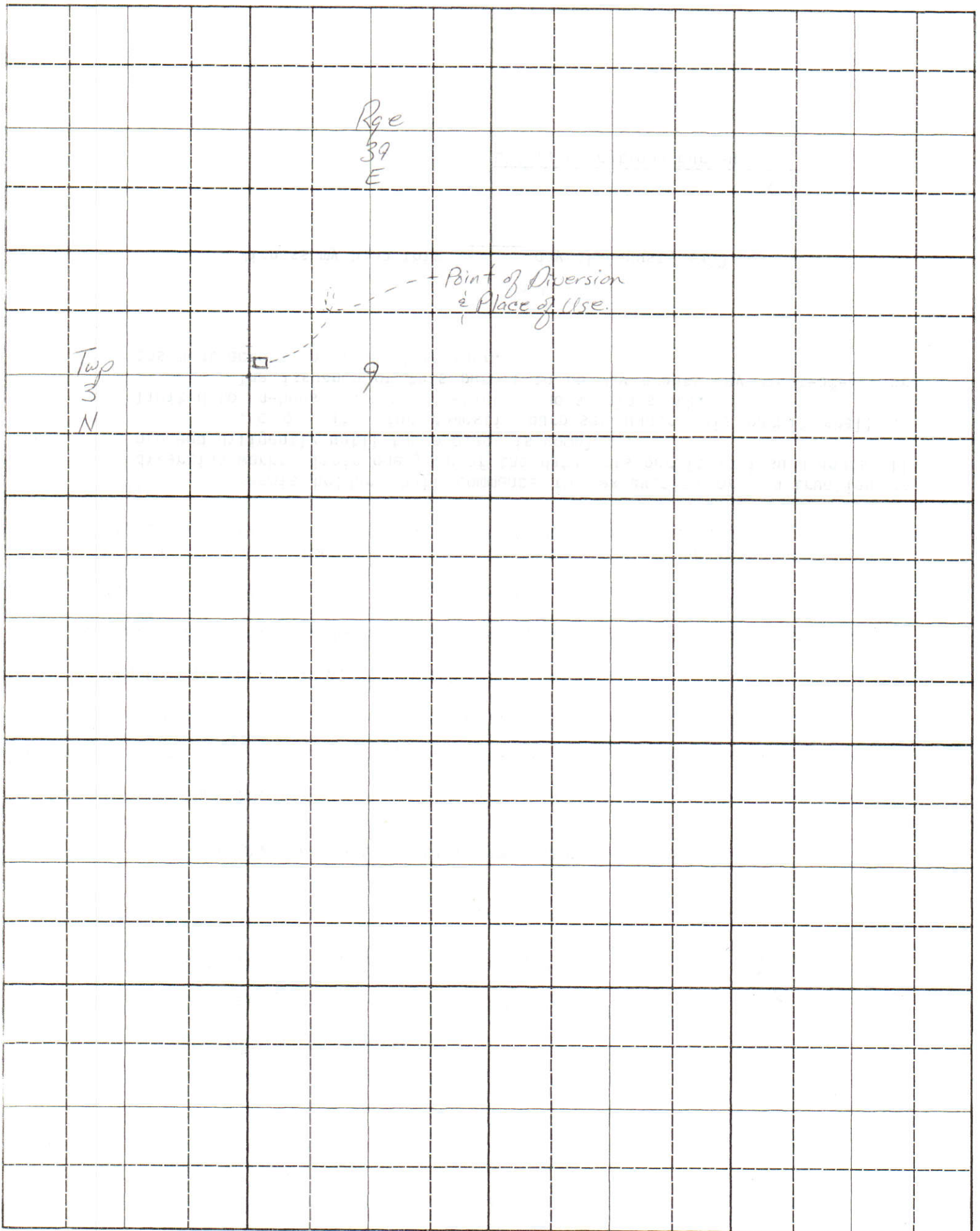


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Donna M. Fustue
(Applicant)

(Applicant)

MICROFILMED

Proof of Publication
The Post-Register

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JUL 25 1983

Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the
Principal Clerk 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 having been published continuously and uninterruptedly, prior to consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
lished in said Post-Register for Two consecutive weeks, first publication having been made
on the 14th day of July, 1983, last publication
having been made on the 21st day of July, 1983, 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 22nd day of July, 1983

