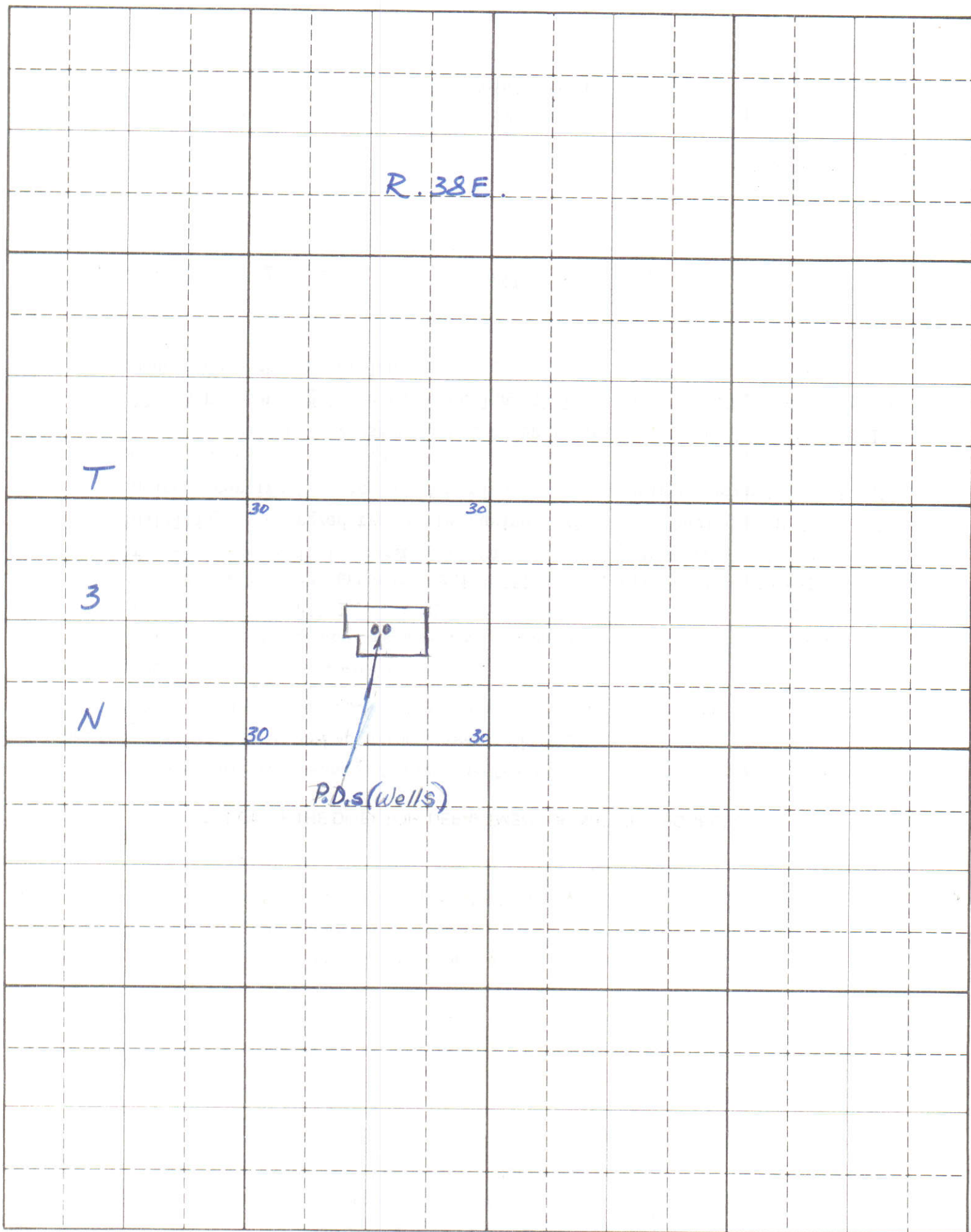


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Schuyler L. Bradley
(Applicant) Schuyler L. Bradley, President
MICROFILMED

Proof of Publication
The Post-Register

RECEIVED

FEB 21 1978

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 2nd day of February, 1978, last publication having been made on the 9th day of February, 1978, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 14th day of February, 1978

Karey Hale
Notary Public

My commission expires April 5, 1979

B10, 1M

cw
**NOTICE OF APPLICATION
FOR WATER PERMIT**
Notice is hereby given that East River Commons Home Owner Association, Schuyler L. Bradley, President, Idaho Falls, Idaho has on 1-23-78 submitted Application No. 25-7143 for a permit to appropriate 1.42 cubic feet per second of water from ground-water sources by means of wells and pumps within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ (2 pts.), Sec. 30, T. 3N, R. 38E, B.M., Bonneville County; to be used from Jan. 1 to Dec. 31 for domestic purposes for 20 families and stockwatering purposes for 40 horses and 40 cows within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 3N, R. 38E, B.M., and from Apr. 1 to Nov. 1 for the irrigation of 50 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 3N, R. 38E, B.M.
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before February 20, 1978.
C. Stephen Allred
Director
Published in the Post-Register, Idaho Falls, Idaho on February 2 and February 9, 1978.
mc

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 13 1990
Department of Water Resources

A. GENERAL INFORMATION

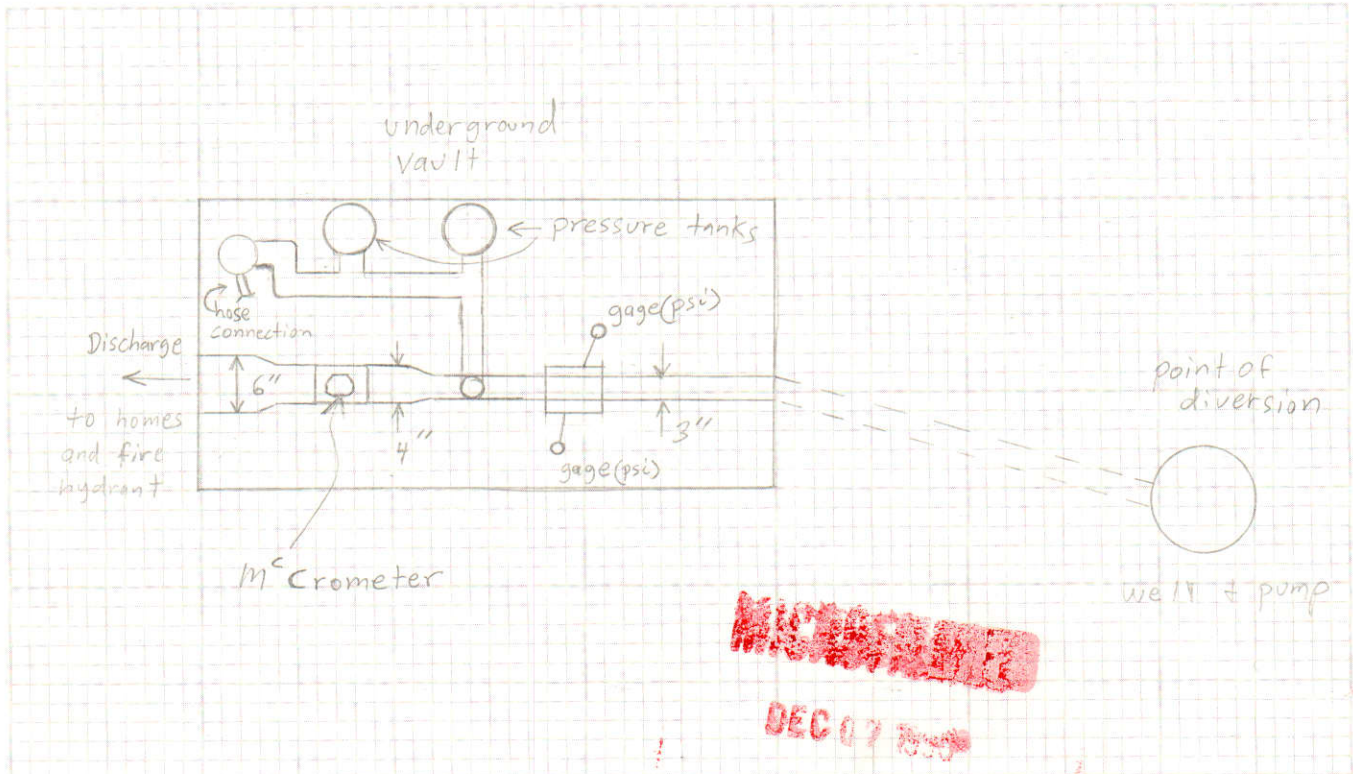
1. Owner: Schuyler L. Bradley, East River Commons Home Owner Assoc. Permit No. 27143
Current Address: 1266 Huston, Idaho Falls, Id. 83401 Phone No. 523-3421
2. Accompanied by: Arthur W. Brown EXAM. DATE: 6-9-89
Address: 201 Commons Rd. Idaho Falls Id. 83401 Phone No. 522-8977 (home)
526-1410 (work)
Relationship to Permit Holder: part-owner
3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ 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). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

