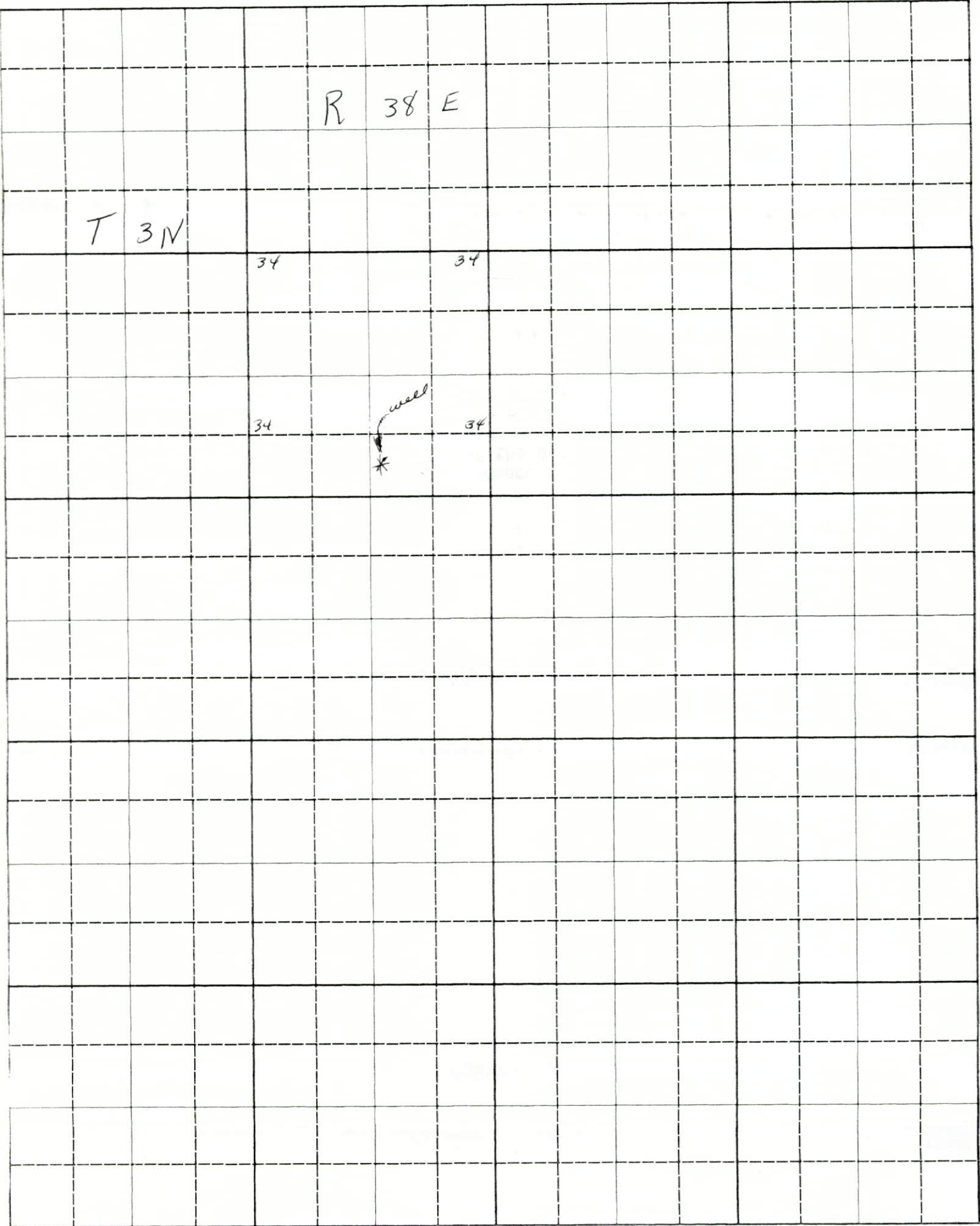


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

David B. South
(Applicant)

WICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 03 1993

Department of Water Resources

A. GENERAL INFORMATION

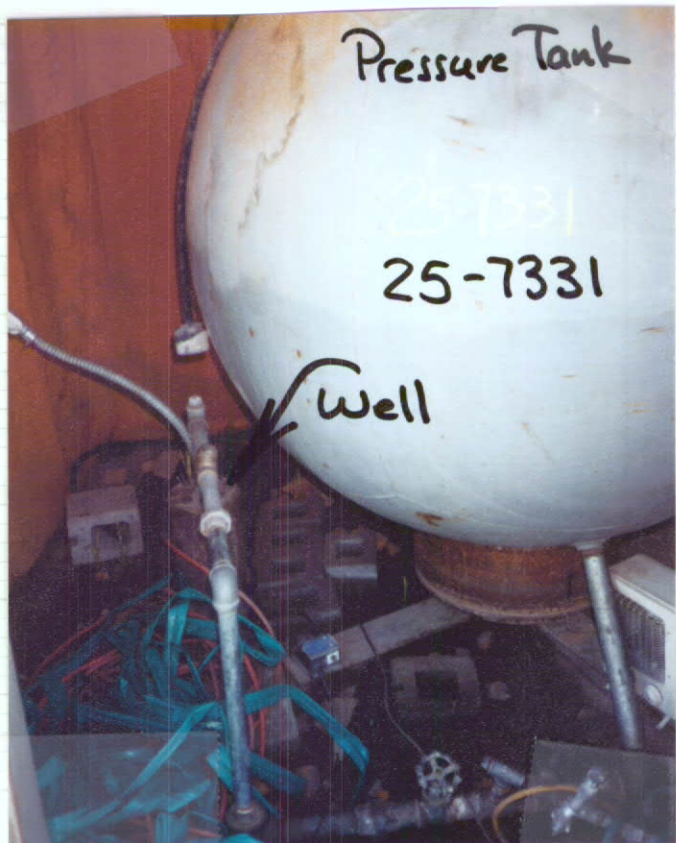
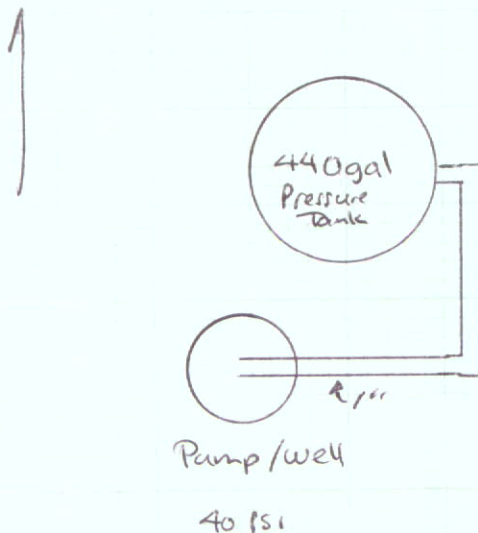
1. Owner: David South and Barry South Permit No. 25-7331
Current Address: 3007 East 49th North Idaho Falls, Id 83401 Phone No. 529-0833
2. Accompanied by: Delmar Klingler EXAM. DATE: 3 June 91
Address: 3007 E 49th N Idaho Falls 83401 Phone No. _____
Relationship to Permit Holder: Foreman
3. Source: ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