J. Robb Brady
Dean R. Johnston
Notary Public

My commission expires October 10, 1983

B10, 1M,

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

25-7332
FRISBIE, JAMES &/or DONNA
1193 MOJAVE, IDAHO FALLS, ID 83401
Source: GROUNDWATER
Date Filed: 06/09/1983
Diversion Pt: SWNW Sec 09 T 03N R 39E
Use: DOMESTIC (0.04 CFS)
In: SWNW Sec 09 T 03N R 39E
25-7329

COLSON, SALLY
RT. 3, BOX 103, IDAHO FALLS, ID 83401
Source: GROUNDWATER
Date Filed: 05/27/1983
Diversion Pt: SESW Sec 30 T 01N R 38E
Use: STOCKWATER (0.02 CFS); DOMESTIC
(0.04 CFS)
In: SESW Sec 30 T 01N R 38E
25-7331

SOUTH, DAVID &/or BARRY
3007 E. TELFORD RD., IDAHO FALLS, ID
83401
Source: GROUNDWATER
Date Filed: 06/03/1983
Diversion Pt: SWSE Sec 34 T 03N R 38E
Use: COMMERCIAL (0.04 CFS); DOMESTIC
(0.04 CFS)
In: SWSE Sec 34 T 03N R 38E

The permit(s) will be subject to all prior water
rights. Protests must be filed with the Director,
Dept. of Water Resources, 150 Shoup Ave., Suite
15, Idaho Falls, Idaho 83402 on or before
AUGUST 1, 1983.