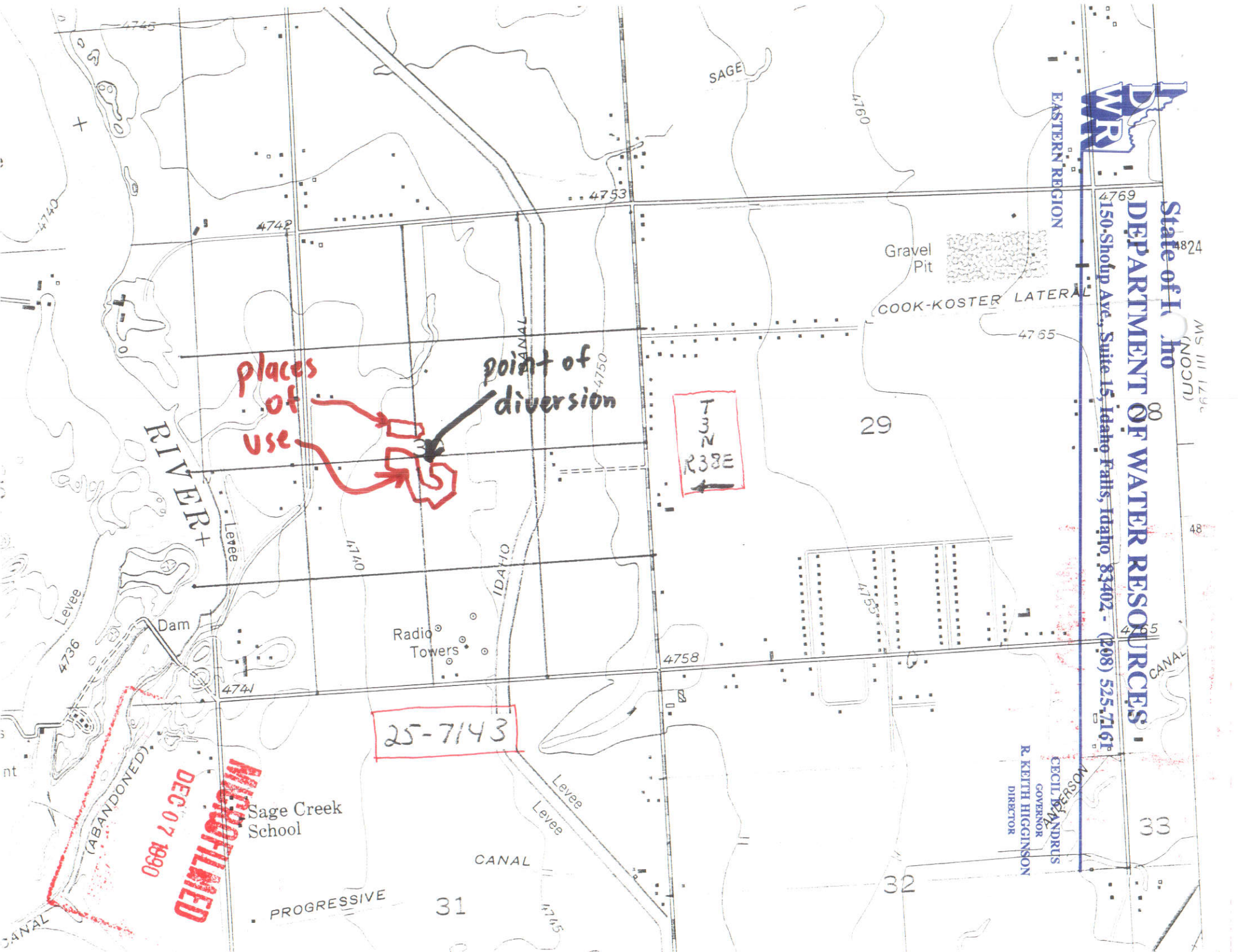


EASTERN REGION

State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR



places of use

point of diversion

T3N
R38E

25-7143

MICROFILMED
DEC 07 1990

Sage Creek School

PROGRESSIVE

CANAL

31

32

33

EAST RIVER COMMONS

A PLANNED UNIT DEVELOPMENT

BONNEVILLE COUNTY, IDAHO
A PORTION OF SEC. 30 T. 3 N. R. 38 E. B. M.
ELLSWORTH ENGINEERING, INC.
IDAHO FALLS, IDAHO

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

IDAHO TITLE & TRUST CO.

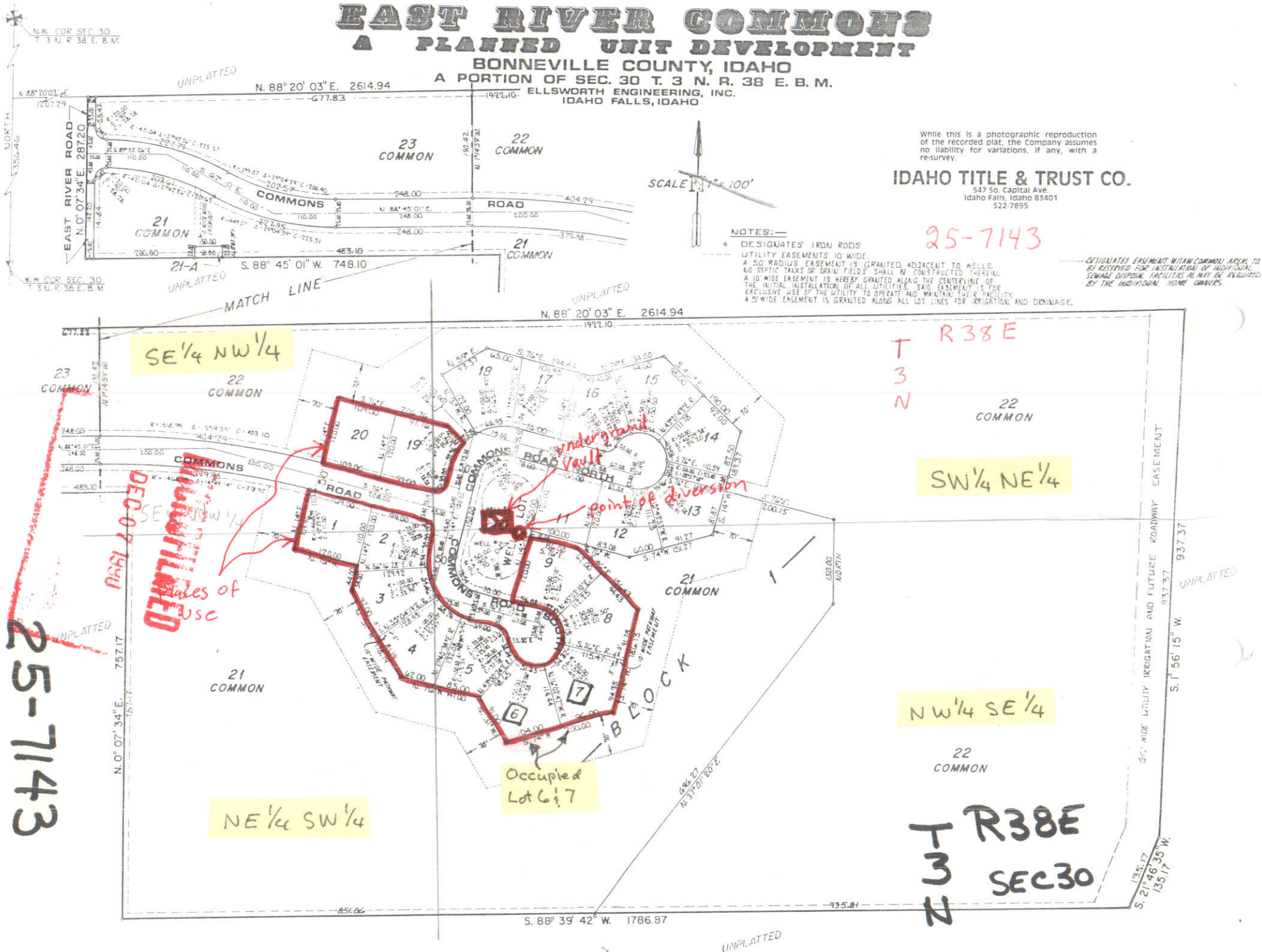
547 So. Capital Ave.
Idaho Falls, Idaho 83401
522-7895

