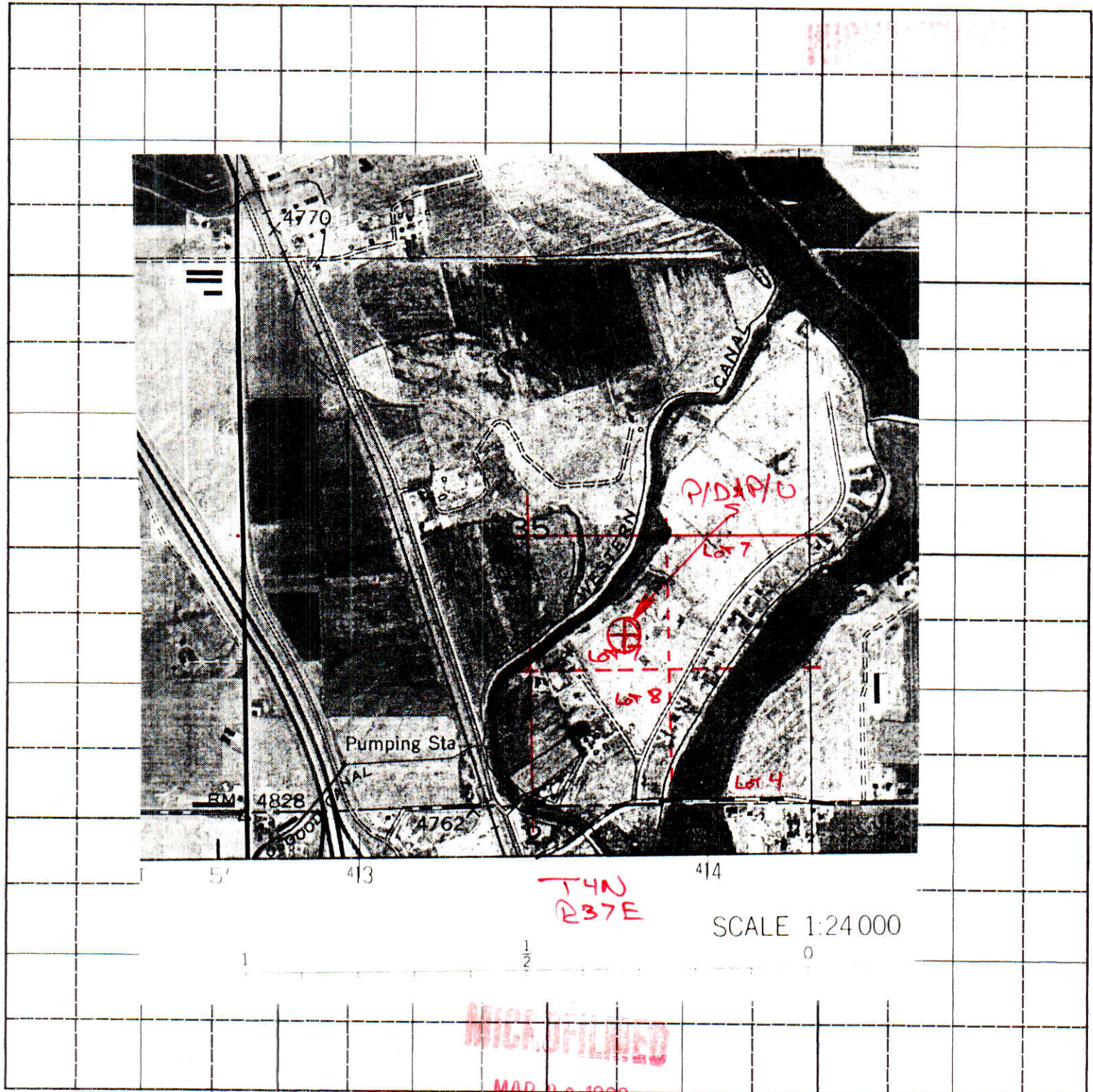


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

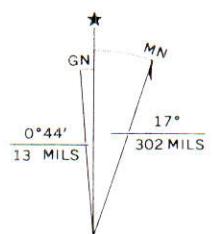
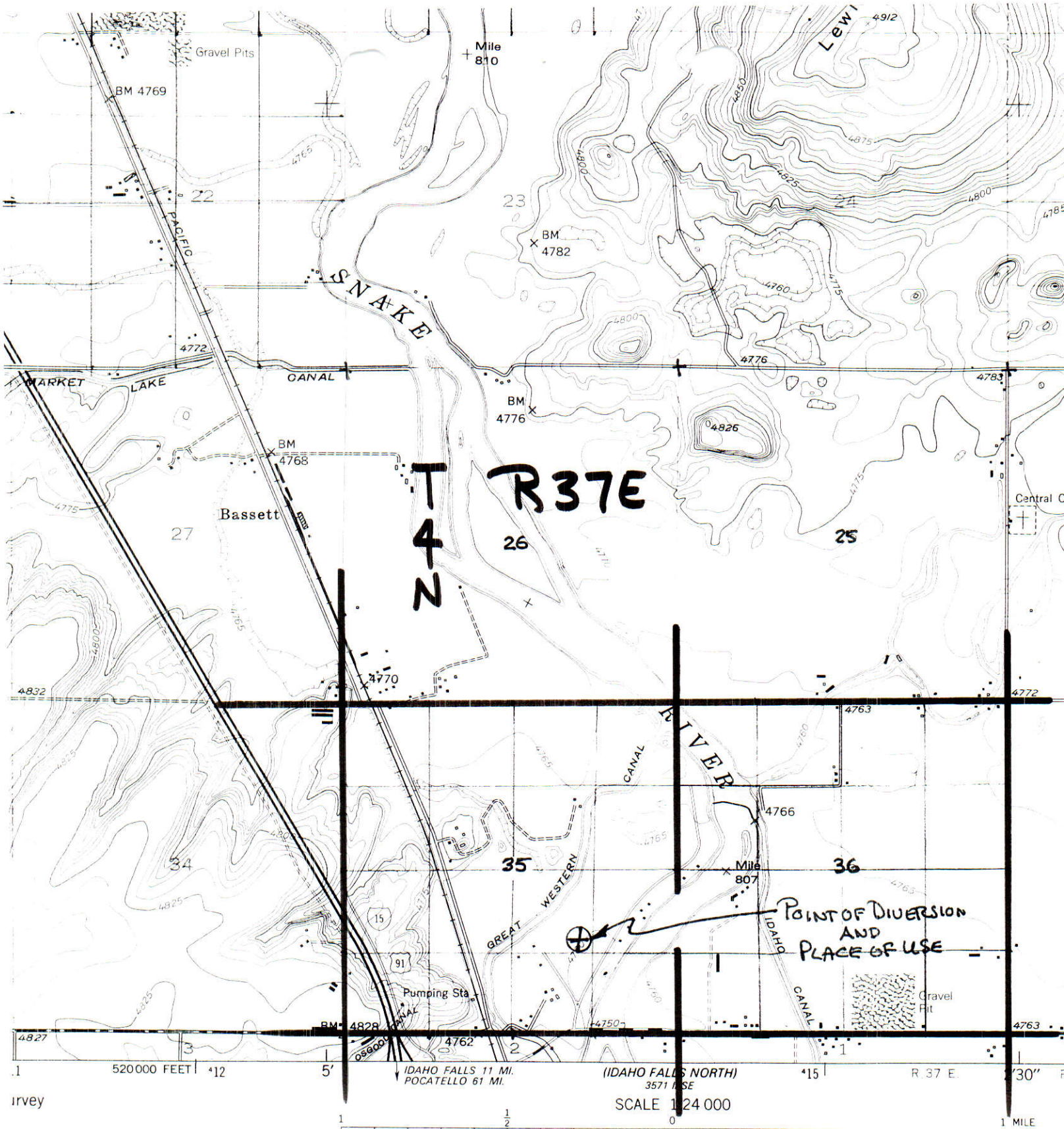
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

