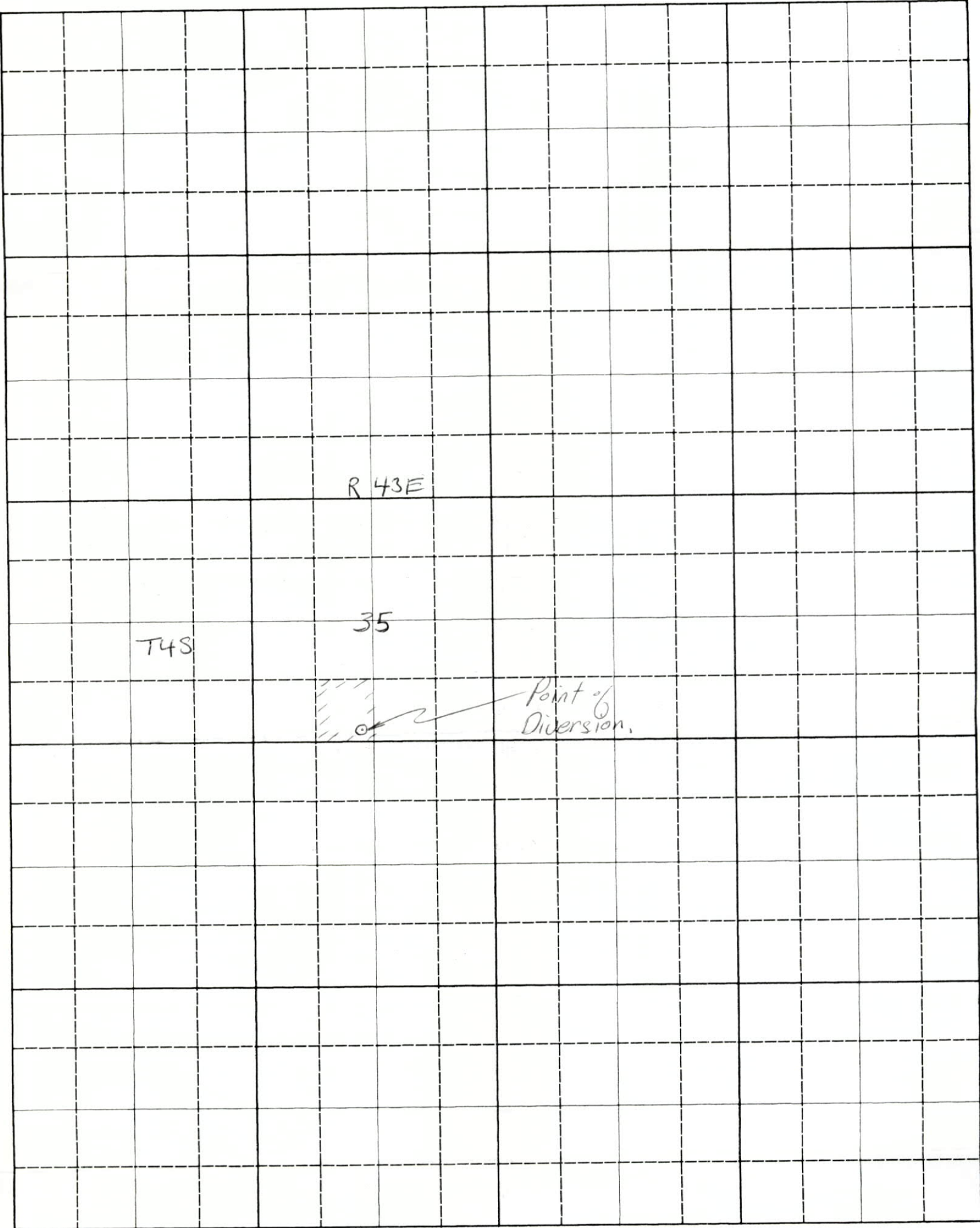


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

X Eric Burton
(Applicant)

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.

Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Idaho Falls, this 4th day of August, 1982.

[Signature]
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00 #22432 Received by OW Date 8-04-82

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19 _____.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 25-07290
1. Owner: C. LYLE OR BRENDA G. BURTON Phone No. (208) 574-2365
Current Address: 19 GRAYS LAKE ROAD, WAYAN, ID 83285
2. Accompanied by: _____ EXAM. DATE: 10-8-91
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: GROUNDWATER tributary to _____