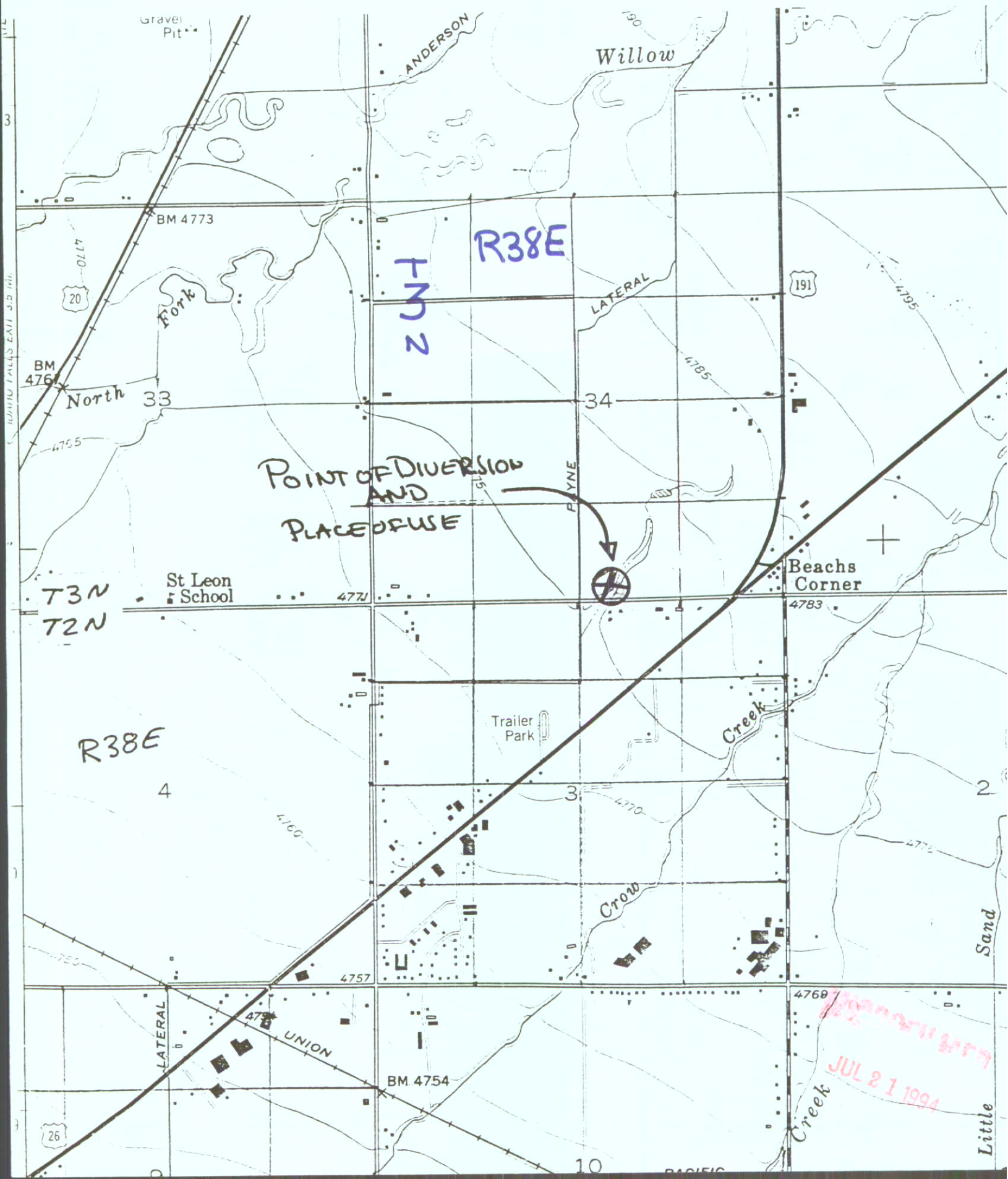


Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

JUL 21 1994



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 25-07331

Priority: June 3, 1983

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

This is to certify, that DAVID SOUTH
BARRY SOUTH

3007 E 49 N

IDAHO FALLS ID 83401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 3, 1983; and has submitted Proof of Beneficial Use on December 26, 1989. An examination indicates that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 34, Township 03N, Range 38E
BONNEVILLE County

PLACE OF USE: COMMERCIAL

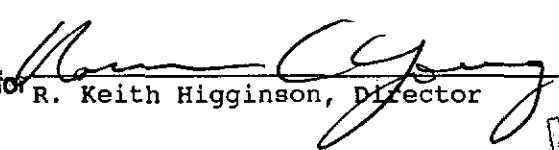
TWN RGE SEC

03N 38E 34 SWSE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 12TH day of MAY, 1994.

Acting for 
R. Keith Higginson, Director

JUL 21 1994

For Office Use Only
Amt. of Fee \$ 50.00
Date 12/27/89
Receipt No. 0013707
Received by C. Wong
Reviewed by Ans. 2-23-90

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 26 1989

PROOF OF BENEFICIAL USE

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

Permit No. 25-07331 Telephone No. (208) 529-0833

Name(s) of Permit Holder(s): David South and Barry South

Post Office Address: 3007 East 49th North Idaho Falls, Idaho 83401

Source of Water: Aquifer

If ground water, well driller's name: Andrews Well Drilling Date drilled: approx. 1978

Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other Businesses-- Primarily
bathrooms and lawn

Total rate and/or volume for which proof is submitted .08 cfs _____ acre/feet

Unknown-- enough water for four businesses.
Show date water was first diverted and beneficially used under this permit: 1978

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: \$ 50.00 (See License Examination Fee Schedule)

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

Barry South 3007 East 49th North Idaho Falls, Idaho 83401 (208) 529-0833
Name Telephone No.