J. Lloyd Clayton
(Applicant)

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	INENE	INWNE	SWNE	SENE	INENW	NWENW	SWNW	SENW	INESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	35 10179	SHELLEY M JACOBS, PATRICK T JACOBS,	GROUND WATER	04N37E35															X		0
Claim	35 10235	SHOJI NUKAYA, HARUMI NUKAYA,	GROUND WATER	04N37E35											X						0
Claim	35 10242	DEBRA B WILDE, LYMAN CRAIG WILDE,	GROUND WATER	04N37E35															X		0
Claim	35 2408A	KINGSTON PROPERTIES LP,	GROUND WATER	04N37E35						16	35			2	40	28	4				125
Claim	35 2408B	ELDON RISENMAY, VELMA RISENMAY,	GROUND WATER	04N37E35												8					8
Claim	35 4102	KINGSTON PROPERTIES LP,	GROUND WATER	04N37E35			3					21	25					15			64
Permit	25 7463	J LLOYD CLAYTON, CHRISTINE L CLAYTON,	GROUND WATER	04N37E35														2			2
Right	25 7463	J LLOYD CLAYTON, CHRISTINE L CLAYTON,	GROUND WATER	04N37E35														X			0
Right	25 7463	J LLOYD CLAYTON, CHRISTINE L CLAYTON,	GROUND WATER	04N37E35														1.8			1.8
Right	35 10179	PATRICK T JACOBS, SHELLEY M JACOBS,	GROUND WATER	04N37E35															X		0
Right	35 10235	SHOJI NUKAYA, HARUMI NUKAYA,	GROUND WATER	04N37E35												X					0
Right	35 10242	LYMAN CRAIG WILDE, DEBRA B WILDE,	GROUND WATER	04N37E35															X		0
Right	35 2408	LEE MARSHALL & SONS, INC.	GROUND WATER	04N37E35			3			16	35		2	40	36	4					133
Right	35 4102	LEE MARSHALL & SONS, INC.	GROUND WATER	04N37E35									21	25				15			64
Right	35 8672	BEAR ISLAND WATER ASSOCIATION INC,	GROUND WATER	04N37E35															X		0
Claim	1 10023	WE ARRINGTON INC,	SNAKE RIVER	04N37E35	20	40	2		35	5											102
Claim	1 10029	SHELLEY M JACOBS, PATRICK T JACOBS,	SNAKE RIVER	04N37E35															2.7		2.7
Claim	1 10212	SHANNON A BROWN, LLOYD C BROWN,	SNAKE RIVER	04N37E35																	0
Claim	1 10213	LLOYD C BROWN, SHANNON A BROWN,	SNAKE RIVER	04N37E35																	0
Claim	1 10214	PALISADES WATER USERS INC,	SNAKE RIVER	04N37E35	20	40	2		35	5											102
Claim	1 10395	JOHN A THOMPSON, CHERYL A THOMPSON,	SNAKE RIVER	04N37E35	2																2
Claim	1 10396	JOHN A THOMPSON, CHERYL A THOMPSON,	SNAKE RIVER	04N37E35	2																2
Claim	1 181D	OSGOOD CANAL CO INC,	SNAKE RIVER	04N37E35											10	15					25
Claim	1 1948	LLOYD KEATING, MARGARET KEATING,	SNAKE RIVER	04N37E35												6.7					6.7
Claim	1 194C	BEAR ISLAND WATER ASSOCIATION,	SNAKE RIVER	04N37E35	7		1	35									20	15	10	1	89
Claim	1 194D	BEAR ISLAND WATER ASSOCIATION,	SNAKE RIVER	04N37E35													7		2.2	2.9	12.1
Claim	1 194G	H & W WATER USERS ASSOCIATION,	SNAKE RIVER	04N37E35														1	19		28
Claim	1 195L	OSGOOD CANAL CO INC,	SNAKE RIVER	04N37E35											10	15					25
Claim	1 1F	OSGOOD CANAL CO INC,	SNAKE RIVER	04N37E35											10	15					25
Claim	1 110A	MARGARET KEATING, LLOYD KEATING,	SNAKE RIVER	04N37E35												6.7					6.7
Claim	1 310D	BEAR ISLAND WATER ASSOCIATION,	SNAKE RIVER	04N37E35													7		2.2	2.9	12.1
Claim	1 312	IDAHO IRRIGATION DISTRICT,	SNAKE RIVER	04N37E35																X	0
Claim	1 330	OSGOOD CANAL CO INC,	SNAKE RIVER	04N37E35																	0
Claim	1 368	IDAHO IRRIGATION DISTRICT,	SNAKE RIVER	04N37E35												10	15				25
Claim	1 369	IDAHO IRRIGATION DISTRICT,	SNAKE RIVER	04N37E35																X	0
Claim	1 370	IDAHO IRRIGATION DISTRICT,	SNAKE RIVER	04N37E35																X	0
Claim	1 47D	OSGOOD CANAL CO INC,	SNAKE RIVER	04N37E35													10	18			25
Claim	1 51B	OSGOOD CANAL CO INC,	SNAKE RIVER	04N37E35													10	15			25
Claim	1 76	IDAHO IRRIGATION DISTRICT,	SNAKE RIVER	04N37E35																X	0
Right	1 194B	MINA E JONES, W DAVID JONES,	SNAKE RIVER	04N37E35	7		2	37													0
Right	1 194D	BEAR ISLAND EST DIVERSION NO 1,	SNAKE RIVER	04N37E35	X		X														0
Right	1 194E	THOMAS WEIR,	SNAKE RIVER	04N37E35	X		X														0
Right	1 1F	OSGOOD LAND & LIVESTOCK CO,	SNAKE RIVER	04N37E35																	0
Right	1 310A	DAVID W JONES, MINA E JONES,	SNAKE RIVER	04N37E35	7		2	37													0
Right	1 310B	BEAR ISLAND EST DIVERSION NO 1,	SNAKE RIVER	04N37E35	7		2	37													0
Right	1 310D	BEAR ISLAND EST DIVERSION NO 1,	SNAKE RIVER	04N37E35	X		X														0
Right	1 310J	REBECCA HOLDEN,	SNAKE RIVER	04N37E35	X		X														0
Right	1 318	ROBERT D MACKAY,	SNAKE RIVER	04N37E35																	0
Right	1 368	BUTTE & MARKET LAKE CANAL CO,	SNAKE RIVER	04N37E35												40					80
Right	1 36D	HARRY J KRUSE,	SNAKE RIVER	04N37E35	X		X		X	X	X	X	X	X	X	X	X	X	X	X	0
Right	1 47D	OSGOOD LAND & LIVESTOCK CO,	SNAKE RIVER	04N37E35																	0
Claim	25 224		WILLOW CREEK	04N37E35								X	X	X	X	X				X	0

OCT 02 2001



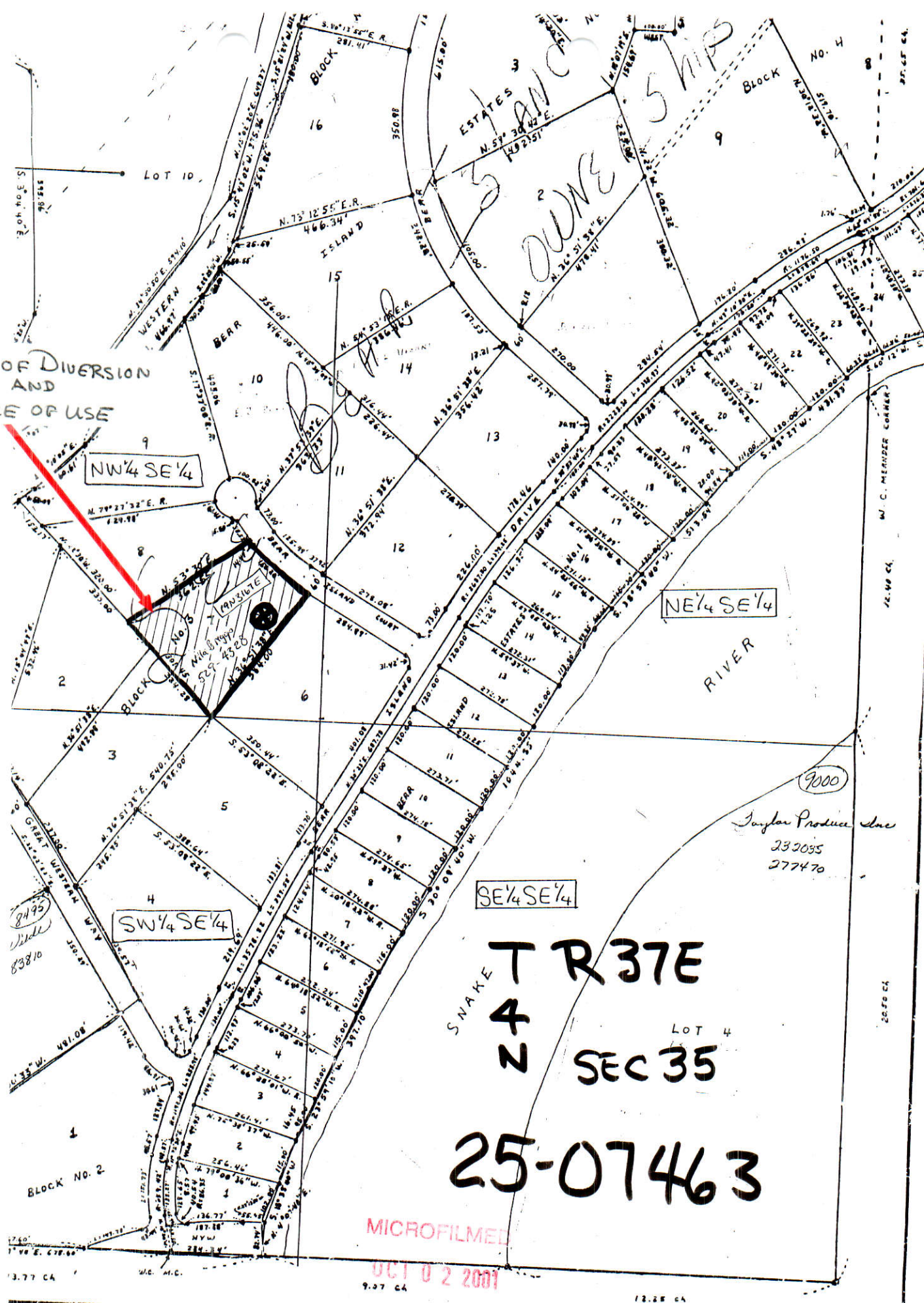
UTM GRID AND 1979 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