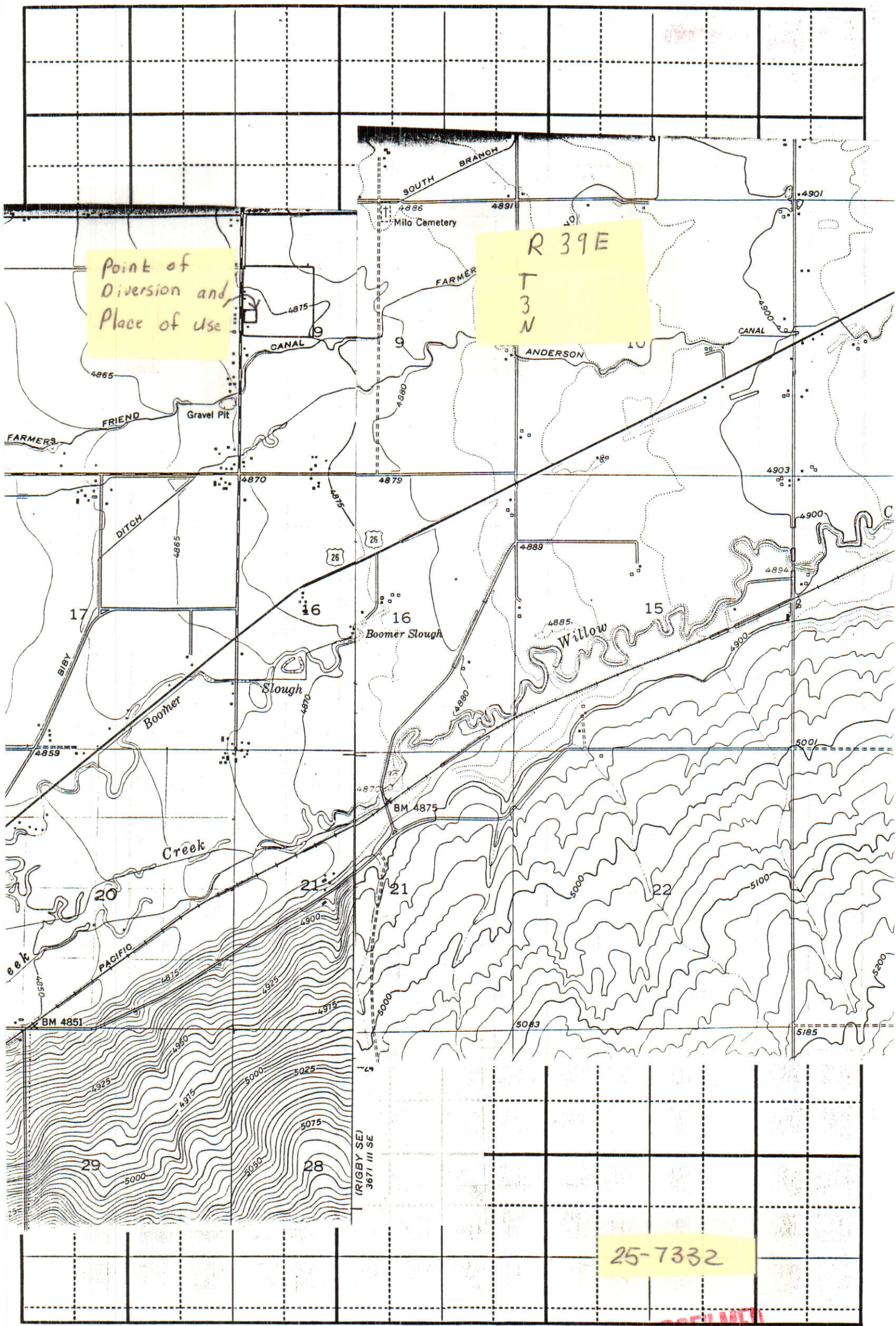
KEN DUNN
Director

Published: July 14, 21, 1983

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NAME OF APPLICANT Frisb 25-7332

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 25-7332 Priority June 9, 1983 Amount 0.04 cfs

THIS IS TO CERTIFY, that Robert & Louise Mahoney
of Idaho Falls, Idaho, has complied with the terms and conditions of Permit
No. 25-7332 issued pursuant to Application for Permit dated June 9, 1983,
and has submitted proof to the Department of Water Resources on October 11, 1985,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.20 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> from <u>January 1</u> to <u>December 31</u> at <u>0.04</u> cfs and <u>1.2</u> acre feet			
<u>(1 Unit)</u> from _____ to _____ at _____ cfs and _____			
_____ from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the SW1/4 Section 9,
Twp 3N, Rge 39E in the County of Bonneville

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	39E	9						X											

Total number of acres irrigated _____

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CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license 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 license 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 license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28TH day of AUGUST, 19 86.

Acting for the Director



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WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	25-7332	Frisbie, James Donna	0.04
Full Assignment	25-7332	Mahoney, Robert Louise	0.04

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JUN 30 1986

State of Idaho
Department of Water Resources

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JUL 1 1986

ASSIGNMENT OF PERMIT

Department of Water Resources
Eastern District Office

Department of Water Resources

I, JAMES L. FRISBIE, hereby assign to ROBERT & LOUISE MAHONEY
of RT. 8, Box 271 IDAHO FALLS, IDAHO 83401
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 25-7332
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 26TH day of JUNE, 19 86.

James L. Frisbie
Permit Holder

Dorothy M. Frisbie
Spouse of Permit Holder

State of Idaho)
County of BONNEVILLE) ss.

On this 26th day of June, 19 86, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Linton D. Pendornit
Notary Public residing at
Idaho Falls Idaho 83401

My commission expires:

Sept 23, 1988

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant James Frisbie or Donna Frisbie Phone 523-4734

Post office address 1193 Mojave, Idaho Falls, ID 83401

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9 Township 3N

Range 39E B.M. Bonneville County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 cfs for domestic purposes from 1/1 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)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.04 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump and distribution system for the Milo Water Association, Inc.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9 Township 3N

Range 39E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water one.

(5) If water is to be used for other purposes describe: _____

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

[illegible]