SCALE 1" = 100'

NOTES:—

- DESIGNATES IRON RODS
- UTILITY EASEMENTS 10' WIDE.
- A 50' RADIUS EASEMENT IS GRANTED ADJACENT TO WELLS.
- NO SEPTIC TANKS OR DRAIN FIELDS SHALL BE CONSTRUCTED THEREIN.
- A 10' WIDE EASEMENT IS HEREBY GRANTED ALONG THE CENTERLINE OF THE INITIAL INSTALLATION OF ALL UTILITIES. SAID EASEMENT IS FOR EXCLUSIVE USE OF THE UTILITY TO OPERATE AND MAINTAIN THEIR FACILITY.
- A 5' WIDE EASEMENT IS GRANTED ALONG ALL LOT LINES FOR IRRIGATION AND DRAINAGE.

DESIGNATES EASEMENT WITHIN COMMONS AREAS TO BE RESTORED FOR INSTALLATION OF INDIVIDUAL SEWAGE DISPOSAL FACILITIES AS MAY BE REQUIRED BY THE INDIVIDUAL HOME OWNERS.



25-7143

SE 1/4 NW 1/4

UNPLATTED
DECEMBER 1990
Notes of Use

NE 1/4 SW 1/4

Occupied Lot 6 & 7

underground vault
point of diversion

SW 1/4 NE 1/4

NW 1/4 SE 1/4

T 3 N
R 38 E
SEC 30



25-7143

MICROFILMED

DEC 07 1990

25-7143

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07143

Priority: March 12, 1978

Maximum Diversion Rate: 0.16 CFS
Maximum Diversion Volume:¹ 13.2 AF

This is to certify, that EAST RIVER COMMONS HOME OWNER ASSN.
C/O JOHN M. RYSKAMP, PRES.
189 COMMONS RD.

IDAHO FALLS, ID 83401 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 24, 1978; and
has submitted Proof of Beneficial Use on May 18, 1988. An examination indicates
that the works have a diversion capacity of .190 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	0.16 CFS	13.2 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 30, Township 03N, Range 38E
BONNEVILLE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03N 38E 30

NESW

SWNE
NWSE

SENE

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 11 homes.

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DEC 17 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07143

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 13th
day of NOVEMBER, 1990.

Acting for R. Keith Higginson, Director

MICROFILMED

DEC 07 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 25-7143 IN THE
NAME OF EAST RIVER COMMONS HOME OWNERS ASSOC.

ORDER OF REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before April 1, 1988; and,

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

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

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on May 18, 1988;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 25-7143 be REINSTATED and the priority advanced to March 12, 1978.

Dated this 23rd day of September, 1988.

RECEIVED

SEP 30 1988


L. GLEN SAXTON
Chief, Operations Bureau

For Office Use Only
Fee Received <u>25576</u>
Date <u>3/29/83</u>
Receipt # <u>25576</u>

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 29 1983

REQUEST FOR EXTENSION OF TIME

Department of Water Resources
Eastern District Office

To provide additional time in which to submit
proof of beneficial use on a water right permit

East River Commons Home Owners Association, Rt 6, 189 Commons Rd
(Name) (Address)
Idaho Falls ID
83401

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 25-7143.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before April 1, 1983.

That he has heretofore performed the following work described under said permit:

(This must be filled out! If no work has been completed put none.)

Completed September 1980: 1) 10" well to 175'
2) 5 Hp pump, 3) Control valve + vault w Pressure Tanks,
4) Water Distribution System to 11 lots.

Commenced
work

Costing \$ 28,921.30

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

1. Only two lots have sold w Two houses. System
Poor Real Estate market is reason for inability to
use entire amount of water requested.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to April 1, 1988
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Stephen L. Bradley
(Signature)
*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to April 1, 1988.

Signed this 13 day of April, 19 83.

J. Glen Sayton
Chief, Operations Bureau

April 5, 1983

East River Commons
Home Owners Assoc.
Rt. 5, B89 Commons Rd.
Idaho Falls, ID 83401

ATTN: Schuyler Bradley

Dear Mr. Bradley:

Please find enclosed departmental receipt #25576 in the amount of \$15.00.

This receipt is for the check you submitted for the request for extension of time on Permit No. 25-7143.

Sincerely,

BARBARA L. POWERS
Secretary

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 25-7143

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

RECEIVED

SEP 30 1988

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

Identification No. _____

Application No. 25 7143

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

- Schuyler L. Bradley,
1. Name of applicant East River Commons Home Owner Assoc. Phone: 523-3426
post office address 1266 Huston, Idaho Falls, Idaho 83401
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is 2 pts. NW ¼ of SE ¼ of Section 30 Township 3N
Range 38E B.M. Bonneville County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼
of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.00 for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.40 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.42 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2 wells, 2 pumps, pressure system
and sprinkler 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 during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 12 inches; proposed depth of well is 250 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 40,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW NE ¼ of SE ¼ of Section 30 Township 3N
Range 38E B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 40 horses, 40 cows
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 20.
(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 50