SCALE 1:24 000
CONTOUR INTERVAL 5 FEET
NATIONAL GEODETIC DATUM OF 1929
MICROFILMED
OCT 02 2001
25-07463

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

T4N
R37E

POINT OF DIVERSION
AND
PLACE OF USE





POINT OF DIVERSION & PLACE OF USE

25-07463

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OCT 02 2001

25-07463

CLAYTON, J. LLOYD
CLAYTON, CHRISTINE L.
1965 BEAR ISLAND DR.
IDAHO FALLS, ID 83402

Source: GROUNDWATER

Diversion Pt: LOT 7 (SENWSE) Sec 35 T 04N R 37E

Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)

Date Filed: 11/25/1988

In: T04N R37E S35 Lot 7 (NWSE)

2.0 ACRES TOTAL

25-07463
CLAYTON, J. LLOYD
CLAYTON, CHRISTINE L.
1965 BEAR ISLAND DR.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt:
LOT 7 (SENWSE) Sec 35 T 04N R 37E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)
Date Filed: 11/25/1988
In: T04N R37E S35 Lot 7 (NWSE)
2.0 ACRES TOTAL

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MAR 30 1989

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 25-07463

Priority: February 03, 1989

Maximum Diversion Rate: 0.09 CFS
Maximum Diversion Volume: 8.4 AF

It is hereby certified that J LLOYD CLAYTON Or CHRISTINE L CLAYTON
510 E 17TH ST
IDAHO FALLS ID 83404 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated November 25, 1988; and have
submitted Proof of Beneficial Use on June 10, 1991. An examination indicates that the works have a
diversion capacity of 0.09 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
IRRIGATION	04/01 to 10/31	0.05 CFS	7.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L7 SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, Twp 04N, Rge 37E, B.M., JEFFERSON County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 37E 35														X			
														L7			

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 37E 35															1.8		1.8
															L7		

Total Acres: 1.8

CONDITIONS OF APPROVAL

1. Point of diversion and place of use are located within Lot 7, Blk. 3, Bear Island Estates Division 2.
2. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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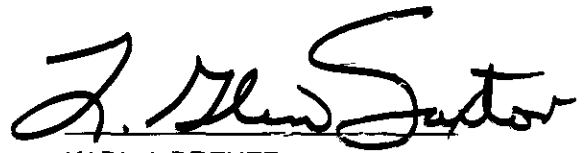
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 25-07463

3. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
4. Irrigation use under this right is authorized only in connection with a domestic use.

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

Signed and sealed this 6th day of July, 2001.


for
KARL J. DREHER
Director

MICROFILMED
OCT 02 2001

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 25-7463 IN THE)
NAME OF J. LLOYD OR CHRISTINE L. CLAYTON) 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 April 1, 1991; and,

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

WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit the proof of beneficial use; and,

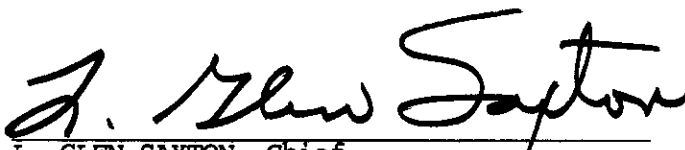
WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on June 10, 1991;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 25-7463 be REINSTATED and the priority advanced to February 3, 1989.

Dated this 27th day of August, 1991.

SEP 27 1991


L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED
JUN 10 1991

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. 25-07463 Telephone No. 208-529-8046

Name(s) of Permit Holder(s): J. Lloyd Clayton Christine L. Clayton
Post Office Address: 19 N 3167 E (1965 Bear Island) Idaho Falls, ID 83402

Source of Water: Drilled table water well

If ground water, well driller's name: Denning's Well #10 Date drilled: 10/5/89

Extent of Use:
Domestic 1 (No. of households) Irrigation 2 (No. of acres)
Stockwater 2 (No. and type of stock) Other _____
mules

Total rate and/or volume for which proof is submitted 21-4.0 cfs 21-400 acre/feet
.10 as per permit

Show date water was first diverted and beneficially used under this permit: 10/5/89

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

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

OR

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

Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

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

Name

Telephone No.

Address

JUN 27 1991

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.

6/1/91
Date

Christine L. Clayton
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 257463

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant J. LLOYD CLAYTON OR CHRISTINA L. Phone (208) 529-8046
Post office address 1965 BEAR ISLAND DR., IDAHO FALLS, ID 83402
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot 7
Sec. 35 Township 4N Range 37E B.M. Jefferson County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.06 for IRRIGATION purposes from 04-01 to 11-01 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for DOMESTIC 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) 0.10 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. _____
WELL AND PUMP TO HOME, IRRIGATION OF 2 ACRES
 - 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 250' 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).

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8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. 1 HOME WITH LAWN
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
04N	37E	35														Lot 7 2			2
																Lot 7 D			

Total number of acres to be irrigated 2

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

PRESENTLY, BEAR ISLAND WATER ASSOC. DOMESTIC WELL, POSSIBLE CANAL SHARES

- Who owns the property at the point of diversion? CLAIMANT
- Who owns the land to be irrigated or place of use? CLAIMANT
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