Total number of acres to be irrigated _____

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

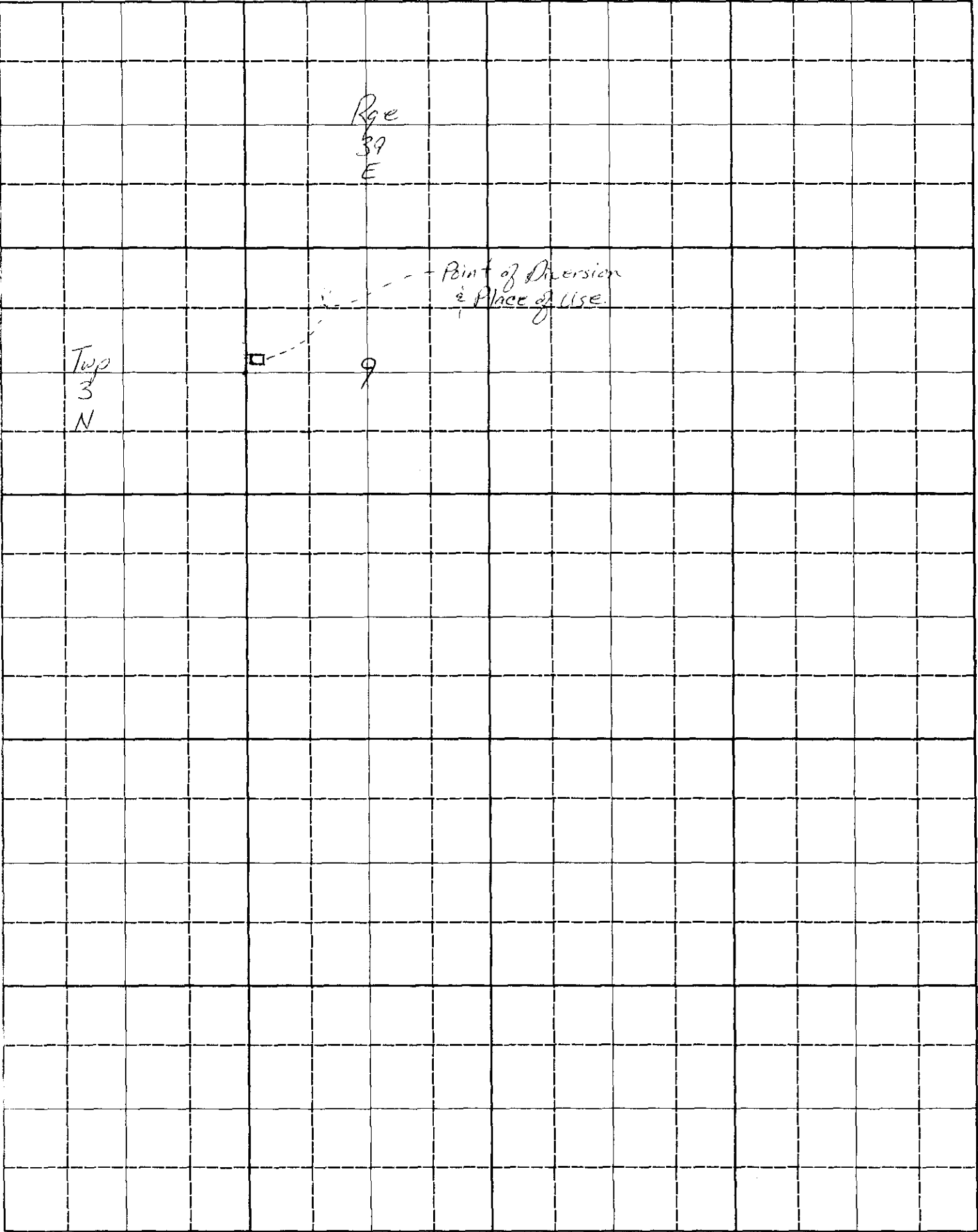
9. a. Who owns the property at the point of diversion Milo Water Association, Inc.

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 Milo Water Association, Inc. furnishes water to the applicant's dwelling

10. Remarks The dwelling has been furnished water through the Milo Water
Assoc., Inc. since April 1, 1963.

11. 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.

Donna M. Fiske
(Applicant)

Witnessed

Proposed Priority 6/9/1983

Received by EMC Date 6/9/83 Time 12:30

Preliminary check by SM Fee \$ 30⁰⁰

Receipted by CW Date 6-9-83 # 30829

Publication prepared by BP Date 7/6/83

Published in Post Register

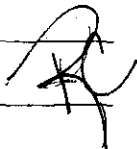
Publication dates 7/14 : 7/21/83

Publication approved CW Date 7-28-83

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC 

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. 25-7332, 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 November 1, 19 89.
- 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. Other: 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.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 20th day of November, 1984.