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

Rights within Idaho Irrigation District

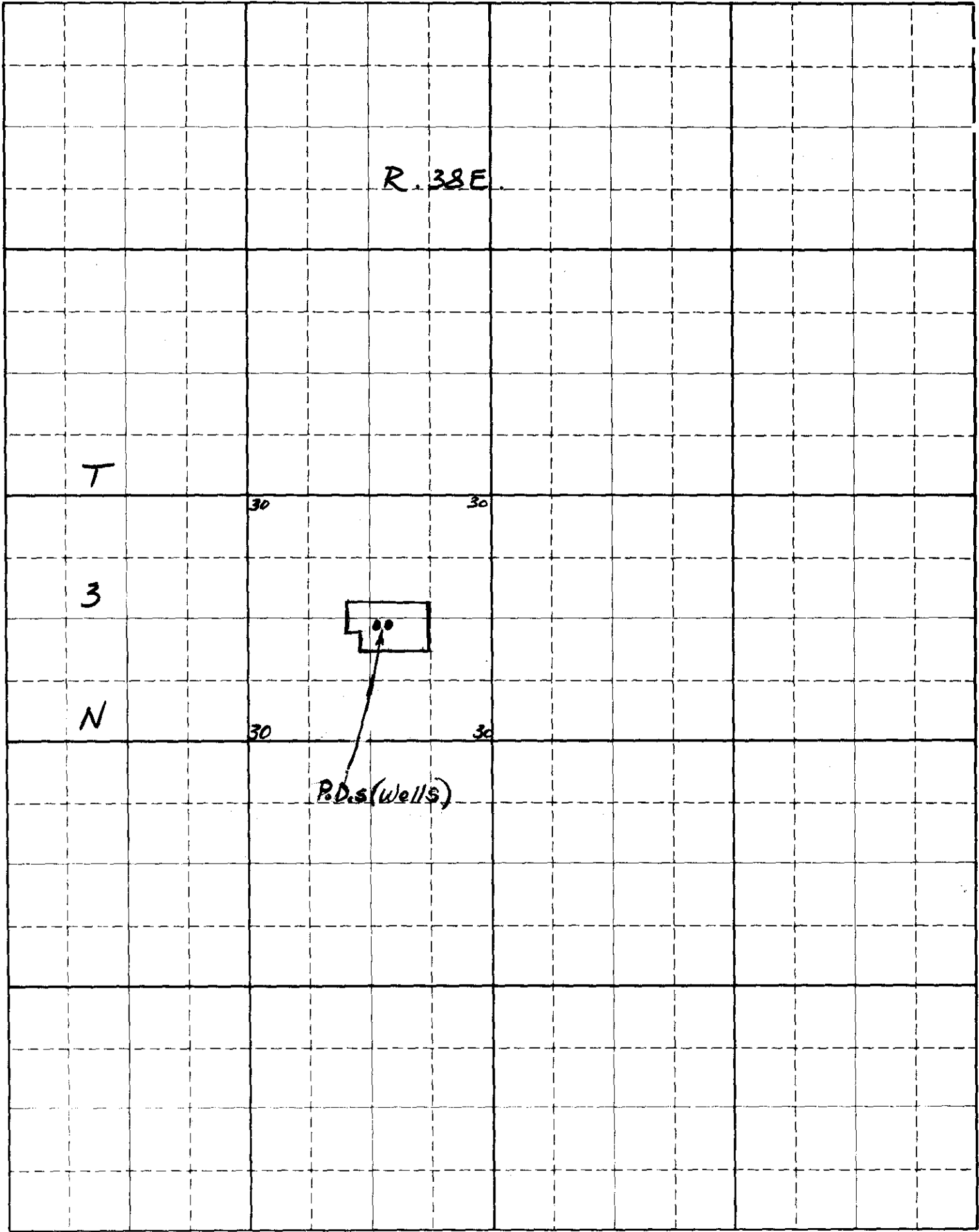
9. a. Who owns the property at the point of diversion East River Commons Home Onwers Assoc.

- b. Who owns the land to be irrigated or place of use _____ Same

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

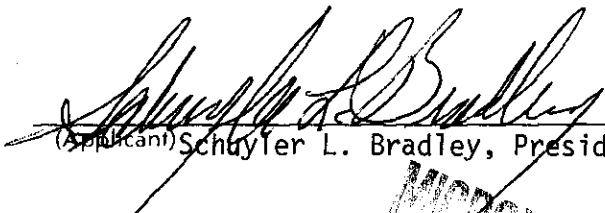
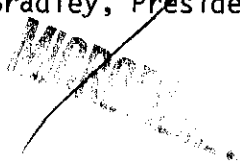
10. Remarks

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.


(Applicant) Schuyler L. Bradley, President


Proposed Priority 1/24/78

Received by me Date 1-23-78 Time 10:33a.

Preliminary check by AKK Fee \$ 35.00

Received by me Date 1-24-78 # 9184

Publication prepared by me Date 1-24-78

Published in The Post Register

Publication dates Feb. 2 + Feb. 9, 1978

Publication approved me Date Feb. 21, 1978

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by jo

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. 25-7143, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 83.

c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 4TH day of April 19 78.

Norman C Young
Administrator

November 14, 1990

EAST RIVER COMMONS HOME OWNER ASSN.
C/O JOHN M. RYSKAMP, PRES.
189 COMMONS RD.
IDAHO FALLS, ID 83401

RE: WATER RIGHT NO. 25-07143

Dear Water Right Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

RECEIVED
DEC 17 1990

LICENSING CORRESPONDENCE

10-DAY PRE-LICENSE

Signature S ____

30-DAY PRE-LICENSE

Signature S ____

15-DAY REMINDER LETTER

Signature S06

FINAL COVER LETTER

149

Signature S05

MEMORANDUM

TO: File 25-7143
FROM: Sharla
DATE: October 29, 1990
RE: Address Change

Per a telephone conversation with the president of the East River Commons Home Owners Assn., Mr. Ryskamp, the address listed for this right should be to his attention since Mr. Brown is deceased. The address has been changed as follows:

East River Commons Home Owner Assn.
c/o John M. Ryskamp, Pres.
189 Commons Rd.
Idaho Falls, ID 83401

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DEC 07 1990

October 2, 1990

EAST RIVER COMMONS HOME OWNER ASSN.
C/O ARTHUR BROWN, VICE PRES.
201 COMMONS RD.
IDAHO FALLS, ID 83401

RE: PERMIT NO. 25-07143

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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DEC 07 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

25-7143
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☐ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☐ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index Y.S. 5/30/89 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index Y.S. 5/30/89 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☒ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Jimmy L. White 8-10-89 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent RCW 8/15/89 (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 13 1990
Department of Water Resources

A. GENERAL INFORMATION

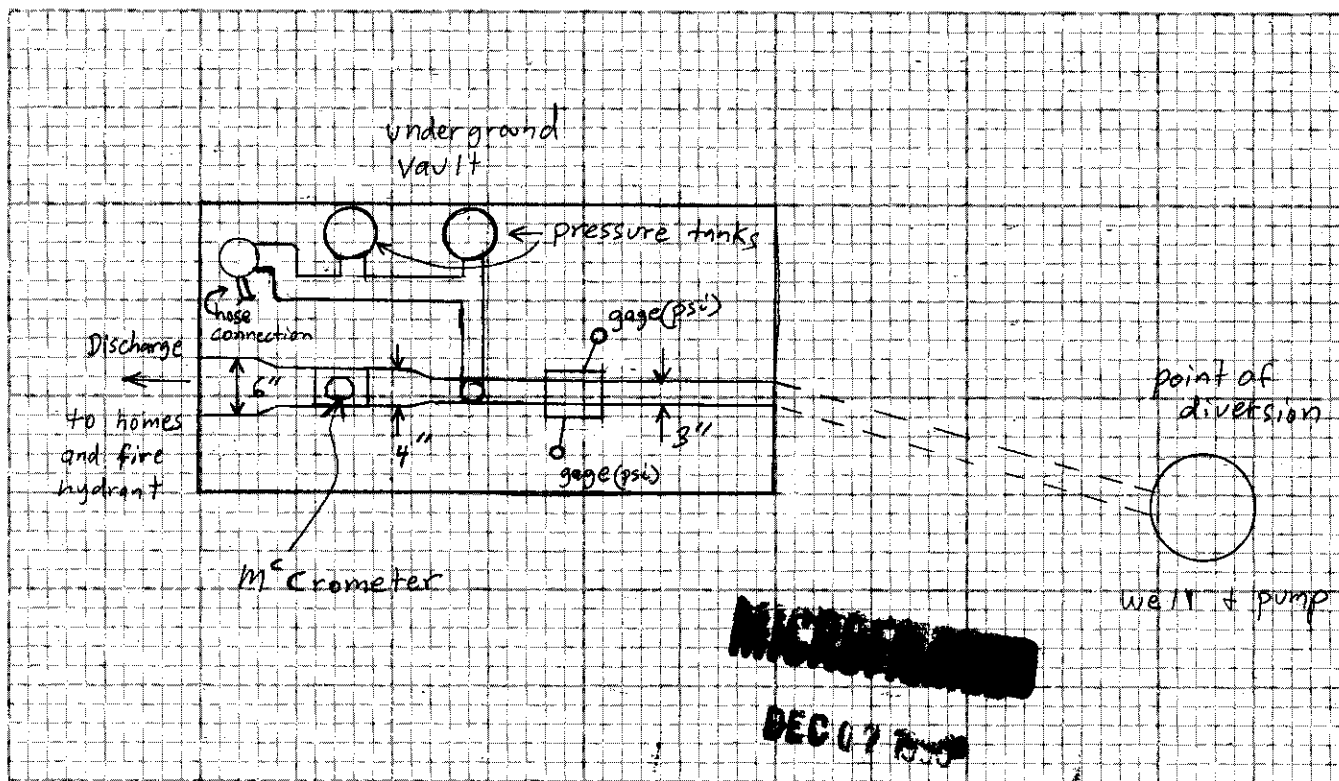
1. Owner: Schuyler L. Bradley, East River Commons Home Owner Assoc. Permit No. 207143 Phone No. 523-3421
Current Address: 1266 Huston, Idaho Falls, Id. 83401
2. Accompanied by: Arthur W. Brown EXAM. DATE: 6-9-89
Address: 201 Commons Rd. Idaho Falls Id. 83401 Phone No. 522-8977 (home)
526-1410 (work)
Relationship to Permit Holder: part - owner
3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ 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 40 acres or more).