RECEIVED
OCT 21 1991

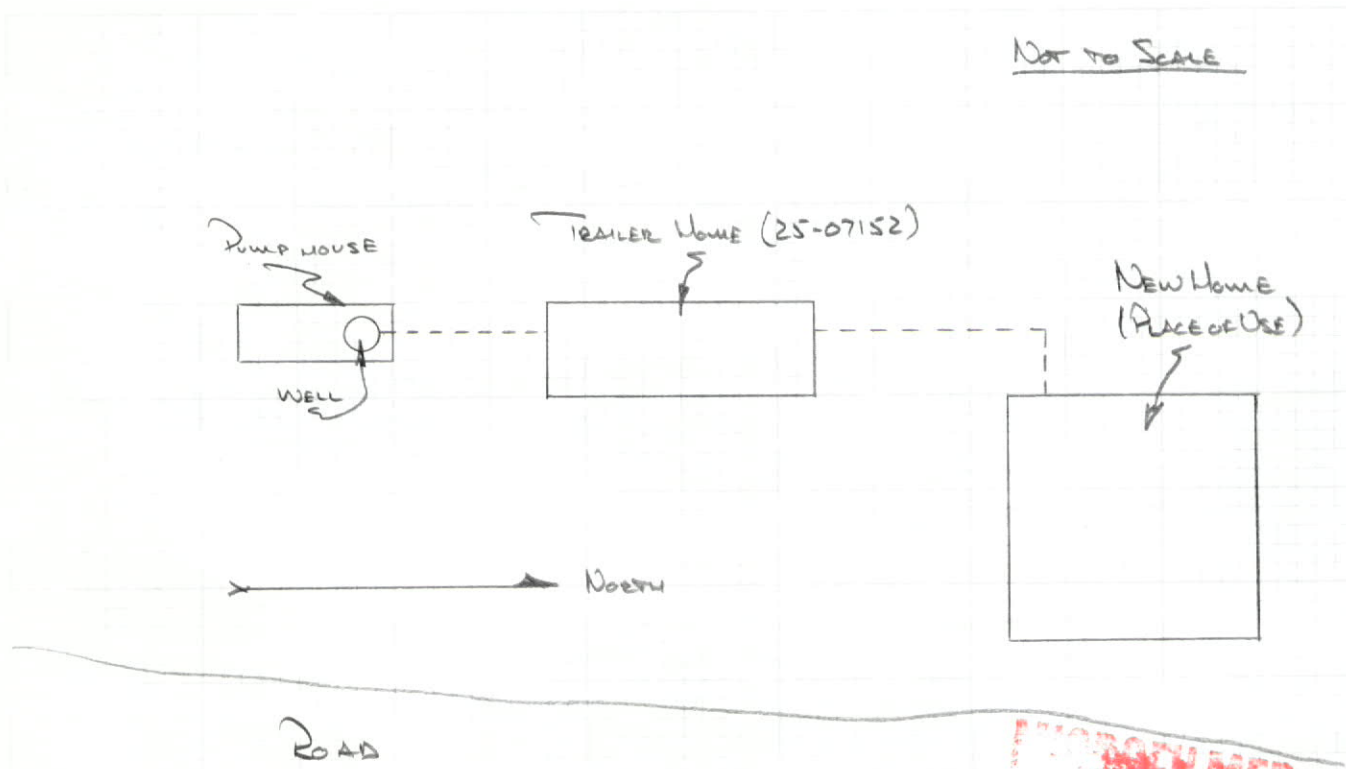
B. OVERLAP REVIEW

Department of Water Resources

1. Other water rights with same place of use: N/A ☐ Copies Attached
2. Other water rights with same point of diversion: 25-07152 (A25-13193) ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

