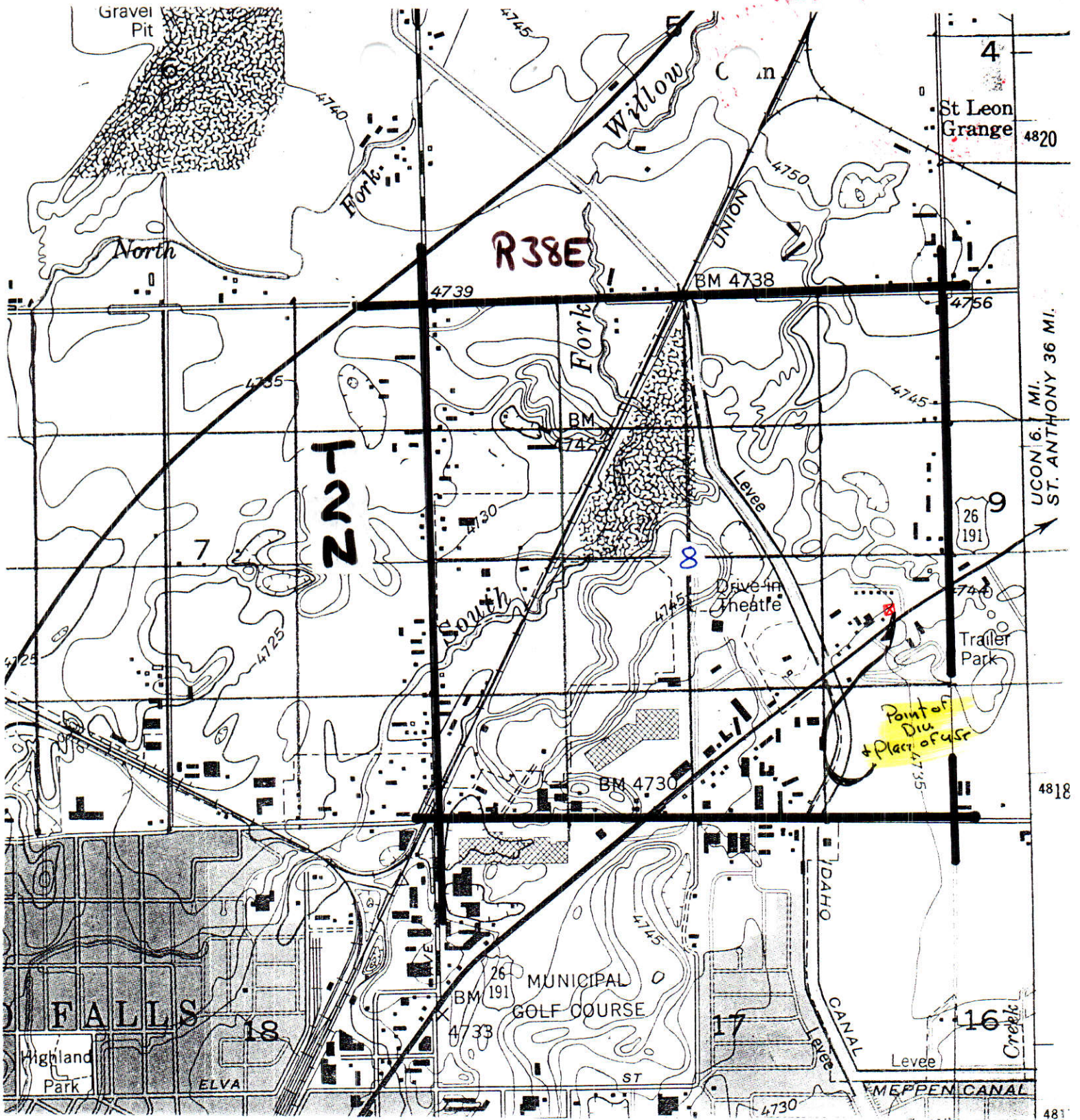




25-07490

MICROFILMED
JUN 29 1995



25-7490

RECEIVED
JUN 29 1988

Proof of Publication The Post-Register

RECEIVED

JUN 19 1989

State of Idaho, }
County of Bonneville } ss

Department of Water Resources
Eastern District Office

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 1st day of June, 1989, last publication having been made on the 8th day of June, 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 14th day of June, 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:

25-07490

HILLAM ENTERPRISES
YOST ENTERPRISES
220 ASH
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NESE Sec 8 T 02N R 38E
Use: COMMERCIAL (.040 CFS)

Date Filed: 3/15/1989
In: T02N R38E S08 NESE
25-07491

YOST BUILDING & DEVELOPMENT
1288 E. 21ST ST.
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversion Pt: SENW Sec 7 T 02N R 38E
Use: COMMERCIAL (.040 CFS)
Date Filed: 3/15/1989
In: T02N R37E S07 SENW

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 JUNE 19, 1989.

R. Keith Higginson, Director
Published: June 1, 8, 1989

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AUG 21 1989

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	25-07490	Hillam Enterprises Yost Enterprises	0.04
Full Assignment	25-07490	Sam Anderson Stacie Anderson	0.04



JUL 21 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07490

Priority: March 15, 1989

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that SAM ANDERSON
STACIE ANDERSON

2275 N YELLOWSTONE

IDAHO FALLS ID 83401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 15, 1989; and has submitted Proof of Beneficial Use on July 26, 1990. An examination indicates that the works have a diversion capacity of 0.040 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>
COMMERCIAL	11/01 to 12/31	0.04 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 8, Township 02N, Range 38E
BONNEVILLE County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

02N 38E 8

NESE

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 that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use, to implement accepted standards of diversion.
2. This water right is appurtenant to the described place of use.
3. This right is subject to any 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.
7. Commercial use is for an auto body shop and 3 retail stores.

RECORDED
JUN 29 1995

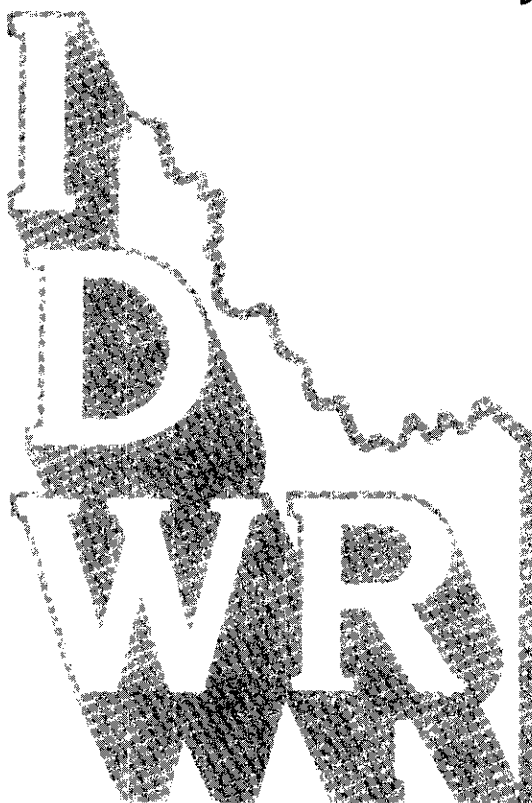
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07490

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

RECEIVED
JUN 22 1994

Department of Water Resources

RECEIVED
JUN 22 1994
State of Idaho

Department of Water Resources

RECEIVED
JUN 15 1994

Department of Water Resources
Eastern District Office

ASSIGNMENT OF PERMIT

I, Yost Enterprises
c/o Willis Yost, hereby assign to Sam & Stacie Anderson
of 2275 N Yellowstone, Idaho Falls Id 83401
Address

All my right, title, and interest in and to Permit No. 25-7490
to appropriate the public waters of the State of Idaho.

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 that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 4 day of June, 1999.