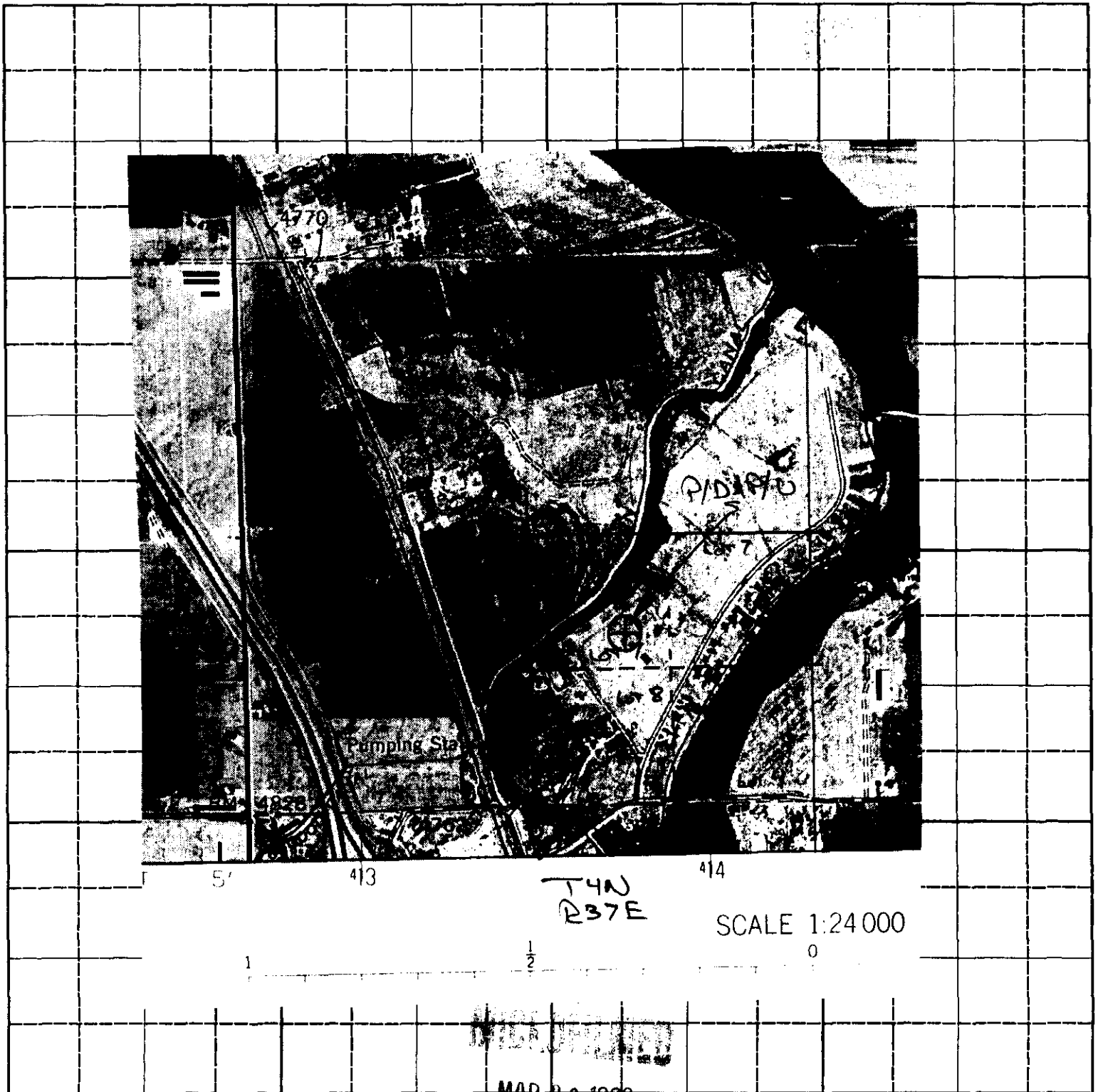
12. Remarks: _____

BLOCK 3, LOT 7, BEAR ISLAND ESTATES DIVISION #2

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MAR 30 1989

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.

J. Lloyd Clayton
(Applicant)

Proposed Priority 11/25/88

Received by DRW Date 11-25-88 Time 1111 Preliminary check by Sennishunn

Fee \$ 30⁰⁰ Receipted by DRW # E004406 Date 11-25-88

Publication prepared by RB Date 12-6-88 Published in Tellerson Star

Publication approved RB Date 12-28-88

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. 25-7463, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 91.

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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Irrigation use under this permit is authorized only in connection with a domestic use.

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.

Witness my hand this 3rd day of March, 1989.

A. Glen Saylor
Chief, Water Allocation Bureau

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MAR 30 1989

THE JEFFERSON STA
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)
) ss
County of Jefferson)

I, Crystal Foster
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

Notice of Application
a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for Two (2)
consecutive issues, the first publica-

having been made on 12/14/88
and the last publication having been
made on 12/21/88.

Further, that said newspaper is one
of general circulation in said coun-
ty; that it is a legal newspaper, con-
forming to legal specifications
under the Idaho Statutes; that it has
as least two hundred bona fide
subscribers living within the county
of publication; and that it has been
continuously and uninterruptedly
published in said county during a
period of seventy-eight consecutive
weeks prior to the first publication
of the said notice.

Crystal Foster

On this 22nd day of Dec

in the year of 1988, before
me, a Notary Public, personally ap-

peared Crystal Foster,
known or identified to me to be the
person whose name subscribed to
the within instrument, and being by
me first duly sworn, declared that
the statements therein are true, and
acknowledged to me that he ex-
ecuted the same.

Richard Barber
Notary Public for Idaho

Residing at Shelley, Idaho
My commission expires: 4-23-93

NOTICE OF APPLICATION
FOR WATER RIGHTS

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

25-07461

CAMPBELL, DON A.
365 N. 4450 E.
RIGBY, ID 83442
Source: GROUNDWATER
Diversión Pt: NWSWNE Sec 13 T 04N R 39E
Use: IRRIGATION (.090 CFS)
Date Filed: 11/10/1988
In: T04N R39E S13 SWNE

3.0 ACRES TOTAL

25-07462

MARSHALL, DON W.
261 N. 4570 E.
RIGBY, ID 83442
Source: GROUNDWATER
Diversión Pt: SESENE Sec 19 T 04N R 40E
Use: DOMESTIC (.060 CFS)
IRRIGATION (.030 CFS)
Date Filed: 11/10/1988
In: T04N R40E S19 SENE

1.0 ACRES TOTAL

25-07463

CLAYTON, J. LLOYD
CLAYTON, CHRISTINE L.
1965 BEAR ISLAND DR.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversión Pt:

LOT 7 (SESWSE) Sec 35 T 04N R 37E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)
Date Filed: 11/25/1988
In: T04N R37E S35 Lot 7 (NWSE)

2.0 ACRES TOTAL

25-07484

SWENDSEN, BRENT
SWENDSEN, NANCY
670 N. 4200 E.
RIGBY, ID 83442
Source: GROUNDWATER
Diversión Pt: SENWSW Sec 8 T 04N R 39E
Use: COMMERCIAL (.040 CFS)
Date Filed: 11/30/1988
In: T04N R39E S08 NWSW

26-07486

BRIGGS, DAVID E.
BRIGGS, JEANIE K.
183 E. 2 N.
RIGBY, ID 83442
Source: GROUNDWATER
Diversión Pt: NENENW Sec 20 T 04N R 39E
Use: Commercial (.040 CFS)
Date Filed: 11/17/1988
In: T04N R39E S20 NENW

31-07510

BROWN, SID E.
BROWN, JAN A.
MOMBERGER, JESSE
HC 60 BOX 1870
HAMER, ID 83425
Source: GROUNDWATER
Diversión Pt: SWSWNE Sec 5 T 07N R 36E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.060 CFS)
STOCKWATER (.030 CFS)
Date Filed: 11/14/1988
In: T07N R36E S05 SWNE

2.0 ACRES TOTAL

31-07511

SIMMONS, WILLIAM T.
HC 69 BOX 2510
HAMER, ID 83425
Source: GROUNDWATER
Diversión Pt: NENENW Sec 24 T 06N R 34E
Use: COMMERCIAL (.040 CFS)
Date Filed: 11/30/1988
In: T06N R34E S24 NENW

31-07512

SCOTT, STANLEY K.
P.O. BOX 59
MONTEVIEW, ID 83435
Source: GROUNDWATER
Diversión Pt: NWNWNW Sec 16 T 07N R 33E
Use: DOMESTIC (.060 CFS)
STOCKWATER (.180 CFS)
Date Filed: 11/30/1988
In: T07N R33E S16 NWNW

31-07513

BROWN, HAROLD
P.O. BOX 81
TERRETON, ID 83450
Source: GROUNDWATER
Diversión Pt: SWSWSW Sec 23 T 06N R 36E
Use: COMMERCIAL (.120 CFS)
DOMESTIC (.020 CFS)
Date Filed: 11/23/1988
In: T06N R36E S23 SWSW

31-07514

SCOTT, STANLEY K.
P.O. BOX 59
MONTEVIEW, ID 83435
Source: GROUNDWATER
Diversión Pt: NENWNE Sec 16 T 07N R 33E
Use: DOMESTIC (.080 CFS)
Date Filed: 11/30/1988
In: T07N R33E S16 NWNW

The permits will be subject to all prior
water rights. Protest may be submitted based
on the criteria of Sec. 42-203 A, Idaho Code
and/or the new public interest criteria of Sec.
42-203C, Idaho Code. Protest must be filed
with the Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls, Idaho
83402 on or before JANUARY 2, 1989.