System Description (continued)

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

Well pump to pressure delivery system to
houseing lots stubed-in + Fire hydrant
- denning well drilling put ~~static~~ system
* (denning well drilling verified 5 hp pump) ~~23-4600~~ 23-4600

Set at 66 gpm @ 60 psi

lots 1-9 + 19 + 20 are stubed-in

Static water level 105' , 5 Hp pump , setting ~~35-55 psi~~ ^{35-55 psi}

☐ 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
	—	5	—	Meyers	70P4502-A

*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
			NW	SE	30	3N	38E	Bonneville	maps / 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	30			D					D	D					D			

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DEC 1 1991

Do not use this space

Do not use this space

RECEIVED

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Totalizing meter		Mecrometer		80-4-1067	0-800 GPM	

2. Measurements:

Mecrometer reading 00.11895 (couldn't open lines to check discharge)
 OPERATING Pressure 28psi - 49psi

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$$Q_{Theor.} = \frac{hp (8.814) (eff)}{1.47 + psi (2.308)} = \frac{(5) (8.814) (0.8)}{105 + [35 (2.308)]} = 0.19 cfs \quad \begin{matrix} @ 55psi \\ @ 28psi \\ (range 0.16 - 0.21 cfs) \end{matrix}$$

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 = _____ (8)

Panel Input HP: (8) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9836 =$ _____

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

2. Volume Calculations for Other Uses:

$$V_d = (1.2) (11) = 13.2 \text{ afg}$$

DEC 07 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

limited to 0.156 cfs, this is for 11 houses served for domestic use; this is done because each lot is 0.3 acres with 0.2 acres irrigated, which is less than $\frac{1}{2}$ acre.

lots 6 & 7 have houses built on them at this time

Domestic includes ^{up to} $\frac{1}{2}$ acre of irrigation for each unit (≈ 2.2 ac irrigated)

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
domestic (11 units)	1-1	12-31	0.156	13.2
Totals:			0.156 cfs	13.2 afa

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name Larry L. Waters
Signature Larry L. Waters
Certification Date _____
Field Report Preparation Date 6-13-89

CONSULTANT SEAL

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

6-25-90
MICROFILMED

DEC 17 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL B. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Gravel Pit

COOK-KOSTER LATERAL

T 3 N
R 38 E

point of diversion
places of use

RIVER

Radio Towers

25-7143

Sage Creek School

MICROFILMED
DEC 07 1990

Dam

PROGRESSIVE

31

32

33

MS III 1796
(UCON)

48

CANAL

40833

4758

4755

4750

4748

4753

4760

SAGE

4745

4740

4740

4745

CANAL

Levee

Levee

Levee

Levee

4736

4741

4375

to the
direction

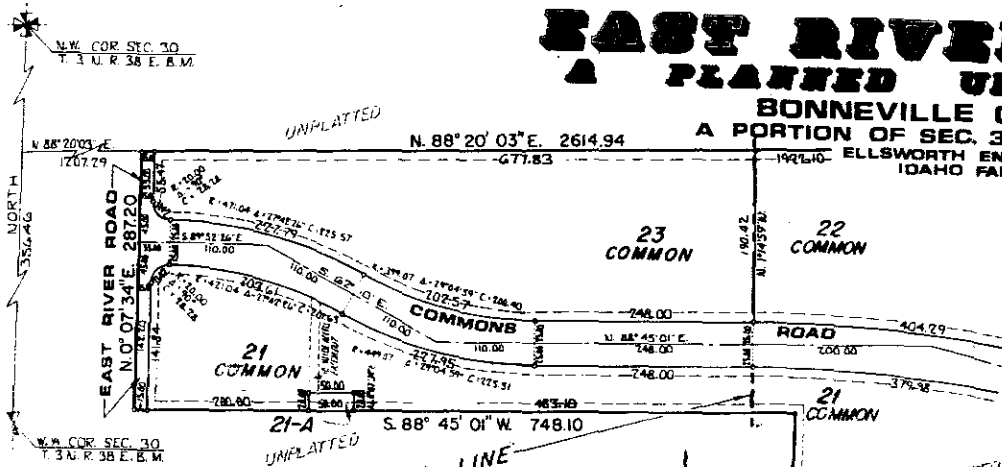
2640

1885.12

754.88

EAST RIVER COMMONS A PLANNED UNIT DEVELOPMENT

BONNEVILLE COUNTY, IDAHO
A PORTION OF SEC. 30 T. 3 N. R. 38 E. S. 8 M.
ELLSWORTH ENGINEERING, INC.
IDAHO FALLS, IDAHO



While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

IDAHO TITLE & TRUST CO.