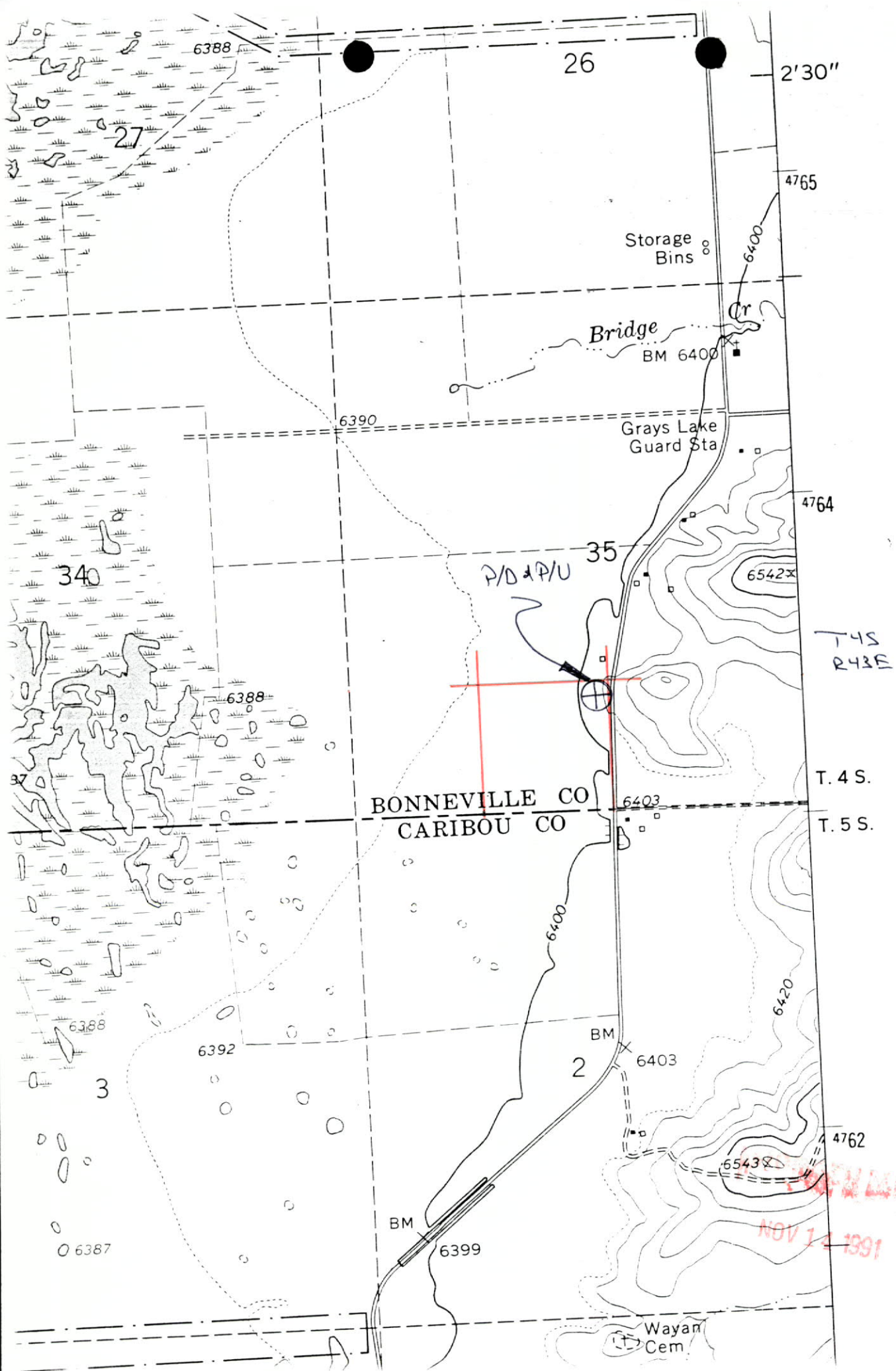
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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).

NOV 14 1991



25-07290



POINT OF DIVERSION



PLACE OF USE

UNCLASSIFIED

NOV 14 1991

25-07290

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07290

Priority: September 1, 1982

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:¹

0.6 AF

This is to certify, that C LYLE BURTON
BENDA BURTON

19 GRAYS LAKE RD
WAYAN ID 832850000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 1, 1982; and has submitted Proof of Beneficial Use on September 29, 1989. An examination indicates that the works have a diversion capacity of .050 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>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		SESW , Sec. 35, Township 04S, Range 43E BONNEVILLE County	

PLACE OF USE: DOMESTIC
TWN RGE SEC

04S 43E 35 SESW

CONDITIONS/REMARKS:

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

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 28TH day of OCTOBER, 1991.

NOT RECORDED

Acting for

R. Keith Higginson, Director

NOV 14 1991

RECEIVED

SEP 30 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

For Office Use Only

\$15 FEE Received by

Date 9-30-87

Receipt # 45287

Department of Water Resources To provide additional time in which to submit proof
of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 25-7290

Name(s) of Permit Holder: Burton C. Lyle & Benda

Post Office Address: HC 70 Box 4060, Wayan, Id. 83285

Telephone No. 374-2365

Date Proof is Due: Oct 1, 1987

Describe what work has been completed toward the development of this water right: Outside shell
(This must be filled out! If no work has been completed, show "none".)

of house is almost completed & water line to house
has been put in & an outside faucet installed.

Costing \$ abt \$40,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

lack of funds - we are building as we get
money to do the work, consequently progress has
been slow.

Permit holder(s) request an extension to Oct 1, 1992.
(1 yr. minimum)

B. Lyle Burton
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to October 1, 1989.

Signed this 20th day of October 1987.

A. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant C. Lyle &/or Benda Burton Phone 801-882-4184

Post office address Wayan, Idaho 83285

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35 Township 4S

Range 43E B.M. Bonneville County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.02 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. 0.02 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 & delivery 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 _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 60 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: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35 Township 4S

Range 43E 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: _____

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. 25-7152
for a single home and 60 head of cattle