R. Keith Higginson, Director
Published in the Jefferson Star, Rigby,
Idaho, December 14 and 21, 1988.

RECEIVED

MAR 30 1989

RECEIVED

DEC 23 1988

Department of Water Resources
Eastern District Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 12, 2001

J LLOYD CLAYTON
CHRISTINE L CLAYTON
510 E 17TH ST
IDAHO FALLS ID 83404

RE: License No. 25-7463 - Issuance of License

Dear Water Right Holder(s):

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

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

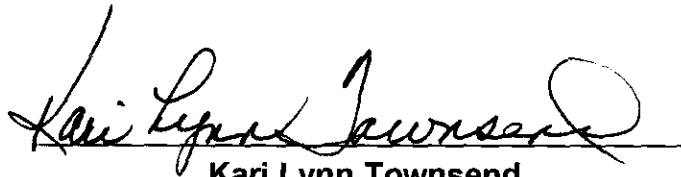
MICROFILMED
OCT 3 2 2001

CERTIFICATE OF MAILING

I hereby certify that on July 12, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 25-7463

**J LLOYD CLAYTON
CHRISTINE L CLAYTON
510 E 17TH ST
IDAHO FALLS ID 83404**


**Kari Lynn Townsend
Secretary**

MICROFILMED
OCT 9 2 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED
OCT 7 2 2004

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

LICENSE REVIEW CHECKLIST

Permit No. 25-7463 Date: 7-2-2001 Reviewer: Kay Walker

topo x42

Change/OK

Name/Address

change address per examiner

Source

Point of Diversion:

OK
OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

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

W36 (overlap)

W59 (subdivision description)

Place of Use

OK

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

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): unknown

File reviewed _____ Profile reports printed _____

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

Rate of Diversion:

Permitted rate 0.10 cfs

Fee Limit 0.20 cfs

Measured _____ cfs

Theoretical 0.09 cfs

Recommended Total Diversion Rate 0.09

Water Uses

OK Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 0.05 cfs 7.2 af

Stockwater _____ cfs _____ af

Domestic 0.04 cfs 1.2 af

_____ cfs _____ af

_____ cfs _____ af

Total 0.09 cfs 8.4 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp Gw (WB7/065/104)

overlap spec combined rts (W35)

sl acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Bayette - (W22/047/27A)

Stockwater for US (R37)

@0.03 cfs/ac

Volume Determination

0.05 cfs x 1.9835 x 214 days = 21.2 af (vs) 1.8 acres x 4.0 (FHR) = 7.2 af
3.0 (con)

Remarks: 041, W59/W60 R68, WB5

Additional Conditions

☒ Watermaster Control
☒ GW Measurement/Measuring Device
☒ Other
Trust R55 - remove 051
Non-trust (048/049)

GW Dist? ☒
Water Msmt. Dist? ☒
Crit. GWMA? ☒
GWMA? ☒
Government Lots? yes

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

SRBA Claim? not req'd

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

7/2/01

Idaho Dept. of Water Resources
Place of Use Comparison Report

Page1

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 18 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 25-7463

1. Owner: J. Lloyd or Christine L. Clayton Phone No. _____

Current Address: 510 E 17th Street Idaho Falls, Id 83404

2. Accompanied by: - No ONE - EXAM DATE: 6-2-98

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to NA

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: AKA 19 North 3167 East
Lot 7, Block 3, Bear Island Estates Div # 2

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	7	SE	NW	SE	35	4N	37E	Jefferson	ON SITE/Jefferson Co. Plat

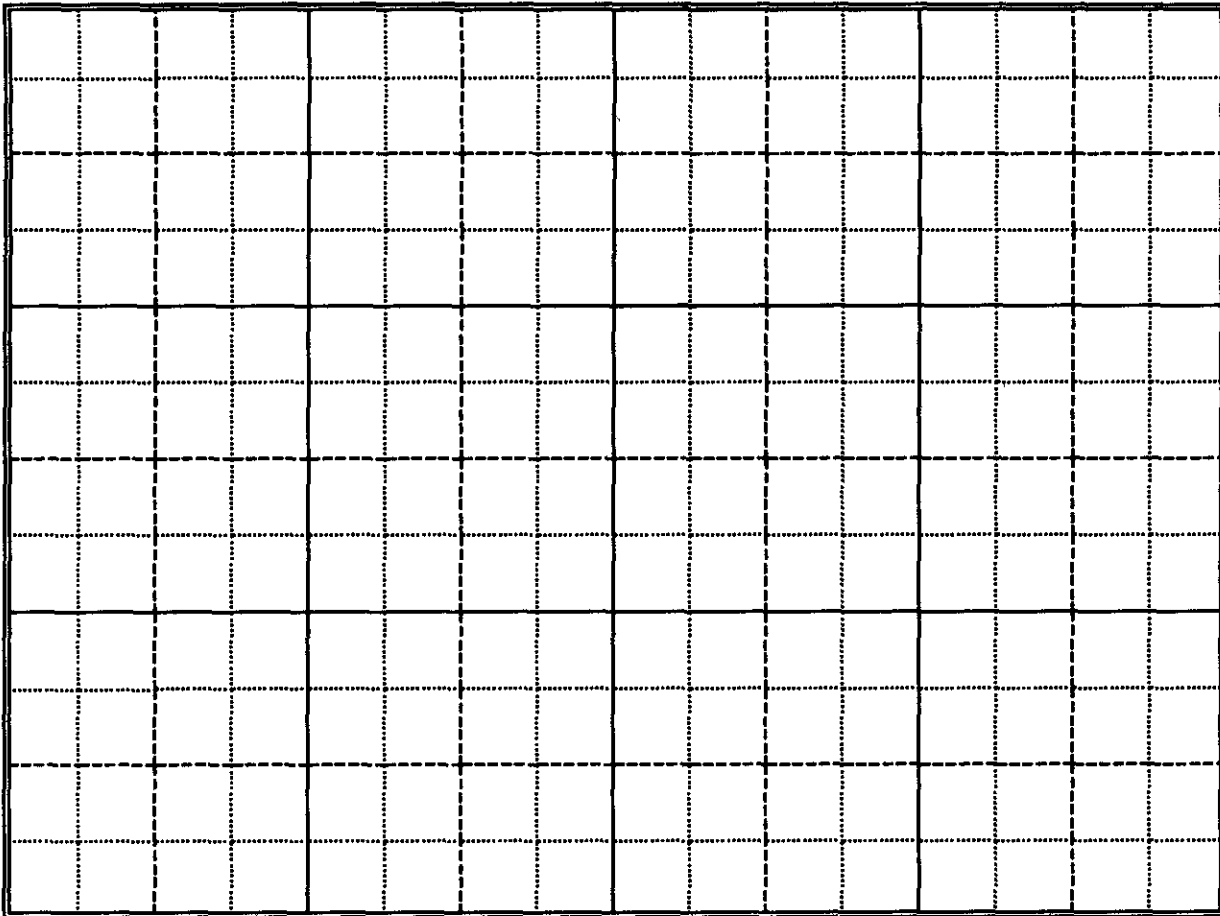
2. Place(s) of Use: AKA 19 North 3167 East Indicate Method of Determination ON SITE/courty plat

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	37E	35														1.8			1.8

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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. ASSUME 3 HP

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	ASSUME	3			

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

D. FLOW MEASUREMENTS

1. ASSUME 30-40 psi

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

2. Measurements: ASSUME 30-40 psi

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OCT 9 2001

E. NARRATIVE/REMARKS/COMMENTS

The place of use is also known as Lot 7 Block 3 of Bear Island Estates. Division #2

Street address is 19 North 3167 East Idaho Falls Idaho 83402

Well to the house with underground Sprinkler system.
Small Coral Sav Stack

Contact Realtor "Nila Briggs 529-4328/524-5401

NOTE: 6-13-96 1642hrs Not irrigating at this time call next year
8-5-96 Letter to owners
6-2-98 0845hrs Busy Signal
1020hrs Busy Signal
1125hrs Busy Signal

6-2-98 — Stopped at residence house vacant

6-5-98 — Called realtor Nila Briggs (529-4328) left messages
tried to find permit holders

— Called Jefferson County to determine ownership
and address of owner

⁹⁹
4-16-98 - Called Jefferson County Assessor to confirm address; owner
Letter to Permit holders @ 260 S Woodruff #279

⁹⁹
4-20-98 - Return letter from Port office

⁹⁹
4-22-98 - 2nd letter @ 510 E 17th Street

7-27-99 - 3rd letter @ 510 E 17th Street

We have received no response from permit holder since June of 1995. Use theoreticals

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

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SEP 2 2001

F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached

$$Q = 0.10 \text{ cfs}$$

$$@ 0.03 \text{ cfs/acre } 1.8 \text{ ac } Q = 0.05 \text{ cfs}$$

$$Q \text{ LIMITED BY } 0.03 \text{ cfs/acre}$$

$$Q_{IRR} = 0.05 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.8(4) = 7.2$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.05 \text{ cfs} (214) 1.9835 = 21.2$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 7.2 \text{ cfs}$$

2. Volume Calculations for Other Uses:

$$V_{DOM} = 1.2 \text{ ac}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic (1 unit)	1/1	12/31	0.04 cfs	1.2
IRRIGATION	4/1	11/1	0.05 cfs	7.2
Totals:			0.09 cfs	8.4 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 Lee Simmons Date 6-2-98

Reviewer _____ Date _____

SEAL

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NOV 02 2001

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

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

Hp = Horsepower = 3 assumed

Eff = Efficiency = 70% (Usually 70%)

Lift: (Static Level + Assumed Draw down)

Static Water Level = 110 ft.