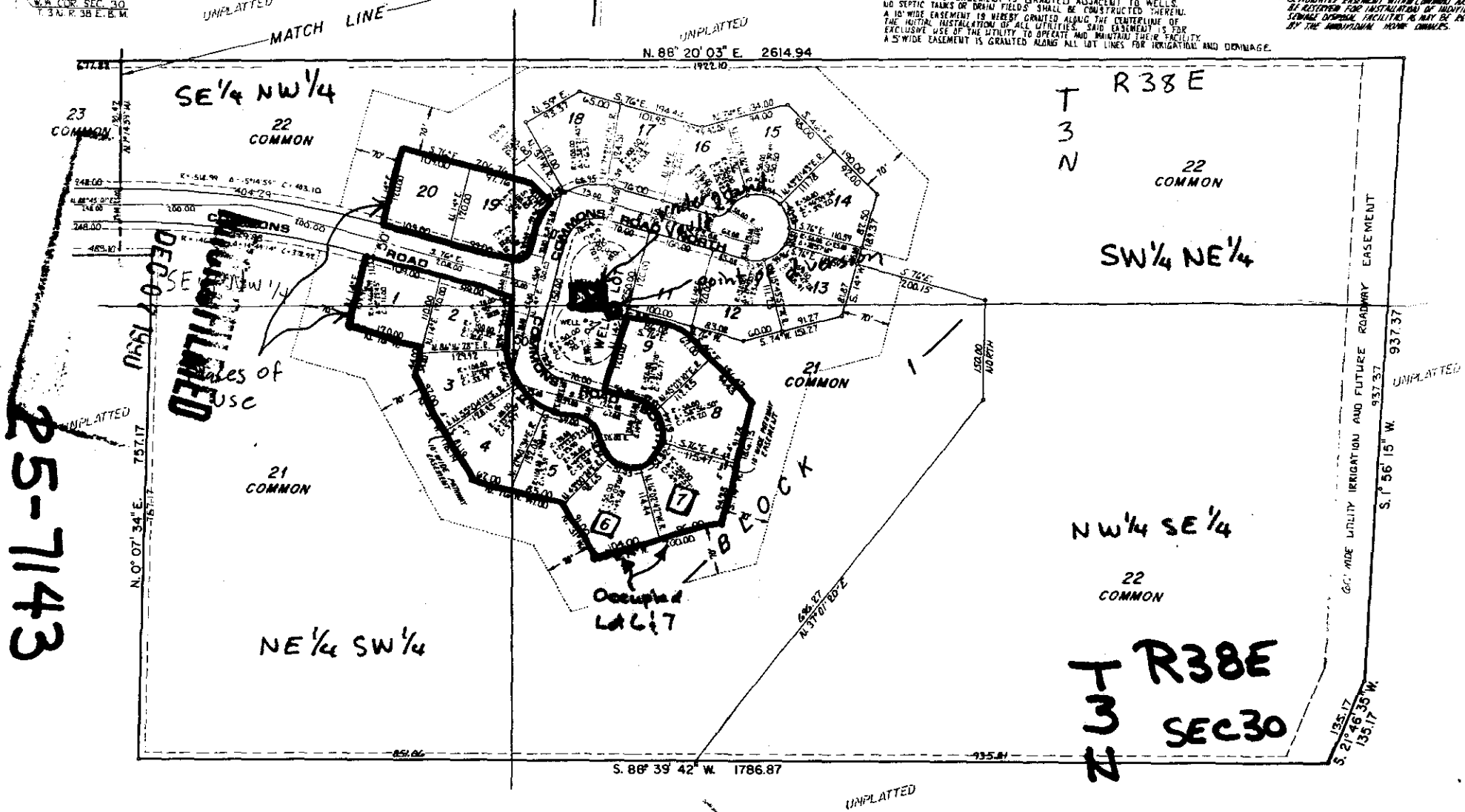
547 So. Capital Ave.
Idaho Falls, Idaho 83401
522-7895

NOTES:

- DESIGNATES IRON RODS
- UTILITY EASEMENTS 10' WIDE.
- A 50' RADIUS EASEMENT IS GRANTED ADJACENT TO WELLS.
- NO SEPTIC TANKS OR DRAIN FIELDS SHALL BE CONSTRUCTED THEREIN.
- A 15' WIDE EASEMENT IS HEREBY GRANTED ALONG THE CENTERLINE OF THE HIGHWAY FOR THE INSTALLATION OF ALL UTILITIES. SAID EASEMENT IS FOR EXCLUSIVE USE OF THE UTILITY TO OPERATE AND MAINTAIN THEIR FACILITY.
- A 5' WIDE EASEMENT IS GRANTED ALONG ALL LOT LINES FOR IRRIGATION AND DRAINAGE.

DESIGNATES EASEMENT WITHIN COMMONS AREA TO BE RETAINED FOR INSTALLATION OF INDIVIDUAL SEWAGE DISPOSAL FACILITIES AS MAY BE REQUIRED BY THE INDIVIDUAL HOME OWNERS.

25-7143



25-7143

NW 1/4 SE 1/4

T 3 N
R 38 E
SEC 30

RECEIVED

DEC 05 1988

Department of Water Resources

December 2, 1988

RE: Permit No. 25-7143

East River Commons Home Owners Assoc.
201 Commons Road
Idaho Falls, ID 83401

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit. Please note the enclosed order of reinstatement.

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,

KEITH C. WILSON
Sr. Resource Agent

KCW:CW

Enclosure

MICROFILMED

DEC 07 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 25-7143

Date: 9/19/88

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
Y Address change _____ If yes, prepare a data entry
N Proof received timely
 Y Reinstated

Source of Water:

Y Surface water
Y Groundwater
 Y 1. well log in file
 N/A 2. drilling permit
 _____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

Proof acceptable
Reinstate

Y Priority Calculation:
Date proof received May 18, 1988 138
Date proof due April 1, '88 - 91
No. of days late = 47
Priority date Jan. 24, '78 + 24
NEW PRIORITY DATE March 12, '78 = 71

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

REGISTERED
MAY 18 1988

For Office Use Only
Fee Received \$50.00
Date 5/19/88
Receipt # C000710
Receipt by CD
Reviewed by JS
Sent to region 2

STATE OF IDAHO

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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. 25-7143

Name(s) of Permit Holder: East River Commons Home Owners Assoc.

Post Office Address: 201 Commons Rd,

Idaho Falls, Idaho 83401 Telephone No. 522-8977

Source of Water: well

Extent of Use:

Domestic 11 (number of households) Stockwater — (number and type of stock)

Irrigation — (acres) Other/Remark pump delivers 66 gpm

(0.15 cfs) at 60 lbs

Total rate and/or volume for which proof is submitted 0.15 cfs — acre-feet

Show the date water was first diverted and beneficially used under this permit: —

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

Fee enclosed \$50.00
(See License Examination Fee Schedule)

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

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

ARTHUR W. BROWN 522-8977(home) / 526-1410(work)
(Name) (Telephone Number)

SEP 30 1988

201 Commons Rd, Idaho Falls, Idaho 83401
(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.

May 16, 1988
Date

Arthur W. Brown - Vice Pres.
Signature of Permit Holder (and title, if appropriate)

Jodi:

Mr. Brown called
He is vice pres.

We need to send
special letter w/
rein order.

25-7143

J-

To: File 25-7143

From: Groundwater Protection

Date: 9/19/88

Drilling Permit: ☒ Not Applicable
☐ Found and in file
☐ Not Found

Well Drillers Report:

☐ Not found, due to reported age of well
probably not available
☒ Found and is in file
☐ Not found

Follow-up

☐ Request from permit holder the well
drillers report and/or the name of the
well driller.
☐ Ask permit holder when well was drilled
and notify holder of drilling permit
requirement if after July 01, 1987.

1 Log Found

The original application indicates
two (2) p.s. I suggest you
ASK Mr. Brown if only one
well is drilled

MICROFILMED

SEP 30 1988

JB

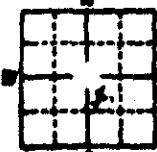
Per telephone call with Mr. Brown 9/20/88 -
there is one well.

gs

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER No. <u>East River Commons</u> Address <u>1256 Mountain St. Idaho Falls, Idaho 83401</u> Owner's Permit No. <u>#25-7243</u>	7. WATER LEVEL Static water level _____ feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ OF. Quality _____																															
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Baller ☐ Air ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped																												
Discharge G.P.M.	Pumping Level	Hours Pumped																														
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Hole Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th rowspan="2">Water Yield No</th> </tr> <tr> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>10"</td> <td>0</td> <td>8</td> <td>Gravel & Sand</td> <td>1</td> </tr> <tr> <td> </td> <td>8</td> <td>152</td> <td>SAND</td> <td>2</td> </tr> <tr> <td> </td> <td>152</td> <td>163</td> <td>Gravel & Sand</td> <td>3</td> </tr> <tr> <td> </td> <td>163</td> <td>175</td> <td>SAND</td> <td>4</td> </tr> </tbody> </table>	Hole Diam.	Depth		Material	Water Yield No	From	To	10"	0	8	Gravel & Sand	1		8	152	SAND	2		152	163	Gravel & Sand	3		163	175	SAND	4				
Hole Diam.	Depth		Material	Water Yield No																												
	From	To																														
10"	0	8	Gravel & Sand	1																												
	8	152	SAND	2																												
	152	163	Gravel & Sand	3																												
	163	175	SAND	4																												
4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____	10. Work started <u>Jul. 30, 80</u> finished <u>Aug 7, 80</u>																															
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>3.56 inches</td> <td>10 inches</td> <td>1 foot</td> <td>16 feet</td> </tr> <tr> <td>2.56 inches</td> <td>7.6 inches</td> <td>16 feet</td> <td>163 feet</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No Was a peaker or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>125</u> Material used in seal: ☐ Cement grout ☐ Pudding clay ☐ Well cuttings Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld _____ ☐ Cemented between struts Describe access port _____		Thickness	Diameter	From	To	3.56 inches	10 inches	1 foot	16 feet	2.56 inches	7.6 inches	16 feet	163 feet									Number	From	To								
Thickness	Diameter	From	To																													
3.56 inches	10 inches	1 foot	16 feet																													
2.56 inches	7.6 inches	16 feet	163 feet																													
Number	From	To																														
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name <u>East River Commons</u> Lot No. <u>10</u> Block No. <u>1</u> <u>Bonnieville</u> <u>1000 S. 9th St. 30.7.3 04.33' W.</u>	11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Jennishill Drilling Co. No. 10</u> Address <u>Box 460 Hope, Idaho</u> Date <u>Aug 7, 80</u> Signed by (Firm Official) <u>John A. Jennishill</u> and (Operator) <u>John A. Jennishill</u> SEP 8 1980																															