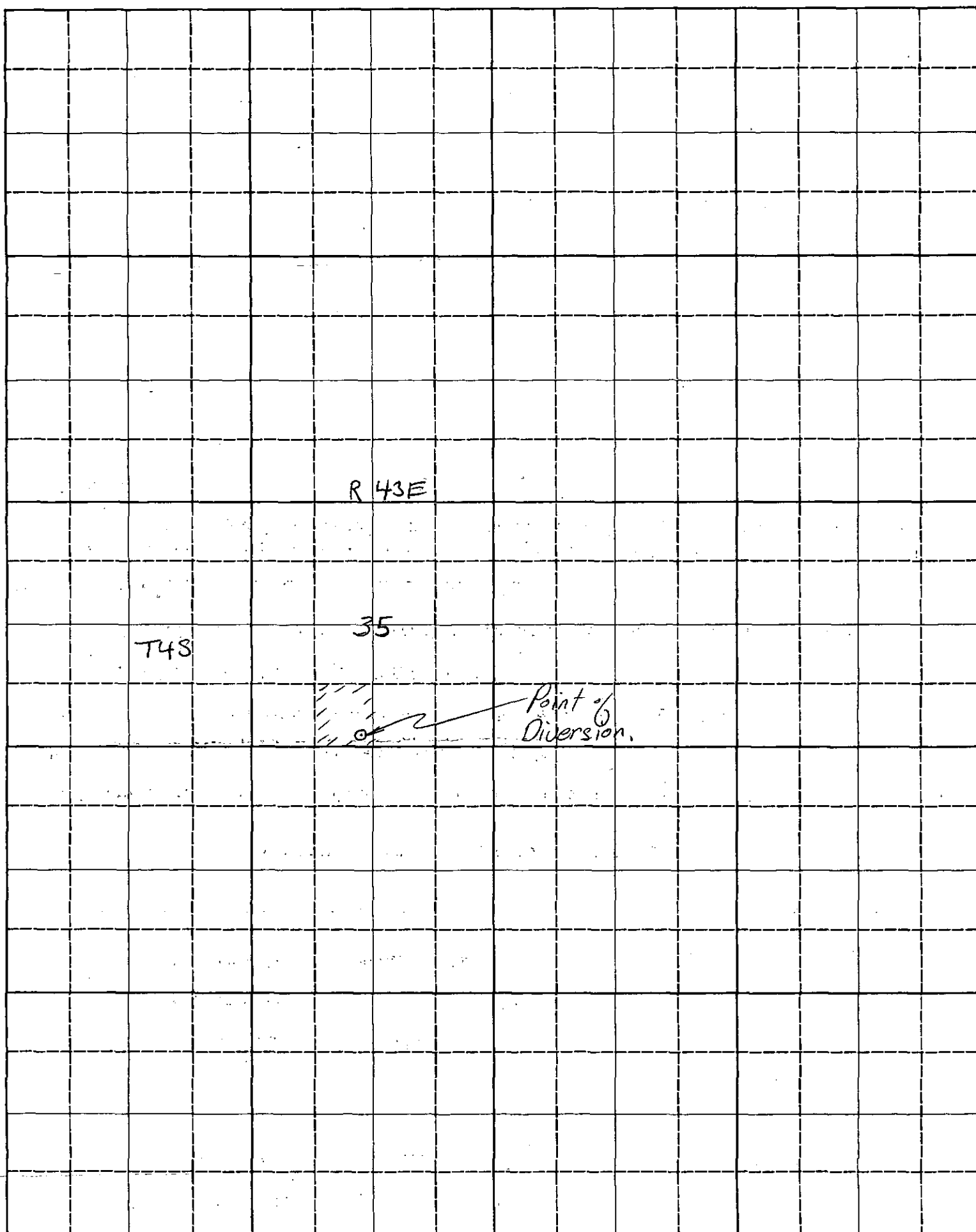
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks Two homes are being provided water from the same well. One
home is covered under permit 25-7152 and this application will
be appurtenant to the second home.

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.

X *C. Lyle Burton*
(Applicant)

Proposed Priority 9/01/1982

Received by CW

Date 9-01-82

Time 10:17A

Preliminary check by HWS

Fee \$ 10.00 + 20.00

Receipted by BP

Date 9/7/82

22487

Publication prepared by BP

Date 9/9/82

Published in Post Register

Publication dates 9/16 9/23/82

Publication approved CW

Date 10-06-82

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____

Date _____

Recommended for approval

denial

by mc

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. 25-7290, 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 October 1, 19 87.

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 21st day of October, 1982.

L. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now C. Lyle Burton &/or Benda G. Burton

of (address) Wayan, Idaho 83285, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 25-7152, and requests that the permit and permit map be changed as follows:

1. Point of diversion: _____ ¼ _____ ¼, Section _____, Township _____, Range _____, B.M.,
County of _____. Other points of diversion: _____
NO CHANGE

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount .06cfs for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum)

Amount .03cfs for Stockwater 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)

3. Place of use or land to be irrigated:

NO CHANGE

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or the 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: _____

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

N

R43E

35

PLACE OF USE

POINT OF DIVERSION

T4S

Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Idaho Falls, this 4th day of August, 1982.

[Signature]
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00 #22432 Received by OW Date 8-04-82

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19 _____.

Director

● Proof of Publication ●
The Post-Register

OCT 1 1982

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 16th day of September, 1982, last publication having been made on the 23rd day of September, 1982, 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 27th day of September, 1982.

Notary Public

My commission expires September 30, 1984.

B10, 1M,

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho;

25-7229

MORRIS, LEONA T. RT. 1, BOX 426, BLACKFOOT, ID 83221. Source: GROUNDWATER. Date Filed: 08/31/1982. Amount: 0.05 CFS. Diversion Point: NENE Sec 20 T 03S R 43E, BONNEVILLE Co. Use: STOCK-WATER (0.05 CFS) from 05/01 to 11/01. Place of Use: NENE Sec 20 T 03S R 43E. Diversion Means: WELL, PIPE-LINE TROUGH.