Address

MICROFILMED

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.

MAR 09 1990

12-20-89 David B. South
Date Signature (and title if on behalf of a company or organization)

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 Dome Park -David & Barry South Phone 529-0833

Post office address 3007 E. Telford Road, Idaho Falls, Idaho 83401

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

3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34 Township 3N

Range 38E B.M. Bonneville County, additional points of diversion if any: _____

75 acres

4. Water will be used for the following purposes:

* ~~culinary~~, ~~irrigation~~, Change as per tele-con with Lorraine wright
Amount 5.0 for ~~industrial~~ purposes from _____ to _____ (both dates inclusive) HWT
(cfs or acre-feet per annum) ~~annually~~

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

Amount 0.04 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Commercial purposes from " to " (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.08 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.

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 1-1 to 12-31 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 8" inches; proposed depth of well is 173' 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 SE $\frac{1}{4}$ of Section 34 Township T3N
Range 38E B.M.

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

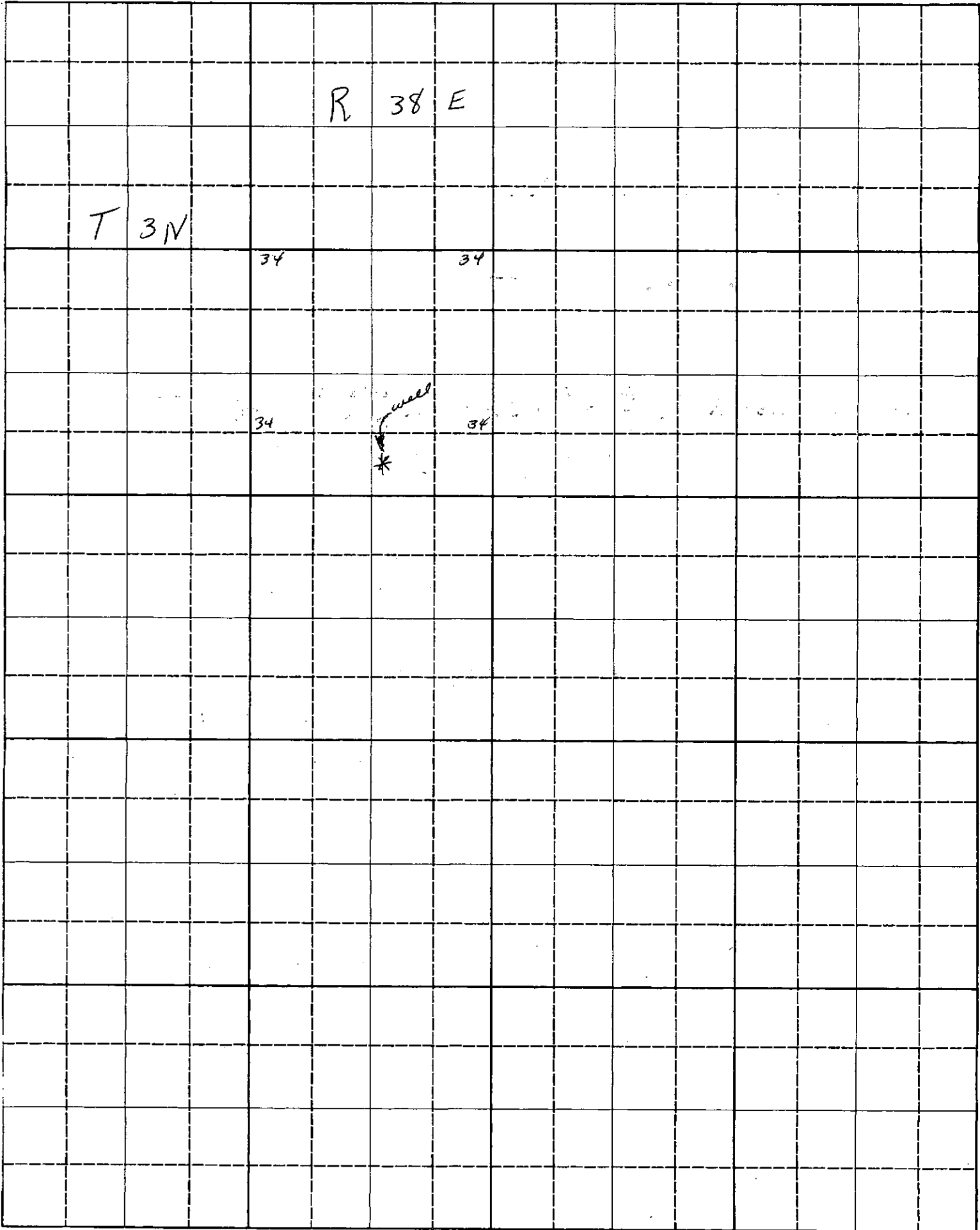
(3) List number of each kind of livestock to be watered _____

