA Drilling permit required? _____

Copy in the file? Drilling Permit No. _____

Amount paid for permit _____ Correct? _____

Well log in the file? _____

Yes Required?
100 Amount Submitted
Yes Correct?

<u>NA</u>	Required?
<u>/</u>	Installed?
	Waiver requested?

Date proof received	~~11/1~~ 1/9/92	9
Date proof due	~~1/1~~ 1/1/92	1
No. of days late	~~1~~ 1	= 8
Priority Date	~~1/1~~ 7/5/89 +	186
New Priority Date	~~1/1~~ 7/13/89	194

EFFICIENCIES OR ACTION ITEMS
 permit is for .34 - only applied for .04 - double ✓ cfs
 also only domestic, 04 ~~is exempt from \$50~~ - .34 = \$100

proof acceptable
needs an order

Proof Made

RECEIVED
DEC 17 1991

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ _____
Date _____
Receipt No. _____
Received by _____

Copy of
1st proof
submitted

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

1. Permit No. 25-07533 Telephone No. 522-2004

2. Name(s) of Permit Holder(s): Burton Johnson

3. Post Office Address: 8461 N. 55th E Idaho Falls, ID 83401

4. Source of Water: Groundwater

a. If ground water, well driller's name: _____ Date drilled: 1979

b. Pump horsepower: 3/4 Pressure (psi): _____ Dynamic pumping level (ft.): 150

5. Extent of Use:

Domestic 3 (No. of households) Irrigation _____ (No. of acres)

Stockwater 400 (No. and type of stock) Other _____
Dairy

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

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

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

OR

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

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

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

Name

See above

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.

RECEIVED

JAN 21 1992

Date

12-12-91

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

Burton Johnson



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 19, 1991

Burton Johnson
8461 North 55th East
Idaho Falls, ID 83401

Re: Permit No. 25-07533

Dear Permit Holder:

Returned is the proof of beneficial use you submitted in connection with the above referenced permit.

The Department has determined that the permit holder must meet three requirements in order to be exempt from the license exam fee. They are:

1. The water right must use a groundwater source.
2. The rate of diversion must be .04 cfs or less.
3. The extent of use must be for one domestic household purpose only.

As you can see, you do not meet requirement #3 since your extent of use is also for stockwater purposes. Therefore, a license examination fee applies to your permit. Also, please note that your permit was issued for .34 cfs. The license exam fee for .04 cfs is \$50. The license exam fee for .34 cfs is \$100. Please be sure you apply for the proper amount of water at this time. At the time the field exam is completed, if you have not applied for the appropriate amount of water, penalties and fines may be administered. Therefore, it is my recommendation that you apply for the appropriate amount at this time.

In order to comply with the mandatory dates, please return the proof of beneficial use and the applicable license exam fee within 20 days of the date of this mailing.

If you have any questions or if I can be of any further assistance, please feel to contact me.

Sincerely,

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

RECORDED

JAN 21 1992

138/28
October 31, 1991

BURTON JOHNSON
8461 N. 55TH E.
IDAHO FALLS ID 83401

PROOF DUE NOTICE
RE: PERMIT NO. 25-07533

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 January 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,

Nina Shields
Secretary/Records Manager

Enclosures

JAN 21 1992

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

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 29, 1989

BURTON JOHNSON
8461 N. 55TH E.
IDAHO FALLS, ID 83401

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

RE: PERMIT NO. P25-07533

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.

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

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.

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

RECEIVED

FEB 13 1990

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

FEB 13 1990

27-Sep-1989

Burton Johnson
8461 N. 55th E.
Idaho Falls, ID 83401

RE: Application for Permit No. 25-7533

Dear Water Right Applicant:

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

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECEIVED

FEB 13 1990

Proof of Publication

The Post-Register

RECEIVED

NOV 16 1989

Department of Water Resources
Eastern District Office

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 consecutive weeks, first publication having been made on the 2nd day of November, 1989, last publication having been made on the 9th day of November, 1989, 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 13th day of November, 1989.

Ted Delezene
Deon R. Napier
Notary Public

My commission expires September 30, 1994.