25-7230

BURTON, C. LYLE and/or BENDA WAYAN, ID 83285. Source: GROUNDWATER. Date Filed: 09/01/1982. Amount: 0.02 CFS. Diversion Point: SESW Sec 35 T 04S R 43E, BONNEVILLE Co. Use: DOMESTIC (0.02 CFS) from 01/01 to 12/31. Place of Use: SESW Sec 35 T 04S R 43E. Diversion Means: WELL, PUMP DELIVERY SYSTEM.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before OCTOBER 4, 1982.

A. KENNETH DUNN
Director

Published: 9/16 - 9/23/1982.

October 30, 1991

C LYLE BURTON
BENDA BURTON
19 GRAYS LAKE RD
WAYAN ID 832850000

RE: WATER RIGHT NO. 25-07290

Dear Water Right Holder(s):

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

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

RECEIVED
NOV 14 1991

LICENSE REVIEW CHECKLIST

Permit No. 25-7290

Name/Address change? ok ☒

Priority date Advance? yes no ☒
Memo to advance Order to reinstate needed? yes no ☒

Total cfs Limited by fee N/A
Limited by capacity —

Total volume Limited by flow —
Chart checked for AF rate/ac N/A

Capacity Actual measurement checked —
Theoretical checked —
If greater than permit, check for other rts —

Source Changed? yes no ☒
If so, is memo needed to clarify? —

P/D Verify with map — permit —
More than one per 1/4? Remember remark —
Check p/d overlap N/A

Uses Check irrigation period of use w/ chart N/A

P/U Verify with map — permit —
> 5 acres irrigated, run overlap N/A

Remarks More than one p/d in 1/4
Description of non-irrig uses —
Special overlap condition —

Conditions -

Measuring device —
W.Master control —
Overlap —
Water quality —
Other —

Dates/Misc. -

Water Dist —
App Rec'd —
Proof Rec'd —

Comments/Changes to Examiner's Recommendations:

License SC ☒ 10-day — 30-day —
Date 10/23/91 Review time 5 min.