Assumed Draw down = + 0 ft.

Lift = _____

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 30 psi assumed

$$Q_{cfs} = \left[\frac{3}{Hp} \times 8.814 \times \frac{0.70}{Eff} \right] \div \left[\frac{110}{Lift} + \left(\frac{30}{psi} \times 2.308 \right) \right]$$

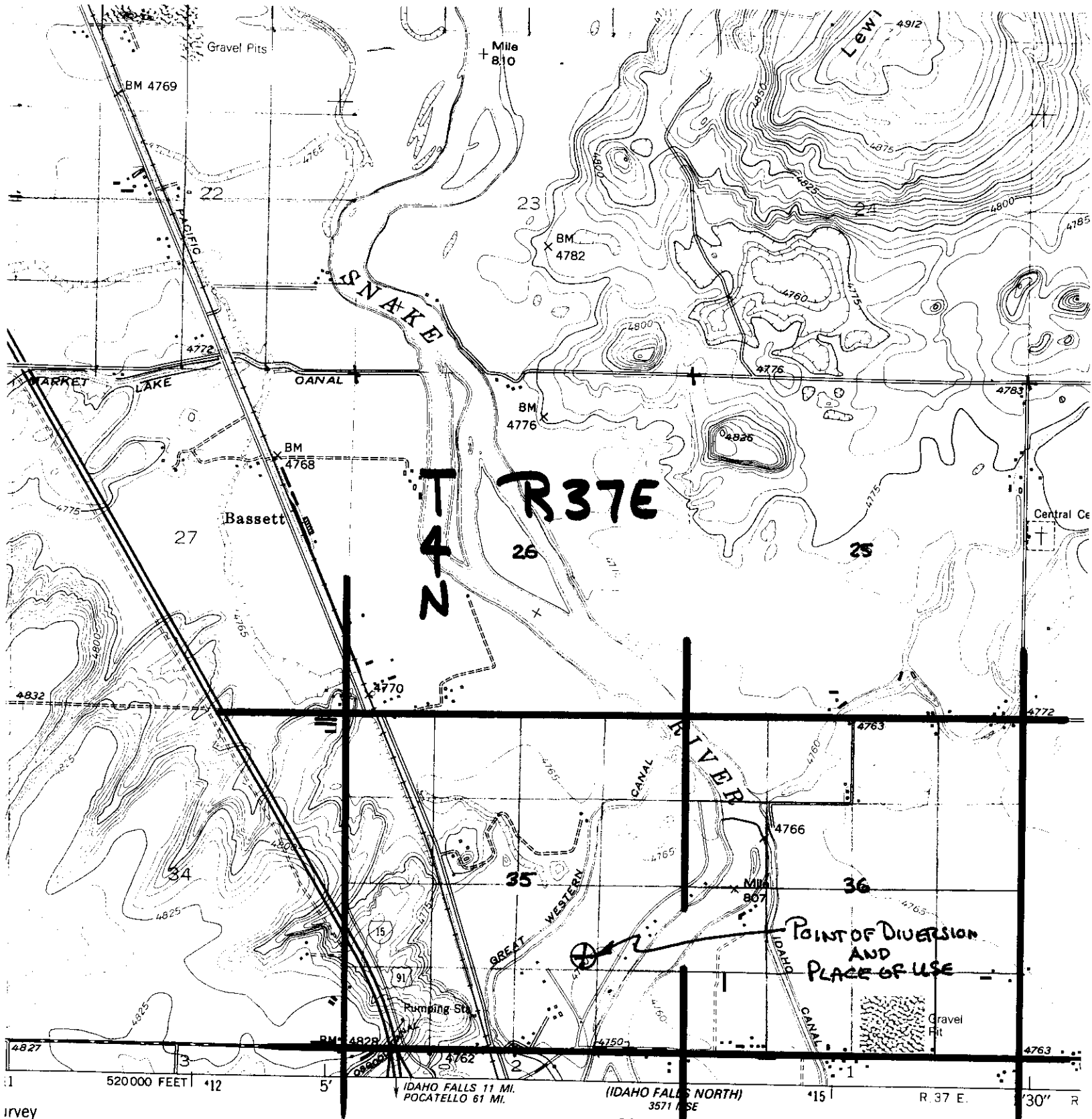
$$Q_{cfs} = \left[\frac{18.5}{ } \right] \div \left[\frac{179.2}{ } \right]$$