NOTICE OF APPLICATION FOR WATER RIGHT

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

23-07129
O'MALEY, CHARLES
O'MALEY, DONNA
P.O. BOX 644
PALISADES, ID 83437
Source: GROUNDWATER
Diversion Pt: SWNE Sec 35 T 01N R 44E
Use: IRRIGATION (.040 CFS)
COMMERCIAL (.120 CFS)
DOMESTIC (.040 CFS)
Date Filed: 10/04/1989
In: T01N R44E S35 SWNE
1.5 ACRES TOTAL
23-07131
SANDERSON, DENNIS L.
SANDERSON, KORAL S.
P.O. BOX 159
AFTON, WY 83110
Source: SPRING; TRIBUTARY: SINKS
Diversion Pt: LOT 5 (SWNWSE) Sec 22 T 03S R 46E
Use: STOCKWATER (.020 CFS)
DOMESTIC (.020 CFS)
Date Filed: 9/15/1989
In: T03S R46E S22 Lot 5 (NWSE)
23-07132
JEM-K, INC.
P.O. BOX 585
PALISADES, ID 83437
Source: GROUNDWATER
Diversion Pt: SWSENE Sec 35 T 01N R

44E
NWNESE Sec 35 T 01N R 44E
Use: COMMERCIAL (.220 CFS)
Date Filed: 9/31/1989
In: T01N R44E S35 SENE NESE
23-07133
VAN WINKLE, JOHN DEAN
VAN WINKLE, JOLANE P.
2057 W. 4250 S.
ROY, UT 84067
Source: GROUNDWATER
Diversion Pt: SWSE Sec 6 T 01N R 44E
Use: IRRIGATION (.030 CFS)
DOMESTIC (.040 CFS)
Date Filed: 7/24/1989
In: T01N R44E S06 SWSE
1.0 ACRES TOTAL
25-07531
HOOPER, LLOYD C.
P.O. BOX 434
UCON, ID 83454
Source: GROUNDWATER
Diversion Pt: SWSWSE Sec 10 T 03N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 9/29/1989
In: T03N R38E S10 SWSE
25-07532
C/O RON MITCHELL
BURDETTE, INC.
1735 ROSS AVE.
IDAHO FALLS, ID 83406
Source: GROUNDWATER
Diversion Pt: SWSW Sec 9 T 02N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 9/20/1989

In: T02N R38E S09 SWSW
25-07533
JOHNSON, BURTON
8461 N. 55TH E.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NESESE Sec 24 T 03N R 38E
Use: STOCKWATER (.260 CFS)
DOMESTIC (.080 CFS)
Date Filed: 7/05/1989
In: T03N R38E S24 SESE
25-07536
QUINTON, RAY E.
QUINTON, BERNADENE L.
10822 N. 5TH E.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SENENE Sec 28 T 03N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 9/15/1989
In: T03N R38E S28 NENE
25-07537
DEMOTT, WILLIAM J.
GROVER, LAVAR
RIGBY, WILLIAM F.
2105 INDUSTRIAL BLVD
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SWNE Sec 9 T 02N R 38E
Use: COMMERCIAL (.080 CFS)
Date Filed: 9/13/1989
In: T02N R38E S09 SWNE
25-07538
DANIEL, MELVIN R.

P.O. BOX 2473
IDAHO FALLS, ID 83-
Source: GROUNDWA
Diversion Pt: NENE Se
Use: COMMERCIAL (.10
Date Filed: 9/19/1989
In: T02N R38E S07 NE
25-07-
QUALITY INSUL
STRUCTION INC.
P.O. BOX 3806
IDAHO FALLS, ID 83-
Source: GROUNDWA
Diversion Pt: NWNW
Use: COMMERCIAL (.10
Date Filed: 8/18/1989
In: T02N R38E S08 N
25-07-
HOBBS, LAURA LEE
611 AMY LANE
IDAHO FALLS, ID 83-
Source: GROUNDWA
Diversion Pt: SENE Se
Use: DOMESTIC (.10
Date Filed: 8/18/1989
In: T02N R38E S22 SE
25-07-
STANGER, MARILYN
2927 E. IONA RD.
IDAHO FALLS, ID 83-
Source: GROUNDWA
Diversion Pt: NWNW
38E
Use: COMMERCIAL
Date Filed: 7/12/1989
In: T02N R38E S03 N

FEB 13 1990

25-07533

JOHNSON, BURTON
8461 N. 55TH E.
IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: NESESE Sec 24 T 03N R 38E

Use: STOCKWATER (.260 CFS)
DOMESTIC (.080 CFS)

Date Filed: 7/05/1989

In: T03N R38E S24 SESE

UNRECORDED

FEB 14 1990

INTER-DEPARTMENT MEMO

TO: File
FROM: Karen

SUBJECT: Exam fee
DATE: 12/31/91

Call from Dennis @ Eastern - my error -
In determining the license exam fee -
if it is .04 cfs or less & a groundwater source -
it is exempt - the use of the water is not an
issue - Dennis will call the permit
holder & explain that he has not applied for enough
water - the \$50 fee he has submitted is not
sufficient - will hold for an additional 10 days
Beyond the original request from my letter of 12/19/91

() For your information

() Response required

JAN 21 1992

signature