NOV 14 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 25-07290

1. Owner: C. LYLE OR BRENDA G. BURTON

Phone No. (208) 574-2365

Current Address: 19 GEYSERS LAKE ROAD, WAYAN, ID 83285

2. Accompanied by: _____

EXAM. DATE: 10-8-91

Address: _____

Phone No. 741-1111

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

RECEIVED
OCT 21 1991

B. OVERLAP REVIEW

Department of Water Resources

1. Other water rights with same place of use: N/A

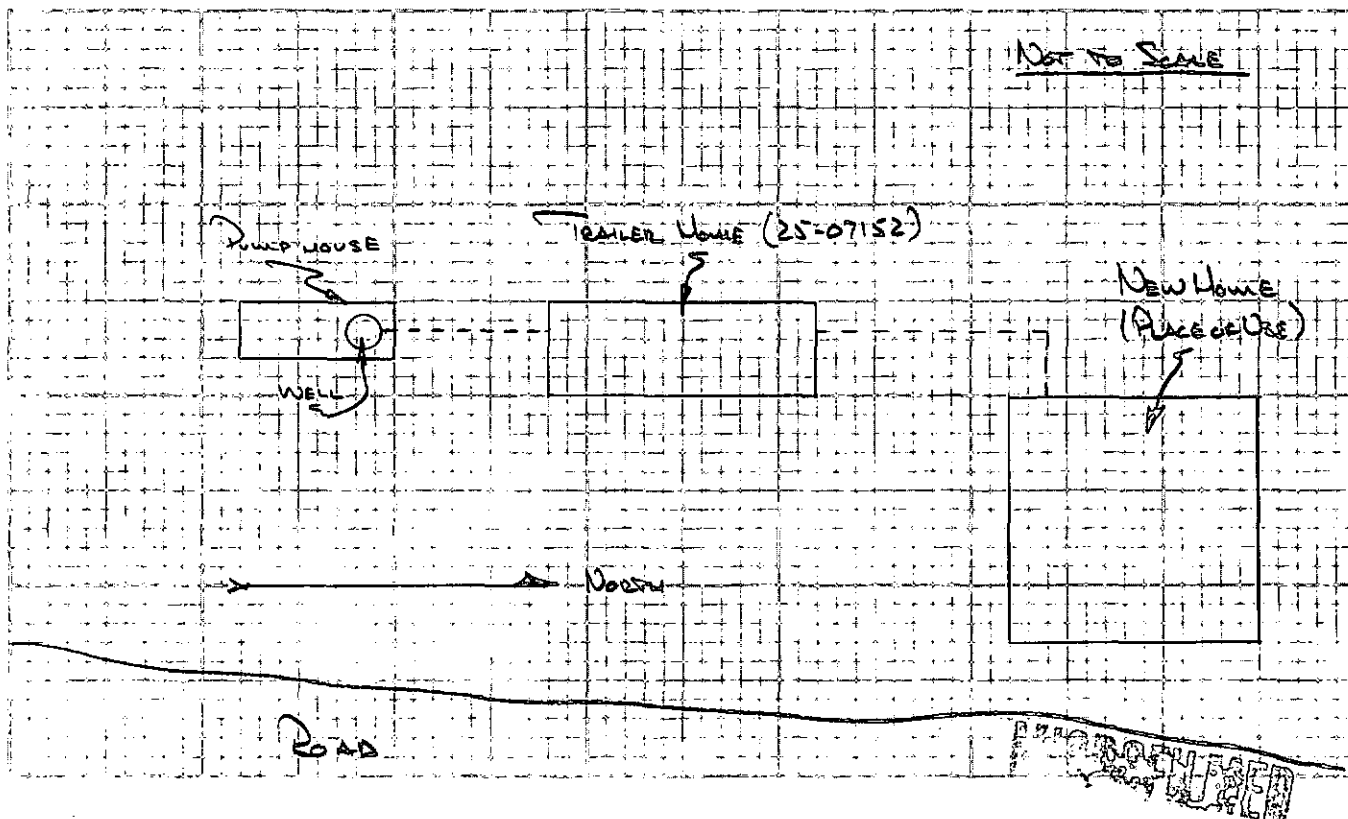
☐ **Copies Attached**

2. Other water rights with same point of diversion: 25-07152 (A25-13193)

☐ 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).

NOV 14 1991

System Description (continued)

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

WELL AND PUMP WITH MAINLINE TO TRAILER HOME AND NEWLY CONSTRUCTED SINGLE FAMILY HOME. TRAILER HOME IS LICENSED UNDER 25-07152

☐ 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
	RED JACKET	3/4 HP	SUBMERSIBLE		

*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
		NE	SE	SW	35	4S	43E	BONNEVILLE	USGS, NAPP 318-123 (9-10-87)

6. Place(s) of Use:

Indicate Method of Determination USGS NAPP

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	
4S	43E	35												D					

Do not use this space

NOV 14 1991

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

N/A

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$\begin{aligned} & \text{THEORETICAL} \\ & \text{(ASSUME 20' STATIC H}_2\text{O + 30 PSI)} = \frac{(\frac{3}{4}) \text{ HD } \times 8.814 \times 0.70}{20' + (2.308 \times 30)} = 0.052 \text{ cfs} \end{aligned}$$

2. Alternate Method for Checking Purposes:

RECOMMEND 0.02 cfs - LIMITED BY PERMIT

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:

RECOMMEND 0.6 ARA AS PER IDWR SDA.

NOV 14 1991

H. REMARKS AND OVERLAP REVIEW ANALYSIS

* 10-1-91: CALLED MR. BUCKEN AND RECEIVED PERMISSION FOR ON SITE
EXAM AT EXAMINER'S CONVENIENCE. PEN

POINT OF DIVERSION SHARED WITH 25-07152. NO OVERLAP WITH D/O.

Licensed amt for 25-7290 + 25-7152 are non-additive.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOMESTIC	01/01	12/31	0.02	0.6
Totals:			0.02	0.6

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 PAUL R. MEYER

Signature [Signature]