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

(5) If water is to be used for other purposes describe: D & C/ Water will be used in offices located at the Dome park & in operation, maintenance of equipment.

MICROFILMED

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.

David B. Smith
(Applicant)

MICROFILMED

Proposed Priority 6/3/1983

Received by CW Date 6-3-83 Time 1:15p
 Preliminary check by HWS Fee \$ 30.00
 Receipted by BP Date 6/7/83 # 30803
 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 CW RC

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. 25-7331, 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 February 1, 19 90.
- 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.

Witness my hand this 8th day of February, 1985.

J. Glen Saxton
 Chief, Operations Bureau

Proof of Publication
The Post-Register

RECEIVED

JUL 25 1983

State of Idaho,

County of Bonneville

ss.

Department of Water Resources
Eastern District Office

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 consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for Two consecutive weeks, first publication having been made on the 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. Whitner
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

25-7333
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

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 12, 1994

DAVID SOUTH
BARRY SOUTH
3007 E 49 N
IDAHO FALLS ID 83401

RE: WATER RIGHT NO. 25-07331

Dear Water Right Holder(s):

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

Sincerely,

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

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

NOTED

JUL 21 1994

Cindy Zimmerman

Permit #: 25-7331 Name: South Date: 5/10/94

	Yes	No	
NAME	___	___	Or <u>(Address)</u> Change? 3007 E 94 th N
SOURCE	___	☒	Changes/Clarification of originally intended source Prelim. Order to Void - Source change.
P/D	___	☒	Amendment Needed? _____ -P39, P38
	___	☒	Overlap(s) _____
P/U	___	☒	Amendment Needed? <u>reduce to commercial only</u> P41, P38
	___	___	Overlap(s) _____
	___	___	*P/D & P/U Amend? P37, P38 (See list for feds.)
RATE	___	___	Measurement Done? _____
	☒	___	Theoretical Only? _____
	___	___	Capacity <u>.04</u>
	___	___	Allowable Amount: <u>.04</u>
VOLUME	☒	___	Season of Use: <u>1/1 - 12/31</u>
	___	___	Calculations: <u>1 km x 1.2 AF = 1.2 AF</u>
	___	___	Flow limit: _____ x _____ x 1.9835 = _____
	___	___	Allowable volume <u>1.2</u> AF
USES	___	___	Change(s) in Nature of Use? _____ -P46
	___	___	Amendment Needed? _____
REMARKS	☒	___	Multiple p/d's in <u>1 1/4</u> ? _____
	___	___	Other <u>Comm/ 5 b bldgs</u>
CONDITIONS	___	☒	Measuring/Locking Devices
	___	☒	Watermaster Control -District _____
	___	☒	Irrigation Overlap
	___	☒	Water Quality
PRIORITY	___	☒	Advance? _____ Advanced to: _____
	___	☒	Order to Reinstate Needed? _____
	___	☒	Incorrect Fee for rate recommended? _____
	App	Rcd	6/3/83 Priority 6/3/83 Exam done 6/3/91

COMMENTS: Domestic included under Commercial use.