Chief, Operations Bureau

RECEIVED
JUL 25 1983

Department of Water Resources
Eastern District Office

day of July

Notary Public

Notary Public

B10, 1M,

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following applications (a) have been filed to
obtain the right to divert water of the State of
California:

24-1132

FRISVIE, JAMES H. & DAUGHTER
1973 MOSAVER, STOCKWATER FALLS ID #3401
Source: GROUNDWATER
DATE FILED: 06/01/73
Location: In SE 1/4 Sec. 04 T. 01 N. R. 3E
1/4 Sec. DOMESTIC (104 CFS)
In SW 1/4 Sec. 04 T. 01 N. R. 3E
13-732

EDLSON, SALLY
PT. 1, BOX 10, STOCKWATER FALLS ID #3401
Source: GROUNDWATER
DATE FILED: 06/01/73
Location: Pt. 1, Box 10, SE 1/4 Sec. 04 T. 01 N. R. 3E
1/4 Sec. STOCKWATER FALLS CFS; DOMESTIC
(104 CFS)
In SE 1/4 Sec. 30 T. 01 N. R. 3E
13-732

MUEHL, DAVID & L. BARBARA
10716 TELFORD RD., STOCKWATER FALLS ID
Source: GROUNDWATER
DATE FILED: 06/01/73
Location: In SE 1/4 Sec. 34 T. 01 N. R. 3E
1/4 Sec. COMMERCIAL (104 CFS); DOMESTIC
(104 CFS)
In SW 1/4 Sec. 34 T. 01 N. R. 3E
13-732

KEN DUNN
Director

Published: July 14, 21, 1983

REFILMED

PLACE
STAMP
HERE

RECEIVED

JAN 3 1985

Department of Water Resources
Eastern District Office



JUN 16 1988

RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
JAN 4 1985 STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 25-7332
Name(s) of Permit Holder(s): JAMES OR DONNA FRISBIE
Post Office Address: 1193 MOJAVE ST.
IDAHO FALLS, IDAHO 83401 Tel. No. 523-4734

☒ I hereby certify that construction of diversion works for the above referenced permit began on May 1963 + Completed (date) must continue to develop the water system with due diligence to maintain a valid permit.

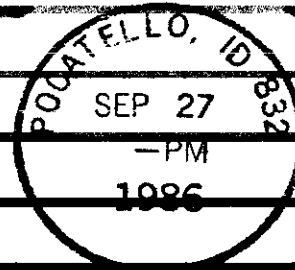
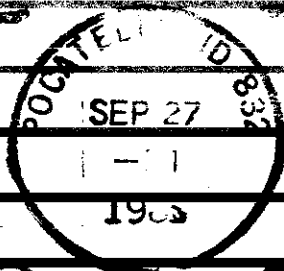
☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

1-3-85
Date

Donna Frisbie
Signature of Permit Holder

DEPARTMENT OF WATER RESOURCES



Robert & Louise Mahoney
Rt. 8, Box 271
Idaho Falls, ID 83401

Department of Water Resources

Handwritten:
Rt. 8
1193 Meadow, ID
Idaho Falls 83401

Handwritten:
P.W.
9/30/86

Handwritten signature: [Signature]
☐ Attempted - Not Known
☐ No Such Number
UNCLAIMED
9/27/86