$$Q_{cfs} = \underline{0.10} \text{ cfs}$$

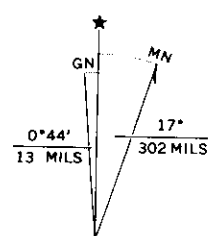
PERMIT NO. 25-07463

MICHAEL J. HILL

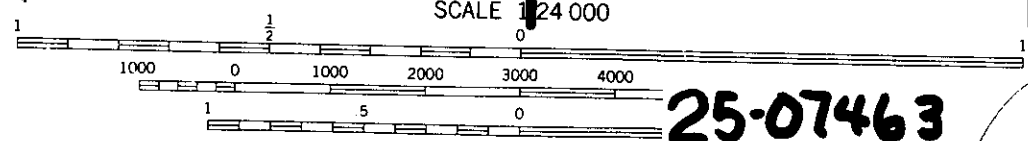
OCT 12 2004



urvey



UTM GRID AND 1979 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET



25-07463

CONTOUR INTERVAL 5 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

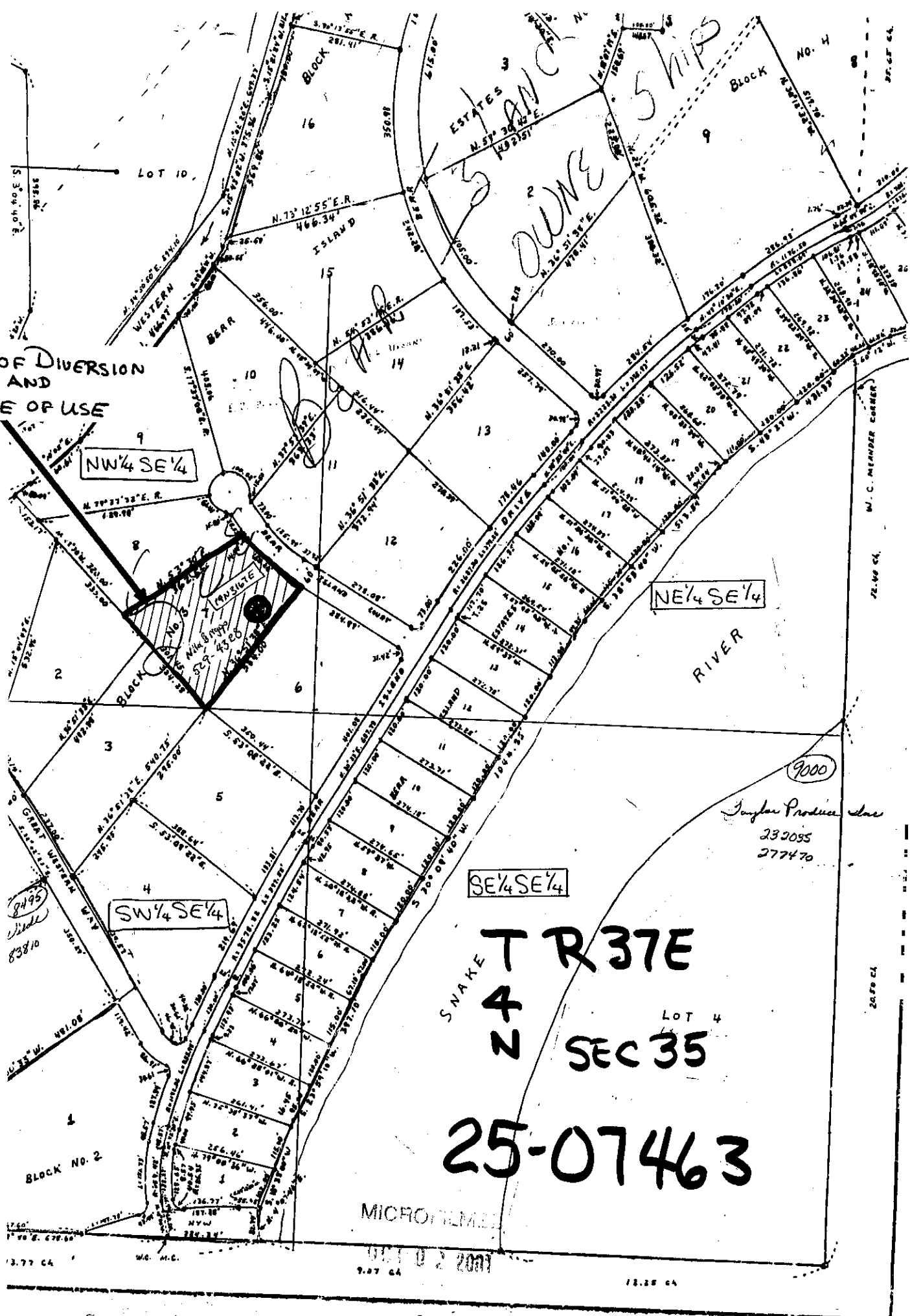
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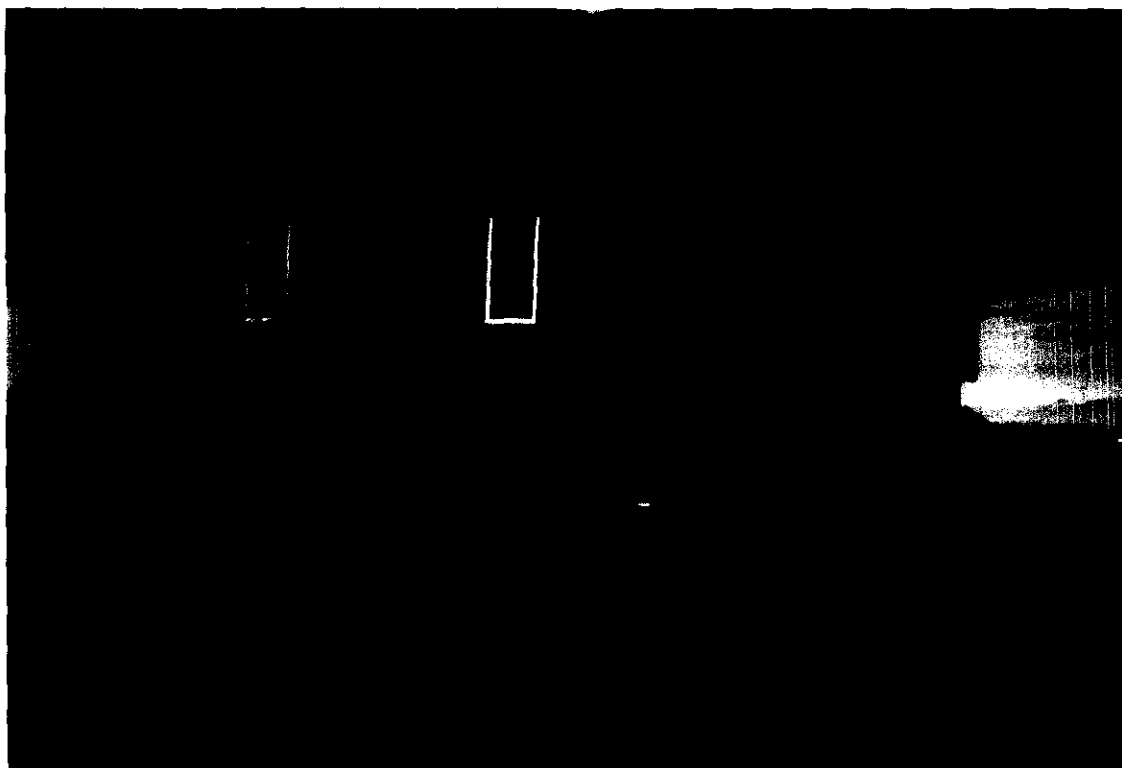
NOV 9 2 2001

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Rev
aeri.

POINT OF DIVERSION
AND
PLACE OF USE





POINT OF DIVERSION { PLACE OF USE

MICROFILMED
OCT 2 1988

25-07463



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 27, 1999

J. Lloyd or Christine L. Clayton
510 E 17th Street #279
Idaho Falls, ID 83404

RE: Application for Permit # 25-07463

Dear J. Lloyd or Christine L. Clayton:

Jefferson county records indicate that you are the current owner of Lot 7, Block 3, Bear Island Estates Division #2 (AKA 19 North 3167 East, Idaho Falls, ID 83402). (Address may also be know as 1965 Bear Island Dr., Idaho Falls, ID 83402.)

In 1988 you filed an application for permit 25-07463 for domestic and irrigation from a well (copy enclosed). The water right application is still in the permit stage. Additional information is needed to complete the licensing examination so that a license can be issued.

Repeated attempts have been made to contact you. Therefore, it would be appreciated if you could contact this office on or before Tuesday, August 10, 1999, to discuss what needs to be done. If I am not in please leave a daytime phone number, fax number, or address so that I will be able to contact you between the hours of 8:00 A.M. & 5:00 P.M.

It would be helpful if you could supply information on the water system such as brand of pump & motor, horsepower, and the system operating pressure.

Your cooperation will be appreciated.

Thank you,

Keith C. Wilson
Senior Resource Agent

MICROFILMED

SEP 8 7 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 16, 1999

J. Lloyd or Christine L. Clayton
260 S. Woodruff #279
Idaho Falls, ID 83402

RE: Application for permit # 25-07463

Dear Permit Holder:

Jefferson county records indicate that you are the current owner of Lot 7, Block 3, Bear Island Estates Division #2 (AKA 19 North 3167 East, Idaho Falls, ID 83402).

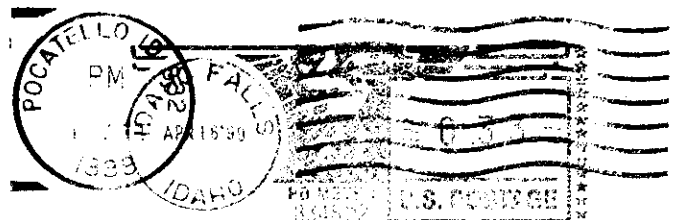
In 1988 you filed an application for permit 25-07463 for domestic and irrigation from a well (see enclosed copy). The application is still in the permit stage. In order for a water right license to be issued an examination of the system needs to be completed.

I have been unable to contact you by phone so it would be appreciated if you would contact me on or before Tuesday, May 4, 1999, to discuss what needs to be done. It would be helpful if you could supply information such as brand of pump, horsepower, and operating pressure.

Your cooperation will be appreciated.

Thank You,

Keith C. Wilson
Senior Resource Agent



RECEIVED
APR 20 1999

Department of Water Resources
Eastern Region

CLAYTON 260 S. WOODRUFF #279 IDAHO FALLS ID 83404-6154
RETURN TO SENDER
OCT 02 1999
CLAYTON 260 S. WOODRUFF #279 IDAHO FALLS ID 83404-6154
RETURN TO SENDER





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 5, 1995

J. Lloyd and Christine Clayton
19 North 3167 East
1965 Bear Island Drive
Idaho Falls, Idaho 83402

RE: Water Right Permit 25-07463

Dear Mr. and Mrs. Clayton,

This letter is in reference to Water Right Permit 25-07463 that the you have on file with the Department for culinary use and irrigation of 2 acres in Jefferson County.

Now that you have submitted your Proof of Beneficial Use to the Department, one of the final steps in the licensing process is a field examination by one of our staff to make sure we have your water use recorded correctly.

I will be working in your area for the next several weeks and would like to conduct the field examination of your permit, 25-07463, at your earliest convenience.

The field exam usually takes about 45 minutes to an hour and involves a double check of the legal descriptions, recording of pump and motor serial numbers, horsepower, etc. and possibly a flow measurement of the system covered under the permit.

Please give me a call so we can set up an appointment for your exam. I can be reached here at the office at 525-7161. The best time to catch me is between 8:00 and 8:30 each morning, but if I am out in the field at the time you call, please leave your phone number and a time that I can call you back and I will do my best to contact you.

Sincerely,

Paul R. Meyer
Senior Resource Agent, Eastern Region

SEP 9 2 2001

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

6357
Date 09/03/91
Code 173002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY
TO

J LLOYD OR CHRISTINE L CLAYTON
1945 BEAR ISLAND DR.
IDAHO FALLS, ID 83402

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

Encumbrance Reference No.