Certification Date _____

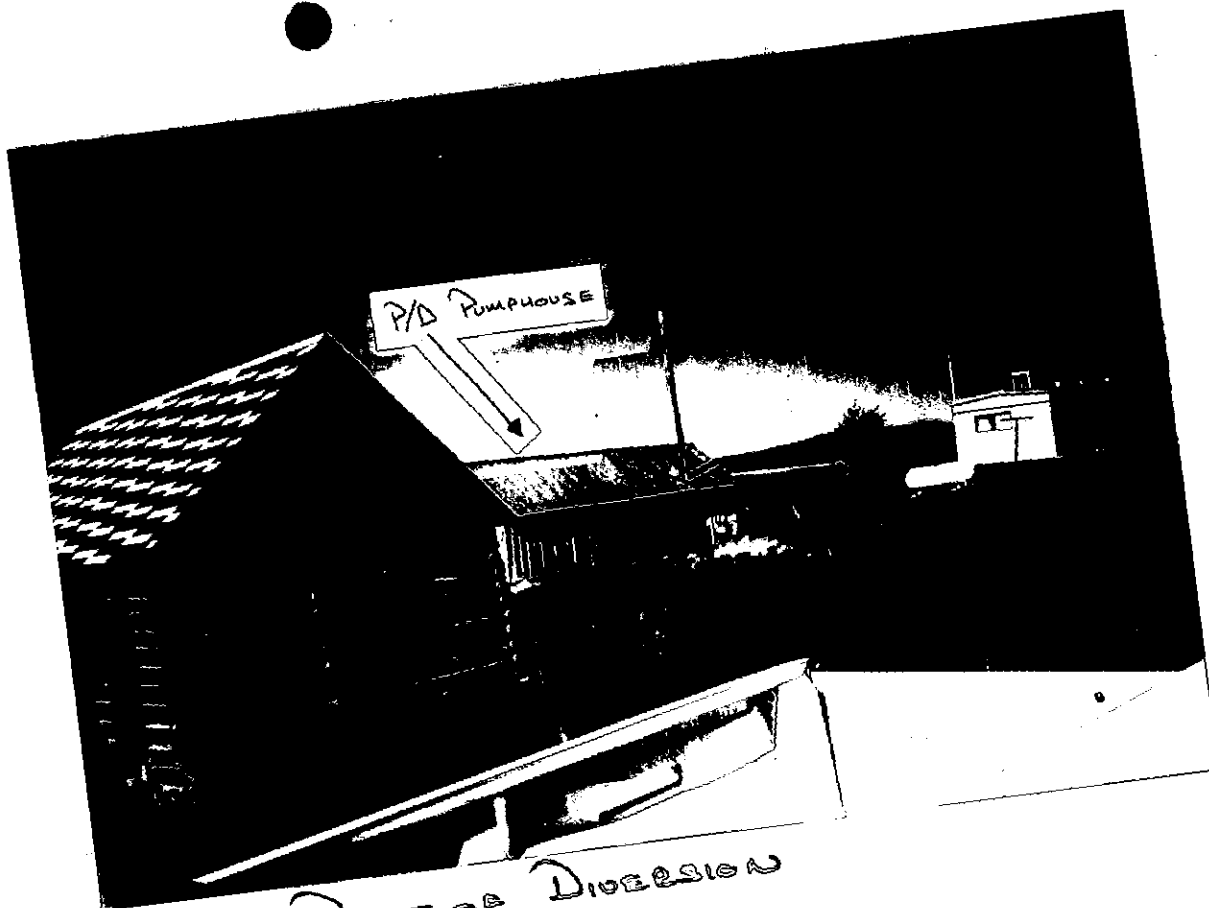
Field Report Preparation Date 10-16-91

CONSULTANT SEAL

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

RECEIVED

NOV 14 1991



POINT OF DIVERSION



PLACE OF USE

NOV 14 1991

25-07290

October 16, 1989

C. LYLE BURTON
BENDA BURTON
HC 70 BOX 4060
WAYAN, ID 832850000

RE: PERMIT NO. 25-07290

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

RECEIVED
OCT 18 1989

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 25-7290

Date: 10-13-1989

General Considerations:

✓ Name same as permit
✓ Signature the same as permit holder
✓ Address change _____ If yes, prepare a data entry
✓ Proof received timely
✓ 1/6 Reinstated

Source of Water:

✓ Surface water
✓ Groundwater
 1. well log in file (*no microfilm*)
 2. drilling permit
 A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

✓ Rate of diversion appropriate for uses
✓ Is rate or volume and fee appropriate?
✓ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

✓ Is a measuring device or access port required?
✓ Has one been installed?
✓ Waiver or modification of measuring device requested

Remarks:

*Well in existence in 1982
Proof acceptable*

✓ Priority Calculation:

Date proof received _____

Date proof due _____

No. of days late _____

Priority date _____

NEW PRIORITY DATE _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

- address change

Form 10
03/88

RECEIVED

SEP 29 1989

Department of Water Resources
Eastern District Office

RECEIVED
OCT 03 1989

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received -0-
Date 9-29-89
Receipt #
Receipt by
Reviewed by
Sent to region 10/16-89

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 25-07290

Name(s) of Permit Holder: C. Lyle Burton, Benda Burton

Post Office Address: 19 Grays Lake Rd., Wayan, Id. 83285

Telephone No. 574-2365

Source of Water: Well

Extent of Use:

Domestic 1 (number of households) Stockwater (number and type of stock)
Irrigation (acres) Other/Remark

Total rate and/or volume for which proof is submitted .02 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: Sept. 26, 1989

Measuring Device: Required? Yes X No
Installed? Yes No
Fee enclosed \$
(See License Examination Fee Schedule)

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

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

Ellen Carney 574-2275
(Name) (Telephone Number)

3879 Hwy. 34, Wayan, ID. 83285
(Address)

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

RECEIVED

9/26/89

Date

C. Lyle Burton OCT 18 1989
Signature of Permit Holder (and title, if appropriate)

C. LYLE BURTON
BENDA BURTON
HC 70 BOX 4060
WAYAN, ID 832850000

July 31, 1989

138464

PROOF DUE NOTICE

RE: PERMIT NO. 25-07290

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 October 1, 1989. (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,

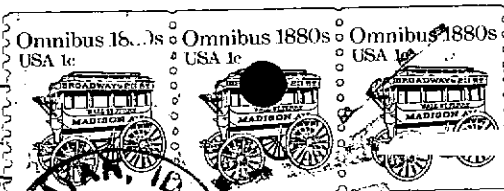
Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED

OCT 1 1989

C Lyle Weston
HC 70 Box 4060
Wayan, Id. 83285



RECEIVED

AUG 16 1985



MICROFILMED

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

OCT 18 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 25-7290

Name(s) of Permit Holder(s): Burton C Lyle & Benda

Post Office Address: HC 70 Box 4060

Tel. No. _____

☒ I hereby certify that construction of diversion works for the above referenced permit began on Aug 1984 (date). I understand that I 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.