INTER-DEPARTMENT MEMO — 1

FROM Rita

DATE 9/19/88

TO John Beal

SUBJECT File # 25-7143

Would you please look for the well log?
Mr. Brown called today to check on
status. B/V was received in May.

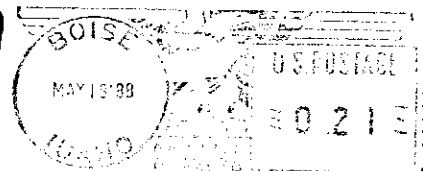
Thank you.

98

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706

RECEIVED
MAY 23 1988



Department of Water Resources

East River Commerce Home Owners Assoc
Rt. 6, 1201 Commerce Rd
Idaho Falls, ID 83401

5-19-88
no sum II
K6
JL

SENDER
NO SUCH NUMBER

RECEIVED

SEP 30 1988

Out to
RF 5/24

RECEIVED

SEP 30 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 18, 1988

East River Commerce Home Owners Assoc.
Rt. 6, 1201 Commerce Rd.
Idaho Falls, ID 83401

Gentlemen:

Re: Permit No. 25-7143

LAPSE NOTICE

The Department is required to notify you that under the provisions of Section 42-218a of the Idaho Code, Permit No. 25-7143 lapsed since the department could not approve the request for extension of time you submitted.

The permit cannot be reinstated unless an adequate amount of work has been completed to allow you to submit proof of beneficial use of water. If you have diverted and used water from a well for domestic, stock and irrigation purposes you should complete and return the proof of beneficial use form along with the examination fee or the proof of beneficial use and completed examination report conducted by a certified water right examiner to this office within sixty days of the date of this lapse notice. If it is not received by that time, the permit will be of no further force or effect.

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

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

MICROFILMED

SEP 30 1988

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

May 18, 1988

East River Commerce Home Owners Assoc.
Rt. 6, Box 1201 Commerce Rd.
Idaho Falls, ID 83401

Gentlemen:

Re: Permit No. 25-7143

LAPSE NOTICE

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

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

102-101-177

MICROFILMED

SEP 00 1988

CERTIFICATION OF MAILING

Theroburn, Idaho 5-18-1988

First-class postage guaranteed
Postage and fees paid by addressee
Return to addressee

[Signature]

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

APR 08 1988

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

Department of Water Resources

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. 25-7143

Name(s) of Permit Holder: East River Commons Home Owners Association

Post Office Address: Rt 6, 201 Commons Road

Idaho Falls, Id. 83401 Telephone No. 208-522-8977

Date Proof is Due: April 1, 1988

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

Following Work was completed as of Sept 1980:
1. 10" well to 175 feet 4. Water distribution system
2. 5 horsepower pump installed & operating to 11 lots
3. Control Valve, vault
and pressure tanks Costing \$ 28,921

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

1. Two lots have been developed & have been using water since 1981
2. Remaining lots have not been sold. They have been listed with realtor continuously. But real estate market weak.

Permit holder(s) request an extension to April 1, 1993. [Signature]
(1 yr. minimum) (Signature)*

FEE: \$15.00 **MICROFILMED** *IF OTHER THAN PERMIT HOLDER, POWER OF ATTORNEY MUST BE SUPPLIED.

SEP 00 1988

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be DENIED, pursuant to Sec. 42-204, Idaho Code, which states that a permit holder may only be granted one extension of time.

Signed this 20TH day of April, 19 88.

[Signature]
Director

April 21, 1988

East River Commerce Home Owners Assoc.
Rt. 6, 201 Commerce Rd.
Idaho Falls, ID 83401

Gentlemen:

Re: Permit No. 25-7143

Enclosed is a copy of the denied request for extension of time. An extension had previously been granted for due diligence and under the provisions of Sec. 42-204, Idaho Code, the department does not have the authority to grant another for that reason.

I note that some work has been completed on this project. I suggest that you submit a proof of beneficial use form and fee for that portion of the project that is presently complete. At a future date when you are ready to develop the remainder of the project, you can reapply to the department for a supplemental permit.

See the enclosed proof of beneficial use form and instruction/fee sheet for more information.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enc.

MICROFILMED

SEP 30 1988

SEP 30 1988

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 25-7143Reviewed by JyDate 4-14-1988

BASIC INFORMATION

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

BASIS FOR EXTENSION REQUEST

- No Has adequate work been completed to demonstrate due diligence?
Has the cost incurred been adequate to demonstrate an intent to complete the project?
No 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 = _____

- No Is delay by a government agency?
Is supporting documentation needed to complete the file? _____
Requested? _____

ACTION TAKEN

Recommend denial since the dept. Cannot grant on ext. for more than ~~one~~ based on due diligence per I.C. 42-204.

Special conditions or remarks:

Advise to Submit proof for portion Completed.

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

- ____ Prepare coding sheet
____ Change rolodex cardf

138238
CERTIFIED MAIL
January 31, 1988

EAST RIVER COMMONS HOME OWNER ASSN.
C/O SCHUYLER L. BRADLEY, PRES.
RT. 6 189 COMMONS RD.
IDAHO FALLS, ID 83401

PROOF DUE NOTICE

RE: Permit No. 25-7143

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1988. (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

SEP 30 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

SEP 30 1988

MICROFILMED

SEP 30 1988

WATER RIGHT NUMBER 25-7143

OWNER LAST NAME - EAST RIVER COMMONS HOME OWNER ASSN. FIRST NAME - ORIG OWNER -
ADDRESS LINE 1 - C/O SCHUYLER L. BRADLEY, PRES. ADDRESS LINE 2 - RT. 6 189 COMMONS RD.
ADDRESS LINE 3 - CITY - IDAHO FALLS STATE - ID ZIP CODE - 83401
SOURCE - GROUNDWATER TRIBUTARY OF -
STAGE - PERMIT STATUS - PRIORITY - 01-24-1978 COUNTY - BONNEVILLE TOTAL DIV. RATE - 1.4200 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NWSE 30 03N 38E LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - 04-01 TO - 11-01 USE - IRRIGATION USE DIV. RATE - 1.0000 CFS USE DIV. VOLUME - .00 AFA
FROM - 01-01 TO - 12-31 USE - STOCKWATER USE DIV. RATE - .0200 CFS USE DIV. VOLUME - .00 AFA
FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .4000 CFS USE DIV. VOLUME - .00 AFA
USE - IRRIGATION PLACE OF USE - TWN 03N RNG 38E SEC 30 TRACT SWNE LOT AC 12 TRACT SENW LOT AC 09
TRACT NESW LOT AC 08 TRACT NWSE LOT AC 21
TRACT SWNE LOT AC TRACT NWSE LOT AC
DATE - TOTAL ACRES 50
DECREE NAME -
REMARKS - 2 P/D IN NWSE, S30, T3N, R38E.
NON IRRIG USE - S/40 HORSES, 40 RANGE, D/20 HOMES.
OTHER RIGHTS FOR SAME USE - IDAHO IRR. DIST.
PROOF DUE - 04-01-1988 PERMIT/DENIED - 04-04-1978 PROTESTED - HEARING - OLD NO. -
PROOF MADE - FLD EXAM - COND. OF APPROVAL - 01A 03A
DIVERSION MEANS - WELLS, PUMPS, SPRINKLERS & PIPELINE.