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 4, 1986

RE: Permit No. 25-7332

Robert & Louise Mahoney
Rt. 8, Box 271
Idaho Falls, ID 83401

Dear Mr. and Mrs. Mahoney:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

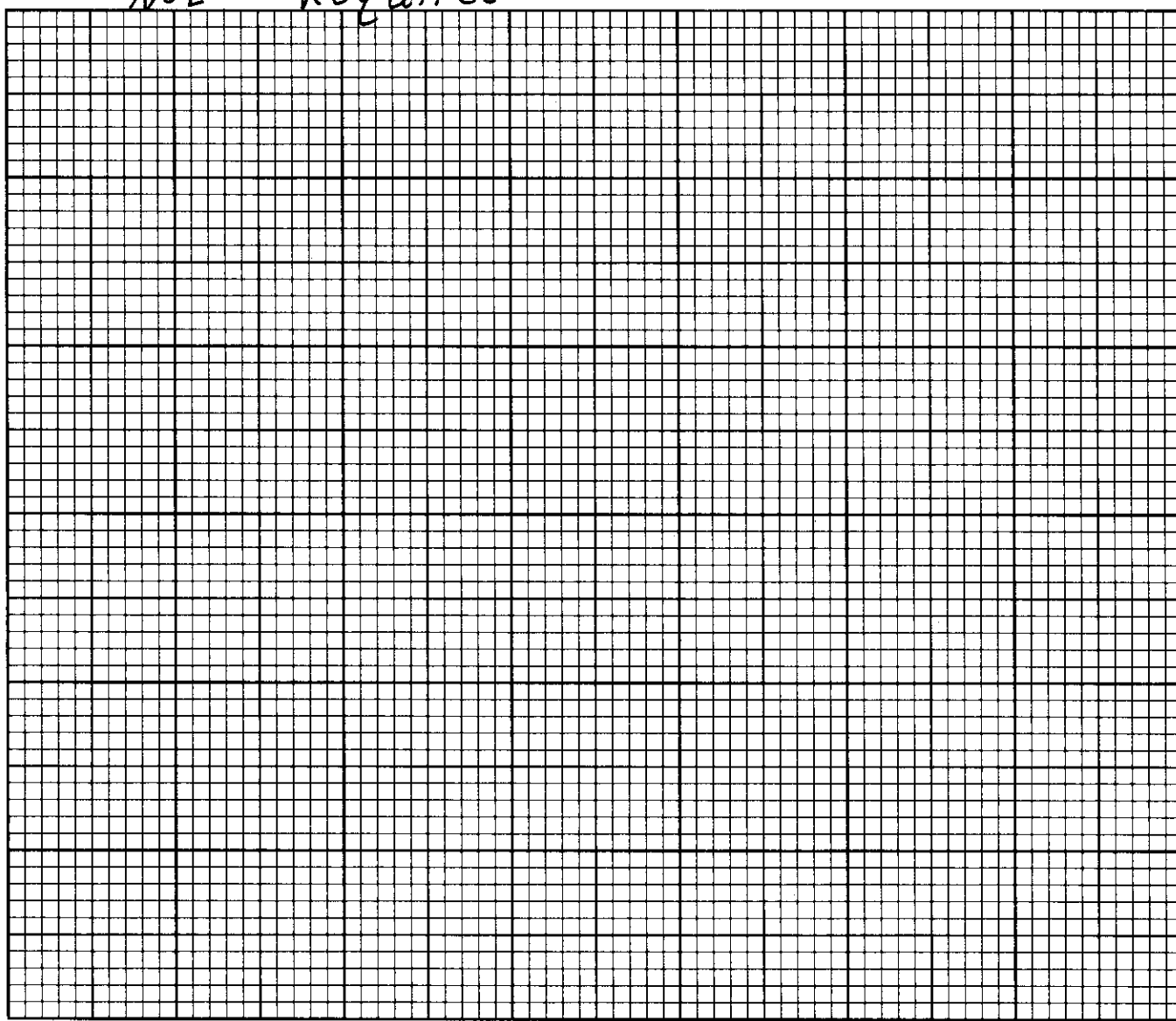
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SEP 10 1986
BOISE, IDAHO

Total Acres _____

10. Other water rights on these lands Shares in Harrison Canal (Pasture)
11. Other water right diverted from same p.d. 25-4266, 25-4273