RECOMMENDED	CFS	DIV VOL	LICENSE: P49
Comm	.04	1.2	#1 AMEND LTR: P46 or P39/P41/P37 & P38
TOTAL	.04	1.2	#2 AMEND LTR: P42/P47

Water Right Number - L25-07331

Prefix Translation: LICENSE

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SOUTH

DAVID

1 - 3007 E 49 N

2 -

3 -

City- IDAHO FALLS

State- ID Zip- 83401

Phone - 208-529-0833

SOUTH

BARRY

1 - 3007 E 49 N

2 -

3 -

City- IDAHO FALLS

State- ID Zip- 83401

Phone - 208-529-0833

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/03/1983 15 EASTERN L - LICENSE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
03N	38E	34	SW SE			(19) BONNEVILLE				

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
10 - COMMERCIAL		01/01	12/31	0.040	1.20

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.040 1.20 0.040

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03N	38E	34	SW SE			10	COMMERCIAL	(19) BONNEVILLE

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use - D & C/ OFFICES & MAINTENANCE

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

Prefix Translation: LICENSE

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 05/10/94 CZIMMERM

[illegible]

Proof Due Date	- 02/01/1990	Field Exam Made	- 06/03/1991	Field Exam Fee	- R
Approved/Denied	- 02/08/1985	Protested Date	- 00/00/0000	Swan Falls	- Z
Proof Made Date	- 12/26/1989	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 04/28/1993	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- C013707	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 06/03/1983	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 03 1993

Department of Water Resources

A. GENERAL INFORMATION

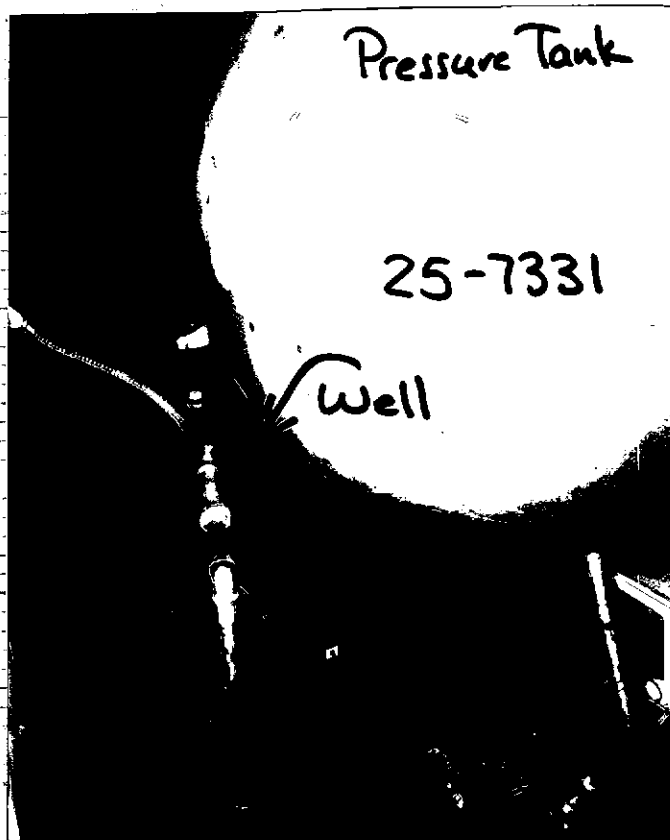
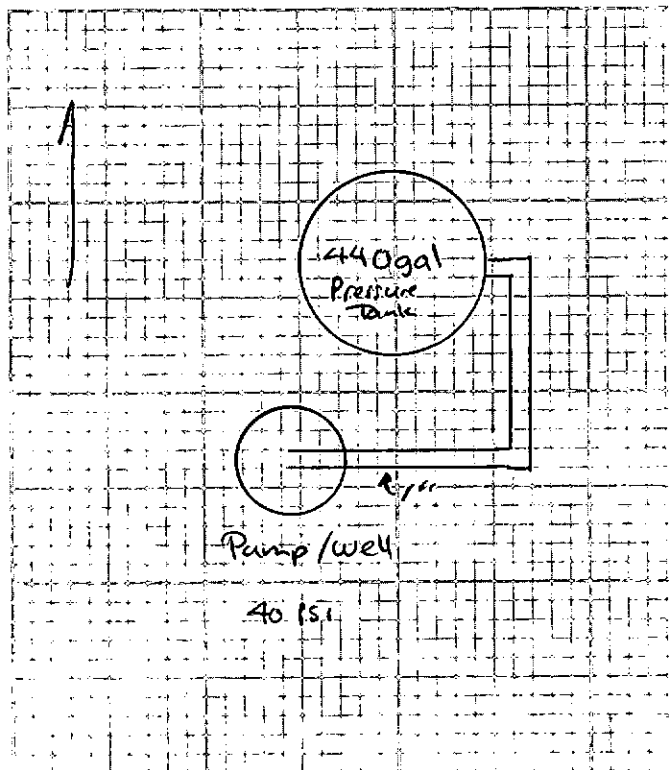
Permit No. 25-7331
1. Owner: David South and Barry South Phone No. 529-0833
Current Address: 3007 East 49th North Idaho Falls, Id 83401
2. Accompanied by: Delmar Klingler EXAM. DATE: 3 June 91
Address: 3007 E 49th N. Idaho Falls 83401 Phone No. _____
Relationship to Permit Holder: Foreman
3. Source: ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.
- ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