IDENT. NO. Q5-7143

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

April 14, 1983

Schuyler L. Bradley
East River Commons Home Owners Assoc.
Rt. 6, 189 Commons Road
Idaho Falls, ID 83401

Dear Mr. Bradley :

Re: Permit No. 25-7143

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to April 1, 1988.

In connection with the development of a water right under this permit, the Department wishes to call to your attention an Idaho Power Court decision issued in November 1982 which likely could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later in time uses. The question of whether Idaho Power's 8,400 cfs water right at Swan Falls dam has been diminished by subsequent development, however, was remanded back to district court for determination. The findings of the district court could restrict water availability or require compensation to Idaho Power Company for uses developed later in time than Idaho Power Company's water right at Swan Falls dam.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enc: Ext. of Time

SEP 20 1988

INTER-DEPARTMENT MEMO — 1

DATE 2/28/83

FROM Rita Fleck

TO File 25-7143

SUBJECT B/U Notice

I mailed the beneficial use notice a second time to the following address:

East River Commons Homeowner Assoc.
c/o Schuyler L. Bradley
189 Commons Road South
Idaho Falls, ID 83401

as per Idaho Falls telephone book.

This time it did not go certified mail.

SEP 30 1983

rf

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

NOT RECORDED

SEP 30 1988

25743

ENJOY IDAHO'S
STATE PARKS

RECEIVED
FIRST CLASS

DEC 1982

SEP 17 1988

East River Commons Home Owner Assoc.
1266 Huston
Idaho Falls, ID 83401

Attention: L. Bradley
TO
SENDER

FORWARDING ORDER EXPIRED

NOT RECORDED

SEP 30 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

MICROFILMED

SEP 00 1988

77
FORWARDING ORDER EXP

RECEIVED

FEB 7 1983

Department of Water Resources

CERTIFIED MAIL

NO. 138160

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138160

EAST RIVER COMMONS HOME OWNER ASSN.
C/O SCHUYLER L. BRADLEY, PRES.
1266 HUSTON
IDAHO FALLS, ID 83401

PROOF DUE NOTICE

JANUARY 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 25-7143 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

SEP 30 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

December 3, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

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

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

SEP 30 1988



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

April 10, 1978

Re: Permit No. 25-7143

Schuyler L. Bradley
East River Commons Home Owner Assoc.
1266 Huston
Idaho Falls, ID 83401

Dear Mr. Bradley:

Enclosed is a copy of your approved Application for Permit No. 25-7143. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:KW

Enclosure



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

DIVISION OF ENVIRONMENT
636 Pershing
Pocatello, Idaho

31 January 1978

FEB 1 1978

Department of Water Resources
Eastern District Office

Schuyler L. Bradley
East River Commons Home Owner Association
1266 Huston
Idaho Falls, Idaho 83401

Re: Application #25-7143
(Bonneville County)

Dear Mr. Bradley:

We have been apprised of your application to appropriate public waters of the State of Idaho in order to provide domestic water for twenty families (individual dwellings).

Title 39, Chapter 100, of the Idaho Code defines such systems as public water facilities; further, the Idaho Code requires that plans and specifications be reviewed and approved by our Department prior to construction.

Adopted rules and regulations set forth minimum standards for construction, operation, and maintenance, as well as water quality requirements. A copy of these regulations is enclosed for your information.

If you need assistance in clarifying the requirements, please do not hesitate to contact our office.

Yours very truly,

Henry L. Moran, P.E.
Rgnl. Environmental Supervisor

HLM/md

Enc.

CC: Ron Carlson ✓

MICROFILMED

January 30, 1978

RE: Application for Permit No. 25-7143

Engineering Department
Mountain Bell
1915 N. Blvd.
Idaho Falls, ID 83401

Gentlemen:

The information enclosed on the application for permit indicates the location of wells that have been requested in conjunction with the proposed housing project.

Since we have no information on the present status of this project, it may very well be one that has already been completed. You may need to check with the county if further information is required.

Very truly yours,

B. NALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosure

MICROFILMED

January 27, 1978

RE: Application for Permit No. 25-7143 BRADLEY

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 2-21-78 by Cul

RDC:ME

Enc: 1 legal

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that East River Commons Home Owner Association,
Schuyler L. Bradley, President, Idaho Falls, Idaho

has on 1-23-78 submitted Application No. 25-7143
for a permit to appropriate 1.42 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from ground-water sources
by means of wells and pumps
within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ (2 pts.), Sec. 30, T. 3N, R. 38E, B.M., Bonneville County;

to be used from Jan. 1 to Dec. 31 for domestic purposes for 20 families and
xxx stockwatering purposes for 40 horses and 40 cows within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
for 30, T. 3N, R. 38E, B.M., and from Apr. 1 to Nov. 1 for the irrigation of 50 acres
within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 3N, R. 38E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
February 20, 1978

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Published in the Post Register, Idaho Falls, Idaho
on February 2 and February 9, 1978.

Handwritten signatures and initials

January 25, 1978

RE: Application for Permit NO. 25-7143 BRADLEY

Mr. Henry L. Moran
Regional Environmental Supervisor
Department of Health & Welfare
Division of Environment
636 Pershing
Pocatello, Idaho 83201

Dear Mr. Moran:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, submit them to our Department as soon as possible. The last date of protest is February 20, 1978, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosure

January 25, 1978

RE: Application for Permit No. 25-7143 BRADLEY

Mr. Art Tackett
Idaho State Planning & Community Affairs Agency
Regional Director
600 East Oak, Suite B
Pocatello, Idaho 83201

Dear Mr. Tackett:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, submit them to our Department as soon as possible. The last date of protest is February 20, 1978, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosure

MICR

January 24, 1978

RE: Application for Permit No. 25-7143

Donald Hankin
East River Commons Home Owner Assoc.
1266 Huston
Idaho Falls, Idaho 83401

Dear Mr. Hankin:

Attached herewith is Departmental receipt No. 9184 in the amount of \$35.00 for the above referenced application in the name of Schuyler L. Bradley, East River Commons Home Owner Assoc.

Very truly yours,

MARLENE EMPEY
Secretary

ME;CD

Attachment

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Schuyler L. Bradley

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) Jan 24 1978

In form to receipt yes

(2) _____

Send Copies to:

☒ Idaho State Health Department Henry Moran
☒ Idaho Fish and Game Department P. H. E.
☒ Bureau of Land Management
☒ ART Tackett - Regional Director
☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(3) _____

☒ Telephone Company
In form for advertising yes

(4) _____

Platted on Map No. 3N38E

(5) _____

Located within Water District No. Basin 25

(6) _____

Critical groundwater area: yes _____ no X

(7) _____

Groundwater levels:

(8) _____

_____ Declining, X Stable, _____ Increasing

(comment) 22hab1

(9) _____

Other rights on the same place of use Surface
rights within Idaho Irrigation district

(10) _____

Comments:

None

(11) Ca 2-21-78

Affidavit of Publication received (date) Feb. 21-78

(12) Ca 2-21-78

Final date for protests February 20, 1978

Protests received: yes _____ no X

(13) LA 2-21-78

All requested information received from agencies or applicant: yes X no _____

(14) LA 2-21-78

Action recommended:

☒ Approve

_____ Deny

1-24-78 Proposed Priority

_____ Reason for Reduction _____

☒ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District E

By Laura O'Halloran Date 2-21-78

Copy Sent

Supplemental