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

Not Required



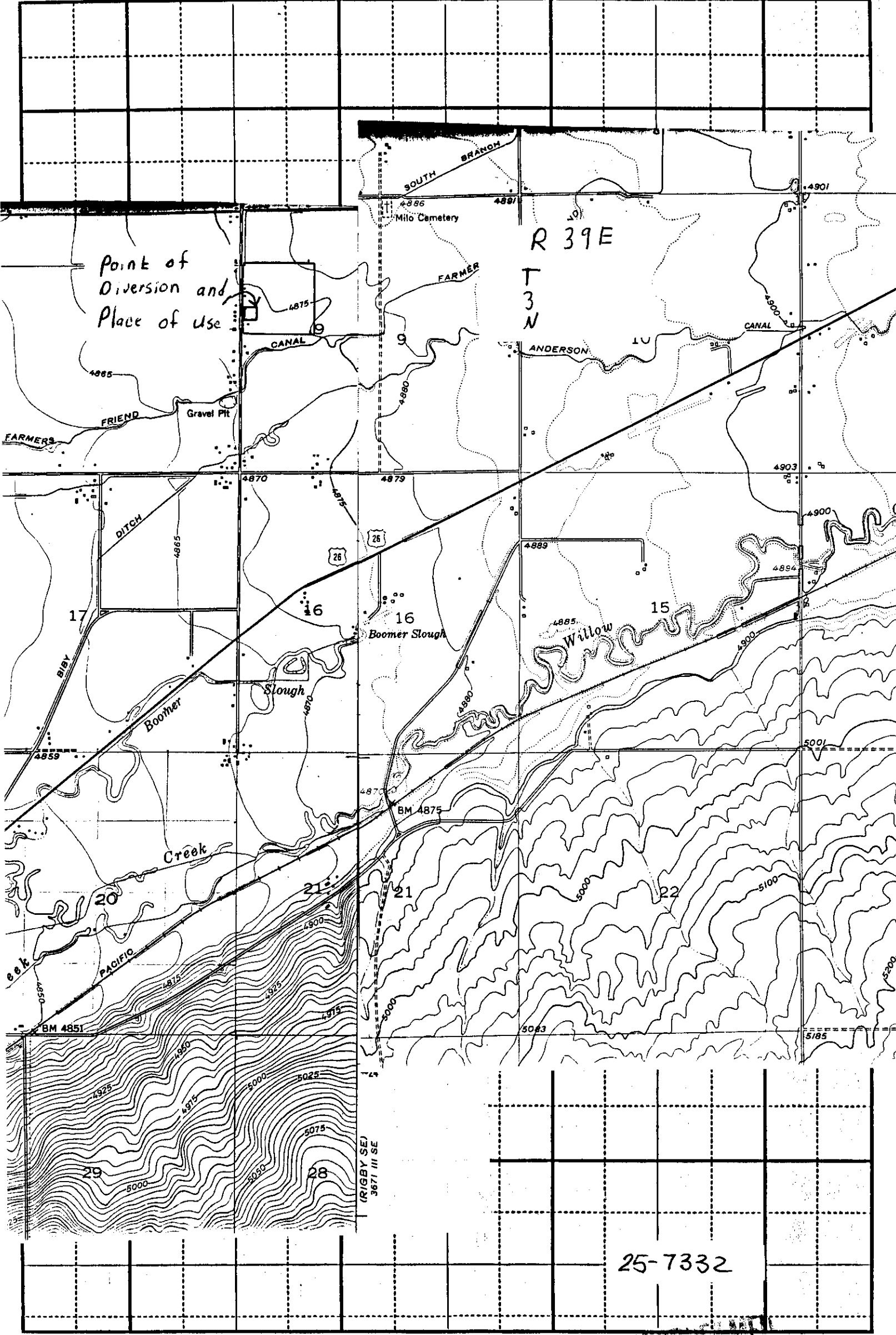
13. ☐ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached
Map of Irrigated Acreage Attached

14. Remarks Sold to Mahoney (Robert & Louise)
Rt. 8 Box 271 Idaho Falls, ID 83402. New
owners should have permit assigned to them.
No trailer or any other dwelling on land at
time of exam, however obviously the land has
had a trailer on it recently.

15. 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

16. Examiner's/Consultant's Signature John W Arambani Date 6-26-86
Consultant's License Number _____
IDWR Director's Authorization to Conduct
Beneficial Use Examination _____

Date _____ CONSULTANT SEAL



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

25-7332
Permit No.

1. **Measurement Calculations**

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

Theoretical $Q = \frac{8.8 (\text{hp})(\text{eff})}{2.31 (\text{psi}) + \text{lift}} = \frac{8.8 (5) (681)}{2.31 (30) + 110} = 0.20 \text{ cfs}$

permit = 0.04 cfs

recommend 0.04 cfs by permit.

b) Volume Calculations for Irrigation: *N/A*

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

c) Volume Calculations for Other Uses:

$V_{Dom} = 1.2 \text{ afa}$

2. **Overlap Review**

a) Other water rights with same place of use: *None*

b) Other water rights with same point of diversion: *Claims 25-4266 and 25-4273*

c) Analysis: *R 17 (25-4266/25-4273) (0.20 cfs)*

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RECOMMENDED AMOUNTS

- | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|------------|----------|--------|-----------|----------------------|-----------------|
| 25-7332 | 6-9-1983 | 0.04 | 6-9-83 | 10-11-1985 | 0.20 cfs |

4. Permit Holder: ROBERT & LOUISE MAHONEY
JAMES FRISBIE OR DONNA FRISBIE

Address: ID. FALLS. ID.