PAYMENT: () PARTIAL () FINAL

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	05 30 122	1238	5851		REFUNDS PER RITA FLECK WR #25-7463 RECEIPT #0020746 6/29/91 50.00	50.00	
TOTAL						50.00	

NOTE: Final payment must be accompanied by a receiving copy

TOTAL

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

August 29, 1991

J LLOYD OR CHRISTINE L CLAYTON
1965 BEAR ISLAND DR
IDAHO FALLS ID 83402

Dear Mr. and Mrs. Clayton:

Re: Permit No. 25-7463

On June 20, 1991, I wrote to you requesting an additional \$90 fee as an adjustment to the drilling permit. I found that the drilling permit reflected receipt of only \$10. When your file came up for reprocessing, I decided to produce a copy of the receipt No. E009957 for a the file. The receipt shows a payment of \$100. Therefore, the drilling permit condition has been met and no additional monies are needed.

In addition, my review revealed that the maximum rate of diversion the proof can be submitted for is the same as that for which the permit was approved - 0.10 cfs. For this amount there is a \$50 license exam fee. You submitted a \$100. The Department has adjusted the total rate to be 0.10 cfs, reinstated the permit (since the proof was received late) and refund \$50 of the fee. Enclosed is a copy of a reinstatement order.

The next step is for the department to conduct the field inspection to confirm and determine the extent of beneficial use. I cannot tell just when the representative from our Eastern Regional office will conduct the exam, but he will try to contact you or prior to being in the area.

If you have questions, please contact me or the regional office at 525-7161.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

RECEIVED
AUG 31 1991

E009957

8/24/1989

CLAYTON, J. LLOYD

DRILLING PERMIT

630350 1238 6390

100.00

CHECK

3362

\$100.00

Region: EASTERN

Signature: _____

MAILED
11-14-89

7081 38

June 20, 1991

J. LLOYD OR CHRISTINE L. CLAYTON
19 N 3167E
IDAHO FALLS ID 83402

Dear Mr. and Mrs. Clayton:

Re: Drilling Permit No. 25-89-E-053
Water Permit No. 25-7463

In order for your well to comply with the drilling requirements of Section 42-235, Idaho Code, you must submit an additional \$90 for the use of the well for irrigation and domestic purposes. When you applied for the drilling permit, you were issued the permit for the drilling of a domestic well only for which you paid a \$10 fee. The fee for drilling a well for irrigation and domestic purposes is \$100. If you do not submit any additional fee for the drilling permit, you are only authorized to use the well for domestic purposes. the water right will not be licensed for irrigation use. If you submit the \$90, the drilling permit can be amended to include irrigation.

Please respond within thirty (30) days. Return your payment with the second copy of this letter. If you have any questions, you can contact this office or Dennis Dunn at the Idaho Falls office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

c: D. Dunn - E. Region
M. Slifka - State Office

MAILED
SEP 27 1991

No fee required. Receipt. No. E009957 for \$100.⁰⁰

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 25-4463

Date 6-12-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☐ Surface water source
☒ Ground water source

Oct 5, 1989
☒ Drill permit req'd?
☒ Copy in file? Drill permit no. 25-89-E-053
110.00 Amt paid for drilling permit? ☒ Correct?
☒ Well log in file?

LICENSE EXAMINATION FEE

- ☒ Required?
100.00 Amount submitted?
☒ Correct amount?

MEASURING DEVICE

- ☒ Measuring device or access port required?
☒ Installed?
☒ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

address change
needs \$50.00 refund
needs W.C. : H.P.O.K.
Drilling Permit fee?
6-18-91

PRIORITY CALCULATION

☒ Date proof received June 10, 1991 161
Date proof due April 1, 1991 - 91
No. of days late = 70
Priority date Nov 25, 1988 + 329
☒ NEW PRIORITY DATE Feb 3, 1989 = 399
→ 34

399
365
34

SEP 27 1991

LB
9-9-91

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

Drilling Permit No. 5-89-E-053
Water Permit No. 25-7463
Injection Permit No. _____



State of Idaho
Department of Water Resources

DRILLING PERMIT

Department of Water Resources

1. Applicant J. Lloyd Clayton
2. Address 1965 Bear Island Dr.
Idaho Falls, ID 83402 Telephone 529-8046
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location NW 1/4 SE 1/4, or Gov't lot No. 7,
Sec. 35, Twp. 4N, Rge. 37E, County Jefferson,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
☒ Domestic ☐ Stockwater ☐ Monitoring
No. of households _____ No. of livestock _____
☒ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☐ Other, Specify _____
5. Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 6" Maximum depth 250'
Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date 9-6-89
7. Well Driller (if known) Denning Drilling
Address P.O. Box 460, Ucon, ID 83454
8. Applicant's signature Mrs J. Lloyd Clayton **SEP 27 1991**
Title _____
Date 8-24-89

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is approved.

If approved, this permit authorizes the construction of a well subject to the following conditions:

GENERAL CONDITIONS

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS

Dated this 28th day of August, 1989.

Signed [Signature]

Title REGIONAL MANAGER

Received by RB Fee \$100.00 Date 8-24-89

Receipt No. E009957 Construction start extension to 27 1991

Extension approved by _____

6/1/98

Dear Sirs:

I really don't understand
this paperwork & I hope I filled
it ~~out~~ correctly. We have not moved
but our address has changed. Please
notify me if I have made any mistakes.
Thank you.

Sincerely,

Christine L. Clayton

SEP 27 1991

Christine L. Clayton
19 W 3167 E
Twin Falls, ID 83402

State of Idaho
Dept. of Water Resources
1301 North Orchard St,
Statehouse Mail
Boise, ID 83720-9000

SEP 27 1991

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

April 8, 1991

J. LLOYD CLAYTON
CHRISTINE L. CLAYTON
1965 BEAR ISLAND DR.
IDAHO FALLS, ID 83402

LAPSE NOTICE

RE: PERMIT NO. 25-07463

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated January 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 to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. 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 government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

SEP 27 1991

CERTIFICATION OF MAILING

I hereby certify that on 4-9-91
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

138981
January 31, 1991

J. LLOYD CLAYTON
CHRISTINE L. CLAYTON
1965 BEAR ISLAND DR.
IDAHO FALLS, ID 83402

PROOF DUE NOTICE

RE: PERMIT NO. 25-07463

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 April 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

SEP 27 1991

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
March 27, 1989

J. LLOYD CLAYTON
CHRISTINE L. CLAYTON
1965 BEAR ISLAND DR.
IDAHO FALLS, ID 83402

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

RE: PERMIT NO. 25-07463

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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

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

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

MAR 30 1989

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

MAR 30 1989

Form No. 202a
1/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY Dennis Dunn DATE 2 Dec 88 APPLICATION NUMBER 287463
ClaytonREQUIRED 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
- Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☐ No Send dam safety information
- ☐ Yes ☐ No Send power requirement letter
- ☐ Yes ☐ No Send fish farm requirement letter
- ☐ Yes ☐ No Power residency affidavit
- ☐ Yes ☐ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____

RECEIVED
JAN 16 1989

Department of Water Resources

PROCESSING

☒ Yes ☐ No Inform for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

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

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 12/1-2-88
☐ 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. 01
☒ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information
Date of priority recommended 11-25-88
By HWJ Date 1-11-89

STATE OFFICE REVIEW P23 P05 P17 46 41 48 26
By kw ☐ See below for additional information
Date 2/27/89

ADDITIONAL INFORMATION

Conditions: <41> + Drilling Permit required
OK to allow 2 yrs. to develop - appears
to be a proposed system -
App. in trust water area -

December 7, 1988

J. Lloyd or Christine L. Clayton
1965 Bear Island Drive
Idaho Falls, ID 83402

Application for Permit No. 25-07463

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 25-07463. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the JEFFERSON STAR. The advertisement will be published for the 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

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MAR 30 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 6, 1988

THE JEFFERSON STAR
P.O. BOX 37
RIGBY, ID 83442

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 JANUARY 2, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

MAR 30 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

MAR 30 1989

25-07463

CLAYTON, J. LLOYD
CLAYTON, CHRISTINE L.
1965 BEAR ISLAND DR.
IDAHO FALLS, ID 83402

Source: GROUNDWATER

Diversion Pt: LOT 7 (SENWSE) Sec 35 T 04N R 37E

Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)

Date Filed: 11/25/1988

In: T04N R37E S35 Lot 7 (NWSE)

2.0 ACRES TOTAL

CLAYTON, J. LLOYD
CLAYTON, CHRISTINE L.
1965 BEAR ISLAND DR.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: LOT 7 (SENWSE) Sec 35 T 04N R 37E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)
Date Filed: 11/25/1988
In: T04N R37E S35 Lot 7 (NWSE)
2.0 ACRES TOTAL

MICROFILMED

MAR 30 1989

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 2, 1989.

R. Keith Higginson, Director

Published 12/14/1988 & 12/21/1988

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MAR 30 1989