Aug 14, 1985
Date

[Signature]
Signature of Permit Holder

October 21, 1987

C. Lyle & Brenda Burton
HC 70 Box 4060
Wayan, ID 83285

Dear Mr. and Mrs. Burton:

Re: Permit No. 25-7290

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to October 1, 1989.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED
MAR 08 1988

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 25-7290Reviewed by ryDate 10-20-1987

BASIC INFORMATION

yes Date stamp received
yes Extension received timely
 (not prior to 6 month before proof due date or after reinstatement period)
yes Fee received and receipted
yes Name and signature same as permit
yes Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
yes Has the cost incurred been adequate to demonstrate an intent to complete the project?
NA Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

NA Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN - *Recommend approval based on due diligence for 2 years*

Special conditions or remarks:

NA Reinstatement Date extension received _____ = _____
 Proof due date _____ = _____
 No. of days late _____ = _____
 Priority date _____ = + _____
 ADJUSTED PRIORITY DATE _____ = _____

yes Prepare coding sheet
yes Change rolodex cardf



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

CECIL D. ANDRUS
Governor

A. KENNETH DUNN R. Keith Higginson
Director

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

EXTENSION OF TIME

October 7, 1987

Ellen B. Carney
HC 70, Box 4060
Wayan, ID 83285

PERMIT NO. 25-7290, C. Lyle &/or Benda Burton

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 45287.

Roberta Garrett
Records Supervisor

Enclosure

MAILED
MAR 08 1988

138800
CERTIFIED MAIL
July 31, 1987

BURTON, C. LYLE & BENDA
WAYAN, ID 83285

PROOF DUE NOTICE

RE: Permit No. 25-7290

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 October 1, 1987. (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 completed 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

MAR 08 1988



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

INDEXED
FILMED

MAR 08 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

BURTON, C. LYLE & BENDA
WAYAN, ID 83285

NOVEMBER 09, 1982

RE: PERMIT NO. 25-7290

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 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.

SINCERELY,

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

ENCLOSURE



State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

APPLICATION NUMBER: 25 7290

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.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☒ Yes ☒ No
☒ Yes ☒ No

Platted by: _____ Map No. _____
Other rights on same place of use. 25-7152 from same pd

- ☒ Yes ☒ No*

In form for advertising.
Final date for protests: Oct 4, 1982
Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 10-01-82
☒ 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? _____

9-01-82

Date of priority recommended.

Special conditions of approval or cover letter. _____

Case #26

By: Ernest Carlson

Date: Oct 7, 1982.

STATE OFFICE-REVIEW:

return receipt

SLW/LIT

26

- ☐ See attached sheet for more information.

By: [Signature]

Date: 10/13/82

RECEIVED
OCT 13 1982

OCT 3 1985

RECEIVED

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

SEPTEMBER 9, 1982

The Post Register
P. O. Box 1800
Idaho Falls, Idaho 83401

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 billings to this office before OCTOBER 4, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

SEP 14 1982

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before OCTOBER 4, 1982.

A. KENNETH DUNN

Director

Published 9/16 & 9/23/82.

25-7290.

BURTON, C. LYLE &/or BENDA

WAYAN, ID 83285

Source: GROUNDWATER

Date Filed: 09/01/1982

Amount: 0.02 CFS

Diversion Point: SESW Sec 35 T 04S R 43E, BONNEVILLE Co.

Use: DOMESTIC (0.02 CFS) from 01/01 to 12/31

Place of Use: SESW Sec 35 T 04S R 43E

Diversion Means: WELL, PUMP & DELIVERY SYSTEM

MAILED
SEP 17 1982

Proofed
9/16/82

August 12, 1982

Mr. & Mrs. Ly Lyle Burton
Wayan,
Idaho 83285

RE: Application for amendment of License #25-7152

Dear Mr. & Mrs. Burton:

It is my understanding that the well authorized under license 25-7152, ~~known~~, or will be supplying culinary water to two homes, and therefore you wanted to increase the amount of water for domestic purposes on your permit from 0.04cfs to 0.06cfs to cover the second home. Unfortunately, Idaho Law prohibits the expansion of a right. A more appropriate method of establishing a right on the second home would be to file another application for permit for the additional water.

For your convenience, we have prepared a new application for the second home and enclosed it for your signature. We will apply the \$20.00 ~~check~~ ~~receipted~~ toward the \$30.00 filing fee, so you only need to submit another \$10.00 when you return the signed application.

If the application and additional money have not been received by Aug. 30, 1982, we will void your amendment application and ask the state auditor to refund your \$20.00.

I apologize for the confusion and appreciate your cooperation in this matter.

Respectfully submitted,

ERNEST M. CARLSEN
Assistant Regional Supervisor

EMC:bp

Enclosure