Willis Yost Enterprises
Permit Holder and Title

Neena Yost
Spouse of Permit Holder

State of Idaho)
County of Bonner) SS

On this 4 day of June, 1994, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Wagne Stiff
Notary Public residing at

Idaho Falls, Idaho

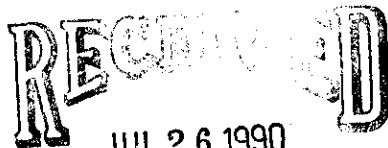
seal

My commission expires:

9-1-98

JUL 21 1994

database updated 6/24/94. e.z.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Department of Water Resources

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. 25-07490 Telephone No. 208-529-3512

Name(s) of Permit Holder(s): Hillman Enterprises + Yost Enterprises

Post Office Address: 1288 East 21st St + 220 Ash Idaho Falls ID

Source of Water: Ground Water

If ground water, well driller's name: Andrew Will Drilling Date drilled: approx 1975

Extent of Use:

Domestic _____ (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other Commercial office use

Total rate and/or volume for which proof is submitted .04 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 03 of 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: \$ -0- (See License Examination Fee Schedule)

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

Willis H Vost 208-529-3512
Name Telephone No.

1288 East 21st St Idaho Falls Idaho
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.

7-24-90 Willis H Vost Jr Yost Enterprises
Date Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 25-07490

Proposed Priority: March 15, 1989

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **HILLAM ENTERPRISES**
YOST ENTERPRISES
220 ASH
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:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

COMMERCIAL

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESE

Sec. 8, Township 02N, Range 38E
BONNEVILLE County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

02N 38E 8

NESE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1990**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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. Commercial use is for shops and offices.

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

14th day of August, 1989.

MICROFILMED

AUG 21 1989

[Signature]
for R. Keith Higginson, Director

Ident. No. 25-07490

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: HILLAM ENTERPRISES 208-524-1800
Address: 220 ASH
IDAHO FALLS, ID 83401
AND/OR
Name: YOST ENTERPRISES 208-529-3512
Address: 1288 E. 21ST STREET
IDAHO FALLS, ID 83404

2. Source: GROUNDWATER Trib. to:

3. Location of point of diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
02N	38E	8	NE SE		BONNEVILLE

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AFA
COMMERCIAL	01/01	12/31	0.040		

5. Total quantity appropriated is:

0.040 CFS (and/or) AFA

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 6 inches; proposed depth of well is 205
feet.
- d. Is groundwater with a temperature greater than 90F 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.

MICROFILMED

AUG 21 1981

8. Description of proposed uses:
COMMERCIAL USE AT SHOPS & OFFICES

9. Description of place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	38E	8	NE SE		COMMER	

10. Describe any other water rights used for the same purposes.
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?

APPLICANT

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

12. Remarks:
NONE

13. Map of proposed point of diversion and place of use attached? []

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.

Yost Enterprises - Partnership
Willis B. Yost Jr.
Applicant

Received by S.M. Date 3/15/89 Time 2:00 PM Preliminary check by AMH

Fee \$ 30⁰⁰ Receipted by S.M. # E006125 Date 3-15-1989
6-7-8, 89

Publication prepared by RB Date 5-24-89 Published in Post Register

Publication approved OW Date 6-26-89

MICROFILMED

AUG 21 1989

INTER-DEPARTMENT MEMO — 1

FROM *Steve*

DATE *5-15-1989*

TO *Dennis.*

SUBJECT

*Willis Yost - Gen Ptnr.
Yost & Melba Yost " "*

*Hillman Enterprises - Harold G. Hillman - Ptnr
Mrs Harold G. Hillman - "*

MICROFILMED

AUG 21 1989

SM

SIGNATURE



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

SAM ANDERSON
STACIE ANDERSON
2275 N YELLOWSTONE
IDAHO FALLS ID 83401

RE: WATER RIGHT NO. 25-07490

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. 25-074/90 DATE 6-21-95

NAME Change OK ☒ Or Address Change?

PRIORITY DATE ☒ Advance? Advanced to:
 Order to reinstate needed?
 Incorrect fee for rate recommended? NA

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: .04/CFS
 Meas Q = Theo Q = Recommend: .04

 Combined rates exceed capacity

ANNUAL VOLUME ☒ Volume Limit: Season: 1-1 to 12-31
 ☒ Calculations: Diminishing (business rest rooms) @ .6
 Flow limit: cfs x x 1.9835 =
 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?
 Other Edit "use" remark.