JUL 21 1994

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

well, pump, pressure tank to 5 commercial buildings for drinking water
and bathrooms with incidental equipment maintenance

GRUNDFOS 1hp 230v 1ph 60Hz 3450 RPM
S/N 8119

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GRUNDFOS	1	8119	—	—

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE		34	3N	38E	Bonneville	Quad map on site inspection

6. **Place(s) of Use:**

Indicate Method of Determination

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	38E	34															C		

Do not use this space

WATERWAY

JUL 21 1994

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure Gage		Ashcroft			0-60	

2. Measurements:

40 psi, static H₂O level in area 130-170 use 150'
Pressure 30-50 PSI

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$$Q_2 = \frac{hp (8.814) \text{ eff}}{150 + (30 \times 2.708)} = \frac{1(8.814)(.8)}{150 + (30 \times 2.708)} = 0.032 \text{ cfs}$$

Allow 0.04 cfs

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
 Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
 Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
 Meter Input HP: (6) x 1.34 = _____ (7)
 Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)
 Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

2. Volume Calculations for Other Uses:

allow 1.2 cfs

MEASURED
 JUL 21 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Allow 0.04 cfs total diversion and include domestic under commercial use

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1/1	12/31	0.04	1.2
Totals:			0.04	1.2

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

J. AUTHENTICATION

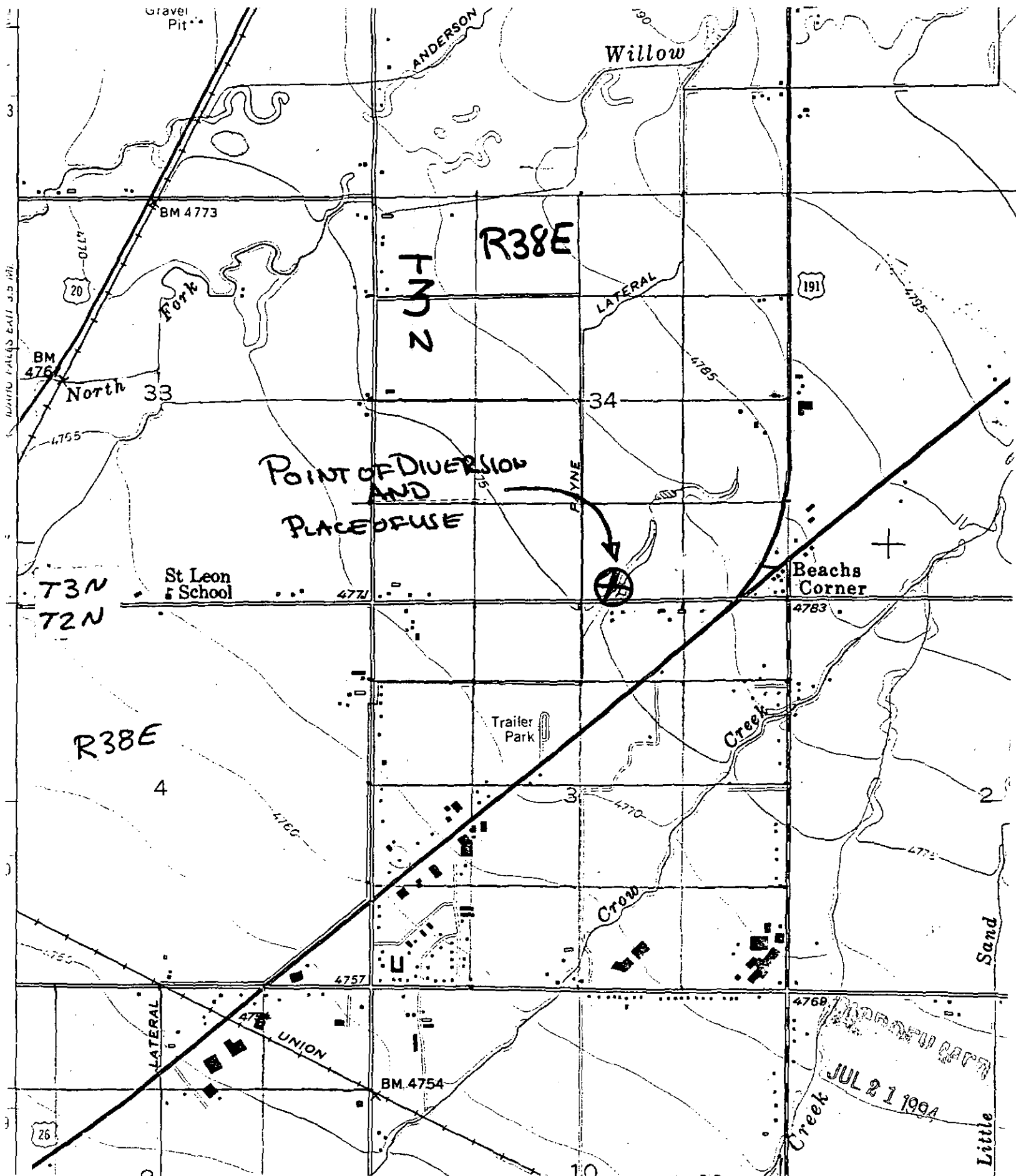
Field Examiner's Name KEITH C. WILSON
Signature Keith C. Wilson
Certification Date _____
Field Report Preparation Date _____

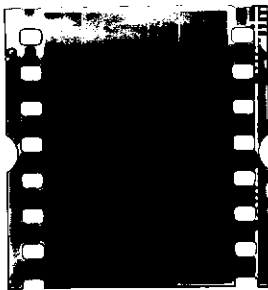
CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED

JUL 21 1994





25-7331
RECEIVED
JUL 21 1994

February 23, 1990

DAVID SOUTH
BARRY SOUTH
3007 E. TELFORD RD.
IDAHO FALLS, ID 83401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 25-07331

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

MAR 09 1990

138900

November 30, 1989

DAVID SOUTH
BARRY SOUTH
3007 E. TELFORD RD.
IDAHO FALLS, ID 83401

PROOF DUE NOTICE

RE: PERMIT NO. 25-07331

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

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECORDED

MAR 09 1990



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

RECEIVED

MAR 09 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

SOUTH, DAVID & BARRY
3007 E. TELFORD RD.
IDAHO FALLS, ID 83401

FEBRUARY 19, 1985

RE: PERMIT NO. 25-7331

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.

YOU SHOULD BE AWARE THAT THE GROUND WATER 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 GROUND WATER 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 FOR INTERFERENCE.

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 INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

MACROFILMED

RE: PERMIT 25-7331

PAGE 01
FEBRUARY 19, 1985

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

May 16, 1983

David & Barry South
3007 E. Telford Road
Idaho Falls, ID 83401

Dear Mr. South:

Enclosed are your applications for permit recently submitted to this office.

Unfortunately, the applications are not in form to receipt at this time. The filing fee for each application must be submitted and there are other problems with the legal description.

You may wish to make an appointment to come into the office to review the applications.

Please let me know if you have any questions.

Sincerely,

STEVE McCORMICK
Sr. Resource Analyst

SM:bp

Enclosures

38-111-20

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

*Proofed
By Phone
BP 7/13/83*

MICROFILMED