5. Source: groundwater tributary to N/A

6. Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
<u>Domestic (unit)</u>	<u>1/1</u>	<u>12/31</u>	<u>0.04 cfs</u>	<u>1.2</u> ✓

Allowable Maximums: 0.04 cfs 1.2 ✓

7. Point(s) of Diversion: ~~No~~ Change

[illegible]

8. Place(s) of Use No Change

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	39E	9							X										
Total Acres _____																			

9. Recommended Conditions/Remarks: Need to assign permit to

the new owners of the property: Robert and Louise Mahoney Rt. 8 Box 271 Idaho Falls 83402.
Lift in 1a) was determined by well logs in that section.

DO NOT PUT ON LICENSE

10. 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

11. Examiner's Signature John W. Aramburu

Checked in Regional Office by Keith C. Allen

Approved in State Office by *Paul Johnson*

Date 6-26-86

Date 16 July 1986

Date 8-7-86

July 24, 1986

RE: Permit No. 25-7332

Robert & Louise Mahoney
Rt. 8, Box 271
Idaho Falls, ID 83401

Dear Permit Holder(s):

This office acknowledges receipt of the Assignment of the above referenced permit to you. Enclosed for your records is a copy of the permit.

In reviewing the permit, we find that the next step towards licensing of the permit will be for our regional office to examine your water right system.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosures

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Permit No. 25-7332

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? Yes
2. Notary? - Yes
3. a. Full Assignment? Yes
b. Partial Assignment?
4. "No assignment" condition on permit? NO
5. Commencement of Works received? Yes
 - a. Commencement of works requested?
 - b. Show Cause Order drafted & sent?
 - c. Cancellation necessary?
6. Affidavit of residency required? N/A
7. Extension granted due to litigation?
(If yes, commencement of works is not required.)

1. Type permit summary sheet. ✓ Sharla
2. Coding sheet. ✓ Sharla
3. Acknowledgement letter type. # 1a
4. Copy to region. Sharla

Date 7-23-86

Employee Juni

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 19, 1986

JAMES FRISBIE
1193 MOJAVE
IDAHO FALLS ID 83401

RE: Permit No. 25-7332

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
OCT 11 1985

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 25-7332

Name(s) of Permit Holder: James or Donna Frisbie

Post Office Address: 1193 Mojave, Idaho Falls Id 83401

Telephone No. 523-4734 526-6241

Source of Water: Groundwater

Extent of Use:

Domestic 1 (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: Spring 1963

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

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

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

SAME

(Name)

SAME

(Address)

(Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

Sept. Oct. 8, 1985
Date

Donna Frisbie
Signature of Permit Holder (and Title, if appropriate)

MICROFILMED

1193 Mojave St.
Oshawa Falls, Idaho 83401



Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.
(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

November 28, 1984

RE: Permit No. 25-7332

James or Donna Frisbee
1193 Mojave
Idaho Falls, ID 83401

Dear Permit Holder:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

The 1982 Idaho Legislature added a 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.

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,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc
Enclosures

CONFIRMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick APPLICATION NUMBER: 25 7332

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. _____
Final date for protests: Aug 1, 1983 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7-25-83 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
6-9-83 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Ernest Carlson Date: Aug 4 1983
STATE OFFICE REVIEW:

SW/L17 21 26 01
☐ See attached sheet for more information.
By: John Date: 8/10/83

RECEIVED
AUG 8 1983
Department of Water Resources

IDENT. NO. 25 7332

WATER RIGHT
DATA ENTRY LOG

[illegible]

25-7332

FRISBIE, JAMES &/or DONNA

1193 MOJAVE, IDAHO FALLS, ID 83401

Source: GROUNDWATER

Date Filed: 06/09/1983

Diversion Pt: SWNW Sec 09 T 03N R 39E

Use: DOMESTIC (0.04 CFS)

In: SWNW Sec 09 T 03N R 39E

Proofed
By Phone
BP 7/13/83

(25-7332)