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

COMMENTS:

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
<u>Commercial</u>	<u>.04</u>	<u>.6</u>	Adjustment Memo Needed	<u>NO</u>
<u> </u>	<u> </u>	<u> </u>	LICENSE	☒
<u> </u>	<u> </u>	<u> </u>	1ST AMEND LETTER	<u> </u>
<u> </u>	<u> </u>	<u> </u>	2ND AMEND LETTER	<u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAR 13 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 25-7490

1. Owner: Sam & Stacie Anderson Phone No. _____

Current Address: 2275 N. Yellowstone Idaho Falls, ID 83401

2. Accompanied by: Sam & Stacie Anderson EXAM DATE: 2 June 1994

Address: 2275 N. Yellowstone, Idaho Falls 83401 Phone No. 528-2882

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	8	2N	38E	Bonneville	USGS Map & on sit Inspect.

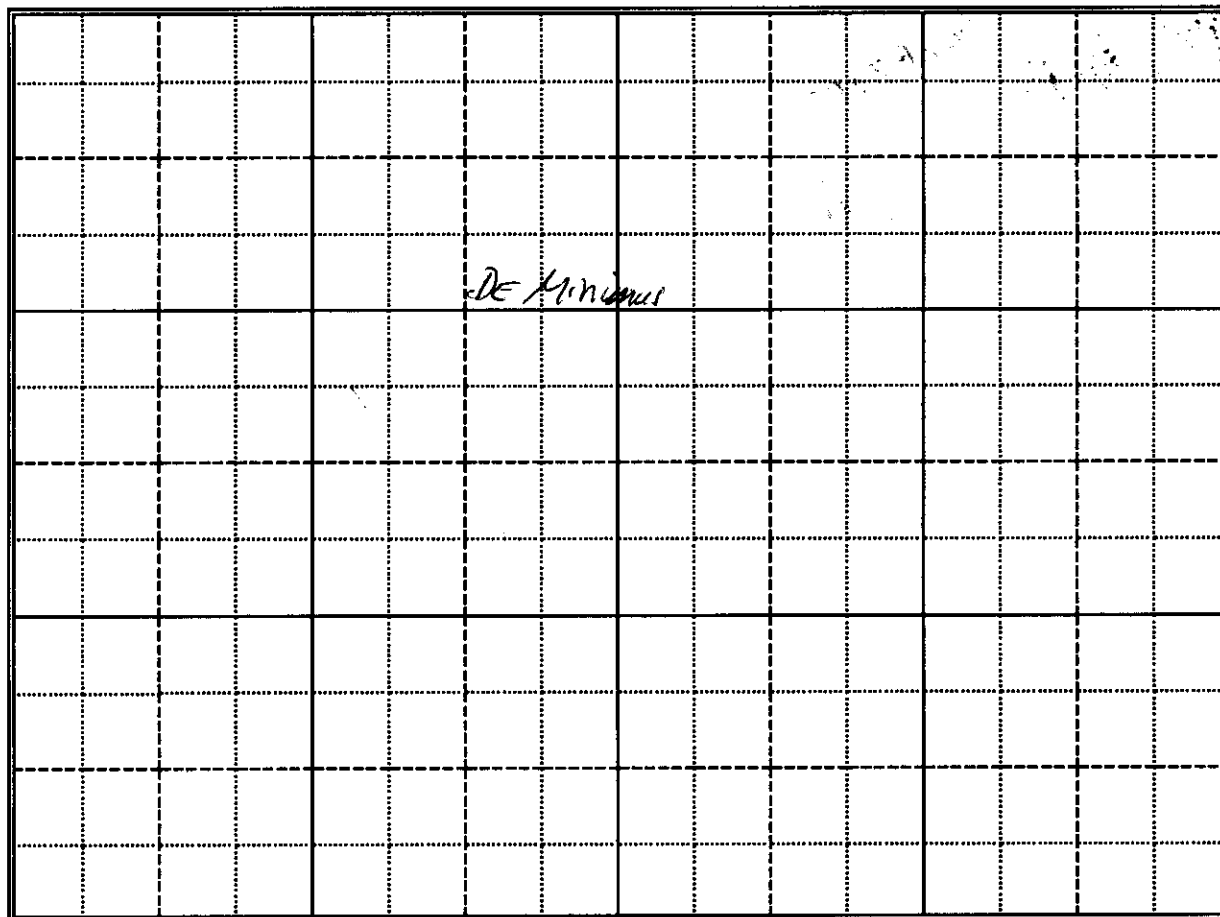
2. Place(s) of Use:

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	38E	8													C				

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	1	Model 250-1030101	Perkins Pump	

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

D. FLOW MEASUREMENTS

1.

"De Minimus"

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

2. Measurements: De Minimus

JUN 29 1985

E. NARRATIVE/REMARKS/COMMENTS

Well, pump mainline to bathroom at 2275 N. Yellowstone (Sam's Auto Body), 2265 N. Yellowstone (Circle 'K'), and 2285 N. Yellowstone (Fire fixers) (Sunrise Carpet)

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

IMPROVED MED

JUN 29 1995

F. FLOW CALCULATIONS

Measured Method:

_____ Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Commercial</u>	<u>7/1</u>	<u>12/31</u>	<u>0.04</u>	<u>0.6</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.04 cfs</u>	<u>0.6 afa</u>

2. Recommended Amendments

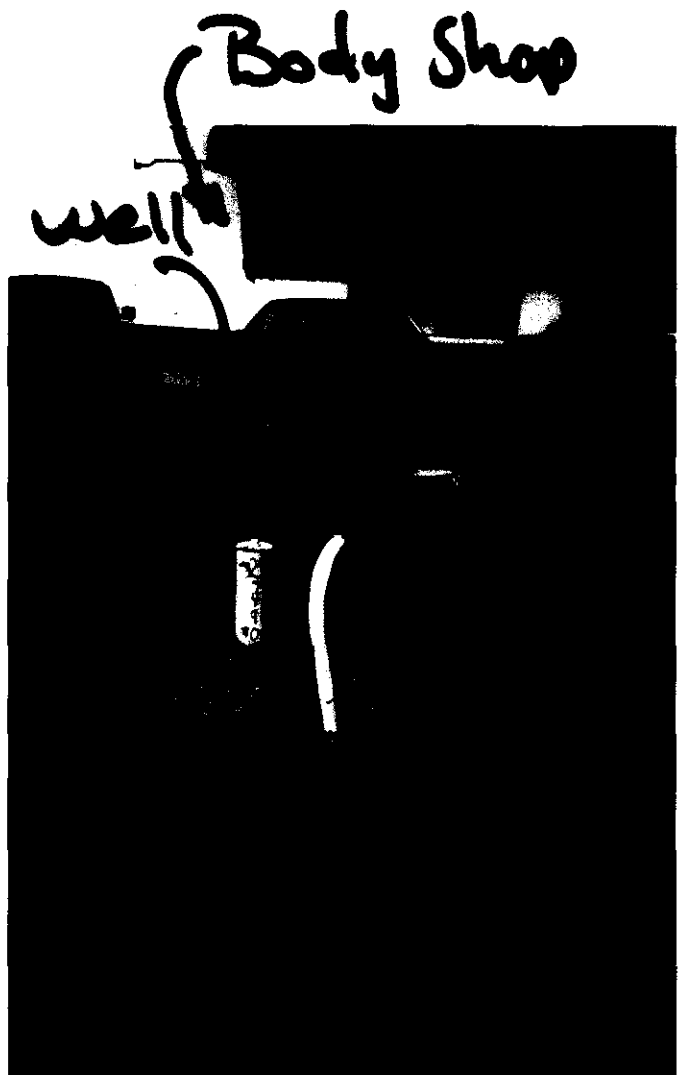
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name KEITH C. WILSON Date 2 June 1994Reviewer [Signature] Date 3-9-95

SEAL

MICROFILMED

JUN 29 1995



25-7490

RECEIVED
JUN 29 1965



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

June 27, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

SAM ANDERSON
STACIE ANDERSON
2275 N YELLOWSTONE
IDAHO FALLS ID 83401

Re: Permit No. 25-07490

Dear Mr. and Mrs. Anderson:

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

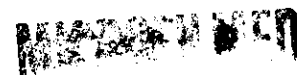
If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc



JUL 21 1994

September 7, 1990

HILLAM ENTERPRISES
YOST ENTERPRISES
220 ASH
IDAHO FALLS, ID 83401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 25-07490

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

SEP 25 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 30, 1990

HILLAM ENTERPRISES

YOST ENTERPRISES

220 A9H

IDAH0 FALLS, ID 83401

*1288 East 21st St
Idaho Falls, ID 83404*

PROOF DUE NOTICE

RE: PERMIT NO. 25-07490

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

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

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

SINCERELY,

Rita Fleck

Rita Fleck
Secretary/Records Manager

Enclosures

*Completed Form
Enclosed*

Willis H. Hight

MICROFILMED

SEP 25 1990

138930

June 30, 1990

HILLAM ENTERPRISES
YOST ENTERPRISES
220 ASH
IDAHO FALLS, ID 83401

PROOF DUE NOTICE

RE: PERMIT NO. 25-07490

Dear Permit Holder:

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SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

SEP 25 1990

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) 334-7900
August 15, 1989

HILLAM ENTERPRISES
YOST ENTERPRISES
220 ASH
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. P25-07490

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.

RECORDED

AUG 21 1989

Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

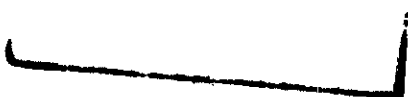
Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

AUG 21 1989



June 1, 1989

Hillam and/or Yost Enterprises
220 Ash
Idaho Falls, ID 83401

RE: Application for Permit No. 25-7490

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

MICROFILMED

AUG 21 1989

Proof of Publication The Post-Register

7-1-1989

State of Idaho, }
County of Bonneville } ss

Department of Water Resources
Eastern District Office

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 1st day of June , 19.89. , last publication
having been made on the 8th day of June , 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 .. 14th. day of June , 19.89. .

Ted Delezene
.....
Don R. Napier
.....
Notary Public

My commission expires . September 30. , ... , 19...94

NOTICE OF AFFIDAVIT
The following is a copy of the affidavit of publication of the notice of the proposed
construction of the Bonneville Basin Water Project, as filed with the
Department of Water Resources, Eastern District Office, on June 14, 1989.
The notice of publication of the notice of the proposed construction of the
Bonneville Basin Water Project, as filed with the Department of Water
Resources, Eastern District Office, on June 14, 1989, is hereby published
in the regular and entire issue of the Post-Register, a newspaper of
general circulation, published daily, except Saturday, at Idaho Falls,
Idaho, on June 14, 1989, and on June 15, 1989, and that such notice
was published in the newspaper and not in a supplement.

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construction of the Bonneville Basin Water Project, as filed with the
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AUG 21 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

MAY 24, 1989

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before JUNE 19, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

INDEXED

AUG 21 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

Monomah

AUG 21 1989

25-07490

HILLAM ENTERPRISES
YOST ENTERPRISES
220 ASH
IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: NESE Sec 8 T 02N R 38E

Use: COMMERCIAL (.040 CFS)

Date Filed: 3/15/1989

In: T02N R38E S08 NESE

APR 21 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-3A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 19, 1989.

R. Keith Higginson, Director

Published 6/01/1989 & 6/08/1989

MICROFILMED

AUG 21 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

11-May-1989

Yost Enterprises
1288 E. 21st Street
Idaho Falls, Id 83404

RE: Applications for Permit

The Department has begun processing of your recently submitted applications for permit.

The rules for possessing the application require the Department have on file the names of the owners of an organization when an organization is the applicant.

Processing of the applications can continue if you submit the names of the owners of Hilliam Enterprises, Yost Enterprises and Yost Building and Development. Please call or write to myself or Dennis Dunn.

Thank you.

If you have any question please feel free to contact me.

Sincerely,

Steve McCormick, P.E.
Water Resource Engineer

MICROFILMED

AUG 21 1989